

1

Friday, 19 July, 2024

2 (10.00 am)

3 LADY SMITH: Good morning, and welcome to the final day of  
4 this Chapter in our case study, looking into various  
5 forms of secure and similar accommodation for children.

6 I mentioned last week that the plan was to start  
7 today with reading in some statements and that remains  
8 the plan, I think, Mr Sheldon.

9 MR SHELDON: It does.

10 LADY SMITH: Then I will move on to closing submissions from  
11 those who wish to address me. Would you like to  
12 introduce the read-ins, please, Mr Sheldon?

13 MR SHELDON: Yes, my Lady. First of all, there is one  
14 matter of housekeeping to attend to. It relates to  
15 a statement read in last week, on the 12 July, by  
16 Ms Forbes. This was the statement of 'Brian', and the  
17 reference is WIT-1-000000822.

18 LADY SMITH: Thank you.

19 MR SHELDON: And I beg your pardon, my Lady, I have the  
20 pseudonym wrong; it is 'Nick' rather than 'Brian', but  
21 the statement reference is correct. It is just to note  
22 that 'Nick's' statement indicates that he was at  
23 Cardross Park in 2000 -- that's at page 33 of his  
24 statement --

25 LADY SMITH: Yes.

1 MR SHELDON: -- but, as we know, Cardross closed in 1999,  
2 and, on further examination of records, the records  
3 indicate that in fact he was at Cardross Park in 1996.  
4 LADY SMITH: Thank you. That would make sense, yes.  
5 MR SHELDON: Thereafter he was at St Philip's, Kibble and  
6 Rossie between 1997 and 1999.  
7 LADY SMITH: That's very helpful, thank you.  
8 MR SHELDON: So, if we can pass, then, to the read-ins. The  
9 first of those is the statement of an applicant known as  
10 'Angelica'.  
11 'Angelica' (read)  
12 MR SHELDON: Her statement is WIT-1-000000780. 'Angelica's'  
13 evidence in relation to her time in foster care was read  
14 in on 20 September 2022, and that's at TRN-10-000000061.  
15 'Angelica' was born in 1984. She grew up in the  
16 Govan area of Glasgow with her mother, father and three  
17 siblings. It was a rather troubled upbringing and her  
18 mother drank and self harmed. She, 'Angelica' herself,  
19 started self-harming and was taken into care aged around  
20 10. First, to a children's home in Glasgow and then  
21 foster care, where she experienced physical and  
22 emotional abuse.  
23 If we can turn then to page 14, where she deals  
24 with her time at Cardross Park, she says she can't  
25 remember who took her to Cardross, but remembers it was

1 a long drive. She was now aged about 11 or 12.

2 The records suggest, my Lady, that she would have  
3 been there in 1997.

4 She describes Cardross Park as 'looking scary'.  
5 This is paragraph 78. She said: 'It was like  
6 a village'. There was a path with lots of trees leading  
7 to a massive building.

8 She says, at paragraph 79, taking that short, that  
9 they all ate in a massive dining room and 'it was really  
10 scary because there were some crazy girls there'.

11 She says, paragraph 80:

12 'We had to wear pyjamas, slippers and night gowns  
13 most of the time. I would run away wearing them.  
14 I thought the place was very scary. It was the unknown.  
15 I remember being told by other people why they were in  
16 there. It was for things like beating up their mum or  
17 car thefts. I felt scared. I know I had been a bit of  
18 a rogue up until then, but I wouldn't say I was in the  
19 same league.'

20 She says:

21 'It was like a mini jail **Secondary Institutions - to be publis**  
22 **Secondary Institutions - to be published later** There were boys and  
23 girls and a mixture of ages from 10 or 11, but some were  
24 close to 16. There were at least three separate units  
25 and a school within the building. I think there were up

1 to 50 kids there. I think there were three or four  
2 staff to each unit.'

3 Reading short:

4 'Bedtime was a set time, so it was quite strict.  
5 The class sizes were small. The classrooms could be  
6 very dangerous at times. If someone kicked off then  
7 others would join in. It was like something off the TV.'

8 And reading short to paragraph 84, she says there  
9 was another girl there and they started taking heroin  
10 together. They ran away and met someone and took  
11 heroin:

12 'It continued with me on and off for a bit.'

13 She says: 'I was almost 12.'

14 LADY SMITH: Yes, she is still very young at this stage.

15 MR SHELDON: Very young, my Lady, yes. She may have been 13  
16 by that stage, but still, on any view, very young.

17 She says, paragraph 85:

18 'We got up in enough time to get washed, have  
19 something to eat and get to school. The staff shouted  
20 and banged on the doors. They opened the doors and gave  
21 us a wee shake. I was a very heavy sleeper, so if  
22 someone tried to wake me up I wouldn't be very happy.  
23 They pull the covers off and tip the mattress off, so  
24 you fell down the other side of the bed. They would  
25 also pour water over you and drag you out of your bed.



1 It was whatever means necessary to get you up.'

2 She remembers, paragraph 86:

3 '... there was one shower. There were two shower  
4 rooms, but the two units were next door to each other.  
5 There were two poky, dirty bathrooms.'

6 Reading short, she says there was no privacy:

7 'The staff would just burst in even if you were  
8 getting changed. There was a lock on the bathroom door,  
9 but the staff could open it. The boys and girls used  
10 the same shower. We would have to wait our turn.'

11 She talks, paragraph 87, about eating together,  
12 and again, reading short, she says:

13 'You could see that the different units were  
14 against each other. The units didn't get on, so there  
15 was tension between them all. The fear was unreal.'

16 And at paragraph 88, she talks about a particular  
17 girl who everyone was scared of, and says that she would  
18 run away sometimes because of her.

19 Paragraph 89:

20 'There were regular fights between kids in there.  
21 The staff tore us apart, but they didn't sit us down to  
22 get to the bottom of things, so the fighting continued  
23 and nothing was ever resolved. There was plenty of time  
24 for them to do that because we were in the units most of  
25 the day. There was opportunity for them to ask a staff

1 member to sit down and talk with a couple of girls or to  
2 bring us all in as a unit to ask what was going on.'

3 She says, over the page:

4 'I think the teachers were okay. We had art and  
5 sewing class. The school was downstairs.'

6 Reading short:

7 'If once [I think "one"] class or person kicked  
8 off, everyone did, so it could become very dangerous.  
9 The staff would be called in and we would be taken out  
10 of the class and dragged back up to the units, and dealt  
11 with up there. The teachers didn't tend to punish us;  
12 they would just try to get us to calm down. Whereas in  
13 the unit there was none of the distracting, we would be  
14 sent to our rooms and they would sit in a chair outside.  
15 The restraining was unreal in there. It wasn't right.'

16 Paragraph 91, and reading short, she says:

17 'There was nothing to do recreationally. We were  
18 just within the grounds.'

19 But she does say:

20 'There was one lady who took [herself and  
21 a friend] out and about a drive in her car, which  
22 I really enjoyed. Our only highlight was looking  
23 forward to our cigarettes.'

24 Paragraph 92:

25 'It was too easy to run away even though it was

1           meant to be more secure. I ran away very regularly.  
2           The staff would dare [my friend and I] to run away.  
3           They would put bets on. I ran away countless times.  
4           The police were always looking for me. There were about  
5           four of us who ended up running away together.'

6                     And reading short, she says, paragraph 93:

7                     'I would turn up at my sister's work [in Glasgow]  
8           wearing my pyjamas. I ran down train tracks to other  
9           stations, walked to Faslane with [my friend] and  
10          hitchhiked. When I got back, the staff wouldn't sit  
11          down with me to find out why it was happening. It just  
12          kept recurring. You could tell the staff wouldn't be  
13          happy with you, but we never got in trouble. There was  
14          never any disciplines, like "you're going to have do  
15          this or you're going to miss out on that".'

16                    She says she can't remember social workers coming  
17          to Cardross:

18                    'I was basically put there and left until Panels.  
19          The staff knew what I was getting up to with drugs, but  
20          there was no intervention. If we were caught with  
21          something it would get taken off of us, but we weren't  
22          spoken to by anyone.'

23                    Taking paragraph 96 short, she says that:

24                    'The visits were private.'

25                    Her mum and dad both came to see her but she didn't

1 get weekend home leave, so she was in there all the  
2 time.

3 Paragraph 97:

4 'I was on an ongoing supervision order. I always  
5 remember my mum and dad talking about how I shouldn't  
6 have been in an open unit [I think "for my own safety"].  
7 As an adult now, I can see that there should have been  
8 more put in place for me to keep me safe and to stop me  
9 running away and putting myself in dangerous  
10 situations.'

11 At paragraphs 98 and 99, she describes running away  
12 with someone who she was in contact with outside the  
13 home. And while in her aunt's house, they met two young  
14 men -- or men, it is not clear how old they were, she  
15 just says:

16 'They were older than me.'

17 They forced her to drink a litre of cider. Her  
18 friend left first, but these two men wouldn't let her  
19 out and they both took turns to sexually assault her.  
20 She says it went on for some time.

21 She managed to escape in a taxi and eventually found  
22 her way back to Cardross.

23 At paragraph 101:

24 'I was completely distressed, but nobody asked me  
25 what had happened to me. I had been sexually abused by

1 two people. I have now reported this incident to the  
2 police.'

3 My Lady, she then was placed at the Good Shepherd  
4 Centre in Bishopton and says she experienced some sexual  
5 abuse and violent restraints there and, later, suffered  
6 physical abuse -- some physical abuse at Kerelaw.

7 At page 32, she talks a bit about her life after  
8 being in care and, putting matters again shortly, life  
9 clearly was very difficult. She says there was a lack  
10 of support from social services.

11 At page 34, she talks about the impact of her  
12 experiences on her. She says she blames social work:

13 '... for a lot of what happened to me. There was no  
14 support to help my family build our relationship.  
15 I always craved to be part of a family. I think that's  
16 why I have a big family of my own.'

17 Paragraph 186:

18 'I have an ability [maybe an inability, actually] to  
19 sustain relationships with partners or friends. I have  
20 lack of trust in people which I think stems from  
21 failings by social work and my home life. I think  
22 I could deal with situations better.'

23 At paragraph 188, she says:

24 'I'm trying to work on being better, by trying to  
25 stay calm and not interrupt during meetings. I have

1 a fear of my children being taken away by social work.  
2 It's a fear that is always there.'

3 And, reading short:

4 'It makes me physically sick thinking about it.

5 I lost everything. I lost my childhood. I was  
6 taking drugs when I should have been playing with my  
7 dolls. I think drug taking at a very young age has  
8 impacted upon my development and my mental health.'

9 My Lady, the material on lessons to be learned from  
10 this were read in during Foster Care, so I think I can  
11 just say that she has made the usual declaration and  
12 signed the statement.

13 LADY SMITH: Thank you.

14 'Ray' (read)

15 MR SHELDON: My Lady, the next read-in is a statement by  
16 an applicant who is known as 'Ray'. His statement  
17 reference is WIT.001.003.0771.

18 LADY SMITH: Thank you.

19 MR SHELDON: 'Ray's' evidence in relation to his time in De  
20 La Salle Order establishments was read in on Day 408,  
21 18 January this year. That's at TRN-12-000000040. His  
22 evidence in relation to SPS establishments was read in  
23 on Day 390, that's 15 November last year;  
24 TRN-12-000000022.

25 LADY SMITH: Thank you.

1 MR SHELDON: 'Ray' was born in 1960. He grew up in the east  
2 end of Glasgow with his parents and three siblings. He  
3 says that in 1966, his mother died of a brain  
4 haemorrhage and his father couldn't cope. The next  
5 thing he knew, he was in Smyllum Orphanage.

6 At paragraph 4, he summarises the care placements  
7 that he had. He thinks he was in Calder House in 1969,  
8 so aged 9 or thereabouts. The records, my Lady, seem to  
9 bear that out.

10 So, if we go, then, to page 10, where he talks  
11 about Calder House -- he says, first of all, that when  
12 he left Smyllum he initially lived with his father and  
13 stepmother, but didn't get on with them, ran away, and  
14 stayed at his grandmother's for a time.

15 Paragraph 45 says that he 'became unruly and got  
16 mixed [up with] gangs'.

17 Paragraph 46:

18 'I started staying out and sleeping rough. [He  
19 says he] survived by stealing rolls and milk from  
20 people's doorsteps, stealing from shops and breaking  
21 into shops. I got caught by the police... [and] went to  
22 a Children's Panel.'

23 He thinks the Children's Panel had just started.  
24 Reading short, he said, at the Panel:

25 'The adults were all talking. I never really

1 listened to what they were saying. The Panel put me in  
2 Calder House Remand Centre in Blantyre. I was 9 years  
3 old.'

4 He says, paragraph 47, that he was at Calder House  
5 for about three months. Reading from paragraph 48:

6 'At Calder House, you were locked in. It was  
7 a secure home. There were big windows but they had  
8 locks on them, so you couldn't open them. The building  
9 was a new, modern building. Calder House was for girls  
10 and boys. The girls and boys only met in the dining  
11 hall at dinner time. There were no women in the boys'  
12 part of Calder House. It was run by blokes. The head  
13 bloke had live-in quarters at the end of the building,  
14 where he lived with his wife. I can't remember the  
15 names of the staff.'

16 Over the page, he says something about the layout  
17 and says that, on his side, there were at least 16 boys,  
18 aged from 9 to 15. He says, taking paragraph 50 short:

19 'Calder House was clean. It was strict. You knew  
20 if you stepped out of line, there'd be consequences.'

21 He talks about routine from paragraph 51. He  
22 said:

23 'The head bloke and deputy met me when I arrived.  
24 The head bloke spoke to me. He told me that he was the  
25 head and I wouldn't be doing this and that. He told me



1           what the routine was. I was shown the common room.  
2           Then they stripped me off and chucked me in the shower.  
3           The staff put stuff in your hair to kill lice. It had  
4           to stay in your hair for 24 hours. We called it "Jungle  
5           Juice". Other kids wouldn't sit with you because you  
6           had Jungle Juice on. The staff gave you clothing.'

7                     And he says: 'Everyone's clothing was matching.'

8                     He says:

9                     'There were four lads in my dorm. They were the  
10           same age as me. I don't remember their names.'

11                    Reading short:

12                    'The dorm door was open at night. The night  
13           watchman came round every half hour. He shone his torch  
14           straight in your face and woke you up. If someone  
15           wanted the toilet during the night, they would shout on  
16           him. The night watchman would take them to the toilet.  
17           [He says] I never left the dorm at night.'

18                    He talks, at paragraph 53, about the morning  
19           routine.

20                    Paragraph 54, he says that:

21                    'There wasn't a play time. [...] you came  
22           upstairs and all the lads sat in a room with a TV. We  
23           watched TV or played cards.'

