

## **Scottish Child Abuse Inquiry**

Witness Statement of

**Patrick HANRAHAN**

Support person present: No

1. My name is Patrick Kevin Hanrahan. I am known as Paddy. My date of birth is [REDACTED] [REDACTED] 1950. My contact details are known to the Inquiry.

### **Background**

2. I was born and grew up in South Africa. As a South African, I was conscripted into the army in 1968 and went on an officers' training course, which was pure hell. Luckily, I played rugby, which helped me miss out on much of the active service, however I still served for a year.
3. I completed my conscription around 1970 and worked in a gold mine until January 1970, when I left to begin studies. I had been thinking of going into the priesthood so I joined a monastery and began studying for the role. I moved to Ireland and spent my first year there as a Novice in Enniskillen, Northern Ireland. I then spent the next three or four years in Dublin, undertaking studies at the Milltown Institute of Theology and Philosophy in Dublin, albeit I did not graduate at that time.
4. I decided at that time, which was around 1975, that priesthood was not the vocation for me and I wanted to pursue something else. I was not sure what I wanted to do, however that decision required that I leave Ireland and return to South Africa.
5. When I was back in South Africa, a friend of mine gave me a job in a gold mine as a work study officer and I worked there for around eight months. I then took a job as a recruitment manager in a chemical company where I stayed until 1978. During that period, I married a Scottish woman, Mary Cecelia McCann.

6. Part of the rules of conscription in South Africa are that after completing your initial training you had to compete three months in the army every year unless there were valid reasons for not doing so. When I had been in Ireland, I had good reasons for not, but as I was back in South Africa, I knew I could no longer avoid it and for political reasons I was not prepared to serve in the South African Defence Force.
7. In 1976 there was a crisis in South Africa, which led to the Soweto uprising and the beginning of the end of apartheid. I was fairly active in politics at that time and very involved in the anti-apartheid movement and that caused difficulties. When our first son was born, I realised that I could not stay in South Africa for various reasons, but not least my refusal to do further military service. In 1978 we left South Africa and moved to Scotland.
8. When I arrived in Scotland, there was a lot of unemployment, however I managed to get some work in the cleansing department. I then got a job at Springboig St John's in Shettleston as a Social Care Worker and worked there between 1978 and 1990.
9. In 1983, during the time I was working at Springboig, I was seconded on full salary by the Scottish Office to Jordanhill College where I obtained a CQSW and Diploma in Social Work. I was very fortunate. Thereafter, through the Open University, I continued the course that I started at the Milltown Institute and, in 1986, I obtained an Honours Degree in Social Sciences.
10. While at Springboig St John's, I applied for and was promoted to Deputy Principal in Social Work. At that time, Strathclyde Regional Council had a say in who should be successful and the first time I applied my application was vetoed because I was moving straight from being a social care worker to a senior position. However, I was ultimately successful and I remained Deputy in charge of social work at Springboig until 1990.
11. During my time at Springboig St John's, I was seconded by my board of managers to conduct a study and write a report into the future of Catholic residential schools. Some of the places we looked at were St Mary's Kenmure at Bishopbriggs, The Good Shepherd Centre in Bishopton, Springboig St John's and St Philips School, Plains, Airdrie. I think this may have been around 1987.

12. Strathclyde were looking to streamline some schools and were also looking at the closure of some schools, however my report only centred around the Catholic schools, which was called 'The Way Ahead'. I do not have a copy, but there may be copies somewhere. To my recollection, part of my recommendations were that there should be more community involvement. I was also suggesting that there should be more day school provision and there should be improved links with the community. Additionally, I suggested that there should be a cultural change from looking at these establishments as being mainly educational to them being seen as social care establishments with educational provision.
13. On 1<sup>st</sup> June 1990, I was promoted to St Philips School as the new Principal. I stayed there until 23<sup>rd</sup> September 2009, [REDACTED] after which I retired.
14. I have always used story telling as a means of calming children down and during my retirement I used that skill to complete courses in writing and telling stories I have also worked as an extra in films and have developed a passion for Shakespeare. One day while I was out shopping, a woman employee who was passing told me I looked like Santa Claus and gave me an application form for this position at Dobbies Garden Centre, Barrhead. She later contacted me and offered me the seasonal job. After this I started my own company 'Santa Claus for Hire' and I have been doing that for a number of years now. I have been very successful and greatly enjoy this role.
15. I am also a Celebrant and part of a humanist and spiritual group called 'Celebrate People'. I had to undertake two training courses and do an updated PVG registration. We conduct weddings, funerals, and baby naming's. I have been doing this for the last four years.
16. Other than my role as Santa Claus, my contact with children and vulnerable groups is through my church, St Paul's, Shettleston and I am one of two Safeguarding Coordinators registered with the Archdiocese of Glasgow. I am also a director of a local youth group, 'Fuse Youth Café', and the Pavilion Easterhouse, I have been a director for some twenty years.

## **St Philips School, Plains, Airdrie**

17. St Philips School is situated at Plains in Airdrie and was managed by a Board of Managers, who were appointed by the Bishops of Scotland. It was an open, residential school dealing with boys who were in various crisis situations. Children who were finding it extremely difficult to deal with mainstream education and providing them with both care and education.
18. My first impressions were not that good. The entrance to the school was through an old house where the previous headmaster, Mr William Kane, had lived upstairs. Inside, there was very dark wooden paneling everywhere and when I first went into my office, I wondered what I had done in taking the position. I knew I needed to make some improvements immediately and indeed this was clearly outlined at my interview.
19. William Kane, who was known as Bill Kane, had actually founded the school and had been very popular. No doubt he must have been a very charismatic person, but I believe a number of issues had arisen surrounding his leadership and things had deteriorated to the point that Strathclyde Regional Council had to intervene. I believe alcohol was involved, although that is hearsay. Bill Kane had already left before I started.
20. I found the staff to be welcoming toward me, although some were still mourning the departure of Bill Kane. They had a tender, caring attitude toward the children and there was a friendly atmosphere. There were, however, some matters in relation to certain procedures not being followed that needed to be revamped. I found there to be a good rapport between the staff and the children and I would say that the majority of the staff were well intentioned, but they were perhaps in need of more training.
21. There were lots of things that needed to be changed and one of the first was the sleeping accommodation. When I arrived, children slept in dormitories and meals were served in a central canteen. Privacy was not high on the agenda and one of my passions, because of my background in South Africa, has been the rights of the individual. That includes the right of a child to privacy, the right to say and be involved in his own care and the right of a child to have as near normal a childhood as possible.

22. Children should be empowered and should be involved as much as possible in the decisions that take place about their lives. I wanted to make St Philip's a much more child-centred environment and I was able to get funds to upgrade the sleeping accommodation to more family-style, individual rooms with their own kitchen cook and dining room. Previously, the children all had the same meal in a large dining room, but in having their own kitchens they had a say in what they ate.
23. When I arrived there was only a residential facility, but in time I opened a new day unit, to which young people were bussed in daily. That function was mainly for educational purposes, because they had failed in mainstream education for social care reasons and coming as day pupils allowed there to be a significant social care intervention.

