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Friday, 5 April 2024

(10.00 am)

LADY SMITH: Good morning, and welcome to a day in which, as I said last night when we finished, we're going to have live evidence over the video link from two witnesses and we will hopefully manage some read-ins after that or even in between.

Mr Peoples.

MR PEOPLES: Good morning, my Lady. The next witness is John Muldoon.

LADY SMITH: Good morning, can you hear me all right?

A. Yes, thank you.

LADY SMITH: How would you like me to address you?

I'm happy to use your first name or Mr Muldoon, if you prefer; which?

A. First name's fine, thank you.

John Muldoon (sworn)

LADY SMITH: Thank you.

Now, John, just before I turn to inviting Mr Peoples to take your evidence, could I just say from the outset I'd like to do anything I can to enable you, giving your evidence, to be as comfortable as possible, whilst recognising that what we're asking you to do is something I imagine you don't welcome at all. But, if you can bear with us, please, and remember our wider

1 objective here, which is for the welfare of all
2 children, past, present and future, and I know from the
3 information we have that there are matters that I hope
4 you'll be able to help us with.

5 But do let me know if there's anything I can do to
6 make the whole process of you giving evidence more
7 comfortable. If, for example, you want us to stop the
8 link for a short period, to have a pause, that's okay,
9 just say. Or if you don't understand what we're asking,
10 speak up, because of course it's probably our fault, not
11 yours, if you don't understand.

12 Otherwise, John, you'll be aware that you may be
13 asked questions the answers to which could incriminate
14 you in relation to matters of which you have not
15 previously been convicted. Although this is a Public
16 Inquiry and not a courtroom, you have exactly the same
17 rights as you would have in a courtroom. As you know
18 that means that you don't have to answer any questions
19 that could incriminate you, but, of course, if you do
20 answer them, you have to answer them fully.

21 Let me add that a transcript is being made of your
22 evidence, so that would be available at a future date.

23 Now, does that all make sense?

24 A. Yes, thank you.

25 LADY SMITH: If you have any doubt at any time whether we're

1 embarking on that territory, do just ask and check with
2 us. That's not a problem.

3 A. Okay.

4 LADY SMITH: If you are ready, I'll hand over to Mr Peoples
5 and he will take it from there John; all right?

6 A. Thank you.

7 LADY SMITH: Thank you.

8 Mr Peoples.

9 Questions from Mr Peoples

10 MR PEOPLES: Good morning, John.

11 A. Good morning.

12 Q. My role is as counsel to the Inquiry and I will be
13 asking you questions today. Lady Smith may also ask
14 questions from time to time.

15 Can I start, John by -- for the transcript -- and to
16 provide some references. You have before today provided
17 a written response to the Inquiry answering certain
18 questions which were put by the Inquiry. The reference
19 for your response is WIT-3-0000005707.

20 You don't need to worry about that reference. It's
21 just for our purposes.

22 So far as the questions are concerned, there's
23 another reference I'll give at this stage to show what
24 questions you are answering, and it's INQ-000000206.

25 John, can I just confirm you do have in front of you

1 a copy of the response you've provided to the Inquiry
2 and also a copy of the questions which you were asked to
3 answer or respond to? Do you have that in front of you?
4 A. Yes.
5 Q. Thank you.
6 A. Yes, I have.
7 Q. Before I ask any questions, can I perhaps just say in
8 relation to the answers you've given at page 20 of your
9 response, I think you tell us -- and I should perhaps
10 say this at this stage -- that the answers that you have
11 provided have been based on memory alone; is that
12 correct?
13 A. Correct.
14 Q. Now, John, you were born in 1953?
15 A. That's correct, yes.
16 Q. And you worked at Kerelaw Residential School between
17 approximately 1983 and 2004, and latterly as a unit
18 manager; is that correct?
19 A. Yes, as far as my memory serves. The dates may not be
20 exact, but that's ...
21 Q. Don't worry. We have, I think, had access to some
22 records which -- and I think you're accurate. I'll come
23 back to that maybe in due course.
24 A. Okay.
25 Q. So don't worry about the precise dates.

1 A. Right.

2 Q. Now, can I start by asking you this: do you agree that
3 abuse, whether sexual or physical, of a young person in
4 residential care by a member of the care staff is
5 abhorrent?

6 A. Yes, I do.

7 Q. Do you accept that there were opportunities for staff to
8 abuse young people both at Kerelaw and on occasions when
9 a staff member took a young person out on their own,
10 sometimes to their own home?

11 A. I don't believe that happened, no.

12 Q. But the question I suppose I'm asking is: do you accept
13 there were opportunities?

14 A. I think there's opportunities in life in all sorts of
15 different things, but I don't accept the premise of
16 your -- you're trying to make.

17 Q. Did you at any time during your period of employment at
18 Kerelaw have any concerns about any other member of
19 staff's treatment of or behaviour towards a young person
20 or young persons?

21 A. No.

22 Q. Is it your position today that you had no --

23 A. Sorry, can I stop you there? Sorry.

24 Q. Sorry.

25 A. I did on occasion -- went to the headmaster with

1 a concern. KAM and I went to Bob Forrest.
2 I think we were concerned that a member of staff was --
3 I can't remember the exact -- what exactly happened, but
4 I did go with KAM to Bob Forrest with
5 concerns over a member of staff.

6 LADY SMITH: Can you remember which of the jobs you did at
7 Kerelaw you were doing at that time, John?

8 A. I think it was way back. I think it was when I first
9 started. So I'd be a care officer then.

10 LADY SMITH: Okay. So that's quite early on in your time
11 there?

12 A. Yes, it would be.

13 LADY SMITH: Thank you.

14 A. It would be within the first year, I would think.

15 MR PEOPLES: And, John, I know we're asking a lot. It's
16 going back a long way, but can you remember, in broad
17 terms, the nature of the concern that caused you and
18 KAM to go to see the headmaster,
19 Bob Forrest?

20 A. Honestly, no. Not at this precise moment, but it might
21 come back to me.

22 Q. Okay. We'll just leave it at that.

23 A. What I do know is it did escalate. It was taken serious
24 and it did go -- I think we were Glasgow Corporation at
25 that time or Glasgow -- or Strathclyde Region, but it

1 was in Ayrshire where Bob Forrest went to see his boss
2 in regards to the complaint I'd made.

3 So it was recorded and it was taken seriously then.

4 Q. Okay. But is your position, apart from that
5 recollection, that you had no awareness, when working at
6 Kerelaw, that young people at Kerelaw were or might be
7 being abused by other members of staff?

8 A. That is my position, yes.

9 Q. Are you aware that there are former Kerelaw staff whom
10 you will have known who have been convicted of sexually
11 and/or physically abusing young people who were in the
12 care of -- who were in care at Kerelaw? Are you aware
13 of that?

14 A. Yes.

15 Q. Are you aware that one of these individuals is a person
16 called Matt George?

17 A. Yes.

18 Q. And that he was convicted on two occasions of sexual and
19 physical abuse of young people in care at Kerelaw;
20 you're aware of that?

21 A. Yes, I'm aware.

22 Q. Are you aware that another member of staff, I think he
23 was known as 'Tam', or Tom Howe, was also convicted, in
24 2018, of indecent assault of two young girls at Kerelaw?
25 Were you aware of that?

1 A. I wasn't aware of the charges, no.

2 Q. Well, I can tell you that the charges were indecent
3 assault and he was convicted in 2018. So that's just
4 information I'm giving you now.

5 A. Thank you.

6 MR PEOPLES: And --

7 LADY SMITH: You know who we're talking about, do you,
8 Tom Howe?

9 A. Yes. Yes, yes.

10 LADY SMITH: Thank you.

11 A. I was aware that he was -- I was aware he went to court.
12 I wasn't aware of the charges, what he was being charged
13 with.

14 LADY SMITH: And you remember him from Kerelaw, do you?

15 A. Yes.

16 LADY SMITH: Thank you.

17 MR PEOPLES: And just to be clear: I think we already know
18 that Matt George was an art teacher in the open school;
19 is that correct?

20 A. Yes.

21 Q. Tam Howe, I think at least generally speaking, was
22 a person who would work a night shift in the open
23 school; is that correct?

24 A. He only worked nights, as far as I know.

25 Q. And were you aware that a third person, called Jim Boyd,

1 was also convicted of assaulting a girl who was
2 a resident at Kerelaw School? Were you aware of that?
3 A. No.
4 Q. Do you know Jim Boyd?
5 A. I don't know who -- I don't know who that is, Jim Boyd.
6 No.
7 Q. That name doesn't mean anything to you?
8 A. I don't recognise the name, no.
9 Q. Well, I can tell you just at this stage, John, that
10 Mr Boyd was convicted of assaulting a resident who was
11 born in 1987, and he was convicted in 2004, April 2004,
12 in Kilmarnock Sheriff Court; that's not something that
13 you were aware of?
14 A. No. No, definitely not.
15 Q. Perhaps I can also --
16 A. I don't remember anybody called Boyd being employed at
17 Kerelaw.
18 Q. Okay. Well, I'll just --
19 A. Was it in the secure -- sorry. Was he in the secure
20 unit?
21 Q. Well, I just have the name and I'm just going to give
22 you some information about what I understand, that the
23 background to the incident that led him to be convicted
24 was that police were returning a female resident to
25 Kerelaw due to her having absconded and that she was

1 still in handcuffs when Mr Boyd placed both hands round
2 her neck and squeezed, shook her violently without
3 apparent provocation or warning, and that he did this in
4 the presence of two police officers; is that something
5 that's news to you?

6 A. I don't -- would I be there at 2004?

7 Q. Well, I did wonder --

8 A. I could have been in Glasgow by that time, working.
9 I don't think -- I don't know who Boyd is.

10 Q. Okay.

11 A. I've never heard of him.

12 Q. Well, I think --

13 A. The charges are -- sorry for talking over you.

14 Q. It's okay.

15 A. The charges are new to me. I've never heard of this.

16 LADY SMITH: Well, the conviction was 2004.

17 MR PEOPLES: Yes.

18 LADY SMITH: When was the incident?

19 MR PEOPLES: Well, I don't have that date. But I think when
20 I say 2004, April, that was when he was convicted. The
21 incident --

22 A. Sorry.

23 Q. -- would have happened before 19 April. But I think
24 from the information it suggests it did happen within
25 a relatively short period between the incident itself

1 and the conviction.

2 So it would have been relatively late on, as far as
3 I --

4 A. I could have been in Glasgow by that time, perhaps,
5 that's why I don't know him. I thought I would have
6 heard of it, but I certainly haven't.

7 Q. Okay. So you're aware of these various convictions,
8 either from what I've said today or from knowledge you
9 had before today.

10 Can I ask you this, John: what do you think now,
11 knowing that there were, in your time at Kerelaw,
12 abusers of children in their midst, some for significant
13 periods of time? What do you think now, knowing that?

14 A. I still don't believe there was any abuse, especially of
15 a sexual nature, at Kerelaw.

16 Q. Okay.

17 So if I --

18 A. I think --

19 Q. I'm sorry?

20 A. -- may have been tried on -- I think perhaps we're
21 being -- things that happened in the past, I mean,
22 30 years ago, the conditions then comparing to
23 conditions nowadays or what's acceptable nowadays,
24 perhaps there's a difference there.

25 Q. But I suppose there's never a difference between sexual

1 abuse 30 years ago and sexual abuse today.

2 A. I already answered that question, saying that there was
3 no sexual abuse at Kerelaw.

4 Q. You don't believe there was any?

5 A. I do not believe -- firmly do not believe there was any
6 sexual abuse at Kerelaw School.

7 Q. Despite the convictions that I've mentioned?

8 A. Despite the convictions that you've mentioned.

9 Q. And despite the fact that some of these took place
10 outwith Kerelaw?

11 A. I don't know where you're coming from there. I don't
12 know anything about outwith Kerelaw.

13 Q. Well, I can tell you, for example, in the case of
14 Matt George, that some of the convictions for abuse,
15 sexual abuse, occurred at his home.

16 A. You would need to ask Matt George on that one. I don't
17 have any knowledge of that.

18 Q. I'm telling you as a fact.

19 A. I'm not here -- well, as a fact, I'm not here to talk
20 about Matt George.

21 Q. No, but I'm just asking -- you say you didn't know any
22 of this; that's your position? If it was happening, you
23 didn't know it was happening?

24 A. I've said that twice so far.

25 Q. Because these convictions prove, do they not, whatever

1 your state of knowledge, that over a long period of time
2 all children at Kerelaw were at risk of both physical
3 and sexual abuse due to the presence of these
4 individuals and that a considerable number of pupils
5 were victims of serious physical and sexual abuse based
6 on the convictions? Do you accept that?

7 A. I don't believe -- I do not believe there was any sexual
8 abuse that took place at Kerelaw.

9 Q. How are you able to say that?

10 A. How am I not able to say it? I was there.

11 Q. But you weren't there all the time in the presence of
12 the people I've mentioned, whether they were at Kerelaw
13 or whether they were elsewhere, were you?

14 A. How many adults who worked there have come forward and
15 gave you evidence that there was any sexual abuse took
16 part in Kerelaw? None.

17 LADY SMITH: John, can I just intervene here. The way this
18 works is we ask questions. It's not an exercise in
19 which you get to ask questions of us, other than the
20 sort of thing I was indicating earlier, if you don't
21 understand what we're asking. So please bear with us.
22 Please bear with Mr Peoples. It's not a place for
23 a debate or discussion.

24 But can I also just raise one other thing at this
25 point before I forget? A couple of minutes ago you made

1 mention of whether or not something was acceptable at
2 the time. Put sexual abuse to one side and think of,
3 for example, physical abuse. You need to know that so
4 far as this Inquiry is concerned, I am looking into not
5 simply whether things happened that would have been
6 permitted at the time, but whether, looking at them
7 properly and fully, the conclusion has to be drawn that
8 it was still abusive to children to do a particular
9 thing.

10 A classic example is where if a child was physically
11 harmed, physically disciplined, for example, in
12 circumstances where actually it wasn't justified to hit
13 them at all; or where a child was locked up where it
14 actually wasn't justified to do that at all, even if it
15 was what was happened at the time and nobody was going
16 to be disciplined for it at the time.

17 So I would ask you to bear that in mind as well.
18 This isn't a criminal trial: it's looking wider in the
19 public interest at what was happening and whether we
20 realise now that what was happening was abusive to
21 children.

22 If I can help you with that, that's why our approach
23 may seem at times odd to you, because it's going further
24 than, for example, one would if looking at charges on
25 a criminal indictment or a criminal complaint, or at

1 conclusions and claims in a civil action. I hope that
2 makes sense.

3 A. I understand. Although, I perhaps I gave a bad example,
4 what I'm trying to say was that the standards of
5 30 years ago, the rules that were laid down to us in how
6 we restrained people were the guidance given by our
7 bosses at Glasgow City Council or Strathclyde Region, or
8 Glasgow Corporation.

9 LADY SMITH: Yes.

10 A. And we -- that's how we had to do things. The standards
11 changed over a period of time.

12 LADY SMITH: We'll no doubt be coming back to that, John,
13 because I'm very interested in examining what systems
14 were in place and whether those systems really are
15 acceptable when you look at it through the lens of the
16 welfare and protection of a child.

17 Mr Peoples.

18 MR PEOPLES: My Lady, yes.

19 I will be coming to some of these matters, John.
20 But if I can just continue with these questions: what
21 I'm putting to you at this stage is, based on what has
22 been proved beyond reasonable doubt in a court of law,
23 Kerelaw was not a safe environment for young people for
24 much of its period of operation.

25 Do you have any comment on that?

1 A. No comment, no. Thanks.

2 Q. Now, I think one of the points that you make in your
3 written response, John, is that there were ample
4 opportunities for children to disclose abuse, if abuse
5 was happening; is that something you've said?

6 A. Yes. That's what I've wrote.

7 Q. And you've said, for example, they could have said
8 something to their social worker or a children's rights
9 officer, possibly an inspector, a key worker, a parent
10 or some other adult; is that your position?

11 A. Yes.

12 Q. Do you accept that children who are being abused in
13 residential care by an adult would not necessarily
14 report the abuse, even if there were adults, such as
15 those you mention and I've mentioned today, to whom they
16 could have disclosed the abuse? Do you accept that
17 children don't always tell people what is happening to
18 them?

19 A. I can accept that.

20 Q. And it could be for a variety of reasons; do you accept
21 that?

22 A. Yes.

23 Q. It could be because they think they will not be
24 believed; that's one possibility, is it not?

25 A. It could be.

1 Q. It could be because they're receiving threats from their
2 abuser; that's another possibility, is it not?

3 A. You could continue down that line, yes, evidenced,
4 yes --

5 Q. I just want to establish --

6 A. -- hypothetically. Yes, hypothetically, yes.

7 Q. Well, they could also not disclose because they're
8 fearful of the consequences for them of making
9 an allegation against a care worker in the establishment
10 in which they've been placed, usually against their
11 will.

12 A. Yes.

13 Q. And another possibility is they could not disclose
14 because for them being abused by an adult was, because
15 of their background circumstances, the norm for them:
16 they didn't know anything different.

17 A. That could be the case, yes.

18 Q. Okay.

19 Now, can I now go to ask you something about your
20 time at Kerelaw, John? You started -- and I think we've
21 seen something that you started around December 1983,
22 when you were about 30 years of age, as a temporary
23 night care officer in the secure unit at Kerelaw; is
24 that right? Do you recall that?

25 A. That's correct, yes.

1 Q. Then I think that you applied successfully, by
2 16 April 1984, for the post of residential childcare
3 officer; does that accord with your recollection?
4 A. Is that about six months later, is it?
5 Q. Well, it's -- yes, it would be. Yes, yes.
6 A. That's fine. Thank you.
7 Q. Can I just ask you this, John: did you get any induction
8 when you started at Kerelaw?
9 A. There was an in-house induction, I believe, if my memory
10 is correct.
11 Q. Is that different from simply learning on the job? Was
12 there something specific before you started doing the
13 job?
14 A. Oh, there was -- aye, there were various things prior to
15 that. I think at that time it was the Scottish Office
16 that ran the secure unit, if my memory serves me right.
17 So there was quite strict procedures.
18 Q. When you started at Kerelaw -- and I'll come to your
19 qualifications later, but when you started you didn't
20 have any childcare qualifications; is that correct?
21 A. No.
22 Q. And I think your previous employment history was, I
23 think, as a teenager, having left school, you did
24 a four-year apprenticeship with the Upper Clyde
25 Shipbuilders in Govan; is that right?

1 A. Correct. Five years, I think.

2 Q. I'm sorry?

3 A. Yes, I think it was about five years.

4 Q. Right, and that would take us to about 1973/1974. Then

5 did you hold thereafter a couple of managerial positions

6 with different companies?

7 A. Yes. Yes.

8 Q. If I mention the name Provident; was that one of them?

9 A. Correct, yes.

10 Q. Were you an assistant manager there? For about five

11 years?

12 A. Might have been, yes.

13 Q. Did you also work as an office manager for another about

14 four or five years with a company called Cattle

15 Holdings?

16 A. Correct. Yes.

17 Q. Now, moving on with your employment at Kerelaw, you were

18 a residential childcare officer from around April 1984,

19 we understand; did you remain in that role for about

20 10 years, until about 1994?

21 Am I stretching your memory?

22 A. Stretching too far for me.

23 Q. Well, take it from me, I think records would indicate

24 that you were in that position for around that amount of

25 time. So you're not quarrelling, I think, with me?

1 A. No, no. No.

2 Q. Just, when you were a residential childcare officer,
3 John, can you recall which units you worked in? Because
4 you started off in the secure unit when you first went
5 to Kerelaw, but can you remember what units you were
6 working on after that?

7 A. I think I went from there to Baird Unit. And then
8 perhaps to Millerston Unit with KAM [REDACTED]. She
9 was the officer in charge.

10 Q. Thank you.

11 A. And I think her and I, at some stage the two of us went
12 to open up a new co-educational unit. Don't ask me
13 times or years or when it happened, but that's my
14 recollection.

15 Q. Okay. And I think we understand from other evidence
16 that from around 1989, which would be about six years or
17 so after you started at Kerelaw, the Kerelaw open school
18 admitted girls as well as boys; is that something you
19 recall happening?

20 A. That's the co-educational part I was talking about, yes.

21 Q. I see. So I think we understand it happened around
22 1989; is that --

23 A. I think it was before that, but I'm not going to argue.

24 Q. Okay. But, just to be clear, when you were in the
25 secure unit, as we understand the secure unit was

1 something that probably opened up, around the time you
2 started at Kerelaw, as a separate establishment and it
3 had both boys and girls from the start?

4 A. I think from the start it had boys.

5 Q. Okay.

6 A. I don't recollect girls being there at that time,
7 but ...

8 Q. Okay. Now, moving on, I have you to about 1994, ten
9 years as a residential childcare officer, possibly in
10 Baird and Millerston with KAM; did there
11 come a point of time when you became a team leader, in
12 1994?

13 A. Again, I couldn't tell you that. Prior to -- I know
14 I was team leader, I was unit manager, I was officer in
15 charge. There was three different times, I think, I had
16 to apply for the same job as Glasgow City Council went
17 to Strathclyde Region. As it went to Glasgow
18 Corporation, you had to re-apply for your own job.

19 Q. John, we are aware, yes, that there was a complication,
20 because Strathclyde ran Kerelaw until 1996.

21 A. Yes.

22 Q. And then Glasgow City Council became the operator of
23 Kerelaw, when the regional councils were removed and
24 replaced by unitary councils and Glasgow City Council
25 was established. And it sounds as if around that time

1 the job titles and applications were going on thick and
2 fast at Kerelaw; is that right?

3 A. That's correct. It's quite hard to remember exactly.

4 Q. Yes, I'm not so worried about the dates. I'm just
5 trying to get a broad picture.

6 But if you became a tech team leader around that
7 time; that would be a promoted post?

8 A. Yes, correct. Yes.

9 Q. And would that effectively be in charge of one of the
10 units at Kerelaw?

11 A. Yes.

12 Q. Can you help me with this -- or maybe I will just tell
13 you this as well. From what I understand, you became
14 a team leader in 1994. You became a depute unit manager
15 in 1996, around the time of reorganisation of local
16 government, and then you became, in the same year,
17 a temporary unit manager around the time of
18 reorganisation. So I don't know if that helps you,
19 John, to remember?

20 A. That certainly isn't accurate because I was never depute
21 and I was never temporary.

22 Q. Okay. Well, I think we understand that at the time of
23 reorganisation for a variety of reasons, including
24 financial ones, certain people were considered to be
25 either deputies, temporaries, acting ups, because of

1 certain financial constraints that they couldn't give
2 them permanent positions; does that ring a bell?

3 A. I don't recollect -- above my pay grade that one.
4 Personnel basically deal with that. It's higher up.

5 Q. Okay. Well --

6 A. Personnel department would deal with that.

7 Q. Okay. Well, you became a unit manager, and I think you
8 certainly were a unit manager on a permanent basis by
9 around the late 1990s; is that correct?

10 A. I think I was -- I think I go way back to 1994.
11 I became a unit manager and I was nothing else but
12 a unit manager from 1994.

13 Q. Well, you could well be right because I think we've
14 discovered that terminology changed and a team leader in
15 1994 was the equivalent of what was later called a unit
16 manager.

17 A. That's right.

18 Q. So you're probably right, yes.

19 A. Yes.

20 Q. Can I ask you this, John: can you remember which unit
21 you led, either as a team leader, if that's what you
22 were called at the time, or a unit manager?

23 A. Wilson Unit, I believe.

24 Q. By the time you became a team leader or unit manager;
25 was Wilson Unit a unit for boys or girls?

1 A. It was co-educational to start with, when
2 KAM and I were there.

3 Q. And did it become a single sex unit after a short time?
4 A. It quickly became a single sex unit after a short period
5 of time, yes.

6 Q. Was that a girls' unit?
7 A. Correct.

8 Q. Because we know that there were four units, Wilson,
9 Baird, Fleming and Millerston.

10 A. Yes.

11 Q. By the time that Wilson became a girls' unit, there were
12 boys' units, one of which was Millerston, another was
13 Fleming; and was Baird another girls' unit at that time?
14 A. At that time I think it was a boys' unit.

15 Q. But it did become a girls' unit in the fullness of time?
16 A. Correct. Baird, yes.

17 Q. And I think I've come across something that suggests you
18 became a unit manager in Baird at some point; is that
19 right?
20 A. I was -- yes. At some stage I moved through for a
21 while, a period of time, yes.

22 Q. And you also, I think -- and I think this was maybe
23 around 2003, the year before you left Kerelaw -- you
24 became unit manager in the Millerston Unit for boys; is
25 that right?

1 A. Correct.

2 Q. Maybe around March of 2003?

3 A. I thought it was 2004, but you might be right.

4 Q. Yes. And can I ask you this: do you have a memory that
5 prior to becoming the unit manager in Millerston; did
6 you attend what I think was referred to as a counselling
7 interview conducted by a person called Bill Adam at
8 which Jim Hunter, the then principal, was present? Do
9 you remember that?

10 A. No, I don't actually.

11 Q. Because Jim Hunter told us that he has a memory of
12 attending such a meeting that Jim Hunter conducted, and
13 that you were there and being counselled, I think was
14 the -- what it was described as; was there anything that
15 would have caused you to be counselled or interviewed by
16 Bill Adam at that stage? Can you recall?

17 A. I don't recollect that, no.

18 MR PEOPLES: Okay.

19 LADY SMITH: Do you remember Bill Adam?

20 A. Yes.

21 LADY SMITH: Thank you.

22 A. Bill Adam was head of Kerelaw, I believe. At Glasgow.
23 He sat behind a desk in Glasgow.

24 LADY SMITH: In Glasgow?

25 A. He wasn't actually at Kerelaw, yes.

1 MR PEOPLES: John, what we understand from Jim Hunter is
2 that Bill Adam became what would be known as an external
3 manager for Kerelaw, based in Glasgow, and that
4 Jim Hunter was the principal in Kerelaw from about 2001
5 to 2004 and that he was then transferred in the middle
6 of 2004; although I think you had probably gone by then?
7 A. Yes. I think so, yes. That's (indistinguishable), yes.
8 Q. And I think Bill Adam for a short time took over as the
9 sort of acting principal in the absence of Jim Hunter?
10 A. I wasn't there, so (overspeaking) --
11 Q. No, you don't know that. Okay.
12 But what you do know, I think, is that
13 in March 2004, there were complaints made by two female
14 staff in Millerston, when you were unit manager,
15 essentially of alleging bullying and harassment by you;
16 do you recall these complaints being made?
17 A. Yes, I do.
18 Q. At that point, when these complaints were made; were you
19 transferred pending investigation of them to Centenary
20 House in Glasgow, the social work department
21 headquarters?
22 A. Standard procedure, yes, for any complaint, you were
23 transferred.
24 Q. Well, I did say that it was pending investigation. It
25 wasn't a disciplinary action.

1 A. No.

2 Q. But did there come a point in 2004 when you were
3 officially suspended as unit manager, maybe around the
4 summer?

5 A. I thought it was 2005, but I'll bow to your knowledge.
6 Years are --

7 Q. Well, it's a long time, John. Because I don't think
8 after March 2004 -- did you at any point go back to
9 Kerelaw after that?

10 A. I don't believe so, no.

11 Q. No. And as I understand it, following your suspension,
12 there was a disciplinary hearing lasting five days; do
13 you remember that?

14 A. I remember a disciplinary hearing in Glasgow, but
15 I don't remember five days. But, again ...

16 Q. Well, maybe I can help your memory. My understanding is
17 there was a disciplinary hearing over a period of
18 five days in December 2004 and that you were dismissed
19 for gross misconduct on 17 December 2004; does that ring
20 a bell?

21 A. That's fine, yes. Yes, that rings a bell.

22 Q. Okay.

23 A. I thought it was 2005. But, okay, again, like you say.

24 Q. Well, there were certainly people having hearings in
25 2005 and getting dismissed in that year, because the

1 investigations into Kerelaw did take quite a long period
2 of time, which I think you probably know.

3 A. Yes.

4 Q. Now, can I ask you this, John: you started at Kerelaw
5 without qualifications of a childcare nature; is that
6 right?

7 A. That's correct.

8 Q. But you tell us in your written response that you did
9 obtain qualifications subsequently. I just want to ask
10 you a few questions about that, at this stage.

11 You first of all tell us that you went on a two-year
12 course to obtain a HNC in social care; is that right?

13 A. Yes.

14 Q. Where was that course held? Was it in Kerelaw?

15 A. No, no, it was one of the colleges that had -- it was
16 outwith. It was up in Glasgow somewhere.

17 Q. Don't worry, then. Was it Jordanhill?

18 A. Was it Anniesland?

19 Q. Langside Jordanhill, maybe?

20 A. Langside. Langside, yes. Is that Glasgow; Langside?

21 Q. Yes. Yes. I know, coming from Ayrshire, Glasgow is
22 a long way away. As I think we discovered, Kerelaw was
23 treated as something different from Glasgow; you may
24 know that?

25 A. Yes, I do.

1 Q. Now --

2 A. Langside rings a bell.

3 Q. Can I just ask you this: was that a full-time course or
4 were you going to it as well as working at the same
5 time?

6 A. Full-time.

7 Q. Full-time.

8 A. Full-time, although there was placements in it and
9 different things, but I did go back to the school as
10 well.

11 Q. From time to time?

12 A. There was periods of -- like any college course,
13 I suppose.

14 Q. Now, I don't know if you can help us. I know it's
15 difficult with dates. But can you kind of give me
16 an idea of when you were going to the college? Was this
17 after you became a team leader or unit manager?

