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Tuesday, 2 April 2024

(10.00 am)
LADY SMITH: Good morning, and welcome back to our hearings
in relation to Chapter 4 of Phase 8 of our case studies.

We're looking, of course, still, principally, into
Kerelaw and Larchgrove in this chapter.

Now, we have an oral witness ready, I think; is that
right, Ms Forbes?

MS FORBES: That's right, my Lady. Good morning. The
witness is to be known as 'Sky'.

LADY SMITH: Thank you.

'Sky' (sworn)

LADY SMITH: 'Sky', sit down and make yourself comfortable.

'Sky', thank you for coming along this morning to
give evidence in-person at this hearing. A couple of
practicalities first. That red folder has your
statement in it, and I know it's a little while since
you gave your statement. You might find it helpful to
have it available, but you don't have to use it, if you
don't want to.

A. Okay.

LADY SMITH: We can also bring the statement up on screen,
as we're referring to different parts of it. Again, if
that's okay with you, it will be there; if you don't
want it, just say. But that will be something you can

1 use, too.

2 But, other than these practicalities, 'Sky', I know
3 it's a big ask coming, in public, to answer questions
4 which will probe into matters dating back quite a while
5 now, actually, in your life, which will have been
6 a stressful time of your life, I imagine; not that easy.
7 It may be something that surprises you in your own
8 emotional reaction. It can do, even though people think
9 they are well prepared and ready to give evidence.

10 Let me know if there's anything I can do to make the
11 whole business of giving evidence more comfortable for
12 you. If you want a break at any time, just say. That's
13 absolutely fine. If you have any questions, don't
14 hesitate to speak up. If you don't understand what
15 we're asking you, that's our fault and not yours, so,
16 please, feel free to ask.

17 If you have any questions at the moment I'm happy to
18 answer them; do you?

19 A. No.

20 LADY SMITH: Well, if you are ready, I'll hand over to
21 Ms Forbes and she'll take it from there.

22 A. Okay. Thanks.

23 LADY SMITH: Ms Forbes.

24 Questions from Ms Forbes

25 MS FORBES: Thank you, my Lady.

1 Good morning 'Sky'. The statement that you have
2 given to the Inquiry has been given a reference number,
3 just for our purposes and, for the benefit of the
4 transcript, I'm just going to read that out. It's
5 WIT-1-000001065.

6 Now, that statement is in the red folder in front of
7 you. If I could just ask you to go to the very last
8 page of your statement, 'Sky', and they're all
9 paragraph-numbered, and the very last paragraph is
10 paragraph 176, which says:

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

15 Then you've signed that, and it's dated
16 2 November 2020; is that right?

17 A. Yes.

18 Q. Is that still the position?

19 A. Yes.

20 Q. Okay, if you just go back to the front or put it to one
21 side; it's up to you.

22 A. Yes.

23 Q. I'm just going to start, 'Sky', by asking you: you gave
24 a statement to the Inquiry about your time at Kerelaw;
25 is that right?

1 A. Yes.

2 Q. And that's your time working there?

3 A. Yes.

4 Q. I think you tell us a little bit in your statement about
5 your background. Now, you were born in 1967; is that
6 right?

7 A. Yes.

8 Q. You tell us about your career and qualifications that
9 you undertook before you got the position at Kerelaw.
10 That starts from about paragraph 2. You tell us that
11 getting to work with children was something that you
12 always wanted to do; is that right?

13 A. Yes.

14 Q. In regard to that, you started undertaking
15 qualifications and that was a National Certificate in
16 social care and a Higher National Certificate in social
17 care, as well as the Scottish Vocational Qualification
18 3; is that right?

19 A. Yes.

20 Q. And the SVQ is a work-based qualification. I think you
21 tell us you ended up doing that twice and that's
22 because, I think, perhaps to begin with you were working
23 with adults; is that right?

24 A. No. I undertook it, the SVQ, as part of my HNC.

25 Q. Okay.

1 A. But they didn't kind of recognise it as that, so I done
2 it again.

3 Q. Apologies. You were working, I think, first of all, at
4 Geilsland?

5 A. Geilsland, yes.

6 Q. Yes. Do I take it, when you were working there and then
7 later when you went to work in Kerelaw, it wasn't
8 recognised, so you had to do it again?

9 A. Yes.

10 Q. But, in any event, you obtained that qualification?

11 A. Yes.

12 Q. And by the time you started at Kerelaw, in 2002, this
13 was as a residential social worker; is that right?

14 A. Yes.

15 Q. So that was the job title --

16 A. Yes.

17 Q. -- that you were applying for. But I think you tell us
18 that when you started there, the people at Kerelaw who
19 were working there did not have those qualifications at
20 that level?

21 A. Yes.

22 Q. As far as you're aware?

23 A. Yes.

24 Q. And would they be people with the title of residential
25 social worker or residential care worker, or something

1 else?

2 A. Just the exact same as me. Some were in a higher

3 position.

4 Q. Okay.

5 A. And managers, as well.

6 Q. So, from your point of view, you're starting at Kerelaw,

7 but you have these qualifications and the people you're

8 working with don't?

9 A. Yes.

10 Q. And some of those people have been there for

11 a significant period of time?

12 A. Yes.

13 Q. Was that something that surprised you?

14 A. Yes, and it was a wee bit -- I felt a disadvantage, if

15 you like, to a degree, because you've just come fresh

16 with your knowledge and people were disagreeing with

17 what you've just been taught.

18 Q. So you're being taught something at college through

19 a work-based qualification. But then when you're coming

20 to work with the ideas that you've been taught as the

21 best practice, it wasn't, from your point of view, well

22 received?

23 A. No, not at all.

24 Q. I think you say that this was about the time when these

25 sort of qualifications were coming in; is that right?

1 And there was a time period that people would be given
2 to get them?

3 A. Yes.

4 Q. So people who had been doing the job for many years were
5 told that they would have to get these qualifications
6 eventually, but they had a period of time to do so?

7 A. Yes.

8 Q. Is that why it came to be that you have these
9 qualifications, but people doing the same job as you
10 didn't?

11 A. Yes.

12 Q. And I think you say, at paragraph 5 of your statement,
13 'Sky', that you had this placement in Geilsland before
14 you started working at Kerelaw; is that right?

15 A. Yes.

16 Q. And this was part of the HNC?

17 A. Yes.

18 Q. I think you go on to tell us that you would sometimes
19 work in Geilsland separate from that at the weekend; is
20 that right?

21 A. Yes.

22 Q. To cover shifts?

23 A. Yes.

24 Q. But then when you went to work at Kerelaw there was
25 a time when you were working at Kerelaw, but also

1 sometimes working at Geilsland?

2 A. Yes.

3 Q. Again, to cover shifts?

4 A. I worked at Geilsland for free. And people said if you
5 were a student there you should move on to something
6 else, so I went to Kerelaw. But then Geilsland asked
7 why did I not work there, for, you know, full-time
8 employment, so I used to just still go back and help
9 out.

10 Q. And how did you find, generally, your time at Geilsland?

11 A. Really good. Completely different from Kerelaw.

12 Q. And when you went to work at Kerelaw -- you say it was
13 different from Geilsland; what were the things, the big
14 things that you saw that were different from your time
15 at Geilsland?

16 A. Geilsland, you done a lot of talking to the young people
17 and worked with them. I witnessed one restraint the
18 whole time -- I even know who it was -- the whole time
19 I was in Geilsland. And then I went to Kerelaw and it
20 could have been, like, six a day. It was really --
21 a really stressful -- whenever I tried to talk to young
22 people, they just kept saying: 'oh, you'll learn.'
23 That I would learn, you know, and, like, I didn't
24 know what I was doing. But, even having conversations,
25 trying to get them not to run away.

1 Geilsland was always welcoming. Even young people
2 that had left, they used to phone up and they would chat
3 to them on the phone and ask them how they were doing.
4 Kerelaw was the opposite.

5 LADY SMITH: 'Sky', something I noticed from your
6 statement -- and we'll probably come back to this --
7 when you are talking about restraints was it wasn't just
8 the frequency of the restraints at Kerelaw that struck
9 you, but that physically they were very demanding as
10 well?

11 A. Yes. Yes.

12 LADY SMITH: Is that right?

13 A. I used to go home, like, done in. Just, like, so
14 deflated. It was like -- I remember the first restraint
15 I ever seen and I didn't even know what it was. And
16 that boy in Geilsland, and I was down patting his head
17 and his hair, saying, 'Oh, you're okay', and I didn't
18 even really know what was going on at all. And then
19 they explained to me what it was.

20 But I remember thinking how traumatising that was,
21 that one. And then when I went to Kerelaw, it was just
22 like, crazy.

23 LADY SMITH: So are you saying there's then a double impact,
24 and both the emotional impact of being involved in
25 restraining children and young people --

1 A. Yes, I've never initiated a restraint in my life,
2 just --

3 LADY SMITH: -- and the physical impact of it.

4 A. Yes. It's just -- I just don't like it at all and
5 I wouldnae imagine how it would be for them.

6 LADY SMITH: Yes. Ms Forbes.

7 MS FORBES: My Lady. I think you tell us in your statement,
8 'Sky', that you worked in Geilsland altogether for about
9 two years; is that right?

10 A. Yes.

11 Q. And in that whole time it was the one restraint you saw
12 there?

13 A. One restraint, yes.

14 Q. But, when you get to Kerelaw, that's not the position at
15 all and it's multiple restraints every day?

16 A. Yes. And they were planned, often. They were planned
17 before they even happened.

18 Q. Well, we maybe can come to that when we talk about some
19 of the examples that you give --

20 A. Right, okay.

21 Q. -- as to how that would come about.
22 I think one of the things you say, though, is that
23 you sort of lived in one of the neighbouring towns to
24 where Kerelaw was; is that right?

25 A. Yes.

1 Q. And you were aware of Kerelaw as a place before you
2 started working there?

3 A. Yes.

4 Q. You were aware that a lot of local people to the area
5 worked in Kerelaw?

6 A. Yes.

7 Q. In fact, you knew quite a lot of the people who worked
8 there as well; is that right?

9 A. Yes. Yes.

10 Q. And I think you tell us in part of your statement that
11 there was maybe about 100 staff and you maybe knew about
12 80 of them when you went there?

13 A. Yes.

14 Q. And you were -- I think you tell us that you were told
15 that if you wanted to get a job there then you could
16 just volunteer for a few shifts --

17 A. Yes.

18 Q. -- and then you would get a job?

19 A. You got a job, yes.

20 Q. You say that this was part of the kind of culture there;
21 that Kerelaw was recruiting people they already knew --
22 that other staff members already knew?

23 A. Yes.

24 Q. And it was a very cliquey sort of place?

25 A. Yes, there was families worked there. Relations,

1 relatives, lots of ...

2 Q. I think you say that you didn't want to get the position
3 in that way and you wanted to go about it correctly and
4 apply for the job?

5 A. Yes.

6 Q. Which is what you did, I think, through an advert; is
7 that right?

8 A. Yes.

9 Q. And then you tell us a little bit about the process of
10 what happened when you went through that, that
11 application process, from about paragraph 16. I think
12 you say that you completed an application form and then
13 you went for an interview; is that right?

14 A. Yes.

15 Q. That was for the residential social worker position.
16 You had to then compose, within the course of that
17 interview, an essay?

18 A. Yes.

19 Q. And I think you tell us a little bit about that; that
20 you'd started writing down bullet points as to what you
21 thought the basic needs of a child were, but then
22 realised it was supposed to be in essay form.

23 A. Yes.

24 Q. They said that that was fine. You'd come second, in
25 fact.

1 A. Yes.

2 Q. But then you were in a sort of group session with other
3 people who were interviewees, and there were some
4 scenarios and discussion between -- amongst the group;
5 is that right?

6 A. Mm-hm.

7 Q. I think you comment that there was, like, a debate, and
8 you noticed that the views of the people were very
9 different from yourself?

10 A. Mm-hm.

11 Q. And in particular one woman, who was also offered the
12 job, had a completely different view from yourself and
13 that made you think -- you wondered what the criteria
14 really was to get a job?

15 A. Yes.

16 Q. Then you tell us, as well, that there was an interview
17 panel after that, where you were asked to answer some
18 questions and, ultimately, you were offered a job; is
19 that right?

20 A. Yes.

21 Q. And I think you tell us that your mum didn't really want
22 you to take the job because she knew more about Kerelaw
23 [REDACTED]; is
24 that right?

25 A. Yes, but she also had a different opinion about the

1 young people in Kerelaw, like they're bad.

2 Q. And I think you tell us that that's a sort of view that
3 you noticed from the local area; that the Kerelaw boys
4 or children were seen as bad?

5 A. Yes, they'd get the blame for everything.

6 Q. You comment that at that time your son was a similar
7 age --

8 A. Yes.

9 Q. -- to some of the boys you worked with at Kerelaw?

10 A. Mm-hm.

11 Q. And so that was one of the reasons that gave you a sort
12 of different outlook?

13 A. Yes.

14 Q. One of the things you say, 'Sky', is that when you
15 started you were given an induction book; is that right?

16 A. Mm-hm.

17 Q. And that you were quite surprised about that, you liked
18 that?

19 A. Yes.

20 Q. That was something you had to work through and answer
21 some questions about various things. I think you tell
22 us about fire exits and fire point, questions like that?

23 A. Yes.

24 Q. Was there anything more than that? Did the induction
25 book contain any information about policies, about how

1 to deal with the young people in Kerelaw?

2 A. I can't think if it. I think it told you, like, what
3 their allowances or that were, things that just
4 pertained to them.

5 Q. Like practical things that you would need to know about
6 when they would get money for various things?

7 A. Yes.

8 Q. And on what days and how much that would be?

9 A. Yes.

10 Q. But, in relation to what the sort of ethos in Kerelaw or
11 the view of how the children were to be treated; do you
12 remember anything like that in the induction book?

13 A. No.

14 Q. I think you say there was initially this temporary
15 period, like a sort of probationary period, and that was
16 for about six months.

17 A. Mm-hm.

18 Q. But, ultimately, you completed that and you were on
19 a permanent contract after that; is that right?

20 A. Yes. Yes.

21 Q. And I think you say you stayed there until Kerelaw
22 closed, in 2007?

23 A. Yes.

24 Q. So, from 2002 to 2007, that's a period of five years or
25 so that you were working there?

1 A. Mm-hm.

2 Q. I think you then go on, 'Sky', to tell us about Kerelaw.

3 I'm just going to ask you a little bit about the sort of

4 make up. I think there were these four long units, two

5 for the boys and two for the girls; is that right?

6 A. Yes.

7 Q. And they were given names and the boys' units were

8 Millerston and Fleming?

9 A. Yes.

10 Q. And the girls' units were Baird and Wilson?

11 A. Yes.

12 Q. And I think you say that your preference was to work

13 with the boys?

14 A. Yes.

15 Q. And you felt that they were more easy to manage than the

16 girls?

17 A. Yes.

18 Q. Some people might be surprised by that view. But why

19 did you feel that the boys were easier to manage?

20 A. I just think the girls always had, like, a hormonal --

21 they were -- just were difficult. And the boys --

22 I quite like football and I quite like ...

23 Q. And you had a son of a similar age as well?

24 A. Yes.

25 Q. Is that right? I think you say there were issues with

1 the girls, like self-harming and things like that, which
2 you maybe didn't have to deal with as much when it came
3 to the boys?

4 A. Yes, it was completely different with the boys.

5 Q. And you tell us that when you were there the head of the
6 school was Jim Hunter; is that right?

7 A. Yes.

8 Q. And ^{SNR} [REDACTED] was ^{LEF} [REDACTED] ?

9 A. Yes.

10 Q. Was that the same from when you started until when you
11 finished?

12 A. Yes.

13 Q. Then you tell us a little bit about the fact that there
14 was this education block, and that would be where the
15 boys went to from the open unit, which we have
16 described, these four different blocks, if you like.
17 That's where you worked, in the open unit; is that
18 right?

19 A. Yes.

20 Q. But there was also, separate from that, a secure unit?

21 A. Yes.

22 Q. And you didn't work there; is that right?

23 A. No, I didn't work there.

24 Q. There was also this sort of day unit that was attached
25 to one of the boys' units, and that was for boys who

1 weren't residential, who lived at home, but would come
2 there during the day for education.

3 A. Yes.

4 Q. And I think you tell us a little bit about what would
5 happen during the course of the day. We have that
6 there.

7 If we could just move on to staffing, 'Sky'.

8 I think you say that in relation to the time that you
9 were there, there would be three residential social
10 workers on each shift and then there were these three
11 shifts: the early, back, and late shift?

12 A. Yes.

13 Q. But then, I suppose, a separate night shift as well?

14 A. Yes.

15 Q. But less residential social workers on the night shift?

16 A. Yes.

17 Q. And I think you say in total there might have been eight
18 or nine residential social workers; is that to one unit?

19 A. I think there should be more than that. But on a --
20 it's like three on an early shift, three on late shift
21 and two on a night shift.

22 LADY SMITH: What was the timing of each shift; do you
23 remember?

24 A. Yes, 7.30 until 2.30.

25 LADY SMITH: That's in the morning? 7.30 in the morning?

1 A. Yes. And then from 2.00 until 10.00 at night, and then
2 the night shift came in, I think, 9.30 until 7.30.

3 LADY SMITH: And go right through until the following
4 morning?

5 A. Yes.

6 LADY SMITH: With a handover between 7.30 and 8.00,
7 I suppose?

8 A. Yes, yes.

9 MS FORBES: I think you tell us you worked full-time, so it
10 would be five days, including sometimes on the weekend,
11 and then you would have two days off?

12 A. Yes.

13 Q. And was it sort of on a rotational basis? It would be
14 five on and two off? Or you sometimes would change it
15 over the weekend?

16 A. Yes. Sometimes you were on six. Sometimes you were off
17 from the Thursday to the Tuesday. You had a four-day
18 weekend off there.

19 Q. I think you say there was a few unit managers as well
20 whilst you were there, and that would be -- would that
21 be one unit manager for each of the units?

22 A. Yes.

23 Q. So, if you were working, for example, in Millerston,
24 that would be -- that would have a unit manager, and
25 would they just cover that unit or would they be

1 involved in covering more than one of the units?

2 A. No, they'd just cover that unit.

3 Q. I think you say that sometimes there was only the two

4 residential social workers, and you comment that

5 sometimes the senior was the third person; would that be

6 the unit manager?

7 A. No.

8 Q. Okay.

9 A. You had a senior then the unit manager. The unit

10 manager just worked, like, 9.00 to 5.00.

11 Q. So between you and the unit manager there was another

12 level and that was --

13 A. A senior.

14 Q. -- called senior; was there just one of those on each

15 shift?

16 A. There wasn't always one on each shift.

17 Q. Okay. But would one be the maximum, if there was

18 someone there who was a senior?

19 A. Yes.

20 Q. And I think you tell us that there should have been

21 three staff members on duty per shift for about 12

22 boys --

23 A. Yes.

24 Q. -- but it didn't always happen that way?

25 A. No. They had a duty officer as well that was a kind of

1 floating person that would go to any kind of unit, at
2 any date.

3 Q. And I think you say that there was an occasion, you
4 talked about there, where you were left on your own to
5 run the unit that day because there was -- the rest of
6 the staff weren't there, for various reasons?

7 A. So at the time the boy was taken to hospital.

8 Q. Yes. You tell us about that, yes.

9 But, generally speaking, it was supposed to be the
10 three residential social workers?

11 A. Yes.

12 Q. Then maybe a senior, but always a unit manager as well?

13 A. Yes.

14 Q. You tell us, as well, there was also some domestic staff
15 and they were people who were there quite a lot and
16 would get to know the boys quite well?

17 A. Yes.

18 Q. You say that there was an office for the residential
19 staff on the unit, and there was also a separate
20 manager's office?

21 A. Yes.

22 Q. Would that be for the senior or was that just for the
23 unit manager?

24 A. Just the unit manager.

25 Q. And then there was this meeting room, as well as

1 a dining room between the two boys' blocks?

2 A. Yes. Yes.

3 Q. Now, you talk about the fact that there's this girls'

4 block, the girls' blocks as well. Now, were they

5 upstairs in the building?

6 A. No.

7 Q. Okay.

8 A. There was four blocks that ran kind of parallel with

9 each other and each block had an upstairs to it, with --

10 the bedrooms were up the stairs.

11 Q. So downstairs would be the -- would this be the

12 education centres and the dining room?

13 A. No. The education block sat up and they could walk to

14 the education block. It kind of sat in the middle. And

15 then the units all just sat one after the other.

16 Q. And the places for sleeping were upstairs?

17 A. Yes.

18 Q. In all the blocks?

19 A. They had like a dining, kitchen and TV room and pool.

20 Q. Was that upstairs as well?

21 A. No. Just down the stairs.

22 Q. I think you say that the boys didn't mix with the girls

23 who were in their own two blocks; was that during the

24 day or just at all times?

25 A. They weren't allowed to. They would have mixed,

1 I think, and maybe in some classes. But they weren't
2 allowed to mix with them.

3 Q. And you say the boys were discouraged from going up to
4 the girls' unit?

5 A. Yes.

6 Q. When you say 'discouraged'; were they able to go if
7 they'd wanted to or was it -- would there have been
8 anything to stop them, for example like locked doors or
9 anything like that?

10 A. No. They just knew they weren't allowed, but some of
11 them would sneak up.

12 Q. Were you aware of relationships, for example, between
13 the boys and the girls?

14 A. Yes.

15 Q. Was that something that was common?

16 A. Yes.

17 Q. Because the age group that we're talking about at
18 Kerelaw whilst you were there; was that -- how young was
19 the youngest boy that you were aware of?

20 A. Could have been 13, but -- until about 16.

21 Q. And were there any boys over the age of 16, for example
22 in sort of separate flats that were within the premises?

23 A. No. Not at my time there.

24 Q. You tell us, then, that there was a manager for the
25 secure unit, and you tell us about him, and that there

1 was 24 residents in the secure unit whilst you were
2 there. Or that's the capacity, is it?
3 A. Yes.
4 Q. And then you say the head was Shona Kelley; was that the
5 head of the secure unit or ...?
6 A. She was the head of the secure unit, but each unit still
7 had their manager.
8 Q. And as you've told us as well, Jim Hunter was the head
9 of the whole school --
10 A. Yes.
11 Q. -- including the secure unit, ^{SNR} [REDACTED].
12 Was Jim Hunter someone you would see often?
13 A. No, not really. No. When I think -- I don't know if he
14 was away when I says he was there until the end,
15 something tells me he was away before the end.
16 Q. So he might have left Kerelaw --
17 A. Yes.
18 Q. -- before 2007?
19 A. Yes.
20 Q. And what about ^{LEF} [REDACTED], ^{SNR} [REDACTED]? Was he
21 someone that you saw getting involved in the boys' unit
22 often?
23 A. Only when we had an asylum seeker boy, and [REDACTED], he
24 would come down and try and catch him out, speaking
25 different languages, saying that he wasnae the age he

1 was, and ...

2 Q. Okay. So there was a time when there was an asylum

3 seeker there, but SNR didn't believe that he was

4 a young person?

5 A. I don't think anybody believed it. But ... and it

6 turned out to be that he wasnae the age that he said,

7 but ...

8 Q. I think you comment, 'Sky' -- this is at paragraph 33 --

9 that when Kerelaw was closing, these boys were being --

10 that had been accommodated there were being sent back

11 home to their parents.

12 A. Yes.

13 Q. And you wondered why it was okay for them to go home

14 then when it hadn't been before?

15 A. Aye, yes. Still to this day I don't understand it.

16 Q. So, from your knowledge, how many of the boys that you

17 were aware of went back home when it was closing?

18 A. I think I know of four.

19 Q. All but four, did you say?

20 A. Yes.

21 Q. And how many would that be, then?

22 A. I don't know in total, but I know of four. And their

23 mums were getting offered, like, the sofa, and I even

24 remember one mum asked: oh, could I get that plant that

25 was at the front door?

1 Yes. You know, they were getting offered whatever
2 they wanted to take the young person home.

3 Q. So, just to be clear: do you mean that you were only
4 aware of four not going home?

5 A. No, I think there was more, but I know I was sort of
6 dealing with kind of a four. But I think quite a lot of
7 them were all going home.

8 Q. And I think you say that in relation to that you weren't
9 aware of any planning that was done to try to integrate
10 them back to the family or to put them into
11 children's -- instead of 'units' now I think you call
12 them homes; is that right?

13 A. Yes. I didnae quite realise at the time they'd already
14 been in the children's homes and then, when they
15 couldnae deal with their behaviours, they'd get sent to
16 Kerelaw.

17 Q. Okay. I think you say that there were a few boys who
18 went to some other institutions that you were aware of
19 before it closed, and Rossie Farm, for example, or
20 St John's Secure Unit.

21 A. Yes.

22 Q. But I think you comment that in relation to that boy you
23 didn't know why he didn't go to Kerelaw Secure Unit; did
24 that remain open, then?

25 A. Yes. There was talk that that was going to remain open

1 and it was just the open school that was closing.

2 Q. So there was still a secure unit there after you left?

3 A. Yes.

4 Q. But for that boy, anyway, he didn't get chosen to go

5 there?

6 A. No.

7 Q. I think you say that there was a big whiteboard in the

8 staff office that had the boys' names and their dates of

9 birth on it, and details like the social worker and what

10 section they were under?

11 A. Yes.

12 Q. But that changed later on, and their details were then

13 put on small cards that were kept in a holder on the

14 wall.

15 A. Yes.

16 Q. Did you think that was a good change?

17 A. Yes. Yes. Because it had everything. People --

18 anybody could come in, it had their date of birth,

19 anything on it.

20 Q. So all their sort of personal information was up there

21 on the board for people to see before that?

22 A. Yes.

23 Q. We've talked about the fact that when you were working

24 there your title was residential social worker. You

25 talk then, at paragraph 35, about a unit manager called

1 John Muldoon; is that right?

2 A. Yes.

3 Q. And that was his job title, too?

4 A. He was a unit manager, yes.

5 Q. Okay. Oh, sorry, he was a unit manager and that was his
6 job title. And there were senior residential social
7 workers and, below them, were people like yourself,
8 residential social workers?

9 A. Yes.

10 Q. Just thinking, then, 'Sky', about staff training. We've
11 talked about the fact that you went there with
12 qualifications, but there was, at that time, no
13 requirement that you had to have the qualifications
14 before you started the job; is that right?

15 A. Yes.

16 Q. And that came later on?

17 A. Yes.

18 Q. So that came during your time --

19 A. Yes.

20 Q. -- between 2002 and 2007?

21 LADY SMITH: You would have had the benefit of new
22 legislation that came in, in 2002 or so, and I think it
23 would have been known that was going to happen.

24 A. Yes.

25 LADY SMITH: Then that legislature was taken over, again, in

1 2010, to reinforce the need for qualifications?

2 A. Yes. We were the first class through SIRCC, through
3 Scottish Centre for Residential Childcare. We were the
4 first class to go through it.

5 LADY SMITH: Right.

6 MS FORBES: I think as you describe it, that sort of process
7 of people becoming qualified started with the sort of
8 unit managers, the senior residential social workers and
9 then kind of went down the way; is that how you saw it?

10 A. Yes.

11 Q. I think you comment on the fact that you were asked by
12 one of your colleagues to show them some of the work
13 that you'd done at college to obtain your
14 qualifications; is that right?

15 A. Yes.

16 Q. And you did that?

17 A. Yes.

18 Q. But then found out that it was actually then copied and
19 given out to everyone else?

20 A. To everybody, yes.

21 LADY SMITH: Going back to the position held by John Muldoon
22 or other unit managers; were you aware of them being
23 line-managed by anybody else or did they just have
24 autonomy?

25 A. I was aware that Jim Hunter was the boss and

1 LEF ██████████ ██████████, but I never seen them coming
2 down or anything going on. They were just sort of a law
3 unto themselves.

4 LADY SMITH: Yes. Thank you.

5 MS FORBES: We talked about the fact there was this large
6 meeting room within the unit; would there be regular
7 staff meetings --

8 A. Yes.

9 Q. -- between residential social workers and the unit
10 manager?

11 A. Yes.

12 Q. And at those meetings; who would lead it?

13 A. Every Tuesday they would have a meeting, and it would
14 be, like, the unit manager, the senior, things would be
15 wrote up, like, on a flip chart.

16 Q. And would Jim Hunter or SNR ██████████ ever come to those
17 meetings?

18 A. No.

19 Q. I think you say that in relation to training, when you
20 arrived at Kerelaw, there wasn't a lot of training for
21 staff and certainly not for dealing with trauma or
22 sensitive handling of children's behaviour; is that
23 right?

24 A. Yes. But we did have psychologists that we could tap
25 into, which was really useful.

1 Q. Are these two psychologists who would come up,
2 sometimes, to Kerelaw?

3 A. They actually had a -- up in the main block, they had
4 an office, offices there.

5 Q. And would they be there all the time or was it just
6 certain days that they would come?

7 A. No, I think they were there all the time. I don't know
8 if they were at the start, but they always seemed to be
9 there.

10 Q. So those were people that you could speak to for advice
11 about a young person?

12 A. Yes. Yes.

13 Q. And would they ever be involved in these staff meetings
14 that would be held?

15 A. I think a couple of times they did, but people used to
16 just dismiss them.

17 Q. When you say 'dismiss them'; what was your view about
18 the kind of staff views when you arrived at Kerelaw in
19 relation to the young people?

20 A. No good. They, again, anything you tried to say, even
21 a silly thing, like, 'Oh, we're not supposed to knock on
22 the door before the weekend', it was -- they just used
23 look at you like you're stupid. Like, even anything,
24 anything. All the things that you thought, 'Oh,
25 I'm supposed to do this or that', everything you'd just

1 learned at college ... nothing, not one bit. Even
2 trying to tell them, 'Oh, that's what they say or that's
3 what they', they're like, 'That's not what we do here'.
4 Q. So when you're raising an issue about the privacy of the
5 young person and maybe knocking on their door before you
6 go in --
7 A. Yes.
8 Q. -- that wasn't the view that others held?
9 A. No, definitely not.
10 Q. And I think you say in relation to training about
11 promoting positive behaviour and telling children
12 positive things, where you are now in your current role,
13 that's training that you have had; is that right?
14 A. Yes.
15 Q. But that was -- was that available when you were at
16 Kerelaw?
17 A. Yes. We did get -- well, it was TCI training.
18 Q. Okay.
19 A. And we did get it, I think, about six weeks after we
20 started.
21 Q. So is that the therapeutic crisis intervention?
22 A. Crisis intervention, yes.
23 Q. So did you receive that training after you started at
24 Kerelaw?
25 A. Yes.

1 Q. Were you on that training with other staff members --

2 A. Yes.

3 Q. -- that you worked with afterwards?

4 A. Yes.

5 Q. And what were the sort of main things that you took from

6 that in relation to how the young people should be

7 treated?

8 A. Well, there should have been other roads of going in to

9 try to defuse the situation or their behaviour. And out

10 of everybody that was sitting there -- I always remember

11 this -- it was Shona Kelley and ^{KBT} and she

12 said, 'Anybody have any questions?', and nobody had any

13 questions apart from me. And my question was, 'What

14 happens if you don't agree with the restraint'? And she

15 just looked at me and said, 'You'll do it and then you

16 can ask questions later'.

17 Q. Was this training, then, trying to give you a kind of

18 outlook on young people -- sorry, I'll rephrase that

19 question.

20 Was this training trying to give you different

21 options as to how to deal with the young people other

22 than going straight to restraint?

23 A. Yes, it should have been. Yes.

24 Q. So, when you're having to intervene with them; was

25 restraint supposed to be the sort of last option?

1 A. Yes. As a last resort, it should be.

2 Q. And were there things that they were trying to get you
3 to do, things like talking to the young person, trying
4 to de-escalate the situation first?

