

1

Friday, 16 August 2024

2 (10.00 am)

3 LADY SMITH: Good morning and welcome to the last day this
4 week of evidence in Chapter 8 of our Phase 8 of case
5 study hearings, and this is the stage at which we're
6 hearing evidence about St Philip's, Plains.

7 I think we have a witness ready; is that right,
8 Ms MacLeod?

9 MS MACLEOD: Good morning, my Lady, yes, that's right.

10 The first witness is 'Gerard' and he is a witness
11 that should be warned.

12 LADY SMITH: Thank you very much.

13 'Gerard' (sworn)

14 LADY SMITH: 'Gerard', one or two things just before we
15 begin.

16 First of all, thank you for engaging with us to
17 provide written evidence, which is in the red folder in
18 front of you. It's been really helpful to have that in
19 advance. That, of course, is already evidence before
20 the Inquiry, but today we'd like to focus on some
21 particular aspects of it with you.

22 Secondly, the parts of the statement that we're
23 going to look at we'll bring up on the screen in front
24 of you, if that's all right. Some people don't like
25 seeing that, but if that works for you, we can do it.

1 A. That's fine.

2 LADY SMITH: So those are practicalities to be aware of.

3 'Gerard', quite separately from that, I do
4 understand that doing what you're doing today is
5 nerve-racking. You're in public and we're asking you to
6 give evidence about matters that happened a long time
7 ago. I appreciate that as well, and that's not easy.

8 So, please, take your time. Don't worry if you have
9 to tell me that genuinely there are things you can't
10 remember, but if you need time just to think carefully,
11 that's okay as well.

12 Separately, if anything that we're talking about
13 gets upsetting or too difficult for you, so that you
14 need a break before we carry on, just let me know. We
15 can have a break, whether it's leaving the room or
16 pausing where you are.

17 Otherwise, 'Gerard', you will be aware, obviously,
18 this is a public inquiry, which is different from
19 a courtroom, a court for a civil case or a criminal
20 case, but you have all the rights and protections that
21 you would have if you were in a court. So if, for
22 example, you are asked any question the answer to which
23 could incriminate you, you don't have to answer it. You
24 can choose not to answer.

25 Of course, if you do answer, you must answer fully

1 and completely. If you're in any doubt as to whether
2 any question we ask you is that sort of question, don't
3 hesitate to check. I'd rather you do that than just
4 keep quiet about it. And, indeed, anything else you
5 don't understand or we're not explaining properly,
6 that's our fault not yours, so just speak up and tell
7 me; all right?

8 A. Thank you.

9 LADY SMITH: If you're ready, 'Gerard', I'll hand over to
10 Ms MacLeod and she'll take it from there.

11 Questions by Ms MacLeod

12 MS MACLEOD: My Lady.

13 Good morning, 'Gerard'.

14 A. Good morning.

15 Q. I don't need your date of birth, but to give
16 a timeframe; can you confirm that you were born in 1960?

17 A. I was, yeah.

18 Q. You have provided a statement to the Inquiry and there
19 is a copy of that in the red folder in front of you. I
20 wonder, first of all, if you could please turn to the
21 final page of the statement and that's really to confirm
22 that you've signed the statement.

23 I'm just going to give the reference of the
24 statement for the transcript. It's WIT-1-000001478.

25 Have you signed the statement, 'Gerard'?

1 A. I have, yes.

2 Q. In the last paragraph, do you say:

3 'I have no objection to my witness statement being

4 published as part of the evidence to the Inquiry.

5 I believe the facts stated in this witness statement are

6 true.'

7 A. That's correct, yeah.

8 Q. Now I'm going to go back to the beginning of the

9 evidence that you discuss in your statement and provide

10 for the Inquiry.

11 I just want to ask you a little bit about your life

12 before you went to St Philip's. I think you know that

13 the focus today is on St Philip's, Plains.

14 You tell us in your statement that you left school

15 at 16 and had six O-Levels?

16 A. Yes.

17 Q. And you say that at that time you weren't sure what kind

18 of career you wanted to have?

19 A. I was more interested -- my only thing I was really good

20 at was football, so I was trying to make a career out of

21 playing football.

22 Q. Indeed you tell us that you had trials with a variety of

23 clubs, including Celtic?

24 A. Yeah.

25 Q. You tell us that you worked in different jobs, mainly in

1 the bar trade?

2 A. Yes.

3 Q. Did there come a time, when you were around 22, I think
4 you tell us, and working in a pub, that you were
5 contacted about a possible job at St Philip's?

6 A. I was, yes.

7 Q. Could you tell us how that came about? Who contacted
8 you?

9 A. It was my -- through my father. [REDACTED]
10 [REDACTED]
11 [REDACTED] and through his work there he got to
12 know Mr Kane, who was the headmaster of St Philip's, and
13 there was a vacancy and my dad spoke to Mr Kane about
14 it, and Mr Kane said that if I wanted the job, I could
15 have the job.

16 Q. You tell us, in paragraph 3 of your statement, that as
17 your father [REDACTED]
18 that you and your brother, I think, would sometimes
19 visit St John's with your father?

20 A. Yes. [REDACTED]

21 Q. So when you were contacted by Mr Kane then; was that in
22 around 1982 or thereabouts?

23 A. I would think so, yeah.

24 Q. Did you have any experience in looking after children at
25 that time?

1 A. No. No, none at all.

2 Q. Did you have any qualifications in anything to do with
3 childcare or looking after children?

4 A. No.

5 Q. Was it explained to you what your job was going to be at
6 St Philip's?

7 A. Not really, no. No, it was -- you sort of learned on
8 the job, sort of thing.

9 Q. I think you say that you went to have a general chat
10 with Mr Kane --

11 A. Yes.

12 Q. -- not an interview as such, but there was a chat?

13 A. It was just myself and Mr Kane.

14 Q. I think you tell us that it really was through that
15 connection with Mr Kane that you got the job?

16 A. Yes.

17 Q. Do you know if you had to provide references or anything
18 like that?

19 A. No, I didn't. No.

20 Q. Were you at St Philip's then, working there, from around
21 1982 to 1990?

22 A. Roughly, yes, to the best of my memory.

23 Q. You provide in paragraph 6, 'Gerard', some information
24 about St Philip's, where it's situated and what it was
25 like. Can I ask you: what was your understanding of the

1 purpose of the school when you started to work there?

2 A. To help boys out with certain problems that they were
3 experiencing in life, and basically that was it, just to
4 do that. Be it truanting, be it offending, be it
5 whatever, it was to try and help them work through that.

6 Q. Are you referring there to some of the backgrounds that
7 the boys may have come from before they came into the
8 school?

9 A. Yes.

10 Q. How were boys sent to St Philip's, do you know?

11 A. Through either social work referrals or through the
12 Children's Hearing System.

13 Q. What was the age range of the boys?

14 A. 14 to 16, if I remember correctly.

15 Q. When you arrived at the school; did you find out what
16 your job was going to be, what your role was?

17 A. No. I was basically put to work with a more seasoned
18 member of staff, basically, and just kind of followed
19 their guidelines.

20 Q. So what was your job? What was your role?

21 A. It was -- the title was as a houseparent.

22 Q. Did you have involvement with a particular unit at
23 St Philip's? Were you allocated to a unit?

24 A. When I first started, it was Morar Unit I was in, yeah,
25 and there was a person called Jim Mulligan who was my

1 mentor. He was an older man who had been there for
2 a number of years.

3 Q. And what was his role? Was he also a houseparent?

4 A. Houseparent was the title, yes.

5 LADY SMITH: 'Gerard', when you said your role was to follow
6 guidelines given by other staff; were these guidelines
7 that were written down anywhere?

8 A. Not -- well, I never seen them, my Lady.

9 LADY SMITH: How did you know what they were?

10 A. Just by what James would tell me. So I'm only going by
11 what he was showing me and telling me that's the way
12 things were done.

13 LADY SMITH: So word of mouth and watching what they were
14 doing and how they did it?

15 A. Basically, my Lady, yeah.

16 LADY SMITH: Thank you.

17 MS MACLEOD: You have mentioned the Morar Unit there; were
18 there four different units at St Philip's?

19 A. There was Morar, Arisaig, Lochailort and Mallaig.

20 Q. And were you in the Morar Unit initially, and did you
21 move to different units?

22 A. Yes, I did. I moved to Lochailort Unit.

23 Q. Can you remember roughly when that was during your time?

24 A. A year or so after I started, I would think.

25 Q. Did you then spend the majority of your time in

1 Lochailort?

2 A. I spent the remainder of my time in Lochailort Unit,
3 yeah.

4 Q. In paragraphs 7 and 8, 'Gerard', you describe your
5 recollections of your first shift at St Philip's, and
6 I just want to ask you about that. You say:
7 'I remember my first shift there as it was so
8 memorable.'

9 Can you tell me about it?

10 A. Yes. As I said, I was put with Jim Mulligan and he was
11 on dinner duty that day, so I went on dinner duty with
12 him, and as you're walking up and down between the
13 tables as the boys were eating their dinner, I got
14 a knife thrown at me, which bounced off my back. So ...

15 Q. 'Gerard', was that at a time when all the boys ate
16 together?

17 A. The whole school was eating together in the dinner hall,
18 yes. And there were two members of staff on duty.

19 Q. Was that you and somebody else?

20 A. There was three of us because I was mentoring with Jim,
21 so there would have been three. But as a rule, there
22 was only two on dinner duty every day.

23 Q. So who threw the knife?

24 A. It turned out it was a boy from Easterhouse.

25 Q. The knife made contact with you?

1 A. With my back, yeah.

2 Q. And what happened from there? In relation to that
3 incident; what was the next thing that happened?

4 A. Come the weekend leave, the headmaster approached me to
5 see if I wanted the boy to lose his leave. But, as I'd
6 just started and all that, I said no, it's okay, and
7 just to let him out on leave.

8 Q. So it was very much a decision for you as to --

9 A. The headmaster put the decision onto me, yeah.

10 LADY SMITH: Was that knife the sort of knife --

11 A. A kitchen knife, my Lady.

12 LADY SMITH: What do you mean by kitchen knife?

13 A. Just a normal dinner knife.

14 LADY SMITH: A dinner knife?

15 A. Sorry.

16 LADY SMITH: The knife he was using to eat with?

17 A. Yeah.

18 LADY SMITH: Thank you.

19 MS MACLEOD: Was that Mr Kane -- we'll come on to look at
20 him later. Was that Mr Kane, the headmaster?

21 A. It was, yes.

22 Q. And how did your shift develop from there? What was the
23 next thing that happened on that first shift?

24 A. When I was due to finish, there was another member of
25 staff who was going to pick a boy up that was in custody

1 in Blackhill Police Station.

2 Q. Who was that member of staff?

3 A. **KMW**. And they offered me a lift home because

4 Blackhill was east end and I stayed in the east end. He

5 said he would pick the boy up and then drop me off.

6 But, when we got to Blackhill Police Station, there was

7 a mob gathered outside, and **KMW** went in to get the boy

8 and I sat in the van. And when they came out, the boy

9 then started kicking off and -- in the back of the van,

10 so **KMW** told me to put him down between the seats and sit

11 on him. So I done that and then the mob started

12 throwing bricks and stones and that against the van. So

13 **KMW** took it away and we ended up back in the school, so

14 I never got dropped off. That was that.

15 Q. So the boy that was being collected; how old was he, the

16 boy?

17 A. Just a young boy. I couldn't guess his age. 14, 15.

18 Q. And you were asked to 'sit on him'; can I just ask you

19 a bit more about that? Why was it that you were asked

20 to sit on him?

21 A. Because he was kicking off in the van.

22 Q. In what way were you asked to sit on him?

23 A. I was asked to put him down between the -- the row

24 between the seats and just sit on top of him.

25 Q. So was he lying down?

1 A. Yes.

2 Q. And you were sitting on top of him?

3 A. Yes.

4 Q. Is that how you got him back to the school?

5 A. Yes. Well, he calmed down on the way out and then we
6 let him sit down.

7 Q. I think you tell us that you were supposed to finish
8 your first shift at 5.00 and didn't actually finish
9 until about 9 o'clock at night.

10 A. I never got home until about 9 o'clock at night, yeah.

11 Q. Looking then to some of the other staff that were at
12 St Philip's when you started, you tell us about that
13 from paragraph 9 onwards, and you tell us that Mr Kane
14 was in charge of the school; was he the headmaster?

15 A. He was, yeah.

16 Q. And how did you find him? What was he like?

17 A. Yes, Mr Kane was very -- he was a good headmaster. He
18 was very child orientated. He was good with the boys,
19 but he liked things done in a certain manner and that
20 was the way it had to be done. When Mr Kane wanted it
21 done that way, that was the way it had to be done.

22 Q. Was there a particular manner or regime --

23 A. He was very regimental.

24 Q. I think you tell us that boys would have to march from
25 one place to another?

1 A. Yes, straight lines everywhere, between classes, between
2 units, between whatever. Any time, they had to walk in
3 a straight line.

4 Q. Who supervised or managed that to make sure that boys
5 were walking in a straight line?

6 A. The houseparents.

7 Q. And if a boy was seen to be out of line or not walking
8 in the correct way; was there any repercussions for
9 that?

10 A. No, he'd just be told to get back in line, basically.

11 Q. You mention that the boys would be dressed in army-style
12 clothing?

13 A. Yeah, to the best of my knowledge, it was green during
14 the day and blue at night time.

15 Q. You say that some of the staff didn't like the army
16 style in which the boys were being treated?

17 A. Yeah, I think some of them -- yeah, some of them didn't
18 like it, yeah.

19 Q. And was that something that -- as far as you're aware;
20 were staff able to raise their views about that to make
21 those kind of views clear?

22 A. No.

23 Q. Why not?

24 A. There wasn't the platform to do it.

25 Q. You mention then, in paragraph 11, other staff that you

1 recall. You mention Bill McGeechan, the deputy head;
2 Richard O'Dowd, another deputy head; Jim Hughes, in
3 charge of education; George McLaughlan. Then you
4 recalled a Dennis Ferrie and a Brian Harold, who arrived
5 during your time at the school?

6 A. Yes.

7 Q. You tell us in particular that Dennis Ferrie and
8 Brian Harold were people that you thought were a good
9 influence, positive influence, on the school?

10 A. Yes.

11 Q. Are you able to tell me in a few words what sort of
12 influence they brought that you found to be positive?

13 A. Dennis had just -- Dennis returned -- he'd just
14 completed the CQSW, I think it was called at the time,
15 and so he came back with a lot of good ideas.

16 And then it was a couple of years after, before
17 Brian Harold came. And Brian also brought a lot of good
18 ideas to the school and implemented a lot of changes,
19 which wasn't so regimental and all the rest of it.
20 I felt it created a better working environment.

21 Q. You mentioned quite a number of other staff in
22 paragraph 12, and we needn't go through these, but it's
23 helpful that you've been able to provide that
24 information. Thanks for that.

25 So we'll move on then to the next paragraph, where

1 you mention a staff member called KMS [REDACTED] ?

2 A. Yes.

3 Q. What was his role in the school?

4 A. He was on the night staff.

5 Q. You tell us he was sacked?

6 A. So I'm led to believe, yeah.

7 Q. What was your understanding at the time of why he was

8 sacked?

9 A. I had no idea.

10 Q. In your statement, you say:

11 'I believe for the abuse ...'

12 A. That was just kind of what I heard. I couldn't say that

13 that was fact.

14 Q. Was that something that you heard at the time?

15 A. Yes.

16 Q. You tell us that he wasn't somebody you worked with as

17 such, but you might pass him?

18 A. Perhaps at the weekends if he was on, or something like

19 that, but he wasn't attached to my unit.

20 Q. Did you ever see him interacting with children?

21 A. No, not really, no. Not that I can remember.

22 Q. Looking to your own job then, you have already described

23 your title was 'houseparent'; was your job to look after

24 the boys, in terms of getting them up in the morning,

25 making sure they were in the right places at the right

1 times, that sort of thing?

2 A. Yes, yeah. During the daytime that would be it, but the
3 night time would be more geared towards activities and
4 that kind of thing.

5 Q. So were you involved in activities after school?

6 A. From 6 o'clock at night, yes.

7 Q. And making sure the boys got to bed and things like
8 that?

9 A. Yeah.

10 Q. In the unit that you spent the majority of your time;
11 was there a number of separate dormitories within the
12 units?

13 A. There was four, I believe, yes.

14 Q. With a number of beds?

15 A. Four in each.

16 Q. And were there also single occupancy rooms?

17 A. There was two, if I remember correctly.

18 Q. Did you have a line manager at St Philip's?

19 A. No.

20 Q. If you had any issue you wanted to raise or somebody to
21 ask a question to; who would that be?

22 A. It would probably be Bill McGeechan.

23 Q. Was that a sort of informal arrangement, as somebody you
24 knew in the unit?

25 A. No, Bill McGeechan was the deputy head in charge of

1 social work, so he'd be my boss basically, you know.

2 Q. Okay. Was there any sort of appraisal system where
3 staff were appraised after a particular period of time?

4 A. There wasn't, no.

5 Q. Were you provided with any training while you were at
6 St Philip's?

7 A. No.

8 Q. You tell us that you yourself went on two courses, one
9 on trampolining and one on skiing?

10 A. I did, yes.

11 Q. But the school itself didn't arrange for you to go on
12 any courses or provide any training for you?

13 A. No.

14 Q. Looking to the culture at the school and the ethos at
15 the time you were there; how would you describe that?
16 You speak about this in paragraph 21 onwards.
17 What was the atmosphere like in the school?

18 A. The atmosphere in general was good. It was generally
19 a good, happy environment. I don't really know what
20 else I can say to that, to be honest.

21 Q. You do tell us that in your statement. You say:
22 'Altogether it was generally good.'
23 You go on to say:
24 'Some staff could have been better with certain
25 practices, especially in [your] earlier days.'

1 A. Yes.

2 Q. Are you speaking about any particular practices there
3 when you make that kind of comment?

4 A. Yeah, there was just a general -- there were some people
5 I thought shouldn't really have been in the school, to
6 be honest. You know, they were just -- collecting
7 a wage, do you know what I mean?

8 Q. And are you thinking there of some of the staff who were
9 working with children?

10 A. Yes.

11 Q. Are you able to identify anyone in particular?

12 A. It's a while ago. I think I mentioned one before.

13 KMV stands out to me in particular, and so does
14 KMW. KMW was an ex-police sergeant and,
15 I don't know, I just felt didn't have a lot of time for
16 the kids, but he'd been there for a number of years.

17 Q. You do tell us about both of these people, 'Gerard', in
18 your statement. In paragraph 76, you mention
19 a KMT; did you say?

20 A. KMT was, if I remember correctly, the woodwork
21 teacher.

22 Q. And did you have some concerns about him?

23 A. Yeah, he had this habit of throwing keys off of boys'
24 heads. He had a big bunch of keys and they were
25 attached to -- the only way I can describe it is like

1 a piece of elastic or something, so when he threw the
2 keys and they hit the boy's head, they would come back
3 into his hand.

4 Q. Did you see him do that?

5 A. I seen him doing it on a couple of occasions, yeah.

6 Q. And which part of a boy's body would be hit with the
7 keys?

8 A. Just wherever they landed.

9 Q. What sort of thing would lead him to doing that?

10 A. If the boy was misbehaving in his class, I would take
11 it. I have no idea.

12 Q. Did you say anything to him about that?

13 A. I did, yeah, but he laughed and said he only means it in
14 fun.

15 Q. I think you've mentioned also a ^{KMW} [REDACTED]; what was
16 his role?

17 A. Houseparent.

18 Q. Which unit was he in?

19 A. Mallaig Unit.

20 Q. Did you have concerns about his treatment of children?

21 A. Yeah, I did, yeah.

22 Q. What were your concerns there?

23 A. Again, just his general attitude towards the kids. He
24 would think nothing of just slapping a boy across the
25 head and all the rest of this kind of stuff.

1 Q. Did you see **KMW** slapping boys across the head?

2 A. Yes, I did. Yes.

3 Q. Was that something you saw happen on a number of

4 occasions?

5 A. Yes.

6 Q. What sort of thing would lead to that happening?

7 A. Again, if the boy was just carrying on or something. It

8 wouldn't have to be anything major.

9 Q. Apart from slapping boys across the head; was there

10 anything else about his behaviour that concerned you?

11 A. Just the general attitude towards the boys.

12 Q. What was his attitude?

13 A. I thought it was very poor.

14 Q. What was poor about it? Can you describe his attitude?

15 A. He didn't have any time for the boys. He just --

16 I think that's the best way I can describe it. He just

17 didn't seem to have any time for the boys. I know

18 you're looking for more, but I don't know how to

19 describe it. I have it in my head, but I don't have the

20 words.

21 Q. In what kind of manner did he speak to the boys?

22 A. Very abrasive. He spent a lot of time, like, hiding in

23 the office as well, and smoking and drinking coffee,

24 right. And just letting the boys sit out in the lounge

25 area, and all this kind of stuff. There was very little

1 interaction.

2 Q. Did he swear at the boys?

3 A. Not that I'm aware of.

4 Q. **KMV** I think you mentioned as well --

5 A. He fell into similar mode as **KMW**.

6 Q. What were your concerns about him?

7 A. He was very similar to **KMW**. He would think nothing of

8 slapping boys or restraining boys, or whatever. And,

9 again, I felt he was someone that shouldn't have been in

10 the job he was doing.

11 Q. Did you see him slapping boys?

12 A. Yes. I did, yes.

13 Q. Which part of a boy's body --

14 A. Usually the head.

15 Q. Was that something you saw happen quite a bit?

16 A. Yes.

17 Q. How regularly would you say that happened?

18 A. Often it did. Probably nearly every shift he was on, to

19 be honest. Again, he thought it was just a bit of fun.

20 Q. **KMW** and **KMV**; did they work in the same

21 unit as you?

22 A. No. Sorry, did they work in the same unit as me? No.

23 Q. But you saw them interact with children?

24 A. Yes.

25 Q. **KMV**; did you see him punch or kick boys?

1 A. No.

2 Q. Did you make any complaints to the headmaster about the
3 way in which you saw **KMW** or **KMV**
4 behaving with children?