24                    He says, paragraph 55:

25                    'You went back to school in the afternoon. After

1 school, you came back, got your tea and changed into gym  
2 clothes. [They] did gym every night in a big room  
3 downstairs, then we went back to sit in the room with  
4 the TV. You were never allowed outside to play. There  
5 was no bit of grass or yard to play on. Once a week, at  
6 the weekend, four or five members of staff would take us  
7 out for a walk around Blantyre.'

8 He said:

9 'One side of the dining hall was for unruly girls.  
10 The other side was for the lads. [...] Mostly the food  
11 was okay.'

12 Paragraph 57:

13 'At the weekend, you had to scrub the floors in  
14 the corridors and the dormitories. The centre was  
15 cleaned by the lads who lived in it. [...] The staff  
16 inspected what you cleaned. [And] if something wasn't  
17 done right, the lads who smoked wouldn't get a cigarette  
18 at lunchtime.

19 'I had Christmas in Calder House. It wasn't a bad  
20 time. The staff let us take down the glass lampshades  
21 and paint them with water-colour paint. The staff gave  
22 us a present.'

23 He says he got a selection box and a pair of socks  
24 and they watched films.

25 Paragraph 59, he describes an incident where his

1 brother and three friends came to visit him. There  
2 seems to have been an incident of some sort. Taking  
3 that short, he says his friends were:

4 '... shouting through the doors at me, telling me  
5 to smash the window and run out. By then, I had been  
6 punished by SNR [REDACTED], SNR [REDACTED] remand  
7 centre, and made to go on a run. I thought, "I'm not  
8 going through that run again". The run had put me off  
9 misbehaving.'

10 She(sic) says: 'My grandmother couldn't visit'  
11 and, taking that short, he says he didn't have any  
12 weekend visits back home.

13 Moving to paragraph 62 and abuse at Calder House,  
14 he says he remembers a time:

15 '... when I had done something wrong. I think I'd  
16 been fighting... having an argument... something  
17 trivial. One Saturday morning SNR [REDACTED] came and  
18 got me. He told me to put my PE kit on. SNR [REDACTED]  
19 took me out to Blantyre, running. I had to keep up with  
20 him. He was a fit bloke. I was only 9 or 10 years old.  
21 We ran up big, steep hills. It was muddy and raining.  
22 The route was the same route that the staff took us on  
23 when they took us for a walk at the weekend. When we  
24 got to a little dirt track, SNR [REDACTED] smacked me  
25 in the back of the head, when I was running. The smack

1 came out of the blue, without warning. I fell on my  
2 face. I burst all my face open and cut my hand. He  
3 didn't even pick me up. I had to pick myself up. I was  
4 all covered in blood. When we got back to the centre,  
5 he chucked me in the shower. I didn't get any medical  
6 attention. A couple of days later, I was scrubbing the  
7 floors with a bucket and mop. My hand was bleeding that  
8 much that when I put my hand down, it burst open again.  
9 There was blood everywhere on the floor.

10 'I thought about it years later. SNR had  
11 done that to me in the middle of the valley, with nobody  
12 about, no witnesses. He wasn't stupid; he was a clever  
13 bloke.'

14 And he says he learned his lesson from that.

15 Paragraph 66:

16 'I remember the time a boy got battered in a dorm  
17 by one of the staff. The member of staff lived in the  
18 building, at the opposite end from where the head lived.  
19 I can't remember his name. He was ex-army. I heard it  
20 happening. I heard banging about in the dorm and  
21 shouting. I don't know why the boy was battered. He  
22 had a cut lip and was all dishevelled.'

23 My Lady, he is then placed in St Ninian's, at  
24 Gartmore, where he describes physical and sexual abuse  
25 by Brothers and civilian staff. He says while he was

1           there he tried to take his own life.

2           If we then go to page 25, we see that he is then  
3 placed in St Philip's, and says that it was much more  
4 relaxed and there was no abuse.

5           Page 27, he is placed at St Joseph's. He doesn't  
6 describe any abuse, although he says he thinks abuse did  
7 go on.

8           If we then conclude at page 41 -- he briefly  
9 touches on his time at Rossie and says that there was  
10 physical abuse there. He talks about life after care  
11 from page 41 and says that he had difficulties, I think,  
12 fitting in back home. He got into trouble again and  
13 ended up, first, at Longriggend, then Barlinnie and  
14 Glenochil, and says he has been in and out of prison all  
15 his life.

16           Paragraph 210, he says:

17           'My time in care has shaped and defined my life.  
18 The abuse has obviously really affected my life. I'd  
19 never really thought about it until recently. Now I'm  
20 thinking about it all the time. My life's been hell.  
21 Being in and out of borstal and prison was my life.  
22 Being locked up was all I'd ever known until I met my  
23 wife and had three kids.'

24           He talks about his family, and at paragraph 212  
25 says:

1           'Subconsciously, you are institutionalised by  
2           being in care. You've always been told what to do and  
3           when to do it. You get used to that.'

4           Reading short, at paragraph 213:

5           'Nobody sat me down once to ask me why I was  
6           running away. If someone had sat me down and gained my  
7           trust, I probably would have told them about the abuse  
8           and they could have acted on it. They could have  
9           stopped the abuse and resolved the issues. When I was  
10          a lad, if anyone showed an interest in me, I would  
11          wonder why they were doing that. Deep down, I needed  
12          a role model, someone to model my life on. I was taken  
13          out of normal society and put into a different world.  
14          I had to adjust to that world as best I could.'

15          He says:

16          'The way I was treated in care, beginning at  
17          Smyllum, made me anti-authority.'

18          Paragraph 216:

19          'All the education I've had has been in places of  
20          care. My education has just been basic stuff. It's not  
21          been fantastic.'

22          Reading short again, he talks about reporting of  
23          abuse from paragraph 219, and he notes that when he was  
24          spoken to by the police, paragraph 220, he says he:

25          '... didn't understand how speaking to the police

1 was going to affect me. The police probably didn't  
2 understand either. The police left me in a mess. The  
3 police said to [staff at the prison where he was] that  
4 I might need a bit of counselling. The prison staff  
5 said they would sort that out.'

6 But in fact no help was provided.

7 Lessons to be learned, paragraph 222:

8 'No adult should hit a small child, especially  
9 when you are a small and vulnerable child in care.  
10 Social services should look at the reasons a child has  
11 ended up in care. The family should have help too. The  
12 system should be more structured in the way children are  
13 placed, especially small children. Staff should all be  
14 properly vetted. Things should be put in place to  
15 assess the child, their mental state and intelligence.  
16 When a child does something wrong, the staff should  
17 explain to them what they've done wrong and the  
18 consequences of that. Staff should be looking for ways  
19 to help the child, not punish them.'

20 And at paragraph 225:

21 'Whenever problems start for children who are in  
22 care, systems should be in place to address the  
23 problems. There should be unannounced spot checks by  
24 officials to make sure nothing untoward is going on.'

25 And again, my Lady, the statement -- the usual

1 declaration is there and the statement has been signed.

2 LADY SMITH: Thank you.

3 'CC' (read)

4 MR SHELDON: My Lady, the next read-in, I think, is a rather  
5 shorter one. This is the statement of 'CC'. The  
6 statement reference is WIT.001.001.1250.

7 'CC' gave live evidence in the QAB study: that was  
8 Day 101, 11 December 2018, TRN.001.004.5232. 'CC's'  
9 evidence in relation to Balgay was read in by myself,  
10 Day 419, 16 February 2024, TRN-12-000000051.

11 My Lady may recall that 'CC' had an extremely  
12 violent and abusive mother and spent spells in Aberlour  
13 Orphanage and in foster care. But, at page 14, we see  
14 that she was placed in Calder House when she was, she  
15 thinks, about 12 or 13.

16 At paragraph 66, she says BHN was one of the  
17 house parents at Calder House. His wife was there too,  
18 and she names other house parents. She says:

19 'BHN was an animal. I think he was  
20 an ex-army man. He was in his early 40s. He used to  
21 wear shorts and t-shirts and run about the place. He  
22 was SNR. His son also lived there [and she names  
23 him]. It was a home for boys and girls. It was kept  
24 locked all the time.'

25 She says she doesn't know how many kids were



1           there.

2           Paragraph 68:

3           'They did a raid in the dormitory the first night  
4           I was there. Allegedly, someone had a cigarette and  
5           match, so they stripped the whole place bare looking for  
6           them. We all had to stand at the bottom of our beds and  
7           they did a search. They couldn't find anything, so  
8           BHN decided to send us all to the PE block to do  
9           circuit training all night. This was over a cigarette  
10          and match that hadn't even been found. Because of  
11          everything I had been through, I decided that there was  
12          no way I was going to be forced into doing circuit  
13          training all night for something I hadn't done.

14          BHN's reaction to that was to whip me big-time  
15          with a skipping rope. I was so stubborn, I just lay on  
16          the floor and shouted, "More. Keep doing it. More." And  
17          he did. It was a big, thick rope and he  
18          indiscriminately hit me all over.

19          'After the skipping rope incident, he decided that  
20          I was to scrub the boys' woodwork room throughout the  
21          night. His wife took me to the room and I filled  
22          a bucket with hot water and threw it over her.  
23          I decided that if I was going to get punished, it was  
24          going to be for something I had actually done.

25          'After that, BHN put me in a silent cell for

1 over a week. It was solitary confinement. I was fed my  
2 meals there. There was a perspex window, with loads of  
3 people's names scratched on it, and a metal grille so  
4 you couldn't get out. I was crying all the time and  
5 [BHN-HLP ' son] kept putting Beano and Dandy comics  
6 through the window for me. There was a toilet and sink  
7 in the cell so I decided to make papier mache and flood  
8 the place. BHN came in and lifted me up over his  
9 shoulder and took me to his office, where he made me  
10 stand outside at first. I could hear him shoving  
11 furniture about. Then he took me into his office and  
12 made me sit on a chair in the middle of the office and  
13 whacked me about the face. He split my face open and  
14 injured my nose. I still have a scar under my eye.  
15 I think I was in Calder House for three months and was  
16 moved to Balnacraig by a Children's Panel.'

17 She has already given evidence about some of that,  
18 my Lady, and about impact and lessons to be learned.  
19 So, again, I can just say that she has made the usual  
20 declaration and signed the statement.

21 LADY SMITH: Thank you.

22 'Jock' (read)

23 MR SHELDON: My Lady, the next statement is of an applicant  
24 known as 'Jack'. The reference for his statement is  
25 WIT-1-000001454.

1 LADY SMITH: You said 'Jack', not 'Jock'; which is it?  
2 MR SHELDON: I beg your pardon, my Lady.  
3 LADY SMITH: I think I have been given 'Jock' as the  
4 pseudonym.  
5 MR SHELDON: My Lady is quite right, it is 'Jock' rather  
6 than 'Jack'.  
7 LADY SMITH: It's 'Jock'. Thank you.  
8 MR SHELDON: 'Jock' was born in 1964. He says he doesn't  
9 remember much about his family life as he went into care  
10 when he was only four years old. He was brought up in  
11 Glasgow, largely by his grandmother, but she was  
12 hospitalised in 1968, and his father imprisoned at about  
13 the same time, so he was taken into care.  
14 At paragraph 5, again, in effect he summarises his  
15 history of placements, various placements, including at  
16 Calder House, where he says he was placed twice; once  
17 when he was about nine, he thinks, and again when he was  
18 about fourteen.  
19 So, if we go to page 13, he says that he had been  
20 in foster care for a spell and suffered some physical  
21 abuse in that placement, but he ran away. He says he  
22 set fire to the hay shed and ran away. He didn't want  
23 that family; he wanted his own. He says when he was  
24 caught he was taken to Calder House. That's  
25 paragraph 73.

1           From paragraph 74:

2           'The social work or the police took me to  
3 Calder House.'

4           His brother was taken back to a children's home,  
5 where they had been previously placed. He said that was  
6 the first time they had been split up:

7           'I was nine years old. I stayed in Calder House  
8 for about eight months.'

9           He says he never saw his brother when he was in  
10 Calder House.

11          He says:

12          'Calder House was an Assessment Centre. You were  
13 locked up there. You went in the front door and that  
14 was where the office was.'

15          He describes the layout and says, at paragraph 76:

16          'There were about 50 children in it, both boys and  
17 girls. I was the youngest in there at 9 years old, and  
18 the oldest was about 16.'

19          He notes that the kids were in there for car  
20 theft, solvent abuse, and all different other things,  
21 including skipping school:

22          'I was in there for running away from foster  
23 parents and setting fire to their shed.'

24          Paragraph 77, he describes the sleeping  
25 arrangements, and at paragraph 78, some of the staff,

1 including someone he describes as 'BHN [REDACTED]', who he  
2 says was SNR [REDACTED]. He says that Mr BHN [REDACTED]  
3 basically SNR [REDACTED]. He says:

4 'BHN [REDACTED] met me on my first day. He took me  
5 into the office and basically read me the riot act. He  
6 then put me into a cell and locked the door. I was in  
7 there for three days. They would give me food through  
8 the door and there was a toilet in the cell. It was  
9 freezing and there was wire mesh on the windows. No one  
10 told me why I was in there. After the three days I was  
11 put upstairs into a dorm.

12 'Calder House was regimental. The staff would get  
13 us up in the morning and the first thing we did was make  
14 our bed. We got washed, brushed our teeth and then went  
15 downstairs and got breakfast. We went to school in the  
16 place. We did lessons, had lunch, and then more school  
17 after. We went for a shower every day at a set time at  
18 night.'

19 And he says that bedtime was 7.00 pm.

20 Paragraph 81:

21 'We all ate in the dining hall at the same time.  
22 It was regimental, in that everyone had to pull their  
23 seat out at the same time and then sit down. We said  
24 grace before we ate.'

25 Reading short to paragraph 83, he says:

1            'We didn't have to work in Calder House. All we  
2            had to do was make our bed. We didn't really have any  
3            time, but if we did, we could watch television. There  
4            was a gym there which they would take us to.  
5            **BHN** would take us there, but I can't remember  
6            any others. They would beat us there. They ran us  
7            into the ground until we collapsed. They had us doing  
8            circuit training, running, and they would put boxing  
9            gloves on us and have us fight each other. We would  
10           just have to keep punching and punching, even though we  
11           were knackered. If you had a burst nose, they would get  
12           us to keep going. The activities weren't for  
13           enjoyment.'

14           He says that they didn't celebrate either  
15           Christmas or birthdays at Calder House when he was  
16           there, and he never got any presents.

17           Reading short to paragraph 87, he says that he did  
18           get visitors when he was there, though not from his  
19           mother and father. The only visitor, he says, was the  
20           father of someone who he'd befriended in the home.

21           He says that, at paragraph 88:

22           'I only ran away once when I was at Calder House,  
23           just because it was more difficult to do it.'

24           Reading short, he says the police came and he was  
25           taken back to Calder House and he says he 'got a doing'

1 for running away:

2 'My punishment was that I was given a bucket of  
3 water, carbolic soap, deck brush, knee pads, and  
4 I started at the West End Bar and had to scrub every  
5 lamp post as far as I could reach. I was only 10 years  
6 old. It was a distance of about one mile. I was  
7 beasted because I ran away.'

