

Tuesday, 23 April, 2024

1

2 (10.00 am)

3 LADY SMITH: Good morning, and welcome back to our hearings
4 in Phase 8 of our case studies, and this is chapter 5,
5 in which we are looking into the provision of
6 residential institutions by CrossReach. This of course
7 is the phase in which we are, overall, looking at the
8 abuse of children in residential accommodation for young
9 offenders, and children, and for young people in need of
10 care and protection.

11 Now, we move today to hearing the evidence of two
12 witnesses in person. We will also be reading in some
13 statements in between the first witness and the second
14 witness, who is going to be this afternoon, if things go
15 to plan. Do I have the plan right, Mr MacAulay?

16 MR MACAULAY: It depends on how long the first witness will
17 take, my Lady.

18 LADY SMITH: Of course, yes, and the first witness may have
19 quite a lot of evidence to offer.

20 MR MACAULAY: Yes, it will depend on that. As your Ladyship
21 has said, this chapter will focus on three
22 establishments that were run by CrossReach, that's
23 Geilsland, Ballikinrain, and Langlands Park.

24 LADY SMITH: Thank you very much.

25 MR MACAULAY: When she gave evidence on Day 12, some time

1 ago, Vivienne Dickinson described CrossReach as the
2 trading arm of the professional social care council of
3 the Church of Scotland. So the representative of the
4 Church of Scotland.

5 LADY SMITH: Yes.

6 MR MACAULAY: Today, representing the Church of Scotland, of
7 CrossReach, is Ms Mary MacLeod.

8 LADY SMITH: Thank you very much. Now, one small point of
9 detail, because I have heard two versions; have we
10 arrived at a definitive version of the pronunciation for
11 Geilsland, or Geilsland, as I have also heard it
12 pronounced.

13 MR MACAULAY: As I understand it, it is 'Geels'.

14 LADY SMITH: Geilsland, thank you.

15 MR MACAULAY: My Lady, the first witness then is
16 Brian Heron.

17 LADY SMITH: Thank you.

18 Brian Heron (sworn)

19 LADY SMITH: Do sit down and make yourself comfortable.

20 First question for you is: how would you like me to
21 address you? Do you want me to use your first name or
22 Mr Heron? I am very happy with either?

23 A. Brian's fine.

24 LADY SMITH: Thank you, Brian. Now, a couple of points of
25 detail. You will see there is a red folder on the desk

1 there. That has your statement in it, your written
2 statement, so it will be available if you want to refer
3 to it. We will also bring the statement up on screen as
4 we look at different parts of it, and if that's all
5 right with you to have that in front of you --

6 A. Yes.

7 LADY SMITH: -- that will be available as well.

8 But separately, Brian, I know we have quite a lot of
9 questions to ask you about quite different aspects of
10 your history of involvement with what we are interested
11 in. Part of which involves taking you back to your own
12 childhood. Difficult times, possibly emotional times to
13 look back on. You know, however organised and together
14 we all think we are, talking about matters like that,
15 particularly in a public forum, can just get you, and
16 you can find it quite upsetting. If you want to break
17 at any time, that's not a problem, or if there is
18 anything else I can do to make giving evidence more
19 comfortable for you, do let me know. My aim is to help
20 you give the best and clearest evidence that you can, so
21 let's see if we can do that.

22 If you have any questions, happy to answer at any
23 time. If you don't understand what we are asking,
24 that's our fault, not yours. If there is anything else
25 you want to say that you think we should be asking you

1 about that we haven't done, we would be interested to
2 hear it.

3 I will hand over to Mr MacAulay now, if that's all
4 right with you, and he will take it from there.
5 Mr MacAulay.

6 Questions by Mr MacAulay

7 MR MACAULAY: Yes, my Lady. Perhaps I should say -- and
8 Brian is aware of this -- that part of his statement was
9 read in, in the SPS chapter.

10 LADY SMITH: Indeed it was.

11 MR MACAULAY: That was on Day 390. That was the
12 15 November 2023.

13 LADY SMITH: Thank you.

14 MR MACAULAY: Brian, I just want to give the reference for
15 your statement for the transcript. This is your first
16 statement, and it is WIT.001.001.0786.

17 Now, Brian, can you confirm that you were born
18 in [REDACTED] 1957?

19 A. Yes.

20 Q. If I could ask you to look at the last page of this
21 statement, that's page 27 ... I think it has been
22 blanked out, but can you confirm that you have signed
23 this statement?

24 A. Yes, I have signed it. Yes.

25 Q. Do you tell us in the last paragraph:

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

5 A. Yes.

6 Q. I have focused on this statement for present purposes,
7 because this is the statement which you set out in your
8 own time and care; is that correct?

9 A. Yes.

10 Q. We will come on later to look at a second statement that
11 you have provided to the Inquiry, where you set out
12 aspects of your employment, particularly as a social
13 worker.

14 A. Yes.

15 Q. The institution that you wanted to talk about in this
16 first statement is Geilsland school in Beith; is that
17 right?

18 A. Geilsland.

19 Q. Geilsland. I did it again.

20 LADY SMITH: Yes. Do you know, Brian, before you came in
21 I was confirming what is the correct pronunciation,
22 because people pronounce it different ways.
23 Mr MacAulay, at that stage, told me it was Geilsland.
24 And it is probably because I was asking him, I confused
25 him.

1 MR MACAULAY: We will try to keep it on that right note, if
2 I can, Brian.

3 But, as we look down at your statement that you have
4 in front of you, on the second page you provide us with
5 some information about life before you went into care;
6 can you just summarise what life was like at that period
7 in your life?

8 A. My life was quite chaotic, as a 15-year old. Prior to
9 that my parents had split up a number of years before.
10 I was being brought up by my dad, who was away lot
11 because of his job. He was in the merchant's. He was
12 a merchant seaman and he relied on his sisters and his
13 brothers and family members to look after [REDACTED]

14 [REDACTED]
15 [REDACTED]

16 Q. What about your mother? Was she on the scene?

17 A. She moved away to Edinburgh. She got involved with
18 someone and had a relationship and moved away.

19 Q. And you tell us, I think in paragraph 7, that although
20 you would stay at your father's house, sometimes you
21 would be home for periods of a time?

22 A. I was homeless, maybe, for a month once. That was the
23 one that I can remember.

24 Q. But you go on to tell us that when you were 15 you got
25 into trouble?

1 A. Yeah, I ran -- I got involved in the kind of local gang
2 cultures of the area, an area of high deprivation, and
3 lots of crime and nonsense going on. I got caught up in
4 that.

5 Q. And did you end up being sentenced at Greenock's Sheriff
6 Court to a year's custody in Geilsland?

7 A. Yes.

8 Q. Was that your first experience of care?

9 A. Yes, it was. It was the first time I had been in care.

10 Q. I think that sentence was imposed in May 1973; is that
11 right?

12 A. Yeah, yes.

13 Q. That's when you went into Geilsland?

14 A. Yes.

15 Q. We will move on. We see that you left Geilsland
16 in August 1974?

17 A. Right.

18 Q. So you were there for over a year, about 18 months or
19 so?

20 A. No, I was there for a year, I think.

21 Q. Okay.

22 A. A year.

23 Q. And when you went into Geilsland; were you then aged 15?

24 A. I was 15, yes.

25 Q. You say something, and I will just pick this up with you

1 now, at paragraph 11. You learned to play the guitar
2 when you were about 18?

3 A. Yes.

4 Q. And this was quite important for you?

5 A. It was, yes. Aye.

6 Q. Why was that?

7 A. It took me away from -- I had some friends who'd formed
8 a band. Initially, I thought it was a bit of a joke and
9 gave them a hard time. But then I started myself
10 hanging out with them when they rehearsed at the local
11 hall, which is the end of my street when I lived in
12 Gibshill, and I would -- so I became a roadie for them
13 and I would go about and I would see them playing the
14 local pubs and clubs. So I decided I would get myself
15 a guitar.

16 And it wasn't intentional. But, what really had to
17 happen was for me to learn to play the guitar, I had --
18 in front of -- to be around them. It took me away from
19 the groups of people hanging around in the streets.

20 That was quite difficult, because when you try to
21 break away from that kind of environment, they come to
22 your door for you.

23 Q. Yes.

24 A. So I used to lock the door, shut the curtains, pretend
25 I wasn't in. And I can remember Friday nights, when

1 everybody was out drinking and partying, I would be
2 learning how to play a D chord.

3 Q. Then you go on to tell us about life at Geilsland.

4 I will perhaps put a couple of photographs on the screen
5 for you, to see if we can get some sense of the layout.

6 If we could look at INQ-000000846. It is not the
7 best of photographs, but do you recognise the building?

8 A. Yes, that's the Manse House. That's the first building
9 I came in contact with when I was taken there.

10 Q. We don't really get a full impression of the size, but
11 it seems to have been quite a substantial building?

12 A. Yeah, and to the right of it there was a games hall that
13 was built on to it, which was obviously added later on.
14 But that was the front door to the Manse.

15 Q. As far as the sleeping accommodation was concerned;
16 would that be in that main building?

17 A. Initially, upstairs, yes.

18 Q. I will ask you to look at another photograph. This is
19 at COS-000001378.

20 Do you recognise that building?

21 A. That looks to me a building called the White House.

22 Q. Yes.

23 A. When I was there, they were just building that. And
24 they completed that whilst I was there, so I lived there
25 as well. I am pretty sure that's what that is.

1 Q. And what accommodation was that? What was it for?

2 A. Well, it was accommodation for maybe boys who had been
3 in a bit longer. So the Manse House was for those who
4 initially were in and you would remain there for a few
5 weeks and then be moved to another house.

6 Q. Right.

7 A. So, as new people would come in, I take it they kept the
8 newer people close to home, because night staff would be
9 on and in the office downstairs. It just seemed that
10 that was the system they had.

11 Q. And how many accommodation buildings, then?

12 A. There were three in total. There was that, the old
13 Manse, the White House, which was built while I was
14 there, and a place called the New Vic, which was
15 another. It didn't have an upstairs, it was just
16 a one-level building that accommodated kids.

17 LADY SMITH: Was it on the same site?

18 A. All on the same site and all within walking distance.

19 LADY SMITH: Mm-hm.

20 MR MACAULAY: On your first day, did you meet SNR [REDACTED]
21 [REDACTED] ?

22 A. I did.

23 Q. Who was that, then?

24 A. Is it okay to name people?

25 Q. Yes.

1 A. [REDACTED] was [REDACTED].

2 Q. Did he have a conversation with you, on that first day?

3 A. I can remember being taken there by a social worker and

4 there was a meeting going on while I got there in this

5 rec hall, which is attached to the Manse. And all the

6 kids were all standing to attention and [REDACTED] was

7 speaking to them. And so he may have just met me

8 briefly, but he really did introduce himself to me later

9 that night.

10 Q. And that night when he introduced himself to you; did he

11 give you any advice as to how you should behave at

12 Geilsland?

13 A. I can't remember. I can't remember what advice he gave

14 me in terms of -- he gave me in terms of my behaviour:

15 you should behave.

16 I certainly picked up, from what I observed in the

17 behaviour of the other young people, that there was

18 a regime there, and then -- clearly it was being run

19 like an academy of some sort, or the army, you know.

20 There was a kind of military aspect to it, a lot of

21 marching, people standing to attention, which I found

22 a bit strange in young people.

23 Q. Was it all boys?

24 A. It was all boys, yeah.

25 Q. Now, you were 15; are you able to say what the age range

1 may have been when you were there?

2 A. I think it may have been until 18. I was aware of
3 people leaving and then going to court. Maybe picking
4 up some other charges, going to court, and there was
5 an option for them to come back to Geilsland, rather
6 than go to maybe borstal training or prison. So there
7 were older boys, but I don't remember anybody being more
8 than 18.

9 Q. As far as numbers are concerned; can you give
10 an estimate as to how many boys might have been there in
11 your time?

12 A. I think between 60 and 100, that's what I felt. It
13 could be quite busy at times, you know.

14 Q. Yes.

15 A. All the houses were full at times.

16 Q. And how were you distributed, then, in the houses?
17 Let's look at the sleeping accommodation, for example.

18 A. Yes.

19 Q. Did you have dormitories or smaller rooms?

20 A. We had dormitories -- we had dormitories in the Manse.
21 We had dormitories in the New Vic. I'd stayed there as
22 well. And then when this White House accommodation
23 opened up, I had a -- I was in a dormitory, but then
24 I got moved to a single room because I became an out
25 worker. At 16, I had a job with a local carrier. So

1 I didn't -- and I was up at 5/5.30 in the morning to go
2 to work there. So not to disturb the other kids, I was
3 given a room on my own.

4 Q. You mentioned marching already; can I just understand
5 that? One thing you tell us is you would have to march
6 to church, on Sunday.

7 A. You marched everywhere.

8 Q. When you say marched, were you in twos and twos or fours
9 and fours?

10 A. Twos and twos, I think it was, always twos and twos.
11 You would line up, stand to attention, stand at ease.
12 I suppose I was never in the Boy's Brigade, or the Army
13 Cadets, anything of that sort. I suppose, it would --
14 to people who experienced that -- it wasn't very good
15 for people who had two left feet and struggled to march,
16 because maybe in the Boy's Brigade, or, you know, the
17 Army Cadets, people wouldn't be attacked because they
18 couldn't get it right. Maybe they would, I don't know.
19 But I would imagine it was a bit more serious in
20 Geilsland about getting it right, you had to get it
21 right.

22 Q. And if you didn't get it right when you were marching?

23 A. If you didn't get right people were assaulted, people
24 were slapped and punched, kicked.

25 Q. By whom?

1 A. By mainly EZD he was the main perpetrator. But
2 I can vaguely remember some other staff members slapping
3 people as well, you know.

4 Q. For not marching properly?

5 A. For not marching properly. Lots of shouting. Lots of
6 swearing. Staff did a lot of swearing. Kids were not
7 allowed to swear. It reminded me of army life, although
8 I was never in the army.

9 Q. And the church you went to on a Sunday --

10 A. Yes.

11 Q. -- I think you say that's what happened; was that
12 a local church?

13 A. It was a local church in Beith, and we would march down
14 in Geilsland, all down the street, down through Beith
15 town, and we'd march into church.

16 Q. So the local people would witness that?

17 A. Yes, yes. I think EZD was keen that the local people
18 had a good impression of the kids in Geilsland.

19 Q. Can I just get some understanding of the normal day?
20 When you got up in the mornings, I take you would have
21 your breakfast; then what would happen?

22 A. Before you had your breakfast you would get up and you
23 would do a cleaning job. Everybody had a cleaning job.
24 Whether it was cleaning the toilets -- it moved around,
25 cleaning the halls, whatever needed done. Everybody had

1 a job to do. So you would go and attend to your
2 cleaning duties and then you would get ready for
3 breakfast. Each house had its own kitchen, had its own
4 dining area.

5 Q. The boys were separated, then, on that basis,
6 essentially; there would be a group of you in one house
7 and a group in another?

8 A. And you would be cleaning that house. Wherever you
9 lived, that would be the house you cleaned.

10 Q. And after breakfast; what was the routine?

11 A. If it was raining, you would line up in the -- what we
12 called the billiard room; that was the room just
13 attached to the Manse. And you would line up there and
14 you would stand to attention, and you would be given
15 a talking -- or information about how the day was going
16 to go. If it was dry, you would stand outside the Manse
17 and stand to attention. And you would hear what you had
18 to hear and then you would be marched off to the
19 workshops.

20 Q. Yes, I was going to ask you about education, then. As
21 far as the workshops were concerned; what sort of work
22 was being carried out?

23 A. Painting and decorating. Building work. Electricians.
24 Gardening. That's the main ones I remember.
25 Vocational.

1 Q. As far as -- yes, vocational training as opposed to
2 educational learning?

3 A. Yes. They did have some of that.

4 Q. Yes.

5 A. They did have some of that. They did have an English --
6 I remember an English teacher being there. Initially
7 you had to go to school. But, very quickly, you could
8 move on to vocational training.

9 Q. And you were 15?

10 A. I was 15, yes.

11 Q. And what had your education been like before that?

12 A. Really bad. My education was really bad. Even --
13 I have never been tested for anything. I think there
14 may be a chance that I may be dyslexic. I have managed
15 life without having it diagnosed, but I am pretty sure
16 that I had some difficulty, because I didn't retain
17 a lot. I didn't retain things and my writing was really
18 bad.

19 Although it didn't stop me in later life to go on
20 and get an education, I just had to work harder.

21 Q. Would you be allowed home, then, at weekends, for
22 example?

23 A. Initially, you would be allowed home on a sort of day
24 pass and then you would build to weekends. It wasn't
25 automatic. It wasn't guaranteed. You had to earn it.

1 You had to earn everything in Geilsland, any benefits
2 you had to earn. Even watching television, you had to
3 earn that.

4 Q. And how would you earn that sort of thing?

5 A. By your good behaviour, how you dressed. They had dress
6 standards. During the day you would wear denims, but
7 these denims had to be ironed, they had to have creases
8 in the right place. Boots had to be polished.

9 In the evenings, you wore evening wear, as EZD
10 called it, which was, like, a tie, a shirt, slacks. All
11 that had to be quite immaculate.

12 You laid out all of your clothes on the bed in
13 a kind of bed block-type inspection. And based on that,
14 that determined whether you got home or not.

15 Q. Who would carry out the inspection?

16 A. Mainly EZD, But other staff members did it as
17 well.

18 Q. And if he or others were not happy with how you had
19 prepared your bed; would anything happen?

20 A. Sometimes not. Sometimes they would just correct it,
21 tell you what to do. Other times EZD could lose the
22 plot a bit, you know. I have seen someone's mattress go
23 out the window with everything on it, you know, just
24 through frustration.

25 Q. Why would he lose the plot?

1 A. Looking -- at the time I didn't know this. But, looking
2 back, in my personal opinion, maybe my professional
3 opinion, he had quite a short temper. He got frustrated
4 quite easily. I think he tended to be presented with
5 questions that weren't -- I always thought, you know,
6 there is a right answer and a wrong answer. I felt, in
7 Geilsland, there was a wrong answer and there was a less
8 wrong answer. You were always being set up in terms of
9 failure, I think, looking back now.

10 So I don't know what was wrong with the guy, you
11 know. He clearly had problems.

12 Q. Did he live on the premises?

13 A. He did. He lived -- [REDACTED] was his
14 family home. They lived quite close. So he would live
15 there with his family.

16 Q. You talk about leisure time as well, in particular in
17 the evenings. And, again, if you were to go to the
18 local cinema, that was a privilege you had to earn?

19 A. Yes.

20 Q. You also mentioned being in the gym and this game that
21 was referred to, called murder ball?

22 A. Yes.

23 Q. Can you tell us about that?

24 A. Murder ball was like -- they did have a rugby park and
25 I think we did play some rugby out in the fields,

1 occasionally. But the main game was murder ball, which
2 was basically whoever has the ball can be attacked. So,
3 if you had the ball, you would be attacked. So the
4 secret, I worked out, was get rid of the ball as quickly
5 as you can, but other people weren't so quick.

6 There was lots of vulnerable kids in this setting.
7 So, if you can imagine someone that wasn't as quick to
8 realise that having the ball wasn't a good thing, would
9 be assaulted by other kids. And this was encouraged by
10 the staff. There was always a staff member there. So
11 murder ball, as fun as it might sound to some people,
12 was quite a brutal experience for lots of young people.

13 Q. And did you have young people of different ages
14 participating in the game?

15 A. Whoever was in the place. Aye, they didn't separate you
16 in terms of age. It might be separation in terms of
17 house.

18 Q. One of the things you say in your statement is the irony
19 here is that if you had played murder ball in public you
20 would have been arrested?

21 A. Oh aye, mm-hm.

22 Q. When you talk about it being brutal, physically; what
23 would happen to the child who had the ball?

24 A. The child who had the ball would be kicked and punched,
25 dragged about, until he no longer had the ball. And

1 sometimes he wouldn't have the ball, but you have a pack
2 of kids just attacking one kid.

3 Q. As far as the staff member on duty would be concerned;
4 would he ever intervene?

5 A. I don't remember any staff intervening, no. It tended
6 to be -- the game took care of itself.

7 Q. You tell us that there was no telephone available to use
8 in the school and letters were censored; is that
9 correct?

10 A. That's right. Your letters were opened, yes, read.

11 Q. Now, you have mentioned **SNR**. You referred to
12 a **EZD**. What other members of staff can you tell
13 us about?

14 A. I struggle to remember their names.

15 Q. What sort of staffing was there?

16 A. The staffing I remember was -- the vocational trainers
17 were also staff who you would find in the houses as
18 well. So I think I was in the builders, there was
19 a Mr **HEB**. I can remember him. I quite liked him.
20 But he would also do shifts and they would all do night
21 shifts as well. So it was that kind of setting. So the
22 painting and decorating, there was other staff who
23 weren't vocational trainers, and they were mainly in the
24 kind of house parent-type role.

25 Q. And numbers wise; are you able to give any?

1 A. In terms of staff?

2 Q. Yes, any feel for that?

3 A. I don't know, maybe between 12 and 16. They varied.

4 Obviously, they had shift patterns and things. You

5 would need quite a lot of staff to run something that

6 big.

7 LADY SMITH: Was it a three-shift system?

8 A. I think so.

9 LADY SMITH: It must have been, mustn't it, at least?

10 A. Aye. I would imagine, aye.

11 MR MACAULAY: You talk about holidays and running away, at

12 paragraph 41.

13 A. Yes.

14 Q. And you say, first of all, as you have mentioned, you

15 had to earn your days off.

16 A. Yes.

17 Q. And you also tell us there were two occasions when you

18 didn't go back?

19 A. That's right, yes.

20 Q. Did anything happen to you on either of these occasions?

21 A. When I returned, you mean?

22 Q. Yes.

23 A. On the first occasion, no. On the first occasion,

24 I just didn't want to go back. But I had a friend who

25 phoned up the school and negotiated me back for some

1 reason. I think the local youth leader persuaded him to
2 speak to me to advise me it is not a good thing for me
3 not to go back. I had a girlfriend, I just wanted to be
4 with her.

5 So they sent a member of staff and a car. He took
6 me back and there was no issue made of it. EZD was
7 fine about it. But, on the second occasion, it was
8 a wee bit different, you know.

9 Q. And you do tell us about that later on. Perhaps, since
10 I have asked you; can you tell us what happened on the
11 second occasion?

12 A. On the second occasion, I was returned by the police.
13 The police picked me up. I tried to run away from them.
14 I can remember hiding in a close, the police coming.
15 I remember being assaulted by the police in a close in
16 Gibshill, and --

17 Q. Was that while you were at Geilsland?

18 A. This while I was at Geilsland and I had failed to return
19 and I had -- the police had seen me, came after me. The
20 police officer had to do a bit of running and he
21 resented that. He took that opportunity to slap me in
22 a close in Thomas More Street in Gibshill -- I remember
23 it well -- and take me back. Eventually, I got taken
24 back to Geilsland.

25 EZD didn't speak to me. He had a way where he

1 would let the tension build by not speaking to you. You
2 knew the chat was going to come at some point. But he
3 left it and left it to the point where you think, or
4 hoped: I think he has forgot about me. Just like the
5 last time, he just let it go.

6 Because that was a possibility. The first time, he
7 made no fuss, but the second time was a bit different.
8 He called me, I think it was on a tannoy system. The
9 tannoy system that ran through the three buildings, and
10 he would speak through those tannoy systems and at maybe
11 1/2 o'clock in the morning summonsed me to go over, and
12 I did.

13 Q. When you say 'go over' --

14 A. Over to his office, at the Manse. I was in the White
15 House, and I'd walk across the grounds.

16 LADY SMITH: Brian, are you saying this would come across
17 the tannoy --

18 A. The tannoy system, yes.

19 LADY SMITH: -- in the early hours of the morning?

20 A. In a very quiet voice, so he didn't waken everyone.
21 Clearly, people hear it, you know:

22 'Brian Heron to reception office.'

23 Q. You tell us about the particular incident and I will ask
24 you about that in a moment. But did this use of the
25 tannoy at that time in the morning -- was that something

1 that happened on a regular basis?

2 A. Yes, you would hear it. Yes.

3 Q. Was that Mr **EZD** summoning a child to his office?

4 A. Yes.

5 Q. But, on this occasion, then, when you were summoned, at
6 1.00 or 2.00 in the morning; what happened?

7 A. Well, he wanted to -- I think we had a conversation
8 about why I hadn't returned. I didn't know if I had
9 a good reason for not returning, other than I just
10 didn't want to be there. He got very angry. He paced
11 about his office. He wanted to give me the belt. Told
12 me I was going to get the belt for it.

13 When **EZD** used the belt, he tended to use -- it
14 wasn't across your hands; it was across your backside.

15 Q. Was that your bare backside?

16 A. Yes, oh, aye. On this occasion -- I only know of one
17 other occasion where I could tell you that he hit
18 someone on the bare backside, but my understanding is
19 that was pretty normal, because kids would talk. And it
20 tended to happen in private. I do refer to one incident
21 that happened quite publicly. But, other than that, the
22 belting tended to take place in his office, away from
23 anyone else seeing it.

24 Q. And was it just yourself and him in the office?

25 A. Just me and him in the office.

1 Q. What happened?

2 A. Well, the tension built and built. He was a master of
3 suspense. He was a master of playing mind games. So
4 I just got myself into a real state. I remember crying,
5 which was quite humiliating, because by this time I was
6 nearly 16, you know. And the idea to be reduced to
7 tears by this guy -- which wasn't unusual, I had seen it
8 happen so many times -- I was determined for it not to
9 happen, but it happened.

