

Friday, 12 July 2024

1

2 (10.00 am)

3 LADY SMITH: Good morning, and welcome to the last day of
4 this week's evidence in relation to this chapter of
5 Phase 8 of our case study hearings.

6 I think we are going to actually start with a short
7 read-in, is that right, Ms Forbes?

8 MS FORBES: Yes, my Lady.

9 LADY SMITH: Let's do that, then.

10 MS FORBES: The read is from an applicant who is anonymous
11 and is known as 'Brian'. The reference for 'Brian's'
12 statement is WIT-1-000001238.

13 'Brian' (read)

14 MS FORBES: My Lady, 'Brian' tells us he was born in 1978
15 and he was brought up in a housing estate in Motherwell.

16 Between paragraphs 2 and 9, he talks about his life
17 before going into care. His parents were married and he
18 had three brothers, and describes them as being a normal
19 family. But then they moved to a different estate, and
20 the estate that he was from, and the estate that they
21 moved to, used to fight with each other. He says he
22 knew he would be in trouble when he moved to that
23 estate, and that's when a lot of 'Brian's' troubles
24 started, according to him.

25 He says he was 13 years old at that time.

1 He was going about with older boys, and they were
2 using him to break into places. He was staying out late
3 and his dad would give him a couple of slaps, and he
4 knew that if he was out after 10.00 at night he would
5 get leathered, so he didn't go back home. He was
6 breaking into places, and his mum took him to the social
7 work, and he was running away from home. And he said
8 that he wanted to go to a children's home because some
9 of his friends were in them.

10 From about the age of 13, he started appearing at
11 Children's Panels, and he was put into an Assessment
12 Centre because of the trouble he was getting into, both
13 at school and also truanting from school.

14 He said that, prior to that, he had been sent to
15 a place called the IT Centre, which was known as the
16 'dogger school', and he went there during the day, on
17 and off for about a year, but he was still getting into
18 trouble, running away from home and, he says, there was
19 an incident where he was assaulted by older boys and
20 ended up in hospital for a few days. He told the police
21 that it was his father who had assaulted him, and that
22 was a lie. He was then taken to a children's home.

23 He says that that was primarily because he was
24 absconding and running away, and he told the police that
25 he had made it up about his father. He said to social

1 work he was running away from home just to stay out
2 later.

3 He didn't tell them about his dad assaulting him now
4 and then because he didn't want to get his dad into
5 trouble. His mum and dad didn't know what to do and
6 they agreed to put him into care and he was then in
7 a children's home in Lanarkshire. That was in 1992 when
8 he was 13, and he talks about that from paragraph 10
9 onwards. He was there for a couple of months.

10 Whilst there he made friends and they were breaking
11 into houses and driving, and he ended up back before
12 a panel for shoplifting and stealing alcohol, and they
13 decided he could go home on a year's supervision. So he
14 was back at home for about a year, and then went to the
15 IT Centre, but was still committing crimes and his mum
16 and dad said they were at their wits' end because of his
17 behaviour.

18 There was then an emergency Panel at Hamilton
19 Sheriff Court and he ended up in another children's
20 home. He was about 14 at that time and he was there for
21 four or five months. He tells us about that from
22 paragraph 19 onwards.

Secondary Institutions - to be published later

23 Secondary Institutions - to be published later

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25

1 he was sent to Cardross. He talks about Cardross from
2 paragraph 34 of his statement.

3 From paragraph 34 he says:

4 'I was at Cardross for a couple of months when I was
5 14 years old. I felt there was a shadow over it.
6 I felt intimidated by it and it looked scary to me. You
7 drove up a long road and there were three units. They
8 weren't heavy handed at Cardross, but they were more
9 strict because I kept running away. I knew not to push
10 it because of the way staff spoke and acted.'

11 At paragraph 35, he says that he had never been out
12 of Lanarkshire, and says:

13 'I didn't know anybody and I felt like a fish out of
14 water. That made me run away all the more.

15 zGUF was an Irish member of staff. He drove me
16 to Vale of Leven Hospital to get my medicals because
17 I was new into Cardross. I knew he was a rigid, strict,
18 ex-army, no-nonsense kind of guy.'

19 Then, going forward to paragraph 39, he talks about
20 running away, and he says that he ran away four or five
21 times just to get back to his area.

22 At paragraph 40 he says:

23 'I ran away in my slippers and the staff didn't like
24 that. When you were brought back, the staff shouted at
25 you in front of everybody and took your trainers. You

1 weren't allowed out of sight of the staff. You had to
2 sit when you were in the unit and you had to ask when
3 you wanted to go to the toilet. At night they left your
4 room door open so the staff could tell if you were in
5 there and sleeping. It was victimisation.

6 I was hell bent on running.'

7 Then he says his social worker:

8 '... asked me if I was running to something or away
9 from something. I couldn't understand what she meant.
10 I said I didn't know and I was just running.'

11 He then talks about abuse at Cardross from
12 paragraph 42, and says:

13 'At the time I thought Cardross was all right. Back
14 then you were allowed to smack children. It was legal.
15 I never thought anything of it. Staff would slap you
16 with their hand for having a carry-on or giving cheek.'

17 Then he says there was a boy next door to him in the
18 unit, and he names him, and says that he was a few years
19 younger than him.

20 At paragraph 43 he says:

21 'He could fit out his window and it brought you on
22 to the roof. I ran in and locked his window while he
23 was on the roof. People were shouting out of the
24 windows and the staff came.'

25 Then he said that he was on the boy's bed, he says,

1 opening the window and letting him back in:

2 'I had long hair at the time. IGV grabbed me by
3 the hair and I landed on the floor. More staff came
4 from the other units. There was a commotion and the
5 staff restrained me

Secondary Institutions - to be published later

6 Secondary Institutions - to be published later

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8 At paragraph 44 he says:

9 'IGV was a tall skinny guy who was about 50.

10 I knew he had bad knees. I lashed out and so did they.
11 I punched him on the side of the knee and I got charged
12 with that. I went to the Panel for that, but I can't
13 remember what happened. They never phoned the police
14 that night. I sat on my bed with one staff member
15 talking to me to calm me down. He talked to me all
16 night with the light on. He was an all right guy. He
17 said I would need to leave my door open and that was all
18 right.'

19 He then says:

20 'I saw other people being restrained at Cardross.
21 I wasn't there very long so I didn't see it always
22 happening.

23 I was scared of zGUF. A lot of people were. He
24 never did anything to me but I saw him slap other people
25 on the side of the head more than once.'

1 Then he names a boy that he slapped, and then he
2 goes on later in that paragraph to say:

3 'I saw zGUF slap someone at the dinner table in the
4 hall. The noise echoed out and the hall went quiet.
5 Then two staff members brought the guy back to his
6 bedroom. The guy wasn't in my unit.'

7 He then says:

8 'The morning after I had been charged with
9 assaulting IGV, zGUF said I was going to Kerelaw.
10 I was thinking, "Where's Kerelaw?". I thought he was on
11 about another unit in Cardross. He said I had only been
12 at Cardross until a space opened up in Kerelaw because
13 I kept absconding. I went to Kerelaw that morning.
14 I think I was sent to secure because I was done with
15 assaulting the staff.'

16 He then talks about Kerelaw and says that that was
17 supposed to be a three-month Children's Panel order, and
18 it was [REDACTED] when he was 15 years old,
19 so in 1993 or so. He talks about Kerelaw from
20 paragraphs 48 to 75, and that evidence was read in on
21 12 April 2024 to the Inquiry, which was Day 436.

22 LADY SMITH: Thank you.

23 MS FORBES: He says there was abuse in Kerelaw. He was put
24 into a cell. There was physical, sexual and emotional
25 abuse. After three months he went back to the

1 Children's Panel and he had a good report from Kerelaw.
2 His mum wanted him back home and he was taken off
3 supervision just before his 16th birthday.

4 After he went back home, he said he was glad to be
5 back home, and this is from paragraph 77, but he was
6 still stealing and his dad would throw him out for not
7 paying digs and bringing the police to the door, and he
8 was getting involved in the drug scene.

9 He was taken off supervision at 16, but says he
10 wanted to stay on so that he could have supervision as
11 a safety net. He was still stealing, and he thought
12 that that was a way that he wouldn't go to court and be
13 treated as a young offender, and wouldn't go to jail.
14 But he ended up in a Young Offenders at 16. He was
15 remanded at Longriggend for six weeks for shoplifting.

16 Then he talks about going to Longriggend and then
17 Polmont, from paragraph 80 onwards, and that evidence
18 was read in on 13 December 2023 to the Inquiry, and that
19 was Day 398.

20 From paragraph 88, he talks about life after care,
21 and says he was involved with drugs from the age of
22 about 15, and then from 17 it was heroin, and he was
23 stealing to pay for it, but he doesn't have a drug
24 problem any more.

25 He received various sentences after Polmont:

1 four years, five years and then seven years, and he was
2 in prison more than he was out. He names the prisons he
3 has been to. He talks about the fact that he has two
4 adult children now, from different relationships.

5 In relation to impact, from paragraph 89, he says he
6 has been in and out of jail all of his life. Prison
7 staff have said to him that they think he has PTSD and
8 he has panic attacks, anxiety and depression.

9 The latter part of his statement is mostly about
10 Kerelaw and Matt George.

11 If I can go to paragraph 99, 'Brian' says:

12 'I would like to see the care system changed and
13 I hope abuse of children in care stops. I hope people
14 are vetted more and not left in positions where they can
15 abuse children.'

16 Then 'Brian' has made the usual declaration at
17 paragraph 100 and he has signed that, and it is dated
18 18 April 2023.

19 LADY SMITH: Thank you very much.

20 MS FORBES: My Lady.

21 There are more read-ins, but I don't know if we want
22 to have a break -- I think that there is a witness here
23 now, my Lady.

24 LADY SMITH: We think the witness is ready for us to go?

25 MS FORBES: Yes.

1 LADY SMITH: I think we will go on to introduce that
2 witness. I will rise and we will check that the witness
3 is ready and settled, and ready to give evidence.
4 Thank you.
5 (10.17 am)
6 (A short break)
7 (10.24 am)
8 LADY SMITH: Mr Sheldon.
9 MR SHELDON: My Lady, our witness for this morning,
10 a witness in person, is here and is ready to give
11 evidence. He is anonymous and his pseudonym is 'Peter'.
12 LADY SMITH: Thank you.
13 MR SHELDON: My Lady, he is a witness who will require
14 a warning.
15 LADY SMITH: Thank you very much.
16 'Peter' (sworn)
17 LADY SMITH: 'Peter', do sit down and make yourself
18 comfortable. Just over here.
19 'Peter', I was just checking the red folder was
20 there for you on the desk.
21 A. Yes.
22 LADY SMITH: The red folder, you will see, has your written
23 statement in it. Thank you for providing that. It has
24 been really helpful to have it in advance, and it is of
25 course already evidence before the Inquiry.

1 What we would like to do today is focus on some
2 particular aspects of your evidence, in a way that we
3 think might be able to help us with the work that we are
4 doing here.

5 'Peter', can I also say I fully appreciate that
6 coming here today to give evidence in public, on matters
7 that took place so long ago, and face being asked some
8 questions which are going to be difficult, some of them
9 may be uncomfortable -- I hope most of our questions
10 won't, because you can certainly aid much of the
11 learning that we are trying to gain here in relation to
12 where you worked when you were still working, but I know
13 you are probably worried about being here, and would
14 rather be somewhere else entirely.

15 A. Mm-hm.

16 LADY SMITH: Because I get that, I do know that at times
17 witnesses in your position may just want a break, or
18 a breather, whether sitting where you are or leaving the
19 room. You may want us to explain something better than
20 we are doing, and if that happens it is our fault, not
21 yours; we are not getting it right.

22 The key is if you can help me make your life as
23 comfortable as I can do in the circumstances, I would
24 like you to do that.

25 Also, I have to tell you that although this is

1 a public inquiry and not a court, you have all the
2 protections that you would have if it was a court
3 hearing of any sort. That includes that if you are
4 asked any questions the answers to which could
5 incriminate you, you do not have to respond to them.
6 You are entitled to say 'No thank you' or 'I prefer not
7 to answer that' or whatever words work best for you.
8 I am certainly not going to insist that you answer any
9 such question.

10 There is a transcript being made of your evidence
11 though, and you should, in fairness to you, know that it
12 will be there for the future, if anybody wanted to check
13 what you said.

14 If you are worried about whether any question we ask
15 is one of those sorts of questions, do check, feel free
16 to do that.

17 Finally, do you have any questions at the moment
18 that you would like me to answer?

19 A. Not at the moment, thank you.

20 LADY SMITH: If you are ready, I will hand over to
21 Mr Sheldon, and he will take it from there, all right?

22 A. Very good.

23 LADY SMITH: Thank you.

24 Mr Sheldon.

25

1 Questions by Mr Sheldon

2 MR SHELDON: Thank you, my Lady.

3 Good morning, 'Peter'. 'Peter', a couple of bits of
4 housekeeping that we are required to do.

5 The first is, and I think as Lady Smith has said,
6 you have your statement there in front of you. I wonder
7 if you could turn, please, just to the last page of your
8 statement, it is just the very last page, so that would
9 be page 48, and I think you say, just in the very last
10 paragraph there, paragraph 169:

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

15 Is that still the case, 'Peter'?

16 A. Yes.

17 Q. Is that your signature?

18 A. Yes.

19 Q. Turning back to the start of your statement, to page 1,
20 the other piece of housekeeping, and this is just for
21 our records, is to read into the record the reference,
22 our reference, for your statement. The reference number
23 is WIT-1-000001453.

24 'Peter', I don't need your date of birth, but
25 I think you were born in 1954, is that right?

1 A. That's correct.

2 Q. You tell us on the first page of your statement a little
3 about your own background, and you tell us that you were
4 at primary school in Langbank, is that right?

5 A. Yes, yes.

6 Q. Then a school in Aberdeen for secondary school, and did
7 O-Levels and Highers. You then went to St Peter's
8 College in Cardross. Now, is that St Peter's Seminary
9 in Cardross?

10 A. Yes.

11 Q. Tell me, at the time you were there, was that the new
12 modernist building that was in operation for a while?

13 A. Yes, it was.

14 Q. You tell us that you studied philosophy and theology,
15 but you came out of the seminary towards the end of your
16 studies. Was it your intention to become a priest?

17 A. Initially, yes.

18 Q. All right. I take it from that answer that at some
19 point your intention changed?

20 A. It did, because I had been away from home, you know,
21 from the start of my secondary education, if you like,
22 and when you get near the end -- can advise me, but you
23 might want to do something else for a wee while, just
24 before you go on to the final step.

25 Q. All right. So you thought you might, before taking the

1 final step to become a priest, get some other
2 experience?

3 A. Yes.

4 Q. And then go back to it, was that the idea?

5 A. That was the intention at the time.

6 Q. All right. But that ultimately didn't happen, is that
7 right?

8 A. That's correct.

9 Q. All right. You tell us a bit about that in paragraph 3.
10 You say that you had managed to get a summer job at
11 Bellfield in 1977, I think. What was Bellfield known as
12 at that time; was it referred to as Bellfield Assessment
13 Centre?

14 A. Officially, yes.

15 Q. And unofficially?

16 A. Just 'Bellfield', I suppose.

17 Q. All right.

18 You tell us that you hadn't decided at that point
19 what you were going to do, but in 1978 you met the
20 officer in charge at Bellfield, Mr Turner?

21 A. Yes.

22 Q. And he asked you if you would be able to come back to
23 Bellfield, and was that to be a more permanent role?

24 A. Well, it was a role that would last as long as I wanted
25 it, and when I took it I said okay, but my intention was

1 just to see what else would come up.

2 Q. But whatever the position about that, this was

3 a permanent, sorry, a --

4 A. Oh yes.

5 Q. I'm sorry, a full-time role is what I meant to say.

6 A. Yes.

7 Q. Had you previously considered a career in residential

8 childcare?

9 A. No.

10 Q. So this was just an opportunity that came along and you

11 took it?

12 A. Yes.

13 Q. I suppose Bellfield was reasonably local to where you

14 had been studying?

15 A. It was in the town of Dumbarton.

16 Q. Yes.

17 Over the page, page 2, you tell us that at first you

18 thought Bellfield was fine. The staff were quite nice

19 to you.

20 A. To me.

21 Q. But when you worked there permanently, you tell us you

22 weren't enamoured with it. I think you go on to put

23 a little bit of flesh on those bones, but perhaps very

24 briefly, can you tell us why you became disenchanted

25 with Bellfield?

1 A. Basically I thought it was a horrible place. It was not
2 run for the boys who were there. Staff just did what
3 they wanted, and had a field day. It just wasn't a nice
4 environment, and the boys had a terrible time of it.

5 Q. Tell me about the staff then, please. You say some of
6 the staff had been there for a long time.

7 A. Yes.

8 Q. What did you learn or understand about their
9 backgrounds, the type of people that they were?

10 A. Well, if they weren't talking about the army --

11 Q. I'm sorry?

12 A. They would talk a lot about their careers in the army,
13 or elsewhere. Other than that, I didn't know much about
14 any of them at all.

15 Q. All right. You told us just a moment ago that the staff
16 would, I think, please themselves, or have a field day,
17 I think that was your expression. What did you mean by
18 that?

19 A. By that I meant that what they wanted to do went, and
20 whatever they said was not questioned in any way.

21 Q. What happened to them if it was questioned, what
22 happened to children if it was questioned?

23 A. There was a lot of shouting and bawling going around.
24 Only -- well, it was quite common for them to get
25 a smack in the head, or something, from a member of

1 staff.

2 Q. Quite common for the boys to get a slap in the head?

3 A. Yes. It was ran like a boot camp by the staff, you

4 know, it was all to attention, and ... whatnot.

5 Q. All right. At paragraph 5, you tell us about a football

6 field surrounded by a big fence, and you say:

7 'I think the main aim was to keep the boys in.'

8 A. Yes.

9 Q. Really the main aim was containment --

10 A. Yes.

11 Q. -- rather than any form, any idea of developing these

12 young people?

13 A. None at all.

14 Q. I think I know the answer to this, but would the staff

15 have, in any event, been geared up to the task of

16 developing and nurturing these young people?

17 A. No.

18 Q. You tell us that some of them had alcohol problems?

19 A. Yes.

20 Q. That they drank before they came on duty and that they

21 drank when they were on duty?

22 A. Yes.

23 Q. Is that right?

24 A. Yes.

25 Q. Was that all the staff, or just some of them, particular

1 ones?

2 A. Not everyone, but there were particular ones who did it
3 very regularly.

4 Q. Were you conscious of that? I mean could you, for
5 example, smell it on them during the working day?

6 A. I could see by how they were acting that something had
7 been taken, and that, you know, they just weren't with
8 it. Their speech was slurred, things like that. You
9 know.

10 Q. Did that affect the way that they behaved towards the
11 boys?

12 A. Yes, in that someone who was usually very, very quiet
13 would start shouting and bawling on them.

14 Q. Did it increase the chances of the boys getting a slap?

15 A. I don't know whether it increased it or not, because
16 they would get it anyway, you know.

17 Q. All right, all right.

18 I should have asked you, were most of the children
19 there boys, or were they all boys at that stage?

20 A. They were all boys in Bellfield.

21 Q. How about the staff, were they all men, or were there
22 any women on the staff?

23 A. They were all men except for Mrs -- Turner's wife, who
24 was -- well, matron, I was told.

25 Q. All right.

1 You tell us at paragraph 8 that you are sure the
2 management were aware that staff were drinking alcohol.
3 You relate an occasion when Mr Turner, I think, had
4 a sort of meeting and said he didn't want there to be
5 any drinking?

6 A. Right, yes.

7 Q. You take it that he knew about the drinking, but were
8 any steps taken to actually stop, to ensure that the
9 drinking culture stopped?

10 A. The way that Bellfield was managed was under Strathclyde
11 Regional Council at the time, which was split into
12 divisions. So you had the Dumbarton division, which had
13 a Social Work Department, et cetera, et cetera, and they
14 worked from the sort of Council headquarters, and -- I'm
15 sorry, I have forgot what I was going to say...

16 Yes, and I remember one day I was on shift, a late
17 shift, in the afternoon, it started in the afternoon,
18 and the other person who was with me -- it was only
19 going to be two of us, because someone had phoned in
20 sick, or something. I thought well, I am going to
21 have -- can't do this with the man in that state as
22 well, so I phoned over to headquarters, and explained
23 that they will need to do something, because I can't
24 look after all the boys myself. And while he is in no
25 fit state to do it, you know, you will need to get

1 somebody else, or something, to come in here, it is not
2 a safe environment et cetera.

3 He said he would be over in a minute. He came over
4 and spoke to the other person, the man who had had
5 a drink, and he, afterwards, told me he was not too bad,
6 you know, so ...

7 Q. What was your view?

8 A. My view was that he was not fit for work.

9 Q. All right.

10 A. Or to be in a caring position for any young people.

11 Q. Was this the -- I think you tell us about an incident
12 like that a bit later in your statement. We don't need
13 to go there, but I think it is paragraphs 37 and 38.

14 Was this individual's name ^{AIB} [REDACTED] ?

15 A. It was, yes.

16 Q. Thank you.

17 At page 3 of your statement, paragraph 9, you tell
18 us that you had decided to leave. Was that motivated by
19 the culture and the atmosphere at Bellfield?

20 A. I had decided to move on because I didn't like it, and
21 that I would maybe go to university and do something
22 there.

23 Q. All right, but you also tell us that you had heard about
24 a new place that was being built --

25 A. Yes.

1 Q. -- Cardross. This was the new Assessment Centre, is that
2 right?

3 A. The new Assessment Centre was being built in Cardross.
4 The officer in charge was appointed and I thought hmm,
5 it will be interesting to see how that went for a while,
6 you know, compared to this.

7 So I didn't leave. I decided to stay on until
8 Cardross opened, and wait there a while to see if it was
9 any different or would I change my mind.

10 Q. I think you tell us later that you did go on to work at
11 Cardross --

12 A. Yes.

13 Q. -- and we will come to look at that a little later.

14 You tell us at paragraph 10 that really there was no
15 recruitment process, and certainly should we understand
16 that your own recruitment was essentially just a chat
17 with Mr Turner? Was it even that?

18 A. Well, it was... a question from Mr Turner to me
19 was: would I be able to come back? I had worked the
20 previous summer holidays there for about six weeks;
21 would I be able to come back and do that again that
22 year? I said well, I don't really know, because ... and
23 then I told him that I had come out of seminary for
24 a time, and that I hadn't really made up my mind yet
25 what I was going to do. But if I was still not doing

1 anything, I could maybe look at it, but I mean at the
2 moment I am not doing anything so ... 'Could you start
3 tomorrow?' he said.