18 A. Oh no, no.

19 Q. Before then?

20 A. No, this is when I was just a care officer.

21 Q. So you did that and then you returned to Kerelaw; is
22 that right? Full-time?

23 A. When it was finished?

24 Q. Yes.

25 A. Yes. Yes.

1 Q. Do you think that helped you become a team leader or
2 unit manager?

3 A. It gave me the knowledge to do my job, yes.

4 Q. And I think you subsequently obtained, first of all,
5 an SVQ 3, which -- I think that's the term that's used.
6 Can you remember when you obtained that?

7 A. No. That was after -- it was after the HNC.

8 Q. Ah-ha. But would you --

9 A. If I can remember.

10 Q. -- be a team leader or a unit manager by then?

11 A. No, I would still be a care officer then, I believe.

12 Q. Right. And then --

13 A. And I think you had to have certain qualifications to
14 become a team leader.

15 Q. I see.

16 A. So I would have to have these -- qualifications that
17 would seem or deemed necessary for the position I would
18 have to have prior to having the unit manager's
19 position.

20 Q. I see. But you also obtained a higher qualification,
21 an SVQ 4; was that after you became a team leader, or
22 unit manager?

23 A. I think that was -- I think that was a management
24 course, I believe. So I think that was after I became
25 team manager.

1 Q. So far as these particular qualifications are concerned,
2 you'll have to help me here: are these qualifications
3 that you obtain while working in Kerelaw or do you have
4 to go outwith Kerelaw as well?

5 A. If I went to Langside, yes. I was out -- I was out
6 Kerelaw for two years.

7 Q. No, no, sorry, the SVQ I was meaning. Sorry, my fault.

8 A. SVQ was -- SVQ ... I think was in-house.

9 Q. Okay.

10 A. I think.

11 Q. I'm just trying to get a picture.

12 Did there come a point when you had something called
13 Therapeutic Crisis Intervention training?

14 A. Yes. TCI.

15 Q. TCI. We'll just call it TCI, because we know what that
16 means.

17 A. Yes.

18 Q. And we've been told that TCI was something that came
19 from the United States. Cornell University, I think,
20 devised the idea and it was introduced to Kerelaw and
21 perhaps other places in the 1990s. And there's been
22 various dates given for its introduction; I don't know
23 whether you remember when TCI training was first
24 introduced to Kerelaw?

25 A. I think it would be mid-1990s, I believe. 1996, 1997,

1 perhaps.

2 Can I write something down?

3 Q. Yes, take your time.

4 A. What page was that on? What question was that on this?

5 Q. I think I was asking you a general question.

6 A. We'll leave it at that just for the minute.

7 My understanding was it was mid-1990s, 1996.

8 Q. I think other people have put it -- some put it earlier,

9 but I think the consensus was it was probably around the

10 mid-1990s.

11 And at that stage, when you did this training, would

12 you have been in a team leader or unit manager position?

13 A. Oh, that's a good question. TCI.

14 We did one before that. It was --

15 Q. I'll ask --

16 A. -- something else. What was it called?

17 Q. Yes, I'll ask you about that in a minute. But, just

18 before we go on to that ...

19 A. TCI ... I must have been a unit manager then, I would

20 believe.

21 Q. Well, it would fit in with the dates that I've given

22 you. If it was around the mid-1990s, you probably were

23 in this more senior position --

24 A. Yes.

25 Q. -- at that stage. And I think you tell us in your own

1 statement that you did become a TCI trainer at Kerelaw;
2 is that right?

3 A. That's correct.

4 Q. And would this obviously be after you've become
5 TCI-trained?

6 A. Yes. Oh yes. It was two different courses, I think.
7 Yes.

8 Q. And you would have had to do a separate course to become
9 a trainer?

10 A. Correct.

11 Q. And did you have to go outwith Kerelaw to do that course
12 or did you get it done in-house?

13 A. Outwith Kerelaw. It was Cornell University, if
14 I believe, that took the course.

15 Q. The people from Cornell? You didn't go to the
16 United States, did you?

17 A. No. No, the people from Cornell.

18 Q. Yes, the representatives from the -- I've got you.
19 Would that have been long after you actually did the
20 TCI training itself or was it some time later, or did
21 you just do it?

22 A. It would be after the course. You did the course and
23 you went on to do the training. So I don't know about
24 that period of time, the length of time between the two
25 or that. I can't remember that, which --

1 Q. Were all unit managers and team leaders expected to
2 become trainers or was this either something you were
3 asked to do or volunteered to do?

4 A. There was no -- I thought it was a good idea. I could
5 train the staff.

6 Q. Okay. And you also tell us, John, that you also became
7 an HNC tutor and workplace assessor; was that about the
8 same time or later?

9 A. That was prior to that, I think.

10 Q. Okay.

11 A. I think.

12 Q. And did you have to do anything to become a tutor,
13 an assessor? Did you have to do another course or
14 whatever?

15 A. Again, there was courses to do. Yes, it would be.

16 Q. Would these be in-house or did you have to go somewhere?

17 A. It was people outwith from the training place -- I am
18 not sure.

19 Q. They might have just come in, but they were external?

20 A. They might have came in, they might have came in. But
21 they were external people that took these courses.
22 Whether I was outwith Kerelaw ... I think I would be
23 outwith Kerelaw to do these courses.

24 Q. Okay. Can I ask you about the TCI training, then, which
25 you reckon came in in the mid-1990s? What was the

1 purpose of this training?

2 A. It was -- well, it was -- compared to the previous
3 training that we had, it was more therapeutic. It was
4 more interventions and trying not to restrain young
5 people, you know.

6 Q. Because, yes -- I'm sorry, I can maybe ask --

7 A. Carry on.

8 Q. I could ask you this: you did mention -- and I should
9 have asked you before I asked that question -- that
10 before that you had received other restraint training of
11 a sort; is that correct?

12 A. Yes.

13 Q. And was that training that you received at Gartnavel?

14 A. Gartnavel, yes.

15 Q. Was that a form of restraint training that was being
16 provided to various organisations, whether people who
17 were working in hospitals for the mentally ill or people
18 who might be working in other fields? Is that right?

19 A. My understanding was -- well, it was a compulsory
20 course, we were told, by -- whether it was Glasgow City
21 Council or Strathclyde Region, or Glasgow Corporation,
22 I don't know. But we were instructed that we had to do
23 these courses, this course. And the fact it was
24 Gartnavel Mental Hospital I think answers your question.

25 Q. And am I right in thinking that the training at

1 Gartnavel was different to TCI training in one important
2 respect: that under the Gartnavel training, if I could
3 call it that way, people were taught what I would call
4 pain-inducing techniques to bring other persons under
5 control.

6 A. That's correct. Yes.

7 Q. The sort of thing that might be used or was used
8 historically in the Prison Service by police officers,
9 perhaps by people in psychiatric hospitals and the like?

10 A. I was told then that the course then was a restraint and
11 escape techniques(sic). And it was the police and
12 prison wardens and whoever else. It was a standard
13 course for everybody and we had to do the same course.

14 Q. And if I suggest that this training may have been
15 provided around the early 1990s, around about 1990 or
16 thereabouts; would that accord with your recollection,
17 broadly speaking?

18 A. Again, dates are not very ... I don't know.

19 Q. Okay. Well, I suppose I can put it another way --

20 A. It was prior to -- it was well prior to the TCI, let's
21 put it that way.

22 Q. Well, can I put it another way? You started in 1983 and
23 for some considerable time before you had any restraint
24 training, whether at Gartnavel or as part of TCI
25 training, there was no restraint training for people

1 like you or other staff at Kerelaw; is that the
2 position?

3 A. That's as far as I remember. Yes, that's the position.

4 Q. So maybe for a period of, certainly, it could be in the
5 order of seven years in your case and maybe longer in
6 the case of other staff, there was no restraint training
7 or no training in interventions that was being provided
8 by the employer; is that what it comes to?

9 A. I don't recollect any training by my employers, no. In
10 that initial stage, yes.

11 Q. But, before the Gartnavel training was provided, at
12 least to some staff, including yourself, there would be
13 occasions, would there not, where young people at
14 Kerelaw would be what I call 'restrained', physically
15 restrained?

16 A. I'm sure they must have been, yes.

17 Q. Were you involved in such restraints, personally?

18 A. I must have been. I don't recollect. But, given the
19 nature of the place and the amount of kids that were
20 there -- there was over 100, 90 to 100. There were 40
21 to a dorm in those days.

22 Q. So it was big place and --

23 A. There was plenty of them, yes.

24 Q. So you will probably work out what the next question
25 is --

1 A. What did you do?

2 Q. Yes, what did you do and what did other people do, when
3 you didn't have training?

4 A. The best of your ability.

5 Q. Can you describe how you would put someone down, for
6 example?

7 A. What you didn't do was you didn't deliberately go out of
8 your way to hurt people. That's what you didn't do.

9 Q. Okay. I follow that. But did people sometimes, whether
10 through lack of training or otherwise, sustain injuries
11 in the course of restraints?

12 A. In my career -- I can only talk for myself. In my
13 career I never had any injuries -- sorry, the person
14 I was restraining never received any injuries that had
15 to be either looked at by a doctor or an individual.
16 Nobody that I restrained or had to restrain prior to TCI
17 or after TCI had any injuries. So I did the best of my
18 ability to put the person under control without hurting.

19 Q. I think you said they certainly didn't sustain injuries
20 at any time when you were involved, whether before or
21 after Gartnavel and TCI training that required, was it,
22 some sort of medical treatment or attention? But would
23 they have suffered some kind of injury at all?

24 A. They would perhaps be in -- well, I think if you're
25 being restrained it's not a comfortable thing to do,

1 regardless of who you are.

2 Q. And I suppose if you're resisting or struggling for
3 whatever reason, then there is a strong possibility that
4 you could sustain some sort of injury in that --

5 A. As I said, I never had any injuries towards -- none of
6 the people I restrained received any injuries and
7 there's no record of anything like that, apparently.

8 LADY SMITH: John, just going back to when you started, you
9 were young. You were just 30 at the time; were you
10 working with people who were older than you?

11 A. Yes.

12 LADY SMITH: When it came to restraining a young person; did
13 you learn from them what had to be done?

14 A. Obviously, you looked at your -- the people that were
15 already there with experience and how things were
16 managed. That's how you learn in any job.

17 LADY SMITH: It's only natural to look to your elders in
18 those situations to see how you do whatever it is you're
19 doing; isn't that right?

20 A. Yes. That's reasonable, yes.

21 LADY SMITH: Thank you.

22 Mr Peoples.

23 MR PEOPLES: Just on the question of restraint, whichever
24 method -- either trained or simply doing the best you
25 can -- was involved; would restraints in the period you

1 were at Kerelaw generally involve putting the young
2 person on the ground at some point?

3 A. Prior to TCI or ...?

4 Q. Either prior or post TCI; would it involve putting the
5 young person to the ground?

6 A. TCI was putting people to the ground, yes.

7 Q. But would that happen before TCI as well?

8 A. You're asking me to remember way back how things were
9 done. In the normal -- how would you bring a young
10 person under control? You would do the best of your
11 ability.

12 Q. And that might --

13 A. But normally you would try and talk them out of it or
14 ... you know, in those days -- they were honest rogues
15 in those days. There weren't the same psychological
16 problems that they've got now. These things weren't
17 recognised then, so you had the honest rogue who would
18 sit down and say: look, hands up, I was wrong there, you
19 know. Let's -- come on, we'll go and get a game of
20 football or something.

21 That's how things happened then. I don't remember
22 restraints way back.

23 Q. Okay. So they're not memorable enough that you could
24 even tell us, generally speaking, how they were done,
25 because they don't stick out in your memory?

1 A. It depends on the size of the person, obviously.
2 There's various ways of doing things. You could wrap
3 your arms around them. You could -- yes, I don't -- but
4 I've no recollection of anything.
5 What I do know for a fact -- and that's prominent in
6 any of the records -- that nobody was injured in any of
7 them.
8 Q. Well, if we go forward to the TCI training, then. The
9 idea was to intervene, was it not, in a way that would
10 avoid any physical intervention? That was the general
11 idea of TCI: do other things?
12 A. It was try alternatives to bring the situation down to,
13 you know, alleviate whatever was going on, rather than
14 restraint.
15 Q. Yes. I'm sorry. Physical intervention -- are you okay?
16 Do you want a drink or something?
17 A. No, no, carry on.
18 Q. Was physical restraint therefore, under TCI guidance and
19 principles and training, something that was supposed to
20 be a last resort, if all else failed?
21 A. Yes. Yes.
22 Q. Did the staff who received the training always
23 appreciate that?
24 A. They were told that. Whether they -- you would need to
25 ask them, individually.

1 Q. Okay. But you --

2 A. I certainly knew -- I certainly knew what the intention
3 was. It was more therapeutic because of the paperwork
4 and everything else. It was pretty obvious. I don't
5 think anybody could say other than it was therapeutic
6 rather than restraint.

7 Q. Okay. But where physical intervention was carried out
8 as part of a restraint exercise, post TCI; would that
9 generally involve bringing the young person to the
10 ground?

11 A. That involved three people to bring the young person to
12 the ground, yes. TCI, yes.

13 Q. And the object, was it not, under TCI, was to bring them
14 down in a way that they would be face down? Is that
15 correct?

16 A. I think -- yes, it was -- it was face down ... that's
17 correct. Yes. It was face down.

18 Q. I mean, you might now, with the benefit of hindsight,
19 have some concerns, looking back, on the face of it that
20 might seem -- particularly for the person being
21 restrained, that might not be a very comfortable
22 experience, if you are face down against your will,
23 sometimes perhaps struggling, sometimes in some sort of
24 crisis or whatever?

25 A. I think the reason for that, if my memory serves me

1 correctly, was that the spitting. If you were face-up
2 you tend to be spat upon and that was not a nice thing
3 either to happen. So I think that was the reason for
4 face down.

5 Q. And once TCI training was introduced; would it be
6 correct to say that there appeared to be a greater use
7 of physical intervention than had been the case prior to
8 the training being given?

9 A. Could you -- sorry, could you repeat that?

10 Q. After TCI, did --

11 A. After TCI?

12 Q. -- it appear to you that there were more physical
13 interventions than there had been in the good old days,
14 if you like, before you had that type of training?

15 A. I couldn't honestly say that. That's -- no, that's --
16 I don't think so, no.

17 Q. Although there did come a time, did there not, when you
18 were in Millerston -- and I'll come more to this maybe
19 in due course -- that there were a lot more restraints
20 than physical interventions than there had been,
21 perhaps, in previous years?

22 A. I think you will find that's not accurate. And I think
23 if you refer -- I think you referred to Jim Hunter
24 prior?

25 Q. Yes?

1 A. He actually produced a paper for Glasgow City Council
2 disproving what you're trying to say: that there was
3 more restraints when I moved to Millerston Unit.

4 What he actually proved through the paperwork was
5 that there was more restraints on Millerston kids from
6 the education department in the period I was there.
7 Nothing to do with me.

8 Q. Yes, you mean restraint --

9 A. Glasgow linked the two together and just put the blame
10 on my doorstep.

11 Q. Yes, okay, just so I follow: there might have been a lot
12 of restraints, but the bulk of them, you say, would have
13 been done by the education side?

14 A. Yes.

15 Q. Not the care staff? Is that --

16 A. Not the care staff.

17 Q. Yes, okay. But there were quite a lot of them,
18 necessarily?

19 A. There seemed to be a few extras, yes.

20 Q. Yes, because if you looked at the overall numbers, as
21 I understand it, there was quite a dramatic increase.
22 But you're telling us that the reason for that wasn't
23 anything to do with the care staff doing more
24 restraints; it was probably that the education side of
25 things were doing more restraints?

1 A. I know that Jim Hunter produced a document with evidence
2 proving that.

3 Q. Okay.

4 So, going back to TCI again, if I could just ask you
5 this: you went through training, you told us you became
6 a trainer and so forth; am I correct in thinking that
7 all staff, both care staff and education staff, were
8 expected to undergo TCI training?

9 A. I believe so. Although they had an alternative. They
10 could take the theory side and not do the physical side.
11 I think there was options there. So some, perhaps,
12 would do the theory, but not do the physical, opt out of
13 that. And I don't think -- I know that one person did
14 that.

15 Q. And I suppose if they opted out, then if restraint was
16 necessary they would have to summon assistance?

17 A. They would have to. Yes. Basically, yes.

18 Q. That would happen anyway, sometimes, to deal with
19 a situation? The care staff might go to the class and
20 help with a restraint or whatever.

21 A. If there was a restraint it would take at least three
22 people to safely do that restraint.

23 Q. Would you need as many as six?

24 A. No, certainly not.

25 Q. Okay.

1 So, if someone thought that at times six people were
2 being used to restrain one young person, that would be
3 definitely inappropriate?

4 A. It wouldn't happen. We didn't have the staffing for
5 that to happen. There was two people -- there was two
6 people in a unit. If you left you would have to call in
7 other units to help. That wouldn't happen.

8 Q. Well, the reason I'm asking you that is I think
9 LEF [REDACTED] -- whose name you will be familiar with --
10 told Jim Hunter at some stage that during what was maybe
11 described at a turbulent period at Kerelaw, around
12 2003/2004, he told him that there were times when there
13 was as many as six staff involved in restraint; now, you
14 think that's not correct?

15 A. I don't see how you can get six staff. Personally
16 speaking, I don't see how you could get six staff to
17 take part in the restraint.

18 Q. Well, we've perhaps all seen things on television about
19 how the number of people can perhaps restrain a person,
20 even if the numbers are perhaps excessive at times. It
21 can happen.

22 A. Like police officers?

23 Q. I'm not going to -- we can think of examples. I think
24 we've all seen them, haven't we?

25 A. I'm just going by my memory. The amount of staffing

1 that we had was sometimes down to the bare bones. To
2 try to get six people to do one restraint, I would find
3 that extraordinary.

4 Q. Okay.

5 A. Hard to believe. But that's not saying it didn't
6 happen.

7 Q. Right.

8 A. I mean, there might have been exceptional circumstances.

9 Q. That's very fair of you to say that.

10 But, if we go back to the training aspect, if you
11 were going to be involved in more than theory, the
12 policy, at least, was that you should have TCI training
13 if you were going to be involved in restraint.

14 A. When it was introduced?

15 Q. Yes.

16 A. Yes, that was it. If my memory serves me right, it took
17 about three or four years to get everybody trained. It
18 never just happened overnight. TCI was --

19 Q. Well, that's what --

20 A. TCI might have been introduced in whenever you say.
21 But, in reality, it never happened for numerous people
22 for a number of years.

23 Q. Yes, it didn't all happen at once?

24 A. No.

25 Q. So the idea that suddenly overnight everyone would get

1 TCI training is not in accord with your memory?

2 A. That's never happened.

3 Q. So there would be people who for a time, even after the
4 training was introduced, would be restraining, but
5 without the TCI training?

6 A. If they had to restrain, yes. That's fair, I would
7 think.

8 Q. Yes. And apart from TCI training being seen as
9 something that everyone should have; was it also the
10 case that the intention was that those who had been TCI
11 trained would have regular refresher training?

12 A. Yes.

13 Q. Did that always happen?

14 A. No.

15 Q. No. In fact --

16 A. No.

17 Q. -- in a lot of cases it didn't happen, is that right,
18 for a long time?

19 A. I don't -- honestly, my memory ... being honest, I don't
20 think -- what should happen and what happens doesn't
21 always coincide.

22 Q. Yes. I mean, policy and practice are not always --
23 coincide with each other. In this matter, I'm getting
24 the impression that you say whatever the intention,
25 refresher training wasn't something that was happening

1 on a regular basis for a lot of staff?

2 A. I remember when I became a trainer the push was to get
3 everybody that hadn't been trained, trained.

4 Q. Just to get them trained?

5 A. Yes.

6 Q. Not to get them refreshed?

7 A. Well, getting them to train was the first and foremost.

8 Q. Right, because --

9 A. Refresher came after.

10 Q. Yes. Because, John, the reason I'm asking you this,
11 there has been evidence to this Inquiry that staff ought
12 to have been given refresher training, but that didn't
13 happen in many cases; is that -- you're not disagreeing
14 with that type of evidence?

15 A. I can only talk for myself, as a trainer --

16 Q. Yes.

17 A. -- that I did more training for TCI than refresher
18 training.

19 Q. Okay. Well, I think we can maybe take from that
20 something.

21 Now, just on the matter of training, and you were
22 a trainer, the Inquiry has heard some evidence that some
23 staff within Kerelaw didn't take TCI training very
24 seriously and were quite dismissive of it. The example
25 given was that some people during training sessions were

1 reading newspapers; now, is that something that you were
2 aware of?

3 A. That wouldn't happen when I was there, sorry.

4 Q. But you weren't the only trainer?

5 A. I wouldn't have liked that. Pardon?

6 Q. You wouldn't be the only trainer, though?

7 A. No, no.

8 Q. So it could have happened, but you say not on your
9 watch?

10 A. It wouldn't happen on my watch, no.

11 Q. Okay. Because had that been done; what would you have
12 done about it?

13 A. They would have been told quite -- I mean, I don't ...
14 it wouldn't happen.

15 Q. Okay.

16 A. I just wouldn't allow it to happen.

17 Q. Okay. Now, so far as restraints are concerned, when you
18 were manager of Millerston latterly, before you left or
19 transferred; was there such a thing as a -- what has
20 been termed or we've been told is a 'zero tolerance'
21 approach in your unit?

22 A. On drugs being brought into the school? I remember
23 that. But that was Glasgow City Council's policy,
24 a zero tolerance. Any drugs being brought into the
25 school would be automatically police involvement.

1 Q. But what about zero tolerance within the unit towards
2 things like cheek or swearing, or answering back or
3 being lippy? Was there such a policy in your unit in
4 your time as unit manager?

5 A. No. If I had a pound for every time someone was cheeky
6 or lippy, or whatever, I would be a millionaire
7 multi-millionaire, billionaire. No, it was just an
8 every day occurrence, I am afraid.

9 Q. Did an individual called KBP [REDACTED] work in your
10 unit in Millerston at some point? Do you remember that
11 name?

12 A. I remember the name.

13 Q. And was he a good worker?

14 A. As I say, I remember the name, vaguely. If I was in
15 Millerston -- I was only there for about three months,
16 maybe. I don't remember. I think I was there -- was he
17 a joiner to trade?

18 Q. I just wanted to know your recollection, because we've
19 heard your evidence that at some point when you were in
20 Millerston you had a team meeting, when, according to
21 the recollection of some others, you said that some
22 individuals were doing their job properly, three in
23 particular, and the rest by implication were not doing
24 it properly; do you remember saying something like that
25 at a team meeting?

1 A. If that was in a team meeting that would be recorded in
2 the minutes, because there was a separate minute-taker.
3 If that was in a meeting and that was said, there would
4 be the minutes for that. I don't remember saying that,
5 no.

6 Q. You don't remember saying it? Is it the sort of thing
7 you would say if you felt it was justified?

8 A. I -- well, (indistinguishable), I cannae answer that.
9 I don't remember seeing it, is the answer, sorry. And
10 if it did happen, it would be minuted, so you would be
11 able to prove it, so ...

12 MR PEOPLES: Okay. Well ...

13 LADY SMITH: John, that wasn't what --

14 A. 2003 was that, sorry?

15 LADY SMITH: John, hang on. That wasn't what Mr Peoples was
16 asking you.

17 Is that the sort of thing that you might have said
18 in a meeting?

19 A. I don't -- is that inferring that I was bringing
20 somebody down?

21 LADY SMITH: Well, that you weren't happy with the way some
22 people were performing and in fact there were only
23 a small number of people that were performing well;
24 would you have made that clear?

25 A. I would say that -- if that was a particular problem,

1 I would have no hesitation in letting people know they
2 werenae doing their job properly.

3 LADY SMITH: Thank you very much.

4 MR PEOPLES: Now, I think you say in your written response
5 that there was a system of supervision when you were
6 a unit manager, both presumably in Millerston and in any
7 other unit you worked in as manager; is that right?

8 A. That's correct, yes.

9 Q. Was that a system of formal supervision with regular
10 reviews, and ...

11 A. There was formal supervision and informal supervision,
12 yes.

13 Q. As I understand it, so far as TCI training is concerned,
14 if we look at the post TCI period, if there was
15 a restraint, for example, the two things should happen
16 after a restraint is that there should be what's called
17 a life space interview with the person who was
18 restrained; is that right?

19 A. That was for TCI.

20 Q. Yes, sorry. I'm just talking about --

21 A. You said 'prior'. You said 'prior to TCI'.

22 Q. Did I say post? Sorry, I meant post-TCI, my apologies.

23 LADY SMITH: Post-TCI.

24 MR PEOPLES: So post-TCI; was that the idea, that there
25 would be a life space interview?

1 A. Yes, there would be the life space interview by the
2 person that conducted the restraint. It was not -- yes.

3 Q. With the young person?

4 A. If appropriate.

5 Q. Yes. Well, it might not take place immediately --

6 A. No, no, but if the young person was not responding at
7 the time, you wouldn't have it there and then, but you
8 would have it maybe the next day or ... there would be
9 perhaps circumstances that that young person is removed
10 by the police and it couldn't happen. So there would be
11 circumstances it didn't happen, but --

12 Q. But, generally speaking, the idea that --

13 A. -- in theory. In theory it should happen, yes.

14 Q. Well, generally in practice it should happen, not just
15 in theory?

16 A. My bad grammar.

17 Q. No, no, I just want to be clear what the position is.
18 And apart from that, there was also supposed to be
19 what would be called a 'debrief' with a more senior
20 manager; is that right?

21 A. The TCI would be signed off by the -- it would be
22 LEF [REDACTED], I believe, the head of social work. That
23 would then go to Glasgow, and I believe it would be
24 Bill -- whatever his -- I can't remember his ...

25 Q. Adam?

1 A. That's it. Bill Adam, yes.

2 Q. So --

3 A. He would be overall in charge and he would look at the
4 paperwork to make sure that that would meet the
5 standards, and if there was any particular issues he
6 would then send it back down the line to LEF that
7 there was particular problems and recommendations
8 would -- would -- well, it would depend on the
9 circumstances. So he'd have overall charge of these
10 things.

11 Q. I get the process, and obviously it went external to
12 Kerelaw and there might be comments made about the whole
13 thing based on the reporting of the matter.

14 But, routinely, would the person involved in the
15 restraint, if it was a member of your unit -- would you
16 routinely have a discussion with them about it and say:
17 tell me what happened, let's discuss it. What did you
18 do?

19 And perhaps at times comment either critically or
20 favourably on what they did; would that happen
21 routinely?

22 A. I wouldn't be there for every restraint, as you can
23 appreciate. The person in charge, that could be any of
24 the other two to three unit managers. They would have
25 to attend that restraint. So along with the people that

1 restrained, that were restraining the individual, the
2 senior in charge, senior on duty, which could be me or
3 could be any of the other three unit managers, would
4 have to attend that restraint. That person would be
5 responsible for the follow-up and not me. If it was my
6 unit, it's not automatically me.

7 What would happen at a later stage, at a unit
8 meeting, that these things would be brought up as
9 a matter of routine for the unit staff meeting. We
10 discussed all kids on a weekly basis, and that would all
11 be minuted as well.

12 Q. So if it's someone in your unit that's involved in the
13 restraint it doesn't always follow that the debrief --
14 as we've been calling it -- would be done by you; it
15 would be the person that was in overall charge at the
16 time. But, at these staff meetings that took place on
17 a weekly basis, you, presumably, would have reviewed the
18 various forms that were being submitted and you would
19 discuss, no doubt, any general issues of concern; is
20 that the way it should work?

21 A. That's the way it did work.

22 Q. That's the way it did work?

23 A. Yes.

24 Q. And I think you say in your written statement, if
25 I remember correctly, that at times you would raise

1 practice issues, not just within meetings, but you would
2 go to someone more senior if you had concerns over
3 practice issues?

4 A. If there was a matter of -- there was a particular
5 person who we had concerns in regards of their working
6 practices and -- I would take those concerns to my
7 senior.

8 Q. And I don't need to know the name of the person at the
9 moment. But was this someone in a unit you were
10 a manager of?

11 A. Yes, aye. Yes.

12 Q. Can you just give us the nature of the concerns that
13 were significant enough that you actually took it to
14 a more senior level?

15 A. How they were dealing with their client group. How they
16 were -- I had suspicions they were giving extra
17 cigarettes, that kind of thing. I'm trying to be --
18 I can't actually remember the full details, but it would
19 be along those kind of lines, I think.

20 LADY SMITH: John, in your statement, you used the
21 expression 'worrying practices'. You said:
22 'Worrying practices would be discussed ...'
23 With your depute head and line manager.
24 Tell me what type of practice would have been
25 worrying to you?

1 A. How they interacted with the individual young people
2 that were in the unit, perhaps not doing their job
3 properly, and perhaps setting up other staff. That
4 would be very worrying for me.

5 LADY SMITH: What do you mean by 'setting up other staff'?

6 A. Using kids to perhaps give the staff a hard time. It's
7 difficult to explain it.

8 LADY SMITH: Well, can you try? You were there and
9 I wasn't, so help me understand.

10 A. Without being able to prove anything, I can have
11 concerns that perhaps weren't merited. So I would take
12 that to my senior for discussion to see if what I was
13 saying was perhaps correct or not.