### **Time at St Philips**

24. When I applied for the job at St Philip's and before the interview, I was invited on a tour of the facility along with the other candidates. Following that visit and in addition to submitting our curricula vitae, we also had to write a statement about the visit. Thereafter, I was interviewed, not by the board of managers, but by a group that had been set up to provide strategic oversight of the Catholic Schools, CORA, which included the Chairman of the St Philip's Board, Mr John Smith. My references were taken up and I know that they were actually spoken to.
25. I think I was the first to be appointed in a Catholic school who held both a degree and a social work qualification. I don't think either was a prerequisite for the role and I was actually the first to be put in charge who was social work trained, rather than coming from an educational background. Education appeared to have been the primary focus previously and when I started, the salary paid to the Head of Education was higher than the rate I was paid.
26. Although I don't specifically recall there being a probationary period, I suspect there may have been. Not long after I started, there was a threat that the school might close and I remember being worried that I might lose my job, with no redundancy. I don't recall there being any sort of induction course, although I regularly met with my peers

from other schools, both from within the Catholic sector and the wider Strathclyde area.

27. My first line manager as chairman of the board of governors was Mr Smith, who is now deceased. He had also been chairman of the board when Bill Kane had been principal. After a short period of time, Mr Smith retired as the chairman of the board of Managers. Mr. Paul Mulvey, who was a deputy at St Bride's School in East Kilbride, then took over as Chairman.
28. I can't recall having a lot of contact with Mr Smith, I was very much left to my own devices, and I had considerable autonomy. There was, however, much more contact with and oversight from Paul Mulvey when he took over. He visited the school on a regular basis and I had to attend monthly board meetings and prepare a report for him and the board. At those board meetings, apart from finances, individual cases would be mentioned. I also included whether any complaints had been made and ensured that the chairman and the board had oversight of such matters and they did ask me about them.
29. I don't think there was any continuing monitoring or appraisal of myself during my time at St Philip's, although I had asked for it. The autonomous group who recruited me, CORA, had access to a number of Strathclyde Regional Council Psychologists who continued their services to the schools. I remember some of them by name: Peter McCann, Brian Steele, and Lawrence O'Connor. At various times Peter McCann offered me some supervisory assistance, not as a manager, but more exploring my ideas and my practices. I found that really helpful and useful.

### **Personal Influence**

30. One of the changes I made when I became head of St Philip's was with regard to some of the older members of staff who had what I considered to be outdated practices and skills. Gradually, I was able to persuade those members of staff that it was time to leave the care system. Some left anyway through no involvement by myself when they realised the school was no longer the place for them to work. I don't recall any of those that left returning to employment that involved working with children.

31. Some things, such as the proper care of the children, were non-negotiable. I had a strong personal influence on ensuring the relevant regulations were followed and there were times when I came across, overheard, or even saw something written in the daily logbook that caused me to question what might have occurred. I was curious and would ask questions. I would be emphatic if I considered the circumstances to have been unacceptable. In some cases, I had to warn that this was the last time that I would be investigating that kind of behaviour and that in future, disciplinary action would need to be taken. In more serious cases, disciplinary procedures were immediately started.
32. My routine each day was to arrive early in the morning and go around all the units, checking the logbooks for the previous day and signing them as well. I would then have a workout in the gym and that would all be before the school day had started. I would also drop into the units at various times during the day. Additionally, the senior management team were on duty on a rota basis at weekends and in the evenings. When on call, Senior Staff were expected to drop in then too, unannounced, to see that everything was in order.
33. The model we worked with at St Philip's was that as an adult you had a prime responsibility to model the behaviour that you expected of the children you cared for. As a manager, I considered that my responsibility to the staff was to model for them the care I expected them to be giving the children. I did so by not reacting too quickly, by taking a break and by asking curious, non-judgmental questions as to why something might have occurred. I would ensure that I was not being overpowering when I was dealing with whatever the issue may have been.
34. I also insisted on certain principles including that there were no circumstances in which violence could be deemed to be acceptable. Prime amongst the types of violence was violence of language and tone. Shouting and discriminatory language were not acceptable. I did not, however, expect people to be absolute saints or zombies, because all of us do get some difficult situations and challenging behaviour and in such situations, some people overreact or underreact.

35. It was about modelling what I expected from others in terms of their behaviour. If there was an occasion when a voice was raised by a member of staff, or indeed by myself, I would work with them to the point that they would recognise and admit that a mistake had been made. If I had been involved in such a situation, or if any of my senior staff had been involved, I expected them to model what should have been happening. If necessary, I expected them to take over and, in any event, to have a meeting afterwards to discuss what could have been done better and what should have been done better, but in a non-adversarial manner. I wanted to encourage a culture whereby asking for help was a sign of strength, not weakness.
36. One of the systems that evolved and developed as far as children were concerned was a system called 'dialogue'. We believed that when a child was 'acting out' as it might have been called, or if they were behaving in a manner that might have been dangerous to themselves or others, what had primarily happened was that the child had lost control. Therefore, rather than try to take back that control, which was properly the child's, we would get the child involved in discussion. Often, the usual expletives would follow, but if you persevere, you get there in the end. It is a principle that mostly works.
37. I very much had a personal influence on our development of that system, as did the whole team, however one member of the team who was probably the most instrumental in developing it, is a man called Denis Ferrie. Denis is dual qualified in Education and Social Work and was in charge of Education. Denis has since retired but has written a lot on the subject as a consultant to a few other schools. Denis was appointed by me and transferred from the Good Shepherd Centre, a site school in the CORA group.
38. There were very strict guidelines to ensure the protection of children admitted to St Philip's from abuse or ill-treatment either by staff or other children. The school handbook stipulated the situations that had to be reported and what had to be discussed and signed off by a line manager. That handbook was reviewed and updated regularly, particularly following any inspection or recommendation. I and my senior team always insisted that every occurrence that was out of the ordinary had to be logged.



39. However, that is not a catch-all. Sometimes, you might hear an off-the-cuff comment or remark, and the duty to check that out by a senior member of staff would have been prescribed. In my experience it is often not the case that a negative situation is glaringly obvious, but instead something might just appear to be out of the ordinary and need checked out.
40. I think supervision was one of the most important measures we had in place. We recognised that the jobs the staff were doing were extremely challenging and people got used to discussing their work. They got used to having guidance and being called to account for their actions.
41. I am content that all those measures ensured, so far as possible, that no child admitted to St Philip's experienced abuse or ill-treatment.
42. I would consider our most notable achievement during my tenure as Head was the fact that St Philip's survived being shut. I personally was in a very vulnerable position as it was shortly after I moved from St Johns that consideration was given to this closure by Strathclyde Regional Council Social Work Department. I was at a meeting with Strathclyde Council when I was informed they were considering closing the school.
43. I was told on a number of occasions that the interventions I thereafter made, including the things that I had done to change the culture and the environment and to introduce the school into a more child-centred approach, had all persuaded them to come to the decision to keep St Philip's open. I also consider that I worked well with outside agencies, including Strathclyde Council and the Scottish Office, which had not been the case previously. I was told by Strathclyde officials that previously St Philip's had been quite turned in on itself.
44. I shared a good relationship with these people, so much so, that they decided to invest a lot of money in the school when the secure unit was built in 2006. There had been a review of the needs for secure care in Scotland because prior to that only two establishments had secure care facilities: Kerelaw and St Mary's. It had been identified

that more such premises were required because children were still being prosecuted by the courts at that time and Children's Panels also had an increased need for secure care, especially for more vulnerable young people who were often frequent absconders.

45. I would emphasise, however, that those interventions were not just made by me personally, but were the efforts of all the staff working at St Philip's during my time there.
46. Additionally, during my tenure at St Philip's there had been a yearly announced and unannounced arms-length inspections carried out by the Care Commission. Additionally, the Inspectorate of Education, HMIE, carried out at least three inspections during my tenure. Both bodies interviewed children and the reports were published and should be on public records. My recollection was that they made a number of positive personal comments about my leadership. They were often a source of surprise to me, but they also provided constructive feedback which offered valuable lessons for me and an agreed action plan that is then followed up. I think the reports from these agencies speak of a team at St Philip's that was making real progress.