5 A. No.

6 Q. Did you make any complaints to anybody at the time?

7 A. No, no. We spoke among staff, kind of thing, but --

8 Q. Why didn't you make complaints at the time?

9 A. I don't have the answer. I don't know.

10 Q. If a staff member like yourself wanted to make that kind
11 of complaint; was there a known way to do that?

12 A. There wasn't a procedure as such, no. I would presume
13 you would just go to Bill McGeechan, who was, as
14 I've said before, the deputy in charge of social work.
15 Or I suppose you could go to any deputy.

16 LADY SMITH: How many were there?

17 A. Two.

18 LADY SMITH: Did each deputy cover two units?

19 A. There wasn't any units, as such, they covered, my Lady.

20 LADY SMITH: So you could --

21 A. There was one deputy in charge of social work and one
22 deputy in charge of education.

23 LADY SMITH: Thank you.

24 MS MACLEOD: You say at paragraph 78, 'Gerard', you say:
25 'When things began to change in the school and the

1 old style was gone, KMW did not like the
2 changes coming in and decided to leave.'

3 A. Yeah.

4 Q. I just wanted to explore that with you. What changes
5 didn't KMW like?

6 A. When the kind of old regimental regime was changing, he
7 was very set in his old ways and he couldn't get into
8 the changes that were happening. The boys were just
9 allowed to -- they didn't have to line up, for example,
10 anymore. They just walked across in an orderly fashion.
11 They didn't have to wear the military clothes, all this
12 kind of stuff, and KMW just didn't like the changes that
13 were coming in.

14 Q. Was that a change that came in with a change of senior
15 staff? What --

16 A. I'm trying to remember.

17 I can't remember exactly when these changes started.
18 I would be guessing.

19 As I said before, Brian Harold brought a lot of
20 changes that were really good.

21 Q. In relation to the people we have spoken about there,
22 KMT, KMW, KMW, what you say is,
23 as far as you are aware:

24 'None of the people were ever investigated. [You
25 say] the senior management must have been aware of what

1 they were doing.'

2 A. Yes.

3 Q. I just wondered what makes you say that? Why would the

4 senior management have been aware?

5 A. There was a lot of staff in St John's who would run to

6 the senior management with stories, behind people's

7 backs, so that's why I would imagine that the senior

8 staff would know what was happening.

9 Q. You mentioned St John's there; do you mean St Philip's?

10 A. Sorry, did I say St John's? Sorry, St Philip's. Sorry,

11 my apologies.

12 LADY SMITH: And the St John's in your mind would be

13 St John's Springboig, would it?

14 A. Yes.

15 LADY SMITH: Thank you.

16 MS MACLEOD: You tell us, in paragraph 81, that you don't

17 recall any guidance on child protection, certainly in

18 your early years.

19 A. Yeah.

20 Q. Is that something that became more of a feature during

21 your later period in the school?

22 A. Yes, once Brian Harold came.

23 Q. You say:

24 'As new staff arrived, new changes had been made,

25 [you say] that helped some of the dead wood decide it

1 was time to leave.'

2 A. Yes.

3 Q. Are you referring there to teachers or staff who didn't

4 like those changes coming in?

5 A. Yeah. Mostly residential staff.

6 Q. Were you provided with information about the backgrounds

7 of the boys who were in your unit?

8 A. Yes.

9 Q. Who provided you with that information?

10 A. The Social Work Department.

11 Q. Did you have files about the boys?

12 A. We did, yes.

13 Q. Were they kept in your unit or somewhere else?

14 A. In the unit.

15 Q. So you would know the background and circumstances of

16 a particular boy?

17 A. Yes.

18 Q. Were you involved in planning boys' care plans and that

19 sort of thing?

20 A. Yes.

21 Q. Did you have staff meetings in your unit?

22 A. In our unit?

23 Q. Yes.

24 A. Yes, once a week, on a Thursday.

25 Q. And what was the purpose of those meetings?

1 A. To discuss any issues through the week, and also for
2 leave, for the boys going on leave.

3 Q. Would that be home leave at the weekends?

4 A. Yes.

5 Q. We'll come on to look at that shortly.

6 LADY SMITH: You say in your statement that you tried your
7 best to avoid the staff meetings.

8 A. Yeah.

9 LADY SMITH: Why?

10 A. I found them very -- like, there wasn't an agenda as
11 such, my Lady. And it was -- sometimes the headmaster
12 and that was just -- he was dictating things and all the
13 rest. You weren't allowed a voice, if you understand
14 what I mean?

15 LADY SMITH: Yes, I do.

16 A. So I used to volunteer to take the boys into Glasgow in
17 the van or whatever, so I could avoid the staff
18 meetings.

19 LADY SMITH: Thank you.

20 MS MACLEOD: In paragraph 36, you provide some evidence
21 about the showering arrangements and when the boys
22 showered.

23 First of all, can I ask you: was there a shower
24 block in your unit?

25 A. It was a toilet and as you were in the door, to the

1 right, there were some sinks, some cubicles, if
2 I remember correctly, some urinals, and then, to your
3 right, there was three showers. They were kind of
4 through a wee doorway.

5 Q. Was there an open shower with the three showers in one
6 shower, or were there cubicles?

7 A. I think it was open showers, if I remember correctly.

8 Q. So if three boys were showering, they could all see each
9 other showering?

10 A. Yes.

11 Q. Can you recall when boys showered?

12 A. A Sunday evening, when they returned from leave, and
13 usually a Thursday evening as well, prior to them going
14 on leave.

15 Q. Was showering supervised by staff?

16 A. Not the actual showers; the wash block would be. Not
17 supervised as such, but attended to, to make sure the
18 boy had shampoo, soap, et cetera, that kind of thing.

19 Q. Did a member of staff have to be in the showering area
20 for a boy to be able to shower?

21 A. No, no.

22 Q. In your statement you say that boys would not be allowed
23 to have a shower on their own. You say:
24 'If a boy asked for a shower in the morning and
25 there were staff available to supervise.'

1 A. Yeah, that would have been fine. As long as staff was
2 there, yeah.

3 Q. Did staff have to be there if boys were showering?

4 A. No, the boy couldn't be upstairs on his own; that's the
5 point I'm trying to make. But a boy could say he was
6 going for a shower and abscond, so --

7 Q. Did that mean that if a boy went for a shower, a member
8 of staff had to be --

9 A. Had to be upstairs. Had to be upstairs at least, yeah.
10 Didn't have to be in the shower unit, but he had to be
11 upstairs.

12 Q. In the area of the showers?

13 A. Just up the stairs, yes. The shower block was upstairs
14 in the unit.

15 LADY SMITH: Did you regard shower time as an opportunity to
16 check whether the boys were showing any injuries on
17 their naked bodies?

18 A. Did I see that as an opportunity?

19 LADY SMITH: Yes.

20 A. Sorry, I never thought of that at the time, my Lady, no.

21 LADY SMITH: Was that not a general practice?

22 A. No.

23 LADY SMITH: Thank you.

24 MS MACLEOD: You do tell us in your statement that there
25 would need to be a member of staff supervising the area

1 to ensure the boy wasn't going to run away.

2 A. That was the reason for the staff member being there,
3 yeah.

4 Q. Did boys have chores to do in your unit?

5 A. Yeah, there were token chores, like dusting or
6 hoovering, washing and drying of dishes, and ensuring
7 your bed was made in the morning. That was it
8 basically.

9 Q. In terms of the main cleaning duties, you tell us there
10 were cleaners coming in every day --

11 A. Cleaners came in every morning, yes.

12 Q. You tell us that boys got pocket money each week?

13 A. Yes.

14 Q. You describe some of the activities that boys were --
15 had the opportunity of being involved in, like swimming,
16 trampolining, et cetera?

17 A. Yes.

18 Q. Did social workers come to visit the boys?

19 A. On occasions, yes.

20 Q. Would they come into the unit to see the boys?

21 A. Again, on occasion, yes.

22 Q. And would a boy be left to speak to the social worker on
23 their own?

24 A. Yes.

25 Q. In paragraph 55, you say: 'If a boy raised concerns with

1 a social worker, they would normally make the key worker
2 aware.'

3 A. Yeah, the social worker would make the key worker aware,
4 yeah.

5 Q. Were you a key worker for some boys?

6 A. I was, yes.

7 Q. Roughly how many boys at one time would you be --

8 A. About five or six.

9 Q. And as key worker; did you have social workers ever
10 raise concerns with you that boys --

11 A. No.

12 Q. From boys?

13 A. No.

14 Q. Moving on then to that section of your statement,
15 'Gerard', where you tell us about discipline and
16 punishment at St Philip's, I think you explain that,
17 during some of your time at the school, the school belt
18 was still allowed?

19 A. Yeah, when I started, yes.

20 Q. And which members of staff would belt a child, if that
21 was deemed to be required?

22 A. The senior members of staff.

23 Q. The senior members of staff; can you just remind me who
24 that would be?

25 A. Headmaster, the deputy headmasters, Jim Hughes and

1 George McLaughlan.

2 Q. And what sort of things might lead to a child being
3 belted?

4 A. General misbehaviour in the classroom setting or in the
5 unit.

6 Q. And if a boy was to be belted; was there a process for
7 that? Were they taken somewhere to be belted? Or how
8 did it happen?

9 A. I'm not sure how -- I think in the teaching block they
10 were taken in to see Jim Hughes.

11 Q. So that's if something happened in a classroom?

12 A. Yeah, they'd be taken in to see Jim Hughes. He had
13 an office in the teaching block.

14 Q. I should ask you: did you ever see a boy being belted at
15 St Philip's?

16 A. Yes, I did, yeah.

17 Q. Where in the school did you see that happen?

18 A. In the education block and in the units.

19 Q. Starting then with the education block; where in the
20 education block did you see a boy --

21 A. Mr Hughes's office.

22 Q. And who was in the office?

23 A. Mr Hughes.

24 Q. And yourself?

25 A. Well, myself or A N Other member of staff.

1 Q. But on the occasions you witnessed it?

2 A. Just myself and the boy, yeah.

3 Q. Which part of the boy's body was the belt given?

4 A. On the hand.

5 Q. Can you remember how many times the belt was given?

6 A. No.

7 Q. Was the punishment recorded anywhere?

8 A. Not as far as I'm aware.

9 Q. In the units then, when you saw a child being belted in
10 the unit; where in the unit did that happen?

11 A. In the office.

12 Q. And who administered the belt?

13 A. Senior member of staff.

14 Q. Can you recall who it was?

15 A. No -- not particularly, no.

16 Q. Again, which part of a boy's body was belted?

17 A. On the hands.

18 Q. Can you recall how many strokes?

19 A. No.

20 Q. Was that punishment recorded?

21 A. No.

22 Q. Did you ever see punishment by means of the belt being
23 recorded in any kind of book or document?

24 A. I didn't, no.

25 Q. You tell us that, in the mid-1980s, that situation

1 changed, obviously, when corporal punishment was no
2 longer allowed?

3 A. To the best of my memory, yeah.

4 Q. And you tell us that the most serious form of punishment
5 that you had at the school was the loss of home leave?

6 A. Yes.

7 Q. So do I take it from that that if a boy was seen to have
8 misbehaved, that that was a privilege, as it were, going
9 home --

10 A. Yeah, or part of his leave would be taken away.

11 Q. Did that change over your time? Is that something that
12 was still happening --

13 A. No, it was still happening when I left, yeah.

14 Q. Do you know if there were any policies or guidance about
15 punishment at the school?

16 A. Not that I was aware of.

17 Q. Was it ever explained to you how you could, or might, go
18 about punishing or disciplining children?

19 A. No.

20 Q. Was restraint used at St Philip's, at times?

21 A. Yes.

22 Q. Did you sometimes have to restrain children?

23 A. Yeah, in a way, yeah. I found it better than -- to --
24 say, for example, if two boys were fighting, to grab one
25 of them and remove them, and try and talk them down

1 rather than have to restrain them, was my preference of
2 working. But, yeah, on occasion, you maybe had to
3 restrain a boy, for his own safety rather than anything
4 else.

5 Q. Were you provided with any training about restraint?

6 A. No.

7 Q. You tell us, in paragraph 70, that you recall instances
8 of excessive force being used when restraining.
9 I wanted to ask if there was anything in particular that
10 you had in mind there?

11 A. I can't recall, to be honest.

12 Q. You say there seemed to be no repercussions for those
13 who were involved, and there was no intervention from
14 senior staff?

15 A. None.

16 Q. Do I take it from that, that if you were seeing
17 excessive force being used, that was something that
18 continued, it wasn't something that as far as you were
19 aware --

20 A. It went unchecked, yeah.

21 Q. It went unchecked?

22 A. Yeah.

23 Q. Did boys run away from St Philip's?

24 A. They did, yes.

25 Q. Would they be brought back, sometimes by the police or

1 sometimes by staff?

2 A. Yes.

3 Q. And what would happen to a boy when he was returned to

4 St Philip's?

5 A. It was usually -- the key worker would probably speak to

6 them to find out: (a) why they ran away; and (b) what

7 they were up to when they were away. And the

8 consequences of it would be loss of leave.

9 Q. Would a boy be asked, for example, why he was running

10 away?

11 A. That's what I said, the key worker would speak to him

12 and try and ascertain why he ran away in the first place

13 and what he was up to when he was away.

14 LADY SMITH: You said that was what usually happened; was it

15 ever dealt with in any other way?

16 A. Not that I'm aware of, my Lady, no.

17 MS MACLEOD: You have told us, 'Gerard', that there wasn't

18 a complaints procedure from a staff point of view that

19 you were aware of. There wasn't a procedure for

20 a member of staff to report other staff, for example.

21 Was there a procedure for boys who wanted to make

22 any complaints at the school?

23 A. Not that I'd seen written down, no. A boy, if he had

24 a complaint, would either complain to his key worker,

25 complain to his teacher, or perhaps complain to the

1 senior staff himself.

2 Q. And was that explained to boys, that that was what they

3 should do?

4 A. Not that I'm aware of, no.

5 Q. Was there bullying going on between the boys?

6 A. Not excessively, no.

7 LADY SMITH: Are you saying there was some bullying?

8 A. There was slight -- but the staff would try and sort

9 that out right away.

10 MS MACLEOD: So could a particular boy be targeted, for

11 example, by other boys?

12 A. Yes, they could be, but as staff you would try and nip

13 that in the bud as soon as you could.

14 Q. Was that done successfully by staff? Were you able --

15 A. The majority of the time, yes.

16 LADY SMITH: Can you remember what sort of thing would make

17 a boy a target for bullying?

18 A. Perhaps his background, his -- or his stature, if he was

19 small in stature, and -- maybe wasn't as well off as

20 other boys or whatever. There was quite a few areas

21 that you could be targeted for, my Lady.

22 LADY SMITH: What sort of thing in a boy's background could

23 make him vulnerable to bullying?

24 A. If he came from a poor background, for example. See,

25 the boys were allowed to smoke as well, and sometimes

1 you would find the boys wouldn't have any cigarettes and
2 all this kind of stuff, and there was bullying going on
3 for that kind of thing, to get cigarettes and that kind
4 of stuff.

5 LADY SMITH: What about religion? Did that ever create a
6 problem?

7 A. I never seen that, my Lady, no.

8 LADY SMITH: Thank you.

9 MS MACLEOD: Do you recall if there were any inspections of
10 the school during your time there?

11 A. I think I recall one.

12 Q. What do you recall about it?

13 A. It was just some inspectors came about, they spent time
14 in the education block and in the units, the boys'
15 units.

16 Q. And the one you remember; was that an arranged
17 inspection or an unannounced inspection?

18 A. Again, as far as I can remember, it was arranged.

19 Q. I think you tell us you don't recall any unannounced
20 inspections during your time?

21 A. Not that I can recall, no.

22 Q. Would you hear feedback from inspection reports or that
23 kind of thing, once that became available to the school?

24 A. I didn't, no.

25 Q. You tell us, at paragraph 88, that during your time at

1 St Philip's you were never involved in any investigation
2 of abuse?

3 A. No.

4 Q. You provide some information about a couple of people,
5 other staff members at the school, and one of them is at
6 paragraph 91, and relates to a person called HYS .
7 Did HYS work at St Philip's when you were there?

8 A. He started on the maintenance staff and then moved over
9 to the night staff.

10 Q. Was he night staff, I think you tell us, in the Morar
11 Unit?

12 A. He was, yeah.

13 Q. Was that the unit you were in initially and then moved
14 away from?

15 A. Yes.

16 Q. Were you aware of any concerns relating to HYS
17 while you were at St Philip's?

18 A. I wasn't, no.

19 Q. Did you become aware of information relating to
20 HYS at a later stage?

21 A. After he had left the school?

22 Q. Yes.

23 A. There was a rumour that he had been abusing some of the
24 boys.

25 Q. Where did you hear that rumour?

1 A. Just from staff members.

2 Q. While you were at the school?

3 A. Yes.

4 Q. Did you hear anything about the way in which he was
5 alleged to have been abusing boys?

6 A. Actually, I'm not sure. I think this happened after
7 I left St Philip's. I'm sorry.

8 HYS was on the maintenance staff when I was
9 there, and went on to the night staff then, but I'm sure
10 he was still working when I was there.

11 Q. You tell us in your statement, 'Gerard', you say:
12 'The only person [that you were] aware of having
13 been convicted of abuse at St Philip's is HYS.'

14 A. Mm-hmm.

15 Q. When did you become aware that he had been convicted of
16 abuse?

17 A. It would have been my wife would have told me.

18 Q. When?

19 A. After I'd left.

20 Q. Do you know roughly when?

21 A. No.

22 Q. Do you know what he was convicted of?

23 A. No, I heard -- no, I heard it was abuse. That's all
24 I know, to be honest. But, again, that's only hearsay.
25 I don't know.

1 Q. You were also asked about a HWJ --

2 A. Yes.

3 Q. -- when you provided your statement. I think you tell
4 us that he started working at St Philip's before you
5 started there and that he was still there when you left?

6 A. Yes.

7 Q. And you say that he had the same position as you,
8 a houseparent?

9 A. Yes.

10 Q. You say that you always thought he was a good guy and
11 you didn't have any concerns about him?

12 A. None whatsoever, no.

13 Q. When you provided your statement, 'Gerard', you were
14 asked about certain allegations that had been made to
15 the Inquiry by a former pupil about you --

16 A. Yeah.

17 Q. I just want to look now at that part of your statement,
18 where you discuss that.

19 A. Yeah.

20 Q. That's paragraph 95 onwards.

21 At the very front of your folder, your red folder,
22 'Gerard', there should be a document which looks like
23 this (indicating); have you got that?

24 A. Yeah.

25 Q. It's called a pseudonym key, and you'll see two names

1 there. If we look at number 2 on the list; do you see
2 that name?

3 A. I do, yes.

4 Q. And you see that the pseudonym 'David' has been
5 allocated to that person?

6 A. Yes.

7 Q. That's the person that I'm going to ask you about now --

8 A. Okay.

9 Q. -- 'Gerard'.

10 So 'David' has made allegations to the Inquiry about
11 you. First of all, do you remember 'David'?

12 A. I have a picture in my head, but I'm not sure if it's
13 actually him or not.

14 Q. You recognise his name then?

15 A. I didn't at first, no. I didn't at all. But trying to
16 think and think over the last couple of months --
17 I don't even know if I've got the right boy or not.

18 Q. You tell us that in your statement. You say:
19 'I think he was a small boy with fair hair.'

20 A. Yeah.

21 Q. But you're not certain?

22 A. I'm not certain if that's the boy I'm thinking of, yeah.

23 Q. You start this section of your statement by saying:
24 'I never sanctioned, punished or abused that child.'

25 A. That's correct, yeah.

1 Q. 'David' has provided a statement to the Inquiry and, at
2 paragraphs 48, 49 and 62 of his statement, he said:
3 'Gerard' was one of the staff and he was extremely
4 brutal. He was in his late 20s/early 30s.'
5 He says:
6 'Other than 'Gerard', there were no issues with any
7 of the staff.
8 'When it came to staff supervision, it could be any
9 of them that would take us to the swimming or be with us
10 in the sports hall. If there were kids not going out
11 for any activity, then a member of staff would stay
12 behind to look after them at home. So long as 'Gerard'
13 was not involved, the atmosphere was quite good.'
14 You go on to say, 'Gerard', in your statement, that
15 you find it 'absolutely shocking' to be called 'brutal'?
16 A. Yes.
17 Q. Does this description that the witness has given -- does
18 that in any way --
19 A. Absolutely not. It doesn't describe me in any way
20 whatsoever.
21 Q. Indeed you say, in paragraph 99, you would:
22 '... ask if the boy had given a description of me as
23 I have a strong feeling he must have mistaken me for
24 someone else.'
25 A. Yeah, that's what I honestly felt because of the

1 description he gave of me, yeah.

2 Q. Was there anybody -- were there any other staff members
3 with a similar name -- I don't want you to say your
4 name, but was --

5 A. There wasn't, no.

6 Q. You go on to say that you find the allegations to be 'so
7 far-fetched'?

8 A. I do, yeah.

9 Q. At paragraph 102 of your statement, you say:

10 'At paragraph 58, ['David'] has said: "The showers
11 that were available were communal. If ['Gerard'] was on
12 duty, he would be standing watching as we showered. He
13 would then mock each of the boys about the size of their
14 penis. He was supposed to supervise the shower area to
15 make sure there was no fighting."'

16 Did you ever mock boys in the shower area or make
17 comments on the size of their penises?

18 A. Absolutely not, no.

19 LADY SMITH: Did any member of staff do that?

20 A. Not to my knowledge, no.

21 LADY SMITH: If you were supervising the showers; would you
22 be the only member of staff there?

23 A. Sorry?

24 LADY SMITH: If you were supervising the showers; would you
25 be the only member of staff there?

1 A. There would be two staff up the stairs, but yeah,
2 probably. The showers as such weren't supervised,
3 my Lady.

4 LADY SMITH: You said you did make sure they had soap and
5 shampoo?

6 A. Yes, before they went into the showers, yeah.

7 LADY SMITH: So you had to go to the shower area, did you?

8 A. No, you didn't have to go to the showers. There was the
9 wash hand basin area by the cubicles, which is
10 a different area altogether to the showers. So the boys
11 would be in there and you would make sure they had
12 shampoo, soap, et cetera.