5 A. Yes.

6 Q. And your question, really, in relation to that training,
7 was: what happens if there's restraint and you don't
8 agree with it?

9 And you were told that you would just have to do it
10 and then you could talk about it later?

11 A. Yes.

12 LADY SMITH: Were you told how you could go about talking
13 about it later?

14 A. No. And it wasnae something that you could speak about
15 later.

16 LADY SMITH: Thank you. Thank you.

17 MS FORBES: At paragraph 40, 'Sky', you say that it was well
18 spoken about that Kerelaw was known as the 'dumping
19 ground' for children. I just want to ask you about
20 that.

21 When you say it was spoken about; was that within
22 the staff members or outwith Kerelaw? Where does that
23 come from?

24 A. It kind of was from everywhere. It was just, like,
25 nobody cared about them. There was a huge difference

1 when I left Kerelaw and went to Glasgow. It was still
2 Glasgow City Council, but there was a huge difference to
3 the way they got treated.

4 Q. I think you've said, as you mention in paragraph 40,
5 that these were children who had been in other units
6 a lot of the time before that, in other places, other
7 homes, and were sent to Kerelaw if they didn't behave or
8 they weren't getting on well in those places?

9 A. Mm-hm.

10 Q. And I think you comment that was a threat that would be
11 used. You would see that threat being used in other
12 places that you worked; is that right?

13 A. Yes.

14 Q. If they didn't behave they would be sent to Kerelaw?

15 A. Yes.

16 Q. Is that in Geilsland that you're talking about or
17 somewhere else?

18 A. No.

19 Q. Okay.

20 A. In the children's houses in Glasgow, would be -- if they
21 couldn't manage their behaviours, they would be put --
22 even still to this day they'd say, 'Oh, if Kerelaw was
23 still open they'd be put there', you know, like,
24 because ...

25 Q. So, from your point of view, it was this sort of

1 last-resort place for them?

2 A. Yes.

3 Q. And I think you tell us that the children who were at
4 Kerelaw were -- the way I think you described it, at
5 paragraph 41, were 'high tariff', that if they had
6 criminal charges or they weren't attending school, or
7 because of their behaviour; is that right?

8 A. Yes.

9 Q. And I think you say that they didn't have the right
10 staff at Kerelaw to run it and things were so bad there
11 on so many levels?

12 A. Yes.

13 Q. Was that separate from the restraint aspect?

14 A. Just everything about Kerelaw. Just -- there wasnae --
15 and it's strange because I could say that I loved a lot
16 of my time there, and the boys I worked with as well.
17 And the girls, because it wasn't as bad when I had to go
18 to the girls' unit to work.

19 But it wasnae a good place at all.

20 Q. And when you say it wasn't a good place; is that in
21 relation to the views of the staff towards the young
22 people?

23 A. Yes. Just very much: we're in charge of you. We're the
24 boss of you. We'll just --

25 Like bullying.

1 Q. Okay. And I think you say, in relation to unit
2 managers, that each unit manager ran to their own set of
3 rules; is that the position?
4 A. Yes. Yes.
5 Q. And they had their own way of doing things as well?
6 A. Yes.
7 Q. So, from your point of view; did you see a policy at all
8 or an ethos as to how the children should be treated
9 when you were there?
10 A. No. There was no policy on telling you, like, how to
11 treat them bad. But John Muldoon would bring it up at
12 a team meeting, saying: there's only three people in
13 here doing their job right.
14 And John Muldoon had a lot of people close to him.
15 As people used to say, his wee puppets. And
16 John Muldoon used to tell people: these three are the
17 only three that are doing their job right.
18 And a lot of the people that were close to him,
19 HQO, EUO, they would say: 'I don't think
20 that's fair to say.'
21 And those three were doing their job right because
22 they were the only ones that were restraining kids.
23 Q. And when he says they were 'doing their job right'; was
24 this at a meeting that took place?
25 A. Yes.

1 Q. Did he mention the word 'restraint'?

2 A. Oh aye, yes. And they sat there, all smiles and all
3 chuffed with themselves, like as if they were something
4 great. ^{KBP} [REDACTED], ^{HIZ} [REDACTED] and ^{HQP} [REDACTED]
5 ^{HQP} [REDACTED].

6 Q. And you have said, 'Sky', you don't like restraint;
7 I think that's fair to say?

8 A. Yes.

9 Q. And I think you say you've never issued a restraint
10 yourself?

11 A. No.

12 Q. However, you have been involved in many restraints?

13 A. Yes.

14 Q. But did you feel that whilst you were at Kerelaw that
15 you were looked upon differently because of your view
16 towards restraints?

17 A. I think I was just looked upon differently from the
18 get-go.

19 Q. And why do you think that was?

20 A. I think because I questioned, and I didn't even question
21 it as much as I would like to. But because I even
22 questioned things or I would maybe say something like:
23 this could be your kid. This is even worse, it's
24 somebody else's.

25 I'd always just get looked at like: you've not got

1 a clue. You don't know what you're talking about.
2 You'll learn. You've got a lot to learn.
3 Things like that.
4 Q. And you've mentioned, 'Sky', John Muldoon and the fact
5 that he had his sort of -- you've mentioned puppets?
6 A. Yes.
7 Q. The people that were his favourites, as you saw it?
8 A. Yes.
9 Q. They were the ones that were doing the restraining?
10 A. Yes. Well, everybody was doing restraining. So I don't
11 know where that was coming from. But they certainly
12 preplanned the restraints, so I don't know if that's
13 what made them ...
14 Q. We'll maybe come to a couple of examples. You tell us
15 about that.
16 A. Yes.
17 Q. I think you say, though, in relation to John Muldoon
18 that he would play you and a colleague off against each
19 other and try to somehow make your relationship between
20 each other difficult; is that right?
21 A. Yes. I didn't -- I wasnae aware that that's what he was
22 doing. I was believing what he was telling me. And it
23 made me just kind of dislike her or not trust her.
24 I thought: she's not the kind of person I thought she
25 was.

1 But he was in the middle of it.

2 Q. Mm. And that was somebody, a colleague that --

3 A. Elaine.

4 Q. Did she share your views on how the young people should
5 be treated?

6 A. Yes.

7 Q. And is this something you became aware of later? That
8 you had the impression that he was trying to separate
9 the both of yous?

10 A. Yes. There would be an element of truth in what he
11 said. Like, he'd always say, 'What did you do last
12 night?' or something, and you'll maybe say, 'Elaine
13 phoned me', I says, 'We were on the phone for about
14 an hour or something'. He would then say to Elaine that
15 'Sky' says that you are a total pain. She's sick of you
16 phoning her. You were on the phone for an hour. So she
17 would think: how would you know that?

18 We came together. We were at Ayr Swimming Baths and
19 the two of us didn't really speak. It was awkward, but
20 we would just be professional. And she would say:
21 'right, I'm not having this anymore. What's going on
22 here?' It was her that said.

23 And I said: 'I just think you're really two-faced,
24 the things you were saying.'

25 And she said, 'I was saying?', and then it came out

1 that he was doing this with both of us.

2 Q. And I think you tell us as well that there was a time

3 when John Muldoon instructed another one of your

4 colleagues to put laminate flooring down in all the

5 rooms. And from your point of view; what did that mean?

6 A. So it was easier to restrain them.

7 Q. Is that because it was harder for somebody to stay up on

8 the laminate?

9 A. Yes, because it's -- it gets slippier, you can get them.

10 Q. Was that anything that was said by anyone at that time,

11 that that was the reason for it?

12 A. ^{KBP} ██████████ said that that was the reason it was him

13 that done it. It was him that suggested it.

14 Q. And I think you tell us about an occasion when

15 John Muldoon threw a folder at you; what happened in

16 relation to that?

17 A. I always had a lot of time for parents. This is their

18 kids we're looking after, whenever we would get ones

19 phoning up drunk, saying, 'Thanks for looking after

20 him', and, 'You're doing a great job' or whatever, and

21 they would always tell me to answer the phone. They

22 didn't even want to engage with the parents or speak to

23 them. So I would just sit and listen and talk to them.

24 And then one boy's mum had cervical cancer and I felt

25 that was why she asked for me and to speak about it. I

1 got into trouble for that. He says: 'how do the young
2 people see you as some kind of God? You're no God.'

3 And I got really upset, saying, 'I think it was just
4 because it was a women's problem that she had, she maybe
5 felt better speaking to me.'

6 And he just says, 'No, staff are sick of it. Sick
7 of ...Sick of me'.

8 They weren't my key kids, so I shouldn't have been
9 speaking to the parents.

10 But it wasnae about anything -- it was about the
11 mum's health. And he picked up a folder and threw it at
12 me. He'd had me in the room for hours, had me in tears,
13 and says: 'you don't effing know me.'

14 And I picked the folder up and threw it back at him.
15 I remember it going pure slow-motion, and I thought,
16 'That's my job', but I'd had enough. And I just says,
17 'You don't know me'. And he says that never happened.
18 He says that whole situation -- he doesn't have a clue
19 what I'm talking about. And it's not every day you're
20 throwing a folder at somebody.

21 Q. So this would have been your unit manager, he was to
22 you?

23 A. Yes.

24 Q. And was this a disciplinary meeting later, when he
25 denied that had happened?

1 A. Yes. Yes.

2 Q. But I think you tell us that you admitted that you had
3 thrown the folder back at him?

4 A. Yes. Yes.

5 Q. But he denied being involved in that?

6 A. Yes. He says that he doesn't have any recollection of
7 any of that happening.

8 Q. I think you tell us that John Muldoon had a nickname as
9 well?

10 A. Mouldy.

11 Q. Yes. From your point of view; what did you believe this
12 nickname represented? What was it about?

13 A. I thought it was just short for that, but everybody says
14 not. It's because he moulds staff into his way.

15 Q. And who would tell you that?

16 A. Elaine.

17 Q. So that was your colleague?

18 A. Yes. She had worked with him in the girls' unit.

19 Q. And I think you comment that he couldn't mould you, so
20 he didn't like you, as you weren't doing what he wanted
21 you to do?

22 A. I didnae -- strangely, I didnae feel that he didnae like
23 me, but he obviously didnae. But I didnae get that
24 feeling. He would make me a cup of coffee, things like
25 that, you know? I didnae feel that he didnae like me,

1 but he obviously didn't like me because I would question
2 things or I would go to him and ask him things: could we
3 do this or could we do that.

4 And he would agree, but then he would do the
5 opposite.

6 Q. And I think you tell us, 'Sky', that your kind of first
7 impressions of Kerelaw -- this is at paragraph 52 -- was
8 that there was a lot of carry-on between the boys, so
9 rolling around on the grass, a lot of horseplay, such as
10 dummy fighting.

11 A. Mm-hm.

12 Q. And that was discouraged in Geilsland?

13 A. Yes.

14 Q. You noticed that staff congregated in groups among
15 themselves at Kerelaw and chatted?

16 A. Yes.

17 Q. But that was something that wouldn't happen in
18 Geilsland?

19 A. No.

20 Q. In Geilsland, they were with the children more of the
21 time?

22 A. Yes.

23 Q. But, in Kerelaw, were they then together as staff more
24 than they were spending time with the young people?

25 A. Yes. I remember my first shift. I thought it was two

1 boys that were rolling about on the grass, two young
2 people, and I went up to split it up and it turned out
3 to be it was a staff member and a boy. And then another
4 boy was running away and they were all congregated. And
5 he wasn't even from my unit, but he was from the next
6 door unit. And I went up to speak to him and to try and
7 chat to him, not to run away, and they were all
8 shouting, 'Don't rush back', and 'Bye', and all this.
9 And not one person even spoke to him or to try to get
10 him back. I didn't get him back neither. He says, 'You
11 don't even know me. What do you know?', I was saying,
12 'Come on then and we'll speak about it', because that's
13 what I thought is a natural, normal thing to do. But
14 they were all like: 'oh, you've got a lot of learning to
15 do.'

16 They just constantly put me down.

17 Q. I think you say, in relation to that incident, with the
18 boy going to run away, they were saying to him, 'Bye
19 then, don't hurry back'?

20 A. Aye, yes.

21 Q. And they were laughing as well?

22 A. Aye.

23 Q. Again, is that something that was different from your
24 experience having been at Geilsland?

25 A. Yes. Totally, yes.

1 Q. And I think you comment, at paragraph 54, that you
2 thought Geilsland was a million times better and a model
3 for how a residential school should be run?
4 A. Yes, definitely.
5 Q. That was at the time that you were there?
6 A. Yes. That's how, when I've heard anything negative,
7 I found it quite hard to believe about Geilsland,
8 because I really enjoyed it there.
9 Q. You've told us, 'Sky', about the layout already. And
10 you were in the Millerston Unit; is that right?
11 A. Mm-hm.
12 Q. And we've gone over the sort of shifts and the working
13 times.
14 One of the things you comment about what the boys
15 would do during the course of the day is -- I think you
16 say that there was no attempt to teach them any domestic
17 chores, and that was something of a bugbear of yours; is
18 that right?
19 A. Yes.
20 Q. Did you think they should have been taught these things
21 to prepare them for going out into the world?
22 A. Yes.
23 Q. And --
24 A. A Thursday night, they got cooking. That was the only
25 night. They got either to go to Braehead shopping or

1 cooking, that was the kind of night for doing their room
2 or things like that.

3 Q. I think you comment that this allowance, this is what
4 you were told about in the induction book; is that
5 right?

6 A. Yes.

7 Q. There would be these allowances for toiletries and there
8 were allowances for clothes?

9 A. Mm-hm.

10 Q. And there would be set days when you were able to go out
11 to be able to buy those for the boys?

12 A. On Thursday night, yes.

13 Q. But I think you say, in relation to toiletries, it had
14 to be the cheapest products you could get?

15 A. Yes, we picked all the same roll-on deodorants and I
16 used to say: could we get them some Lynx, like,
17 deodorant?

18 But you would have to spray it on them. They would
19 come up with their arms. You would open the cupboard
20 door and -- it's bizarre. Looking back, I actually
21 thought, 'Okay, the reasons they gave, they could sniff
22 the deodorants', and I thought, 'Right, okay, so this is
23 what we need to do to prevent that'.

24 But, when I went to Glasgow and how I seen they got
25 to choose all their toiletries, I just thought: why were

1 they treated so bad?

2 Q. So you're describing there, 'Sky', the fact that you
3 would have to even have to put the deodorant onto the
4 boys?

5 A. Yes. Yes.

6 Q. They weren't even allowed to do that themselves?

7 A. No.

8 Q. And I think one of the things you said there is they
9 might have been abusing deodorants or something like
10 that?

11 A. That was the reason they said they couldnae get it.

12 Q. But there was also roll-on deodorant?

13 A. Yes, they got roll-ons. They didn't get a choice or
14 anything. It was, like, the cheapest.

15 Q. So was it just the sprays that would have to be put on
16 by staff?

17 A. Aye. They all wanted the spray. You know, they're like
18 15 and they wanted to ... smell good.

19 Q. And I think you say that the clothing allowance would be
20 on a rota basis and a boy would have to wait for his
21 turn to be able to get new clothes?

22 A. Yes.

23 Q. That sometimes if somebody had perhaps run away or they
24 weren't in the unit when it was their turn, then they
25 would miss their turn?

1 A. Yes.

2 Q. Is that one of the things you thought was quite unfair?

3 A. Yes.

4 Q. And in relation to the furniture and furnishings, things
5 like that, I think you comment that there could be
6 broken drawers or beds and the maintenance wasn't kept
7 up to scratch?

8 A. No.

9 Q. Looking at the make-up of the school that was there and
10 the education, you tell us that there were teachers that
11 came from outside --

12 A. Mm-hm.

13 Q. -- and, as far as you're aware, they were qualified as
14 teachers. But they had sort of home economics, woodwork
15 and art.

16 A. Mm-hm.

17 Q. Your opinion was that you didn't think the boys were
18 learning very much and they didn't act, to you, like
19 kids who had been at school. I just wondered what you
20 meant by that.

21 A. When the young people in Geilsland were at school, they
22 were always talking about it. They'd done gardening,
23 they brought things, they showed you things. It just
24 seemed to be, like, it wasnae a positive. There didn't
25 seem to be anything good coming out of school. You

1 think so what did you do? Oh nothing, we didnae do --
2 you know, it didnae seem like a positive thing at all
3 for them.

4 Q. And when the boys from your unit went to school, if they
5 were misbehaving in class; would you get a call then
6 from the education block to ask to take them back to the
7 unit?

8 A. Yes, to come and get them.

9 Q. Would that be a regular thing?

10 A. Yes, it could be. Yes.

11 Q. And you have talked about the age range of the boys,
12 between 13 and 16.

13 A. Mm-hm.

14 Q. Would they all be educated together amongst those age
15 groups?

16 A. Yes.

17 Q. So there wasn't, like, separate classes for separate
18 ages, if you like?

19 A. No. I don't think it was all our boys in the same
20 class. I think some boys from next door were mixed in.
21 But I don't think it was age-related.

22 Q. And you tell us about the kind of school day and the
23 hours they would go. We have that there. And you say
24 that after school there would be some recreation time;
25 is that right?

1 A. Yes.

2 Q. You've mentioned the pool room; is there a TV room as
3 well?

4 A. Yes.

5 Q. Is that the type of recreation that you're talking
6 about?

7 A. Yes.

8 Q. But you say that if a boy had run away or something, he
9 wouldn't be allowed to engage in the recreation after
10 school?

11 A. Yes.

12 Q. And I think you mentioned that, whilst you were there,
13 one of the teachers was Matt George?

14 A. Mm-hm.

15 Q. But, from your point of view, he was someone you found
16 to pay a lot of attention to the children in a positive
17 way?

18 A. Yes.

19 Q. And I think you comment that he seemed more interested
20 in the children and why they behaved the way they did?

21 A. Yes.

22 Q. But, obviously, you came to learn later about his
23 convictions, and that was something that surprised you?

24 A. Yes. Totally surprised me.

25 Q. So he wasn't someone who was on sort of your radar, if

1 you like, when you were working at Kerelaw?

2 A. No. I thought he was -- I thought he was interested.

3 But I didn't kind of look at the box and see how he was

4 interested. I thought he was genuinely interested in

5 a young person. He would always ask what kind of

6 weekend they'd had and things like that.

7 Q. I think you tell us that there weren't any chores for

8 the boys to do, but they would -- I think you say there

9 was money offered to clean the mini-bus and it was

10 always the same boys?

11 A. Yes. Same boys, yes.

12 Q. But did you agree with that?

13 A. No.

14 Q. Did you approve of that? And why not?

15 A. Just because I didnae think it was fair. You know, it

16 was always like cigarettes and things like that. I just

17 don't agree with that. There was favourites throughout

18 and it was always, like, the bigger -- the bigger boys.

19 Q. You also say that sometimes you would take the boys out,

20 four boys at a time, out in your own car, and you would

21 just drive around and listen to music and things like

22 that?

23 A. All the time, yes.

24 Q. And that wasn't something that was discouraged? You

25 were allowed to do that whenever you wanted?

1 A. Yes, just four boys in the car and drive about and then
2 come back. And we didnae really have mobile phones.
3 They used to come into the car park, flash the lights,
4 and another four would come out. But there was always
5 about four that were grounded anyway, so it was just
6 alternating the eight.

7 Q. And sometimes you would go to the beach?

8 A. Yes.

9 Q. And some of them had never been outside Glasgow?

10 A. No.

11 Q. Some you would take to the countryside and they would
12 see wildlife?

13 A. Yes.

14 Q. And I think you comment that they found that to be
15 amazing?

16 A. Yes, even stars in the sky.

17 Q. Yes.

18 A. Obviously, if they had been in Glasgow and it's all
19 street lights and everything, they were like: 'ah,
20 you've got stars down here.'

21 Q. I think you comment about that at paragraph 77, saying
22 there was one boy who didn't believe you when you told
23 him that the stars were there. He just couldn't see
24 them?

25 A. Aye.

1 Q. But, when you did that, there was nothing to stop you
2 from taking the boys out in your car and then coming
3 back and getting another four boys and doing the same?
4 A. No.
5 Q. Nobody would ask any questions about that?
6 A. No.
7 Q. And you do say that there were some trips out, like
8 swimming, something like that, maybe the odd cinema trip
9 if a boy was on his own at the weekend?
10 A. They only had a pound, which I always found strange.
11 They never got anything that was -- money spent on them.
12 And they used to always get a kebab roll for their
13 supper that was a pound.
14 And if they got to the cinema, it would be the rec
15 money, the other boys' pounds, maybe, on a Saturday for
16 the boys that never had home leave. There would always
17 be one or two that was left in, so we could use their
18 money.
19 Q. And this pound; is this the pound a day recreation money
20 for each boy?
21 A. Yes.
22 Q. That was the allowance?
23 A. Mm-hm.
24 Q. I think you comment, 'Sky', that at the weekend leave
25 boys would get a travel warrant written for them. But

1 was that just in relation to the train?

2 A. The train, yes.

3 Q. So if they needed to get a bus --

4 A. Mm-hm.

5 Q. -- they only had this pound to be able to get the bus?

6 A. Ah-ha, yes.

7 Q. So they would have to have some money from somewhere

8 else to be able to pay for that?

9 A. Yes.

10 Q. And I think you contrast what the children in Kerelaw

11 got when you were there with your -- the units that you

12 work in now.

13 A. Mm-hm.

14 Q. And the units you work in now, they have things like

15 sailing, abseiling, canoeing, caving?

16 A. They have everything. They get taken abroad, they go on

17 holidays, they get -- the girls get a spa and pamper,

18 things at a hotel -- they get so much experiences. At

19 Kerelaw they got nothing. Absolutely nothing.

20 Q. I think you also comment that the kids in Kerelaw who

21 would have been entitled to the VAT back on their

22 clothing didn't even get that?

23 A. Yes, I didn't even know I'd said about that. But, aye,

24 I found that out when I went. I thought, how are we

25 deducting all this VAT and different things for their

1 clothing?

2 Because they're not supposed to pay it. And it

3 didnae happen in Kerelaw.

4 Q. So who got that money?

5 A. HQQ [REDACTED] was in charge of all their clothing.

6 Q. Okay. And I think you say, in relation to birthdays and

7 Christmas, that you don't remember anything being

8 nice -- anything nice being done for the boys who were

9 left in Kerelaw over Christmas. And in relation to

10 birthdays, they just weren't celebrated?

11 A. No.

12 Q. In relation to visits from family members, 'Sky',

13 I think you comment that it was very rare that a family

14 member would visit a boy in the unit?

15 A. Yes.

16 Q. And if they did come, there wasn't a place that they

17 could -- a special room for them to sit.

18 A. No.

19 Q. Where would they have to see the boy?

20 A. Just by standing about or -- you know, if there was

21 nobody in the TV room or something, yes, then they could

22 get it. It would mostly be at a meeting that there

23 would be a parent there. Or family.

24 Q. So a parent is coming in to attend a meeting with other

25 staff?

1 A. Yes, and they would maybe get five/ten minutes of that,
2 speaking to them after it.

3 Q. But, in the open unit, I think you've said that quite
4 a lot of the boys went home at the weekend?

5 A. Mm-hm.

6 Q. But there would be some who didn't?

7 A. Mm-hm.

8 Q. And would that be because -- the ones who didn't get
9 home leave; was that because there wasn't a place for
10 them to go or was that because it was taken away as
11 a sort of punishment?

12 A. No. I would say it was -- they didnae have -- one boy
13 it was sexualised behaviour, so he couldnae go back to
14 that area.

15 Q. I think you say that in your time there the Care
16 Commission came in twice a year to do an inspection, but
17 you weren't aware of anyone else coming in whilst you
18 were there?

19 A. No. Children's rights came. There was other
20 organisations, but ...

21 Q. Okay. And again, in relation to contact with family and
22 siblings, you tell us at paragraph 92 that from your
23 point of view no one was encouraged to come?

24 A. No.

25 Q. And if a child needed to phone home that wasn't

1 a private call?

2 A. No.

3 Q. Indeed, it would be sometimes put on a loudspeaker.

4 A. Loudspeaker, yes.

5 Q. So everyone could hear what was being said?

6 A. Yes.

7 Q. But that's a lot different from the situation now; is

8 that right?

9 A. Yes. Yes.

10 Q. So there's private phone calls?

11 A. Yes. It's -- it isn't even now. It was the minute that

12 I went to Glasgow children's houses. It was --

13 Q. Completely different from Kerelaw?

14 A. Completely different, and I couldn't understand how.

15 It's not that times have changed. It's totally: why did

16 they not get that? Are they ... you know, so they were

17 running completely different. They must have ...

18 Q. So, from your point of view and your experience, at the

19 same time as you worked in Kerelaw, there were children

20 in other units and, as far as you were aware, they were

21 being given private phone calls with their family

22 members?

23 A. Yes. Yes.

24 Q. You've mentioned the psychologists who were there at

25 Kerelaw and you talk about them again, 'Sky', at

1 paragraph 93. You say that they were great and that you
2 could confide in them yourself?

3 A. Mm-hm.

4 Q. But I think you say they were discouraged from coming to
5 the unit by the unit manager?

6 A. Yes.

7 Q. Who was that?

8 A. John Muldoon.

9 Q. I think you comment that he hated them coming in?

10 A. Yes.

11 Q. Did you form an impression as to why that was?

12 A. He didn't like them knowing or the kids maybe opening up
13 to them.

14 Q. I think you've mentioned these children's rights
15 workers; was this an advocacy group who would come in
16 sometimes?

17 A. Yes. Anne McGauchrin.

18 Q. But I think you say that person would sit up in the main
19 office and they'd just phone down to the unit and ask if
20 any of the young people wanted to speak to her?

21 A. Yes.

22 Q. But, from your experience; did that result in anybody
23 wanting to do that?

24 A. No. They would never ever have, ever. And one time
25 I was really upset and I'd just like had enough, and so

1 I answered the phone and it was her, and she said, 'I
2 was just wondering whether any of the boys want to see
3 us?', and I was like, 'How about you come down and
4 fucking ask them?', because it was just, like, it was
5 just unbearable getting -- it was kids' complaints or
6 things, they were -- you know, she's meant to be there
7 to help them and she's sitting up -- which I then
8 found -- because I'd never seen her, but I'd spoke to
9 her and spoke to her. It's completely different to how
10 they're used or how the services are now. Completely
11 different. It's worlds apart.

12 And she said to me -- I met her in lift, and she
13 says, 'Oh, you're "Sky"'. I said, 'Yes'. She says,
14 'I'm Anne McGauchrin', and I just felt -- and she said,
15 'Can I let you know that I was never allowed to come
16 down?' And I went, 'All right, okay. I never knew
17 that'. And why did she not raise a concern then?

18 Q. From your point of view; who would have been the person
19 that wouldn't have allowed her to come down?

20 A. It can only have been Jim Hunter or LEF.

21 Q. I think you comment that of course the children weren't
22 going to tell us if they wanted to speak to her because
23 they didn't trust anyone.

24 A. Mm-hm.

25 Q. From what you've said today, 'Sky', she wasn't coming

1 down to build that trust with the children?

2 A. No.

3 Q. Talking about the complaints system, then, whilst you
4 were at Kerelaw, I think you tell us about an occasion
5 when you actually wrote out a complaint for a boy who
6 was in your unit, and that's because he couldn't write
7 it himself?

8 A. Yes.

9 Q. This was something that you hadn't seen happen, but he
10 had told you about; is that right?

11 A. Mm-hm.

12 Q. You talk about this at paragraph 98. I think you talk
13 about it again a little bit later, at paragraph 100.

14 A. Mm-hm.

15 Q. And I think you say that you had sort of ruffled his
16 hair; is that right?

17 A. Yes.

18 Q. And he said, 'Don't do that. My head's really sore'.

19 A. Head's sore, yes.

20 Q. And he said that he had been restrained the night
21 before; that wasn't something you were aware of?

22 A. Mm-hm.

23 Q. Is that something that you thought you should have been
24 made aware of, that he had been restrained the night
25 before?

1 A. Yes, it should have been changed over.

2 Q. In the handover?

3 A. Yes.

4 Q. And he also told you that while that had happened the
5 staff were battering his head off the ground?

6 A. Yes.

7 Q. And he named two people who were involved in that; who
8 was that?

9 A. HIZ [REDACTED] and KBP [REDACTED].

10 Q. And when you're telling us about that at paragraph 100,
11 'Sky', you make a comment and you say, 'Those two were
12 always up for a restraint'; what do you mean by that?

13 A. They always would say -- they used to call it 'eating
14 carpet' or 'munching carpet' or 'he was going down', and
15 even at times, 'I'm taking no shit from him tonight,
16 he's going down'. It was planned.

17 Q. So when you say 'planned', that's what you mean: that it
18 had been talked about before that if anything happened
19 that's what was going to go down, there was going to be
20 a restraint?

21 A. Yes, there was no alternative, you know? And it was
22 like the slightest wee thing that they could do.
23 I mean, they used to get took to their rooms a lot. You
24 know, even for swearing they'd be taken to their room.

25 Q. And when you say 'taken to their room'; was there

1 restraint involved in that?

2 A. Sometimes there was.

3 Q. You tell us about writing that complaint for the boy.

4 A. Mm-hm.

5 Q. And I think you said you had to give it to somebody, is

6 that right, after you had written it?

7 A. Yes.

8 Q. And who did you give it to?

9 A. John Muldoon.

10 Q. What did he do when you gave it to him?

11 A. He ripped it up.

12 Q. Did that happen in front of you?

13 A. Yes.

14 Q. Did he saying anything when he did that?

15 A. He says I'm not allowed to write.

16 Q. That you weren't allowed to write it?

17 A. Yes. And I says, 'But he can't write'.

18 Q. So his -- you seem to be saying that it wasn't you that

19 was supposed to complete the complaints form; it would

20 have been the boy?

21 A. Mm-hm.

22 Q. But, when you were saying he couldn't write it himself,

23 he just ripped it up?

24 A. Yes.

25 Q. You tell us at paragraph 99, 'Sky', about John Muldoon's

1 office --

2 A. Mm-hm.

3 Q. -- and the complaints forms. So what was the impression
4 you formed in relation to that?

5 A. They never went anywhere. You could -- you could walk
6 into his office and you would walk out and there was
7 a complaint form stuck to your feet. He used to leave
8 them on the windowsills and boys could go out and go
9 round, as they often did, and they would be able to read
10 whatever was said.

11 But they didnae complain a lot.

12 Q. But certainly, even though they didn't complain a lot,
13 you were aware of the fact that these forms were all
14 over his office?

15 A. Yes.

16 Q. And you comment that once you came out with a complaint
17 form stuck to the sole of your shoe?

18 A. Yes.

19 Q. So they would even be on the floor?

20 A. Yes. They weren't actioned. They weren't as it is now.

21 Q. So from your point of view; were those complaint forms
22 going anywhere?

23 A. No, I don't think so.

24 Q. Now, again, I think you tell us another example of
25 something happening when you were there, 'Sky', and this

1 is part of your statement about running away,
2 paragraph 102. I think you say in particular there was
3 a boy who needed insulin for his diabetes who would run
4 away, and that was kept in the staff room fridge.

5 A. Mm-hm.

6 Q. So when he would run away he knew he needed to take his
7 insulin with him; is that right?

8 A. Yes. Yes.

9 Q. And you would let him take his insulin, but this was
10 something that you were told off about; is that right?

11 A. Yes.

12 Q. And who was it that told you off?

13 A. It was just everybody was like -- they didnae know at
14 first that I was doing it. I used to say to the boy
15 that -- I don't like needles, actually, so I wasnae
16 lying. But I used to say, 'I need to look away', so
17 I would turn my back and I was aware that he was taking
18 it, because it was a high level or dose of insulin that
19 he needed several times a day.