### **Policy**

47. I had considerable involvement in the creation and updating of the policies in place at St Philips. A lot was not just implementing new procedures, we also customised some of the existing policies.
48. I saw my responsibilities, primarily, as being accountable for the ethos of the school. One of the first tasks I undertook was to write a policy on the values we should uphold. I wanted to ensure that the child was our first concern. I considered we had to tweak the culture to ensure we became much more of a social care facility and to ensure that we were listening to the children.
49. I did not take that responsibility on my own, I have always believed in collegiality. I encouraged the staff to offer advice, particularly my senior management team. The head of education when I first arrived was Jim Hughes. He was a gifted, charismatic,

child-centred man. It was my belief that he more thought of St Philip's as an educational facility with social work provision, rather than a social work establishment with an educational provision and somewhere that could be therapeutic for children.

50. I suppose one of the trickiest areas was concerning 'safeguarding' or restraint. We had to consider how to develop policies in conjunction with the various theories that were going around at that time and with the various training agencies that were in existence. Unfortunately, safeguarding is a necessary element of the job, particularly when safety of children and staff is involved. I am pleased to say that we succeeded in customising our procedures within the guidelines and restrictions we were governed by.
51. Central to the customisation of that policy is that control was not ours. Control is the duty and responsibility of the individual. If an occasion arises when a child loses that control, it is our job to help give it back to them. We would do so by starting the dialogue procedure with them until the point they were beginning to calm down and we felt we could safely implement another system we developed called 'Time out'.
52. Time out involved sitting quietly with the member of staff and getting into a more positive frame of mind. The key aspect of this approach was that the child would have to ask to do their time out and they would also be responsible for negotiating the length of time. There would be no speaking. If they did speak, we would start again. Usually it would only last for two or three minutes, but the purpose was for the child to demonstrate they had got back the control they needed.

### **Strategic planning**

53. St Philip's dealt only with boys. Boys of different age groups and fairly different needs. Previous to my coming along, they had been living in relatively large groups and, over time, I was responsible for cutting a lot of the numbers down. That, in turn, incurred a lot of issues, primary among them being finance, as we were paid per capita for the boys we looked after.
54. Coupled with that, because of the nature and the needs of the children we were working with, we required an increase in staffing, but with people who had appropriate

qualifications. Additionally, we were sending people to the training departments of the Catholic Social Care agency to attain an SVQ (Scottish Vocational Qualification) and after the establishment of the CORA group, staff were trained at a separate facility provide by them. We were slowly beginning to establish that people wouldn't be employed without at least an SVQ2 and later an SVQ3.

55. People were paid more when they obtained these qualifications and at the same time we were reducing the numbers of boys we were looking after. There was no point in having the best staff and no kids and there was always a pressure to keep the place as full as you could to balance the books. Consequently, strategic planning was tricky.
56. Most of the children we had, had gone down routes that they had very clearly failed in and when they were coming to us and we were telling them we would stick with them, they didn't really believe us. They had often lost any hope that any adult could help them and we got a lot of testing behaviour. To deal with that was all about ensuring that we had the right people, with appropriate qualifications, who were up to the task. Whenever a child was admitted, we would always assess with the referring social worker whether we could meet that child's needs. In emergency situations, that did prove difficult, but was something we always insisted upon.

#### **Other staff**

57. I was very lucky in that I had some very gifted and interested people in my senior team. My depute was Brian Harold, who had been given the job at St Philips about a year before I arrived and had worked with Bill Kane during that difficult year. Leadership at the end of Bill Kane's tenure was unsatisfactory and recruiting Brian Harold was instrumental in saving the school. He was a very valued member of staff.
58. Jim Hughes was the head of education when I started, and he was an absolute master at working with children. He believed in discipline, although not to the extent of being overbearing. He also organised a camp each year to Morar in the Western Highlands, which was fantastic and a great experience for the children. His depute and third in charge of the school, was Pat McMillan who had been recruited shortly before I started in St Philip's. When Jim Hughes retired Denis Ferrie was recruited as Head of

Education. Under them were a number of teachers, however I don't recall quite how many.

59. Between 2004 and 2006, I was freed to work with the Scottish Office to prepare St Philip's bid for a secure care facility. I remained based at St Philip's, but had no involvement in any day-to-day running responsibilities. Brian Harold took over my role as head of the whole school and one of the Team leaders acted up in the Depute Social Work position.
60. On the pastoral side, there was an increasing number of social care workers, all with an increasing qualification rate. I appointed unit managers, a depute unit manager and five staff for each of the four units. The unit managers and the deputies worked on a shift pattern. I think the most children we had in any of the units was twelve, but there was also a day unit, which had its own head, Mrs. Irene Tominey who was also answerable to me. There was also a depute of the day unit and a number of teaching and care staff.
61. Additionally, there was a designated night staff who started at 10:00 pm and worked through until 7:00 am. They were awake through the night and they would have responsibilities should any child need assistance, or if any had been brought back after having absconded.
62. One of the posts I created was that of senior night care officer. There had never been such a position before and I felt the night staff may be vulnerable. They were working in separate units, all on their own with young people who were mostly sleeping. There was also a gender issue as they were all exclusively male and I saw the need for someone who would be free to support both the staff and the children in the different units and to oversee the work of all the staff and assist when and where necessary. I took the bold step of drawing up an all-female shortlist for the job. However, it paid off in one of the two appointments - Mrs. Sandra McNaught, who remained in post when I retired.

## **Recruitment of staff**

63. I tried to have some sort of oversight of the recruitment of all staff at St Philip's. I might not necessarily have been able to participate in every interview, that would have been up to the respective heads, but I would certainly go over the papers.
64. Before I came, a lot of the staff had been appointed on an ad hoc basis, often because they had been known to an existing member of staff. One of the first things I insisted on was that every position had to be advertised, irrespective of whether it was a temporary or a permanent post. We also introduced a policy with regard to recruitment and interviewing and the questions that had to be asked. The group of psychologists, including Peter McCann, Brian Steele, and Lawrence O'Connor, were used to train people to be interviewers and what to look out for.
65. References were always obtained from former employers and referees were spoken to. One of the first questions I asked the interviewers was whether the reference had been discussed with the candidate. Sometimes what we got was not really a reference as such, it was more a testimonial singing the praises of the candidate. If I read such a document, I would point out that they hadn't identified any developmental needs and that would be something that would always be asked at interview. That would often tell you what the candidate considered their learning needs to be.
66. I always worked on the principle that I had both the right and the duty to challenge references. Everybody that wrote a reference for any candidate for a position at St Philip's was always acutely aware of their responsibilities. Sadly, it came to light that there been a few cases, particularly in the Catholic Church, whereby someone was being shifted on to get them away from a particular situation. I therefore insisted on checking references prepared for ex members of staff.
67. We obviously also made sure we were compliant with Disclosure Scotland and then later with the PVG scheme, but you also had the responsibility to make a judgement as to whether a candidate was safe to work with children. I would speak to the candidates to ascertain whether they felt there were any issues that might affect them working with children. I would ask them plainly if there was anything they wanted to

tell me and to sign a document that they had been asked this question, before I confirmed any appointment.

68. People can and do lie, but it was our responsibility to ensure as much as possible that anyone we employed was safe to work with children. The same applied for any member of staff who was moving on. If we were providing a reference, we had a responsibility to ensure it was accurate.
  