14 But without being able to prove anything I'm not
15 going to go into details, and I couldn't prove anything
16 at the time.

17 LADY SMITH: John, don't get us wrong. We're not asking you
18 to make allegations about other staff doing certain
19 things, but we're really interested in what type of
20 thing would cause you such worry that you'd go and speak
21 to somebody senior about it, your line manager about it.

22 Now, you've talked about, perhaps, setting up other
23 staff, and I think I get from you that you're talking
24 about the young people provoking the other staff in some
25 way; that one member of staff will set them up to

1 provoke another member of staff and see what happens.

2 But can you give me any other examples of what you
3 might have felt was happening that needed to be
4 addressed?

5 A. I had a concern that there was perhaps drugs getting
6 passed by two certain members of staff at the time.

7 LADY SMITH: Okay.

8 A. And couldn't prove anything.

9 LADY SMITH: Thank you.

10 Mr Peoples.

11 MR PEOPLES: So you tell us about the situation of what
12 would happen or should happen after each restraint
13 incident. The life space interview, generally speaking,
14 and some debriefing involving a senior -- a more senior
15 person, not necessarily yourself, depending who was in
16 charge at the time.

17 Just on the matter of debriefing and supervision,
18 Mr **KBP**, the person I mentioned, was interviewed on
19 17 May 2004, so that's quite a while ago, around the
20 time, I think, just shortly after you probably left
21 Kerelaw. And I think he was working then in Millerston,
22 where you were the unit manager. And he said at that
23 stage, according to the record:

24 'There was no supervision.'

25 He was never debriefed after a restraint incident.

1 Are you saying he's wrong?

2 A. He is wrong, yes. The records are all there.

3 Q. Okay.

4 A. And these records were signed. I was quite specific in

5 how I did record keeping. My records were second to

6 none. They were signed off on every occasion by myself

7 and the person who was being supervised.

8 Q. Yes, because --

9 A. And dated.

10 Q. Yes, because I think the idea was that if a form was --

11 there was what was called a violent incident form, a VII

12 form, which would be used either for violent incidents

13 involving staff, that might have been directed towards

14 staff, I should say, and it was also used, the same form

15 was used for creating a record of a restraint situation;

16 is that right?

17 A. Yes. Mm-hm. Yes.

18 Q. The idea was that the person or persons involved in the

19 restraint would complete part of the form and set out

20 what happened and who was there and so forth.

21 A. Yes.

22 Q. And that would then go to the more senior person,

23 whether yourself or someone else, who would then

24 countersign it before it went off to Glasgow.

25 A. That would be signed by whoever was on duty on the day

1 of restraint.

2 Q. Yes.

3 A. It could be various people --

4 Q. Yes?

5 A. -- yes, that evening. That would be counter-signed and
6 witnessed. The statement would be witnessed by that
7 person.

8 Q. Okay.

9 A. And counter-signed by that person and then passed to
10 LEF [REDACTED].

11 Q. Okay. And that could lead to someone like
12 LEF [REDACTED], who was SNR [REDACTED] -- no, sorry, was he
13 SNR [REDACTED] who was responsible for social work at
14 that time? Probably. Well, it was LEF [REDACTED] who
15 got the --

16 A. He was SNR [REDACTED].

17 Q. SNR [REDACTED]. Let's not worry about the
18 terminology. So it would go to him and then it would go
19 on to Glasgow from him?

20 A. My understanding, it went to Bill Adam in Glasgow, yes.

21 Q. And then it would come back down with any comments from
22 either Glasgow, Bill Adam, or LEF [REDACTED]. And if
23 there was any comments or concerns, the idea was these
24 should be taken up with the person concerned?

25 A. Correct.

1 Q. It could be, if there was a concern about how they dealt
2 with the situation or the method used, that could
3 trigger a comment that would require someone to speak to
4 that individual and discuss it with them; is that the
5 way it was supposed to work?

6 A. That was -- yes. That was how it worked, yes.

7 Q. Because Mr. **KBP**, who I mentioned, when he was
8 interviewed on 17 May, during what was termed a 'joint
9 investigation' in 2004, I think he said something along
10 the lines of -- yes, he was interviewed and he said he
11 heard you say -- and I'll -- that:

12 'If there's no complaint in three weeks, the VII
13 form would disappear.'

14 Do you remember saying anything like that about VII
15 forms?

16 A. Certainly not, no.

17 Q. Because you know what he's suggesting? He's suggesting,
18 if nothing came of the matter, then the forms would just
19 get disposed of. They wouldn't go up the chain or
20 whatever.

21 A. That kind of theory dispels my -- I mean, you need to --
22 every unit manager or every senior person would have to
23 be in on that kind of conspiracy-type thing he's trying
24 to suggest. But, no, that couldn't happen.

25 Q. So forms didn't disappear?

1 A. No, they couldn't -- they couldn't disappear, no.

2 Q. But he also said at that time that he was told by you to
3 put in a VII form, one form -- he was told by you to put
4 into a VII form the name of a witness to a violent
5 incident, when, in fact, there was no witness present;
6 it was a single restraint situation on his part.

7 Now, is he wrong about that?

8 A. I have no recollection of that whatsoever.

9 Q. You know what he's saying?

10 A. I know what he's trying to say, yes. But it never
11 happened.

12 Q. It never happened?

13 A. Did he do it, sorry? Is the form there to say it
14 happened?

15 Q. Well, he named the individual person and he says the
16 form was completed, essentially, in the wrong way,
17 because it included the name of a person who wasn't
18 there.

19 A. Well, the form will be there then to prove that, if that
20 happened. But it never happened.

21 Q. The form might prove there are two people's names on it;
22 it doesn't necessarily prove that they were both there?

23 A. Well, it proved it happened, that answer didn't happen.
24 That's what it proves. And then you could maybe come
25 back to me on that. But, right now, it didn't happen.

1 LADY SMITH: Mr Peoples, it's now 11.30.

2 MR PEOPLES: Oh, sorry, yes.

3 LADY SMITH: John, I usually take a short break at this
4 point in the morning, about 15 minutes; would that work
5 for you at your end if I did that now?

6 A. Yes, fine.

7 LADY SMITH: All right. Let's have a break now. Thank you.
8 (11.32 am)

9 (A short break)

10 (11.48 am)

11 LADY SMITH: Welcome back, John. I hope you were able to
12 draw breath over the break.

13 Are you ready for us to continue?

14 A. Yes, thank you.

15 LADY SMITH: Thank you.
16 Mr Peoples.

17 MR PEOPLES: Thank you, John.

18 Can I just -- I was asking you about some things
19 that KBP [REDACTED] was recorded as saying, back in
20 2004, concerning Millerston and some of the things that
21 he says you said at times, and you've answered these.

22 Can I ask you this: he also said at an interview in
23 the same month, on 12 May, he had heard you refer to
24 a young person as a 'wee bastard'; is he wrong about
25 that?

1 A. That's not the kind of words I would use, no, I don't
2 think. I don't tend to swear a lot. I know all the
3 words, but I tend not to use them.

4 Q. Did other staff use words that might be seen as
5 derogatory or abusive, or humiliating, towards young
6 people?

7 A. Not in my presence. I wouldn't allow it.

8 LADY SMITH: So, John, did you swear at work sometimes?

9 A. Aye, yes, I'm sure I did, on many occasions.

10 LADY SMITH: Thank you.

11 MR PEOPLES: And do you know someone called HIZ ?

12 A. Again -- yes, I do, in fact. He was a member of
13 Millerston Unit as well.

14 Q. I don't know if you know this -- you maybe don't know
15 this, but HIZ received a final written warning
16 on 24 January 2005 following a disciplinary hearing;
17 I take it that's something you weren't aware of?

18 A. I was not aware of that, no. I wouldn't have been there
19 at that time, so ...

20 Q. And that warning was given for, amongst other things,
21 making inappropriate comments to a young person during
22 restraints, contrary to TCI training.

23 Can I ask you this, John: did you know that there
24 were members of your unit who were carrying out
25 restraints that were outwith the principles of TCI

1 training? Did you know that?

2 A. I never witnessed any person restraining people outwith
3 TCI -- with the restraints of TCI.

4 Q. Were you aware that HIZ referred to young
5 people in Kerelaw as 'Fuds'?

6 A. No.

7 Q. Is that an expression you ever heard him use?

8 A. Certainly not, until you said it.

9 Q. Yes. What would you have said if you had heard him say
10 that?

11 A. I would have pulled him up on that, I am afraid. Yes.
12 I wouldn't allow that.

13 Q. And are you an Ayrshire person?

14 A. Yes.

15 Q. Is that an --

16 A. No, I'm not.

17 Q. -- expression --

18 A. I'm Glasgow-born.

19 Q. Do you happen to know whether that word that I've just
20 mentioned was something that was in common usage in
21 Ayrshire, either in Kerelaw or more generally?

22 A. Certainly no -- not to my knowledge, no. It's not
23 a word I would use in Scotland -- I mean, I hear
24 regular. I've heard of Elmer Fudd, but that's a bit
25 of -- he was a comic character, I believe.

1 LADY SMITH: And, John, did you live in Ayrshire when you
2 were at Kerelaw?
3 A. Yes, aye. Yes.
4 LADY SMITH: Thank you.
5 A. I was born in Glasgow, but came to Ayrshire -- primary
6 school and stayed there. So I don't remember Glasgow
7 much at all.
8 LADY SMITH: Okay, thank you. That's very helpful.
9 MR PEOPLES: And I mentioned KBP saying that
10 there was no supervision. I think we heard evidence
11 from another person who was at Millerston who told us
12 that she had no recollection of supervision either, but
13 you're saying there was supervision?
14 A. Because they're all there, signed by every member of
15 staff and myself. And dated and recorded, word for
16 word.
17 Q. Okay, can I just ask you this, then, on another matter:
18 a member of staff who worked in your unit told the
19 independent inquiry, the one that reported in 2009, that
20 your style of management was:
21 'It's his way or no way.'
22 Does that succinctly describe your style of
23 management when you were running Millerston?
24 A. My style of management at all times was that the kids
25 come first and I retained the position of -- at the end

1 of the day, I would have the final say on any matters
2 that happened in the unit or the well-being of the unit.

3 Q. I think the suggestion being made is that really you
4 didn't really -- you weren't really receptive to
5 discussion and exchange of ideas. You had a way of
6 doing things and that was what you expected staff in the
7 unit to do, to follow your way whatever they may have
8 thought about your way; are you disagreeing with that?

9 A. Once a week we had unit meetings. Those meetings were
10 agenda-led. Any person could put down anything on that
11 agenda and we would discuss it. These meetings were
12 minuted and signed off by everybody there. The records
13 are all there that whatever happened in the unit was
14 discussed and all parties had discussions and whatever
15 the outcomes would be. I always maintained that I would
16 have the final say.

17 So that part's correct, yes.

18 Q. So I suppose as unit manager you did have the final say,
19 because you were in charge. But, obviously, you know
20 the point I'm putting to you --

21 A. I see the point you're trying to put. I'm disputing
22 that. I'm saying: no, that never happened.

23 Q. I hope I'm putting the point well enough --

24 A. And the records show it didn't happen either.

25 Q. Well --

1 A. I didn't suffer fools gladly. If you're trying to get
2 me to say that, I've just said it, yes.

3 Q. No, I'm not trying to get you to say anything. I just
4 want to find out what your position is in relation to
5 matters that have come up, and you've told us.

6 A. Everything was discussed -- sorry, carry on.

7 Q. So can I also just say: while Jim Hunter was principal
8 latterly at Kerelaw for the last few years of its
9 existence as a school. But, before then he had been
10 there quite a long time as the sort of head of
11 education; is that right? Or deputy head?

12 A. That's correct, yes.

13 Q. Did you know him reasonably well then?

14 A. No. No. I never had any dealings with the guy other
15 than what was in the school.

16 Q. I think he described your style of management as:
17 'His way or the highway.'
18 In other words, if someone disagreed with some
19 approach that you were advocating or some policy within
20 the unit, then if they didn't follow it, then they would
21 be out, or effectively they should be looking to go
22 elsewhere.

23 Now, are you disagreeing with that?

24 A. It never happened. There was no members of staff that
25 got moved on because of me.

1 Q. Okay.

2 A. So that's not accurate.

3 Plus, to be fair, he was the head of education. He

4 had his own office up the corridor and had never came

5 down to the units, other than for his lunch. So I don't

6 know how he could say that.

7 Q. So, just talking of people who were in your units when

8 you were unit managers, there was someone who did move

9 on when you were unit manager of Baird, the girls' unit.

10 I think you had been a unit manager there before

11 Millerston; is that correct?

12 A. Yes. I think so, yes.

13 Q. I think you might have been a unit manager --

14 A. I was a manager of Baird Unit, yes. When it was,

15 I'm not sure.

16 Q. I'm talking about around 2002. Are you -- well, do you

17 recall working in Baird with an individual called

18 EUO [REDACTED]?

19 A. Yes. EUO [REDACTED] got placed into my unit from another unit,

20 because he had -- I think there was something -- I don't

21 know what exactly. He got moved from one unit to mine.

22 I was asked to take him.

23 Q. Yes. I was going to ask you -- I think you obviously

24 realise what -- the situation I'm discussing with you.

25 Was that to do with an incident where it was said

1 that he had been involved in assaulting a girl in the
2 unit by grabbing her by the hair, dragging her up
3 a flight of stairs, along and landing, and slapping her
4 in her own room? Does that ring a bell?

5 A. I don't have that information. I know there was
6 a problem. What that problem was, it was never
7 discussed with me. It was confidential to him and
8 whoever it happened.

9 Q. Whatever the problem --

10 A. But, yes, there was a problem.

11 Q. But whatever the problem was, and you've told us you
12 didn't really know the ins and outs, the upshot was,
13 whatever the problem, he moved from a girls' unit to
14 a boys' unit?

15 A. No. A girls' unit -- a boys' unit to a girls' unit,
16 perhaps. That was the girls' unit. Aye, he was taken
17 out the unit. So I don't know where the girl part came
18 in, dragging by the hair, because if he was in a boys'
19 unit --

20 Q. That's why I was putting to you he moved from the boys'
21 unit --

22 A. I don't know.

23 Q. You don't know, okay.

24 Now, we've discussed your style of management and
25 how other people have described it, and you've given

1 your own response to these descriptions. Can I put to
2 you something that was said by a person who gave
3 evidence to us last week?

4 This was an individual who was at Kerelaw in the
5 mid-1990s and his name is Allan Weaver; does that mean
6 anything to you?

7 A. Allan Weaver? That name rings a bell. Can you give --

8 Q. Sorry?

9 A. Allan Weaver. It rings a bell, Allan Weaver.

10 Q. Well, Allan Weaver told us that --

11 A. Was he my student from a university?

12 Q. Well, yes, that sounds right. He said he was doing
13 a placement in the mid-1990s at Kerelaw, as part of some
14 social work qualification and course work. And he also
15 did some sessional work, I think he said, at that stage,
16 or at least something of that type; does that maybe
17 vaguely ring a bell?

18 A. It rings a bell, yes. I used to take students from the
19 universities and placements when I was a supervisor, and
20 write reports on them and how they were conducting
21 themselves and things like that.

22 Q. Well, he remembers you, and he also remembers another
23 individual called KAB, who I think is mentioned
24 in your response; do you remember her?

25 A. KAB was my line manager at the end.

1 Q. And just to run by you some of the things he told us: he
2 said that KAB came in before his time -- and
3 I think was there maybe about from 1992 to 1999, as we
4 understand -- and that she was trying to change the
5 culture when she came to Kerelaw, and that's something
6 that Allan Weaver recalls; would that -- is his
7 recollection accurate?

8 A. He wasn't there when KAB was there. KAB
9 never came into the school until 1992, perhaps.

10 Q. Well, sorry, I think I said that he came in --

11 A. But he was in -- he was in as a student prior to --
12 I don't know. It must have been -- did you not say
13 1990?

14 Q. No, sorry, I think I said 1994, 1995, or mid-1990s.
15 Sorry, maybe you have misheard me. My fault. But he
16 told us --

17 A. No, he wasn't a student then. He was a student way
18 back. I was -- where would I be at that time?
19 Unless I'm -- my dates are wrong, he was a student
20 ... I would have been Millerston Unit at that time.
21 He wasn't -- he definitely wasn't there when
22 KAB was there. The dates, I'm not sure. But he
23 wasn't there when KAB was there.

24 Q. Well, I'll just tell you what his position was, John.
25 I appreciate you've said that to me, but I just want, in

1 fairness, to put his position to you as well.

2 He says that she was there and she was trying to
3 change the culture when he was there. He described the
4 culture when he was there as 'difficult and
5 challenging'; is that a description that you would
6 share?

7 A. Yes, that's quite descriptive. Yes, that's quite good.

8 Q. Was it a macho culture?

9 A. Describe 'macho'. Manly?

10 Q. Sort of male-dominated. Not because there was no
11 presence of women, but certain members of staff acted in
12 a -- maybe an excessively manly way in their attitudes
13 towards not just maybe the young people, but also
14 towards other colleagues; would that be something that
15 you --

16 A. Well, given that my unit was predominantly female staff
17 members, there would be only two male staff out of ten
18 in my unit, perhaps --

19 Q. Okay.

20 A. -- the rest would be female. So macho, not so much so.
21 Overall in the school, perhaps. Maybe.

22 Q. Okay, well, I think, certainly, I don't know if you ever
23 had the chance to read the report of the independent
24 inquiry that was published in 2009? I think you told us
25 that you did attend or participate, did you?

1 A. Yes. I remember that, yes. I attended it with my wife,
2 way back. When was it, sorry?

3 Q. Well, it was published in 2009, but I think it started
4 about two years before, in 2007.

5 A. Right, that maybe ...

6 Q. Does that help you?

7 A. Aye, it does help.

8 Q. And did you get a chance to read the final report at
9 all?

10 A. No. Not at all, no. I haven't seen that.

11 Q. Because --

12 A. I've been given snippets of it, but I haven't actually
13 read it, no.

14 Q. Well, I think overall the report did conclude -- and no
15 doubt we can look at it for ourselves, but I think it
16 did conclude that certainly within Kerelaw generally
17 there was a macho culture.

18 I think you're not necessarily disagreeing with
19 that. But you're saying that certain units,
20 particularly those that were led by women, were not
21 necessarily in that category; is that your position?

22 A. I wouldn't like to tar them with the same brush, if you
23 get my meaning?

24 Q. Okay. And I don't know if you're aware, John. I know
25 you said you attended that inquiry, but I don't know if

1 you're aware that the findings of the inquiry and the
2 conclusions of that inquiry were based on speaking to
3 a large number of former staff, as well as a number of
4 former residents? So it wasn't just what young people
5 were saying; it was what a considerable number of staff
6 were telling Mr Frizzell.

7 Did you know that?

8 A. Well, I phoned up and I -- to attend. So that would be
9 available to everybody and I would expect all members of
10 staff that were concerned in it would want to get their
11 say, yes.

12 Q. And they did --

13 A. That would be the next occasion. That would be a next
14 occasion. Carry on, sorry.

15 Q. Sorry. My apologies.

16 A. Carry on. It's me.

17 Q. They did -- there was -- they were interviewed, a large
18 number. I'm not going to go through the numbers, but
19 there was a lot of them, we heard. But they did so
20 under cloak of anonymity. So they made comments and he
21 has shared with us the sort of comments they made. To
22 an extent his conclusions were clearly based on what
23 people anonymously -- who were former staff -- were
24 telling him about Kerelaw. So that's how he came to the
25 conclusions he did, if that's of assistance to you?

1 A. Okay, yes.

2 Q. Now --

3 A. Did he also not say in his summing-up that there was no
4 sexual abuse that he could establish?

5 Q. Well, he did say that in his report that there was --
6 that the people that he spoke to, the concerns they
7 raised were to do with physical abuse. That is in his
8 report, you're perfectly correct.

9 But he also made reference to the fact, along with
10 his investigation, there was a separate police
11 investigation, and that by the time he reported there
12 had been your conviction and the conviction of
13 Matthew George.

14 So he did record that. But he said that so far as
15 what he was presented with, his conclusions were based
16 on the evidence that came to him. But he wasn't in any
17 sense saying anything along the lines of: I'm satisfied
18 from all the evidence and all the circumstances that
19 no one was being sexually abused within Kerelaw.

20 I think that would be a misreading of his report,
21 John.

22 A. I think it's important on record that you accept that,
23 as well as the macho part, as they're trying to put
24 across.

25 MR PEOPLES: Well, indeed. I think we have the report and

1 we can no doubt draw such conclusions as are reasonable
2 from it.

3 LADY SMITH: Yes.

4 MR PEOPLES: But it's only part of a story --

5 A. Correct.

6 Q. -- because we know that there were other things going on
7 and there were other inquiries in terms of legal
8 proceedings and so forth.

9 Just going back to Allan Weaver, if I may. He said
10 that KAB became a target of some ridicule.
11 There was a degree of resistance, quite a lot of
12 resistance to her approach, to have a more child-centred
13 approach at Kerelaw, from a significant number of staff.
14 I think he included you among that group; now, is he
15 right? Were you resistant?

16 A. Certainly not. I always thought I had a really good
17 relationship with KAB. I accepted her with open
18 KAB -- open arms.

19 She was a -- she was different in how she conducted
20 herself, but she also gave us a lot of autonomy that we
21 didn't have in the past, and we could do a lot more
22 because she -- simple things like taking care of our own
23 budgets and not being dependent on Glasgow to bring in
24 furniture and carpet and whatever else. I mean, these
25 were brick walls when KAB arrived, painted brick

1 walls, and because of her, I would say, and because
2 I personally grabbed the opportunity that she offered us
3 and changed the unit into -- just simple things like
4 bringing in soft furnishings and carpets, and giving the
5 kids bedding and nightwear and socks and slippers and
6 those kind of things. She made all that possible.

7 So for me to -- for you to say to -- I really take
8 that ... anyway.

9 Q. I'm not saying it to you; I'm trying to capture what he
10 said to get your response. It's to give you a chance to
11 respond.

12 A. I think I've given a response, quite clearly.

13 Q. Well, can I also make it clear that he made it clear
14 there was no formal challenge to the changes that she
15 was trying to introduce. But, in practice, the changes
16 were not necessarily introduced in practice in certain
17 units because of resistance within the units for -- it's
18 a bit like you said earlier this morning, John: it's
19 maybe the difference between the policy and the
20 practice, sometimes they don't coincide.

21 That was the point I think he was making. That was
22 his impression from being there for a year in the
23 mid-1990s.

24 He explained why he thought that was the situation.
25 I'll just tell you this, he said:

1 'The staff who were resisting change didn't really
2 want to know about child-centred practice because it
3 wasn't the way they had practised historically and it
4 wasn't the way things were done in the 1970s and 1980s.'

5 So that was how he explained why there was this
6 resistance. It wasn't overt in one sense, but it didn't
7 produce the desired result; do you get what
8 I'm saying -- what he was saying to us?

9 A. I can accept what you're saying, but I would expect him,
10 as his tutor at that time, that he would express that to
11 me, because that was part of his training.

12 Q. Well --

13 A. If he had any problems, I would have expected him to
14 discuss that with me. Maybe not.

15 Q. Well, can I maybe ask you this, then: looking back, do
16 you now accept that you may have resisted change and
17 wanted to continue applying a long-standing control and
18 discipline approach with which you were quite familiar
19 by then?

20 A. I, at times -- no, when **KAB** came out I accepted
21 **KAB**. I think -- I hope -- she will tell you
22 that, if she's ever interviewed. Because I had
23 a good -- in my opinion, I had an excellent relationship
24 with **KAB**. She had a problem with other people
25 more senior to her. And I said there was -- there would

1 be resistance from other people towards her, but
2 certainly not from me. No, that never happened. Not
3 for my part.

4 Q. So you accept there could have been resistance, but you
5 don't feel that you were one of the --

6 A. I know there was -- I don't accept, I know there was
7 resistance from other people towards her.

8 Q. Thank you. And to the changes she was trying to make,
9 resistance to the changes?

10 A. Correct, yes.

11 Q. Yes, okay.

12 A. But not by me.

13 Q. No, you've made your position clear.

14 A. But that's -- I'm so -- right, I'm actually quite upset
15 at this now.

16 Q. The other thing that Allan Weaver said, based on his
17 year at Kerelaw, was he thought that you had what he
18 described as 'favourites' among the girls in Wilson Unit
19 where you worked when he was there. He instanced that
20 there would be a difference of treatment, for example,
21 in how you spoke to and interacted with girls, which in
22 his view created some sort of hierarchy which was
23 something you appeared to encourage as a means of
24 controlling the unit through the girls, certain girls,
25 and maintaining order in the unit through the girls; is

1 that something you can accept you were doing?

2 A. If that happened it wouldn't be a -- it was not
3 deliberate on my part. It's human nature that you have,
4 perhaps, favourites, and you can -- you get on with
5 other people more than others and, you know. But it
6 wouldn't be a deliberate act on my part. I would try
7 and keep -- I thought I would try and keep everybody on
8 the same level, but human nature, I suppose.

9 Q. Yes, if you thought some girls could --

10 A. It would take an outsider to point that out to you,
11 perhaps. But, again, he never did that.

12 Q. Okay. I take your point. But, obviously, if that
13 helped to make the unit an easier place to live and
14 maintain order, then whether you realised what you were
15 doing or not, that might have seemed a good thing, and
16 human nature being: well, if some people are going to
17 make the unit work in a happy way, then I'll go along
18 with it. Is that what you're saying; that you maybe
19 didn't realise that?

20 A. Perhaps in hindsight that could be pointed towards me,
21 yes, but it wouldn't be a deliberate act. And I think
22 in all workplaces you -- even yourself, you'll have
23 favourites, I'm sure.

24 Or not.

25 Q. Can I move on to something else? An expression has come

1 up on a few occasions, the term 'horseplay', and some
2 people have described certain things that were going on
3 in Kerelaw when it was operational as being treated by
4 staff as 'horseplay'. Albeit that the people who -- the
5 young persons maybe didn't always see it that way. But
6 is that something that, looking back, there was maybe
7 too much sort of physical activity involving staff and
8 boys that sometimes went over the score or out of
9 control? Can you recall that happening?

10 A. I think perhaps way back when the units were over 100
11 kids, what we did was -- there was two staff then to
12 perhaps 30 or whatever number of kids in any given unit.
13 And all you would do was -- I remember you just did
14 a head count constantly, counting to make sure everybody
15 was there.

16 In they days, if you remember, a luxury was on one
17 evening per week you were given a video machine and
18 a video to entertain the kids, and that -- they weren't
19 using computers in those days and whatever else. The
20 main thing we did with them was we just went out to the
21 units and we went in and played football with them in
22 the gym.

23 Q. Were other games played in the gym? We've heard of
24 something called 'dodgeball'; was that a game you were
25 familiar with in the gym? Boys --

1 A. No. The only thing I did in the gym -- and that was of
2 an evening -- was football. The four units would come
3 down and they would just sit at the side and we had
4 five-a-side, six-a-side, depending on how many kids
5 there were, and the winner stayed on. And that was our
6 evening. We didn't have any other facilities there
7 because --

8 Q. Because we have --

9 A. Anything else was locked up. All we had was a unit
10 football, each unit had a football and the gym was
11 locked. Other than access to the main hall, everything
12 else was locked up. You couldn't get in.

13 Q. Because we have heard some evidence that boys would be
14 taken by staff to the gym and lined up, for example, and
15 then some members of staff would use golf clubs and fire
16 golf balls at them in the gym; is that something that
17 you were aware of?

18 A. It's -- no. No, I would find that very strange. A golf
19 ball?

20 Q. Yes.

21 A. I mean, if that hit you ... yes.

22 No. We didn't have golf clubs in those days, I
23 don't think. Whether they were locked

24 Q. Well, presumably some members of --

25 A. Whether they were locked up in the gym, I don't know.

1 We certainly -- the units didn't have the facilities for
2 that.

3 Q. Well, I think some members of staff were probably
4 golfers. I mean, I think Matt George was a golfer.
5 FSR was a golfer. I think he would go out with
6 some boys to practice and take them with him at times
7 and get them to fetch his golf balls, sometimes put them
8 somewhere ahead of him and get them to try and catch his
9 golf balls; is this something you were unaware of?

10 A. I'm not aware of that, no. The only golfer I knew was
11 EUM and he was a professional at one stage, but
12 I didn't know the rest of it.

13 Q. If I go back -- maybe I should have asked this earlier,
14 because when I was talking about KBP and
15 what he was saying in May 2004, one thing he said -- and
16 it was that in his time he saw wrist locks and arm locks
17 during restraints.

18 Now, is he wrong?

19 A. If -- I don't know when he was employed there. If he
20 was employed before TCI --

21 Q. No. He was employed from 2002 through to about 2004.
22 And he was employed for some, at least, of that time, in
23 Millerston, I think was his evidence.

24 A. TCI. Wrist locks weren't part of TCI then, no.

25 Q. No, I appreciate we've discussed that. But I'm just

1 saying what he was saying, or what he was saying then,
2 was whatever TCI ...

3 A. It was supposed to be --

4 Q. -- was supposed to be, he saw wrist locks and arm locks
5 during restraint, which would be a throw back to the
6 days of the Gartnavel training, would it not?

7 A. Yes, that's ... wrist lock -- I don't know what you
8 consider a wrist lock. The training for -- prior to TCI
9 was you held the wrists against the joint; can you see
10 (indicates)?

