

Scottish Child Abuse Inquiry

Witness Statement of

James HUNTER

Support person present: Yes.

1. My name is James Conn Hunter. My date of birth is the [REDACTED] 1951. My contact details are known to the Inquiry.

Background

2. I have an MA ordinary degree from Glasgow University in 1973 and a certificate in secondary teaching from Jordanhill College in 1974. I began my teaching career at Garnock Academy in Kilbirnie, currently in North Ayrshire. I taught French and modern studies from 1974 until 1976. I then taught French exclusively from 1976 until 1979.
3. I worked as a parttime care officer in Geilsland School, Beath, from July 1978 until June 1979. In 1979, I became an assistant principal teacher of guidance in Garnock Academy. I set up and ran a unit called, '*The Haven*', which was designed to cater for alienated children within the school, who were either truants or disruptive. A fairly large cohort of those pupils were boys who were resident in Redheugh Hostel, Kilbirnie. Those boys must have been placed there under Section 44 1b Social work (Scotland) Act 1968. It was a residential placement and they were there through the children's panel system. I worked there from 1979 until December 1982. From the beginning of 1980, I was assisted by a primary school teacher called Liz Piper, who largely took over the planning of the children's work because many of them had missed a lot of school. Liz was able to prepare and cater for their needs.

4. In January 1983 until May 1987, I was principal teacher of guidance at Brannock High School in Newarthill, Motherwell. During that time, from May 1985 until March 1987, I again worked as a parttime care officer in a residential school called Loaningdale School, which was near Biggar.

Posting at Kerelaw Residential School

5. In May 1987, I secured the post of deputy head education in Kerelaw Residential School, Stevenson. In January 2001, after a competitive interview, I was appointed principal of Kerelaw School. I held that post until 18 June 2004.
6. The deputy head of education role at Kerelaw was advertised. I had been working at Loaningdale School as a care officer, which entailed looking after boys of an evening, weekends as well. When I moved to Brannock High, I was becoming a bit tired of a normal classroom environment. I was parttime guidance and had always had a way with difficult children, children who had problems adapting to a normal school curriculum. I had actually entertained the notion of applying for a deputy head of education post, which had become available at Loaningdale School. I was encouraged by the deputy head of social work to apply for the post.
7. Just shortly after that the Kerelaw School job came up. We were living away from home and Kerelaw would have taken us back to Ayrshire where we're from and where we had our family. Kerelaw was also a local authority establishment as opposed to Loaningdale, which was a private establishment. In the event, Loaningdale School closed shortly after I had made my decision to apply to Kerelaw. I think possibly a successful factor in my candidature for the job at Kerelaw was that the head of Loaningdale, John was his first name, had given me a very good reference to Bob Forrest who was the head of Kerelaw. I believe John had said to Bob over the phone that he couldn't think of anyone better for the post.
8. They must have asked for written references. The social work did things a bit differently to the education sector. If you went for an interview with the education department, it was a hermetically sealed process. When the selection panel sat down

to interview a candidate, they had in front of them the application form and the reference from a head teacher or someone with a similarly held position. On that basis, they could make a decision which was binding. Once a decision had been made, normally the chair of the panel, would phone the successful candidate and tell him or her that they had been successful. That wasn't the case with the social work department. They used to interview people, then after they had chosen the candidate they thought was best placed to assume that post, they would send for references.

9. It took something like six weeks between the interview panel taking place and my receiving word that I had been successful, which I didn't think was ideal, although I was happy enough to get the post.

Kerelaw Residential School

10. Kerelaw was a residential school and was there to cater for children who had been made the subject of Section 44 1b Social Work (Scotland) Act 1968, which meant that they had been to a children's panel. The panel would have indicated that it was in the child's best interest to go to a residential school and they were required to name an establishment. The child went there for both care and education. Within that, there could have been various reasons, that they were outwith parental control, missed large amounts of schooling, committed crime, although not crimes that were sufficiently grave that they required to be put into security.
11. If they were put into Kerelaw School their position would be reviewed every six months or so with a view to them going home. Most of the children did get home leave at the weekends and the campus would be practically empty in the open school. That wasn't the case in the secure unit, obviously those children had to be kept safe by locking them up. That sounds a bit ironic but that's effectively what had to happen because they were a danger sometimes to others but mostly a danger to themselves. It was for their personal safety.
12. My impression of Kerelaw was the same as the impression I had at Loaningdale School, which was that these were troubled children in need of care and loving. They

were treated that way and I didn't come across anything other than that. They listened to me at assembly and when I walked about the school during the morning interval, the children walked past me and went into their classrooms. They very often would say hello to me. I also went to a couple of social evenings in the school and remember going to a Halloween party dressed as a woman with my son. It was great fun and the kids laughed and joked. I remember also going to a magic show. **KBK** the senior teacher in the open school could do magic and used to put on shows for the kids.

13. **KBK** died a few years ago. As a homage to his father in **2022**, **KBK**'s son said that he and his siblings used to be jealous of the kids at Kerelaw when their dad took them in to the school.

Structure

14. Bob Forrest was the headmaster of the school. I was appointed deputy head of education and there was a deputy head of social work in the open school who was Krystine Bennett. There was **SNR** in the secure unit. That was **LEF**. There was also **in the secure unit who was GOM**. I think around 1990, **deputy head social work was appointed in the open school and his name was Andrew Walker.**
15. Bob Forrest was a man who required all the pros and all the cons before he ever made a firm decision. He would listen to one side, then listen to the other side before finally he would arbitrate. I was sometimes impetuous about things but he would want to wait and consider things. I can tell you that in terms of treatment of children he was quite exemplary. He really did love children, if I could put it that way.
16. I remember, not long after I had started at Kerelaw, he asked me to sit in on a meeting in his office. I don't remember his name, but Bob spoke to a parttime care worker who he asked outright if he had punched a boy. I think the boy's name was **█**. The care worker actually admitted it and said that he had punched him. Bob dismissed him on the spot. There was no official fact finding, no disciplinary, he just told the care

worker to hand over his keys, get down the road and not to come back. In a sense, the guy didn't really have any worker's rights, he hadn't been long in the job. Bob wouldn't tolerate anybody abusing kids. That would have been around 1988. I do remember, on that occasion, there was no equivocating about it on Bobs part. He just said to the care worker, give me your keys, get out the door and don't come back.

17. Bob took a lot of time with parents. We had a girl in the secure unit who had murdered another girl in a Glasgow School. It was a playground incident. The victim's mother was absolutely bereft and she took out a grievance against Bob. She would spend ages on the phone to him. On one occasion, I was in his office when she phoned. The woman berated him but he was very calm, very patient and tried to explain things to her. The difficulty this woman had, was that she had lost her daughter and, in her view, this girl was living a life of luxury in Kerelaw Secure Unit. Bob understood the grief of people in situations like that but when he needed to be he could be firm. By and large he used to chair the senior management meetings effectively and allowed everybody to put their point across before coming to an agreement.
18. There were also two principal teachers in the open unit and two in the secure unit. KBK was assisted by John Cruickshanks. Dave Peake was assisted by a lady called Margaret Sloan. Generally, I went to Dave Peake and KBK in the open school to see how things were going.
19. Below these positions, staff were basic grade teachers. It was more or less one teacher per department. They used to meet on a weekly basis and the meetings would be taken by the principal teachers. I sat in on a few meetings and I have to say they were 'moanfests', and it was mostly the behaviour of children that was addressed. That wasn't surprising given the backgrounds of these children. If I remember correctly, there were twelve teaching staff in the open unit and seven in the secure unit. In the open school, KBK taught maths as did John Cruickshanks. To be fair to John, he had only completed a short course to transfer over to being a teacher. In a technical college towards the end of the 1980s, John asked me if he could return to his old instructor's role. He was a painter and decorator. I didn't have a problem with that and thought he was better placed doing that and that it would be more fruitful for many of the kids. John set up a painting and decorating squad and

did some work around the residential units in the open school. That proved to be quite popular.

20. There was an art teacher called Matt George, who completed a full conversion course in the 1990s to become a fully qualified secondary teacher. Before that, in 1979 or 1980, Matt George had a very limited qualification as an art instructor. He did an initial course, which I think enabled staff to teach Scot Vec modules in a school or college. Matt wanted to know if he could convert to full teacher status and be General Teaching Council of Scotland (GTCS) registered. I must have got funding to do it because he went away on a ten-week placement to Largs Academy and a ten-week placement to Garnock Academy in Kilbirnie. He successfully completed the course in 1992 and I have to say, for all intents and purposes, he was a popular member of staff and certainly was never short of people wanting to go into his art room at night when he was on residential duties. He was part of this whole imbroglio that happened round about April 2004. I knew nothing of this at all.