13 LADY SMITH: How did you make sure there was no fighting?
14 Did you not do that as well?

15 A. They were in the shower, no.

16 MS MACLEOD: Was one staff member in that area and the other
17 staff member downstairs with the rest of the children?

18 A. There wouldn't be one staff member staying in that area,
19 no. You would just check the boys had their stuff, they
20 would go in for their shower, you would continue outside
21 and on the landing. And because there were other -- the
22 other boys would be up the stairs as well.

23 Q. You say, at paragraph 104 in your statement:
24 'I have never made any comments about the size of
25 the boys' penises.'

1 A. I wouldn't do that, no.

2 Q. If you had heard any other member of staff speaking to
3 a boy in that way, to boys about the size of their
4 penises; would you have reported that?

5 A. No. I would probably have just spoke to the staff
6 member himself about it.

7 Q. At paragraph 56 and 75 of his statement, 'David' has
8 said:

9 'Before our meals we had to line up together and
10 then walk into the canteen. At meal times, if it was
11 ['Gerard'] on duty, he would make everyone sing a song.
12 This was based on a song from a film of the day,
13 possibly "Scum", which was about life in a borstal. He
14 would amend the song to his own version. ['Gerard'],
15 a member of staff, based a lot of how he operated in the
16 home based on the film "Scum". He was forever
17 approaching everyone asking who the "top boy" was. He
18 would then arrange for that boy, and some of the others
19 who thought they were top, to fight each other. Again,
20 this was something contained in the film. None of the
21 fights organised by ['Gerard'] were ever entered in the
22 punishment book.'

23 First of all, 'Gerard'; did you ever encourage or
24 ask boys to sing a song?

25 A. No.

1 Q. Did you ever arrange for boys to fight each other?

2 A. No, never, ever.

3 Q. Did you ever ask boys who the top boy was?

4 A. No. There wasn't a top boy in our unit.

5 Q. Did you ever use the phrase 'top boy'?

6 A. No.

7 Q. You tell us in your statement that you've never watched

8 the film 'Scum'?

9 A. I haven't.

10 Q. At paragraph 76 and 77 of his statement, 'David' said:

11 'One of the things ['Gerard'] did was he would

12 arrange for a race involving all the boys. He would

13 make everyone race to the racks where the shoes were

14 stored. We would run along the corridor and scramble to

15 get our shoes on. The last one to get his shoes would

16 then be forced to run the gauntlet. ['Gerard'] lined

17 the boys, usually ten on either side of the corridor.

18 The last boy then had to run between the two lines as

19 quickly as possible. As he ran, the boys were all made

20 to punch and kick him until he reached the other end.

21 ['Gerard'] also joined in. This was a daily occurrence

22 when ['Gerard'] was on duty. If he was on back shift,

23 ['Gerard'] would still have people run the gauntlet

24 about 5.00 pm.'

25 Did you ever ask boys to engage in this practice

1 that's discussed in those paragraphs?

2 A. I didn't, no. And I never saw this practice being
3 carried out, either.

4 Q. Did you ever hear of 'the gauntlet'?

5 A. No.

6 Q. At paragraphs 78 to 83 of the statement, the witness
7 says:

8 ['Gerard'] had favourites between the boys. He
9 would encourage those boys to fight with me and some of
10 the other boys. He would then take one of them aside,
11 ask him if he could beat someone in a fight, and tell
12 the boy to fight that person.'

13 I think you have already told us, 'Gerard', that you
14 weren't involved in asking any boys to fight?

15 A. No. Not at all, no.

16 Q. The witness, 'David', goes on to say:

17 'There were times some of the boys might be sitting
18 and relaxing, perhaps watching television. It was
19 obvious ['Gerard'] had set one of the boys up to be
20 ready to fight someone. One of the boys was given a nod
21 from ['Gerard'] and went to another boy and came from
22 behind him. He then put his fingers into the second
23 boy's eyes and kept pressing. The second boy was almost
24 blinded as a result of this. After giving the nod,
25 ['Gerard'] would stand near the fire exit to give the

1 impression he saw nothing, but in fact he could see
2 clearly what was happening.'

3 Do you have any recollection of being involved in
4 that?

5 A. Absolutely none at all.

6 Q. The witness goes on to say:

7 'One of the boys was also involved in hitting me on
8 one occasion, again on ['Gerard's'] instigation. After
9 I had tried to report what was happening, he was told
10 not to hit me again. Trying to tell what was happening
11 made the atmosphere in the home worse for me as everyone
12 saw me as a grass.

13 'Other times, ['Gerard'] would say to people that
14 two particular boys were going up the stairs to do some
15 sort of cleaning. We all knew that was never the case,
16 and what was really happening was ['Gerard'] was setting
17 up the boys to have a fight in the dorm.'

18 I think you have already told us, 'Gerard', that you
19 were never involved in arranging for boys to fight each
20 other?

21 A. No, boys wouldn't be allowed upstairs themselves in the
22 first place.

23 Q. The witness, 'David', goes on to say:

24 'There was one person who was deemed to be the top
25 boy in the school. When that boy left the school, it

1 did not take ['Gerard'] long before he was organising
2 fights every couple of weeks to try and find out who
3 would be the new top boy. He would sometimes rearrange
4 the layout of the beds in the unit so it would resemble
5 a boxing ring. He would stand at the side while the
6 boys fought.'

7 That is quite a detailed description given --

8 A. It certainly is, yeah.

9 Q. Do you recall being involved in anything like that?

10 A. No, not at all. And I think you would find it hard to
11 get four beds turned into a boxing ring in the size of
12 the dorms.

13 Q. Did you ever see or hear of anything like that going on?

14 A. No, I did not. No.

15 Q. He goes on to say:

16 'There was one time it came to my turn with having
17 to fight on ['Gerard's'] instruction. I told him
18 I would not be fighting anyone. The boy I was to fight
19 just gave me one punch on the nose and that was the end
20 of the fighting.'

21 And you tell us in your statement that you find all
22 of these allegations to be complete nonsense?

23 A. I do, yeah.

24 Q. And you don't think the passage of time has affected
25 your recollection of that?

1 A. Not at all, no.

2 Q. The boy, at paragraph 88 of his statement, goes on to
3 say:

4 'After my suicide attempt, Pat McCluskey was taking
5 me from the hospital back to St Philip's. I told him,
6 as we drove back, part of the reason for my issues was
7 the abuse we were all suffering at the hands of
8 ['Gerard']. Pat did not believe me. When I got back to
9 the home, I was told I was to go with him into a room
10 while I was supposed to tell the headmaster what was
11 happening. I was then asked by Pat to tell it again.
12 When I went into the room, it was ['Gerard'] who was
13 actually there. I never got a chance to speak to the
14 headmaster.'

15 I think in your statement, 'Gerard', you tell us you
16 have no recollection of this incident, and you don't
17 know a Pat McCluskey?

18 A. I don't have any recollection of it and I don't remember
19 having any dealings with Pat McCluskey. But if
20 Pat McCluskey had been told this by the boy I would
21 suggest that Pat McCluskey then had a duty of care to
22 take that forward to the senior staff or the headmaster.

23 Q. Something you tell us, at paragraph 112, is that during
24 your time at St Philip's, you don't recall there being
25 any suicide attempts?

1 A. No, none at all.

2 Q. In paragraph 124, you tell us it makes you feel 'upset'

3 that these allegations have been made?

4 A. Yeah, yeah.

5 Q. Because you say they're 'totally untrue'?

6 A. Yes.

7 Q. You say that you're upset that the boy is blaming you

8 for emotional baggage --

9 A. That he's carrying, yeah.

10 Q. And you say:

11 'The description he has of me does not match how

12 I was when I was at St Philip's.'

13 A. That's right.

14 Q. You say:

15 'I'm sorry the boy has been impacted by this, but it

16 was not me.'

17 A. Yeah.

18 Q. You say:

19 'I cannot say strongly enough much more than the

20 allegations he has made against me did not happen.'

21 A. That's perfectly true, yeah.

22 Q. You have told us already that Brian Harold came to

23 St Philip's and, in paragraph 125, I think you tell us

24 that you had already decided that you were going to

25 leave St Philip's around that time?

1 A. Yeah.

2 Q. Why was that, 'Gerard'?

3 A. I just felt there was nothing -- I wasn't going to
4 progress my career any further, and I felt it was time
5 to start applying to other places to see if I could
6 further my own career. It was for my own personal
7 development.

8 Q. I think you tell us that you had a leaving do at
9 St Philip's, and that you went on to secure a job at
10 St John's, in Springboig?

11 A. Springboig St John's, yeah.

12 Q. I just want to ask you a little bit about your time at
13 Springboig St John's, and you provide some evidence
14 about that in your statement.

15 That was a job you applied for?

16 A. It was, yes.

17 Q. Did you go to an interview?

18 A. I did, yes.

19 Q. What was the job?

20 A. Residential social worker.

21 Q. Did you have social work qualifications by that time?

22 A. No.

23 Q. I think you tell us that you were working in
24 a particular unit there, the Columba Unit?

25 A. I was in Columba Unit to start with, yes. Then we

1 opened up another unit, St Mungo's Unit, and I worked
2 for the remainder of my years in that unit.

3 Q. Did you stay for about eight years?

4 A. Yes.

5 Q. Generally speaking, I think you found St John's to be
6 more relaxed than St Philip's?

7 A. Yeah, I did, yes.

8 Q. And you say there were many more guidelines and policies
9 that were easily accessible for the staff?

10 A. Yes.

11 Q. You say that case notes, for example, were overseen by
12 senior staff?

13 A. Yes.

14 Q. And that every six weeks or so you were able to speak --

15 A. It wasn't senior staff, as such. You had a unit manager
16 who overseen the unit staff, and you would have
17 supervision, yeah, and your case notes would be --
18 making sure you were on top of your cases, and all the
19 rest of it, yeah.

20 Q. After your time at St John's, I think you then went to
21 work for the [REDACTED] Project?

22 A. Yeah. It was a project for young, single, homeless,
23 between the ages of 18 and 25.

24 Q. There were referrals from St John's there, so --

25 A. There were a couple that came in, yeah, because they

1 would laugh at -- because I had moved there, St John's
2 had started giving over referrals.

3 Q. Then, moving to the very final section of your
4 statement, 'Gerard', and that's at paragraph 138, headed
5 up 'Helping the Inquiry'.

6 What you tell us in this section is that you think
7 all such -- at all such establishments, there needs to
8 be a better and more in-depth induction --

9 A. Yeah.

10 Q. -- for staff when they arrive?

11 A. Definitely, yeah.

12 Q. Is that something you think could have benefited-- you
13 would have benefited from at St Philip's?

14 A. Without a doubt, yeah.

15 Q. You say:

16 'I think there should have been clearer guidelines
17 on what is acceptable and unacceptable behaviour --'

18 A. Yeah, without a doubt, yeah.

19 Q. '-- for both children and staff'?

20 A. For both children and staff, yes. Sorry to interrupt
21 you, but yes.

22 Q. Now, 'Gerard', that completes the questions that I have
23 for you today. Thank you for answering those. I just
24 wonder if there's anything you would like to add before
25 we complete your evidence?

1 A. No. I don't think so, no.

2 MS MACLEOD: My Lady, I haven't had any applications for
3 questions.

4 LADY SMITH: Thank you. 'Gerard', let me add my thanks once
5 more. I'm really grateful to you for coming here today
6 and engaging with us, and being so patient as we've
7 worked our way through the questions we were interested
8 in asking you. It's added considerable value to my
9 learning. Thanks for that.

10 A. Thank you very much, my Lady.

11 LADY SMITH: I'm now able to let you go.

12 A. Thank you.

13 (The witness withdrew)

14 MS MACLEOD: My Lady, we are expecting the next witness to
15 arrive shortly. It may be that we could rise until
16 about quarter to?

17 LADY SMITH: Let's just do that. Very well.

18 (11.12 am)

19 (A short break)

20 (11.45 am)

21 LADY SMITH: Just before I invite Mr MacAulay to call the
22 next witness, I want to bring us up to date on names
23 that are protected by my General Restriction Order.

24 This morning there was reference to KMT or
25 KMT, KMW, KMV and these are all

1 people whose identities are protected by my General
2 Restriction Order. They are not to be identified as
3 mentioned in our evidence outside this room. Now, Mr
4 MacAulay.

5 MR MACAULAY: My Lady, the next witness is Patrick Kevin
6 Hanrahan.

7 LADY SMITH: Thank you.

8 Patrick Hanrahan (sworn)

9 LADY SMITH: Patrick, thank you for coming along this
10 morning and engaging with us in the way you have done
11 already, by providing your written statement. That's
12 evidence before the Inquiry and it's been really helpful
13 to be able to read it in advance.

14 The statement, you'll see, is in the red folder.
15 It'll be there for you to refer to if you'd find that
16 helpful. We'll also bring up sections of it, as we're
17 looking at it, on the screen, if that's okay. Some
18 people don't like having the screen on, but if that
19 works for you, we'll leave it switched on.

20 A. Yeah, the screen is good, yes.

21 LADY SMITH: Good. Patrick, please bear in mind that if it
22 all gets to the stage that you just feel you want
23 a break, because we're going to be questioning you in
24 detail about some things that happened so long ago, let
25 me know. We can give you a breather if that would help.

1 If we're not making ourselves clear, what we're
2 asking you, that's our fault not yours, so do ask us to
3 explain things better. Or, if at any time you have any
4 questions about anything, let me know, or if there's
5 anything I can do to help you really give us the best
6 evidence that you can, I'd like help with that. Okay?

7 A. Thank you.

8 LADY SMITH: If you're ready, I'll hand over to Mr MacAulay
9 and he'll take it from there. Mr MacAulay?

10 Questions by Mr MacAulay

11 MR MACAULAY: My Lady.

12 Good morning, Paddy, as I think you like to be
13 called?

14 A. Yes. That's what everybody calls me, yes.

15 Q. Your statement -- and I'll just provide the reference
16 for that for the transcript: it is WIT-1-000001477.

17 The first thing, Paddy, I would ask you to do is to
18 go to the final page of the statement that's in your red
19 folder there; can you confirm that you have signed the
20 statement?

21 A. I have signed the statement, yes.

22 Q. Do you tell us, at paragraph 221:

23 'I have no objection to my witness statement being
24 published as part of the evidence to the Inquiry.

25 I believe the facts stated in this witness statement are

1 true.'

2 A. Correct. I have, yeah.

3 Q. Then going to the beginning of the statement; do you
4 tell us that your date of birth is [REDACTED] 1950?

5 A. That's correct.

6 Q. You provide us with some of your background, in
7 particular that you were born and grew up in
8 South Africa?

9 A. That's correct, yes.

10 Q. As is, or was, still the practice in South Africa, you
11 were conscripted into the army in 1968?

12 A. Yes. It's not the practice any longer. Conscription
13 ended in 1990, I think.

14 Q. I think you tell us that wasn't hugely enjoyable?

15 A. Yeah. I think I described it as 'hell', and it was
16 that. It was an officers' training course. Being from
17 an English-speaking background, the majority of the
18 people on that course were Afrikaans, so -- the thing
19 that saved me was I played rugby, which was a religion
20 in South Africa at that time, yeah.

21 Q. You go on to say that you completed your conscription
22 around 1970. You did some other work, and indeed you
23 flirted with joining the priesthood; is that correct?

24 A. Yeah. I felt I had a vocation to the priesthood at that
25 stage and --

1 Q. What did you do to pursue that?

2 A. I went to Rome, and then my Italian and Latin wasn't
3 that good and I got moved to Ireland. Well, I had
4 a choice between Ireland and Australia. I decided to go
5 to Ireland and I started my novitiate year in
6 Enniskillen and then continued my studies in
7 Milltown Park, in Dublin.

8 Q. Did you spend about four years studying subjects like
9 theology and philosophy?

10 A. Correct, yes.

11 Q. But you left because you decided that the priesthood was
12 not for you?

13 A. Yes. I realised that I didn't indeed have a calling.
14 Probably part of that year was -- those few years were
15 about discernment.

16 Q. And you went back to South Africa?

17 A. I went back to South Africa, yes.

18 Q. Being back in South Africa; was there nevertheless
19 a risk that you could still be conscripted?

20 A. Yeah. I had managed to kind of lose my conscription
21 papers while I was in Dublin, because I had a valid
22 excuse for not doing continuing call-ups to the army,
23 because you have to do three months, after your initial
24 training, every year. So I managed to lose them, but
25 I was always in danger of them finding out where I was,

1 and that I was back in South Africa.

2 By this point I had decided that I would no longer
3 serve in the South African Defence Force, they called
4 it. My political views had grown stronger while I was
5 in Ireland.

6 Q. I think marrying a Scots lady became a sort of escape
7 clause for you, in that you moved to live in Scotland?

8 A. Well, I don't think she would call it that. But yes, it
9 was handy that I was still able to come and live in
10 Scotland, yeah.

11 Q. You did that, you tell us in paragraph 7, in 1978?

12 A. Yeah. In 1976, there was a crisis, there was what they
13 called the Soweto Uprising. That was when the young
14 people decided to take the protest, and lots of young
15 people were killed, but it was the beginning and the end
16 of apartheid, just that the regime kept on holding on
17 and getting much more violent in terms of putting down
18 the protests.

19 Q. Looking to the work you had -- you managed to obtain in
20 Scotland -- one of the jobs you got was at Springboig
21 St John's, in Shettleston, and that was as a social care
22 worker?

23 A. That's right, yeah. I started -- I was lucky to get
24 a job at St John's and I started working as a care
25 worker.

1 Q. What qualifications did you have for that role at that
2 time?

3 A. At that time, I had, you know, the background that I
4 had, you know, the part studies in terms of social
5 sciences and philosophy, which I'd done at
6 Milltown Park. I had already started an Open University
7 course. Well, the University of South Africa course,
8 which is the equivalent of the Open University, in
9 social sciences. Although I hadn't completed it at that
10 point, I had enough to get this job.

11 Q. In due course, in 1986, you tell us at paragraph 9, that
12 you obtained an honours degree in social sciences?

13 A. I did, yeah. I was one of the last people to be
14 seconded by the Scottish Office to go to
15 Jordanhill College to do a CQSW diploma in social work,
16 and subsequent to that I completed my -- I got some
17 credits from the University of South Africa, my previous
18 studies at the Open University, and then I completed my
19 BA Honours degree in social sciences.

20 Q. You tell us, at paragraph 11, that during your time at
21 Springboig St John's, that you were seconded to conduct
22 a study and write a report into the future of Catholic
23 residential schools, and you looked at a number of
24 different schools?

25 A. Yeah. The body that later became 'Cora', which was the

1 Board of Cora, which held these schools together, they
2 were individually managed by an independent Board of
3 Managers, and there was some concern about where we were
4 going to. There were also concerns about a number of
5 schools being shut at the time, because Strathclyde
6 Region had taken over the running of the schools from
7 the Scottish Office, and they asked me to look at the
8 services that we were providing as a unit.

9 Q. I think your report was called 'The Way Ahead'?

10 A. That's correct, yes.

11 Q. And you tell us that one of the recommendations that you
12 were making was that there should be more community
13 involvement in these schools?

14 A. Yeah. I think residential schools, you know, had kind
15 of evolved into places which were based on, you know,
16 taking the child away, treating them, putting them back
17 in the community. And, you know, over the years they
18 became much more orientated towards rehabilitation and
19 helping the children cope with living outside, rather
20 than living inside.

21 So we were just looking at ways in which it could
22 become less institutionalised, I think. And the
23 recommendations I made, they were small. They were
24 basically suggesting that the focus should really be on
25 how the children were helped to cope with life outside

1 and in, you know, the -- for want of a better word, the
2 'normal', you know, provision that children would have,
3 you know, in the homes that they came from, and more
4 towards working with families, rather than working with
5 the child in isolation.

6 Of course, the other thing is to recognise that
7 there were some children that had a specific need. They
8 just couldn't cope with mainstream education, and the
9 kind of education that we provided for them in the
10 residential schools was significantly different in the
11 terms of smaller class sizes -- also a way of being able
12 to deal with some of the complex needs, whereas in the
13 bigger groups they just tended to get lost and more
14 frustrated.

15 Q. When you were at St John's, you ultimately became deputy
16 in charge of social work, and that was a position you
17 held until 1990. I think that is what you tell us in
18 paragraph 10?

19 A. Right. Yes. In 1990, yes.

20 Q. Was it thereafter, as you tell us in paragraph 13, on
21 1 June 1990, you were promoted to St Philip's as the new
22 principal?

23 A. Yeah. Maybe the word 'promoted' is wrong. I applied
24 for -- because St Philip's was independent of St John's,
25 run by a different Board of Managers. I applied for and

1 I got the post as the head of St Philip's.

2 Q. You were there, as you tell us, until 23 September 2009?

3 A. That's correct, yes.

4 Q. So quite a long innings?

5 A. It was, yes.

6 Q. Can I take you to what you say at paragraph 14? We

7 might look at other aspects of this later. You say you

8 have always used story-telling as a means of calming

9 children down; was that in your work when you were at

10 places like St Philip's?

11 A. St Philip's, yeah. I found that, you know, when a child

12 was in a crisis situation, was acting out, as I think we

13 used to call it, I found that one of the ways of calming

14 children was just to tell them a story, and there is

15 something kind of primordial about stories, in our

16 cultures and in our backgrounds, and, you know, they

17 would just continue to -- continue the tirades of abuse

18 and swearing and all that sort of thing. Rather than

19 address the behaviour, I would just continue telling the

20 story. And then when -- often I found, almost

21 magically, they engaged because they asked a question

22 about the story, and it just had a way of calming down

23 children, yes.

24 Q. Post-retirement you have, as it were, found a new

25 profession, if I can put it that way. What you tell us

1 there is that you have become a Santa Claus?

2 A. That's correct, yes. That's the reason the beard's
3 getting longer.

4 Q. Are you in training then for Christmas at the moment?

5 A. Yes, I'm in preparation for Christmas.

6 Q. Let's then look at your time at St Philip's, Paddy.

7 What you tell us, at paragraph 18, is that your
8 first impressions of St Philip's were not that good; can
9 you just develop that for me? What do you mean?

10 A. Yeah. I got the job. There was nobody really to meet
11 me when I arrived, you know. I was shown to my office
12 and it was -- they'd gone through a very difficult stage
13 just prior to me coming to St Philip's.