10 But it was the whole systematic way that he insisted
11 he was going to give me the belt. I was to bend over
12 the table, which I did. He then says, 'Take your
13 trousers down', which I did. And there was a big long
14 pause, a silence, and I got more and more into a state.
15 And then he told me to stand up.

16 Now, from my memory, I don't know whether I stood up
17 and pulled up my pants or whether I stood up and stood
18 there. That's a bit I can't figure out, I can't
19 remember. All I remember is he then gave me a hug,
20 which just made me even more awkward -- feel awkward.
21 And that was my experience in **EZD**'s room.

22 I don't know how to make sense of what was going on
23 in his head. But it just seemed a strange thing, then,
24 and it seems an even stranger thing now, when I think
25 about it in these modern times.

1 LADY SMITH: This was after he had called you from your bed
2 in the early hours of the morning?

3 A. Yes.

4 MR MACAULAY: Now, were you allowed to smoke at Geilsland?

5 A. You were allowed to smoke. I didn't smoke, but you were
6 allowed to smoke. There was a tuck shop that provided
7 you with cigarettes. You bought them at the tuck shop,
8 usually in half ounce packs of Golden Virginia tobacco.

9 Q. Did any boys run away from Geilsland?

10 A. Occasionally. I remember I had been there a week and
11 one of the first things I was involved in was being part
12 of a group of boys that were being sent out in a van to
13 track down a boy who had run away. And I remember
14 wandering through a graveyard in Johnstone, or somewhere
15 like that, looking for this boy, but just hoping that
16 I wouldn't find him. Because I wasn't sure what I was
17 to do. And it just seemed a horrible thing to be doing,
18 as a group of kids.

19 We didn't find the boy. I don't know what happened
20 to him. Whether he got caught, whether he was returned.
21 But, occasionally, boys would run away.

22 Q. Do you know what happened, if anything, on their return?

23 A. If it was -- based on my experience, it could be nothing
24 that happened or it could be a brutal beating, or it
25 could be some lecture of some sort. It varied.

1 There was nothing predictable about Geilsland. You
2 couldn't predict how the system worked. It had a system
3 of collective punishment. So something could happen
4 somewhere that you had no knowledge of and you could
5 find yourself being punished or part of the regime until
6 someone owned up. Or because what someone had done in
7 one part of the school had an effect on the whole
8 school. And really what happened -- to me -- what that
9 did was, it meant that the boys, in many ways, managed
10 themselves, because if you were a person, who, for
11 example -- say, for example, because of your behaviour
12 a trip didn't go ahead, you can imagine the resentment
13 you would experience at the hands of the other boys. So
14 there was a lot of that going on.

15 Q. I may come back to that later in your statement.

16 Can I ask you now about visits? Did you receive any
17 visits yourself?

18 A. I received one visit from my nan and a girlfriend. And
19 maybe a visit from a social worker.

20 Q. And what about inspections; were you aware of any
21 inspections being conducted?

22 A. Not at the time, no.

23 Q. You do tell us, at paragraphs 45 and 46, that there were
24 groups of people who you describe as well, many
25 well-meaning people --

1 A. Yes.

2 Q. -- who came to visit?

3 A. They had a system prior to when I came. When the school
4 was set up, I think it was supported by a group of
5 people who donated financially. And I am guessing
6 Christians, people attached -- because of the connection
7 to the Church of Scotland.

8 Then I think laws came into place, things changed,
9 and different Local Authorities or other ways of funding
10 the school happened, but they kept up to the tradition
11 of having those people. And these people would come.
12 I can only remember it happening once, but these people
13 came in and the kids sat with them and these people
14 would bring them sweets and they would just sit and
15 chat. They were nice. There was nothing sinister about
16 it that I could see. It was just a nice traditional
17 thing.

18 **EZD** was big on tradition. It was a tradition he
19 wanted to keep it up, so he kept in contact with these
20 people. These people were invited in. We were very
21 nice to them. They loved the Geilsland boys. The
22 Geilsland boys had an image they liked and they would
23 sit and chat and some of them would bring sweets and
24 whatever.

25 The most famous one was a Reverend Currie, that

1 seemed to impress EZD . EZD was impressed by this
2 guy. I think he may have been a local minister who
3 maybe was on television at some point in the late -- in
4 the evening or whatever. I don't know. I didn't know
5 who he was. But EZD was impressed by him and would
6 rave about the Reverend Currie.

7 Q. You do tell us about an incident, at paragraph 46, where
8 a guidance teacher -- you didn't name him -- used to
9 visit the school with his wife?

10 A. Yes.

11 Q. And he took you out on a couple of trips?

12 A. Oh aye.

13 Q. There was something that happened that he witnessed?

14 A. A strange thing happened. This was my old guidance
15 teacher from the old Greenock High School that
16 I attended. It was pretty nice of him to keep in touch,
17 if you think about it. I wasn't aware of anybody else
18 having those sort of visits. So he came and visited
19 with his wife.

20 He came up once with a friend of mine and the friend
21 was another boy of my age. I think he probably brought
22 this guy to show them where I was, to frighten him off
23 from perhaps going down the same road that I had. I am
24 just guessing that. I can't see why he would do that.

25 Anyway, he brought this boy to the school. He

1 obviously got permission to do that. And we gave them
2 a tour of the school. All the boys in Geilsland were
3 great at taking people on tours. You would take them
4 through all the buildings and show them all the nice
5 boys all sort of doing what they should be doing. So
6 I took them on the tour. But we came back into the
7 office -- I must have told this friend of mine that it
8 wasn't always the belt you got in Geilsland. There was
9 this piece of wood -- a couple of pieces of wood that
10 were shaped like guitars, made of half inch plywood and
11 painted in fluorescent paint. And they were props for
12 a Geilsland minstrel show that would take place every
13 year. Where all the boys were part of this Geilsland
14 minstrel show, and the props and the ultraviolet lights
15 and the guitars would light up on stage.

16 But EZD would use those when he was giving out
17 punishment. I don't know why -- well, I do know why.
18 I have a theory why he did that.

19 But, anyway, but this boy, me and the guidance
20 teacher, EZD were in EZD's office and the boy
21 then says to EZD: "can I see the guitar?"

22 Q. Was it known as the guitar?

23 A. It was known as the guitar, yes. 'Can I see the guitar?'

24 My reaction to that at the time was fear and thinking:

25 what are you doing?

1 Because he was taking information that I thought
2 shouldn't leave the school and he was showing
3 EZD that he was aware of the guitar. So
4 I thought that I would get into some difficulty because
5 of that.

6 But, anyway, EZD 's pointed to the guitar. He kept
7 it in his office. It was in the corner of the room, as
8 I visualise it now, and my mate says, 'Could I have the
9 guitar?' meaning could he experience it. It was all
10 jokey and fun. And EZD picked up the guitar and the
11 boy bent over and EZD gave him a tap on the backside.
12 That was all it was.

13 But what bothered me about that later on in life --
14 I never gave it a thought at the time. I was more
15 worried what EZD 's reaction would be, which was
16 nothing. He never mentioned it to me, he never raised
17 it to me. But, looking back now, as an adult, there you
18 had a member of staff, guidance teacher from
19 an educational organisation visiting me and being made
20 very clear that SNR used a piece of wood to
21 beat the kids with. The guidance teacher never raised
22 it with me, and I have no knowledge of him raising it
23 with anyone else.

24 Q. And you described what happened as a tap?

25 A. Oh, it was quite forceful. It wasn't just a tap; it was

1 a good whack on the backside.

2 Q. If you compare it to --

3 A. It was nothing compared to what he did. I'd seen EZD
4 break one of these guitars over a boy's backside. He
5 hit him with so much force the guitar broke.

6 Q. The punishment with the guitar; would that be in the
7 office or on a more public stage?

8 A. On a public stage. When the guitar got pulled out it
9 was, like, for everyone. Occasionally, it would be for
10 one or two people, but it was always public, which added
11 something to it which was a bit nasty. It was always
12 public.

13 Q. And was it over -- you say 'on the backside'; was it
14 over your clothing?

15 A. Over your clothing, yes.

16 Q. Now, you have a section in this statement where you
17 focus more on abuse, in fact you start at paragraph 50.
18 You begin by telling us about an incident after you had
19 broken your leg, and you were, as it were, housebound,
20 so to speak.

21 A. Aye.

22 Q. And you came up with a particular plan for keeping the
23 cleaning equipment in a cupboard; can you tell me about
24 that?

25 A. Yes. It was always good to come up with ideas that

1 impressed [REDACTED]. You were always trying to stay on
2 [REDACTED]'s good side. It was helpful if you could come up
3 with suggestions that would help the running of the
4 place. So I was in this new house, the White House, and
5 I had just moved into it and I broke my leg as a van
6 boy. I stepped out the van and sprained my ankle.

7 The way [REDACTED] worked is each room had to have
8 a brush, shovel, cloths, bits and pieces of cleaning
9 equipment. So, when all the kids split up in the
10 morning to do their duties, they would all go to
11 a cupboard, get their brushes and return it. In the
12 cupboards the brushes were always sort of -- there was
13 always a felt tip marker round the outline of the brush
14 or the shovel, so you knew exactly where it had to go.
15 And it had to be there, and if it wasn't there on --
16 because that was always inspected as well. If it wasn't
17 there on inspection, you were -- typically.

18 So I came up with the brain child -- brain wave
19 that -- you know, to impress [REDACTED], what I'll do is,
20 I will get all the cleaning equipment needed for the
21 three or four different cleaning areas and I will fill
22 it with brushes and stuff, and I will do all the
23 marking, set it all out, and that will be a nice thing.
24 And it will keep me busy. I was bored as well.

25 So I went over to get some cleaning equipment and

1 I had a list written out of what I would need. So the
2 assistant head went to EZD and said: Brian Heron has
3 come to me with this list. It is for all the cleaning
4 equipment, not just for a brush and a shovel for him to
5 clean; what will I do?

6 EZD says to me: right, you do this. If you
7 get one thing wrong, you are in trouble.

8 And I thought: okay.

9 I don't know what I could have got wrong. But
10 I did, I got something wrong. I put a brush in a wrong
11 place. I just put a brush in a wrong place, but to me
12 it still worked as a system. Because of that EZD was
13 unhappy and he slapped me across the face, quite
14 forcefully.

15 Q. Just one slap?

16 A. He felt he had to do that. He felt he had to do it.

17 And I felt he had to do that as well, I must admit.

18 Once EZD had made that decision, knowing the
19 personality of the guy, knowing the way he runs things,
20 even if he liked you, he would still have to do it. So
21 he did that. And then we just moved on with the rest of
22 the day.

23 Q. And this business of being slapped on the face --

24 A. Yes.

25 Q. -- was this something that happened on a regular

1 basis --

2 A. Yes.

3 Q. -- to you and to other boys?

4 A. Yes, yes. In my statement, I refer to two boys called
5 '████' -- '████' and '████'. And in the billiard room,
6 when we were all standing to attention, one of the boys,
7 I think, had accused EZD of being a psychopath.
8 I didn't know what a psychopath was at the time. But
9 EZD singled this boy out and said, 'I hear you told
10 a member of staff' -- I think he told a student social
11 worker or something that EZD was a psychopath. And
12 EZD said, 'So you think I am a psychopath, do you?'
13 And the boy's just standing there.

14 Now, everything I witnessed in terms of assaults,
15 nobody was resisting, nobody was being restrained. This
16 was boys just standing still, passively, while the
17 assaults took place. So EZD starts to slap this boy
18 in the face. So he slapped him really hard, the boy
19 just stood there and took it. He got closer and closer
20 into the boy's face: "so is this what a psychopath would
21 do?"

22 And he continued to slap the boy until the boy broke
23 down in tears. And then EZD says -- then EZD hugged
24 him in front of all of us, and his point was: would
25 a psychopath be so caring and give you a hug?

1 So that means -- I think his theory was EZD was no
2 longer a psychopath. How could a psychopath give you
3 a hug? More a sociopath, eh?

4 Aye, it just -- I mean, it is difficult talking
5 about this, because I keep talking about it based on
6 reflecting back to it and making sense of it. But my
7 own experience of that -- and he did the same to another
8 boy, '█████', and he did the same thing to him, and
9 slapped him.

10 I used to have a recurring dream about Geilsland.
11 And this is the way it went, as I became an adult --
12 only when I started training as a social worker, this
13 came about. And the dream would go -- I would --
14 because I was standing inches away from where this was
15 happening. So the boy was standing to my left, EZD
16 standing right in front of me, side on, and I was
17 standing to attention. And this is the way the dream
18 would go: I would dream that EZD would be slapping
19 this boy and I would say, 'Stop', and EZD would come
20 to his senses and stop. And for many -- I don't know
21 how long I had the dream. That's the way I was kind of
22 working it out.

23 But then the dream became this: I would say to
24 EZD, 'Stop', and he would just turn in a rage and the
25 dream -- I would wake up because I was just being

1 attacked by him. I think that was me coming to terms
2 with the realisation that, as a child, nothing I could
3 say to [REDACTED] would have stopped him from doing
4 what he has done, irrespective of the need to do that.
5 But, at the time, as a child, I just wanted it to stop.

6 Q. But, on this occasion, he did stop eventually. In
7 reality, he slapped the boy, what, a number of times?

8 A. A number of times, until the boy started to cry. Until
9 he broke the boy in front of everyone.

10 So what I was talking about there was the effect on
11 me. A lot of what I talk about in Geilsland, to me, the
12 effect on me is not so much about what happened to me;
13 it is about what I witnessed. And I felt vulnerable and
14 unable to do anything about it. It's the thing that's
15 lasted with me. So, when I talk about Geilsland, I tend
16 to focus on what I witnessed.

17 In terms of things that happened to me, sure, I am
18 sure it had an impact on me. But the things that still
19 cause me upset is the thought about the things that
20 I witnessed. If that makes sense?

21 Q. Another incident you tell us about is when, I think,
22 a new boy complained that his tobacco had been stolen
23 and something happened.

24 A. Yes.

25 Q. Can you tell me about that?

1 A. Well, this new boy -- I was a new boy at the time as
2 well. So this is my first experience of this guitar
3 situation. I didn't know it existed.

4 We were all in the Manse House, and someone's
5 tobacco went missing. And EZD's way of dealing with
6 it was to get us all together in this billiard room.
7 And then he came and said: "someone's stolen this boy's
8 tobacco. You are all staying here until I find out who
9 it was. I don't care if it takes all night. This is the
10 way the night's going to go. You are all going to get
11 the guitar. Then I am going to leave again, then I will
12 come back and we are going to continue doing this until
13 someone owns up."

14 So away he went. I guess he was hoping we would all
15 look at each other and somebody would own up. Nobody
16 was owning up to this tobacco. And I am
17 thinking: I don't even smoke.

18 It felt ironic. I didn't even smoke. You know,
19 surely he will -- that wasn't an excuse. So EZD came
20 back in with this guitar over his shoulder, and
21 I thought: a piece of wood.

22 It was a guitar. Later on I was to work out it was
23 a prop for a show. And lined us all up. And he
24 said: this is the way the night's going to go. You are
25 all going to get the guitar. Then I am going to leave

1 again, then I will come back and we are going to
2 continue doing this until someone owns up. So we are
3 all lined up, we are all around the guitar.

4 The irony of the thing, which I thought was funny in
5 hindsight, the boy whose cigarettes it was -- or tobacco
6 was stolen, he was beaten as well. So --

7 Q. And when you say 'beaten'; can you tell me what --

8 A. You leaned over a huge billiards table. The billiard
9 table had a wooden cover on it. So they would cover up
10 the billiard table in the evenings to protect the
11 billiard table. You would lean across the billiard
12 table and then **EZD** would, with his two hands, whack
13 you. Sometimes you would take a running whack.

14 Q. Would that be on your bottom?

15 A. Always on your bottom, yes.

16 Q. When he started this procedure, at this time; was it one
17 smack?

18 A. It was one smack. But I was shocked at the sound it
19 made. Because it is late at night -- I don't know you
20 ever -- you are in your house at night and there's a
21 bang or a door closes or something like that? It just
22 had that effect. The sound reverberated through the
23 room -- through the building, I would imagine. Although
24 everybody in the building was in the room.

25 Q. Can I ask you how many boys were involved in this

1 process?

2 A. I think there was about -- I'm sure it must have been
3 about 12 to 15.

4 Q. From one particular unit, then?

5 A. So that particular unit, I'm sure would be about 12 to
6 15.

7 Q. Can you describe how this would proceed?

8 A. You were in a queue. It came to your turn and round you
9 went and you had your turn, and then he left the room.

10 And I think he came back another time and we did it
11 again. And then he came back in. And I think whoever
12 stole the tobacco -- the deal was: if you stole the
13 tobacco, come to my office.

14 So I am guessing -- I don't know who it was to
15 this -- I don't really know who it was to this day who
16 did that. But somebody owned up, yes.

17 Q. And went to his office?

18 A. And went to his office. I think pressure from everybody
19 else. You know, there was no doubt this was going to go
20 on all night in my mind. This was going to continue
21 until he got to the bottom of this.

22 Q. And you have told us about the slapping. One instance
23 you mention, you were late for something, you were
24 slapped for that?

25 A. Yes.

1 Q. You would get slapped after church if --

2 A. If you didn't march properly or if you -- occasionally
3 you would fall asleep in church. Occasionally, someone
4 would fall asleep in church. When I say fall asleep;
5 who has not been in church and not fallen asleep?

6 LADY SMITH: It depends how good the sermon is, doesn't it?

7 A. But even on a hot day, a hot summer day, these boys all
8 have suits and ties. It is like being at a wedding
9 every Sunday, you know. It is like being at
10 a christening, a tie round your neck, a hot,
11 stuffy church. It is not like you had a choice and you
12 wanted to be there. You know, so easy to fall asleep.

13 MR MACAULAY: Was there bullying amongst the boys at
14 Geilsland?

15 A. I experienced a wee bit of bullying from one of the
16 residents.

17 Q. I will ask about that. But more generally?

18 A. Not really, not really. My take on the institution of
19 Geilsland and why there wasn't a lot of bullying is
20 because all the bullying and abuse was being done by
21 staff. You were too fearful to get involved in anything
22 like that. You were just too -- it was just too risky.
23 It could affect your leave. It could affect so many
24 parts of your life. But that's not to say it didn't go
25 on. I just don't have a lot of memories about bullying.

1 Q. You do tell us about one incident, I think, where you
2 were bullied?

3 A. I was bullied by a guy who came from Edinburgh, who'd
4 got to know that my mum lived -- I must have made
5 a mistake and told him my mum lived in Edinburgh, and he
6 worked out my mum wasn't with my dad. He gave me a hard
7 time about that. It was crazy. So childish to think on
8 it now, but it was quite upsetting.

9 Anyway, this guy, it became physical. And when it
10 became physical, I knew I had two options, either to
11 retaliate -- and he was a lot bigger than me, so
12 I didn't fancy my chances there, to be honest -- or take
13 it to EZD [REDACTED] It is one of the biggest regrets
14 I have about Geilsland, but I don't know what other way
15 I would have dealt with it.

16 So I took it EZD [REDACTED] and reported it. EZD [REDACTED]'s
17 way of dealing it was -- by this time, I was in the
18 New Vic area of living with this boy. EZD [REDACTED] comes over
19 late at night and got everyone into that room,
20 challenged this boy for bullying me, for being a bully,
21 reduced him to tears, but brought his belt. This was
22 the first time I'd seen him using his belt. I think it
23 was the only time, really, I'd seen him using his belt.
24 Told the boy to bend over the table, told us all to turn
25 round, so we didn't witness it. Told him to take down

1 his trousers and beat him with the belt. That's what
2 happened.

3 Q. And was the boy upset?

4 A. The boy was really upset.

5 Q. And do you know --

6 A. There was no repercussions on me, from the boy. It
7 certainly put a stop to him bullying me. But it was, to
8 me, a bit extreme.

9 Q. Do you know how many strokes of the belt were inflicted?

10 A. I think he had six, which was unusual in my
11 understanding, in Geilsland. Six was a lot, you know.

12 Q. Apart from **EZD** using the belt and the guitar,
13 you have told us about other staff slapping boys. But
14 did any of the members of staff use an implement, like
15 a belt or --

16 A. No, not that I was aware of. No.

17 Q. And the wooden guitar, you mentioned already. I think
18 you told us there was an occasion when he broke it?

19 A. He broke it.

20 Q. How did that happen?

21 A. Same thing. He was giving people a punishment for
22 something they had done and the guitar broke over the
23 boy's backside. It was an awkward, embarrassing moment
24 for everybody. Some people laughed.

25 Q. Was this a beating that he was inflicting in public,

1 then?

2 A. Yes. It was around the billiard table in the games
3 room, next to the Manse.

4 But what he did was, he just sent somebody for the
5 other guitar. And the boy that the guitar got broken
6 over had to still be beaten by the other guitar. It's
7 not like: well, you've had your punishment, move on.

8 This boy -- I am laughing now -- but this boy had to
9 be hit again for some weird reason. I don't know.

10 LADY SMITH: How many of these guitars did he have?

11 A. He would get them made, because they had a Geilsland
12 minstrel show, which is -- not a lot of people talk
13 about it. I have mixed feelings about it. But the
14 whole school would dress up as black and white
15 minstrels. We would all black up. We had no choice in
16 the matter. You didn't have a choice whether you took
17 part in it or not. They raised money. E.Z.D. did it to
18 raise money for the boys to go out at Christmas, for
19 their Christmas funds. So they would always have them
20 renewed. So they were always there.

21 Could I show you what I feel that was all about?
22 I found information online about a school inspection in
23 1966, in Geilsland, where the inspector of education
24 went in and they found that Geilsland had
25 an inordinately high level of use of the belt. The

1 largest in all of the country. So they looked at that
2 and they also looked at EZD. And so EZD was
3 challenged at an inspection that he must stop cuffing
4 and slapping the boys, and they have to stop using the
5 belt so much. Because when you used the belt it had to
6 be recorded in a book, a punishment book.

7 So, to me, all EZD did was stopped using the belt,
8 used this novelty type guitar. There was no record.
9 I will guarantee you nobody's case records will have
10 'Brian received the guitar today', because this seemed
11 so -- nonsense. I think that's why that was developed
12 as a punishment.

13 LADY SMITH: Now, that inspection you referred to, I think
14 you deal with that at paragraph 113 of your statement
15 here. You said there it was 1968.

16 A. 66/68, something like that, aye.

17 LADY SMITH: 66 or 68. The point is you read there in the
18 inspection report --

19 A. Him being challenged for doing that.

20 LADY SMITH: -- that he was told he had to stop the cuffing
21 and striking of boys.

22 A. Yes.

23 LADY SMITH: That was before you had even gone there?

24 A. Yes. So my point would be: if that happened today,
25 someone would be sacked for that. That wouldn't be

1 allowed to go -- and possibly prosecuted. But back
2 then, it was acknowledged.

3 I don't know how that inspector found that out.
4 That bothers me as well, because I think an inspection
5 has come in, either EZD 's been brazen -- I don't think
6 he has told him. So I think someone has told the
7 inspector. And I can only think that could have been
8 boys who were in attendance at the school. I don't know
9 what the repercussions for those boys would have been --

10 MR MACAULAY: But --

11 A. -- for doing that.

12 Q. As far as handcuffing --

13 A. Not handcuffing, cuffing.

14 Q. When you say 'cuffing'; do you mean handcuffing?

15 A. No, cuffing is just a term for slapping. He never went
16 that far, no.

17 Q. There may be some evidence that handcuffs were used in
18 some places?

19 A. Sure. Not on this occasion. That's just the word
20 I remember.

21 Q. Yes.

22 A. A way of describing slapping --

23 Q. Yes.

24 A. -- punching. It is another way of describing using your
25 hand to strike.

1 Q. But talking about handcuffing; did you see any evidence
2 of handcuffs being used to restrain --

3 A. No.

4 Q. -- any boys?

5 A. No.

6 Q. Going back to the incident where the guitar was broken;
7 do I take it then that someone went to get another
8 guitar --

9 A. Yes.

10 Q. -- and you all had to wait, including the boy that was
11 being beaten until the other guitar appeared?

12 A. He just stood where -- he stood up, a boy was sent.
13 **EZD** could have sent any of the boys there. We all
14 knew where the guitar was. It was in his office, on the
15 left-hand corner of the door. That's where they were
16 kept. So any one of us could have went and got that.

17 Q. Again, were the blows -- and was there more than one
18 blow, on this occasion?

19 A. Er, there was only -- well, for that boy, there was two
20 blows. But for the other boys that didn't break on him,
21 it was one blow. I don't remember what they had done.
22 It wasn't for everyone; it was for a group of boys. It
23 may have been for a group of boys from another house,
24 because we would all be pulled together in that room
25 from the different houses.

1 Q. Was the target always the boys' bottom?
2 A. Yes. And what would always happen is, if there was any
3 females in the room -- there were a few female staff,
4 clerical staff. I think there was a matron. You knew
5 things were going to get bad, because **EZD**, being
6 a gentleman, would always ask the ladies to leave the
7 room. And they would leave the room. I don't know why
8 they would leave the room. They would need to leave the
9 grounds if they didn't want to hear what was going on.
10 But they were asked to leave the room so they wouldn't
11 witness what was going to happen, because he would do
12 a lot of swearing, a lot of shouting, a lot of physical
13 stuff. So that would happen.