21. In the open unit we taught, English, drama, history, home economics, art and technical education. In the secure unit, Dave Peake taught technical education, Margaret Sloan taught history, Lesley Buchannan taught English and Magnus Smith, taught maths. Linda Cairns taught home economics. We had an art teacher called GUV [REDACTED]. Tom Reid taught PE and technical. There was a teacher called HSY [REDACTED] who taught history in the open school. HSY [REDACTED] was very good at making models with the kids for the crusades and such things. What you had to do with these kids was to try and find an alternative way of engaging to capture their interests. It was really very difficult given their background, the amount of school they had missed. Some of them had never really been to secondary school, although they were at S3, S4 stage. There was a teacher called FRB [REDACTED], who was still an instructor. FRB [REDACTED] helped the kids make things. I don't think there was much we could have done for FRB [REDACTED] and I took the view it was probably better he remained doing what he was doing. To be fair, he didn't have the academic ability to do a conversion course. There was a teacher called Paul who was a technical education teacher. We had a science teacher who died in 1992, his name was KBY [REDACTED]. We had a geography teacher called Winnie Goodwin and a home economics teacher called Ann Forrest.

22. On the social work side there were unit managers. There were four units in the open school and three in the secure unit. The unit managers were assisted by a deputy unit manager, certainly latterly. Whether these assistant unit managers were there when I started, I really couldn't say. By the time I became principal, there was a unit manager and an assistant unit manager. There were a number of care staff. I cannot remember the exact number in each unit but it was sufficient to guarantee two members of staff on an early shift, two members of staff on a late shift in each unit and every day. I think that was also the case on the weekend. Although a large number of kids went home for the weekend, not all units were empty. The care staff were actually augmented by the teaching staff Monday to Thursday because they were able to work what we called extraneous residential duties. They were paid an hourly rate for that, which was in addition to the loss of holiday payment. Their holiday entitlement was eighteen days fewer than that of a mainstream schoolteacher.
23. The teaching staff would go down into the units to give the kids the opportunity to go out. Either they would accompany the care staff on a trip to the swimming pool or the ice rink or they would take kids to evening activities on the campus, which reflected their skills. Matt George would take kids to the art room, Ann Forrest took kids to the kitchen, so that was a useful adjunct to the care provision. That was not dissimilar to what I had come across in Loaningdale School in Biggar. In fact, what they did in Loaningdale, every member of staff, including the domestic superintendent and the gardener, were put into the evening provision. When I started at Kerelaw, there wasn't much difficulty recruiting teaching staff.
24. The principal teachers in the open school and secure unit at Kerelaw also acted as unit managers one evening a week from 4:00 pm until 10:00 pm. That was part of their remit and was quite a good bolster for the good order and discipline within the school because they were able to see these kids directly at night. They didn't take part in activities with them, their job was to see good order and organise things in such a way that the kids could take part in activities at night.
25. In terms of nightshift staff, there was one person on in each unit in the open school. That was bolstered in 1998 to possibly six staff across the four units. I don't remember if they brought in deputy unit managers for the night staff at that time. In the secure

unit, there would have been four staff for the three units including a female member of staff because there were girls in the secure unit. There wasn't a specific unit for girls in the secure unit, but there were a couple of units with girls in them. There was also a couple of senior managers on-call overnight. I don't remember the training the night shift staff did.

26. My deputy head of education post covered both the open unit and secure unit. It was made clear to me by the Headmaster Bob Forrest, that my role would not exclusively be education and that there would be certain social work responsibilities, which I would have to undertake. I would need to be part of the on-call team, for example. This was an out of hours service requiring you to be available to go into the school to help out with whatever emergency had occurred. Sometimes for kids who were out of control.
27. I had two excellent principal teachers in both the open school and secure unit. The open schoolteacher was KBK and the secure unit was Dave Peake. My role was to look at the curriculum and try to vary it where possible. In 1989, the boys open school became mixed so we had to look at introducing home economics. Not just because there were girls coming but that it was part of the curriculum. I had oversight of the curriculum. These two principal teachers were exceptionally good at making sure that things ran smoothly, in order and there wasn't any fracas. The staff group that they had was very experienced and had been there for a long while. I was quite happy to basically meet with them as I needed to, usually once or twice a week to check that everything was going okay.
28. I did have other responsibilities, other than education. I was responsible for the welfare of teaching staff. There were issues along the way with bereavements, one lady had a miscarriage. There was an incident with a member of staff who couldn't really cope and went sick. He was really mainstream material but couldn't get a job there so had come to Kerelaw. I managed to counsel him out of Kerelaw because I felt he was far better placed in a mainstream environment.
29. As deputy head of education, I was also responsible for our registration with the Scottish Certificate of Education (SCE) exams and for all that paperwork. I also helped the invigilator, although I shouldn't have, because the invigilators are supposed to be

independent. When we were talking about a gym hall full of twenty-four kids sitting standard grade English, I had to discretely be in the corner just to make sure they didn't walk out. Kids from the secure unit were brought over to the gym hall to sit exams. The exams were foundation, general level, nothing high flying. The important thing was that after years of having achieved nothing in school, those kids were able to have something that they had achieved. That side of things went very well.

30. I used to take assemblies in the open school and I have to say the kids were very good. The staff stood at the back and I spoke to the kids and by and large the kids listened. We sometimes had the Gideons in and in fairness to the kids, many came up and accepted the bibles they handed out.
31. I had a role of being involved with the police and became the police liaison officer. Most of that came down to trying to organise a system for alerting the police of absconders. What used to happen was someone from the unit would phone up the police and informed them that a child had absconded. The police would come up from their local office in Saltcoats, get out their notebook and note down the details. They would go back to their office, fill out a form at the police station and then circulate it. I worked quite closely with two of the chief inspectors and we devised a speeded-up process which involved us having police forms on the premises. That took a wee while to get okayed but once it had been, it meant that staff in the unit could simply fill in the police form and fax it to them. This saved a lot of time and sometimes ironically enough, they had no longer faxed the form over, when the child returned.
32. I also had the job of tidying up the unit logs. That was a monumental task. It took me a year or two until I did make some sense of the logs and had all the Kerelaw dead files moved on.

Time at Kerelaw Residential Unit

33. I wasn't given any induction training when I started at Kerelaw. Having said that, there were specific issues I needed guidance on. Mostly that was to do with the reasons the children went into the secure unit. I needed to know that a panel could place them

there, that there also had to be a vetting process via what was called the secure unit screening group, whereby the head or the deputy head social work of the secure unit would go along to the screening group, which included an educational psychologist and another head of a separate secure unit and they would make a decision having received a referral on a particular child.

34. I had also to appreciate the need to place children administratively in the secure unit. These were things that I needed to know. What could happen was that the head of Kerelaw or a deputy head could phone up either the director of social work or most often the deputy director of social work. On the basis of a collaborative discussion between the two of them, a young person could be taken from the open unit to the secure unit on the proviso that this would be confirmed by a children's panel. There were things like that I needed to know, however I did not get a formal induction into Kerelaw.
35. I think in retrospect, it probably would have been helpful if I had had some kind of potted or condensed course about social work practice. However, I didn't ask for it, it wasn't offered to me and there were four people who had an expertise in social work, so I tended to use them as sounding boards if there was anything I needed to know. By and large, these people took care of the unit plans and took care to monitor the logs.
36. There were ramifications for me in terms of supervision because I was not a qualified social work member of staff. The man who supervised me, Bob Forrest, actually had no post graduate qualifications. He had worked in a secure unit in England but wasn't really in a position to give me supervision although he was my superordinate, one grade above me.
37. The same situation arose when I became principal. When I applied for the principal's role at Kerelaw, one of the people who interviewed me was the head of establishment. He was leaving to become head of service, social work, in Glasgow, children and families. I applied for the post on the basis that I would be able to use him as a sounding board because, not only did he have social work knowledge and expertise, he also had the experience of having been head of Kerelaw School for two and a half

years. No sooner had he gone to Glasgow, than he delegated the responsibility, inappropriately in my view, to a principal officer, Bill Adam. Bill Adam had never worked or been in, never mind managed, a residential school of the nature of Kerelaw. I think it was inappropriately delegated, we only saw him two or three times in three and a half years.