14 The previous headmaster, Mr William Kane -- who had
15 lived upstairs, had been the founder of the school, was
16 well loved by a lot of people in the school -- had left
17 under a bit of a cloud, I think.

18 So when I went into my office I felt like an army of
19 occupation almost, you know. That, you know -- meeting
20 people later, you know, I realised they were basically
21 very good people and that they were basically looking
22 for a lot of guidance, but still grieving, which I think
23 was normal, for a person that in his day had been a very
24 charismatic and very forward-thinking person, yeah.

25 Q. But he wasn't there when you arrived?

1 A. He wasn't there. There was nobody -- I wasn't replacing
2 anybody that I knew of, you know. I was almost alone.

3 Brian Harold, who was my deputy, who later succeeded
4 me when I left, he had already been in there for a year,
5 having applied for and gained the post of deputy head,
6 as they called it in those days, of social work. So he
7 was there. If I recall rightly, I don't think he was in
8 that day. He was out at some meeting. But I knew Brian
9 vaguely, because he'd worked in the Good Shepherd Centre
10 before, which was one of the sister schools to the -- to
11 St Philip's.

12 LADY SMITH: Paddy, you said that Mr Kane, Mr William Kane,
13 you thought had left under a bit of a cloud; do you know
14 anything about the cloud under which he left?

15 A. From what I understood, there had been alcohol involved
16 and I believe that the Board of Managers had been asked
17 by Strathclyde Region to effect his retiral. And, you
18 know -- but, again, I didn't know Bill Kane. Well, I've
19 met him once or twice, but I didn't meet him at the
20 time. It was just hearsay, I suppose, in a sense, and
21 you know, just ...

22 LADY SMITH: But that was your understanding?

23 A. That is the only thing, yeah.

24 MR MACAULAY: When you arrived, did you have any form of
25 induction or handover, anything of that kind, to teach

1 you what the situation was like?

2 A. Not formally. I don't recall being given that sort of
3 induction. You know, I was -- that was kind of
4 expected, with my experience. However, it must have
5 been to hit the ground running and I spent some time in
6 the first few weeks just gauging the temperature,
7 talking to people, listening, and just trying to find
8 out, you know, what was going on in the school.

9 Q. In 'gauging the temperature'; did you come to any view
10 as to whether the environment was a positive one or a
11 negative one? Did you come to any conclusions early on
12 as to what it was like?

13 A. I found that, in the main, the people that I met were
14 very good people, were people that were trying their
15 best, and sometimes in very difficult circumstances.
16 I found that people were open to change, they wanted to
17 learn, and that they needed a lot of guidance. Without
18 being kind of patronising, I think I felt that there was
19 work to be done, and a lot of it really had to be in --
20 about me actively listening and trying to work out just
21 what it was that the people needed, yeah.

22 But there were things that I found unacceptable.

23 Q. Can you describe some of these things for us?

24 A. Well, you know, I think the one thing that really quite
25 horrified me was that all the children from the

1 different living units that they lived in -- there were
2 three at the time -- that they all gathered -- all their
3 meals were in a central kitchen and this -- and they had
4 meals in, like, a canteen, you know, so you had
5 something like 40 kids, 48 kids or young people -- I try
6 not to use the word 'kids' -- they would be eating in
7 this location.

8 I was thinking mainly it was like -- you know, being
9 on duty as a staff member was really, really hard, you
10 know? And it's something that should have been much
11 more homely, and I just felt that that was wrong.

12 And I felt that they weren't involved in choosing
13 their menus, or indeed in helping -- there was
14 nothing -- there was nothing -- it was very
15 institutional. There was nothing homely about it.

16 So one of the first things I did was decentralise
17 that. You know, employed cooks in each of the units,
18 who worked with the children in terms of, you know,
19 providing the meals and giving them choices and things.
20 And also the other thing was that snacks were available,
21 like you would have in a normal home... well not often
22 in the homes that they came from. But there would be
23 a fridge where they could get, you know, food at
24 different times, you know.

25 So it was just about trying to make the environment

1 much more community orientated, or like the kind of home
2 that they should have come from, yeah.

3 Q. You have mentioned three units; the children were spread
4 over the three units?

5 A. They were, yeah.

6 Q. The age range of the children?

7 A. I think it was from about ten. We tended to have --
8 St Philip's tended to have the younger children, so it
9 was from 10 to 15 or -- they were admitted before 10 to
10 13, and they often stayed on and left school from
11 St Philip's. It just depended on the child. But it was
12 the younger units. St John's was always the one that
13 had the older children -- it was only boys -- in fact,
14 it remained boys until very recently.

15 Q. In each unit would you have that range of ages then?

16 A. Yeah.

17 Q. You also say, at paragraph 30, that one of the changes
18 you made when you became head was with regard to some of
19 the older members of staff, who had:

20 'What I considered to be outdated practices and
21 skills.'

22 What do you mean by that?

23 A. I think a lot of the schools were based on the
24 industrial model, industrial schools model, and you had
25 children kind of learning trades. You had, you know,

1 woodwork departments. What else? I'm trying to think of
2 the different -- the painting department -- It was
3 like -- basically like an apprenticeship, which was not
4 really appropriate for younger children, you know. They
5 needed to have more of the kind of experiences they
6 would have in mainstream schooling, and they needed to
7 concentrate on, you know, getting the qualifications
8 that would allow them to continue that, you know.

9 So, you know, their model of being an apprentice
10 would be of, you know: you do what I tell you.

11 You know, when they were apprenticed, the trainer
12 would -- or the tutor -- would say -- would insist on
13 a certain amount of discipline, and I think they had
14 that sort of model.

15 Whereas, you know, the kind of active listening that
16 I was trying to encourage, you know, trying to
17 understand where the child was coming from... It wasn't
18 anathema to them; it was just not something that was in
19 their skill set, yeah.

20 Q. Did that mean that the personnel who worked there
21 changed?

22 A. It did. I think a lot of them realised that, you know,
23 they weren't -- they didn't have the skill set. And,
24 luckily, a lot of them were at the ages where they could
25 get -- maybe even they could get retiral and were able

1 to move on, and I think most of them moved on. I never
2 had to sanction anybody or sack them. But they realised
3 that, you know, the world had changed and they no longer
4 had the skills to continue that job, yeah.

5 Q. Essentially, you were introducing a new regime where you
6 needed a more skilled workforce to deal with that
7 regime?

8 A. Yeah. In the main we wanted to have more teachers, you
9 know. So more teachers qualified in education, with
10 more experience of a modern educational curriculum. And
11 so, you know -- so I think by the time I'd left we were
12 probably only left with one person that was in
13 a trade-like position and that was motor mechanics,
14 because it was so popular with the children, yeah.

15 Again, he was -- you know, he was a very child
16 centred person, you know, rather than: you do what
17 I tell you to do.

18 Q. Can I just look a little bit at the structure for the
19 moment? There was a Board of Managers for the school
20 and you talk about that at paragraph 27.

21 I think what you tell us is the Chairman of the
22 Board of Managers, or Governors, was a Mr Smith, who is
23 now deceased?

24 A. It was called the Board of Managers -- I see that
25 'Governors', it's something I missed -- and it was, yes,

1 Mr Smith.

2 Q. What dealings would you have with the Board?

3 A. He would have been on the Board -- he would have been on
4 the panel that interviewed me and appointed me, as the
5 Chair of St Philip's Board, but there would have been
6 other people from the other schools on the Board
7 because, at this point, all appointments were made
8 centrally by Cora and, of course, he would have had the
9 main say in my appointment.

10 Q. On a regular basis, did you have dealings with the Board
11 of Managers?

12 A. Yeah, always have. Right from the beginning, there was
13 a monthly Board of Managers' meeting. I would have to
14 prepare a report for that and speak to that report and,
15 you know, it was pretty seriously scrutinised, you know.

16 But Mr Smith had been there for many, many years as
17 the Chairman of the Board of Managers. He'd been there
18 under Mr Kane. And I didn't have that much more
19 dealings with him, apart from the Managers' meeting.

20 Q. That was a monthly meeting?

21 A. Monthly meeting.

22 LADY SMITH: Where did they meet, Paddy?

23 A. Oh, I can't remember what day, but it was each month.

24 LADY SMITH: No, where? Where did they meet?

25 A. In the school.

1 LADY SMITH: In St Philip's?

2 A. Yeah, in the boardroom in St Philip's, yes.

3 LADY SMITH: So would that be -- if St Philip's was on their
4 agenda and no other schools were on the agenda, or what?

5 A. No, that was St Philip's Board and it would only have
6 responsibility for St Philip's.

7 LADY SMITH: So that Board was responsible for St Philip's,
8 but you say that was then responsible to the overall
9 group, Cora; is that right? The Cora Foundation?

10 A. The group, Cora, was a strategic group and, you know,
11 the chairman of each of the boards, or the chairperson
12 of each of the boards, would be on the board, and indeed
13 so would the heads. I became a member of that board,
14 but it was more a strategic board. They didn't have
15 day-to-day responsibilities for managing the school.
16 They were the ones that, you know, looked strategically
17 at the way ahead for all of the schools, yes.

18 MR MACAULAY: So we have Cora at the top; we then have
19 boards of managers for each of the schools over which
20 Cora had some jurisdiction?

21 A. The day-to-day management, the management of the
22 schools, was the responsibility of the individual
23 boards. So they weren't answerable to the Cora Board.
24 Although, you know, Cora started providing more and more
25 services centrally, which we could tap into.

1 Q. I think we are told that the Board for St Philip's, for
2 example, became a company limited by guarantee, so it
3 had its own legal status?

4 A. Yes. I'm not sure when that happened.

5 Q. It was more recent, I think.

6 LADY SMITH: Paddy, it's probably not fair to ask you this.
7 I do know, from a former life, that the legal setups are
8 not straightforward to how Cora emerged and the
9 individual boards emerged, but don't worry, there is
10 some definitive law about this that we can retreat to if
11 we need to.

12 MR MACAULAY: Leaving that aside, Paddy, what you tell us,
13 at paragraph 28, is that you were very much left to your
14 own devices?

15 A. Yes, that's -- by and large, yeah.

16 Q. Sorry?

17 A. I always had access to Mr Smith. I could phone him up
18 and ask him about a particular thing, but it wasn't on
19 any formal basis. He didn't just drop in, you know. He
20 came once or twice, but I can't recall him kind of
21 dropping in to judge for himself what was going on.
22 I think he was used to, you know, leaving that to the
23 previous headmaster.

24 That was not unusual, you know, when I joined a
25 group of people. There was an Association of Heads of

1 Residential Schools. We would often joke about, you
2 know, the kind of autonomy that these heads had in the
3 days gone by. They ran them, basically, as fiefdoms
4 really, so ...

5 Yeah, I soon discovered -- well, I realised that
6 having too much autonomy could be dangerous, you know,
7 and I needed more oversight. And indeed Mr Smith
8 retired from the Board of Managers, and Mr Paul Mulvey
9 took over as the Chairman of the Board, and things
10 changed dramatically, because he did -- he came into the
11 school on a regular basis and he asked to be taken
12 around. He spoke to the children. It was much more
13 safe for me as well, you know. So that was a change
14 when -- I'm not sure, because I haven't got the records
15 of when he took over, but more and more people were
16 appointed on the Board with expertise, people from
17 social work came into the school, and I'm not sure that,
18 before that, that people were appointed for specific
19 reasons on the Board, you know.

20 We had -- I can't remember all the sort of details,
21 but we decided we needed more experience, we needed the
22 experience of people in mainline social work, we needed
23 the inspection... I think later on I allude to the fact
24 that one of the women who retired from the Care
25 Commission, who had been very helpful, Mary Fraser, she

1 got asked to join the Board, indeed came onto the Board.
2 So people were coming onto the Board for a specific
3 purpose, to enhance the functioning of the Board, yeah.

4 Q. One thing you say, Paddy, at paragraph 31, is:

5 'Some things, such as the proper care of children,
6 were non-negotiable.'

7 And you go on to develop that. Can you just explain
8 what you mean by that?

9 A. I had certain -- I believed that the most important
10 thing about the school was its ethos, and there were
11 certain amounts of values and principles that were held,
12 and not least the legal requirements, and that was that:
13 children should be consulted about their care; they
14 should have a choice in what meals they have; that they
15 had rights and should be listened to; and, you know,
16 that any recommendation that came had to be, you know,
17 discussed.

18 I also believed that -- I believed that people
19 needed to take more time on that very difficult subject,
20 because often children confuse being consulted with
21 having a power, you know, and more time had to be taken
22 to really listen and to understand what the children's
23 needs were.

24 There was once or twice where I saw things where
25 somebody was being overbearing or ... not exactly

1 bullying, because that would have been a different
2 disciplinary matter. But, you know, was using a raised
3 voice, or anything like that, which I would then, in
4 a quiet way at first, you know, by calling them aside
5 and speaking to them, or asking them to come to see me,
6 explain that these things wouldn't be tolerated, you
7 know. Language is very important, you know.

8 I can give you an example. I heard a staff
9 member -- I heard a man talking to some of the boys and
10 saying, 'Now, come on, ladies, stop behaving like that',
11 and I just found that unacceptable, really. I mean,
12 it's a small point. Well, a big point, as far as I was
13 concerned, because that was sexist language and that was
14 language which I just felt was really unimportant...
15 Language has always been a very important factor for me
16 and, you know, it got to the point of saying, or making
17 sure that people understood, that raised -- shouting at
18 children was absolutely unacceptable. Not that I got
19 a lot of it, but, you know, we had to keep a cool.
20 I did understand that it's a very difficult job they
21 did, having done it for many years myself. That, you
22 know, you're faced with lots of very difficult and
23 challenging behaviour, and so, you know, changing that
24 kind of culture, that was, you know, respecting of the
25 other individual, respecting of their rights and, you

1 know, their rights to privacy and their rights to
2 private space, you know, that was really quite
3 important.

4 I felt, as did the management team that I had, the
5 structure was -- I was the head. The deputy of
6 education who was later replaced by Dennis Ferrie, and
7 then Brian Harold, and then there was a man called
8 Pat McMillan, who was third in charge. It was
9 a structure that grew from years past, you know. So the
10 four of us would meet on a regular basis. And I said
11 the way of addressing this was to model that behaviour
12 to the staff. We believed that if we treated the staff
13 like that and told them -- and rather than tell them, we
14 illustrated what we wanted from them for the children.

15 Q. You began that answer, Paddy, by using the word 'ethos',
16 that this was the ethos that you wanted to pursue in the
17 school?

18 A. Yes.

19 Q. At 34, you tell us that you also insisted on certain
20 principles, including that:

21 'There was no circumstance in which violence could
22 be deemed to be acceptable.'

23 A. Yeah.

24 Q. And not just physical violence, but violence of
25 language?

1 A. Absolutely.

2 Q. Was that made clear to the staff?

3 A. Very much so. You know, it -- you know, I mean
4 I understood that, you know, we all have to sometimes,
5 you know, be stopped. You know, we all need to be kind
6 of corrected. And, you know, the climate I was trying
7 to encourage was that people would give each other
8 feedback in a non-threatening way. But if it continued,
9 well, you know, then, you know -- I can't remember any
10 occasions that I had to -- but, you know, disciplinary
11 action would be taken and logged, yeah.

12 Q. Did you form any -- did you have any sense as to how
13 matters had been in the past in relation to violence,
14 either physically or use of language?

15 A. I really can't comment on that. I've always believed
16 that you encourage the things that you saw that were
17 right, rather than kind of concentrated on the things
18 that weren't right, you know. I think people got very
19 defensive in that and, you know, my belief has always
20 been that there's lots about things that people do that
21 you could really criticise them for, or even hold them
22 in contempt for. And I've always believed that what you
23 did is you found them doing something right, and kept
24 affirming that good thing, rather than concentrating on
25 the negative things.

1 I'm not saying I ignored the negative things;
2 I didn't, very much so, and I think people realised
3 that, but I'd concentrate on the positive things that
4 people were doing.

5 And I also believed that that was -- you know,
6 modelling that behaviour to the staff was handy and very
7 useful, in terms of them doing that with the children.

8 For example, if a child who had never said 'thank
9 you' or 'please' in his life, if he did, you know, if he
10 suddenly said it, then I would encourage people to say:
11 'Oh, did you notice that? He always says please and
12 thank you.'

13 You know, encouraging good behaviour, rather than
14 criticising the previous bad behaviour.

15 Q. One of the systems that you say evolved was a system
16 that was called 'dialogue'?

17 A. Yeah.

18 Q. Can you just describe that to me?

19 A. Yeah. Certainly when a child was in crisis or was
20 acting out, or was being difficult or aggressive, or
21 sometimes even violent, we found that it was very useful
22 to use -- not to speak to the child directly, because
23 you were only addressing, you know, his anger, and it
24 became more and more, so it would be to speak to another
25 member of staff and they were all trained in doing that.

1 For example, you know: 'Did you notice Colin; that he's
2 been behaving strangely today? He's not behaving like
3 we would normally expect it. I wonder what happened.'

4 And, you know, you would get a bit more of a tirade.
5 And eventually they would kind of jump in and say: 'no,
6 you're talking rubbish', and they would maybe give you
7 some sort of indication of things that had happened. It
8 was rather, again, in the principle of -- rather than
9 concentrating on the negative behaviour, trying to find
10 something positive in a way of diffusing the situation
11 and deescalating the situation, which could result in
12 the need for him being so out of control and so
13 dangerous that they need to be held.

14 Q. Yes, and I'll come to look at that in a little while.

15 But you go on to tell us that you think:

16 'Supervision was one of the most important measures
17 that we had in place.'

18 Can you develop that for me?

19 A. Yeah. It was something that we put into place and,
20 really, it was really important. It was important for
21 people to be able to talk about their work, to sound out
22 their work with somebody in a more senior position, and
23 it was also a way of -- a way of helping people grow and
24 develop and, you know, in effect inspiring them to do
25 the best that they possibly could. I believe that

1 everybody does want to do the best that they can do.

2 It was also a way of people being able to kind of
3 cope, being able to kind of talk about the challenges
4 that faced them, you know. We're human beings and we
5 live in families and, you know, we might have personal
6 problems which invariably impinge on the way in which we
7 behave, and so supervision was a very valuable -- not
8 exactly counselling, but a very valuable way of helping
9 the person as they were and where they were at in terms
10 of dealing with their life, you know. So it wasn't --
11 it wasn't new by any manner or means. We learned about
12 supervision in the social work course and, in fact, you
13 know, while being a trainee social worker, I was subject
14 to supervision by my social work -- I don't know what
15 they called them -- tutor, you know, in the workplace.
16 So it was something which was not new to me, but it was
17 new to a lot of people in the residential sector, not
18 just exclusively St Philip's, yeah.

19 Q. I think you just used the word 'challenging' there. The
20 work could be challenging?

21 A. It could be challenging, and I think by denying that it
22 was challenging didn't serve anybody else's difficulty,
23 but also in terms of you needed to challenge
24 sometimes -- you needed to challenge them when, you
25 know, there were circumstances in which their personal

1 challenges and personal problems were impinging on the
2 work that they did. So it was a way of -- in
3 a non-threatening way, it was inviting them, I suppose
4 that is the term I would maybe use -- inviting them to
5 do better.

6 LADY SMITH: So, Paddy, when you talk about 'challenging
7 them', you are talking about challenging the members of
8 staff --

9 A. That's right, yes.

10 LADY SMITH: -- having noticed that they didn't seem to be
11 behaving the way they should be?

12 A. Absolutely, Lady, yeah.

13 MR MACAULAY: And the members of staff, they were faced with
14 challenging situations with the children that had to be
15 managed?

16 A. Yeah. That was very correct. I mean, it's -- it could
17 be a very difficult job. You don't know, when you've
18 got 12 children, maybe, living in an environment with 12
19 other children, many of whom have got quite a hierarchy
20 of problems and needs, you know, responding to them
21 would be quite difficult. And, you know, the hope that
22 I would always have is that, if at points things were
23 getting a bit too much for me, that people would support
24 me, and that was the climate I was trying to encourage,
25 you know; where asking for help was not seen as

1 a weakness, but seen as a strength, you know.

2 Q. What you tell us, at paragraph 41, is:

3 'I am content that all those measures ensured, so
4 far as possible, that no child admitted to St Philip's
5 experienced abuse or ill-treatment.'

6 A. Yes.

7 Q. Can I just ask you about that? We may look later on at
8 a list of allegations that may have been made. But so
9 far as you're concerned; are you content to stick by
10 that?

11 A. I am, because I walked the walk and I spent a lot of
12 time -- people would say instead of being admin, I would
13 spend a lot of time walking around, you know.

14 My routine was to come in early in the morning,
15 to -- you know, while the children were still sleeping,
16 to go around the units, to talk to the night staff that
17 were on duty, and to some of the day staff that had
18 arrived, read the logbooks, just gauge what had been
19 going on. And I would do that regularly during the day.
20 Not always just all the units. I would just choose one
21 and just gauge the temperature, I suppose, is the word
22 I use often, yeah.

23 Q. At 42, what you say is this:

24 'I would consider our most notable achievement
25 during my tenure as head was the fact that St Philip's

1 survived being shut.'

2 Was it under threat?

3 A. There was a threat, yeah. There was definitely
4 a threat. Just after I arrived, I attended a meeting
5 with the other heads, indeed not just the heads of the
6 Catholic schools, but the heads of all the residential
7 schools with Strathclyde Region, and they were very
8 clearly outlining that they would need to shut some
9 schools. And I was told by one of the officials --
10 I don't know if I should name her -- Liz Jack, that they
11 had noticed a massive change in the atmosphere and in
12 the practices in St Philip's and that, you know, as far
13 as they were concerned, as far as possible, I was no
14 longer that in threat. Obviously, I was in threat,
15 because I had left a senior position in St John's, I had
16 moved on. So there was a bit of vulnerability on my
17 part. But, yeah, I do take some of the credit, with my
18 team, for having changed things, at least to make them
19 think again, and indeed we didn't get shut.

20 Q. What you had done was to change the culture and the
21 environment to introduce what you call a more
22 'child-centred approach'. That was the -- really, the
23 essential -- the ethos, if you like, that you sought to
24 promote?