69. Some of the staff we employed were sessional, perhaps studying for a social work degree. They would only work part-time and were used to fill gaps for holidays and suchlike, however, they were still properly recruited and interviewed. A lot of those people would go on to apply for a post after they had finished their studying. We got a number through that route because it meant we already knew who they were, although they did still have to apply and compete with others.
  
70. Other staff came from a variety of backgrounds, which was particularly evident when we were recruiting for staff to work in the new secure unit. We were looking for between sixty and one hundred staff at a time when other secure care facilities were also looking to recruit staff. Amongst others, we had psychologists, senior middle-management from other schools and the designated training team at CORA interviewing them. Candidates came along to various open days that we held, which gave us an opportunity to meet and assess them. They also had to undertake various written tasks as part of the interview process.

### **Training of staff**

71. When we were under Strathclyde, courses in a variety of subjects for the personal development of staff were always available. It didn't cost anything; the only decision was whether the school could afford to release the staff member. When the council was reorganised, the allocation of training was more often devolved to ourselves and most of my responsibility was arranging for courses to take place. We had some access to training provided by the various councils and additionally the training department of CORA brought in various outside agencies who had the knowledge and

expertise we were looking for and I often involved myself in the courses as a participant.

72. Getting funding for such training was not always easy, it could be expensive. I would have to convince the board of managers who had a bottom line that it was required. Our society is becoming increasingly more litigious however and they could see that it was essential to make sure our staff were up to the task, if for no other reason than to protect ourselves.
73. I can't remember everything about the training around restraint, but in a well-run establishment, restraint is the smallest element of your work, although it is the one with the most minefields. If you were using the techniques we developed to diffuse situations and if you were recognising the signs and intervening early on, restraint should only be a last resort.
74. I do consider, however, that in my tenure at St Philip's, all staff were sufficiently and appropriately qualified and trained.

#### **Supervision/staff appraisals/staff evaluation**

75. Staff appraisals were very much part of the system at St Philip's. Each person had to be appraised each year and they had to sign their appraisal. That signed appraisal would then be looked at by the heads of department and myself.
76. Staff would be appraised on their input, their training needs and their future development needs. It was a way of giving them feedback as to how we considered their performance to be. Whether you like it or not, your employer will have a view of you and it's good to share that view in a formal way. The introduction by me and my team of a proper appraisal system was, I consider, one of our greatest achievements and one that facilitated the biggest change.
77. Staff were free to make improvements to the appraisal system and any recommendations they might make would be taken into consideration and discussed. If they provided a positive improvement, they would be implemented.



78. As head of St Philips, I wasn't the subject of the same yearly appraisal system, but I was answerable to the board of managers, to whom I provided a report each month. Those reports would be scrutinised and any issues found would be fed back and those board meetings were often a frank exchange of differing views.

### **Living arrangements**

79. Although the previous head of St Philips had resided on the premises, I chose not to take up the offer when I was appointed. I insisted on staying where I was, in my own house, completely separate from the school. I did not think living on the premises was healthy for myself or other staff.
80. There were some staff who resided in staff accommodation in the grounds, but within a year I closed that accommodation and invited the staff to move out. Having lived in a monastery, I felt it was good to separate your work from your home. For me, the most therapeutic thing was driving home at night.
81. Only the duty senior manager and night staff would have access to the children's residential part of the school at night and they were responsible for those areas. A senior manager was always on call and that meant that you would call in, not to check up, but just to confirm all was well. Sometimes they might see certain behaviours that might indicate things were unsettled and that it might be worthwhile sticking around. We all sometimes dig ourselves into a corner that we need to be rescued from and sometimes an additional presence can help with that.

### **Discipline and punishment**

82. When I first arrived at St Philip's there were some older members of staff there who had the role of instructors in various trades. That was a role that was eventually phased out for some trades. Some viewed their role as being that of the supervisor of an apprentice and believed that children should do as they were told. Once or twice, in the beginning, some of them would march a child into my office and I was told in no

uncertain terms that I should remonstrate with them. This did not last long as I would revert to telling the children stories, rather than chastising them.

83. When I first started at Springboig St John's there was a system of punishment used by the staff, whereby home leave was restricted. I always thought that was an inappropriate form of punishment. The child was being deprived of a necessary and important part of their care, even though there were some young people who might be safer not going home. I also discovered when I first arrived at St John's that all the letters sent by the children were being read and stamped by the staff before they were sent. I objected strongly to that and ultimately that changed during my time there.
84. I am satisfied that throughout the duration of my tenure at St Philip's, no child was punished by having their leave, or pocket money, or anything like that, taken from them.
85. Corporal punishment was never used on a child, it just wasn't appropriate. The reason some children were in St Philip's was because of their behaviour and I could never understand how someone could shout at or hit a child. It might have been something the child had experienced in the home environment, but we wanted to show them that they were safe with us.
86. The 'Time out' system I have referred to was the formal policy on the code of punishment at St Philips. The outcomes were always child-sized and mostly involved them demonstrating that they understood what had happened and that they were taking back control and taking measures to ensure it didn't happen again.
87. Children were aware of the policy because it was discussed and staff were trained in it. I modelled it for my staff and expected my staff to model it too. If someone who works for me sees me behave in a certain way, then he will know what I expect him to do.
88. No child was ever considered to have any responsibility for carrying out any form of discipline. That had been evident when I first started at Springboig St John's, where terms such as 'Top Dog' were used amongst the children, but that was never the case

at St Philip's. That would give a child a power that they would be very likely to abuse. Bullying is a perennial problem, not only in residential schools, but everywhere.

89. Occasionally at night children would go on the rampage. They'd leave their units, leave the home and go down to the railway line where they'd meet girls and drink 'Buckie' which is Buckfast, a cheap wine. If I was on duty and called in, I'd go down and eventually would get them back into their units. I would point out that they must be hungry and get them some food and initially, I suppose, I was sometimes criticised for this approach.
90. Some staff would say that the children would just do it again and that I was almost encouraging it. My response was that we were dealing with the issue and we were looking after the children's needs, which was what we always had to do.
91. My approach might not have always been effective, but I am in no doubt that it was the most appropriate.
92. We were duty bound to report to the police if a child had absconded, as it was called. It was a job that the police hated. On many occasions, if they were with their parents, the parents contacted us as they would be fed up with police constantly coming to their door.
93. We did occasionally go after a child if they were known to be vulnerable. That was not to prevent them from absconding, but to try and prevent them from putting themselves in danger. We stopped that eventually, because occasionally the thrill for the child was in the chase.
94. Children were not punished when they were returned to the school. Instead, we would try to explore why they were running away. It was important to be compassionate and to try to understand that it may simply be that the child was missing their home. For some children, there was domestic abuse in their home and if they were home then mum didn't get a beating, they took it for her. How can you punish them for doing that?
95. Segregation and confinement were never used as punishment at St Philip's.

## **Restraint**

96. There were occasions when physical restraint was used and every instance would be recorded in the daybook and co-signed by a senior member of staff. It was not a regular occurrence, the other measures we had in place would often prevent it being required. The use of restraint would be seen as a failure.
97. Nobody likes to be in the position that they're having to restrain a child, because in that position they are vulnerable. Any time restraint was used, it would have to be carried out by two people, in order that it was done safely. If possible, it would be good to have an observer as well. That is not always possible though, particularly if it's later at night.
98. I cannot recall any occasion I had to restrain anyone, and I can't recall seeing excessive restraint being used on a child. If it had happened, I would certainly have taken it up.
99. If I was checking the logs in the morning and I saw that a particular member of staff had been involved in restraint, or a particular child was being held more often than others, I would be asking questions. My questions would firstly be with the unit leader and I would task that leader with carrying out an investigation and preparing a report.
100. If there were occasions I was not satisfied with the investigation, I would convene a meeting of all involved and we would discuss what needed to be done. The main purpose of asking all those questions is to prevent a pattern from emerging. The child might not be involved in the staff meeting, but they would be asked why they found themselves in that situation and they would be updated as to the result at the conclusion of the meeting.
101. In my experience, some children are sometimes looking to be restrained because it might give them some kudos amongst the others. It might also help them deal with something in their lives and perhaps diffuse certain feelings, in a strange sort of way. It is imperative to explore what is going on and it is not easy to make a judgement.