38. I did not get any further social work training and I think that is probably regrettable. I still had people who were social work qualified who had promoted posts who could give me any information that was required. Kerelaw Residential School was different. There were lots of residential units, which looked after children but didn't educate them, but in the case of Kerelaw, there were two functions.
39. There was no appraisal system at Kerelaw, even when I became principal. It would have benefitted me if the external manager had sat down with me and agreed a grid or set of competences and targets. We could have used these to focus on my performance and his responsibilities for that. The grid could have been replicated for Bill Adam and the head of service to use. I think it's regrettable that we didn't have that accountability format. Who knows, if I had stayed a little while longer, we might have got round to doing exactly that.
40. During the time I was head of establishment, or principal, whatever term they used, which was January 2001 until the 18 June 2004, there was no proper social work supervision and no performance target setting for me as head of Kerelaw. I did agree with the external manager that I would prepare a principal's report every year. I'm sure I did one for 2001 and 2002. I'm not sure I did one for 2003 because life in the school at that time had become extremely difficult for everybody. One of the things I covered in my principal's reports was the care staff's training levels.
41. When I became principal of Kerelaw, I didn't make any significant changes to the structure of the school. I did ask if we could have a senior deputy for the establishment but that was refused. I also felt that we could do with a board of governors being set up. I asked if we could establish a Kerelaw management group, made up of senior staff from the school and also senior staff from the council, which would meet every six months to discuss issues. That was also refused by the council.

42. I eventually secured the services of an external consultant called John McKiernan. He was delegated to come from the council to Kerelaw one day a week. He would attend senior management meetings and also spend time in the units talking to kids and looking at their care plans. That ran from August 2003 until I was removed from post on the 18 June 2004. That was the only senior consultant addition I made.

Culture

43. Kerelaw was a very open place. I talked about taking assemblies with the kids, they would go to school and they had lots of social events, a few of which I attended. We actually had a lot of visitors and foreign visitors. We were chosen by the region around 1990/1991, to be shown to a Romanian delegation for good residential practice. They came down and spent time in the secure unit and open school. There was a German delegation who came to the school on an exchange basis. That was through one of the unit managers who had a contact in Leipzig, former East Germany. We had an Austrian group who stayed in the unit one summer. The unit was due to be re-populated with Kerelaw kids after the summer however in the meantime, the Austrian kids lived in the units. The kids mixed over the summer and I remember them all playing football together.
44. I organised a Burns Supper every year for care staff and teaching staff and others who were maybe related to people in the school. They were a huge success so it was an open culture.
45. I think the teachers were very good facilitators. They were aware that a lot of the kids had gaps in their education. Some of the kids were very against schools basically but the staff humoured them, diverted them. It wasn't always possible for kids to sit down all day. There was a lot of colouring in and watching videos. By the same token, when it came to the SCE exams, there were kids sitting standard grades. There were other things like outdoor trips that the P.E. specialist organised and John Cruickshanks decorating group. We tried as far as possible to vary the provision the kids got.

46. I was not aware of many kids running away from school. What I saw was kids going to school, staying at school, coming back from school to the units and then going out at night, sometimes in the company of teaching staff or care staff. I'm not going to say it was a normal school but given the nature of the kids who were in the school, I think the teaching staff and care staff did very well. I think the fact that they took residential duties at night helped a lot because the kids saw them in another role.
47. The relationship between their social workers and their key workers seemed to be okay. Anytime I was on-call, there never seemed to be disturbances at night. On some occasions, I did walk round the units at 9:00 pm - 9:30 pm and things were very calm. Kids were having their supper. It just seemed to be okay. It was much as I had experienced at Loaningdale School.
48. The culture of the school changed after Bill Adam became external manager. He was a principal officer childcare, which was below the grade which I held. In my opinion the external line management of Kerelaw had been inappropriately delegated to Bill Adam, who, early in 2001, was also given external line management duties for all Glasgow children's units. My external line manager and I took a wee while to settle in together. I knew that he had no personal experience of residential schools, far less managing them. The council increased the numbers of Glasgow children in the school from 50%, which was what it was at the beginning of the year 2000 to 2001, to 80% in the middle of 2003.

Recruitment of Staff

49. I was involved with recruitment of staff, both teaching staff and care staff. Whilst principal, I was involved in the recruitment of the deputy head (education) of open school and the recruitment of senior night care officers in the early 2000s. I always recruited people according to Glasgow City Council's recruitment procedures. There was always someone external and always someone of equivalent grade on the panel along with me. I was anxious and had written to Glasgow City Council, echoing something Chris Holmes had written in 1999, which was that Kerelaw should be

included in the HR resource network. That didn't always happen. They had set up a complaint's log in Glasgow to cover all the children's units but left us out of that.

50. I never had any training in recruitment or interviewing for recruitment. Recruits were vetted by the Scottish Criminal Records Office.
51. I don't think there were any volunteers working in Kerelaw. There certainly weren't in the teaching side and I can't remember any on the care side.

Training

52. The teachers had five in-service training days per year. Some of them, under their own initiative, took a certificate in special education needs. Some days I organised speakers to come in although I can't remember what they spoke about. I allowed some of the teachers to go to schools they had come from or local schools to brush up in their subjects.
53. I did some report writing courses. Not for staff in Kerelaw but for other care staff in the local authority. The assistant district manager used to attend our senior management meetings and she asked me to do that as she was worried about the standard of reports that were coming through to her. I did a course in Largs Children's Home and a day course at Arran and did one for home helps. My responsibilities were quite varied and didn't just involve education as Bob Forrest had intimated to me when I started.
54. SNR [REDACTED] in the open school was KAB [REDACTED]. She was there from 1992 to 1999. She initiated a lot of training and a lot of people did training on their own for SVQ3 and HNC.

Supervision/ Appraisal/ Evaluation

55. I wasn't involved in appraisals. I consulted with deputy heads of social work and education but not in a formal supervision format, which was the case with the unit manager structure and below. I would have expected deputy heads of social work to have proper supervision with the unit managers and the unit managers down to basic grade staff. I have to say, if I'm being honest, and there is no way I checked this, supervision was much vaunted but not as often practised. Supervision was not as regular as it should have been. There was a comment to that effect in the North Ayrshire inspections of that period when I was head.
56. In 2002, we revamped the school development plan. That was when I was there with KBE, Frances Tran and Colin McQuarry. We said that we would make regular supervision a target to be achieved in the following years. The events of 2003 and 2004 rather stalled all these things when we were firefighting.

Policy

57. I remember in 1998, Malcolm Day issued the Glasgow City Council Residential Care and Control Policy. I remember he made unit managers go through it with their staff and then staff had to sign that they had seen it. I wasn't a social worker and don't know what policies there would have been, the deputy head of social work would be the person to ask about that.
58. When I became principal of the school in 2001, I don't remember bringing any new policies in.
59. I remember the regulations attached to the 1995 Children's Act. It was brought to my attention that this was quite an important document. I did remember, marking in my head, that the external manager of the school should have been somebody who had been in employment in a residential school or a residential establishment and should visit regularly and talk to the kids. That role was delegated to John McKiernan who was the external consultant.

60. There may well have been written policies but I have to say I don't recall seeing them when I was a deputy or the principal.

Strategic planning

61. By 2002, in the report that I did to Glasgow, we had something like 60% with SVQ3, 20% had HNC and a couple with Dip SW and a couple who were doing SVQ4. We were on the way to meeting our training targets by 2009.
62. The strategic planning was delegated to the deputy head of social work. There was no development plan for the school setting because we hadn't as yet looked at "*How Good Is Our School*" (hgios). By 2003, the new deputy head of education was in place and she took on the role of collating the unit plans and the education plan. I remember seeing the paperwork in progress. We didn't get it finished because of what was happening in the school.