4 Q. All right, so you say that you weren't formally
5 interviewed?

6 A. No.

7 Q. You didn't provide any references?

8 A. No

9 Q. You weren't asked for any?

10 A. No.

11 Q. You didn't have anyone mentoring or supervising you? You
12 say you were just told to watch what the others did?

13 A. Yes.

14 Q. Who told you that?

15 A. I would be guessing, honestly. It was just 'You watch
16 what we do', or, 'Watch what he does and join in'.

17 Q. Did you join in?

18 A. No.

19 Q. All right.

20 A. There was no empathy, you know, witnessed from any of
21 the other staff to any of the boys, or to their
22 particular situations. I mean they were all treated the
23 same. And I know in some ways that might sound good,
24 but it wasn't really, because obviously teenage young
25 boys had their own difficulties, obviously, if they

1 ended up at a Children's Hearing and that, but other
2 than that they were just a big group to do what they
3 were told.

4 Q. I suppose you would be aware at that time that there
5 would perhaps be two different categories of boys at
6 Bellfield, some that may have come through the system
7 because they had committed an offence --

8 A. Yes.

9 Q. -- or were alleged to have done so --

10 A. Yes.

11 Q. -- and some who were, to use the phrase, in need of care
12 and protection?

13 A. Yes.

14 Q. You tell us in paragraph 11 that your understanding was
15 that your responsibilities were to look after the boys
16 and make sure they were okay?

17 A. Yes.

18 Q. I suppose the question that arises from that is: what if
19 they weren't okay? Were you given any guidance or
20 training on how to deal with boys that were difficult or
21 distressed?

22 A. I had no training whatsoever in my time at Bellfield.
23 No, I mean you could see yourself if somebody was having
24 problems or difficulties, or, you know, and you had
25 to -- well, I would use my own initiative and try and

1 talk to them, and, 'You ok? What's up? You are
2 bothered about...?', things like that.

3 Q. What happened to boys that were difficult, that perhaps
4 acted out, or even were cheeky?

5 A. There didn't appear to be anything like, 'Oh, you did
6 this, therefore here's what you get for doing that'.
7 You know, it just depended.

8 Q. You talk --

9 A. I think most of the boys in Bellfield did not want to
10 get into any difficulty with any of the staff, so any,
11 you know, cheeky remarks or that, may result in a slap
12 on the head. But I cannot remember any incidents that
13 caused us bother.

14 Q. What do you mean by 'bother' in that context?

15 A. Well, in that, you know, with hindsight and all that,
16 what I knew then and what I know now of course are night
17 and day -- But having to react to a situation, and how
18 to deal with it, you know, you just didn't get that in
19 Bellfield. They were told to shut up, watch the telly,
20 or they would turn the sound down.

21 Q. All right. On occasion boys would simply be slapped?

22 A. Tapped on the head, yes.

23 Q. Okay. Anything more than that, anything worse than
24 that?

25 A. I remember one occasion with a gentleman who was quite

1 upset about something one of the boys said -- I think he
2 also had a drink -- but this boy was kind of thrown to
3 the ground and told:

4 'Don't you ever ...'

5 He called him a name:

6 'Don't you ever call me that name again.'

7 And the boy got up and repeated it, so he got thrown
8 on the ground again, and that was going on a while.
9 That was in the dining room area, and thankfully it got
10 stopped by the arrival of the mail.

11 Q. Is this the incident that you talk about in paragraph 46
12 of your statement? This was where the boy called
13 a member of staff 'Sweaty Betty'?

14 A. That's it, yes.

15 Q. This was a member of staff called AIA [REDACTED] ?

16 A. That's correct.

17 Q. What you say in the statement was you think
18 AIA [REDACTED] punched the boy and put him on the ground?

19 A. He certainly got him on the ground. I honestly couldn't
20 swear, or say, that I remember him punching him, but he
21 got on the ground, yes.

22 LADY SMITH: This is paragraph 46 --

23 A. 46.

24 LADY SMITH: -- of your statement. That's why Mr Sheldon is
25 asking you whether he was punched.

1 A. Right.

2 LADY SMITH: That's what --

3 A. I say he threw him to the ground, he did it again and
4 did it again. So I honestly can't say that I can
5 remember seeing a punch, or anything.

6 LADY SMITH: Yes, and then at the end you say:
7 'I actually think AIA [REDACTED] punched the boy to
8 put him on the ground.'

9 That last sentence, if you look at paragraph 46.

10 A. I think that.

11 LADY SMITH: Yes.

12 A. But I couldn't say for definite --

13 LADY SMITH: I see.

14 A. -- because I didn't see it.

15 LADY SMITH: I understand, thank you.

16 MR SHELDON: Either way, whether it was the boy being
17 grabbed --

18 A. Yes.

19 Q. -- looking at paragraph 46, or the boy being punched --

20 A. Yes.

21 Q. -- he was forcefully put on the ground?

22 A. Yes.

23 Q. Going back to paragraph 12, page 3, you tell us there
24 about the layout of Bellfield. Just, if you could give
25 us a little more detail about the dormitories and their

1 layout, 'Peter'. You said it was a big dorm and three
2 smaller ones?

3 A. Yes.

4 Q. How many boys were in the big dorm?

5 A. I think it was around about 12.

6 Q. Okay, and in the smaller ones?

7 A. I think one had six, one had four.

8 Q. Were the boys in the dormitories arranged... were they
9 selected, as it were, in terms of age, or were they just
10 rather randomly --

11 A. No.

12 Q. -- put in?

13 A. When you came in, you went into the big dorm. And when
14 space was required in the big dorm, you got moved into
15 another ... well, somebody would get moved into another
16 one.

17 Q. You tell us that in Bellfield there was just one group,
18 all the boys sat in the same room and moved about
19 together?

20 A. Yes.

21 Q. Can you just tell us a bit more about that?

22 A. Well, there was a small games room with a pool -- not --
23 a wee billiard board, not a full size or anything, just
24 a small one. So usually a member of staff would say
25 'Who wants a game of billiards,' you know, in the

1 evening, to pass the time, and someone would go in and
2 have a game of billiards.

3 But I mean there was just, when you think nowadays
4 about the space for any building getting built and how
5 much there would be, you know, there was nothing like
6 that, you know. They were just all together. Most of
7 their time was spent in rows, single chairs, turned to
8 face the television, which was up at one end of the
9 room, and the staff sat at the other end of the room, at
10 a big window. From there they were watching the boys,
11 and ...

12 Q. How much of the day, what proportion of the day, would
13 boys spend sitting in this room together?

14 A. Well, shall I tell you, the programme for the day was
15 roughly: they got up, washed, breakfast, then went into
16 the -- we called it the big room, the TV room, and they
17 would sit there and wait, then either the head or the
18 depute would come down and he would form them into
19 groups, smaller groups, and they would say to a member
20 of staff 'You take those boys to do something'. You
21 know, and they would say, like, I don't know, cleaning
22 the floor or something.

23 There was a man who came in during the day, an older
24 man, and he took gardening, so he would take a group of
25 boys out gardening, and, you know, and then a group

1 would go down to the school, which was held in a,
2 I think it used to be an old place for keeping horses,
3 in the real old days.

4 Q. A stable?

5 A. A stable, that's the very one. And they would go in
6 there with a teacher. And so that was everybody kind of
7 dealt with.

8 And then they would all come back up for a cup of
9 tea at break time, and then they would all go back down,
10 and then come back up at lunch, and there was one
11 session in the afternoon.

12 If you -- sorry, there was one session for school in
13 the afternoon, there was nothing else, so it was at that
14 time that they might get taken up for a game of
15 football, up the back, as they called it, and that was
16 where the big fenced area was.

17 Q. So do we understand, should we understand, that the
18 boys, as it were, rotated activities so that, for
19 example, they would only get one session in the school
20 every day?

21 A. Yes.

22 Q. So what, two hours or so?

23 A. Maybe an hour.

24 Q. Okay. You tell us on page 4 of your statement about
25 some members of staff, and I don't want to go into the

1 details of that, you have told us already about AIB
2 AIB and his alcohol problem.
3 A. Yes.
4 Q. Just one point at paragraph 14. You tell us about SNR
5 SNR, KFT ?
6 A. Yes.
7 Q. Did he live on site?
8 A. He did, yes.
9 Q. Can you remember exactly where he lived?
10 A. there was
11 a room. Now, outside that room is where the two members
12 of the night staff sat when the day shift, the early
13 people, when we had left, they would go and bring out
14 two big chairs and place them there. And they would sit
15 there during the night. And I mean I filled in once or
16 twice, you know, and that was, 'Right, what do we do?,
17 'Sit down, be quiet', you know. But I mean if there was
18 a squeak heard or something, they would say, 'Okay,
19 that's bed 4 room 2'. They had been there that long,
20 you know, they could tell that.
21 But KFT lived in that wee room, if you like.
22 Q.
23 A.
24 Q. Okay, thank you. You tell us, page 5 of your statement,
25 that you weren't given any training and there was no

1 development.

2 At paragraph 20, you say you didn't feel like you
3 were supported in your role. You weren't ostracised or
4 anything like that, but you were just left.

5 Tell me, 'Peter', you have described something of
6 the culture at Bellfield. Did you feel pressure, as
7 a new member of staff, to join in with that culture, the
8 culture of drinking and of, in some cases, violence?

9 A. No, because I wouldn't. Although I was offered it.
10 I remember one night getting told I had a terrible cold,
11 which I was unaware of, and maybe I should take a wee
12 sip of 'Dr Bell's cough mixture', and I said no, I am
13 absolutely fine, I don't need anything. But I later
14 found out Dr Bell's, of course, was Bell's whisky.

15 Q. All right, so that was offered to you?

16 A. That was offered to me on one occasion, which I turned
17 down. I didn't drink whisky.

18 Q. Paragraph 23, 'Peter', page 6, you say that the age
19 range was mainly children aged 12 to 16 or 17?

20 A. Yes.

21 Q. Were you aware of sometimes younger children being in
22 Bellfield?

23 A. No, because there was a different unit for them, down
24 in, again, an old, big house, Cardross, where girls, who
25 were referred by Children's Panels, or police, or

1 whatever, they went there, and younger boys also, under
2 12, would go there as well.

3 Q. All right. I think we have heard some evidence that
4 there were children younger than 12 in Bellfield, but
5 you don't recall that, that wasn't your time?

6 A. I can't recall a time in Bellfield where that was the
7 case.

8 Q. Moving on to another topic, what were the security
9 arrangements at Bellfield? Was Bellfield a locked
10 establishment?

11 A. The front door was locked and the back door was locked,
12 so that, I mean, well, basically, I suppose, all doors
13 were locked, so if somebody rang the front door you went
14 out and had to open it, and if they were coming... you
15 would invite them in. Well, most of the time. I once
16 told Fred Edwards to just stay there a minute, I will go
17 and get him for you.

18 LADY SMITH: That's Fred Edwards from Strathclyde Regional
19 Council?

20 A. Yes.

21 LADY SMITH: Was that when he was the Chief Social Work
22 Officer?

23 A. Yes, but being fairly new, I didn't have a clue.

24 MR SHELDON: I will come on to ask you a couple of questions
25 about that a little later, 'Peter'. Just thinking about

1 the security arrangements, you say that the doors are
2 locked; presumably the boys do get out, they have to go
3 to the school, they have to play football, from time to
4 time, or be in the gardens?

5 A. Always with a member of staff, who would have the keys
6 to get in and out.

7 Q. Did children sometimes abscond on those occasions?

8 A. Oh yes. I much admired them. That's what I would have
9 done.

10 Q. At paragraph 26, you talk about washing and bathing.
11 You say that the boys would go in three at a time or so.
12 A member of staff would turn on the water, and I think
13 you tell us that the showering was supervised by staff.
14 Just to be clear, why were they supervised, what was the
15 purpose of that, or the reason for that?

16 A. By supervised I think I mean that they were, you know,
17 there was a member of staff in that area who was putting
18 on and off the water. And then they would come out to
19 get -- in threes, to dry themselves. And there was
20 maybe another member of staff to make sure there was no
21 hanky-panky, or any nonsense going on.

22 Q. Paragraph 27, you say that children were examined by
23 a doctor when they came into Bellfield?

24 A. Yes.

25 Q. There was a matron, but you say nobody went near her?

1 A. No.

2 Q. Why was that?

3 A. Terrified of her.

4 Q. Again, why were they terrified of her?

5 A. She would shout and bawl at them, you know. The staff
6 as well. Again, no empathy, or anything like it.

7 Q. We have talked a little bit about schooling. Certainly
8 you say you thought the teacher was good, but had you --
9 you say that you hadn't actually been into the school?

10 A. No.

11 Q. So did you experience any of her lessons?

12 A. I knew her personally, I did not experience any of her
13 lessons in Bellfield, and I was friendly with her
14 husband.

15 Q. At paragraph 29, you say the children at Bellfield
16 weren't taken on any trips or holidays?

17 A. No.

18 Q. 'Peter', we have heard evidence that some boys were
19 taken on a fishing trip by an individual called John,
20 does that ring a bell? Fishing trip or trips?

21 A. Not for any length of time. They maybe would go out for
22 the afternoon or something, and do something like that.

23 Q. Your own position, and we will come to that later on, is
24 that I think there was a trip to Girvan with handicapped
25 children, is that right?

1 A. Yes, we had a boy who had special needs, and every
2 six months or so the local club that I was involved in
3 through the church, had an evening -- every Wednesday
4 night was club night and what happened was the young
5 people who had the special needs, and illnesses, would
6 come with their carers, their parents or a carer, and
7 the parents or carers would come up to the school with
8 them and they would go and have a cup of tea and
9 a blether amongst themselves, while me and the other
10 helpers would take the kids.

11 They got a bit of religious instruction, unless they
12 didn't want it, of course, and played some games. And
13 then we would go to Girvan, as I say, about every
14 six months, to an old convent house that was run by
15 nuns, and we would spend the weekend in Girvan,
16 similarly to what happened on the Wednesday night, but
17 more extracted in that the parents and carers came as
18 well, and we would maybe organise walks, trips,
19 et cetera.

20 So I asked would it be possible if, I can't even --
21 God love him -- remember his name. I think I said
22 I think it would do him good and we would do that.

23 Q. Did some of the boys from Bellfield come to help out?

24 A. And I asked if some could come and help out.

25 Q. So in that sense, there were some trips?

1 A. That happened once.

2 Q. All right. So, as it were, these were special occasion
3 trips, these were, this was an unusual --

4 A. Yes, yes.

5 Q. -- event, all right.

6 A. Yes.

7 Q. You talk about punishment at Bellfield, paragraphs 33
8 and 34, and in particular about a thing called the
9 'cooler'?

10 A. Aye.

11 Q. You tell us it was basically a cell. Can you tell us
12 more about that, please?

13 A. The cooler --

14 Q. Yes.

15 A. -- as it was called, was a cell. It was never, ever
16 used as punishment, as far as I can recall. The boys
17 liked to think who could stay in it the longest, you
18 know, and they would bet themselves who could stay in it
19 the longest.

20 The only time I remember it being used -- again, we
21 had a famous chap, apparently, who absconded every
22 opportunity he got, and either between leaving the house
23 and going up to the field, or any occasion... if the
24 front door was open to let somebody in, they might get
25 out that way as well. And so it was decided, I don't

1 know by who, that he could not go up to the field, or go
2 out. So when the rest, everybody else went up to the
3 field, he was put in the cooler, until we came back down
4 and let him out.

5 Q. So in the case of that boy, I suppose if he was
6 absconding and then put in the cooler, it sounds a lot
7 like that was about punishment?

8 A. Yeah, yeah. But during my time, which was only short
9 with him, when he was there, I don't remember him doing
10 anything, you know, he just got told to go in.

11 Obviously his past misdemeanours were being looked at.

12 Q. In other cases, 'Peter', and you say it is not used for
13 punishment, and we have talked about this particular
14 individual --

15 A. Mm-hm.

16 Q. -- if it wasn't used for punishment, what was it used
17 for?

18 A. Nothing.

19 Q. It just wasn't used at all?

20 A. No. They had nothing to -- you know, you didn't have to
21 go there to do something, or anything, so ... as far as
22 I recall, anyway.

23 Q. All right.

24 Certainly you go on to say that boys were never in
25 it for that long, and certainly not overnight?

1 A. That was them --

2 Q. So boys were in it?

3 A. -- playing their games, they would be allowed to do that

4 if they wanted.

5 Q. Okay, so this was something that the boys did of their

6 own volition?

7 A. Entirely, because the winner would get something.

8 LADY SMITH: Are you saying that the boys could play a game

9 that involved them locking another boy into the cooler?

10 A. No, a member of staff would be there, and if they said,

11 'Can we play the cooler game?' -- I don't know that, if

12 it had that name, I can't even remember -- but they

13 would maybe go in and stay a while, and they would bang

14 the door if they wanted to get out and all that, and the

15 one that stayed in the longest was the winner.

16 LADY SMITH: I see.

17 Just going back to the boy who was very good at

18 running away --

19 A. Yes.

20 LADY SMITH: -- so wasn't allowed to go up to the field with

21 the other boys. Might it not have seemed to him that he

22 was being punished by being put into the cooler, not

23 being allowed to go out with the other boys --

24 A. Yes.

25 LADY SMITH: -- and it being Bellfield's response to him

1 having run away?

2 A. Certainly, yeah.

3 LADY SMITH: So being put in the cell could feel like

4 punishment --

5 A. Yes.

6 LADY SMITH: -- to the child that was put there?

7 A. Yes.

8 LADY SMITH: Once they were there, it would be very hard for

9 them to know how much time had passed before they were

10 let out?

11 A. That's correct.

12 LADY SMITH: It could have felt like a very long time to

13 them?

14 A. Indeed, yes.

15 LADY SMITH: Thank you.

16 MR SHELDON: Thank you, my Lady.

17 LADY SMITH: Mr Sheldon.

18 MR SHELDON: Over the page, page 36, you say that you can't

19 recall restraint being used in Bellfield; 'It may have

20 been, but I don't recall it'. Do I take it, then, that

21 you yourself didn't take part in any restraints, as

22 I think you might have later come to understand it --

23 A. Yes.

24 Q. -- while you were at Bellfield?

25 A. No, never.

1 Q. All right. What if a boy was being violent, either to
2 himself or to others? What would happen in those
3 circumstances?

4 A. Do you know, I can't recall any occasion in Bellfield
5 where I saw that happen, in that it was, I think I said
6 earlier, you know, they would not want to get into any
7 entanglement or anything like that with the staff.

8 Q. Was that because they were afraid of the staff?

9 A. In my opinion, yes, and what they may do to them.

10 Q. If a boy was being, again, violent either to himself or
11 others, I suppose particularly to others, would he be
12 put in the cooler in those circumstances?

13 A. I honestly don't know, because I was never told that.

14 Q. All right.

15 A. I think the only thing I was told is we don't use it.

16 Q. That's what you were told?

17 A. Yes.

18 Q. Do you recall who told you that?

19 A. I don't. Probably another member of staff.

20 Q. At paragraph 39, you say that 'if a child raised
21 a concern or a complaint with me...', you would phone
22 their social worker and ask their social worker to come
23 and see them as soon as possible. Did that happen,
24 'Peter'; were there occasions when children made
25 complaints and you involved the social worker?

1 A. Yes, it did happen. I have no --

2 Q. Can you recall any of the details of that?

3 A. No, that's the problem, I can't recall any of the
4 details.

5 Q. What sort of things might they complain about?

6 A. Sometimes the social worker, but ... they didn't think
7 this was fair, they didn't think that was fair, you
8 know.

9 Often you dealt -- well, I would talk them through
10 that, and if they wanted to make a formal complaint,
11 'I will phone your social worker and ask them to come up
12 and you can let them know about it'.

13 Q. Page 10, paragraph 43, you come on to the question of
14 abuse at Bellfield. You've told us a fair bit about
15 that already, 'Peter', and it is helpful to understand
16 what the culture at Bellfield was like. You told us in
17 particular about the incident with AIA [REDACTED] and the
18 boy calling him 'Sweaty Betty'?

19 A. Yes.

20 Q. Just to perhaps give some more detail to the culture
21 issue, you tell us at paragraph 43 that you saw children
22 being cuffed, and you say it seemed like staff were
23 bullying kids sometimes. What do you mean by that?
24 What made you think that staff were bullying kids?

25 A. Mainly their... how they spoke to them, what they said

1 to them. You know, like, 'You are thick', or something
2 like that. That's what I would call abuse, as I said.

3 Q. You say they would say daft things like, 'I am bigger
4 than you, do you fancy your chances?'

5 A. Yes, things like that, aye, and use their wits against
6 them.

7 Q. 'Call yourself a hard man?' That sort of thing?

8 A. That sort of thing.

9 Q. You say, paragraph 44, that all the staff on duty and
10 all of the boys were usually together.

11 A. Mm-hm.

12 Q. 'We did split up for some ... to go into the playroom
13 for snooker...'

14 A. Yes.

15 Q. But apart from that you were normally together, and you
16 say:

17 'For that reason, I would say that there were
18 limited opportunities for abuse to take place.'

19 You go on, I think, to indicate that this
20 individual, ^{AIA} [REDACTED] --

21 A. Yes.

22 Q. -- was ultimately, I think, reported to the police
23 because there was an allegation that he had kissed
24 a boy, is that right?

25 A. I knew nothing about this until one night when we were

1 sitting, and I knew that AIA [REDACTED] had been
2 suspended for some reason, and he was told not to come
3 near Bellfield. He came up once -- well, he came up,
4 and would knock on the door, and whoever answered the
5 door, you could hear them saying, 'Go away, AIA [REDACTED], you
6 have been told you've not to come here', right, and this
7 night he had been up a few times and it was a Friday
8 evening, I always remember, because KFT [REDACTED] came
9 down, he was going out, and he just says, 'Right, no
10 nonsense in here tonight' to -- and they said, 'Yeah'.

11 Unfortunately we never saw enough of him [REDACTED]
12 at the time, because he was quite a nice chap. But he
13 went out that night and just after that -- as I said,
14 the staff would sit up at a window -- we heard shouting,
15 and he ran down, and then AIA [REDACTED] appeared to be
16 chasing him. There was something in his hand that was
17 flashing, you know, not on and off like that, but if the
18 light caught it you could see it was, it could be
19 a knife. So we phoned -- well, I phoned the police that
20 time. But by the time they got there, they told us that
21 there was no sign of anybody about and all that, and
22 that apparently KFT [REDACTED] was okay.

23 That night, after we had went home, the night shift
24 were on duty and one of them heard somebody at the back
25 door, or something, and went out, and they saw

1 AIA [REDACTED], who was lighting matches and putting them
2 in the boiler, and the night staff said to him, 'What
3 you doing?'. He said, 'I am going to blow yous all up'.
4 He said, 'Well, you know the police are on their way,
5 what are you going to do? You can come in and have
6 a cup of tea while you are waiting or you can run off or
7 do what you want. I won't be chasing you'.

8 And that's what happened. The police came up, took
9 him away.

10 Q. Right, and you say you are sure that he ended up in
11 prison after that?

12 A. He did, and that was the time --

13 Q. I suppose it seems unlikely, 'Peter', that he would have
14 ended up in prison just for being violent to a child, as
15 you say that he had been, because everyone -- well,
16 yourself apart, you say everyone at Bellfield could on
17 occasion be violent towards children?

18 A. Yes.

19 Q. Certainly it was part of the culture.

20 So if you are right, that AIA [REDACTED] ended up in
21 prison, then does that suggest that there must have been
22 some opportunities for abuse?