Sometimes asking the child might not produce a valuable answer, although clues are often given.

102. We constantly reviewed the policies and practices relating to restraint as to what worked and what did not. There was always something to be learned. Additionally, social climates change and we would review our policy accordingly. I remember a big debate about one of the restraints the police used which is pain compliant. That, of course, would be totally inappropriate in most situations, but sometimes it might be the only way of effectively deescalating a situation where someone was in danger. I can't see it ever being agreed as an appropriate form of restraint of a child though.

#### **Day to day running of establishment.**

103. As head of the school, I was involved in the day to day running of the school. Every morning, we would have a community meeting, which used to be called assembly, I suppose. It would be short, but all the children and the on-duty staff, including myself, would be present and we would discuss what might be happening that day. If there had been anything positive, perhaps a child being awarded for some reason, that would be mentioned. We had a very successful P.E. teacher and a very successful football team and their fixtures and achievements would be highlighted to.
104. One of the principles that I and many of my staff followed was that, rather than criticising the things you don't want, you look for the situations where the child is doing something positive and you affirm it. If, for example, a child never says please or thank you, the first time he does you turn round and say "Ah, have you noticed he always says please?"
105. Looking back, I would be confident that if child was being abused or ill-treated, it would have come to light at or around the time it was occurring. The responsibility that we had as a management team was that we knew what was going on.
106. I had regular interaction with the children at St Philip's. They always knew that if they'd had a confrontation, or a problem with a member of staff they could come to me. I actively encouraged them to do so whenever they wished, even if that meant they may

have been interrupting a meeting. They knew that after I had talked to them, I would always call the other person in and speak to them together. They always knew that they weren't escaping the situation, but that somebody would listen to them and I felt that was absolutely necessary.

107. As a matter of course, I often asked children if they had any concerns about how they were being treated. You would get a sense if a child was unhappy. Although the children we were looking after were living in a group environment, a lot of them were ungroupable and went about making their lives more uncomfortable. Often, they had grown to be comfortable with chaos. The temptation would always be to give advice, to find solutions and to be of help to the person, but often all that is needed is to listen to how awful it feels. That is one thing that I would consider to be really important in any successful care worker's job.

### **Problems at St Philips**

108. There were a number of occasions I had concerns about the school and I would bring those concerns to the board of managers. Very often the solution would be monetary, albeit there are restrictions.
109. I can't recall the actual cases, but I do remember actively working at getting one or two members of staff to leave. I can't recall the exact issues, although I wouldn't say there had been problems as such, that would have been a disciplinary issue. I think it was more the case that they were just not suited to the task, and they didn't share the main ethos of the school, which was care, concern and development. Instead, they were preoccupied with themselves and you can't afford to be that way and expect respect without earning it.
110. I felt some people were really struggling and my intentions were not just for the sake of the children, but in their interests too. Everybody works for a living and they might not necessarily have been able to afford to take the decision that they know is in their best interests. I would have to try and find some way of facilitating their leaving, however that all comes with the territory.

111. When I first started at Springboig St John's, solvent abuse was a massive problem. It was rife. At St Philip's, however, solvent abuse had almost disappeared and the bigger problems were smoking and the abuse of controlled drugs. There was one ten-year-old boy who was actually admitted to St Philip's because of his addiction to smoking. He stayed until he was almost sixteen and he was quite a happy child.
112. Staff went on various courses to help them deal with issues of addiction. We worked with the children and we had counsellors and other experts come in to speak with them. Additionally, quite a number of local authority social work departments had dedicated units that worked on smoking cessation and the abuse of controlled substances that we had access to.
113. There was one particularly gifted man, I can't recall his name, who came in to help. It was quite dangerous in some respects because we knew that some of the children were using drugs and some were injecting them. He talked to them about safe use, needle exchanges and using oranges to practice on. We had extended discussions about it because, of course, it was a legal minefield. We recognised that there was in some cases an inevitability to some of our young people abusing drugs and we were trying to find a balance.
114. There was a lot of work done and we were fighting an uphill battle. In the west coast of Scotland, 'Buckfast' tonic wine is, of course, very popular, no more so than in Monklands, and its abuse by boys in our care was problematic for us too.
115. Bullying is always an issue. We all received a lot of training in how to deal with it, why certain people became bullies and why certain people become the brunt of bullies. You wouldn't want to blame the victim, but there are certain children who almost invite being bullied.
116. You would wonder why they would do that and there are various reasons. One reason is that a chaotic situation where everybody is fighting is one they are used to and so they try to create it because, in a sense, they felt comfortable in it. It was also a way to tell everybody how terrible the world was for them. It's a hard one, because we would try to help, but the child might not necessarily want help. In many ways, children

who get bullied are victims in so many other ways too. Certain people always seem to get the brunt of it, but you don't always necessarily have the one bully, there may be several.

117. To get away from that culture is very difficult and in addition, I suppose, there is a certain sense of power in a pecking order, particularly in a world where you don't really have a lot of power. You're being looked after by strangers, expected to conform to certain conditions and it might have been an illustration of what their life was like.

### **Concerns about St Philips**

118. The way in which children were treated at St Philip's was brought up on several occasions following inspections by external agencies. There was discussion in the reports that were produced following those inspections and we were the subject of recommendations, which we had to act on. I can say with certainty, however, that we were never considered to pose a special concern.

### **Child protection arrangements**

119. Staff were given guidance and instruction on how children in their care in St Philip's should be treated, cared for and protected against abuse, ill-treatment, or inappropriate behaviour towards them through training. There was also ongoing supervision and appraisal, and we were advised and worked hard together on the production and updating of a staff handbook.
120. Every eventuality cannot, of course, be covered, but there were lots of examples of various behaviours in the handbook. Every member of staff had to work through that handbook and they had to sign that they understood it. Thereafter, they would have been asked by their senior about their understanding of it. It was a formal process, because it had to be and nobody could certainly ever turn round and say they didn't know.



### **Reporting of complaints/concerns**

121. If a child or their representative had a complaint or an issue of concern, we had processes in place. If any child wanted to make a complaint about anything, they got direct access to me. They were told that on quite a number of occasions and they were told that if I wasn't available at the time, other people were and they could choose who they spoke to.
122. The children all knew they had a right at any time to come and discuss any problems they had, although some did occasionally choose not to exercise that right and instead might perhaps speak to their parents. In those cases, and especially if it was a more serious case that involved physical or sexual abuse, I would immediately refer to the child's social worker and to the police if there was a suggestion of criminality.
123. I did receive complaints of physical and sexual abuse and I immediately contacted the police and the child's social worker. Most often, complaints like that came from another person about a child and they were sometimes about an ex-member of staff. In all cases I referred the complaint to the police and social worker.
124. I recorded the details of any such complaint in the complaints file and in the daily log held in the school. We were governed by the rules on archives and how to keep files and while I was there, they were kept within the school. That was the legislation and I remember instituting it, but I don't know where those files might be now.