14 When the guitar came out and there was a female
15 member of staff there, she was asked to leave the room.

16 Q. You mentioned already that there would be visitors to
17 the school; did you get a sense that they were impressed
18 by the --

19 A. Oh, yes.

20 Q. -- regime?

21 A. Yes. Anyone who came to Geilsland would be impressed
22 and would be shocked by what I am saying. They would
23 have no hint of what was going on. Other than you would
24 need to think: what would you need to do to a group of
25 boys to have them all so nice, so well turned out, so

1 respectful, so pleasant?

2 I remember a group of boys coming on a visit from
3 somewhere like The Kibble, or one of the other homes,
4 and this boy -- and me being the tour guide and taking
5 a group of boys around, and one of the boys being so
6 excited and would really love to come to Geilsland, and
7 me trying to give him a hint that there is a cost to all
8 this. I didn't know how I explained it to him. But,
9 looking back, I was trying to say: look, this doesn't
10 happen without any -- how can I put it? Cost. Cost is
11 the best way of putting it. Boys marching about and
12 standing to attention, and dressing and ironing clothes,
13 and being so respectful and so understanding, and so
14 attentive to the staff doesn't come about naturally.

15 And he was wanting that. He was wanting what you
16 would see. The place was spotlessly clean. He wanted
17 that. That came at a cost. You know, everything was at
18 a cost you wouldn't see as a visitor. As a visitor you
19 would be really impressed, even the people of Beith were
20 impressed by Geilsland school. **EZD** was so determined
21 that the reputation of the school was so good that
22 people would love the Geilsland boys. And also, at
23 Christmas, when the Geilsland boys would put on their
24 minstrel show, the people would flock to see the
25 minstrel show. It would run for three or four nights in

1 a local community centre. That was the reputation EZD
2 wanted to have, and that, to me, was managed for many,
3 many years without any hint of anything untoward getting
4 out.

5 Q. Do you know how long EZD was SNR ?

6 A. I think he retired in 1980. I thought he was still
7 there when I came into social work. One of my biggest
8 dreads was being sent to Geilsland with a client,
9 wondering how I was going to manage EZD, because of
10 the way I -- mixed feelings I had. But, when I got
11 there, he was retired. It was a KMJ, who was
12 SNR. I think he retired in -- and I
13 think they got rid of -- I think the Church of Scotland,
14 the Board of Social Responsibility, in my opinion got
15 rid of EZD. And I think they got rid of him for a
16 good reason. I don't know.

17 Q. Perhaps we shall look at that in due course.

18 You just mentioned there that visitors would be
19 impressed by the cleanliness, the way the children were
20 dressed and so on; was that all down to the boys? Were
21 they doing the cleaning and indeed the pressing of the
22 clothes?

23 A. They did all of that, yes.

24 Q. As far as cooking was concerned; did you have someone
25 who would cook for you?

1 A. They had catering staff, yes. They had a cook, aye.

2 Q. What about domestic staff?

3 A. They had domestic staff, yes. They would do that.

4 Q. One thing you say, at paragraph 63, Brian, is that you

5 talk about watching other members of staff slapping boys

6 and so on. But you go on to say there was

7 an 'atmosphere of fear', which was how EZD SNR

8 SNR : can you elaborate upon that?

9 A. I think you were constantly living on your nerves, in in

10 terms of not sure -- I think the problem -- with the

11 other staff, you kind of knew where you stood with them

12 and you could relax. With EZD, you were never sure

13 what was going to upset him. Even your best efforts

14 could not be enough.

15 I think EZD had very low self-esteem. I know that

16 sounds a bit kind of judgemental. But I think -- and if

17 you deal with anyone who has low self-esteem, their own

18 way of feeling better is to put you below them. So no

19 matter what you do -- in situations of domestic abuse,

20 you know, and power imbalance between individuals and

21 groups of people, if the person you are trying to please

22 can't be pleased, then you can never win. That's the

23 way I compare it to. In my work, in social work, when

24 I work with women, mainly women, who had maybe been in

25 a domestic abuse situation, where they could never

1 get -- they used to say, 'I tried to do this, I tried to
2 do that', well, you will never get it right, because it
3 is based -- the only way the abuser feels good about
4 themselves is by putting you down and making you beneath
5 them. So, when I look back, I think EZD had major
6 issues in that area.

7 Q. You tell us about a Christmas incident where EZD
8 took all the boys who had been resident at the home for
9 the festive period to the beach at Largs?

10 A. Aye.

11 Q. What was the purpose behind that?

12 A. It was madness. It was madness then and it is madness
13 in hindsight. We had been out for a meal, at new year,
14 and EZD decided -- there was a tradition in Geilsland,
15 apparently -- I didn't know this because this would be
16 my first new year -- where everybody was taken to the
17 beach at Geilsland, where the ferry is. It's not much.
18 It is a stony beach. You would all strip off and go
19 swimming in the Clyde at midnight, that was the thing.
20 That might be fine for traditions, people have their
21 traditions. But my problem was you had no choice.
22 Anyone who tried not to go in, EZD ordered them in.
23 I think I got away with it by stripping off, keeping my
24 underpants on, and just standing behind a rock, I can
25 remember. Because it is all darkness, you remember.

1 All you had was the lights from the street lights,
2 shining into the river. The river was in darkness. And
3 even EZD got a fright, because some boys, being boys,
4 were swimming right out. And this is in the Clyde where
5 the currents are crazy anyway, and the water is at its
6 coldest.

7 LADY SMITH: This is where the river is joining the sea.

8 A. Yes.

9 LADY SMITH: So you have the mixture of the currents from
10 the river and the movement of the sea; is that right?

11 A. And it is quite deep, because it is where the ferry came
12 in. So, if you went down too far, you would, I would
13 think, find yourself in deep water. So boys were
14 swimming into those areas and EZD panicked a bit. One
15 shout from EZD, everybody was out.

16 It just seemed crazy. People were going in naked,
17 because -- nobody had any towels. These boys were going
18 in swimming, maybe some wanted to do it. But, for those
19 who didn't want to do it, there was no choice. I was
20 one of the ones who didn't want to do it.

21 Q. And we are talking about boys from 15 --

22 A. Up to 18.

23 Q. -- up to 18?

24 A. Yes.

25 Q. Some were naked?

1 A. Yes.

2 Q. At paragraph 64, you mention how your mail was usually
3 censored?

4 A. Yes.

5 Q. And on occasion you were given a letter by a social
6 worker that contained some bad language and the gang
7 graffiti.

8 A. Yes.

9 Q. Can you tell me about that?

10 A. I had a friend from Gibshill who was put in -- I think
11 it was Thornly Park or Thornliebank School -- I don't
12 now how you pronounce it -- and obviously they were
13 allowed to just send out letters uncensored. And
14 this student social worker came from Thornly Park and
15 this boy must have come from Geilsland, knew I was
16 there, and had given me a letter, sent me a letter. So
17 this guy handed me the letter. I looked at the letter
18 and it was covered in graffiti. I froze. This was the
19 last thing I wanted to see, right? I knew this could
20 have implications.

21 So I opened the letter. I read it. It was
22 just: how you doing? Blah, blah, blah. A few kind of
23 gang slogans.

24 The first thing I did was tear the letter up,
25 because I thought it came straight from the boy to the

1 social worker to me. And weeks went by and then EZD
2 had one of his late night chats with me and let me know
3 how good a guy he was that he allowed me to get a letter
4 from my friend. What freaked me out was, I am not sure
5 if EZD had read that or not. I am not sure. He just
6 knew about it. But he made such a -- there was an air
7 of mystery around EZD, in terms of what he knew and
8 what he didn't know, that you ended up just confessing
9 everything, if you know what I mean? It was easier just
10 to tell on everything, you know. In many ways, it was
11 like EZD was part of the KGB or something. You just
12 thought he knew everything about what you had done and
13 you just assumed that everybody around you was telling
14 him everything, so you ended up being like that.

15 So, when that letter came, I knew it could cause me
16 some problems, even though I didn't ask for it, because
17 it was other residents where I had nothing to do with
18 anything, but EZD would hold you either individually
19 responsible or, even worse, the whole group collectively
20 responsible.

21 Q. You put this forward as an example of this bullying
22 culture?

23 A. Aye, aye.

24 Q. Sort of psychological?

25 A. Psychological. Almost like a sort of psychological

1 brainwashing, I suppose, you know. I don't think --
2 I have looked at some cults and stuff, you know. Some
3 of the things seem to happen in terms of breaking people
4 down and building them up in an image that you wanted
5 them to be.

6 Q. You do tell us about an incident when Mr EZD took you
7 to visit your mother?

8 A. Aye.

9 Q. And on the road back, I think, you had to pick somebody
10 else up and you were asked to sing?

11 A. Yes.

12 Q. What was the reason behind that?

13 A. EZD was notorious for staying up for days on end. Not
14 sleeping. Working 24-hour shifts, you know. People
15 worked shifts. The staff worked shifts in Geilsland,
16 except EZD. To EZD this wasn't a job. So EZD was
17 never off duty, in my opinion. And I think in EZD's
18 opinion he was never off duty. So, at times, EZD
19 would be up all night and all day. And he was taking me
20 to Edinburgh to visit my mum and he told me that he had
21 been up all day and all night and he was really, really
22 tired, and my job was to keep him awake while we drove
23 to Edinburgh, by singing.

24 Q. What did you think at the time of that sort of
25 behaviour?

1 A. I thought it was bizarre. I am a singer now, so I don't
2 know if that had any benefit to it. But it just seemed
3 bizarre. It just seemed a bizarre thing to be doing.
4 And I was very conscious of watching him, that his eyes
5 didn't close. I don't know if he was tired or not.
6 That's what he told me. But I knew he was up all night.
7 You knew when he was on duty. You knew when he was
8 around. You knew when EZD was in the school and when
9 he wasn't in the school.

10 Q. Was a very regular presence?

11 A. He was a constant. EZD was a constant presence, even
12 when he wasn't there, if that makes sense? EZD didn't
13 have to be there, to be there.

14 Q. There came a point, Brian, when you left Geilsland.
15 I think that was August 1974 --

16 A. Yes.

17 Q. -- is that right? Where did you go when you left?

18 A. I went home to live with my aunts in [REDACTED].
19 Although my dad had a house in [REDACTED], a
20 three-bedroom house. Because he was away that house lay
21 empty or he would sublet it to families, sublet it to
22 couples, and I would go to stay in a two-bedroomed house
23 with two aunties, an uncle, and their uncle.

24 Q. Were you now 16?

25 A. I was now 16, yes.

1 Q. But did you then get into trouble again?

2 A. Yes.

3 Q. What happened?

4 A. I picked up a couple of breach of the peace charges.

5 Being with a group of boys -- this is before my guitar

6 playing days. So a group of mates were in the town,

7 walking through the town, and the police appeared, and

8 we were arrested, being part of a group. Didn't have to

9 do much to get arrested, I don't think, back then.

10 Obviously, we were quite menacing, and

11 obviously: why are you in the town?

12 So that was a breach of the peace. I was fined £30

13 at Greenock Sheriff Court.

14 The second time, I was in Gibshill with a group of

15 kids and we were standing at the shops. The police came,

16 we walked away quietly. One of the boys broke away from

17 the group and went up his close and shouted some abuse

18 at the police. All the police heard was the abuse. We

19 could have ran away quite easily, but knowing our rights

20 as citizens, they have nothing on us, the police

21 arrested about ten of us, forced us all into a car and

22 that was a breach of the peace. We were all going to

23 plead not guilty and fight our case in the court. But,

24 once we woke up on the Monday morning, it seemed the

25 lawyers advised us it would be better to plead guilty

1 and take the fine, so we did that. It was a £25 fine,
2 which -- I didn't pay either of those.

3 Q. But then were you found guilty of a more serious matter?
4 Did you first of all go to Barlinnie?

5 A. No, I was remanded in the Longriggend for an incident
6 that happened that had nothing do with me. It was
7 clearly nothing to do with me and I was remanded. One
8 of the boys had sort of serious charges from the past
9 and we were all remanded on a petition.

10 So I was up there for a month and then we went to
11 court. I pled not guilty. Nothing to do with me.
12 I got found not guilty.

13 Q. All right.

14 A. The other boys -- the other boys told their lawyers and
15 told the police that nothing to do with me, but ...

16 Q. At paragraph 70, you tell us about a search of your
17 father's house, where the police found two clocks and
18 an air pistol.

19 A. Right. What happened was, I didn't pay the fines.
20 I had been to a means court, still didn't pay the fines.
21 I had no money to pay the fines. I was living with my
22 dad, so the only money I was getting was perhaps
23 unemployment benefit, money from the (indistinct). So
24 I always never had any money, so I had no intention of
25 paying the fines. And back then, if you didn't pay a

1 fine, you spent a day in prison, one day per pound.

2 So the police came. CID came to my house and came
3 to my house. And that was quite normal when
4 investigating all sorts of things, so they would take me
5 in for these fines; that was the reason for going to my
6 house and arresting me, I had to go to do these fines.
7 But they thought they would have a chat with me about
8 other things that were happening in the area, see if
9 I would own up to anything or say I'd been involved with
10 anything.

11 My dad had two clocks, both of them worked on
12 batteries. I took one into my bedroom, the battery went
13 done. I took the other clock into my bedroom, battery
14 went done. I had an air pistol -- everybody I knew had
15 an air pistol. So they took these away. They took the
16 clocks and the air pistol away with them. I think they
17 might have thought they were stolen or whatever. I
18 don't know why they took them.

19 So they interviewed me about what they wanted to
20 speak to me about. Then they took me to Barlinnie. CID
21 took me to Barlinnie. And it shows you how naive you
22 can be as a teenager. I think I was 17 at this time.

23 The CID says: look, we are going to be waiting for
24 you when you come out. So we will be here when you come
25 out.

1 So I went to Barlinnie thinking: the police are
2 going to be waiting for me when I get out.

3 The clocks and the gun went into Barlinnie with me,
4 into my possessions and I forgot about those. I had
5 a friend who said, 'My mum will pay your fine for you',
6 I remember this, 'My mum will pay your fine', and
7 I remember saying to him, 'No, I am going to get a gate
8 arrest, so I will just do the time'. So I stayed in
9 Barlinnie for the 55 days until I got out. And as I got
10 out, expecting the CID to be there, waiting to pick me
11 up. But the staff in the prison gave me a brown parcel,
12 and in the brown were the two clocks and the air gun.
13 So I left Barlinnie with two clocks and an air gun.
14 I don't know if I was the first person to leave
15 Barlinnie with a gun, but I remember it well.

16 But even then I thought: this is -- even for me,
17 thinking: this is crazy. Why are they doing this?

18 And I just got paranoid, thinking: I am being set up
19 in some way.

20 When I got out, there was no CID there. I sat
21 waiting on the bus, with the two clocks and the air gun,
22 thinking: what do I do with this? I got on the bus and
23 the first thing I did was take the air gun and push it
24 under the seat and leave it. And when I got home my dad
25 was in and he seen the two clocks and said, 'Oh, that's

1 where the two clocks went'. So crazy story. All true.

2 Q. And you tell us about that. It is read in already. At
3 paragraph 71 -- in relation to Barlinnie -- through to
4 paragraph 85, you tell about what life was like in
5 Barlinnie. Then, at 86 through to paragraph 88, you
6 talk about being on remand in Longriggend. That's been
7 read in. Unless there is anything you feel you want
8 to --

9 A. I just think they are both very brutal regimes. Where
10 if you think Geilsland was bad, that was on a different
11 scale, you know. Institutional abuse at its worst,
12 I think, no?

13 Q. Then, at paragraph 88, you move on to what life was like
14 after leaving Longriggend and, in particular, you say
15 you managed to get voluntary work with the local youth
16 club in Gibshill and you got involved with youth
17 committees and you became a youth leader. So this is
18 when your life started to change?

19 A. Yes.

20 Q. In particular, at paragraph 90, you go on to say:

21 'The biggest change in my life was learning to play
22 the guitar.'

23 And you have mentioned that already. But you also
24 joined the Mormon church?

25 A. I was 21 when I did that. So, prior to that, I was

1 involved in youth work. The youth work that I was
2 involved in was the youth club that I attended as
3 a child, as a teenager. So I did that. Getting you out
4 of trouble isn't -- and it sounds like it's an overnight
5 thing. But, if you know anything about persistence
6 theory, it is a gradual move from one way of living to
7 another, so it was that.

8 So, by the time I was 21, I was well out of trouble.
9 I had a girlfriend. I was settled. I was playing in
10 bands and had some success playing locally, around the
11 local area.

12 Q. And you married young, at 22, and had a family?

13 A. Two young Mormon mistresses came and knocked on my door.
14 I welcomed them in. I was interested in what they had
15 to say and what they had to offer really suited me, and
16 I really liked what that religion offered. I am still
17 a member to this day. It had a lay ministry. So, in
18 many ways, like the Gibshill experience, there was
19 a place for me to do things. I wasn't relying on
20 a minister. I was involved in -- and my cleaning skills
21 from Geilsland, I applied to the church and they gave me
22 a job as a cleaner. I was there for seven years until
23 I decided to go to Jordanhill and study for social work.

24 Q. I was moving on just to highlight you were married at
25 22?

1 A. Yes.

2 Q. And you have had children since then?

3 A. You see, in my -- I have five grandchildren. Since
4 I gave the statement, I now have eight grandchildren.
5 So this Inquiry has been going on for quite a while.

6 Q. You gave the statement in 2017, so quite a while ago.
7 Then, Brian, you do talk about the impact being in
8 Geilsland had upon you, and you say the major impact was
9 the fear of being sent back?

10 A. Oh aye. Mm-hm. That nearly happened. Because when
11 I appeared at Greenock's Sheriff Court for the breach of
12 the peace, a member of staff from Geilsland was there.
13 So the court at that time were considering sending me
14 to -- for borstal training. They were considering
15 borstal training for the breach of the peace, and
16 Geilsland were there to try to say: look, don't send him
17 to borstal, send him back to us.

18 And at that point, seriously, if I was given the
19 choice, I think I may have just opted for borstal.
20 I have never experienced borstal. So borstal may have
21 been even worse than Geilsland, for all I know.

22 Q. I think you do tell us that you have required to receive
23 counselling to help you with stress and depression; do
24 you relate that to your time at Geilsland?

25 A. Aye, I tie that in with Geilsland, yes. I tie that in

1 with Geilsland, but that -- I am trying to think how you
2 would describe the state. That constant state of
3 awareness that you are in, which means that your
4 adrenaline is pumping all the time. You know, it is
5 good if you are in a jungle and you are trying to avoid
6 lions. But, on the day to day, living your life, it is
7 not good. I developed an ulcer when I was about 16.
8 I had to have treatment for an ulcer for many,
9 many years, and I am convinced it was stress related,
10 convinced myself that.

11 Q. At a point, did you -- were you spoken to by the police
12 to see whether or not Mr **EZD** would be prosecuted?

13 A. My dealings with that, with the police, was all from me.
14 As the years went by, I had some dealings with Geilsland
15 where -- as you are probably going to come to -- where
16 I had to kind of report things on staff and whatever,
17 and that kind of came to nothing. And I think in my
18 frustration I started to reflect on my own time at
19 Geilsland and I thought -- you know, I felt ready to
20 really look at that now and address that. Because even
21 though I was a qualified social worker, I had done all
22 sorts of training and looked at all sorts of theories,
23 I had never really looked at my relationship with
24 Geilsland.

25 Because my relationship with Geilsland was a complex

1 one, as you will probably know. I have tried to be as
2 honest as I can, without -- although I may be painting
3 EZD ██████████ as some sort of monster, EZD ██████████ wasn't
4 a monster. EZD ██████████ was a man who did bad things at
5 times, but he was good as well. That is the area that
6 kind of caused me some anxiety, and I have come to terms
7 with that.

8 Q. Yes, you do tell us there was good stuff at Geilsland,
9 but nice people can also do terrible things?

10 A. Yes. And I think it was family life. I think if you
11 compare my experience at Geilsland with family life --
12 most of us will have experience in our family life that
13 we are forgiving and we move on. But the realisation is
14 EZD ██████████ wasn't my family. EZD ██████████ was a man that was
15 employed, paid a wage, paid a pension, paid his taxes,
16 and employed to do a job. Whereas my mum and dad were
17 my mum and dad. They are not paid. That seemed to be
18 the area that caused me problems in terms of looking at
19 it from a professional point of view, about what adults
20 can do to young people.

21 Q. You did track EZD ██████████ down, later on?

22 A. Bizarrely, yes. I came across him in Gibshill. EZD ██████████
23 was working for a youth group, Glasgow something
24 something of youth. He came down to judge
25 a competition. And I remember he came to judge

1 a competition. It was just full of Gibshill kids, all
2 running about wild. And EZD was trying to get their
3 attention. They weren't listening to him, and
4 I remember feeling so anxious that these kids -- I
5 remember thinking: these kids don't know who this is.
6 But what's EZD going to do to a group of kids in
7 the middle of Gibshill to a group of kids that were
8 running about, playing? Nothing. But I remember
9 thinking EZD isn't as big a fear, threat, as he is in
10 his bubble at Geilsland.

11 Q. What you say, in paragraph 114, was:

12 'EZD was no longer the big intimidating figure he
13 had been. He was just a small old man.'

14 A. Aye, basically.

15 Q. And I think you note that he died in about 2014 or
16 thereabouts?

17 A. Yes.

18 Q. Can I just take you to the final page of your statement,
19 where you say, at paragraph 117:

20 'One of the biggest learning points for me is when
21 you speak to young people do what you said you will do.'

22 A. Yes.

23 Q. You think that's important?

24 A. Yes. When young people report things to you -- I have
25 seen too many incidents where people say to the young

1 person: do you want me to do anything about that?

2 There are just some things that young people tell
3 you where you don't give them the option of: do you want
4 me to do anything about that?

5 They have told you something. They have found the
6 strength to do that. Even if they are saying don't do
7 anything about it, you have a duty to do something about
8 it. But saying to the young person, 'Do you want me to
9 do anything about it?' I don't think is a question that
10 should be asked.

11 LADY SMITH: I wonder if you are telling us a broader
12 message than that as well, Brian, about being reliable.
13 And if you tell a young person that you will do anything
14 for them, do it. But, if you can't follow through,
15 don't make such promises.

16 A. No. No, that's true.

17 MR MACAULAY: That would be a natural point to break.

18 LADY SMITH: Would that be a good point to break? I usually
19 take a break in the middle of the morning, about now,
20 Brian. If that would work for you, we will stop for
21 about 15 minutes and you can get some tea or coffee and
22 a breather, and we will carry on with your evidence
23 after that; okay?

24 (11.31 am)

25 (A short break)

1 (11.50 am)

2 LADY SMITH: Brian, just one thing I want to mention to
3 everybody before we move on to the next stage of your
4 evidence. We have referred to both EZD [REDACTED] and
5 Mr HEB [REDACTED], to a boy called [REDACTED] and a boy called am [REDACTED]
6 in the course of your evidence so far, and I just wanted
7 to remind everybody listening that these are people
8 whose identities are all protected by my
9 General Restriction Order, so they cannot be identified
10 outside this room. That is not a criticism of you,
11 Brian. It is very helpful if we can just use actual
12 names in the course of evidential hearings. But it is
13 also important that people recognise the identities of
14 some people that we refer to are protected.

15 Now, are you ready for us to carry on with your
16 evidence?

17 A. Yes.

18 MR MACAULAY: My Lady, I now want to move on to look at your
19 second statement, Brian and, again, I will provide
20 a reference for the transcript. That's at
21 WIT.001.001.4461. Again, if I could just ask you to
22 look at the final page of that statement, that's on
23 page 49. Can you confirm that you have signed the
24 statement?

25 A. Yes.

1 Q. Once again, do you tell us that you have no objection to
2 your witness statement being published --

3 A. No.

4 Q. -- as part of your evidence to the Inquiry and that you
5 believe that the facts stated in the witness statement
6 are true?

7 LADY SMITH: So, Brian, this is a statement you gave later
8 than your previous statement?

9 A. Yes.

10 LADY SMITH: Thank you.

11 MR MACAULAY: I have seen your CV, Brian; do you tell us at
12 the beginning of this statement, paragraph 2, that you
13 qualified as a social worker from Jordanhill College
14 in June 1991?

15 A. Yes.

16 Q. So that course at Jordanhill College; was that a full
17 time course?

18 A. Yes.

19 Q. How long did that course last for?

20 A. Two years.

21 Q. What made you go down the social worker route?

22 A. Erm, I think, well, I ruled out all the other routes.
23 My experience of education wasn't great. My experience
24 with the police wasn't great. I found social workers in
25 my life caring, supportive. That's my experience of the

1 few social workers that I have had contact with. I had
2 a friend who was a social worker, and I felt I was just
3 as capable as him to maybe do that role. That's where
4 it started.

5 Look, my problem was I had no education, no
6 qualifications at all.

7 Q. But to go on the course you had to get qualifications?

8 A. I did. I had to go and get some basic O-Levels and
9 higher English to get on it. And it took me a couple
10 of years to do that.

11 Q. And you tell us, in paragraph 2, you also gained
12 a certificate in child care protection in July 1996 from
13 the University of Dundee?