20 Q. Okay.

21 A. And ^{KBP} [REDACTED], now, he was his key worker.

22 Q. You talk a little bit about bed-wetting and what would
23 happen in Kerelaw. This is at paragraph 103. You say
24 there was a particular boy who used to wet the bed, so
25 you would go and wake him up first in the morning; is

1 that right?

2 A. Yes.

3 Q. And that was to let him get up and get a shower, so you

4 could strip his bed.

5 A. Mm-hm.

6 Q. But, again, that wasn't something that was -- that was

7 something that was frowned upon; is that right?

8 A. Yes.

9 Q. Who was it who wasn't happy about that?

10 A. He would -- mostly ^{HIZ} [REDACTED] and ^{KBP} [REDACTED].

11 Q. You say '^{HIZ} [REDACTED]', who are you referring to?

12 A. ^{HIZ} [REDACTED].

13 Q. And you've already mentioned ^{KBP} [REDACTED]?

14 A. ^{KBP} [REDACTED], yes.

15 Q. So they weren't happy about it. What did you see anyone

16 else do in relation to bed-wetting and that boy?

17 A. Shouting in front of the other boys: 'have you put

18 your -- Where's your wet sheets? Get the bed stripped.'

19 Q. And I think you comment that was something the boy was

20 embarrassed about.

21 A. Mm-hm.

22 Q. Because it was in front of staff and other boys?

23 A. Yes.

24 Q. You comment later, 'Sky', about discipline. You say

25 discipline in the children's units in Glasgow was

1 different from Kerelaw and that children there were
2 allowed to swear and weren't challenged?

3 A. Mm-hm.

4 Q. But, in Kerelaw, they were told to watch their language?

5 A. Yes.

6 Q. And that's something that you did: you told them to
7 watch their language?

8 A. Yes.

9 Q. I think you mentioned earlier, 'Sky', that sometimes
10 restraint could happen as a result of swearing?

11 A. Swearing, yes.

12 Q. So would that be if a young person swore at a member of
13 staff?

14 A. Yes.

15 Q. The result would be a restraint?

16 A. Yes.

17 Q. And would that be the first thing that would happen?

18 A. Yes. Yes.

19 Q. We talked about restraint, from your training, was
20 supposed to be the last resort?

21 A. Yes.

22 Q. But, even in a situation like that, it could be the
23 first thing that happened?

24 A. Yes. And it can even be -- I remember a boy, like, he
25 had called somebody an effing cow and he went away and

1 it happened, like, about 40 or 50 minutes later, for
2 something that he just said in anger and walked away.
3 There wasnae any need. There still isnae any need, the
4 fact that he -- that was always done.

5 Q. So sometimes the restraint would -- there would be a gap
6 between the incident that --

7 A. Yes, because they would get all the guys and that from
8 the different houses to come and ...

9 Q. But that would be, as you said, like, 40 minutes after
10 what was said?

11 A. Yes.

12 Q. At that time, would the young person be causing
13 a disturbance?

14 A. No, no. No.

15 Q. But once they had rounded up other staff to come and be
16 involved in restraint, it would take place?

17 A. Yes.

18 Q. And would that be to remove the young person to their
19 room or for some other reason?

20 A. The particular incident that I remember well was the boy
21 was in the smoke room. So he hadn't even been in his
22 room. It wasn't even an issue that he had said that.
23 You know, he wasnae upset, he wasnae -- I think he just
24 even says, 'Oh eff off', as he was walking away,
25 something he wasnae happy about. But then I was asked

1 to leave and go to the office, saying they wanted me.

2 But, as I was leaving, I could see, like, six guys, big

3 guys, walking towards the smoke room.

4 Q. Now, I think you describe this, 'Sky', at paragraph 116

5 of your statement. So this was the incident in the

6 smoke room?

7 A. Yes.

8 Q. And you were with a boy in the smoke room and another

9 member of staff was there, and that's -- you've

10 nicknamed him in your statement 'KBP'?

11 A. Yes.

12 Q. He was the boy's key worker?

13 A. Yes.

14 Q. And then you got shouted out of the room, as you've

15 said, to go to the office?

16 A. Yes.

17 Q. As you left, there was a lot of other males from other

18 units standing outside?

19 A. Yes, walking. Yes, as I'm walking to the office they're

20 coming towards the smoke room.

21 Q. You were then in the office, talking about something

22 that from your point of view didn't seem very important?

23 A. Yes. And I was told just to stay there the now, just

24 like -- they were just chatting kind of rubbish, to be

25 honest with you.

1 Q. But, when you went back, you could see that the boy was
2 being restrained?

3 A. Yes. He had been restrained, yes.

4 Q. So from your point of view; do you think you were taken
5 to the office as a sort of diversion to get you away
6 from the smoke room?

7 A. Yes.

8 Q. Why would that have been, from your point of view?

9 A. I used to always think it was because I was a female.
10 I don't know why I thought that, but I did think that.
11 That I was always -- could never be there or be
12 involved. But, obviously, it probably wasnae that at
13 all.

14 Q. I think when you got back to the smoke room and saw that
15 the boy had been restrained, he said something to you;
16 what was that?

17 A. That he put himself down on the ground. He didnae let
18 them. He put himself down.

19 Q. So he had put himself down, so that they didn't have to
20 hurt him?

21 A. Yes.

22 Q. Is that what -- I think that's what you've said there.

23 A. Mm-hm.

24 Q. 'I didn't give them the satisfaction of letting them
25 hurt me [and then he says your name]. I put myself

1 down'.

2 And I think you tell us that you then asked ^{KBP} [REDACTED]
3 ^{KBP} [REDACTED] about why he allowed that to happen. You were
4 given an answer about the fact that this boy had called
5 the unit manager a name?

6 A. Mm-hm.

7 Q. And this was -- he had called her a cow.

8 A. Mm-hm.

9 Q. So then all the male staff had been then phoned from
10 other units to come?

11 A. To come and deal with him for that.

12 Q. And I think you comment that it seemed to always be the
13 same group of male staff involved in restraints?

14 A. Yes.

15 Q. It wasn't necessarily men who were big-built?

16 A. No. No.

17 Q. You talk about another boy, 'Sky', at paragraph 120, who
18 you say used to make a particular noise before he, as
19 you put it, kicked off.

20 A. Yes.

21 Q. And was that something that would alert you to the fact
22 that something was going to happen?

23 A. Aye, it was going to happen, yes.

24 Q. He was someone who would go up to the girls' unit?

25 A. Yes. Yes.

1 Q. You would try and persuade him back down; that would be
2 your approach?

3 A. Yes. I was his key worker, and I could get him back
4 down every time. He had a, like, a kind of learning
5 difficulty, and he used to like ^{KBT} [REDACTED], who was the
6 manager of the girls, and she would used to -- talk to
7 him. I don't mean encourage him to go up, but she would
8 give him the time of day when he went up, and I would
9 think: don't be speaking to him because he's not
10 allowed -- you know, 'Says who?', she'd say, she was
11 quite vocal.

12 And I used to get him and say: right, hurry up, come
13 on. I'll skip back with you.

14 You could just cajole them very easily. And I got
15 slagged for that as well, see, it's ridiculous. And
16 I said, 'I know, but you don't need to restrain him for
17 something like that, just for ...'

18 Q. I think you comment that ^{KBP} [REDACTED] and
19 ^{HIZ} [REDACTED] would go up and get him, and when you say
20 'Get him'; what do you mean? How would they do that?

21 A. It was a restraint every time.

22 Q. You --

23 A. Because they would get him, put hands on him, start
24 pulling him. Whereas if you just skipped with him or
25 done something silly he would quite easily come back.

1 Q. In relation to ^{KB} [REDACTED], I think you talk about the fact he
2 had a particular way of standing?

3 A. Yes.

4 Q. And what was that?

5 A. He would stand with his hands behind his back, like he
6 was still working in a prison, swinging his keys, and
7 things like that.

8 Q. So were you aware that he had come from a background of
9 working in a prison --

10 A. Yes.

11 Q. -- as a prison officer?

12 Were there other staff members that behaved like
13 they were prison officers, from your point of view?

14 A. Quite a few of them were ex-prison officers.

15 Q. And did you form the impression that they brought this
16 with them to Kerelaw?

17 A. Yes. I actually thought that's how they were employed.

18 Q. Okay. And I think you talk about a particular
19 incident -- and I don't know, my Lady, if this is a good
20 place to stop?

21 LADY SMITH: Would this be ... yes.

22 MS FORBES: Before we get to that.

23 LADY SMITH: I normally take a break at this point in the
24 morning; would that work for you, 'Sky', if we did that
25 now?

1 A. Yes.

2 LADY SMITH: About 15 minutes, and then we'll carry on with
3 your evidence after that. Thank you.

4 (11.30 am)

5 (A short break)

6 (11.47 am)

7 LADY SMITH: Are you ready to carry on, 'Sky'?

8 A. Yes.

9 LADY SMITH: Thank you very much.

10 Ms Forbes.

11 MS FORBES: My Lady.

12 'Sky', I was about to move on to particular
13 incidents that you've told us about. The first one is
14 in relation to what you tell us at paragraph 123. This
15 was where a boy, who was in your unit, ended up with
16 a broken arm.

17 Now, in relation to that, you didn't know how the
18 arm had been broken; is that right?

19 A. Yes.

20 Q. Were you made aware that it was in relation to any form
21 of restraint or anything?

22 A. I was made aware that it was ^{KBP} [REDACTED], pulling
23 him out a van.

24 Q. And who had told you that?

25 A. When they were out.

1 The boy.

2 Q. And as a result of that, a report had to be written

3 about that incident; is that right?

4 A. Yes.

5 Q. KBP would have had to complete a report?

6 A. There was no report done until John Muldoon said to

7 KBP : child protection are all over us.

8 And he -- the two of them wrote the report.

9 Q. You say 'the two of them'; who do you mean?

10 A. KBP and John Muldoon.

11 Q. Okay. Was there somebody else who was involved as well?

12 A. Yes.

13 Q. One of your female colleagues?

14 A. Elaine.

15 Q. As far as you were aware; what was she told to do?

16 A. When she came in to do the late shift, he shouted her

17 and said she was to copy what KBP had wrote because

18 child protection are involved.

19 Q. I think you say, 'Sky', in relation to that, that the

20 phrase was that they had to get their story straight?

21 A. Yes.

22 Q. Did that come from John Muldoon?

23 A. John Muldoon.

24 Q. But that's not something you were involved in yourself?

25 A. No. No.

1 Q. But I think after that, you -- it lessened what you
2 thought of your female colleague because, from your
3 point of view, she went along with that?

4 A. Yes.

5 Q. There's another incident that you tell us about,
6 'Sky' -- and this is at paragraph 125 -- and this,
7 again, was a boy in your unit.

8 Now, this was something that you saw yourself; is
9 that right?

10 A. Yes.

11 Q. So is this in relation to a restraint?

12 A. Yes.

13 Q. And did it involve a window being smashed?

14 A. Yes.

15 Q. Can you just tell us what happened in relation to that?

16 A. I keep having a memory as if the window had already been
17 smashed and he had returned from running away, and the
18 window was boarded up. I'm almost -- could put my life
19 on it the window was boarded up and the glass was all
20 still broken, just broken bits, chunks of it, and
21 I think he had re-smashed it. He was standing with his
22 two arms at the window behind him and he was -- I asked
23 him to just come away, so I can clear up the glass and
24 everything. And the next thing I knew, people were in
25 from the other unit next door and everything and he was

1 restrained.

2 He looked terrified, scared. He wasnae doing
3 anything that merited a restraint. And they were
4 telling me to go away, but I was just trying to brush
5 the glass up, use an excuse to stay around, because
6 I always got sent away.

7 Q. And who was involved in the restraint?

8 A. [REDACTED], [REDACTED].

9 Q. And I think you describe the fact that the boy was on
10 the floor, is that right --

11 A. Ah-ha.

12 Q. -- during the course of this restraint? And was there
13 an issue in relation to the glass?

14 A. Aye, his face was cut. He'd got restrained on top of
15 the glass.

16 Q. So there was still glass on the floor --

17 A. Yes.

18 Q. -- from the remnants of the broken window? And were you
19 told anything by them in relation to that?

20 A. Anything about ...?

21 Q. Were you told to go anywhere?

22 A. Yes, they just sent -- were telling me to go.

23 Q. So you were to go out the room. But did you do that?

24 A. No. I tried to -- I did eventually, but I tried to stay
25 in. And they were like: just leave it, we'll get that.

1 But I was trying to sweep it up to stay in the room.

2 Q. Is that because you wanted to see what was happening?

3 A. Yes. Just to stay there. I was the one that was trying

4 to encourage him to come away from the window.

5 Q. So, in relation to that, you've said it was -- just now,

6 in your evidence, 'Sky', you have said it was

7 HIZ ██████████ and IDE ██████████?

8 A. Yes.

9 Q. I think you have mentioned another name in your

10 statement; is that FSY ██████████?

11 A. FSY ██████████.

12 Q. Is your recollection now that he was involved in the

13 restraint or not?

14 A. Yes, it would normally be three, three people.

15 Q. But do you remember him being involved?

16 A. I think he was, yes.

17 Q. Now, the Inquiry has had a response from FSY ██████████,

18 and we may hear from FSY ██████████'s account that, when

19 this was going on, the boy all of a sudden became

20 extremely violent and started throwing punches and

21 kicking out at HIZ ██████████, and that IDE ██████████

22 intervened and helped HIZ ██████████. The boy was put to the

23 floor in a recognised safe hold and he was restrained at

24 least 10 or 12 feet away from where there may have been

25 some glass.

1 Now, from your recollection; is that what happened?

2 A. No, that's not true.

3 Q. And the reference to a 'recognised safe hold'; is that
4 something you agree with?

5 A. No. That would mean that it was used properly. He
6 certainly -- he certainly wasnae violent or kicking out,
7 or ...

8 These boys were always pretty scared.

9 LADY SMITH: 'Sky', can I just be clear: are you saying that
10 you believe it wasn't a situation that justified
11 restraint at all or that the way he was being restrained
12 was not the right way?

13 A. It wasn't a situation that justified him being
14 restrained. And so even worse to restrain him when he
15 shouldnae have been restrained. There's no reason.

16 LADY SMITH: Okay. Thank you.

17 MS FORBES: This reference to the boy becoming violent and
18 throwing punches; is that what you saw?

19 A. No, definitely not.

20 Q. Now, in relation to the response from ^{FSY} [REDACTED],
21 his position may be that he was not physically involved
22 in the restraint, albeit he was there; is that your
23 recollection?

24 A. No. ^{FSY} [REDACTED] was part of Millerston Unit. He was
25 our core member of staff. ^{IDF} [REDACTED] was Fleming

1 Unit, but always came in to get involved. I was TCI
2 trained, so why was I not involved?

3 Q. In relation to what you saw with the glass on the floor
4 and the boy; were there any consequences for the boy
5 after that?

6 A. The police took him away. The police were called
7 regularly.

8 Q. Did you see him when the police took him away?

9 A. Yes, I would have done.

10 Q. And did you see any injuries?

11 A. His face was cut. He had wee cuts.

12 Q. So, in relation to a response from ^{FSY} [REDACTED], we
13 may hear evidence that he saw the boy after that
14 happened, so on the next day, and that he didn't have
15 any visible injuries to his face; what would your
16 position be in relation to that?

17 A. Is ^{FSY} [REDACTED] saying this now?

18 Q. So we may hear evidence in response from ^{FSY} [REDACTED]
19 that he didn't see any injuries on that boy? Do you
20 agree that there were injuries, from your point of view?

21 A. There most definitely were injuries. There were.

22 Q. Now, in relation to ^{HIZ} [REDACTED] or ^{HIZ} [REDACTED],
23 again, we have a response from him in relation to that.
24 Now, I think his position appears to be that the glass
25 was cleared away, albeit not properly. But, from your

1 point of view, when this restraint happened; was the
2 glass cleared away at that time or not?

3 A. No, because it was me that was clearing it away.
4 I never got the chance to clear it all away.

5 Q. And again, 'Sky', in relation to injuries,
6 [REDACTED]'s position is that the boy's face wasn't
7 cut and that that's nonsense, and if it had been cut he
8 would have been taken to A&E right away to get
9 lacerations sewn up and the account has been dramatised;
10 what do you say to that?

11 A. Definitely not dramatised. It wasnae big gashes. It
12 wasnae -- his face was cut, but it wasn't, like, large
13 cuts.

14 Q. You go on, 'Sky', to tell us about an incident that you
15 witnessed involving someone else. This is at
16 paragraph 126. And this -- again, you mentioned [REDACTED]
17 [REDACTED] already. This involved [REDACTED] in the unit
18 next to you, the Fleming Unit. In relation to that;
19 what did you witness?

20 A. [REDACTED] standing on the boy's head, rolling
21 a roll-up cigarette.

22 Q. So what did you see take place?

23 A. There was a restraint and he was -- so when the boy was
24 lying down, he had his foot on his head, just rolling
25 a roll-up.

1 Q. So he was rolling a cigarette and he had his foot on the
2 boy's head?

3 A. Yes.

4 Q. Had you seen how that had come to be or did you happen
5 upon it?

6 A. No, I just had -- came upon it.

7 Q. Okay.

8 And I think in that paragraph you also tell us about
9 an incident involving another boy, when a colleague of
10 yours, a female colleague, wanted to get involved in the
11 restraint to ensure that they did it properly. This was
12 HIZ and KBP, so HIZ and KBP,
13 that were involved in that. And she was told something
14 in relation to that; do you remember what that was?

15 A. Yes, it was brought up at the team meeting. Like, she
16 was brought up, like, what happens if somebody else
17 appears and you don't want them there, and John Muldoon
18 says, 'Tell her to fuck off'.

19 Q. Okay. So is this a colleague of yours called
20 Jackie Hutton?

21 A. Yes.

22 Q. And had you seen the incident that was being referred to
23 at this meeting?

24 A. No.

25 Q. You'd just heard about it at the meeting?

1 A. Yes.

2 Q. And was this something that was brought up by

3 ^{HIZ} [REDACTED] or ^{KBP} [REDACTED]?

4 A. Yes.

5 Q. And she had wanted to become involved, as far as you're

6 aware, in the restraint, to ensure they did it properly?

7 A. Yes.

8 Q. And they were asking advice from the unit manager,

9 John Muldoon?

10 A. Yes. What they should do if somebody's there and you

11 don't want them to be.

12 Q. And that was the response --

13 A. Yes.

14 Q. -- 'Just tell her to fuck off'?

15 A. Yes.

16 Q. You then talk about another incident involving a boy

17 from your unit -- and this is at paragraph 127 -- and

18 this was in relation to a PlayStation having been stolen

19 from the boy's younger brother earlier that day. The

20 father had phoned up Kerelaw to tell them about the

21 incident; is that right?

22 A. Yes. Yes.

23 Q. And he said he wanted to deal with it himself.

24 A. Deal with it himself. We weren't to speak to him about

25 it.

1 Q. And you put it in the logbook, as you were supposed to;
2 is that right?

3 A. Yes.

4 Q. Then it was decided that the boy would be restrained; is
5 that right?

6 A. Yes.

7 Q. And who was it that decided that?

8 A. ^{HIZ} [REDACTED].

9 Q. Why did he decide to restrain him?

10 A. I think the boy actually was being abusive. But, still,
11 no reason for him to be restrained. So I had to get
12 involved in the restraint, whether I wanted to or not.

13 Q. And you were involved in the restraint at that time
14 along with ^{HIZ} [REDACTED]; is that right?

15 A. Yes.

16 Q. But, during the course of that restraint, I think you
17 said that things were said by ^{HIZ} [REDACTED] to the boy
18 that you didn't agree with.

19 A. Yes.

20 Q. And what was that?

21 A. You're not supposed to speak to them at all. And he was
22 saying to him about stealing the PlayStation, and also
23 just as well his mum's dead because she doesn't need to
24 see the thieving little b that he is.

25 After -- so long as you assess their breathing and

1 things like that, and he was saying: oh, dash it, count
2 to ten, but you are an illiterate.

3 He would just be totally slagging the boy off and
4 obviously looking for him to try and get a reaction.
5 The boy just lay there.

6 Q. And was the boy upset at what was being said to him?

7 A. Yes.

8 Q. How did you see that?

9 A. He was crying.

10 Q. And from your point of view, I think you've described

11 HIZ as slaughtering him about that?

12 A. Yes. Yes.

13 Q. So there was a couple of things there. You're not
14 supposed to speak during the restraint, according to
15 your training, until you're at the stage of telling them
16 that you're going to release them; is that right?

17 A. Yes.

18 Q. So he was speaking during the course of the restraint,
19 so that was one thing. But, secondly, what you're
20 describing is he's also being abusive towards him?

21 A. Yes.

22 Q. And demeaning him?

23 A. Yes.

24 Q. You've mentioned that he was also swearing at him, as
25 well?

1 A. Yes.

2 Q. And against his father's instructions, he then talks
3 about the PlayStation being stolen?

4 A. Yes.

5 Q. Then also brings up the fact that his mum's dead?

6 A. Yes.

7 Q. I think after that something else happened involving
8 HIZ; did you go to your senior and tell him to
9 have a word with HIZ?

10 A. Yes.

11 Q. And tell him about the content of what was being said?

12 A. Yes.

13 Q. I think you say, at paragraph 129, that it was
14 disgusting, what was being said?

15 A. Yes.

16 Q. You then go on, 'Sky', to tell us about an incident
17 where HIZ and KBP were taking
18 pride in wanting to be the worst member of staff, and
19 they would compete with each other about who was the
20 worst?

21 A. Yes.

22 Q. Did that happen in front of you?

23 A. Yes, it was well known. Everybody -- it was if one of
24 the boys says, 'Oh, you're the worst staff in here',
25 vice versa would say, 'No, I'm the worst. What do you

1 mean he's the worst?' They weren't happy if somebody
2 else was getting the badge of being the worst.

3 Q. And if it is suggested that that type of thing was being
4 said in jest and it was just banter between the staff
5 and the boys; what would your comment be about that?

6 A. No, it was certainly not banter.

7 Q. So you didn't see it as being that?

8 A. No.

9 Q. And did you think that was appropriate, that kind of
10 talk between staff?

11 A. No, totally inappropriate.

12 Q. You also say about a practice that would happen when
13 boys would come back from leave; what was that?

14 A. About them getting strip-searched.

15 Q. And who would undertake that?

16 A. HIZ and KBP.

17 Q. What would they do to the boys?

18 A. They would throw -- shout them in the office, throw them
19 a towel, and they'd always get their gloves, like making
20 a big deal of putting on the gloves and, like, ping-pong
21 them.

22 Q. Is this the rubber gloves?

23 A. Yes. And then they would have them doing star jumps and
24 everything, to see if they had any drugs.

25 Q. So you say 'give them a towel'; does that mean that they

1 were asked to take their clothes off?

2 A. Yes. Yes.

3 Q. So the picture you've described is boys being asked to

4 take their clothes off, put a towel around them, and

5 then do star jumps to see if anything fell out?

6 A. Yes.

7 Q. Was this something you'd seen happen anywhere else?

8 A. Any other unit?

9 Q. Yes.

10 A. No.

11 Q. Did you tell them that they weren't supposed to be doing

12 that?

13 A. Yes. I says: 'if you think he's got drugs, you should

14 be phoning the police.'

15 I says: 'we shouldn't be doing that.'

16 Also, Kerelaw had a great big country door with

17 a great big car park and grounds. If they were bringing

18 drugs back, they would have hid them outside until they

19 werenae in secured -- they could go out and play

20 football or go out say they were having a walk and

21 getting -- they're not going to be bringing anything

22 back in. It was just -- it was just humiliation.

23 Q. And were you told to get lost and that you were

24 a know-it-all in response to that?

25 A. Told what, sorry?

1 Q. I think you say in your statement, 'Sky', at
2 paragraph 130, that when you reminded them --
3 A. Aye, yes.
4 Q. -- that you were told to get lost and that you were
5 a know-it-all. Or a know-all, sorry.
6 A. Yes, I was frequently told I was a know-all: she thinks
7 she knows everything.
8 Q. And did that type of search take place in other units?
9 A. No.
10 Q. I think you say that ^{KBP} [REDACTED] moved on from
11 Kerelaw and, later, you worked with him in a different
12 children's home or unit in Glasgow?
13 A. Yes.
14 Q. I think you comment, at paragraph 136, that he was
15 promoted to a senior role and openly told people he was,
16 you've said, 'A bastard in Kerelaw, but he was all right
17 now and claimed to have changed'?
18 A. Yes.
19 Q. So did you hear him say that or was that something you
20 heard from other people that he was saying?
21 A. The house I went to work in, when he was working there,
22 I raised concerns about me working alongside him,
23 because he was in a senior position. He got
24 a promotion. And my belief is he didn't deny, I don't
25 know how much, but he didn't deny a lot of his bad

1 behaviour during the disciplinary. And what happened
2 was I says I didnae feel comfortable with him. He could
3 make something up or say something about me, and they
4 were putting a sheet round to get money for him to buy
5 a gift, and I didn't put towards the sheet. And I
6 said -- and one of the staff had a right go at me,
7 saying: 'listen, ^{KBP} knows what he done and all his
8 wrongdoings, you cannae hold that against him. He's
9 a changed man now.'

10 And I just said: 'I'm sorry, he was an adult.' He
11 was an adult when he done that. He knew what he was
12 doing through many different things, not just one thing.

13 And I just wasnae putting to it. So it was through
14 the other staff saying that he openly talked about it,
15 which surprised me, but ...

16 Q. Later on when you worked with him and that happened; was
17 there some sort of mediation and then did he get moved
18 to another unit?

19 A. He'd got moved to -- basically, there's lots of houses
20 you could go to and I basically wouldn't have worked
21 with -- I struggled even to this day when I've had to be
22 in the same house as ^{HIZ}, who I have known for
23 years. He was my brother-in-law's best friend. So I've
24 known him a long, long, long time, and sometimes I have
25 had to be put in the same house. Or, like, if there's

1 overtime, going in that house, I'll make sure that he's
2 not on shift before I'll go there and work.

3 Q. And houses are what you refer to now as the units; is
4 that right?

5 A. Units, yes.

6 Q. Is that the sort of term that's accepted now?

7 A. Yes, it's got to be called a house and not a unit.
8 Which I'm only trying to -- I keep slipping up and
9 saying 'a unit'.

10 Q. Just before we leave the issue of Kerelaw, I think you
11 tell us about the recording of punishments and
12 restraints, at paragraph 138, and you say that they
13 weren't recorded in a log. There was meant to be
14 a record, but half the time that never happened; is that
15 right?

16 A. Yes.

17 Q. There was supposed to be a debrief after restraint, but
18 that didn't happen either?

19 A. That didn't happen, no.

20 Q. Now, a lot of things later on in your statement we've
21 already covered. But I think, ultimately, 'Sky', you
22 were urged to sort of make a report about Kerelaw; is
23 that right?

24 A. Ah-ha.

25 Q. And you did that, to the Council?

1 A. Yes.

2 Q. As a result the Care Commission came back; is that
3 right?

4 A. Yes.

5 Q. Then it led to Kerelaw being closed, ultimately?

6 A. Yes.

7 Q. It wasn't just yourself, I think, that was involved in
8 that; is that right? There were other people that came
9 forward, too?

10 A. I don't think there was many people. I went to
11 a friend's house to make the phone call and it took me
12 about four days, I just kept -- when they answered the
13 phone I just kept putting it down because I found it
14 really difficult to do.

15 And then one night, my key boy, a certain boy, I had
16 seen him the night before and everything, and he'd a big
17 footprint on his back, and I just thought -- I never
18 even -- I didn't even drink or anything and, before
19 I knew it, I was on my way home and getting people round
20 my house to pour me a drink for me going in, and it was
21 just horrific. It doesnae even probably even look
22 anything like, on paper, what it really was like, and
23 that's just, like, a few incidents. It was just
24 horrible.

25 Q. I think when you talk about this process of you getting

1 to the stage where you ended up reporting what was going
2 on --

3 A. Mm-hm.

4 Q. -- you say that John Muldoon was someone who had a knack
5 of letting you think he had people high up in the local
6 authority he was friends with?

7 A. Yes. Yes.

8 Q. Is that something that dissuaded you from reporting what
9 was going on?

10 A. Yes. Yes.

11 Q. I think you tell us that when the school was finally
12 being shut down the managers were essentially walked off
13 the premises because they were all under investigation?

14 A. Yes.

15 Q. So you were the whistleblower, if you like the term?

16 A. Yes.

17 Q. But I think you've described in your statement -- and we
18 have that -- that some of the staff there obviously
19 weren't happy with you about that because that was their
20 livelihood?

21 A. Most of the staff. I had grown men frothing at the
22 mouth, saying: 'I've got a mortgage, I've got a wife and
23 two kids, and you've shut this school down.'

24 And this is something that nobody was meant to know
25 it was me, but everybody knew. Even to this day, it's

1 never, ever left me what I've done, and even to this
2 day -- and I've brought -- I brought this up with my
3 manager -- nobody's ever said to me: you've done the
4 right thing. Not even the counsellor that they sent me
5 to. Nobody. I've always been made to feel that
6 I should never have opened my mouth, by people's body
7 language, people's actions, people on training will come
8 up and say: oh, the Kerelaw weans, they would get you
9 hung.

10 It just feels -- it's quite frightening. It's quite
11 a frightening experience. But, even all these years
12 later, it's never -- people say to me it's a long time
13 ago. It's not a long time ago in my head and it's
14 horrible.

15 Q. And it was your livelihood, as well?

16 A. Yes.

17 Q. It had been for five years, before it closed down?

18 A. I say not everybody was involved or could have been that
19 bad, is my take. But you're that bad because you knew
20 about it and you didn't do nothing about it. And I know
21 how difficult it was to do something, but it wasn't
22 something that just -- I wanted to, but I just kept
23 feeling I couldnae.

24 Q. I think you say, in relation to the impact that all this
25 has had on you -- if we go forward in your statement

1 from paragraph 164 and we go down to 165 -- I think you
2 say, even now, there isn't anyone external to the units
3 or houses now that you can speak to about concerns:

4 'At the time there was no one to turn to and it's no
5 different now.'

6 Is that how you see it?

7 A. No. Yes.

8 Q. But you say you did have some good unit managers since
9 leaving Kerelaw and that a unit manager would be the
10 first person you would speak to about any issues you
11 had.

12 In relation to lessons to be learned, 'Sky', I think
13 you say, at paragraph 169, that the staff at Kerelaw did
14 their training through a training centre, and that was
15 a one-day day-release, but from college you had to do
16 four and a half days?

17 A. Yes.

18 Q. And you wonder in relation to that about the value of
19 their qualifications?

20 A. Yes.

21 Q. You talk about the kind of attitude of some staff, at
22 paragraph 170, saying that in meetings something will be
23 put forward or approached as to how children should be
24 treated and they pretend to agree in the meeting, but
25 they're dismissive about it afterwards and moan about it

1 and say they're not going to do it.

2 A. Yes.

3 Q. So you comment that some people are difficult and
4 they're not open to new ideas.

5 A. Yes.

6 Q. Still a concern that you have?

7 A. Yes. It's worlds apart where it is now. And I'm --
8 I've openly said this. I don't know why or how I still,
9 in general, trust people. I don't look at people and
10 think, 'Oh, maybe they cannae be trusted', because of
11 that experience. It actually still worries me that
12 I still trust people to a degree. But there's a lot of
13 bad people. A lot of bad people. I've felt like
14 leaving my job many a time, but it's the love I have for
15 the young people, and I know I've made a difference in
16 their lives that keeps me going. Leaving isn't the
17 answer, but I've had quite a bit of time off sick or
18 like stressed, because all the things that came out of
19 the Inquiry started just all happening again. It's like
20 giving them money for cigarettes, giving them money for
21 doing jobs, asking me to write it up, and it just gives
22 me anxiety.