### **Trusted adult/confidante**

125. Other than myself or my staff, if a child had concerns about their treatment in St Philips, they could speak to an organisation called 'Who Cares'. I'm not sure when it was established, but Who Cares was in existence for quite a while before I retired. Who Cares representatives were regular visitors to the school and some of our children were on the general committee.
126. We were also subject to arms' length inspections by the Care Commission when it was established, which was quite early on in my tenure. They carried out both

announced, and unannounced inspections of the school and, in addition to HMIE inspectors, they had unrestricted access to any staff or children and they interviewed them. Similarly, the children had unrestricted access to them, should they so wish.

127. The contact details for Who Cares, the Care Commission, and the police, were all widely available to the children and displayed in each of the unit offices. There were telephones in all the units that the children were able to use and I always made it very clear that should a child want to use the phone, he had a right to do so.

### **Abuse**

128. I am sure that we would have a definition of abuse written down in our policies. My understanding is that abuse would be anything that made a child uncomfortable or that gave the child cause for concern. Abuse could also be anything that anyone else noticed as being out of keeping with the overall ethos of St Philip's and our responsibility to protect the children. However minor that person might have felt what they saw or had become aware of was, they had a duty to report it.
129. Boys tend to have a certain bravado sometimes about sexual exploits, but if a member of staff became aware of a discussion or suggestion of there being an inappropriate relationship, they had to report it, no matter how frivolous it may sound. Essentially, anything that may have been considered an invasion of a child's personal space needed to be reported, discussed and resolved.
130. I did not see any abusive or inappropriate behaviour at St Philip's. I did initiate some reports to the police, however, but that was following reports being made to me. I did not require the child's consent. Even if a child was telling me things of this nature and saying they did not want it taken further, I would explain that I had no choice.
131. If the complaint was not one of a criminal nature, I would report it to the social work department and invite them to conduct the investigation, which was my preferred option. There were, however, some instances they referred the matter back to us to investigate it internally. There must have been some occasions that happened because I did conduct some investigations, but I can't recall anything specific. Often

that would occur because the social work departments were absolutely inundated and didn't have the capacity to carry out an investigation. It was also because we had developed such a good relationship that the social work departments would understand that if we did carry out an investigation, it would be diligently and properly carried out.

132. I do not recall any member of staff being dismissed as a result of any such investigation. Similarly, I am not aware of any member of staff resigning under such circumstances.

### **Allegations of abuse**

133. I have never been the subject of any allegation of abuse or ill-treatment of a child in my care.

### **External monitoring**

134. I don't recall any organisation other than the Care Commission and HMIE carrying out inspections of St Philips.
135. Those inspections by the Care Commission and HMIE, were never carried out at the same time. HMIE had a cycle of inspections, which were around every three or four years and I think most of their inspections were announced. The Care Commission carried out both announced and unannounced inspections and had a knack of turning up when you least expected them.
136. Both organisations spoke with the children and did so without the presence of any of the staff of St Philips. I don't think it would be appropriate for our staff to have been present during any such discussions. The children needed to have that freedom.
137. Sometimes they spoke to the children in a group and sometimes they did so individually. Sometimes an issue might be raised by a child in a group setting and the inspectors would then speak with the child individually.

138. I recall that there were some concerns raised by the Care Commission and HMIE about how children at St Philip's were being treated. However, if any such concerns were raised, there would be an action plan and that would be reviewed to make sure we had carried out their recommendations. It is not comfortable being criticised, but it is a necessary learning opportunity.
139. We were never, as far as I can recall, subject to an order stating that unless something happened a particular course of action would be taken.
140. I am not aware of any issues or concerns being raised in relation to the recruitment or training of our staff. They might have made some recommendations, I don't recall. Recruitment and training of staff was something about which we were pretty scrupulous.
141. I am sure there must have been issues raised at some point in relation to how children may have been disciplined, or punished, but I don't specifically recall. If there were any such concerns, they would have appeared in their report with recommendations.
142. Following an inspection, a report would be drafted and sent to us. Thereafter, a meeting would be convened to discuss any issues raised and all this occurred prior to the report being published. There wasn't exactly an appeal process per se, but there was an opportunity to debate any issues. Although we might not necessarily appreciate the criticism, it was always useful to have a fresh set of eyes looking at your procedures.
143. Some of the inspectors were really good and we had some very interesting debates. I was and am extremely proud of what we did and I suppose I might have been a little bit too defensive at times, but largely everything would be resolved following those debates.
144. One former inspector with the Care Commission, Mary Fraser, joined our board of managers when she retired. She was very useful on the board, because many of the others lacked real social work experience, they were mostly from an educational

background and some were from a totally unrelated background. Mary was able to provide an insight from a social work perspective and what was important.

### **Record keeping**

145. Each child had a personal file and anything involving that child would be recorded in that file. That would include any meetings or discussions with social workers, along with any concerns raised by either the social worker or the parents of the child.
146. Each child had a regular review, which was chaired by a senior member of staff and attended by the child and their parents and the social work agency responsible for that child. Occasionally, although they were invited, parents and sometimes the children, did not attend. Although the review was in the school, the agency provided a minute taker and details from those reviews would be entered on their files and the files themselves would be archived.
147. On top of the individual files, there were also unit records of anything that happened in the unit on a daily basis. We would have weekly staff meetings to discuss items entered on those files. Minutes of those meetings were kept and any decisions or recommendations made at the meeting would be recorded, signed and kept in the archive.
148. We were constantly recording information, not just about the children, but also about the general, day-to-day running of the unit, or staffing issues. I also completed a monthly report for the board of managers and in that I would include any issues with staffing. Minutes of the board meeting were made by the correspondent, Mr. Frank McCormick, and were kept by the correspondent.
149. Historically and prior to my arrival, record-keeping was different. They were living in a different climate. There was a group of people who became members of the senior team, including Brian Harold the Depute Head of Social Work, who kept the school right during those very difficult times. I don't think, however, that people were supervised to the same extent and I think we were fortunate that nothing that made the headlines occurred during those difficult times.

### **Investigations into abuse – personal involvement**

150. Other than investigations conducted by the police, I am not aware of any staff being investigated for abuse or ill treatment of a child. I recall investigations which did involve the police, of which I believe two went to the procurator fiscal, but I do not know what the outcomes of those investigations were. I am not aware whether there were any investigations during my absence while on secondment between 2004 and 2006.

### **Reports of abuse and civil claims**

151. I was never involved in any reports to, or civil claims being made against St Philips involving historical abuse. I was informed by the police of one case about two former members of staff, which had occurred before my time at St Philips. I knew that one was deceased by the time that report was made. I wasn't involved in the enquiry, although I do remember getting a phone call from the police to advise me that they had investigated it and decided there was insufficient evidence.

### **Police investigations/criminal proceedings**

152. I am aware that the Inquiry has a number of records that mention police investigations into alleged abuse or ill-treatment of children, and I have been provided with copies of those documents. However, other than those investigations, I do not recall there being others. I don't recall ever providing a statement to the police about alleged abuse, and I have not given evidence at any criminal trial. Similarly, other than what is referred to in the documents the Inquiry has, I don't recall any member of staff being involved in any police investigation when I was the head.
153. We were fortunate at one stage because we had a very good community police officer who used to visit regularly. The children in our care, by-and-large, did not have a good relationship with the police and his visits helped improve their perspective a little.

**Convicted abusers**

154. I do not know whether any person who worked at St Philip's was convicted of the abuse of a child or children at St Philip's.

**Other staff working at St Philips**

155. I am aware that the Inquiry would like to find out about certain staff and others who may have been employed at St Philip's at the same time as me.