8 He says that children were given cigarettes in  
9 there:

10 'It was those Woodbine ones, the really strong  
11 ones. You would get one after a meal.'

12 And then he goes on to talk about abuse. With  
13 reference to BHN, he says:

14 'I was physically assaulted and punched about. My  
15 hair would get pulled by BHN. When we were out  
16 hiking, he would boot us if we weren't going fast  
17 enough. That man was evil and I don't think he had time  
18 for weans.'

19 He said that two other members of staff,  
20 Mrs KPF and Mrs KRR, would slap you for no reason  
21 whatsoever, and he says that a member of staff, who he  
22 says is Mr KJY, was a bit funny with the lassies:

23 'My opinion now is that he was interfering with  
24 them, but I didn't see anything. It was just the places  
25 he took them on his own with them. He was there the

1 first time and would have been in his early 30s. He was  
2 a big guy with a beard. He was vicious with the boys  
3 for nothing, just because he was in that position of  
4 authority. He would press his thumb onto your forehead  
5 and make you dizzy. He would also get the boys to fight  
6 each other for his satisfaction. He would then mock  
7 whoever had been battered.'

8 Paragraph 93, he talks about staff putting  
9 newspapers on the floor and getting the bone comb out  
10 for beasties, and to 'brush our hair'. He says, taking  
11 that short, he was only 12, and he remembers one  
12 particular occasion where a particular girl was getting  
13 lumps of hair brushed out of her and she was crying in  
14 agony.

15 'There was a time when we were away at Balmaha on  
16 a trip and we were canoeing, and one of the staff  
17 whacked a boy with a canoe paddle. He near enough  
18 knocked the boy's head off and he had to go to the local  
19 doctor to get stitches. The staff would also come  
20 behind us in the canoe and deliberately tip us over to  
21 capsize us.'

22 And reading short, to paragraph 96, he says:

23 'I can't exactly say how often I was physically  
24 beaten up there. It could be every day, every second  
25 day, or sometimes once a week. It was mostly by BHN ,



1 but all of the staff did it. They were horrible  
2 individuals. I didn't experience any sexual abuse going  
3 on in Calder House. It was the physical abuse that was  
4 the worst.'

5 He then returned to a children's home.

6 At page 21, we see that he was at Calder House  
7 a second time, he thinks around 1978, when he was about  
8 14. He says it was similar to the first time, but a bit  
9 stricter:

10 'They would beast us with physical activity,  
11 hiking and things, or give us a beating in the gym with  
12 circuit training.'

13 He says that there were two boys there the second  
14 time who wrapped themselves in duvets and threw  
15 themselves out of the windows up one floor, just to get  
16 away from the place. He says:

17 'I probably spent just under a year at  
18 Calder House that second time.'

19 He then chose to go and be with his brother, and  
20 went to stay with another set of foster carers.

21 Page 23, paragraph 135, he talks about life after  
22 being in care. He said he was with the shows -- I think  
23 the circus shows, my Lady -- though he was in and out of  
24 jail. He has been in jail, he says, 'for the last 40  
25 plus years of my life'. He talks about his working life

1 and his marriages and, at paragraph 25, talks about  
2 impact... of his experiences.

3 He says that, paragraph 144:

4 'Being in care from four years old has definitely  
5 had an impact on me. There are reports to say that,  
6 especially by a psychologist I saw fairly recently.  
7 I never committed myself in relationships, particularly  
8 to my two previous wives. I always held back.'

9 Taking that short:

10 'I would never settle and was always on the move.'

11 He does say, at paragraph 146:

12 'I never once shouted at my bairns. If I heard  
13 one of my wives or someone else shouting at them,  
14 I would fall out with them.'

15 Paragraph 148:

16 'I have made my own decisions in terms of  
17 criminality, but I believe my time in care has been  
18 a major factor. If I had been brought up with life  
19 skills, or some sort of normality, it may have been  
20 different, but I was on my own and left to my own  
21 devices. When you have to find your own way and stand  
22 on your own two feet, when you have to fight or flight,  
23 when you are terrorised at school because of the  
24 situation you are in through no fault of your own, it  
25 definitely has an impact. When you get into bother

1 every day and that continues and continues, you think  
2 then there is nothing else. It made me very clever  
3 though.'

4 Reading short to paragraph 150:

5 'I do have flashbacks, but I don't tell anybody.  
6 I have woken myself up screaming. I have seen things in  
7 my sleep.'

8 Moving to paragraph 152, he says:

9 'I am definitely institutionalised. I walk about  
10 and I don't even know I am in the jail. I have got  
11 a good cell. I keep it clean. I don't cause any bother  
12 unless I need to. I don't tolerate bullies. I believe  
13 I self-sabotage when I am on the outside.'

14 And he talks about seeing a priest in 2017, who  
15 was really good to him, and says that:

16 'He asked me to sit in silence for ten minutes and  
17 think about the worst that had happened to me, and to  
18 ask the Lord to forgive these people. I thought about  
19 all of those that I have told the Inquiry about. After  
20 I left the house that day, I felt I was on stilts.'

21 And taking that short, he said it was a massive  
22 lift.

23 At paragraph 157, and hopes for the Inquiry, he  
24 says:

25 'I am not expecting anything to happen overnight

1 and many of the people I have spoken about might still  
2 be alive. I would like to look them in the eye and ask  
3 them "Why?" Why did they do the things they did to me  
4 and the other children in their care?'

5 And, on lessons to be learned, he says:

6 'There should be more vetting of staff. The whole  
7 care system needs looked at, including the criminal  
8 justice system. Neither are working. The number of guys  
9 in prison for recalls is unbelievable.'

10 He says, at paragraph 162:

11 'There was that much abuse while I was in care  
12 that I might not have told the Inquiry everything, but  
13 it is because there was so much.'

14 He has made the usual declaration and signed, my  
15 Lady.

16 LADY SMITH: Thank you.

17 'Kyle' (read)

18 MR SHELDON: The next statement, my Lady, is the statement  
19 of 'Kyle'. His statement reference is WIT-1-000000866.

20 LADY SMITH: Six noughts?

21 MR SHELDON: I am sorry, yes.

22 LADY SMITH: 866.

23 MR SHELDON: My Lady, yes.

24 My Lady, 'Kyle' was born in 1966 and, as is usual,  
25 the first page talks about his early life. He was

1 brought up in Airdrie, but he went into care at a very  
2 young age; he thinks about 2. His parents had health  
3 difficulties. He [Secondary Institutions - to be published later]  
4 [Secondary Institutions - to be published later] was then  
5 physically abused when he returned home to be with his  
6 parents.

7 At page 17, he talks about his time at  
8 Calder House. He thinks he would have been about 15 at  
9 that time. He was to go to an Approved School,  
10 Springboig St John's, but was sent to Calder House for  
11 an assessment. He tells us that at paragraph 88,  
12 page 17.

13 Then, over the page, he says that he thinks the  
14 social work took him to Calder House the same day as the  
15 Panel. He says:

16 'I was there for about three or four weeks before  
17 going on to stay at St John's, and it was a horrible  
18 place. I don't have many memories from Calder House.'

19 He thinks it was in Blantyre:

20 'But I wasn't there for very long. I remember we  
21 weren't allowed to smoke and I remember going to  
22 classes, which was boring.'

23 He also remembers:

24 '... two or three staff coming up to me one day  
25 and saying that so far they had been approaching me with

1 kid gloves. It was to do with the interaction between  
2 me and other kids. I think I'd been arguing or fighting  
3 with another kid. Well, they said if anything like that  
4 happened again I wouldn't know what was coming, but it  
5 would come. I didn't understand that and it kind of put  
6 me off the place. I don't know who the staff were that  
7 said that to me.

8 'The next thing I remember I was trying to run  
9 away with an older guy who had come in. He got away,  
10 but I fell and hurt my leg when I was climbing over the  
11 fence. I was caught and brought back in, where I was  
12 made to sit in a room and face the wall. That was my  
13 punishment. That's about all I remember from  
14 Calder House. The time flew by as I wasn't there for  
15 very long. There wasn't any physical abuse at  
16 Calder House.'

17 And he then says:

18 'I know I wanted to go to St John's.'

19 He had asked for it. He reports some violence and  
20 bullying at St John's. That's starting from page 19.

21 At page 22, he talks about his life -- he starts  
22 to talk about his life after care. Summarising that, my  
23 Lady, he says that he struggled with depression and  
24 alcohol and served a short prison sentence. He has also  
25 been diagnosed with PTSD and has trust issues. At

1 page 28, he talks about lessons to be learned and, at  
2 paragraph 148, he says:

3 'I wouldn't like to think it would happen now, but  
4 we were put in a place where we were going to school and  
5 seeing cousins and friends who were telling us what they  
6 had been doing at home every night then going back to  
7 their own houses, whereas we were going back to this big  
8 place with the green door.'

9 I think there he is talking about the children's  
10 home he was in initially. He says --

11 LADY SMITH: That's the one he refers to in 147.

12 MR SHELDON: Yes, my Lady.

13 LADY SMITH: It would have had considerable impact at that  
14 stage, I suppose.

15 MR SHELDON: Yes, he would be very, very young at that time,  
16 my Lady.

17 LADY SMITH: Yes.

18 MR SHELDON: He says, paragraph 149:

19 'People in charge of children need to be vetted.  
20 Where they put kids is important. There needs to be  
21 structure to it and they need to try and educate them.  
22 They need to know it isn't their fault, because it  
23 isn't, and them knowing that is really important. They  
24 can't control who their parents are. I think there  
25 needs to be independent reviews with children in care.

1 Independent people coming in and speaking with the kids.  
2 The kids need to have those kinds of people to speak to  
3 and to know what they are telling them is being treated  
4 with confidence and will be taken seriously and acted  
5 upon. People who would act accordingly if they thought  
6 anything sinister might be going on. The people that  
7 are involved in caring for children should have a love  
8 of caring for children, have been involved in the care  
9 of children, and have a track record of treating  
10 children in the correct way. It shouldn't necessarily  
11 be based on any political involvement. It definitely  
12 needs the right people doing the job, and those people  
13 need to be trained correctly. There also needs to be  
14 proper links between areas or departments or offices and  
15 a whole database for children and elderly people who are  
16 in care. If I'd had people who were trained, but were  
17 also genuinely interested in caring for children,  
18 I might have done a lot better.'

19 Again, my Lady, he has made the usual declaration,  
20 and signed the statement.

21 LADY SMITH: Thank you very much.

22 'Sophie' (read)

23 MR SHELDON: My Lady, the next statement is that of  
24 an applicant who is known as 'Sophie'.

25 LADY SMITH: Thank you.



1 MR SHELDON: The reference for her statement is  
2 WIT-1-000000484. 'Sophie' was born in 1967. She was  
3 brought up in Glasgow as part of a large family. Her  
4 parents separated when she was aged 5. She remembers  
5 having to split her time between their two households  
6 and having to regularly change school, which affected  
7 her education.

8 She says -- paragraph 6 -- that by the time she  
9 was aged 12 or 13, two of her siblings were already in  
10 care and she remembers her sister saying how great it  
11 was in care. This is paragraph 6:

12 'And she had so many friends and no chores to do,  
13 like I had to do at my own home.'

14 She says she was jealous, as her stories sounded  
15 great, and she says she started playing truant from  
16 school and:

17 'Not doing what my mum [...] told me.'

18 She says, paragraph 7:

19 'The matter went before a Children's Panel in  
20 Stevenston because I wasn't going to school, and the  
21 decision was made to put me into care as I was outside  
22 of parental control.'

23 She thinks her mum was with her at the Hearing,  
24 and was sent initially to a children's unit in  
25 Saltcoats. But she wasn't there for long and has no

1 recollection of what it was like.

2 At paragraph 8, she starts to talk about her time  
3 at Calder House. She thinks she went to Calder House  
4 directly from the children's unit in Saltcoats and:

5 'I think I was aged 14 by the time I was in this  
6 home. It was an Assessment Centre. I think I was meant  
7 to be there for only three weeks. I don't know if that  
8 was how long I was there for and it was the longest  
9 three weeks ever. I remember two occasions of sitting  
10 in the car with my new social worker and not wanting to  
11 go inside. She was the person who took me there. My  
12 early impressions of the place was that it was strict.  
13 I think I felt okay about being there at the start, but  
14 I remember my social worker kept me in the car chatting  
15 to me and she gave me a cigarette. I don't recall what  
16 she said to me at that time, but I remember she always  
17 used to say that I shouldn't be here. I don't know who  
18 ran the home.'

19 She talks about some staff members at Calder House  
20 and, at paragraph 11, notes that there were both boys  
21 and girls at the home:

22 'There were two boys' units up the stairs and  
23 a girls' unit downstairs. There were a lot of children  
24 in the home, about 30 I think, and they were aged, like  
25 me, 14 or 15. There was maybe six to eight girls

1 sleeping in my dorm room, and there were two dorm rooms  
2 for girls, so there may have been 16 girls at the  
3 centre.'

4 LADY SMITH: So just to get the dates; if she is right about  
5 how old she was, this is the very early 1980s?

6 MR SHELDON: Yes, about 1981, my Lady. Thereabouts.

7 She says she doesn't -- this is paragraph 12, she  
8 says she doesn't remember her first day at Calder House.  
9 In terms of the daily routine:

10 'I don't remember having breakfast and I don't  
11 remember the education, but we must have had some and we  
12 would have gone to school after breakfast. I think we  
13 had school in the afternoon as well as in the morning,  
14 but I'm not sure. I don't know what we did for leisure,  
15 as I can't remember what we did at playtime or in the  
16 evenings. I just remember I was always getting punished  
17 for something.'

18 She remembers twin sisters, who she says were in  
19 the home, who were 'lovely, quiet, and scared', and they  
20 were from Blantyre.

21 Paragraph 14:

22 'I do recall that in the mornings we had to make  
23 our bed in a certain way and it was inspected by the  
24 staff. It was a strict regime, like a borstal. I think  
25 bedtime was 9 o'clock.'

1           Reading short to 15:

2           'The night watchman came in our dorm at night and  
3           if he heard us talking we'd kid on that we were  
4           sleeping. [There was a girl who she says] was always  
5           scared and she was scared of the night watchman. She  
6           was in the bed across from me. He used to come into the  
7           room with his torch and shine it on us, and I once saw  
8           him whacking her with it. He put the light on at night  
9           once and I remember I heard her saying she had  
10          meningitis and she said it several times and he needed  
11          to turn the light off.'