23 The kids aren't a problem. The kids have never been
24 a problem, young people.

25 Q. I think you say it's important that staff are sort of

1 rotated, so that there's new faces coming in?

2 A. Yes. Yes.

3 Q. And also that they work in different places, different

4 units --

5 A. Yes. Yes.

6 Q. -- so they have that experience. Is that so that they

7 can't then be embedded in one particular culture?

8 A. Yes.

9 Q. And you see that as being important?

10 A. Yes.

11 Q. Working with children is obviously something that you

12 love doing --

13 A. Yes.

14 Q. -- even though this chapter in relation to Kerelaw was

15 a difficult one for you to come to a head?

16 A. Yes. I've had one manager -- and that was only last

17 year, towards the end of last year -- says: 'well, can

18 I just tell you I think you done the right thing.'

19 And I says: 'well, I really appreciate that,

20 because, 20 years later, you're the only person that's

21 ever said that.'

22 I cannae get my head round that, that you are just

23 always been made to feel that doing the right thing was

24 such a wrong thing.

25 Q. But you did come forward and you told them what happened

1 in Kerelaw and, as a result of that, it closed.

2 A. Mm-hm.

3 Q. And the practices that you see, that you've told us
4 about, aren't the same now, is that right, in these
5 other units?

6 A. Yes.

7 MS FORBES: Well, 'Sky', that's all the questions I have for
8 you today. So thank you very much for coming and
9 answering my questions. Unless there's something else
10 that you want to say that you haven't had a chance to
11 say, that would be all from me.

12 A. No, that's fine.

13 LADY SMITH: 'Sky', can I add my thanks. I said at the
14 beginning I did appreciate that you had agreed to do
15 something that was difficult. It's been so good for us
16 to hear from you and hear how openly you've engaged in
17 so many details of your time at Kerelaw, and I can see
18 it's not been easy.

19 But thank you. It's a great help to the work we're
20 doing here.

21 A. I actually feel I've been better than what I thought
22 I would have. I thought I'd have been crying a lot
23 more, but it's just about three, anyway, of the boys
24 I've mentioned, they're no longer here, and that just
25 breaks my heart that they've passed away. They only

1 would be young men now, starting their life out and
2 that. It definitely had an impact on them. In fact
3 four. Four that I know of, just -- that aren't here
4 anymore, and that's just so sad.

5 LADY SMITH: Your deep care for the children and young
6 people you have been involved with in your working life
7 isn't lost on me, 'Sky'. Thank you for that. If you
8 can keep it up, keep it up.

9 A. Yes, I'll try my best.

10 LADY SMITH: But, for now, go and try to have a restful time
11 with the rest of your day. You have my thanks.

12 A. Thank you.

13 (The witness withdrew)

14 LADY SMITH: Before we move on to the next witness some
15 names I want to mention. Names we have used in the
16 course of evidence in relation to people whose
17 identities are protected by my General Restriction
18 Order, and the names are HIZ [REDACTED], KBP [REDACTED],
19 KBT [REDACTED], IDE [REDACTED] and FSY [REDACTED], and these
20 people are not to be identified outside this room.

21 Shall I rise for a few minutes whilst you get
22 organised for the next witness?

23 MS FORBES: My Lady, thank you.

24 LADY SMITH: Very well.

25 (12.21 pm)

1 (A short break)

2 (12.26 pm)

3 LADY SMITH: Mr Peoples.

4 MR PEOPLES: My Lady, the next witness will be referred to
5 today as 'Jack'.

6 LADY SMITH: Thank you.

7 'Jack' (affirmed)

8 LADY SMITH: 'Jack', do sit down and make yourself
9 comfortable.

10 'Jack', thank you for coming along this morning to
11 assist us by giving oral evidence in addition to the
12 written evidence from you we already have. Let me begin
13 with an apology. I'm sorry that you were expecting to
14 start your evidence rather earlier than now. The
15 previous witness, as you probably heard, took longer
16 than we had expected.

17 Do not feel under pressure. Your evidence matters
18 just as much, so we will cope. We'll take the time that
19 it takes to explore with you what we need to explore.

20 But, separately, the practicalities are your
21 statement is in that red folder. We can also bring
22 parts of it up on the screen as we go through your
23 statement, if you are happy with that.

24 If you don't like seeing it come up on screen, just
25 tell me and we can put that off.

1 A. It's fine.

2 LADY SMITH: Is that okay?

3 A. It's fine, yes.

4 LADY SMITH: Otherwise, as we go through what inevitably
5 will cover some things that could be distressing, going
6 way back in your life, into your childhood and your own
7 private life, if you need a break or just a pause, or
8 there's anything else I or Mr Peoples can do to help you
9 give your evidence as comfortably as possible, please
10 let me know.

11 A. Thank you.

12 LADY SMITH: If you are ready, I'll hand over to Mr Peoples
13 and he will take it from there; is that okay?

14 A. Yes.

15 LADY SMITH: Mr Peoples.

16 Questions from Mr Peoples

17 MR PEOPLES: Good afternoon, 'Jack'.

18 Can I begin by giving our reference for the
19 statement that you have already provided for the record:
20 WIT.001.002.3206, and that should come up on the screen
21 in front of you.

22 Can I ask you, first of all, to turn to the final
23 two pages of your signed statement? Can you just
24 confirm for me that you have signed that statement and
25 that you did so on 20 December 2018?

1 A. Yes.

2 Q. I think you say on page 22, at paragraph 81:

3 'I have no objection to my witness statement being

4 published as part of the evidence to the Inquiry.

5 I believe the facts stated in this witness statement are

6 true.'

7 Is that your position?

8 A. Yes.

9 Q. Now, 'Jack', can I maybe begin at the beginning, and

10 take from you, I think, that you were born in 1977?

11 A. Yes.

12 Q. You tell us in your statement something about your life

13 before you went into care. We have read all this, but

14 I will try and perhaps pick out some of the points, so

15 we have the context for evidence you're going to give,

16 I think particularly about your time at Kerelaw.

17 You were born in Middlesbrough?

18 A. Yes.

19 Q. And you lived there for around about 11 years, between

20 1977 and 1988, or thereabouts?

21 A. Yes.

22 Q. Then you moved to Scotland with your mother and her then

23 partner?

24 A. Yes.

25 Q. You tell us that while you lived in Middlesbrough, your

1 parents separated when you were quite young. You would
2 see your dad from time to time, but not a lot?

3 A. Yes. It was quite sporadic. It was every two or three
4 weeks.

5 Q. What you do tell us is that you say that both of your
6 parents liked their drink; is that ...?

7 A. Yes, yes.

8 Q. So far as the period when your mother was looking after
9 you, after your parents separated, I think you tell us,
10 at paragraph 4, there would be occasions when your
11 mother would go drinking and it was left to neighbours
12 to take you in and feed you or, indeed, the local social
13 work services would look after you?

14 A. Yes. That was quite common, yes.

15 Q. So there was a social work services involvement from
16 quite a young age?

17 A. I was very young. But my memory is that they would come
18 and they would take us away for maybe two to three hours
19 at a time and return us later on, and it was a --
20 I don't know. I was very young, but I recall.

21 Q. And I think that -- well, you mention neglect on the
22 part of your mother from time to time. You have no
23 recollection of suffering at the hands of your father.
24 I think you make that point. But what you do tell us
25 is, after the separation of your parents, your mother

1 did have boyfriends and that some of them would hit you?

2 A. Correct.

3 Q. You tell us about one particular relationship your

4 mother had with a man from Glasgow -- you tell us about

5 that in paragraph 4 -- whom she met, I think, in

6 Middlesbrough and she continued that relationship with

7 this man when you moved to Scotland?

8 A. Yes. That was -- she met him in Middlesbrough and we

9 moved to Scotland with him. I think it was in 1988.

10 Q. I think that you tell us that before that happened, your

11 mum's partner spent about six months in prison in

12 England before their relationship was resumed?

13 A. That's correct, yes.

14 Q. You believe that may have been something to do with

15 assaulting your mother?

16 A. Yes. Again, I recall my mother having two black eyes

17 and looking really awful. And then I was told that he

18 was imprisoned for, I think it was six months, at the

19 time, he got. I think.

20 Q. I think you later learned something happened to your

21 sister, and she told you about that shortly before she

22 passed away; is that correct?

23 A. Yes. I was totally unaware. But she was diagnosed with

24 cancer. It was terminal, and she told me just prior to

25 dying that sexual abuse had went on between [REDACTED] and my

1 sister.

2 Q. I think we can take it from the sentence that your
3 mother's partner got that it wasn't for that?

4 A. No.

5 Q. Now, going on, when you moved to Scotland in about 1988,
6 as you tell us, your mum was still with the partner who
7 had been given a prison sentence and they remained
8 together until about 1992; that's your recollection?

9 A. That's my best recollection, yes.

10 Q. And you tell us that after staying with your mum's
11 partner's sister and husband, your family unit moved to
12 a house in Ruchill?

13 A. Yes.

14 Q. You say, at that point, that was when your mum's partner
15 really started to assault you quite seriously and
16 severely?

17 A. Correct, yes.

18 Q. And you say that it wasn't just you that he was
19 assaulting; he was also assaulting your mum and your
20 sister at that time?

21 A. Yes.

22 Q. Then, as was the case in Middlesbrough, there was social
23 work involvement with the family when you moved to
24 Glasgow?

25 A. Not to my knowledge.

1 Q. Oh right, sorry.

2 A. I think what that -- maybe there's been a mix up
3 with ...

4 Q. Yes, I'm at paragraph 10.

5 A. That was in Hemlington they tattooed my hand.

6 Q. I see, right.

7 A. So that was prior to moving to Scotland.

8 Q. I think we'll find there was social work involved
9 because you will tell us why you ended up in care, and
10 we'll just come to that.

11 You say you moved from Ruchill to another part of
12 Glasgow, Queenslie, which you describe as a rough area.
13 You say that, when you moved there, your mum's partner
14 was sending you out to steal things.

15 A. Yes, correct.

16 Q. You tell us on page 4, the same paragraph, about halfway
17 down, you were threatened to get a beating if you
18 refused to do stealing for him?

19 A. It was quite common. I think the term they used back
20 then was, 'Go out and get us a turn', I think it was
21 called.

22 Q. A 'turn'?

23 A. Yes.

24 Q. You say what was happening in your life affected,
25 massively, your schooling because you say, I think, by

1 the time you had moved to the Queenslie area you had
2 been to something like 13 or 15 schools?

3 A. Yes. It was quite a few, yes.

4 Q. You tell us, in paragraph 12, that you're obviously
5 doing things because your mum's partner was telling you
6 to go out and steal things. But I think you also tell
7 us that you were not going to school because you had
8 a job working at a shop in the Partick area and, when
9 you went off to school in the morning, instead of going
10 there you would go to the shop, and this was something
11 that your mum and her partner didn't know anything
12 about.

13 A. They didn't know, no.

14 Q. Why were you going to the shop? This was your idea, was
15 it?

16 A. It was just by chance. I think it was a kind of gift
17 shop that sold kind of watches and things like that.
18 Not high end stuff. But it was mostly working through
19 the back and moving stuff.

20 Q. So you're skipping or dogging school, I think is the
21 expression?

22 A. Yes.

23 Q. But you have this job, which your mum and her partner
24 don't know about. But you recall that a letter from,
25 presumably, the education authority came through the

1 door, saying you hadn't been attending school for some
2 considerable time and that you got a bad beating from
3 your mum's partner. You were kicked, punched, thrown
4 against a wall, and he hit you with -- is it a belt that
5 you would wear around your waist?

6 A. Yes.

7 Q. You tell us that you were left with a cut lip and some
8 bruising, and you decided, after that beating, that you
9 would go to school and you wouldn't go back.

10 A. That's correct, yes.

11 Q. And you tell us that your mum took you to school the
12 following day and, when she left, you went straight to
13 the local social work office, told them what was
14 happening, and you reckon that was around 1991, when you
15 were about 14?

16 A. I think it would have been early 1991, yes.

17 Q. Okay. And the social work, you say, did actually take
18 you back to the house, despite what you were telling
19 them. But a decision was taken within a short time,
20 I think, to place you in a children's unit in the west
21 of Scotland; is that right?

22 A. Yes.

23 Q. You don't need to tell us about the unit. I'm going
24 to -- we're obviously focusing in this study on other
25 settings. I'll ask you maybe a little bit about them.

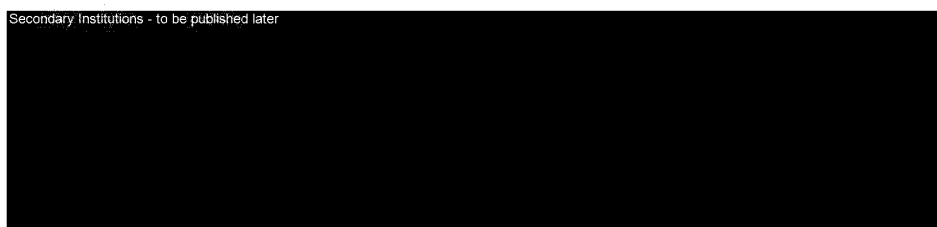
1 You can take it we do know what you say about them. So
2 it's something we're aware of, but I'll not necessarily
3 ask you too much today.

4 A. Okay.

5 Q. But you tell us about this unit in Ayrshire, between
6 paragraphs 15 and 32 of your signed statement, and you
7 reckon you were there for around about a year?

8 A. Yes.

9 Secondary Institutions - to be published later



10

11

12

13 Q. Then you tell us, at paragraph 32, that there came
14 a time when you were moved to another unit in the
15 Glasgow area. You think the reason for that was that
16 the Social Work Department had decided that you should
17 be moved closer, back to Glasgow, to be nearer your
18 family; is that ...?

19 A. That's correct, yes.

20 Q. And then from paragraphs 33 to 40 of your signed
21 statement, you tell us about this other children's home,
22 or perhaps it was, to some extent, an assessment centre,
23 you think. But it was in Glasgow and you were there for
24 approximately a year, you think?

25 A. Yes.

1 Secondary Institutions - to be published later
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16 Secondary Institutions - to be published later I think, ultimately, Secondary Institutions - to be

17 you were moved to Kerelaw --

18 A. That's correct, yes.

19 Q. -- when you were about age 14.

20 Secondary Institutions - to be published later
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12 Q. If we can move on. You did move to Kerelaw and you tell
13 us about that between paragraphs 41 to 70. You recall
14 going there in [REDACTED] of 1992.

15 A. Yes.

16 Q. You would be aged 14 then.

17 You tell us:

18 'It was run like a borstal. There were lots of
19 rules you had to follow. It was a rigid structure and
20 it was quite daunting.'

21 Is that how it came across to you?

22 A. First impressions, yes.

23 Q. In broad terms, how did it compare with the two
24 children's units you had been in, [REDACTED]

25 [REDACTED] What about Kerelaw?

1 A. It was night and day. It was something I'd never
2 witnessed before, something I'd never experienced. So
3 I was -- I was quite taken aback by what I was presented
4 with.

5 Q. Was it an eye-opener to you?

6 A. Definitely, yes.

7 Q. Because I think what we can see from your statement is
8 that you don't appear to have got into trouble with the
9 police such that you would have ended up in a court or
10 charged with an offence; is that right?

11 A. No. My -- the only offending I ever came from was
12 probably Queenslie.

13 Q. Is that when you were doing things with your dad?

14 A. Yes.

15 Q. For your dad?

16 A. Yes.

17 Q. Sorry, your mum's partner. I'm sorry.

18 A. Yes. But, outside of that, I wasn't a boy that
19 offended.

20 LADY SMITH: So you hadn't been before the Panel, had you?

21 A. I had been before the Panel, yes.

22 LADY SMITH: You had. But not in the court?

23 A. Not in a court, no.

24 LADY SMITH: Okay, thank you.

25 MR PEOPLES: Had you been in the Panel charged with offences

1 which had to either be proved or not, then it would go
2 back to the Panel? Do you remember anything like that?
3 A. I think from the Queenslie time.
4 Q. There might have been?
5 A. Yes, I think so.
6 Q. Then you have a section in which you deal with the
7 routine. I just want to pick up some of the things you
8 tell us there. At paragraph 42, you tell us what would
9 happen in the morning; can you just tell us what
10 happened to you?
11 A. It was literally kind of -- I would say every day or
12 every second day, that's how you were woke up.
13 Sometimes you were just tipped out your bed, sometimes
14 it was water thrown over you, or both. But that was
15 your kind of -- that was kind of -- that's what
16 happened. It wasnae something that was done on
17 an ad hoc basis. It was more or less every morning it
18 happened to me.
19 Q. It was a fairly regular occurrence?
20 A. Yes.
21 Q. And some of the tipping would involve lifting your bed
22 up?
23 A. Yes.
24 Q. And tipping you out?
25 A. Yes.

1 Q. And other things would be tipping a bucket of water over
2 you to get you out of bed?

3 A. Yes.

4 Q. Now, you say it depended on who was on, but most of the
5 staff who were on in the mornings would do this sort of
6 thing; is that right?

7 A. Yes. The majority of male members, I would say. The
8 kind of female members were a wee bit more delicate.

9 Q. Now, you name a number of people that would do these
10 things to you. The names you mention there; were they
11 members of the day staff or the night staff, or both?

12 A. Tam Howe was the night shift.

13 Q. Tam Howe was night shift?

14 A. Yes.

15 Q. KGH [REDACTED] ?

16 A. KGH [REDACTED] was night shift.

17 Q. LEJ [REDACTED] ?

18 A. LEJ [REDACTED] was day shift.

19 Q. GVN [REDACTED] ?

20 A. He was day shift.

21 Q. So it was a mixture of day and night staff who would be
22 doing these sort of things?

23 A. Yes. Sometimes the night shift would get you up in the
24 morning. It wasn't unnatural. That would happen.

25 Q. So it wasn't as if they had gone away after a change

1 over, before you were getting up? They would be there
2 at times?

3 A. Yes.

4 Q. Can I just say, at this point, that two of these names,
5 ^{LEJ} [REDACTED] and ^{KGH} [REDACTED], have provided a response
6 to what you say there, and both denied doing anything
7 like this. So what do you have to say to that?

8 A. I can only give you my truth. And obviously I have the
9 right to reply. But, yes, this happened.

10 Q. Well, can I say at least in the case of Mr ^{LEJ} [REDACTED] that
11 his response, if I could just -- I think if I can
12 capture it, is to the effect that he never tipped anyone
13 out of their beds and he never threw water over anyone
14 to get them out of bed, that that didn't happen.

15 He does say as for other staff he doesn't know.

16 He can only speak for himself.

17 So he's trying to -- I think his position clearly
18 is: if this was happening, I wasn't the person doing it.

19 But are you quite clear he was involved?

20 A. Yes. What he's saying is untrue.

21 Q. Okay.

22 Now, you tell us, at paragraph 43, that the night
23 time rules, in a sense, were different from the daytime
24 rules; is that ...?

25 A. 100 per cent, yes.

1 Q. You have a recollection of night shift patrolling the
2 place with torches and they would shine them -- they
3 were shone under the doors, which you felt was unnatural
4 and very much like a prison; is that how it seemed to
5 you?

6 A. Yes. When I went to Fleming Unit there was only one
7 light switch. There was no power points, so one light
8 switched on/off. Or the lights -- sometimes they would
9 actually shine it in your face, to make sure you were
10 still there.

11 Q. I don't know if you are able to help us: what sort of
12 torch are we talking about here?

13 A. It was kind of -- I would say the police torches.

14 Q. Yes, because we're told that at least one of these
15 individuals, Tam Howe, was an ex-policeman; was that
16 something you were aware of?

17 A. We were aware of it. I don't know if it was police or
18 army.

19 Q. Well, I think the evidence that we have suggests he was
20 a former police officer. I think it may be that others
21 were former prison officers as well; is that something
22 that you're aware of?

23 A. That was suggested, yes. That ...

24 Q. And some were quite big specimens, were they?

25 A. Definitely so, yes.

1 Q. And some, I think, had been reasonably competent
2 footballers, perhaps even in a professional capacity; is
3 that something you, again, became aware of?

4 A. Many of them, yes.

5 Q. Now, so far as your experience at Kerelaw is concerned,
6 you do tell us about schooling at paragraph 45. You
7 tell us there, essentially, that you didn't get any real
8 education, although there were classrooms. But, really,
9 you could really do what you wanted; is that the way it
10 was?

11 A. There was -- there was no education, in my eyes.
12 I never -- was never given anything to do, unless
13 I asked for it. The majority of times I would ask to go
14 to the gym hall to play football.

15 Q. And you tell us about some of the staff, the teaching
16 staff, whose names you can remember. I'm not going to
17 run through their names at this point.

18 But you tell us, at paragraph 47, about one
19 Christmas you spent at Kerelaw and you were in the
20 Millerston Unit at that time; is that right?

21 A. Yes.

22 Q. But I think you had said you had also been in the
23 Fleming Unit?

24 A. Initially I was in Fleming and then I went to
25 Millerston.

1 Q. Yes. But, on that Christmas, you say that the unit
2 manager of Millerston, a man who was called
3 KBW, was a nice guy, and so you didn't have
4 any problems with him?

5 A. I had, personally, no -- I think at times he would take
6 us to his own house and he would make us feel welcome,
7 and we would meet his family and stuff. And that
8 Christmas was probably one of the better Christmases
9 over the time. I think he made a stocking up and got
10 lots of kinds of gifts in for the ones who were in
11 Kerelaw over the period.

12 Q. So, if you were doing a comparison, he would come out
13 a lot better than most?

14 A. Definitely so, yes.

15 Q. Now, you have a section that starts at paragraph 48,
16 which is headed 'Abuse at Kerelaw', and I will just take
17 you through some of the things you tell us about in that
18 section.

19 You tell us, I think, something happened, you reckon
20 quite soon after you went to Kerelaw; is that right?

21 A. Yes.

22 Q. And you describe it as a form of initiation. Now, can
23 you describe for us what the initiation was and who was
24 present and what was done?

25 A. An initiation would normally -- as I said, prior to this

1 the night shift had a total different set of rules. You
2 were given -- you were threatened, I would say, that if
3 you ever ran away from the night shift, expect to be
4 punished, and the punishment would be anything from
5 a doing to, basically, you being kept awake or having
6 lights shined on you, kind of things like that. And
7 I do recall -- his name's not in this -- but there was
8 a young man called [REDACTED]. I don't know what
9 had ever happened to him, but he was petrified. He
10 would stay away for five, six, seven, eight weeks, as
11 long as he can, and when he returned he would try and
12 run away straightaway. And it was the thought of what
13 was going to happen to him.

14 Q. This was a young man?

15 A. I think -- I believe he was from the Paisley area.

16 Q. And was this because he was staying in a particular unit
17 or was it just generally?

18 A. When I spoke to him, he just had a fear of coming back
19 because he'd run away on the night shift, and that
20 was --

21 Q. And did he disclose to you what he was fearing?

22 A. Just in -- he wouldn't go into detail, but he was
23 feeling he was going to get an absolute kicking.

24 Q. But you got a warning early on from --

25 A. Yes, my initiation was just -- it was in one of the kind

1 of rooms, and it was ^{GVL} along with several
2 other boys. And basically, they were kind of giving
3 statements like: don't run away or this will happen.

4 And you were given slaps, kicks, pushes. And at the
5 end of the initiation, ^{GVL} kind of picked me up
6 above his head and kind of -- there's a kind of stairway
7 that had two flights of stairs, and he kind of held me
8 just -- not over it, but as if to say: I would throw you
9 over there.

10 And then stepped back and just dropped me to the
11 floor, kind of thing. And, basically, again said:
12 'don't ever run away on a night shift.'

13 Q. You describe him as -- you reckoned he was over 6 feet
14 tall at that stage. What height were you?

15 A. I was -- I was quite small for my age. I was probably
16 six and a half stone, and very small. I was four-foot
17 something.

18 Q. You tell us that before this happened, you were in
19 a room where the children were lined up and you were
20 taken in, and ^{GVL} was there as well; are you
21 saying the other boys who were in the room all started
22 punching, kicking and slapping you, before ^{GVL}
23 picked you up and took you to the stair?

24 A. That's correct.

25 Q. You tell us that this isn't something that was unique to

1 you, because you say that you were at Kerelaw and it was
2 something that other children experienced as well; is
3 that something within your knowledge?

4 A. Every -- every new admission had to go through this at
5 some point or at some stage. Whether it was the first
6 night, the second night or third night, they would
7 always go through this.

8 Q. Can I say that ^{GVL} [REDACTED] has provided a response to
9 the Inquiry and he denies doing what you describe in
10 paragraph 48. He says it's not something that he would
11 have done. It didn't happen. And, indeed, he says,
12 I think, that he recalls admitting you as an emergency
13 admission, he thought, in 1989.

14 Now, that doesn't quite square with your dates. But
15 he says you were his first admission, emergency
16 admission. He got on well with you. And I think he's
17 indicating that he moved on to the secure unit by 1992,
18 and was not someone who ever sanctioned or punished you
19 in this way and, indeed, had a good working relationship
20 with you and hasn't got a bad word to say about you.

21 So what do you say to that?

22 A. Again, it's -- I can only tell you what went on.

23 Q. You are quite clear it was him?

24 A. Yes, it was definitely ^{GVL} [REDACTED]. And throughout the
25 years that story would be told within Kerelaw. So, as

1 a lot of the stories that I'd have obviously
2 experienced, teachers would go on and say: oh well, you
3 never got it as bad as 'Jack'. This is what happened to
4 him, kind of thing.

5 Q. As far as these initiations, if it was a regular
6 practice; would it one particular person or could it
7 have been other members of the night staff?

8 A. Every member of the night shift. Every member, I would
9 say. Probably taking KGN, KGN, out
10 of that. The rest, I would say, would have participated
11 in that.

12 Q. The rest of the night staff might well do something
13 similar to what happened to you, in the sense of,
14 'Welcome to Kerelaw', have boys show you what might
15 happen to you if you ran away?

16 A. Definitely. It was -- even the day shift knew that the
17 night shift were totally different from anything. They
18 were just totally separate and whatever went on in the
19 night shift was never challenged. It was: well, it's
20 the night shift.

21 Q. It wasn't challenged by the day shift?

22 A. No.

23 Q. Are you saying that they certainly knew what was
24 happening?

25 A. 100 per cent.

1 Q. How can you say that or how do you think --

2 A. Because children went to them. I went to them.

3 Q. To tell them?

4 A. Yes.

5 Q. And what response did you get when you went to tell

6 them?

7 A. The same old story: it's the night shift, it's their

8 rules.

9 Q. They just saw it as well --

10 A. They knew it, like. You know what happens on the night

11 shift, that's how they seen it.

12 Q. So they didn't do anything to stop it happening --

13 A. No.

14 Q. -- or do anything to assist you if you reported these

15 things?

16 A. No. No.

17 MR PEOPLES: I see it's almost 1 o'clock.

18 LADY SMITH: Would that be a good point to break, Mr

19 Peoples?

20 MR PEOPLES: Yes.

21 LADY SMITH: We're obviously not going to finish your

22 evidence before the lunch break and, as I explained,

23 I certainly don't want to rush you.

24 What I would like to do, if it works for you, is

25 stop now for the lunch break and sit again at 2 o'clock;

1 is that all right?

2 A. Yes.

3 (1.00 pm)

4 (The luncheon adjournment)

5 (2.02 pm)

6 LADY SMITH: Good afternoon, 'Jack'. Are you ready for us
7 to carry on?

8 A. Yes.

9 LADY SMITH: Thank you.

10 Is there a particular reason why we're displaying
11 the hearing room on the screen here? We don't usually
12 do that.

13 (Pause)

14 Thank you very much. Thanks.

15 Sorry, 'Jack', you won't know what I was talking
16 about. The screen behind you was displaying the room
17 rather than your statement.

18 Now, Mr Peoples.

19 MR PEOPLES: My Lady.

20 Good afternoon, 'Jack'. We were looking at your
21 statement and the section that is headed 'Abuse at
22 Kerelaw', and can I move to what you tell us at
23 paragraph 49. In that paragraph, you're telling us some
24 of the things that the night staff would be doing when
25 you were at Kerelaw as a young person. Can you perhaps

1 just help us with what you can recall as some of the
2 things that were going on?

3 A. The night shift, as I said, they kind of had a different
4 set of rules of: anything that happened on the night
5 shift was kind of enclosed in the night shift.

6 And these are some of the activities that went on
7 with regards to -- we used to have a big fire hose in
8 the middle of the corridor and it was a proper fire hose
9 that you would get, like, in an old building and stuff,
10 and it was quite powerful. And some mornings, 2.00 or
11 3.00 in the morning, you were actually -- this was
12 squirted at you quite close and you were basically
13 sprayed with it while you were sleeping, which was quite
14 a regular thing that happened and it was various night
15 shifts that would do it.

16 Some of the boys thought it was fun. They thought
17 it was a carry-on. Alongside they would set up, like,
18 assault courses outside and you'd have to jump over.
19 Sometimes it was a wheelbarrow, you would have to push
20 another boy in a wheelbarrow, take him to a certain
21 position, collect a stone or eat an apple. It was very
22 kind of -- just silly, silly stuff. But it all went on
23 very late at night.

24 And other things, I don't know. You'll not be
25 familiar with kind of Kerelaw, but there was a burn that

1 runs right up beside it and you would have to race
2 against one of your peers to fill this cup up with water
3 from the burn. Just absolutely silly, crazy stuff that
4 went on, and it was just entertainment for the night
5 shift.

6 Q. I was going to ask you: the purpose of this; it wasn't
7 for any specific punishment for something that had
8 happened that day?

9 A. No.

10 Q. It was just something they did on a regular basis?

11 A. Yes.

12 Q. These sorts of things you've described?

13 A. They obviously dreamed them up and thought, 'Let's get
14 a laugh', and sent us out to do it.

15 Q. And you thought it was for their amusement or
16 entertainment?

17 A. Yes, it was, definitely.

18 Q. And how did you think that was? How did they behave
19 when these activities were going on?

20 A. Yes, they were just as kind of -- just in hysterics,
21 some of the night shift, and thought it quite funny.
22 There was other things they would do. They would call
23 it, like, the Food Olympics and stuff, and they would
24 just -- make up bizarre cocktails of foods, raw foods
25 and stuff, and would race another boy to eat it. And it

1 would finish at 1.00, kind of thing. It was lots of
2 weird and crazy things.

3 Q. And when -- can we maybe place where you were? Because
4 you were in two units, I think, when you were at --

5 A. The majority of time this was in Fleming Unit. I was in
6 Fleming Unit.

7 Q. So what you're telling us about, at paragraph 49, is
8 when you were in Fleming?

9 A. The majority. It did happen in Millerston, but not as
10 regular.

11 Q. Was Millerston the one unit, one of the two units -- was
12 it nearer the burn?

13 A. That was nearer the burn, yes.

14 Q. And Fleming was further away?

15 A. That was furthest away, yes.

16 Q. When you are talking about further away; what sort of
17 distances are we talking about?

18 A. You're only talking maybe 50 yards.

19 Q. So it wasn't that difficult to get from either to the
20 burn, if somebody said to you, 'Go and get a cup of
21 water' --

22 A. No.

23 Q. -- or whatever?

24 A. No.

25 Q. And you described these activities and say they appeared

1 to be largely for entertainment. You tell us how the
2 staff reacted and behaved.

3 The expression 'horseplay' has been used at times in
4 this Inquiry. Was it seen by the staff at the time as
5 horseplay, or was that ever the way it was described to
6 you, either by the staff or anyone else when you were
7 there?

8 A. When we were young, we didn't even understand what
9 horseplay was. So in our eyes -- and lots of boys
10 thought it was fun. Other boys were scared. Other boys
11 thought it was terrifying. Other boys were being woken
12 up at 2.00 or 3.00 in the morning, if you've just come
13 in and you're a new admission and you can imagine that
14 happening to you.