GLM

156. I do not remember a member of staff referred to as GLM being employed at St Philip's during my time.

HKL

157. I know of a member of staff who used to be referred to as HKL. I know of the name, but nothing comes to mind about the person. I think the HKL I knew may have been in his early forties and was a night care officer, but I don't remember anything else about him. I can't recall what times our employment would have overlapped.

HKE

158. I don't recall any person by the name of HKE or HKE.

HKF

159. I knew HKF. He was promoted as a senior night care officer. I am not sure of the dates our employment overlapped. It may have been sometime around 2004, but I could be mistaken. I think he was in his 40's, when I was there. I would have been involved in his promotion to a senior. I can remember he passed his SVQ4. He was a bright man.

160. I saw him with children, and I would say he was very fair and a very good member of staff. He probably erred on the side of firmness in relation to the discipline of children and that might have made him unpopular, but I had no concerns about him, nor the safety of the children.

161. I never saw **HKF** discipline any child and I never saw or heard of him abuse any child.

**HYS**

162. I know of the name **HYS**, but I cannot remember what he looked like.

**HWJ**

163. I remember **HWJ**. He was a promoted unit leader and had passed his CIS, which was a diploma for social care workers. I remember that because I supervised him for this course. **HWJ** was at St Philips before I arrived and he retired after I left. He was in his early 30's when I started working there and was a larger-than-life character who had grown into his post.

164. Whenever I saw **HWJ** with the children, I thought he was doing a good job. He was a very personable, friendly, and open person I genuinely believed he was a good team leader and social care worker and I had no concerns about **HWJ**.

165. I never saw **HWJ** disciplining any of the children and I never saw or heard of him abuse any child.

**GXP**

166. **GXP** is mentioned in some of the documentation I have been supplied with and I do remember him. He was recruited during my tenure as head. He was a younger man and I found him to be very personable. He was a social care worker in one of the units and was always up to date with social work theory. He was married to a local



authority social worker and later went on to pass his SVQ. From my recollection he was good with children and I never had any concerns about him.

167. I never saw him disciplining any of the children and I never saw or heard of him abuse any child.

### **Documents provided by the Scottish Child Abuse Inquiry**

168. I have been provided with copies of a number of documents recovered by the Inquiry and asked to comment on them. I found it very difficult to try and tie all the documents up. There are names within them, especially of investigating police officers, that appear in quite a few of the documents and I find that unusual. I wonder if some of the information contained within the documents is mixed up.

*Letter from Alistair Marquis, HMIE Assistant Chief Inspector, dated 22/09/2003*

169. I have been provided with a copy of a letter from Alistair Marquis, HMIE Assistant Chief Inspector, dated 22/09/2003, which has been forwarded in an email from Rachel Gwyon. I remember the name Alistair Marquis because it is unusual, however this is the first time I have seen this letter and there are a number of statements within that are very troubling.
170. Rachel Gwyon was a civil servant in the Scottish Office, working at that time in the Social Work Division. I was invited to submit many reports and attend many meetings with her and her department to justify the spending of £8 million of the Scottish Government budget on a secure unit at St Philips.
171. I was concerned about the statement about Brian Harold, which reads '*Brian is the designated Child Protection Co-Ordinator for the school. It transpired that almost all of the staff, including Brian, had no formal training in child protection matters.*'
172. If Brian's role at that time was the Child Protection Co-Ordinator, this was perhaps around the time I was preparing St Philip's bid for the secure care facility. However, the statement that all of the staff, including Brian, had no formal training is totally

erroneous and I find it difficult to understand. Brian joined the school about a year before me and had gained his qualifications from Aberdeen University. He has a diploma in social work and a degree on top of that.

173. I have not been able to speak with Brian about this, but I am sure he was also qualified as a teacher. He was a very exact man, in both his recording of things and in the way that he speaks. As a trained social worker, Brian would have fairly in-depth knowledge of how to go about child protection investigations and reporting procedures anyway. I know that he attended a course in how to carry out child protection investigations.
174. The statement that the staff had no formal training would depend on your understanding of the word 'formal'. The school, and therefore me, would be responsible for providing training in child protection matters, however I know that up to that time, 2003, there were no courses as such. However, they weren't working in a vacuum and there were procedures in the handbook in relation to what you would have to do if any complaints were made. They would have to sign that handbook to confirm they knew and understood the processes.
175. Three cases are mentioned in the letter, however my awareness was that there were two, the two that are mentioned in paragraph six. The names of the two former pupils are redacted, however, the letter states that they '*allege that two members of staff [...] sexually abused them during the period 1984 - 1990*'. Again, the names of the two members of staff are redacted.
176. I vaguely recall the police officer DI James Macpherson referred to in paragraph seven, and I remember having discussions with him, however I'm perhaps confusing the names because the investigating officer of these two cases is named as DI Blackburn.
177. There is a quote in the letter that I approached Alistair Marquis with a very worried look on my face and said I wished to discuss a matter in private. That is hearsay and something I would have challenged in any case. That is not the way I operate.

178. I recall getting a phone call and that is why I had to speak with Alistair Marquis when I heard that Brian had said there were no investigations going on. I was aware that there were investigations but only because DI Macpherson had phoned me and asked if I had anything I could add to the investigation.
179. The allegations that had been made concerned a period before I started at the school, however DI Macpherson told me that these two former residents had both made complaints around the same time at two different English police stations. He said that each complaint more-or-less corroborated the other, even though each former resident had said they didn't know each other, and so there was an investigation.
180. I recall a police officer, possibly DI Macpherson, informing me that the police were not, in fact, going to take the enquiries further as the complaints were not, in fact, corroborated. I suppose this is hearsay, but DI Macpherson also told me that a prison governor had advised him that the two former residents had shared a cell in another prison in England and it was suspected there was collusion. I had asked for that information in writing, but I was advised that was not practice.
181. I recall having a conversation with Alistair Marquis about this. Here I was, making a bid for St Philip's to be the preferred site for the building of a new secure unit, which had significant implications for the school, both financially and in terms of its status. My other depute, Denis Ferrie, knew about the investigations. Denis had been a social care worker in the school before I got there and so he would have known the two former residents and the members of staff.
182. Alistair Marquis also says that he *'found it rather worrying that the Depute had either not the knowledge (which I doubt) or the confidence to share such matters with myself'*. I can't comment on those remarks, but I would have expected Brian to know of the investigations and I am surprised he did not.
183. At paragraph four of the letter, Mr Marquis states *'The Principal expressed to me that he was very concerned for the name and image of the school should these cases come to court'*. I was simply saying to him that this may or may not be an issue. I was pointing out that if the police enquiries resulted in a court case, the Scottish Office

would need to know about it because of the possible investment in the school that was being considered.

184. I accept that remark does read as if I am more concerned with the image of the school, but that is absolutely not what I was saying. The image of the school is not in any way more important to me than the safety and welfare of any child. If we have to answer to cases we must do so transparently, openly and juridically. All I was saying was that they needed to know this investigation was going on because of the potential political implications.

185. This must have come about during the course of an inspection and would have been notable in terms of the final report from HMIE. Considerable concerns would have been raised that a senior member of staff, whose job was to investigate child protection cases, had no training. This letter has to be read in conjunction with the report that would have been produced by the HMIE following their inspection. If that had been a serious issue a legally binding action point would have been raised in that report.

*Care Commission letter dated 14 June 2004 concerning [REDACTED]*

186. I have been provided with a copy of a Care Commission letter dated 14 June 2004 concerning [REDACTED].

187. I do not remember [REDACTED]. The letter would appear to have been sent to me by Jan Johnston. I don't recall Jan Johnston and do not recall having received this letter; it was some twenty years ago.