Children

63. Staff were not supposed to take children out of Kerelaw on a one-to-one basis. They were told not to do that. I was aware of one member of staff who defied that and her name was Elaine Graham. She worked in Fleming Unit, which was a boy's unit. She took a boy, [REDACTED], out on his own in the school bus. That would have been 2001 or 2002.
64. Before it was drawn to my attention that Elaine Graham and [REDACTED] were making recreation trips on their own in the school minibus, I received information from a young person via her key worker, that she had seen Elaine Graham and [REDACTED] [REDACTED] kissing in a Fleming Unit bedroom. She had seen that from her bedroom in Baird Unit, which looks out on Fleming Unit bedrooms. I arranged for an external fact finding to take place and Elaine Graham, [REDACTED], and the Baird Unit residents were all interviewed. The report of the fact finding in late 2001, concluded that no further action should be taken. Elaine Graham and [REDACTED] had both denied that the "*kissing*" had taken place. Along side the fact-finding report, was a copy of a

letter to Elaine Graham, in which the fact-finding team informed her that there would be no further action. I read both documents. The deputy head social work (open school) informed me early in 2002 that Elaine Graham and [REDACTED] had gone on several recreation trips with no other person in the vehicle, either school transport or her car. I arranged for another external fact finding to take place. As for the previous fact-finding, two officers from Glasgow City Council undertook to interview Elaine Graham, [REDACTED] and other care staff about these trips. Elaine Graham and [REDACTED] both stated that they had never done anything wrong or inappropriate. The recommendation of the fact-finding officers was no further action. I saw a copy of the report and a copy of the letter to Elaine Graham saying there would be no further action. The letter told her that she must not under any circumstances take a young person out of Kerelaw on her own. I recollect that I saw this report and the letter to Elaine Graham around 2002. It may well have been the case, that Elaine Graham had left employment in Kerelaw before June 2002 but I cannot be certain of this

65. The point was that nobody should have gone out with a child on their own. I put out a memo to say that nobody should go out with someone of the opposite sex on their own. I was deputy head of education when I put that memo out, around 1999. Elaine Graham would have been in Kerelaw School in 1999 and must have been aware, as other staff were, of its contents.
66. If a mixed group were to go out, there would need to be a mixed staff component. A male couldn't take out a mixed group, it would need to be a male and female. The rationale for that was to safeguard everybody, including the staff. I said to staff when I was deputy head of education, that on no account should staff teach a single child on their own. The instruction that the principal teacher would have given was that classes had to be amalgamated. It may well have been that there were two kids with one member of staff but certainly nobody should have been left on their own with a child. It was obviously impossible to legislate for every contingency but we did do our best to try and safeguard everybody.
67. Our kids did go on holiday. They went skiing to the Alps and I had to go back and fetch them because they absconded from Chamonix in France. I didn't sanction the trip. It was two staff members in the secure unit who took four or five children. This

would have been about 1992. Three of them absconded and the staff were instructed to bring back the children they had. This left three vulnerable children lost in France. That was Ian Gilmour's decision, he instructed Bob Forrest to bring the three back. He was the deputy director of social work with Strathclyde Regional Council at the time. Bob wanted to leave it for Interpol to get them but I didn't think that was correct and said that we should act on it.

68. At the time, I spoke fluent French so Alex Glen, who was a team leader in the secure unit, and I went over to get them. We went to the town they had gone missing and had no luck there. Bob was getting information fed in from the police in France and eventually we were told that they were in a police station in Paris. Alex and I drove from the Alps to Paris and eventually were escorted to the police station. We then drove the boys to Calais and over in the ferry. I had arranged for staff to drive down to Dover in the van so when we drove off the ferry, the staff were waiting for us. I don't remember the boy's names but I'm sure their parents would have been informed at the time.

Living arrangements

69. My wife and I and our two young sons, lived in a house at the end of Wilson Unit in Kerelaw. We lived there day in and day out whilst we were waiting on a house being built for us. I would go to work and my wife, who wasn't working at the time, would do our washing in the unit. The kids would go in for their breakfast and offer to make my wife toast. Our kids played outside with Kerelaw youngsters who would push them on the swings. We could hear noise from the unit next door to us but I could quite honestly say that at 10:00 pm it was extremely quiet. My wife used to see the kids coming and going from school to the units without incident. In 1987, we were the only people other than **KBU** and maybe one other living in the place. We moved out in September 1987. We stayed there for about six months.
70. There were five staff houses up the top of the campus. There was a chap called **KBU** **KBU** who lived there with his wife and two kids but they moved out after a few years. By about 1994, 1995 or 1996, **SNR** the open school, used those houses as a through care facility for kids who were actually over sixteen and technically

shouldn't have still been in Kerelaw. She set up this through care facility. The financing of this project was never explained to me. I didn't know much about it, she never outlined the process to the senior management team. She did it without consulting. Eventually, in 1999 it had to be closed down and **KAB** left Kerelaw. I wasn't given any of the details of it, I was still a deputy at the time and I'm not sure if she left under a cloud or not. Chris Holmes was the head at the time.

71. If there was a difficult situation, staff would alert the senior staff member on duty of any disturbance or any situation which required his or her presence.

72. There was a situation where somebody from outside did go into one of the units. I can't remember why they were in the unit or hovering around the unit. It was a man unknown to the member of staff who was on duty. She wasn't a member of the night shift staff but I think she had stayed on later than her shift. She phoned for help from two of the night care staff, **KAU** and **KBA**. By the time they got to the unit the stranger had gone. They actually left their post in the school, went into the Hayock's Housing Estate next to the school and beat up a guy. They were charged by the police. They were removed from the school, suspended and sacked in due course. Bob Forrest was the head at the time. The staffing levels at night were increased in 1999. I'm sure it was when I was the head that we recruited deputy unit managers on the night shift so that there was somebody to coordinate staffing.

Discipline and punishment

73. Children were made aware of the need to behave in class. I don't think there was a list of what you could do and couldn't do but they would be made aware by the class teacher of what was appropriate and what was not. Similarly, in the units they would be made aware of what was appropriate and what was not. I think they would be given fair warning that if they continued in the vein that they were, they would lose leave. Quite a few kids did lose leave and very often, even though there had been bad behaviour, it would be a matter of parents being contacted but kids would still be allowed home on leave. It really had to be very serious for leave to be cut off. That would be a violent incident or gross vandalism or something along those lines.

Something that maybe put themselves or others at risk. It didn't happen all that often and the units were quite empty at weekends.

74. Discipline and punishment was normally the loss of leave. If something had happened in the unit or something bad had happened in the school, it was passed back to the unit and the unit manager would make the decision as to whether a child's leave should be shortened or in some cases stopped all together. What happened in the open school after a while was that kids were kept in detention in what was called a quiet room. Kids would be detained in there, probably at morning break. There would still be a referral to the unit, that that had happened.
75. The secure unit worked in a slightly different way. They had what was called a points system and the more points you had, or whoever had the most points, got certain privileges. To make it more equitable, there was a best improvers category. It was a positive reinforcement system. There wasn't a great deal you could do to sanction a kid's behaviour in the secure unit as they were locked up already, they really couldn't be deprived of very much more.
76. There was no guidance document for discipline and punishment that I was aware of. The children were aware of the punishments and each punishment sent a signal to others that that would be the punishment. I don't recall writing anything to instruct kids.
77. We always had suspicion that peer to peer bullying was going on. I heard stories of older kids either bullying younger kids or sometimes sending younger kids to bully other kids. Bullying featured in the school quite a lot but I don't remember getting a complaint from a young person getting bullied by another person. If a staff member in the unit received such a complaint, I would have expected them to have passed it up the chain to the unit manager and then to the deputy and the head.
78. Actually, there was a boy in the secure unit called [REDACTED], towards the end of 2003. He complained to staff that Gary Bryce had been bullying him. There wasn't an awful lot we could do to Gary. There was a member of staff called Gillian Smith who was told to take [REDACTED] under her wing and ensure nothing of the same nature

happened again. Bullying happened in every setting including mainstream school. There certainly was no authorised delegation to senior children to impose sanctions on younger children.

79. There was no physical punishment in the school and I didn't arbitrarily punish children. Things like bullying would be referred to a special meeting in the unit to address the kid's needs.
80. Any punishment would be recorded in the child's personal file.

Restraint

81. Therapeutic Crisis Intervention (TCI) training came in 1996. It was a four-day course and was quite a good course in the sense that it was actually a course in preventing restraint. I know that sounds strange but it wasn't therapeutic restraint. I think there were some members of staff that didn't really do the intervention part very well. Or chose to move to the restraint part a lot sooner than was warranted. I just think that. I don't actually know that, it's a gut feeling that I had. However, there was nothing in the paperwork that came to me as deputy head of education and nothing that the deputy head social work ever drew to my attention when I was head, as it were, to ratify that. I think possibly there might have been a temptation in the part of some members of staff to move too quickly to restraint.
82. Every member of staff was trained. We had signalled in the development of the school development plan that there was a need for development training for TCI. By that juncture it had been six years and the course had changed. There had been a lot of people who had been recruited after 1996 and hadn't done TCI training. I can't put my hand on my heart and say that those staff didn't restrain children. I can't put my hand on my heart and say the deputies noted on the violent incident forms who was involved in the restraints and whether they had or hadn't been TCI trained.
83. The TCI refresher training was put down on our 2002 development plan and that was sent up to Bill Adam. Eventually towards the end of 2003, there was a one-day

refresher course. Of course, the refresher course wouldn't really mean anything to anybody who hadn't done the training in 1996. It was a huge commitment. There were probably 120 or 130 staff, it was a mammoth task. I would say staff were given on the hoof induction training by the unit manager. I don't think there was ever a formal induction training course that I can remember.