25 A. Yeah.

1 Q. You touch upon this in paragraph 44, and we may look at
2 this later, but there was a secure unit built in 2006.
3 That, as it were, transformed the nature of the campus?

4 A. Yes. What happened is that the Scottish Office had
5 decided -- I don't know if it was called the Scottish
6 Office. Yes, they were, it was a Labour Government --
7 they had decided that they had more need of secure
8 places. And there was also a crisis in Kerelaw, which
9 was the other provision of secure units. There was
10 a massive scandal there, and there was a suggestion that
11 they were going to be shut, and they were shut in fact.
12 So they were needing extra places and they were
13 investing a lot of money, and they asked us if we would
14 make a bid for it. I was seconded by my Board of
15 Managers, not Cora, by my St Philip's Board of Managers,
16 for a period of two years, I think it was, to make the
17 bid for the secure unit.

18 And indeed, you know, when we were given the
19 contract to commission it and open it, you know -- and
20 thereafter I went back to being the head of St Philip's,
21 because they recruited someone else as head of that
22 establishment.

23 Q. That's what I was going to ask you. The secure unit was
24 really quite a separate --

25 A. Separate, absolutely, yes.

1 Q. -- place to the school, if I can refer to the school?

2 A. It had to be, yes, because, you know, it applied to
3 a group of children that had specific needs that
4 couldn't be accommodated in an open school. A lot of
5 that would have been to do with frequent absconding, but
6 there were other reasons, because some children were
7 still being convicted under the -- you know, by the
8 courts and were given sentences, you know, and they
9 needed to be in a secure kind of environment.

10 It's a different skill set. In fact, I can remember
11 one of the questions asked at one of the meetings when
12 we were making the bid, you know: are you quite clear
13 that this is a separate establishment with separate
14 needs and that the children would be separate, you know,
15 would have a separate set of needs that, you know -- it
16 wasn't just as if, if we were having problems with them,
17 we could transfer them into the secure unit. That was
18 certainly not the case, you know.

19 Q. Do I take it, from what you've said, that you were in
20 charge of the school and there was another person in
21 charge of the secure unit?

22 A. Answerable again to the same Board of Managers, yeah.

23 Q. Perhaps we can look at a photograph. INQ-0000000874.

24 A. That's the secure unit, yes.

25 Q. It's almost like a football stadium in a sense, in that

1 within the yard there appears to be a sports field?

2 A. There does, yeah. It's a football pitch. It can be
3 used for tennis as well. But, yeah, it was built
4 deliberately like that because the most important
5 element of that was the security. But also providing
6 a central space where young people could get, you know,
7 exercise, fresh air. Not to say that all the children
8 in the secure unit stayed there and never went out. You
9 know, as they got more accustomed, they did, but with
10 different risk assessments and care plans, you know
11 there were -- but the area around was very secure.

12 Q. In relation to the school -- unfortunately, we don't
13 have a photograph --

14 A. You see on the left-hand side of that picture there,
15 that would have been the old sports barn for the --

16 Q. Is that to the far left?

17 A. Far left, yes.

18 Q. Perhaps you could stand up and just look behind you
19 because we can -- and point that out?

20 A. That's it.

21 Q. Yes, so you are pointing to the building --

22 A. Yes, that was the sports barn, which was there when
23 I came.

24 Q. The main -- I think St Philip's used to be Beechwood
25 House; was there a main building and then three units?

1 What did you have?

2 A. I never referred to it as Beechwood House.

3 Q. Was there a main building?

4 A. Well, the place my office was in, you know, above,
5 that's where Mr Kane had lived with his family, above
6 that. It was an old -- I think it was one of the mining
7 houses, you know, inherited. Lovely building in many
8 ways, but, you know, wasn't built for a school now. No
9 children lived there.

10 Then if you move from the left, further left,
11 I don't know --

12 Q. We can't move. But it's off-picture essentially?

13 A. It's off-picture, yes. It is quite separate. That
14 would be the sports barn, plus there were three units
15 all named after places up in the western Highlands,
16 Morar, Mallaig, and I forget the other one, but they
17 were living units. And, yes, that's where the
18 children -- then, of course, you had a classroom block,
19 which -- I'm trying to think where the classroom block
20 was. It was towards -- more towards Beechwood House, as
21 you call it, yes.

22 Q. Now, looking back to your statement, Paddy, under the
23 heading 'Policy', on page 10, again you go back to this
24 notion of the ethos of the school, because you say:
25 'I saw my responsibilities primarily as being

1 accountable for the ethos of the school. One of the
2 first tasks I undertook was to write a policy on the
3 values we should uphold.'

4 And that's what you did?

5 A. I did. I think you can see, in 49, that I've always
6 believed in collegiality and, although I say I took the
7 main responsibility for that, it was a team effort. And
8 I had a very gifted and really valued member of the
9 senior team, who helped develop that. I didn't get any
10 resistance to it. It was an opening and -- welcome of
11 it

12 Q. And the policy, as you have mentioned already, had
13 really, at its heart, to ensure that you were listening
14 to children?

15 A. Yeah. Later on, when we get to discuss, maybe, the
16 whole thing about safe holding, that one of the things
17 that we found was almost, like, miraculous in terms of
18 helping children calm down was to not only listen, but
19 to actively show people or to -- or to feedback to
20 children that we were listening and taking account of
21 what they felt, you know. Active listening is what it is
22 all about, really.

23 Q. You do mention safe holding or restraint in the next
24 paragraph, paragraph 50. You had to consider how to
25 develop policies in conjunction with the various

1 theories that were going around.

2 Restraint -- as we've been mentioning in the
3 Inquiry -- is the general term that is used; were there
4 difficulties with restraint?

5 A. Well, I think the difficulty was that -- and I'm not
6 sure about the particular dates. But up to 1993, you
7 know, children were needing to be restrained and were
8 being restrained, and they were being restrained --
9 there was no real training. There was no real policy,
10 as far as the government was concerned, and it was when
11 Mr Dennis Ferrie came from -- he got the post of head of
12 education. He came from The Good Shepherd Centre and I
13 sent him -- one of the first things I sent him to do, I
14 think it was around 1993, he went to a conference in
15 London, with the Cornell University -- I'm not sure of
16 the terms -- and he came back with a whole structure
17 that was called TCI, therapeutic crisis intervention,
18 and that was the first time that we were actually
19 formally looking at what was involved in terms of
20 restraint.

21 Now, if you know the document, if you see the
22 document, you'll only see that restraint and training in
23 restraint is a minute bit at the end of the document,
24 and everything was all about deescalating; it was
25 techniques for active listening; techniques of

1 demonstrating empathy. I have forgotten the
2 terminology. It's a long time since that happened and,
3 you know, so --

4 LADY SMITH: And this, Paddy, was learning which I think had
5 been developed in the States. You mentioned
6 Cornell University?

7 A. That's right, yes, my Lady.

8 MR MACAULAY: You have a number of paragraphs in your
9 statement dealing with restraint, and there were
10 occasions when physical restraint was required; can you
11 explain how these such occasions could arise?

12 A. Yes. Maybe not to exaggerate it too much is, if you got
13 to the position where you had to restrain a child, what
14 we call 'safe hold' a child, then it was by and large
15 a failure, because, you know, there were so many
16 strategies in place. However, you know, I'm not naive
17 to think that it wasn't necessary. It was very
18 necessary sometimes, especially when a child was
19 being -- you know, was behaving in a way which would be
20 dangerous for himself and for others and, you know,
21 there were circumstances in which that would happen.

22 It's a minefield because, you know, if you don't
23 restrain -- you are equally culpable if you do, and both
24 of them can go quite wrong in many circumstances.

25 Now, people were acting in a vacuum before, I think,

1 about 1993, and then that working party, which
2 I mentioned -- I think it was chaired by Davidson, I
3 forget her first name, but anyway -- which reported in
4 2005, and in fact Dennis -- Dennis Ferrie was on that
5 working party, and in fact chapter 5 of that -- I think,
6 from recollection, I think chapter 5 was written by him,
7 but that was the first time in which people put down
8 a whole list.

9 If you're familiar with the policy -- I'm sure you
10 probably are -- you'll see that there are certain tick
11 boxes, you know, that people had to learn -- had to tick
12 off in terms of what you did before it got to the
13 position of safe holding, and indeed then the whole
14 process of how you do it, how you do it safely, because
15 I think it was called 'holding safely' and how you did
16 it was engineered or was designed to help people do it
17 safely, and to do it in a way which was non-punitive.
18 It was done purely and simply for the sake of the child
19 and the safety of the others.

20 Q. You deal with restraint -- I have jumped ahead -- at
21 paragraph 96 onwards. But you witnessed, did you,
22 children being restrained?

23 A. I must have. Nothing, you know, comes to mind as being
24 a sort of situation. By and large, I think -- well,
25 I always saw people behaving within the ways that we

1 expected them to behave. I'm aware that, you know,
2 there were some circumstances in which it had gone
3 wrong, maybe because, you know, there weren't enough
4 people there, and those instances would be looked at and
5 every instance of restraint had to be logged.

6 Q. Yes, but if there is an instance of restraint where
7 something has gone wrong; would the restrainer be
8 expected to log that?

9 A. Yeah. It would definitely have to be logged.

10 Q. Let's say, for example, a child was injured with
11 something like a carpet burn; did you have -- see
12 evidence of that sort of matter --

13 A. Yeah, yeah, it would have been documented, yeah. And
14 the expectation was that, you know -- well, it would be
15 more than expectation, the -- it was prescribed that if
16 a child was hurt, in any way whatsoever, that the member
17 of staff or the main leader in that group would have to
18 tell the child -- you know, first of all, apologise for
19 them being hurt, let them know that they -- and also
20 inform them that they had a right, and they would
21 encourage them to make a complaint on that circumstance.

22 But the apology was really important, I think.

23 Q. We have had evidence from applicants in connection with
24 being restrained during the time of your tenure.

25 I'm not suggesting you had any awareness of this. But,

1 for example, one applicant has described how he was
2 being restrained by his fingers being bent backwards:
3 'Bending my fingers or pushing my arm up the back.
4 It was a karate move that they used to get you down to
5 the ground.'

6 Does that ring any bells with you?

7 A. None whatsoever, no

8 Q. That wouldn't be appropriate?

9 A. Absolutely. I can't imagine that I would have had
10 a complaint of that nature, because, you know, that
11 would be not only unacceptable, but it would be
12 criminal.

13 Q. How many members of staff would be involved in the
14 restraining process?

15 A. Preferably two. And, you know, it would also be good to
16 have another person, but that's not always possible in
17 a residential setting.

18 LADY SMITH: I think you suggest that the other person could
19 be there as an observer, in an ideal world?

20 A. In an ideal world, that would be the best. Thank you,
21 Lady Smith.

22 LADY SMITH: I suppose on any day it will just depend who is
23 available and how much else is going on.

24 A. Yeah.

25 MR MACAULAY: If I can put the suggestion to you that's been

1 put to the Inquiry, that, so far as this applicant was
2 concerned, that he was restrained on a regular basis, as
3 were others; did you see restraint as something that
4 happened on a regular basis?

5 A. Absolutely not. In checking the logbooks and the
6 records, if I noticed that one child was being
7 restrained more often than others, or that one member of
8 staff was more often being involved in all that
9 restraint, that would have been a trigger for me in
10 terms of, you know, needing to ask more questions and to
11 have an investigation, you know, because if there's
12 a pattern appearing -- well, you know, I mean, I think
13 it's just obvious that -- well, I would hope that given
14 the team we had, and given the values that we based the
15 running of the school on, that we would have gone into
16 it.

17 Apart from that, you know, I have a duty and
18 responsibility to make sure that children are safe and
19 that they're not being treated illegally, yeah.

20 Q. I want to put a document at this point -- going back to
21 the notion -- concept of the ethos of St Philip's, I
22 just want to put this document on the screen, and if
23 I can put one document one side and one document on the
24 other.

25 The first document I want to put on the screen is

1 INQ.Section21Notices.00159, at page 4 to begin with.

2 This is a document we refer to as a 'Section 21
3 notice' that was sent to the school, asking various
4 questions.

5 It's an important document because it provides the
6 Inquiry with a platform of information in relation to
7 the school or the organisation, whatever it may be. And
8 if I can take you to page 7 of this document, you'll see
9 there is a section headed 'Ethos'.

10 If you move down, or perhaps just stay at the top
11 for the moment, and you'll see the questions:

12 'What did the organisation see as its function,
13 ethos and/or mission in terms of the residential care
14 service it provided for children?'

15 You could answer that question, as you have; is that
16 right?

17 A. Yeah.

18 Q. And then at (iv):

19 'Were there changes over time in terms of what the
20 organisation saw as its function, ethos and/or mission
21 in terms of the residential care service it provided for
22 children?'

23 And I think you have told us you did bring changes
24 in to what had been there before?

25 A. Yes.

1 Q. And there is (viii):

2 'What was the organisation's attitude to the
3 discipline of children?'

4 And I think I understand your position on that.

5 Can I ask you: in relation to this document, were
6 you at all consulted for your views during your time as
7 the headmaster, the principal?

8 By that I mean: did St Philip's contact you when --
9 this was 2020; did St Philip's contact you, or anyone
10 contact you, for any input?

11 A. No. None whatsoever.

12 Q. If we can then look at the other document. We're now
13 looking at the answers to the questions, and this is
14 SPP-000000020.

15 Here we have the answers and I just want to turn to
16 page 5. Is it possible to make that a little bigger, so
17 we can see it? Thank you.

18 Here we are seeing the answers to some of the
19 questions that I put to you. Can we see here that,
20 essentially, virtually every answer is 'not known'?
21 What do you make of that?

22 A. I'm surprised, yeah.

23 Yeah, I'm surprised and a little bit disappointed
24 that that would be the answer.

25 LADY SMITH: Am I to take it you're disappointed they didn't

1 just ask you?

2 A. Maybe, yeah. But I never hid what I really believed in
3 and, you know, there were some instances in which we
4 would have a disagreement about something at a Board of
5 Managers' meeting.

6 For example, because it's a Catholic establishment,
7 a lay Catholic establishment, okay, I believed, you
8 know, the principles that applied in the school had to
9 be a shared ethos, which was generally the culture of
10 the country, but also, you know, informed by Catholic
11 social teaching.

12 Q. Ethos can change over time?

13 A. Yes.

14 Q. The ethos before your time was clearly different to the
15 way you approached matters?

16 A. Yes, so is that in regard to the past?

17 Q. It's both past and present. But you certainly covered
18 a long period of many years --

19 A. Yes.

20 Q. -- where you'd have been able to give information as to
21 what the ethos was over that time?

22 A. Yeah, yeah.

23 Q. If we go back to the other document, the
24 INQ.Section21Notices.00159 document, just pick this one
25 question up at the bottom; 'Establishment':

1 'What services were provided at the establishment,
2 in terms of care for children?'

3 Now, as I understand it, from what you've been
4 telling us, there were many services provided for the
5 care of children; is that right?

6 A. There were many?

7 Q. Services.

8 A. Provided for?

9 Q. There was much done for the care of children?

10 A. Yes.

11 Q. In fact, was it not the care of children that it was all
12 about, certainly in your time?

13 A. Absolutely. I made it plain that we weren't going to
14 take a child into St Philip's unless we had done
15 a proper assessment of what their needs were and that we
16 felt confident of being able to meet those needs, okay.

17 And, you know, when a child was being admitted to
18 St Philip's, they would be accompanied by their parents
19 and their social worker. There would be a conference
20 to -- for -- and an opportunity for them to see around,
21 but we would assess whether that child's needs could be
22 met.

23 There were sometimes conflicts in terms of the --
24 like, especially under Strathclyde, when you got a phone
25 call on a Wednesday afternoon, or a Friday afternoon

1 usually, saying, 'You're going to take this child', and
2 we would say, 'Tell me about the child'. And there was
3 once or twice where we said: no, sorry, you know, you'll
4 have to go elsewhere, which was always a difficult
5 situation, because we were being funded directly by
6 Strathclyde, you know.

7 Q. If we look at the answer then, and this must be the
8 final question before we break for lunch. This is
9 SPP-000000020, at page 6. The answer to that particular
10 question is towards the top of the page:

11 'Not specifically known.'

12 Does that surprise you?

13 A. Yeah.

14 LADY SMITH: At the very least it could have been:

15 'Residential care and educational services for children
16 referred by the Children's Hearing and by the courts'?

17 A. Yeah. I don't know who's answered that. I mean,
18 I don't know anything about that document. I wasn't
19 consulted about it, okay, so I can't comment on it. But
20 I'm surprised.

21 What basically seems to be said is that we were in
22 the business and we didn't know what we were doing.

23 Sorry, I'll --

24 MR MACAULAY: You would challenge that?

25 A. I would challenge that, yes.

1 LADY SMITH: I think it's time for the lunch break, Paddy.
2 I'll rise now for the lunch break and sit again at
3 2 o'clock. Thank you.
4 (1.03 pm)
5 (The luncheon adjournment)
6 (2.00 pm)
7 LADY SMITH: Welcome back, Paddy. Are you ready for us to
8 carry on?
9 A. I am.
10 LADY SMITH: Thank you. Mr MacAulay.
11 MR MACAULAY: My Lady. Now, Paddy, I want to turn to that
12 section in your statement headed 'Strategic Planning',
13 and that begins at paragraph 53.
14 LADY SMITH: Just one moment.
15 (A short pause due to technical issue)
16 (2.12 pm)
17 LADY SMITH: I have a transcript. Paddy, I'm sorry about
18 that, but it seems that normal service has now been
19 resumed.
20 Mr MacAulay.
21 MR MACAULAY: My Lady.
22 I was going to ask you next, Paddy, about a section
23 in your statement headed:
24 'Strategic Planning.'
25 You begin talking about that at paragraph 53. You

1 have told us about, I think, how you wanted to cut down
2 the size of the groups, both for meal times and
3 otherwise.

4 If I can take you to paragraph 56, what you tell us
5 there is:

6 'Most of the children we had, had gone down routes
7 that they had very clearly failed in, and when they were
8 coming to us, and we were telling them we would stick
9 with them, they didn't really believe us.'

10 So there was a lack of trust; is that right?

11 A. I think that's -- yeah, that would be true. The
12 experiences they'd had were that adults let them down.

13 Q. And did you see it as your mission to try to restore
14 that trust?

15 A. Yes. You know, we expected that they would test that,
16 because they'd been told that by various people. So,
17 often, they had a very difficult introduction to the
18 school, and to the life of the school, because they were
19 testing to see: are these adults -- do they really mean
20 it, you know, so here's what I've got...

21 LADY SMITH: Of course, Paddy, largely you were dealing with
22 children who were at least 11 or 12 before they came
23 into St Philip's, as I understand it?

24 A. That's right.

25 LADY SMITH: And in most cases, the way their lives had gone

1 by that stage hadn't exactly taught them they could
2 trust adults or people in authority; is that right?

3 A. That's absolutely correct, my Lady.

4 LADY SMITH: So your starting point had to be you recognised
5 that, and you had to work hard, really hard, at building
6 their trust in places like St Philip's; yes?

7 A. Yeah. You had to go through the testing period and not
8 react to the behaviour that came up, yes.

9 LADY SMITH: If I can just divert you to this for a moment,
10 because it's something I'm interested in; when you do
11 hit a testing time with a child, let's be blunt, when
12 yourself you are angry and something the child is doing
13 is 'driving you nuts', to use a colloquialism; what do
14 you do?

15 A. You take some very long breaths, you try to
16 de-personalise it, in the sense that they're often
17 trying to make it personal, and you try to listen, to
18 hear behind what's -- the behaviour's indicating. The
19 behaviour might be indicating that they hate you, but
20 that's not often the case. They're just angry, angry
21 with the world in which they didn't get the things that
22 they needed, so I'm not saying it's easy, and I think
23 that, you know, we would often have time out for staff
24 as well, you know, saying: go and get a cup of tea or
25 get someone to go and sit and talk through it, you know.

1 That's not always possible, you know, because you've
2 got very difficult rotas at times, but we would always
3 want to have some sort of debriefing, yeah, and a period
4 where people can understand that it wasn't them, that it
5 was the child's needs, yes.

6 LADY SMITH: How did you learn these coping strategies?

7 A. The hard way, I suppose, yeah. I learned that -- early
8 on in my career, in St John's, where we had some very
9 difficult children, and difficult challenges and
10 problems, I learned that it really wasn't about you.
11 It's hard not to think that it's based on you, because
12 you would often get insults targeted at you and your
13 family, quite often the language would be very
14 sexualised and really quite aggressive, and if you said,
15 'Don't speak like that to me', it just got worse, you
16 know. So you almost had to -- planned ignoring, you
17 know, was the way you coped with it, yeah.

18 And I suppose I didn't just learn it instinctively,
19 I just believed that -- there were times that I wasn't
20 heard in my life growing up, and certainly in the army,
21 where I just had to do things, not, you know, with my
22 consent, it -- so I'd learnt, you know, that what
23 applied to me was applicable to most people; that they
24 all had needs and that sometimes they just wanted to
25 shout about the world.

1 LADY SMITH: Thank you, Paddy.

2 Mr MacAulay.

3 MR MACAULAY: In that connection then, it's clear from what
4 you say that the skills of the staff are very important,
5 and what you tell us is that you were lucky -- this is
6 at paragraph 57 -- you had some very gifted and
7 interested people in your senior team, and you mention
8 these. Linked to that is the way in which staff are
9 recruited, because you had gifted people in your team,
10 but you also have to bring some staff in. You talk
11 about recruitment at paragraph 63 onwards.

12 What you tell us is that you were involved in the
13 recruitment process to ensure that the staff that were
14 recruited were, as it were, 'up to the job'.

15 A. Yeah. The obligations as the head of the establishment
16 was that you had to make sure they had a PVG or, before
17 that, the disclosure certificate. But, on top of that,
18 you had to say that these were fit people to be working
19 with children, so that was a judgement, which you can
20 only get by speaking to the people.

21 So, before an appointment was confirmed -- I might
22 not have been involved in all the interviews, in fact
23 I wasn't, except if it was senior staff under me. But
24 after the interviews, and before they were deciding to
25 make an appointment, and after the references had been

1 checked -- gained and checked, and also maybe the
2 referees spoken to in cases where I felt something was
3 missing -- I would meet with them and make a judgement
4 as to that part of it, which again, you know, is
5 a judgement; you get it right sometimes, sometimes you
6 get it wrong. I can't remember any occasions in which
7 I got it wrong, but yeah.