23 A. Some, yes. Yes, and that's when I found out about it.
24 When I was told he was in court. And he was sentenced
25 to imprisonment. I can't remember how long it was.

1 I don't think it was very long.

2 Q. Would it have been at Dumbarton Sheriff Court that he
3 went to court?

4 A. I am almost sure it was, yes.

5 Q. You talk about external monitoring, and you say you
6 remember a crowd of councillors, this is paragraph 52,
7 being shown around --

8 A. Mm-hm.

9 Q. -- but you don't remember them speaking to the children?

10 A. No.

11 Q. So they just looked at the premises and went away again,
12 is that how it occurred?

13 A. They came in with Fred Edwards, they went up the stairs
14 to the office, and I think Mr Turner spoke to them, but
15 I wasn't there so I don't know what went on. And then
16 they had a walk around the building and left.

17 Q. You say Fred Edwards was there and, a little later in
18 paragraph 53, you say:

19 'I got to know Fred Edwards quite well after that.'

20 Can I ask you in what context you got to know him?
21 How did you come to know him quite well?

22 A. Well, especially Cardross, he lived quite nearby.
23 I mean it wasn't thousands of miles away. I met him on
24 trains and things like that, and we would talk away. He
25 was very interested in church things, and he would ask

1 me, 'why do you do this?'. At Bellahouston, when
2 Pope John Paul was here, I was helping out, and I was up
3 in front of the VIP section and, at the end of the
4 event, Fred came climbing over -- not a big fence. Fred
5 wanted to know what I was doing sitting there and that,
6 so things like that.

7 Then our local pub in Dumbarton he would frequent
8 now and again.

9 Q. Would this have been during the period when Fred Edwards
10 was the Chief Social Work Officer at Strathclyde?

11 A. Yes, yes.

12 Q. I think we can take it from your answer that you
13 yourself maintained connections with the church, that
14 you continued to be involved with the church?

15 A. I still am, yes.

16 Q. All right.

17 You talk about record keeping at paragraph 54. You
18 say you don't really recall much about the record
19 keeping. Can I just ask you, would you have been
20 responsible for record keeping at that time at
21 Bellfield?

22 A. Anybody who wanted to write anything... it is a hardback
23 covered, just like the red thing here, it was like that,
24 and there would be empty pages in it.

25 LADY SMITH: So it was a loose leaf book, was it?

1 A. Yes, and you could write in it, 'So and so's social
2 worker visited this evening', you know, things like
3 that. And that was used to threaten the boys as well,
4 of course, you know, if you take a pen ...

5 Q. Were there separate logs for different purposes,
6 'Peter'?

7 A. No.

8 Q. There weren't?

9 A. That was the only thing that we wrote in.

10 Q. Okay, but there might have been other logs used for
11 different purposes, such as the school, for example,
12 that you might not be aware of?

13 A. It may be that Joan used it, but I am not aware of it.

14 Q. Okay, thank you. You talk about some other members of
15 staff at page 14 of your statement. I wonder if we can
16 now go to page 20. Of course you are aware that there
17 are certain allegations about you, 'Peter' --

18 A. Yes.

19 Q. -- and we will come back to those. But I would like to
20 go to deal with your time at Cardross first of all,
21 please.

22 A. Yes.

23 Q. It's page 20.

24 You talk from paragraph 70 about leaving Bellfield.
25 You, I think, repeat what you told us earlier, that you

1 weren't very happy about the response to your raising
2 the issue of the staff member who was drunk on duty.

3 A. Yes.

4 Q. You say that... you told us that you decided to hang on
5 at Bellfield --

6 A. Yes.

7 Q. -- perhaps in spite of the culture there, and see what
8 Cardross was going to be like?

9 A. Yes.

10 Q. In due course, you go to Cardross. But at 72, I just
11 want to ask you briefly about the incident that you talk
12 about there, that there was a fire, and I think you tell
13 us in paragraph 72 that you told the -- I think the
14 SNR [REDACTED] at Cardross, that it was KFT [REDACTED]'s
15 residence that was on fire, is that right?

16 A. Insofar as... Mr and Mrs Turner also stayed in the
17 building of Bellfield, it was [REDACTED] and more
18 substantial than a room, but I was never in it. But
19 when they left, KFT [REDACTED] moved [REDACTED] as well.
20 So he was in that place at the time we are talking
21 about, and I had never been in it. But that night I had
22 to go somewhere, I can't remember, to hand in a report
23 to Mr... KFT [REDACTED].

24 Q. This was before the fire started?

25 A. This was before the fire started.

1 So I had left that afternoon and went away, and went
2 to the meeting I had to go to, and then I came back up
3 to Bellfield, just the back of 9.00 pm I think, and gave
4 the report in, it was for the next day I think, and
5 stood blethering with people for a wee minute and then
6 we heard, somebody says, 'Do you smell smoke?'. And,
7 'Aye, there is'. And someone went [REDACTED] to
8 check, and the access to KFT [REDACTED]'s residence was
9 [REDACTED], and I believe he was the only one
10 with keys. But we could hear it.

11 So we got, obviously, the boys up and outside, and
12 phoned SNR [REDACTED] Cardross, who we had
13 met and that, and said there's a fire up here. He said,
14 'Phone the fire brigade', and I said we have done that,
15 you know. So he came up and the fire brigade came up,
16 and it was quickly dealt with.

17 Then SNR [REDACTED]
18 SNR [REDACTED] came down and said to me:

19 'That room up there, what's that used for?'

20 I said, 'No, that's KFT [REDACTED] living quarters', and he
21 said to me, 'When was the last time you were in it?'

22 I said, 'I have never been in it'.

23 Apparently there was no furniture, there was
24 a mattress on the floor, and it was covered in empty
25 alcohol bottles, whisky bottles and all that.

1 The boys went back in that night, the fire brigade
2 said it was okay, they went back in, but I got a phone
3 call early the next morning to say that we were moving
4 to Cardross.

5 Q. So the move to Cardross happened quickly after the fire?

6 A. The next morning.

7 Q. All right.

8 A. And I went down there, and of course it was only the
9 boys from Bellfield. Now, we had been running down in
10 numbers a bit, you know, and we were hoping to have
11 a fresh start in Cardross, but unfortunately, because of
12 the fire, that didn't happen. But we went down and one
13 of the units was okay. We told them eventually they
14 would all be mixed units, with the boys and girls and
15 the wee ones as well. So it was going to be entirely
16 different.

17 We had spoken with SNR [REDACTED] and his
18 views... I remember saying to him, 'What would you do if
19 somebody was drinking on duty?'

20 He said, 'I would sack them, of course'.

21 Oh well, things are looking up.

22 So we then went to, basically get in Cardross, with
23 the boys in Bellfield, started doing up the unit, going
24 out and buying some, what do you call it, cushions and
25 things like that, and whatnot. And --

1 Q. I am sorry to cut across 'Peter' --

2 A. Yes.

3 Q. -- but are you telling us that --

4 A. I don't know.

5 Q. -- the move to Cardross happened before it was quite

6 ready?

7 A. Yes, well, it was built in its entirety and all it

8 needed was the, you know, get the place in order.

9 Q. All right. This was at least in part because of the

10 fire?

11 A. Oh, yes, that was the only reason we moved down at that

12 time.

13 Q. All right.

14 Page 22, you start to tell us about Cardross, and

15 you say, paragraph 75, you were very pleased when you

16 moved, and you felt like the attitude of the staff was

17 better. There were women working there. You say that

18 there were no clouts around the head or anything like

19 that?

20 A. No.

21 Q. We have heard some evidence that there were clouts

22 around the head and things like that.

23 A. Not to my --

24 Q. Do we take it then that you didn't see anything like

25 that?

1 A. I definitely did not see any clouts around the head in
2 Cardross. I saw restraining and whatnot. I never saw
3 any ...

4 Q. Did you take part in any restraints in Cardross?

5 A. After the training, yes.

6 Q. Right. Well --

7 LADY SMITH: When did you get the training, do you remember?

8 A. When did we get trained?

9 LADY SMITH: Mm-hm, when did you get trained?

10 A. It was maybe a few months after we had moved in, and it
11 was two people who had been to America to watch this
12 form of training.

13 LADY SMITH: Yes.

14 A. And they came back and showed it to us. It was the type
15 where if you could get them and almost sit them down
16 and --

17 LADY SMITH: We may come back to the details of that.

18 A. Okay.

19 LADY SMITH: Would it be about 1980, then, that you moved to
20 Cardross, judging by the dates you gave us before?

21 A. It was, yes, yes.

22 LADY SMITH: You would be about 25 years old when you went
23 there?

24 A. Yes.

25 LADY SMITH: Thank you.

1 MR SHELDON: You said that the atmosphere in Cardross was
2 'far lighter'. Can you explain, please, what you mean
3 by that?

4 A. Well, they could talk, even when they were watching the
5 telly. And, you know, they spoke with staff, which was
6 something that they never really did in Bellfield. You
7 had to go and get them out. But, aye, there were no
8 problems and they were involved in planning the
9 activities, apart from school, of course. We had our
10 own school and teachers.

11 But after school we would say oh, what do you want
12 to do tonight? What we want to do ... tenpin bowling,
13 swimming, things like that. We would hire a van from
14 the Social Work Department for that evening, and I think
15 eventually we got our own van and that, and people could
16 drive it.

17 Q. At paragraph 79, you tell us about the, I suppose, the
18 staff structure in Cardross. There was a senior
19 assessment officer, assessment officer and assistant
20 assessment officers. I think you started as
21 an assessment officer --

22 A. That's correct.

23 Q. -- is that right?

24 Can I just ask you, 'Peter', what did you understand
25 to be meant by 'assessment'? What, in other words, did

1 you understand your duties would be?

2 A. At that time or later on?

3 Q. At that time, when you were an assessment officer?

4 A. At that time I knew that an assessment officer would
5 check the other staff's reports and things like that.
6 The purpose of the assessment was because they had
7 been... it had been asked for by a Children's Hearing or
8 that, and had to be completed within a 21-day period,
9 you know. So it was quite busy, and that. We did the
10 key worker system, where a key worker was responsible
11 for writing that report, and then after that
12 an assessment conference would be called, which was to
13 come up with recommendations to go back to the
14 Children's Hearing, as to what the next step in the
15 young person's life should be.

16 Often, or the vast majority of time, they went home.
17 You know, maybe with some more social work input, or you
18 know, giving the school a bit of help, because a lot of
19 it was truancy, and things like that.

20 Q. What sort of information was in the reports, 'Peter'?

21 A. Right, there would be how they came to be there, you
22 know, what was the referral to the Children's Hearing
23 about, you know.

24 As I say, often it was not attending school and
25 that. Look at his parents' point of view, what they

1 felt were the difficulties and that, the social worker's
2 point of view, and the school's point of view, and then
3 there would be Cardross's point of view about the
4 person, what type of person he or she was, and, you
5 know, how they got with other people, how they got on
6 with staff, you know, that sort of thing, what they felt
7 were the problems in their lives.

8 Q. I was just about to ask you, what about the children's
9 point of view?

10 A. Oh yes, that would be --

11 Q. Were the children's points of view sought and, if so,
12 how were they sought?

13 A. Oh, they were sought by the key worker, or indeed any
14 member of staff, talking with them about things, you
15 know. Like the key worker would be saying, 'Okay, what
16 do you want to happen next? And what would you have to
17 do to obtain that?'

18 'I want to go home.'

19 'Well, you would need to go to school.'

20 You know, that sort of thing, and we would take note
21 of that.

22 Q. I suppose the information about the child from the child
23 that went forward into the report, and to the Children's
24 Hearing, would depend on two things: one, the amount
25 that the child felt able to tell the social worker, and

1 the way the social worker filtered or interpreted that
2 in his or her report.

3 Is that a fair way of putting it?

4 A. Yes, but we also had background reports from the social
5 workers and that before, you know, they came in, you
6 know, and we would get, what do they call it, SERs,
7 I think, social enquiry reports, and things like that.
8 That was at the beginning.

9 Q. All right, thank you.

10 LADY SMITH: Mr Sheldon.

11 MR SHELDON: My Lady, yes, I am conscious of the time.

12 LADY SMITH: 'Peter', I normally take a short break at this
13 point in the morning --

14 A. Yes.

15 LADY SMITH: -- and you might enjoy a breather just now for
16 about 15 minutes, would that work for you?

17 A. I am fine, yes.

18 LADY SMITH: I think we should do that, let the
19 stenographers have a breather, and then get back to your
20 evidence as soon as we can after 11.45 am, between
21 11.45 am and 11.50 am, something like that.

22 A. Very good.

23 (11.33 am)

24 (A short break)

25 (11.50 am)

1 LADY SMITH: 'Peter', are you ready for us to carry on?
2 A. Yes.
3 LADY SMITH: Thank you very much.
4 Mr Sheldon.
5 MR SHELDON: Thank you, my Lady.
6 'Peter', we were talking before the break about your
7 time at Cardross, and you tell us a bit more about that
8 at paragraph 81, page 23 of your statement. You say
9 that Cardross was going to be split into four units, two
10 for assessment and two for care. So was there
11 a difference in the sort of children, or the sort of
12 reasons for children being there, as between the
13 different units in Cardross?
14 A. Yes.
15 Q. Was there a difference in the level of security as
16 between the different units in Cardross?
17 A. No.
18 Q. You tell us at page, sorry, paragraph 84 that the
19 children were never locked in, they knew where the doors
20 were, they knew where the fire exits were... the fire
21 doors, rather.
22 A. Yes.
23 Q. Are you telling us that these weren't locked?
24 A. There were no locked doors. I mean I remember going
25 into the lounge one night and hearing a group of

1 children discussing their big plan, how they were going
2 to escape and all that, and I butted in and said to
3 them, 'You know, you could go down those stairs and walk
4 out the door, you don't need to do all these daft
5 things'.

6 Q. We have certainly heard evidence, 'Peter' that some
7 children, at least, regarded Cardross as being like
8 a prison, like a jail; that they felt it was a very
9 scary place. What would you say to that?

10 A. I would be very surprised at that. The prison thing,
11 some of them would throw open their window and jump out
12 to run away, you know, so to -- obviously realising that
13 they could be hurt quite badly, they were jumping out of
14 windows, so there was a wee block put so that the
15 windows would only open so far. They couldn't get out
16 of -- it wasn't a wee, tiny, you know, you could open it
17 a wee bit, but they couldn't jump out of, and that was
18 seen by a lot of the guys as bars on the windows, I know
19 that.

20 Q. Was there a detention room or anything similar to the
21 cooler that there had been at Bellfield?

22 A. No, no.

23 Q. Were children sometimes locked in their rooms?

24 A. There were no locks on the doors, no, in their rooms.

25 Q. We have certainly heard accounts that some children, if

1 they had absconded repeatedly, would be put in their
2 rooms, deprived of clothing, and their windows boarded
3 up. Do you recall anything like that happening?

4 A. I remember them -- the windows were only ever boarded up
5 because they were smashed, so they couldnae get glass
6 and that ... Deprived of clothes? I think if they
7 were -- they used to go into their pyjamas and dressing
8 gown, and maybe spend time in their room, yes.

9 Q. If I can ask you a little bit about what you say in
10 paragraph 88, you say that senior assessment officers --
11 and I think you were fairly quickly promoted to be
12 a senior assessment officer during your time at
13 Cardross, is that right?

14 A. Yes.

15 Q. You say that they were aware of everything that was
16 going on.

17 Again, 'Peter', we have heard accounts of violence
18 by staff towards children, violence by children towards
19 other children, violent restraints by staff on
20 children... was that something that you were aware of?

21 A. No.

22 Q. So, if that did happen, then assessment officers, senior
23 assessment officers, wouldn't have been aware of
24 everything that was going on?

25 A. No. I quickly became a senior assessment officer, and

1 then fairly quickly again became a Monday-to-Friday
2 person who worked from 9.00 until 5.00. So we weren't
3 around. We took one evening a week each, but we didn't
4 work in the units any more, if you know what I mean.

5 Q. Oh, right.

6 A. We would maybe take a walk round, and just ...

7 Q. Sure. Can I just ask you what you would have done if
8 you had been aware of that sort of thing happening at
9 Cardross?

10 A. What would I have done?

11 Q. Yes.

12 A. Oh, suspended the person and informed the social workers
13 and department that we had to get round the table
14 immediately.

15 Q. Right.

16 A. I would also have phoned the police.

17 Q. Paragraph 92, you are talking about the recruitment
18 process, and you tell us a little bit about that, about
19 advertisements and so on, and interviewing. You say at
20 paragraph 92 that you could tell fairly quickly whether
21 a new member of staff was somebody that you wanted or
22 not. Could you tell us a bit about that, please? What
23 would you have looked for in a new member of staff that
24 either would have made you want to hire them, or not
25 hire them, as the case may be?

1 A. Well, firstly, I would watch how they got on with the
2 young people who were in Cardross; whether they had
3 a kind of empathy towards them.

4 Q. Did they get an opportunity to interact with children as
5 part of the process then?

6 A. No. I think everybody who started in Cardross was on
7 a temporary contract. What I am talking about is
8 a suggestion that I thought was a good idea, at the end
9 of their temporary contract, should they just stay on,
10 which was happening, because there was still a need for
11 a temporary person to be there... I suggested that we
12 don't do that and that if someone we can tell is not
13 going to be, has not displayed that... you know, they
14 are interested in and they want to get on in this,
15 I would suggest that we don't renew the temporary
16 contract and we just get somebody else to come in and do
17 it.

18 I said if we were unsure, maybe after the first
19 three months, what we could do is... obviously
20 management and that would talk about it, but we would
21 talk to the person themselves and say look, you are very
22 good at this and that, and we would ask them what they
23 thought they needed to improve on. We would then say to
24 them, or we had the opportunity to say to them, that
25 they could... okay, we are going to give you another

1 three months, and you have to demonstrate to everybody
2 that you are making progress in those things.

3 And then, at the end of that, we may wish to offer
4 them a full-time contract, or, say, 'Well, we did try,
5 but sorry'.

6 Q. Moving on again at page 30, paragraph 110, you talk
7 there about schooling at Cardross. You tell us that you
8 had professional teachers. Were the professional
9 teachers in Cardross at Cardross right from the start,
10 or did they come in at some point?

11 A. They came in, as we have already said, I mean Cardross
12 opened a lot sooner than we had planned because of the
13 fire, and so it was the teacher from Bellfield and the
14 teacher from the girls and juniors at Cardross, we
15 started off with them as the only two teachers. But as
16 we went on, I think we ended up with the headteacher,
17 I think there were five other teachers there at the
18 time, so we could split them all into, maybe it was even
19 six, I can't remember, but we would split them ... so
20 that it was a first session in the morning, break,
21 second session, lunch and then the afternoon.

22 Q. How much time in the classroom would each child
23 generally get, day to day?

24 A. Right, in the morning it would be two hours, and maybe
25 an hour and a half in the afternoon.

1 Q. Did you have an idea, an indication, of what sorts of
2 things were being taught to the children?

3 A. On a Friday we had a kind of assembly, where the
4 teachers gave them a mark for their week's work and
5 involvement in what they were doing. And in that way
6 they would take them on a -- to do, like, horse riding
7 or something like that. You know, a bit like that. And
8 of course many of them complained about it, because it
9 wasn't fair, '... because that wee person there, he was
10 terrible in school all week, but he got better than me'.
11 And so you had to say, 'Well, but we don't expect
12 him to be very good, you know, so the fact he has tried
13 a wee bit is good, so that's why he got a higher mark
14 than you, I presume'.

15 Q. So people would say, was this the teachers who would say
16 of the child, 'We wouldn't expect him to be very good'?

17 A. Well, his behaviour has shown us that he would not be
18 very good in a classroom situation, or sitting and
19 listening, or anything like that.

20 Q. In the case of some children, expectations were low, is
21 that fair?

22 A. Yes.

23 Q. Moving on again, then, please, to paragraph 115, that's
24 page 32 of your statement. You say there that
25 assessment conferences would take place in Cardross.

1 The child, parents, carers, school, anyone else
2 important to the child, would be present. And you would
3 go round the table and get everyone's opinion on what
4 was happening, and I think what was going to happen, is
5 that right?

6 A. Yes.

7 Q. How did you go about getting the child's views in those
8 conferences?

9 A. Like so many things, coming up to the conference, having
10 read all the reports and that, you had a rough idea,
11 maybe, about the way it would go. So I would -- I made
12 a point of, before the conference, speaking to the young
13 person and saying, you know, 'What do you want? What do
14 you no want' -- You know, 'Would you go back to school,
15 really?' -- You know, things like that. So I would talk
16 to them.

17 And I would maybe let them know what could possibly
18 happen, that people might not think that this is the
19 right time for you to go home full time. At the moment
20 you can still get your leave and all that, at the
21 weekends you can go home and that, but going back to
22 school might be a problem for you and we will see what
23 we can do about that.

24 Q. Just so we are clear, 'Peter', these conferences, it
25 seems as though there were a number of people present?

1 A. Yes.

2 Q. So certainly you?

3 A. We had a big table.

4 Q. A social worker, or social workers?

5 A. Social worker and senior, usually.

6 Q. So parents --

7 A. But not always.

8 Q. -- carers, school representatives?

9 A. Usually one teacher.

10 Q. It sounds as though there could be 8, 10, 12 people?

11 A. A psychologist would be there as well.

12 Q. Either at the time or in hindsight, 'Peter', do you feel

13 or did you feel that a child might be rather overawed,

14 might be intimidated, in fact, by that sort of gathering

15 of adults, potentially asking them questions and making

16 decisions about their future?

17 A. Mm-hm. Well, I think if we had said all these people

18 will meet but you don't have to come to that one, we

19 will have another one for you, they would feel even more

20 that decisions are being made without them being

21 present.

22 But, as I say, we tried to prepare them for it as

23 much as possible. And they would know most of the

24 people round the table anyway. We would be the least

25 known, because they had maybe only been with us for two

1 and a half weeks by that time.

2 Q. Okay.

3 Again, we have heard that some children were
4 excluded from conferences like that. Did that happen in
5 your time performing that function?

6 A. I honestly can't remember, but I don't think so.

7 Q. That they might have been taken in to be presented, as
8 it were, to the conference, and then asked to leave
9 again?

10 A. No.

11 Q. Page 33, paragraph 120. You say that the only training
12 you can remember doing at Cardross was on how to
13 restrain people. I think you left Cardross in 1999; is
14 that right?

15 A. It closed in 1999.

16 Q. I beg your pardon, yes, you are quite right.

17 A. Yes.

18 Q. But you were there until it closed, I think?

19 A. I was the last one out.

20 Q. All right. In that period, that was the only training
21 that you got, or anyone else on the staff got?

22 A. That was the training we got involving the children
23 specifically, you know, and if they had to be
24 restrained. Other training we would get mainly, you
25 know, in the assessment -- sorry, in the units, it could

1 be locally done or done by a member of the management
2 team, covering lots of basic things.

3 We also offered people who wanted to go on courses,
4 like for a diploma in social work, or CSS, or these
5 other things, so if anybody said they would be
6 interested in doing that, then we would start that in
7 motion as well.