84. TCI training was carried out by two external people from Glasgow City Council. I'm not aware of any discussion around staff being trained as part of their starter pack. That would have been a good idea however they would have had to undertake a four- or five-day course and the repercussions for staff resources would have been significant.
85. Restraint wasn't taught when I started at Kerelaw. I was told when I started that there were certain members of staff from the secure unit who had gone to Gartnavel Jail and were taught certain physical holds like the swan neck hold to control kids who were out of control.
86. I had no experience of physically holding children because I had come from mainstream education. I never ever saw anybody restrain a child and I never saw anybody hold a child or frog march a child to or from a unit. I never saw anybody abuse a child at all in the seventeen years I was in the school. I never had any report of a member of staff saying that somebody else had abused a child. I suppose, it could have been that somebody did abuse a child and another member of staff didn't whistle blow on them because they were frightened of repercussions because all the care staff lived in the three towns of Stevenson, Saltcoats and Ardrossan. That's maybe speculation on my part.
87. Every restraint was recorded. Even if it didn't go to an actual restraint, it had to be recorded that a potentially violent incident had taken place. It could have been that the child was just held and not taken to the ground. There needed to be what was called a life space interview. The person who had been the lead member of staff had to fill in the life space interview form and that was then sent on a line management chain. I think, from the training, it was a very good system, but if you look at the situation in Millerston Unit at the middle half of 2003 and the first half of 2004, there

was something evidently not working with TCI. Other than John Muldoon, I can't actually remember the names of staff in the Millerston Unit at that time.

88. The TCI course in 1996 was held in Kerelaw. The one I went to was in a classroom. All the furniture had been moved away and there were mats on the floor. We had demonstrations how a restraint should take place, what the holds were and how you basically approached a young person, put them on the ground and safely held them there. Of course, we're talking about fifteen- and sixteen-year-old boys and I think the potential for something going awry, was quite obvious.
89. I don't remember if there was a certificate for completing the training. I think the staff got a handbook to take away.
90. The nightshift staff probably would have had to come in through the day to be trained. They probably had a week off nights and came in during the day. I was there with the teaching staff from the open school, twelve of us. If you divide that into the number of staff in the school it must have gone on for 40 days or thereabouts. The trainers must have had a log of who had attended the course but where that log went I don't know.

Concerns about the institution

91. At my fact finding before I was dismissed, I put the point to the fact finder that Glasgow children were more difficult to manage than other authority's children. I have to say the fact finder took great umbrage at that, although I knew it as a fact having worked in that school for the length of time I did. Glasgow children had far more personal difficulties, far more difficult backgrounds, far more abuse in their lives as young children than children from other authorities. Children from other authorities could be sent from the school, under Section 32 of the Social Work (Scotland) Act 1968, which basically said that if the head person in the residential school deems that the placement is unsuitable, then the authority was dutybound to take the child away.
92. In actual fact, Bill Adam used that section on one occasion to remove a child from another authority. I was sitting there when he was on the telephone to whoever the

head of services was in the other authority. At the same time, he said to me that there was no way that I could say to the Glasgow authority that they had to remove a child from the school. He said there was no way I was going to tell Ronnie O'Connor, who at that time was director of social work, to take a child away from the school because I was a subordinate of three places from Ronnie O'Connor. Ronnie and I used to work together in a mainstream school so I knew him but it was not an issue that I chose to press.

93. What we could do was put a child into the secure unit to be looked after because they were a risk, because they were running away continually, were a danger to others or a danger to themselves. I found that very difficult to do with Bill Adam. It came to a pass that having topped up the percentage of Glasgow children in the school, Millerston Unit and to an extent Fleming Unit, were under so much pressure that the care staff in Millerston Unit, signed a petition and handed it to me asking for a certain boy, Gary Bryce, to be removed from the school because they couldn't cope with him.
94. In the sixteen or seventeen years I had been there, I had never seen or heard of a petition by staff against a child. Children who came to Kerelaw were by and large placed there on an emergency basis. They were there having failed in several other institutions, either children's homes or residential schools and some staff felt that Kerelaw was a dumping ground for children who could not be managed in other institutions. I passed this petition on to Bill Adam. On the basis of the petition, I had a discussion with Gary Bryce. I actually went a walk with him round the campus. I wasn't being dogmatic about it but I did say to him that his behaviour was getting to the stage where it might be that we have to consider putting him in to security and that we did not have to go to a panel to do that. That could be construed as a veiled threat but I was merely pointing out to him that he was skating on thin ice.
95. I contacted Bill Adam about the petition and about Gary's situation. Bill Adam said that the staff in Millerston Unit were obviously not looking after Gary Bryce properly. That was his view and he was critical that I had recommended that Gary went into security. I could have gone over his head because he wasn't the chief social worker. I could have lifted the telephone and said to the chief social worker that I thought Gary Bryce needed to go into security because he was a danger to himself and to others,

that he was running away all of the time, very often encouraged others to abscond and, in my view, very often forced others to abscond.

96. However, the matter festered on until we got to an incident at the girl's unit where he was trying to encourage girls to run away and I finally had a discussion with Bill Adam where he agreed with me that Gary should go into security because he was a danger to himself. I had great difficulty with Bill Adam's notion that somehow a boy who was being restrained a lot, running away a lot, encouraging others to run away and was involved in bullying, could not be locked up because he was a danger to others but could be locked up because he was a danger to himself. It's quite clear in the secure unit guidelines that being a danger to others is a bona fide criterion for doing exactly that. That's what happened, Gary was taken to the secure unit, the matter then referred to a panel and within 72 hours there was a referral from the panel to the secure unit. Gary says in his statement that he was removed from the secure unit however when I was removed from post on the 18 June 2004, he was still in the secure unit.
97. It wasn't always the case across the board that Glasgow children were more difficult than other authorities. There were obviously other authority children who had equally bad backgrounds. We may well have been in touch with those authorities with a view of their children going into security. The reality and history of Kerelaw had been, that there were a lot of Glasgow children and because they were "*our children*" there were many who went into security after they had been to the secure unit screening group, which met every week in Glasgow. Or after a discussion between the principal and the chief social worker before being ratified by a panel. We were in a situation where we had a lot of kids running about, leaving classes and running about the campus, taunting people through windows or running away. They were stealing alcohol from shops, they were basically being a threat to people and I spent a lot of time in the community trying to placate folk. I remember going to speak to a local resident with Bill Adam after a complaint had been made about Kerelaw kids.
98. While all this absconding was taking place and these restraints were also taking place, at my insistence, Glasgow City Council reduced the numbers of young people in the open school from fifty to thirty-two.

99. At this time, there were a lot of restraints. In Millerston Unit, because it was mostly in Millerston Unit this was all happening, two female members of staff brought a complaint to SNR [REDACTED], LEF [REDACTED] in the open school. That was about John Muldoon, the unit manager, bullying them. LEF [REDACTED] came to me and we agreed that John Muldoon should be removed from post and suspended from work initially. LEF [REDACTED] did that and John Muldoon was moved to Centenary House, which was the social work headquarters in Glasgow.
100. Two principal officers of childcare were sent down to the school to speak to staff about John Muldoon's conduct towards staff in his unit. I think they had experience of residential work. I met them both and think one was called Carol, possibly McCabe but I didn't ask them anything about their investigation.
101. This would have been February or March 2004. By this time a number of young people had come forward to make complaints about restraints they had received from members of staff in Millerston Unit. In the interest of an external, neutral investigation, I had kept out of the investigation and did not know about these other allegations. That is what we did with all serious complaints, all matters were referred outside of the school, to someone who was neutral, who didn't have a stake in the school to investigate these matters.
102. During this time, I received a letter from Gary Bryce, from the secure unit. He complained that he had not received the same advice as other young men to the effect that if you were improperly restrained, you would be able to get compensation. That was the only communication I got about restraints on young people. I passed that letter on to the director of social work, possibly via Bill Adam.
103. The people who were investigating the abuse of adults in the unit by John Muldoon, were then given sanction by someone to interview young people about inappropriate or hurtful restraint by members of staff. I won't say those restraints were a consequence of the absconding. I could turn that on its head and say it may well have been that the absconding was a consequence of the restraints. I really couldn't say as I had no locus in the investigation and had taken a neutral stance in the matter.