15 Q. So the reactions to all these activities were quite a
16 mixed reaction? Some would at least appear to find it
17 funny enough. Others would be terrified or --

18 A. Yes, the experienced boys would actually see it and
19 think they were getting up and they would maybe get
20 another fag at the end of it or something, so they
21 thought it was all worthwhile. But, obviously, for the
22 younger boys -- it was terrifying for me.

23 Q. And in the units, you were in Fleming; were you one of
24 the younger boys at that time?

25 A. At the time, yes.

1 Q. So it wouldn't necessarily be confined to a certain
2 group of boys. They could be any age if they happened
3 to be in the unit that these things were going on?

4 A. Well, Fleming initially was a younger unit and,
5 Millerston, you kind of gradually went over. That kind
6 of changed as time went on. But, at my time, in 1992,
7 that was the kind of younger unit.

8 Q. Do you think there's any coincidence between -- you say
9 it happened more so in Fleming, as you recall, than when
10 you were in Millerston which you were in later on; is
11 that anything to do with the ages of the people in the
12 units? It was less frequent as the boys got older?

13 A. No, I think it's maybe -- I would say the kind of main
14 culprit staff-wise was Tam Howe and KGH .

15 Q. These two names, Tam Howe and KGH , worked in
16 Fleming?

17 A. They worked between all the units, but mainly the boys'
18 units. But I always predominantly knew them to be in
19 Fleming.

20 Q. You have a mention there of other individuals,
21 GVL , who you mentioned about the initiation
22 this morning, and you've got two others called KGN
23 KGN and GVM .

24 You seemed, at one point, to at least say something
25 about this KGN , perhaps; was he someone

1 that ...?

2 A. KGN ██████████, he worked between all the units, and

3 the two boys' units, but there was no rhyme or reason.

4 But I know Tam Howe and KGH ██████████ were predominantly

5 in Fleming. They had a floater as well, that used to go

6 between the two boys' and the two lassies' units, so

7 there could have been three. I just don't know, they

8 could have been floating in between.

9 LADY SMITH: KGN ██████████; was he somebody who also got

10 called 'KGN ██████████'?

11 A. Yes.

12 MR PEOPLES: The hose was in a corridor, was it?

13 A. It was in a long corridor, yes.

14 Q. Presumably, if it was turned on and squirted into the

15 dorms at night; would the lights be out when that

16 happened?

17 A. Yes.

18 Q. And I suppose it would be difficult to know precisely

19 which member of staff turned the hose on or, indeed,

20 turned the hose on to the children's unit; would you be

21 able to tell or was it --

22 A. If it was KGH ██████████, he would stand and make sure you seen

23 it was him. So you would know because once you'd

24 obviously came to and you would realise he would be

25 standing there holding the hose.

1 Q. Would the lights go on at some point?

2 A. Eventually, but not at that time. Not when you were
3 being kind of squished with it.

4 Q. And when they were squirting these hoses; was it in any
5 particular direction? Was it towards beds or just into
6 the room in general?

7 A. I think it was just towards the bed and you in it.

8 Q. Now, so far as what you tell us about -- these matters
9 are concerned, we have had some responses from some of
10 the individuals that you've named. I think it's fair to
11 say that ^{GVL} [REDACTED], ^{KGH} [REDACTED] and
12 ^{KGN} [REDACTED], who have provided responses, have
13 denied that these things -- that they were involved in
14 doing these things during the night shift.

15 I think that so far as ^{KGN} [REDACTED] is
16 concerned, what I can say as well is that he -- as
17 I understand it, his position is that he says he worked
18 in Fleming as a night shift worker; is that correct?

19 A. I believe he worked in Fleming, yes. But I also believe
20 he worked in other units.

21 Q. He did. He says that -- at least, he tells us that
22 there were times when he thought staff in some of the
23 other units weren't handling situations as he would have
24 done. As an example, he actually mentions the use of
25 hoses. And he says that at times when he was called to

1 assist in another unit, he saw water all over the floor
2 in that other unit during night shift and made his views
3 known to the staff in the unit. And I think he was
4 perhaps thinking specifically of people like Tam Howe
5 and ^{KGH} [REDACTED]. Is that something that -- well, you
6 probably don't know because you wouldn't know what he
7 said to them.

8 A. Erm --

9 Q. But you see what he's saying, he's probably -- he's
10 suggesting that other people may have done it, but he
11 wasn't the person that was responsible and he had words
12 with people who did it.

13 A. He may well have done. But I know of my experience,
14 when I've come out of a room and been soaked with the
15 hose, he has been in the vicinity.

16 Q. Okay. But whether he was one of the people at
17 particular times, there were people in the night staff
18 that were doing these things. You're not in any
19 doubt --

20 A. Mm-hm.

21 Q. -- who were the worst night staff members who were doing
22 these things when you were in Fleming and in Millerston.
23 And you've explained the different reactions of the
24 boys --

25 A. Yes.

1 between boys; is it your recollection that it wasn't
2 just the boys in your unit that were out there, both
3 taking part or watching. It was other boys from other
4 units that were also present?

5 A. There would have been other boys that would have come
6 and watched it because it would have been preplanned
7 between the two. But it would only be predominantly
8 be -- it could be Millerston that I had went and watched
9 or it could have been Millerston that came and watched
10 the Fleming boys.

11 LADY SMITH: And 'Jack', just going back to KGN
12 for a moment; are you saying he was there and you have
13 no memory of him trying to stop what was going on?

14 A. That's correct.

15 LADY SMITH: Thank you.

16 MR PEOPLES: And you go further, I think, in paragraph 49.
17 You say that the day shift staff knew full well what was
18 going on, but they didn't seek to do anything to stop
19 this type of thing going on?

20 A. They never do. Sometimes they would moan because there
21 was obviously the laundry the next day and stuff.

22 Q. Now, moving on to paragraph 50, we come across
23 KGN, again, who is -- at least had the
24 nickname KGN. That was a nickname I think the
25 boys gave him, was it?

1 A. Yes.

2 Q. I think you tell us why he had that nickname: because
3 some boys had put probably excrement on door handles.

4 A. There was --

5 Q. And he presumably encountered this [REDACTED]
6 [REDACTED]?

7 A. To my knowledge, [REDACTED] -- he
8 basically thought we were obviously diseased and that
9 was their belief, that's why. And then we just took it
10 a step further by putting -- placing butter and stuff on
11 the handles, as young kids do.

12 Q. What you tell us is, you have a recollection at least of
13 an occasion when you were accused of -- you say you had
14 been outside smoking; were you outside or were you
15 upstairs?

16 A. I was in the upstairs toilets, fly smoking out the
17 window.

18 Q. So you would be in the area which was the sleeping
19 quarters and there were toilets in that upstairs area?

20 A. Yes.

21 Q. And you say that you were accused of being presumably in
22 the toilets or in the corridor smoking, when you should
23 have been in your room --

24 A. Yes.

25 Q. -- tucked up in bed, presumably?

1 A. Yes.

2 Q. You say he took you to what you call the 'red tile
3 area', which was an unheated, conservatory-type room,
4 and made you sit down there on an upturned bin wearing
5 just your boxer shorts until the day shift arrived in
6 the morning. And when they arrived you say they just
7 sent you to your bed and didn't bat an eyelid.

8 A. That's correct.

9 Q. I'll just maybe ask you a few things about that.
10 The red tiled area; was that -- if you went
11 downstairs in the unit; was the red tiled area within
12 the unit or was it in a --

13 A. It was the entrance to the unit.

14 Q. Okay. And you say that it was unheated. You were just
15 wearing boxer shorts and you were made to sit on
16 an upturned bin until day shift arrived.

17 Now, have you any idea how long you sat there?

18 A. It probably would have been six hours.

19 Q. Six hours?

20 A. Yes.

21 Q. And then what did he do?

22 A. He just randomly came down to see if I was still there.

23 Q. And did you -- at any stage, either initially when he
24 took you down or when he subsequently came to see you
25 from time to time; did he say anything to you?

1 A. No, no. I don't recall him saying anything, apart from
2 when I turned the bin upside down and basically said,
3 'Don't move'.
4 Q. He told you not to move?
5 A. Yes.
6 Q. Did he say anything about why he needed to take you down
7 the stairs, rather than send you off to bed?
8 A. I think it must have been some form of punishment.
9 Q. Right. Well, we have a response, I think, from
10 KGN, and it's along these lines: he says
11 that he didn't do what you've described, but his
12 position is if he had caught a boy smoking in the
13 bedroom area upstairs, which I think was perhaps the
14 situation that gave rise to this episode or incident, he
15 said he would have taken the boy downstairs, as smoking
16 upstairs would be a fire hazard and would try to make
17 him aware that what he'd been doing was wrong.
18 Did he do this to you on any other occasion?
19 A. No. And ...
20 Q. Did you understand what he's saying there at least; that
21 you might have been doing something that was putting
22 other people at risk and he felt the need to take you
23 downstairs?
24 A. I don't know why he would have taken me down the stairs
25 to kind of give me a dressing down to say, 'Don't smoke

1 up the stairs', when he could do it upstairs.

2 But, again, it was -- this was a very kind of rare
3 thing. A lot of boys were scared of the night shift and
4 wouldn't dare do anything because you knew there was
5 some form of punishment that was going to come of you.

6 LADY SMITH: 'Jack', if you just go up to paragraph 50 --
7 it's still on the screen, it's the third line down
8 there, or fourth line down, paragraph 50 -- what you
9 said there was that what he accused you of is being
10 outside smoking; is that right?

11 A. It maybe meant outside, smoking outside the window in
12 the toilet area.

13 LADY SMITH: Right. Did people do that sometimes?

14 A. Yes.

15 LADY SMITH: You would hang out the window?

16 A. Yes.

17 MR PEOPLES: But it was outside of the bedroom or the dorms.
18 The upstairs.

19 A. It was the upstairs toilet and I was fly smoking. It
20 used to be a catch window and you would obviously smoke
21 if --

22 Q. You weren't outside the unit?

23 A. No.

24 Q. No. And I think he also tells us about the bin. He
25 says there was a bin downstairs and indicates that there

1 had been two benches within the unit, but they had been
2 removed, as they had been used as weapons.

3 Now, do you remember benches being in the unit at
4 some point and were they removed?

5 A. The red tile area as you come in was the smoking area.
6 So there was benches there that the boys would smoke --
7 sit on and smoke. I don't recall them ever being
8 removed due to them being used as a weapon?

9 Q. But you recall there were benches at least?

10 A. Yes.

11 Q. And you don't recall them being removed?

12 A. No.

13 Q. But so far as your recollection goes; it would have been
14 possible just to sit down with you and talk on a bench
15 if he decided downstairs was better than upstairs?

16 A. Possibly, yes, that would have been ...

17 Q. But you say you stayed there for, you reckon, something
18 like the order of six hours?

19 A. Yes, it was still dark. And it was light when I went to
20 bed, so ...

21 Q. So, if I can move on, you have a section at paragraph 51
22 about day shift and you name some people. I just want
23 to ask you one thing: you have some comments about the
24 unit manager on the day shift, and you say she would
25 make you feel bad about yourself, like a punishment, and

1 she would put you to bed without supper. And that
2 had -- and she had a really bad impact on you:

3 'She liked to keep one step ahead of everyone. She
4 was quite clever.'

5 When you say she'd make you feel bad; what do you
6 mean? Was it by something she did or said, or both?

7 A. It was ^{KBT} [REDACTED]. I don't know if that's in there.

8 But she -- it was just for the most -- silliest of
9 things, she would put you to your bed without supper.
10 It just felt as if it was a bit random. And these were
11 the kind of summer nights and so you were -- sometimes
12 you were put to your room at 6.00 and you were there
13 till the next day.

14 Q. But did she say bad things about you? Did she call you
15 names, for example?

16 A. No. Not necessarily, no. But it depends in what
17 context, because sometimes she would call me a spoilt
18 brat and things like that.

19 Q. But was that the worst it could get?

20 A. Yes.

21 Q. I mean, we have heard people being called other things
22 that were a lot worse, but it wasn't ...

23 A. No, it was more the kind of punishment that I thought
24 was a bit far.

25 Q. You thought they weren't appropriate or fair punishments

1 in the circumstances?

2 A. Yes. And she would always, like -- she would hold the
3 grudge. So it would take you three or four days before
4 that relationship came back, and it was kind of quite
5 a psychological thing.

6 Q. Okay. And then if we go to paragraph 52, you tell us
7 a bit about the education because, as we understand it,
8 the education unit was a separate building where the
9 teachers taught in classrooms. Or at least that was the
10 idea.

11 A. Yes.

12 Q. And there were various people there. You tell us about
13 three particular members of the teaching staff. First
14 of all, you mentioned two individuals, Matt George and
15 [REDACTED]; that's a [REDACTED], is it?

16 A. Yes.

17 Q. 'Would make you stand on a chair and hit you with
18 a ruler on the shins.'

19 Is that something that would happen in their
20 classes?

21 A. Normally when you were going out the class, just over at
22 changeover you would need to stand and then they hit you
23 with the ruler, so you could get out.

24 Q. Was there a particular reason you got this?

25 A. Just because you had to take that before you could get

1 out of class. If you didn't do it you stayed in the
2 class. A lot of young people wanted to go out and have
3 a fag, obviously between changeovers, and you would only
4 have a short window to do that.

5 Q. And it wasn't necessarily because a particular
6 individual had done something wrong?

7 A. No.

8 Q. And when you say 'a ruler'; what sort of ruler are we
9 talking about?

10 A. It was one of the old-fashioned, wooden, thick rulers.

11 Q. How long do you reckon it was, roughly? Length?

12 A. Probably about the length of this table.

13 Q. Well, the length of the table is, what, four, five feet?

14 A. Yes, it was a kind of sturdy kind of thing. I don't
15 know what they used it for back in the day.

16 Q. It was a sturdy complement.

17 LADY SMITH: Would it be one of the old yard rules; three
18 feet long?

19 MR PEOPLES: It wasn't the 12-inch ruler that some of us
20 might have taken to school back in the day?

21 A. No.

22 Q. So it was like a stick?

23 A. Yes, you could class it as a stick, but it did have
24 measurements on it.

25 Q. And if it hit you on your shins; was it sore?

1 A. Yes.

2 Q. And then you tell us there was another teacher, who was
3 the woodwork teacher, called FRB, and you say that he
4 would put young people back-to-back and, depending who
5 he favoured, he would ask one an easy question and the
6 other a hard question, that the person asked the hard
7 question wouldn't know the answer to. That person would
8 get clouted over the back of the head with a bit of
9 wood.

10 So is that something that happened to you?

11 A. Yes. Quite regular. And it was sore.

12 Q. And did it happen to other people?

13 A. Yes, yes.

14 Q. And when you say 'a bit of wood'; what do you mean?

15 A. It was like a bit of two-by-two.

16 Q. Two-by-two?

17 A. Yes. It was -- and sometimes he wouldn't hit you as
18 hard, other times he would. It was like a game to get
19 out of class again. It was mostly like -- on a Friday,
20 a lot of young people would get to go home and stuff, so
21 they wanted to get down the unit, wanted to get home
22 quicker and pack their stuff and things like that. So
23 they knew what they could get away with.

24 Q. So to them -- did it appear to that they were treating
25 this almost like a game? Something that -- you said it

1 was almost: if they got bored, they would think of
2 something to do, like this?

3 A. I've always said, we were there for their entertainment.

4 Q. You say at times, when this happened to you, it would
5 cause bleeding, perhaps just a trickle, but you think
6 when that happened it actually gave the teacher a bit of
7 a fright?

8 A. I think that day he cut me, yes, I think he got
9 a fright.

10 Q. So did he maybe realise he had gone too far?

11 A. I think so, because he's got someone to answer to and
12 I think that's why he was ...

13 Q. And did he say anything, though? Did he ...?

14 A. He never made a fuss or anything. He just said, 'Come
15 on, we will get you cleaned up'.

16 Q. Did he say whether you should report what happened?

17 A. No.

18 Q. Or not report what happened?

19 A. No. He made sure I wasn't bleeding by the time I left
20 the classroom.

21 Q. Going on to page 15 of your statement, 'Jack', you tell
22 us something that happened in the gym and it was a game
23 that was called 'dodgeball'?

24 A. Yes.

25 Q. Did it have another name?

1 A. That was what I called it.

2 Q. You're not aware it had any other names?

3 A. No.

4 Q. But you say it was far removed from what you knew of
5 dodgeball when it was in -- you played that sort of game
6 in primary. And you say both the day shift and teaching
7 staff would get you into the gym hall?

8 A. Yes, again, it was -- from my memory, it was mostly on
9 a Friday. And the staff would come up and get you --
10 there used to be a thing called Glasgow run. So, if you
11 were going on leave, they would come -- the staff would
12 come and get you and take you down and basically get
13 your stuff together. And they would come up and take
14 shots or just -- when I think about it now it's crazy.
15 But, yes, they would hit golf balls at you.

16 Q. Using golf clubs?

17 A. Golf balls.

18 Q. Yes, but they would use golf clubs to hit golf balls at
19 boys in the gym?

20 A. Yes. Yes. Yes.

21 Q. And this was a gym that had a concrete floor and two
22 concrete end walls. So if it didn't necessarily hit the
23 target, it would ricochet off and potentially hit them
24 on the rebound?

25 A. Certain bits to it were concrete. The floor was

1 definitely concrete. But, when they hit it, you could
2 hear it pinging and you were just hoping it never hit
3 you.

4 Q. When you say 'the staff'; how many people might be doing
5 this?

6 A. I think everybody had a shot at it at one point.

7 Q. Were they taking turns?

8 A. Yes, it wasn't just one or two hits. It was a game. We
9 thought it was fun.

10 Q. You thought it was fun?

11 A. We thought it was fun.

12 Q. Was that all the boys or ...?

13 A. After you kind of -- it became quite common. The first
14 time it happens, you think: what the hell? If you get
15 hit with this you're going to be seriously hurt, kind of
16 thing.

17 But, eventually, over time, even myself seen it as
18 fun.

19 Q. Yes?

20 A. Which, when I think back now, it's ...

21 Q. But, when you look back now, you see it in a very
22 different light?

23 A. Definitely.

24 Q. You say, again, I think with the night staff activity,
25 you considered this appeared to be just for their

1 entertainment?

2 A. 100 per cent.

3 Q. While you say you don't know about any serious injuries
4 occurring, you were often left with bruises on your
5 shins?

6 A. Yes, I'd been hit with golf balls from it, yes, which
7 was very painful.

8 Q. And you also in that paragraph mention a particular
9 teacher, a gym teacher, who you say would also make boys
10 do pitch and putt and would send a boy to catch the ball
11 as he was pitching it.

12 A. Yes.

13 Q. Where did that happen?

14 A. Just in the grounds.

15 Q. Within the grounds?

16 A. Within the grounds, yes. I think you would maybe get
17 a fag if you caught it, kind of thing. You had to catch
18 it.

19 Q. You had to try and catch it?

20 A. Yes.

21 Q. Was that the object of sending you out there?

22 A. Yes.

23 Q. To catch a proper golf ball?

24 A. Yes. A flying golf ball, yes.

25 Q. And you tell us that these practices stopped before you

1 left Kerelaw because you had a ^{SNR} [REDACTED] and she
2 wanted to make some changes.

3 Are we talking about ^{KAB} [REDACTED] here?

4 A. Yes.

5 Q. When did she come? Did she come after you had arrived
6 at some point?

7 A. I think it was 1994.

8 Q. Okay. Now, you also tell us what would happen at meal
9 times, that you could be in the queue and you tell us
10 staff would come up and jab you in the stomach, and they
11 thought this was funny?

12 A. Yes.

13 Q. Just another example of some entertainment?

14 A. Yes.

15 Q. That's what it appeared?

16 A. Yes.

17 Q. There wasn't any reason to do it?

18 A. No. No, there was no other reason. And it was mostly
19 when you weren't expecting it, so you were off guard the
20 majority of the time.

21 Q. So how would they come up? Would they come up -- in
22 what way?

23 A. The one time that sticks out for myself is an incident
24 with ^{LEJ} [REDACTED]. We were queueing in the dinner line,
25 just waiting on our dinner, and obviously you don't know

1 who's behind you, so you're kind of -- and he kind of --
2 I don't know how he hit me or where he hit me. I just
3 knew that I was winded and I couldn't -- for the life of
4 me I couldn't catch my breath, and it was getting to the
5 point I was obviously turning a different colour.
6 I just remember ^{LEJ} [REDACTED] storming in in front of me, saying:
7 breathe wee man, breathe wee man, breathe wee man.

8 And I just couldn't, for the life of me, catch my
9 breath and that gave me a fright. Thankfully I managed
10 to kind of catch my breath. But I don't know how long
11 that went on, but it felt like an eternity.

12 Q. Again, I can perhaps tell you, I think that ^{LEJ} [REDACTED]'s
13 position is that didn't happen.

14 But you're clear in your own mind it did happen?

15 A. It did happen.

16 Q. And he was the person that, on that occasion, gave you
17 a punch that winded you to the extent you had difficulty
18 breathing?

19 A. Yes.

20 Q. Now, you tell us something else that ^{LEJ} [REDACTED] had
21 an involvement with, involving a person you've told us
22 about already, ^{KBY} [REDACTED], and you -- the background to
23 this matter was that I think you were having a cigarette
24 behind the gym hall. ^{KBY} [REDACTED] saw you, told you to
25 put the cigarette out, and that he would get you if you

1 took one more draw. You tell us you did take another
2 draw, trying to be smart. He came charging towards you,
3 so you ran, and you ran into the burn, as you thought he
4 wouldn't chase you in there, but he did.

5 That's the burn beside Millerston, is it?

6 A. Yes, kind of -- there's a gym hall and then there's
7 a hut area, and it was behind the huts. It had been
8 quite torrential rain the previous night, so the burn
9 was quite overflowed. But, when I obviously took the
10 draw of the cigarette, I just caught him out of the
11 corner of my eye and I just took off. I thought, 'Oh',
12 so I just flung it and ran. Where I thought -- I ran
13 near the burn and I could see him coming. It did cross
14 my mind that I should jump in or shouldn't. I thought:
15 if I jump in he'll not come after me, surely.

16 So I jumped in and, as I've jumped in, I've just
17 felt being pushed into the burn, and he'd obviously
18 jumped in behind me.

19 And on two occasions he held my head, physically,
20 under the water and struck me at least two or three
21 times.

22 Q. So that's when you tell us he grabbed your head, pushed
23 it under the water, and he was also slapping you on that
24 occasion?

25 A. Yes.

1 Q. And you tell us that there were -- there were other
2 people there, or at least one other person.

3 Bill Easton, I think, was a member of staff?

4 A. He was the English teacher.

5 Q. And he saw this happening?

6 A. He was in the huts. That's where his class was. So
7 he'd obviously come out and seen it.

8 Q. Oh, I see.

9 Then you tell us that you had previously saved up
10 money to buy a crucifix and a watch, but that the
11 crucifix came off in the burn when you were being struck
12 by ^{KBV} [REDACTED] and that your watch stopped working
13 because of water getting into it.

14 Then you say that ^{LEJ} [REDACTED] made an appearance, and
15 I think the way you describe it, he tried to hush the
16 matter up; is that ...?

17 A. Yes. Obviously, I was scared of what had actually
18 happened, and I went to the unit and I said, 'I want to
19 speak to my social worker, I'm not staying here'. And
20 because they seem -- I can only say because I had a half
21 decent relationship with ^{LEJ} [REDACTED], that they'd sent ^{LEJ} [REDACTED] to
22 kind of try and stop me making a complaint. And
23 obviously I'd said about my chain and watch and stuff,
24 and I don't know how it came to pass, but I was bought
25 a watch and a crucifix.

1 But I remember ^{LEJ} saying: if you report it, wee
2 man, you're going to cost someone's job. You're going
3 to this and that.

4 And it kind of made a lot of it make me feel bad
5 about what had actually happened. When, in hindsight,
6 when I look at it now, I'm really angry from the fact
7 that in my eyes he tried to drown me. And he should
8 have been the one that says: no, hold on, I'll report
9 this.

10 Q. So it wasn't just the fact that the watch stopped
11 working and you lost the crucifix; it was what he was
12 doing -- what ^{KBY} was doing in the water to you.

13 A. Yes.

14 Q. And do you know whether ^{LEJ} was aware not just
15 that the crucifix had been lost in the water and the
16 watch was not working; was he aware of what ^{KBY}
17 had done in the water?

18 A. Yes. I told him.

19 Q. You had told him. Okay.

20 So you see that as someone, as you put it, hushing
21 you up --

22 A. Yes.

23 Q. -- and encouraging you not to report the matter to
24 anyone because it could have consequences for the
25 individual, maybe he would lose his job and so forth?

1 A. Yes. And ^{LEJ} [REDACTED] told me that to my face. That's
2 what happened.

3 Q. And, effectively, did you go along with that?

4 A. Yes.

5 Q. Now, ^{LEJ} [REDACTED] says, in response to that, that this
6 allegation hits him quite hard because he says that he
7 felt that you, 'Jack', were a good wee boy and quite
8 different from a lot of the boys in there. And his
9 position, as I understand it, is he wouldn't have said:
10 'let's hush it up.' He would have sought to sort
11 matters out with the watch and so forth, and he says it
12 wasn't his style to hush up or cover up things.

13 He's not suggesting that you're being malicious in
14 saying this or having any ulterior motive, but he is
15 just saying that he would not have done -- or your
16 perception of what was going on is not his perception of
17 how he would have dealt with matters or did deal with
18 matters on that occasion.

19 So what do you say to that?

20 A. I can only speak my truth. Again, in response to
21 ^{LEJ} [REDACTED], at times in my upbringing within Kerelaw
22 I did have a good relationship with ^{LEJ} [REDACTED]. So for me to
23 come out and say this against ^{LEJ} [REDACTED] just wouldn't sit
24 right if I was making a whole story up about ^{LEJ} [REDACTED],
25 because I still see him from time to time. But I can't

1 get away from the fact that he should have done
2 something at that point in time.

3 Q. You've mentioned two things involving the meal time
4 queue and also this occasion in the water.

5 A. Yes.

6 Q. Apart from that, did you generally have a good working
7 relationship with him, in a sense?

8 A. Yes, I was kind of half decent at football and stuff,
9 and he would -- he trained with the [REDACTED] and
10 stuff, and he would take us down there and stuff. So,
11 on occasions, our relationship was good. So he's --
12 obviously doesn't want to stand up to what I'm saying.

13 Q. You've told us this morning that ^{KBW} [REDACTED] was
14 a nice guy, at least so far as you were concerned.
15 Generally speaking, was ^{LEJ} [REDACTED] at least at that end
16 of the spectrum rather than the other end?

17 A. If you take away these two incidents, yes.

18 Q. Okay.

19 Now, moving on, you tell us, in paragraph 56, that
20 you didn't experience any form of sexual abuse when you
21 were there?

22 A. No.

23 Q. I think you'll know, though, there have been people who
24 were members of staff who have been convicted of
25 indecent assaults on boys and girls?

1 A. Yes.

2 Q. But that's not something that you encountered?

3 A. I never encountered. I witnessed kind of innuendos and
4 things of Matt George slapping your arse when you were
5 walking out the classroom and stuff, but not to me.

6 Q. Okay. Then can I go on to paragraph 57? You've told us
7 about dodgeball, which happened in the gym. But you say
8 there was another game that staff would play when boys
9 were taken out in the van for trips, and it was called
10 'Running man' and the 'Hanging man' and you say:
11 'They would stop the van and decide who would be
12 running man and who would be hanging man.'
13 And:
14 'The running man had to run in front of the van
15 while staff drove behind, chasing them. At the same
16 time, the hanging man would be the child that was
17 selected to hang off the back of the van by their
18 fingertips and just try to hold on while the van was
19 being driven towards the child in front.'
20 You say:
21 'Sometimes it might just be running man or sometimes
22 just hanging man. It wasn't necessarily both at the
23 same time.'
24 A. Sometimes it did happen, both. But I always remember it
25 was always one, one or the other. But I had been --

1 I had participated when it was both, but --

2 Q. You say you don't remember any threat of violence or
3 punishment if you refused to do it, but you say:

4 '... we kids didn't refuse because at the time
5 we thought of it as fun. We all did. It is only as an
6 adult you see how dangerous and inappropriate the
7 practice was.'

8 So is that the situation? You didn't at the time
9 see it for what it was?

10 A. No, I didn't. We seen it as a bit of fun. But the van
11 used to go quite fast. It wasn't like, I remember,
12 like, going round -- it was mostly up the Fairlie Moors
13 way. It was always on a back road area. The van was
14 going that fast, if you were the hanging man, your feet
15 would swing out the way.

16 Q. And you were hanging on using your --

17 A. There used to be a wee rim that used to go round. We
18 used to call -- I think it was a big blue bus kind of
19 thing.

20 Q. You would hold on by your fingertips?

21 A. There was a wee groove. You could hold on.

22 LADY SMITH: But just a groove? It wasn't like it had
23 handles on the side of it?

24 MR PEOPLES: You weren't even, like, at the back of a van
25 with a door or a door handle that was locked that you

1 could hold onto? It was just --

2 A. No, it was just a wee groove.

3 Q. It was just a groove. You say that it is just by

4 chance, at least on the occasions that you were involved

5 in these games, that no one was seriously hurt. But you

6 do remember falling off the back of the van and scraping

7 your knees when you hit the road?

8 A. Yes, I think quite a few of us had scrapes and bruises.

9 Q. Another game you tell us about that staff members had

10 boys participate in was called the 'wave game' and you

11 say that boys were driven down to the beach between

12 Stevenston and Saltcoats. They would take you down when

13 it was a stormy day, with large waves crashing over the

14 sea wall, and tell you when to run and you had to run

15 along the sea front trying to avoid getting soaked by

16 the waves that were coming over?

17 A. Yes, you're probably familiar with the kind of weather.

18 When you see the weather and you see that crashing over,

19 it's always Saltcoats front that's there. That's where

20 they would take us. But they would call it the wave

21 runner. Sometimes they would just open all the windows

22 in the bus and it would have to go through it and

23 everybody would be soaked, and other times they would

24 pick individuals that would have to run at a time when

25 the wave was coming.

1 Q. Something else that you tell us about is: if you
2 misbehaved, for example, you tell us, if you failed to
3 return to your unit on time, staff would come and pick
4 you up. They would take other children from the unit
5 and they would drive to wherever you happened to be and,
6 when you were taken back to your unit, they had a yellow
7 jersey with all kinds of abusive things written on it
8 and you would have to wear that and do all the chores
9 for the whole unit for that night, which could be quite
10 a lot of work, you tell us, as normally there would be
11 13 kids in the unit doing various chores each day. You
12 say that on one occasion when this happened, you say
13 that you were picked up by ^{LEJ} [REDACTED] and another member
14 of staff, and then made to wear the jersey.

15 Is this -- this is the yellow jersey?

16 A. Yes, this is the kind of famous yellow jersey.

17 Q. Now, ^{LEJ} [REDACTED] says that he has no -- that the yellow
18 jersey doesn't ring any bells with him. He doesn't
19 remember you ever running away, and doesn't remember
20 ever going to pick you up. There were serial
21 absconders, he says, but he doesn't remember picking you
22 up. But are you quite clear he did do so, at least on
23 one occasion?

24 A. I wasn't a -- predominantly, I didn't run away, but this
25 one time it was a fail to return, and it was me and

1 another boy, [REDACTED]. I think we'd got caught
2 skipping the train.

3 So because the staff -- it was not like now, you
4 would just go and pick a child up. So he would have --
5 there may well have been a cancellation to
6 a recreational trip, so you're basically getting all the
7 daggers from the rest of the boys because you'd ruined
8 their trip, kind of thing, and we were picked up and
9 returned. And as a way of punishment, I suppose, we
10 were given a bag of chips with no salt and vinegar on
11 them, so we had to eat them dry. And on return to the
12 unit, we had to wear the yellow jersey, which is
13 normally kept underneath the stairs, with all the
14 washing and chemicals and stuff.