8 Q. All right, but the only training that you can remember
9 doing is in restraint?

10 A. Restraint and those in the... in-house, as it were.

11 Q. All right.

12 You tell us, at paragraph 121, it was a one-day
13 course. You were shown a video. Do you remember the
14 type or the term that was used for this sort of
15 restraint? Might it have been TCI? Does that ring
16 a bell?

17 A. Therapeutic crisis intervention.

18 Q. That's the one.

19 A. Yes.

20 Q. Is that what it was?

21 A. Yes.

22 Q. All right.

23 You tell us that -- sorry, I should ask you this
24 question: did you feel that the training helped? Did it
25 help you, did it help other staff at Cardross in dealing

1 with children?

2 A. Smaller children. If you have an 18-year old chap
3 kicking off and all that, you know, you are not going to
4 sit him down beside you and hold his arms behind his
5 back --

6 Q. Were there 18-year-olds at Cardross?

7 A. -- or you couldn't.

8 There were a few, yes.

9 Q. You tell us at paragraph 122, about halfway down that
10 paragraph... and in fairness to you, you do say some of
11 the children were bigger and so it was quite difficult.
12 You say a little later:
13 'I never saw what I would describe as excessive
14 restraint.'

15 Can I just ask you what you would describe as
16 excessive restraint?

17 A. One which was hurting the young person. One where he
18 was not safe in that he was on the floor and people were
19 kneeling on him, or something like that. Yes, you would
20 have stopped that.

21 Q. So you didn't see anything like that?

22 A. I saw things where I felt it was best that some members
23 of staff would leave, you know, the situation.

24 Q. Why was that?

25 A. I just felt they were as high as, maybe, the child

1 involved; probably had been the victim of something that
2 the child had done to them, you know, and they were
3 a bit high.

4 Q. By 'high' do you mean angry?

5 A. Angry, yes.

6 Q. You certainly say, at paragraph 124, that staff could
7 become angry, and you might feel you needed to calm the
8 situation. You say you never saw staff pressing on
9 a child's neck or anything like that?

10 A. No.

11 Q. Did you see children taken to the floor, put on the
12 floor?

13 A. I have saw them on the floor.

14 Q. Did you see them being put there, or just when they were
15 on the floor?

16 A. They got there, I think, more than anything. They would
17 always try to be put on the bed, you know, and if they
18 were struggling and that, they might get out of it.
19 I never, or I cannot recall anybody being picked up and
20 put on the floor deliberately.

21 Q. All right. But did you see children on the floor?

22 A. Yes.

23 Q. And being restrained?

24 A. Yes.

25 Q. Did you ever see children being restrained with, for

1 example, their arm up their back?

2 A. No.

3 Q. Or a knee on their back?

4 A. No, not that I can recall.

5 Q. You tell us, at paragraph 125, the only occasion you can

6 recall when concern was expressed about care in Cardross

7 was an occasion when you were talking to a man at the

8 district, because there had been a big outcry about

9 somewhere in England --

10 A. Yes.

11 Q. -- you think it was something about the centre being

12 locked down. Might the place in England have been

13 Leicestershire, does that ring a bell?

14 A. Nappies? If it is the place where I think that they

15 used to put them in nappies at one point, or something

16 like that.

17 Q. Do you recall the expression 'pin down' being used?

18 A. Yes, that was probably where it was, is it?

19 Q. So this is where children are kept in nightclothes,

20 possibly nappies, in order to stop them from running

21 away, to keep them under control.

22 A. All right.

23 Q. Is it your position, your view, that that sort of

24 practice didn't happen at Cardross?

25 A. It is, yes.

1 LADY SMITH: Can I just check, when you say 'that practice',
2 are you talking about a practice of putting them in
3 nappies, or a practice of keeping them in nightclothes
4 to stop them running away... what?
5 A. Oh, sorry, the --
6 LADY SMITH: We have talked about nappies.
7 A. Yes.
8 LADY SMITH: We have talked about children having to change
9 into their pyjamas and dressing gowns.
10 A. Yes. That had happened a few times.
11 LADY SMITH: Yes, you mentioned that earlier.
12 A. We spoke about pyjamas and dressing gowns, but never
13 nappies or anything like it, but when all that came out
14 we got a phone call from headquarters asking us what did
15 we call it? So I said well, we don't do it, so we don't
16 call it anything.
17 LADY SMITH: All right, thank you.
18 Mr Sheldon.
19 MR SHELDON: Thank you, my Lady.
20 Moving on to paragraph 131, page 35, you talk about
21 allegations of abuse at Cardross.
22 A. Mm-hm.
23 Q. You say you don't recall a definition of 'abuse' being
24 introduced while you worked at Cardross, and you tell
25 us, earlier in your statement, simply that, well, abuse

1 was forbidden?

2 A. Yes.

3 Q. What would you have regarded as 'abuse'; what did you
4 think of as abuse, or abusive, at that time?

5 A. Anybody acting in a way detrimental to the young person,
6 you know, trying to, just trying to be better than them,
7 or whatever, you know. But if any child got hurt
8 through negligence on behalf of a member of staff,
9 anybody... anybody treating them in the wrong way. What
10 is the wrong way? Well, especially if pain was
11 involved.

12 Q. Or sexual assault, presumably, of some sort?

13 A. I beg your pardon?

14 Q. Or a sexual assault of some sort?

15 A. Oh yes, yes, obviously.

16 Q. Was it in your mind at that time -- well, either at
17 Bellfield or at Cardross -- that sexual assault was
18 a possibility, that it was a risk for children in these
19 establishments?

20 A. Mm-hm. I think we were more concerned about the
21 children abusing one another. You see, I mean Cardross,
22 you never really worked alone. In every unit there
23 would be at least three members of staff on per shift,
24 you know, and then the night shift came in in the
25 evening, and then there would be a gradual, those of us

1 who worked in the unit would go away, and the night
2 staff would take over.

3 Q. Well, I suppose that's the next question, or the next
4 point 'Peter'. You said yourself earlier that you
5 became, essentially, a 9.00 to 5.00 worker --

6 A. Yes.

7 Q. -- and at night you wouldn't be around, or the managers,
8 presumably, wouldn't be around, so you wouldn't know
9 what might be going on during that period.

10 A. Obviously, yes, that's true.

11 LADY SMITH: Did I pick you up correctly in telling me that,
12 when you got the senior position, the base for your
13 day's work would not be in the unit?

14 A. No, up to senior assessment officer you were in the
15 unit. After that, you went downstairs into a corridor,
16 and you had your own room.

17 LADY SMITH: I see, and there were offices there?

18 A. Yes.

19 LADY SMITH: Do you remember what year you started doing
20 that job? Or maybe how old you were, that would enable
21 us to get the year.

22 A. Early 1990s.

23 LADY SMITH: Okay, that's very helpful, thank you.

24 MR SHELDON: You say, at paragraph 133, that you really do
25 think that if abuse was taking place it would have come

1 to light. You say that you encouraged children to speak
2 about things. How did you do that, first of all?

3 A. Well, there was a weekly unit meeting, you know, where
4 rather than talk about the food, they were asked is
5 there anything annoying you? Is there anything not
6 going the way you want it to? Or things like that. Or
7 through individually speaking to them.

8 Q. I suppose, 'Peter', if a child was being abused by
9 a staff member, then they might feel reluctant, even
10 intimidated, about coming forward to another staff
11 member?

12 A. Yes. I was of the opinion, very likely wrongly, that,
13 you know, it would be difficult for anybody to sexually
14 abuse somebody, because there is all these people
15 around, you know.

16 Q. Although, and in fairness to you, and I think you fairly
17 say, at paragraph 134:

18 'it is possible that abuse could have gone
19 undetected ...'

20 A. Yes.

21 Q. '... I think there are always opportunities for abuse if
22 people want to do that.'

23 Is that what you think?

24 A. Yes. Well, now I do, yes.

25 Q. Is that what you thought at the time? Did you consider

1 that as a possibility at the time?

2 A. I think my main driving point at that time was 'look at
3 all the people around'. You know, there is more staff,
4 there is all the young people, there is cleaners,
5 there's cooks, and everything. But now, obviously, it
6 is unfortunately... yeah.

7 Q. At paragraph 137, please, you tell us you don't recall
8 any inspectors visiting Cardross. Was that the case all
9 the way through your time there?

10 A. Maybe, could I -- inspectors of education, or --

11 Q. Any sort of --

12 A. Social work?

13 Q. Any sort of inspector, either in relation to schooling
14 or in relation to care arrangements?

15 A. Yes. I will be quite honest, I honestly cannot mind.

16 Q. I think we know that, around about 1990, some Local
17 Authorities were introducing what they called 'arm's
18 length inspection units'. Do you recall anything, any
19 discussion of anything like that?

20 A. No.

21 Q. You don't recall anyone from the Local Authority
22 presenting themselves and saying: 'We wish now to
23 inspect Cardross Assessment Centre'?

24 A. Towards the very end, we saw more of people. For years
25 we never saw anybody from headquarters or that.

1 Q. You say you saw more of people, what sort of people?

2 A. People from headquarters.

3 Q. Right. Were these social workers or managers or none of

4 the above?

5 A. A mixture of the above.

6 Q. You tell us a bit about record keeping, but I want to

7 move on to investigations into abuse that you deal with

8 at, start to deal with at paragraph 143.

9 You say that you were never involved in any

10 investigations into abuse, ill treatment or

11 inappropriate behaviour.

12 I think we know that you were at Cardross until

13 about 1999. Do you remember a member of staff called

14 GUF ?

15 A. Yes.

16 Q. What do you remember about him?

17 A. Well, GUF started as a cook in Cardross, and then

18 applied for an assistant assessment officer's post, and

19 then I know he went on... I am not too sure, was he

20 an assessment officer, maybe.

21 Q. I suppose as an assessment officer, well, would he be

22 more likely to be in contact with young people in that

23 role than as a cook?

24 A. Oh, yes, aye, as an assistant assessment officer or

25 an assessment officer.

1 Q. All right. Were you aware that complaints were made
2 against him in or around 1998 in relation to violent
3 conduct at Cardross?

4 A. I honestly can't remember. I thought he had left before
5 then, because he left and became a social worker I do
6 believe.

7 Q. Sorry, bear with me.

8 Sorry, he had left by 1998. Do you recall when he
9 did leave?

10 A. Sorry, no.

11 Q. All right.

12 Perhaps I can just show you a document 'Peter'. It
13 is CFS-000014690. If you can look, please, at the first
14 page of that. Does that appear to be a letter from
15 someone at Glasgow City Council? It is headed
16 'Complaints from young people in Kerelaw School', but
17 I think we see in the first paragraph, first substantive
18 paragraph:

19 'Please find attached two complaints from young
20 people in Kerelaw, one concerning teaching staff at
21 Kerelaw and one concerning a member of care staff from
22 Cardross.'

23 It is dealing with two separate matters there. If
24 we can go, please, to page 4 of the document, there is
25 some information at the top of the page about alleged

1 unnecessary and inappropriate restraint at Kerelaw.
2 Then the focus of complaint 2, 'Unnecessary and
3 inappropriate restraint, threats of violence, and actual
4 violence, by a member of care staff'. It says:

5 'All four young people had been placed in Cardross
6 in the past. All named one particular member of care
7 staff, GUF [REDACTED], as threatening violent behaviour,
8 being violent when restraining young people, and of
9 using restrain [I think it should be "restraint"]
10 sometimes unnecessarily.'

11 The young people are named, but their names are
12 redacted.

13 We are told a little further down, I think it is the
14 third paragraph:

15 'Following the incident, one of the young people
16 said that he had been asked to be a witness but that he
17 himself was terrified to say anything as he was in
18 [a particular unit] at the time, where the member of
19 staff ... was assistant unit manager.'

20 Just leaving it there, 'Peter', does that ring any
21 bells for you; do you recall an incident like that, or
22 complaints being made about it?

23 A. I can't -- can I just, did you say 1996?

24 Q. I'm sorry, the date of this document is 1998.

25 A. Oh, right.

1 LADY SMITH: That's when the complaints were made?

2 MR SHELDON: It seems so, my Lady, yes.

3 A. Because I was away from Cardross for a few years doing
4 the, what's it called, diploma in social work -- not
5 diploma... after the CQSW they brought out a new thing,
6 so I was away doing that for two years.

7 Q. So this was other training that you received while you
8 were at Cardross?

9 A. Yes. Outwith Cardross.

10 Q. As well as the TCI restraint training?

11 A. Oh yes. Sorry, I thought we were just talking about
12 within Cardross. Sorry, yes, outside Cardross.

13 Q. All right. So you think you may have been away from
14 Cardross?

15 A. Well, I know I definitely was in 1996.

16 Q. All right.

17 A. Whether I started before, or started then, I just can't
18 remember.

19 LADY SMITH: When you were doing that qualification --

20 A. Yes.

21 LADY SMITH: -- were you still based at Cardross?

22 A. No.

23 LADY SMITH: So it wasn't on a release basis?

24 A. No, no, it was full time, with Strathclyde.

25 LADY SMITH: I see. Did you leave Cardross employment at

1 some point and then go back to Cardross before 1999?

2 A. I was fully paid in my role at Cardross --

3 LADY SMITH: Okay.

4 A. -- while I did that course.

5 LADY SMITH: You were still on the Cardross books, but you

6 weren't going back to Cardross at weekends or at night?

7 A. No, no, not until -- well, unfortunately I took ill

8 towards the end of that course, and obviously I had to

9 ... doctors told me not to do the amount of travelling

10 that I was doing, so I went back to Cardross then.

11 LADY SMITH: How long did the course last? Was it

12 a one-year course?

13 A. Two.

14 LADY SMITH: Two-year course?

15 A. Yes. So I had done the first and was, goodness, about

16 halfway through the second.

17 LADY SMITH: But you kept your Cardross job?

18 A. The job was -- somebody was covering it, yes, but it was

19 still there when I got back.

20 LADY SMITH: You say they were paying you?

21 A. And I was fully paid, yeah.

22 LADY SMITH: Did you work there during breaks in your

23 course?

24 A. No.

25 LADY SMITH: Okay. Thank you.

1 A. I was the highest paid student. I did buy coffees, mind
2 you.

3 MR SHELDON: 'Peter', we can leave that document now and
4 move on to another part of your statement. It is just
5 over the page, actually, page 39. You are talking about
6 other members of staff. And you remember
7 a particular -- you mention a particular member of staff
8 called HWS, who you say was a younger member
9 of staff at Cardross. You say you can't remember having
10 anything to do with him. You never saw him discipline
11 or abuse a child. You never heard of him abusing
12 a child.

13 A. I think I worked with him in the units for a short time,
14 but my recollection is that he then moved from the unit
15 where I was a senior to another unit. So I didn't work
16 with him very long, you know, at all.

17 Q. But you do have a memory of him?

18 A. Yes, yes.

19 Q. Did you ever take part in any restraints along with
20 HWS?

21 A. No.

22 Q. You are sure about that?

23 A. I am -- as far as I can remember.

24 Q. All right.

25 A. I don't recall working much with HWS.

1 Q. All right.

2 Perhaps we can look, please, at another document.
3 It is at WDC-000000517. If we can go straight to
4 page 6, please -- sorry, page 5.

5 Do we see that this appears to be a Strathclyde
6 Region Initial Report form, with a sub heading 'Social
7 Work Department Child Abuse Procedures'.

8 A. Yes.

9 Q. This is a report in relation to a young person who we
10 know in these proceedings as 'Paul'. I think you have
11 seen, and you say something in your statement about,
12 certain allegations made by 'Paul'; do you recall that?

13 If we scroll down this for the moment, it is
14 paragraph 10, with the heading, the number 10, 'Full
15 details of referral'. We are told:

16 'At a meeting between [certain members of staff] and
17 the headteacher [at the particular school], school staff
18 reported that 'Paul' had alleged that while he resided
19 in Cardross he was assaulted by two members of Cardross
20 staff.'

21 Do you see that, 'Peter'?

22 A. Yes, yes, sorry, yes.

23 Q. If we go over the page, then, to page 6, and we can move
24 down the page to, I think it is the third paragraph,
25 where we get further details and further information

1 about this allegation. We see that following the
2 allegation of assault reported at a meeting at the
3 particular high school, the young person 'Paul's',
4 social workers visited the home and interviewed 'Paul'.
5 He stated that on a particular date he was brought out
6 of class and asked if he had alleged that Cardross staff
7 had assaulted him while he was living there:

8 'Paul' states that he has never alleged that he was
9 assaulted by staff at Cardross, but he did relate
10 an incident where he was restrained by HWM
11 and an individual, HWS, [question mark], at a time when
12 he had just been admitted to Cardross and was upset,
13 refusing to get ready for bed. He states that he does
14 not view this incident as an assault, as the staff held
15 him but did not assault him, and he states that on
16 reflection he feels that the staff acted appropriately.'

17 You see all that, 'Peter'?

18 A. Yes.

19 Q. First of all, can I just ask you again, do you recall
20 an incident where you took part in a restraint of
21 'Paul', along with an individual, HWS ?

22 A. I cannot recall. I can't remember. It is possible --

23 Q. All right.

24 A. -- I suppose. There are so many questions, you know,
25 what unit was it in, where was it, when was it, you

1 know. But then I probably wouldn't recall that, either.

2 Q. Do you remember the particular individual, 'Paul', do
3 you remember dealing with him?

4 A. No.

5 Q. All right.

6 'Paul's' evidence to us is that he was assaulted by
7 HWS [REDACTED], and that you witnessed that assault,
8 quite a serious assault, that you were in the room at
9 the time and failed to do anything to stop it. What's
10 your position about that, 'Peter'?

11 A. It didn't happen.

12 Q. You say that didn't happen at all?

13 A. No.

14 Q. You didn't witness an assault of that sort?

15 A. No. Never.

16 Q. I will just ask you again, did you witness
17 HWS [REDACTED] assaulting anyone?

18 A. No. I was not working with HWS [REDACTED] at that time, in that
19 unit.

20 Q. Yes, this is in September 1985, although the incident
21 referred to seems to have happened some time previously
22 to this report.

23 A. Right.

24 Q. Do you recall when you started and when you stopped
25 working in the unit, or the units, with HWS [REDACTED]?

1 A. As I said earlier, he was in the unit where I was the
2 senior for a short time, but then he moved over to
3 another unit. I don't know that I ever worked with him
4 again.

5 Q. All right. Can you put any sort of date on when he
6 moved to the other unit?

7 A. I couldn't put a date on it, to be honest. I know he
8 was with us in the unit where I worked as well for
9 a short period, and then he moved over to the other
10 unit.

11 Q. All right.

12 If we can move, please, to paragraph 158, this is
13 jumping ahead slightly, and we will go back to other
14 matters in a moment or two. This is going back to the
15 evidence of 'Joseph' and the position about him.

16 A. Mm-hm.

17 Q. You say at paragraph 158:

18 'When 'Joseph' left Cardross, we gave him the usual
19 spiel and told him to get in touch if he had any
20 problems. He phoned and told me that he was to go to
21 court having been charged with an assault. At the end
22 of the court case he was let off. I had arranged
23 a lawyer for him.'

24 Was that something that was commonly done, that you
25 would arrange lawyers for young people?

1 A. No, no.

2 Q. Why him in particular, then?

3 A. Because he had asked for my help.

4 Q. He had come to you?

5 A. He had phoned me, yes.

6 Q. All right:

7 'The Sheriff told him that he had been lucky, that

8 he needed to wise up and keep in touch with his social

9 work pals. I asked the lawyer what that meant, because

10 the Sheriff hadn't imposed any kind of order. The

11 lawyer said it was just a quiet thing.'

12 What did you understand him to mean by that?

13 A. That he would be fulfilling what the Sheriff asked if he

14 kept in touch if he had any problems.

15 Q. At paragraph 159 you go on:

16 ''Joseph' would phone you and ask if you wanted to

17 go on a wee run.'

18 Again, what did you understand him to mean by that?

19 A. To do something.

20 Q. What sort of thing?

21 A. 'Joseph' was obviously still having problems. He had

22 been in Bellfield, came down to Cardross and then he was

23 16, he went home, but I still don't think he had ever

24 dealt with the problems he had at home. A wee run was

25 to say hello, or to have a blether, or something.

1 Q. Paragraph 162, you go on to say that... I think a little
2 bit later, but around about this time, you asked
3 'Joseph' if he would like to come to Rome.
4 You say:
5 'I didn't phone him and tell him to meet me.'
6 He phoned you, he was quite happy, but should we
7 understand that there is a phone call, he calls you,
8 and, in the course of that call, you invite him to go to
9 Rome with you?
10 A. I had asked him. The reason for that... I always went
11 to Rome every year. I usually went with a crowd from
12 various places, even Cardross, not young people, the
13 cooks maybe, they came, and things like that. But that
14 particular year I was going on my own and I thought it
15 might be a chance to, well, certainly a chance to see
16 other things and whatnot. But I was always concerned
17 that he was still having that problem at home, that he
18 had not dealt with it, or it had not been dealt with.
19 Q. Had you asked, or did you ask, any other young people
20 that had been in your care to --
21 A. Sorry, to go to Rome?
22 Q. -- go to Rome with you?
23 A. No.
24 Q. Right, so 'Joseph' in that respect was special?
25 A. Well, he was over 16 and he could just say, 'No, I don't

1 want to', that would have been it. And there is other
2 things said in his statement... that we were going to
3 work with handicapped people in Rome. Have never done
4 that in my life. Things, lots of things, I have never
5 done in my life, mind you.

6 Q. I think you told us earlier on that the trip to, well --
7 you say it was Girvan?

8 A. Yes, I have never worked with any special needs people
9 in Rome.

10 Q. Oh, right.

11 A. At any time.

12 Q. I think the allegation that 'Joseph' makes is that you
13 told him that the purpose, or part of the purpose, in
14 going to Rome was to work with handicapped children, as
15 in fact had happened on the previous trip to Girvan?

16 A. Yes, but I did not say that.

17 Q. All right.

18 Well, 'Peter' --

19 A. And I never said it to his parents, either.

20 Q. All right.

21 A. Sorry.

22 Q. Well, 'Peter', we have seen your statement, we have read
23 your statement, and as Lady Smith has said, it is
24 evidence before us. But I just want to put to you the
25 essence of the allegations, which 'Joseph' repeated when

1 he gave evidence.

2 He says that, on his second visit to Bellfield, that
3 there was an incident in the shower where you appeared
4 to threaten to cut off his penis?

5 A. Never happened.

6 Q. Do you agree that that would be terrifying and abusive
7 if it did happen?

8 A. Of course, and why would he ever phone me after doing
9 something like that?

10 Can I just say that I have, in my statement, denied
11 everything, almost, that's in there. I am shocked and
12 horrified that he -- mainly because he was a good guy.
13 He never caused anybody any bother, either in Bellfield,
14 or when he moved down to Cardross after the fire. He
15 was a decent guy, you never had to worry about him,
16 except what was bothering him about going home.

17 Q. You seem to know quite a bit about that, and one of the
18 things that 'Joseph' says is that you befriended him
19 while he was at Bellfield. He was there for about seven
20 months, we think. You befriended him and you got him to
21 trust you. He says that you promised that you could
22 keep him out of borstal, which he felt was a threat.