188. I understand from the letter that this boy's mother states that her son had been bullied at the school, and that the staff failed to take appropriate action. Jan Johnston writes about the bullying but provides some context about the boy. She says that from statements and records, he *'often acts inappropriately around other boys, this being characterised by provoking others to violence, or an aggressive response'*. She goes on to say *'he has found group living difficult and has not been good at developing relationships with others'*. The letter states that *'This part of the complaint is partially upheld'*.

189. The letter also states that staff 'showed awareness that [REDACTED] was bullied on occasion and staff had taken appropriate steps to address this issue and keep him safe'. That part of the complaint was not upheld.

190. I don't recall anything about what is being said in the letter and can't give any comment on it, other than highlight that it does say that the staff who had been aware of the bullying had taken action.

*Care Commission memo dated 27 October 2004 concerning [REDACTED]*

191. I have been provided with a copy of a Care Commission memo dated 27 October 2004 concerning [REDACTED].

192. The memo relates to a call that I have made to the Care Commission concerning a pupil, [REDACTED]. It states that [REDACTED] was alleging a physical assault and states that a member of staff, KMP [REDACTED] had been suspended and was subject of an investigation by the police. It also states that the investigation may result in a formal complaint being made to the Care Commission

193. I don't recall the name [REDACTED]. I knew KMP [REDACTED] well, he was recruited and employed by me. I have no recollection of this memo, or the call to the Care Commission and I have no recollection of KMP [REDACTED] being suspended at any time. If I had been involved in the suspension of a member of staff, I am confident I would have remembered. I can only surmise this must have occurred during the time I was seconded or when I was off sick.

*Letter dated 14 March 2005 from St Philip's to Mr Jim Brannigan, Care Commission*

194. I have been provided with a copy of a letter dated 14 March 2005 from St Philip's to Mr Jim Brannigan, Care Commission, which has been signed by Denis Ferrie, pp myself.

195. I do not recall this letter. I am not sure if this is during the period I was on secondment. I have tried to get a copy of my records, which are held by McSparran McCormick solicitors, but I have not been able to do so.
196. It was rare for me to have cause to suspend any member of staff. To my recollection, there were only two occasions that I did, and I do not recall suspending [KMP]
197. This is the second document I have been provided with concerning allegations made against [KMP], however, and in child protection practice, when we see there are two different allegations about the same member of staff, which could be seen as corroboration. It was therefore appropriate that he should have been suspended, pending an investigation.
198. I must have known of the investigation at the time, but I do not recall it. I do not know why the letter has been signed by Denis Ferrie, pp myself, but as head of the school I would have been responsible for every letter that had my name at the end.
199. I don't recall what happened with that case and I can't recall the boy named [REDACTED]
- Letter dated 24 May 2005 from [REDACTED] to Jim Brannigan, Care Commission; Care Commission memo dated 24 May 2005; Letter dated 20 June 2005 from James Brannigan to [REDACTED]; and Care Commission memo dated 23 June 2005*
200. I have been provided with a copy of a letter dated 24 May 2005 from [REDACTED] to Jim Brannigan, Care Commission; Care Commission memo dated 24 May 2005; letter dated 20 June 2005 from James Brannigan to [REDACTED] and Care Commission memo dated 23 June 2005.
201. All the documents relate to a complaint concerning allegations made by [REDACTED] against a member of staff; [GXP]
202. I do not remember a boy named [REDACTED] I remember [GXP] but I cannot recall the allegations made against him.

203. I see from her letter dated 24 May 2005 that [REDACTED] mentions physical and emotional abuse, but in the Care Commission memo of the same date, I have mentioned sexual abuse as well in my call to Jim Brannigan. However, I am unable to recall anything about the case and I do not know why there might have been this discrepancy.
204. It states in the Care Commission memo dated 23 June 2005 that I had a meeting with Mrs [REDACTED] but again I have no recollection of this. Furthermore, as is stated in that same memo, I don't remember GXP [REDACTED] being moved to another unit, or being suspended at all.
205. [REDACTED] concerns of malpractice get worse, as is detailed in the Care Commission memo dated 23 June 2005. She alleges that staff are using restraint as a means of taking her son's mobile phone from him so that he can't contact people. She also claims that the member of staff against whom the complaints were made had been moved from the unit to another but had since returned.
206. I can say with confidence that would not happen. In some cases, when perhaps the relationship between a member of staff and a resident had broken down, that member of staff might have been moved to give both parties a break, but not in any circumstance where there was any suggestion of abuse.
207. In cases such as this, I would want there to be an arms-length investigation so that we could not be seen as investigating ourselves. It would seem that I have notified police and social work, but I have no recollection either of the investigation, or of the outcome.

*Letter dated 17 September 2007 from St Philip's to Ms Linda Ray and Care Commission memo dated 17 September 2007*

208. I have been provided with a copy of a letter dated 17 September 2007 from St Philip's to Ms Linda Ray and signed by myself and a Care Commission memo dated 17 September 2007.

209. These documents both relate to a report made to me by a former client, [REDACTED] who stated that another client, [REDACTED] had had a sexual relationship with an ex-member of staff.
210. I don't remember this complaint, but it's one of those cases that might have been initiated from an off-the-cuff remark. It would still have to be formally investigated; however, I have no memory of it. If I had reported it to the police, they would have had to report back to me and that would be in the archives somewhere.

### **Leaving St Philips**

211. I retired from St Philip's on 23<sup>rd</sup> September 2009.
212. About two years before I retired, I was having panic attacks and was off work for six months. My G.P. tried various brands of medication, but all that made my condition worse. He referred me to a mental health consultant, and I was very fortunate in getting an assessment and I received Psychotherapy over a period of some three years. Essentially, this therapy saved my life. I returned to work while I was still receiving this therapy and the Board of Managers were very compassionate and understanding.
213. The time off work had, however, given me an opportunity to consider my work/life balance and I realised that it was out of sync. For some years I had been overworking and I think the technical term was that I was suffering from burn out.
214. I realised I needed to do something different and a lot less stressful. I was very fortunate and was given early retirement, a year earlier than I would have been normally entitled to leave and I am grateful for this.
215. It was difficult to think of leaving, but it was the right decision. I had a wonderful send off from both the staff and the children, who all did a lot of wonderful things for me leaving me with special memories.



## Helping the Inquiry

216. I am surprised to learn that allegations of abuse have been made to the Inquiry about St Philips. I always thought we operated transparently and within the law. We would have informed both the referring social work departments of any cases coming up that were being investigated.
217. I believe that any allegations that have been made by children who had been at St Philip's should be investigated with due diligence. Every child should be heard and should be listened to, and I have no problem any investigations, however, I am not sure what I could offer as a witness to any of the allegations.
218. I think that anyone coming into a new role, especially a role that is as important as mine was, should have had a supervised and planned induction period. They shouldn't just inherit what the previous incumbent left, given the potential sensitivities involved in such a role. More training would also have been of benefit to me.
219. I was part of a group that comprised the heads of similar establishments, who all met up about every three months in Pitlochry. At those meetings we would discuss our practices and procedures and we would often get ideas about improvements we could make. Sometimes there would be input from an outside agency, such as the HMIE and the Scottish Office and latterly, we were joined by representatives from Irish residential schools, and we shared practices with them too.
220. I found these meetings very valuable, and I think that sort of peer support is critical and of great benefit.

**Other information**

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

Signed..........

Dated..... 09/08/2024 .....