8 Q. What you tell us, at paragraph 74, moving on, is that
9 you do consider that in your tenure at St Philip's, all
10 staff were sufficiently and appropriately qualified and
11 trained?

12 A. They were, you know. They might not come -- they came
13 from a variety of backgrounds when they arrived, but
14 they would be offered the opportunities through the
15 training that we had available. It got better as Cora
16 developed its own training. You know, Cora was the
17 strategic management, and they -- so they were able to
18 offer courses in-house.

19 Before that, we used to get courses, get
20 availability on courses offered by outside agencies.
21 When Strathclyde was in existence and after the
22 reorganisation, different Local Authorities that used
23 us, would offer us the course -- some of the courses.

24 Q. And did you see staff appraisals as being an important
25 part of the system?

1 A. Yeah. You know, to think that your employers don't have
2 a view of you, or they don't have a judgement on you, is
3 a bit silly, and I thought that it was really important
4 for us to be able to offer them to have that view shared
5 with them officially, and I think it's also a very good
6 training and developmental thing.

7 Q. What you tell us is that it was very much part of the
8 system, at paragraph 75:

9 'Each person had to be appraised each year and they
10 had to sign their appraisal.'

11 And the signed appraisal would then be looked at by
12 the heads of the department and yourself?

13 A. That's right, yeah.

14 LADY SMITH: I suppose by having that system, you turn it
15 into as much a professional development review on
16 a collaborative basis, rather than a judgement being
17 passed on the staff; would that be right?

18 A. That would be correct. Better words than I've used.
19 But, yes, it's about -- we all have developmental needs,
20 and I think in that statement I say when I get
21 a reference I'm not looking for a testimonial;
22 I'm looking for a document that indicates what they've
23 got and what they are going to need, growth needs.

24 MR MACAULAY: You have a section, beginning at paragraph 82,
25 when you're looking at discipline and punishment, and

1 I think you are referring back, at paragraph 83, to your
2 time at Springboig St John's when punishment involved
3 either the restriction of home leave --

4 A. What number was that again?

5 Q. That's paragraph 83.

6 You mention there Springboig St John's; do you mean
7 Springboig or do you mean St Philip's?

8 A. I mean when I first started at Springboig St John's
9 School, there was a system of punishment used -- well,
10 it wasn't punishment. It was the system where people
11 had to apply for home leave, so they got, you know --
12 for example, they got two out of three and, you know, to
13 get three out of three weekends at home, you know, there
14 was a meeting and, you know, it was mostly about their
15 behaviour. I thought that was an inappropriate way of
16 restricting leave, rather than a punishment.

17 Q. Did you carry that through to St Philip's?

18 A. Never, no. I mean, I didn't like it there and
19 I certainly wasn't going to carry it through when I went
20 to St Philip's.

21 Q. So when you were at St --

22 A. That had stopped, you know, before I left St John's.

23 Q. Had it stopped at St Philip's?

24 A. Yeah.

25 Q. And you are satisfied that, throughout your time at

1 St Philip's, that no child was punished by having their
2 leave or pocket money or anything like that taken from
3 them? That's what you say at 84.

4 A. That's right. I'm -- it's something that I thought was
5 really important and I can't remember any instance of
6 that happening. It wasn't -- certainly policy for that
7 to happen, yeah.

8 Q. You also say that the censoring or the reading of
9 letters that were being sent by children was something
10 that was stopped at St John's, and did not happen at
11 St Philip's?

12 A. It was stopped very early on, you know. When I went to
13 St John's, that was the practice. The boys called the
14 head of the school 'Guv', you know, and based on -- that
15 kind of principle, but that had changed, you know. And
16 there were a few of us, and it was one of the things
17 that I challenged, I remember, and it did stop, yeah.

18 Q. Paddy, can I ask you about bullying? You touch upon
19 that at 115. What you say is:

20 'Bullying is always an issue.'

21 Were you conscious of there being bullying at
22 St Philip's when you were there?

23 A. Yeah, there was obviously -- well, there were instances,
24 and I think you get that more so with boys -- I don't
25 know, maybe because I didn't work with girls very often.

1 But, you know, the idea of a pecking order or 'top dog',
2 as I think they sometimes refer to them, was a system
3 that came into place, where people, you know, were
4 trying to enforce an authority that they didn't have and
5 so it was there. There were clearly some circumstances
6 in which somebody was attempting to bully others.

7 And there's another kind of bullying, and that's
8 when you act the victim all the time as well, you know,
9 so that's equally bad. You want others to bully you, so
10 that you can get some sort of status from it or, you
11 know, protection for it.

12 It's complicated, but we certainly were aware of it,
13 and I think in some of the papers that have been dealt
14 with, which you'll probably deal with later, you know,
15 instances of bullying were always dealt with, in terms
16 of a policy that we had, from staff.

17 LADY SMITH: Paddy, you used the expression 'top dog' there;
18 was that a label that was in vogue at St Philip's when
19 you arrived there?

20 A. Not at St Philip's. But in St John's I'd heard --
21 I only mentioned it because it was a colloquial -- I had
22 difficulty in understanding Scots, let alone some of the
23 slang, you know, so -- but that was one of the ones, you
24 know --

25 LADY SMITH: That was a St John's expression, was it?

1 A. It was, yeah.

2 LADY SMITH: Thank you.

3 MR MACAULAY: In relation to child protection arrangements,
4 that you deal with at paragraph 119, what you tell us,
5 Paddy, is that staff were given guidance and instruction
6 on how children in their care in St Philip's should be
7 treated, cared for, and protected against abuse,
8 ill-treatment or inappropriate behaviour towards them,
9 and that was through training, and there was ongoing
10 supervision and appraisal of that; is that right?

11 A. That's correct. And that was also -- it's not just my
12 opinion; that was also -- we had inspections from two
13 bodies. The Care Commission, when it came into place,
14 used to inspect us, once announced and once unannounced
15 every year, and the HMIe would come and check us -- come
16 and inspect us on a three-monthly status, and that is
17 one of the things they would look at. So that, you know
18 -- they would look at your records, they would look at
19 the measures that you had taken. They would also speak
20 to the children.

21 Q. I was about to ask you about that, because you talk
22 about that. You saw that from first-hand witness, did
23 you, that they did speak to the children?

24 A. Absolutely. And when a report was written by either of
25 these bodies, it was shared with you and you'd have

1 a meeting in which you could, you know, maybe change
2 some words or, you know, appeal against some judgements
3 that were made. It was a very democratic process, but,
4 you know, if there was something that was of concern to
5 them, it would come out as a measure that had to be
6 addressed with the HMIe. They would give you a time
7 lapse -- time span in which they would come back a year
8 later to check those very recommendations that were
9 made, and how you had responded to them, so you had to,
10 you know, you had to respond to them.

11 Q. The Inquiry has seen reports from the Care Commission
12 disclosing that approach, carrying out inspections and
13 then some comings and goings with the school in relation
14 to either recommendations or whatever.

15 A. Yeah.

16 Q. That's the way it worked?

17 A. Yeah. They were very helpful. Sometimes, you know,
18 quite -- I can be very defensive sometimes, but that
19 wasn't the object of the exercise. It was to improve
20 our practice and it's also a two-way process, you know.

21 Q. You do tell us, Paddy, at paragraph 121, that if a child
22 wanted to complain about something, that you were
23 accessible to that child?

24 A. Yeah. I always -- I considered it a priority to be made
25 available. That meant, you know, sometimes somebody

1 would storm in very angry and shout, you know, and
2 continue that way, maybe even interrupt a meeting, but
3 I thought it was important that time was given to them.

4 They also understood if they did that -- because
5 what I would usually do is mostly listen or tell them
6 a story and not respond to the behaviour that they were
7 giving. And then when it had, you know, got more
8 manageable, and the child had taken back the control
9 which is properly his, they also knew that I would
10 invite the person that they were having the issue with,
11 you know.

12 But, in terms of making complaints, you know, every
13 child was asked after every incident, particularly when
14 somebody was hurt, or if they were concerned about -- if
15 they were shouting about something, even if they
16 retracted it, they were told that they had the right and
17 they were encouraged to report it.

18 Q. So far as record keeping was concerned -- and you
19 address this at paragraph 145 -- you say that each child
20 had a personal file, and anything involving that child
21 would be recorded in that file?

22 A. That's absolutely correct, yes.

23 Q. That would include meetings or discussions with social
24 workers, along with any concerns raised by the social
25 worker or indeed the parents of the child?

1 A. Yeah. I need to maybe clarify that. The meetings --
2 you know, each child had -- I'm not sure if it was
3 quarterly or half yearly, but they had a review which
4 usually took place in the school. But that was not
5 chaired by me or any of our staff, it was chaired by the
6 referring social worker, senior. It was also, you
7 know -- they brought their own minute-taker, who
8 transcribed the hearing.

9 At that meeting it would be, you know, discussing
10 future needs. There would also be -- on each child
11 there would be a risk assessment, particularly in
12 relation to restraint, because there were some children
13 that, you know, however bad the circumstances, you
14 wouldn't. The risk assessment might say it would be
15 counterproductive, and you would have to find some other
16 ways.

17 But there would be, you know, a thorough risk
18 assessment, which got better. You know, we weren't that
19 good -- in fact I would say generally people weren't
20 that good when risk assessments became the in-word, but
21 it's a very helpful tool.

22 Q. You compare the system as developed under your tenure
23 with the historical position, and you look at that at
24 paragraph 149. Because you say:

25 'Historically and prior to my arrival, record

1 keeping was different. They were living in a different
2 climate.'

3 Can you explain what you mean?

4 A. Yes. I didn't think -- I'm talking about, you know,
5 quite a few years before that. You know, social workers
6 evolving -- and certainly residential care was
7 an evolving discipline and, you know, there were things
8 that we now take for granted, which in years gone by
9 weren't taken for granted, especially in regard to
10 children's rights.

11 And also, you know, you must remember that while
12 I was at St Philip's there was a group called 'Who
13 Cares?' who came in. Who Cares? were entirely -- almost
14 like advocates for children, and the child had access to
15 them and they were much more ... there were many more
16 safeguards put in place, you know, which not only
17 protected the children, but protected the staff as well.

18 Q. Very well. Can I move on to a section that's headed:

19 'Documents provided by the Scottish Child Abuse
20 Inquiry.'

21 That's at paragraph 168. Here you're dealing with
22 a number of documents that were exhibited to you, and
23 you are allowed to look at when you are being seen in
24 your private session by members of the Inquiry.

25 A. That's right, yeah.

1 Q. The first of these, I'll put it on the screen, it's --
2 it will come on the screen in front of you, just to
3 remind you what's in it. It is SGV-001031935.

4 Are you able to read that from the screen? Just to
5 remind you, you're looking at a letter from
6 Alistair Marquis, who was an HM Assistant Chief
7 Inspector, and it's dated 22 September 2003. Is it your
8 understanding that this letter is a letter to someone in
9 the Scottish Office?

10 A. Yes, it's my understanding that it was --

11 Q. Had you come across Alistair Marquis?

12 A. Yeah, he was inspecting the school. I remember him
13 well. We had -- he had a special interest in religious
14 education, as did I, so we had some interesting debates
15 about it.

16 Q. I'll just read this, or parts of this. It begins by
17 saying, at paragraph 1:

18 'Further to our telephone conversation earlier
19 today, I'm writing to provide you with relevant
20 background information regarding current investigations
21 being undertaken by two police stations. These
22 investigations relate to allegations of physical and
23 sexual assault made by three former pupils of
24 St Philip's School against four previous members of
25 staff at the school.'

1 At 2, it's emphasised that all allegations being
2 investigated are of a historical nature. He goes on to
3 say:

4 'These investigations came to my attention in the
5 course of my involvement in the recent HMIe integrated
6 inspection of St Philip's with the Care Commission. I
7 conducted an interview with the deputy principal head,
8 Brian Harold, concerning child protection policy and
9 procedures at the school. Brian is the designated child
10 protection co-ordinator for the school. It transpired
11 that almost all the staff, including Brian, had no
12 formal training in child protection matters.'

13 Can I just pause there. Have you any response to
14 that assertion?

15 A. Yeah. Brian would have been in charge of child
16 protection because I was seconded, making the bid for
17 the secure unit at St Philip's School. This is the
18 first time that I saw it, and I saw it a day before
19 I made my first statement, and I challenged it as well,
20 because there were a few things which I was very
21 concerned about, you know, particularly some of the
22 judgements made about my 'concerned look' on my face,
23 and things like that.

24 I felt that it was so serious, it should have been
25 shared with me. But, as I say, I got that letter a day

1 before I was meeting with the people from the Child
2 Abuse --

3 Q. You hadn't seen the letter before?

4 A. No. It came -- it didn't come with all the other
5 documents; it came with -- the day before, literally the
6 day before.

7 Q. Just on that point about Brian having no formal training
8 in child protection matters; do you accept that or is
9 that not correct?

10 A. Yes, it's -- I mean, I'm talking about quite a number of
11 years ago. I would refute the formal -- I can
12 understand it depends on the interpretation that you
13 have of 'formal'. But Brian is a qualified social
14 worker, as am I, and in fact so was Dennis Ferrie, and
15 to say that they had no training, or formal training, in
16 child protection is wrong.

17 But, however -- in terms of it being the sole
18 subject of our interventions with children, I could
19 accept that, you know, technically, he didn't have
20 formal training, but child protection was at the centre
21 of everything we did.

22 Q. He goes on to say:

23 'Shortly after returning to my base in the school,
24 I was approached by the principal, Paddy Hanrahan, who
25 looked very worried and asked if I could accompany him

1 to his office to discuss something of a sensitive
2 nature. In his office, he signalled his awareness that
3 I had raised about child protection with his depute. He
4 wanted me to know that there were indeed several current
5 police investigations into serious allegations of abuse
6 which concerned the school.'

7 Did that happen in that way? Did you want Mr
8 Marquis to know that there were outstanding allegations
9 or current police investigations?

10 A. Just to put it into context, I had been phoned by
11 a policeman, telling me that, in fact that two -- as far
12 as I remember, two different children had made
13 allegations about some similar members of staff, which
14 pre-dated my period in St Philip's; okay?

15 They told me that they were going to be doing
16 an investigation, and that was all I knew. I didn't
17 know the names of the children. I didn't know the names
18 of the staff. I think they mentioned one or two, but it
19 didn't mean anything to me.

20 And they just wanted to know if these were people
21 that were currently working in the school, and they
22 weren't, you know. So, as to me being worried, I was
23 concerned, yes, but having, you know -- I mean, it's
24 a long time ago, but I certainly couldn't say that I was
25 worried about the fact that there were investigations

1 going on.

2 I was concerned that we were making a bid for
3 a secure unit, that St Philip's would be -- if we were
4 successful in getting the bid, there would be a figure
5 of around about eight or nine million pounds being
6 invested in the school and, therefore, what I was
7 concerned about was that if Rachel -- if this suddenly
8 did come to fruition -- it was still being investigated
9 by police, I didn't know what -- the investigation was
10 happening, that they should at least know about that,
11 not because of the reputation of the school, but you
12 know how the press could be often -- school gets bid for
13 nine million pounds and here we have, you know, a court
14 case coming up. That was my only interest, not, you
15 know, the fact that children want to make complaints
16 about the school, or that they need to be investigated
17 in a transparent and open way, with due diligence. It's
18 not something I was challenging. I was just informing
19 him that Rachel Gwyon who was the Head of the Social
20 Work Division of the Scottish Office should know it, as
21 she's -- Civil Service, should know about this.

22 Q. And he goes on, if we go on to the second page, at
23 paragraph 6, he details the cases.

24 At 6, he talks about two cases involving two
25 independent allegations made by two former pupils.

1 These allege that two members of staff sexually abused
2 them during the period 1984 to 1990, and he goes on
3 subsequently to say that:

4 'I was informed that investigations are continuing
5 because so many potential witnesses need to be involved
6 and interviewed.'

7 Then the third case, at 7, was being investigated by
8 another police officer who was on leave and -- what he
9 says there:

10 'A male has made allegations against staff in
11 a number of residential schools run by the Roman
12 Catholic Church. These include St John's, St Mary's,
13 Kenmure, and St Philip's. The allegation regarding
14 St Philip's is against two former staff members; one is
15 now deceased and one in a wheelchair. In earlier
16 discussions with the principal, I had been informed the
17 third allegation was of a physical abuse nature. The
18 police have informed me that the allegations involve
19 both physical and sexual assault.'

20 So that sets out Alistair Marquis's understanding of
21 the allegations.

22 Can I ask you this: were you interviewed by the
23 police in connection with these matters?

24 A. Never. I was phoned by the police and informed what was
25 going on, and I subsequently got a phone call when this

1 was all over, and I think it must have been after --
2 certainly that we had -- we had the bid accepted to
3 build the secure unit -- telling me that they couldn't
4 find corroborating evidence and it was therefore shelved
5 at that time.

6 I asked for a copy of that letter. They said that
7 wasn't their practice.

8 Q. Just looking to the detail we have here; were you made
9 aware, for example, at the time that the allegations
10 consisted of physical and sexual abuse?

11 A. Without records, I can't really recall exactly. I just
12 know there was this -- I was just informed it was taking
13 place. As you can see from the paper, the names are
14 redacted. The staff members, you know, I've just got
15 blanks. They've been copied out. So I didn't have
16 awareness of them and I can't recall without any
17 records, except that -- all I can say is I never saw
18 this letter.

19 Q. I understand that. But I'm just wanting to understand
20 what your state of knowledge was at the time.

21 A. My state of knowledge is that they were doing
22 an investigation and it dated back, so they'd informed
23 me they were doing the investigation. They weren't --
24 didn't ever interview me. They apparently did -- they
25 came to the conclusions they did come to, independently

1 of me. I never made any statements or any members of
2 staff were interviewed in our school.

3 Q. But do I take it, at the very least, you were aware that
4 allegations were being made by former pupils against
5 members of staff?

6 A. Ex-members of staff.

7 Q. Would that be something that you would inform the Board
8 of Managers?

9 A. It would normally be something I would inform the Board
10 of Managers, but because I was seconded, you know,
11 I don't know whether that was done. But I didn't have
12 an outline of -- I wasn't going to be investigating this
13 case. They were going to be investigating. I mean,
14 there was a phone call; that was purely and simply the
15 case. I don't recall receiving anything in writing
16 about it from the police. And that was that.

17 Q. Very well. Just looking at the seriousness of the
18 allegation; is it likely that you would have informed
19 the Board of Managers of the fact there was a police
20 investigation that centred on St Philip's?

21 A. Yeah, I probably would have, but I can't remember
22 exactly. I suppose because I was involved in, you
23 know -- heavily involved with that, and that in my
24 absence Brian Harold was acting as -- in my place -- he
25 was acting for me, I don't know exactly what happened,

1 but I would normally, in cases of, you know, allegations
2 being made, the Board of Managers would have been made
3 aware.

4 Q. And the other matter I was going to ask you about in
5 connection with this sort of information: would some
6 record be kept that you had been told that a police
7 investigation was in process, that centred on
8 St Philip's?

9 A. Yeah, obviously it would be, yeah. Well, not obviously.
10 But, yeah, my practice would be to do that, yeah.

11 Q. I think you were also asked to look at a number of
12 documents that made reference to complaints. The first
13 one I want you to look at is CIS-000005116.

14 I think you have looked at this already. It's
15 a letter dated 14 June, it's addressed to you and
16 I think it's from the Care Commission; does it relate to
17 a complaint by the mother of -- that her son, who was at
18 St Philip's, was being bullied? Do you see that?

19 A. Yes, I see that, yeah.

20 Q. There's clearly been a Care Commission investigation.
21 If you go on to the second page of the letter; do we
22 read, at number 1:

23 'It is clear from the outcome of the investigation
24 that the boy is the subject of some bullying by other
25 boys. However, there is a context to this. It is

1 clear, from records and statements made, that the boy
2 often acts inappropriately around other boys, by
3 provoking others to violence ...'

4 So, against that background, that part of the
5 complaint was only partially upheld.

6 In relation to the second part of the complaint, we
7 read:

8 'All members of staff showed awareness that the boy
9 was bullied on occasion, and staff had taken appropriate
10 steps to address this issue and keep him safe.'

11 And that part of the complaint was not upheld.

12 I just want to ask you this: would that be the sort
13 of issue that you would raise with the Board?

14 A. I mean, I have no memory as to whether I would do that,
15 but I would normally keep them up to date with
16 allegations.

17 Allegations like this about bullying, I don't know
18 if I did. But my reports -- I made a report to the
19 Board of Managers each month.

20 Q. Would this sort of information be contained in that
21 report?

22 A. Sometimes, yes. Most times it would be, if it was of
23 a more serious nature. I'm not saying that this is not
24 serious.

25 I think, you know, there is a timeline. At first,

1 when complaints were made, there was an expectation that
2 you would do the investigations yourself, and then
3 things changed a bit, certainly after the reorganisation
4 of local government, and the Social Work Department
5 would -- I would refer cases to the Social Work
6 Department, who in turn would refer them to the police,
7 and sometimes we would refer them to the police.

8 Q. I think we see that in some of the material, that it
9 says:

10 'Paddy Hanrahan has referred this matter to the
11 police.'

12 A. That's right, yes.

13 Q. In relation, then, to the document that we looked at,
14 again; would a record be kept?

15 A. The record would be kept. I would keep a record and it
16 would be in a complaints book, which I would have left
17 at St Philip's. I left all my records there, yeah.

18 Q. The next document I want you to look at then is at
19 CIS-000005052.

20 You'll see this has been created on 27 October 2004,
21 and the subject is:

22 'Internal complaint investigation.'

23 And it seems to be a memo or a record, because it
24 begins:

25 'Paddy Hanrahan called.'

1 Would this be you calling the Care Commission to
2 make this particular report?

3 A. I really can't recall. I would inform the Care
4 Commission of all complaints that were being made.

5 Q. And just so -- we can read that:

6 'As a result of a complaint made by a pupil alleging
7 a physical assault, a member of staff [and the member of
8 staff, although it has been blanked out, because we
9 heard about this yesterday] has been suspended and is
10 subject to an investigation by the police. This may
11 result in a formal complaint being made to the Care
12 Commission. Paddy will formally write to the Care
13 Commission and advise of the outcome.'