11 Q. Yes, yes.

12 A. To me, that's not a wrist lock, but that's how it was
13 done.

14 LADY SMITH: Sorry, John, if you were trying to demonstrate
15 something to us it wasn't showing on our screen here.

16 MR PEOPLES: I think you had the hand almost at 90 degrees
17 to the arm and the wrist, pointing downwards.

18 A. And you held them like that, with their arm --

19 Q. And the person doing the holding is holding the hand
20 when it's in the vertical position; is that --

21 A. You held it like that, yes.

22 MR PEOPLES: Is that a fair? I hope I'm not misrepresenting
23 what we're saying.

24 LADY SMITH: That's fine.

25 A. That's not a wrist lock. That's how we were taught to

1 do it.

2 MR PEOPLES: Were there staff that knew how to use pressure
3 points to bring people under control?

4 A. No.

5 Q. I'm not saying it's TCI training, but did they know how
6 to do it?

7 A. Not to my knowledge, no. I don't think there was any
8 training, no.

9 Q. I'm not saying they were trained to do it. I'm just
10 saying: were there people, to your knowledge, who could
11 use pressure points to bring someone under control?
12 Even if they were, for example, teaching someone some
13 sort of -- or pretending to teach some sort of martial
14 art technique, for example?

15 A. I never knew anybody that was trained in martial arts.

16 Q. Was Matt George interested in the martial arts?

17 A. Not to my knowledge, no.

18 Q. Okay. How often would you come across Matt George?

19 A. He was there on a daily basis. So if I was there, he
20 would be there. But he would be in the education block
21 and I would be in the units or in the main offices.

22 Q. Did you know him well at that time?

23 A. No.

24 Q. Did you socialise with him?

25 A. No.

1 Q. Did you ever go to his house?

2 A. No, never been to his house.

3 Q. Well, the reason I'm asking is that we --

4 A. I have passed his house, but I've never been to it, no.

5 Never been inside it.

6 Q. I'm going to put something to you, because it's

7 something that's been told to us.

8 A. Yes.

9 Q. I'm doing it for this reason. There is a person who was

10 in Kerelaw who says that he was taken to Matt George's

11 home in Largs one weekend. He says that when he went

12 there you were in the house, and he says that you and

13 Matt George sat on either side of him on a sofa. He

14 says that Matt George asked the boy about girls and

15 which girls he liked, and that the boy told him. He

16 says that Matt George touched his legs and his crotch

17 area, and he says you would have seen Matt George do so.

18 During the same visit he says that Matt George at

19 some point grabbed him, pushed him against a wall,

20 grabbed his crotch and squeezed his private parts hard

21 and that he had difficulty breathing as Matt George at

22 one point had his hand round his neck.

23 Now, do you remember an occasion when you were

24 present when these things happened?

25 A. I have never been in Matt George's house. Never, ever.

1 Q. Okay.

2 Now, we've also heard evidence from another former
3 resident who says that on a number of occasions he was
4 force fed by you. He recalled an occasion when you
5 asked him whether he thought he was Bobby Sands, and
6 recalled you ramming his face into a bowl of porridge
7 and also pulling his head back and ramming a sausage
8 into his mouth; did you do anything like that?

9 A. No, no, no. Porridge and sausages, good.

10 Q. He also has a memory of staff who would, for
11 entertainment purposes, lift him and drop him, so his
12 spine landed on their knee, as might happen during a
13 wrestling bout; do you remember practising wrestling
14 moves on young people?

15 A. Certainly not. Do you have a year for this person?

16 Q. Well, I'm --

17 A. (Overspeaking) in the girls' unit?

18 Q. Well, he mentions you as a person and I just want to
19 know your position. You say that this person didn't --
20 you didn't do anything like this, as it happens?

21 A. These things didn't happen. These are fabricated, yes.

22 Q. Okay, because he also mentioned an occasion -- and this
23 might well be something you would remember, and
24 certainly he would remember, if it happened -- that when
25 he was pinned to the floor and you and a member of

1 staff, who I think -- whose surname he says was zHWV-HWW
2 does that mean anything to you? zHWV-HWW ?
3 A. No. Not getting anything for zHWV-HWW no.
4 Q. Well, he says that you and this person, zHWV-HWW held him
5 down --
6 A. HSY ? There was a HSY . He was a teacher.
7 Q. I'll just tell you what he says. Whether it's zHWV-HWW or
8 HSY , he says you were present and the other
9 individual who was there, the staff member, held him
10 down and he says that a pool cue was rammed up his
11 backside by you, after his tracksuit bottoms had been
12 pulled down; now, do you remember an incident of that
13 kind?
14 A. Certainly not. No.
15 Q. Did you ever do anything like that to a young person
16 when you were at Kerelaw?
17 A. Certainly not, no.
18 Q. He also says, I think, that in the showers, there were
19 occasions where you hit him on the testicles with
20 a stick and dragged him up and down the shower room;
21 now, did you ever do that to a young person at Kerelaw?
22 A. No.
23 Q. I take it, though, you and others would play pool with
24 boys at times? There was a pool room?
25 A. I think -- I don't -- what date? Give me a date. You

1 really have to give me a date, because pool tables never
2 came in until later on at Kerelaw. I don't think there
3 was pool tables in the units when we first started.
4 I don't recollect them.

5 LADY SMITH: Can you remember, approximately, when you got
6 pool tables?

7 A. Oh, no, sorry.

8 LADY SMITH: Okay, thank you.

9 MR PEOPLES: But there did come a time when there were pool
10 tables?

11 A. Yes, there was pool. Only in a -- there was pool
12 tables. Maybe one in the boys' units. I think there
13 was one pool table in one of the boys' units, I believe.

14 Q. This is a boy that's telling us this, so it would be in
15 the boys' unit?

16 A. Have you a date you can put?

17 Q. I just wanted to get your --

18 A. It never.

19 Q. You're saying it never happened?

20 A. It never happened. This is total fabrication.

21 Q. Okay, because we have another male resident who I think
22 was in Kerelaw probably in the last, maybe, four or five
23 years of its operation, who tells us that you and
24 another member of staff known as 'FST [REDACTED]' -- does that
25 mean anything to you, 'FST [REDACTED]'?

1 A. I don't remember -- I vaguely remember that name,
2 'FST', a nickname.

3 Q. A nickname, yes.

4 A. Aye.

5 Q. And he says that you and FST on -- he remembers
6 assaulting him in the pool room. So he remembers a pool
7 room, and I think it was maybe in the last five or so
8 years of Kerelaw's existence. And he says that you and
9 FST pinned him down on a pool table, lobbed pool
10 balls at him, and at one point on the same occasion the
11 two of you held pool balls above his genitals and
12 dropped them onto him, and he said he was in agony,
13 close to tears. That the staff, you and FST,
14 realised that you had gone too far, gave him a cigarette
15 and told him to go back to his unit.

16 Now, did that happen?

17 A. No, it certainly didn't happen, no. It never happened.

18 My recollection of that guy, he worked with -- in
19 the girls' unit. I don't remember him working anywhere
20 else, this FST, whatever his name is.

21 Q. Okay. But I suppose --

22 A. That's why if you gave me a date, you know, I could --
23 I never worked in the boys' unit then. I never worked
24 with boys then. I worked with girls.

25 LADY SMITH: Well, the date range we gave you, John, is

1 around the last five years of Kerelaw being in

2 operation.

3 A. And I was also senior manager then. I never worked in
4 units then. I was supernumerary to the units. If I was
5 on duty, I was on duty overall, the whole school. So
6 basically sitting in my office, so they could -- I could
7 be contacted at any given time. So I wouldn't work with
8 these -- on actual shift.

9 MR PEOPLES: Now, if that did happen -- and I know your
10 position is that it certainly didn't happen on any
11 occasion you were involved. But, if it did happen,
12 would you accept that would be something that the boy in
13 question would remember many years after the event?

14 A. Totally, yes. Of course he would.

15 Q. And if it --

16 A. He could also make it up for money that's getting thrown
17 about at the moment.

18 Q. Well, could I just put this point to you: if it didn't
19 happen because he was making it up, which you say is
20 a possibility; why would he tell the Inquiry? Because
21 our Inquiry is not a court of law and it's not a place
22 people can come to obtain compensation. There's no
23 particular benefit in coming to this Inquiry in thinking
24 that if you say something you'll get money for saying
25 so. So why would that be a reason for this individual

1 to come and tell us of an event which you accept would
2 be one that would stay in the memory if it happened?
3 Can you give us an explanation?

4 A. Totally. My understanding is you have to have some --
5 to obtain the money that's available -- I think it's
6 £49,000 at the last count that each person is getting --
7 that you have to at least have it registered before you
8 can get the money.

9 Q. But are you aware that --

10 A. Otherwise --

11 Q. No, are you aware, John -- I think you're telling us
12 about what's called a Redress Scheme, which has been
13 introduced in recent times by Scottish Government, which
14 people can apply to.

15 But are you aware that the scheme has no connection
16 with this Inquiry? We don't operate the scheme. We
17 don't participate in the scheme. We are an Independent
18 Inquiry that is simply looking at the matters we have to
19 investigate in the public interest. We have no powers
20 to make decisions on compensation and we would not be
21 the people to come to to tell us this, and what we are
22 told is not necessarily a basis on which the Redress
23 Scheme operates; did you know that?

24 A. I didn't know that.

25 Q. Well, you know now.

1 A. Well, thanks very much for informing me. I'm sure these
2 people didn't know that either, and perhaps you should
3 have taken the time and explained that to them then as
4 well.

5 LADY SMITH: Well, it is made clear, John, to everybody
6 coming forward, actually, that we're nothing to do with
7 Redress Scotland. We're quite independent of Redress
8 Scotland and we cannot do anything by way of supporting
9 them in any application to Redress Scotland. That's
10 from the outset, because of the risk of people getting
11 confused, we've been making that very clear to them.

12 You should probably also, in fairness, know, John,
13 that it's not unusual for us to learn that individuals
14 coming to us to talk about having been abused are
15 absolutely adamant that they do not want any money and
16 they have not applied to Redress, nor have they
17 litigated in the civil courts, and they wouldn't take
18 the money. Some people would regard it as tainted
19 money.

20 A. Yes. I accept that.

21 LADY SMITH: Thank you.

22 Mr Peoples.

23 MR PEOPLES: Now, just on some of the other matters, I'm not
24 going to go through everything, and I will come to give
25 you a chance to respond to the sort of allegations that

1 have been made, so you can give your position.

2 But one person who was in Kerelaw has told the
3 Inquiry, a former female resident, that you on occasion
4 called her a scumbag; is there any truth in that?

5 A. I -- no. That's not how I talk, no.

6 Q. And she also says that you pulled her hair, punched,
7 kicked and slapped her.

8 Now, can I ask you a general question: did you ever
9 pull a young person's hair, punch, kick or slap them?

10 A. No.

11 Q. She also says that during a restraint you and another
12 member of staff punched and elbowed her and put her arms
13 up her back, and she was left with bruising to her head
14 and finger marks to her throat.

15 Now, did you ever, during a restraint, either alone
16 or acting with others, or another, punch and elbow
17 a young person, put their arms up their back or leave
18 finger marks on their throat?

19 A. Certainly not. No.

20 Q. Another person who has come to the Inquiry, who was in
21 Kerelaw, tells us that when she wet the bed she would be
22 grabbed by you by the shoulder and dragged to the
23 showers, or you would push her to the showers, and that
24 when she tried to sometimes push you away she would be
25 pushed to the floor and restrained; did that happen?

1 A. Certainly not, no.

2 Q. I won't mention her first name, but she says that you
3 called her 'GTE' and then her name in front of
4 everyone, which she found upsetting and humiliating; is
5 that something you did?

6 A. No. Definitely not.

7 Q. You accept that if that did happen that would be
8 distressing, humiliating, degrading and all the rest?

9 A. It's not the things that I would --

10 Q. No, but if that did happen she would be understandably
11 humiliated and upset.

12 A. If it happened to me I would be humiliated and upset.

13 Q. And she also says that when she phoned home to speak to
14 her family using a unit telephone, she was told by you
15 not to talk about other children in the unit or about
16 the staff, and if she tried to do so, she says you would
17 hang up the phone.

18 Now, do you accept that's something you did?

19 A. It wouldn't be possible. I wouldn't be in the unit.
20 The unit staff would be there. Her key worker would
21 have to let her use the phone or whatever.

22 Q. Okay. Then she says that on an occasion she remembers
23 arguing with an older and bigger girl, and she says that
24 you and another member of staff, EUO, put them
25 in a room and told them to fight, and that you left them

1 together in the room alone and she says she was battered
2 by the older girl.

3 Now, is that the sort of thing you would make girls
4 do, if they were fighting?

5 A. Certainly not. I think that was part of the court case
6 and was found not to be true. If you look, the record
7 speaks for -- I'm sure you have.

8 Q. Well, the court case; you mean the criminal case?

9 A. Yes.

10 Q. And the standard of proof is beyond reasonable doubt.

11 But, in our proceedings, the standard of proof is on the
12 balance of probability. So we have to look at our
13 evidence and make our findings on that standard. So
14 I just -- I don't know if you were aware of that?

15 A. Are you aware of the actual court case and the
16 circumstances surrounding that particular young person
17 and the lies that she told then? That's the part I'm --

18 Q. Well, I'm aware of the many convictions, John, involving
19 a number of females and males that you were found guilty
20 of, and I think you know that, too.

21 A. You win.

22 Q. Now, a person who was both a boy in Kerelaw, and later
23 an employee in Kerelaw, says that you would watch while
24 staff were assaulting young people in the unit and you
25 would do nothing to stop it.

1 Now, do you deny that allegation?

2 A. Of course, yes.

3 Q. He also told us that when he was a member of staff, when
4 he worked at Kerelaw, young people would say to him that
5 there had been a restraint and would show him bruises as
6 evidence. But, on checking the logs, nothing was
7 recorded.

8 Now, is he right?

9 A. If that happened what did he do about it?

10 Q. Well, I think he says he raised the concerns. But you
11 don't recall anyone raising any concerns about that?

12 A. There were no concerns raised to me.

13 Q. Because all restraints, as you've told us this morning,
14 should have been recorded?

15 A. Correct.

16 Q. How did you treat people in your unit after they came
17 back, when they ran away? Did you treat them like
18 Mr Boyd?

19 A. I wouldn't be there every time a person ran away and
20 came back.

21 Q. But were you there sometimes? Were you there sometimes?

22 A. I'm sure I must have been.

23 Q. If they were a person in your unit, whether you were
24 there when they came back; could it be that you, maybe
25 the next day, would have them into the office and have

1 words with them, at least to discuss what they had done?

2 A. Not my job, no. That was a key worker's job and if

3 there was staff that was in the units, they would deal

4 with that.

5 Q. But you were the unit manager?

6 A. Correct.

7 Q. Because we have had evidence from a person who says that

8 he ran away on one occasion after getting a beating from

9 his key worker, so he might not want to say something to

10 him. But, on his return, he says that he was taken to

11 your office and, when he was there, he sniggered at some

12 point about something you said and he says that your

13 response was to smack him twice on the head with the

14 back of your hand.

15 Now, do you deny doing that sort of thing?

16 A. I deny that. Plus I wouldn't be working with the boys.

17 My office was up the corridor and he wouldn't be allowed

18 up there.

19 Q. And ...

20 A. If I had to deal with that kind of situation, that would

21 be me interfering with another unit manager's unit and

22 that just wouldn't happen.

23 LADY SMITH: If a boy had run away, John; did you make any

24 enquiries as to what had happened? Why he had run away,

25 how he was when he got back, that sort of thing?

1 A. It wouldn't be my position to do that. I mean, you have
2 to remember the size of the school and the number of
3 people that were there. I could only be concerned with
4 my own unit.

5 LADY SMITH: Okay, thank you.

6 MR PEOPLES: Can I just put, also, there was evidence from
7 a person who worked in your unit, towards the end of
8 your time at Kerelaw, who recalled an occasion when, she
9 says, you reduced her to tears while she was in the
10 office. I think you may know about this incident. She
11 says you threw a folder at her and she responded by
12 throwing it back at you; did that happen?

13 A. No.

14 Q. Did you, at some point in the past, say that there had
15 been an incident, but it had involved her throwing
16 a folder, but not in response to you doing so first? Do
17 you remember saying that at some earlier point?

18 A. No. Today? No.

19 Q. No, no, I was talking about going back to when you were
20 still employed at Kerelaw, when there was some sort of
21 investigation, perhaps, of the matter; you don't recall
22 that?

23 A. I don't recall anything like that, no. No.

24 Q. She also says that there was an occasion when she wrote
25 out a complaint for a young person who couldn't write

1 for himself and was pulled up by you for doing so. She
2 says that you ripped up the complaint in her presence;
3 do you deny doing that?

4 A. That's lies.

5 Q. Lies.

6 We mentioned Mr EUO before, and you told us
7 about him moving units for some reason that you were not
8 made privy to. But Mr EUO, when interviewed by
9 Glasgow Council as part of these investigations that
10 went on around 2004, said:

11 'People were wary of blowing the whistle through
12 fear that doing so would cost them their jobs.'

13 Is that something that you can recognise that there
14 would have been a problem in trying to speak about
15 a colleague in the Kerelaw environment, where lots of
16 people knew each other, there were different, perhaps,
17 groups that stuck together. It was close-knit and so
18 forth.

19 Do you recognise the difficulty of being brave
20 enough to speak up?

21 A. I can see how that could be a particular difficulty,
22 yes.

23 Q. Now, lastly, can I move to -- really, I'm going to ask
24 you about your position on allegations in general. I'll
25 just run through the things that I think you've been

1 accused of, either in court or otherwise.

2 But, before I do that, can I just ask you one thing,
3 or a couple of things: before 2004, when you went
4 through this disciplinary hearing and were dismissed,
5 prior to the staff complaints against you in 2004, when
6 you were in Millerston; had any young person made
7 a complaint against you?

8 A. No. Not to my recollection, no.

9 Q. Well, can I maybe try and aid your recollection? Do you
10 recall whether a particular young person -- and I think
11 I'll have to give the name to give some context to this
12 in the hearing room -- do you recall whether allegations
13 of physical abuse were made against you around 1987 by
14 a young person called [REDACTED]?

15 LADY SMITH: Was that [REDACTED] or [REDACTED]?

16 MR PEOPLES: [REDACTED].

17 Do you remember that name?

18 A. Yes, I do. And I think you'll find that was part of the
19 court case.

20 Q. Indeed.

21 A. But the case --

22 Q. Sorry, John --

23 A. The accusations he raised at the time -- and the
24 paperwork is now there to prove it -- was against a
25 [REDACTED] KGU and another. My name was never mentioned in

1 that complaint.

2 Q. Okay, well?

3 A. He adapted -- he changed the complaint to put my name
4 in. It didn't happen.

5 Q. Well, what I was going to say is: as I understand it,
6 when that allegation was made, whoever it was made
7 against, whether it was you or someone else, that as
8 I understand it, at that time in 1987, there was no
9 further action taken against you on the matter; is that
10 right?

11 A. It had nothing to do with me. I wasn't part of the
12 complaint that was made. He never made the complaint
13 against me. He made it against a KGU [REDACTED] and -- I
14 can't remember the second person's name.

15 I think you will find that KGU [REDACTED]'s uncle was [REDACTED]
16 [REDACTED] Strathclyde Region, [REDACTED]. So
17 the complaint seemed to disappear, yes.

18 Q. Yes, but I suppose what didn't disappear was that you
19 were subsequently convicted, in 2022, of assaulting [REDACTED]
20 [REDACTED] at Kerelaw on various occasions between [REDACTED]
21 1987 and [REDACTED] 1989. You were convicted of that.

22 A. That's why my recollection is so clear, because they now
23 have the paperwork to prove that -- and you'll have it
24 there. You must have it. It was nothing to do with me.
25 The complaint then had nothing to do with me. But, as

1 time goes on and as adverts come out that there's money
2 been laid by by Scottish Government: oh dear, here's a
3 complaint, we'll change that.

4 Don't let the truth get in the way of a good story,
5 I think someone cleverer than me once said.

6 Q. All I'm putting to you is -- I think you are
7 accepting -- whatever you may think -- and it's not for
8 me to look at the jury's verdict. You were convicted of
9 assaulting that individual at your second trial.

10 A. I think I've already said that, yes.

11 Q. Yes.

12 In 1997, was there a complaint against you by
13 a young person which was investigated and dismissed,
14 a person called [REDACTED]?

15 A. Not to my knowledge, no.

16 Q. Okay. In Baird Unit, did you at any stage attend
17 a disciplinary hearing in around 2001 concerning
18 a restraint incident involving a female resident called
19 [REDACTED]?

20 A. No.

21 Q. So you don't have a recollection of attending any
22 hearing about that person in connection with
23 a restraint?

24 A. I never in my time at Kerelaw, to my recollection, had
25 any complaints up until 2004, which was two females made

1 a complaint against bullying and things.

2 Q. So there's no --

3 A. So up until then I never had any complaints or ... no,

4 I didn't have any complaints.

5 Q. And you don't remember this counselling interview

6 either, which I mentioned to you earlier Jim Hunter had

7 a memory of?

8 A. Counselling interview?

9 MR PEOPLES: Yes, the one that I mentioned this morning,

10 I think.

11 LADY SMITH: Yes, you did.

12 MR PEOPLES: Just going on, then. We've gone through some

13 of the things that have been said to this Inquiry, but

14 can I draw it together and ask you this: I think your

15 position -- I'll just make it clear at this stage -- you

16 deny, and indeed you denied in the past and continue to

17 deny, committing the offences of which you've been found

18 guilty on two separate occasions; that's your position,

19 isn't it?

20 A. That's correct.

21 Q. But you accept, I take it, John, that those who gave

22 evidence against you -- and there were a significant

23 number -- were listened to and believed, and that two

24 different juries convicted you of assaulting and

25 indecently assaulting young people over a long period of

1 time who were placed in Kerelaw; do you accept that's
2 what happened?

3 That's fact. That's what happened.

4 A. With the help of Moorov, yes.

5 Q. Yes. In fact I think --

6 A. I think Moorov should be mentioned here in this case,
7 rather than the corroboration.

8 MR PEOPLES: Well, Moorov is a form of legal corroboration,
9 John.

10 LADY SMITH: John, Moorov is a form of corroboration that
11 has been in our law for nearly a century, actually.

12 Mr Peoples.

13 MR PEOPLES: Can I just say, John, that you were convicted
14 of various offences against nine girls and four boys,
15 who were born between January 1972 and February 1988,
16 and these offences occurred, according to the legal
17 proceedings, the trials, between 10 April 1985 and
18 14 April 2004, and you were convicted of a wide range of
19 assaults, including punching, striking a boy with
20 an implement, pressing your knuckles into a child's
21 chest, pressing your elbow into a child's back and
22 applying pressure to it, placing your knee on a child's
23 chest, throwing a girl to the ground and lying on top of
24 her, putting your hands --

25 A. That's all a matter of record.

1 Q. So you accept all of that is a matter of record?

2 A. It's a matter of record, correct.

3 Q. Well, I won't labour it, but you accept that is there
4 and you dispute it?

5 A. Thank you. It's quite hard to accept. I appreciate --

6 Q. Can I just turn to this to see what your position is:
7 did you ever use restraint other than as a last resort?

8 A. No.

9 Q. After the introduction of what was known as TCI; did you
10 ever restrain in a way that was not fully compliant with
11 TCI principles and guidance?

12 A. No. But it wasn't an exact science. I mean, there can
13 be difficulties when you go to restrain somebody more
14 powerful than yourself, bigger than yourself. There can
15 be accidents that might happen.

16 But I think I said prior to this question that in my
17 whole time, in my career, and whatever restraints I did
18 have to do, not one person was injured in any
19 restraints.

20 Q. And at any time --

21 A. Or needed any doctor or medical assistance.

22 Q. Okay. And at any time during your period of
23 employment -- and it was quite a long period -- did you
24 ever use a pain-compliance method of restraint?

25 A. Yes, part of therapeutic -- part of the restraints and

1 escape techniques.

2 Q. The Gartnavel --

3 A. I showed you the (indicates).

4 Q. Yes. So after --

5 A. And legs. If they were kicking and their legs were

6 placed like that (indicates) so they could kick, that

7 was part of the training.

8 Q. Yes. They were crossed over and then put towards their

9 upper body?

10 A. Their head, aye.

11 Q. So just to be clear, in fairness to what you've said,

12 before TCI but after Gartnavel training, there would

13 have been times when you would have used that method of

14 restraint because you had been taught it?

15 A. That was what we were told we had to do. Anything less

16 than that, we would be subject to (overspeaking) --

17 Q. No, I understand what you --

18 A. -- complaints. So we had to use the techniques, that's

19 what we were --

20 Q. So if we say that the Gartnavel techniques, you were

21 trained in about 1990, and the TCI came in in 1995, your

22 position is that in that period you could have used

23 pain-inducing techniques because that's what you were

24 trained in and that's what you were expected to do?

25 A. Yes.

1 Q. Okay. But beyond that period, the post-TCI period, you
2 should not have been using these techniques at all?

3 A. No, because TCI was the same as prior to that, we had to
4 use.

5 Q. Now, the Inquiry has heard evidence that some staff
6 engaged in what has been described as heavy handed
7 restraint. Did you at any time restrain in a heavy
8 handed manner?

9 A. I think you would have to ask the person that was being
10 restrained, because --

11 Q. Well, we have, and I think they're telling us that they
12 believe --

13 A. When I think I had to go through the procedures on me,
14 these were karate experts at Gartnavel Hospital, and
15 I was thrown in a room and I was to be -- it was a role
16 play, and I had to act out as being unruly and they were
17 to restrain me. And I can tell you, it was
18 absolutely -- really painful.

19 Q. Okay.

20 A. So I can understand how somebody being restrained
21 could -- 20 years ago -- now sit and say: well, that was
22 sore. I can understand that. But in hindsight --
23 that's a great thing, hindsight.

24 Q. Well, it probably wasn't a great experience for them at
25 the time?

1 A. It wasn't a great experience for me either, we had to go
2 through it. So I knew exactly how much pain -- and you
3 tried to give as little as possible. But I never asked
4 them to be restrained. That was their decision. People
5 were out of control.

6 Q. Well, some of them I think have said that they might
7 just have been cheeky and were restrained. That
8 shouldn't have happened.

9 A. I don't -- not in my opinion, no, it wouldn't happen.

10 Q. And during restraints which you were involved in or
11 witnessed, did any young person ever sustain injuries
12 such as carpet burns, bruising, or broken arms?

13 A. Not by me, no.

14 Q. But you are not excluding the possibility that they
15 might have suffered these injuries through restraints by
16 others?

17 A. I mean, I don't have any knowledge about that happening.
18 I don't remember anything like that happening in my time
19 there. I'm not saying it didn't happen -- oh, there was
20 somebody I think with a wee bit of carpet burn, because
21 they were rubbing their head, but that was in
22 a different unit. That had nothing to do with me.

23 Q. Okay.

24 A. But other than that, no.

25 Q. And just to be clear, because we know your position on

1 the convictions, did you ever assault, physically or
2 sexually, any young person who was placed in Kerelaw?

3 A. No. And I would also like for the record to say that
4 I would be more than happy to partake in a lie detector
5 test.

6 Q. Well, John, can I just say this, that if you feel that
7 that's a method of seeking to challenge your
8 convictions, I think you have to take that up with the
9 Scottish Criminal Cases Review Commission. This is not
10 a proceeding that can help you, if you feel that that is
11 a possibility.

12 But can I say this to you -- and it's not legal
13 advice -- but I think that type of test in Scotland is
14 not recognised as proof that someone is either telling
15 the truth or lying. That seems, as I understand it, to
16 be the current position. I'm not here to give you legal
17 advice, and you can take your own, but I just mention
18 that to you in passing.

19 A. Perhaps it would save a lot of money and time if people
20 were given that opportunity to sit a polygraph.

21 Q. Well, I understand --

22 A. Both accusers -- no, I just want this on the record --

23 LADY SMITH: John -- John, it's on the record. Thank you.

24 I am afraid we're not here to discuss the merits or
25 demerits of polygraphs.

1 MR PEOPLES: It's on the record.

2 A. As long as it's on the record. Thank you very much.

3 Q. Well, your statement is part of the record, and we have
4 your statement and what you say on these matters, so be
5 assured of that.

6 A. You're the one that brought it up, so I'm bringing it up
7 to make sure it's on the record. Thank you.

8 Q. Well, I can assure you it is.

9 And did you ever punch any young person when you
10 were in Kerelaw?

11 A. Not ... How can I express that? Not in anger, I would
12 say, would be a good answer, perhaps.

13 Q. So your hand might --

14 A. I'm sure I might have (indicates) over the years.

15 Q. A slap?

16 A. I might have. I might have.

17 Q. Okay. And would that be on the face, or the face and
18 other parts of the body?

19 A. The back of the head. Somebody you could, the back --
20 aye: 'What are you doing?' The back of the head.
21 Nothing sore or deliberate or out to hurt people. A way
22 of getting their attention, perhaps. For sure a way --

23 Q. And did you ever kick any young person?

24 A. No.

25 Q. Did you ever grab any --

1 A. Playing football.

2 Q. Sorry?

3 A. Playing football, maybe, I kicked ...

4 Q. Yes, you might have had a serious tackle?

5 A. Could have.

6 Q. And it might not have been a good tackle, either?

7 A. No, I ... No, it was in the gym so you didn't -- you

8 couldnae slide or anything like that. It was quite --

9 Q. I think what you're trying to say is that whether the

10 tackle was a good one or a bad one, you weren't

11 intentionally seeking to inflict injury. Is that what

12 you're saying?