104. Over the period from the beginning of April until I was removed, I would state that calm was restored to the school. What happened was that a lot of the kids who were being restrained or who had been involved in absconding, were of age to leave the school. The school leaving dates were the end of May. I left it to Glasgow to determine who should leave. Once they did leave, the open school campus was calm for a good few months. The external consultant, John McKiernan, replaced LEF SNR SNR in the open school because LEF had taken sick leave. LEF had become overwhelmed with what had been happening in the open school between the middle of 2003 to April 2004. LEF had told me that there were instances where kids had been restrained with six members of staff involved. There were situations where young people were being harmed, adults were being harmed, kids loose around the campus for maybe eight hours or more per day. It was a very trying time. I did go to Bill Adam in April 2004 when LEF went off sick and told him that I was very stressed and felt that something quite definite and drastic needed to be done to try and alter the situation. I said to him that the only thing I could think of was the number of kids in each of the open units should be reduced from twelve or thirteen to eight.
105. After that happened, I went round and spoke to staff in the open school units and they said that matters were a lot calmer. I passed that information on to Bill Adam. I think by that point, my card was marked. I think that the report that had been given to them, indicated that there were a number of kids in the Millerston Unit and possibly Fleming Unit, who were complaining about hurtful restraints. I think those reports, stories, anecdotes were complemented by ex-residents who contacted those staff or Glasgow and made complaints.
106. Around this time, there were also accusations made about Matt George and historical sexual abuse. That was by a boy called [REDACTED], who had complained about Matt George in 1979 and had returned to the school in the summer of 2002 and spoken to Frances Tran, who was acting deputy head social work in the open school at the time. He had mentioned Matt George and said that he had come up to the school, possibly in 1980, with a gun and had gone to Matt Georges art room, looked in the window and saw that there were children there, had changed his mind and went away. Frances Tran didn't relay that to me at the time.

107. From October 1997 to July 1998, Malcolm Day was acting head of the school. Kids were never out of his office. We used to tell him that he needed to be careful but kids used to go into his office and chat to him and he didn't have any inkling of abuse. He certainly never mentioned it to me, or, as far as I am aware, his other colleagues.
108. Chris Holmes came to the school as head in July 1998 and went on to be head of service in 2000. I took up his post in January 2001. It would appear that Chris Holmes never saw any abuse or heard of any abuse. There was no barrage of complaints from kids about being mishandled or poorly treated.
109. Frances Tran was in the school as an outsider. She held a deputy head social work post from February 2002 until November 2002. People who had come to the school, fresh eyes as it were, who had never worked in it before and were in positions of seniority, never came across any abuse or were warned by anybody, be it adult or complaints from kids, of abuse. From August 2003 until I was removed from post on 18 June 2004, John McKiernan was there as an external consultant.
110. On the 18 June 2004, I was removed from my post. As far as I could gather, Bill Adam then went down to run the school on the 21 June 2004.
111. I was quite clear that we should have Kerelaw within the ambit of Glasgow City Council's sphere of influence. That HR would come down or we would go up there, that we were integrated. Kerelaw was very often seen as separate and that it could look after itself. We had a Children's Rights Officer who used to visit every week, certainly from 2001 onwards and that was the Glasgow based Children's Rights Officer. I think she was made welcome, I certainly welcomed her. She had an office of her own and she talked to the kids. She never came to me to say there was a problem or that kids had been complaining to her.
112. In a sense, for me, when all this came together, the complaints about the restraints, the complaints from former residents about restraints and then a growing number of complaints of a sexual nature about Matt George, I think Glasgow City Council overreacted. I know that Bill Adam wrote to the head of services and the director of social work and hinted that ^{LEF} [REDACTED] and I were complicit in these restraints, that

we knew they were going on, that we knew they were abusive and hurtful and that we condoned it, which was not the case. We knew the restraining took place but as far as we were aware, they were perfectly reasonable restraints in line with therapeutic crisis intervention training which everyone got in the school in 1996. I knew nothing of the inappropriate restraints and I knew nothing of the ex-residents who then complained themselves to Glasgow City Council about inappropriate restraints.

113. I was summoned to go and see Head of Service, Children and Families, David Cumming. He said that there were issues that needed to be resolved and that I would need to be removed to work in Glasgow so that the issues could be pursued. He asked me for my keys and that was that. He sent me on my way.
114. Two days after that my photo was in the newspaper with the heading, "*The Beast from Kere law*" or something like that. It wasn't a particularly nice piece by Norman Silvester from the Sunday Mail. My MP telephoned me and asked if he could help in the situation. I went to see him and he said that he would make arrangements to go to Glasgow to see the director of social work to remind him of their duty of care towards me. He duly did that and on the Friday or that week, the director of social work telephoned me to see how I was. The head of service, the man who had suspended me, came down to do a home visit. Thereafter, his boss, the Deputy Head of Social work, Joan Elliot, came down to see me.
115. Actually, I hadn't been suspended from post, I was due to go to work in education headquarters in Glasgow on a secondment. To me, in all intents and purposes, it was a suspension. I don't remember any correspondence from Glasgow City Council. My contact officer became David Cumming, who I was supposed to go and see every two weeks, however after a while, my Educational Institute of Scotland (EIS) representative advised me that I wasn't to go and see him unless my representative was with me. I went once or twice and the thing petered out, whether that was because David Cumming failed to summon me or whether I just chose not to go because I didn't think there was any point in it, I don't remember.
116. For what it's worth, I was moved to education headquarters after a period of being off sick, initially between June and September 2004 and I seem to remember being off

again early in 2005 for two or three months then. I was welcomed by the director of education, who had previously been the director of social work. He said to me that he would have done things differently and that on receipt of the first report in the February, March time, he would have sent somebody of very senior status, down to the school to find out exactly what the situation was.

117. There was no job for me in education headquarters. The guy who was given the job of looking after me or line managing me didn't have a job for me. I was given a token post with the SEEMiS logging system, which was basically to get me out of the way while a larger fact-finding group went into Kerelaw to find out the extent of the restraints that were being used. That was added to by former residents, who were making much the same complaints and by other residents making complaints against Matt George and John Muldoon.

118. John Muldoon was sacked towards the end of 2004. His situation came up in the fact finding I was summoned to, which I think started in October 2004. It was quite a wide ranging one and we talked about local authority reports on the school. Eventually we came to a point where I was asked questions about John Muldoon. On the advice of my EIS representative, I refused to answer those questions. I had no locus in his fact finding or disciplinary and knew nothing about him, so I refuse to answer those questions. Then I received a letter from the director of social work saying that because I had refused to comply with the questions asked during the fact finding, which was now complete, he would make a decision as to whether we would move to a disciplinary, which we did.

119. The disciplinary took place in May 2005 and stretched over quite a few days. On 25 August 2005, I was sacked for gross professional misconduct. What they said basically was that I knew of the harm that was happening in the school and I didn't do anything to stop it. It took ages for my appeal to be heard. The appeal started in November 2005 and lasted until September 2006. I don't know why it lasted so long but that was a factor in the tribunal's decision.

120. An article published in the Scotsman Newspaper following the tribunal's decision read as follows, *"After an eleven day tribunal hearing, employment judge Laura Doherty*

concluded that his (James Hunter) dismissal by Glasgow City Council on the grounds of Gross Misconduct for neglect of duty resulting in serious consequences, was unfair because the council had no grounds in which it could reasonably conclude Mr Hunter's action had resulted in serious consequences."

121. At the time I was dismissed, I had absolutely no idea that abuse had taken place.
122. It was very difficult to see a trail in all this. There were absconding over the years and I had worked with the police to try and refine the reporting process. There had always been complaints from kids but just how quickly this gathered pace bewildered me. I just could not rationalise how all this could have happened. The fact we had external senior managers in the school, I just couldn't fathom it.
123. I was kept out of the loop of the subsequent investigation so I do not know if parents were informed or not. I was excluded totally and forever thereafter. Normally a child being ill-treated or abused would be reported back to the parents via the key worker who would take responsibility for doing that.

Reporting of complaints/concerns

124. There were written leaflets in the units about complaints. The kids could write on them or if they felt they couldn't write, their keyworker or another member of staff could write the complaint down and the kids would sign it. The complaints always went from the key worker to the unit manager, from the unit manager to the depute and on to the head to decide what further action was needed. The complaint could sometimes be seen and dealt with quickly. I remember LEF [REDACTED] telling me late summer 2003 that he had written to Gary Bryce after Gary had complained that the unit manager was smoking in Millerston Unit. There was a no smoking policy. LEF [REDACTED] said that he had written to Gary to acknowledge the fact and said he had spoken to the unit manager to say that there was a no smoking policy. As far as I was concerned, there was feedback to kids about complaints that they had made.

125. Serious complaints of physical abuse, inappropriate restraints were referred to an outside person to conduct fact finding. That would be carried out by someone from outside the school along with someone from HR. There was a Glasgow City Council policy for that, which I'm sure was in the unit. These leaflets were readily available and there were also leaflets about children's rights.
126. The complaints procedure had been in place for as long as I could remember. There were kids who made complaints and their complaints were looked at and responses were given to the kids about the outcome.