14 So, clearly, you have passed that information on to
15 the Care Commission. You suspended a member of staff;
16 do you have a recollection of that?

17 A. I have no recollection. I was asked that.

18 Q. I think we heard yesterday that the member of staff who
19 was suspended was subsequently, after many months,
20 reinstated, because he was cleared of the allegation.
21 But can I ask you this: would this sort of complaint be
22 transmitted to the Board?

23 A. Yes, well, staffing implications as well when somebody's
24 suspended. Yes, it would have been.

25 Q. Again, you would have kept a record for this complaint?

1 A. Yes, there is a complaints file that was kept and
2 I'm sure must have been archived.

3 LADY SMITH: Somewhere there must be a record of, as it
4 says, you writing to the Care Commission to advise them
5 of the outcome? It says that at the end. I don't think
6 we have uncovered that letter, have we?

7 MR MACAULAY: No.

8 I think these documents we're looking at have come
9 from the Care Commission.

10 LADY SMITH: Yes.

11 MR MACAULAY: You mentioned earlier about the allegations,
12 in particular of sexual abuse -- being told, I think,
13 that the investigation was complete. And perhaps
14 I could just put that before you, Paddy. That's at
15 CIS-000005163.

16 You'll see this is a letter on St Philip's School
17 paper. It's dated 14 March 2005. If you turn to the
18 second page, you'll see it's been signed on your behalf
19 by Dennis Ferrie, who you have mentioned before.

20 And if you go to the first page, it's 14 March 2005:

21 'Dear Jim ...'

22 That is Jim at the Care Commission:

23 '... I understand that you require confirmation
24 about the present situation in relation to the
25 historical abuse case investigation, and the letter of

1 complaint.

2 'I will deal with each in turn.'

3 You are told -- you convey the information that was
4 passed to you by the police; that the complaint is now
5 complete. As you told us earlier, you told us you asked
6 for a letter of confirmation, but you had been advised
7 that this is not police practice, and you mentioned that
8 earlier?

9 A. Yeah.

10 Q. In relation to the other complaint, we're told:

11 'A complaint about KMP by [another boy] has
12 been investigated by Strathclyde Police,

13

14

15 Mr KMP remains

16 suspended and the Social Work Department has been

17 informed about my action.'

18 So you can see from that, that the complaint we

19 looked at just a moment ago

20 do I take it that

21 that sort of level of investigation would be a matter

22 that would be put before the Board?

23 A. Absolutely, yeah.

24 Q. And a record would be kept of that?

25 A. Yes.

1 Q. I don't propose to look at this in any detail, but it's
2 a document, CIS-000005100.

3 You'll see that this consists of a number of
4 allegations from the mother of a boy who was at
5 St Philip's, making allegations that a member of staff
6 was abusing her son, and goes on to say she had
7 a meeting with Paddy Hanrahan on 24 May to raise her
8 issues; do you remember this incident?

9 A. I don't, no.

10 Q. There's some discussion about what had happened to the
11 boy. And if we look at the next document I want you to
12 look at, CIS-000005132, this is a Care Commission memo
13 and it's dated 24 May. I think that's the -- yes, the
14 last memo was dated 23 June, so this is actually before
15 that. But we'll see:

16 'Paddy Hanrahan called today to advise that a pupil
17 has alleged that a member of staff has physically,
18 emotionally and sexually abused him. Paddy has advised
19 that he will contact the police and the social work
20 child protection team.'

21 And that would be your practice; with the nature of
22 this sort of allegation, you would contact the police?

23 A. Yeah. That would be my preferred way of working because
24 it was always better to have it at arm's length rather
25 than in-house.

1 Q. Again, looking to the nature of the allegation; would
2 that be a matter that would be reported to the Board?

3 A. You know, I'm trying to recall whether it was to the
4 Board or to the Chairman of the Board, but it would be
5 reported -- they would be written to. And I'm not, you
6 know -- without the records, my records or my reports,
7 which I don't have copies of, I'm not sure whether it
8 would be -- it was not something that I would keep to
9 myself or in-house.

10 Q. And I think you have made it clear that, with that sort
11 of allegation or complaint, you would have a record of
12 that?

13 A. Yes, you know, that would be in a file called the
14 'complaints file'.

15 Q. Very well. I've taken you to a number of these
16 documents, Paddy, and I now just want to take you to
17 when you came to leave St Philip's and, at 211, you give
18 us the exact date; you retired on 23 September 2009?

19 That's at paragraph 211.

20 We have it, just about, on the screen. That gives
21 us a precise date.

22 We needn't go into the details of why you chose to
23 retire but, at 215, you say:

24 'It was difficult to think of leaving, but it was
25 the right decision. I had a wonderful send-off from

1 both the staff and the children who all did a lot of
2 wonderful things for me, leaving me with special
3 memories.'

4 A. That's right. What I didn't mention, the Board of
5 Managers were also very magnanimous and took me out to
6 dinner -- and that should be included in there.

7 Q. And, finally, then, Paddy, on page 41, paragraphs 216 on
8 to 220, you provide some pointers that might help the
9 Inquiry; can you summarise for us what you say there?

10 A. I think there were very significant things that happened
11 during my tenure at St Philip's, not only due to me, but
12 also due to the ongoing evolving practice and good
13 practice. I think that things would have been even
14 better if I'd had an induction period, a period to
15 settle in, a supervised induction period.

16 LADY SMITH: What do you mean by that?

17 A. I mean a period where, you know, people would, you know,
18 give me tasks to undertake, and that I would work to
19 a particular plan, which I would hope would be best
20 practice now, and I would advise that.

21 You know, the -- I suppose the wisdom of the time
22 was that if you appointed somebody for a head -- to be
23 the head of a school, then, you know, they knew
24 everything. And I found out through hard ways that you
25 didn't know everything. There were lots of supports in

1 place which I was availed of. I think the fact that we
2 had a group called the Association of Heads of Special
3 Residential Schools, which met regularly to share
4 practice, and to, indeed, bring specialists in, helped
5 develop my practices and the development of us all as
6 a group, and my peers in that group, you know, were very
7 helpful.

8 I -- we -- I was fortunate because as a director of
9 Cora as well, because as I said, you know, the heads of
10 all the respective schools, we were involved in some
11 strategic planning, and we also did two trips, one to
12 New York and one to Australia, to have a look at care
13 in -- social care in those different respects, and to
14 learn from them and, you know, all of these were
15 exercises which helped to support me and to help develop
16 the best practice.

17 I would encourage that to be something that happens
18 and continues into the future, you know, and... it is
19 a very taxing job. It's a job that needs special people
20 to lead, and those special people need to be heard and
21 listened to. And, you know, by and large that happened.
22 There were some instances in which it could have been
23 better. That's all I probably would say.

24 Q. Thank you very much indeed, Paddy, for answering my
25 questions. We always -- we usually give witnesses the

1 opportunity at the end, for anything else you would like
2 to say in addition to what you've said. Now would be
3 your opportunity.

4 A. I -- to say I didn't find the exercise daunting, I did.
5 Especially when I got that very legally-phrased letter
6 and I was thinking: 'Oh my goodness. What am I in for?'

7 But the support I got from [REDACTED], and now [REDACTED],
8 and the way in which I was interviewed for the two cases
9 and the review, I really have to -- it's funny how the
10 memory works and brings back things. And I'm kind of
11 always, I suppose, a little bit disquiet because
12 I'm thinking: did I miss something? Could I have done
13 more? Which is -- stupid questions. But it's just the
14 nature of the work that we do.

15 And I valued the fact that you were asking me for
16 some of my recollections and advice for them, so I just
17 hope it's been helpful.

18 MR MACAULAY: Thank you very much indeed, Paddy, for
19 answering my questions and engaging with the Inquiry.

20 My Lady, I can indicate that I have received no
21 questions to put to Paddy.

22 LADY SMITH: Paddy, let me add my thanks. You've been very
23 generous in your provision of your memory, your wisdom,
24 and sharing the learning and thoughts that you have had
25 over the years. It's enormously valuable to me for the

1 work I'm doing here. Thank you very much for that.

2 You will be exhausted when you leave here today, so
3 I hope you have something restful planned for
4 afterwards. Do feel free to go.

5 A. Thank you, Lady Smith.

6 (The witness withdrew)

7 LADY SMITH: I'll rise for a brief afternoon break. There
8 is one more witness. Thank you.

9 (3.08 pm)

10 (A short break)

11 (3.12 pm)

12 MR MACAULAY: My Lady, we have another witness for this
13 afternoon, and that is Francis Scott.

14 LADY SMITH: Thank you.

15 Francis Scott (affirmed)

16 LADY SMITH: Francis, thank you for coming along to engage
17 with us this afternoon, and I'm sorry we have kept you
18 waiting a bit longer than I think you expected. It's
19 been a combination of the previous witness taking a bit
20 longer than we thought he would, and then an IT glitch
21 that caused another delay, but we're ready to go now.

22 I know it's Friday afternoon, so we won't hold you
23 up any longer. We'll just get going with your evidence,
24 and please don't hesitate to let me know if you have any
25 questions or if, notwithstanding it being Friday

1 afternoon, you want a break or a pause at any time, it's
2 not a problem. All right?

3 Mr MacAulay.

4 Questions by Mr MacAulay

5 MR MACAULAY: My Lady.

6 Good afternoon, Franny, I think I'll call you; I
7 think that's what you're sometimes known as.

8 Your full name is Francis Scott. What is your date
9 of birth?

10 A. [REDACTED] 65.

11 Q. You have provided us with a document headed 'Personal
12 Details', and I'll just look quickly at that to get
13 a sense of your background and your training and higher
14 education.

15 You acquired a diploma of higher and further
16 education social work from Caledonian University?

17 A. Yes, I did.

18 Q. That was in 2002?

19 A. Yeah, it was through the Open University.

20 Q. And I think at the same time you also had a diploma in
21 social work?

22 A. Yeah.

23 Q. Was that --

24 A. It was concurrent. It was part of the degree, the
25 diploma.

1 Q. Then, from the University of Stirling, in 2009 -- and
2 you can perhaps explain this -- you have a postgraduate
3 certificate TQFE?
4 A. Yes. It's a teaching qualification.
5 Q. And from the University of Stirling again -- this is
6 a part-time MSc in professional learning and leadership?
7 A. Yes, I did.
8 Q. Just looking to -- perhaps in relation to that, in
9 2015 -- was that when you completed your MSc?
10 A. Yes.
11 Q. And looking to your employment history, perhaps
12 beginning in 2004; were you a lecturer assessor, health
13 and social care, at Kilmarnock College?
14 A. Yes, I was.
15 Q. How long did you do that for?
16 A. For roughly about eight years.
17 Q. And in May, then, 2011; did you take on a position as
18 Head of Education at Aspire Scotland Limited?
19 A. Yes, I did.
20 Q. What did that involve?
21 A. It was a private company. And I was in Kilmarnock and
22 I did a presentation to local businesses, and one of the
23 local businesses says to me that 'We've got an open
24 interview in relation to a Head of Education position;
25 do you know about it?', and from that I ended up

1 applying and ended up being the Head of Education to set
2 up the registration of a private company's education
3 side.

4 Q. You moved from there, within the same organisation, to
5 become Director of Operations; was that a promotion?

6 A. Yeah, it was a promotion where, because of my dual
7 qualification, they felt it best for me to become
8 a director and then look at the business side of the
9 operation.

10 Q. And from there, I think, you became what is described as
11 a contract manager with Microtech Limited?

12 A. Yeah, I did. It was a period of time when -- my wife
13 took unwell at that time, and I had to make a decision
14 where -- as I left Aspire Scotland at the time and
15 I took the time to look after my wife for a period of
16 time. And then I went into Microtech, and what I did
17 there was, there were some contracts and there was some
18 consultancy work, so I did that for a period of time and
19 then the position became available at St Philip's, and
20 it was time for me to come back into the sector again.

21 Q. Was it in July 2016 that you went to St Philip's?

22 A. Yeah, I started in August -- 11 August 2016.

23 Q. And can you just tell me a little bit about -- when you
24 say 'recruitment', you actually applied for the
25 position?

1 A. Yes, I did.

2 Q. What about the interview process? Were you interviewed
3 for the position?

4 A. Yeah. It was an interview panel of many different
5 layers. So I went in and the young people interviewed
6 me. I then had -- we did a safe care review as well, so
7 there was a safer recruitment aspect to it, and then
8 went into a panel interview also.

9 Q. And you were awarded the position of; is it headteacher
10 or principal?

11 A. It was 'Head of Service' at the time. It has since
12 changed to 'Director of Service'.

13 Q. Does that involve any teaching?

14 A. No, it was full overview to the services at the time.

15 Q. When you went there, was there a handover of some kind
16 to introduce you to St Philip's?

17 A. Yeah. The Board gave us a handover and parameters of
18 where their vision was for the organisation. And then
19 I met with the -- a person who was in post at the time,
20 in a depute capacity, and he gave me a handover which
21 lasted about two months. And then I had a meeting with
22 the previous head as well. He came in and we had
23 a coffee and a chat, and an overview to some of the
24 areas which we were looking at.

25 Q. Was that Mr Harold?

1 A. That was Brian Harold, yeah.

2 Q. I'll just put a photograph up on the screen for you.

3 It's INQ-0000000874.

4 A. Yeah.

5 Q. And is that St Philip's as you know it?

6 A. That's St Philip's as I knew it in 2016, but there has

7 been further developments.

8 Q. I think I put this to somebody before, but it looks

9 almost like a football stadium?

10 A. Yeah.

11 Q. With an enclosure, with a football pitch or playing

12 fields, in the middle?

13 A. Yeah. That was the design of the secure estate at that

14 particular time. I think there was a couple of secure

15 services built at the same time with the same architect,

16 so it had that touch and feel about it.

17 Q. When you arrived, though, the secure unit had closed?

18 A. It had closed and re-emerged as an open setting.

19 Q. It was an open setting when you were there?

20 A. Open setting when I was there.

21 Q. But also residential?

22 A. Residential and education, yeah.

23 Q. Were there day pupils?

24 A. There were day pupils, yes. The day pupils were in

25 another area of the school at the time. And what

1 happened is, over the years there was a real decline in
2 day pupils as -- mostly due to the different setups
3 which were happening in mainstream schools, with the
4 introductions of bases, so the need for day service
5 provision was reducing at quite a fast pace.

6 Q. At the moment then, today; what is the position?

7 A. We will have -- we generate young people going through
8 day services if they're basically moving on and they
9 still need an education package, and they can come back.
10 So they now are probably down to about two young people,
11 and that was from a capacity of 28.

12 Q. In relation to the residential area; what are the
13 numbers today?

14 A. The numbers they -- we're registered in St Philip's for
15 24 within that building there, and then there is another
16 part which has got six young people.

17 And what there is also there, the other buildings
18 which are in the campus at the moment, there is another
19 seven young people within the other buildings, which
20 have been renovated and brought up to today's standard.

21 Q. They are all within your jurisdiction?

22 A. Yes.

23 Q. Today, are there boys and girls, or just boys?

24 A. Yes, it was in 2017 when -- when I took over in 2016, it
25 was just boys and then what we -- we opened up for all

1 genders, and now we have a mix of boys and girls, but
2 there's a high majority of boys. There's about six
3 girls in the campus at the moment.

4 Q. Are you able to tell me generally, what route do the
5 residential pupils take when they come to St Philip's?

6 A. There's various. Some will come from home, some will
7 come from other residential establishments, some will
8 come from secure care. And we also have some from
9 foster care as well, where there has been a breakdown in
10 services.

11 There's a clear referral route.

12 When I took over, we had -- it was seven local
13 authorities we were working with, and now we're working
14 with 21 of the 32, so there's a broader route in to
15 accessing services at St Philip's now.

16 Q. There will be children from all over the country then?

17 A. Yeah, there is.

18 Q. And can I just ask you a little bit about the general
19 structure? You're in charge?

20 A. Yeah.

21 Q. But do you report to a Board of Managers?

22 A. Yeah. I've got -- we did a full service review when
23 I went in at first, and we looked at the policies, we
24 looked at the guidelines, and we looked at the culture
25 and infrastructure of staffing which was there. And so

1 I reported back to the Board, and the Board and myself
2 worked closely together and we reorganised the whole
3 infrastructure.

4 And so now what we've got is we've got a Board of
5 Directors and we also have got a Senior Management
6 Group, who support myself. So I've got a depute
7 director, and then we've got senior managers alongside
8 that director as well.

9 Q. But, as it were, if you're looking at it as a hierarchy;
10 they're below you?

11 A. Yeah, they're below me. There is myself and a depute,
12 and then three senior managers.

13 Q. In relation to the Board; do you attend Board meetings?

14 A. Yes I do.

15 Q. Do you make a report?

16 A. I make a report to the Board, which covers many areas
17 of -- in relation to the strategic plan.

18 Q. How often does the Board meet?

19 A. Mostly monthly. It takes a wee bit longer because of
20 the summer months, but we're due to get together again
21 in a couple of weeks' time.

22 Q. The location of the meetings?

23 A. Is in St Philip's School.

24 Q. In the school?

25 A. Yeah.

1 Q. As far -- who chairs the board at the moment?

2 A. The Chairman. It's Jim Harkins is his name.

3 Q. How many -- can you tell me how many --

4 A. There's another nine members to the Board.

5 Q. It's a big board?

6 A. It's a big board, yeah. There's a lot of discussion.

7 A lot of different areas that we cover.

8 Q. And do you have any involvement directly with the Cora

9 Foundation?

10 A. Yes, we do. The Cora Foundation has supported -- since

11 I've been there -- they've supported us in a --

12 initially through a maintenance of the -- grounds

13 maintenance, but that person moved on, he retired. And

14 then we went into more financial support. They've got

15 a long history, Cora, of financially supporting the

16 school and it's an external management to the school.

17 Q. Do members of Cora visit the school from time to time?

18 A. They will come in for finance meetings. So prior to the

19 Board meetings, there is a finance meeting and so -- or

20 I'll go to Cora and visit them. There is an open, good

21 working relationship with Cora.

22 Q. And I think we know that the chairman of Cora at the

23 moment is Monsignor Bradley?

24 A. Yes.

25 Q. One of the main reasons you have been brought here today

1 to give evidence is to address what we call the
2 Section 21 notice that was served on St Philip's.

3 A. Yes.

4 Q. And in particular, to see the response to that notice.

5 A. Yeah.

6 Q. Before we look at that: are you able to set out for me
7 how the St Philip's response was created? By that
8 I mean, who was involved in the response, who made
9 contributions and so on.

10 A. Yeah. Obviously, when the response came in, we
11 contacted our lawyers, so the lawyers were there and
12 we -- and I went and brought in my senior group and we
13 made response to the document.

14 Q. If we look at the document as it stands -- We'll do
15 that -- I'll ask you about that.

16 A. Yeah, yeah.

17 Q. Could I ask you this: was it appreciated that this
18 response would form an important part of the Inquiry's
19 investigations and Lady Smith's ultimate findings?

20 A. Yeah, absolutely. The highest priority was given to it.

21 Q. We've had evidence from one of the previous headmasters,
22 Mr Hanrahan, and he certainly wasn't consulted or
23 approached in connection with any input he could have
24 into the response, particularly in the historical
25 position, because the Inquiry's interested in the

1 historical position, in particular; was there any reason
2 why someone like him would not be approached?

3 A. I had no contact details for Mr Hanrahan and I've only
4 met Mr Hanrahan once. So if he was passing me,
5 I wouldnae know who he was.

6 Normally, he would have come in to -- like
7 Brian Harold is an example. Brian, I'm still involved
8 with Brian through another part of the organisation, as
9 a board member.

10 Q. Was he contacted then for his input?

11 A. Not to my knowledge, no.

12 Q. And in relation to an address for Patrick Hanrahan, one
13 would have thought there would be an address for him
14 somewhere, him having been a former headmaster?

15 A. Yeah. In hindsight, and hearing it here, we ought to
16 have contacted him, yeah. I would have said if we had
17 to do it again, I would contact him.

18 LADY SMITH: I wonder whether an obvious port of call would
19 have been the Cora Foundation. I have heard that
20 Mr Hanrahan was involved with the Cora Foundation.

21 A. Right.

22 LADY SMITH: Obviously, when he was head of the school for
23 many years.

24 A. He would have been, my Lady. Because the Cora
25 Foundation, I don't know what involvement he would have

1 had, but certainly the Cora Foundation were around at
2 that time, yes. As far as I know.

3 MR MACAULAY: I think the Cora Foundation came into play in
4 the early 1990s, so certainly from then they would have
5 an involvement.

6 Did the Board of Managers have input into the
7 response?

8 A. The Board were known -- we fed back to the Board to say
9 the Section 21 was there, and the person who was -- at
10 the time was Barbara Diamond. Barbara Diamond at that
11 time was failing in her health, but the Board were aware
12 of the Section 21 notice, and so was the lawyers to the
13 organisation.

14 Q. And the Cora Foundation; did they have an involvement?

15 A. Not directly to me, no.

16 Q. When the response was drafted -- let's look at that
17 stage. And in a step when it was about to be finalised;
18 would it be run past the Board of Managers?

19 A. Yes.

20 Q. And what about the Cora Foundation; do you know if that
21 happened?

22 A. Not necessarily. It would have went to the lawyers.

23 Q. When you talk about the lawyers; is that McSparran --

24 A. Yeah. McSparran McCormick.

25 Q. Can you tell me from your own direct involvement what

1 documentary resources you had to create the document?

2 A. We went -- it was more what we had at hand, in terms of
3 historical awareness and conversations, and the people
4 who worked there, we were asking for clarification of
5 certain things. And it's what we really had on hand.

6 The input would probably have been from Cora --
7 would have been -- they keep a lot of files and they've
8 got a scanning documentation of files. So, if my memory
9 serves me right, that would have been a route which
10 would have got information via Cora via lawyers to
11 ourselves in relation to it.

12 Q. We've just had some evidence about complaints and
13 allegations of abuse, that in relation to -- at the very
14 least, records would have been kept.

15 In your work on this; did you have regard to any
16 records that indicated that there may have been
17 allegations of abuse and complaints in the past?