13 A. There was nothing deliberate in any of my actions, no.

14 Q. Did you ever grab any young person by the throat or hold

15 them by the neck?

16 A. No.

17 Q. Did you ever pull a young person's hair, or drag a young

18 person by the hair?

19 A. Certainly not, no.

20 Q. And just going back, and this is something we covered

21 earlier with some evidence that we've heard, did you

22 ever assault any young person using a pool cue or other

23 implement or object such as a pool ball?

24 A. No thank you. No.

25 Q. And did you ever use abusive or derogatory language when

1 speaking to or about a young person?

2 A. No.

3 Q. And you will appreciate the Inquiry has received
4 evidence from a number of people that you did these
5 sorts of things when you worked at Kerelaw, and indeed
6 we've also got the convictions which I've mentioned
7 earlier. Why should this Inquiry accept your denials
8 and reject that evidence in its entirety?

9 A. I -- I mean, as I say -- I have said, I'm quite happy
10 and more than willing to sit a polygraph test to see who
11 is lying and who is not.

12 Now, there's incentives that I know of, Scottish
13 Government for the past 20 years, maybe more, has been
14 advertising through Radio Clyde, whatever, that there is
15 money laid by as compensation: 'Have you been in care?
16 Were you abused?', and the floodgates seem to open from
17 there.

18 Mr Frizzell in his Inquiry stated that he had no
19 evidence of sexual abuse happening in Kerelaw. Then,
20 how long ago was that, was it 20 years since Mr Frizzell
21 had his --

22 Q. 2009.

23 A. Right. There was a long period of time passed by then,
24 so the incentives, they've all been there, they've all
25 heard it on the radio. There are lawyers going to

1 prisons and offering incentives to their clients: is
2 there anybody been in care that you know of, here's my
3 card, get them to get in touch, by the way you get more
4 money for sexual abuse than you do get for physical
5 abuse.

6 These are the things that have been said. These are
7 the incentives that are out there. Why has Mr Frizzell
8 came to the understanding that he could see no sexual
9 abuse then, and now all these years later on that these
10 people are coming forward. That doesn't make sense to
11 me.

12 MR PEOPLES: Okay, John. Well, these are all the questions
13 I have for you today, and can I just thank you for being
14 patient and bearing with me over the last two and
15 a half, three hours I think now we're getting on to, and
16 thank you very much for answering my questions today.

17 LADY SMITH: John, can I add my thanks for engaging with us
18 as you have done. And I know that in addition to some
19 of the difficulties in the questions it's hard work
20 engaging over a video link like this for as long as we
21 have done. But hearing from you has helped me
22 enormously in a number of respects. I'm very grateful
23 for that, and I'm now able to let you go and we'll
24 switch off the link. Thank you.

25 A. Thank you.

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(The witness withdrew)

LADY SMITH: Now, before I rise for the lunch break, names, most of which I've told you about before of people who can't be identified outside this room: KAM, Bob Forrest, LEF, KBP, KAB, FSR. A man whose second name was zHWV-HWW or it might have been HSY and it might have been HSY. Somebody known as FST, a Mr EUO, KGU and then three people who are applicants, or have made allegations and were children in care: , and . They are not to be identified outside this room and again, as ever, if anyone is seeking to do so and is in any doubt as to whether it's appropriate or not, please speak to us before their identities are publicised.

Mr Peoples, lunch break?

MR PEOPLES: There will be another -- lunch and then a further witness after lunch.

LADY SMITH: And then another link at 2.00, yes.

Thank you.

(1.03 pm)

(The short adjournment)

(2.01 pm)

LADY SMITH: Ms Forbes.

MS FORBES: Good afternoon, my Lady. The next witness is

1 Matt George and he is available via video link.

2 LADY SMITH: Thank you.

3 Do you need me to speak to activate that or somebody
4 should speak at the other end?

5 A. I'm Mr George and I'm here, Lady Smith.

6 LADY SMITH: Thank you. Can you wait while we get the
7 picture through? It's not through yet.

8 A. Yes, I can.

9 (Pause)

10 LADY SMITH: That's perfect. You've obviously worked out
11 you are speaking to Lady Smith, that's me, I chair the
12 Scottish Child Abuse Inquiry.

13 Now, would you like me to use your first name or
14 would you prefer Mr George? I'm happy with either.

15 A. Matt will be fine, Lady Smith.

16 Matt George (affirmed)

17 LADY SMITH: Matt, thank you for that. Now, a couple of
18 things, just before we begin. First of all, my thanks
19 to you for engaging with us today, and thank you for
20 having been in touch beforehand, so that we now have
21 a written version of the matters that you're able to
22 help us with. That's part of the evidence before the
23 Inquiry from you. But, as I think you understand, we
24 would like to explore one or two matters with you in
25 a little more detail today. I'm grateful to you for

1 being able to do that.

2 Matt, one of the things that I want to do is try to
3 make the whole experience of giving evidence as
4 comfortable as possible. I do understand that it's
5 a difficult thing to ask you to do. Some of what you're
6 going to be doing is going over events that you've no
7 doubt had to go over many times in recent and not so
8 recent years, but I ask you to bear with us.

9 We're doing this in the interests of children,
10 children past, present and future. It's really
11 important for all in the public that we do the best job
12 we can to work out how matters can be improved by way of
13 providing for children in any form of care in the
14 future, as well as listening to what people who were in
15 care have to say about their experiences.

16 So that is the context in which these questions are
17 being asked.

18 It's not a criminal trial. It's not a civil
19 litigation. It is of huge importance to the public,
20 though, and that's why we think it appropriate to bother
21 you and disturb your peace and quiet in asking you
22 questions today.

23 If at any time, Matt, you want a break from it all,
24 please just say. As I mentioned, I do want to do
25 anything to make you more comfortable than you might

1 otherwise be, if I can. Please also bear in mind that
2 at times you may be asked questions the answers to which
3 could incriminate you of something of which you haven't
4 already been convicted.

5 Now, although this isn't a criminal trial and it's
6 not a civil litigation, you have all the protections
7 that you would have in a court. That means that you
8 don't have to answer any such question, but, of course,
9 if you do, you must answer it fully; does that all make
10 sense to you?

11 A. Yes.

12 LADY SMITH: Do you have any questions for me at this time?

13 A. No, I don't have, Lady Smith.

14 LADY SMITH: Well, Matt, if that's all right, then, I'll
15 hand over to Ms Forbes and she'll take it from there;
16 okay?

17 A. Thank you.

18 Questions from Ms Forbes

19 MS FORBES: Thank you, my Lady.

20 Is it okay for me to call you Matt?

21 A. Absolutely. Yes, absolutely.

22 Q. Okay. Now, in the red folder that you have there, Matt,
23 I think there are two documents. The first has
24 a reference number that I'm going to read out, which is
25 INQ-000000206. I think that sets out a list of

1 questions you were asked to answer about your
2 experiences at Kerelaw.

3 The second document you'll have in that folder is
4 your written answers that you've provided to those
5 questions. The reference number for that, just for our
6 records, is WIT-3-0000005708.

7 A. Yes, I don't have the first one that you referred to.
8 I have the document ID WIT-3 finishing in 08. I don't
9 have the first one you mentioned. It's at the back.
10 Sorry, it's at the back, is it? It's at the back.

11 Q. Well, it might not matter, but it's there if you need to
12 refer to it.

13 A. Oh right.

14 Q. Mainly, Matt, I'm just going to deal with your written
15 responses to those questions.

16 A. Okay.

17 MS FORBES: But just because they go together, it's just to
18 give it context. That's why both of those are there for
19 you.

20 LADY SMITH: Yes, you'll see, Matt, 206 are the questions
21 that we sent to you, and then 708, those are the numbers
22 at the end of these code numbers

23 A. I've got it, Lady Smith.

24 LADY SMITH: So it's two documents, but they need to be read
25 together.

1 A. Okay.

2 LADY SMITH: Thank you.

3 Ms Forbes.

4 MS FORBES: Thank you, my Lady. Matt, you were born in
5 1949; is that right?

6 A. Correct, yes.

7 Q. And you've told us a little bit about your education and
8 what led you to the post at Kerelaw in your written
9 answers. I think from that we can see you completed
10 a four-year educational diploma in 1974; is that right?

11 A. 1974, yes.

12 Q. And then a further education teaching qualification in
13 1985?

14 A. Yes.

15 Q. And then --

16 A. Yes.

17 Q. -- a teacher's certificate of provisional registration
18 in 1991?

19 A. Yes.

20 Q. I think we can see that you came about the job at
21 Kerelaw because you saw an advert in the Glasgow Herald,
22 is that right, in the newspaper?

23 A. It is, yes. It is.

24 Q. And you applied to what at that time was the Glasgow
25 Corporation for a position at Kerelaw?

1 A. Yes.

2 Q. You were interviewed by a panel which included the
3 headmaster, and the panel was headed by the director of
4 social work for Glasgow Corporation at that time; is
5 that right?

6 A. Alex Sheriff, yes, correct.

7 Q. And you were successful and offered a position at
8 Kerelaw and you tell us you started as a grade 1
9 instructor; is that right?

10 A. Correct.

11 Q. And that was in 1975?

12 A. Correct.

13 Q. And that was in art; is that right?

14 A. Yes, it was.

15 Q. So it was an art instructor -- was sort of your title?

16 A. Yes.

17 Q. But then later you carried out those further
18 qualifications, I think. 1985 to 1995, you became
19 a teacher, you tell us; is that right?

20 A. Yes.

21 Q. Then 1995 to 2004, you were assistant principal teacher?

22 A. Correct.

23 Q. We've heard, Matt, about the position of senior teacher;
24 is that something that you had heard of or is that
25 something different from assistant principal teacher?

1 A. No, there's a variety of different posts. Senior
2 teacher is below assistant principal.

3 Q. So, during the course of your time at Kerelaw, you moved
4 from being an art instructor to convert to a full
5 teacher with qualifications?

6 A. Correct. Correct.

7 Q. And I think we've heard evidence that I think you went
8 on two ten-week placements at Largs Academy and Garnock
9 Academy to do that?

10 A. Correct.

11 Q. Was that completed in about 1991/1992?

12 A. Round about then.

13 Q. And as a result of that you would then become registered
14 with the General Teaching Council for Scotland?

15 A. Correct.

16 Q. After you obtained that full professional teaching
17 qualification; did you continue to teach art?

18 A. Correct.

19 Q. Now, you talk a little bit, Matt, about the staff that
20 were there during your time. I think your entire time
21 at Kerelaw was 1975 to 2004?

22 A. Correct.

23 Q. And whilst you were there, were SNR [REDACTED], [REDACTED]
24 [REDACTED], MTT [REDACTED] [REDACTED]?

25 A. Correct.

1 Q. [REDACTED]?

2 A. Correct.

3 Q. LEF [REDACTED] in a sort of SNR [REDACTED]?

4 A. He was SNR [REDACTED] for a short period of time.

5 Q. [REDACTED] was there [REDACTED]?

6 A. A very short period of time, very short.

7 Q. And [REDACTED]?

8 A. [REDACTED] maybe for about a year, but I'm not sure on

9 that either.

10 Q. And [REDACTED]?

11 A. [REDACTED], definitely, yes.

12 Q. Do you think I've missed anyone out from that list?

13 A. I don't think so. I couldn't have told you [REDACTED].

14 I couldn't have told you [REDACTED].

15 But [REDACTED], definitely, because he lived about

16 100 yards away from me.

17 Q. And there were SNR [REDACTED] in Kerelaw;

18 correct?

19 A. Correct.

20 Q. And was there somebody who was a third in command as

21 well, at times?

22 A. Yes.

23 Q. Then there would be unit managers or team leaders,

24 perhaps the name changed over the years?

25 A. Correct.

1 Q. And then there were teachers like yourself?

2 A. Correct.

3 Q. They would have the hierarchy that we've already talked
4 about; is that right?

5 A. The hierarchy for them came later on, at the time when
6 I became a PTE. But, prior to that, it was just two
7 senior teachers. Before it became like PT, APT, and
8 suchlike, it was just seniors, senior assistants they
9 were called, until about 1993. 1991. Something like
10 that.

11 Q. Then you do tell us about the fact that in the open
12 school there were these units or houses, and there were
13 four of them; two for the boys, two for the girls?

14 A. It started all boys.

15 Q. Okay. And then later on did that then become mixed? It
16 would be two boys and two girls?

17 A. It became co-educational, I think, about 1989. So it
18 was two boys, two girls.

19 Q. And there would also then be house mothers and house
20 fathers in relation to those houses or units?

21 A. Correct.

22 Q. As well as those, there would be residential care staff
23 who were working in the residential units?

24 A. Yes.

25 Q. Some staff lived on the grounds of Kerelaw in houses

1 that were on the campus; is that right?

2 A. Absolutely, yes.

3 Q. But others, I think, lived nearby in towns. The ones

4 that lived in the staff houses, I think you tell us they

5 were at opposite ends of each residential unit?

6 A. Aye, they're affiliated -- the units were in the middle.

7 The staff houses were at either end of the units.

8 Q. And some of the teachers also lived in staff houses?

9 A. Yes.

10 Q. There were purpose-built staff houses to accommodate the

11 headmaster, management staff, the school janitor and the

12 school gardener?

13 A. These were actually not -- not affiliated to the units.

14 They were separate, about 100 yards away on the hill at

15 the top.

16 Q. But they were all within the campus, the school grounds?

17 A. It's in the -- the campus of the school grounds,

18 correct.

19 Q. As well as the residential care staff, I'm including in

20 that night care staff as well, also worked at Kerelaw?

21 A. Correct. It is. It is correct.

22 Q. Sorry. Yes, thank you, Matt.

23 A. No problem.

24 Q. I think you stayed in Largs whilst you worked in

25 Kerelaw; is that right?

1 A. Correct.

2 Q. And you stayed there throughout your time?

3 A. All of -- yes, all of the time.

4 Q. You were initially offered a house, though, on the
5 Kerelaw campus, but you declined that?

6 A. I refused that and I wouldn't take the job if I was
7 going to be living on campus.

8 Q. And I think in relation to other people that might be
9 there and about, you tell us about a flow of student
10 teachers and social workers who would also attend
11 Kerelaw on placements?

12 A. Yes.

13 Q. We have heard also about volunteers from the local areas
14 who would sometimes work at Kerelaw, to maybe try and
15 get a temporary position that would lead to a permanent
16 position; were you aware of that happening?

17 A. I can't think of anyone, no. I can't think of anyone.

18 Q. In relation to the four units, then, that were in the
19 open school, each of those units had dormitories and
20 initially there were four boys in each?

21 A. Correct. There were four units and it was all boys and
22 they were four-bedded dorms. Correct.

23 Q. And those dormitories were upstairs in the residential
24 part?

25 A. Yes.

1 Q. But were there also single rooms, separate from the
2 dormitories?

3 A. There were very few single rooms. I think possibly one
4 in Wilson Unit, possibly two in Baird Unit, two in
5 Fleming Unit and Millerston, which was a pre-release
6 unit, they might have about three or four. But I can't
7 remember. That's -- roughly, there was about 28 pupils
8 in each of the units. 26 in Millerston, two of them had
9 28, and Wilson was the induction unit and it had 18
10 pupils in it. So there was 96 pupils in total, roughly.
11 When they were all there. When it was full.

12 Q. The showers, I think you say, were originally on the
13 ground floor of the residential units, opposite the
14 staff office?

15 A. They were all on the ground floor, yes. That's --
16 obviously, when it was a throughway, it was a throughway
17 for all people that were coming in, visitors, social
18 workers, psychiatrists, would all go past that area and
19 into the office on the left-hand side, opposite the
20 shower room.

21 Q. And they were communal; is that right?

22 A. They were so, yes.

23 Q. Now, in relation to the make up of the different units;
24 in each unit would the shower area be beside the staff
25 office?

1 A. Opposite the staff -- opposite the staff office and
2 everyone.

3 Q. Because I've heard, at least with Fleming Unit, there
4 was a line of sight into the shower block area from the
5 staff office, if the door was left open.

6 A. Well, that's -- I've just said that, yes. The staff
7 office was opposite, yes.

8 Q. So that would be the same on each of the units; you
9 would be able to see in?

10 A. Absolutely. Well, you couldn't -- if the door was open,
11 you'd be able to see in, yes.

12 Q. But there's also a dining room that was shared between
13 two units?

14 A. Correct.

15 Q. But I think you say the layout of the units changed over
16 the years; does that mean that the dorms changed so that
17 each -- they were single rooms?

18 A. Reconstruction took place. I wasn't party to that. In
19 fact, staff worked less in the units after that. So
20 I didn't see the reconstruction. But the girls' units
21 definitely. Wilson and Baird, definitely, for make-up
22 rooms and records and their hair dryers and whatever
23 else. So things definitely were restructured as time
24 progressed out the school. Yes.

25 Q. But whilst you worked in the residential unit; were the

1 showers always downstairs across from the staff office
2 or was there ever a time when they were upstairs?
3 A. No, never.
4 Q. I'm just going to move on, Matt, to talk about your role
5 as a teacher at Kerelaw. I think the teachers worked
6 a sort of standard school day; is that right?
7 A. Yes. I've said that in my evidence, yes.
8 Q. And you were teaching art; and that was your only
9 subject?
10 A. Correct.
11 Q. Did you have your own room for that, that stayed your
12 art room, if you like?
13 A. Yes.
14 Q. Now, just to get an idea of you at a point in time
15 during your role in Kerelaw, we have had a description
16 of you, and you can tell me if this is right or not.
17 But you were somebody who had a sort of big, bushy
18 moustache?
19 A. I had a moustache.
20 Q. Somebody -- maybe this is a part of the time in the
21 1980s, but dressed as if you were Don Johnson out of
22 Miami Vice?
23 A. Listen, I'm not answering that on the grounds it might
24 incriminate me. I wasn't -- I'm not answering that.
25 LADY SMITH: Can you tell me how you generally did dress,

1 Matt?

2 A. I was an art teacher, I was quite flamboyant. I was
3 colourful. Colourful. We'll leave it at that.

4 LADY SMITH: What style -- I'm just trying to think back the
5 decades.

6 What style of trousers and tops did you wear?

7 A. Bright yellow trousers. Colourful, bright red tops.

8 LADY SMITH: Jumpers? Shirts? Jackets? What?

9 A. Mostly just jumpers, like what I've got on just now.

10 LADY SMITH: Which is a polo --

11 A. I didn't wear round neck jumpers -- jumpers. It was
12 just shirts like this.

13 LADY SMITH: A polo shirt?

14 A. Polo shirts, yes.

15 LADY SMITH: Thank you. That gives me some idea.

16 A. Aye.

17 MS FORBES: Matt, were you ever someone who wore a jumper
18 over his shoulders, was that kind of your style at all?

19 A. I'm not going to answer that on the grounds it might
20 incriminate me.

21 Q. Did you have, at one time, a bright orange Capri?

22 A. I'm not answering any -- no, I'm not going to answer
23 that.

24 LADY SMITH: We're talking about a Capri motor car, are we?

25 MS FORBES: Yes.

1 LADY SMITH: Did you have a motor car?

2 A. I never had a bright orange Capri.

3 LADY SMITH: No, that wasn't what I was asking, Matt. Did

4 you have a motor car?

5 A. I passed my driving test in 1979 and I did have motor

6 cars.

7 LADY SMITH: Thank you.

8 MS FORBES: Were you someone who enjoyed hobbies whilst you

9 worked at Kerelaw?

10 A. I had plenty of hobbies, yes.

11 Q. What type of hobbies were you interested in?

12 A. I'm not prepared to answer that on the grounds it may

13 possibly incriminate me.

14 LADY SMITH: Well, hang on, Matt, that wasn't a question

15 obviously designed to incriminate you.

16 A. So there's -- right, okay. It's not possible to --

17 well, I --

18 LADY SMITH: Tell me this --

19 A. I played bridge. I played bridge.

20 LADY SMITH: Hang on, Matt. Matt, wait a minute. Your

21 evidence is being transcribed and if we speak together

22 it's just a perfect nightmare for the stenographers.

23 Right, hobbies. Did you have any hobbies?

24 A. Yes, I drew and I painted. I did marathons.

25 LADY SMITH: Ah-ha.

1 A. I played bridge. I was the president of a bridge club.
2 I was involved in the local art club and presided over
3 that. So that's it. That's -- played football. Played
4 football to a reasonable standard of football. Managed
5 a local football team.

6 LADY SMITH: So that's quite a range from sporting-type
7 activities to activities related, obviously, to your
8 particular subject area in teaching, which was art; do I
9 have the picture?

10 A. Yes. I thoroughly enjoyed bridge. I thoroughly enjoyed
11 playing bridge.

12 LADY SMITH: And bridge. Thank you.

13 A. No bother.

14 MS FORBES: Matt, thinking about -- sorry, I stopped you
15 there.

16 A. Would it be more appropriate that you told me, Lady
17 Smith, when I might be answering a question that may
18 incriminate me. Am I all right to say: I'm not going to
19 answer that, and then you can tell me?

20 LADY SMITH: Okay. It's usually pretty clear if you're
21 being asked about something that might incriminate you
22 because it would be a question -- wait, Matt -- it would
23 be a question asking you whether you did a particular
24 thing or were in a particular place at a particular
25 time, or you were involved in a particular incident.

1 Simply asking general questions about things in your
2 life, such as we're asking so far, aren't questions
3 designed to incriminate you.

4 But it's likely to help you and me and the purposes
5 of this Public Inquiry if we can get a clear picture of
6 the art teacher working at Kerelaw over a 29-year
7 period, I think, if I've counted correctly. It would be
8 really helpful. So if we can do what we can, let's see
9 if that's possible.

10 A. I'll do my best.

11 LADY SMITH: Thank you.

12 A. I'll do my best to answer.

13 LADY SMITH: Thank you.

14 Ms Forbes.

15 MS FORBES: In relation to your art room at Kerelaw, Matt,
16 we've heard evidence that this was a sort of place that
17 some children liked to go. There was a coffee machine
18 in the classroom?

19 A. That's not true.

20 Q. Okay. We've heard that there was a sound system and
21 sometimes you would play music?

22 A. A sound system. Yes, there was music. Yes, there was.

23 Q. And as part of the art class, you would sometimes do
24 photography?

25 A. Absolutely untrue.

1 Q. Was there a darkroom where you could develop
2 photographs?

3 A. Absolutely untrue.

4 Q. Did you ever at one time have a Pac-Man video game
5 machine in the class?

6 A. There were game machines in the class that I got from
7 Cullis's in Largs.

8 Q. So, just thinking then about the other things that you
9 did whilst you were working at Kerelaw. We've heard
10 that some of the teachers there would have additional
11 duties, perhaps as part of their contract or as part of
12 overtime, things like working in the evenings in the
13 residential units as, perhaps, a duty officer and things
14 like that or just helping out; is that something that
15 you did?

16 A. Yes.

17 Q. Were you ever a duty officer, then, in the residential
18 units?

19 A. For a short period of time.

20 Q. And in that role as a duty officer; would you be called
21 to help and supervise if there were any incidents
22 happening over at the residential unit?

23 A. I would have to have been called if something happened
24 within the school. And if something happened within the
25 school that was a major incident, I would then have to

1 call the headmaster in to the school.

2 Q. Would you sometimes be involved in activities that were
3 taking place in the evenings?

4 A. When I was a duty officer? No.

5 Q. Or just even as another role?

6 A. Yes.

7 Q. Yes.

8 A. Prior to becoming duty officer, yes.

9 Q. And would you sometimes help out at meal times?

10 A. I would be there at the meal times because I would be on
11 shift with the care staff doing that role, yes, ah-ha.

12 Q. And what about supervising the shower area or showers?

13 A. The pupils all knew what times their showers were.
14 There was a rota for when they went in to shower and we
15 didn't have to go into the shower with them, no. They
16 went into the showers themselves.

17 Q. Matt, you tell us a little bit about the day for the
18 children, just in general, whilst you were there.
19 Children went to the classes during the day, like
20 a school; is that right?

21 A. It was a seven-day classroom, the same as mainstream
22 education, and they all worked to the best of their
23 ability, doing the appropriate work that they could in
24 their subject.

25 LADY SMITH: Sorry, Matt, did you just say a seven-day

1 classroom?

2 A. A seven day period classes. Four in the morning,
3 Lady Smith, three in the afternoon.

4 LADY SMITH: Wait a minute, you mean seven periods in each
5 day?

6 A. Yes. What did I say?

7 LADY SMITH: You said a seven-day classroom?

8 A. I meant seven periods. It was seven periods --

9 LADY SMITH: That makes sense.

10 A. I beg your pardon.

11 MS FORBES: So, during the day, children were generally, or
12 were supposed to be, in classrooms receiving education;
13 is that right?

14 A. Correct.

15 Q. And in the evening there would be leisure time, which
16 might involve activities of various different types?

17 A. Correct. They went to an assembly. All of the units
18 went to the assembly, with the headmaster in charge, and
19 the young people were asked -- if you were on shift, you
20 would tell SNR what you were going to be
21 giving as your -- what you were going to be doing as
22 a hobby.

23 Mine was playing football in the gymnasium and
24 Mr MTT would say: who is wanting to go and play
25 football with Mr George?

1 They would put their hands up and he would take
2 their names. Between 6 o'clock and 8 o'clock that was
3 the activity they played in the gymnasium, seven-a-side
4 football. That was most of my activities.

5 Q. Were you aware of there being a minibus that was
6 available that could be shared between the units to take
7 boys outside?

8 A. Correct.

9 Q. Also, were you ever aware of a van that had a sliding
10 door along the side?

11 A. There was a van, a Scottish -- a Strathclyde Regional
12 Council van, blue and yellow, but I don't know if it had
13 a sliding door.

14 Q. And there were day trips and holidays away that were
15 organised for the boys, for the young people?

16 A. Any day trip that was arranged was done via the
17 headmaster or done via an external body that you had to
18 actually apply. If you are taking them hill walking or
19 anything like that, you had to actually write to
20 a certain body giving details of where the trip would
21 take place, where you're going to do stop-offs, whatever
22 else, so yes.

23 If you went to the lead mines -- if you were going
24 to the lead mines, it would be done via the headmaster
25 and you would take your outing to the lead mines or ...

1 yes.

2 Q. And young people at Kerelaw, I think, would often visit
3 staff members' houses as well, at least at the
4 beginning, when you originally started?

5 A. At the very beginning -- rarely at the very beginning,
6 and it was deemed as normalisation. It wouldn't be
7 actually going into your -- into the house for that
8 activity. It would be possibly popping in on the way
9 back, if they wanted the toilet or they wanted a juice,
10 then back to the school. It wasn't like an evening in
11 your house. And it would be groups of people in the van
12 and that would be it. It would be a group of people.
13 It would be the group that was on your activity for that
14 evening.

15 Q. And you say that that practice stopped latterly, in the
16 late 1990s?

17 A. It did so. There was an encyclical came out, saying you
18 weren't allowed to do that anymore and it stopped.

19 Q. But because you started in the 1970s, I think for
20 a large part of your time at Kerelaw staff were able, if
21 they wanted to, to take a young person to their home for
22 a visit?

23 A. On the rare occasion. On the odd occasion, yes.

24 Q. Now, was that something that you would do?

25 A. On a rare occasion, yes.

1 Q. And when you would do that; would it be one person or
2 would it be more than one young person?

3 A. There would never be one -- never be one -- I never took
4 any one person out on their own whatsoever. It was
5 groups and normally big groups because they always
6 wanted to come out with me in the van for a run. So
7 a big group. And my wife would be in the house and my
8 two children, [REDACTED] and [REDACTED], would be in the house.

9 Q. And when you went to the house on those occasions; what
10 was the purpose of it?

11 A. Because they'd say: can we stop off for a cigarette?
12 Because they could smoke back then. And if I just --
13 and if they wanted the toilet. There wasn't any
14 ulterior motive, other than ...

15 Q. Were you also, Matt, involved in sometimes going with
16 the young people on trips out of Kerelaw, the type of
17 trips that you've talked about, these organised day
18 trips and holidays?

19 A. Yes.

20 Q. Did you also have a boat at any point when you worked at
21 Kerelaw?

22 A. A boat? Absolutely not. Never. I've never owned
23 a boat in my life.

24 Q. Now, I'm just moving on, Matt, to the issue of
25 discipline. You tell us a little bit about that, that

1 really it was the loss of weekend home leave that would
2 be the main punishment that young people would get for
3 misbehaving.

4 A. Well, that was eventually it was like that, it was
5 a loss of home leave. There was the other punishments,
6 like they got the belt and not getting home. But that
7 was on a very, very rare occasion. It was mostly
8 Saturday until Sunday they would get their leave, but
9 Friday had to be earned or gained, and that was done via
10 a sheet that was passed round all of the teachers asking
11 for a weekly review of how that young person worked in
12 classes. So I would fill in my particular -- for each
13 of the units I'd fill in my report for that child or
14 young person and it would go back to the unit.

15 So they had to perform well and not fight in the
16 classes, or any kind of bad behaviour would affect them
17 getting their Friday.

18 Saturday and Sunday was sacrosanct, other than if
19 they broke in to a staff house or if they had run away,
20 vandalised staff cars, anything like that.

21 Q. And you mentioned there, Matt, the belt. And I think
22 you tell us at the beginning of your career, when you
23 started in 1975, corporal punishment was still available
24 and that was in the form of the belt, the administration
25 of the belt. You tell us that was administered by

1 either -- was it the headmaster or the assistant
2 headmaster?