12          She talks about mealtimes and food at  
13          paragraph 16.

14          Paragraph 17, she doesn't remember using either  
15          baths or showers at the centre.

16          Paragraph 18, she says she can't remember what  
17          time of year it was at Calder House, but she says:

18          'I remember being made to wear big, black shorts  
19          when I was there. They were horrible. I don't remember  
20          who supplied the clothes for us to wear. With regard to  
21          chores, I had to empty the bins once in the kitchen and  
22          that was seen as being a good job to do.'

23          Her social worker came to see her and she was able  
24          to have a one-to-one with her and was able to speak to  
25          her by herself, but she can't remember what was said.

1           Paragraph 22, she says she ran away once with  
2 another girl and she describes how she did it. Reading  
3 short, she says:

4           'I did it because I hated the place and I don't  
5 remember it being planned. We were found by the staff  
6 on the Whistleberry Road and brought back, and all the  
7 children had to sit on the floor in a circle with legs  
8 crossed and me and the girl I ran away with had to sit  
9 in the middle of the circle, and none of us could speak.  
10 I think this process was called "restriction". I had  
11 sat in the circle with other children on another  
12 occasion before, when a boy did something wrong and he  
13 was put in the middle of the circle. There was a lot of  
14 peer pressure on us for running away. I was scared of  
15 being battered by the other children. The other  
16 children used to say it was all our fault and that they  
17 couldn't get any treats or privileges. After me and ...  
18 [this other girl] ran away and were brought back, we had  
19 to do a three-mile run in 20 minutes. I pretended  
20 I died from the running, but the staff obviously knew  
21 I was pretending. I was bawled at to get up and keep  
22 going. Me and [the other girl] were also told to scrub  
23 the gym hall with a toothbrush. We didn't get it done  
24 and if you'd done a big bit they were back at you to  
25 tell you to do small individual bits.'

1           She describes, paragraph 25, one of the other  
2 children wetting the bed and recalls it happening. She  
3 says:

4           'The sheets were dried and everyone knew about it.  
5 The sheets were pulled off her bed in front of everybody  
6 and staff were shouting and bawling at her. She was  
7 crying and was scared. I don't know if she was  
8 physically punished. The discipline was really strict  
9 and there was a fearful atmosphere. Children would get  
10 put in what were called "restrictions" and that was  
11 a punishment. If someone did something wrong, then  
12 everyone got punished. The children all sat cross  
13 legged in a circle and surrounding the child or children  
14 in trouble. One time Mrs Glenn [I think one of the  
15 teachers] said I threw a chair in her classroom. I was  
16 put in the cell. It had a glass window with bars on it  
17 and someone must have tried to get out by breaking the  
18 glass as the window was broken. There was [REDACTED]  
19 [REDACTED] and I cut myself with it.  
20 I'd never self-harmed before, because I felt so low.  
21 I don't know how long I was in this cell for, but it  
22 felt like forever. Other children were put in the cell  
23 at different times.'

24           She was then in a children's home in Irvine, and  
25 later Redheugh Adolescent Unit in Kilbirnie, [REDACTED] Secondary Instit

1        **Secondary Institutions - to be published later.**

2                If we then move to page 14, she talks about life  
3        after care. She thinks she must have been under 16 when  
4        she left, and she moved to Liverpool to be with her  
5        sister and was there for several years. She says she  
6        got married and had a family.

7                But, at paragraph 61, says that she decided she  
8        wanted to achieve more and spoke to someone who worked  
9        in residential care. She says:

10               'I knew that was what I wanted to do. I went back  
11        to college in Kilwinning to study for a National  
12        Certificate in social care. My ambition for a long time  
13        was to work at [some residential establishment], but  
14        didn't believe I would achieve this. Then I went on to  
15        study for a Higher National Certificate at Langside  
16        College and worked at a residential school at the same  
17        time, as I had hoped to do. I worked there for  
18        many years and I continue to work with young people now.  
19        [She says] I think being in care must have had an impact  
20        on me, but I find it hard to say what that is. I think  
21        I've been very good at shutting things out. I don't let  
22        it define me. I don't talk about being in care. I'm  
23        embarrassed that I ended up in care and I don't discuss  
24        it with my mum, as it must be shameful for her. I feel  
25        it was my fault it happened and not hers. It's hard to

1           say whether it has had an impact on my relationships  
2           with my siblings. We are very different personalities  
3           and I don't see much of them and I never thought before  
4           that being separated as children could have caused  
5           that.'

6           She says she has never sought counselling about  
7           her experiences in care and hasn't reported abuse to  
8           anyone in an official capacity.

9           At paragraph 66, she says of her hopes for the  
10          Inquiry:

11          'I hope that some of the people working with  
12          children will not be working with them in future as many  
13          of them are not suitable. They've had years of working  
14          in these jobs and being paid for it, but have abused  
15          kid[s].'

16          Again, my Lady, the applicant, 'Sophie', has made  
17          the usual declaration and signed.

18   LADY SMITH: Thank you very much. Mr Sheldon; am I right in  
19           thinking we are probably still going to read in, is it  
20           four, or at least three statements and part of a fourth  
21           statement?

22   MR SHELDON: There are, I think, three statements still to  
23           go, my Lady, including that of -- the latest one to come  
24           in, the alleged abuser.

25   LADY SMITH: Okay. And we have now done five. Would you



1           like to have a break now? You have been reading for  
2           over an hour and we could take the morning break at this  
3           stage and then come back and do the other statements.

4 MR SHELDON: I am more than happy to do that, my Lady. Thank  
5           you.

6 LADY SMITH: Let's do that. Very well; I'll take a  
7           15-minute break just now, but before I do that, just to  
8           pick up on names -- some I have mentioned already but it  
9           was over a week ago -- BHN [REDACTED] and Mrs HLP [REDACTED],  
10          Mr KJY [REDACTED] and Mrs KPF [REDACTED] are people whose identities are  
11          all protected by my General Restriction Order. They are  
12          not to be identified outside this room. Thank you.

13 (11.08 am)

14   (A short break)

15 (11.30 am)

16 LADY SMITH: Mr Sheldon.

17 MR SHELDON: My Lady, the next read-in in the sequence is  
18           from an applicant who has waived anonymity. Her name is  
19           Kate McKay --

20   Kate McKay (read)

21 LADY SMITH: Thank you.

22 MR SHELDON: -- and the reference for her statement is  
23           WIT-1-000000816.

24           Kate, or Kathleen, was born in 1967. As usual,  
25           she tells us a bit about her early life. She was born

1 and brought up in Glasgow [REDACTED].  
2 [REDACTED] all taken into care at a very early age, [REDACTED]  
3 [REDACTED] due to neglect. She was in foster  
4 care as a very young child, she thinks at about  
5 six-months old, and was then in a children's home in  
6 Lanark from the age of 3 or 4.

7 Secondary Institutions - to be published later  
8 [REDACTED]  
9 [REDACTED]

10 At page 4, she tells us that she was returned to  
11 her parents for a period, and has a memory of being  
12 sexually abused during that period by a non-family  
13 member, and was then taken into care again.

14 At page 5, we see she was in a children's home in  
15 Carluke and then, over the page, foster care again, and  
16 says that the foster mother physically abused her.

17 She was then in a children's home in Airdrie and  
18 then Bellshill Children's Home. She starts to narrate  
19 her time in Bellshill from page 7. Secondary Institutions - to be

20 Secondary Institutions - to be published later [REDACTED]. The placement was  
21 a lengthy one, my Lady. She indicates that it seems to  
22 have been from about 1976 to about 1985.

23 LADY SMITH: And by 1985 she -- is she 18 by 1985 or nearly?

24 Or 18 towards the end of 1985.

25 MR SHELDON: Nearly, my Lady.

1 LADY SMITH: Yes, 17.

2 MR SHELTON: [Secondary Institutions - to be published later]

3 [Secondary Institutions - to be published later]

4 [Secondary Institutions - to be published later]

5 [Secondary Institutions - to be published later] she says she was imprisoned in

6 HMP Cornton Vale for ten days [Secondary Institutions - to be published later] and

7 says that was horrible and scary.

8 At page 15, paragraph 79, she tells us that she is

9 back to Bellshill -- [Secondary Institutions - to be published later]

10 [Secondary Institutions - to be published later]

11 [Secondary Institutions - to be published later]

12 [Secondary Institutions - to be published later]

13 [Secondary Institutions - to be published later]

14 [Secondary Institutions - to be published later]

15 [Secondary Institutions - to be published later]

She

16 says that at Calder House -- paragraph 81:

17 'They were meant to assess me over a twelve-week  
18 period, but I ended up being there for eight months.

19 I shared a room with three other girls.'

20 She says it was mixed sex, but they weren't  
21 allowed to mix with the boys. There was a big metal  
22 barn where they played netball, and played football on  
23 an ash park. Reading that short, she says:

24 'There was some bullying and I was scared  
25 sometimes.'

1           From paragraph 84:

2           'I had schooling within the unit although I can't  
3 remember doing any academic work, but I remember we did  
4 pottery.'

5           She talks a bit about some of the results of that,  
6 and she says she also worked in a nursery school for  
7 work experience, and says that:

8           'As far as I can remember the staff were okay. We  
9 had to keep our rooms tidy and sometimes helped in the  
10 kitchen with the dishes.'

11          Paragraph 86:

12          'It was scary but I managed to escape through the  
13 kitchen window. All the windows had bars, but a member  
14 of staff had left the hall door open, so my friend and I  
15 were able to get into the kitchen and escape. We got  
16 all the way to Cambuslang and then we were caught by  
17 Mrs HLP, who was a staff member. She took us to the  
18 police.'

19          At paragraph 87:

20          'I went back to Blantyre and the male member of  
21 night staff who was on duty pinned me up against the  
22 wall and told me that if I ever ran away again he would  
23 really punish me. He had dark hair, but I can't  
24 remember his name. Our punishment was that we had to  
25 scrub all the halls with a toothbrush and go for a

1 three-mile jog. I accidentally cut my leg on a can at  
2 the beginning of the jog, so I didn't have to do it.  
3 I still have a scar. I had reviews when I was  
4 in Blantyre and they let me know that they were keeping  
5 me for longer. I think I spoke at those. I didn't like  
6 being locked up, so I was upset that I was kept there  
7 for so long. There was a visiting room and [REDACTED]  
8 visited. She also took me out.

9 'Before I went into Blantyre I knew there was  
10 a cell where they put you if you had behaved badly.  
11 I knew about this because [REDACTED] was in it.  
12 I probably had a review and was told I was going back to  
13 Bellshill.'

14 Secondary Institutions - to be published later  
[REDACTED]

17 Secondary Institutions - to be published later

18 She was  
19 also, it seems, fostered for a period during that time.

20 At page 20, she tell us about life after being in  
21 care. It is clear there was a difficult period. She  
22 had no contact with her social worker, paragraph 102.  
23 She got into trouble with the police and was homeless  
24 for a period. She then talks about meeting her husband,  
25 and ending up having children.

26 She says, at paragraph 109 that:

1           'I didn't work at all when the children were  
2           small. Having the children was difficult. We moved  
3           about a lot because I was terrified when people came to  
4           my door. I wet myself once when somebody came shouting  
5           to my door. I was a nervous wreck my whole life. I was  
6           scared of my own shadow. That caused a lot of stress,  
7           because I was moving around bed and breakfasts with the  
8           children. I was living in one room with all the  
9           children. We also stayed in homeless units. I hate  
10          that I had to put the children through that, but I was  
11          trying to protect them.

12           'I had no contact with my parents until I was  
13          older and I would call in to see my mum [...] but she  
14          just sat and drank.'

15           Over the page, at paragraph 112:

16           'There has been an impact on me as a mother.  
17          I was overwhelmed by the children. Because I didn't  
18          have a family, I didn't have a clue how to be a mother.  
19          I have done a lot of shouting in my life and I hate that  
20          my past had that impact on me. The children have all  
21          grown up with that. I did all right considering what  
22          I went through, but it made me a really unhappy person.'

23           She says, at paragraph 113, reading that short:

24           'Being in care has robbed me of showing my  
25          emotions to my children.'

1           At paragraph 115, she talks about sexual  
2           difficulties because of her experiences and reinforces  
3           that point at paragraph 117.

4           At paragraph 119, page 23, she says:

5           'I know I am a good person, but being in care has  
6           just had such an impact on my whole life. It affects  
7           how I see things and the decisions that I make. I don't  
8           feel normal and I feel unhappy most days.'

9           She has nightmares. Paragraph 120:

10          'There has been a huge impact on my mental health.  
11          I could cope when I was working because I was distracted  
12          but after I stopped work, following a car accident in  
13          2014, it all started because I had more time to think.'

14          At 121:

15          'Being in care affected my education. I thought  
16          I was stupid for a long time, so I never thought I could  
17          get a good job.'

18          She tells us, at paragraph 122, that her physical  
19          and mental health is really bad:

20          'I haven't had luck since the day I was born.'

21          At 123:

22          'Since reporting and having psychological help,  
23          the impact has been much greater. I don't feel normal  
24          and I am having flashbacks through looking at my  
25          grandchildren.'

1           She talks about reporting of abuse at page 24. At  
2           page 25, in relation to lessons to be learned, she says  
3           she thinks:

4           'There should be a lot more interaction between  
5           staff members and children in care. It should be done  
6           outwith the home. Staff backgrounds should be  
7           thoroughly checked.'

8           Reading short:

9           'Staff should not be left alone with children at  
10          night and there should be more staff.'

11          'I was removed from the family home and put into  
12          a worse situation. I should have been placed somewhere  
13          safe. There should be more support for children leaving  
14          care, particularly when they have been institutionalised  
15          for a long period of time. I needed support when I had  
16          my own children due to lack of parental role models.'

17          My Lady, taking that short, she has made the usual  
18          declaration and signed the statement.

19   LADY SMITH: Thank you.

20                                'Jordan' (read)

21   MR SHELDON: Moving on again, my Lady, the next statement is  
22               of a witness who is anonymous and his chosen pseudonym  
23               is 'Jordan'. The reference for the statement is  
24               WIT-1-000001295.

25               Again, it is a statement I think we can take



1 relatively short, my Lady. 'Jordan's' evidence in  
2 relation to SPS establishments -- he was in  
3 Longriggend -- was read in on Day 399. That's  
4 TRN-12-000000031. And evidence in relation to  
5 CrossReach, he was in Ballikinrain, was read in by  
6 Ms MacLeod on Day 442. That's TRN-12-000000075.

7 My Lady, 'Jordan' was born in 1972 and he makes  
8 the point at paragraph 2:

9 'It is difficult for me to say when I was at  
10 various places during my time in care, because I was in  
11 so many and moved around so much. Sometimes I was in  
12 places for short periods of time. At other times, I was  
13 staying at one establishment during the week while going  
14 to another at weekends. That has complicated things  
15 when it comes to my memories surrounding my care  
16 history.'

17 He talks about his early life from paragraph 3.  
18 He was brought up in West Lothian and can't remember the  
19 circumstances which led him to being taken into care,  
20 which he thinks was at the age of about 7 or 8, and was  
21 then in various placements, including foster care.