23 A. Yes, well, given that there were no borstals in Scotland
24 at the time, and I certainly didn't know of them...

25 I heard about them and what they did, but I was never

1 near them.

2 Q. They did exist in the 1970s I think, 'Peter'.

3 A. Not in social work.

4 Q. All right.

5 A. I don't think we referred people to borstal in social
6 work.

7 Q. Oh, right. But someone could go to borstal if they were
8 over 16?

9 A. Right, but most of our children were not over 16, and
10 when they came, they usually left.

11 Q. Put short, the allegation, 'Peter', is that you groomed
12 him and you did that for the purpose of sexually abusing
13 him?

14 A. I am going to say no comment, because I have been
15 advised to do so.

16 Q. He says that you went on trips or outings with him, for
17 example to, well, he says it was Saltcoats and on
18 another occasion to Preston. And that on some of those
19 trips you groped him, you fondled his penis when he was
20 in bed... He says that you drugged and abused him on
21 those trips, and the drugs were administered to him by
22 drinks that you provided. What's your answer to that?

23 A. I am tempted to say no comment, but it is a load of
24 nonsense.

25 Q. He says that --

1 A. It did not happen.

2 Q. He says that the abuse that he experienced... having
3 been drugged, he would wake up feeling sore, he felt
4 pain in his backside and genitals and his account,
5 'Peter', I think I have to put it to you, is
6 suggestive of penetrative sexual assault?

7 A. It did not happen.

8 Q. He says on one occasion this happened in an outbuilding
9 of some sort in Bellfield, the gatehouse, perhaps
10 something like the old stable that housed the school?

11 A. Never been in it.

12 Q. He says that this pattern continued when he moved to
13 Cardross, and you of course were there as well, after
14 1980. Did the pattern continue? Did a pattern continue
15 when he moved to Cardross and you did too?

16 A. No, no.

17 Q. You have told us about the continuing relationship, and
18 I am using that term very broadly. You tell us yourself
19 that your relationship with him continued after he left
20 Cardross. Did you cause him to believe that he was
21 still under your supervision after his discharge from
22 Cardross?

23 A. No comment.

24 Q. That you, in effect, had the power to keep him out of
25 trouble or to make trouble for him?

1 A. No comment.

2 Q. And the purpose of doing that was to control and to
3 continue to abuse him?

4 A. No comment.

5 Q. Did you ask him to meet you in pubs?

6 A. No comment.

7 Q. We have your account of how you came to go to Rome
8 together.

9 A. Mm-hm.

10 Q. Did you abuse him in Rome?

11 A. Never. No comment.

12 Q. Although we have covered this, I have to put to you the
13 allegations made by 'Paul', and this is the matter in
14 relation to the record that we have just looked at
15 a moment ago. He says that he was assaulted by
16 HWS [REDACTED], and someone called HWM [REDACTED], whose
17 nickname was 'HWM [REDACTED]'. Did you have that
18 nickname?

19 A. No, my nickname was 'HWM [REDACTED]'.

20 LADY SMITH: Sorry, your nickname was...?

21 A. HWM [REDACTED].

22 LADY SMITH: HWM [REDACTED].

23 A. Apparently I looked like a character in a television
24 programme, [REDACTED], called HWM [REDACTED].

25 LADY SMITH: Right.

1 A. My mother agreed.

2 MR SHELDON: 'Paul' says HWM was in the habit of coming
3 into the shower room while he was showering, and
4 insisting that he would have to wash his ankles again.

5 A. No comment.

6 Q. Did you do that with any of the boys at Cardross?

7 A. No, I was not that interested in any boys, or their
8 ankles.

9 Q. He describes a serious assault by HWS,
10 involving punches to the face over a pillow, but using
11 a watch strap as a knuckle duster, and he was clear that
12 you were there, he names HWM, standing
13 inside his bedroom door in a position that you obviously
14 would have been able to see what was happening. What's
15 your position about that?

16 A. No comment.

17 Q. We have seen a record of an incident involving yourself,
18 albeit a complaint of assault was withdrawn in essence.
19 Does that alter your position about the allegations that
20 'Paul' makes?

21 A. No. I don't even recall this person, or working with
22 him and HWS in the same time. From what
23 I have read, I think he was in a contract with Cardross,
24 which was a system used there to help young people.

25 Q. All right.

1 A. But I didn't -- well, I did for a wee while work in that
2 unit, but for the other 19 years I did not.

3 Q. He also says that you and HWS destroyed some
4 of his childhood memorabilia, this was particularly
5 Celtic football memorabilia?

6 A. No.

7 Q. And that on one occasion you gave him 5,000 lines for
8 trespassing, causing him to miss his train home?

9 A. Absolutely not. Lines?

10 MR SHELDON: My Lady, I have no further questions for
11 'Peter'.

12 LADY SMITH: Thank you very much.

13 MR SHELDON: Unless there is anything further, my Lady.

14 LADY SMITH: 'Peter', that does complete the questions we
15 have for you. Thank you so much for engaging with us as
16 helpfully as you have done. Thank you for being patient
17 with all our questions. You have really increased our
18 knowledge and understanding of Cardross and Bellfield.
19 It has been really valuable to have you here, because
20 you were there at the time fulfilling the roles that you
21 have described.

22 I am sure it has been draining and exhausting, to
23 put you through what you have been put through this
24 morning, and I hope that you make good use of the
25 afternoon for rest and recovery.

1 A. I shall.

2 LADY SMITH: Thank you.

3 A. Thank you.

4 LADY SMITH: Do feel free to go.

5 A. Oh, sorry.

6 LADY SMITH: If you just leave the folder, we will deal with
7 that. Thank you.

8 (The witness withdrew)

9 LADY SMITH: Four names covered by my General Restriction
10 Order, so people not to be identified outside of this
11 room: AIB [REDACTED], AIA [REDACTED], KFT [REDACTED] and
12 GUF [REDACTED].

13 I am thinking that maybe if we rose now and sat
14 a bit early this afternoon, would that work, or have you
15 got a 10-minute read-in?

16 MR SHELDON: Certainly, my Lady, or we can do a short
17 read-in now, whatever works.

18 LADY SMITH: If you have a short one that will fit now,
19 let's slot it in.

20 MR SHELDON: I think Ms Forbes has one that will fit in the
21 time.

22 LADY SMITH: Thank you very much.

23 MS FORBES: My Lady, the read-in is from an applicant who is
24 anonymous and is known as 'Nick'. The reference for
25 'Nick's' statement is WIT-1-000000822.

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'Nick' (read)

MS FORBES: 'Nick' was born in 1984 and lived in Glasgow with his parents and brother. From the age of five he was sexually abused by a family member. His mum took him and left his dad, and he had little contact with his father after that.

He then lived in homeless accommodation until his mum got a flat, but his mum then had a bit of a breakdown, as 'Nick' describes it, and he was put into respite care. He was put into a children's home aged seven, and he talks about his experience at that home between paragraphs 10 and 33 of his statement.

Secondary Institutions - to be published later

Secondary Institutions - to be published later, but he was moved to Newfield Assessment Centre Secondary Institutions - to be published later in 1993, he thinks, aged eight.

He talks about that from paragraph 34. He was there for about six weeks the first time, but he was there a couple of times for short periods. After that first time, he went back to his parents for a month, but then he was put back into Newfield by the Panel and he says

1 that he found Newfield [Secondary] traumatising [Secondary Insti
2 [Secondary Institutions - to

3 He then went to Balrossie [REDACTED]
4 1993/[REDACTED] 1994, aged nine, and he talks about
5 Balrossie between paragraphs 47 and 84 of his statement.

6 In Balrossie, he talks about physical, sexual and
7 emotional abuse from the other boys; physical and
8 psychological abuse by staff. He says that staff then
9 arranged for him to be returned home, but his father,
10 who he went to stay with, didn't want him and the Panel
11 sent him back to Newfield Assessment Centre. And he was
12 there for three months before being sent to South Annan,
13 Fairlie, and then Seafield, Ardrossan, which was run by
14 the Quarriers, and he was there for three years between
15 1995 and 1997. So when he went there, he would have
16 been 10 or 11 by that point.

17 He talks about his time at those two places between
18 paragraphs 88 and 116. He talks about the fact that
19 there was no restraints there, but there was sexual and
20 physical abuse from other boys, and there was sexual
21 abuse by a gymnastics teacher at a sports centre outwith
22 Seafield.

23 'Nick' then says his behaviour started to get worse
24 at Seafield, he was running away, he was picking on
25 other boys himself and he was rebelling. So he was

1 moved, he thinks he was about 12 at this time, and from
2 paragraph 117 he talks about being moved from Seafield
3 to St Philip's in 1997.

4 He says that whilst there, he also had weekend
5 placements with foster parents which he loved, and he
6 talks about St Philip's and the foster placement between
7 paragraphs 117 and 140.

8 At the age of 13, he says he ran away from
9 St Philip's and was abducted by two men and a woman and
10 sexually abused and held for a week. He then had what
11 he describes as a nervous breakdown and tried to kill
12 himself, and he says he was physically abused in
13 St Philip's.

14 He then says, because of absconding, he was sent to
15 Rossie Farm around 1999, and he talks about being in
16 Rossie from paragraphs 143 to 154. He says he was there
17 for 11 months when he was about 15 years old, and he
18 says Rossie was good, structured and he got
19 an education. There was no abuse.

20 He then was in Cardross a couple of times and he
21 says he was there for a few weeks on a couple of
22 occasions, and that was around 2000, when he was
23 15 years old. And he talks about that from
24 paragraph 155 of his statement.

25 If I can go to that part, he says, at paragraph 156:

1 'Cardross was shocking. It was just for older boys
2 and there was a lot of bullying again.'

3 He then talks about abuse at Cardross from
4 paragraph 160 and he names a member of staff. He says:

5 ' [REDACTED] he was known by
6 all those different names but I don't know why, he was
7 a bully. He took me on the run with him. This was the
8 first time I absconded from Cardross.'

9 Apologies, my Lady, that's not a member of staff,
10 that's a boy.

11 LADY SMITH: Of course. Thank you.

12 MS FORBES: So he should be anonymous, apologies.

13 He says:

14 'That was the first time I absconded from Cardross.
15 The first time I stayed out overnight. We stayed at his
16 brother's house in Springburn. There was [he names the
17 boy again], his brother and another guy. They were
18 making threats that they were going to tie me up and
19 rape me. It was frightening. The next morning
20 I managed to get out of the house and handed myself in
21 at Springburn Police Station. I didn't tell them what
22 had happened, I just got taken back to Cardross. There
23 was a lot of bullying at Cardross, a lot of violence.
24 I was injured physically and mentally. It wasn't just
25 [he names that individual again] that bullied me, there

1 were others. The staff were aware that bullying went on
2 but they wanted an easy time. I can't remember the
3 names of any of the members of staff. I don't have any
4 good memories from Cardross.

5 'When I absconded from Cardross I got caught and got
6 taken to the police station, and I got taken straight
7 from there to Kerelaw by the social worker and the
8 police.'

9 He then talks about Kerelaw between paragraphs 164
10 and 169, and says there was bullying by other boys and
11 restraints by staff that were really bad.

12 He was then just turning 16 and he absconded and was
13 away for six months, and lived with his aunt. He
14 managed to stay out of trouble for that six months, but
15 then he became involved with drink and drugs and
16 stealing cars. He phoned Kerelaw one day, because he
17 wanted to go back, and they said they didn't have a bed
18 for him any more.

19 He was then sentenced to 30 days in Polmont for
20 theft, and after that he was in Kibble for about
21 three months when he was 16. He talks about Polmont
22 between paragraphs 178 and 187, and the parts about
23 Polmont were read in to the Inquiry on 6 December 2023,
24 and that was Day 394. He talks about physical abuse
25 from staff, restraint, and segregation.

1 At paragraph 189, 'Nick' says he was involved in
2 a serious car crash in 2003, when he fractured his
3 skull, and he was released from hospital to Polmont and
4 they put him into a room on his own with painkillers,
5 and left him, and he said that he has been numb to
6 everything since then. He comments it has been
7 a revolving door into prison.

8 From paragraph 190, 'Nick' talks about being in
9 Barlinnie when he was over 18, his life after care and
10 the impact. He says that he was addicted to heroin by
11 the time he went to Barlinnie, and he has done 17 years
12 in jail since aged 16 and has about 250 convictions.

13 'Nick' says, at the time of the statement, he had
14 a partner, a house and a dog waiting for him when he
15 gets out of prison. He has been clean and been setting
16 up a security company to run when he gets out. He has
17 started writing a book about male abuse in care.

18 If we can go to paragraph 204 of 'Nick's' statement,
19 in relation to hopes for the Inquiry, 'Nick' says:

20 'I hope that abuse in care won't happen again,
21 because it ruins children's lives. It is devastating.
22 I see the perpetrators of abuse in prison. They are old
23 men now. Eighty-five per cent of people brought up in
24 care are in prison. I think I heard that statistic in
25 a course I was on.'

1 Then he mentions a boy who is doing a life sentence,
2 and he comments that that will have been because of the
3 impact of what happened to him in care; that this boy
4 got abused in care, and was then put on suicide watch in
5 prison, and there was a sex offender in with him. And he
6 comments that that boy murdered the sex offender because
7 he was an abuser.

8 'Nick' has then made the usual declaration at
9 paragraph 205, and the statement is signed and it is
10 dated 28 September 2021.

11 LADY SMITH: Thank you very much.

12 We will leave it there until this afternoon and
13 I will sit again at 2 o'clock.

14 Thank you.

15 (1.00 pm)

16 (The luncheon adjournment)

17 (2.00 pm)

18 LADY SMITH: Good afternoon.

19 Mr Sheldon.

20 MR SHELDON: My Lady, we have another witness in person this
21 afternoon, in fact we have two, and the first of those
22 is Lesley James --

23 LADY SMITH: Thank you.

24 MR SHELDON: -- who is the representative witness for West
25 Dunbartonshire Council.

1 LADY SMITH: Thank you.

2 Lesley James (affirmed)

3 LADY SMITH: Lesley, do sit down and make yourself
4 comfortable.

5 A. Thank you.

6 LADY SMITH: Lesley, thank you for coming along to engage
7 with us today. The red folder has documents in, some of
8 which you may be referred to, but we will also bring
9 documents up on screen.

10 A. Okay.

11 LADY SMITH: That looks like you have your own notes with
12 you.

13 A. I have some notes with me.

14 LADY SMITH: If you find those helpful, do feel free to use
15 them.

16 Otherwise, Lesley, whilst I hope we won't need to
17 take too long with you this afternoon, don't hesitate to
18 let me know if you need a break, or if we are not
19 explaining anything properly, or if you think we are
20 missing something that we should be asking you about.
21 You know why we are interested in your evidence --

22 A. Yes.

23 LADY SMITH: -- which is why I mentioned that.

24 Do you have any other questions at the moment?

25 A. No other questions at the moment, my Lady, thank you.

1 LADY SMITH: Thank you. If you are ready, I will hand over
2 to Mr Sheldon, is that okay?

3 A. Yes.

4 LADY SMITH: Thank you.

5 Mr Sheldon.

6 Questions by Mr Sheldon

7 MR SHELDON: My Lady.

8 Lesley, good afternoon. As Lady Smith says, I think
9 you should have a number of documents in the folder in
10 front of you, and the first of those is your CV. I know
11 that you have already given evidence in the Foster Care
12 case study.

13 My Lady, the reference for that is TRN-10-000000086.
14 It is at page 104, I think.

15 So I am not going to go into great detail with you
16 about the CV. You have already given us information
17 about your career and background. But just a few
18 matters. The last time you gave evidence, I think you
19 were Chief Social Work Officer and Head of Service for
20 Children's Healthcare and Justice Services in West
21 Dunbartonshire, is that right?

22 A. That's correct, yes.

23 Q. Do you still hold that post?

24 A. I do, yes.

25 Q. All right.

1 Prior to that, I think we know that you were the
2 Deputy Chief Social Work Officer with Falkirk Council.
3 That was until 2021, is that right?

4 A. Correct, December 2021, when I took up the --

5 Q. I just wanted to ask you about an aspect of that. This
6 is under the heading of -- it is just towards the foot
7 of the first page of your statement -- under the heading
8 'Senior Service Manager and Depute CSWO, Falkirk'. You
9 tell us there that your functions and responsibility for
10 justice and children's services -- in that role you were
11 delivery lead for transformational strategy in
12 children's services, aligned to The Promise, and
13 children in care/edges of care.

14 Can I just ask you, perhaps three points about that?

15 First of all, what was intended to be
16 'transformational' about it; what was the purpose of
17 that strategy in transforming children's services?

18 A. The transformational aspect was a five-year strategy
19 that was put in place, and fundamentally it was
20 an approach to shift the balance of care, and
21 a reduction, a planned reduction, in terms of use of
22 residential care provision, in particular --

23 Q. I am sorry to cut across, but you have referred to the
24 'balance of care'. What do you mean by that?

25 A. The balance of care, in terms of the definition, would

1 be that we would seek to have more children and young
2 people placed within a community context, and at home,
3 where possible. And if not at home, with kin. And if
4 not with kin, within a family context. And as more of
5 a last resort for young people, within a group living
6 environment, which would be a residential care
7 provision.

8 Q. Thank you.

9 In the light of that answer, I think the answer to
10 the next question may be a bit more obvious, but how was
11 that aligned to The Promise?

12 A. Fundamentally it was aligned to The Promise in terms of
13 it being about children's rights, it being about the
14 voice of children being much stronger and represented.
15 It was about ensuring that children -- and the strategy
16 was entitled 'Closer to home'. In relation to that
17 strategy, we were seeking to have children supported at
18 home where possible, as I have said, with local
19 connections to their school, to their community,
20 friends, hobbies, interests, et cetera. And often the
21 disruption we see for children, when they are placed far
22 away from their homes, is that those connections in
23 their lives, which are very important for young people
24 growing up and their development, are also disrupted.

25 Q. Again, what did you mean by the expression 'Children in

1 care/edges of care', and particularly I am thinking
2 about the 'edges of care' part of that?

3 A. The focus within the strategy was about how we -- again
4 aligned to The Promise, in terms of that scaffolding
5 that The Promise refers to -- about how we resource and
6 develop enhanced approaches to keep children, where
7 there are complex and sometimes enduring problems, at
8 home in families, and look at alternative ways that
9 risks and concerns can be managed and reduced where
10 possible, without a care option being the necessary
11 outcome for a child.

12 Q. I suppose I am particularly interested in that point,
13 because we heard some evidence yesterday from someone,
14 who had both been in care and worked in the care sector,
15 who has concerns about the ability of providers, Local
16 Authorities, to fulfil the aims of The Promise, on the
17 basis of current resources.

18 I just want to ask you, just in very general terms,
19 for a reaction to that?

20 A. I think I would understand those concerns being aired,
21 or shared. I think there is a challenge in relation to
22 Local Authorities and Health and Social Care
23 Partnerships being able to effectively resource the
24 amount of preventative interventions that are required
25 to have that robust scaffolding and provision within

1 communities. And often, in terms of restricted and
2 reducing financial budgets within Local Authority
3 service delivery, there is a focus on the 'must dos' as
4 opposed to 'like to dos' in terms of statutory provision
5 priorities.

6 So I think there is a concern there. However,
7 I think it is about how some of that existing
8 expenditure, which is high cost in relation to care
9 provision, can be reinvested and recycled over time,
10 where we start to make planned reduction in terms of
11 care.

12 I would say that in my current role as Chief Social
13 Work Officer, we have embarked again on another
14 five-year programme and approach in West Dunbartonshire
15 about the strategy 'What would it take?'. That, again,
16 is about ensuring that children can be supported within
17 their local community. And, again, very much aligned to
18 the principles of The Promise. There are financial
19 challenges.

20 LADY SMITH: Lesley, a few concepts you have touched on
21 there. The first I am interested in is how, as you put
22 it, you can 'reinvest' expenditure. That gives me the
23 impression it is money you have spent. You can't
24 reinvest that, can you?

25 A. No.

1 LADY SMITH: What do you mean?

2 A. Okay, sorry, and it is probably not well articulated, my
3 Lady, so I will try and reframe that. So within West
4 Dunbartonshire, currently the provision of some of our
5 HSCP reserves have been utilised to invest --

6 LADY SMITH: Give me the full language for the --

7 A. Sorry, Health and Social Care Partnership.

8 LADY SMITH: Right, thank you.

9 A. My apologies.

10 So looking to invest in the service with the use of
11 reserves, and in West Dunbartonshire on our five-year
12 strategy, that has equated to about 4.4 million over the
13 duration of the five years, with then our development of
14 services locally to reduce the existing expenditure and
15 rising expenditure in terms of the cost of care. So,
16 over time, we would seek to shift and reduce the
17 expenditure in terms of care provision, and seek
18 agreement from a Health and Social Care Partnership
19 board to retain that budget within children's services.

20 LADY SMITH: Okay.

21 Mr Sheldon.

22 MR SHELDON: What then would those funds be invested in or
23 used for?

24 A. So one example would be, again, around family support,
25 in terms of either commissioning services and developing

1 our local services, so both Local Authority staff, to
2 ensure a sufficient family support, and also
3 commissioning some focused targeted services for young
4 people, is where we have started in terms of use of
5 reserves.

6 We are also looking at reshaping our existing
7 service provision in terms of how that currently
8 delivers and is aligned, to make best use of the
9 resource that we have. So, as I say, there is a fairly
10 complex -- but six work-streams over the five years that
11 we have just implemented, starting this year, and was
12 approved by our integrated joint board for the Health
13 and Social Care Partnership in April 2024.

14 Q. Perhaps just to focus on one particular issue, the
15 particular concern, or one of the particular concerns,
16 that was expressed in evidence yesterday was that social
17 workers, social work professionals, are simply under, in
18 many cases, too much pressure. Their workloads are too
19 high; there aren't enough of them. So is the intention,
20 is the aim, partly to assist in relieving that kind of
21 pressure on professionals?

22 A. Yes, in short, it is. And I suppose, in my Local
23 Authority, at the moment, there are 53 social workers
24 working in children's services. We have, and have had
25 on a sustained basis, 13 vacancies in the social work

1 operational service delivery. And we have had to
2 mitigate and manage that in terms of the sustained use
3 of agency staff. Part of what is required is a local
4 workforce strategy, which we are developing aligned to
5 the national workforce strategy, to how we invest and
6 recruit successfully within our area, but I am also very
7 clear that, as Chief Social Work Officer in West
8 Dunbartonshire, that we need to make best use of the
9 resource that we have.

10 So, going into a wee bit of detail, but of those 53
11 social workers, 46 of those have been linked and aligned
12 to locality area team services, where all of the
13 statutory responsibilities have sat. So we are in
14 a process of looking at creating an initial response
15 team, an early help service, and using some of our
16 existing social work resource to deal with the pressures
17 and demand on services that come in, in terms of new
18 concerns for young people.