15 Q. LEJ [REDACTED] says that this isn't something he would have
16 done, and if a boy came back they might be told to
17 change gear, but they wouldn't have been put in
18 a T-shirt full of abusive messages. They might have
19 been asked to take their clothes off and put them in
20 a washing machine and go back to the unit. And he
21 thinks that your memory on this matter might be slightly
22 off. He's not thinking, again, you have any ulterior
23 motive, like compensation or things like that. He just
24 doesn't remember this happening with the yellow jersey.
25 And I think he's generally quite complimentary of you,

1 as boys went in the unit.

2 A. It's -- the yellow jersey was a famous thing. And it's
3 that famous you didn't want to wear it, and it had
4 obviously come from the cycling aspect of --

5 Q. Was it like the Tour de France?

6 A. Yes. And so every staff would have been aware of it.

7 Q. Now, if I can move on to just ask -- I'm going to ask
8 a thing, just take this fairly short. But you tell us
9 about trips, a holiday trip in particular that you went
10 on, and certain things that happened. I think you
11 reckon you were about 15. I think you say at one point
12 you were in a group and that a camp fire was built
13 outside where you were staying, in a small room or hut.
14 Then it was decided that the young boys, including
15 yourself, were to do a 24-hour survival outside, and you
16 say that the boys built a shelter, the staff came along,
17 smashed it up, urinated on it and defecated on it. You
18 went back to where the camp fire was, and went back to
19 your bedroom and, next thing, the doors and windows were
20 blocked up with mattresses and someone dropped a flare
21 into the confined space from a trapdoor above, in the
22 room. You say the boys were choking and had no idea
23 what was going on. After a time, you were all flung
24 out, you say, and told not to come back until 7.00 in
25 the morning, and you name the people that were involved

1 in that.

2 So what had you done to deserve that?

3 A. Nothing. Absolutely nothing. It was ... we kind of
4 went on a -- there was obviously a younger group and
5 an older group. And, again, it's like: how do we get
6 a bit of fun going? What can we do? Let's get the
7 young ones to do this and that.

8 That's how it played out.

9 Q. Did it seem like entertainment to them, again?

10 A. Yes. It was the older -- all the boys were kind of
11 older and more kind of friendly with the staff. We were
12 just young, and obviously we wanted cigarettes and
13 stuff. And it started with very silly things, like 'Go
14 and jump in the water and I'll give you a fag', and it
15 just gradually increased over the time we were there.
16 And I don't know where the 24-hour survival came from.
17 But we thought, again: well, it's a bit of freedom.
18 We'll go and build it then.

19 And then they cottoned onto it, basically wrecked it
20 along with the older boys.

21 Q. So it was the staff and boys that did that?

22 A. Yes.

23 Q. And was drink being consumed by the staff on this
24 occasion?

25 A. Yes.

1 Q. Quite a lot?

2 A. I think the older boys and the staff -- the staff
3 quarters were up quite high and, as the stairs go up,
4 there was, like, three crates of lager and the staff at
5 times were just sitting on top of them, kind of thing.
6 So when you --

7 Q. You tell us, I think -- was this on the same occasion?
8 It's paragraph 61 -- that some of the older boys and
9 staff went off to watch a match, a Champions League
10 final in the pub, and the younger boys were left outside
11 where you were staying, by the fire, and that some boys
12 stole some money, decided to leave, but were, I think,
13 caught by the staff as they were doing so, and that one
14 of them got a burst nose from one of the older boys who
15 was in the group?

16 A. Yes.

17 Q. You say this is right in front of staff, but they didn't
18 seem to do anything?

19 A. It was encouraged by the staff. There was a boy called
20 [REDACTED].

21 Q. So this was in plain sight and they just encouraged it
22 and didn't do anything to intervene?

23 A. At this point, they still hadn't had the £10 back. So
24 it was basically [REDACTED], who was the top man at the
25 time, he was basically going round the young team and

1 saying to us: if you don't get it yous are going to get
2 done in, blah, blah, blah.

3 And it turns out it was [REDACTED].

4 Q. Did they seem to encourage the top boy to lay into this
5 other boy?

6 A. Yes.

7 Q. You tell us, at the same occasion -- just take this
8 fairly short. Are you telling us that at some point
9 when you were told you weren't getting dinner,
10 eventually you got what you told were burgers, but were
11 made from dog food?

12 A. Yes. Yes.

13 Q. Okay.

14 A. Which kind of to this day I still struggle with this, if
15 I'm totally honest. And only because I know it's true.
16 A big boy, [REDACTED], who I was in Loch Garry with at
17 the time, he was one of the older boys. But we had
18 a bit of a -- we had a kind of bond, we came from the
19 same place. And after it, we just thought initially
20 they were kind of just teasing us and things like that,
21 and he came down, and he says: '"Jack", I'm telling you,
22 it's dog food, pal.'

23 Q. Now, you say that when you went back after this trip,
24 you did go to speak to someone at Kerelaw about what had
25 been going on with the flares and the dog food. You say

1 that the person on the trip, one of the people on the
2 trip, ^{KBE} [REDACTED], grabbed you and dragged you to
3 the shower room, hitting you off door frames as you
4 went, chucked you into the shower room, stripped you
5 naked, and you were pushed so hard you hit your head off
6 the tiles and, indeed, some tiles came off the wall.
7 And you were told by him on that occasion not to ever
8 accuse him of battering anyone, albeit that you have
9 told us what happened on the trip. You say after that
10 you got wiser and just played the game, but your
11 relationship really wasn't the same after that?

12 A. Obviously, everything that had went on on that trip was
13 absolutely just horrible. I just kind of wanted to get
14 back.

15 And Trudy McCartney, who was the manager at that
16 time, I'd have thought she would at least have listened,
17 but there was no mention of it. And even when the
18 office is here and the shower room was just straight
19 across from it, so you would have heard and seen a lot
20 of it, and they obviously done nothing and I was just --
21 I was hiding, I think. But I was -- I just knew it
22 wasn't right, what had happened on holiday.

23 And after that I think I became a wee bit wiser,
24 just trying to kind of get my head down and get through
25 it.

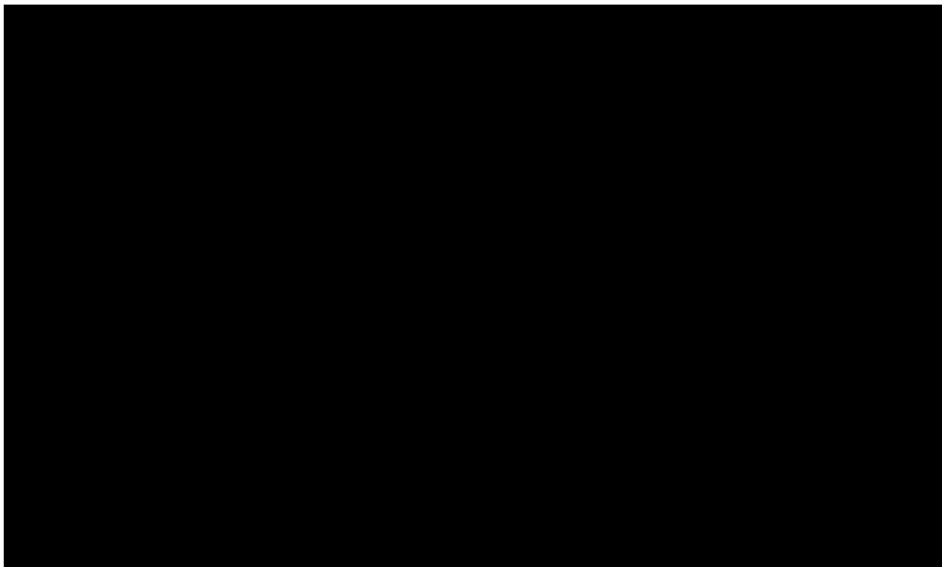
1 Q. I think you tell us that another development, which
2 came, perhaps, as a good development, was that you had
3 the ^{SNR} [REDACTED], ^{KAB} [REDACTED], and she did try to
4 implement changes. So far as you were concerned, things
5 did seem to get a bit better and there was less abuse
6 after she came on the scene; was that ...?

7 A. 100 per cent. There would have been still pockets of
8 things going on.

9 ^{KAB} [REDACTED] was the type of lady who would stay overnight
10 and she would visit the night shift at certain times and
11 try to put things in place. And she did make Kerelaw
12 better. It's just unfortunate that she never continued
13 that.

14 Q. Can I just move, then, finally, to the section about --
15 which starts 'Leaving Kerelaw', at paragraph 67.

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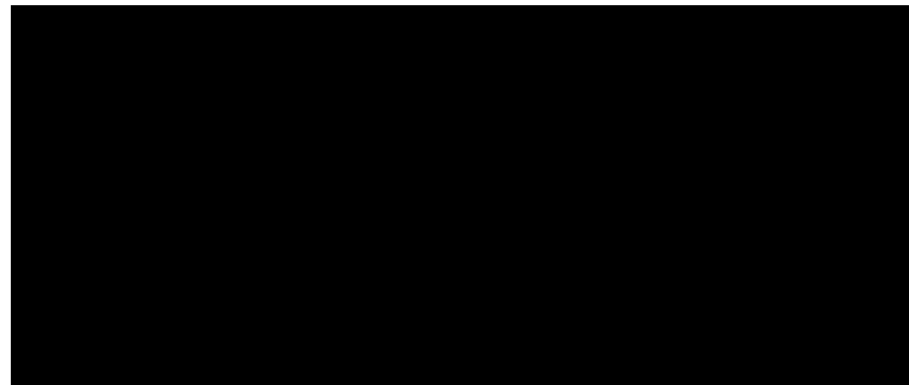
A.



[Redacted] KBP

HIZ [Redacted] HCP [Redacted]

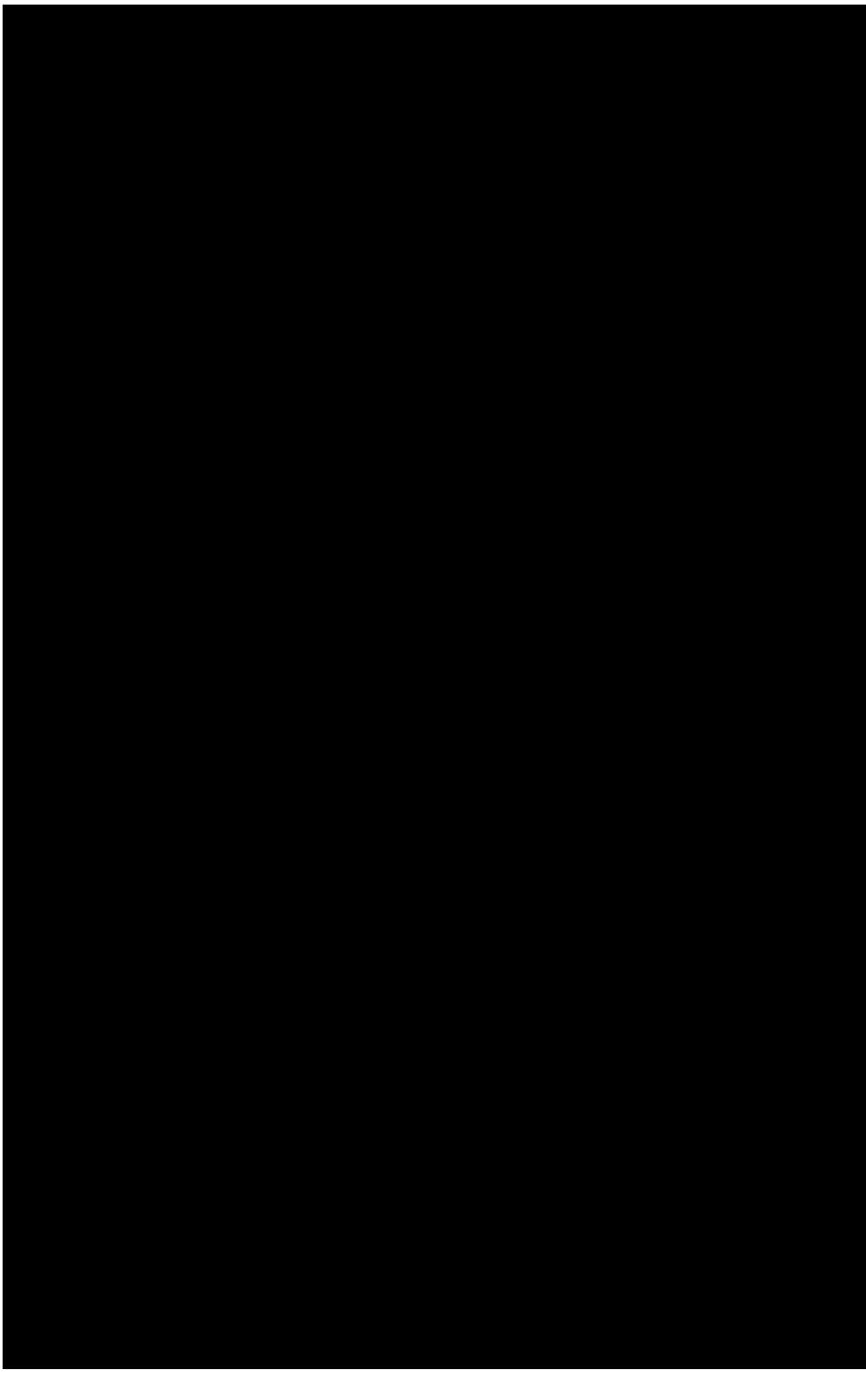
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Q.

A.



1 Q. [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 A. [REDACTED]

5 [REDACTED]

6 Q. Now, finally, can I ask you just about two matters?

7 We've heard some evidence about what was called a 'worst
8 workers' competition; does that mean anything to you?

9 A. There was several things. I think that was one, and
10 then -- about it -- there was another thing called 'fag
11 finder general', and that was basically, like, who would
12 take enough cigarettes. You would obviously get six or
13 seven cigarettes a day, and staff would find a way to
14 kind of not give you your cigarette, and I think that's
15 where that came from.

16 Q. Yes, because I think we've heard evidence that there was
17 certainly people that were -- there were two members of
18 staff seemed to be vying, according to the evidence
19 we've heard, ^{HIZ} [REDACTED] and ^{KBP} [REDACTED], to be
20 labelled the worst worker.

21 But ^{HIZ} [REDACTED] has told us this was really just
22 a bit of banter and carry-on and it wasn't seriously
23 meant, and that no young person took any offence from it
24 or complained about it being said in this way and didn't
25 in any way get -- were troubled by these things being

1 said.

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4 A.

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KBP

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12 Q.

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16 A.

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20 Q.

21 A.

22 Q.

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1 A. [REDACTED]

2 Q. [REDACTED]

3 Well, I think I've asked you all the questions
4 I want to ask today, and just to thank you very much for
5 coming today.

6 There are some more things in your statement about
7 what happened and what happened when you left Kerelaw.
8 We have read them and you can take it that we've taken
9 on board what you've said, but, clearly, I was keen to
10 ask you about particular matters today.

11 A. Yes.

12 MR PEOPLES: But, again, I would just thank you very much
13 for coming.

14 A. Thank you.

15 LADY SMITH: Can I add my thanks, 'Jack'. It's been really
16 good to hear from you in person about the things we've
17 questioned you in relation to.

18 As Mr Peoples has already said, we have your other
19 evidence in writing as well. You've really added quite
20 some richness, if that's the right way to put it, to the
21 information and evidence I already have about Kerelaw.
22 I'm really grateful to you for having done that, both in
23 writing and here today. So thank you. I'm now able to
24 let you go.

25 A. Thank you.

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(The witness withdrew)

LADY SMITH: I will rise for a few minutes just now, but before I do that, again, some names we've used during 'Jack's' evidence of people whose identities are protected by my General Restriction Order: LEJ [REDACTED], KGH [REDACTED], KBW [REDACTED], [REDACTED], one of the boys. Two other boys as well, [REDACTED] and [REDACTED] [REDACTED]. Then back to staff, GVL [REDACTED], KGN [REDACTED], also known as KGN [REDACTED], or KGN [REDACTED]. KBT [REDACTED], KBY [REDACTED], a man called FRB [REDACTED], who was the woodwork teacher, and [REDACTED] or [REDACTED], KBE [REDACTED]. There was also mention of KAB [REDACTED]. Please don't identify these people outside this room. Meanwhile I will rise for about five minutes and then we can take it from there.

I think we will have another witness ready, will we?

MR PEOPLES: We have one more witness to do today.

(3.08 pm)

(A short break)

(3.14 pm)

LADY SMITH: Mr Peoples?

MR PEOPLES: My Lady, the next witness will be referred to today as 'Oliver'.

LADY SMITH: Thank you.

I have to warn this witness, I think, do I?

1 MR PEOPLES: Yes.

2 LADY SMITH: Yes, thank you.

3 'Oliver' (sworn)

4 LADY SMITH: 'Oliver', a few practicalities before we begin.

5 The red folder has documents in it that you might want
6 to use. Your statement is there. You don't have to use
7 it, but if it's a help to you it will be there. We can
8 also bring up the statement at the right parts on the
9 screen, if you find that helpful as well.

10 Sometimes people don't like that. If you don't want
11 it, just say.

12 'Oliver', if there's anything else I can do to help
13 you give your evidence as comfortably as you can, to
14 give the best evidence you can, please don't hesitate to
15 speak up. If, for example, you want a break, that's
16 absolutely fine, just say. Or if you want us to explain
17 something in a way we haven't done, very well, that's
18 our fault, not yours. So do tell me about that as well.

19 Overall, I know what we're asking you to do here
20 isn't easy. We've asked you to come into a public forum
21 in a major public inquiry and answer difficult
22 questions. I imagine it's not the way you would want to
23 spend your afternoon if you had a free choice, but
24 I'm grateful to you for being here.

25 Before I hand over to Mr Peoples there's one other

1 A. Hi.

2 Q. Can I begin, 'Oliver', by just giving the reference we
3 have given to your statement for the record. You
4 needn't worry about it, but I'll do it at this stage.
5 It's WIT-1-000001403.

6 Could I ask you just to turn to the final page of
7 the statement you've provided to the Inquiry and confirm
8 that you have signed your statement and it's dated
9 27 March 2024?

10 A. Yes.

11 Q. I think that you say that you believe the facts stated
12 in your witness statement are true?

13 A. Yes.

14 Q. Now, if I could go to the beginning -- and I'll just
15 take some of this briefly. It's not in any way out of
16 disrespect for the full statement you've provided, and
17 we have read it and we're aware of it and it's all part
18 of your evidence. So I'll maybe focus on some parts
19 more than others.

20 So far as background is concerned, I think you tell
21 us, 'Oliver', do you not -- sorry, you were born, first
22 of all, in 1965?

23 A. Yes.

24 Q. Then I think you tell us about your working life before
25 you came to Kerelaw. I think part of that included

1 doing voluntary work at a residential school in your
2 locality.

3 A. Yes.

4 Q. You tell us, on page 2 of your statement, I think it is,
5 that you started in Kerelaw -- this is paragraph 6 --

6 A. Yes.

7 Q. -- some time between 1998 and 2000?

8 A. Yes.

9 Q. Just so I'm clear: before then, had you obtained certain
10 qualifications, social work qualifications?

11 A. Yes, SVQ -- sorry, my HNC.

12 Q. And did you -- you subsequently have done another
13 qualification, a SVQ level 3; is that right?

14 A. Yes.

15 Q. Can I just be clear: did you do that at Kerelaw or have
16 you done that since leaving Kerelaw?

17 A. Well, I'd done that -- I'd actually done it in Kerelaw,
18 and then once people started getting suspended and stuff
19 like that, it kind of fell to the wayside. And then
20 I came up to Glasgow and I was asked about SVQ. And
21 I said I'd already completed it. I took a week off my
22 work and I went in every day to see -- Mrs Mack was the
23 SVQ trainer, so I went in every day for a week and I got
24 it done and dusted.

25 But, as I say, when I came back up and I came to

1 Glasgow, they couldn't find it through other paperwork
2 in Kerelaw. There was a lot happening then.

3 Then I done the exact same when I came up to
4 Glasgow. I'd taken a week off my work and I done and
5 dusted it within a week. I can't remember the lady's
6 name. There was a trainer when I came up here. She was
7 from Brook Street Training Centre.

8 Q. So you had done the course work; it's just because of
9 problems with the paperwork you had to re-do it when you
10 came to Glasgow?

11 A. Yes.

12 LADY SMITH: Yes, I think you explain, at paragraph 4, that
13 when you had the chance of working at Kerelaw you jumped
14 on it because it suited your personal circumstances at
15 that stage, even although you didn't actually have the
16 HNC from college, but you had been working there; have
17 I picked that up right? You'd been studying there,
18 sorry?

19 A. Where is that, sorry?

20 LADY SMITH: Paragraph 4. Is that correct?

21 A. Oh no, that's not, sorry. That's -- I'd actually got my
22 HNC when I went to Kerelaw. I'd already achieved it.

23 MR PEOPLES: So you had an HNC. What you did -- did you do
24 the SVQ when you were at Kerelaw?

25 A. I done the SVQ when I was in Kerelaw. As I was

1 saying --

2 Q. It was a different qualification that you added to the
3 HNC that you already had?

4 A. Yes.

5 Q. So you came with a qualification, an HNC. You then did
6 another one at Kerelaw, but because of certain reasons
7 about paperwork you had to re-do the SVQ?

8 A. Yes.

9 Q. Okay. And then you tell us about the recruitment
10 process, and we've read this and we can read it for
11 ourselves. But, essentially, you had an interview,
12 a group discussion, a tour of the place and so forth,
13 and you had to give some references at that time.

14 Then you tell us about your time at Kerelaw,
15 starting at paragraph 12, I think, on page 3, and you
16 can take it we're quite familiar, now, with the Kerelaw
17 set-up?

18 A. Yes.

19 Q. That, as we know, there was the residential or open
20 school, and also a secure unit when you were there?

21 A. Yes.

22 Q. And you told us that you never worked or had anything to
23 do with the secure unit?

24 A. No.

25 Q. And that you were working in one of the boys' units,

1 Millerston?

2 A. Yes.

3 Q. Did you work there the whole time?

4 A. The whole time, yes.

5 Q. Did you work particular shifts?

6 A. A day shift. Well, I was a back shift, the early shift.

7 Q. Yes, you were back shift -- early shift, back shift, and

8 then there was the night shift, and you worked the back

9 shift?

10 A. Aye.

11 Q. Can you remember roughly when the back shift started?

12 So mid-afternoon?

13 A. 2 o'clock.

14 Q. And when would it finish, about 10.00?

15 A. 10.00.

16 Q. And you tell us that Kerelaw was -- in your time, was

17 made up of -- the expression used is 'high tariff' kids,

18 which were being sent from other residential units from

19 the Glasgow area?

20 A. Yes.

21 Q. Why were they being sent to Kerelaw?

22 A. There was various reasons. One particular incident,

23 that I found really strange, was a boy was -- hit staff

24 with a pillow and he was sent in to us. I don't know

25 that -- I can't remember the background. But other high

1 tariff kids were kids that were maybe vandalising the
2 place or attacking staff.

3 Q. So they were moved on because of things that had
4 happened in previous placements?

5 A. Yes.

6 Q. And 'high tariff' presumably meant that some of them,
7 apart from what they had done in their previous
8 placements, had done maybe quite serious things in their
9 life, in terms of offending?

10 A. Yes, aye. That had come in and they were high tariff,
11 yes.

12 Q. And you tell us there that you were in the era of what's
13 called GIRFEC, getting it right for every child?

14 A. Yes.

15 Q. So that was what was happening in the outside world, in
16 social work and so forth. But you tell us that your
17 impression of Kerelaw was that it was quite a regimented
18 place?

19 A. Definitely, yes. Aye, it was all about attainment for
20 the school kids, education.

21 Q. Was it also, when you started --

22 A. Structure. Well, regimented structure, routine. That's
23 what I mean.

24 Q. I see. But would you say that the approach was maybe
25 quite a traditional one of control and discipline when

1 you arrived?

2 A. Yes. Aye. Aye.

3 Q. I know that people came before you arrived to try and

4 maybe change it to what might be called a more

5 child-centred approach. But was that something you

6 became aware of; there was an attempt to shift from the

7 traditional-type of approach to this more child-centred?

8 A. That's exactly it, yes.

9 Q. Or therapeutic?

10 A. Therapeutic, yes.

11 Q. Was that wholly successful?

12 A. I believe it was becoming successful. But then we moved

13 on again to SHANARRI and then we're into The Promise

14 now.

15 Q. We've heard, and you probably know, was there a person,

16 or had she left by the time you arrived, ^{KAB} [REDACTED] ?

17 A. No, never heard the name.

18 LADY SMITH: You said a moment ago SHANARRI.

19 A. Safe -- I'm no good with spelling either. SHANARRI is

20 safe, healthy, individual, achieving,

21 nurturing --there's a few things in there, sorry.

22 LADY SMITH: And it finishes respected, responsible and

23 included at the end.

24 A. Aye.

25 LADY SMITH: And that came along in conjunction with GIRFEC.

1 A. That was after GIRFEC. I wouldn't say in conjunction, I
2 would say they're kind of different. That's my
3 perspective.

4 LADY SMITH: Right, okay. I think they were a similar era
5 and people started working together with the same
6 principles.

7 A. Aye, the two of them did work together, you're right.
8 It's the same as The Promise that's come in now.
9 They're all actually connected, now I think it.

10 LADY SMITH: Thank you.

11 MR PEOPLES: Now, you tell us that one thing you didn't
12 know, indeed, until the time that Kerelaw was closed --
13 this is at paragraph 17, on page 4 of your statement --
14 that there was an external management system for
15 Kerelaw; that wasn't something that you became aware of?

16 A. I wasn't aware of it until Kerelaw closed.

17 Q. So far as you are concerned, management came from above
18 within Kerelaw, from the --

19 A. That's --

20 Q. -- the head of Kerelaw and the senior management team?

21 A. Yes, I thought -- I believed Kerelaw was a standalone
22 Glasgow City Council department building.

23 Q. I think we're aware there were some changes at the top,
24 some maybe before your time. Because I think at some
25 point in your time there a new head would have been

1 appointed called James, or Jim Hunter; do you remember
2 that?

3 A. Jim Hunter was a guy -- he was there -- he was the head
4 when I was there.

5 Q. Was there a head before then?

6 A. Not to my -- no, that's the only head I know.

7 Q. He is the one that you remember?

8 A. Aye.

9 Q. And I think he was there for quite a lot of the time you
10 were there, until I think he was suspended --

11 A. The full time. The full time I was there.

12 Q. -- in 2004 and someone else took over temporarily;
13 Bill Adams?

14 A. I don't know Bill Adams, but I know the name.

15 Q. Don't worry, I think we can find this out. But I just
16 wondered if you knew.

17 Now, you tell us about the attitude of staff towards
18 children, at paragraph 19, on page 5. I can maybe move
19 to that at this stage. You say:

20 'The attitude of the staff to the kids when
21 I arrived was everybody got on and there was a strict
22 regime, but fair.'

23 So that's your impression of the regime?

24 A. Aye, yes.

25 Q. Strict but fair. And quite a lot of routine, though?

1 A. Aye. Structure, routine. Yes.

2 Q. And then -- but you do know, or at least you tell us,
3 there is some difference then between then and now. At
4 paragraph 20, you say:
5 'It's not like The Promise now with that warmth and
6 nurturing. We weren't nurturing, but we were caring and
7 there was a barrier.'
8 Do you mean a barrier between -- to some extent
9 between the staff and the kids that were placed there,
10 the high tariff kids?
11 A. What I mean, when I say 'barrier', I'm talking about the
12 nurturing side of it. We were in the -- it's difficult
13 describing it. The barrier was the nurturing -- we
14 weren't allowed to show that kind of love that The
15 Promise has now. That's -- The Promise is you're
16 allowed to say 'love', whereas then you weren't.
17 Q. I think when you went there you hadn't really
18 experienced that type of group of youngsters. There
19 were quite a few teenagers, you say, that had, perhaps,
20 a background in gang warfare and within their own
21 different districts, if they were from Glasgow, for
22 example.
23 A. Yes.
24 Q. And that these boys from the different areas and the
25 different gangs were being put in the same unit?

1 A. Yes, aye.

2 Q. Was that Millerston?

3 A. That was Millerston.

4 Q. Largely?

5 A. No, Fleming as well. It was the both, aye. Millerston
6 and Fleming were just yards apart, so these kids from
7 different areas of Glasgow were really close.

8 Q. You tell us you were always having to step in somewhere
9 within the unit to calm things down. So it was a pretty
10 busy place?

11 A. Oh, constant, yes.

12 Q. And we'll come on to restraints, but I think you tell us
13 later on that they were really a daily occurrence?

14 A. I would think so, aye. Aye, there was daily occurrence
15 because you would try to split up kids that were from
16 different areas of Glasgow, territorial.

17 Q. Looking back, was it perhaps a mistake to put all these
18 different kids from different parts of Glasgow in one
19 unit, and get the consequences of fights --

20 A. Yes.

21 Q. -- and having to calm them down?

22 A. Yes.

23 Q. And was it the case that, latterly, more boys from other
24 units from Glasgow were being sent to Kerelaw, and that
25 they represented a large proportion of the Kerelaw

1 population? Whereas historically they've maybe been
2 50 per cent Glasgow boys and 50 per cent from other
3 parts of Scotland; do you recall that?

4 A. Aye, now in hindsight, when you say that, yes. Aye,
5 I agree with that.

6 Q. Now, one of your roles at Kerelaw was to act as a key
7 worker for certain young people in your unit; is that
8 right?

9 A. Yes.

10 Q. You were just assigned certain -- well, Millerston was
11 a boys' unit, so it would be boys you were the key
12 worker for.

13 A. Aye.

14 Q. And you tell us that so far as dealing with certain
15 behaviours that young people have in a place like
16 Kerelaw, that you were -- it was about something called
17 therapeutic crisis intervention, and that was something
18 that was operating in your time at Kerelaw, was it?

19 A. Yes.

20 Q. Whereas now I think we've heard some evidence that
21 promoting positive behaviour --

22 A. That's correct, yes.

23 Q. -- is the new type of --

24 A. Terminology.

25 Q. -- approach --

1 A. Yes.

2 Q. -- to handling young people and handling difficult
3 situations.

4 Did you get TCI training when you went to Kerelaw?

5 A. I did, yes.

6 Q. Had you had any form of restraint training before then?

7 A. Yes. In my previous placement in the local area.

8 Q. Was it the same type of training or a different one?

9 A. It was -- I would say it was the same, yes.

10 Q. And did some of the staff that you worked for -- we've
11 heard that some of them came from various backgrounds
12 like the police, the Prison Service, and other walks of
13 life. Now, is that something you recall; that some of
14 the people that you worked with came from these
15 backgrounds?

16 A. Different backgrounds, oh aye.

17 Q. And do you know whether they had been trained in
18 different forms of restraint to TCI, such as
19 pain-compliant techniques and things like that? Do you
20 know if that was the case?

21 A. I know that did happen. Police had different methods
22 from us. Prison officers had different ways and methods
23 as well.

24 Q. But the method that -- the training under TCI principles
25 involved, as I understand it, that you use physical

1 intervention or restraint, now called safe holding, as
2 a last resort?

3 A. Yes.

4 Q. And the idea is that you try to use alternatives to calm
5 the situation down, talk the person down, and only if
6 that fails and there's some form of risk --

7 A. Yes.

8 Q. -- either to the individual or to others, that you would
9 resort to some form of physical intervention using
10 approved techniques?