Trusted adult/confidante

127. As well as the Children's Rights Officer and the "*Who Cares*" workers who came into the school, every child had a social worker they were perfectly at liberty to contact. For that matter, they could have spoken to their parents, because the vast majority of children went on home leave. There were some children for whom Kerelaw was home. They had no parental contact and would have been shunned if they went home. Such child protection matters would have come to us from the social workers either through the key worker or the unit manager.

Abuse

128. There was no definition of abuse that I ever saw in writing. Once a week there was a senior management meeting and the first item on the meeting agenda was always children, young people. There would be quite a long discussion on children who were vulnerable or acting out, posing a danger to themselves or others. The input came from deputy head of education, deputy head of social work in the open school and secure unit.
129. On the other side of that, was the complaint procedure kids used regularly. All complaints were sent to the head of establishment (principal) and certainly under my tenure as head of establishment, were referred outside for fact finding. I once had an

occasion when a young girl complained about an inappropriate restraint. I sent the complaint for fact finding and when I received the result, I held a disciplinary hearing with the help of Mary Arthur, who was a principal officer in Human Resources in Glasgow. I conducted this disciplinary and issued a member of staff, whose name was EUO [REDACTED], with a final written warning and demoted him after a discussion with Bill Adam, my line manager. I think Mary Arthur was conscious that this was quite a serious sanction and that she would be happy to go along with it if I consulted with my line manager. That matter went to an appeal in Glasgow and the officer who took the appeal rescinded the demotion. I had demoted him from being a deputy unit manager in Baird Unit to an ordinary member of staff. That was the only disciplinary that I ever chaired. I also told Mr EUO [REDACTED] that I had considered dismissing him from his post all together but I had decided not to do this after consultation with Bill Adam, my line manager.

130. A children's rights leaflet, as far as I can remember, contained information on children's right to make a complaint if they had been physically abused, sexually abused or emotionally abused. The leaflet informed them that through their key worker or another trusted person, they could make a complaint. The leaflets were available in the units for them to do that.
131. I never saw any behaviour that I considered to be abuse of any kind taking place in Kerelaw. No child ever approached me directly to say that they had been abused or that they had seen another child being abused.
132. Looking back, I couldn't give a guarantee that if any child was being abused or ill-treated, it would have come to light at or around the time it was occurring. It may well have been that the child felt that they didn't want to complain because they might have been subject to peer abuse. Or if it was peer to peer abuse, that the person might attack them. I'm sure there were all manner of limiting factors that might have militated against them complaining contemporaneously.
133. It was a small area, almost an incestuous community and there weren't a lot of people who came from outwith the three towns. That might have been a disincentive to whistle blow. After I had been sacked and gone through the employment tribunal, I

did run into one person who said that he had complained about a couple of people a way back in the day, but that nothing happened about it. There was one ex-employee, who I think had made a complaint on an ex-residents' behalf. I can't really remember his name, possibly [REDACTED] he was an ex-employee of Fleming Unit but I don't remember what happened. Nobody whistle blew to me while I was in the school or to one of my deputy heads.

Child Protection Arrangements

134. When I became principal, I obviously made it clear to the deputies in the social work and the open school that we needed to be vigilant. They would pass that on to unit managers who would pass it on to the staff in their units. We had discussions about kids all the time. I don't remember seeing a written policy document in relation to child protection.

External Monitoring

135. The children's Rights Officer and "*Who Cares*" came in and visited the units. They advised kids of their rights and that they could complain if they weren't being treated properly. I think it was important that external advocates did that. I never had my door chapped by a Children's Rights Officer. If a child had complained to them, I would imagine I would have been told and would have passed it up the line. They might well have gone direct to Glasgow City Council but my expectation was that if anything happened in the school it would come direct to me.
136. I didn't discuss that with the Children's Rights Officer but I said hello to her and we spoke about various things, mundanities to be honest. She did come down to the school regularly, once a week to a regular slot on a Wednesday. She was employed by Glasgow City Council so presumably it was Glasgow children she was there to see. It wouldn't have surprised me if a child from another authority had spoken to her.

137. The open school was inspected annually by North Ayrshire Council and they spoke to kids and asked them about Kerelaw. I had been challenged by the Glasgow City Council fact finder about the poor inspection reports in Kerelaw. I contacted North Ayrshire Council and they sent me four or five years in succession. I remember reading through the inspection reports. There were instances where the inspectors said they had spoken to young people who said that they were treated fairly and were happy in the school.
138. The HM Inspectorate of Education (HMIE) came to Kerelaw in 1984, 2001 and in a joint inspection with the Care Commission in 2003. There were recommendations made from the open inspection in 2001 and 2003. That was to do with monitoring and self-evaluation, which was to do with, *"How Good is Our School"* and modern planning. I was responsible in implementing the recommendations along with the deputy head of education in the open school. We started to get to grips with it late in 2003 but it was shelved in the mayhem of Millerston Unit and the open school in general.
139. The joint inspection was reported back to me in 2004 and it was not a wonderful inspection report. I think the care provision was okay but the education wasn't. I'm not attributing that to anybody. We were supposed to have an action plan, which was to include the monitoring and self-evaluation. I went to Glasgow for a meeting with HMIE and the director of social work, who was later to become director of education, he told me not to say anything and that he would deal with it. I don't remember what the outcome was but an HMIE inspector did meet with Kerelaw's teaching staff in the school, I think under Mary Moran or Colin McQuarrie but the teaching plan never materialised.
140. The secure unit was inspected every three years. That was under separate legislation. HMIE came along with the social work service's inspectorate. Then in 2003, it was HMIE, Social Work Inspectorate and the Care Commission. I seem to remember that particular inspection was a good one. They especially commended the education provision. I don't remember any recommendation's coming from that inspection.
141. There were never any impromptu inspections I wasn't forewarned about. Impromptu inspections could have been carried out by the external line manager, Bill Adams, but

he never came to Kerelaw. I remember him being in the open school one day, I think it was March or April 2003. It was following an inappropriate restraint by John Muldoon. Bill Adam sat down and gave management counselling to John Muldoon. I was present at that and it was the only time I was ever in a meeting in Kerelaw with Bill Adam. I don't ever remember him being in the secure unit.

Record-keeping

142. Every child had a personal file and every unit had a logbook which ran for 24 hours. Once the logbook was complete it would eventually end up in the dead file room. After the child had left the school and perhaps a period of five years after that, the dead file was logged with the local authority who had responsibility for that child.
143. The logbook was almost like a diary, start of shift, how many kids were in the unit. There would be a plan for the morning, which might just simply read school. In the evening a note would be put in as to who was going where and to do what, relaxation or whatever. Then, if there were any incidents during the night, a member of night staff would fill it in as well. It was a page a day and it was probably an A4 or even bigger sized logbook. Any punishment or sanction entered into a child's personal file would be noted in the logbook as well. The unit manager would look at the logbook every day and make sure that was relayed to the key worker to put it into the personal file of the child. In the absence of the key worker the unit manager would enter it.
144. The unit managers would have specified to the staff what was required to be noted in the logbooks. The logbook was like a diary, just what happened on that particular day. Staff were told that they had to note incidents in the logbook and then, if there were specific individuals involved in the incident, they had to have a separate insertion in their personal files. I didn't have oversight of these records, which would have been the deputy head of social work in the campus. I did not moderate what the deputies had already moderated. In addition to our senior management meetings, we had a hand over every morning. Whoever was on-call, came in to update the senior management team of what had happened the day or night before. We were constantly

talking about children and what had been happening either to them or what they had been doing.

145. There were also complaint logs in the units. So, if there was a complaint of ill-treatment or abuse made by a child, it would have been recorded in there. The complaints log would have taken a lot longer to fill up than the daily logs because it didn't happen too often. Within the units there were logbooks, complaint logs and personal files. In the personal files would have been the child's care plan and any other information.
146. If there was a violent incident, a violent incident form had to be filled in and sent to either the deputy head open unit or deputy head secure unit or deputy head of education. They would make a comment and it was sent up the road to Glasgow City Council to be logged there.
147. There was a central complaint log in Glasgow. There was a keeper of the complaint's log and he would make a submission to the Director of Social work or a delegated person and I think it had to go to committee every three months. Kerelaw was excluded from that. I don't know the reason for that, there were a lot of things that happened that we weren't given a reason for. I suspect it was possibly the distance we were from Glasgow.
148. There wasn't ever discussion on the quality of record-keeping. I have to concede there was no quality control on my part. There may have been quality control on the part of the deputies.