14 A. Yes.

15 Q. Just looking at your CV, you were attached to Inverclyde
16 Council between 1991 and May 2006?

17 A. I think it was Strathclyde then.

18 Q. Yes, it was. Yes.

19 A. But then it became Inverclyde, yes.

20 Q. Then, for a period of about a year or so, you were
21 a full-time carer for a family member?

22 A. Yes. For my daughter, yes.

23 Q. And you then spent some time with Amazon, in fact?

24 A. I did, I went into Amazon. My daughter became well.

25 I had to stop claiming the carer's allowance and that

1 meant I had to sign on.

2 Q. Okay.

3 A. So to take a job, I'd take a job anywhere, so I went and
4 worked in Amazon for a few months and then I got
5 something else.

6 Q. From January 2008 to March 2010 you were attached to
7 Inverclyde Community Development?

8 A. Yes.

9 Q. And that was as an employability tutor?

10 A. Employability worker, yes. And I also took their care
11 course training, carers to care, and support workers.

12 Q. Then you had a short period, April 2010 to October 2010,
13 with another Social Work Department. I don't want to
14 name the Social Work Department for present purposes.

15 A. Okay.

16 Q. You had a short period --

17 A. I did, yes.

18 Q. -- at another Social Work Department. And what you say
19 in your CV is, from November 2010 to the present, you
20 are a tutor connected to Inverclyde Community
21 Development?

22 A. I retired a few years ago.

23 Q. You are now fully retired?

24 A. I am now retired, yes.

25 Q. Let's then look at -- I think what you set out in your

1 statement is a number of instances had caused you
2 concern --

3 A. Yes.

4 Q. -- during your time as a social worker?

5 A. Yes.

6 Q. Would that be a fair summary of what you are setting
7 out?

8 A. Yes.

9 Q. And you begin by mentioning something in connection with
10 Strathclyde Regional Council's Social Work Department,
11 where you were involved with a young adult in connection
12 with a matter that caused you some concern.

13 A. Yes.

14 Q. I don't want to look at the detail. But, essentially,
15 this young person was somebody -- you referred to
16 children in that capacity as 'clients'?

17 A. Yes.

18 Q. And this client disclosed things to you; is that right?

19 A. Yes.

20 Q. Can you summarise what happened?

21 A. Well, I worked with him because of his -- and this is
22 a 12-year old -- his inappropriate sexual behaviour.
23 I was given the case to work in conjunction with
24 a project called the Halt Project from Glasgow, so they
25 give advice and support.

1 So I worked with this boy, addressing his behaviour.
2 And the theory and the view was: if you address this
3 type of behaviour early on there is less chance of
4 someone going on into adult life and committing similar
5 crimes.

6 So I worked on -- basically worked on that with him.

7 Q. But there was something that caused you concern that you
8 reported to the police --

9 A. Yes.

10 Q. -- in connection with this boy?

11 A. When the incident happened with the boy, the family were
12 driven out of the area. And one of the main driving
13 forces was the stepfather of the -- a couple of girls
14 who were victims in the case.

15 After months of working with this young boy, it
16 became evident that this man had been providing the
17 young client I had and another boy with access to
18 inappropriate videos of a sexual nature. But not
19 just -- I say 'not just' a sexual nature, quite serious
20 nature. One of the videos was called 'Animal Farm', so
21 I will let you use your imagination there. So it was
22 quite serious. This boy, in his work with me, disclosed
23 that.

24 Initially, he disclosed the contents. It was
25 important for him to disclose the contents that what he

1 was experiencing -- it would explain some of his
2 inappropriate behaviour. And then when we looked at how
3 he got access to this, it became clear that he got -- he
4 claimed to have got access through the stepfather of the
5 girls. So, at that point, that meant to me that this
6 would have to be investigated by the police, because
7 this man had -- if it was true -- had the care of other
8 children. So I stopped addressing that issue and we
9 passed it to the police.

10 Q. I think your concern was that the outcome may have been
11 unsatisfactory?

12 A. It was unsatisfactory in the sense that the police -- up
13 to that point, I had a good relationship with the
14 police. They were sharing information with me in terms
15 of this case, everything was going great, fantastic.
16 And then when I raised this issue everything went quiet.
17 I left it for a while, but it was causing me problems
18 because it was preventing me doing the work that I was
19 set out to do. So I would contact the police to find
20 out what's happening. And I remember a chief inspector,
21 or a senior officer, saying, 'Look, Brian, you need to
22 stop calling us. We are going to deal with it through
23 your senior'. And I had a senior, female senior, and
24 that was the end -- I heard of that.

25 And then she come into my office one day and said,

1 'Look, it's been dealt with. This is what's happened.
2 The client of mine's family had been approached. They
3 don't want to open up a can of worms or cause any
4 problems. So they don't want to take it any further.
5 So that's the end of it, Brian. Close the case and
6 transfer the case to the Larkfield area', which is
7 another office in Greenock.

8 Where I was upset, my issue was: where else could
9 you take it if the police are saying it's not going any
10 further?

11 I wasn't sure if the boy himself had been
12 interviewed. But, if they only spoke to the parents of
13 the client that I had, then it meant that this potential
14 perpetrator continued to live with his stepdaughters.
15 That was my concern.

16 Q. That was your concern.

17 A. But I got -- I raised my concerns with my manager, and
18 that was the end of that.

19 Q. You then talk about a time when you were with a charity
20 called Action for Children. Was this after you had been
21 at Strathclyde?

22 A. Yes.

23 Q. And you tell us that you joined Action for Children in
24 1999?

25 A. Yes.

1 Q. And your role was that of a youth justice project
2 worker, and you became involved in a project called the
3 Gap Project; what did that involve?

4 A. The Gap Project was set up as a project that would deal
5 with young people who found themselves in the children's
6 hearing system, but because of high levels of offending
7 were being taken out of the children's hearing system
8 and placed into the criminal justice system. And what
9 we found was that, once that happened, young people were
10 progressing very quickly into that system.

11 So the Gap Project was set up with a view that we
12 would work intensively with a group of young people who
13 were heavily involved in offending, keep them under
14 supervision orders, keep them out of the criminal
15 justice system, but work with them intensively in
16 a modular group work programme.

17 Q. In that role, did you come back in contact with
18 Geilsland?

19 A. Yes, I did. Yes, aye.

20 Q. That's really where I want to take you next. This is
21 from paragraph 19 onwards. Perhaps before I just look
22 at that, I am interested in what you say in paragraph 18
23 in relation to how you would deal with records. What
24 you tell us is you would take notes immediately after
25 any interview and then a full handwritten note would be

1 typed up?

2 A. Yes.

3 Q. Was that the procedure?

4 A. That was pre sort of us having access to computers.

5 Yes, I would hand write it, give it to a clerical

6 worker, and she would type it up and give it me back,

7 usually with the handwritten notes as well.

8 Q. Now, you were involved with two boys who were in care at

9 Geilsland, and you mentioned them at paragraph 19.

10 Clearly, the names have been redacted --

11 A. Sure.

12 Q. -- for obvious reasons. You will find in your folder

13 what we call a key, because you have provided us with

14 an undertaking to keep names confidential.

15 A. Yes.

16 Q. And I think you will see the two names you mention

17 there, numbers 2 and 3; is that right?

18 A. Yes.

19 Q. You say they were 15 when you initially worked with

20 them. And your job was to go to Geilsland and --

21 possibly twice a week and speak to the boys?

22 A. Yes. We came in contact with them prior to them being

23 in care, and during the process of working with us they

24 ended up in Geilsland. So my job was to go and continue

25 the work that they were doing. So I would go with them

1 and we would do work on offending behaviour, on life
2 skills, that type of thing, while they were in care,
3 with a view that hopefully they would get out of care
4 and return to the community.

5 Q. In that process, did you come across someone who worked
6 at Geilsland, by the name of GLR ?

7 A. Yes.

8 Q. And how often did you see Mr GLR ?

9 A. Well, GLR was one of the boys' key workers.
10 So the boy was in there for months. So, on a weekly,
11 regular, maybe twice a week basis, I would have to
12 contact him and arrange to go to Geilsland. I would
13 speak to him by the phone. Any contact I had with
14 GLR can be found in Action for Children's records.
15 It will be there.

16 Q. So you had some regular contact?

17 A. Sorry, regular contact, yes.

18 LADY SMITH: Just to get this right, chronologically, by
19 then it must have been about 25 years since you had left
20 Geilsland yourself --

21 A. Yes.

22 LADY SMITH: -- would that be right?

23 A. Yes.

24 LADY SMITH: And you hadn't come across this man, I don't
25 suppose --

1 A. Never.

2 LADY SMITH: -- when you were at Geilsland?

3 A. No, no, no.

4 LADY SMITH: Thank you.

5 MR MACAULAY: I suppose what I should have asked you is: did
6 you notice much of a change?

7 A. Yes, they had knocked down one of the buildings.
8 I think they knocked down a couple of the buildings.
9 The White House and the New Vic was knocked down. Where
10 the New Vic is, they had built new accommodation, and
11 that's where I would go and meet GLR and the
12 boy.

13 Q. And in relation to numbers, now, at this time did you --
14 I think we are looking at the year 2000 -- get any sense
15 as to how many boys were in care?

16 A. Well, they still had three houses. They had rebuilt on
17 both sites. I would imagine something similar. I would
18 imagine that. Could be wrong, but ...

19 Q. In any event, what you tell us in your statement is that
20 on an occasion when you went to see these boys at
21 Geilsland, you were approached by GLR and he
22 told you something?

23 A. Yes.

24 Q. Could you tell us about that?

25 A. Well, by that point I had known GLR for quite

1 a while, so we were quite friendly. We had a lot of
2 contact together. So I entered the living quarters in
3 their office, and GLR took to have a meeting with this
4 boy. And when I went in, GLR informed me that that
5 weekend someone had attempted to steal his car. There
6 was several attempts to steal his car, but this time he
7 had taken the starter motor out. Some of the boys from
8 the school were attempting to steal his car, a couple of
9 them got caught and, basically, he assaulted one of
10 them.

11 Q. Do you have any recollection as to what he said about
12 that?

13 A. He said he kicked him, kicked him several times.

14 Q. What was your reaction to that?

15 A. It was a strange one, because I was friendly with him.
16 But it dawned on me that clearly he feels comfortable in
17 telling me this, but doesn't realise who I am and what
18 I represent, you know, as friendly as we are. I says to
19 him -- I remember saying words to the effect: you need
20 to watch what you are doing or you are going to end up
21 in court.

22 That was my only response. The subject changed very
23 quickly. I basically shut him down, you know. In my
24 head, I wasn't sure what to do with this information.

25 Q. Well, what did you decide to do with it?

1 A. I decided to just go ahead and meet the boy, and that
2 was running through my head. Not sure. What was
3 running through my head was: if I report this, he'll
4 just say he never said it. It it is crazy.

5 What helped make up my mind is, I left that building
6 and went to visit the other boy. And when I visited the
7 other boy, one of GLR's colleagues informed me that --
8 and I don't know the boy -- I didn't know the boy that
9 GLR allegedly assaulted. I have never met him, but this
10 other worker informed me that the father of that boy had
11 contacted him to make a complaint about GLR assaulting
12 his son. This guy pointed out to the father that his
13 son had attempted to steal GLR's car, and the father's
14 response was: "oh, in that case, I would have booted his
15 arse as well."

16 Q. And did that then prompt you to do something?

17 A. What that meant to me, that was corroboration.

18 Q. And --

19 A. And I had no choice but to do something about it.

20 Q. What did you do about it?

21 A. Well, I had my meeting as planned. The other boy was
22 with social workers. I checked him to see if he heard
23 what this member of staff said to me. I don't know
24 why -- how he couldn't hear it, because we were all
25 together in a group. But he says he didn't hear

1 anything. So the social worker says, 'I didn't hear
2 anything', I said, 'Okay, well, I did'.

3 So I went back to my office. I think first of all
4 I pulled over to the side of the road and wrote down
5 some of my notes, just to keep it fresh, while it was
6 fresh in my mind. Went back to the office. Spoke to my
7 line manager. He advised me to file a report,
8 an incident report. I did that. And I think I also
9 wrote up some notes for the boy's file and we processed
10 it. And that was then sent to Inverclyde Social Work
11 Department.

12 Q. And 'process it' meaning typing it up?

13 A. Type it up, yes.

14 Q. And sending it on to the Council?

15 A. I think, no, it was handwritten. The actual incident
16 report, it was important enough to not wait on to be
17 typed. I think that may have been sent handwritten.

18 Q. If I could ask you to look at a document that I will put
19 on the screen, it is WIT.003.001.0164. Again, it is
20 quite significantly redacted. It is headed 'Visit to
21 Geilsland School, Beith'?

22 A. Yes.

23 Q. 'Monday 10 January, 2000 ... to interview [the boys]'.

24 Is this a typed up version of what you noted?

25 A. That would have went to everyone. That's what's

1 happened. It went and has been typed up.

2 I think I had -- I would have given the written
3 version to part of the organisation. I thought I had
4 sent it to the Council. Maybe I didn't. But that's the
5 typed up version of what happened. And it should be
6 signed, countersigned somewhere, I hope.

7 Q. Your signature appears at the bottom, I think.

8 A. Yes, I have written 'Informed Alan Hind, project
9 manager'.

10 Q. In your own handwriting?

11 A. In my own hand. But the actual piece of paper I filled
12 in, he countersigns somewhere.

13 Q. Yes. If we just look at the first paragraph, what you
14 appear to have noted, and it has been transcribed here:

15 'On entering unit found **GLR** in unit office
16 alone. On telling me I would also be seeing [the other
17 boy] ... he informed me that ... had been in some
18 trouble. He then went on to inform me that his own car
19 was stolen for the third time from the school grounds,
20 but he found out who stole it (3 residents). He then
21 stated that he assaulted one of them, but I'm unsure of
22 the words he used.'

23 A. Aye, I'm not sure whether he says 'booted' or 'bit'. It
24 was that kind of Ayrshire accent thing. That's all I
25 meant.

1 Q. That was the note that was made at the time by you --
2 A. Yes.
3 Q. -- to record what he had told you?
4 A. Yes.
5 Q. The other document I wanted to look at in this context
6 is WIT.003.001.0159.
7 A. Aye. Yes, that's it.
8 Q. So this is in your handwriting?
9 A. Yeah.
10 Q. And this really repeats, in the main, what I have just
11 read in the other document.
12 A. Aye. The problem I have found with this form is it
13 didn't give you a lot of room. So, obviously, I have
14 expanded in the typed one. But that's the initial form.
15 Q. Now, you go on to tell us, from paragraph 26 onwards,
16 some other allegations that were made to you by boys at
17 Geilsland, in particular about **GLR**; is that
18 right?
19 A. Yes.
20 Q. What sort of information were you given?
21 A. The main information I got was from the two boys.
22 I don't think I spoke to any other boys in the school.
23 So all the information I passed -- that I've got, I've
24 got from the two main boys that I had been visiting.
25 Q. And what were they? What allegations were they making?

1 A. Numerous accounts of assaults. Sometimes it was stuff
2 they had heard about, other boys had told them. Stuff
3 that had -- in one boy's case that he had been
4 assaulted, himself, by GLR [REDACTED] and he had been
5 assaulted by another member of staff, as well.

6 Q. And did you tell the boys that this would be something
7 that you would have to pass on?

8 A. Yes.

9 Q. And what was their reaction to that?

10 A. What you would expect. Fear, you know? I suppose at
11 some level in their mind when you are telling -- I mean,
12 they could forget who you are and what you represent or
13 they know who you are and they are telling you, either
14 way we had a strict policy that we wouldn't be keeping
15 any secrets, so that I would pass it on. I did reassure
16 them that they would be safe and that we wouldn't
17 jeopardise them. But there was no way -- it wasn't
18 going to be a case of me doing the 'Do you want me to do
19 anything about this?' That's not really what should have
20 been happening. So there is no point in giving a false
21 sense that this is a secret and it won't be going any
22 further.

23 Q. Were there any allegations being played against other
24 staff members, apart from GLR [REDACTED]?

25 A. There was, yes. I think it is in the report. I named

1 them all. Any information they gave me --

2 Q. I don't think we need note the names. But are you able
3 to tell us what the nature of the allegations were?

4 A. Assaults. Mainly assaults, physical abuse.

5 One of the boys had a heroin issue and he came back
6 under the influence and he was assaulted by **GLR** for
7 that. I detail that.

8 Q. Did your reports in connection with these matters -- and
9 this is at paragraph 46 -- cause the Local Authority to
10 take certain action?

11 A. Yeah. Our procedure was we didn't hold the supervision
12 orders of these kids; they were held by the Local
13 Authority.

14 Q. Yes.

15 A. So any concerns we had we passed directly to the Local
16 Authority. They are the ones that would do any
17 investigations, although we would be happy to be part of
18 that.

19 Q. I think, at paragraph 46, you do tell us that there was
20 an investigation into Geilsland.

21 A. Yes.

22 Q. And that Glasgow and Inverclyde took the decision to
23 stop placing young people there?

24 A. That was the information I was given by the head of --
25 or one of the senior managers in social work, that

1 that's what was happening. And they kind of kept us up
2 to speed in terms of 'We are going in, this is what we
3 have found. We have decided not to place any more kids
4 there until we get some answers and get the
5 investigation done', and that Glasgow Council had done
6 the same.

7 I am guessing Inverclyde told all the councils,
8 because why should they be able to tell me that Glasgow
9 Council decided not to send other kids and others
10 continued, would mean they should need to have that kind
11 of information. So I am guessing there was some way of
12 sharing that kind of information with others.

13 That makes sense. If you, as a council, have
14 concerns about an incident within a school that you
15 allow other Councils to be aware of that and make their
16 own decisions. But certainly about placing new people
17 there.

18 Q. Were you also interviewed by two people on behalf of
19 CrossReach?

20 A. Yes.

21 Q. So, again, did you tell them what information you had?

22 A. They came along and had a chat. My memories of that, it
23 wasn't -- it was a kind of awkward meeting. We didn't
24 have much to say. I think I answered whatever questions
25 they had. But I remember the response from one of them

1 saying, 'These kids can be hard work' or 'These boys can
2 be hard work', or 'Can be difficult'. I think that was
3 the words. And I agreed with them, they can be
4 difficult.

5 Q. Was there also a police investigation?

6 A. There was a police investigation, yes.

7 Q. And do you know what transpired from that?

8 A. What transpired from that is, I gave a statement to the
9 police about what I knew. The police investigated and
10 then decided they weren't going to take any further
11 action. The officer in charge -- which -- I think he's
12 named. I am not naming him now. I can't remember --
13 wanted me to come down to Kilmarnock to see him, which
14 I thought was strange. So I went down to Kilmarnock to
15 see him. He says he wanted to see me and give me this
16 information face to face. He didn't want to do it over
17 the phone. And the information was: GLR [REDACTED] is
18 claiming that he didn't assault the boy. We only have
19 the boy's word for it.

20 And the problem was -- here was the problem: the
21 assault, if it took place, had to have taken place in
22 front of two of his officers. Two police officers had
23 returned the boy after catching him and that GLR [REDACTED]
24 assaulted the boy in front of the police. His officers
25 says that didn't happen. GLR [REDACTED] is saying it didn't

1 happen. So, on that basis, we can't go any further.

2 And he says -- he intimated to me it could have
3 happened and that his officers may be lying, but there
4 is no way he can prove it. And he wanted to let me know
5 that he believed me. That seemed to be important to
6 him: he believed me.

7 Q. Insofar as Geilsland was concerned; do you know what
8 happened then to GLR [REDACTED] in connection with this
9 matter?

10 A. Nobody ever gave me a lot of information. Through the
11 grapevine I know he returned to work.

12 Q. I think you tell us that --

13 A. I met someone who knew him, who says he returned to
14 work. They tried to give him a verbal warning and the
15 union stood up for him, and that never even happened.

16 The boy, himself -- the worker from Inverclyde
17 Council told me to tell one of the -- the victim that
18 was assaulted that he would be receiving an apology from
19 Geilsland. I couldn't work it out. An apology for
20 what, if nothing was going to be done?

21 Q. But he never received it?

22 A. He never received it. Because I would see the boy over
23 the years. It became a running joke. When I would see
24 him, I would say: did you get that apology from
25 Geilsland?

1 And he would just laugh.

2 Q. In relation to what you said about Mr GLR, I think you
3 said, at paragraph 54, he was suspended?

4 A. Yes.

5 Q. But the trade union stepped in and he kept his job?

6 A. Yes, that's the way it looks to me. Although that was
7 secondhand information from someone. I didn't get that
8 formally. All I got formally was: it's not going any
9 further. That's it, it's been concluded.

10 Q. Now, again, in connection with your role with Action for
11 Children, did you have dealings with a boy from Kibble?

12 A. Yes.

13 Q. You start telling us about that at paragraph 58.

14 I think there is an error there, because at the second
15 line you say he was a day boy. But, in fact, later on
16 it is clear that he wasn't a day boy.

17 A. He wasn't a day boy, no.

18 Q. He was in care?

19 A. He was in care.

20 Q. What you tell us is you noticed that this boy was
21 limping and you asked him how he hurt himself, and he
22 told you -- he made an allegation as to how that had
23 happened.

24 A. He made an allegation that he had been dragged from his
25 bed, I think at 9 o'clock in the morning, by a member of

1 staff, who dragged him by his feet and dragged him down
2 through a narrow corridor. His head had been banged off
3 the radiators and the walls, and he had severe carpet
4 burns on his body. And I reported that. I told him
5 that was what I was going to do and let him know that
6 that was what was going to happen. Then he gave me
7 a fuller statement about what happened. I wrote that up
8 and passed it on to the relevant agencies.

9 Q. Did you witness the carpet burns?

10 A. Yes. I seen them, yes.

11 Q. Where were they?

12 A. They were quite bad on his arms, on his thigh. I think
13 he had some on his thigh and on his arms, on his wrists.

14 Q. I think, moving on a bit, you tell us that the boy
15 didn't want anything to happen?

16 A. Well, it looks to me what happened is he did want
17 something to happen, he asked me to report it. And
18 I did do that; I reported it to my boss. And as these
19 things tend to happen, as time goes by the man who --
20 the alleged perpetrator was suspended from his work, and
21 other staff seemed to be saying things to the boy,
22 because the boy would tell me he had spoken to this
23 member of staff, and this member of staff told him
24 that's his livelihood, that's his job, and you got on
25 well with him. And it seems to me I think he was talked

1 round and eventually he decided not to take it any
2 further.

3 Q. And I think you reported it to the police?

4 A. Oh, I didn't report it to the police. Somebody reported
5 it to the police and the police contacted me and had me
6 into his office to talk to me about it.

7 Q. But did you discover that there was in fact
8 contradictory evidence?

9 A. Yes. He said he had a statement from another boy that
10 says the total opposite, although the victim himself had
11 given him the same information he had given me. He said
12 based on -- in fact, he started to tell me about the
13 evidence he had. It was a bizarre meeting. I didn't
14 understand why a police officer would take me to his
15 office and give me that information. It seemed to be
16 trying to kind of pacify me; that's what it felt like.
17 And he advised me not to tell anyone and keep it quiet,
18 and it would affect the investigation. It just felt
19 a bit nonsense. There was only me and him.

20 And then I just decided to go and tell my boss
21 exactly what just happened. I was advised to write that
22 up and I did, and passed it on.

23 Q. At paragraph 77, I think, you tell us how it all ended
24 up, and in particular that the boy had withdrawn any
25 complaint that he had?

1 A. He withdrew his complaint, yeah. I just -- even now,
2 I don't understand when a young person withdraws
3 a complaint. I don't know if that's a good enough
4 reason for an investigation not to go forward. When
5 a young person decides, 'I no longer want this to go any
6 further', that that should be an option. That's just my
7 feeling on it.

8 Q. Now, you go on to tell us that you returned to work with
9 Inverclyde Council as a group worker in 2001?

10 A. Yes.

11 Q. Was that a more senior position than you had before?

12 A. Er, if you look at my work pattern -- and I have looked
13 at it -- what tends to happen with me, when I look back
14 at it, whenever there was an incident of this nature --
15 we are sitting, talking, chatting about it now, and it
16 seems pretty straightforward to everybody who is
17 listening to me, of course that's what you would do.
18 What he is saying you do, any of us would do.

19 But the reality is when you do these things and you
20 start to challenge, you start to irritate people, you
21 start to annoy people, and also you can get frustrated
22 with the end result. So what I tended to do was,
23 because of the whole thing that happened in Geilsland
24 I got frustrated with my organisation and thought: you
25 know, I'm moving on.

1 I did what I think many workers do. You say you are
2 moving out of a place that you are unhappy with because
3 things haven't gone the way you perceive them and they
4 should go, and you say it is for professional
5 development. And initially in my career, looking back
6 now, after every time something that I raised and pushed
7 with management, and pushed, and had a bit of push back,
8 I have just moved on to a new job, a fresh start.
9 I think that's what I did there. So that's why I left
10 that role. Because it was a perfectly good job.
11 I enjoyed the job. I don't know why I wanted to go back
12 to Inverclyde Council. But a job came up, I went for
13 it. It was intensive IT, Intermediate Treatment, so not
14 a computer-type thing. It is what you used to call the
15 old group work programmes, Intermediate Treatment and
16 became a youth justice worker and got involved in that
17 work.

18 Q. Now, in paragraph 80, onwards you mention what's headed
19 'Protocol for reporting abuse'; was there some sort of
20 protocol in place that would provide you with some
21 guidance as to how abuse was to be reported?

22 A. Yes. My understanding of -- if there is an allegation,
23 you report what was said. You don't get too involved in
24 taking details, you pass it to your line manager. And
25 then what should happen is, at that point, most social

1 workers were trained in JIIT training, which is Joint
2 Investigative Interview Training.