11 A. Yes.

12 Q. And those techniques did not involve the use of pain
13 inducing methods --

14 A. No, no.

15 Q. -- like wrist locks or palms up the back, or things of
16 that nature?

17 A. No.

18 Q. Is that your understanding?

19 A. That's my understanding.

20 Q. And was it also part of TCI principles and guidance that
21 you were not supposed to talk during a restraint?

22 A. No, I disagree with that.

23 Q. You disagree with that?

24 A. Because at the end of the restraint you had to --

25 I'm going to say the word 'gauge', I can't remember the

1 correct term. But you had to gauge if the young person
2 was calm enough to get back into baseline behaviours,
3 and the only way to do that was to talk, give them a
4 simple instruction, take a deep breath, very
5 therapeutic. It wasnae --

6 Q. If they were, to use a colloquial expression, kicking
7 off and they weren't even showing signs of calming down;
8 were staff expected to, at least at that point, remain
9 silent?

10 A. Yes. Yes.

11 Q. But later, as you say, to gauge whether they had calmed
12 down, you would have to maybe ask some questions or
13 discover if their mood and attitude had changed?

14 A. That's correct.

15 Q. Just something that I've kind of picked up at this
16 stage, it's not -- you do some comparisons from time to
17 time in your statement. At paragraph 22, you make
18 the comparison between how things were in Kerelaw and
19 how they are now. You say -- I think you say:

20 'That kind of thing is coming back in now because
21 the violence in children's houses [and I think that's
22 the modern terminology for children's homes] in Glasgow
23 is through the roof. There's violence in response to
24 staff procedures being put in quite a lot and there was
25 one incident recently when the whole staff team was

1 moved out because of one kid. It's getting ridiculous
2 and it's coming back round to Kerelaw. I'm only
3 realising that now.'

4 Are you telling us there that it's your experience
5 in recent times that there has been an increase in
6 violence in the children's houses and it's starting to
7 bear some resemblance to what it was like in Kerelaw?

8 A. It is, yes. And the reason for that is Glasgow have
9 now -- they don't use outside services. Glasgow have
10 got -- Glasgow City Council keep all their kids within
11 Glasgow now, in their own children's units. So there's
12 no -- I'm forgetting my terminology --

13 Q. It's specialist services?

14 A. Specialist services.

15 Q. That you have to purchase from outside?

16 A. Purchase placements. Glasgow don't use purchase
17 placements anymore.

18 Q. And they would be placements that would be, perhaps,
19 quite expensive, but would also involve quite
20 a significant staff to pupil ratio?

21 A. Ratio, yes.

22 Q. Whereas the houses in Glasgow, we understand, at least
23 at one point, I think you tell us they were supposed to
24 maybe have a maximum of, what, four children to a unit?

25 A. Well, it's eight now. But then, when I first came to

1 Glasgow, it was four.

2 Q. What is it now?

3 A. That was due to the Skinner report, wanted to reduce
4 numbers. But now they've increased it to eight-bedded
5 units.

6 Q. So the size of the unit has doubled?

7 A. Yes.

8 Q. And do you know the explanation for that?

9 A. Finance. That's the only explanation I know.

10 Q. So there's that development, and there's also the
11 question of the reluctance, maybe on cost grounds, not
12 to do the purchase placements?

13 A. Well, if you look at some of the purchase placements
14 that was previously used, Spark of Genius, I'll give you
15 that for an example. Spark of Genius expanded massively
16 when Kerelaw shut, and all of a sudden it's imploded.
17 It's actually shrunk now, because Glasgow have kept all
18 their own kids now.

19 Q. One consequence of these changes, maybe you perceive, is
20 maybe there has been an increase of violence in the
21 houses?

22 A. Yes, there has been an increase --

23 Q. Because the people that might need the specialist
24 services are not being moved to those specialist areas;
25 they are being kept in the houses.

1 A. Yes.

2 Q. And that's causing problems?

3 A. Yes. That's my perspective.

4 LADY SMITH: 'Oliver', how do you know what's happening now
5 in the children's houses in Glasgow?

6 A. I still work with Glasgow City Council.

7 LADY SMITH: I say now, as at this month, last month, you
8 have up-to-date information yourself, have you?

9 A. Yes.

10 LADY SMITH: Of being there?

11 A. I've been there, yes.

12 LADY SMITH: Thank you.

13 MR PEOPLES: And you are saying, to some extent, a parallel
14 between, perhaps, at least what it was like latterly in
15 Glasgow, in Kerelaw, where they had a number of troubled
16 and troublesome youngsters in units and they were all
17 together and that did create problems?

18 A. Yes.

19 Q. And pressures for everyone?

20 A. Yes.

21 Q. Now, so far as line management is concerned, you've told
22 us there was no -- you weren't aware there's an external
23 management system in operation?

24 A. No. No.

25 Q. And so far as what I would call regular, formal

1 supervision within Kerelaw; did that happen?

2 A. No.

3 Q. Now, can I go on to something you tell us about at
4 paragraph 27 of your signed statement, which is to do
5 with searches of children who had run away. You tell us
6 what the policy was in your time. If you could go to
7 that. Do you see that's part of your statement?

8 A. Yes, aye.

9 Q. And you say:

10 'There's a policy, if kids came back from home leave
11 or if we knew they'd run away and didn't have money and
12 they came back under the influence, we'd suspect them of
13 having unknown substances. We'd do searches on them for
14 drugs.'

15 And you say:

16 'I can't say if there was a written policy, but it
17 was the instruction.'

18 You don't remember who gave the instruction, but you
19 think it would have come from within your management; is
20 that ...?

21 A. Yes, aye, it would have come from management, aye.

22 Q. So there was an instruction to carry out searches in
23 these circumstances?

24 A. Yes.

25 LADY SMITH: So if it wasn't in writing and it was senior

1 management, who you probably didn't work with on a daily
2 basis; how did you know about it?

3 A. Because it was an instruction from the line manager as
4 well.

5 LADY SMITH: Okay.

6 A. So I'm saying I don't actually know who gave the
7 instruction, but it's came from the line management.
8 It's not came from a fellow colleague. And it was
9 a procedure that was happening before I even got to
10 Kerelaw.

11 LADY SMITH: Thank you.

12 MR PEOPLES: And was this policy across the board in
13 Kerelaw, in all units?

14 A. I believe so.

15 Q. You believe so. It wasn't just a Millerston policy?

16 A. No, no. It happened in Fleming as well. I don't know
17 about the lass's units, but definitely the two boys'
18 units.

19 Q. And it was a policy applied in Millerston?

20 A. Yes.

21 Q. On instruction?

22 A. Yes.

23 Q. And in your time; who was the unit manager of
24 Millerston?

25 A. Well, I had quite a few. There was Shona Kelly ...

1 Shona Kelly, ^{KBT} [REDACTED], ^{KBS} [REDACTED], ^{EUL} [REDACTED],
2 ^{FSY} [REDACTED], ^{HQQ} [REDACTED], John Muldoon, a guy
3 called ^{EVO} [REDACTED], but that's all I can think of.

4 Q. So you had a lot of unit managers over the piece?

5 A. Some of them were line managers. Sorry, I didn't know
6 it was just --

7 Q. Sorry, that was a bad question.

8 Now, the structure was that there was residential
9 care workers. Above them there was a senior residential
10 worker. Above that there was a deputy unit manager and,
11 above that, there was a unit manager?

12 A. Aye.

13 Q. Was that how it worked?

14 A. That's how it worked, yes.

15 Q. So some of these individuals may have been deputy unit
16 managers or seniors?

17 A. Yes.

18 Q. And some were unit managers?

19 A. Yes.

20 Q. And one unit manager, certainly latterly, in fact
21 shortly before it closed, was John Muldoon.

22 A. Yes.

23 Q. In Millerston?

24 A. He was my last unit manager, then he wasnae.

25 Q. And was he there when, perhaps, there was a -- when

1 compared with previous years; was he there when there
2 was a quite large increase in the number of restraints
3 within Millerston?

4 A. I couldn't possibly tell you that.

5 Q. You're not able to make a judgement on that?

6 A. I can't, no.

7 Q. What was his policy on restraint?

8 A. The same as everybody else's. If somebody was -- I mean
9 to say unsafe. If they were a danger to themselves,
10 a danger to the others or causing damage. That was
11 the -- that was the three reasons for using a restraint.

12 Q. Did he at any time have what was described as
13 a zero-tolerance policy?

14 A. Yes, they did have a zero-tolerance policy.

15 Q. In other words, he wasn't going to tolerate certain
16 types of behaviour in his unit?

17 A. Yes.

18 Q. And does that mean that young people who displayed that
19 behaviour, action would be taken quite quickly?

20 A. Action would, yes.

21 Q. That could involve restraint?

22 A. It could involve restraint, yes.

23 Q. And how would you describe John Muldoon's style of
24 management?

25 A. It was certainly strict. Aye, it was strict. It came

1 across as angry at times, aye.

2 Q. If I said that --

3 A. But he was approachable when it came to -- if I was --

4 I mean, I only joined the thing for maybe a year and

5 I approached him twice to get projects off the ground

6 and he was available; is that what you call it? He said

7 yes.

8 Q. But, at team meetings within the unit, which he would

9 presumably be participating in; was it easy to suggest

10 to him that things might be done differently to the way

11 they were always done? Or was he not that sort of

12 person you could say that to?

13 A. I can't -- I honestly can't remember.

14 Q. Well, maybe -- I think someone maybe described him to

15 the Independent Inquiry as there was his way or no way?

16 A. Oh, there was that, aye, aye.

17 Q. So that would maybe sum up, in broad terms, how he was?

18 A. It could have been, aye. It was his way or no way, aye.

19 Q. Now, you tell us, if I go back to your statement,

20 'Oliver', at paragraph 28, you're talking about child

21 protection and you say you can't remember any specific

22 policy on child protection in your time?

23 A. No. I can't remember the policy being anywhere that we

24 could just put our hands on and take it and read it.

25 But it's got to have been there because of the nature of

1 the work.

2 Q. Well, if there was a policy, it wasn't being distributed
3 or discussed?

4 A. Aye, that's the right way of describing it.

5 Q. I think you tell us, at 31, you don't have a memory of
6 discussions during the staff meetings about child abuse
7 or abusive behaviour towards children or guidance to
8 ensure it wasn't happening; that's your memory?

9 A. That's my memory, aye.

10 Q. As we understand from some evidence we've already heard,
11 these staff meetings would take place every week,
12 probably on a Tuesday?

13 A. Yes.

14 Q. Is that your memory?

15 A. Yes.

16 Q. But there was no discussion along these lines?

17 A. Not to my knowledge, no. Not that I can remember.

18 Q. Okay. And you tell us about complaints?

19 A. Can I maybe give a comparison for that one to now?

20 Q. Yes, by all means.

21 A. The comparison is now we've got gold training and we can
22 actually access that again any time and see child
23 protection, click on it, and there would probably be
24 three or four courses. Plus the unit manager -- house
25 manager -- would also send you an email giving you

1 instructions: 'here's one, it's mandatory. Get this
2 done.'

3 So there was a lot to do with the training.

4 Q. So there's mandatory training and some of that would
5 involve child protection?

6 A. Yes.

7 Q. Did you get any child protection training, whether
8 mandatory or not, at Kerelaw?

9 A. I got -- no. No, I didn't.

10 Q. So far as complaints are concerned, you do tell us that
11 there was a system; do you say that the staff could help
12 young people with complaints?

13 A. Yes.

14 Q. Because I think we've heard some evidence that one
15 member of staff did so on one occasion, in
16 John Muldoon's time, and was told she shouldn't have
17 done that and the complaint was ripped up; is that
18 something you ever became aware of?

19 A. No, no. But, at the same time, when you done a VI and
20 a complaint -- and I think I've already said that in my
21 statement -- it went under the unit manager's door and
22 that was that, you never saw it again.

23 Q. So you don't know what happened to it?

24 A. No. And the comparison with today is you put it in
25 a computer, you do a Hands form and you put it in

1 a computer, and you don't see that again either and
2 there's no discussion about it. So there's
3 a comparison, it's coming back round to these kinds of
4 things going on.

5 Sorry, I didn't mean to --

6 Q. No. Were there times when you would go to his office,
7 John Muldoon's?

8 A. Go to his office?

9 Q. For any reason or not often?

10 A. No, I wouldn't go to his office.

11 Q. I was just wondering what the state of his office was?

12 A. You would pass through his office to go to the meeting
13 room.

14 Q. Can you recall: was that a sort of messy office? Were
15 there papers lying around on the windowsill or on the
16 floor?

17 A. No, I can't remember.

18 Q. You can't remember?

19 A. No.

20 Q. And so far as complaints were concerned, were those who
21 did make complaints using this system; do you know
22 whether -- can you say whether they were satisfied how
23 the complaints were dealt with, the young people?

24 A. Well, the complaint was coming to me. The first order
25 of business for the complaint was if we could solve it

1 we would solve it. And I believe that any complaints
2 I received that I could solve, I did. But once they
3 went under that door, I have no idea.

4 Q. I accept that. But say they did go under the door, as
5 you describe --

6 A. Yes.

7 Q. -- then let's assume that there should have been
8 a process that would investigate them --

9 A. Yes.

10 Q. -- and come out with an outcome of some description?

11 A. Yes.

12 Q. All I'm really asking is: did you get any impression of
13 how satisfied the young people who complained were about
14 the outcome of complaining?

15 A. No, I wasn't aware.

16 Q. They didn't say to you: that's another knock-back or
17 it's rejected my complaint or whatever?

18 A. No.

19 Q. You never found out what the reaction was?

20 A. No, I never found out. No.

21 Q. So I take it you wouldn't know whether complaints about
22 treatment by staff were generally rejected or upheld?
23 You don't know whether --

24 A. I don't know.

25 Q. No, okay. But you do say, at paragraph 35, I think on

1 page 8, that towards the end of your time in Kerelaw,
2 when it was -- it closed in 2004. I think we know that
3 there was something not quite right. So you started in
4 1998 to 2000, but by 2004 something wasn't quite right;
5 what was it that wasn't quite right?

6 A. It was just the atmosphere. As the people were coming
7 and going and you realised you were under a microscope.
8 It was --

9 Q. Is that what you felt?

10 A. That's the way that I felt, as if I was under
11 a microscope. Every move I was doing -- I just felt it
12 was being documented and looked at and scrutinised --

13 Q. By whom?

14 A. -- and saved up for a later time.

15 Q. Do you know who was doing this?

16 A. I believe it would be 'Sky' and Jackie Hutton and
17 [REDACTED], yes.

18 Q. And they all were colleagues in Millerston at the time?

19 A. In Millerston with me, yes.

20 Q. And other people in Millerston were you and
21 [REDACTED], was he there?

22 A. [REDACTED], aye, yes. I cannot remember the whole staff
23 team.

24 Q. No, just trying to get a picture.

25 So you felt that these other colleagues that you

1 have named, some of them at least, were putting you
2 under the microscope?

3 A. Yes.

4 Q. That was the feeling you had of being watched,
5 documented or whatever, about what you were doing?

6 A. It was at the time mobile phones were coming out and
7 they were -- they three seemed to be very prolific in
8 how to use them and, on their own shift, they were
9 talking to each other and their mobile phones were in
10 the same building. That could have been a naughty,
11 I don't know. But it just seemed to me -- it just
12 didn't feel right.

13 Q. I take it from that, that at least at that point in time
14 that staff relations, certainly in Millerston, weren't
15 of the best?

16 A. Oh no, no, no. We weren't nasty to each other, anything
17 like that. You just -- communication was poor and you
18 were -- I was worried in case you said the wrong thing.
19 You just felt as if it was --

20 Q. Did your unit manager, Mr Muldoon, do anything to try
21 and improve relations?

22 A. Do you know, I'm going to be honest with you, I can't
23 mind if John was moved on by that point, or suspended or
24 something.

25 Q. No, I think he was there for a year between 2003 and

1 2004, and I think he was maybe suspended in 2004. But
2 I'm just thinking, presumably that's the job of a unit
3 manager to try to have a team?

4 A. Aye, aye.

5 Q. For example, did he, at team meetings, foster an esprit
6 de corps, if that's a good expression? Or did he say
7 things that perhaps made some people feel they weren't
8 doing their job properly, whereas others felt they were?

9 A. In hindsight and now I've seen some of the statements,
10 yes.

11 Q. Do you remember him saying things that singled people
12 out either for praise or perhaps by implication that
13 they weren't doing the job as well as others?

14 A. Yes, I don't know what his intention was, but he did
15 single people out, yes.

16 Q. But that's not going to help team work, is it?

17 A. No. I don't suppose it would, no.

18 Q. Can I then go on, at paragraph 37, you've got a section
19 headed 'Children'. I think one of the positive things
20 you tell us about that you had involvement in was that
21 you set up a violence reduction training programme?

22 A. Yes.

23 Q. Which was --

24 A. Along with HQQ.

25 Q. -- at Millerston; is that right?

1 A. Aye, along with ^{HQQ} [REDACTED].

2 Q. And that was a success?

3 A. That was great, aye.

4 Q. When you say violence reduction; is that to do with
5 trying to prevent people re-offending?

6 A. Yes -- no, no, it wasn't re-offending. It was changing
7 their views, rather than getting angry and throwing
8 a cup or something against the wall.

9 Q. Like anger management?

10 A. Anger management, thank you.

11 Q. You tell us that at least one person who was put on this
12 programme -- at paragraph 38 -- was one of your key
13 kids; you were the key worker?

14 A. No, Gary wasn't on the violence reduction programme.
15 I had started a programme up because Gary wasn't very
16 good at school, and he was causing a lot of problems and
17 he was getting sent down from school every day.

18 Q. Sorry, I misread it. I think you set up a specific
19 training programme for him?

20 A. Yes, aye, I got other kids involved because --

21 Q. Yes.

22 A. But I got other kids involved because I was being
23 respectful to him, so he didn't think --

24 Q. I see. My fault. But you say that unfortunately Gary
25 couldn't cope with the programme you'd devised and you

1 had to take him off the programme?

2 A. Yes, yes.

3 Q. And I think we'll come back to Gary because I think

4 there were some issues he had with his treatment at

5 Kerelaw, in terms of being moved from the open school to

6 the secure unit.

7 A. Aye, okay.

8 Q. So I'll maybe come back, if I can, shortly.

9 You tell us you very rarely saw a man who you

10 earlier described, in paragraph 24; is that the person

11 that you believe is in charge?

12 A. Aye, Jim Hunter.

13 Q. Jim Hunter?

14 A. Aye.

15 Q. That's Jim Hunter?

16 A. That's Jim Hunter, aye.

17 Q. So you didn't see much of Jim Hunter?

18 A. No, I didn't.

19 Q. So he wasn't a man who would walk around the units

20 talking or --

21 A. No.

22 Q. -- giving you support or supervision?

23 A. No.

24 Q. Did any of SNR do that, such as ZHJG?

25 A. ZHJG, aye. You seen ZHJG quite a lot.

1 Q. You would see him?

2 A. Aye, you would see [REDACTED].

3 Q. Was he someone who would give you support?

4 A. Well, I suppose he must have give us support because

5 I think John Muldoon or the unit managers, whoever was

6 involved in assigning me a project, would have to go in

7 for final approval, so yes.

8 Q. So things like that he would have to be brought in for?

9 A. Yes. Aye.

10 Q. But did John Muldoon, as unit manager, have a lot of

11 autonomy, in terms of how he ran his unit?

12 A. Yes, I believe all the unit managers had autonomy.

13 Q. That's just the way it was?

14 A. Aye, that's how it was. They could knock down walls and

15 rebuild walls and take out windows.

16 Q. Going back to Gary Bryce, it sounds like he was a wanted

17 man because you tell us, at paragraph 39, that he was

18 running amok and you say there were gangs coming down

19 from Glasgow to try and get hold of him?

20 A. That was a really bad time, yes.

21 Q. So he was proving quite a handful?

22 A. Oh, he was, aye.

23 Q. To manage.

24 A. Aye.

25 Q. And you say that he was also seeing one of the girls in

1 one of the girls' units; is that right?

2 A. Yes, he was, aye.

3 Q. And he went up to the girls' units and you say he was

4 causing chaos and disruption in the unit?

5 A. Aye, and they would phone us down and we would have to

6 go up and get Gary, and then he would just start a cycle

7 of running about the school, shouting and bawling.

8 Q. And you say apart from going to the girls' units, he was

9 running away a lot and getting himself into dangerous

10 situations?

11 A. Aye.

12 Q. And, indeed, he was causing chaos within the local

13 community?

14 A. Yes. Aye. Not just Gary. A few of the kids were

15 causing chaos in the local community.

16 Q. And was this towards the end of the time at Kerelaw?

17 A. I don't know. I don't know.

18 Q. You're not sure. Okay.

19 Yes, because you tell us that, in fact, it's not

20 just him. There was a time that there was, was it

21 a mass breakout, was it?

22 A. I never described it as a mass breakout.

23 Q. Maybe that's my expression.

24 A. Aye, en masse there was a load of --

25 Q. They ran away en masse?

1 A. En masse a load of kids ran away and the local football
2 team, Sandylands, they were just causing untold damage.

3 Q. And I think after these things were happening,
4 a decision was taken to put Gary in the secure unit,
5 which I think he subsequently is still upset about.

6 A. Yes.

7 Q. As you know. But it wasn't your decision; is that --

8 A. Oh no, it wasn't my decision.

9 Q. This was taken by Jim Hunter, you think?

10 A. I would say Jim Hunter. I always thought Jim Hunter had
11 the autonomy to move kids up to the secure unit.

12 Q. And is your part in the Gary Bryce story of going to the
13 secure unit really just that you took him there?

14 A. I just took him there, yes.

15 Q. Because someone had made the decision he would go there?

16 A. Me and John Muldoon. Then I went up to see him maybe
17 three or four times after that, when he was in the
18 secure unit.

19 Q. Yes. And did he say to you, as I think he's said maybe
20 subsequently, that he was put in there to -- perhaps
21 because he was a problem, but also because of what was
22 happening in other units? Did he ever say anything
23 along those lines to you?

24 A. No, no. I always believed he was put in there for his
25 own safety, especially after the helicopter incident.

1 Q. Well, that's what you understood to be the reason?

2 A. Aye.

3 Q. Now, so far as training is concerned, 'Oliver', you tell
4 us, at paragraph 46, page 10, I think, that you don't
5 remember getting any induction or initial training; you
6 were basically just thrown into the deep end; is
7 that ...?

8 A. Aye. Yes, sorry.

9 Q. Then you tell us a bit about the routine at Kerelaw.
10 I'm not going to read this and go through it with you.
11 We can read it for ourselves and have done. I think, as
12 you tell us, it was a regimented structure, and you
13 explain what was a typical day.
14 You do talk about leisure time, at paragraph 55,
15 I think on page 13, and you talk about -- or page 12/13.
16 There would be trips from time to time in the school
17 van, is it?

18 A. Ah-ha.

19 Q. And you went on such trips quite often with a colleague,
20 KBP.

21 A. Yes.

22 Q. And you would go to various places, including the
23 seashore.

24 A. That part was a particular favourite.

25 Q. Did you ever go to the moors? Fairlie Moors?

1 A. Fairlie Moors? Aye, I went up to Fairlie Moors, aye.

2 Q. And do you remember a game called 'running man' or
3 'hanging man' being played?

4 A. No, I don't know what that is.

5 Q. You don't know what that is?

6 A. No.

7 Q. Someone running in front of a van and someone hanging on
8 behind?

9 A. No.

10 Q. That didn't happen when you were out?

11 A. No.

12 Q. Because we've heard evidence it did happen on trips; you
13 say it didn't happen?

14 A. No. Not on any of my trips, no.

15 Q. I mean, you could see the dangers of that, couldn't you?

16 A. Definitely.

17 Q. Even if the boys thought it was a bit of a game and
18 a bit of fun, it's pretty dangerous stuff?

19 A. It certainly is.

20 Q. Do you remember a game, a wave game --

21 A. A wave game?

22 Q. A wave game that involved young boys running along the
23 front at the beach where there were high waves on a
24 stormy day; did that ever happen when you were on
25 a trip?

1 A. No. Have you ever been down Saltcoats beach when the
2 waves are coming in? It's --

3 Q. Pretty bad?

4 A. -- pretty bad. (Overspeaking) stopped because of it.

5 Q. Yes, we may have seen flooding in recent times, but if
6 that did happen that was extremely dangerous?

7 A. Very dangerous, aye. I know the power of waves, aye.
8 Some of the stuff you see on that wall after the waves
9 have dissipated, pretty big bricks and that.

10 Q. And do you ever remember a game called dodgeball?

11 A. Dodgeball. They used to play that, aye. Dodgeball.

12 Q. Was dodgeball played in the gym?

13 A. Aye.

14 Q. Do you know what it involved?

15 A. Aye, two teams and they have a ball and you throw it at
16 each other. I cannae mind if it hits you below the legs
17 you're out.

18 Q. That's what you remember?

19 A. Aye, it was a soft ball. It wasn't a big hard tube or
20 anything like that. It was just a soft ball.

21 Q. You don't remember games -- I think sometimes people
22 call this game 'murder ball'; have you heard that
23 expression?

24 A. No, I haven't heard that.

25 Q. The balls were soft, you say?

1 A. Aye.

2 Q. Do you ever remember people playing a game in the gym
3 that involved using golf clubs and using them to hit
4 golf balls in the direction of children that were in the
5 gym?

6 A. No. But I know through other statements here, in other
7 years, people have said that's happened. But not when
8 I was there.

9 Q. People have said that is what happened?

10 A. Not when I was there. I would just recall because it
11 was in the papers and stuff like that.

12 LADY SMITH: 'Oliver', just going back to dodgeball; did
13 I pick you up correctly that the point of the game was
14 to throw the ball at other children?

15 A. Yes.

16 LADY SMITH: With a view to hitting them with the ball.

17 A. With a view to hitting them with the ball, yes. There's
18 actually a film called 'dodgeball' that's a comedy.

19 LADY SMITH: Thank you.

20 MR PEOPLES: Just on the subject of trips, if I continue,
21 I think you are questioning the reliability of some of
22 'Sky's' evidence to this Inquiry because you say that
23 she never went anywhere with anyone, unless it was one
24 child. She has said, I think, to this Inquiry, that she
25 took a number of children in her car. You say that

1 didn't happen?

2 A. That never happened.

3 Q. How would you know?

4 A. Because I was on shift with 'Sky', and to be honest with

5 you I didn't like working with her because she was

6 pretty lazy.

7 Q. That's your --

8 A. That's my view.

9 Q. -- view of what she was like?

10 A. Aye.

11 Q. Did she participate in restraints?

12 A. No.

13 Q. Do you know why she didn't?

14 A. No. I could only speculate.

15 Q. Well, did you ever get the impression she just simply

16 didn't like a child being restrained? Did she make that

17 clear to you?

18 A. No.

19 Q. She didn't explain?

20 A. No.

21 Q. But do you not recall her taking part in restraints,

22 even if she was not comfortable?

23 A. Never. Never. Not one.

24 Q. Never? Because she said she did; is she wrong?

25 A. I believe so. I've never seen her involved in

1 a restraint.

2 Q. And you say that ^{HRZ} would never drive the unit van. So

3 she wouldn't go on these trips using the van?

4 A. No.

5 Q. And if I move over to paragraph 58 of your statement,

6 just on the matter of trips, you sometimes took boys

7 out; is that right?

8 A. Yes, aye.

9 Q. And there could just be yourself?

10 A. Aye.

11 Q. And you say there weren't any guidelines on the ratio of

12 staff to children on trips?

13 A. No.

14 Q. So it was the practice that you could take a child out,

15 or children, on your own?

16 A. Yes.

17 Q. And you could take them anywhere?

18 A. Yes. Within reason. I mean, you wouldn't go down to

19 England and things like that.

20 Q. No. You could go to the beach?

21 A. Oh yes.

22 Q. You could go to the moors, if you wanted? You could go

23 to the cinema, the skating rink, the swimming pool?

24 A. Not that I would go individually with a kid to the

25 moors. You would leave yourself open to all sorts of

1 questions.

2 Q. Did you ever take a young person, either, to your home?

3 A. No.

4 Q. Either singly or in a group?

5 A. No.

6 Q. Did others?

7 A. No. Not to my knowledge. I could speculate. But, no,
8 not to my knowledge.

9 Q. If I say to you that obviously they did because we know
10 from certain convictions that, at least, Matt George,
11 for example, took children --

12 A. Oh, I don't know, no, no.

13 Q. You didn't know that?

14 A. No, I didn't know that. That was when -- I'm not going
15 to speculate.

16 Q. I'm not asking you to speculate; I'm just telling you
17 it's something that is public knowledge.

18 And there would be no risk assessment made of the
19 risks of taking children on trips or certain activities
20 that they might be involved in? There was no formal
21 process of risk assessment?

22 A. No, there was -- back then there was no form of -- you
23 would just use your relationship with young people. You
24 didnae -- and you certainly knew their relationship with
25 each other. Like I said, the autonomy, the kind of gang

1 warfare, I wouldn't take two boys that was in conflict
2 with each other.

3 Q. That's just your judgement?

4 A. That's just my judgement.

5 Q. It wasn't smart. It wasn't because some guidelines told
6 you?

7 A. No, no. You would make your own personal risk
8 assessment, is a better way of describing it.

9 Q. Yes. And did there ever come a time when you were
10 employed when there was some policy issued that said
11 that staff shouldn't take children, for example --

12 A. Sorry, I missed that.

13 Q. Did there ever come a time when you were working there
14 where there was a policy issued by the Council saying
15 that staff at Kerelaw shouldn't take young people out on
16 their own to their homes, for example? Do you remember
17 anything of that kind?

18 A. I -- the policy wasn't issued. It was always there, as
19 far as I know.

20 Q. Which policy?

21 A. That you wouldn't take a child to your own home.

22 Q. So that was the official policy?

23 A. Aye, aye.

24 Q. But people did?

25 A. Matt George did, obviously. But I wasn't aware of that.

1 Q. I think he's not alone. I think we've heard evidence
2 that other members of staff took children to their homes
3 at times. I'm not suggesting anything necessarily
4 happened --

5 A. Ah-ha.

6 Q. -- but they did --

7 A. Right.

8 Q. -- and they thought that that was encouraged or settled
9 practice?

10 A. No, no.

11 Q. That wasn't?

12 A. No.

13 Q. And you didn't do that?

14 A. I didn't do that, no.

15 Q. But you would go out on your own with a group of boys?

16 A. Oh aye. Aye, I was always out with a group, very early.
17 I don't think I've ever been out with -- oh maybe Gary,
18 maybe Gary to get clothes or something because I was his
19 key worker.

20 Q. And moving on to paragraph 6 -- page 16, paragraph 67,
21 if I can, this is to do with various matters. Christmas
22 and holidays and so forth, when there were organised
23 activities.

24 Now, we can read that for ourselves. But one thing
25 you do tell us is that there were relationships. I take

1 it you mean consensual relationships, between boys and
2 girls:
3 'and we supported that and it was going on anyway.'
4 So is that -- are you okay?
5 A. Aye, sorry, just this cough. It gets me sometimes.
6 Q. So you were aware, as presumably other staff were, that
7 relationships between boys and girls were going on?
8 A. Yes.
9 Q. Some of them were, what, between 13 and 16 years of age,
10 girls and boys?
11 A. Yes.
12 Q. There were opportunities to mix --
13 A. Yes.
14 Q. -- both in the open school, and indeed in the secure
15 unit, I suppose?
16 A. And when they all absconded together and things like
17 that as well.
18 Q. And were girls put on the pill?
19 A. Oh, I don't know.
20 Q. You don't know?
21 A. No.
22 Q. Okay. Now, so far as visits are concerned, you tell us
23 about that at paragraph 69. Am I right in thinking that
24 the general attitude, as far as you can recall, was that
25 social workers tended only to come to Kerelaw if there

1 was some issue that they had to deal with?