19 I think often social workers, in terms of a range of
20 statutory functions, can be pulled in a variety of
21 different statutory directions, and find it difficult to
22 have that sustained intervention and meaningful focus on
23 care plans for young people, due to the range of
24 different statutory functions that they are trying to
25 serve. So really, greater demarcation across the

1 resource that we have.

2 Q. What do you think are the reasons behind having so many
3 vacancies in the social work team?

4 A. I think it is complex. I think there are themes, and
5 I know that West Dunbartonshire isn't the only area
6 where there is a challenge. I think it probably starts
7 in terms of the flow and investment of the numbers of
8 social workers that are equipped and coming through
9 university. Either as, you know, have been at
10 undergraduate programmes, or done post-qualifying social
11 work degrees or masters, I think there is a national
12 shortage. I think there is some challenges around the
13 funding arrangements nationally, and I think
14 fundamentally that, because of that shortage, all Local
15 Authorities, and particularly with neighbouring
16 authorities, are trying to recruit social workers into
17 children's services in quite a diminished actual numbers
18 of those available that are coming into the profession.

19 We also are aware that the challenges about
20 retention in social work are not insignificant,
21 particularly in children's services, with an average of
22 I think it is six years in terms of the research and the
23 analysis and the work that has been done by setting the
24 bar in terms of when social workers exit the profession.

25 So I think it is reflective of the challenges and

1 some of the pressures, and when you have long-term
2 sustained vacancies, those pressures are exacerbated.

3 Q. Do I take you to mean in that last passage that social
4 workers on occasion exit the profession because of the
5 pressures that they are under?

6 A. I think there will be an element of that, and I think it
7 is not a local issue, as I say. I think we are seeing
8 it as a national issue.

9 Q. All right.

10 Moving back, I think closer to the particular issues
11 that we are interested in in this case study, we have
12 heard from other Local Authorities that they have moved
13 in the provision of residential care to smaller
14 residential units for children. Has that also been the
15 trend in West Dunbartonshire?

16 A. It has been a trend over time and there have also been
17 a number of closures of residential care homes in West
18 Dunbartonshire, a wee bit more historically, but
19 certainly over the last decade, and leaves the current
20 provision within West Dunbartonshire as three children's
21 houses, which accommodate six young people at any given
22 time.

23 Q. Would I be right in thinking that work around fulfilling
24 The Promise, the sort of things that you have just been
25 describing, is that likely to reduce still further, or

1 is the intention to reduce still further the number of
2 residential places for children?

3 A. That is our intention, and part of the strategy approach
4 that I referred to earlier, in terms of really ensuring
5 best outcomes and certainly, where possible,
6 family-based care and support for young people.

7 Q. All right. Lesley, in this particular chapter we have
8 been looking at Assessment Centres, three of them, one
9 of which of course is Bellfield.

10 I see from your CV that you started in the
11 profession, I think, in 1989, and at that stage
12 Assessment Centres were still around; there were still
13 some in operation?

14 A. (Nods)

15 Q. Including Cardross Park, that we have been looking at
16 this week. Did you have any experience of, or contact
17 with, Assessment Centres in your time in practice?

18 A. I didn't actually have any young people within
19 an Assessment Centre, going back to 1989, August 1989,
20 when I started my social work career as part of
21 Strathclyde Regional Council at that time. There was
22 a number of Assessment Centres and a very centralised
23 model, I would think it is fair to summarise, in terms
24 of how Strathclyde operated. My early career was based
25 in the Motherwell area, in North Lanarkshire, and there

1 was consideration for a young girl I was working with at
2 that time, actually, in relation to Cardross Assessment
3 Centre, but she was deemed not to meet the criteria at
4 that time in terms of accessing a place there.

5 Q. What were the criteria?

6 A. I honestly -- I couldn't tell you specifically at that
7 time as a social worker, a young social worker, very new
8 to the profession, but was advised, I think probably by
9 my line manager at the time, that, you know, it wouldn't
10 be appropriate, or the referral wouldn't meet the
11 criteria, but I couldn't honestly say to you today in
12 the Inquiry what that was.

13 Q. All right. Moving on, then, to look at another matter.
14 We know that West Dunbartonshire submitted a report in
15 response to a Section 21 notice that the Inquiry issued.
16 That was submitted to us in 2020, and a second part in
17 early 2021. Would I be right in thinking that you
18 yourself weren't involved in the preparation of the
19 report?

20 A. That's correct.

21 Q. What we would call an A to D report. Have you had
22 an opportunity to familiarise yourself with it?

23 A. I have.

24 Q. All right. Perhaps we could look, then, at some parts
25 of it together. It is WDC-000000374, and that will be

1 brought up on the screen in front of you.

2 Just looking at the first page of that, we are told
3 about, this is the third paragraph, a range of activity
4 undertaken to date to respond to the Inquiry. There is
5 reference there to the Glasgow City Council archive and
6 the West Dunbartonshire Council archive.

7 Second paragraph, under the Glasgow section, we are
8 told:

9 'Information recovered, including visitor records,
10 logbooks and so on, was not wholly successful in
11 providing the detail required that would allow us
12 an opportunity to reflect on the nature of the running
13 of Bellfield, beyond the very small pieces of
14 information gathered.'

15 Again, in relation to West Dunbartonshire, you say
16 that the information available meant that there wasn't
17 the richness in detail to allow you to provide a clear
18 picture.

19 Can you perhaps just elaborate on that a little, and
20 think with us, please, about what it would have taken,
21 what it would take, in order to provide the sort of
22 richness in detail that's referred to there?

23 A. Yes. I can do. I think certainly my interpretation and
24 understanding of the commentary is that there was no
25 access to individual child records, as opposed to there

1 was no access to any records at all. Because clearly
2 there was access to some archived records, and there is
3 a list of, I think, 30 records in the appendices that
4 was submitted, along with the sections A, B, C and D.

5 I can glean from the available records, and having
6 reviewed the parts A and B, if we stick with that just
7 now, there is very general findings, and none of which
8 would appear to tie back to any specific evidence that's
9 been submitted as part of the appendices.

10 Q. Yes, in your Foster Care evidence you noted that there
11 was a sample of case files, and that revealed instances
12 of various types of abuse, including physical and sexual
13 abuse, but we take it then that you weren't really in
14 a position to make that kind of assessment or that kind
15 of examination in relation to the records for Bellfield?

16 A. I think, looking at the methodology in relation to the
17 officers who carried out the submission, one has now
18 retired and one is due to retire -- next week,
19 actually -- and we have not, it would appear in the
20 methodology, cross-referenced the archived records with
21 any available individual records to complete, I think,
22 which would have maybe, potentially, given a richness,
23 or a bit more detail in terms of any individual
24 accounts.

25 Q. Mm-hm.

1 On that first page it is said:

2 'Due to the lockdown of archive facilities... '

3 I think we understand this was in the Covid lockdown
4 period?

5 A. (Nods)

6 Q. 'During the lockdown of archive facilities, we were
7 unable to access ... local information.'

8 Has further work been done, or is it planned now
9 that, obviously, lockdown restrictions have been lifted?

10 A. Yes, in terms of reviewing the evidence for today, we
11 are actively looking at our process and coordination of
12 the work that's been done by our information team in
13 West Dunbartonshire and any of the senior managers or
14 operational officers who are responding to submissions
15 and obtaining archive material. My view is, from what
16 I have considered for coming to the Inquiry, is that
17 there has been a lack of coordination and
18 cross-referencing.

19 Now, I am confident that all the available evidence
20 has been made... has been given to the Inquiry. I think
21 there could be better coordination locally, in terms of
22 the cross-referencing and analysis that we would have
23 taken in advance for those submissions.

24 Q. If we look at page 3, please, and this is under
25 a heading 'Online search', and it is the third paragraph

1 there, we are told:

2 'Records gained would place the opening of this
3 particular setting [ie Bellfield] at or around 1940.'

4 We are told that that comes from archive material
5 from Dumbarton County Council. Presumably at this point
6 it would have been a remand home?

7 A. Yes, yes, I would assume that's the case.

8 Q. We certainly know that it operated as a remand home in
9 the 1960s and very early 1970s, when it would have, in
10 theory, changed to being an Assessment Centre. If we go
11 to page 14, please, of the response.

12 A. Yes.

13 Q. It is just at the top of that page, the third paragraph
14 down. I am sorry, I should have taken you to:

15 'As previously noted, there was a later merger with
16 Cardross Assessment Centre.'

17 I think we understand that at that point, the point
18 of the merger in 1980, the site in Dumbarton closed, is
19 that right?

20 A. That's my understanding, yes.

21 Q. But in the period before that, it is said:

22 'From the limited available records it would appear
23 that Bellfield largely remained as a place of detention,
24 responding to legal positions directed from the courts.'

25 I just wondered why -- first of all, well, why that

1 was said in that way and what was meant by 'a place of
2 detention' in that context?

3 A. My understanding from this submission is that the
4 analysis, or the view, I think, that was taken from the
5 available archive material is that this was a place of
6 remand and detention, in terms of juvenile crime. And
7 became, certainly with the introduction in terms of
8 Children's Hearings status, decisions were then being
9 made by Children's Hearings and orders in relation to
10 children through that process.

11 So I don't have, I suppose, from having reviewed
12 this evidence, and that's a bit of an interpretation in
13 terms of the information that's been written in this
14 parts of A to B in the Inquiry, it is assumed it has
15 been a place of detention. I think, based on the
16 evidence, that it seemed to be young people where there
17 were issues of some minor criminal activity and being
18 remanded.

19 Q. I will come back to that point in a moment, but just to
20 ask you, from your own experience and understanding,
21 what did you believe or understand to be the function of
22 Assessment Centres, certainly when you were first in
23 practice?

24 A. I think tragically, if not ironically, and having seen
25 the applicant statements for Bellfield, there wasn't

1 really any evidence that I could see about any
2 assessments being carried out. And assessments should
3 be clear about, first of all, assessed need, assessed
4 risk, assessment of what's required for that child, to
5 assist, and, fundamentally, that would be the role of
6 an assessment. I think it is always helpful, and should
7 be stated what it is we need to assess, what are the
8 parameters of that assessment, how long it will take to
9 be carried out, and what would be the purpose of it.

10 From, as I say, the information I have reviewed
11 around the applicant statements, there doesn't appear to
12 have been any element of assessment taking place.

13 LADY SMITH: Should any assessment, if it is to be of any
14 worth, have identified what it is that is being sought
15 to be achieved in relation to the child, for the child,
16 for the child's future?

17 A. Absolutely, and I think that's -- to saying 'We are
18 going to assess' is pretty broad, and I would expect in
19 terms of an assessment that would be... specifically to,
20 maybe, some key issues. For example, if there's issues
21 around truancy, if there are issues around young people
22 stealing, et cetera, then actually we will want to
23 assess the child around what are the issues with those
24 presenting problems.

25 LADY SMITH: If you take it at its simplest, to a child who

1 is stealing, and what you are trying to achieve is help
2 that child to stop stealing, and go back out into the
3 world and not steal, yes?

4 A. Yes, I would agree with that, my Lady, and to do that
5 you would need to understand the issues, and what is
6 affecting or impacting on that child, and that
7 absolutely would need to be part of your assessment in
8 order to put in a plan that is going to mitigate and
9 enable that behaviour to be supported and changed, where
10 appropriate.

11 LADY SMITH: If you take, for example, something I have
12 heard a lot about, children stealing food, not just
13 because they are hungry, but to take back home, will you
14 filter into that seeking to find a way of reassuring the
15 child it is not their responsibility to do that?

16 A. Absolutely, and I think again, tragically, looking
17 through the applicant statements, that theme of poverty
18 and maybe lacking food, or lacking clothing, or basic
19 provision, is something that clearly was evident in
20 a number of these young people, largely boys, who
21 experienced care within Bellfield.

22 LADY SMITH: Thank you.

23 Mr Sheldon.

24 MR SHELDON: Of course we know, Lesley, and as you have said
25 yourself, certainly by the 1970s the Children's Hearings

1 System is in operation, and even before then, in some
2 cases, there would be children who were not there in
3 relation to offences, there may be children present who
4 are in need of care and protection, and might be there
5 on the basis of an order to that effect. So on the
6 basis of what you have seen, you have referred to the
7 statements and so on, how do you feel Bellfield would
8 have done as a place of care and protection?

9 A. From the statements and the applicant statements I have
10 read, and I would just acknowledge the richness that
11 that has brought to this Inquiry, and which have not
12 been evident in terms of the documented records that
13 have been researched from the archivist, I think it is
14 very clear that young people often in need of care and
15 protection were not afforded that care and protection,
16 and that issues, for example, that maybe brought them to
17 Bellfield in the first instance, around poverty, and
18 possibly truancy and non-attendance at school, that not
19 only was that care and protection not afforded, but that
20 assessment didn't appear to be carried out, but also
21 that they were not being educated within that setting,
22 which was an underlying issue of why they were removed,
23 and taken into Bellfield in the first place, from what
24 I can glean, having read all of the statements provided.

25 Q. Thank you, and if we can perhaps move to the second part

1 of your response; it is WDC-000000360. At page 49, this
2 is under the heading 'Abuse and response' and it is said
3 at 5.1(i):

4 'We don't hold any records pertaining to any type of
5 abuse in respect of Bellfield. No record of any
6 reported abuse could be identified.'

7 It then goes on to indicate that there was a letter
8 with an allegation of sexual abuse against a particular
9 named member of staff at Bellfield, and it was
10 ascertained that there had indeed been a member of staff
11 of that name working at Bellfield, but there were no
12 significant employment records.

13 Really, I think, that was all that could be found,
14 and I think I am right in saying that, beyond that, West
15 Dunbartonshire was unable to comment on the extent of
16 abuse, the nature and response to it. Is that fair?

17 A. I think that is fair, and my reading of the submission
18 in 5.1, part D, is that it is somewhat contradictory,
19 potentially, and although, in terms of saying 'We don't
20 hold any records pertaining to any type of abuse', the
21 following paragraphs acknowledge that there has been
22 some information and an individual who came forward
23 where that statement and position was provided and
24 understood.

25 Q. I think you very properly acknowledged that, in the

1 light of what is now before the Inquiry, that the
2 position might be rather different in terms of this part
3 of the response?

4 A. I would absolutely, wholeheartedly agree that West
5 Dunbartonshire and I would accept completely that there
6 is evidence of abuse in relation to what has happened at
7 Bellfield, and I think that the submissions, and what
8 that was based on, do not provide, really, the required
9 detail and/or cross-referencing, as I referred earlier
10 to, any individual allegations or statements provided.

11 Q. All right, thank you.

12 One other matter I just wanted to touch on before we
13 leave the response. It is at page 44. At the foot of
14 that page there is the start of a section about records,
15 4.12. We are told:

16 'It is not known how Bellfield operated in respect
17 of their accountability for record keeping. Through our
18 search we have not been able to establish any particular
19 records from young people.'

20 I think we may see that there are some records, and
21 we will have a look at a few of those in a moment or
22 two, time permitting, but I think in general the feeling
23 was that there wasn't much to go on, is that a fair way
24 of putting it?

25 A. I think that's a fair summary, yes.

1 Q. I just want to ask you about the changes that have taken
2 place in relation to record keeping over the years. We
3 have seen that on the whole in these early years, the
4 Bellfield years, it is all paper based?

5 A. Yes.

6 Q. And, in many respects, incomplete. And not just at
7 Bellfield, I should say.

8 What changes have taken place in your period of
9 practice in record keeping, and what is the current West
10 Dunbartonshire policy and practice about that?

11 A. I think there has been significant changes in terms of
12 record keeping and people's understanding of 'this is
13 a child's record', and something that is absolutely
14 emphasised to staff. It is not necessarily about -- it
15 is not the Local Authority's records, it is the Local
16 Authority keeping those, that information, on behalf of
17 the child.

18 We do have practice guidance and standards around
19 record keeping, and that has -- you know, and training
20 around that in terms of ensuring that the system which
21 we have, which is a CareFirst-based system in terms of
22 electronic record keeping, and the importance of that.

23 I would like us to, going forward, be thinking about
24 how we make our records much more personalised and
25 individualised for children, and I think that would be

1 the intention in terms of the next review of our policy
2 and practice around the practice standards that we
3 currently operate to.

4 Q. Should we understand that, as it were, a child's records
5 are all kept, albeit electronically, all in one place?
6 I mean if one were to search, for example, on a child's
7 name, would one then pull up all the records, all the
8 entries that have been made, at least during the period
9 of electronic recording, about that child?

10 A. Yes, absolutely, in terms of searching for a child on
11 the CareFirst system. The CareFirst system has been
12 around for some time. West Dunbartonshire are looking
13 at, as many other areas, in terms of investing in a new
14 IT system for record keeping.

15 There is an additional system in place for West
16 Dunbartonshire to store records, and information, that
17 are, maybe, reports or letters around a child. So it is
18 linked onto the CareFirst system, but not in my view
19 ideal in terms of having two separate kind of platforms,
20 if you like, in terms of where a child's information
21 would be stored.

22 Q. Right. Thank you.

23 LADY SMITH: To take a practical example, say there was
24 an important report in relation to a child, whether it
25 was from a psychologist or a medical doctor, and that

1 goes on -- I think from what you are saying -- that
2 second system, but there doesn't happen to be anything
3 on your CareFirst system that would alert you to the
4 likelihood of that report being there, unless you have
5 an electronic way of an automatic hyperlink of some
6 sort, you would --

7 A. That, my Lady, is not the case at the moment --

8 LADY SMITH: Yes.

9 A. -- and I think that is an area in terms of that move
10 away from our CareFirst system, which is a number
11 of years old now, that you would need to then do those
12 two searches, as it were, on what's called Camino, which
13 is the additional... for storage of the reports and so
14 on, as you have described, as well as a search on
15 CareFirst on the child.

16 LADY SMITH: Yes. You may not think to do that because
17 there is nothing alerting you to the need to do that; so
18 you miss something.

19 A. Although there is guidance and it is clear that that
20 should be... that the Camino system would hold that
21 information, I don't think it is as robust as having it
22 in one place.

23 LADY SMITH: Thank you.

24 MR SHELDON: I suppose the follow-up question is: is there
25 any system or way of making a check? Is there someone

1 you can speak to? Is there advice? Is there guidance
2 on where other information about the child might be
3 held, and how to get hold of it?

4 A. Yes. As I say, fundamentally the CareFirst system, all
5 our records have moved to CareFirst, so everything is
6 electronic. The only additional platform that would be
7 accessed to search any information would be the
8 platform, the Camino platform I have referred to. It
9 still requires then a double search for information for
10 the child and, moving forwards, we would want to have
11 a system where that would be integrated in the one
12 search under the child's information.

13 Q. Well, thank you. I want to move on to another matter
14 now, and to look at some inspection records with you.
15 If we can look, please, at SGV-000103017.

16 I think this appears to be a record of an inspection
17 report, Bellfield Remand Home, Chief Inspector. We are
18 told that Mr Hull visited the remand home on
19 28 February 1967, and he met with SNR [REDACTED] and
20 the matron. I think, if we scroll down the page, we are
21 told that, in relation to staff, Mr and Mrs LYV-SPO [REDACTED]
22 had SNR [REDACTED] since 1958. Reading short, he
23 relates well with the boys and there is a happy
24 atmosphere. Mrs LYV [REDACTED] has the domestic side well
25 organised.

1 We are told, in paragraph (b), that all the members
2 of staff were met, except the night supervisor. The
3 conversation indicated a degree of enthusiasm, but in
4 some cases a rather limited outlook.

5 I think it might be fair to say that some of the
6 evidence indicates that some members of staff at that
7 time indeed had a rather limited outlook, would that be
8 fair to say?

9 A. Absolutely. I think 'limited outlook' is probably
10 generous.

11 Q. If we scroll down to... page 5 in this document. There
12 is a heading there, 'Conclusion'. It is said:

13 LYV-SPO [REDACTED] are succeeding in their efforts to
14 create a homely and pleasant atmosphere in Bellfield,
15 without losing sight of their legal responsibilities
16 concerning safe custody of the boys sent there. With
17 his full programme of varied activities and pursuits
18 within and without the home, Mr [REDACTED] provides
19 stimulation, challenge and variety enough to arouse the
20 interest of the boys. Some of the staff have a somewhat
21 limited and restricted outlook, but others show keenness
22 and enthusiasm. I felt that this was a well-run remand
23 home.'

24 This was 1967, Lesley. In relation to the evidence
25 that we have heard from, particularly the late

1 1960s/early 1970s, are you in a position to comment

2 about whether this was a well-run remand home?

3 A. I suppose the first thing, I have not seen this document

4 previously, and --

5 Q. I appreciate that, yes.

6 LADY SMITH: Yes.

7 A. And the thing that's quite striking, it is very

8 subjective, it would appear to be based on one visit,

9 and a conversation. There is no clarity in terms of

10 practice standards, as I would, I suppose, refer to them

11 now in terms of what is -- our analysis and our

12 assessment of the provision are based on.

13 It would appear that the inspector has taken at very

14 face value in terms of what has been advised to him.

15 And I suppose some of the language and the inference in

16 terms of boys being sent there and carrying out their

17 duties, it is about what were the expectations of the

18 Inspectorate at that time in terms of the kind of

19 provision that they were seeking in terms of those

20 standards of care, I suppose is what I would comment on

21 as well.

22 Q. Bear with me, Lesley. I am having some technology

23 problems here.

24 If we could move then, please, to page 8 of the same

25 document. This is a memo, it seems to be an internal

1 SED memo about Bellfield Remand Home. It's dated
2 July 1968; the precise date is not entirely clear.

3 We are told that the home was not visited, because
4 there was an inquiry being made into the running of the
5 home by a Mr Brough, ex Children's Officer, Glasgow.
6 And there is some material about SNR
7 forming an association with a local woman, and there is
8 some gossip about that.

9 But, of more importance, the report is summed up
10 about a third of the way down the page. It says:

11 'Poor superintendent/staff relationships were
12 apparent.

13 This had resulted in poor staff/boy relationships
14 and generally a deterioration in discipline and control.

15 A breakdown of routine and an absence of educational
16 provision.

17 This deterioration was seen to be directly caused by
18 the above association.'

19 It is not clear why that was the case, but it is
20 then said that Mr Brough recommended that Mr
21 be requested to terminate his association, that he
22 tightened up discipline and ensured that
23 punishments/swearing contrary to regulations be
24 forbidden, and that he prepare a detailed programme for
25 the home to ensure adequate educational provision for

1 those of school age. And that he be given some two
2 months to do so.

3 So there clearly were problems in the home at that
4 time. And there is at least a hint, I think, that there
5 were non-regulation punishments being used, is that
6 a fair reading of that?

7 A. Yes, that would be my reading of this. Yes.

8 Q. If we move over the page to page 9, it is quite
9 difficult to make out, this is a handwritten part of
10 a memo from April, I think, 1968.