3 Q. Yes.

4 A. The problem with too many people interviewing victims,
5 they end up changing their mind or it is difficult, or
6 stressful. So what they find is if you could have, say,
7 a social worker and a police officer interview the
8 child, if the social worker has a relationship with the
9 child, the social worker asks all the questions, the
10 police officer takes all of the details, and that was
11 joint -- JIIT training. So to me that was what should
12 have happened.

13 Q. And would that be early on in the investigation?

14 A. I think as early on as you possibly could get. If it is
15 an allegation of an assault, say by an adult on a child,
16 then that's probably what should happen, yes.

17 Q. And in relation to recording incidents, you told us you
18 would record an incident as soon as you possibly could.
19 But what you say on page 23, at the very top, you said:

20 'I saw three social workers collectively deciding
21 not to record an incident.'

22 A. When I say 'I saw' I didn't see it with my own eyes.
23 There was an incident that happened when I was on sick
24 leave, six months prior to me going back to work.
25 I went back to work, these workers informed me that

1 a client of mine who I was key worker for was assaulted
2 in The Kibble, a different assault.

3 Q. I think you deal with that later on.

4 A. This is the reason I say that.

5 Q. I see.

6 A. These three workers had contact with the boy, they were
7 the first three people the boy told them, they were the
8 group workers. The procedure anyway in the group work
9 setting is we had a system where we recorded what the
10 young people had to eat that night, what they did, and
11 any significant information. And when I went and looked
12 at all of the reports around that night, that's the only
13 night those three workers decided not to submit
14 a report, so on that night... they did pass it on, they
15 did do right in terms of they passed it on to the senior
16 manager who then investigated and took a statement from
17 the boy with another senior manager, but they themselves
18 didn't record what had happened, but recorded what he
19 had for his dinner the night before, and when they
20 returned to the group the next night recorded what went
21 on. And my point was when a significant incident like
22 that occurs, you must record what was said, and they
23 didn't.

24 Now, how three social workers could forget, I don't
25 know. That's my criticism. They are trained social

1 workers, they are all trained in child protection. Why
2 you wouldn't keep a record of that ... and there was no
3 record, I know there was no record, I went looking for
4 the record. Although everyone was concerned about it
5 six months later to the point they could tell me what
6 happened, but nobody really took the initiative to write
7 it down.

8 Q. You do tell us later --

9 A. That's what I mean saw; I didn't physically see it,
10 that's the way I phrased it.

11 Q. What you talk about in paragraphs 86 onwards, this, was
12 the boy you were concerned with here a boy who had been
13 in Kibble?

14 A. He was a day boy in Kibble.

15 Q. In Kibble. But the allegation was there was a assault
16 on him?

17 A. Yes.

18 Q. Which left what you say was a footprint on his head?

19 A. A footprint on his head, because the senior social
20 worker took photographs of it, and I seen those on my
21 return.

22 Q. And the point you make now is that was reported but the
23 social workers involved directly at the time did not
24 record that?

25 A. No, that boy would turn up at his group meeting, think

1 about it, that boy turned up at his group work programme
2 and told them about it and told them, and imagine, I am
3 just thinking now, told them that someone stood on his
4 head, and he would have been able to show them the
5 marks, and I am sure he did, I don't see why he
6 wouldn't, and the three of them, none of them took the
7 initiative to record any of it.

8 Q. Now, you were off work, as you tell us in paragraph 86,
9 with, I think, stress, I think?

10 A. Yes.

11 Q. You were getting counselling?

12 A. Yes.

13 Q. Is that the counselling you were receiving because of
14 your time at Geilsland?

15 A. Partly, partly because of that. Partly because of
16 childhood trauma. Around Geilsland as well. I didn't
17 know why I was there, until -- that's what the guy
18 concluded. His advice was 'don't go back to social
19 work, Brian', that was his take on it. And I know where
20 he is coming from, you know.

21 Q. You were off for quite a number of months?

22 A. Six months, yes.

23 Q. And it was when you returned discovered this particular
24 issue that caused you concern?

25 A. Yes.

1 Q. Were the police involved?

2 A. The police were involved, and then the family rejected
3 the police. And what happened was the people who
4 interviewed the boy initially were two managers, and had
5 a good statement from the boy about what had happened.
6 But because the police hadn't been there, the police
7 were having to go up separately and do their
8 investigation. The family had an issue with the police.
9 I think two uniformed officers went to take a statement,
10 and the father and the boy rejected them, and wouldn't
11 speak to them.

12 Q. And I think you tell us the father did not have a good
13 opinion of the police?

14 A. No, he had his own issues. He had his own issues with
15 the police. It probably would have worked better if
16 a plain clothes police officer and a social worker had
17 done their job initially, then there would have been no
18 need for the second return. But because of that
19 everyone involved seems to say well, the family doesn't
20 want to involve the police, the boy doesn't want to
21 involve the police, that's the end of it, which I don't
22 think needs to be the end of it, but that was the end of
23 the investigation.

24 Q. And you express a view in paragraph 98, to pull this
25 together, and what you say is:

1 'In my opinion I think that the response to [the
2 boy's] disclosure of abuse is the perfect example of
3 where things can go wrong if procedures aren't
4 followed.'

5 A. Yes.

6 Q. Now, if we move on, then, to paragraph 101, you resigned
7 from your position with Inverclyde in April 2006?

8 A. Yes.

9 Q. Why did you resign?

10 A. I resigned on the basis that I had just come back from
11 long term sickness, I had identified some of the
12 stresses and strains that were causing me the problem,
13 I came back to a situation with that boy that had
14 everything in it that caused me concern, and was always
15 a root problem for me in terms of just people simply
16 recording things. It was just a classic example. What
17 I had done in the past would be apply for another job
18 and move on. This time I decided that I was just going
19 to leave, and make a fuss. I think that's what was in
20 my head; I am going to leave and I am just going to make
21 a fuss.

22 Q. And did you make a fuss?

23 A. I made a fuss for numerous years, just on that one case,
24 with the Council. I didn't get anywhere, but I made
25 a fuss.

1 Q. Did you see yourself as a sort of whistleblower?

2 A. I did. I think -- I didn't think about the word at the
3 time, but when I looked back the only opportunity I got
4 to whistle blow, I mean I left the job and I received
5 a form that you fill in when you leave the job, I can't
6 remember what it was called, the name.

7 Q. An exit form?

8 A. An exit form. And I found that while writing the exit
9 form, 'why 'did you leave?' blah blah blah, 'what did
10 you like about the job?' 'what did you not like about
11 it?' I ended up adding, I think, six handwritten pages
12 about my concerns about the job, and mainly the bulk of
13 it was about the ineptitude of the department and how
14 they didn't handle that particular case well.

15 Q. And you tell us at paragraph 112, for example, that
16 there was a point when you were told by Inverclyde
17 Council that they really needed to investigate your
18 concerns?

19 A. Yes.

20 Q. Well, what happened?

21 A. They never involved me in any of it, so I don't know
22 what happened. I really don't know what happened. It
23 was bizarre. Because when I left, I thought they would
24 have no choice but to investigate. Because I gave all
25 of the details of where I think things went wrong.

1 I gathered all of that information before I left the
2 job. I was very clear about the lack of written
3 information. The lack of, you know -- I pinpointed
4 where people didn't do their jobs. And for that reason,
5 once I started to look at that information, I thought
6 I can't raise this as an issue and remain in work in
7 this environment. It is too stressful. And I had
8 a good -- this is my logic at the time, I felt I have
9 a good working record, I have done a good job, I think
10 I am a competent social worker. If I leave now and then
11 raise these issues then they can't accuse me of being
12 a bad worker. If I stay, and start to cause fuss, then
13 people can start to raise issues about your abilities as
14 a worker. So that was my logic. It sounds a bit
15 illogical at times, but that was my logic. I thought
16 gather what I can, leave, and make an issue. Because it
17 wasn't just about one person, it wasn't about two
18 people, it was about a collective, almost systematic
19 problem, that I was identifying. And because I had been
20 away for six months I was able to look back and see what
21 had happened over the six months in terms of the work
22 with the family, and at every point they were let down.
23 And it was clear to me.

24 So I raised that with the Council, and heard nothing
25 about it. I just assumed that they were getting on with

1 it. It was only a random meeting with a senior manager
2 that I found out that things weren't what I thought they
3 were going to be.

4 Q. At paragraph 115, as part of this process, you draw
5 attention to a letter from the corporate director of
6 Inverclyde Council, dated January 2008. And you quote
7 the main part of that halfway into the paragraph, and
8 what the quote is:

9 'Having spoken with the relevant personnel and
10 having seen the documentation I can reassure you that
11 there was an investigation over the incident and that
12 the concerns which you have expressed have been raised
13 and expressed.'

14 A. Yes, I got that, yes. My concern about that was
15 I wasn't involved in any of it. I just couldn't
16 understand how you could do that without speaking to the
17 person who has raised the concerns.

18 Q. You tell us at paragraph 121, just moving on, that you
19 received another letter dated, we are now
20 into November 2009, and you say the response was that
21 Inverclyde Council were happy with the investigation.
22 And you go on to say:

23 'Through it all, not once has someone sat down and
24 talked to me about my concerns.'

25 A. That's right.

1 Q. I think you did involve your local councillor in this
2 matter?

3 A. I involved everyone, yeah, I involved a local -- because
4 it wasn't making sense, the information I was getting
5 back from the Council. I involved a local councillor,
6 and when I involved him, people started to speak to me
7 a bit more.

8 Q. But did anything come out of that?

9 A. No. I got an apology. It is like a lot of things;
10 people give you apologies, but you are not too sure what
11 they are apologising for. But I got an apology for
12 maybe just, you know, the way they were handling things.
13 But still no one ever spoke to me about my concerns,
14 even after the apology. No one said okay, there's
15 an apology, let's talk about your concerns.

16 Q. But you also complain to the Scottish Social Services
17 Council (SSSC)?

18 A. Yes.

19 Q. I think you made a complaint to the Care Commission?

20 A. Yes.

21 Q. And also to the Scottish Public Services Ombudsman, and
22 you also raised concerns with the rapporteur of the
23 Children's Hearing?

24 A. Yes.

25 Q. Did anything come out of these issues?

1 A. No. And this was all about the one case, about the boy
2 with the footprint on his head. And the information,
3 I just looked around, I thought who are the responsible
4 bodies, or who may be interested in this, and just
5 provided them with the same information that I provided
6 everyone else with. Even to the boy, he was a teenager,
7 I think he was appearing in court, and he had a lawyer,
8 and that's the only way I knew how to contact, and
9 I contacted the lawyer and provided his lawyer with my
10 concerns about the boy, if he wanted to raise them
11 himself.

12 Q. And for example if we look at some of the responses, as
13 far as the SSSC is concerned, at paragraph 127 they
14 pointed out that what you are complaining about was
15 an issue for the Local Authority, not for them?

16 A. Right.

17 Q. I think as far as the Care Commission was concerned, you
18 were really out of time?

19 A. Aye, there was a 12-month --

20 Q. 12 months unless there was exceptional circumstances,
21 and you didn't qualify?

22 A. No, I tried to argue that they were exceptional, in
23 terms of the incident we were talking about was
24 six months old by the time I found out about it, and by
25 the time I contacted them another six months had gone

1 by, so it was outside the 12 months. I thought that

2 might be an exception. It wasn't.

3 Q. As far as the Scottish Public Services Ombudsman is

4 concerned, again, there was a 12-month time limit?

5 A. Yes.

6 Q. And you were out of it, and you got no response from the

7 rapporteur to the Children's Hearing?

8 A. No.

9 Q. Now, let's move on to when you start working with

10 another council. As I said, we won't name the Council

11 at the moment. This was as a youth justice worker, and

12 this was in April 2010, is that right?

13 A. Yes.

14 Q. And you left a few months later in August 2010?

15 A. I had a job as an employability worker, and was made

16 redundant, they made a lot of people redundant,

17 voluntary redundancy. I thought maybe it is time I went

18 back to social work. A job came up in another area and

19 applied for it, and that's why I moved to that job.

20 Q. And then in connection with that particular job, if we

21 turn to page 138?

22 LADY SMITH: Paragraph 138?

23 MR MACAULAY: Sorry, yes, paragraph 138.

24 You were given a case concerning an incident

25 involving a young boy who had been at St Phillip's --

1 A. Yes.

2 Q. -- in August 2009. And had allegedly been assaulted by
3 three members of staff. Was this information you got
4 from the boy?

5 A. Yes. I was to write a court report for the boy, I think
6 it was for Hamilton's Sheriff Court, and the boy had
7 been charged with assault on three members of staff in
8 St Phillip's. So this was him appearing for sentence
9 and needed a social background report, or a social
10 inquiry report, so that was why I was involved with the
11 boy. And in gathering the information it seemed to be
12 the boy was saying that he in fact had been assaulted.
13 So all I was trying to establish was what had happened,
14 what records were available in terms of the incident,
15 and who knew what. And from that, I found out that his
16 social worker at the time was informed of it, and he was
17 one of these social workers who says 'Do you want me to
18 do anything about it? We will maybe do something about
19 it when you come out' because he was then sent to
20 Polmont, 'Do you want us to do something about it?' He
21 presented himself at Polmont with a broken nose and they
22 talked to him about it, but I am not aware of any
23 records there. And also he had spoken to his lawyer
24 about it, and it just happened that I was working in the
25 Kilmarnock Sheriff Court as part of this new job and the

1 lawyer says to me that -- I says look, this boy's
2 raising this issue, and all he says to me is 'If he has
3 raised it with me it will be in his file' but his lawyer
4 had told him 'Do you want me to deal with this when you
5 get out or do you want me to do something about it we'll
6 talk about it when you get out?'

7 LADY SMITH: Brian, you say this was a court report. Was
8 this a pre-sentencing report?

9 A. Yes.

10 LADY SMITH: So he had been found guilty?

11 A. He had been found guilty.

12 LADY SMITH: Thank you.

13 MR MACAULAY: Just to complete the story, the other side of
14 the story, so to speak, was it was being suggested that
15 the boy had thrown his face into a wall.

16 A. Yes.

17 Q. That's where he sustained his injuries?

18 A. Aye. The issue for me isn't about whether it happened
19 or not, what the boy did or what the boy didn't do, my
20 concern was about the lack of recorded information that
21 could have been there. That would have been useful for
22 this boy, if at some point in the future he decided he
23 wanted to maybe raise it as an issue. So that's what
24 I am trying to make an issue about; that there was no
25 written recording of the disclosure that this boy made

1 that other people knew about, so people knew about it
2 verbally, but no one made a record of it, even his own
3 social worker.

4 Now, I guarantee the social worker who visited the
5 boy in Polmont would have recorded his mileage that day,
6 but felt no need to record such a significant statement.
7 I spoke to the social worker about it and he just looked
8 at me blankly. He knew about it. I said but you
9 haven't recorded it, it isn't in the boy's records.

10 Q. And the point you are making is that wherever the truth
11 may lie --

12 A. It doesn't matter.

13 Q. -- if the allegation is made it should be recorded?

14 A. Of course. It is not for you to be judge and jury and
15 decide whether you believe someone or not, your duty is
16 to record what he has been saying. If it is a load of
17 nonsense, it will soon come out as a load of nonsense,
18 because it is very difficult to uphold a lie that way.

19 Q. Now, I want to ask you about what you mention in
20 paragraph 148, and in particular about concerns you had
21 surrounding the minuting of meetings. And what you tell
22 us there is that, leaving aside the nature of the
23 project, that there was a discussion that focused on the
24 fact that the Council were paying fines for young
25 people, and there was a decision not to minute that. Is

1 that the message you got?

2 A. Yes, that was around -- at this point I had decided
3 I was leaving my job there, because I just felt that
4 this is another completely different Local Authority,
5 and the exact same things that I was raising in
6 Inverclyde was happening in another Local Authority.
7 And I thought how common is this, that you can go from
8 one part of the country to another and find the exact
9 same issues, which is about recording and minuting. So
10 I had decided I was leaving. But I was in a meeting,
11 and this is the only time I have ever heard this, where
12 the manager said 'Don't minute this' and then went on to
13 describe a situation where people were, youngsters were
14 being fined and the Project was using money to pay the
15 fines. Now, apparently that's not illegal, apparently
16 you can do that, I didn't know you could do that, but it
17 bothered me that if it is such -- the secrecy around
18 'Don't minute this' and put it down as something else.
19 I jokingly said that's a lot of McDonald's meals that
20 people had spent the money on, that was a common
21 criticism of social workers, taking kids to McDonald's
22 all of the time. But no way was I going to be part of
23 that; let's pay people's fines and we will put it under
24 some other heading. That was concerning. But I was on
25 the way out of the door of that job, anyway, that seemed

1 to be one last meeting I went to, and that came up.

2 Q. What you say at the bottom of page 39 is:

3 'I was uncomfortable both with the use of public
4 funds for fines and not minuting something that had been
5 discussed in the meeting. It all led to me becoming
6 disheartened about the whole thing.'

7 A. Yes.

8 Q. This is shortly before you left?

9 A. Yes.

10 Q. But then did you contact the Council?

11 A. I raised it with them, of course, yes. I raised it with
12 them. I think they investigated it. They never ever
13 got back to me in regards to my concerns about the boy
14 and the alleged assault. But they did get back to me --
15 I think a lot of times money's more important than
16 people. So they got back to me in terms of the fines,
17 and the issue about that. They felt that was important,
18 to let me know about that. But nothing about the boy
19 that was making the allegation of assault.

20 Q. And you draw attention to a letter from the corporate
21 director of the council, in June 2011 now, and you go on
22 to say the letter stated:

23 'An investigation was concluded by one of our senior
24 managers. There were no grounds for disciplinary action
25 identified and the matter has been closed.'

1 So that was the end of it?

2 A. That was in relation to the paying of fines.

3 Q. Yes.

4 A. No staff was going to be disciplined for that.

5 Q. You have touched upon this a little while ago, but, at
6 152, your concern, really, is asking the question: how
7 widespread was this practice of 'When things get
8 difficult don't write it down'?

9 A. Yes.

10 Q. That's your concern?

11 Now, you then provide us with -- and I can deal with
12 this fairly quickly -- three examples of disclosures of
13 abuse concerning children in care by people who were
14 involved in the care service. My impression from
15 reading it is at the time these individuals witnessed
16 something that may have been abusive, they were young
17 and inexperienced?

18 A. Yes, could be.

19 Q. Because you tell us, at 155, that this person witnessed,
20 I think, SNR slapping a boy full in the face,
21 and this person that spoke to you said he didn't do
22 anything about it?

23 A. Yes, and I think it came about -- I think I was probably
24 sharing my experiences with him about Geilsland and he
25 was sharing his experience of seeing something similar

1 in another care setting when he was a young student or
2 a young worker. And it was done in sort of a -- what
3 was sort of common was, it was being done in front of
4 large groups of people. So it wasn't done in isolation.
5 It was done in front of the whole school. This boy was
6 playing up and SNR just slapped him in the
7 face. And he felt quite -- and he was just sharing with
8 me -- he was telling me it's not -- I think what he was
9 saying to me was it wasn't just Geilsland, because this
10 is what I witnessed when I was a young worker

11 Q. And you make the point, in paragraph 155, on page 42:

12 'I think that incident provides an indication of how
13 ruthless SNR could be back
14 then.'

15 A. Yes.

16 Q. Back then, I think you are being told -- this is 1978 or
17 1979?

18 A. Yes.

19 Q. You then mention another incident from a lady who was
20 a young social worker and spent some time as a student
21 at Geilsland?

22 A. Yes.

23 Q. What she told you was -- and this is, I think, 2002:

24 'She mentioned to me that she had witnessed brutal
25 behaviour of staff towards boys during a game she

1 witnessed being played at Geilsland.'

2 Would this be murder ball?

3 A. Yes, I concluded that they were still playing murder
4 ball at Geilsland.

5 Q. At that time?

6 A. Yes.

7 Q. And perhaps a particularly serious allegation, on the
8 face of it, is your third example, which took place at
9 an assessment centre. Again, this was a young care
10 worker and she came across -- according to her, she came
11 across one member of staff lying on top of a young
12 female resident?

13 A. Yes.

14 Q. Later on, that male member of staff was convicted and
15 got several years in prison for abusing children. And
16 your point was: well, why didn't you report it?

17 And she told you that she hadn't reported it because
18 she was young and naive.

19 A. Yes. Well, this was a social worker sharing her
20 experiences as a young -- when she worked in a care
21 setting. And I assumed -- I said to her: "well, you did
22 all you could, you reported it."

23 And she said: "no, no, no, I didn't report it.
24 I was young and naive."

25 She'd justified it in her head by saying: "oh, he

1 must be just restraining her."

2 But only a few years later that worker was charged
3 with sexual abuse in that institution. I don't know if
4 it was for that particular incident. It may have been.
5 It could have been, for all I know. But in terms of
6 what he had been up to when he worked there. Then she
7 realised -- and she thought about what she had
8 witnessed, and I said, 'At least you reported it', and
9 she said, 'No, no, I was young and naive'. And I put
10 those in as just an example of some of the kind of stuff
11 that's shared among workers about bad practice and how
12 things can happen and go unnoticed.

13 Q. You then have a section in your statement mentioning the
14 personal impact on you of being recognised as
15 a whistleblower. Have you found it difficult to get
16 employment because you have a reputation as
17 a whistleblower?

18 A. I did try to get a job at Inverclyde Council on numerous
19 occasions. I did have an incident where someone
20 contacted me to say, 'If you want to come back to the
21 Council you have to have a meeting with me', he was
22 a friend, a close friend of mine.

23 Q. What did you understand the purpose of the meeting to
24 be?

25 A. I had no idea what he was going to tell me. He came to

1 my house and said, 'Look, you are going to have to
2 listen to me for about half an hour, but anything you
3 say, if you try to use it in a grievance, I will deny
4 it', and I just stopped him from telling me.

5 If it would have been somebody else, I would have
6 just said, 'Carry on'. I would have promised them,
7 'Aye, I will keep that between me and you', and then
8 I would have told. But I just didn't want to compromise
9 him. I thought he felt he was doing something good for
10 me, and he said, 'Well, if you don't listen to me, you
11 will never work with Inverclyde Council again'.

12 Q. And that proved to be the case?

13 A. That proved true. Because I kept going for interviews
14 for jobs -- think about it this way: I was going to
15 interview for jobs that I had complained -- and being
16 interviewed by managers who I had reported to the SSSC,
17 right? If I would have been them, I would have excused
18 myself from the interview, but they always made sure
19 they stayed in the interview. So I took from that the
20 reason I didn't get those jobs was because of them.
21 I can't prove it, but it seems a mad situation.

22 Q. I think you tell us you applied six or seven times with
23 Inverclyde for jobs?

24 A. Yes. I ended up just applying for the sake of it,
25 knowing that sometimes I would get an interview,

1 sometimes I wouldn't. But, when I did get the
2 interviews, there was always somebody there, there was
3 always somebody there that I had made issues about.

4 Q. If we can turn to paragraph 173, you have a section
5 headed 'The recording of disclosures of abuse in the
6 social work profession':

7 'As we have seen with a lot of things I have spoken
8 about in the statement, there was no recording.'

9 And I think the point you are making -- and you have
10 made it before -- is towards the bottom of the page:

11 'In my opinion there should be something that makes
12 social workers record things within a certain time
13 period.'

14 A. Yes. I think it is common sense. I think if you
15 witness an incident, the sooner you report it, the
16 easier -- or the harder it may be. But the longer you
17 leave it, the harder it is to report it. So, if you
18 start going into hours, days, then you move into an area
19 of collusion because you have been made aware of
20 something and you haven't reported it. So you then
21 become part of the problem.

22 So, to avoid that, I suggest you report it as soon
23 as you can, and also suggest that you record it as soon
24 as you can.

25 For the last 14 years of my working, I worked

1 training people to be carers, support workers. And
2 I use all these examples I have given today to them.
3 Obviously, I don't use names. I don't say things that
4 happened. But showed them how -- the problems they get
5 themselves into when they don't report things. But also
6 to recognise the real seriousness, because you may be
7 reporting an incident that involves a close friend,
8 someone that you work with closely, someone you may even
9 be friendly with outside of work. So it isn't
10 an easy -- what I am suggesting isn't an easy thing to
11 do. But what else is there to do? Not report it?

12 Q. The point, I think you have already made, about what you
13 describe as the transparency at the investigation stage
14 to whistleblowers, that the person who makes the
15 complaint should be fully informed throughout the
16 process of the investigation?

17 A. Fully informed to the extent that the process is
18 ongoing, we are making progress, just keeping people
19 involved. Actually interview them if they have been
20 involved in the reporting of it.

21 Q. The final few paragraphs of your statement, from
22 paragraph 180 onwards, what you say there:

23 'When I came into social work and became a social
24 worker, I was determined not to allow the things that
25 happened when I was young to happen again. In my

1 professional and personal opinion I do not believe that
2 abuse can take place within a closed institution without
3 the collusion and bad practice of external agencies.'

4 A. Yes.

5 Q. That's your view?

6 A. That's my personal and my professional view. And that
7 was one of the biggest fears of coming into this line of
8 work, that I was determined that I wouldn't be like
9 those that were involved with me. And I always realise
10 there is a real danger that it can easily happen.