2 A. Yes. Yes.

3 Q. They didn't tend to come regularly, otherwise?

4 A. Yes, there was no regular contact. It was just if there

5 was something really pressing.

6 Q. I think you say, in paragraph 69, that communication

7 wasn't great then; do you mean communication between the

8 care staff at Kerelaw and the social workers?

9 A. Aye, aye. Well, nowadays you've got emails, but that

10 falls down now as well. Sorry, can I make that

11 comparison?

12 Q. Yes, no problem.

13 A. That falls down now as well, because when you send

14 an email in Glasgow City Council you can -- I don't know

15 how to describe it. You can get a wee bit and you can

16 read it, but you don't have to click on it, so it

17 doesn't come back to you that that email's been read.

18 Q. So you don't know whether it's actioned or not?

19 A. That's it. That's now -- then there was very little.

20 It was pick up the phone, and sometimes it was just very

21 difficult to hold a social worker because they're busy,

22 same as they are just now.

23 Q. And do you not get any feedback under the modern system

24 if you send an email to Glasgow?

25 A. No, you don't. You don't get a wee thing. You used to

1 get it. When I first arrived, you used to get it,
2 saying 'This has been read', but that can be bypassed
3 now.

4 LADY SMITH: 'Oliver', can I just take you back to a couple
5 of minutes ago? You said you don't know whether the
6 girls who were engaging in sexual relationships between
7 the age of 13 and 16 were put on the pill, or you
8 weren't working with the girls?

9 A. I wasn't working with the girls.

10 LADY SMITH: You were working with the boys, though?

11 A. Yes.

12 LADY SMITH: Did they get any firm advice about
13 contraception?

14 A. They didnae, but they do now.

15 LADY SMITH: I was asking about then. This was late 1990s
16 and into the turn of the century.

17 A. No.

18 LADY SMITH: Nobody was saying anything to them about the
19 risk of making girls pregnant?

20 A. Not that I can remember.

21 LADY SMITH: Thank you.

22 MR PEOPLES: Then just if I go on to paragraph 72, which is
23 dealing with inspections, and there's a view you
24 expressed there that residential care should be the most
25 regulated service there is; that's your opinion?

1 A. Yes.

2 Q. Do I take it -- you tell us the Care Commission did come
3 in your time. You can't remember whether they spoke to
4 you or indeed whether they spoke to children, but they
5 definitely do now, you say?

6 A. Oh aye, aye.

7 Q. And we'll come back -- I think you've got a good opinion
8 of the current inspection system; is that right? The
9 Care Inspectorate, that they do a good job, but you
10 think they're understaffed, did you say?

11 A. I believe they're understaffed. They could do with more
12 inspections. There used to be an unannounced and
13 an announced, and something tells me it used to be four
14 times a year, but I might be totally wrong.

15 Q. But you don't think there's enough inspections?

16 A. But there's definitely not enough now. I cannae mind
17 the last time we had an inspection.

18 Q. Are you in a children's house?

19 A. I'm in a children's house just now.

20 Q. And you can't remember the last time it was inspected?

21 A. I honestly cannae. But then I have had a lot of medical
22 problems, so ...

23 Q. So it may be they came when you weren't there?

24 A. Yes. Then there was Covid as well, so nobody was coming
25 at all.

1 Q. Okay. But the inspections you can recall; were they
2 both announced and unannounced?

3 A. Yes.

4 Q. Because I think that was one of the features of the new
5 inspection system that came in shortly after you started
6 work at Kerelaw, when they had the Care Commission.
7 Then they started new systems of inspections, some of
8 which were announced and some unannounced.

9 A. Yes.

10 Q. Is the point you're making there, at 72, that maybe
11 historically at least or in the past, it wasn't
12 sufficiently regulated in your view?

13 A. Yes.

14 Q. The service.

15 A. In my view, yes.

16 Q. And so far as you were concerned, there wasn't even
17 external management review or supervision?

18 A. No, there you go. Yes.

19 Q. Now, if I go on to page 19, to paragraph 83, you tell us
20 that during your period of employment you didn't see
21 behaviour that you considered abuse taking place at
22 Kerelaw, although it could have been hidden. That's
23 obviously a possibility that you recognise?

24 A. Yes.

25 Q. But you didn't see anything that caused you concern?

1 A. No.

2 Q. Either in the form of inappropriate restraints or other
3 forms of behaviour that caused you concern?

4 A. No.

5 Q. So far as violent incidents are concerned, you've told
6 us there was a process for filling in forms about
7 incidents and they would go on to, presumably, the unit
8 manager; were violent incidents discussed at the Tuesday
9 meetings?

10 A. Yes. They were. Aye. Aye, they were. Not every one,
11 but some of them were.

12 Q. And if there's evidence that -- I think we've heard
13 evidence by someone you worked with who says that there
14 were incidents which were not always recorded on forms;
15 is that something you're aware of?

16 A. No.

17 Q. Are you ruling out -- are you saying that it didn't
18 happen or it's not something that you recall?

19 A. It's not something I recall.

20 Q. But it could have happened, for all you know?

21 A. Oh, it could have, aye.

22 I know in comparison today, they certainly -- one of
23 my colleagues was recently asked to change a VI. So it
24 happens now.

25 Q. To actually change what was said in it?

1 A. Change what was said in it, yes.

2 Q. So that happens --

3 A. Because of the terminology.

4 Q. Right. So one might say that it's better to hear the
5 words of the person who was part of the incident, rather
6 than someone else saying, 'Change it'; do you see the
7 point?

8 If someone witnesses something and writes it in
9 their own words --

10 A. That's better, definitely.

11 Q. -- is that not better than someone coming along and
12 saying: hang on --

13 A. Yes, I agree.

14 Q. -- change that because I think you should say this?

15 A. Yes. It does say on the VI, give a -- it was a detailed
16 description. So if somebody's swearing at you, you
17 would write that in, what the swearword was.

18 LADY SMITH: 'Oliver', in that paragraph, paragraph 83, in
19 line 2, you say:

20 'There was a policy there on child protection and in
21 the manager's office, but I can't remember any
22 discussion about it.'

23 Now, help me with this: earlier in your statement
24 you said you couldn't remember any policy on child
25 protection?

1 A. Aye, just there must have been one there because of the
2 nature of the job we're in. There has to be a child
3 protection policy.

4 LADY SMITH: Well, there should have been, but you've no
5 memory of one?

6 A. I don't have any memory.

7 LADY SMITH: Okay, thank you.

8 MR PEOPLES: You're making an assumption there would have
9 been a policy. But, if there was a policy, you didn't
10 see it, if it was written down.

11 A. Ah-ha.

12 Q. And it wasn't really conveyed to you by your line
13 manager, if there was such a thing?

14 A. If there was such a -- that's what I've said. Now they
15 have gold training with --

16 Q. And you didn't get training either?

17 A. Didn't get training either, no.

18 Q. You say at paragraph 91, on page 22, I think, perhaps:
19 'There wasn't any physical discipline, like slaps or
20 kicks.'

21 Well, we have certainly heard some evidence in this
22 Inquiry, and you're probably aware of that, that people
23 have said they were slapped and kicked from time to
24 time, either during a restraint or at other times,
25 sometimes for no reason at all; are you saying you never

1 saw any of that?

2 A. No.

3 Q. Are you saying it didn't happen? Or can you only just
4 speak for what you see?

5 A. I can only say what I've seen, and I didn't see anything
6 happen.

7 Q. Was it a bit like the general point you make about
8 abuse; that it could have happened --

9 A. It could have happened, yes.

10 Q. -- but you say you didn't see it?

11 A. I'd never seen it.

12 Q. And you didn't do it?

13 A. I didn't do it, no.

14 Q. And restraint and if I could go back to that, you have
15 a section in your report, and at page 23 at
16 paragraph 94, you say that -- sorry, it's page 23, yes.
17 At paragraph 94 you say:

18 'There was training in restraint given to staff, but
19 it wasn't updated often ... there was supposed to be
20 refresher training every six months but that didn't
21 happen.'

22 So that was your understanding, there should have --

23 A. That was my understanding, yes.

24 Q. And so did you only get training once?

25 A. Yes.

1 Q. In, what, four or five years?

2 A. Yes.

3 Q. So at page 25 you tell us that during restraint, at
4 paragraph 102 -- so I think it's going to be page 24:
5 "When [young people were] on the ground they would
6 bang their head and we were always told don't ever put
7 a cushion or pillow under their head. Just let them
8 bang their head, that's all you could do, otherwise it
9 could look as if you were trying to smother them.'

10 So can I just ask you a few questions about that.

11 Where a physical restraint was done, it would
12 involve taking the child down or putting them onto the
13 ground?

14 A. Yes.

15 Q. And that would generally be face-down?

16 A. Yes.

17 Q. And clearly in the description you give there, it's
18 possible that they would sustain injuries during
19 restraint?

20 A. Yes.

21 Q. They could end up having facial injuries, carpet burns?

22 A. Yes.

23 Q. The like.

24 A. Yes.

25 Q. Cuts, bruises, whatever?

1 A. Yes.

2 Q. Did you ever see injuries intentionally inflicted on
3 young people during restraints?

4 A. No.

5 Q. Did you ever do that?

6 A. No.

7 Q. Because I think you'll be aware that there is at least
8 an allegation of that kind?

9 A. Yes.

10 Q. But you deny that?

11 A. Yes.

12 Q. You didn't, but you say that they would sometimes injure
13 themselves --

14 A. Yes.

15 Q. -- in the course of restraint?

16 A. Yes.

17 Q. Would that occur because of how the child responded to
18 being restrained, if they struggled, for example?

19 A. Yes.

20 Q. Did children often struggle?

21 A. Yes.

22 Q. Rather than be passive?

23 A. Yes.

24 Q. And if I go on, before I deal with, I think, some
25 specific matters that have been -- some allegations, you

1 tell us about the time that you got towards the end of
2 your time at Kerelaw at paragraph 109, and say that one
3 day you just turned up and you were told you were
4 suspended; do you see that? Page 26, is it?

5 Do you see that? This is when you were suspended.

6 A. Yes, aye. I just turned up one day, aye.

7 Q. And the person who told you you were suspended couldn't
8 tell you what it was for?

9 A. No.

10 Q. And you reckon you were suspended for 18 months?

11 A. Yes.

12 Q. And you tell us later on, I think, at paragraph 111,
13 that starts on page 26, that you subsequently got
14 a letter from Glasgow City Council explaining the
15 suspension, that there would be a process of
16 fact-finding, and there was a disciplinary procedure.
17 And you tell us, I think, the upshot of that was you got
18 a final written warning?

19 A. Yes.

20 Q. And you recall there were a number of complaints.
21 You're not -- I think at this juncture you can't recall
22 the precise detail of all of them?

23 A. No. No.

24 Q. But one of them you do remember, it was alleged that you
25 had used the term 'fud' when speaking about children,

1 and you say you did do that?

2 A. Yes.

3 Q. And what do you say about using that term?

4 A. The word 'fud' for me is a local slang word for being
5 silly, being --

6 Q. Was that used by others in the locality?

7 A. Sorry?

8 Q. Was that a term that would be used in the locality by
9 other people?

10 A. It was used often, aye.

11 Q. Did you hear other staff use it?

12 A. Yes.

13 Q. As well as you?

14 A. Yes.

15 Q. Because you know it has another meaning, I think you're
16 aware of that now?

17 A. Yes, I do, yes. That was -- I wasn't aware of that
18 until my disciplinary hearing when it was brought then,
19 and they say that it was that -- a description of female
20 genitalia.

21 Q. And generally how did staff -- did they sometimes call
22 young people names that they shouldn't have done? Did
23 they call them 'bastard' at times, for example?

24 A. Not to my knowledge, no.

25 Q. You never heard that used?

1 A. No.

2 Q. 'Scumbag'?

3 A. No.

4 Q. Nothing like that?

5 A. No.

6 Q. You didn't hear any kind of derogatory terminology
7 either towards or about a young person?

8 A. No.

9 Q. I mean, do you not find that surprising in that sort of
10 environment with all these young people who might
11 themselves be using language of that type?

12 A. I suppose it is, isn't it. I don't really have
13 an opinion on it.

14 Q. The other matter you recall gave rise to the warning was
15 that there was -- I think it was found that you had been
16 involved in some form of inappropriate restraint; is
17 that right?

18 A. Yes.

19 Q. And you say you're not sure now why you admitted it, but
20 it might have been simply just to get through the
21 process. Because I think you said it had taken a long
22 time to get there.

23 A. Aye it was, aye.

24 Q. And you feel that so far as the allegations were
25 concerned, that one person in particular played

1 a prominent part in making complaints, and you name her
2 as your colleague?

3 A. 'Sky', yes.

4 Q. And I think -- is it your position that so far as
5 matters such as restraint were concerned, that there
6 would have been occasions that what you call mistakes
7 were perhaps made in hindsight, but you don't think that
8 you were deliberately doing something contrary to TCI
9 training or approved techniques?

10 A. Yes.

11 Q. Is that your position?

12 A. That's my position, yes.

13 Q. So if others say you did, what do you say to that?

14 A. Sorry?

15 Q. If other people say: no, you did do things that were
16 contrary to training, you did sometimes push people's
17 face down on the floor, things like that.

18 A. Never happened.

19 Q. You didn't do that?

20 A. Didn't happen.

21 Q. Okay.

22 Now, you tell us what happened after Kerelaw, and
23 we can read that for ourselves, and you've told us a bit
24 about what's happening in modern times, and again we can
25 read some of that along with the evidence you've given

1 today.

2 So far as awareness of abuse is concerned, am
3 I right in thinking that you were not aware of any
4 person in the staff who at any time was abusing young
5 people in any shape or form. Is that your ...

6 A. Not in my time there, no.

7 Q. So that anyone who has been convicted, that came as news
8 to you?

9 A. Yes.

10 Q. And you tell us a bit about various individuals you've
11 worked with, and I'm not going to go through that.
12 I think, generally speaking, so far as you were
13 concerned, the people you mention, that are mentioned
14 there -- insofar as you knew them, because some you
15 didn't -- you never saw anything untoward in their
16 conduct?

17 A. No.

18 Q. Or anything that caused you concern?

19 A. No.

20 Q. You are critical, I think, of your colleague 'Sky', who,
21 if I could take you to paragraph 125, where you say that
22 there was an occasion when, is it ^{FSY} [REDACTED] -- that
23 'Sky' was upstairs and she came down and asked if you
24 would help, is it ^{FSY} [REDACTED], would that be ^{FSY} [REDACTED]?

25 A. Aye it was, aye.

1 Q. And you say that when you went up to the room that
2 he was in, he was lying on the floor with a boy, holding
3 him in a single-person restraint --
4 A. Yes.
5 Q. -- which you say you'd never be able to do with the
6 particular boy?
7 A. Aye.
8 Q. I don't think you were supposed to do single restraints
9 anyway, were you?
10 A. There was a technique, but I cannae remember what it was
11 actually -- it probably was a single-person restraint.
12 But I don't know for sure.
13 Q. And what you say is after you gave him assistance and it
14 was all over, ^{FSY} said to you 'Where did she go?' and
15 you told him that 'Sky' had gone down the stairs and
16 told you to go up to him.
17 A. It's important to remember there was a delay there
18 before she told me.
19 Q. Okay. And he told you, is it, he had been 20 minutes by
20 himself and she'd just stood at the door watching and
21 then went to fetch you. Is that what you were saying?
22 That's what ^{FSY} said: that he was trying to
23 restrain someone on his own.
24 A. Aye. Aye.
25 Q. She was standing at the door watching for 20 minutes,

1 and then finally she came down to ask you to give him
2 some help.

3 A. Aye.

4 Q. And I think that's where you make a point that people
5 became afraid to work with her.

6 A. Work with -- aye.

7 Q. As she wouldn't join in. And you felt that she was just
8 watching their behaviour?

9 A. Yes.

10 Q. Now, just going, finally, to allegations that have been
11 made against you, can we take, first of all -- can we
12 look at Gary Bryce, who has said various things, one of
13 which that he says that he shouldn't have been basically
14 going to the secure unit, and he says that you and
15 John Muldoon took him there, and I think you've told us
16 what your part in that was: that you didn't take the
17 decision, you simply escorted him?

18 A. That's correct.

19 Q. And you visited him from time to time?

20 A. Yes.

21 Q. And did he seem to hold any grudge about --

22 A. No. No.

23 Q. -- the way you treated him?

24 A. No. In fact he was quite happy to see me when I went up
25 to the secure unit.

1 Q. Did he express a difficulty about the decision to put
2 him there, because he seems in his statement to have
3 quite strong feelings about that?
4 A. Not to me then, no.
5 Q. Because he says -- and this is recorded at 132 of your
6 statement, paragraph 132 -- that he has said in his
7 statement to this Inquiry, he was put in a secure unit
8 to keep a lid on him. Now, you say you think that's
9 a recognition that it was to keep him under control?
10 A. Aye, to keep him safe.
11 Q. There is another way of reading that --
12 A. Yes, aye. There certainly is, aye.
13 Q. You know what I'm saying.
14 A. Yes.
15 Q. That he's saying just to sort of shut him up and put him
16 away from something that he had problems with: the way
17 he was being treated?
18 A. Oh, no, I've never seen it like that. Oh, but it's
19 possible, yes, aye.
20 Q. You don't read it like that?
21 A. I just see -- for me it was for his own safety. That's
22 why he was put in secure.
23 Q. But it could be read the other way if you accept what he
24 says in the next paragraph at 133, because he says that:
25 ' ^{HIZ} [REDACTED] did a fair bit to me. His abuse was

1 more vindictive. He would squeeze your hand, flick you
2 in the genitals or pull your hair. It wouldn't just be
3 when he was trying to restrain you, it would be when you
4 were walking down the corridor as well. I don't know
5 how he could think that was appropriate.'

6 Now, that's what he's saying, and I think your
7 position is quite straightforward: you didn't do any of
8 these things?

9 A. No. Never happened.

10 Q. Can you explain why he would say that, though?

11 A. No idea. Well, I could speculate, but you're not
12 allowed to.

13 Q. And you say -- in short you say you didn't abuse him in
14 any way?

15 A. No.

16 Q. Right. And you're quite clear, you say, on that?

17 A. No, I never abused him in any way.

18 Q. And you think, certainly, there is some suggestion that
19 some young people might be saying things because of the
20 possibility they might get compensation. That's maybe
21 the rumours that some people have been told.

22 A. Well, it's not rumours. It's fact. It's on Facebook
23 and stuff like that. Lawyers are advertising it, 'Did
24 you stay in Kerelaw'.

25 Q. And you feel this might be encouraging at least some

1 people to ...

2 A. Yes.

3 Q. You're not suggesting everyone who comes forward ...

4 A. Not everyone.

5 Q. And, indeed, you say that this particular boy tried to
6 get in touch with some ex-members of staff via social
7 media, and [KBP] was one of them?

8 A. [KBP] is one of them, yes. And I say that
9 because [KBP] is my friend and he has been since
10 Kerelaw. It wasnae just [KBP]. It was [KBP]'s wife as
11 well he was trying to get in touch with.

12 Q. And just moving on to some things that were said by your
13 colleague that you have mentioned earlier. She talks
14 about one matter involving a boy who -- she says she
15 encouraged the boy -- this is at paragraph 136. She
16 encouraged this boy to make a complaint as he wasn't
17 happy, and this is one where he seems to have said to
18 her that when she ruffled his hair, 'Don't do that, my
19 head's sore'. He said to her he'd been restrained the
20 night before, and said that the staff were battering his
21 head off the ground, and he named you and your colleague
22 [KBP]. Those two, she said, were always up
23 for restraint.

24 Now, I think you tell us that just didn't happen?

25 A. Didn't happen.

1 Q. But you do say that this boy was someone who, during
2 a restraint, would sometimes bang his head off the
3 ground anyway?

4 A. Yes.

5 Q. Not just when you were there, but perhaps when there
6 were other restraints going on?

7 A. Aye. When he was under -- getting restrained by other
8 staff members, yes.

9 Q. Now, you do accept that if that happened it would be
10 a completely inappropriate thing to do for a member of
11 staff to do to deliberately push a --

12 A. Yes, to bang his head, yes.

13 Q. -- to bang a boy's head.

14 A. Yes.

15 Q. Now, there's another one which I can just deal with,
16 with another boy, at 139, if I can, which was
17 an occasion where a boy was being restrained and it
18 seems that the background was that a window had been
19 smashed and he was perhaps seeking to run away. And at
20 some point his face was on the floor and it's said by
21 your colleague that the boy in question had his face
22 pushed into broken glass and it was cut and bleeding.
23 And the account that is given is that you and
24 FSY were pushing his head into glass that was
25 on the floor, and they were telling 'Sky', who was

1 present, to get out the room. She got a brush and tried
2 to sweep up the glass and also to stay in the room to
3 see what was happening. She had, I think, helped him at
4 times to take insulin, even if he was wanting to run
5 away.

6 Now, what's your position about that? I think you
7 say you don't recognise the incident she's referring to?
8 Does that mean it never happened?

9 A. I don't recognise the incident that she's referring to
10 and I had no recollection of the events that she's
11 describing.

12 Q. You can't remember even an occasion where a boy did
13 break glass and you had to restrain him?

14 A. I've remembered occasions when boys have broken glass,
15 but I've never pushed anybody's face into glass.

16 Q. So there might be times when boys would break glass for
17 one reason and another?

18 A. Yes.

19 Q. And you might have to deal with them?

20 A. Yes.

21 Q. But do you ever remember them being cut because of
22 glass, even if you say you didn't ever try to push their
23 face in it?

24 A. No. No, I don't remember them being cut by glass.

25 Q. Obviously you accept that would be completely

1 inappropriate if it happened?

2 A. That would be.

3 Q. And you do say that you feel that the way it's been

4 described, even by her account, is dramatised?

5 A. Yes.

6 Q. And you say that if he was badly injured he would have

7 been taken to accident and emergency?

8 A. Yes, he would have, yes. And that would be Crosshouse

9 Hospital, and there must be records of it.

10 Q. And you say that -- you say at the end that even the way

11 she describes it, at 142, you say it would have been

12 justified because on her description he was trying to

13 put himself in danger.

14 A. Yes.

15 Q. Because of his actions. So that would have been, in

16 your view, a justified occasion to seek to restrain him?

17 A. Yes.

18 Q. She talks about another boy, where she tells us that the

19 boy's father phoned to say that the boy in question had

20 stolen his brother's PlayStation and that he planned to

21 deal with it and didn't want the staff to raise it with

22 him. She says that you decided to restrain the boy in

23 question, and that she was involved because she was the

24 only other person around, and that you in the course of

25 this incident said various things, including that it was

1 just as well that his mum was dead as he was sure she'd
2 be proud of him for being a thieving wee bastard, and
3 that you called him every name you could think of, and
4 that this was a boy who couldn't read or write.

5 And yet you asked him -- you were telling him --
6 while you were restraining him you were telling him that
7 you were going to ask him to count to 10. But you say,
8 she says, that he couldn't even do that, and you
9 described him at the time as an 'illiterate wee
10 bastard', and she goes on to say things about staff not
11 supposed to speak in restrain, but also she's claiming
12 that you said some things anyway that you shouldn't have
13 said to the boy.

14 So what's your response to that?

15 A. It didn't happen.

16 Q. It didn't happen?

17 A. No.

18 Q. You don't remember -- do you remember the boy in
19 question?

20 A. Aye, I remember the boy in question, KHY, aye. I've
21 gone on to say that the same boy that had his face
22 slashed and came up the street shouting my name and
23 I had to sit with him until an ambulance arrived and
24 hold his face together.

25 Q. So you do remember him, but you don't remember anything

1 of that type happening?

2 A. I don't remember that, no.

3 Q. But you would sometimes speak, as you said, to calm
4 someone down?

5 A. No. I would speak to see if they had calmed down.

6 Q. Oh, to see if they had calmed down.

7 A. To see if they'd returned to baseline behaviour.

8 Q. Would you have ever tried to say the sort of things that
9 are recorded there?

10 A. No. No.

11 Q. Would these have been the sorts of things --

12 A. I've got to say, I'm dyslexic. So to say they things
13 would be offensive to me.

14 Q. And I suppose it might be said that if you said these
15 things that it's hardly something that's going to calm
16 a person down?

17 A. No. No. Believe me, you don't want to be restrained
18 for any length of time.

19 Q. And just the question of -- there's another matter she
20 raised about that you and your colleague KBP
21 took a lot of pride in wanting to be the worst member of
22 staff and would compete with each other to say who was
23 the worst.

24 It's said that -- well, she talks about also what
25 you would do when boys came back from leave: that you

1 and ^{KBP} would put on rubber gloves, throw a boy
2 a towel, tell them to take their cloths off and make
3 them do star jumps in the unit manager's office to see
4 if they had drugs. And that she has had words with you
5 about all of this and the impact that this sort of
6 behaviour would have, and was told to get lost and was
7 a know-all.

8 Now, can we just break that down a little bit? You
9 told us earlier that you had an instruction to search.

10 A. Yes.

11 Q. Did you search in the way she described?

12 A. Aye.

13 Q. At times?

14 A. Yes.

15 Q. So you might make a boy --

16 A. I don't know about the rubber gloves, because we
17 never -- I don't know why -- why would we be wearing
18 rubber gloves?

19 Q. You can't see a reason why you would have rubber gloves?

20 A. Oh, to search their clothes. Aye. Aye, to search their
21 clothes. Sorry. I was trying to think there.

22 Q. Would you ask them to remove their clothes on these
23 occasions, and would they do some form of jump to see if
24 they had it on their person?

25 A. A jump, aye.

1 Q. So that did happen?

2 A. That did happen, yes.

3 Q. But your position is you were told that was the way it
4 was to be done?

5 A. That was an instruction, yes.

6 Q. As a body search.

7 A. There were --

8 Q. And I think you tell us that it wasn't just your unit
9 that did this?

10 A. Oh no.

11 Q. Other --

12 A. Others, yes.

13 Q. -- male staff members in other units did the same?

14 A. Yes.

15 Q. Do you know that, or is that just what you've been told?

16 A. That's what I've been told.

17 Well, I knew a unit it did happen, and other members
18 of staff done it. But none of the other units were told
19 that happened. I don't know about the lassies. I had
20 nothing to do with the lassies.

21 Q. And you say that -- you did say that it's a big regret
22 that you did say something along the lines of being
23 worst worker in the context, you say, of joke or banter
24 in a smoke room. When boys would say, 'You're the
25 worst, ^{H12} [REDACTED]', and your colleague might say, 'You think

1 so?', and someone else would say, 'You're the worst' --

2 A. That's not right.

3 Q. And you say this was all just jokey?

4 A. That was just all banter. It was just a carry-on and

5 a laugh.

6 Q. And you say that when this was said, you don't think

7 'Sky' was there?

8 A. 'Sky' wasnae there. It was [REDACTED].

9 Q. Okay. But you say it was just a form of carry-on?

10 A. Aye, it was a form of carry-on.

11 Q. But looking back, do you see it wasn't the smartest

12 thing to say in that context?

13 A. Yes. And that's how in my fact-finding, my discipline,

14 I apologised for that, that I would offend some young

15 people.

16 Q. But did you think the boys, when this was being said in

17 the smoke room, did they appear to be taking offence?

18 A. Yes. No, no, they weren't -- sorry, I thought you

19 were -- no, they werenae taking offence, no. No, they

20 were at that stage joining in.

21 Q. Okay. And then she tells us about another occasion,

22 I think, about where a girl had said to her about a boy

23 trying to touch her, but it wasn't to the girl a big

24 deal, but that you and [REDACTED] wanted to know what

25 happened and were determined that you would batter the

1 boy, and she had to put you off doing so. And they were
2 calling you an idiot and making you feel small for doing
3 this. Your position is you don't remember anything like
4 that?

5 A. No, I don't remember that.

6 Q. And we've talked about what happened at the team
7 meeting, and you do have a memory that John Muldoon may
8 well have said something about people -- only three
9 people doing their job right?

10 A. Sorry?

11 Q. If we go to paragraph 150 of your statement, 'Oliver',
12 you have a memory of something that ^{HRZ} tells us about
13 a team meeting where John Muldoon was saying there were
14 only three people in the room doing their job right, and
15 she seemed to think that you, ^{KBP}, and another woman
16 who was there, were looking rather proud of yourselves.
17 Whereas I think the others were perhaps a bit more
18 unhappy about what John Muldoon was saying. Do you
19 remember an occasion like that?

20 A. Aye, I remember the conversation, aye. I cannae
21 remember why it was -- they were doing their jobs
22 properly. But, as you said earlier on, John was kind of
23 divisive with staff.

24 Q. But did he ever instruct you or others in your hearing
25 as to who should get restrained?

1 A. No. No.

2 Q. And was there ever what would be called 'preplanned
3 restraints', where you would come on to a shift and
4 decide --

5 A. No.

6 Q. -- who was going to get restrained or who was going to
7 get something happen?

8 A. No.

9 Q. So were restraints a response to the situation as it
10 arose?

11 A. Exactly.

12 Q. And not otherwise?

13 A. Not otherwise, no.

14 Q. And I think you tell us that since leaving there, you
15 have on occasions come across your colleague, 'Sky', and
16 saying that she has worked in places that you've worked
17 in, and you say that she says things about you which you
18 consider are lies, and you've raised this matter,
19 I think, with various people, and you say she has been
20 told to stop talking about you. Is that something that
21 you're aware of; that she was asked to stop?

22 A. Yes. Yes, I was aware about that, yes.

23 Q. And, indeed, I think you've reached a point where you
24 feel at times you want to take some form of formal
25 action --

1 A. Yes.

2 Q. -- if it continues?

3 A. Yes.

4 Q. Is that the way you feel?

5 A. Yes. And I will be taking immediate action after I've
6 finished here.

7 MR PEOPLES: Well, 'Oliver', these are all the questions
8 I have for you today, and I would just like to thank
9 you. I'm conscious that the time has run longer than
10 you expected. It's due to, unfortunately, circumstances
11 with evidence earlier running on. But thank you for
12 coming today and answering my questions. Thank you very
13 much.

14 LADY SMITH: 'Oliver', can I just add my thanks, not just
15 for coming here and answering questions, but doing so in
16 the middle of what's obviously a rotten cold that you're
17 suffering. I'm very grateful to you for coping as well
18 as you have done this afternoon.

19 I'm sure what you want to do now is leave and get
20 back home, and I'm delighted to be able to enable you to
21 do that. Thank you.

22 A. Thank you.

23 Can I just pass on my thanks to [REDACTED]. It's been
24 a great support.

25 LADY SMITH: Please do. Yes. She has not finished yet.

1 Safe home, 'Oliver'.

2 I just want to mention some more names of people
3 whose identities are protected by my General Restriction
4 Order. Some I think we've already had today, but I'll
5 mention them again: KBT [REDACTED], HQQ [REDACTED], HRZ [REDACTED]
6 [REDACTED], [REDACTED]. Other
7 members of staff: HRZ [REDACTED], LEF [REDACTED], FSY [REDACTED]
8 [REDACTED]. Other boys: Gary Bryce, a boy called KHV [REDACTED],
9 and I think KBP [REDACTED] as well. I hope I haven't
10 missed anybody. If anyone is in doubt, please check
11 before any staff are identified.

12 So that completes the evidence for today, and
13 tomorrow morning ...

14 MR PEOPLES: We have live evidence morning and afternoon,
15 I think, from two witnesses.

16 LADY SMITH: Two witnesses tomorrow.

17 MR PEOPLES: One at 10.00, starting.

18 LADY SMITH: One starting at 10.00 and then an afternoon
19 witness.

20 Well, thank you all very much. That's it for today.

21 (4.47 pm)

22 (The Inquiry adjourned until 10.00 am the following day)

23

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