11 The remand home was discussed, this is Bellfield
12 Remand Home, and we see, as I say it is very difficult
13 to make out, but there are headings, A, B and C, and it
14 appears that two members of staff --

15 LADY SMITH: I think, do we need to go further down the
16 page?

17 A. Yes.

18 LADY SMITH: Yes.

19 MR SHELDON: Yes, I am sorry, there we are.

20 LADY SMITH: And this is dated 1 April 1968?

21 MR SHELDON: Yes.

22 At point A, it is not clear what the first word is,
23 but I think, 'To dismiss ...'

24 LADY SMITH: 'The need'? Is it just two words that run
25 together?

1 MR SHELDON: 'The need to dismiss two members of staff for
2 assaulting boys.'

3 So it seems that the issue here hasn't just been
4 irregular punishment, but also assault.

5 LADY SMITH: It is to dismiss the first one in early January
6 and the second one in March, for assaulting boys.

7 MR SHELDON: Yes.

8 LADY SMITH: This writer seems to run some words together at
9 times --

10 MR SHELDON: Yes.

11 LADY SMITH: -- but that would make sense.

12 MR SHELDON: If we go to page 10, we are told, in another
13 memo, about an inspection by Mr Hull in May 1968. There
14 are subsequent discussions, but it was revealed that,
15 this is the third paragraph, one of the members of staff
16 dismissed in April has been reinstated, because of
17 SNR changes of statement. So there
18 appears to have been, as it were, a conflict in
19 testimony by SNR himself.

20 It is discussed with the children's officer, and
21 emphasised:

22 'The quality of leadership in an establishment of
23 this kind is basic to its proper conduct, and the
24 official and personal life of SNR can't
25 be divorced from the wellbeing of the children.'

1 The next page again, this is another visit -- I am
2 sorry, this is the note of the visit by Mr Hull on 13
3 and 14 May. There is various... consideration of
4 numbers, and so on. At the foot of the page under
5 'Staff', I think we see that there are various issues
6 arising in staffing at the establishment.

7 At sub-paragraph (b):

8 'During the past 12 months, six supervisors have
9 left as follows ...'

10 A Mr Patterson left to take up a post following
11 a disagreement with the Children's Committee's decision.

12 Another member of staff left because of inadequate
13 salary.

14 A third one left because of travel difficulties.

15 But, over the page, a fourth left in February of
16 that year because of his dislike of the regime.

17 And a particular member of staff, I think it is
18 Mr ^{KJK} [REDACTED], dismissed in December 1967 for assaulting
19 a boy and injuring his jaw.

20 A sixth was suspended in March 1968, and ultimately
21 dismissed, but he has appealed, and the appeal was
22 heard, and this appears to be the member of staff, my
23 Lady, who was then reinstated because of the change of
24 position of ^{SNR} [REDACTED].

25 Does it appear that, certainly at this stage,

1 Lesley, that this is really not a very happy ship?

2 A. I mean there are some serious challenges in relation to
3 the staffing, and the leadership, from what you have
4 outlined and described. I suppose again what strikes me
5 is in terms of the change in statement by the
6 superintendent, it seems to have had the influence to
7 reinstate the member of staff, if I am reading that
8 correctly.

9 Q. Would you agree with the position, I think of the
10 Children's Committee, that the leadership of
11 establishments like these were critical in relation to
12 the welfare of the children?

13 A. I think absolutely I would agree, and I think probably
14 even more so in the context, in the historical context
15 of that time, because there isn't really any of the
16 other checks and balances that are in place in terms of,
17 well, this whole range of things, in terms of
18 qualifications, SSSC, the statutory context at that
19 time. So there are no other checks and balances, so the
20 leadership, and the individual, then, is crucial in
21 relation to the culture, the behaviours, and the
22 practice of the time.

23 LADY SMITH: There is also a thread of difficulty with staff
24 retention because of pay.

25 A. Okay, yes.

1 LADY SMITH: What's new?

2 Mr Sheldon.

3 MR SHELDON: Thank you, my Lady.

4 I just wanted to look briefly at the consideration
5 of the premises. We are told the premises were clean
6 and in good order, external paintwork requires painting,
7 boilers, outside play area, and so on and so on.

8 Provision facilities for cooking and domestic work,
9 indoor games. There is a need for a large play house or
10 gymnasium. There is ample space to erect such a hut,
11 and so on.

12 Lesley, we have heard quite a bit about a room,
13 a cell, something called the 'cooler' at Bellfield.
14 Does it appear that there is really no consideration of
15 the suitability of that room, at least in this report?

16 A. Forgive me, I am not sure if there is any reference in
17 this report to the understanding that such a room
18 exists.

19 Q. Well, indeed. I think that's a point in itself.

20 A. I think certainly again from the applicants' statements,
21 it is very clear, different language, different words
22 used, but describing quite a similar provision and what
23 it was used for in relation to punishment, particularly
24 for young people who were going missing, absconding,
25 trying to get away from Bellfield, would seem to be the

1 theme that was coming up time and time.

2 Q. Yes, the same point could be made about the earlier
3 inspection, the 1967 one, where again there is
4 consideration of the premises, and it is said that much
5 has been done to make the place comfortable and so on.
6 But there is certainly no indication, as you say,
7 Lesley, that the inspector was even aware that such
8 a room was being used.

9 A. I would agree with that, yes.

10 LADY SMITH: Awareness, or recording.

11 MR SHELDON: Indeed, my Lady.

12 I suppose it may have been simply accepted,
13 acknowledged, whatever, but we just don't know, and it
14 is not said. So not very satisfactory.

15 Bear with me just for a moment.

16 (Pause)

17 If we can look, please, at page 32. I think we can
18 see that this is the report of the visit to
19 Dunbartonshire Social Work Department on 15 March 1973:

20 'As part of the current review of the state of
21 Assessment Centres in Scotland, I visited ...'

22 I think this is Mr Hull again. We don't see the
23 author's name. I think it is Mr Hull, my Lady.

24 He says he visited the two establishments provided
25 by Dunbartonshire, and there is reference to Bellfield.

1 It is said:

2 'This is an old house perched on the hillside in
3 Dumbarton, on a very awkward and sloping site. The
4 superintendent, Mr Turner, is a very gentle little man,
5 who appeared to be coping with the most extraordinary
6 difficulties. The house is at the moment being
7 completely rewired for electricity, as it was in such
8 a dangerous condition. This means that the floors are
9 being taken up/ holes bored in ceilings, so this did not
10 add to the general appearance of the house. However,
11 discounting this difficulty, the general appearance of
12 the house is shabby and derelict. It is badly in need
13 of repainting. On the other hand, it is quite apparent
14 that it is not worth spending any money on it as it is
15 such a hopeless property. There is a large garden,
16 which is also on a steep slope. Bellfield is to be
17 replaced by a modern, purpose-built building at some
18 stage in the future and the director has considered the
19 alternative use of the site. It is really quite
20 unsuitable for any residential establishment, possibly
21 with the exception of a boys' hostel.'

22 That's 1973 and I think we know that Bellfield
23 continued in operation for seven years after that --

24 A. Indeed.

25 Q. -- in this unsuitable condition.

1 Again, there is consideration of the various
2 accommodations in the home -- on the first floor -- We
3 are told about the superintendent and deputy's offices.

4 'There were four dormitories, which were extremely
5 overcrowded, having nothing in them except beds and many
6 of them bunk beds. There is a stable block that
7 provides very inadequate accommodation for the
8 superintendent, and there are some outhouses which have
9 been converted into [I think that's three classrooms].
10 The supervisors do all the work with the boys, and this
11 includes a variety of model making and painting,
12 stripping down old car engines et cetera. One of the
13 classrooms is used for educational testing purposes.'

14 So there are classrooms, but they are converted
15 outhouses, and there is no mention of any schoolwork
16 being done, I think, there, beyond the rather
17 ill-defined educational test purposes?

18 LADY SMITH: And I think no qualified teachers employed.

19 MR SHELDON: Correct, my Lady.

20 There is consideration then of staffing. My Lady,
21 I am conscious of the time. There is not much to go in
22 this document, but a couple of minutes.

23 LADY SMITH: A short break? Well, a couple of minutes to
24 finish up?

25 MR SHELDON: Let's finish it.

1 LADY SMITH: Let's finish it and have a break after that.

2 MR SHELDON: There is consideration of staffing, Lesley:

3 'All the staff are non-resident and there is no
4 accommodation for them at Bellfield. There are
5 eleven day supervisors, two night supervisors. In the
6 past there has been a great problem of poor quality
7 staff, but the superintendent felt that they are now
8 beginning to recruit a better type of man. Assessment
9 reports are provided when requested by the Panel or
10 Social Work Department, and the superintendent felt,
11 however, that they could not automatically provide
12 a report on every boy, as their staffing did not allow
13 time for this. There are no qualified teachers and, in
14 any case, qualified teachers would refuse to work in
15 such conditions. It is all credit to the existing staff
16 that they are able to achieve some education work with
17 the boys. The director is aware of how unsuitable is
18 the place, particularly when boys are held there for
19 some months awaiting placement.

20 Apparently the superintendent is not quite certain
21 what numbers he is supposed to take at the remand home,
22 but he appears to run at about 40. The director has
23 told him, however, that he should not take in any more
24 boys at present, and should cut his numbers down as boys
25 leave to about 30, while the rewiring work is going on

1 in the house.'

2 It seems that there are 40 boys in the house and
3 rewiring is being done all around them. The inspector
4 concludes:

5 'I was very concerned about Bellfield and felt that
6 some action should be taken about it. I feel that the
7 numbers of boys should be cut down drastically as soon
8 as possible. It would mean, of course, advising all the
9 constituent authorities who use the home that, from
10 a certain date, to be decided in the future, its numbers
11 would be reduced in future. This would then force them
12 into making other provision themselves in their own
13 areas.'

14 Again, I think the comment to be made, Lesley -- and
15 I am sure you would agree -- that it is clear Bellfield
16 does continue for some time. We can have a look at some
17 documents about numbers in a moment, after the break,
18 but it certainly seems to continue in much the same vein
19 as it has done as revealed by this report?

20 A. Yes, and it is really -- I mean reading through this, it
21 almost creates a bit of a context and a sense of what
22 was that like for the young people within there. So no
23 real sense of any personalised care, overcrowding,
24 environment very poor. Again, the fact there was no
25 staff other than one individual who was around during

1 evenings and overnight.

2 Again, quite distressing to hear in the statements
3 that I read, in terms of boys at times being locked in,
4 in rooms, presumably at times when there was no other
5 staff around and by means of containment, I would
6 assume. But, yes, those recommendations, just in the
7 last there, are in terms of the numbers need to reduce.
8 I think that was part of the issue, but there is a lot
9 more from -- a concern, just from a basic health and
10 safety of the fabric of the building, that should have
11 required some immediate attention by the sounds of it,
12 and no timescale given to when that should happen.
13 I suppose the other remarkable thing for me, just
14 reading, sorry, just reading through these Inspectorate
15 comments that I have not seen previously, is there
16 doesn't seem to be any surfacing of what young people's
17 experiences are, or any ability for these boys to feed
18 into the inspection process.

19 MR SHELDON: All right.

20 LADY SMITH: Mr Sheldon.

21 MR SHELDON: Thank you, yes.

22 LADY SMITH: A short break just now?

23 MR SHELDON: Yes, my Lady.

24 LADY SMITH: Can we give Lesley some indication of how much
25 longer after that?

1 MR SHELDON: 15 minutes.

2 LADY SMITH: Very well.

3 I will take a short break now, and then get back to
4 finish off your evidence after that, if that's all
5 right, Lesley?

6 A. Thank you, my Lady.

7 LADY SMITH: Thank you.

8 (3.10 pm)

9 (A short break)

10 (3.20 pm)

11 LADY SMITH: Are you ready for us to carry on, Lesley?

12 A. I am, my Lady, thank you.

13 LADY SMITH: Thank you.

14 Mr Sheldon.

15 MR SHELDON: Thank you, my Lady.

16 Lesley, just a few more records to look at. These,
17 I hope, will be much shorter.

18 The first one is SGV.001.002.3738. This is again,
19 I think, an internal Scottish Office memo. It is headed
20 'Lochvale Boys' Home, Dumfries'.

21 We are told Miss Richards rang from Clackmannan to
22 report that she had been asked at short notice to remove
23 a particular young person who had been in long-term care
24 at the above home because:

25 'He is providing some symptoms of sexual

1 uncertainty. No indication of this had been given to
2 the social worker when she had visited. It now turned
3 out that the man in charge of the home had felt uneasy
4 about discussing the problem with a woman social worker.
5 The boy is due to be reviewed by the Panel at the end of
6 August because he was one of the children in care
7 through the court when the Panel took over, and
8 therefore there may be a point involved here, since
9 Miss Richards is acting under her authority to remove
10 the boy. Miss Richards rang because there was more
11 evidence about the unsuitability and limited outlook of
12 the Lochvale Boys' Home and because of the fact that the
13 only place which can be found at the moment is the
14 Bellfield Assessment Centre, formerly the remand home.
15 It is in its remand home identity it is widely used, and
16 she feels that this is unjust for a boy who has never
17 been in trouble before the court. However, we clarified
18 that there is a home in the pipeline for Clackmannan and
19 that, although it is sad that at this stage
20 an inappropriate assessment has to be made, this may be
21 part of the price one pays for an earlier lack of
22 development.'

23 That's --

24 LADY SMITH: This is in 1972?

25 MR SHELDON: This is 1972, my Lady, yes.

1 It is early days of the Children's Hearings System.
2 What comments from a perhaps more modern perspective
3 would you have on that, Lesley?
4 A. In terms of sexual uncertainty in relation to, I am
5 presuming, sexual identity issues, seems to be what's
6 being alluded to, and the fact that that would result in
7 the need to remove a young person from their care
8 provision to an alternative care provision, and indeed,
9 whether there is an implication that they require
10 a period of assessment because of this identified issue
11 -- it is not really clear what's been identified -- and
12 really the young person, in terms of any basic views,
13 understanding what the issues are and their view about
14 having to move, nothing in that in terms of a young
15 person's voice.

16 I think I am right in saying that it's the
17 handwritten:

18 '... an inappropriate placement assessment has to be
19 made, this may be part of the price one pays for
20 an earlier lack of development.'

21 From my reading of it, just a complete lack of
22 understanding, and assumptions being made about, I don't
23 know, this boy's childhood development, and whatever
24 presenting issues are being identified, no discussion
25 with the worker, social worker, when she visits, because

1 of her being of a different gender, or sex, from that
2 person who would be having that conversation. So just
3 really from every level, in relation to any objectivity
4 or a clarity of analysis, seems to be lacking about the
5 actual issues, and then the response that is being
6 suggested doesn't correlate to being a reasonable
7 solution, or suggestion, for this child's care.

8 Q. Is there also a suggestion there, or an assumption
9 there, that -- it is said:

10 'It is unjust for a boy who has never been in
11 trouble before the court.'

12 The assumption seems to be, I think, that it is
13 assumed that people at Bellfield will have been in
14 trouble?

15 A. Yes, I would agree with that statement. I suppose we
16 touched on that earlier in the evidence today, that it
17 would appear to be that Bellfield was considered to be
18 more of a corrective-type provision for young people who
19 had had some kind of wrongdoing, which clearly was the
20 perception and, I don't know --

21 LADY SMITH: A place for bad boys.

22 A. Pardon, my Lady?

23 LADY SMITH: A place for bad boys.

24 A. A place for bad boys, one could summarise, seems to be
25 a narrative, or an inferred narrative that runs through

1 much of the evidence that I have seen.

2 MR SHELDON: And certainly not, perhaps, a place suitable
3 for a fairly sensitive assessment to be made of this
4 particular child?

5 A. I would agree with that. Arguably not a place for any
6 assessment, any young person, where an assessment should
7 be made, because there was no evidence that any
8 assessments were actually taking place.

9 Q. Just one final point. I suppose one could read, and
10 I don't know if this is a reading that you would agree
11 with, Lesley, but just the last sentence:

12 'The inappropriate placement assessment has to be
13 made this way. This may be part of the price one pays
14 for an earlier lack of development.'

15 I suppose that might refer to a lack of development
16 in the system rather than in the child. Is that how you
17 read that?

18 A. Can I just take a minute to read the actual sentence in
19 context?

20 Q. Of course.

21 A. Yes.

22 Q. It is perhaps not a particularly significant point in
23 the context of the wider issue.

24 A. Yes, my reading is it is ambiguous at best, I suppose,
25 and it could be interpreted either way in terms of

1 development of care provision or referring to the young
2 person. I am not really clear from the sentence what it
3 is actually alluding to, to be frank.

4 LADY SMITH: I rather thought that was a reference to the
5 type of provision, the range of provision that's
6 available within the system in Scotland, or that part of
7 Scotland.

8 A. I think that well could be what it's a reference to. My
9 initial reading of it was it may link to the issues
10 about development for the child, equally, but for me it
11 is a bit ambiguous.

12 Q. The next document is WDC-000000390, please. This
13 appears to be a letter from the county clerk, the
14 Dumbarton town clerk -- sorry, I beg your pardon,
15 I think it is the Paisley town clerk, actually. But
16 this is in relation to provisions relating to the
17 present remand home.

18 I am sorry, that may be the wrong document,
19 actually. I do beg your pardon. If there is time I will
20 come back to that. For the meantime if we can go,
21 please, to WDC-000000388. This is the County Council of
22 Dumbarton, and this gives us numbers, a set of
23 statistics, really, about Bellfield Assessment Centre.
24 There is a breakdown of the 47 boys who were detained
25 during the period, 16 January to 15 February 1975, and

1 the various disposals, as I suppose they would have
2 called it then; children sent to List D School,
3 supervision, and so on.

4 If we scroll down the page to paragraph 2, I think
5 we see that the longest period completed by one resident
6 was 260 days, so about nine months. And the shortest:
7 two days. The largest number of residents in any one
8 day was 34, so I suppose slightly down from the numbers
9 that we saw in the inspection report. But it is still
10 over the 30 which appears to have been recommended.

11 I think finally, with an eye on the time,
12 GLA-000003390. This, we think, is a logbook from
13 Bellfield, and the particular entry is in November 1974.
14 Again there is some numbers: 30 boys, minus 8 on home
15 leave, 1 absconder, 8 place of safety, 22 awaiting
16 transfer.

17 LADY SMITH: Two 'RTE'?

18 MR SHELDON: Yes, I am not sure, my Lady.

19 LADY SMITH: Any ideas, Lesley?

20 A. I was trying to think what that acronym could be, but
21 nothing springs to mind.

22 LADY SMITH: I can't think of it either.

23 MR SHELDON: Remand training? I am not sure.

24 At all events, and I think the point of this
25 document, or taking you to this document, Lesley, is

1 that we see, further down, a heading in the margin:
2 'Activities'. I think we see 'Morning', I think that's
3 'gardens', 'motor mechanics', 'general supervision',
4 whatever that may be, and, in the afternoon, 'gardens',
5 'motor mechanics', and 'art class', 'general
6 supervision'.

7 Evening, 'indoor games' and 'television', I can't
8 make out... 'showers', I think, is the third. Yes,
9 'showers'.

10 MR SHELDON: Accepting that this is just a snapshot, Lesley,
11 but I can say that there are many records like this,
12 there is really no indication of classwork being done,
13 and a heavy emphasis on outdoor activities like gardens,
14 and so on.

15 Lesley, does that give you, I guess, taken along
16 with your reading of the evidence, is that sufficient to
17 give you at least a snapshot of what life may have been
18 like at Bellfield during the 1970s?

19 A. Yes. I think there are clear and common themes that are
20 coming out from a range both of the statements -- less
21 so from the actual submission that has been submitted by
22 West Dunbartonshire -- but, you know, despite kind of
23 earlier recommendations that we have from the earlier
24 documents that you have referred me to, in terms of
25 recommendations about education and school, there

1 doesn't appear to have been any impetus, let's say, or
2 requirement for that to have been implemented, and
3 I suppose poses the question from me about that ongoing
4 scrutiny externally, and why that was not progressed.

5 Q. Yes --

6 LADY SMITH: The irony being that many of these children had
7 found themselves in these circumstances because they had
8 not been attending school, and they were desperately in
9 need of being educated?

10 A. Absolutely, my Lady, and that was one of the things that
11 really stood out for me. You know, irony at best, but
12 really quite tragic, that a lot of these young boys were
13 just unable, for a variety of reasons, to engage with
14 schooling, and then found themselves in Bellfield, where
15 there was no school provision, and some of those
16 opportunities around school and their education and
17 subsequent, you know, development into young adults, and
18 beyond, has been significantly impacted.

19 MR SHELDON: Beyond that, the physical environment is
20 unsuitable. We are told the place is run like an army
21 camp, or a prison. There is violence by staff. In all
22 the circumstances, can it be said in any way that
23 Bellfield was a suitable place for assessment or indeed,
24 for any sort of care of children during that period?

25 A. I mean, one needs to conclude, and I would conclude,

1 absolutely not, in terms of even basic provision.

2 I think in West Dunbartonshire's submissions, and
3 the assumption, is that children were placed there for
4 their care and protection, as we touched on earlier, and
5 I cannot see any evidence which would support that there
6 was appropriate care or protection of those young
7 people.

8 MR SHELDON: Thank you.

9 Nothing further, my Lady.

10 LADY SMITH: Thank you.

11 Lesley, I have no further questions. Thank you very
12 much for your help today. It has been really valuable to
13 have you here and help us in the way you have done.

14 A. Okay, thank you, my Lady.

15 LADY SMITH: I am now able to let you go.

16 A. Thank you.

17 (The witness withdrew)

18 LADY SMITH: Okay, Mr Sheldon.

19 MR SHELDON: My Lady, the next witness is Liam Purdie, who
20 of course is the representative from South Lanarkshire
21 Council.

22 LADY SMITH: Yes, thank you.

23 Liam Purdie (sworn)

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

25 Liam, you will remember that South Lanarkshire

1 documents are in the red folder and we may refer to one
2 or two of those today. But particularly, as you know,
3 we have invited you back to help us with anything you
4 can now add, given that we have heard a lot of evidence
5 in the last few weeks, since you were last here.

6 But everything I said before about if you need
7 a breather or a break, or you have any questions, still
8 applies, and I know that not just doing what you are
9 doing in principle, but coming along and not giving
10 evidence until 3.30 pm on a Friday afternoon is
11 a daunting prospect. So please speak up if there is
12 anything you would ask me to do to make it easier for
13 you to give evidence, all right?

14 A. Thank you, my Lady.

15 LADY SMITH: If you are ready, I will hand over to
16 Mr Sheldon and he will take it from there.

17 Mr Sheldon.

18 Questions by Mr Sheldon

19 MR SHELDON: Thank you, my Lady.

20 Liam, good afternoon.

21 A. Good afternoon.

22 Q. Hello again. I am grateful that you have come back to
23 continue to help us with this case study.

24 Liam, I just want to ask you first, have you managed
25 to keep up with/listen to/read transcripts of the

1 evidence we have heard in the last couple of weeks?

2 A. Yes, I have. I have had access to the transcripts for
3 Calder House and I was... I had the honour of listening
4 to evidence yesterday as well.

5 Q. Yes, I think I saw you sitting in on the evidence
6 yesterday, and that's very helpful. I will ask you in
7 a moment or two for your reactions to some of that
8 evidence.

9 Liam, you told us in evidence at the start, and we
10 looked at a number of records from Calder House, and
11 your very frank reaction to the evidence just of the
12 records, was that SNR [REDACTED] BHN-HLP [REDACTED] at
13 Calder House appeared to you to have been abusive and in
14 no way child-centred; I think those were your words?