22 If we turn to page 10, he tells us about his time  
23 at Calder House. He says, just at the start of  
24 paragraph 37, he thinks he ended up in Calder House in  
25 Blantyre after leaving Bellshill:

1           'But it could have been before I went to  
2           Ballikinrain.'

3           My Lady, the records indicate that he was placed  
4           in Calder House in [REDACTED] 1984 and was there  
5           until [REDACTED] 1985, so about ten months.

6   LADY SMITH: Thank you. And he was only in Calder House  
7           once, wasn't he?

8   MR SHELDON: I think that's right, my Lady, yes. Yes, it  
9           seems to have been -- well, as he says himself, between  
10          numerous other placements.

11   LADY SMITH: Yes.

12   MR SHELDON: He says, paragraph 37:

13           'I don't think there was a Children's Hearing held  
14          around the time of the move to Calder House. I was in  
15          second year at high school during my time in  
16          Calder House, so I estimate that I would have been  
17          between 12 and 13.'

18           That seems about right, given the dates, my Lady.

19   LADY SMITH: Thank you.

20   MR SHELDON: He says, paragraph 38:

21           'Calder House was a secure Assessment Centre [...]   
22          on the outskirts of Blantyre.'

23           Reading that short, he says:

24           'It was strict and the first place I remember  
25          being locked inside. The front door was locked and you

1           could only get out when you were allowed to. You were  
2           watched all day every day so that you couldn't do  
3           anything.'

4           He says, in relation to staff, that he can't  
5           remember any of the staff members' faces. Reading  
6           short, he says:

7           'I don't think it was the same staff present at  
8           night-time as the ones that were present during the day.  
9           I think those staff members who were on shift at night  
10          were specifically night watchmen. During the day there  
11          were staff members who worked in the office and staff  
12          who were in the living areas in the unit.'

13          He says of the staff, at paragraph 40:

14          'Some of them would speak with the children, but  
15          not all of them. Most of the time they were just  
16          sitting around watching us, rather than interacting with  
17          us. They wouldn't, say, play cards with us or something  
18          like that. Looking back, the way they acted was more  
19          like you would expect a security guard to act.

20          'I remember that, because Calder House was usually  
21          used for assessing children, children were only there  
22          for about three weeks at a time. Children were coming  
23          and going all the time.'

24          He thinks there were about 15 children in there at  
25          any one time, boys and girls.

1           He talks about the division of the home into units  
2           and says, towards the end of that paragraph:

3           'I've no idea why I ended up in an Assessment  
4           Centre. Unlike the other children, I wasn't in  
5           Calder House because of any offending history. I think  
6           it was because of that I was eventually allowed to leave  
7           the property. I was the only one who was allowed that  
8           freedom.'

9           He says, paragraph 44:

10          'Calder House was the same in terms of routine and  
11          structure as an Assessment Centre I later went to,  
12          Larchgrove. I think the only difference was that at  
13          Larchgrove you were locked in your room at night and at  
14          Calder House you weren't. Calder House was a bit  
15          stricter when it came to routine when compared to some  
16          of the later children's homes I was at. You were  
17          supervised, couldn't leave and had to ask permission to  
18          do things like go to the toilet. When I was there  
19          during the day, and later when I was there permanently,  
20          all I would do is sit in a room watching television with  
21          staff watching me. I was locked inside and couldn't go  
22          anywhere. After a few months, I was allowed to go out  
23          and wander about the grounds. That was different to the  
24          other children there. Later, I went to school during  
25          the day then, when that didn't work out, attended

1 classes in Calder House itself. Nothing much happened  
2 at the weekends.'

3 Paragraph 44:

4 'I was there that long that they eventually gave  
5 me my own room. The rooms I slept in weren't locked at  
6 night, but there was a night watchman outside the  
7 corridor throughout the night.'

8 He talks about showers and mealtimes, and says, at  
9 47:

10 'I don't remember having to do any chores. There  
11 wasn't a uniform, but they provided you with clothes.'

12 And 49:

13 'I don't remember having any possessions. You  
14 never really got any pocket money. They just did  
15 everything for you.'

16 He talks about schooling, and repeats that he was  
17 initially sent to an outside secondary school and the  
18 only child at Calder House who did that. He says that  
19 he had missed a lot of school, so it was all, as he puts  
20 it, 'double Dutch', and, paragraph 51:

21 '... ended up having me attending the school  
22 within Calder House.'

23 Reading that short, he says:

24 'I think you were only given what you were capable  
25 of doing. For me, it was basic reading and writing.

1 I think classes only lasted until lunchtime.

2 'During recreation time they would take you down  
3 to the big barn and do activities. You would play  
4 football, badminton or something like that. They would  
5 sometimes take you out for a run for a circuit. You  
6 were supervised and watched by the staff all the time  
7 when you did those activities.'

8 Reading short, my Lady, to paragraph 55, he says:

9 'I wasn't taken on any trips or holidays.  
10 I remember one staff member saying to me that if I made  
11 a friend in the community I could go out and visit them.  
12 I didn't understand how I could do that because I was  
13 locked up inside Calder House most of the time I was  
14 there.'

15 Paragraph 57, he says his parents didn't visit and  
16 that he very rarely saw social workers, unless there was  
17 a Children's Hearing, which he says weren't frequent:

18 'I didn't really have much contact with social  
19 workers during my time at Calder House.'

20 And he doesn't remember seeing any inspections  
21 being undertaken whilst he was there.

22 He says, paragraph 59:

23 'I didn't get the impression that I was being  
24 assessed in preparation for being moved on to another  
25 place. If that had been happening, I would have only

1           been in there for about three weeks, rather than  
2           a period of months. There was nobody who sat me down to  
3           explain what was happening or what would be happening  
4           next when it came to my care. I don't remember anyone  
5           sitting me down and saying that they were waiting for  
6           a space to open to get me into another place or anything  
7           like that.'

8                     He says, at paragraph 62, there were no issues  
9           with bed wetting.

10                    And at 63, he says:

11                    'It was quite a strict place and they did  
12           discipline you. If you were misbehaving one of the  
13           punishments was to take you out for a run. That  
14           happened a couple of times a week. The run would  
15           consist of circuits around the grounds. You could be  
16           running up to three or five miles at a time. The routes  
17           were set by the staff. I remember being made to run  
18           happening quite a lot. After a while of that punishment  
19           being given to me, I started getting into it and  
20           regarded it more as an activity that I enjoyed. It  
21           didn't really pose a problem to me and I was happy to do  
22           it. There were those who didn't like it though. Those  
23           who didn't want to do it would still be made to complete  
24           the route, albeit they would be walking.'

25                    He talks about abuse and, at paragraph 64, says he

1 doesn't remember seeing anything happening:

2 '... other than what I set out below that could be  
3 considered abusive.'

4 At paragraph 65, he says he remembers that the  
5 night watchmen wanted complete silence after the lights  
6 went off:

7 'They made you stand facing the wall for hours on  
8 end if you were carrying on or making noise in your room  
9 during the night. They would come in, take you out of  
10 the room to the corridor and make you stand in the  
11 corner facing a wall, for up to three hours. You were  
12 standing there right up against the wall in your  
13 pyjamas. You would stand there until you were that  
14 physically knackered that you just wanted to go back to  
15 your bed to sleep. The night watchman would sit  
16 watching you whilst you were standing facing the wall.  
17 They would be sitting in the hallway. It wasn't as if  
18 one person was being singled out. Being made to stand  
19 in the corridor at night happened a lot to everybody in  
20 Calder House.'

21 At paragraph 67, he says he is not 100 per cent  
22 sure what happened that resulted in his being moved, but  
23 thinks there would have been social work involvement.

24 Page 17, he is then briefly in Larchgrove and then  
25 Bellshill Children's Home, **Secondary Institutions - to be published**



1       Secondary Institutions - to be publis

2               My Lady, passages on his life after care and the  
3               impact on him were read in during the CrossReach  
4               Hearings.

5   LADY SMITH:  Yes, I remember those were looked at in some  
6               detail.

7   MR SHELTON:  I will just say that, as usual, there is  
8               a declaration and the statement is signed.

9   LADY SMITH:  Thank you very much.

10  MR SHELTON:  So, finally, my Lady, we come to the statement  
11              of HLP .

12   'Skyler' (read)

13  MR SHELTON:  The reference for her statement is  
14              WIT-1-000001464.

15  LADY SMITH:  Thank you.

16  MR SHELTON:  Mrs HLP tells us about her own qualifications  
17              and background on page 1 and, at paragraphs 4 and 5,  
18              about some background to Calder House.  She says, at  
19              paragraph 8, page 2, that from her perspective, staff  
20              attitude was generally very good and their interaction  
21              with the children at that time was to build a good  
22              understanding of the children's needs while they were in  
23              Calder House.  She was deputy matron of Calder House  
24              between 1969 and 1971, and matron between 1971 and 1987,  
25              and tells us about her responsibilities in those roles.

1 LADY SMITH: Yes.

2 MR SHELDON: She said she was recruited following  
3 an interview with Strathclyde Regional Council and...  
4 '... employed solely on my experience as  
5 an auxiliary nurse.'  
6 ...and having a family of her own. She tells us,  
7 paragraph 11, that she had regular informal meetings  
8 with her line manager but doesn't recall any appraisal  
9 process taking place.

10 LADY SMITH: Yes, I see that, according to what she says in  
11 paragraph 2, she did at some stage do the Langside  
12 College Diploma in The Care of Children and Young  
13 People, but she doesn't tell us when she did that. So  
14 we don't know whether she was able to offer whatever she  
15 had learnt on that diploma in support of her application  
16 to work at Calder House, or whether she did it  
17 afterwards.

18 MR SHELDON: Yes.  
19 My Lady, it has just been drawn to my attention  
20 that actually this witness has a pseudonym. I wasn't  
21 aware of that, but the pseudonym is 'Skyler'.

22 LADY SMITH: Thank you. So she has anonymity.

23 MR SHELDON: Yes.  
24 So apologies for that, my Lady.

25 LADY SMITH: It's all right.

1 MR SHELDON: She talks from paragraph 13 about the structure  
2 of and recruitment of staff at Calder House. At  
3 paragraph 14, she says that BHN was SNR  
4 SNR He was very professional. He was very hands on  
5 and he made a point of getting to know staff and  
6 worked alongside them.

7 If we move, my Lady, to page 4, paragraph 27 --  
8 she talks in these paragraphs about the children at  
9 Calder House. Paragraph 24, about numbers, and at  
10 paragraph 27, says that:

11 'Leisure time was organised and the children had  
12 access to board games, TV and sports, which included  
13 badminton, shinty and gym football. There were also  
14 disco nights. She says there were organised trips which  
15 were mostly at weekends, and children were taken in  
16 a school bus to swimming, hillwalking, parks and the  
17 museum. There were no informal trips. Children were  
18 schooled in two classes with two qualified teachers.  
19 There was a woodwork room and a pottery room, with two  
20 qualified instructors, which children attended  
21 throughout each day.'

22 She says, at paragraph 31, page 5:

23 'Children did manual work which consisted of  
24 making their own beds and keeping their units clean.'

25 She says, paragraph 33, that:

1           'Social workers, psychologists, and psychiatrists  
2           visited the children. There were regular visits from  
3           social workers and others, as and when required. I have  
4           no knowledge of any reports or recommendations  
5           implemented.'

6           At page 6, paragraph 39, she talks about  
7           discipline and punishment, which she says was carried  
8           out by care staff, teachers and senior staff. She says:

9           'I was not aware of any written policy or code of  
10          conduct in relation to discipline or punishment, only  
11          verbal induction.'

12          She says that the type of behaviour that resulted  
13          in discipline or punishment included absconding,  
14          stealing, smuggling of drugs and violent behaviour.  
15          Care staff administered discipline to the children for  
16          things that were not permitted. They did so by way of  
17          restrictions, which included bans on smoking and leisure  
18          activities. Children might also have to carry out  
19          cleaning duties and visiting rights were stopped.  
20          Children were not physically disciplined and punished.'

21          And at paragraph 46, she says:

22          'I remember any punishments carried out were put  
23          in the daily logbook.'

24   LADY SMITH: Now, am I right in thinking that we have some  
25          records with interesting comments in them from staff

1 from Calder House, but we don't have anything that could  
2 be described as a consistent daily logbook for  
3 punishments, or a punishment book, if I can put it that  
4 way, which they should in terms of the regulations?

5 MR SHELDON: Yes, we don't seem to have anything like that,  
6 my Lady. The witness says a little bit more about the  
7 keeping of logbooks a little later in the statement.  
8 I'll take my Lady to that.

9 LADY SMITH: And where, at paragraph 43, she refers to  
10 'things that were not permitted', I don't think I have  
11 seen anything like a 'Rules of Calder House' book or  
12 suchlike.

13 MR SHELDON: No, and she is clear, at paragraph 40, that she  
14 is not aware of any written code or policy.

15 LADY SMITH: Mm-hm. So that of course begs the question --  
16 which we don't know the answer to -- of what was and  
17 wasn't permitted --

18 MR SHELDON: Indeed.

19 LADY SMITH: -- and did it change, and how did the children  
20 know about it?

21 MR SHELDON: Yes, it does rather suggest, at any rate, that  
22 this was rather made up on the hoof, as it were.

23 LADY SMITH: Mm-hm.

24 MR SHELDON: She says, at paragraph 47:  
25 'Restraint was used on children during my time at

1 Calder House, if a child had been acting aggressively  
2 towards a member of staff or another child, or becoming  
3 violent. It was the care staff who would deal with this.  
4 I was aware of verbal disapproval of their actions being  
5 used, but sometimes physical restraint was necessary to  
6 remove the child from the situation. I did restrain  
7 children, but only in a verbal capacity.'

8 Reading short to paragraph 50, she says:

9 'I don't have any memory of seeing any excessive  
10 restraint used on children at the institution.'

11 And she says, at paragraph 51:

12 'Calder House was not, to my knowledge, ever the  
13 subject of concern within the institution itself, or to  
14 any external body or agency, or any other person,  
15 because of the way in which children and young people  
16 were treated.

17 'There was a reporting process if any child at  
18 Calder House, or another person on their behalf, wished  
19 to make a complaint or report a concern.'

20 She says:

21 'I don't know details of the process, I just knew  
22 there was a procedure. I did not receive any complaints  
23 of abuse that I remember.

24 'Complaints were recorded, probably in the daily  
25 logbook.'

1 She said, at paragraph 55:

2 'A child could speak to their parents or social  
3 worker about any worries they had, including concerns  
4 about the conduct or behaviour of other children, staff,  
5 or others, towards them.

6 'I don't know how practice changed over time.'

7 She has no memory of whether children, in  
8 practice, raised concerns in this way, nor whether any  
9 child raised such concerns with her.