Investigations into abuse – personal involvement

149. I was involved in an investigation on behalf of Kerelaw. That was the incident in Baird Unit where I gave the staff member a final written warning and demoted him. That was overturned at Glasgow City Council.

150. I was involved in fact finding when I was deputy head of education. That was under Glasgow City Council because Sandy Cunningham, who was a principal officer of education, came down to take the fact finding and I assisted with it. That was a complaint by a young lad who had been restrained. It basically came down to his word against four members of staff. Sandy Cunningham said that the balance of evidence was against the boy and it didn't go to a disciplinary.
151. I remember going to a fact finding over a girl who had absconded from the school and was saying that she had run away because Matt George had said something to her or belittled her. I can't remember where that went but don't think it went to a disciplinary. I was deputy head of education at that time and sat in on it. That would have been in the early nineties. That was the only time Matt George's name was raised and I was aware of it before the allegations that came about in 2004, most of which were historical.
152. I have to say, not that it's much comfort to anybody, including me, but none of the convictions against Matt George and John Muldoon, were in my time as head, with the exception of John Muldoon in 2002. There were one or two, which were dated from when I was deputy head of education. I never had any concerns around Matt George, or John Muldoon for that matter.

Reports of abuse and civil claims

153. I was never involved in any civil claims made against Kerelaw by former residents concerning historical abuse.

Police investigations/ criminal proceedings

154. I became aware of the police investigation into Kerelaw after the event. I'm pretty sure it was public information. To this day, I do not know what the nature of the initial fact finding was into the abuse of adult staff members or what the fact finding was into the

restraint of young people and former residents. Obviously, I don't have any knowledge of how the police investigated the allegations against Matt George and John Muldoon.

155. I must have given a statement to the police about Matt George and possibly John Muldoon. I think the police came to see me about that. I was able to tell them that really I knew nothing about it. They asked me about certain names and I think I must have known one or two. I think Catherine Glen was involved from the 1990s. I have to say the vast majority of other names were unknown to me and predated my time at Kerelaw.
156. I gave evidence at the Matt George trial. They asked me about things like taking children home and generally about the opportunity for anyone to commit a crime. That's what I can remember, it wasn't a pleasant experience. I did not give evidence against John Muldoon although they were tried together. That may have been because Matt George was on the teaching side. Both Matt George and John Muldoon started before me at Kerelaw. I don't know what qualifications John Muldoon had.

Convicted Abusers

157. Tom Howe was convicted in 2018. He was a member of Kerelaw night care staff. This was for something that happened in 2002 or 2003. It only surfaced in 2018 and girls complained that he had looked at them lecherously and one or two claimed that he had touched their bottoms. He got an eighteen-month sentence in the jail. I read that in the newspaper. I met Tom Howe when I was on-call and he seemed okay. He was an ex-policeman, I don't remember thinking askance about him. His line manager would have been the deputy head open school. The incident happened in the secure unit so his line manager would have been KBE. Tom Howe was there when I started and I don't think he had any childcare qualifications.
158. I wasn't aware of any previous allegations of abuse against Matt George, John Muldoon or Tom Howe.

Staff at Kerelaw Residential Unit over same time period

FSY

159. FSY was a tall chap but I can't remember where he worked. I remember him from Kerelaw and I think he was a member of care staff but I don't remember whether he worked in the open school or the secure unit. I can't say if I saw him with the children, I may well have but I can't say yes or no to that. I never saw nor heard of him disciplining or abusing children.

FSR

160. FSR was the P.E. teacher in the school. He was there before I started and was sacked by the education department around 2005. I don't actually know why he was sacked but I went to his appeal. Glasgow City Council deserted the case at his employment tribunal and FSR was awarded compensation for unfair dismissal. He seemed fine with the children and took them hill walking regularly. He had a wide programme of games, played cricket and football with the kids. I never saw nor heard of him abusing or disciplining children.

FSL

161. FSL was a care officer in the open unit. He started after I did, sometime in the 1990s, I think. He was a very affable chap and seemed to relate to the kids and them to him. I never saw nor heard of him disciplining or abusing children.

IDE

162. He was a member of night staff. I think he was there when I went in 1987. I never saw him with children as he was night staff. I never heard of him abusing or disciplining children.

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Applicant Allegations

Brian Gallagher

170. Brian Gallagher has given a statement to the Inquiry and has mentioned a Jim Hunter. That was the name I was known by at the time.

171. Brian Gallagher said in his statement towards the end of paragraph 81, "*Jim Hunter was in charge of the whole place.*"

172. In paragraph 116 of Brian Gallagher's statement, he says, "*When I was about seventeen and leaving Kerelaw, I was down at the day school with and seeing our girlfriends. We had left the day school by this point and were asked by a teacher, Jim Hunter, to leave and said no. I asked him why he let all the abuse happen when he was headmaster, and I was kicked out and barred from the school.*"

173. That was not the case because Brian was born in 1981 according to his statement so by 1997, when he would have been of an age to leave Kerelaw, I would have been

deputy head of education. I didn't become the principal until 2001, by which time Brian would have been nearly twenty years old.

174. That meeting did not take place. I was not at the day unit and did not chase Brian Gallagher away. No such discussion took place about him asking me why I let all the abuse happen when I was head of the establishment. I totally refute that statement.
175. I do remember Brian being in the school. I remember him being in Millerston Unit. I came across him one night when I was going round the grounds. I met him with Matt George and they had been to Matt George's art room. I never sanctioned or punished Brian Gallagher. I never abused him and the passage of time has not affected my recollection of what he has said.
176. I can't explain why these things have been said.

Gary Bryce

177. Gary Bryce has given a statement to the Inquiry and has mentioned me by name. In paragraph 29 of his statement, he says, "*Jim Hunter was in charge of Kerelaw. He is the only person that managed to sue for unfair dismissal when Kerelaw was under his charge, when all the abuse was happening. He said he didn't know what was going on.*"
178. I never sanctioned Gary Bryce. I did move him from the open unit to the secure unit. That was with the agreement of my line manager and it was for his safety more than anything else. The passage of time has not affected my recollection and I cannot explain why he has said these things. I did not allow abuse to happen. I did not know it was happening and only discovered it was happening after I had been removed from my post. During my time as head of education and principal at Kerelaw School, I believe I did all that was expected of me to ensure there was no abuse at the school.
179. I have not been subject to any other complaints in relation to alleged abuse of children at Kerelaw. I left the school because I was summoned to David Cumming's office on 18 June 2004 and told I was moving to headquarters in Glasgow. I was told that I

wasn't being suspended but that certain matters had to be looked into. To me it felt like I was being suspended. It wasn't really very transparent, it was very opaque. I had the foresight to contact HR in Glasgow and ask them for a copy of their discipline policy and it was quite clear that even if it was only at the fact-finding stage, you had to be apprised of any allegations that were against you.

180. They gave me an open invitation to a fact-finding exercise. When I sat down, I had the discipline policy with me. It said that if summoned to a fact-finding exercise it had to be stipulated in the letter as to whether you were there as a witness or whether you were there as somebody to whom an allegation had been made against.
181. We spent from October 2004 until April 2005 in ongoing discussions about inspection reports and other things, until we came to a juncture where I was asked a question about John Muldoon. My EIS representative put his hand on my arm and said not to answer the question. He took me aside and said I had no idea what happened to John Muldoon, who by that time had been sacked.
182. When it came to the employment tribunal, my lawyer showed how much Glasgow City Council had not adhered to its own disciplinary policy.

Helping the Inquiry

183. I don't think we can discount the possibility that some of those allegations might well be false allegations. I don't know the testimony that was given to the Frazell Inquiry back in 2009. The report doesn't divulge that. It divulges that there were maybe twenty-nine ex-residents, which, to be fair, isn't really a lot of people given the number of children that were in Kerelaw. On the balance of things, Frazell obviously took it that abuse had taken place.
184. To me, there was no trail, there was nothing. There were no signposts to the eventual situation that happened. I can understand why the experiences of abuse some children had at Kerelaw continue to affect them and impact their lives.

185. I think surprise visits from fairly senior members of staff and if they possibly could have a Children's Rights Officer permanently in the establishments. There is peer to peer abuse, adult to child abuse and so on. I don't honestly know, I couldn't give you a blueprint or a framework to work to to protect children.

Other information

186. A lot of the children at Kerelaw had no other support in their lives. In fact, when Kerelaw closed and the director of social work and director of education went down to tell the children that it was closing, there were a lot of kids and a lot of staff very upset. There are a lot of instances, I'm sure, where kids will have benefited from their stay in the school.

187. I have no objection to my witness statement being published as part of the evidence to the Inquiry. I believe the facts stated in this witness statement are true.

Signed..... 

Dated..... *18th March 2024*