11 Because these are good people. People become indignant,
12 I would say righteously indignant about things that they
13 have to deal with, with young people. But if you know
14 anything about indignation, you can be 100 per cent
15 right and be indignant, you can be partially right, and
16 you can be completely wrong. It doesn't matter, once
17 you experience that indignation, good people do bad
18 things.

19 Q. And you go on to say that you consider that there is
20 a culture as a social worker not to report things?

21 A. Well, that -- since this Inquiry has become into being,
22 I would imagine there has been many cultures that have
23 had to change just by the very existence of it. So for
24 me to say that it now exists would be unfair because it
25 has been so long since I have been out of it. All I can

1 do is talk about my experience. At the time of my
2 practice as a social worker, there was a culture of not
3 reporting things.

4 But I don't just think it is just a culture of
5 social work; I think it is a culture of human beings and
6 the very nature of having to face the consequences of
7 when you put pen to paper and can't take that back.
8 There is a process that follows on. So to try to second
9 guess is really thinking about: how does this effect me?
10 Not about: how does this effect and what's the benefit
11 for the victim? Even if the victim is saying 'I don't
12 want you to report this'.

13 Q. Yes. The final comment you make -- and you have touched
14 upon this already -- is:

15 'I think you always have to give the person the
16 benefit of the doubt. You shouldn't instantly think
17 "I don't believe what this person is saying", everybody
18 I have talked to I have believed they are telling me the
19 truth. I could be criticised for that. But, at the end
20 of the day, it is not really my job, as a social worker,
21 to make a judgement. You have a duty to write thing
22 down and report things.'

23 A. Yes. I think you make professional judgements all the
24 time. But, in terms of social work, when it comes to
25 children and them telling you things, it takes a lot for

1 them to tell you in the first place, so just accept what
2 they say. You will soon work out whether it is true or
3 not. You don't have to make that decision there and
4 then, as opposed to: I am not writing this down, because
5 it sounds like -- I could say to you, 'I used to get
6 beat by a guy with a wooden guitar'. And you could say,
7 'I am not writing that down. It is ludicrous', and
8 I say, 'It was a fluorescent guitar that used to light
9 up with a fluorescent light', 'It just sounds mad. I am
10 not writing that down'. Write that down. You will soon
11 work out whether a fluorescent guitar existed in
12 Geilsland or not.

13 MR MACAULAY: Well, there we are, Brian. Thank you very
14 much for both your statements which have clearly been
15 very illuminating.

16 My Lady, I can confirm that no questions have been
17 submitted to me to be put to Brian.

18 LADY SMITH: Thank you.

19 Brian, can I add my thanks, before I let you go. It
20 has been so helpful having both your statements, both
21 from your personal experiences as a child and your
22 experiences working as a social worker. You have
23 brought much understanding and learning to the Inquiry
24 to add to our evidence. Thank you for that. I am now
25 delighted to be able to let you go and rest for the rest

1 of the day. You have given us so much this morning.

2 (The witness withdrew)

3 LADY SMITH: One more name before I rise. GLR

4 was referred to in that last section of the evidence,
5 and his identity is also protected by my
6 General Restriction Order and he mustn't be identified
7 outside this room.

8 Now, time for lunch.

9 MR MACAULAY: That's probably a good time for lunch.

10 LADY SMITH: We will sit again at 2 o'clock, thank you.

11 (1.04 pm)

12 (The luncheon adjournment)

13 (2.00 pm)

14 LADY SMITH: Good afternoon. Now, we have another witness,
15 I think, Ms MacLeod, is that right?

16 MS MACLEOD: Good afternoon, my Lady. Yes, we do. This is
17 an applicant who will use the name 'Cheyenne' to give
18 evidence.

19 LADY SMITH: Thank you.

20 'Cheyenne' (affirmed)

21 LADY SMITH: Do sit down and make yourself comfortable.

22 'Cheyenne', we need to pick up your voice on that
23 microphone, not just for people in the room to hear you,
24 but for our stenographers to listen to you through the
25 sound system.

1 You will see there is a red folder on the desk
2 there. That has your statement in it, and so it will be
3 available for you to refer to if you want to do that.
4 We will also bring the statement up on the screen, so
5 you will also see where we are in your statement at any
6 particular point that we are asking you questions about
7 it. But, if you don't like that, just tell us and we
8 will switch it off. Most people find it quite helpful.

9 Otherwise, 'Cheyenne', if there is anything I can do
10 to make the task of giving evidence easier for you,
11 please don't hesitate to let me know. For example,
12 taking people back to talk about things that happened
13 when they were children, particularly difficult,
14 upsetting things that happened when they were children,
15 isn't easy. It can be upsetting. I know that. Or it
16 can just feel overwhelming at times. Don't hesitate to
17 let me know if, say, you want a break or just a pause,
18 or if you don't understand what we are saying, that's
19 our fault, not yours, if we are not explaining things
20 properly.

21 So you are in charge, and if it works for you, it
22 will probably work for me. So do let me know.

23 If you are ready, I will hand over to Ms MacLeod and
24 she will take it from there; is that okay?

25 A. Yes, that's fine.

1 LADY SMITH: Thank you. Ms MacLeod.

2 Questions by Ms MacLeod

3 MS MACLEOD: My Lady. Good afternoon, 'Cheyenne'.

4 A. Good afternoon.

5 Q. I don't need your full date of birth, but could you
6 confirm you were born in [REDACTED] 1964?

7 A. Yes, correct.

8 Q. You have provided a statement to the Inquiry, and that's
9 already been mentioned. I am just going to give the
10 reference of that for the transcript. It's
11 WIT-1-000000848. Could you possibly turn to the very
12 last page of this statement, 'Cheyenne', and if you
13 could, please, just confirm that you signed the
14 statement on the very last page?

15 A. Yes.

16 Q. In the final paragraph do you say:

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

21 A. Correct.

22 Q. Okay. If I can begin by asking you, first of all, to
23 tell us a little bit about your life before you went
24 into care. I think that's something that is covered in
25 your statement. I think you tell us that you were

1 brought up in Leith, in Edinburgh?

2 A. Yes, correct.

3 Q. And that your father was a truck driver?

4 A. Correct.

5 Q. And did you go to primary school in Leith?

6 A. I did, yes.

7 Q. And I think you say that there came a time when you and

8 your brother were excluded from school?

9 A. Correct.

10 Q. When you were quite young?

11 A. Yes.

12 Q. Why was that?

13 A. Er, truant.

14 Q. Do you remember -- I think somebody you mention by the

15 name of the truant man --

16 A. Yes.

17 Q. -- having some involvement?

18 A. Yes, he was around quite a lot.

19 Q. Okay. I think you tell us, following on from that, when

20 you were aged 7, you went to another primary school?

21 A. I did, yes.

22 Q. In your statement, at paragraph 6, you tell us about

23 an incident which happened in your life around that time

24 which had a very significant effect on you; are you able

25 to tell me about that today, 'Cheyenne'?

1 A. The dog attack?

2 Q. Yes.

3 A. Yes, that had an effect on me.

4 Q. How old were you when the attack happened.

5 A. I was about 7.

6 Q. Can you tell us what happened?

7 A. Er, I got attacked by two Alsations for about

8 20 minutes. Ended up with 23 dog bites, about 300

9 stitches, stopped breathing twice in the hospital,

10 brought back, patched me up and here I am.

11 Q. Okay.

12 A. It wasn't very nice, no.

13 Q. I think you say in your statement that it left you

14 fighting for your life?

15 A. Yes.

16 Q. Did you spend some time in Edinburgh Royal Infirmary?

17 A. I spent about a week, and then I was let go. And then

18 about a month later I was back at school, once the

19 stitches had come out and whatnot, then I went back to

20 Bonnington Road Primary School.

21 Q. The place where this attack took place; was it quite

22 near [REDACTED] at the time?

23 A. A couple of hundred yards, 200 to 300 yards.

24 Q. And I think you say in your statement you could see the

25 location from [REDACTED], almost?

1 A. From the school.

2 Q. From the school?

3 A. Yes, right across the road, where it happened.

4 Q. What kind of ongoing impact at that time did the attack
5 by the dogs have on you?

6 A. Well, it happened. A month later, I am back at school.
7 I didn't really think about it, really. I mean, what
8 had just happened. A month later, when the stitches
9 came out, that's me all better again. But I didn't know
10 the mental impact it was going to have on me, but it
11 did.

12 Q. Okay. And we will touch upon that as we go through your
13 evidence. But are you able to give me an indication at
14 the moment of the impact that that had on you? Mentally
15 and emotionally; what was the impact?

16 A. What, now?

17 Q. At that time.

18 A. At that time, I didn't really know. I just started
19 reacting to what had happened. I didn't understand what
20 was happening, really. I didn't understand that my
21 behaviour, that was because of that.

22 Q. Okay.

23 A. I just took it as it was the way I was -- turning into,
24 really.

25 Q. So in the period following the attack; was there

1 a change in your behaviour?

2 A. Yes, I mean, bullies, that's why I got kicked out of
3 that school, when I went back. I knew after that attack
4 that this bully could never do anything like that to me,
5 but I knew how much I fought for 20 minutes, for my
6 life, against the dogs. That changed in me with this
7 bully. That all came to a head. Well, this time
8 I fought back and I got kicked out the school. They
9 didn't want me back. That's how I changed from there on
10 in through my life, how I would react to these
11 situations, I guess.

12 Q. Something you say is that you couldn't stand people
13 touching you --

14 A. No.

15 Q. -- after that?

16 A. No.

17 Q. I think you left that primary school as well, shortly
18 after the incident with the bully?

19 A. Yes.

20 Q. Did you and your brother run away, sometimes, from home?

21 A. Yes, I did that. Got on a train to Newcastle at one
22 time. My mother wasn't very happy. She had to come and
23 get us.

24 Q. Was there social work involvement in your life around
25 that time?

1 A. Not that I was aware of, but I guess there was.

2 Q. Did there come a time when you moved away from home and
3 went to live somewhere else?

4 A. Yes, we moved about quite a lot.

5 Q. Were you in a foster placement to begin with?

6 A. Yes. Foster care, yes.

7 Q. I think in your statement you tell us that you spent
8 a short period of time in foster care, when you were
9 aged about 8?

10 A. Yes, Salvation Army.

11 Q. Was it explained to you at the time why you were there
12 or how long you would be there for?

13 A. No, I just knew I was going to be living there. In
14 their house. Two Salvation Army people.

15 LADY SMITH: 'Cheyenne', you know I said at the beginning we
16 need you to use the microphone. I think probably we
17 could adjust it a bit for you to get it to a better
18 angle, because it is not always picking you up.

19 A. Is that better?

20 LADY SMITH: That's better, yes.

21 A. Is that better?

22 LADY SMITH: Yes, it is. Thank you.

23 A. Cool.

24 MS MACLEOD: How were you treated in the foster placement?

25 A. I was treated fair, but different from their son. You

1 know, didn't do this, didn't do that, but he was allowed
2 to do it. Just separate, sort of thing. Not part of
3 the family thing, really, no.

4 Q. Did you leave the foster placement?

5 A. I ran away, yeah. Smashed the place up and ran away.

6 Q. And I think after that you tell us in your statement
7 that you moved to a children's home in Edinburgh?

8 A. Yes. Redhall.

9 Q. And was that in around 1972, when you were still eight,
10 about eight?

Secondary Institutions - to be published later

11 A.

12 Q.

13

14 A.

15

16 Q.

17

18 A.

19

20

21

22 Q.

23 A.

24 Q.

25 A.

1 Q. Secondary Institutions - to be published later
2 A.
3
4
5 Q.
6 A.
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8 Q.
9
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11 A.
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14 Q.
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16 A.
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18 Q.
19 A.
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21 Q.
22
23
24 A.
25

1 Q. Secondary Institutions - to be published later
2 A. [REDACTED]
3 Q. Did you move from -- or were you moved from that home to
4 another children's home in Peebles?
5 A. Yes, Craigerne.
6 Q. And was that when you were around 10?
7 A. Yes.
8 Q. Okay. And something you tell us in paragraph 55 of your
9 statement -- and I will read this out -- you say:
10 'Living a life of trepidation, not knowing where
11 I was going to be thrown next, all of that had an effect
12 on me and how I behaved.'
13 A. Pretty much.
14 Q. So do I take it from that, that you weren't informed or
15 included in discussions about where you were going or
16 why you were in a certain place?
17 A. No, zero.
18 Q. Okay.
19 A. Zero. It was in the car and away we went.
20 Q. Okay. And indeed when you --
21 LADY SMITH: I was going to say, 'Cheyenne', you say in your
22 statement you think you were about ten years old when
23 you went to Craigerne; is that right?
24 A. Yes.
25 LADY SMITH: So your life had been pretty disrupted for over

1 a couple of years by then, if the dog incident was when
2 you were about 7 and then you start going to different
3 places of care that were very difficult for you.
4 A. Well, I actually turned ten the day I went to Craigerne.
5 LADY SMITH: Oh, right.
6 A. That's why I remember.
7 LADY SMITH: Okay, thank you.
8 MS MACLEOD: How was your experience at Craigerne? What was
9 that like?
10 A. That was brilliant, probably the best period in my -- my
11 childhood, being at Craigerne.
12 Q. I think you tell us that you were there for -- well,
13 between 1974 and 1976, so maybe a couple of years or
14 just under that?
15 A. Yes, about that. Two and a half.
16 Q. What was it about that home that made it that different
17 for you, made it a positive experience for you?
18 A. The people. Where it was, obviously, was a brilliant
19 place, but it was the people. That's what made it.
20 Q. And what was it about the people, if you are able to
21 help me with that?
22 A. Oh, they were just nice. They never shouted at you or
23 dragged you about or anything, really. I mean, just
24 different kind of people.
25 Q. I think you give us some examples of that in your

1 statement, 'Cheyenne', where you say that they were
2 patient with you?

3 A. Yes.

4 Q. And encouraged you to do things?

5 A. Yes.

6 Q. I think that was something that you found different to
7 your other care experiences?

8 A. Aye, a million and one different things you did all the
9 time in the summer, winter. There was always something
10 happening every day.

11 Q. Are you able to help me with why you moved from there to
12 your next placement?

13 A. I ran away and stole a car, and they never wanted me
14 back. So that was that.

15 Q. I think in your statement you tell us that you mention
16 an incident with a dog there?

17 A. Yes.

18 Q. And that may have impacted you and brought things back
19 to you; you think that may have?

20 A. It didn't help.

21 Q. Yes.

22 A. I didn't really feel safe in that environment. Now
23 I had to look out for them here. And up here,
24 I mean ...

25 Q. Okay.

1 A. So, yes, I was always on edge when dogs were about.

2 Q. You say you ran away and you stole a car. I think when
3 you were caught you asked -- in fact you say you begged
4 to go back there, but that was impossible at the time?

5 A. No, that was it. Too disruptive.

6 Q. Where were you taken from there?

7 A. I was taken to Gilmerton Remand Home at the time, before
8 it changed to an assessment centre.

9 Q. And is that Howdenhall at Gilmerton?

10 A. Yes.

11 Q. And I think as you tell us, as you said just there, that
12 was a remand home when you arrived and, during your time
13 there, it changed to an assessment centre?

14 A. Yes.

15 Q. Did you then move there in 1976, when you were around 12
16 and a half?

17 A. Yes.

18 Q. I think you tell us that you spent about two years
19 there, until about 1978?

20 A. Yes, that's correct.

21 Q. In fact, you tell us that during your time you were the
22 boy who stayed there for the longest period?

23 A. Yes.

24 Q. You say that you saw hundreds of children come and go in
25 that time?

1 A. Every two weeks they would come, they would go, and that
2 would be that. I didn't make a lot of friends, really.
3 Well, you do, but they are pretty short lived.

4 LADY SMITH: Is that because these people were only there
5 for a short time before they moved on?

6 A. They would be there for a day to two weeks. They are
7 away, either home or sent somewhere else.

8 LADY SMITH: Not two years, as in your case.

9 A. No. So I seen everybody change hundreds of times.
10 Staff, people.

11 MS MACLEOD: Being a remand home, 'Cheyenne', I take it that
12 was a secure place?

13 A. (Nods).

14 Q. Indeed, I think you tell us there were locks on all the
15 doors?

16 A. Yes, but there wasn't bars on the windows, so ...

17 Q. Okay.

18 A. That's how I escaped.

19 Q. It maybe an appropriate time to talk, then, about -- you
20 ran away from there quite regularly, you tell us in your
21 statement?

22 A. Aye, quite a few times.

23 Q. We will come to look at that.

24 Who was SNR there when you arrived?

25 A. Er, MTQ. I don't know his first name. MTQ.

1 [REDACTED] MTQ, I think.

2 Q. And did he remain there for your time [REDACTED]

3 [REDACTED]?

4 A. [REDACTED]
5 [REDACTED]

6 Q. Okay.

7 A. [REDACTED] Mr McKiernan [REDACTED].

8 Q. And you tell us there were boys and girls there,
9 although they were separated?

10 A. Yes.

11 Q. And children were there from about ten and a half up to
12 about 14 or 16 years old?

13 A. Yes.

14 Q. Okay.

15 So, looking to the occasions you ran away from
16 there, 'Cheyenne', you tell us that on all these
17 occasions you were ultimately brought back to
18 Howdenhall?

19 A. Yes.

20 Q. How did Mr [REDACTED] MTQ deal with you, or what did he do on
21 your return?

22 A. Er, tried to give me the belt. And I basically wrecked
23 his whole office and everything in the process. He
24 never did give me the belt, but I wrecked his whole
25 office, and that was that.

1 Q. And you tell us about that in your statement; that he
2 took out a belt?

3 A. Yes, he took the belt out. There was somebody else
4 there, trying to hold me over the desk, and I just said,
5 'No, you are not doing it', and I just went crazy.

6 Q. Then you tell us you threw things around the office,
7 ripped a leg off a table and smashed the office up?

8 A. Oh yes.

9 Q. You tell us that no staff member ever tried to belt you
10 again?

11 A. No, that was the end of it.

12 Q. Were you put in a cell in Howdenhall as well?

13 A. Yes.

14 Q. Was that as a result of that incident in the office?

15 A. Yes, they put me there until the next day, until
16 I calmed down, basically.

17 Q. In relation to your running away, you tell us that you
18 kicked out the windows and continued to run away until
19 they eventually gave you a key?

20 A. Yes, that was McKiernan's idea. He was sick of getting
21 them replaced. He said, 'Look, if you want to go for
22 a walk or to calm down, just ask somebody to open the
23 door'.

24 Q. Did that stop you running away?

25 A. Yes, it did, actually, knowing I could just walk out the

1 place and come back at dinner time.

2 LADY SMITH: Whose idea was that?

3 A. That was SNR [REDACTED], McKiernan, because he was sick of
4 replacing all the windows or whatever.

5 MS MACLEOD: Okay. And while you tell us that staff members
6 didn't tend to get physical with you, because you say
7 they knew you would attack them, you did see, you tell
8 us, staff members being physical with other children.

9 A. Yes, dragging them about, round corners, giving them
10 a good telling to. That could be a slap in the face,
11 a punch in the guts. I let them away with that for so
12 long, so I knew exactly what they did.

13 Q. Are you pinpointing a particular member of staff there
14 or was that just a general behaviour of the staff?

15 A. Not them all.

16 Q. Not them all?

17 A. No, there were two, three, four, that weren't like that,
18 but half a dozen that were. That's what they dealt
19 with, discipline. That's what they called it,
20 discipline.

21 Q. Okay.

22 Paragraph 142 of your statement, you tell us about
23 an occasion when a staff member grabbed you in the
24 corridor and took you into the toilet area?

25 A. Yes.

1 Q. Can you tell me about that?

2 A. Yes, he was a wee short guy. We just didn't get on and
3 I would just tell him what I thought of him. He dragged
4 me into these toilets -- well, toilets -- benches round,
5 it, sort of changing room thing for the gymnasium, which
6 was just along a bit. He has dragged me in there, put
7 me up against the wall, stuck his nails in my throat,
8 telling me he is not going to put up with my carry on,
9 my cheek, my insults and everything. Punched me in the
10 guts, slapped me in the face. He thought that was the
11 end of it.

12 Q. Do you remember how old you were then?

13 A. Er, going on about 14, I would say.

14 Q. And you say he thought that was the end of it, but what
15 happened next?

16 A. Well, I went round the corner, got a big metal bar,
17 a jack handle for the bus, which I knew was there, and
18 then went round and smashed his car to bits.

19 Q. Did you ever report to anybody at the time how the staff
20 were treating you and other children at Howdenhall?

21 A. Not officially, no. But I would broadcast it and shout
22 it that they were a load of bullies and everything, to
23 everybody that was there, basically. But not
24 officially.

25 Yeah, yeah, I pulled McKiernan a few times, when I

1 had to go up and tell him: "you tell your bully boys
2 then to stop it and I'll stop attacking them then. You
3 need to get them told.''

4 But it never happened, obviously. He never took it
5 officially, sort of thing.

6 Q. And the staff member who was involved in the incident
7 where he grabbed you in the corridor, and where you
8 smashed up his car; did he leave Howdenhall shortly
9 after that?

10 A. Well, I says to McKiernan, my mother was coming up to
11 visit, and I says to him, 'I'm not going to tell my
12 mother that was me', or I am going to tell my mother
13 what he did to me', and I still had the marks on my
14 throat, with his nails. So he never told my mother when
15 they came up, but I had every intention of telling her
16 in the visit room. Then he walked into the visit room,
17 and I said, 'That's who did that to me. That's who
18 punched me in the guts and slapped me, him. That's why
19 I smashed the car up outside'. Because my mother sat
20 down and said, 'Oh, what happened to the car?', and
21 I said I didn't know, until he walked in and I said it
22 was me that done the car and why I did it to him.

23 That caused a bit of commotion. I said he is good
24 at lifting his hands to everybody. I said, 'You better
25 ask them all', and then the next thing you are hearing

1 is: I am going to speak to McKiernan, I am going to
2 speak to McKiernan. So obviously ...

3 And he was a wee bully with everybody, shoving
4 everybody about and grabbing them, just being a bully.
5 He was like that with everybody. If you said one word
6 out of line with him, oh, that's insolence, a wee power
7 trip. But, no, he went away and never came back after
8 that.

9 Q. Okay.

10 A. That was the end of his employment there, I think.

11 My mother obviously went and caused a stink with
12 McKiernan, and one thing and another.

13 Q. Were the police ever involved in looking into how the
14 staff treated the children in Howdenhall?

15 A. No. No.

16 Q. I think something you mention is that you used to
17 threaten to tell the police?

18 A. Yes. I would phone the police on them. If I seen them
19 bullying anybody, I would phone the police.

20 Q. Something you point out, 'Cheyenne', is that there were
21 staff members in Howdenhall who were nice --

22 A. Yes.

23 Q. -- and who you could talk to?

24 A. Yes, there was three, four, maybe. Well, they were all
25 the same, but every time, but it was all the same, you

1 need to screw the head, toe the line, toe the line.

2 What? Put up with what they're doing? No.

3 Q. During your time in Howdenhall; did you have a social
4 worker who was called [REDACTED]?

5 A. I did, yes.

6 Q. I think you tell us in your statement, during your time
7 there, that he took you to visit other establishments
8 with a view of you potentially moving to these places?

9 A. Yes.

10 Q. What you say is that on those occasions you would be
11 shown round, but, ultimately, you wouldn't end up going
12 to the places?

13 A. No, I wouldn't go there.

14 Q. Do you know why that was?

15 A. Yes, because I would threaten to burn it to the ground,
16 probably.

17 Q. Would you do that in front of the people who were
18 running the place?

19 A. Yes. I would tell them. And then tell them: well,
20 I warned you, so if I do it you can't say I didn't warn
21 you.

22 That's why I would do it.

23 Q. I think what you say is, the staff in those
24 establishments would contact your social worker and say
25 that they weren't able to offer you a place?

1 A. Well, at that point, when I say that to them, it was the
2 same every time, 'Do you mind stepping outside?' And
3 I said, 'Yes, I do. You are going to talk about me, so
4 I will just sit here', and then it would end with,
5 'I will give you a call, [REDACTED]' and then we would leave.
6 That's usually how it went.

7 Q. But the outcome was for a long time you remained at
8 Howdenhall?

9 A. Yes.

10 Q. Did there come a time where you were moved to
11 St John Bosco school?

12 A. Yes, I was there briefly.

13 Q. Again, you tell us in your statement -- this is from
14 paragraph 157 onwards -- that you didn't have any notice
15 of your move there, you didn't know you were going?

16 A. No.

17 Q. You say this was maybe three or four months, in 1978,
18 when you are about 14 and a half?

19 A. About 14, yes. Around about there.

20 Q. Was St John Bosco's -- was that a Catholic institution?

21 A. Yes, totally made a mistake with me. On all of my
22 papers was RC, and I was Church of Scotland. So when I
23 was actually there -- the day I was moving there, at the
24 table having dinner, they asked, 'What's RC mean?',
25 Roman Catholic. My mother, she is like, 'Well, he is

1 not Roman Catholic, he's a protestant'. Obviously,
2 a few of them nearly choked on their chicken, sitting at
3 the table. So they decided to take me as a experiment,
4 to see if I would fit in, a protestant, into their wee
5 system thing, but obviously I didn't.

6 Q. I think you tell us during your time there, you ran away
7 on two occasions?

8 A. Yes, two or three.

9 Q. Did something happen on your first day there with
10 a member of staff?

11 A. Yes, basically, ten minutes out of my bed, I am getting
12 slapped across the face with this member of staff
13 raging, shouting and swearing, telling me to get my arse
14 down the stairs: "you have five minutes."