3 A. It was only either the headmaster or the assistant
4 headmaster that could belt young people.

5 Q. But after the abolition of corporal punishment it was
6 loss of privileges that became the main form of
7 punishment. You've told us about the ultimate one,
8 which would be the denial the Friday night leave or --

9 A. Yes, and that would be rare occasions. As I've said to
10 you, it would be only under the circumstance of
11 something extreme.

12 Q. Would loss of privileges also include not being allowed
13 to participate on an activity, for example, or on
14 a planned outing that had been arranged?

15 A. That could be one of the losses of privilege, yes.

16 Q. But in relation to those loss of privileges; was that
17 decided and implemented by the residential unit staff?

18 A. It was definitely -- that was -- it was the unit manager
19 for that particular unit. I would think in
20 associationship(sic) with the headmaster, who would
21 ultimately have a decision to make. But I would think
22 the recommendation could possibly have been made. But
23 I wasn't involved in that. But I would imagine that it
24 would have been the unit manager via the head of the
25 school.

1 Q. You also say that at one time there were two cells used
2 by staff to hold boys at Kerelaw.

3 A. Not by the staff. That would be the headmaster.

4 Q. Okay.

5 A. The only person that had a key -- it was in the
6 headmaster's office in a locked cabinet, and the only
7 person that could use those keys was the headmaster or
8 the deputy headmaster.

9 Q. Okay. But, certainly, you were aware of the fact that
10 there were two cells that could be used?

11 A. Oh yes, there were two cells. There was a brick plinth
12 with a mattress on it and a circular hole that you could
13 see in.

14 So, yes, there were two cells for anyone who had
15 come back from absconsion, who was breaking into
16 staff -- for major reasons they would be put into cell.
17 That would then be sent -- that would be put in a book,
18 be logged in a book. It would then go to the -- Harry
19 Richmond, to the social work services group. It was
20 sent to the secretary, it was then sent to external
21 bodies, social work services group, yes.

22 Q. So were you ever involved in that, ever involved in
23 putting boys in a cell?

24 A. No. Only if I was escorting for the headmaster. But
25 I would never -- I was never on my own with any person

1 being taken to a cell.

2 Q. And are you saying, Matt, that you wouldn't be involved
3 in the decision to put the boy there in the first place?

4 A. Absolutely -- absolutely never. Never. That's never
5 a decision. That was a senior management decision.

6 Q. Okay. So, even if you were duty officer, for example,
7 on an occasion, that wouldn't be something that was
8 within your power?

9 A. I wasn't a duty officer until -- I can't remember. 1999
10 to 2000? We're going back to -- the cells stopped in
11 1970 -- 1980. The cells were abolished in 1980 and it
12 became a place for the domestic supervisor to hold Rice
13 Krispies and Kellogg's Cornflakes and such like for the
14 kids' meals. So that's what it turned into.

15 Q. So from 1980, from your recollection those cells weren't
16 in use anymore as a place to put the boys?

17 A. Those cells were never in use in -- they were condemned.
18 They were stopped from being used by the Scottish
19 Office. They were stopped from being used.

20 There were cells in the secure unit. I never worked
21 in the secure unit. There were cells in the secure
22 unit. I don't know anything about them. I never worked
23 there, so ...

24 Q. Now, in relation to discipline, you tell us that if
25 there was a behavioural issue within your class you

1 would make a telephone call to the young person's unit
2 to tell the residential staff about the issue?

3 A. Yes.

4 Q. And then they would attend -- the unit staff would
5 attend at your classroom and either the behaviour issue
6 would be resolved there and then or the young person
7 would be removed from the classroom?

8 A. Yes.

9 Q. But you say, apart from providing the information to the
10 unit staff, you wouldn't be involved in disciplining the
11 young person after that?

12 A. Correct.

13 Q. Now, I just want to ask you some questions, Matt, about
14 restraint. You tell us that in the mid to late 1990s
15 all staff were trained in Therapeutic Crisis
16 Intervention; was this about 1995 or something like
17 that?

18 A. I'm not sure of the year, but it was round about then.
19 It was round about then. It was an American system that
20 was brought in via Glasgow City Council. We were all
21 asked to participate in using -- therapy -- we were
22 supposed to be trained in it, yes.

23 Q. And did you -- you were trained in that; TCI?

24 A. I refused initially to take part in it because I thought
25 it was inappropriate to do. I was told I had to

1 participate in doing the training, and I did participate
2 in the training. But because of my bad back, I was let
3 off from doing the holding techniques and just simply to
4 watch, observe from the side of the gymnasium as it was
5 done.

6 Q. The TCI, we've heard, really about 95 per cent of it is
7 supposed to be diversion and alternatives to restraint;
8 is that your understanding?

9 A. Absolutely. And most of the time, if that hadn't been
10 implemented, it would have been from my re-directing and
11 the way I worked in -- previous to it being started, it
12 all worked fine for me. So this was just more or less
13 being told what to do and the manual was there.

14 Q. And in TCI; was restraint supposed to be the sort of
15 last-resort rather than the first or second resort?

16 A. That's exactly how I perceived it: a last resort.

17 Q. Now, you go on to tell us a little bit about your
18 involvement in, I think, restraint. But I think before
19 TCI came in; did you receive any other type of training
20 about restraint? For example, at Gartnavel Hospital?

21 A. I -- no, I wasn't allowed to go to that. I was never
22 one of the staff who was actually asked to go and
23 participate in the Gartnavel hand-holds police-type
24 prison-officer-type handling of young people. I was
25 never trained in it and never used it.

1 LADY SMITH: Do you know if any teaching staff went on the
2 Gartnavel training?
3 A. Lady Smith, to my recollection there was possibly three,
4 to my knowledge.
5 LADY SMITH: Teachers?
6 A. One was a social worker and two were senior assistants.
7 LADY SMITH: Okay, I just wondered whether --
8 A. And possibly one other teacher. Yes, there was one
9 other teacher.
10 LADY SMITH: Right. So it wasn't that --
11 A. But I --
12 LADY SMITH: Sorry, it wasn't that the view was being taken
13 that it was people on the care side that needed the
14 Gartnavel training, not the teachers?
15 A. No, there wasn't a -- there wasn't a -- in fact, my
16 recollection was it wasn't even openly discussed prior
17 to them going. All I remember is that people come back
18 having been trained in locks.
19 LADY SMITH: Mm-hm.
20 A. And I didn't ever want to know the locks.
21 LADY SMITH: Okay.
22 A. As far as I was concerned, if I didn't have the skill to
23 defuse without using locks, then I didn't want to know
24 ... and wished TCI had never been implemented.
25 LADY SMITH: Okay. Thank you.

1 MS FORBES: Matt, were you aware that that training involved
2 the use of pain-inducing techniques to try and control
3 a person?

4 A. So I eventually was told. But that was the techniques
5 that they said they did, and it involved holding them in
6 a manner that they -- similar to what the police would
7 do or prison officers would do.

8 Q. Okay. But I think you tell us, Matt, that you were
9 involved in physical restraints during your time in
10 Kerelaw; is that right?

11 A. Yes.

12 Q. So that's physical restraints of young people who were
13 residents there?

14 A. Yes.

15 Q. Now, was that both before and after the TCI training
16 came in?

17 A. No. It was only after TCI training took place.

18 Q. From that training, then, restraint should have been
19 used only as a last resort. I think we've talked about
20 that; is that right?

21 A. It's my recollection it was always only used as a last
22 resort.

23 Q. And if there was then this use of the Gartnavel
24 approach, the pain-inducing techniques, that wouldn't be
25 in compliance with the TCI guidelines?

1 A. That was before TCI. That wasn't part -- once TCI was
2 implemented, to my knowledge -- in fact, I don't ever
3 remember the Gartnavel moves being used or techniques
4 being used. But, to my knowledge, TCI superseded the
5 Gartnavel whatever it was called. I don't even know the
6 name of it.

7 Q. So post TCI, Matt, and from your point of view, this
8 pain compliance method shouldn't have been used?

9 A. Should not -- should not and would not -- to my
10 knowledge was it ever used. I can't remember it ever
11 being used at all.

12 Q. Now, in relation to restraints that you were involved
13 in, then, Matt; did you ever use restraint on a young
14 person other than as a last resort?

15 A. No. I never did. I never -- always as a last resort.

16 Q. Did you ever restrain in a way that was not in
17 compliance with the TCI guidelines?

18 A. I can't remember ever having used it. It was always
19 done by -- it was always textbook that I could use, in
20 terms of sometimes to try and get the young person down
21 on the floor, they may have stumbled, but nothing ever
22 intentional. It was always by the book.

23 Q. The term 'heavy handed' has been used in relation to
24 restraint by staff. From your point of view; were you
25 ever heavy handed with the way you carried out restraint

1 with young people?

2 A. Never intentionally heavy handed.

3 Q. You tell us, Matt, in relation to violent incidents

4 there were forms that should be filled out afterwards,

5 and they were completed by the staff members involved;

6 is that right?

7 A. Yes, correct.

8 Q. And they were violent incident forms?

9 A. They were VII restraint forms, yes.

10 Q. Now, when you say violent incident forms; would that

11 include a restraint?

12 A. Well, that's what it was, restraints. It was, aye.

13 Q. So that's what you understood that form to be for: if

14 the restraint had been carried out, then the form should

15 be filled in afterwards?

16 A. Yes. Almost immediately afterwards. As soon as -- as

17 quickly as you could write the restraint, the VII form,

18 you filled it out.

19 Q. That was to be filled in by all of the staff members who

20 had taken part in the restraint?

21 A. It was supposed to be the person who initiated the

22 restraint and appendiced(sic) -- to my recollection,

23 appendiced by those who participated. I can't remember

24 any one that I -- my recollection is that I filled every

25 one that I was involved in. I can't think of any off

1 the top of my head right now though, no.

2 Q. And those were reviewed by the headmaster, as far as you
3 were concerned?

4 A. They were -- all of these things strategically went up
5 the line. So it was filled in by the person who did it.
6 It was then passed on to a manager. It then went to
7 Glasgow City Council to an external manager, female --
8 I should be able to remember her name. I've got it
9 written down somewhere in my paperwork here. In fact
10 it's one of the things later on. So I went to that.

11 And then from that recommendations were made and
12 sent back to the school to be implemented, if there was
13 something that they found that had to be -- required
14 attention.

15 Q. Is it Romy Laingland, the name you're thinking of?

16 A. Romy Laingland is the person. And she was very timeous
17 and everything came back and I never had any
18 recommendations, to my knowledge, that was heavy handed.

19 Q. And these were something that were recorded on
20 a tracker; is that right?

21 A. There was a tracker and I think I wrote the names down
22 somewhere, and -- I can't remember what it's called.
23 But I've got it written down somewhere. It doesnae
24 matter.

25 There was a tracker. It was retained by Glasgow

1 City Council. And later on there was also one done on
2 some tracker within the school. I'm not sure who.
3 I think it's possibly LEF [REDACTED] that had that.
4 I'm not sure.

5 Q. Okay.

6 A. Would you like me to look for it in my notes? No? You
7 don't want me to look for it?

8 Q. No, that's fine, Matt.

9 I think you tell us that copies would also be kept
10 within the person's care plan or should have been and,
11 as you've said, a copy would be sent to the social work
12 department as well?

13 A. Correct.

14 Q. Now, on the question of excessive restraint; did you
15 ever see excessive restraints being carried out?

16 A. No.

17 Q. Now, 'excessive restraint' could mean a couple of
18 things, I suppose. So, first of all, it could be
19 restraint that's physically excessive or heavy handed;
20 did you ever see that?

21 A. No.

22 Q. It could be that it's restraint that's used
23 inappropriately, perhaps, as a first resort when the
24 situation didn't merit it; did you ever see that?

25 A. I don't -- I never saw that, no.

1 Q. You tell us a little bit, Matt, about complaints, and
2 that there were forms in relation to complaints and you
3 tell us what would be done with those.

4 Now, at the start of your career, in 1975; was there
5 a complaint system that you --

6 A. No, there wasn't a complaint. There was nothing -- to
7 my recollection, any complaints that were being made,
8 the managers of the school had an open-door policy, and
9 regularly, if a young person had a problem, they walked
10 up the corridor to make a complaint.

11 All the head masters from my early experience, prior
12 to VILs, there was a door -- an open-door policy for
13 complaints. And to all other staff, they would speak to
14 the staff and say, 'Look, I'm going to make a complaint
15 about such and such and such and such', and it would go
16 to the headmaster. So that was how it was done.

17 Q. So it was verbal?

18 A. Verbal, ah-ha. And then if it had to go external, it
19 would go external. So they could call in their external
20 social workers or managers, or speak to people if they
21 wanted, yes. But there weren't any forms. There
22 weren't any forms. They came later on, with Who Cares?
23 Scotland and other such parties.

24 Q. Do you know when they came in or can you give a rough
25 estimate?

1 A. Oh, after the time of Cathy Jamieson becoming the Who
2 Cares? Scotland person.

3 Q. So later on?

4 A. Oh, much later on. Ah-ha, ah-ha. In fact, she had
5 meetings externally, I think. It was in Coatbridge that
6 I would drive the kids to for the -- to talk to the Who
7 Cares? Scotland. So my Monday night shift would be
8 driving them to Coatbridge to the meeting with Cathy.
9 But I would wait outside while they spoke to her.

10 Q. Would that be some of the young people in the units?

11 A. Young people from the units would say -- there would be
12 a note taken by all the managers for who wanted to go to
13 see Cathy Jamieson and they would go. And it was
14 a Monday night meeting and I remember it.

15 Q. And I think you say complaints, if they happened, would
16 generally relate to restraints after an incident had
17 occurred?

18 A. Well, that would be the major one, I would think, is the
19 restraints. But, if they had a complaint, they would
20 complain. They were good at complaining, which is their
21 right. It's their right to complain. If there was
22 something wrong, then they felt it was wrong, then fine,
23 complain.

24 Q. I think you say that you yourself received a couple of
25 complaints; is that right?

1 A. Yes, I did. Yes, I did.

2 Q. And I think you tell us that that was in relation to
3 restraints?

4 A. Correct.

5 Q. You tell us that those were dealt with?

6 A. They were dealt with. And the only one come back with
7 an outcome for a thing was somebody called [REDACTED]
8 [REDACTED] or [REDACTED], and it was to do with
9 a young person trying to run away and the girl was
10 taking drugs and to stop her from running away I'd
11 locked the classroom door. There was other young people
12 in the classroom. There was eight or -- there and she
13 complained about it, and the recommendation that came
14 back was no locking of doors. So I took that on the
15 chin, so it never happened again.

16 It only happened on that one occasion. And I should
17 never have done it because I thought she was about to
18 run off, take more drugs. I phoned the unit. In fact
19 I phoned her key worker and her key worker came up to
20 speak to me and then we went down the unit to talk to
21 her about her behaviour and about trying to run away.

22 So it was resolved, nothing came of it, and I've
23 never had any complaints that anything came of anything,
24 so ...

25 Q. So, in relation to that, then, that was a restraint

1 complaint, if you like, but in relation to you locking
2 the door, preventing her from going out?

3 A. She was acting up. She was going to run out the
4 classroom, and I locked the door to stop her from
5 running away, and that was all I did.

6 She was flailing her arms. I lifted the phone and
7 called her key worker, KBV [REDACTED] and KBV [REDACTED] come
8 up, and we went out to the unit and spoke over the issue
9 and that was it resolved. Yes, she was resolved.

10 Q. Were any of the other complaints in relation to you
11 carrying out restraint in a way that wasn't TCI
12 appropriate or being heavy handed at all?

13 A. No.

14 Q. You were asked about children being able to raise
15 worries or concerns that they had, and you mention
16 a number of ways in which you think that they could have
17 done that. You mention a key worker is one of the
18 people; is that right?

19 A. They all had a key worker and a key teacher. All young
20 people had a -- yes.

21 Q. Also a children's rights officer, who would attend
22 sometimes?

23 A. Yes. And when I was assistant principal, I in actual
24 fact went round the units over lunchtime, under
25 instruction from Jim Hunter, to hand out £5 or £10

1 vouchers for the young people to attend the meeting with
2 Emma Cochran(?) .

3 Q. You were asked, Matt, whether you ever saw behaviour
4 that you considered to be abuse of any kind taking place
5 at Kerelaw; what's your position in relation to that?

6 A. It never happened. I never saw any abuse taking place.

7 Q. And did the children ever report abuse to you?

8 A. Nobody ever reported abuse to me.

9 Q. Now, you were asked the question about whether, looking
10 back, you could be confident that if any child was being
11 abused or ill treated it would have come to light at or
12 around the time it was occurring, and you've given
13 an answer to that -- this is at 16.6 -- where you say:

14 'Obviously one can never be 100 per cent sure that
15 abuse did not occur.'

16 I'll let you get to that point, Matt.

17 A. I've got that, yes.

18 Q. You go on:

19 'However, for it to have occurred on this scale that
20 it has now been alleged, and for none of the other
21 residents or staff to have had any inkling about it
22 whatsoever at the material time, does not make any
23 sense.'

24 A. Yes, that's what I said.

25 Q. And is that your position?

1 A. That is my position. Given -- given -- the young people
2 in Kerelaw wanted to know everyone's business. That was
3 the make up of the young person. They were quite
4 inquisitive. And for that, for anything to happen it
5 would have gone round the school. It would have been
6 round the school like wild fire: don't go to such and
7 such's classroom because -- and they would use the word
8 'beast', because that's their phraseology, 'he's
9 a beast', or 'she's a beast'. That would be the
10 phraseology that they would use.

11 But never at any time did I hear of or did I see
12 anything that was inappropriate.

13 Q. I think you also say though, Matt, that from your point
14 of view there were a number of different avenues that
15 young people could take if they wanted to disclose
16 abuse, and you say things like contact with families,
17 regular home leave, external home social workers, access
18 to telephones and confidential helplines, and the key
19 worker that we've already talked about.

20 A. Mm-hm.

21 Q. As well as psychologists and psychiatrists.

22 A. Mm-hm.

23 Q. So is that one of the reasons you think there were
24 avenues for young people to disclose if there was any
25 abuse happening in Kerelaw?

1 A. There were posters all around the school, and the
2 posters contained information for them to phone. There
3 were phones outwith the offices that they could use that
4 were confidential, so they didn't have to speak in front
5 of staff.

6 LADY SMITH: Tell me about these posters, Matt. What
7 posters were they?

8 A. Well, they were generic posters that were printed out
9 with 'Who Cares? Scotland', children's rights officers,
10 who to get in touch with.

11 All I can tell you is that in the dining room, as
12 you went in there was one. There was some up in the
13 classroom areas. There would be one in the hall --
14 where they lived there would be posters up for them. So
15 they would be throughout the school. But, Lady Smith,
16 I can't tell you exactly where they were, but there were
17 posters.

18 LADY SMITH: Were there Childline posters?

19 A. Yes, there were all types of posters.

20 LADY SMITH: If children did want to make touch with any of
21 these organisations, it would all have to have been
22 through a phone call, would it?

23 A. Well, I don't know. All I know was there was a phone
24 made available for them to phone, and it was an area
25 where they had actual -- it was like a hooded phone,

1 where they could actually go into a booth, where they
2 could actually make their own phone call without the
3 staff hearing.

4 The only thing I could think of is the -- anyone who
5 wanted to make a complaint, there were forms, that they
6 could write them. And if they weren't good at reading
7 and writing, or if they trusted their key worker, or if
8 they trusted me, if I was a key teacher, to help them
9 make their complaint they could come and ask me or they
10 could go and ask their key worker. So that's the only
11 other --

12 LADY SMITH: Were these complaint forms that would be
13 addressed to Kerelaw?

14 A. No. No. I don't know who they were addressed -- oh no,
15 I just remember them being complaints forms. I can't
16 remember how they were headed, Lady Smith.

17 LADY SMITH: All right, thank you.

18 A. I can't remember the heading. I can't remember the
19 heading.

20 LADY SMITH: Thank you. Ms Forbes.

21 MS FORBES: Matt, in relation to that phone that you have
22 told us about; was that always the position at Kerelaw?
23 Because we've heard evidence --

24 A. Oh no.

25 Q. I'll let you explain. I think you're saying no.

1 A. No, they weren't always there. It was latterly. As
2 time moved on, things changed for the better. They
3 changed because big was bad, the 90 to 100 boys in the
4 school, just it was pure unwieldy.

5 As time progressed class sizes became smaller, all
6 sorts of staff came in to talk to them. There was
7 meetings. The meetings were held properly, quite often
8 chaired by the young people, about the classes. It was
9 all much more designed towards being integrated, where
10 the kids became involved in everything. So small was
11 beautiful for me, anyway. I thought it was the right
12 way forward.

13 Q. So I think, just to be clear then, Matt, there would be
14 periods of time when you were working at Kerelaw from
15 1975 onwards, where there wouldn't have been the
16 facility to make a private phone call for a young
17 person; would you agree with that?

18 A. I would agree with that.

19 Q. Now, I think you say that that is -- these reasons are
20 maybe -- sorry, these opportunities are reasons why
21 young people would have been able to make complaints of
22 abuse. But would you agree with me, Matt: children
23 don't always report abuse by an adult?

24 A. I can't comment on that. Obviously, some -- obviously
25 some young people wouldn't complain, but that's a --

1 hypothetically, I can't go into it.

2 Q. There could be a number of reasons, Matt, why a young
3 person doesn't disclose abuse by an adult at the time
4 it's occurring. They could be threatened by the person
5 who is abusing them; would you agree?

6 A. There could be all sorts of reasons. I'm not getting
7 caught up in hypothesis, no. Sorry.

8 Q. They could be fearful of the consequences of making
9 an allegation against an adult.

10 A. They could be, yes. That's a hypothesis, yes.

11 Q. It could be that because of their background
12 circumstances that being abused is the norm for them.

13 A. Listen, you can say -- you can go on as many of those as
14 you want, but the bottom line is you would be right to
15 all of them. I -- from my standpoint I can't comment on
16 something that's ...

17 Q. But you would agree that it could be that they could be
18 just simply ashamed and not want to tell anyone?

19 A. All of those. Ah-ha, ah-ha, yes.

20 MS FORBES: My Lady, I don't know if this is a good time?

21 LADY SMITH: Would that be a good point to break?

22 Matt, I usually take a short break in the middle of
23 the afternoon about this point; would that work for you
24 if we had five minutes/ten minutes or so now?

25 A. Absolutely. If that suits you I'm happy with that.

1 LADY SMITH: Okay, let's do that now.

2 (3.03 pm)

3 (A short break)

4 (3.13 pm)

5 LADY SMITH: Welcome back, Matt. Are you happy for us to

6 carry on?

7 A. Yes, my Lady, I am.

8 LADY SMITH: Yes, Ms Forbes.

9 MS FORBES: Matt, would you agree with me that abuse,

10 whether sexual or physical, of a young person in

11 residential care by a member of staff is abhorrent?

12 A. Absolutely abhorrent.

13 Q. Now, do you accept that there were opportunities for

14 staff to abuse young people at Kerelaw?

15 A. There could -- there would be any kind -- there could be

16 a point, yes.

17 Q. And that could be if a staff member took a young person

18 out on their own, even to their own home?

19 A. Aye, it could be. But I'd never at any time -- I can't

20 remember at any point any young person going out of

21 Kerelaw on their own with a member of staff. I'm sorry.

22 I don't remember that.

23 LADY SMITH: Of course, that could have happened without you

24 knowing about it, Matt, couldn't it?

25 A. Exactly, Lady Smith. I can only talk to what I know.

1 I can only talk to my time, when I was there, I don't
2 remember any member of staff going and taking anyone on
3 their own to the house.

4 MS FORBES: Matt, during your period of employment at
5 Kerelaw; did you ever have any concerns about any other
6 member of staff's treatment of or behaviour towards
7 a young person?

8 A. None. No, no, none at all.

9 Q. Now, Matt, is it your position that you were unaware
10 when working at Kerelaw that any young person was being
11 abused by other members of staff?

12 A. Didnae happen. As far as I -- you know, as far as I was
13 concerned, had it happened, I would have heard about it.
14 Well, I think I would have heard about it because the
15 kids couldn't hold their own water. They would have
16 spoken about it, I think. I think they would have
17 mentioned to another young person that something
18 happened, so I don't -- that didnae happen. That's
19 my -- that's what I think. That's -- I never saw
20 anything like that happening.

21 Q. So your position, Matt, is that you didn't see anything
22 happening and, because of that, it didn't happen?

23 A. No, my position is I didn't hear of anything happening.
24 I don't know if anything happened. All I can tell you
25 is what I know, and what I know is that I was --

1 I thought I was a popular teacher and I thought the
2 young people and their problems -- in fact did come to
3 me. I could name names, but I'm not prepared to name
4 names. I had a lot of kids that have gone on to do well
5 for themselves and, unfortunately, this particular -- in
6 this particular time, I can't actually name these names.
7 I'd love to.

8 LADY SMITH: Matt, you should probably know that I've heard
9 people say you were a popular teacher and the children
10 liked you.

11 A. I'm glad to hear that, Lady Smith. I really am glad to
12 hear that. For my wife and my family's sake, I really
13 am happy to hear that.

14 LADY SMITH: Why do you think they liked you?

15 A. Well, because I listened. I thought I was a good
16 listener and I had time for them. I did my best to try
17 and encourage them to do well in the class.

18 Anyway, I'm getting quite emotional, so I'm going to
19 stop it there.

20 LADY SMITH: And do you think they liked your flamboyance
21 that you told me about?

22 A. I would think they would, and the fact they could call
23 me Matt and didn't have to call me Mr George. I think I
24 had a room that created a positive environment.

25 LADY SMITH: Were you maybe good fun in the way other

1 teachers weren't?

2 A. I don't -- I can't say that. I don't know.

3 I'm not really a funny person. I'm not fun like
4 that. I think the fact being, as you've already said,
5 there was games in the classroom.

6 So what I had was, I had a kind of a -- I was lucky
7 in that, you know, I got them to come in and they
8 responded to the fact being that if they could, out of
9 the 45-minute period of it, 35 minutes work, they could
10 have 10 minutes at the end to play games, if they all
11 behaved and they all worked. I had a kind of -- anyway,
12 I'm -- I had a way with trying to encourage young people
13 to work positively.

14 LADY SMITH: Is the word you're looking for maybe something
15 like 'rapport' with them?

16 A. I think I did. I did my best to try to talk to them at
17 their level.

18 LADY SMITH: Thank you. Ms Forbes.

19 A. Okay.

20 LADY SMITH: Matt, do you think it helped that the subject
21 you were teaching was art, so maybe not as difficult,
22 sometimes, for some of the children as mainstream
23 subjects, like maths and English.

24 A. Well, I think that a lot of people think that they're
25 not -- they think that -- I think that a lot of them

1 think that they're not good at art, and I think they
2 actually have, within their own selves, they have
3 something within their own abilities that are good.

4 So I think the subject -- once they actually
5 realised that there weren't any perceived kind of being
6 bad, as in you can't draw in a certain way, as long as
7 they could do work in their own way -- which is what
8 I wanted. I wanted them to express themselves. And
9 I always had a chat when they initially came into
10 school, about where they've come from and what they have
11 done in their school, so I didn't go straight in to
12 doing art. What I'd do is have a chat with them, find
13 out who they were, what their culture was, where they've
14 been, and then from that tried to find something in
15 their lifestyle, be it music or be it whatever, they'd
16 be drawing down culture, for example, doing -- used to
17 do posters with cultures on them, like punk rockers, and
18 paint things on the wall, which I allowed. Like punks
19 on the wall, Two-Tone, things like that, Madness. So
20 I think they had a -- I think they enjoyed the class,
21 yes.

22 MS FORBES: But, Matt, you will be aware that former Kerelaw
23 staff have been convicted of sexually and/or physically
24 abusing young people who were in their care at Kerelaw?

25 A. No, I'm only aware of one other person. When you're

1 saying other staff, I only -- I'm not aware of -- no,
2 you're telling me something new. You're telling me --

3 Q. One is John Muldoon.

4 A. You said more than one.

5 Q. Yes.

6 A. Right, okay.

7 Q. So that's one I'm talking about, first of all.

8 A. Yes.

9 Q. So one is John Muldoon. He was a unit manager or team
10 leader at some point in Kerelaw, whilst you were there;
11 is that right?

12 A. Yes. Yes.

13 Q. And he has been convicted on two separate occasions of
14 sexual and physical abuse of young people at Kerelaw; so
15 you're aware of that?

16 A. I'm aware of that and I don't want to talk about John.
17 If you can leave John out of this I would greatly
18 appreciate it.

19 Q. But also Thomas Howe, who is a night care worker; is he
20 someone you were aware of when you worked at Kerelaw?

21 A. Yes. Now you've brought it to my attention, I am aware
22 that Tom Howe was taken to court, correct. Yes, he was.
23 So that's the other ...

24 Q. Yes, he was convicted in April 2018, after trial, and it
25 was in relation to two separate indecent assaults of

1 female residents at Kerelaw.

2 And then --

3 A. I wasn't aware of that. You're telling me news. You're
4 telling me ...

5 Q. And that also James Boyd or Jim Boyd who was
6 a residential worker; is he someone that you knew of?

7 A. I knew Jimmy, yes, I knew Jimmy Boyd, Jim Boyd, and
8 I didn't realise he had been taken to court.

9 Q. And he was convicted of assaulting a female resident,
10 and that was in April 2004.

11 A. I'm not aware of that.

12 Q. So, Matt, what do you think now, knowing that in your
13 time at Kerelaw there were abusers of children in your
14 midst?