15 A. That's correct.

16 Q. You indicated that there seemed to be very little warmth
17 or understanding from any of the staff as to what the
18 children's needs were?

19 A. That's correct, yes.

20 Q. Liam, we have heard accounts now of violence, some
21 children report being slapped or even punched about,
22 being hit/kicked while out on runs, and the runs
23 themselves, which were used as punishments. I think we
24 saw from the records that that culture at Calder House
25 appeared to be directed and endorsed from the top down,

1 is that a fair way to put that?

2 A. Yes, I agree.

3 Q. We have had relatively few witnesses in person from
4 Calder House, but we had a witness yesterday, 'Jessica',
5 who gave evidence about being at Calder House and being
6 subject to strip searches, restraints -- I think she
7 described it really as 'dragging', but we can say that
8 was a restraint of sorts -- and also the punishments of
9 standing out and scrubbing. She also spoke about the
10 possible sexual exploitation, the abuse, of a 15-year
11 old girl by a much older staff member. The girl at the
12 time referred to that as 'an affair', but 'Jessica' was
13 clear that it was abusive, and 'Jessica' herself was
14 also sexually abused by a night watchman.

15 I just want to ask you, first of all -- I will ask
16 you for your general reaction in a moment, but in
17 relation to those specific examples given by 'Jessica',
18 how are those sorts of examples, particularly sexual
19 exploitation, sexual abuse by, for example, night shift
20 workers, how is that protected against now?

21 A. Now, if there was any allegation that was made like
22 that, it would automatically trigger a joint
23 police-social work investigation, and that would be from
24 outwith the residential unit or the house where that
25 took place.

1 Q. Sorry, Liam, I am sure it is my fault, and my question
2 perhaps wasn't clear, we certainly understand that there
3 would be a response to it, and rightly so, but in terms
4 of how you go about preventing that sort of thing, how
5 is that approached, in South Lanarkshire Council at
6 least?

7 A. We would like to think that there would be
8 an appropriate safe recruitment that would take place,
9 and it would be people who had been appropriately vetted
10 and who had appropriate qualifications. I would need to
11 say I don't think you could always legislate or protect
12 against any rogue individual who would conduct himself
13 in grooming or a sexual exploitation, but what you
14 should do is make sure there are checks and balances so
15 that there is enough governance to protect children.

16 What we do currently, we say to residential workers,
17 whether it is male or female, you shouldn't be in a room
18 yourself with the child. And if there are other
19 children there as well, you should always have
20 a witness, and that's to protect not only the staff
21 member, to have corroboration that -- anything that's
22 made as well. So we would never have the example that
23 was given about a night watchman going into children's
24 bedrooms, even though there would be four children or
25 more sleeping in it, we would never have an example of

1 where one member of staff would go into a child's room.

2 That wouldn't be supported at all.

3 Q. Right.

4 LADY SMITH: How do you stop that happening?

5 A. You make sure you have a staffing ratio and that there's
6 checks that go on. There should always be a log, and
7 I know logs have been quite significant, but there
8 should be a record of who entered the room when, and
9 why, and who was with them, and we would want that
10 checked. So there should never be an example given
11 where someone was on one part of the floor and someone
12 had entered the child's room.

13 LADY SMITH: What about create a culture where other members
14 of staff would speak up if one of their colleagues was
15 not complying? Let's say the two of them were doing
16 their rounds at 2 o'clock in the morning, just to check
17 all was well where children were sleeping, and one just
18 wants to rush through it, and, 'I will just go and do
19 the next floor, the bedrooms round the corner; you check
20 these'. How do you get a culture embedded so that the
21 staff member who does want to comply will do something
22 about the fact that his colleague doesn't?

23 A. I would hope that supervision, the one-to-one
24 supervision that takes place with an employee and their
25 supervisor would actually expose some of that. So if

1 an employee was uncomfortable about another peer's
2 practice, that should be an opportunity to share that.

3 Sometimes it might be a sense check: is this right,
4 or was there something specific on a night, or is there
5 a pattern that emerges? If you see that from other
6 staff about the same individual, you would then want to
7 address that.

8 LADY SMITH: That is an interesting one, because that means
9 then that, if I was the member of staff who always
10 wanted to do the right thing and I was worried about the
11 fact that my shift partner was not inclined to do that,
12 I might not want to go through the formal complaint
13 procedure initially, whistle blow or whatever, but
14 I would want to be able to talk about my worry with
15 somebody, and perhaps have somebody who will just keep
16 prodding to check whether I have any concerns.

17 A. Yes, I think that's where the line manager, or the
18 supervisor, needs to be inquisitive about what took
19 place on a shift.

20 LADY SMITH: Yes.

21 A. You would also give the opportunity where someone can
22 come and speak to you outwith the supervision
23 arrangements, so if there was something they were
24 uncomfortable with, I would like to think they would
25 have that confidence to come and speak to a more senior

1 member of staff.

2 We also try to adopt it where there is not the same
3 shift pattern all the time, so you don't get collusion
4 with certain individuals. I am very conscious that
5 experienced practitioners could also influence
6 inexperienced practitioners about poor practice, and we
7 would make sure that there is always a balance between
8 the shift patterns so it is not a collusive partnership
9 arrangement.

10 LADY SMITH: Thank you.

11 Mr Sheldon.

12 MR SHELDON: Thank you, my Lady.

13 Following up on those points, Liam, does South
14 Lanarkshire have any guidance about the circumstances in
15 which a staff member who is uncomfortable with another
16 staff member's practice should share, should disclose
17 their suspicions, their discomfort about what may have
18 been happening?

19 A. Yes, the supervision arrangement is we are very clear
20 that if anybody has any concerns, they have a duty to
21 report that. We make it very clear in their induction
22 and in child protection training that that is their
23 duty, it is not an interpretation. If they have
24 a concern, they raise it.

25 If they are not confident in sharing that openly, we

1 also have a confidential disclosure line, which can be
2 done totally confidentially, and anonymously as well,
3 where it could raise a concern about a unit, for
4 example, and we would then investigate what that concern
5 was within the unit, so that would be under a whistle
6 blowing arrangement, and that could be done anonymously.

7 We need to be very conscious of anonymous ones that
8 come through, because we then need to try and establish
9 facts, but we would encourage people to be upfront about
10 it. We say it is protecting the individual staff member
11 as well as protecting the young people as well.

12 Q. What would be the consequences for a staff member who,
13 if it emerged subsequently that a staff member had had
14 a suspicion, a concern, a discomfort, and hadn't shared
15 it... what would the consequences for that staff member
16 be?

17 A. It would be almost as serious as a perpetrator, if there
18 was a perpetrator and someone was thinking they were
19 masking it, or hiding it, then it would be a breach of
20 their contract, it would be a breach of their duty and
21 it would result in a fact finding and then there would
22 be an outcome for that individual.

23 There would be a sanction: it could be dismissal or
24 it could be some kind of management action.

25 Q. All right, thank you. Just returning, then, and I will

1 come back to 'Jessica's' evidence a little later, but
2 just going back to the generality of the evidence.
3 Perhaps it might help if we looked again at your
4 Section 21 response; this is SLC-000000080. It is
5 page 6, please, the second half of that page, so
6 scrolling down to sub-heading (d):

7 'The attitude to discipline of children, including
8 restraint ...'

9 You told us there that little is known about the
10 attitude to disciplining of children, and in fairness to
11 you and those who prepared the response, it may be that
12 at the time there hadn't been the kind of examination of
13 the records and the evidence that we have now had. We
14 now have had the benefit of that evidence and looking at
15 those records, so what would you say now about what you
16 know about the attitude to discipline and so on, at
17 Calder House in particular?

18 A. We had the benefit of the statements, the logbooks. We
19 haven't seen all of the children's records because they
20 were from Glasgow, so we haven't seen them --

21 Q. I appreciate that.

22 A. -- but we did see one child's record. Had we'd had the
23 benefit of what we know now, we would have changed that
24 statement to say that we would be concerned about the
25 discipline within the home, that it was abusive and

1 criminal... would have been what we would say. But we
2 wouldn't have put it in that we have no evidence; we
3 would clearly have said that there is evidence to
4 indicate that there was abuse taking place within the
5 home.

6 Q. All right, that's very fair of you to say that.

7 What lessons do you think that South Lanarkshire can
8 draw now, at this stage, from the evidence that we have
9 heard?

10 A. We have reflected on our response that we put in at the
11 time, and we think there was an optimistic naivety that
12 we felt if there was any abuse it would have been rogue
13 individuals. But we now recognise that this was
14 systemic, probably from the opening of Calder House to
15 the closure, and it was the same behaviours that were
16 throughout that period.

17 Q. Thank you, Liam. Actually the next question was going
18 to be: if the evidence is accepted, then what does that
19 say about the systems and their effectiveness in
20 detecting and preventing abuse and abusive practices?

21 A. Well, having reflected on it, what we are looking at, we
22 still think we probably have some deficits in how we
23 currently -- in our residential units, because we do
24 have a child's file, which is an electronic file, which
25 is all the other child's information, but we still have

1 logs within the children's houses.

2 What we are now looking at is to actually make sure
3 it is just one child's file that we are looking at,
4 that's electronically, and that's giving the children's
5 houses access to the SWiSplus system, where any
6 incidents or events that are relevant to that child,
7 they put it into that file, so that it is transparent
8 for everybody to see.

9 LADY SMITH: That would be a one-stop-shop for everything
10 you need to know about the child?

11 A. Everything. Just to use an example, if there is a child
12 that's seen as an absconder, that's recorded immediately
13 within the file, and it is not recorded as a separate
14 log where there could then be a separate sanction for
15 that. So the social worker, or anyone, would be able to
16 see there is a child that's missing.

17 LADY SMITH: If you also happen to have had come in
18 an up-to-date report, say from a child psychologist,
19 that would be obvious as well, would it, on this one
20 enquiry?

21 A. Yes.

22 LADY SMITH: You would be able to get a link to the report?

23 A. Yes. And even things, sorry, my Lady, like if family
24 had visited that day, we would want to see that family
25 member had visited that child, or if family visited and

1 the child wasn't in, that's the type of things we are
2 very clear now that are probably missing from our
3 intelligence and records.

4 LADY SMITH: Thank you.

5 MR SHELDON: Just to pick up on one point following on from
6 that, Liam, you mentioned there that at present, and
7 I think you very fairly described it as a deficit in
8 present practice, that there are logs in children's
9 houses. Are you referring there to handwritten logs,
10 hard copy logs, or are these also electronic logs?

11 A. They are electronic logs, but the log is capturing the
12 activity of the day within the house, and I think that's
13 relevant for the staff in the house to see activity, but
14 it is not looking at each individual child's response
15 and needs.

16 What we are looking at, our houses have six or seven
17 children per house. We want there to be a daily record
18 of how was that child that day within that house; almost
19 a diary, a contemporaneous note, of how that child was
20 that day.

21 Q. Moving to another point, but it is one that you
22 mentioned yourself earlier on, I had asked you how one
23 would go about, how South Lanarkshire goes about,
24 detecting, preventing, the kind of abuse that 'Jessica'
25 spoke to yesterday. In response, one of the things you

1 mentioned was safe recruitment practices. I just wanted
2 to ask you a little bit about that. How does South
3 Lanarkshire go about the recruitment of staff?

4 Obviously we know that there are regulatory
5 requirements and so on, and qualifications and
6 experience will, presumably, be factors. But what about
7 human factors? What sort of individual are you looking
8 for, and how do you know that you are finding the
9 person, or persons, that have those qualities?

10 A. We are looking for people who are child-centred, which
11 is an easy thing to say, but you want people that can
12 actually engage and form a relationship with children,
13 and primarily someone who likes children. We have, as
14 well as the -- if it's within a unit that's recruiting,
15 it will be the unit manager, we also have an external
16 manager, and what we now include is the young people
17 involved in that interview process. So the people, the
18 applicants would actually come in and just do a soft
19 interview with young people, where it would be a very
20 open... they would question and ask them about their
21 background, what they do, how they do it, and it would
22 be a two-way experience. The young people would feed
23 that back to the interview panel about who their
24 preferred candidate would be.

25 We also now have what's called 'a champions' board',

1 and we have 'promise workers', we call them, and we have
2 two promise workers who are employed by the Council who
3 are ex-care-experienced young people, who were care
4 experienced in our system, they are both South
5 Lanarkshire care experienced, and they also take part in
6 interview panels now and they would give their view
7 about what they think is a child-centred worker.

8 Notwithstanding everyone that's interviewed would
9 have the minimum requirements for an interview, so they
10 would have the qualifications that would be appropriate,
11 but we want to see what their interaction would be like
12 with young people and people who had been care
13 experienced and they would give us a view as to who they
14 think the preferred candidate would be.

15 Q. Just one term, there, Liam. You mentioned the idea of
16 a soft interview. What's a soft interview?

17 A. It is basically not scored. So they would -- you would
18 have two or three young people who are within that
19 house, who would basically have a very informal
20 discussion over tea, juice, or whatever, as part of that
21 engagement with the candidate. They don't score it,
22 because our HR say you can't actually score what
23 feelings and emotions would be, but you can seek their
24 views as to who they think would be the best candidate.
25 So we call it a soft interview.

1 Q. Related topic. I think we heard in Foster Care some
2 evidence that, the Foster Care study that the Inquiry
3 did, that some staff are training in nurture, in
4 trauma-informed approaches to childcare. Is that
5 something that happens in South Lanarkshire in relation
6 to staff in residential homes, children's houses?

7 A. Yes, so all of our staff, we have a programme which is
8 about trauma-informed practice, and we expect all the
9 staff to do that programme, and we have targeted our
10 residential and hands-on care staff first of all.

11 Our foster carers, incidentally, are going through
12 that as well.

13 That's about recognising, and how you respond
14 appropriately.

15 First of all it is about recognising the impact of
16 trauma, early years trauma in a child's life, and how
17 they respond, but also how you would respond
18 appropriately when there are triggers that would set off
19 that trauma as well.

20 LADY SMITH: Is there a system of refresher training?

21 A. It is still relatively new, my Lady, so it is within the
22 past year we have been doing that, so as the programme
23 has been rolled out, we are starting to look at how we
24 would review it, but it is looking at the Scottish
25 Government's national recommendations for the training.

1 So we would like to think that the Scottish Government
2 are going to give us some guidance about what refresher
3 and ongoing training should look like.

4 LADY SMITH: Thank you.

5 It is very interesting that you are doing this. Do
6 you know if you are also doing a system of reflective
7 practice by your staff?

8 A. Well, what we do within our children's houses is we have
9 external psychological therapy that comes in, so we have
10 a psychotherapist who gives group and individual
11 reflections for the residential workers, and that's for
12 them to deal with the vicarious trauma that they are
13 dealing with with young people, and we launched that
14 about three years ago, following a significant event
15 that happened with a young child that died. And the
16 staff have found that invaluable about how they can
17 conduct their day-to-day business, and that gives us
18 another external pair of eyes about how we support the
19 staff to deal with young people and their trauma.

20 LADY SMITH: Good, thank you.

21 MR SHELDON: Thank you, my Lady.

22 Liam, that consideration of trauma-informed
23 approaches, trauma-informed training and so on, it
24 brings us back to 'Jessica's' evidence yesterday,
25 because you will recall that that was one of her,

1 I think, criticisms of the present system, that some
2 practice isn't sufficiently trauma-informed.

3 You have dealt with that, really, in your last
4 response. But I wanted to ask you about perhaps the
5 broader points that she made, that the goals of The
6 Promise, indeed some goals of current social work, can't
7 be delivered at the present levels of recruitment and
8 resourcing. What's your response to that?

9 A. I suppose I need to try and be optimistic and say that
10 the Independent Care Review has set a target for
11 ten years, to 2030, about how we can actually change the
12 care system within Scotland. So I think we are still
13 very early years with that. And some of it, there was
14 a commitment that the legislation changes would impact
15 on how we would deliver care in the future. We haven't
16 had those legislation changes yet, and I would hopefully
17 be optimistic that, when there is a change in
18 legislation, we will see a significant change in
19 practice and accountability about how we care for
20 children in Scotland... I wouldn't say the most
21 vulnerable, but all children in Scotland.

22 There is a significant challenge with recruitment
23 and retention of social workers. I do know that we
24 had -- Social Work Scotland done a review, I think it
25 was 18 months ago, called 'Setting the bar report',

1 which was saying social workers are basically getting
2 burnt out after five years within a locality area team,
3 and that's actually -- that's your front line, who are
4 the ones that are your external eyes to support children
5 that are accommodated or looked after away from home.
6 That's the biggest challenge that we have.

7 I am not going to say everything's broken, because
8 I think there is some very good practice that's out
9 there, and there is a good direction we are going in,
10 and I would like to think that the legislation will
11 support practitioners to deliver safe care in the
12 future.

13 LADY SMITH: Liam, are there any particular legislation
14 changes you would like to see?

15 A. I am conscious that I am still employed, so I don't want
16 to say anything that would jeopardise my employment.
17 I believe a national care service, including children's
18 services, would take away the inconsistent practice
19 which is across the country, and I would like to see
20 ministers to be accountable for good care, because
21 I think it is very inconsistent in different Local
22 Authorities, and we are not delivering the same. Even
23 though there is national standards, that doesn't give
24 consistency. I think a single point of corporate parent
25 accountability would be better through legislation.

1 LADY SMITH: That means looking at it from the perspective
2 of a child, whatever part of Scotland they happen to end
3 up in --
4 A. Yes.
5 LADY SMITH: -- or be transferred to, which can happen,
6 particularly in foster care, when one authority is
7 looking for a placement, is they should be being
8 delivered with the same standards?
9 A. Agreed.
10 LADY SMITH: Under the same principles?
11 A. That would be my hope.
12 LADY SMITH: I think we did touch on this in Foster Care,
13 but I can see exactly why that comes to the forefront of
14 your mind. Thank you.
15 Mr Sheldon.
16 MR SHELDON: Thank you, my Lady.
17 I think perhaps finally, and more particularly about
18 the residential care sector, in this case the secure
19 care sector, actually, but are you aware, Liam, of the
20 concerns which arose in Edinburgh about St Katharine's,
21 or Edinburgh Secure Services?
22 A. Yes.
23 Q. Among the measures, I think, that were to be taken to
24 address that issue, were more announced and unannounced
25 visits to residential facilities. Is that something

1 that you have looked at, and, as it were, taken to heart
2 in terms of practice in South Lanarkshire?

3 A. We encourage it -- we encourage our social workers to do
4 announced and unannounced visits, no matter where
5 a child is accommodated. We don't have a secure
6 establishment within our area, but we encourage it for
7 any child that is accommodated, particularly secure as
8 well.

9 I am very conscious, and I am struck by the evidence
10 about people visiting and then -- families visiting and
11 being told no, there is a sanction so you can't see
12 them. I am also conscious that there was practice years
13 ago when social workers would visit and say there is
14 a sanction, you can't see the child. That practice has
15 changed, but I think having announced and unannounced
16 visits is the best way to do it.

17 I think we need to be very clear about the purpose
18 of a visit as well. If it is an unannounced visit, it
19 is what you are going to see and what you should see,
20 and it should always be the child and it should be where
21 they are staying, their room, their establishment, their
22 classroom, because I am very conscious that just seeing
23 a child in an interviewing area is not appropriate.

24 Q. Are you satisfied that there are measures in place to
25 enable, to empower, I suppose, children who are in

1 residential care to disclose, to confide, if anything is
2 going wrong for them?

3 A. I am not fully convinced that the child's voice has that
4 weight at the moment. I think there should be something
5 where a child could request a visit from an independent
6 advocacy, and that could be done anonymously, just as we
7 have an anonymous whistle blowing. I don't know why
8 a child shouldn't be able to email an independent
9 organisation to say, 'I would request a visit'. That
10 doesn't need to be their social worker, that could be
11 totally independent from the person to express
12 a concern, and if they visit and turn up, they should be
13 able to see that child.

14 Q. Yes. I mean I suppose some children might not be able
15 to email. Would there be any other way that they could,
16 either themselves or through the offices of someone
17 else, perhaps an independent person, to raise that
18 concern?

19 A. I think in terms of not being able to email, what I am
20 aware of is children do have access to emails, and
21 I think they should be able to think about --
22 (inaudible) on how they do that. What I am conscious of
23 is being -- asking to speak to a superintendent in the
24 case of Calder House, or a care worker who was not
25 giving them access to a phone or anything, that is not

1 appropriate.

2 So there must be some mechanism where they don't
3 need to go through the staff, I would say, and we
4 probably need to look at solutions for that.

5 Q. I was just going to ask you: is that something which is
6 being looked at, which is being considered?

7 A. I think... I have not thought about it wider than that,
8 but what we are aware of within South Lanarkshire, we
9 used a system called MOMO, which is 'Mind Of My Own',
10 where a young person had to have access to a mobile
11 phone, and there was an app. So they could request to
12 speak to their social worker or have a social work visit
13 and that would trigger an email for the social worker.

14 I would need to say it was not well used, because
15 young people don't like using email, what they want is
16 an app-type activity that they can respond to. So we
17 are looking at how we can develop an app for the young
18 people that we... are looked after in our system.

19 MR SHELDON: Liam, that really is all the questions I have
20 for you. Is there anything that you would like to say
21 that I have not given you the chance to say yet?

22 A. No, I am comfortable with that, thank you.

23 LADY SMITH: Liam, thank you so much for coming back today.

24 That's been really helpful. I'm very grateful to you.

25 I am grateful to you particularly for how frank you have

1 been about your thoughts, about where you are and where
2 things could yet be bettered, and the openness with
3 which you have accepted now, on the evidence that we
4 have, that things were not good in the past.

5 A. Yes.

6 LADY SMITH: That's not lost on me.

7 It is Friday, it is 4.05 pm, I suspect you want to
8 be somewhere else than here, Liam. I am very glad to be
9 able to let you go, thank you very much.

10 A. Thank you, thank you my Lady.

11 (The witness withdrew)

12 LADY SMITH: Mr Sheldon.

13 MR SHELDON: My Lady, I am conscious that while we have no
14 more live witnesses, there are a number of read-ins to
15 get through. There have been some discussions about
16 that and we think it should be possible to complete them
17 on the day for final submissions, or closing submissions
18 rather, next Friday, 19 July.

19 LADY SMITH: I think that's a good plan.

20 We can also look at whether we should try and sit at
21 9.30 am rather than 10.00 am to ensure that we have
22 cleared them, but we are not making any decision on that
23 now. If people could just keep an eye on the website,
24 that will be announced if there is to be a change from
25 the norm.

1 MR SHELDON: Yes, my Lady. I think there is not more than
2 two hours' worth of material.

3 LADY SMITH: Good. Well, we may not need to, with a little
4 bit of luck.

5 Very well, my thanks to everybody for their time,
6 trouble and attention this week.

7 I hope you all have a good weekend and I will rise
8 now until next Friday the 19th.

9 (4.10 pm)

10 (The Inquiry adjourned until 10.00 am on Friday,

11 19 July 2024)

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