10 She says, page 8, that she can't remember any  
11 definition of abuse that the institution applied in  
12 relation to the treatment of children. And she says:

13 'I did not see any behaviour that I considered to  
14 be abuse of any kind taking place at the institution.  
15 I have no memory of what I would constitute as abuse.'

16 Paragraph 60:

17 'Looking back, I cannot be confident that, if any  
18 child was being abused or ill-treated, it would have  
19 come to light at or around the time it was occurring.

20 'Abuse in Calder House during my time there could  
21 have happened and gone undetected.'

22 She goes on to talk about child protection  
23 arrangements and, at paragraph 65, says she doesn't  
24 remember what child protection arrangements were in  
25 place to reduce the likelihood of abuse.

1           And over the page, at paragraph 66, says that she  
2           was aware of visits from inspectors and of inspections  
3           being carried out. They came unannounced and spoke with  
4           staff and children in the institution:

5           'I don't remember whether they spoke with children  
6           individually or in a group, nor whether other adults or  
7           staff would have been present.

8           'The inspectors [she says] spoke with me when  
9           inspections of the kitchens, laundry and dining areas  
10          were taking place.'

11          She is not sure whether inspectors gave feedback.  
12          At paragraph 7, she says that:

13          'The care staff wrote a log sheet, which they then  
14          passed to SNR [REDACTED] to write up in a daily  
15          logbook.'

16          So it seems, my Lady, that SNR [REDACTED],  
17          clearly Mr BHN [REDACTED], would make up a final log,  
18          as it were, of what was happening.

19          LADY SMITH: Although he hadn't been involved in what was  
20          happening on the daily basis.

21          MR SHELDON: Yes.

22          She says:

23          'I had no access to any record keeping, except for  
24          the records I kept on domestic duties.'

25          She says, paragraph 72:



1           'I was never involved in any investigation on  
2           behalf of the institution into allegations of abuse or  
3           ill-treatment, or into inappropriate behaviour by staff  
4           or others towards children.'

5           And at paragraph 73, that she was never involved  
6           in the handling of reports to -- or civil claims  
7           concerning historical abuse, and says:

8           'I did not become aware of police investigations  
9           into alleged abuse at the institution.'

10           She says she has never given a statement to the  
11           police, the Crown, concerning alleged abuse of children  
12           cared for at the institution, and never given evidence  
13           at a trial in relation to abuse.

14           She talks, from paragraph 79, about members of  
15           staff at Calder House and she names a number of them.  
16           And, paragraph 83, doesn't remember anything specific  
17           about any of the staff members:

18           'They were part of a team who I knew as work  
19           colleagues.'

20           Paragraph 84, she says:

21           'I saw them with children and found them to be  
22           understanding of their needs. They would spend time  
23           talking with them and getting involved with activities  
24           on the unit. I occasionally saw them discipline  
25           children by removing privileges, ie TV, smoking, games,

1 et cetera. I did not see any of them abuse children,  
2 nor did I hear of any of them abusing children.'

3 At paragraph 88, she says she left Calder House  
4 Children's Unit because it closed down in 1987. Reading  
5 short to paragraph 90:

6 'I was not aware of any abuse going on at  
7 Calder House during my time there. I always felt it was  
8 a happy environment and that the children were treated  
9 very well. Yes, there were restraints on some of the  
10 children, but I never saw what I would construe as child  
11 abuse.

12 'I cannot comment on the assertion that the  
13 Inquiry has information to the effect that the  
14 experiences of abuse some children had at Calder House  
15 has continued to affect them and impact on their lives.  
16 To my knowledge, I did not see or hear of any child  
17 abuse taking place at Calder House.'

18 Reading short to paragraph 93, she talks about  
19 specific applicant allegations and mentions a particular  
20 applicant. That applicant's pseudonym is 'Liz', my  
21 Lady.

22 LADY SMITH: Thank you.

23 MR SHELDON: And her evidence was read in on Day 449, that's

24 TRN-12-000000082.

25 LADY SMITH: Thank you.

1 MR SHELDON: 'Liz' mentions that a couple who she calls  
2 [BHN-HLP] were [SNR] at Calder House. Taking the  
3 detail of the allegations short, my Lady, 'Liz' says  
4 that there was emotional abuse; that she was made to  
5 scrub floors; and that Mrs [HLP], as she puts it,  
6 instructed night security staff to hit her with a cane;  
7 and that there was the use of a cell, which was like  
8 a prison cell. In response, 'Skyler' says:  
9 'I have no knowledge of what 'Liz' is stating  
10 about me. I did not abuse her.  
11 'I feel sadness that 'Liz' has felt the need to  
12 raise these accusation about me. I have no knowledge of  
13 acting inappropriately towards 'Liz' in any way. The  
14 passage of time has not affected my recollection of  
15 what's alleged. I don't know why these things are being  
16 said about me. I do accept that would be abuse if  
17 a child was treated in the way described by 'Liz'.  
18 I did not abuse 'Liz' in any way.'  
19 She goes on to talk about allegations made by  
20 another applicant, whose pseudonym is 'Jessica'.  
21 'Jessica' gave evidence, live evidence, on the 11 July  
22 this year. It is TRN-12-000000094.  
23 Again, summarising the allegations, there is  
24 an allegation that the mum -- and she uses a particular  
25 name -- just shouted at everyone all the time. She says

1 she was strip searched and placed in a cell, and that  
2 that happened repeatedly and that she would spend the  
3 night in the cell.

4 Over the page, she talks about having to scrub the  
5 floors in the barn with a toothbrush, and that the  
6 couple -- who she has named -- were aware of the -- what  
7 she describes as 'the toothbrush scrubbing thing'.  
8 Again, in response -- it is really substantially the  
9 same response, my Lady -- 'Skyler' says that she can't  
10 remember 'Jessica', has no knowledge of what she is  
11 stating:

12 'I did not abuse 'Jessica'. I feel sadness ...  
13 [and that] the passage of time has not affected my  
14 recollection of what is alleged. I don't know why these  
15 things are being said about me.'

16 She says that she does accept that would be abuse  
17 if a child was treated in the way described by  
18 'Jessica', and:

19 'I did not abuse her in any way.'

20 In relation to other allegations, she says from  
21 paragraph 120:

22 'I have never been the subject of any other  
23 complaint in relation to alleged abuse.'

24 121:

25 'I am aware that the Inquiry holds records

1           indicating that scrubbing was used as a punishment at  
2           Calder House, including late at night. Scrubbing was  
3           very occasionally used as a punishment. It was imposed  
4           by senior care staff on duty, but never late at night.  
5           A floor cloth and standard scrubbing brush were used.  
6           I did not impose scrubbing as a punishment. I am not  
7           aware of children using a toothbrush to clean areas of  
8           the establishment, including floors. I accept scrubbing  
9           would be abusive without the necessary tools. I am  
10          aware that the Inquiry holds records indicating that  
11          standing out was used as a punishment. I have no  
12          recollection of this practice. I did not impose such a  
13          punishment. I have no recollection of children being  
14          made to stand for lengthy periods late at night as  
15          a punishment. I accept that standing out would be  
16          abusive only if it was unnecessarily prolonged. I am  
17          aware that the Inquiry holds records indicating that a  
18          detention room or cell was used as a punishment.  
19          A detention room might have been used for an overnight  
20          admission which occurred when police brought a child [I  
21          think "in"] late at night. It could also have been used  
22          if a child was acting out and could not safely be with  
23          other children in the home. This would only be for  
24          a short duration. Senior care staff on duty would  
25          impose such a punishment. I did not impose such

1 a punishment. I do not accept that using a detention  
2 room would be abusive, because its use was for the  
3 safety of the child and those around them.

4 'The detention room itself was small, with  
5 a window and a fixed bed on a block, with a mattress and  
6 bedding. There was a separate toilet and wash hand  
7 basin for the child to use, which was attached to the  
8 detention room and accessible through a non-lockable  
9 door.

10 'Children were visited on a regular basis when  
11 they were in the detention room. They were given  
12 reading materials to occupy themselves. I am aware that  
13 the Inquiry holds records indicating that three-mile  
14 runs were used as a punishment. Depending on the  
15 circumstances, some children would be taken on a run,  
16 which was a punishment imposed by senior care staff on  
17 duty. I did not impose such a punishment.

18 'Such a punishment would only be abusive if it was  
19 unnecessarily prolonged.

20 'I am aware that the Inquiry holds records which  
21 refer to restrictions or restriction. Restrictions were  
22 the removal of privileges which would include, for  
23 example, no smoking, the removal of TV privileges and  
24 the removal of participation in other leisure  
25 activities. I do not recall children being told to sit

1 or stand for periods of time in a corridor. Privileges  
2 were removed only when children misbehaved. They were  
3 never deprived of food.

4 'I do not accept restricting privileges or leisure  
5 activities would be abusive.

6 'I have already stated that staff attitudes were  
7 generally very good. I do not recall hearing staff  
8 talking about children in a derogatory way. I never  
9 spoke about children in that way.

10 'I am not aware of children being described by  
11 staff as insolent or as a "shower of bitches". I am not  
12 aware of staff describing their interactions with  
13 children as being "like talking to a toilet seat".  
14 I never spoke about children in that way. To my  
15 knowledge, children who wet the bed were treated with  
16 respect and great privacy. They were not shouted at to  
17 my knowledge.'

18 And the witness has, again, made the usual  
19 declaration and signed the statement, my Lady.

20 LADY SMITH: Thank you very much.

21 MR SHELDON: My Lady, I think we can turn to closing  
22 submissions.

23 LADY SMITH: Yes, I think we can do that. Thank you.

24 MR SHELDON: We have closing submissions from Glasgow City  
25 Council and from South Lanarkshire. Ms Trainer,

1 I think, for Glasgow and Mr Watson for South

2 Lanarkshire.

3 LADY SMITH: Thank you.

4 MR SHELDON: I wonder, my Lady, if I might ask for a --

5 LADY SMITH: Five minutes?

6 MR SHELDON: Two or three minutes, my Lady, just to --

7 LADY SMITH: Get re-organised. Let's do that.

8 (12.14 pm)

9 (A short break)

10 (12.19 pm)

11 LADY SMITH: Mr Sheldon.

12 MR SHELDON: My Lady, I am grateful for that and I think we  
13 can now move on to closing submissions.

14 LADY SMITH: Thank you very much. Well, I would like to  
15 invite Glasgow City Council to address me first, please,  
16 and Ms Trainer, you are here to do that.

17 Closing submissions by Ms Trainer

18 MS TRAINER: I am, my Lady, and I am grateful to the  
19 Inquiry. I think your Ladyship has a written submission  
20 by Glasgow City Council and, while it is not my  
21 intention today to read that out in its entirety, there  
22 are some matters which I would seek to highlight today.

23 LADY SMITH: Thank you.

24 MS TRAINER: Your Ladyship will recall from the terms of the  
25 Section 21 response provided by the Council that, unlike



1 previous chapters in relation to which the Council had  
2 quite significant working knowledge, the evidence in  
3 relation to Cardross Park has come against a background  
4 of the Council having limited knowledge of the running  
5 of that establishment.

6 That being said, the Council have listened to and  
7 read very carefully the evidence before the Inquiry and,  
8 as is noted at paragraph 3 of the response, Glasgow City  
9 Council accepts that children and young people suffered  
10 abuse whilst in Cardross Park. It accepts that abuse  
11 occurred due to deficits in systems which, had they been  
12 operating properly, ought to have prevented it.

13 At the opening of this case study, the Council  
14 offered an unreserved apology to the children and young  
15 people abused in residential care within its  
16 establishments. It wishes to reiterate that apology  
17 now. To the children and young people who were abused  
18 in Cardross Park, the Council is deeply sorry.

19 LADY SMITH: Thank you. I think we should probably just  
20 pick up for the record -- and I know we have talked  
21 about it before -- the reason why a lot of the evidence  
22 about Cardross was news to Glasgow, and that was to do  
23 with reorganisation of responsibilities amongst  
24 different authorities and the disappearance of  
25 Strathclyde Regional Council, and therefore the passing

1 of responsibility to Glasgow, just in the last few years  
2 of Cardross's life.

3 MS TRAINER: Yes, my Lady.

4 LADY SMITH: Have I got that right?

5 MS TRAINER: I think initially it was Dumbarton Council who  
6 was responsible --

7 LADY SMITH: Of course, it was Dumbarton for Cardross, yes.

8 MS TRAINER: -- for Cardross Park, for a brief period, then  
9 Strathclyde took over until, I think, around 1996;  
10 Glasgow City Council taking over in 1996, until  
11 Cardross Park closed in 1999.

12 LADY SMITH: So that's just three years --

13 MS TRAINER: It is.

14 LADY SMITH: -- it was their responsibility. Thank you.

15 MS TRAINER: Your Ladyship has heard, I think, the efforts  
16 that have been made by the City Council and, in  
17 particular, Dr O'Brien in looking at the records in The  
18 Mitchell Library in relation to Cardross Park, and  
19 trying to help in any way that we can to illuminate what  
20 the running of the establishment was like at that time.

21 LADY SMITH: Yes, thank you.

22 MS TRAINER: The picture that emerges of life at  
23 Cardross Park is, again, almost unrecognisable in  
24 a modern social care context and, whilst the Council has  
25 undoubtedly learned lessons and changed its practices in

1 the years since, it once again recognises the learning  
2 which has come from exploring what happened at  
3 Cardross Park. The Council, in the written response,  
4 also notes the striking similarities to the evidence  
5 which has been heard in relation to other chapters.

6 LADY SMITH: Yes.

7 MS TRAINER: The response sets out the involvement of the  
8 Council in this chapter, and I referenced the records  
9 which have been taken from The Mitchell Library. But,  
10 at paragraphs 6 and 7, I also note that Susanne Millar,  
11 now Chief Executive of the Council, returned to give  
12 evidence at the beginning of this phase. She continues  
13 to be involved in the Council's response to the Inquiry,  
14 and the Council reiterates its intention to continue to  
15 engage and assist with the Inquiry whenever that is  
16 sought.

17 LADY SMITH: Thank you.

18 MS TRAINER: As has been the Council's approach to the  
19 evidence to date, it has not sought to challenge the  
20 evidence of applicants regarding their experiences at  
21 Cardross. The Inquiry has heard from individuals who  
22 were resident at Cardross at various points throughout  
23 its operation and their evidence has at times narrated  
24 abuse of the most serious kind.

25 As narrated at paragraph 9, given, firstly, the

1 evidence led in relation to Kerelaw and Larchgrove and,  
2 secondly, the similarities between the evidence across  
3 institutions, the Council proceeds on the basis that  
4 abuse was perpetrated upon children in its care within  
5 Cardross Park. As your Ladyship has heard, the evidence  
6 has covered the period from the 1960s through to the  
7 late 1990s. The Inquiry heard details of sexual and  
8 physical abuse, either at the hands of staff members or  
9 other residents, from which children should have been  
10 protected. It heard about the lack of both nurture and  
11 satisfactory educational provision. It heard about the  
12 utilisation of emotional abuse as an attempt at  
13 behavioural control. While we have observed that the  
14 Inquiry has also heard evidence of good staff and  
15 positive experiences, we have indicated that the focus  
16 of the Inquiry, and therefore this response, is the  
17 abuse that occurred and the systemic issues that allowed  
18 it to occur, and it is that which has been intended to  
19 address.