15 So I did. But I took a detour, got another big
16 metal bar from the boiler room round the back, walked
17 round and I demolished his car, and told him what I was
18 going to do to him if he ever put a hand on me again.

19 One of the Fathers came, 'What's happening? What's
20 happening?' Father LUF. And that's when I said,
21 'I think we should phone my mother'. 'No, no, no, we
22 don't want to trouble your mother', and everything.

23 Q. So you wanted him to phone your mother --

24 A. Yes.

25 Q. -- and tell her what had happened to you?

1 A. I knew he wouldn't.

2 Q. Are you able to tell me -- it doesn't matter if you are
3 not -- the name of the staff member?

4 A. No, it was the first morning I'd ever met him, that
5 morning. I still had the big marks on my face when
6 Father LUF was in front of me, all the big marks
7 from this bully. That was my first day there. And it
8 didn't get any better after that, really. I wasn't
9 interested in them, their school, nothing. I just
10 didn't want to be there.

11 Q. Following on from that; did you spend a few days in
12 a cell there as well?

13 A. No, they never had a cell at that place.

14 Q. Oh, sorry, you were back at Howdenhall. You were taken
15 back to Howdenhall. My mistake.

16 A. Yes, when they had enough of me, they tricked me,
17 basically, into getting into a car. We weren't going
18 somewhere else; we were going back to Howdenhall. And
19 I wasn't happy about it, really. So the car didn't fair
20 too well by the time we got there.

21 Q. So you got into the car, again, not knowing or not being
22 told where you were going?

23 A. It wasn't until I looked towards the front seat I saw my
24 papers with my name and my property and everything. And
25 he's got in, I said, 'What do we need this for? Where

1 are we going?' 'Calm down, calm down', it was only
2 Father LUF that was driving, but I totally wrecked
3 the inside of the car by the time we got to Howdenhall.
4 I didn't want to go back there. And a whole load of
5 them came out and took me in and put me in the cell.
6 Q. Was it a just a couple of days after that that your
7 social work, Mr [REDACTED] came to Howdenhall and told you
8 that you were going to another placement?
9 A. Yes.
10 Q. And where was that?
11 A. Geilsland.
12 Q. Did you go to Geilsland from 1978 until around 1980?
13 A. Yes.
14 Q. So can you tell me a little bit about Geilsland,
15 'Cheyenne'? Who ran Geilsland?
16 A. EZD [REDACTED].
17 Q. Was he SNR [REDACTED] ?
18 A. Yes.
19 Q. And where was the institution?
20 A. It was in Beith, in Ayrshire.
21 Q. If I were to put a photograph of the outside of the
22 building on the screen; would you be okay with that?
23 A. Yes.
24 Q. Could we look at INQ-000000846, please? Is that the
25 main entrance to Geilsland?

1 A. Yes, that's the main reception in the house. The Rook.
2 That's where you went for a couple of weeks until they
3 decided whether you were going to the New Vic or the
4 White House. That's where they would put you. Some
5 people stayed there permanently. I mean, I pitied them,
6 but ...

7 Q. And EZD [REDACTED], who you have mentioned; are you able to
8 tell us where he stayed?

9 A. Well, he had a house down the road, half a mile or
10 something down the road, a bungalow. And he had
11 an office there.

12 Q. Did he have an office in the main building there that we
13 are looking at?

14 A. Yes.

15 Q. Could we now, please, look at a photograph,
16 COS-000001378? Are you able to help me with what that
17 building is?

18 A. It could be another building, but it doesn't look like
19 the White House that I was in.

20 Q. That's fine. We can take that off, thank you.

21 A. The one I was in was stone, harl and more box shaped.
22 There weren't all the bits.

23 Q. So you have mentioned EZD [REDACTED] and that he SNR [REDACTED]
24 SNR [REDACTED] at Geilsland; can you recall any of the other
25 staff members who were there during your time?

1 A. Er, Mr Rooney, the engineer's shop. Mr Leggatt, the
2 joiner's shop. There was a woman, Liz, I think. She
3 worked in our house sometimes. The rest of them ...

4 Q. Okay. Did EZD [REDACTED]'s wife have any role to play in
5 Geilsland?

6 A. Yes, she was [REDACTED].

7 Q. In terms of the layout -- we have looked at that
8 photograph, and you tell us in your statement that there
9 were four separate buildings for the boys during your
10 time?

11 A. Three.

12 Q. Three?

13 A. Three.

14 Q. Three separate buildings, okay.

15 You have told us that you spent your first few weeks
16 in the Rook, in the main building, and then you were
17 moved elsewhere; where were you moved to?

18 A. The White House.

19 LADY SMITH: You say in your statement that the Rook was
20 a nickname for the first building you were in?

21 A. Yes.

22 LADY SMITH: Do you know why it was nicknamed Rook?

23 A. I don't know why or how it got the name Rook. I don't
24 know. Maybe -- well, he obviously was a Navy man, so
25 probably something to do with the shape of the Rook's

1 nest, or something. Guaranteed to do with Navy.

2 LADY SMITH: Thank you.

3 A. You will need to look into that, sorry.

4 MS MACLEOD: Were you allocated to a dorm?

5 A. Yes, in the Rook and everywhere, the other place I went,
6 yes, I got a dorm.

7 Q. And did you share that with other boys?

8 A. Yes. Three/four.

9 Q. I think you tell us that the only segregated cell in
10 Geilsland was in the White House?

11 A. Yes.

12 Q. Now, you have just mentioned it there, and you also say
13 in your statement that EZD ██████████ had spent some time
14 in the Navy?

15 A. Yes. No, not the Navy, actually. I swotted up on it.
16 It was actually two-year naval training academy, that's
17 what it was.

18 Q. Naval training?

19 A. Yes, that was it. He hadn't been on a ship or a captain
20 or anything.

21 Q. Okay. So he had spent time in; what was it, sorry?

22 A. A naval academy.

23 Q. A naval academy, I see. I understand.

24 A. And I am pretty sure after that he went to ██████████
25 ██████████

1 Q. Indeed, I think you tell us -- had you heard about
2 [REDACTED] before you met him?
3 A. No. It is just what I read up on him afterwards.
4 LADY SMITH: When you mention [REDACTED]; is that the
5 [REDACTED] --
6 A. Yes.
7 LADY SMITH: -- which was a List D School?
8 A. He took me there.
9 LADY SMITH: Thank you.
10 MS MACLEOD: So you tell us, 'Cheyenne', that at Geilsland
11 everything was run as if in the Navy?
12 A. Yes.
13 Q. Did that include what you wore?
14 A. How -- what you wore, your routine, marching, what you
15 wore, how you wore it, how you pressed it, what size it
16 was. Everything was Navy, everything. Clothes, the
17 routine, how you dressed. Navy. He had this Navy
18 thing. Big [REDACTED], the Navy man. It just went to his
19 head a bit, I think.
20 Q. In terms of the marching; are you able to tell me
21 a little bit more about that? What was the role of
22 marching and when were you involved in that?
23 A. You would get up, get your breakfast, and then you would
24 all go up to where the sheds were, Vic Lane and all the
25 houses would line up, then you would all dress off and

1 everything, and stand to attention. Then they would
2 tell you whatever they needed to tell you, and then off
3 you would go to your sheds.

4 The same at dinner time. Marched down to your
5 house, same back up. So you did it three times a day,
6 basically, marching up, marching down. Everything --

7 Q. So it was a significant feature of the day?

8 A. Every day, three times a day. Checking off, shouting
9 your number, 1, 2, 3, same as the Navy. The whole thing
10 was the same as the Navy.

11 Q. In terms of the set up of boys, you tell us that there
12 were maybe 60 or 70 boys there at the time?

13 A. I'd say around about that, yes.

14 Q. And aged 14 to maybe 17 or 18?

15 A. Yes. Well, 14 and a half, that's the earliest they
16 could take you. That's why they had to wait with me,
17 until 14 and a half, before they shipped me out.

18 Q. I see.

19 You have told me that it was situated in Beith.
20 Something you say in your statement, at paragraph 188,
21 that I wanted to ask you about is, you say, 'The town of
22 Beith and EZD used the boys basically as scab
23 labour.'

24 A. Well, that's what I would call it.

25 Q. Can you develop that for me, in terms of what you mean

1 by that?

2 A. Well, if you start getting your friends, when they are
3 moving house or getting redecorated, or anything, the
4 car fixed, painted, fixed, all his friends, and you get
5 everybody to do all that for nothing, zero, then what
6 would you call it?

7 Q. So you and other boys were being sent out to do these
8 jobs and tasks in the community?

9 A. Yes.

10 Q. And do I take it you were not receiving payment for
11 that?

12 A. Nothing. Zero.

13 LADY SMITH: You think these were **EZD**'s friends?

14 A. Aye. Yes, they were all his friends. I had seen them
15 at the school and whatnot. I mean, Beltrami, the
16 lawyer, at the time was a big shot. He was there,
17 sitting in his office, when he was questioning me about
18 something that had happened and making a joke out of it,
19 with this Beltrami sitting, this top lawyer from
20 Glasgow. He was making some big joke out of that. As
21 it turned out, he gave me six of the belt when he went
22 away. But he was making a big joke out of it.

23 MS MACLEOD: Sorry, making a joke of what? I'm not quite --

24 A. Something happened in the motor mechanic's shop, with
25 this car thing. It got damaged. I knew who done it.

1 I wasn't going to say who, and basically I took the
2 blame for it. And he made a big joke out of it in front
3 of this lawyer in his office. I always remember it.
4 This lawyer's, 'Oh, should you plead not guilty'. But,
5 no, it was dead serious. I mean, as soon as he went,
6 I got six of the belt. It wasn't a joke then.

7 That was him amusing himself and this big lawyer.
8 That was the sort of people he had at the place. There
9 was always people from the Church of Scotland, with
10 their collars on and everything, sitting in his office,
11 walking about. Why they were there, I don't know. He
12 got one to sit -- he got us all to pair off in groups,
13 and my one, I ended up with a minister. That lasted two
14 minutes, basically.

15 Q. Okay.

16 A. I told him what I thought of **EZD** in plain English and
17 why I hated him so much. And he never knew what to say,
18 basically. He got up. Walked up to a member of staff
19 and then walked out, after what I said to him.

20 So I don't know what the point of all that was,
21 putting us all in groups and spilling our guts to
22 everybody. That's what I seen that as.

23 Q. Okay. You have mentioned the uniform that you wore; who
24 was in charge of pressing those uniforms and making sure
25 they were up to scratch?

1 A. Us. From getting issued it, you have to sew your labels
2 on the back with your name or whatever, everybody, all
3 the stuff.

4 Q. And was there a process of inspection of people's
5 uniforms?

6 A. Every week, a kit inspection. You had to lay it all out
7 and press it all. And everything had to be perfect.

8 Q. And who carried out the inspection?

9 A. Er, it could be EZD ; it could be a member of staff
10 that comes round and marks it all.

11 Q. What were the consequences if your uniform was not seen
12 to be as it should be?

13 A. Your kit had to be above a certain point; 80 per cent,
14 85. But if you were in, like, the 95 per cent for two
15 or three weeks or whatever, you got a weekend's leave.
16 So he based weekend leave on the kit.

17 But I deliberately made sure that mines just wasn't
18 worth inspecting. I wasn't bothered about the bait, the
19 carrot. I am just not pressing it. I'm not bothered.
20 Make me.

21 Q. Was there a schooling element --

22 A. Briefly.

23 Q. -- to your time at Geilsland?

24 A. Briefly.

25 Q. What did that entail?

1 A. Me throwing a rubber in the photocopier and destroying
2 the machine. So five minutes. That was it, really, in
3 the classroom.

4 Q. So do I take it from that lessons were offered to some
5 degree?

6 A. Yes, schooling, arithmetic and all that sort of thing,
7 this class.

8 Q. Is that something that some of the boys went to, all the
9 boys were encouraged to go to?

10 A. Some of them went. I don't know why they went or wanted
11 to go or made to go. I don't know why they were there.

12 Q. And were there opportunities to learn trades or skills
13 of that kind?

14 A. Yes, painting, decorating, motor mechanics,
15 electricians, gardening, engineers.

16 Q. Were these things that you could learn on site, in the
17 school?

18 A. Yes, they had all the departments, joiners shop, all
19 equipped and that kind of thing. They were all well
20 equipped shops, I will say that. They had everything.

21 Q. How was the level of teaching?

22 A. Yeah, it was good, what we were doing.

23 Q. You have said you perhaps didn't last long in the
24 schooling side of things; how about the trade side of
25 things, learning skills? Was that something that you

1 participated in?

2 A. I got kicked out, basically, all the departments. They
3 didn't want me back. Never lasted long.

4 Q. And why was that?

5 A. Er, I would go in -- aye, it was basically the same
6 thing: you are not going to start all your carry on
7 here, 'Cheyenne'. That's how it started off, him trying
8 to dominate me. And I didn't give a rats about him, to
9 be honest. I didn't want to be there. I didn't want to
10 be in this class, so that was that, basically. It never
11 lasted long.

12 LADY SMITH: Where did you want to be?

13 A. Home. It had just been one big journey from this foster
14 care right through. Okay, I stole a car, but we are
15 talking years later, I am still being locked up; for
16 what?

17 LADY SMITH: This must be about six or seven years down the
18 line?

19 A. Yes.

20 LADY SMITH: Seven years down the line. And you hadn't
21 lived at home?

22 A. I'd (indistinct) two and a half years. I thought: I am
23 not sticking here any longer. I've not done anything.
24 Why am I here? I didn't know, to be honest. But I woke
25 up that day deciding I didn't want to be there anymore.

1 I wanted to be home, so I stole the car. And I went
2 from there through all these other places, a year,
3 two years, da, da, da, and I never did anything, apart
4 from that car. And that's why every place after that
5 I was: no, I am not staying. I am off. I didn't care
6 what I do. Their reputation, I didn't care. I'm not
7 staying. It was just continuous. Locked up.

8 Several times, 'Let me out, I want to go to school',
9 'No, no, no, we think it's best. We.' That's all I got.'
10 So I was like, 'No, I am not staying. I don't care what
11 you think'.

12 LADY SMITH: Ms MacLeod.

13 MS MACLEOD: My Lady. Was there a boxing ring at Geilsland?

14 A. Yes.

15 Q. What was that used for?

16 A. Punishment. Sport. He used it as a punishment.

17 Q. Who used it as punishment?

18 A. E Z D.

19 Q. And in what way did he use it as punishment?

20 A. He would arrange for -- well, one of them was
21 Strathclyde Youth Clubs. He decided to tell them he
22 will supply the boxing ring and everything for their
23 event, this big boxing ring, and he put it together.
24 And that was punishment, if you got put on that it was
25 always a bad one. Just a nippy one.

1 Q. So were boys encouraged to box against one another in
2 the boxing ring?

3 A. Yeah, aye. Once.

4 Q. I think you tell us about that time. That you were put
5 up against another boy, I think as you put it in your
6 statement?

7 A. Aye, I didn't want to box.

8 Q. Was he a bigger boy than you?

9 A. No, no. He was in EZD's squad, you see. He was all
10 tattoos from some housing scheme, some tough nut, and
11 that's who he put me up against.

12 Q. I think you tell us that -- what you say is you managed
13 to overcome the boy and that you turned to EZD
14 and challenged him?

15 A. Yes. He came at the corner at me. He came running at
16 me, full intent to just start battering me, and I just
17 booted him. That was that, he was on the canvas. And
18 then I turned on EZD and told him to get his arse in
19 the ring, 'I have had enough of you'. And he scurried
20 away with a couple of staff, when he knew I was serious.
21 I told him, 'I tell you what, I will come to you. Take
22 the gloves off, get them off. I am coming to you',
23 I had had enough of him.

24 Q. Do you remember there being any inspections while you
25 were there?

1 A. Every week.

2 Q. Sorry, I mean did people come in to inspect the school?

3 Did inspectors come in?

4 A. Looking back, I dare say that people with the collars on

5 might have been there inspecting things.

6 Q. Do you recall seeing people with collars looking around?

7 A. Yes, they were there all the time, sitting in his place,

8 his office.

9 Q. Looking back; what kind of impression do you think that

10 visitors to the school would be getting of the place?

11 A. Everything in order. Everybody, everything. Everybody

12 looking smart, well turned out. Obedient. No,

13 everybody walked on eggshells around him, because he was

14 a nasty bit of work.

15 Q. Did you run away while you were at Geilsland?

16 A. Yes. Four days in and I was away.

17 Q. Okay. We will come to look at that in a moment.

18 Something you say about the school is that there was

19 an atmosphere, and that's at paragraph 210. You say

20 that you knew right away that children were running

21 about terrified.

22 A. Aye, just their interaction with the staff, the way they

23 spoke to the staff, the way they spoke to them, it

24 didn't take long to realise it. There was no backchat

25 or nothing.

1 Just, aye, there was a lack of atmosphere because of
2 it. They didn't want to do one thing wrong and be sent
3 to **EZD**, to get six of the belt.

4 Q. You say that even the staff were intimidated by
5 **EZD**?

6 A. Aye. Again, that's what I did, I watched them.
7 Everybody. That's what I did. Even the staff called
8 him, like, they called him **EZD**, some of them, some of
9 them, it was Mr **EZD**, and yes, sir; no, sir, a lot of
10 them.

11 But, aye, he did have, I would say, personal, closer
12 friends on the staff that called him **EZD**. That's what
13 that told me. They were his closer buddies. So they
14 needed to be watched even closer.

15 Q. Did any of the other staff give you the belt?

16 A. Yes, a couple gave me the belt on the hands.

17 Q. On the hands?

18 A. Yes. It was only him that put you over the chair.

19 Q. Okay.

20 Moving on, then, to that part of your statement
21 where you start to tell us a bit about the physical
22 behaviour that you experienced from **EZD**. That
23 starts at paragraph 212 of your statement. You tell us,
24 in fact, on your first day, after being given a tour of
25 the school, that you went to his office and that he

1 asked you what you thought of Geilsland?

2 A. Yes.

3 Q. What did you say?

4 A. I didn't like it.

5 Q. What happened?

6 A. That's when he grabbed me round the neck, slammed me off
7 the door, and said, 'You will fucking like it'.

8 Pardon my language.

9 That was my introduction to Geilsland. Luckily, my
10 mother and the social worker had left the drive when he
11 did that to me. That's how we started, me and **EZD**.
12 But I just put up with it, all that same carry on for
13 two years. So I had been around the block a few times,
14 you could say, and I am not going to put up with that
15 from him. That's what he doesn't know at that point.
16 It is just another place on my journey. He's maybe
17 taught everybody else there that 'I am the boss', but he
18 didn't realise it wasn't going to work with me.

19 MS MACLEOD: My Lady, I see it is almost 3 o'clock.

20 LADY SMITH: Would that be a convenient place to break?

21 MS MACLEOD: Maybe.

22 LADY SMITH: 'Cheyenne', I usually take a break about this
23 point in the afternoon; would it work for you?

24 A. Yes.

25 LADY SMITH: Five/ten minutes?

1 A. Yes, anything you want.

2 LADY SMITH: All right, we will take a break just now.

3 (3.00 pm)

4 (A short break)

5 (3.13 pm)

6 LADY SMITH: Welcome back. Are you ready for us to carry

7 on?

8 A. Yes.

9 LADY SMITH: Thank you. Ms MacLeod.

10 MS MACLEOD: My Lady.

11 'Cheyenne', you tell us in your statement that on

12 your fourth night in Geilsland that you ran away?

13 A. Correct.

14 Q. Where did you go?

15 A. Er, I went down to Beith. Stole a truck. Drove it to

16 Edinburgh, and then hid out at a friend's place.

17 Q. Were you caught by the police?

18 A. Yeah, we were caught a couple of days later.

19 Q. Were you taken back to Geilsland?

20 A. Yes, EZD came through and picked us up at the police

21 station and took us back in his car.

22 Q. Had you run away with another boy?

23 A. Yes, [REDACTED].

24 Q. Okay. Back in Geilsland, you mentioned in your

25 statement that EZD grilled you both?

1 A. Yes.

2 Q. Can you tell me what happened there? What did that
3 involve?

4 A. Well, he never realised at that point that I had stolen
5 a 18-tonne truck when he came and got us. He never knew
6 at that point. It wasn't until we went back and he
7 asked, 'How did you get to Edinburgh?', and I said,
8 'Well, I stole a truck'. He wasn't very happy,
9 obviously.

10 Q. How old were you?

11 A. Well, I was 14 and a half when I went there.

12 Q. So still 14 and a half?

13 A. 14 and a half. But I knew how to drive a truck through
14 my dad.

15 Q. Were you put in a cell, in Geilsland?

16 A. Yes.

17 Q. Was that the cell in the White House?

18 A. Yes, on a couple of occasions.

19 Q. Were you put in there with the boy that you ran away
20 with?

21 A. Yes, I was put in with ██████, and the next day they took
22 ██████ out and left me in for about a week.

23 Q. Staying with the day that EZD ██████ took you back to
24 Geilsland and grilled you, put you in the cell; did
25 something happen during that first night you were in the

1 cell?

2 A. Yes. About 1 o'clock he came across -- well, we were
3 taken across to his place, to his office.

4 Q. Who took you across to the office?

5 A. A member of staff took us across.

6 Q. To EZD's office?

7 A. Yes.

8 Q. When you arrived at the office; who was in the office?

9 A. Er, one member of staff was sat in the office.

10 Q. And was EZD there?

11 A. Yes. We were in pyjamas and house coats, slippers, when
12 he took us from the cell to his office. That's what we
13 had on, pyjamas.

14 Q. At that time, what was your understanding about why you
15 were going there?

16 A. I knew it was here we go. This is it.

17 Q. Okay.

18 A. I had heard about EZD, obviously, from people about
19 Geilsland, older people in the assessment centre whose
20 brothers were there and everything. So I had already
21 had a rundown about this EZD; that he was a nasty bit
22 of work. So this was going to be my first encounter
23 with him.

24 Q. Okay. So you are telling me that you had heard things
25 about EZD?

1 A. Yes.

2 Q. Was that in Howdenhall?

3 A. Yes.

4 Q. Okay. What had you heard about him?

5 A. Just that he was bad. Bad, know what I mean? Bully.

6 Bad, just bad news.

7 Q. Okay.

8 A. Plus he was at [REDACTED] previous to that as well, and

9 people in the assessment centre, their brothers were

10 there, and their brothers were at Geilsland, and now

11 they are in the assessment centre. That's how I got to

12 know about EZD, through these people.

13 Q. Okay. So you got to know about him --

14 A. Yes, I heard about him being bad.

15 Q. When you say 'being bad'; are you able to just help me

16 with what exactly you had heard?

17 A. It was more the case that you didn't want to go there

18 with that EZD, he is really strict. Really -- well,

19 it was classed as the strictest List D School in

20 Scotland at the time. That's what it was classed as.

21 Q. What was classed as that?

22 A. Geilsland. He was proud of that. He run a tight ship,

23 so ...

24 Q. Okay.

25 A. Just sad. I didn't want to be a sailor, so ...

1 Q. Okay. So coming back to this occasion where you had
2 been in the cell and a staff member came to get you and
3 the other boy around 1.00 in the morning --
4 A. Yes.
5 Q. -- took you to EZD's office; were you both taken
6 into the office, you and the other boy?
7 A. No, we were outside and they shouted me in first. The
8 member of staff that was sitting, he's turned to him and
9 asked him, 'Do you mind getting me a cup of coffee,
10 Mr X, Y, Z?' And he is, 'Oh, no problem', and off he
11 goes, away through the kitchen.
12 He has come round the desk, grabbed me, slammed me
13 up against the wall, 'You little fucking bastard', that
14 was the first thing he said to me.
15 Q. EZD?
16 A. Yes. Then he slammed me against the wall, punched me in
17 the guts, and then I got the belt, obviously.
18 Q. If it was 1.00 in the morning, you have told me that you
19 and the other boy were in your pyjamas and house coat
20 and slippers. You may not remember this, but were EZD
21 EZD and the staff member still in day clothes?
22 A. Yes.
23 Q. They were?
24 A. Yes, just normal clothes. Weren't dressed for bedtime,
25 no.

1 Q. Okay.

2 A. They were still dressed.

3 Q. So, in relation to the belt, then, at that time; can you
4 tell me what happened?

5 A. Well, he done that to me. Then he's went round and got
6 the belt, gave me six with the belt over the chair.

7 Q. What kind of belt was it?

8 A. Three pronged. About this, with a six-inch nail, so he
9 could grip it.

10 LADY SMITH: With a six-inch handle?

11 A. Nail. Six-inch nail.

12 LADY SMITH: A six-inch nail.

13 A. With a wee pointy bit chopped off it, so he could grab
14 it and then it wouldn't slip out of his hand. I don't
15 think that's the regular way of doing it, but ...

16 LADY SMITH: Was the six-inch nail insert into the belt, so
17 it would be stiffer?

18 A. No, it went through like that, then he could put his
19 fingers round the nail, which is through the belt,
20 through the belt. So then he grabs it and it'll not
21 slip out his hand, the belt, when he's giving you six of
22 the best.

23 LADY SMITH: So it made a sort of handle for the belt?

24 A. It's so he could whack you harder. He's not got to let
25 it slip out his hand with the nail. That's the only

1 reason that was there.

2 LADY SMITH: Thank you. Was the belt leather?

3 A. Yes.

4 LADY SMITH: Thank you.

5 A. Aye, he was proud of the belt because somebody, whoever,
6 had made it and gave it him specially, so he was proud
7 of that belt.