15 A. Well, all I can tell you is the two people you've told
16 me about. I did not see or did not hear of any abuse of
17 any of these staff, and I respected them. I respected
18 Tom Howe and Jim Boyd and John Muldoon.

19 Q. But do you accept now, from what I've told you, that
20 children were abused at Kerelaw?

21 A. They have made -- they've made -- yes, they've gone to
22 court and they've been found guilty of abuse.

23 Q. Now, Matt, I'm just going to move on in relation to you.
24 I think your time at Kerelaw came to an end
25 in April 2004, when you were suspended; is that right?

1 A. June 2004, June 21st.

2 Q. Since then, as you've mentioned in your answers, you've
3 been involved in two trials, the first was in 2006, and
4 the second was in 2022; is that right?

5 A. Correct. Correct.

6 Q. In the first trial, you pled not guilty. You gave
7 evidence in your own defence and you were found guilty
8 after trial of 18 charges.

9 A. Correct.

10 Q. And those charges included sexual and physical abuse of
11 10 complainers.

12 A. Correct.

13 Q. Is that right?

14 A. Correct. I don't have it to hand. But, listen, you're
15 giving me figures. If that's what you're saying
16 I'm going to say correct, because I don't have these
17 figures to hand.

18 Q. They were nine males and one female, and you were
19 sentenced to ten years in relation to that?

20 A. I got a ten-year sentence. I couldn't have told you it
21 was nine and one.

22 Q. I think you appealed that conviction, but that was heard
23 in 2011 and, albeit there were two amendments to
24 charges, the convictions were upheld; do you agree?

25 A. Correct.

1 Q. Thereafter, Matt, the second trial, in 2022, you were
2 found guilty of 39 charges of sexual and physical abuse
3 whilst you were employed at Kerelaw?

4 A. I couldn't tell you the figures, but if you've got
5 that -- if that's what you're saying, then fine.
6 Correct.

7 Q. And that involved 22 complainers, which were 19 males
8 and 3 females.

9 A. Correct, if that's what you're saying, yes.

10 Q. And the physical abuse that was alleged took place in
11 classrooms, residential units, your home address and
12 elsewhere.

13 A. If that's what you're saying, correct. That's fine. If
14 that's what it was.

15 Q. And the physical abuse involved threatening, hitting,
16 punching and kicking children, seizing them by the neck
17 and hitting them with objects, as well as lining
18 children up and striking them with golf balls; is that
19 right?

20 A. That's what I was found guilty of.

21 Q. Yes. And in relation to the charges of sexual abuse,
22 Matt, that involved a number of things, including making
23 sexualised remarks, repeatedly forcing children to
24 masturbate you, masturbating in their presence,
25 repeatedly forcing your penis into their mouths,

1 repeatedly handling their genitals, repeatedly anally
2 penetrating them and, on one occasion, inducing three
3 other men to penetrate the mouth and anus of a child and
4 recording their activity; is that right?

5 A. It's not right. But I was found guilty of it.

6 Q. But, factually, that's what I'm putting to you, Matt.

7 A. Factually, I was found guilty. Until the day I die
8 I will maintain my innocence to what happened; okay?

9 Q. And I fully understand your position in relation to
10 that, Matt.

11 A. Yes.

12 Q. And I think you received a sentence of 16 years?

13 A. Yes, I did.

14 Q. So, as you've said, you continue to deny those
15 convictions?

16 A. Until the day I die, I will continue to maintain my
17 innocence and I'm in jail and I'll just do my jail time.

18 Q. But these are convictions, Matt, over the two
19 indictments, that involve over 30 complainers; is that
20 right?

21 A. Yes.

22 Q. And involve young people with birth dates ranging from
23 1961 to 1979.

24 A. If that's what you're saying, yes.

25 Q. And the dates of the offences over those two indictments

1 range between 1976 and 2000.

2 A. If that's what you're saying, correct.

3 Q. So, across the two indictments, Matt, there's
4 a significant number of complainers and the charges span
5 a significant period of time, almost 25 years.

6 A. Okay.

7 Q. Now, Matt, the Inquiry has received further allegations
8 of abuse that is separate from what you knew about in
9 your two trials, and I just want to remind you of the
10 warning that Lady Smith gave you earlier: you don't have
11 to answer any questions that may incriminate you.

12 But I just want to put those accusations to you,
13 those allegations to you, and ask for your views.

14 Matt, the Inquiry has received evidence from someone
15 known as a pseudonym, this isn't his real name, as
16 'Hector', who was born in 1971 and was at Kerelaw
17 between 1982 and 1986. Hector says there was a darkroom
18 in the art classroom and, after taking photographs, you
19 would choose individual boys and make sexual advances
20 towards them whilst under the pretence of teaching
21 children to develop photographs in the darkroom. You
22 asked this boy to come into the darkroom with you, came
23 up behind him, groped him, trying to touch his testicle
24 areas and bum, you were all over him like an octopus
25 with your hands going everywhere, and he managed to push

1 you away to get to the door and get out of the room.

2 What's your position in relation to that?

3 A. I refuse to answer that on the grounds it may
4 incriminate me at a future trial.

5 Q. Matt, that same boy also says that after that incident
6 that you would hit him with dusters, rulers, or anything
7 you had in your hand, whack him on the back of the head
8 or ear, and this would also happen to others who had
9 spurned your advances.

10 What's your position in relation to that?

11 A. I refuse to answer that, again on the grounds that it
12 may potentially incriminate me at a future trial.

13 Q. Moving on, Matt, there is someone known to the Inquiry
14 with the pseudonym of 'James', who was born in 1967 and
15 was at Kerelaw between 1982 and 1984. His position is
16 that you threatened him, took him into an office,
17 slapped him about, punched him on the body, slapped his
18 face, pulled his hair, and that these types of
19 batterings would happen to that boy by you many times in
20 that office.

21 What's your position in relation to that?

22 A. I refuse to answer that on the grounds it could
23 potentially incriminate me at a future trial.

24 Q. Matt, the next allegation is from someone who has waived
25 their anonymity, it's Francis McCourt, who was born in

1 1975. He was at Kerelaw between 1989 and 1991. His
2 allegation is that you would make inappropriate sexual
3 comments towards him and others in front of girls in the
4 class, called him 'baldy balls' and said he was
5 a virgin. Thereafter, during an art class, you rubbed
6 your hands together, slapped him around the back of his
7 head, grabbed him by one of his pressure points, said
8 that it was good for him, grabbed him by the back of the
9 neck and squeezed the back of his shoulders. This was
10 sore and in front of everyone in the class, and that
11 progressed to choke holds on him by putting arms around
12 his neck and applying pressure on and off to his throat
13 with his arm. He would be choking. You would be
14 smiling, applying full force to his pressure points and
15 choking him. This was sore. It happened multiple times
16 throughout his time at Kerelaw and you would also make
17 inappropriate comments towards him.

18 What's your position in relation to that?

19 A. I refuse to make any comments on the grounds it could
20 possibly ...

21 Q. This boy, Matt, says he was also taken to your house on
22 three occasions alongside other boys and girls, and that
23 it was a big fancy house in Largs, and remembers waiting
24 in your living room whilst you disappeared with some of
25 the other children.

1 Again what's your position?

2 A. I refuse to answer on the grounds it may eventually
3 incriminate me.

4 Q. Matt, the next allegation is from a female who is known
5 by a pseudonym of 'Charlotte', who was born in 1975.
6 She was at Kerelaw between 1988 and 1991. Her
7 allegation is that you always tried to be touchy-feely,
8 would come up behind her in class and get uncomfortably
9 close. That once in a TV room you wanted to massage
10 her, gave her a head massage, but then your hands moved
11 down to try to touch her breasts. She kicked off and
12 another member of staff walked in, and you used to
13 threaten her and others that you knew about pressure
14 points. You would also take her and others to your
15 house in Largs and ask girls individually to come into
16 another room with you, but she made sure she stayed in
17 the living room.

18 Again, Matt, what's your position?

19 A. I refuse to make any comment on the grounds that it may
20 incriminate me at a future trial.

21 Q. Matt, there's a male resident who is known by the
22 pseudonym of 'Richard' who was born in 1976. He was at
23 Kerelaw between 1990 and 1992. He says you would come
24 from your classroom and hang around with the staff on
25 Fleming Unit. You would hit kids randomly. It was

1 something he saw a lot. You would give people Chinese
2 burns by twisting the skin on their arm; that you
3 thought that you were a kung fu guy; you would do
4 pressure holds on people and put them in headlocks.

5 What's your position in relation to that?

6 A. I refuse to answer that on the grounds it could
7 potentially incriminate me at a future trial.

8 Q. The same boy says there was an incident when he was in
9 your classroom on his own, that he was playing the
10 Pac-Man puggy and that you came up behind him, took him
11 by the neck in a headlock, dragged him off the chair and
12 backwards along the floor, that you were very angry,
13 choking him until he almost passed out. And that he
14 would see you karate chop kids, wind kids by punching
15 them in the stomach.

16 On another occasion you and another staff member
17 took him and four or five other boys into the games
18 hall. You had golf clubs and golf balls. The boys were
19 made to face the wall and take down their shorts and
20 pants. You struck golf balls at them from a distance.
21 He says that is something that happened to him once, but
22 it was something that he knew to happen at other times.
23 He says that boys would regularly show each other
24 bruises on their bum where a golf ball hit them.

25 What's your position in relation to that?

1 A. I refuse to answer that on the grounds it could
2 potentially incriminate me at a future trial.

3 Q. This boy, Matt, also says that he was in the shower and
4 there were other boys in the shower room and that you
5 stood in front of him when he was showering. He was
6 completely naked. You were talking about the size of
7 his penis, making comments about it. You then got a bar
8 of soap and threw it at him and you were laughing.

9 What's your position in relation to that?

10 A. I refuse to answer that on the grounds it could
11 potentially incriminate me at a future trial.

12 Q. Matt, this boy then says on another occasion you asked
13 him if he wanted to go for a run in the van and that was
14 normal behaviour for you. But, this time you went to
15 your flat and then, when he went to your flat,
16 John Muldoon was already there. John Muldoon was
17 sitting on the edge of the sofa, to the left. The boy
18 was sat on the sofa, to the right, and you sat in the
19 middle. You asked him about girls. Both you and John
20 started asking him sexually orientated questions. You
21 started to touch him and rub his legs. You rubbed his
22 crotch area. At some point later, the boy was outside
23 the living room and you grabbed him by the neck, pushed
24 him against the wall and grabbed him by the crotch. You
25 were squeezing his private parts with your hand really

1 hard whilst holding him by the neck. He couldn't speak
2 and it was difficult to breathe.

3 What's your position in relation to that?

4 A. Could you go back to the bit you said that you went to
5 my flat?

6 Q. Yes. The boy's allegation, Matt, is that you asked him
7 if he wanted to go for a run in the van. This was
8 fairly normal behaviour for you, but you took him to
9 your flat. When he went into the flat, John Muldoon was
10 already there.

11 A. I refuse to answer that on the grounds it could
12 potentially incriminate me.

13 Q. Matt, the next allegation is from someone who -- a male
14 resident whose pseudonym is 'Jack'. He was born in
15 1977, and he was at Kerelaw between 1992 and 1993. He
16 says that you would make children stand on a chair and
17 would hit them with a ruler on their shins.

18 What's your position in relation to that?

19 A. I refuse to answer that on the grounds it could
20 potentially incriminate me.

21 Q. Matt, the next allegation is from a female resident
22 known with the pseudonym of 'Eve'. She was born in
23 1980. This was in relation to Kerelaw in 1994. She
24 says she was arguing with another boy in the class and
25 as a result of that you grabbed her by the throat,

1 pulled her off the chair and slammed her to the floor.
2 You shouted and bawled at her. Other members of staff
3 then came to assist you in restraining her. She was
4 punched and elbowed. She was fighting back. Her arms
5 were put up her back and she had bruising and finger
6 marks to her throat.

7 Again, what's your position?

8 A. I refuse to answer that on the grounds it could
9 potentially incriminate me.

10 Q. The next allegation, Matt, is from a male resident, who
11 is known by the pseudonym of 'Brian'. He was born in
12 1978, and this is in relation to 1994 at Kerelaw.

13 His allegation is that you came into the shower room
14 whilst he was showering. You had taken his boxer shorts
15 and towel away. When he asked where they were, you
16 said, 'You think you're a wee wide-o, a ticket, a wee
17 Glasgow gangster'.

18 When the boy said he wasn't from Glasgow, you
19 slapped him. You then made him walk naked from the
20 shower to his room, poked him in the back telling him to
21 move along the way. When in the room, you put your arm
22 around his neck and choked him until he became
23 unconscious, punched him on the body whilst doing this.
24 When he came to, he says, you sexually abused him. He
25 says you were growling at him, poking him in the chest.

1 You said to him that this was a big boys' school and he
2 wasn't in a stupid wee home now and that he could learn
3 the hard way or the easy way.

4 You then threw his clothes at him and watched him
5 get dressed. You threatened him and said, 'Nothing
6 happened here'. You then said to him, in front of other
7 staff, that you'd had words with him and asked him:
8 'You've learned, haven't you?'

9 He also says that on other occasions you would kick
10 the back of his heels when walking.

11 What's your position, Matt, in relation to that?

12 A. I refuse to answer anything like that on the grounds it
13 could potentially incriminate me at a later trial.

14 Q. Matt, the next allegation is from a male resident who
15 has the pseudonym 'Daniel'. He was born in 1981. This
16 relates to Kerelaw in 1995 to 1996. He says that you
17 assaulted him a couple of times, slapped him across the
18 face with the back of your hand and then with the open
19 palm of your hand; that you used to tell boys you were
20 a second dan black belt in karate and that you did kung
21 fu. There were times when you would try to show the
22 boys things, but would hurt them doing it. You would
23 hurt boys with arm locks and hitting pressure points,
24 grab them at pressure points and put them down, grab
25 their head and do things in a certain way to put them

1 down just by touching them and would do it until they
2 screamed.

3 In relation to this boy, the allegation is you did
4 it to him on two or three occasions.

5 He also saw you hitting a few other boys, twisting
6 a boy's arm up his back, causing him injury and
7 resulting in him having to walk about with his arm in
8 a sling for a week or so.

9 What's your position, Matt, in answer to that?

10 A. I refuse to answer that on the grounds it could
11 potentially incriminate me.

12 Q. Matt, there's another allegation from someone who has
13 waived his anonymity. His name is Brian Gallacher. He
14 was born in 1981. His time in Kerelaw was between 1995
15 and 1999, and the allegation is that you were one of the
16 staff that assaulted him daily.

17 What's your position in relation to that?

18 A. I refuse to answer on the grounds it could potentially
19 incriminate me.

20 Q. Matt, the next allegation is from a boy who has
21 a pseudonym of 'Kyle', who was born in 1985. This
22 relates to the period at Kerelaw between 1998 and 2001.

23 He says that you loved to show off martial arts;
24 that you broke his arm by forcing it up his back; that
25 you would take the boys into the shower block and lay

1 hands on boys, touch them inappropriately.

2 What's your position in relation to that?

3 A. I refuse to answer that on the grounds it could
4 potentially incriminate me at a future trial.

5 Q. Matt, the next allegation is from a male resident who
6 has the pseudonym 'Kieran'. He was born in 1986 and it
7 relates to a period of time between 1998 and 2001 --

8 A. Sorry, who is that from? Slow down. Repeat that.

9 Q. Sorry, Matt.

10 A. 'Kieran'?

11 Q. 'Kieran'. That's his pseudonym.

12 A. Ah-ha.

13 Q. Born in 1986.

14 A. Okay.

15 Q. And the period of time is 1998 to 2001.

16 A. Okay.

17 Q. The allegation, Matt, is that you would ask indecent
18 questions of him, ask whether he'd had sex at the
19 weekend or had been with boys or girls; that he woke up
20 one night to you sitting on his bed in his room. On
21 various occasions in your classroom, you would grope him
22 under the table in class between his legs. You would
23 touch him over his clothing. Stick your tongue out in
24 a suggestive manner. Grab his hand and put it on your
25 groin area, grope him at every opportunity, and this

1 happened regularly for about a year. And that on one
2 occasion, when he left the art class to get away from
3 you and went into an English class, you came into the
4 class, and when he wrapped his arms and legs around
5 a table leg and said he wasn't going anywhere with you
6 because you were a beast, you, along with another
7 teacher, poked him in the eyes with your thumbs, so that
8 he would let go of the table leg. When he eventually
9 let go you grabbed him in the groin area, twisted his
10 testicles when trying to put him into a restraining
11 position, dragged him from one side of the classroom
12 with his face pushed down almost buried into the carpet,
13 with a knee on his back or head. He was screaming in
14 pain. You kicked his side and kneed him. He thought he
15 was going to die. His face was red raw and scabbed.
16 His position is he said you started it, but the other
17 teacher helped.

18 He then talks about another incident where he
19 grabbed a plate to get some food at a Halloween party
20 and that you grabbed the plate and told him he would be
21 at the end of the queue.

22 He talks about you grabbing boys' fingers, including
23 his own, and bending them right back and that you would
24 laugh whilst doing this.

25 What's your position, Matt, in relation to that?

1 A. I refuse to answer that on the grounds it could
2 potentially incriminate me at a future trial.

3 Q. Matt, the next allegation is from a boy whose pseudonym
4 is 'Joe'. He was born in 1986. This relates to the
5 period in Kerelaw between 1999 and 2002.

6 His allegation is that you were heavy handed when
7 carrying out restraints. He would have carpet burns on
8 his face and be bruised everywhere as a result of how he
9 was restrained; that he would be held in such a way that
10 if he tried to move he would be in total pain, and the
11 more he screamed, the more pleasure that you or others
12 involved seemed to get out of it.

13 What's your position, Matt, in relation to that?

14 A. I refuse to answer that on the grounds it could
15 potentially incriminate me at a future trial.

16 Q. Matt, the next allegation is from someone who has waived
17 his anonymity. He is Gary McMenemy. He was born in
18 1988. This relates to the period at Kerelaw between
19 2001 and 2004. His allegation is that you squeezed his
20 penis.

21 What's your position in relation to that?

22 A. I refuse to answer anything you've -- I refuse to answer
23 on the grounds it could potentially incriminate me at
24 a future trial.

25 Q. So, Matt, have you ever abused, either physically or

1 sexually, a young person at Kerelaw?

2 A. Absolutely never.

3 Q. Is it your position, Matt, that you would deny any

4 allegations that would suggest that you had physically

5 or sexually abused a young person at Kerelaw?

6 A. Absolutely. Yes, absolutely.

7 Q. Now, Matt, we've heard about the convictions and we've

8 been over them.

9 A. Mm-hm.

10 Q. And that's the two separate trials and the convictions,

11 and today you've now heard about these subsequent

12 allegations; is that right?

13 A. Yes.

14 Q. Thank you. And you've refused to answer the questions

15 that I put to you earlier, but you did agree that you

16 would deny any allegations that would suggest that you

17 physically or sexually abused a young person whilst you

18 were employed at Kerelaw; is that right?

19 A. That's right, because it didnae happen.

20 Q. And in relation to that, Matt: why should the Inquiry

21 accept your denials and reject that evidence that we've

22 heard?

23 A. I don't know what -- what to say, because what I say is

24 what I say.

25 I'm quite happy taking a lie detector test, getting

1 them to take one. As far as I'm concerned, I know that
2 I have never physically or sexually abused anyone at
3 Kerelaw. That's me finished. I'm not saying any more.
4 That's it.

5 MS FORBES: Well, Matt, thank you very much for answering my
6 questions today. Okay, thank you.

7 A. Absolutely. Absolutely.

8 LADY SMITH: Matt, there's one other thing I'd like to ask
9 you.

10 A. Okay.

11 LADY SMITH: We understand that KGN [REDACTED] worked at
12 Kerelaw for probably the best part of nine years, mainly
13 on the night shift, from the early 1990s; do you know
14 who I'm talking about?

15 A. Yes, I do.

16 LADY SMITH: Don't give me his name.

17 A. No, I'm not. I wouldn't give you his name, Lady Smith.

18 LADY SMITH: Did he advise you to stop taking children to
19 your home?

20 A. KGN [REDACTED] said at one point, I think it was --
21 obviously, at the time when we were about to change
22 over, I think. I'm not sure, but he did speak to me
23 about taking kids to my home. He was a very
24 narrow-minded person, and he didn't work with the same
25 principles that I did. He was -- he worked in the night

1 care -- as a night care officer, and he did speak to me,
2 yes.

3 LADY SMITH: He spoke to you --

4 A. I think I remember a conversation -- I vaguely remember
5 a conversation about not taking -- I can't remember
6 where, Lady Smith.

7 LADY SMITH: And you can't remember whether he advised you
8 to stop doing it?

9 A. No, I don't remember any advice. I just remember
10 a conversation taking place.

11 LADY SMITH: Or that he thought it was just asking for
12 something to go wrong?

13 A. No, I don't remember anything about going wrong. I just
14 remember he was quite churchy and he didn't think it was
15 right. He wouldn't -- I think the conversation --
16 'I wouldn't take anyone to my house; why are you doing
17 it', words to that effect.

18 But listen, I would be lying if I told you exactly
19 what was said.

20 LADY SMITH: Thank you very much, Matt. That was the only
21 thing I wanted to check with you.

22 Otherwise, I'm grateful to you for engaging with us
23 this afternoon and bearing with us over the number of
24 questions we've had to ask. But it does help my work
25 here enormously to have heard you in person and to have

1 that in addition to your written answers to the
2 questions we sent to you.

3 I'm able to let you go now and the link can be
4 switched off.

5 A. Thank you very much.

6 LADY SMITH: Thank you.

7 A. Thank you for your time.

8 (The witness withdrew)

9 LADY SMITH: Ms Forbes.

10 MS FORBES: My Lady, I think that Mr Peoples has some
11 read-ins.

12 LADY SMITH: Thank you.

13 Just while, Mr Peoples, you're getting ready, a few
14 names we've already heard whose identities are
15 protected: LEF [REDACTED], Chris Holmes, Malcolm Day.
16 There was also mention during Matt George's evidence of
17 two names, [REDACTED] and [REDACTED]. They
18 may have been intended to be references to children who
19 were children in care and, if that's so, their
20 identities are also protected.

21 But otherwise I think that's the end of my list of
22 names from oral evidence from today. Thank you.

23 Mr Peoples.

24 MR PEOPLES: My Lady. The next read-in is from a person who
25 will be referred to today as 'Kyle'.

1 LADY SMITH: Thank you.

2 'Kyle' (read)

3 MR PEOPLES: 'Kyle's' witness statement is WIT.001.002.7347.

4 'Kyle' was born in 1985. He tells us about his life
5 before going into care between paragraphs 2 and 4.

6 I won't read it all. There is a familiar background:
7 father being a violent man with a drink problem, and he,
8 'Kyle', was 4 when his mother left his father and ended
9 up living in women's hostels. There was occasional
10 contact between 'Kyle' and his father thereafter.

11 'Kyle' says following this his behaviour changed and
12 he describes himself as 'a right wee toe rag'.

13 He seems to have gone for a time, after being
14 expelled from school, to a school with, effectively,
15 special needs facilities in Glasgow. He didn't last
16 long there before he was expelled and was sent to
17 a residential school, in Fife.

18 He tells us about that school between paragraphs 5
19 and 10. He would have been about aged 12 in 1997. **Secondary**

20 **Secondary Institutions - to be published later**
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1 Secondary Institutions - to be published later

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3 Secondary Institutions - to be publishe

and it was decided the best place
4 for him to go next was Kerelaw, where he went to the
5 open unit or the residential school.

6 He tells us about it at paragraphs 11 to 60. He
7 tells us he was in Kerelaw for about 18 months between,
8 he thinks, 1998 and 1999.

9 At paragraph 12, he tells us that he was placed in
10 Millerston.

11 At paragraph 14, he says that the best way he can
12 describe Kerelaw was it was like an old prison, which
13 may not be an unfamiliar description. It's not the
14 first time that's been said.

15 Paragraph 19, he did say he shared initially, but,
16 again, for the same reason as before, he was put in
17 a separate room.

18 He tells us quite a lot about Kerelaw. I'll not
19 read that today. We can read it for ourselves.

20 What he does say, at paragraph 28, though, if
21 I could pick that up, at page 6, that the night shift
22 were a skeleton staff -- and this is when there was
23 a lot of trouble between the boys and the staff, so
24 that's his memory. He seems to attribute that to the
25 fact, according to him, there were seven staff covering

1 the whole school at that point, at that time of the day
2 or night, rather, and this led to a lot of trouble as
3 the boys, he says, often rioted and fought with staff.

4 As for schooling, again, it may be something we've
5 heard before. He says they didn't have to do any school
6 work and people sat about and watched videos and drank
7 tea and coffee, didn't get an education, and his
8 recollection is teachers didn't seem to be too bothered
9 by that.

10 He does, however, say, on the question of education
11 that -- because he did, I think, as we'll find out, move
12 to the secure unit -- the only place that he did get
13 an education was when he was in the secure unit. He
14 says that at paragraph 32. He remembers trips and so
15 forth.

16 What he says, at paragraph 36, is the only time he
17 saw his social worker was at some kind of review
18 session, suggests that they were really quite fly, as
19 they would only come in when there was a staff meeting
20 and he wasn't allowed to attend. He is obviously
21 suggesting he didn't have much direct contact with his
22 social worker.

23 I think the suggestion from the final sentence is
24 that his social worker would change, which, again, is
25 not an unfamiliar thing that people have said.

1 Indeed, he makes the point -- sorry, I should have
2 said -- at paragraph 37, if I read on, the final
3 sentence is:

4 'Over my period of ... care I must have had at least
5 eight social workers. They constantly changed.'

6 That at least confirms what I took from the previous
7 paragraph.

8 As with a number of other people who went to
9 Kerelaw, at paragraph 40, he ran away on a number of
10 occasions. Clearly that was easier to do in the open
11 school than the secure unit, as we know.

12 LADY SMITH: Yes.

13 MR PEOPLES: So far as discipline is concerned, he has
14 a heading that starts at paragraph 41, where he says:

15 'Staff were constantly amusing themselves by
16 practising their boxing or martial arts on you and
17 hitting you. If you made a complaint nothing ever
18 happened as they would just deny it. They also did a
19 lot of shouting at you, like you were in the army.'

20 As for abuse, he has a section that starts at
21 paragraph 42. I'll pick out some of the things he says
22 there. In this particular place, he says, he was
23 bullied because he was gay. He also says, in relation
24 to restraint, that the staff could be, as he puts it:

25 '... quite boisterous in the way that they

1 restrained you. They would twist your wrist and force
2 your arm up your back. The staff only did this if you
3 acted up or there was some horseplay. There was only
4 about seven members of staff that abused me. The rest
5 were fine.'

6 He says there was a lot of bullying going on, and he
7 names a previous witness as a person who would encourage
8 bullying amongst the boys. He mentions an incident, in
9 paragraph 44, where he had a kettle of boiling water
10 poured over him when he was in the cookery class, and
11 that was one of the other boys. I think he is a boy
12 whose name we have come across before.

13 LADY SMITH: Yes.

14 MR PEOPLES: He says that's because he was known to be gay.

15 He says that on that occasion he ended up in the
16 infirmary in Glasgow for treatment for burns.

17 At paragraph 45, he tells us a bit more about that
18 episode, by saying:

19 'The staff were present and saw what happened. The
20 member of staff ... pressed the panic alarm and other
21 members of staff [had come] running.'

22 They restrained the other boy on the floor. It
23 appeared on that occasion that 'Kyle' grabbed a knife
24 and wanted to stab the other boy. Fortunately, a member
25 of staff, whom he seems to have got on well with,

1 a female member of staff, told him to put the knife down
2 and because it was her he did what he was told.

3 The result was that he was no longer allowed to
4 attend cookery class, but he didn't think that the boy
5 who had poured the kettle on him received any
6 punishment.

7 Unfortunately, he says, that on one occasion when he
8 ran away with another boy within the school, when he was
9 aged about 13, he tells us that the other boy raped him.
10 'Kyle' tells us, when he returned to Kerelaw he did tell
11 one of the other residents, a female, a girl, what had
12 happened and she told staff, although he didn't want to
13 say anything. And it seems that did lead to
14 investigation and involvement of a doctor and the
15 police.

16 If we follow that through, I think paragraph 49 is
17 really the follow-up to that. He was interviewed by
18 police and he says nothing came of that complaint and
19 indeed the person he had named was still at school after
20 that. Although he was moved from his existing unit to
21 another unit to get away or to separate the two boys.
22 He says he received some threats from the other boy's
23 friends, but did manage to avoid them.

24 He has some issues about the medical examination,
25 but I'm not going to read all that out. Unfortunately,

1 the girl he spoke to seems to have had a rather troubled
2 existence herself --

3 LADY SMITH: Yes.

4 MR PEOPLES: -- because she ran away. She was using hard
5 drugs, heroin, and indeed prostituting herself to pay
6 for her habit. Unfortunately, she appears to have been
7 found dead, aged 16, from a heroin overdose in a flat in
8 Glasgow.

9 It perhaps does chime with what we've heard about
10 the situation where drugs were both a currency within
11 and outwith these places.