20 Turning to paragraph 10, and under the heading of  
21 'Key Themes', in the Council's previous response to  
22 Chapter 4, we had identified a number of aspects of the  
23 evidence which had, to us, emerged as common threads.  
24 We have sought to draw upon those again here because, in  
25 listening to the applicant evidence in relation to this

1 chapter, as I have already highlighted, the similarities  
2 in relation to the abuse described was at times  
3 striking.

4 Firstly, the issue of restraint was again  
5 a significant feature of the evidence in this phase, and  
6 we have sought to highlight some of that evidence that  
7 we considered to be relevant at paragraph 11.

8 The Inquiry heard evidence in relation to  
9 particular incidents of restraint and restraint which  
10 led on to incidents of assault. Evidence was also heard  
11 in relation to the particular model of restraint  
12 training provided to staff, TCI, and we have addressed  
13 previously the Council's transition from TCI training to  
14 a framework which is termed 'Promoting Positive  
15 Behaviour'. That is an issue which we intend to return  
16 to at closing in this phase.

17 LADY SMITH: This is a difficult topic, and plainly still  
18 needs to be worked at by any authority who has  
19 responsibility for children in these circumstances. TCI  
20 was thought to be the great cure-all when it arrived on  
21 our islands in about the 1990s, but I think we have  
22 learnt now -- and we're talking about 30 odd years on --  
23 that a more mature and, I hesitate to say sophisticated,  
24 but a better informed system needs to be arrived at  
25 that's been thought about more deeply, and looking at it

1 from all points of view: the young person, the child and  
2 young person's point of view; the point of view of some  
3 well-meaning staff, who think they are protecting the  
4 child who is being restrained and other children, not  
5 having been properly trained and not knowing, actually,  
6 how to deal with their own emotions about what's  
7 happening in this, very often, a very dynamic situation.

8 MS TRAINER: Yes, my Lady, and I think we heard from  
9 Ms Millar that the inherent difficulty lies in the  
10 aspect that it is always something which we are going to  
11 need.

12 LADY SMITH: Yes.

13 MS TRAINER: So we need to do it right.

14 LADY SMITH: Yes. It is never going to be nice, but we can  
15 do it, I would hope, in a way that's not abusive and  
16 tries to pay heed to all the interests that are  
17 involved, and do it as well as we can.

18 MS TRAINER: Your Ladyship will see that the second heading  
19 which we have sought to draw upon is 'Training and  
20 Policies'. The evidence in relation to this issue was  
21 heard, again, from former staff members who spoke of  
22 on-the-job type training, and a lack of any formal code  
23 of conduct. The Council recognises the importance of  
24 thorough recruitment training and policy in its present  
25 day practice, such that any institution not having

1 a code of conduct for residential care staff is  
2 unrecognisable in a modern social care context. And  
3 again, that's an aspect which we intend to return to.

4 LADY SMITH: Thank you.

5 MS TRAINER: The third issue, addressed at paragraph 15, is  
6 'Complaint Handling'. The Inquiry had sight of  
7 a document indicating that at least one formal complaint  
8 was known to the Council; I think a document from 1998.  
9 But other evidence in relation to any formal staff  
10 complaints within Cardross Park has been limited. Many  
11 applicants narrated within their evidence that they  
12 simply did not feel in a position to report issues with  
13 staff or other residents, nor did they have sufficient  
14 opportunity to do so, and that in itself is indicative  
15 of a complaints process which was lacking. The issues  
16 -- of complaint is, again, a matter which the Council  
17 would intend to return to in closing.

18 The fourth key theme, highlighted at paragraph 16,  
19 is 'The Provision of Education', which appeared  
20 particularly pertinent to this chapter.

21 LADY SMITH: Yes.

22 MS TRAINER: The nature of Cardross Park, first, I think, as  
23 a Remand Home, then as an Assessment Centre, meant that  
24 many of the residents were present within the  
25 establishment for a limited period of time. However,

1 a concerning number of applicants described having been  
2 in Cardross for a number of months or even years.

3 Whilst Cardross appears to have had its own  
4 educational provision, the evidence showed that, at  
5 times, children who were in Cardross for longer periods  
6 continued to be involved in mainstream schools. But the  
7 educational provision within Cardross itself appears to  
8 have been limited at best. Even when it was nominally  
9 provided, there doesn't appear to have been an intention  
10 to motivate the children to learn and that was prevalent  
11 through the evidence.

12 A theme amongst the evidence of applicants was  
13 that, where school was attended within Cardross, there  
14 was a focus on things like artistic activities, rather  
15 than academic learning.

16 LADY SMITH: There is a really important part to be played  
17 by artistic activities, but it is not enough,  
18 particularly where there were children there who were  
19 there because they hadn't been going to school.

20 MS TRAINER: Absolutely, my Lady.

21 LADY SMITH: The way to respond to that is not to fail to  
22 educate them.

23 MS TRAINER: Strikingly, I think, one of the applicants  
24 spoke about there being a -- almost an assumption or  
25 an expectation that children within residential care



1           were not going to achieve, and that is not appropriate.

2   LADY SMITH: No.

3   MS TRAINER: Of course, again, we intend to address  
4           educational provision in the present context in closing.

5   LADY SMITH: Thank you.

6   MS TRAINER: The last common theme, which is addressed at  
7           paragraph 18, is that of 'Horseplay', one which was  
8           prevalent in institutions previously referred to. We  
9           have noted there that the applicant evidence in relation  
10          to earlier years of Cardross Park's operation narrated  
11          conduct which was, again, similar to that heard in  
12          relation to other establishments. Fighting or boxing  
13          matches between residents are narrated to have been  
14          sanctioned, and at times even orchestrated by  
15          residential care staff.

16                As time progressed into the late 1980s and early  
17                1990s, there appears to have emerged a culture of  
18                bullying amongst young people, rather than any organised  
19                physical fighting. Many applicants describe conduct  
20                ranging from intimidation to serious physical assault  
21                from other residents, and the Council recognises that  
22                such abuse is only able to take place in circumstances  
23                where supervision and adequate safeguarding policies are  
24                lacking.

25                There were some aspects of the evidence in

1 relation to Cardross Park which didn't fall within the  
2 key themes previously identified. We have sought to  
3 explore those within paragraph 19.

4 In particular, the Council was struck by evidence  
5 of disciplinary practices where applicants described  
6 having their personal belongings removed from them in  
7 a practice which was referred to by some applicants as  
8 'pin down'. Further evidence was heard in relation to  
9 the removal of what were deemed to be privileges as  
10 punishment for inappropriate behaviour. Applicants were  
11 prevented from engaging in trips, activities, and some  
12 even recall being prevented from visiting family members  
13 at home. The Council recognises the emotional impact of  
14 these inappropriate practices have evidently had on  
15 applicants who experienced them, and in particular the  
16 Council recognises that the practice of utilising family  
17 contact time as a punishment is wholly inappropriate.

18 Ms Millar, in her evidence, confirmed that that is  
19 not a practice which is permitted today.

20 Turning to the final part of the Council's  
21 response and some reflections from the evidence that has  
22 been heard in relation to Cardross Park, the Council has  
23 had the opportunity to learn and reflect on the contrast  
24 between the establishment and present day residential  
25 care services.

1           The physical environment at Cardross was described  
2           by many as 'prison-like'. Applicants described bars  
3           across windows, furniture secured to walls. Such  
4           descriptions are vastly different to current residential  
5           care settings, where the Council's ethos is that  
6           Children's Homes should look and feel like family homes.  
7           But ensuring an environment is welcoming and appropriate  
8           for children in residential care is only the first step.  
9           The Council recognises that the attitude and ethos of  
10          staff is the most integral component to ensuring that  
11          children and young people experience both emotional  
12          warmth and love in a residential care setting. Children  
13          should never feel like they are going somewhere 'to be  
14          fixed', as referred to by one applicant in evidence.

15   LADY SMITH: Just let me pick up something on the language  
16          there. Experiencing emotional warmth, yes. I just  
17          wonder -- and I have said this before -- about trying to  
18          mandate love of every child towards whom you have in  
19          your employment a responsibility. That has also been  
20          articulated by some older, very experienced people who  
21          work in this sector. It's just not going to work to say  
22          to every member of staff, 'You've got to love every  
23          child here', and nor will every child actually want this  
24          person, who is a stranger to them, to love them. But  
25          I can readily accept that it should be possible to show

1 emotional warmth and genuine care, and build trust with  
2 a child that you will do your best to take care of them.  
3 Perhaps that's more helpful, and more realistic, than  
4 just saying, 'You've got to love every child'; that's  
5 not going to happen.

6 MS TRAINER: Your Ladyship, I think, explored this issue  
7 with Ms Millar in evidence before.

8 LADY SMITH: I did. She is not the only witness I have  
9 explored it with.

10 MS TRAINER: No, of course. I would defer to her expertise  
11 in relation to the matter, but I think she indicated  
12 that, in some circumstances, it is possible, albeit  
13 I agree, of course, with your Ladyship that mandating it  
14 is not something which is possible, or indeed some  
15 children might not wish for that to be the environment  
16 that they grow up in.

17 LADY SMITH: And then it doesn't happen, they see it doesn't  
18 happen, and they think: how can you trust people in  
19 authority? They say they love me, but they don't. They  
20 say they are going to see that I am loved, but I am not.

21 And actually, some of them reflect in adulthood to  
22 the effect that they realise that they were -- there was  
23 one man who said, 'Look, I was a gobby shite' -- not in  
24 this case study, but in a different one -- 'I know  
25 I was a pain in the neck to everybody'.

1           And as they look back, they are not going to  
2           expect to have been loved, but they can reasonably  
3           expect to be properly cared for and a relationship of  
4           trust built up, so that they know the people who are  
5           responsible for them will do their best to keep them  
6           safe and their best for them as individual human beings.  
7 MS TRAINER: Absolutely, and I think your Ladyship has heard  
8           evidence within this chapter of witnesses who are really  
9           seeking for Council practices to be child-centred and  
10          trauma-informed.  
11 LADY SMITH: Mm-hm.  
12 MS TRAINER: That is an ethos which the Council has hoped,  
13          in present day practices, is reflected. But of course,  
14          here, it is lacking.  
15 LADY SMITH: Yes. Thank you.  
16 MS TRAINER: Lastly, the Council recognises that young  
17          people attended Cardross Park Assessment Centre and  
18          Remand Home with the expectation that their long-term  
19          care arrangements would be secured elsewhere. But,  
20          instead, some applicants remained at Cardross Park for  
21          an extended period of months or sometimes years. That  
22          simple expectation that they would move on and the  
23          continual unfulfilment of that expectation is in itself  
24          a failure to those children and young people. Children  
25          and young people were left feeling disillusioned with

1 the decision-making processes with which they were meant  
2 to be an integral part of. They did not feel listened  
3 to. Whilst it is clear that the Children's Hearings  
4 System and internal Council decision-making processes  
5 have significantly developed in recent years, it is also  
6 acknowledged that, as identified by the Hearings System  
7 Working Group, which is chaired by Sheriff Mackie, there  
8 remains more work to be done.

9 LADY SMITH: Yes.

10 MS TRAINER: My Lady, that concludes what I wish to say on  
11 behalf of Glasgow City Council in response to the  
12 evidence which has been heard in this chapter. Unless  
13 I can be of further assistance, I will end my  
14 submissions there.

15 LADY SMITH: Thank you very much, Ms Trainer. Now, I think,  
16 Mr Watson, whenever you are ready, I am ready to hear  
17 you.

18 Closing submissions by Mr Watson

19 MR WATSON: I am obliged, my Lady.

20 Yes, my Lady, I appear on behalf of South  
21 Lanarkshire Council. Also present today is Liam Purdie,  
22 whom your Ladyship will recall is the Chief Social Work  
23 Officer and Head of Children and Justice Services for  
24 South Lanarkshire Council. Mr Purdie was also present  
25 to hear the oral evidence relating to Calder House and,

1 of course, for the read-ins this morning.

2 My Lady, South Lanarkshire Council's involvement  
3 in this chapter relates to Calder House Assessment  
4 Centre and Children's Home.

5 Your Ladyship is well aware, and has already made  
6 reference to the fact of aggregation and disaggregation  
7 of Local Authorities over the years. South Lanarkshire  
8 Council was formed in 1996 on the disaggregation of  
9 Strathclyde Regional Council. They became responsible  
10 for Calder House at that point, through to its closure  
11 in 2007, and then its demolition.

12 Your Ladyship has the Section 21 response from  
13 South Lanarkshire Council, together with Appendix 1,  
14 which provides a useful history of Calder House.

15 Mr Purdie was asked about that in evidence and I don't  
16 intend to say any more about that, other than to note  
17 that it ceased being an Assessment Centre in 1987 --

18 LADY SMITH: Yes.

19 MR WATSON: -- well before the formation of South  
20 Lanarkshire Council.

21 My Lady, let me say a little more about the  
22 preparation of that Section 21 response.

23 South Lanarkshire Council has very limited records  
24 of the operation and oversight of Calder House. There  
25 was nothing to indicate either good or bad practice.

1 The Council made the assumption that staff at  
2 Calder House would have followed appropriate practice  
3 and the Council now accepts that assumption was wrong.

4 On the contrary, there are multiple instances of  
5 bad practice and nothing to demonstrate good practice.  
6 As Mr Purdie said in evidence, the Council had been  
7 naively optimistic that, if there was poor practice,  
8 this would have been isolated to individuals. On  
9 reading the applicant statements, and on hearing the  
10 evidence, the Council recognises that abusive practice  
11 was endemic across the establishment. It was directed,  
12 overseen and encouraged from the leadership within the  
13 Assessment Centre.

14 Now, your Ladyship has also seen the statement of  
15 'Skyler', read in this morning. It is a matter for your  
16 Ladyship as to what weight to give that in light of the  
17 records, the applicant statements, and oral evidence.  
18 But what I will say is that it does not cause the  
19 Council to alter their view, their conclusion, that  
20 abuse did happen.

21 My Ladyship, even taking it at its highest,  
22 'Skyler' refers to the scrubbing of floors, the stopping  
23 of visiting rights, the use of a detention room; none of  
24 which would have been appropriate punishment.  
25 Punishment runs as well, my Lady. None of which were



1           acceptable.

2   LADY SMITH:  It also has to be remembered that that's the  
3           statement of -- a recent statement from a woman who is  
4           now 84 and, if I have done my arithmetic correctly, she  
5           would be 47 or thereabouts at the time that she ceased  
6           working for Calder House, after a period of about  
7           16 years.  So it was a significant part of her adult  
8           life, but we are asking her to cast her mind back a long  
9           time.