8 MS MACLEOD: And were you asked to stand in a particular
9 place for the belt to be administered?

10 A. Aye, bent over the chair. A wing backed chair, that's
11 what you bent over and he assaulted you, basically.

12 Q. Was that over your clothing?

13 A. Yes. Well, pyjamas, not much protection.

14 Q. In the statement, 'Cheyenne', you say he gave you:
15 'Six of the best from the small of my back to the
16 middle of my leg.'

17 A. Aye.

18 Q. And you say:
19 'It did make a mess of me and it hurt.'

20 A. Yes, well, three prongs. There were just all these
21 tramlines over my legs, and whatnot. Just these welts,
22 tramlines, with the force that he was using.

23 Q. Were you crying?

24 A. No, I wouldn't give him the satisfaction.

25 Q. Was he saying anything to you while he was doing this?

1 A. No, just started. I never said nothing to him, and he
2 just gave me six.

3 Q. Something you mention in your statement is that you
4 could smell drink off him?

5 A. Yeah. Well, I knew he used to sit in the office
6 drinking with his buddies. You could hear them
7 drinking. And he kept a bottle of whisky in his drawer,
8 obviously. So, aye, he liked a drink.

9 Q. Once he had given you six of the best; what happened?
10 How did the incident come to an end?

11 A. He went back round behind his desk and told me to send
12 [REDACTED] in, to stand outside and send [REDACTED] in, and
13 basically I heard the same carry on, slapping, punching,
14 whatever. And then whack, whack, whack, whack. And
15 then taken back to the cell again. The next day he got
16 taken out the cell.

17 Q. So he was taken out the cell the next day, and were you?
18 Did you remain in the cell for a few days?

19 A. Aye, about a week, week and a half.

20 Q. Were you given any explanation as to why you were left
21 in the cell on your own?

22 A. Er, I don't know. I mean, that was after four days of
23 being there all that happened. Now he has me locked in
24 a cell. He doesn't know quite how to deal with me at
25 that point, I don't think, if that's what I am capable

1 of, what I have just done. He knows I am not very happy
2 with him or his school. I have already told him
3 I didn't like his school. So it was just a war with me
4 and him from there on in, really.

5 Q. Did anyone come and see you in the cell during those
6 days?

7 A. Yes, he sent [REDACTED] up with cream.

8 Q. For your injuries?

9 A. Yes. I told her where to put it. I am not hiding up
10 what your [REDACTED] done. I am not hiding it.

11 Q. Did EZD [REDACTED] come to see you in the cell?

12 A. He did, aye.

13 Q. And what happened on that occasion?

14 A. Well, he came in, he brought me my breakfast, actually,
15 sat down, and he went and sat on the toilet seat with
16 the lid down, and I didn't bother even getting up with
17 him. And he said, 'What are we going to do with you?'
18 I says, 'Send me to Longriggend, away from you', but he
19 never did send me.

20 Q. You tell us in your statement that a few weeks later you
21 appeared in the Sheriff Court in relation to the running
22 away incident and stealing the truck. What you say is
23 that EZD [REDACTED] appeared to plead your case?

24 A. Yes.

25 Q. What did that involve?

1 A. Basically, trying to make something better than what it
2 was. I would say my character. I don't know, he was
3 trying to paint me better than what I was.

4 Q. Okay.

5 A. Maybe he didn't like the thought of him having to stand
6 there and admit you have failed, you have failed on this
7 one. You might have done it for 16 years with every
8 other one, but not this one. I don't know. Maybe he
9 didn't want the one failure, personally. I don't know
10 why he pled my corner, or maybe it was to get me back to
11 Geilsland, to get his spite on me. I don't know.
12 I don't know how his mind worked.

13 Q. Were you taken back to Geilsland after the court?

14 A. Yes.

15 Q. Something you say, in paragraph 227, is **EZD**
16 detested you after that incident?

17 A. I would say so, yes. I would say so. After the damage
18 that it had done, the reputation of the school was in
19 tatters. It was done, finished.

20 Q. Was there an impact on the reputation of the school in
21 the local community following that incident?

22 A. Yes, the whole village of Beith, the church, they never
23 wanted him in the church, nothing. Better he stay away
24 for a while. So, basically, all communication that he
25 did have for 16 years was gone.

1 Q. What in particular was it about that incident, do you
2 think, that led to that change?

3 A. Er, well, when I absconded I broke into the Sunday
4 school. I never knew it was the Sunday school, it never
5 looked like a church or anything. I broke into that and
6 I broke into the church.

7 Q. Okay.

8 A. But I will state that I never stole any money from the
9 church.

10 Q. And following on from that incident; did you receive the
11 belt on other occasions from EZD ?

12 A. Er, yes, loads. Well, when I got pulled in about -- one
13 of the staff enlightened me and says, when he was
14 sitting, looking through the book, he said, 'You have
15 had more of the belt than anybody in the history of the
16 school, for one person'.

17 Q. Is that from looking at the punishment book?

18 A. Yes, the punishment book.

19 Q. So when the belt was administered; was it written down
20 in the book?

21 A. Yes, who gave it, how many, whatever it was for, in the
22 book. And I had more entries than anybody else. The
23 belt never really bothered me; it was over and done with
24 in two minutes.

25 Q. On the occasions when EZD belted you; did that

1 involve a leather chair, you have described?

2 A. Aye.

3 Q. And the same belt you have described, with the nail?

4 A. The same one.

5 Q. When he belted you; was that on the backside?

6 A. Yes, it was meant to be, but it varied where it landed.

7 I would say that was down to how much drink he had had,

8 obviously.

9 Q. So it could be from your back down to lower legs?

10 A. Yes, lower back down to the top of your legs.

11 Q. You mentioned an occasion when you refused to call

12 EZD ██████████ 'sir'?

13 A. Yes.

14 Q. Where in the school did that happen?

15 A. That was in his office.

16 Q. What was the repercussion following on from that?

17 A. I just said, 'I will never call you that. My old man's

18 a better man than you and I don't call him it, so I am

19 never calling you it, Mr EZD ██████████'. That's all I called

20 him.

21 Q. And how did he respond to that?

22 A. He wasn't happy. Everybody else was saying yes sir, no,

23 sir, and I was calling him Mr EZD ██████████, just a mister. He

24 didn't like that.

25 Q. In paragraph 230 of your statement, you provide some

1 evidence about boys collecting money for charity. You
2 talk about a time, I think, you were collecting in
3 Paisley and you said you were pennies short of your
4 target?

5 A. Yes.

6 Q. And you offered to make it up from your own money, but
7 [REDACTED] didn't agree to that?

8 A. Aye, like 6p, or something, but I am not allowed to
9 donate. So I didn't get a weekend's leave because of 6p
10 or 3p or something.

11 Q. The next time you were out collecting; what happened?

12 A. That was the next day, and I just waited until I knew
13 I had enough for the bus fare, me and this other guy,
14 [REDACTED].

15 Q. And did you take the bus and run away?

16 A. Aye, after dinner time that was it, right to the bus
17 station, got a bus to Edinburgh.

18 Q. Again, were you caught and taken back to Geilsland?

19 A. Yes.

20 Q. And were you put in the cell again?

21 A. I was, yes.

22 Q. What happened on that occasion?

23 A. I smashed the cell up. I was sick of having my dinner,
24 like, 20 minutes after everyone else right under me,
25 bringing me just any crap, basically. So I ripped all

1 the sink out, smashed all the toilet, flooded the place
2 underneath. Chaos, really. I thought: well, where are
3 they going to put me now?

4 Q. Were you called to EZD's office for any kind of
5 punishment on that occasion?

6 A. No, because I threatened to kill him: the next time he
7 puts a hand on me, I am going to kill him and that will
8 be that.

9 So that's why he started getting other people to
10 give me the belt instead of him, because I told him,
11 'You come near me, I am going to do it'.

12 Q. Okay. You described in your statement a time when you
13 were in his office and you sensed that he was going to
14 give you the belt and you formed a plan?

15 A. Yes, I grabbed a cup off his mantelpiece and told him
16 how it was going to be, basically: I am going to stick
17 it in your head if you come near me.

18 Q. What did you take off the mantelpiece?

19 A. A cup, a trophy. He had a big line of them on his
20 mantelpiece. I just grabbed one of them when he went in
21 the drawer to get the belt, just like he did the first
22 time. I told him no, raging. I would kill him if he
23 wants to come near me, put a hand on me, that's it, I am
24 not going to mess anymore. 'I am going to do you'. And
25 everybody in the house could hear me shouting at him,

1 every single word, that I was going to kill him, stab
2 his eyes out his head, if he came near me. Everybody
3 heard what I said.

4 So that was the start of the war with me and him,
5 really.

6 He knew I am going to do him. I can only take so
7 much, really. I knew if I put a hand on him that's me
8 shipped out to somewhere even worse, probably, some
9 locked up unit somewhere for assaulting. That's why
10 I never assaulted him.

11 Q. While you were at Geilsland; did you ever report what
12 was happening to you in there, in terms of, for example,
13 what **EZD** -- how he was behaving and the ways in
14 which he treated you, administered the belt, and
15 physically assaulted you? Did you report that?

16 A. Only the few occasions that I got home leave, I would
17 sit and tell my mother that he was nothing but a big
18 bully, for the way he treats everybody. But she didn't
19 really think that it's assault and everything that he is
20 committing; she just thinks he is a bully. She is, 'Oh,
21 just keep your head down, you will be out soon', that's
22 the response I got from my mother.

23 Q. You talk in your statement about being segregated from
24 everybody else for a period at Geilsland; could you just
25 tell me what led to that?

1 A. Mutinous talk. That's what he classed it as. I would
2 tell everybody, 'That's assault', in front of everybody.
3 When I pulled a member of staff up and tell them,
4 'That's assault, and I will stick you into the phone
5 box'.
6 Q. Would you say this sort of thing in front of other
7 children?
8 A. In front of all of them.
9 Q. What did that segregation involve? You described --
10 I think you were segregated for up to three months?
11 A. Yes, two or three months.
12 Q. What was that segregation?
13 A. I ate at a different time. I showered at a different
14 time. I didn't get TV or pool or anything, recreation.
15 I got sent to the gym. I was just not allowed to
16 interact with them.
17 Q. I see. So you were still in your dorm, but you were
18 doing things at different times to other boys?
19 A. Yes, that's about the only time. When I went to my bed
20 there was three other beds, that was it. The only time
21 I was really aware of other people, for a while. Until
22 that squad expanded, obviously, and they sent me out
23 with more people on it, because of what I was saying.
24 Q. You mention that you discussed the abuse you were
25 suffering with some 'outside people' who came in,

1 sometimes at weekends, and I think you mentioned
2 a minister that you may have spoken to.

3 A. It was more that -- that interaction with that minister,
4 it was more me telling him that's exactly what he is.
5 He is not what you think he is; that is exactly what he
6 does to everybody in here. It was that kind of
7 conversation.

8 Q. That was you describing EZD ██████████ to this minister?

9 A. Aye, and he was going to pass that off as, 'Oh, he
10 doesn't like me', whatever, that's what he is going to
11 pass off to that minister as and I know it. He is not
12 going to take it serious that it's assault that he is
13 committing.

14 Q. As far as you are aware; did anything come of you
15 telling that to the minister?

16 A. No, nothing. Just like the letters I wrote to my
17 mother, and she never got any of them.

18 Q. So each week were you given the opportunity to write
19 a letter to your mother?

20 A. Aye, everybody had to sit in the dining room and write
21 the letter.

22 Q. And once you wrote the letter; what happened to the
23 letter?

24 A. Stick it in an envelope, they take them away.

25 Q. The staff?

1 A. And they are meant to stick a stamp on it, post it. But
2 they will sit and read them, like I knew they would.

3 Q. Was it from your mother that you learned she didn't
4 receive the letters?

5 A. I just asked her, 'Did you get the letter I sent you?',
6 'No, I never got any letter, it must have got lost in
7 the post'.

8 Q. Okay.

9 A. But, no, she never got any letters I sent.

10 Q. Okay.

11 A. For obvious reasons, obviously.

12 Q. I think in [REDACTED] 1980, 'Cheyenne', the time came
13 where you left Geilsland?

14 A. Yes.

15 Q. How did you learn that you were going to be leaving?

16 A. I was sitting and the intercom thing went. Every house
17 had an intercom in there, you can shout on the intercom
18 to whatever house. And I was sitting and it said, 'The
19 following people get ready for leave, terminal leave',
20 like away, and my name got shouted, and I says to the
21 member of staff sitting, 'Look, I am not falling for
22 that. I know that he does it. You get all your kit
23 laid out, outside his office, and then he has made
24 a mistake'. I said, 'No, I am not falling for it'. And
25 he went and phoned to check. He said, 'No, your name is

1 on the list', so I got my stuff together, went across,
2 laid it out, spoke to him, and then on the bus away,
3 really. That was it.

4 Q. Okay. One thing you tell us is that EZD told
5 you that he had never had to work as hard for his money
6 as he had done with you?

7 A. That's what he said. I was quite pleased with that.

8 Q. And you said he offered you a Church of Scotland tie?

9 A. Yes. I never took it.

10 Q. After leaving Geilsland, then, 'Cheyenne', you tell us
11 that, I think, Geilsland had organised a job for you
12 when you left?

13 A. Aye, just before I left. He would send you, two or
14 three of you, with a member of staff to try and find
15 a job. It was a lot easier then. I got one in
16 Newhaven, . I left Geilsland. The next
17 day I woke up, I was standing in fish guts in
18 a different world, just like that.

19 Q. You have just told us that you didn't know you were
20 leaving until the day you left?

21 A. No.

22 Q. So is it fair to say then that you didn't have any
23 preparation --

24 A. No, zero.

25 Q. -- for leaving?

1 A. I didn't even know if I'd got that job or anything that
2 I went and seen about with this member of staff, who
3 took us in his car to Edinburgh. I didn't even know
4 until it was shouted, 'You are starting at that place
5 tomorrow', one world to another.

6 Q. I think you say after that you were an apprentice diesel
7 coach fitter?

8 A. Yes, I left the fish thing after about a month.

9 Q. Did you work with your brother for a while?

10 A. No, no, I just worked myself as the coach fitter. My
11 brother was unemployed at the time.

12 Q. You said one thing led to another, and you said you
13 spent a few months in Saughton Prison when you were 16?

14 A. Yes.

15 Q. And you said that was an eye opener for you?

16 A. Back then, yes.

17 Q. You said it was like you had landed on another planet?

18 A. Yes. I had never seen cockroaches before, until I woke
19 up and they were all in my bed. Trust me, mice. That
20 was different, like the moon, when you were standing
21 outside the door, looking. The smell, it was like a big
22 toilet. At 16, I couldn't imagine a place like that, at
23 that point, and there was me in it.

24 Q. At 16, were you the youngest or one of the youngest
25 people in there?

1 A. Well, they put me through as a con. I was 6 feet, and
2 they put me through as a con on to the first landing,
3 even though there was a young offender, on the bottom
4 floor or somewhere else. So I was in with the cons.
5 Q. You tell us in your statement you spent some time as
6 a DJ when you left Saughton?
7 A. Yes, got my equipment together and started doing the
8 pubs in Leith and whatnot.
9 Q. And you spent a very brief period in Polmont, when you
10 were 18, Polmont Young Offenders?
11 A. Yes, detention centre.
12 Q. Again, another short period, 46 days in Castle Huntly?
13 A. Yes.
14 Q. Then you say a few years later, 25 or 26, you joined the
15 Territorial Army, and were part of [REDACTED]?
16 A. Mm-hm.
17 Q. Did you then go to Stevenson's College?
18 A. I did, yes.
19 Q. And qualified as a motor vehicle technician?
20 A. Yes.
21 Q. You say that you ended up achieving five A stars with
22 credits.
23 A. Top of the class.
24 Q. Did you then get a job qualifying as [REDACTED]?
25 A. I did, yes, with [REDACTED].

1 Q. Then you had a number of jobs in that field, in the
2 Borders and worked abroad for some time?

3 A. Yes, I did five years in the Hells Angels as well, so
4 that was the way of my life. I did that and then joined
5 the army.

6 Q. You provide some evidence in your statement about
7 a difficult period in your life, where you say you lost
8 contact with your son?

9 A. Yes.

10 Q. You had a son?

11 A. That was a hard time, really. A few years. Had
12 a breakdown.

13 Q. And you moved into a flat in Leith, in 2008?

14 A. Well, I have lived in Leith all my life.

15 Q. In the same close?

16 A. The same landlord for the last 40 years.

17 Q. You explained that you went through some very difficult
18 times there and that you were then signed off with
19 chronic anxiety?

20 A. Yes.

21 Q. And that allowed you to receive benefits?

22 A. Well, I just sat for three years with no gas or
23 electric, nothing, through three winters. Aye, so at
24 the end of that my brain was bit fried, so that's when
25 I went to the doctor for antidepressants, sleeping

1 pills, put me on an even keel. So, yes, that did leave
2 an impression on me, that three years, living like that,
3 with nothing.

4 Q. And you said in recent times you have been in contact
5 with your son's mother and you are planning, hopefully,
6 to make contact with him in the future?

7 A. Yes, I was going to do it before Covid started. But,
8 yes, she's not got a problem with me going to meet my
9 son, which is good.

10 Q. I would like to move on to that part of your statement
11 now, towards the end, 'Cheyenne', where you talk about
12 the impact that your time in care has had on your life,
13 and you have provided a lot of very helpful evidence
14 there. But I just want to touch on a few points within
15 that. What you start off by saying is:

16 'I think I just got on with it all.'

17 A. Take each day as it comes, really. I never knew how
18 that day was going to end, or them. Simple as that,
19 really.

20 Me, I just wanted to keep my head down, just not
21 talk to them, just have nothing to do with them, really.
22 But they weren't having any of that. No, no, no, no,
23 I had to speak to them. Just one battle after another.
24 No, I don't have to speak to you, make me. I don't have
25 to speak to you, for a month, a week, I don't care, just

1 don't speak to me.

2 So that's how I was a lot of the time with them.
3 Every day was just drudgery, every day the same thing,
4 march, march, march. It was like a hamster wheel, a big
5 hamster wheel with everything in it, every day, same
6 thing, same people, same carry on with **EZD**, every day.
7 He was determined to break me.

8 So, yes, I could have made life easier for myself,
9 put up with everything they were dishing out, but that's
10 not me.

11 Q. You provide some evidence here as well about the impact
12 that the attack by the dogs had on your life, throughout
13 your life. Something you say is:

14 'Fighting a human wasn't any bother to me after the
15 dogs attacked me.'

16 A. I knew that human couldn't do anything that they done to
17 me. Nothing. I knew the fight that I put up for
18 20 minutes, with the two Alsatians, at seven years old.
19 So, no, it didn't bother me. I wasn't scared of
20 anybody, really.

21 Q. You say that's how you measured every threat against you
22 in your mind?

23 A. Yes, as I was growing up. I knew then that I can do
24 that, well, I can deal with them. They are not
25 a threat. They are not nothing like what they did to

1 me. And I survived that, so I am going to survive this
2 encounter. And that's the way I went through my life,
3 with challenges, you could say.

4 Q. In any of the care settings in which you were; were you
5 given any support about the impact that that attack
6 might have had on you?

7 A. No, it was hospital, stitches out, school. And that was
8 it.

9 Yes, I did, Dr Woolf at Edinburgh, the Royal
10 Edinburgh, I think it was. I went to see her a few
11 times up there, when I was younger.

12 Q. Was that shortly after the attack?

13 A. Yes, I went and spoke to her, nice woman.

14 Q. Okay. But, in terms of the people that were looking
15 after you in the various placements that we have been
16 discussing today; was any recognition given, as far as
17 you were aware to the fact that had you been through
18 that kind of trauma?

19 A. I dare say they knew about it in my file, but I never
20 saw any specialists or anything in any of the places.
21 But I dare say they were aware of what had happened.

22 Q. Okay.

23 You tell us in this part of your statement that you
24 only have one picture of yourself as a young child; is
25 that right?

1 A. Basically, yes.

2 Q. Indeed you tell us that the photograph was taken by
3 quite a well-known photographer.

4 A. Oh, that picture. Yes. That caused a bit of a stir.

5 Q. Who was it who took the photograph?

6 A. Nick Hedges, who done the homeless thing in St Andrew's
7 Square. All the pictures and everything. My mum and
8 dad were on it, and my wee brother. The pictures he had
9 taken, I was seven years old.

10 Q. Was that part of a [REDACTED] campaign?

11 A. Yes, he took all the pictures for them all his life.

12 Q. I think you explain in your statement that you have been
13 in touch with Nick Hedges about the photograph of you?

14 A. Yes, when I seen the pictures of my mum and dad on the
15 big display in [REDACTED] I thought: that's him
16 that's running about with the tartan shirt and the
17 specs, with the camera around his neck. I thought:
18 that's him, and he took that picture of me standing
19 where he was. I remember him. And I got in touch with
20 him and asked him, 'Are there any pictures?' and
21 described it, and he sent one back and it was the actual
22 picture, and he said, 'This is the only one I have', and
23 it was the actual one.

24 Q. The picture of yourself?

25 A. Yes, the one he used on the campaign thing.

1 Q. Now, moving on to the very last section of your
2 statement now, and that's where you set out some of your
3 hopes for this Inquiry. I just wanted to look at that
4 with you, briefly.

5 You say that pretty early on during your time in
6 care you realised you were on your own and that there
7 was no one to back you up.

8 A. Mm-hm. Yes.

9 Q. You say that's what resulted in you guarding your own
10 corner and not allowing anyone else into it.

11 A. In all those places you didn't know who to trust. None
12 of them, just none of them, really. So ...

13 They would always say I was a loner on all my
14 papers, just because I choose to sit on my own and watch
15 them. I am not sitting on my own because there is
16 something wrong with me or anything. No, I just choose
17 to sit on my own and watch, look at my environment,
18 where I am, to size what's happening.

19 Q. In relation to the Inquiry, I think, what you are saying
20 is you don't want to hide from letting people know the
21 things that happened to you in care?

22 A. No, no, no. It needs to be heard. I never thought it
23 would be heard, ever. I mean this. But, yes, I am
24 pleased it is being heard that he is not the big hero.

25 Q. You say:

1 'I thought that if I spoke to the Inquiry then at
2 least I can in a way prevent the people who were
3 supposed to be looking after me, in particular
4 EZD, getting away with what they did.'

5 And you say:

6 'I want an honest picture painted of EZD.'

7 A. Yes, that's exactly what he was like. Not his memoirs;
8 what he was like, from our point of view.

9 Q. You hope that through you providing your evidence to the
10 Inquiry it might encourage other people to come forward
11 about places like Geilsland?

12 A. Every one of them.

13 Q. You finish by saying that you hope that everything is
14 brought out in the open and new rules are put in place
15 in these care places?

16 A. Yes, they have to be. There are still people out there.
17 I know that and you know that. There are still the
18 wrong kind of people in these places, and it is not
19 until they actually do something that you know they are
20 the wrong people. It's as simple as that. In all these
21 establishments, they are all in there, but you just
22 don't know about them.

23 It hasn't gone away. They are just going to be even
24 murkier for all this. They are going to get prosecuted
25 and dragged over the coals. They are going to be even

1 sneakier about it, for want of a better word. But, aye,
2 they are still in all these places and you need to find
3 them, through better vetting. I don't know. That's
4 your department, to stop it happening, to stop them
5 actually getting in to do it in these places, where
6 there are vulnerable kids. I am no expert, but I think
7 vet them better.

8 MS MACLEOD: Well, thank you, 'Cheyenne', for those comments
9 and for all the evidence you have given in your
10 statement and here today.

11 Before I finish asking you questions, my final thing
12 is whether there is anything else that you would like to
13 add to what we have already been discussing?

14 A. Er, no.

15 MS MACLEOD: Well, thank you very much.

16 A. That covers everything, I think.

17 LADY SMITH: 'Cheyenne', let me add my thanks. You have
18 given us so much information, both in your written
19 statement, which is part of your evidence, and through
20 the frank and open way in which you have been prepared
21 to discuss a number of points from your statement with
22 us today. I am really grateful to you. It has helped
23 my learning and understanding considerably. I am now
24 able to let you go. I am sure you are glad to be
25 released from this environment, but you go with my

1 thanks, don't forget that.

2 A. Thank you very much.

3 (The witness withdrew)

4 LADY SMITH: A couple of names to mention. One was the
5 second name that this applicant has, LUQ [REDACTED], he used
6 it as one point. But he has chosen to be anonymous, and
7 he is not to be identified outside of this room. And
8 the other one, a name of someone who was a boy at
9 Geilsland with him, called [REDACTED]. He is not to be
10 identified outside of this room.

11 Now, I think that's it for today, Ms MacLeod.

12 MS MACLEOD: I think so, my Lady. Tomorrow we have two live
13 witnesses, the first appearing by video link.

14 LADY SMITH: Yes.

15 MS MACLEOD: At 10.00. And then another live witness, and
16 then we hope to do some read-ins.

17 LADY SMITH: We will see how it goes. Is the second witness
18 due in the afternoon or also in the morning? I can't
19 remember.

20 MS MACLEOD: My understanding is he is due at 11.45.

21 LADY SMITH: 11.45, and hopefully we will then do some
22 read-ins in the afternoon. We will see how it goes.
23 Thank you very much. Thank you.

24 (3.55 pm)

25 (The Inquiry adjourned until 10.00 am the following day)

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