12 LADY SMITH: Absolutely.

13 MR PEOPLES: He tells us of another occasion in which when
14 his arm was broken -- he says it happened in his bedroom
15 when there were two people there, him and Matt George --
16 and he says -- and I think this is something we've
17 perhaps just been discussing:

18 'Matt George ... loved showing off his martial arts.
19 He broke [his] arm when he forced it up ['Kyle's']
20 back.'

21 He says that he insisted that the police were
22 called, but there were no other witnesses and he says he
23 was told by the police there was not enough evidence to
24 take the matter further. He says he also spoke to the
25 hospital staff, but they told him that Kerelaw and the

1 police would deal with the matter, so they wanted to
2 leave it to others to sort out.

3 At paragraph 52, he mentions that one of the best
4 members of staff was someone called KBW. He
5 says he always thought he was very fair. However, he
6 does have a recollection of one occasion when he went
7 into another boy's room and he saw this member of staff,
8 as He describes -- or his impression was, he was sitting
9 astride another boy who was one of the youngest boys at
10 the time.

11 He describes -- or his impression was he was
12 bullying him and was a much bigger man, and he says:

13 'You only got bullied if you acted up.'

14 But he says he was surprised by what he saw.

15 He says that a lot of people knew that abuse was
16 going on at Kerelaw. He says all the staff at the
17 school must have known. He says he thinks that the
18 organisation Who Cares? Scotland, who were involved in
19 his time, must have also known.

20 He says he knows of, obviously, staff who had been
21 prosecuted, but he says it was all hushed up and no one
22 would speak about it, so nothing ever changed.

23 He talks about leaving the open unit at
24 paragraph 58, but says that another individual, he says,
25 at the school, another boy, raped him. He again says

1 no one believed him when he said this, and he suffered
2 a lot of threats and bullying. He says that one of the
3 members of staff, a managerial -- a person in
4 a managerial capacity knew what had happened. He says
5 it happened in the other boy's room when the night shift
6 were on duty. He says he was 14 and the other boy was
7 16. So there's a significant age difference.

8 He said he made a complaint about that matter, but
9 nothing happened, save that he was moved schools and
10 that the other boy, on this occasion, was moved units.
11 He says, again, the police seemed to have been called in
12 and he tells us that the police asked if he enjoyed it.
13 He thought it was the same police officers that had been
14 there before and, from this, he considered he was not
15 being believed about this account either.

16 LADY SMITH: Yes, and the inference is that he says he
17 thinks that was happening because the police knew he was
18 gay.

19 MR PEOPLES: Yes.

20 LADY SMITH: So they ask an irrelevant question.

21 MR PEOPLES: So they probably think -- yes.

22 LADY SMITH: And maybe it didn't matter.

23 MR PEOPLES: That's, I think, probably his perception and
24 what he's trying to convey.

25 LADY SMITH: I think that's what he's trying to get across.

1 MR PEOPLES: Yes. Then he says he moved back very shortly
2 afterwards, in fact once this complaint had been made
3 and dealt with, and was sent back to his mother's in
4 1999.

5 He didn't seem to spend long at his mother's because
6 he says he ended up, I think, in Newfield, which he
7 tells us about, assessment centre, in paragraph 61. He
8 had no issues there. Following assessment, he was
9 placed in Kibble, in Paisley. So far as Kibble is
10 concerned, this was a positive experience. At
11 paragraph 63, he says:

12 'It was a great place and I would go back in
13 a minute. I stayed there till I was 15 and a half.'

14 So that was -- having said that, he does say, at
15 paragraph 67, it wasn't entirely a happy experience
16 because he had one, I think, member of staff, he says
17 where -- he said all the staff were brilliant, apart
18 from one, whom he names, who broke his arm trying to
19 restrain him. He does say he was sacked for doing that,
20 but he did enjoy his time generally.

21 What he does say is, at paragraph 70, in the final
22 two sentences:

23 'It was great as all the boys did not bully me
24 because of my sexuality and I got on well with them.
25 The staff did not tolerate bullying of any kind and the

1 boys accepted this.'

2 LADY SMITH: So he makes the point that in that era it seems
3 to have been possible to have a zero tolerance of
4 bullying culture.

5 MR PEOPLES: Yes, and also an acceptance of having
6 a different sexuality in an environment of all boys.

7 LADY SMITH: Yes, indeed.

8 MR PEOPLES: So his experiences are different, obviously, in
9 different places, but it's really an example of it can
10 happen, good things or, indeed, bad things.

11 He does say of the staff, he's very complimentary,
12 at paragraph 76. He says:

13 'The staff were really good with me.'

14 And to this date he still keeps in touch with his
15 key worker. So there was a continuation, but at that
16 time it would have been in a voluntary way, rather than
17 perhaps the aftercare that we have now.

18 Also, he says of his time there, paragraph 79, that
19 staff would also put you in a safe hold, if you were
20 acting up. He says:

21 'It was like getting a cuddle and was designed to
22 calm you down. It was not excessive and did not hurt
23 you.'

24 That is a method. I think someone said it was a
25 method that was often used with younger children. In

1 his case, it was something that was used by someone who
2 was a bit older than a teenager.

3 Although having said that, he was at Kibble, he
4 says, for around 15 months, but he did run away. He
5 says that when he ran away he was involved in taking
6 heroin. So there's still the temptations of life in the
7 community and some drug taking.

8 Then if I could just move on, he tells us about life
9 after that. He left Kibble, at paragraph 90, when he
10 was about 16 years of age and moved to the secure unit
11 in Kerelaw. He said that he understands the basis seems
12 to have been that there was information given to the
13 Panel to the effect that he was prostituting himself as
14 a rent boy when running away, and that on that basis or
15 that information he was put in the secure unit as he was
16 considered to be a risk to himself.

17 I think later on he says he didn't, in fact, accept
18 that what was said was accurate information. But that
19 was the basis, he says, on which he moved to Kerelaw
20 secure.

21 He says he was there for six months. It was a tough
22 place, and he was bullied by other boys and staff, in
23 paragraph 93.

24 He says he was in a locked room, at paragraph 94,
25 and you had to be let out by staff. There was some form

1 of buzzer that you could use to alert staff.

2 However, if there was no staff that -- when the
3 buzzer rang, who heard it, then you could wait. He
4 recalls having to urinate on the floor in his room
5 because no one answered the buzzer for over two hours.

6 LADY SMITH: We've heard that before.

7 MR PEOPLES: I think we've heard that from others, too, that
8 that's a problem if you want to go to the toilet in the
9 night.

10 LADY SMITH: Yes, having to urinate into a pile of clothes.

11 MR PEOPLES: Yes. Then he does talk -- and this maybe
12 chimes with something we heard from the previous
13 witness, that they had a segregation cell in the unit,
14 paragraph 98: 'If you were placed in there, they would
15 strip you down to underwear [he says] and leave you in
16 the cell for hours on end. There were no chairs or beds,
17 just an empty room.'

18 He says, at paragraph 100, that after visits from
19 his family he would be strip searched before returning
20 to the secure unit.

21 As for abuse, he tells us that he was always getting
22 slaps and kicks from the members of staff and indeed
23 from other boys. He says:

24 'They would also gave you wrist burns and there was
25 violent horseplay.'

1 I'm not sure whether he's referring to the staff or
2 the boys, or both. But he does say there were usually
3 two members of staff present and:

4 'Although I would make complaints, they always
5 believed the staff and took their side.'

6 So I get the impression he was talking about staff.
7 They were doing things, but he wasn't believed when he
8 raised a complaint. He tells us, if he was put in the
9 segregation cell, staff would pull off his jogging
10 bottoms and often his underpants came down as well. He
11 found that very embarrassing, but they didn't seem to
12 care.

13 He said that he would tell his social worker what
14 was happening, but wasn't believed, and says there was
15 always two members of staff and it was 'my word against
16 them'. The social workers never did anything about it.

17 He said, at 104, he learned to behave when he was in
18 the secure unit because -- simply because it wasn't
19 a nice place and he wanted to get out. Of course, he
20 talks about the privilege system which was in operation
21 there, which I think we've heard about in other
22 settings.

23 He said, at 105, that he then at some point moved to
24 the open unit in Kerelaw where he was to remain for
25 a further year.

1 He says, at 106, that nothing much changed. There
2 was still bullying and bad behaviour. He was running
3 away again.

4 But he does say, at 107, there were no real
5 instances of note, as nothing much had changed since he
6 had last been in. He was nearly 17 and couldn't
7 continue to stay there.

8 Then he tells us about his life after care. I will
9 perhaps leave most of that, save to say that, at 117, he
10 does say that he has been involved with psychiatrists
11 and mental health professionals all his life. He feels
12 constantly let down by social services and indeed feels
13 badly towards the police, and perhaps one can understand
14 his basis for saying that.

15 LADY SMITH: Mm.

16 MR PEOPLES: He says on the question of reporting:

17 'I reported abuse to the people who were looking
18 after me when I was in care. I have also made
19 complaints to the police all through my time in care and
20 nothing ever happened. It was pointless as no one
21 believed you.'

22 Finally, he says, in terms of lessons to be learned,
23 at 122, he says:

24 'I contacted the Inquiry because I want to see
25 things change. The social worker department carry too

1 big case loads and they are not able to devote the right
2 amount of time to cases. I know they have to
3 prioritise, but that is no good if you need help and
4 they can't provide it.'

5 He signed that statement, I think, on 31 July 2019.

6 I wonder if we could do another short one before we
7 call it a day?

8 LADY SMITH: Yes, let's do that.

9 MR PEOPLES: The next read-in is a statement provided by
10 a person who will be called 'Alyson', and the reference
11 is WIT.001.001.3274.

12 'Alyson' (read)

13 MR PEOPLES: 'Alyson' was born in 1988. She was born in
14 Drumchapel and spent her early life there with her
15 parents and four siblings. She says she lived with her
16 mum and dad until she was about 7 and both parents had
17 issues with alcohol. There was social work involvement
18 with the family before she went into care.

19 She recalls that she was about 7 years of age, so
20 that would be 1995, I think, when there was a fire in
21 the house, which she believes one of her siblings was
22 responsible for and that caused them to be taken into
23 care.

24 She says she went into a children's unit, in the
25 first instance with a brother. Then she appears to have

1 had spells with foster carers, but then went back to
2 live with her mum and dad. She says that at
3 paragraph 4.

4 But they seem to have moved about, and indeed she
5 seems to have -- indeed they went off, I think, to
6 Ireland at one point. There were some problems again
7 and she was back in foster care. Then she comes back to
8 Glasgow and was back in the children's unit that she had
9 previously been in at some point. So there's quite
10 a lot going on in her life in quite a lot of different
11 places that she's staying at the same time.

12 She actually says, at paragraph 6, though, towards
13 the foot, there was nothing that happened in the
14 children's home or the foster placements that she thinks
15 she wants to tell the Inquiry about. She didn't have
16 any issues with any of these places before she went to
17 Kerelaw.

18 So this is an example of someone, at least, who to
19 some extent whilst she had pre-care problems, she didn't
20 have post-care problems before Kerelaw, which is maybe
21 less common.

22 LADY SMITH: Yes.

23 MR PEOPLES: But she says she went to Kerelaw Residential
24 School when she was 12, in 2002. I think she must be
25 wrong about the precise dates, because I think she's

1 given her date of birth she might have been nearer 14.

2 LADY SMITH: Yes, 13, 14, something like that.

3 MR PEOPLES: I think she is talking about being in Kerelaw
4 certainly shortly before it closed.

5 She tells us, at paragraph 8, she was initially in
6 Baird and she tells us, at paragraph 9, that when she
7 was in Baird the unit manager was John Muldoon. She
8 tells us some of the other staff, indeed one of the
9 people that she mentions is EUO [REDACTED], who became
10 her key worker, paragraph 9.

11 She says, of her first day there, at paragraph 10,
12 she was really scared and upset and she, like many
13 others, said it looked like a prison to her, so similar.

14 LADY SMITH: Mm-hm.

15 MR PEOPLES: She talks about the routine, and she talks
16 about John Muldoon being in the morning, getting up in
17 the morning. She says she did, I think, wet the bed
18 regularly, but she doesn't raise any specific issues,
19 other than that she might have to strip her bed, and
20 really that's all she says on that matter.

21 I think she compliments the female staff, though,
22 for perhaps treating her in what I might term a more
23 sympathetic way to avoid any embarrassment that might be
24 caused to her. Indeed, she says that. She does the
25 comparison with the male staff and feels they were

1 better at handling that problem.

2 As for school, she says at paragraph 17, she didn't
3 get a very good education. She was never taught any
4 life skills to help her for when she left Kerelaw.

5 She talks, at paragraph 18, about Matt George, the
6 art teacher. She said:

7 'He just liked to show his dominance in the class,
8 especially to any new children. He would arm wrestle
9 them to show he was the strongest.'

10 She discusses other things, leisure time trips and
11 so forth, which I'll leave you to read, and we can all
12 read.

13 She must have, if she's correct, celebrated her 13th
14 birthday, she says, at paragraph 24, within Kerelaw
15 because she says she recalled receiving a birthday card
16 from her then key worker. I think this is the person
17 before Mr EUO . That would be in .
18 2001.

19 LADY SMITH: Mm-hm.

20 MR PEOPLES: On her dates.

21 LADY SMITH: Her birthday is .

22 MR PEOPLES: Yes. As for social work visits, she says, at
23 paragraph 26, she think a social worker was supposed to
24 come in once a week, but she hardly ever saw the social
25 worker. As with many others, she regularly ran away,

1 paragraph 27.

2 She has a section that's headed 'Abuse at Kerelaw'.
3 Well, I was perhaps too hasty in saying that
4 John Muldoon was simply unsympathetic. In fact I should
5 have realised that because I think this is maybe
6 something we heard a short time ago.

7 LADY SMITH: Yes.

8 MR PEOPLES: At paragraph 29, she says:

9 'John Muldoon would come into my bedroom and wake me
10 up. I was a regular bed wetter, so when he saw that
11 I had wet the bed he would drag me through to the
12 showers. He would either grab me by the shoulder and
13 drag me through or walk behind me, pushing me all the
14 way. I'd often be crying and breaking my heart.
15 Sometimes I would try and push him away, but it would
16 end up that I would get pushed to the floor and
17 restrained and probably injured. EUO used to
18 do the same thing to me. When I got to the shower they
19 would leave me to get washed.'

20 She also says that he would call her and he would
21 use her first name, which I won't give, but he would
22 precede it by 'GTE', which she said that John Muldoon
23 would call her that in front of everyone else, which
24 made her very upset and she found humiliating.

25 Indeed, she says that this was something she was

1 called all the time, even when she and John Muldoon
2 seemed to be getting on okay, as she puts it. And,
3 indeed, it was something that all other members of staff
4 that didn't seem to like her, she says, started to call
5 her, too, even though they all knew that she didn't like
6 it, but they simply carried on regardless.

7 She talks, indeed, about John Muldoon and
8 EUO pouring water over her if she was in bed
9 and refusing to get up, sometimes she says it was a cup
10 of water, sometimes a bit more in the form of a bucket.
11 She also says because she was being called names
12 everyone knew she was a bed wetter and this was
13 humiliating and, indeed, some of the staff would laugh
14 at her because of her bed-wetting.

15 She was regularly restrained, she says, at Kerelaw.
16 She used to get thrown to the floor and abused. She
17 says it was an assault; it was not a restraint and she
18 names the people that would do this. One of the names
19 includes John Muldoon. Another EUO, which I think
20 would be EUO. FST, who has been mentioned,
21 I think, today, and another night shift worker, whom she
22 names as FSL.

23 She says in his case she thinks he might only really
24 have restrained her because he didn't hurt her as much
25 as the others, and she adds the others seemed to enjoy

1 hurting her.

2 LADY SMITH: And by the time she got to Kerelaw we should
3 have been in the TCI era, yes. There or thereabouts.

4 MR PEOPLES: Yes.

5 Yes. So, in paragraph 33, she continues that she
6 would kick something and that was it:

7 'They would come running over and fling me to the
8 floor, then three or four big guys would lay on top of
9 me. All the time John Muldoon would dig his elbow into
10 my back. Lying on top of me would be John, **EUO**,
11 another member of staff called **FST** [whom they called
12 **FST**]. He wasn't nearly as bad as John and **EUO**.'

13 She says they would have you begging for mercy on
14 these occasions.

15 'They would make you say how sorry you were before
16 they would let you get up.'

17 She regularly had marks round her wrists where they
18 had been holding her tightly, or very tightly. She said
19 she had marks and bruises all over her body, and when
20 you were lying on the floor, she said, that John and
21 **EUO** would punch and kick her as well.

22 She also says that **EUO** would regularly use
23 excessive force when he was restraining her. He would
24 fling her to the floor and pin her there for around
25 20 minutes, or perhaps half an hour, maybe even longer.

1 Sometimes she says she was panting and foaming at the
2 mouth. She was crying at times and couldn't breathe
3 because of her asthma, and she says he said that he was
4 just restraining her, but it was his way of abusing her.

5 She recalls one particular occasion in 2002 when she
6 says that:

7 'EUO badly assaulted me. We'd been arguing.
8 I just know he grabbed my hair. He actually pulled
9 lumps out of my hair.'

10 And she goes on on page 10 to say that:

11 'He dragged me up about ten stairs and then along
12 a landing. I ran into my room and I remember him
13 slapping me and he also may have punched me. I was
14 screaming. He then restrained me. He was a big guy,
15 a muscleman, and I was only 15 at the time. I was
16 shouting for help. EUO used his radio and shouted for
17 back-up and another member of staff came.'

18 She says she thinks she was bleeding.

19 'I don't know [she says] if it was my lip that had
20 been burst, but I was injured. Anyway I remember lying
21 on my bed crying. He definitely hurt me. [The other
22 member of staff who was summoned] came in and asked
23 EUO what he wanted back-up for because he saw the
24 state I was in.'

25 She said to the other member of staff she wanted the

1 police and he phoned the police. She says:

2 'My beating was to the extent that I could actually
3 barely stand on my own two feet. I was really badly
4 bruised. I had to go to [the local] police station and
5 ... pictures [or photos were] taken of my injuries and
6 I pressed charges. I think [the other member of staff]
7 stayed with me all that time I was with the police.'

8 This may be related to the matter that was raised
9 with Mr Muldoon --

10 LADY SMITH: Yes.

11 MR PEOPLES: -- this morning, because this is the person
12 that certainly moved units, and I think the description
13 that I gave earlier on may tie in with this.

14 LADY SMITH: It sounds like it.

15 MR PEOPLES: And she answers, and I'm not going to read all
16 this out, but the next paragraph, paragraph 37, is
17 rather tragic, about a girl who she ran away with,
18 I think, and there was a bad accident and the other girl
19 ended up severely injured.

20 The point she's making there is not -- obviously she
21 ran away, but her point is that Kerelaw, in her opinion
22 or estimation, gave up on the girl and she wanted to
23 visit her, but Kerelaw told her that the girl had
24 returned to her family, and she also says she didn't get
25 counselling for the experience either. So I suppose she

1 might be saying that's a form of emotional abuse in one
2 sense.

3 LADY SMITH: Certainly she's putting it forward as a form of
4 neglect, and perhaps indicative of the attitude, as she
5 saw it, towards the children in Kerelaw?

6 MR PEOPLES: Yes. She wasn't, obviously, happy the way they
7 handled that situation.

8 At paragraph 39 -- and this is a matter I think we
9 raised with Mr Muldoon -- she says that:

10 '[If you phoned home] children' weren't allowed to
11 talk about other children in the unit or about the
12 staff. John Muldoon would tell you this before you
13 picked up the phone. If you tried to talk about
14 anything, John Muldoon would just hang the phone up. He
15 wouldn't let you use the phone for days afterwards as a
16 punishment.'

17 Paragraph 40 is, I think, a matter of bad practice,
18 if I could put it, that if ever any girl needed sanitary
19 towels they had to go and ask for them and ask a male
20 unit manager, and it's not, perhaps, surprising, that as
21 a teenager that would be embarrassing, to say the least.

22 She talks about **FRB**, one of the technology
23 teachers, who would get young people to bend over in
24 class. He would skelp them on the backside with a small
25 piece of rope that was attached to his keys. He would

1 then give you a sweetie, she says, from a tin. It
2 wasn't sore and he probably thought it was a bit of
3 a joke. She says he would also stand behind you when
4 you were working and lean over you and have his arms
5 around you helping with what you were doing on your work
6 bench. She says:

7 'I never thought anything about either of these
8 things at the time, but looking back I now think it was
9 a bit creepy.'

10 She talks about Matt George at paragraph 42, saying
11 that he regularly threw her to the floor and restrained
12 her. He even spat in her face, she says, 'He was very
13 intimidating and he would say that he was bigger than me
14 and nobody would believe anything I said.'

15 She says at paragraph 45 that she and another girl,
16 who was older, two years older, had been arguing and
17 that EUO and John Muldoon put them in a room and told
18 them to fight. The other girl was much bigger. They
19 shut the door, the girls fought, and she got battered by
20 the older girl. I think, again, that's something that
21 we raised with Mr Muldoon this morning.

22 LADY SMITH: Yes.

23 MR PEOPLES: And if I go back -- sorry, if I go back to 49

24 I think this picks up the story of Mr EUO --

25 LADY SMITH: Back to 49?

1 MR PEOPLES: Sorry, if I go forward to 49.

2 LADY SMITH: Forward to 49, yes.

3 MR PEOPLES: It picks up something that we spoke about.

4 LADY SMITH: Yes.

5 MR PEOPLES: She says that -- this is the matter of the
6 assault by Mr EUO . She says:
7 'This was reported to the police, and he was
8 charged.'
9 She tells us. She said she saw a doctor at that
10 time who examined her injuries. She says that she went
11 back to Kerelaw but he didn't, but a few months later
12 John Muldoon asked how she would feel if EUO came back
13 to the unit. She said she didn't want him anywhere near
14 her.
15 'He didn't come back to the girls' unit but he did
16 start working again at one of the boys' units. I saw
17 him working there.'
18 So this maybe answers the conundrum of which unit he
19 went from and to, and it would make sense given the sex
20 of the person --
21 LADY SMITH: Indeed.
22 MR PEOPLES: -- who was assaulted.
23 She says:
24 'I told a social worker loads of times what was
25 going on when [she] saw him.'

1 She said she had told him that she didn't want to go
2 back, but he just said she was being rebellious. Nobody
3 listened, and indeed her social worker did nothing to
4 help her.

5 She says the social work were apparently getting
6 weekly reports from Kerelaw about her behaviour which
7 were not true. She said:

8 'They were getting told that I'd done lots of things
9 which I had not done. Nobody believed me and anything
10 I said was just swept under the carpet. When my social
11 worker came to see me, my key worker was there. If
12 I tried to say anything he would just butt in and I got
13 really annoyed.'

14 She says every time she ran away and saw the police
15 she told them that she didn't want to go back because of
16 the staff. But, again, that seems not to have had any
17 impact at all.

18 She said she did get moved to a different unit in
19 Kerelaw -- this is at paragraph 52. She thinks this was
20 because John Muldoon thought she was going to tell
21 everybody about what was going on. She said by then
22 he knew she had spoken to the police and she was moved
23 to the Wilson Unit, which is another girls' unit.

24 She then tells us about life after care, and I think
25 I'll perhaps leave that just to be read over. Clearly

1 she had -- it had an impact, including an impact on not
2 having a proper education. She found it difficult to
3 get a job, and clearly feels that she would have had
4 maybe a better future had she had a better education.

5 LADY SMITH: Well, she's still quite young. She is still
6 quite young. There may yet be a future for her. We can
7 only hope.

8 MR PEOPLES: Yes. If I may pick up one thing she does say.
9 She does say that her mental health has been adversely
10 affected by what happened to her, at paragraph 62, and
11 she still thinks about her time frequently. She has
12 flashbacks, anxiety attacks at night. She says that --
13 what she says this person, **EUO**, did to her was not
14 just a wee assault, it was a very bad assault, that her
15 legs and back were covered in black and blue bruises and
16 lumps of hair were pulled out.

17 She says -- and this was at the time that she
18 provided the statement, which was in 2018, that she had
19 met someone from the Fiscal's office and told her that
20 she had been in Kerelaw, and she mentioned the person
21 who had been charged in 2002, and had never heard what
22 had happened to him. According to her statement, she
23 later got back, the person she met, and was told that
24 he had been charged with assault to injury, and says he
25 had been sentenced. But I think she says he had been

1 given some sort of warning letter, according to the
2 information that she appears to have received.

3 She obviously, at 'Lessons to be learned', feels
4 that it was perhaps wrong that he should be allowed
5 after this matter to go back and work with children, and
6 she says there:

7 'Some of the staff were good. They all had
8 different reasons for being there. Some were there for
9 the money. Some were there because they were abusers,
10 and some were there because they cared for children.'

11 And says:

12 'Kerelaw was full of vulnerable children ...'

13 At 68:

14 'They should have supported us and helped us.'

15 She can't understand why in Kerelaw all the male
16 members of staff were 6 feet tall and really big built,
17 built like bouncers. She poses the question:

18 'Why did they feel they had to have that kind of
19 staff there? That was really intimidating because of
20 their size.'

21 And I think others have posed that similar question,
22 if I remember.

23 LADY SMITH: Yes.

24 MR PEOPLES: She feels let down by the council who put her
25 in Kerelaw, at paragraph 69. She feels there must have

1 been somewhere more suitable for her to go.

2 At 71, in 'Hopes for the Inquiry', she says that:

3 'Hopefully they get the right people for the jobs.
4 It's not just a job dealing with children. It is
5 people's lives. Sometimes emotional damage is worse
6 than physical damage and it stays with you. It has
7 certainly stayed with me. Some people have had a lot
8 worse than I have and their lives have been destroyed.
9 They shouldn't get away with it.'

10 She signed that statement on 11 January 2018, and
11 can I just say, so far as this person is concerned, she,
12 in the second trial of Matt George and John Muldoon,
13 John Muldoon was found guilty of an assault to injury in
14 respect of 'Alyson' on various occasions between
15 ██████████ 2001 and ██████████ 2004 at Kerelaw School,
16 and he was convicted of throwing her to the ground,
17 lying on top of her, twisting her arms up her back,
18 placing his elbow into her back and applying pressure to
19 it, and forcibly pushing her into a shower there, and
20 digging his nails into her body all to her injury. So
21 she is another of the group we've heard who was the
22 subject of -- she was the subject of a guilty charge.
23 LADY SMITH: It's particularly powerful coming from a girl
24 who was in her early teens at the time, and this was at
25 the hands of a well, fully grown, strong man.

1 MR PEOPLES: Yes. Yes.

2 LADY SMITH: Even more intimidating for a girl than for
3 a boy.

4 MR PEOPLES: And this is the person -- well, one has been
5 convicted -- to whom she had to go when she required to
6 get her sanitary towels.

7 LADY SMITH: Yes.

8 MR PEOPLES: So it's perhaps the same as the person
9 yesterday who was read, who said that they had to sit
10 down with the people that were assaulting them. So one
11 minute they were sitting down eating meals together, but
12 on other occasions they were being assaulted, according
13 to that evidence.

14 LADY SMITH: Yes.

15 MR PEOPLES: So if I could -- I think it's 4.30, and can
16 I perhaps finish there, if I may, after a long day?

17 LADY SMITH: Yes.

18 MR PEOPLES: And I think ...

19 LADY SMITH: Well, my thanks to all the team, the members of
20 the team that are here, and I include in that our two
21 stenographers who have had a long, hard week as well.
22 I'm really grateful to everybody who has put so much in
23 this week. We have covered a lot of ground.

24 Now, I think we may have a plan, it may still be
25 provisional, but I think we've got a plan for the

1 remaining read-ins so that they can still be achieved
2 before closing submissions next Friday. Do you want to
3 say something about that?

4 MR PEOPLES: Well, I think there's a plan that -- I think
5 we've done a large number. I think there are possibly
6 six left to do, and I understand that some will be
7 relatively short -- perhaps the majority -- and it was
8 felt that maybe the most appropriate solution is, before
9 the closing statement on Friday, to have these read in
10 on the day before, the Thursday.

11 LADY SMITH: We think we can manage it on Friday morning?
12 Unless the Thursday ...

13 MR PEOPLES: Well, if Thursday wasn't convenient, then
14 I think we certainly have an opportunity to do so on the
15 Friday, if that would work for all concerned.

16 LADY SMITH: Very well. Well, shall we leave it that we'll
17 try to arrange it so they can be done on Friday before
18 the closing statements, because of course being read-ins
19 they are of written evidence that everybody with
20 an interest and leave to appear in this chapter has
21 already got, so they're not being taken by surprise in
22 relation to anything in them.

23 But if it works out that that's just not going to be
24 possible, we'll look at Thursday. But we will make sure
25 everybody who needs to know knows in the course of

1 Monday what's happening, I think. We can promise that,
2 can we?

3 MR PEOPLES: Yes, and can I just say, obviously they will
4 know from the communications we have which six we are
5 talking about.

6 LADY SMITH: Of course. Of course.

7 MR PEOPLES: It's not just a case of: well, can we work out
8 which ones are left.

9 LADY SMITH: They can, if they've been following it.

10 MR PEOPLES: Absolutely. So hopefully that will not cause
11 too much inconvenience for any party.

12 LADY SMITH: Thank you very much.

13 And finally one name which I've mentioned already
14 this week about having his identity protected, and
15 that's **KBW**. He is not to be identified
16 outside this room.

17 Thank you to everybody. That's it until either next
18 Friday or Thursday.

19 (4.34 pm)

20 (The Inquiry adjourned until Friday, 12 April 2024)

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