10  MR WATSON:  Yes, my Lady.  All of the witnesses are casting  
11           their minds back for a very long time and your Ladyship  
12           will bear that all in mind when considering what weight  
13           to give it.

14  LADY SMITH:  Indeed.

15  MR WATSON:  What I say on behalf of the Council is that in  
16           light of the other evidence -- and if one puts to one  
17           side the passage of time affecting the recollection of  
18           any witnesses your Ladyship has seen -- the documents  
19           were put to Mr Purdie, the contemporaneous records of  
20           how children were cared for.

21  LADY SMITH:  Yes.  They are extremely powerful and quite  
22           distressing in places.

23  MR WATSON:  Yes, my Lady.

24  LADY SMITH:  And, as I have already alluded to, Mr Watson,  
25           I wonder what was going on, not just so far as what was

1           happening to the children was concerned, but what was  
2           going on that the people writing these entries, and the  
3           activities that were going on, were happening without  
4           anybody having supported them. I can well understand  
5           that there would be days -- it would be difficult, as  
6           I have already alluded to with Ms Trainer; their own  
7           emotions would take over and they would fall into this  
8           pattern of just regarding the children as a lesser form  
9           of life as part of their own self-protection.

10   MR WATSON: Yes.

11   LADY SMITH: And nobody was helping them -- how to live  
12           differently at work and do a different job at work.

13   MR WATSON: Yes, my Lady, and your Ladyship heard from  
14           Mr Purdie, first, as to how this read to him as being a  
15           venting of frustration, and your Ladyship is right,  
16           there is nothing to indicate that there was anything in  
17           support around staff to assist them when they were  
18           frustrated; and one can understand that on occasion they  
19           would be.

20   LADY SMITH: Yes.

21   MR WATSON: Your Ladyship also heard from Mr Purdie about  
22           the measures that the Council now takes to seek to  
23           support staff, both formally and informally; not simply  
24           through line management, but through external  
25           opportunities for them to seek assistance, whether that

1 be for themselves or to report matters that they're --  
2 where they're -- concerned about for their colleagues.

3 LADY SMITH: Something that jumped out at me, actually, in  
4 'Skyler's' statement, I think it was, where she said  
5 that any concerns could be reported and there was  
6 a system for doing that, not that she knew exactly what  
7 it was. Now she probably had in mind concerns about  
8 a child. But where's the system for a member of staff,  
9 who realises they are struggling, to go and get help,  
10 say 'I need help with this, I know I am not functioning  
11 well, and the pressure's all getting too much'?

12 MR WATSON: Yes, my Lady.

13 LADY SMITH: It certainly wasn't there then and it is  
14 something that's needed now.

15 MR WATSON: Yes, absolutely. What's striking from her  
16 statement is reference to her belief that there may have  
17 been procedures, but not recalling anything about what  
18 those procedures might be, whether because there were  
19 none or whether through the aggregation and  
20 disaggregation they no longer exist, doesn't assist your  
21 Ladyship. But the salient point is, as your Ladyship  
22 says, if there was anything, it was not sufficient and  
23 it was not working and it is a matter that all those  
24 with responsibility, duties of care towards their own  
25 staff as well as to children, must place a much higher

1 weight on now.

2 LADY SMITH: Thank you.

3 MR WATSON: My Lady, I have referred within this closing  
4 statement to several strands of that bad practice. The  
5 first of those is the inappropriate punishment of  
6 children. Your Ladyship heard of children being put in  
7 an isolation cell --

8 LADY SMITH: Yes.

9 MR WATSON: -- of being sent on punishment runs, of being  
10 made to stay in a cold corridor all night, of being made  
11 to scrub floors with a toothbrush. There were forced  
12 strip searches of male and female children by male  
13 staff. There was humiliating and degrading practice  
14 indicative of sexual abuse, with sexually inappropriate  
15 touching of girls masked as observation of girls at  
16 night. There was collective punishment for infractions  
17 of the rules designed to further isolate and target  
18 vulnerable children in a group context. None of that  
19 was acceptable at any time and the Council abhors those  
20 practices.

21 There was an inappropriate attitude towards  
22 children. Your Ladyship, we have just been discussing  
23 that point; the use of records to vent frustration;  
24 offensive language regarding the children, and if that  
25 is what was written down it does raise the question of

1 what staff were saying in person.

2 There was nothing in the records indicative of  
3 staff being supportive, of understanding the children's  
4 needs, or responding to their trauma.

5 There was a failure to hear the voice of the  
6 child. Your Ladyship will recall in particular the  
7 records of the child who reported she had been raped,  
8 where there was no indication of any reporting, any  
9 action taken, any support offered in response.

10 Your Ladyship has heard from applicants that they  
11 told their social worker or expressed their concerns and  
12 fears about treatment within Calder House. Social  
13 workers should then have worked to advocate for and  
14 protect the child. It was not evident that they did.  
15 That would have reinforced the helplessness of the  
16 children. The denying of access or contact visits from  
17 family members was used as a punishment. This has had  
18 a significant impact on some of the residents, with real  
19 fears for their siblings in the community living in  
20 violent or neglectful environments.

21 My Lady, South Lanarkshire Council accepts that  
22 the regime at Calder House Assessment Centre was  
23 abusive. In Mr Purdie's words, 'it was abusive and  
24 criminal'. They accept that there was a systemic  
25 failure to prevent abuse and to foster a supportive,

1           caring and child-centred home for the children  
2           concerned.

3           Your Ladyship has also heard about how residential  
4           childcare has changed in recent years. There is no  
5           similar Assessment Centre in South Lanarkshire now, but  
6           there is residential childcare. This is provided in  
7           much smaller units, with much tighter approaches to  
8           recruitment, training, monitoring, safeguarding and  
9           external oversight.

10       LADY SMITH: Are the current units in one place, one town,  
11           or are they spread throughout South Lanarkshire? Do you  
12           know?

13       MR WATSON: My understanding, my Lady, is that there are,  
14           I think, six or seven small six or seven bedded units  
15           across South Lanarkshire. If your Ladyship would like  
16           the details of where those are, I can submit them in  
17           writing afterwards.

18       LADY SMITH: It would be interesting to know that, yes,  
19           thank you. You say half a dozen children or so in each  
20           unit?

21       MR WATSON: In each unit, my Lady, yes.

22       LADY SMITH: Sorry to interrupt again. There is clearly  
23           a place for that. We have been through a time of  
24           thinking the cure-all is foster care. We have seen from  
25           the Foster Care case study the problems involved in it.

1 Even just in one of the statements we read this  
2 morning -- I think it may have been 'Jim', it doesn't  
3 matter -- he explained that the reason he set fire to  
4 the hay rack, hay store, in a foster home was he didn't  
5 want to be in another family, he wanted his own family;  
6 not that his own family could actually provide. He was  
7 only about nine years old at the time. But fostering  
8 isn't going to work for every child. They don't want to  
9 be forced into a feeling that they have to pretend that  
10 the foster family will just slot in where their own  
11 family left off.

12 MR WATSON: Yes.

13 LADY SMITH: This sort of unit, if it is working well --  
14 where it is smaller and doesn't have the overwhelming  
15 sense of lots of children, lots of staff, and a huge  
16 building that none of them have experienced before --  
17 but this sort of unit possibly has prospects of doing  
18 much better for children in the future.

19 MR WATSON: Yes, my Lady. And as your Ladyship has heard  
20 from a number of witnesses, there is no  
21 one-size-fits-all.

22 LADY SMITH: No.

23 MR WATSON: The appropriate mode of care for children will  
24 vary from support within family, kinship care, foster  
25 care, route to adoption and, for some, residential

1 settings.

2 LADY SMITH: Yes. We will always need it.

3 MR WATSON: Yes, my Lady.

4 LADY SMITH: Thank you.

5 MR WATSON: On the current approach to care, your Ladyship  
6 has heard from Mr Purdie and I will keep brief what  
7 I say about this. But it is important for your Ladyship  
8 to know that there has been wholesale change so far as  
9 staff recruitment, ratios, logs, supervision. Your  
10 Ladyship heard of offset shift patterns to ensure there  
11 was no collusion, deliberate or otherwise, between  
12 staff, all with a view to supporting the safeguarding of  
13 children. Your Ladyship heard, also, about the  
14 anonymous disclosure line. Your Ladyship heard from  
15 Mr Purdie how the preference would be that, for good  
16 reason, staff are supported to consider they can report  
17 directly without a requirement for it to be anonymous,  
18 but there is that option available.

19 Record-keeping has been a significant element of,  
20 I think, every phase and every chapter of this Inquiry,  
21 and record-keeping, again, is an area which has been  
22 overhauled here. Your Ladyship heard from Mr Purdie  
23 about their current practice being to ensure that  
24 everything relating to each child is all on one file, so  
25 that it is clear and transparent for everyone caring for



1 that child and, in due course, for the child also to be  
2 able to read and understand the reasons for the care  
3 that they received.

4 All staff are now trained in trauma-informed  
5 practice. They are trained in 'Promoting Positive  
6 Behaviours', as your Ladyship has already discussed this  
7 morning, as a deescalation strategy. Physical restraint  
8 is a last resort. There are regular reports and reviews  
9 on how and when deescalation strategies have been  
10 initiated. There are announced and unannounced visits  
11 to all South Lanarkshire establishments and it is  
12 encouraged for any place where a child is accommodated,  
13 so that would be including foster care as well.

14 Your Ladyship heard in the read-in from 'Ray' this  
15 morning how he would want there to be 'unannounced spot  
16 checks', as he put it, which is exactly how matters have  
17 developed.

18 All that said, my Lady, the Council has continued  
19 to reflect on this, on these visits, and is looking to  
20 gather further evidence and reporting as to how these  
21 visits are recorded and evidenced as part of external  
22 scrutiny of in-house and external establishments. The  
23 Council wants to ensure that children are seen and their  
24 voice heard as part of that process and, again, your  
25 Ladyship heard in the read-ins this morning exactly that

1 concern.

2 They will review how South Lanarkshire use  
3 independent advocacy and also the care-experienced staff  
4 that they have recruited as part of the commitment to  
5 keep The Promise.

6 My Lady, the importance of this Inquiry is not  
7 only in learning from the past, but in informing the  
8 future. The Council, through Mr Purdie, has raised  
9 areas where their own practice could still change.

10 LADY SMITH: I am reminded of what 'Hammy' said: 'we have to  
11 rewrite the future'.

12 It was a very interesting phrase, aware of being  
13 condemned to just carry on repeating the past unless we  
14 really grasp the need for change and write a different  
15 future from what otherwise it'll be.

16 MR WATSON: Indeed, my Lady. And what was best practice 10,  
17 20 years ago is not now, so what is perceived as best  
18 practice now does not mean one stops evolving.

19 LADY SMITH: No.

20 MR WATSON: Your Ladyship heard from Mr Purdie as to how  
21 national change may assist, and where legislation may  
22 assist with that, and no doubt we will keep that in mind  
23 in due course when making further recommendations.

24 Finally, my Lady, South Lanarkshire Council wants  
25 to apologise to those children who suffered the abusive

1 system which was in place at Calder House. That should  
2 never have been. It was abusive and criminal. It was  
3 an abusive regime, unchecked by proper oversight, and  
4 for that the Council apologises.

5 As Chief Social Work Officer, Mr Purdie has also  
6 advised that he will ensure that when your Ladyship  
7 reports on this part of the Inquiry, an appropriate  
8 Social Work Committee report will be prepared for  
9 elected members so that they are aware of the abusive  
10 practices which took place in relation to children  
11 within South Lanarkshire, and to remind them of their  
12 responsibilities to ensure that such practice cannot be  
13 repeated, either in their current establishments or  
14 other purchased placements, and that would of course  
15 include foster care.

16 LADY SMITH: I was really pleased to read that and hear you  
17 focus on it just now, Mr Watson. Because it is too easy  
18 to forget the part that is played by councillors to  
19 inform policy and ask questions, and maybe even  
20 themselves go and see what's happening on the ground,  
21 and if nobody helps them to know and understand, they  
22 won't know how to do their job better.

23 MR WATSON: Yes, my Lady.

24 I come to this final sentence of the written  
25 statement which has been submitted in advance, having

1 heard your Ladyship's discussion with my learned friend.  
2 What I have referred to there is reminding them, that as  
3 the elected members, that children have a right to be  
4 loved, safe and respected. Of course, my Lady, the  
5 right to be loved isn't simply down to elected members  
6 or the Council, and while that's not meant either in  
7 statement or in me adverting to it, my Lady, to be glib  
8 or superficial, what it does reflect, my Lady, is a deep  
9 desire on the part of the Council that the children  
10 appreciate that -- your Ladyship has heard many times  
11 about the 'Hierarchy of Needs'. The purpose of care is  
12 not simply to meet the basic needs; it is to ensure  
13 that, even if 'loved' is the wrong word, they know that  
14 they are respected, trusted, listened to, valued,  
15 supported.

16 LADY SMITH: Yes. And if that happens, they should feel  
17 safe.

18 MR WATSON: Yes, my Lady.

19 My Lady, that is the closing statement on behalf  
20 of South Lanarkshire Council, unless I can assist your  
21 Ladyship any further.

22 LADY SMITH: I am very grateful to you, Mr Watson. I think  
23 we have got to the end of Chapter 7 of Phase 8, looking  
24 into Calder House, Bellfield and Cardross Park; am  
25 I right about that, Mr Sheldon?

1 MR SHELDON: We have, my Lady. That brings this chapter to  
2 a close, or at least the oral part of it.

3 My Lady, the next chapter, Chapter 8, will  
4 commence on Tuesday, 6 August, looking at three former  
5 approved and List D schools, St John Bosco's,  
6 St Philip's and St Andrew's.

7 LADY SMITH: So that's St Philip's, Airdrie?

8 MR SHELDON: That's St Philip's, Airdrie; St Andrew's,  
9 Shandon; and John Bosco's, Aberdour. The evidence is  
10 scheduled to run, as presently advised, until Wednesday  
11 21 August, and the chapter will be led by Mr MacAulay,  
12 and Ms MacLeod.

13 LADY SMITH: Can you just give me the date again?

14 MR SHELDON: It will start on 6 August and is scheduled to  
15 run until the 21st.

16 LADY SMITH: That's right, thank you very much. Well,  
17 I will rise now until 6 August, which is actually not  
18 long into the future. But my thanks again to everybody  
19 who has been involved in this chapter. It has been very  
20 good to have all the assistance that I have had. Thank  
21 you.

22 (12.59 pm)

23 (The Inquiry adjourned until 10.00 am on 6 August 2024)

24

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3		
4	'Angelica' (read) .....	2
5	'Ray' (read) .....	10
6	'CC' (read) .....	20
7	'Jock' (read) .....	22
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