18 A. We would have asked specifically for whatever's there.
19 We'd do that. If anything comes in for a past,
20 historical claim or anything from the police, we go via
21 lawyers and Cora.

22 Q. So are you saying that, to deal with that part of the
23 response that deals with complaints, police, Crown,
24 allegations, that you would have asked the solicitors
25 for...?

1 A. In the first instance, yeah.

2 Q. What about documentation? Can you tell me what
3 documents were looked at for that?

4 A. Not off the top of my head. It would have come as: does
5 this exist?

6 And the documents for St Philip's School were all
7 moved to Cora, so I've no got -- in St Philip's School,
8 I wouldnae have direct access to any of those documents,
9 so those documents are held at Cora.

10 Q. Do I understand, from what you're saying, that the
11 historical documents that might relate to allegations,
12 for example of abuse, and complaints, would be held by
13 Cora?

14 A. Yes.

15 Q. Can I then start looking at the response? This is at --
16 can I just say to you, Franny, it will be hard copy in
17 your red folder if you want to look at that.
18 Alternatively, it will come on the screen. So whatever
19 you prefer.

20 This is at SPP-000000020.

21 We'll begin by a section headed:

22 'Background.'

23 This is in response to a number of questions that
24 was in the notice that was sent, and the question that
25 is being answered there, at (i), for example, is:

1 'When, how and why was the organisation founded?'

2 And the answer is:

3 'It appears to have been founded in or around
4 April 1970 and registered to operate as an Approved
5 School.'

6 There is some further information provided. In the
7 third paragraph, we read:

8 'There is a letter from Bishop Thomson, the then
9 Bishop of Motherwell, dated 6 September 1968, which
10 comments as follows in relation to the school:

11 "It is proposed to establish a new Approved School
12 at Beechwood House between Airdrie and Plains. The
13 Social Work Services Group of St Andrew's House,
14 Edinburgh, have asked me to set up a management
15 committee which will have the responsibility of
16 supervising the running of the school. The initial work
17 of the management committee will centre on the
18 appointment of a headmaster and staff, and the provision
19 of necessary new buildings."

20 That gives us a sense of the background and the
21 involvement of the Catholic Church in the setting up of
22 the school.

23 A. Yes.

24 Q. This sort of information; who would have provided that?

25 A. That would have come from background from, probably --

1 I would assume from McSparran.

2 Q. Who wrote the narrative?

3 A. That would have come to us like that, and we would have
4 fitted in to what we know --

5 LADY SMITH: Came to you from whom?

6 A. Probably -- from McSparran, I assume.

7 LADY SMITH: McSparran, the solicitors?

8 A. Cora, McSparran, between the two of them, so the
9 information -- if I was needing information, I wouldn't
10 have that information at hand, so that would be
11 requested from -- from Cora to McSparran, I assume it
12 came from that.

13 Q. As we go through the document then; am I to understand
14 that in relation to the questions that -- the answers
15 that you are putting forward had come from another
16 source?

17 A. They would have come from -- the easy answer to that is
18 yes, but it would come through to us and we would be
19 looking at that, and then we would put in what we can
20 put in, from where we are at the school of that day, in
21 relation to what we have known, and what we have
22 gathered, and what we have asked of Cora.

23 Q. I should perhaps have put the Section 21 notice in front
24 of you, first of all, just to give some context. It is
25 INQ.Section21Notices.00159. This, again, will come on

1 the screen.

2 If we turn to page 2; can you see that this is dated
3 5 March -- that should be 2020 -- and it's addressed to
4 the headmaster? So that is you, it's addressed to you?

5 A. Yeah.

6 Q. So you would have received the document at some point.

7 Did you receive the document from the solicitors?
8 In other words, was it transmitted to you from
9 McSparran McCormick?

10 A. Yes.

11 Q. Going back to the other document, SPP-000000020, the
12 response, you tell us, at the very end of (i), that the
13 school was opened as an Approved School in or around
14 April 1970 and then, at (ii), the question was:

15 'What part did the provision in Scotland of
16 residential care, including foster care for children,
17 play in the organisation's purpose, operation and
18 activities?'

19 The answer given for that is:

20 'It was initially created exclusively as an Approved
21 School, and provided special education for residents and
22 for day pupils. It never provided foster care.'.

23 Can I just look at that answer? 'Special
24 education'; can you tell me what's meant by that?

25 A. Special education is known as additional support need

1 education.

2 Q. But why was it special education? Because some of the
3 children who went -- children who went to the school;
4 did they all require some form of support needs types of
5 education?

6 A. As soon as -- the legislation identifies to those young
7 people who come into St Philip's as in need of a --
8 additional support need.

9 LADY SMITH: Which legislation?

10 A. Children of Scotland Act.

11 LADY SMITH: 1995?

12 A. The Children and Young Persons Act. Children (Scotland)
13 Act 1995.

14 LADY SMITH: Yes, but we're talking about 1970 when the
15 school was established.

16 A. That would be probably 1968 then, going back.

17 LADY SMITH: Well, the 1968 legislation that set up the
18 Children's Hearings...? There is nothing in there about
19 additional support needs provision.

20 A. Right, okay.

21 LADY SMITH: The reason Mr MacAulay is pressing you on this
22 is we have not heard of any child going to St Philip's,
23 or indeed the other two schools we have been looking at
24 in this Chapter, on an assessment that they had
25 additional support needs, ASN as we shorthand it now,

1 such as is very common by way of an assessment in the
2 21st century, but the period we have been looking at
3 hasn't thrown up any such information. I think
4 I'm right in saying that, Mr MacAulay, aren't I?

5 A. In a historical context?

6 MR MACAULAY: As I said to you at the beginning, we want the
7 historical context throughout. This is the whole
8 purpose of this exercise, to get a historical picture
9 from 1970 to 2014, which is the period of the terms of
10 reference.

11 A. Yes.

12 Q. I don't think it can be said -- but you can correct me
13 if I'm wrong, looking to what you've seen
14 historically -- that all the children that went to
15 St Philip's required some sort of special education.
16 They may have been behind in their education for not
17 going to school, but the notion of some special needs
18 type of education may not be that relevant. But you can
19 tell me.

20 A. Well, I'd be looking at the very fact that there's a --
21 we run educational assessments to identify to the
22 educational support need which is required. And that's
23 what we do today, and we establish the additional
24 support need which is required for the education
25 component.

1 And I would assume that that's what happened back
2 then as well.

3 Q. At (vii), on page 2 of the document on the screen,
4 presumably this came from another source, in relation to
5 the fact that, in May 2011, St Philip's School became
6 a company limited by guarantee; do you see that? That
7 is the information that's been provided.

8 A. Yes.

9 Q. And you say that:

10 'Following on the then Labour Government's policy of
11 creating the best secure estate in Europe, a brand new
12 and purpose built secure unit was erected, costing
13 approximately 10 million.'

14 Do you see that? Is that what we see in the
15 photograph we looked at?

16 A. Yes.

17 Q. But: 'The secure unit officially opened on 6 March 2006,
18 but following upon a change of policy and a tendering
19 exercise, the secure unit had to close; do you know the
20 background as to why the secure unit had to close?

21 A. What I believe it had been is a change in government
22 from Labour to SNP. The then Labour Government was
23 looking at expanding the secure estate to be the best
24 secure estate in Europe at the time. And then what
25 happened is the change of government then re-evaluated

1 the secure estate, and there was an interaction which
2 necessitated St Philip's closing.

3 At that particular time, I know in my conversations
4 with people that it was a very difficult time for them,
5 because they didn't know if -- what they were going to
6 emerge it as, if they were going to keep continuing it,
7 and Cora helped them with regards to financial loan, and
8 reemerged the secure unit as what it is today, into
9 a residential open school.

10 Q. If we go back to the Section 21 notice itself, at
11 page 7, so this is the INQ.Section21Notices.00159, here
12 we have a section 1.5, headed:

13 'Ethos.'

14 And a number of questions are asked, both to the
15 past and indeed to the present. Then, at (b), there are
16 questions about the establishment in terms of care,
17 whether it cared for children of both sexes and so on.

18 If we go to the response SPP-0000000020, page 5, can
19 we see that under the heading:

20 'Ethos.'

21 Well, what do we see?

22 LADY SMITH: Nothing.

23 A. It's incomplete. Nothing. Just says 'not known' or
24 'not applicable'.

25 MR MACAULAY: Why do we see nothing?

1 A. I can't fully answer that.

2 Q. Where did this notion that nothing by way of information
3 be provided on this very important question -- where did
4 that come from?

5 A. Not from the school. It would have come in and that
6 would have been filled in like that, and so if we are
7 reading it as 'not known' or 'not applicable', we would
8 have just went to the next section on it.

9 LADY SMITH: Filled in by whom?

10 A. It would have came to us filled in.

11 LADY SMITH: By?

12 A. I can only assume this came from -- between lawyers and
13 Cora.

14 MR MACAULAY: Okay.

15 Just to pick this up, even for the present, the
16 question was:

17 'With reference to the present position, are the
18 answers to any of the above questions different?'

19 And the answer there is 'no', so that's really the
20 repeat of nothing.

21 A. Yeah, it is.

22 Q. If we turn then back to the questions, the INQ document,
23 and I can give the full reference again if that is
24 required, Section21Notices.00159.

25 This is page 8. Here we have a question about

1 numbers, and you are asked the question:

2 'How many children did the organisation accommodate
3 at a time, and in how many establishments?'

4 And the answer to that, for 1, if you turn to the
5 other document, SPP-000000020; can we see the answers
6 there? Four answers to four questions is 'not known'
7 again. The numbers must have been known?

8 A. They would have been known.

9 LADY SMITH: Particularly the present --

10 A. Yes.

11 LADY SMITH: -- numbers as at 2020.

12 A. Yes, correct.

13 MR MACAULAY: And focusing in particular on the
14 establishment at (b), the question is:

15 'How many children did the establishment accommodate
16 at a time?'

17 And other questions. And again, the next question:

18 'Did this change and, if so, what were the reasons?
19 How many children in total were cared for at the
20 establishment? What accommodation was provided for the
21 children? How many children occupied a bedroom,
22 dormitory, house?'

23 For each question, for which there must be
24 statistics available, the answer is 'not known'; why is
25 that?

1 A. I can't answer that.

2 Q. If we turn back to the INQ document; at page 9, there is
3 a section there dealing with children's background
4 experience, and there is a number of questions focusing
5 on background and other matters.

6 If we turn to the SPP-000000020 document, page 7;
7 can we see, virtually for all these questions about
8 children's backgrounds, that we have a series of 'not
9 knows'? Can you explain why that can be?

10 Because we heard evidence, Franny, that when
11 children came to St Philip's, there would be information
12 as to what their backgrounds were, and so on and so
13 forth, and I assume that's still the position today?

14 A. That is still the position, yeah.

15 Q. If that is the position and was the position; why are we
16 faced with what you've described earlier as a 'nothing'?

17 A. Yeah, it shouldn't be.

18 LADY SMITH: Curiously, Franny, if you look at the answer to
19 6; what does it say?

20 A. 'See answer above.'

21 LADY SMITH: There aren't any answers above to look at, that
22 would tell you the answer to that question, are there?

23 A. I'm quite embarrassed, actually.

24 LADY SMITH: I appreciate your personal embarrassment.

25 Do you appreciate what this meant for the Inquiry,

1 for me --

2 A. Absolutely.

3 LADY SMITH: -- receiving a response to a statutory order of

4 this nature --

5 A. Yes, I do.

6 LADY SMITH: -- in this form?

7 A. Yes.

8 MR MACAULAY: I think you have an educational background; is

9 that correct?

10 A. Yes.

11 Q. If a child in your class had presented you with homework

12 of this standard; what would you say to him or her?

13 A. Could do better.

14 Q. Would you not say: do it again?

15 A. Absolutely.

16 Q. Can I just press on to the part -- what is called the

17 Part D document, to really cut the matter down?

18 If I can turn to page 30 of the INQ document, this

19 section is trying to provide -- get information for the

20 Inquiry as to the question at 5.1:

21 'What was the nature of abuse and/or alleged abuse

22 of children cared for at the establishment, for example

23 sexual abuse, physical abuse, emotional abuse?'

24 And there are a number of questions. Can I say it's

25 been clear from the evidence of the last witness that

1 there were at least allegations and complaints made
2 about physical and sexual abuse, and there was also at
3 least one, if not two, police investigations.

4 If we turn to SPP --

5 LADY SMITH: We should perhaps add, Franny, that information
6 about these was also contained in documents that we got
7 from the Care Commission.

8 A. Okay.

9 LADY SMITH: That's right, isn't it, Mr MacAulay?

10 MR MACAULAY: And I think it's clear from the last witness
11 that it's more than likely that the Board would
12 have been made aware if there was something as serious
13 as an allegation of sexual abuse, and there certainly
14 would have been records made of allegations of abuse.

15 But if we turn to the answers on page 16 of
16 SPP-000000021; do we see here that we're faced again
17 with 'not known' and 'no known abuse'?

18 That's a positive remark to a question:

19 'What is the organisation/establishment's assessment
20 of the scale and extent of abuse of children cared for
21 at the establishment?'

22 And clearly there is a positive answer given there,
23 and then at 2:

24 'What is the basis for that assessment?

25 'We're unaware of any allegations.'

1 Although there has been evidence to the effect that
2 allegations have been made and records were kept.

3 A. Yes.

4 Q. If I could turn to the questions again, at page 34 of
5 the INQ document, we have, at 5.12, questions about the
6 police:

7 'How many complaints of abuse of children cared for
8 at the establishment have been made to the police?'

9 That is the question. And the answer, in
10 SPP-000000021, page 18: 'not known'. Again, as
11 I've said, there has been evidence of some police
12 involvement, which certainly the Board ought to have
13 been aware of, and there were records kept; can you
14 explain why that's the answer?

15 A. I can't explain that.

16 Q. No. And there are then more detailed questions about
17 who may have been the alleged abuser or abuser:

18 'Did the police conduct an investigation? If so,
19 who conducted it and when? What was the outcome? What
20 was the organisation/establishment's response?'

21 And throughout, the answers to these questions is
22 'not known'.

23 I think it's really -- can I say it's very
24 unfortunate that you've been put in this position, but
25 you are --

1 A. Yeah, I'm the head of the establishment, so I absolutely
2 take this totally on board.

3 Q. At 5.13, it's at page 34 of the INQ document, under
4 reference to the Crown, at 5.13:
5 'To what extent has the Crown raised proceedings in
6 respect of allegations of abuse of children cared for at
7 the establishment?'

8 And can we go to SPP-000000021? Can we see there
9 that the answer is 'not known', although there has been
10 evidence before the Inquiry that there were police
11 investigations?

12 A. Yes, I see that.

13 Q. Indeed, a prosecution in relation to which the Board at
14 least would have been aware, and there would have been
15 a record.

16 A. Yeah.

17 Q. That is all I propose to ask you about the documents,
18 Franny, you'll be relieved to hear.
19 But, as I said to you earlier, that -- the response
20 to the Section 21 notice is an important document.

21 A. Yes.

22 LADY SMITH: Franny, will you be relaying that back to the
23 Board?

24 A. I certainly will. And I'll put it in a full report to
25 them as well.

1 LADY SMITH: Thank you.

2 MR MACAULAY: Can you provide me with any update? Have
3 there been any allegations, since the Section 21
4 response was prepared, of abuse?

5 A. Not to my knowledge.

6 Q. And has there been any police involvement?

7 A. Police involvement with ourselves -- we are very close
8 working with the police. We meet with them regularly.

9 Q. I meant in relation to, perhaps, complaints being made
10 to the police as to what happened to a particular pupil
11 historically, let's say?

12 A. Not to my knowledge.

13 Q. Would you have been told if such complaints or
14 allegations had been made since this was written?

15 A. Only if it comes through the -- for the police asking
16 for files, so the police will ask for files, and then we
17 would contact Cora and McSparran for access to the
18 files.

19 Q. Has that happened?

20 A. It's happened for certain people and individuals who
21 have requested -- files to ask if they've been within
22 the school.

23 Q. That's a different point of course. Is that a former
24 pupil wanting his or her records?

25 A. Yes, and we have also had police asking for files for

1 certain members of staff as well.

2 Q. And do you know why that was being asked for?

3 A. It's never been brought back to us and concluded. We
4 didn't want to cross over into -- anything to do with
5 the police in relation to that. Normally, it goes
6 through myself and HR, who are the central point of
7 contact for that. And we have had quite a few who
8 have -- we've had to access the files and then send them
9 on to the police.

10 Q. So that suggests to me that the police have an interest
11 in some of the members of staff that worked at
12 St Philip's in the past?

13 A. Yes, they have. They have done.

14 Q. So that -- at least that in itself would justify
15 an update of the Section 21 response?

16 A. Right.

17 Q. Leaving aside the rest of it.

18 That is the police; what about civil actions? Have
19 there been any civil actions raised?

20 A. The civil actions, they've been coming through various
21 lawyer groups, and they'll contact the school and we
22 send that on to McSparran McCormick, and that is the
23 central point. Again, it's mostly information which
24 is -- got to be sent. We clarify the person is who they
25 say they are, and whatever lawyer it is has got

1 authorisation, so we get all that in place before we
2 release anything further.

3 Q. Do I take it from that, then, that there are -- at least
4 the potential of civil proceedings, in that lawyers are
5 asking for information on behalf of clients?

6 A. Yes, there is.

7 Q. And you understand the clients to be former pupils of
8 the school?

9 A. Yes.

10 Q. Can you give me a sense as to the number?

11 A. Probably about -- let's say ten for that. The access
12 for the police has been round about -- probably the same
13 numbers. The civil cases will probably be a wee bit
14 upwards of ten.

15 Q. When the question about civil claims --

16 LADY SMITH: It's: 'For each such civil action, please
17 answer', and there were a dozen questions to answer
18 below that, with a general question about civil actions,
19 and all the answers are 'not known'.

20 A. Yes.

21 MR MACAULAY: So that would then also require an update in
22 itself, apart from anything else.

23 Can I ask you this, just leaving these documents
24 aside, just looking at how things are now, Franny: do
25 you still have trouble with absconders, or is that

1 something that doesn't happen so much now?

2 A. It's reduced. At the beginning we did. When I first
3 come in, we had quite high numbers of absconsions, and
4 we addressed that with the police as well, through a
5 police liaison.

6 Back then, the young people who were placed in
7 St Philip's were normally placed from -- outwith
8 authority, so they tended to, if they were going to go
9 anywhere, go back to their home areas, so you had quite
10 a few, but it's reduced quite dramatically.

11 Q. Is that because you're now taking young people from all
12 over, and if you're a young person from Aberdeen it's
13 much more difficult to get back to Aberdeen? Is that
14 the reason do you think?

15 A. I think it comes into it. But there's a different
16 approach in terms of the relationships which are there.
17 We build our services on relationships, and the
18 structures to support the young person as well. But
19 there's still young people who will abscond, but it's
20 not in the numbers that there was.

21 LADY SMITH: When you say 'outwith authority', I take it you
22 mean they come from an area of Scotland that is beyond
23 the Local Authorities that have a boundary with
24 St Philip's.

25 A. Yes.

1 MR MACAULAY: Very well, Franny, these are all the questions
2 I have for you today.

3 We give the opportunity -- to witnesses if there's
4 anything further they would like to say to the Inquiry
5 at this stage?

6 A. Yeah, there is. And I can only apologise for that
7 information which is there. And St Philip's School is
8 certainly a different place from what it was then, up to
9 2014, and we've looked at how we can actually provide
10 the support and take a young person through today's
11 standards of what is required, and being legislatively
12 compliant also.

13 The credit to the staff and credit to the Board for
14 moving things forward to where there is. There has been
15 a full reorganisation, infrastructure reorganisation,
16 environments have totally improved, and it's a nice
17 place to be for young people. Young people are telling
18 us that, and we're just grateful for the support that we
19 get from all the different services that come together
20 within St Philip's.

21 Q. That is good to hear. I should have asked you: the age
22 range nowadays?

23 A. Again, change in legislation. We are now from
24 8-year-olds, up to mainly 21-year-olds, but thereafter
25 26-year-olds if required. But certainly the age ranges

1 went from 8 to 21.

2 Q. That is quite a change?

3 A. Massive change. We have had to look at the investment
4 from St Philip's and back into the organisation to make
5 provision for young people into that adult stage of
6 their life.

7 It used to be that the young person, when they got
8 to a certain age, would leave St Philip's, particularly
9 16-year-olds, and what we've now got is the change in
10 culture for, and change in provision for, supporting
11 a young person moving into the upper age level at 16,
12 18, to 21s.

13 LADY SMITH: Are you providing both day and residential
14 care?

15 A. We are providing day care, residential care, short
16 breaks. We also have an investment in single
17 placements, so we've moved the group living from six to
18 four to one, through an arrangement of single flats. So
19 the young person is -- we went into a partnership with
20 IKEA and Shelter, and looked at the overlay into the
21 homeless sector, because we looked at the structures and
22 pathways for young people, and those structures and
23 pathways were almost feeding the homeless aspect of it.
24 And we came together and said: what would fill that gap
25 in provision? So that that young person didn't feel

1 isolated and had to move on at a particular time?

2 So we took the continuing care aspect and we looked
3 at what does that mean for 21st century care. So we
4 took a whole system's approach to developing services,
5 so a young person -- if they come in, they can actually
6 stay put with us right through to adulthood, if they
7 want to do that, and that's the provision we've got now.

8 Q. I suspect you're doing good work and thank you for
9 coming here to answer my questions.

10 My Lady, no questions have been submitted to me to
11 put to Franny.

12 LADY SMITH: Franny, let me repeat my thanks. I'm sorry
13 you've had a hard time in the last hour, but I'm sure
14 you understand why we needed to press you as we did and
15 I'm grateful to you for being so frank and open about
16 how it's made you feel.

17 Friday afternoon and you're now free to go.

18 A. Thanks, my Lady. Thank you.

19 (The witness withdrew)

20 LADY SMITH: Mr MacAulay, a preview of the plan for next
21 week?

22 MR MACAULAY: I'm about to indicate that, my Lady, we are --
23 fortunately, we have finished a bit earlier than last
24 Friday, and that will be good news, no doubt, to the
25 stenographers.

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