

1 Wednesday, 28th June 2017

2 (10.00 am)

3 MRS ALICE HARPER (continued)

4 Questions from MR PEOPLES (continued)

5 LADY SMITH: Just before I invite Mr Peoples to continue
6 thinks questioning, Mrs Harper, can I just underline
7 something which was touched on yesterday, which is that
8 of course this is an early stage of us gathering
9 evidence and information about Quarriers; I am sure you
10 appreciate that. It is a matter of some concern that we
11 heard yesterday that so many records have not been
12 uncovered -- and I would like to add "as yet" in the
13 hope that really no stone will be left unturned in
14 looking for any and all records to which you referred
15 which do seem to be significant and just, at the moment,
16 have not been found. For example, the logbooks and the
17 visitation reports are two which immediately come to my
18 mind as very important and potentially sources of useful
19 information and important information for this Inquiry.
20 I am sure you appreciate that.

21 A. Yes.

22 LADY SMITH: I am sure you also appreciate that as the
23 Inquiry continues, further orders will be issued by me
24 calling for not just further information but for
25 documents to be produced. So after today I would

1 certainly encourage you and your team to go back and
2 make every effort to look everywhere that has not been
3 looked and think about who might know what happened to
4 these records or even a record of what was done in
5 relation to them, which seems surprising -- it seems
6 surprising that apparently there's no record found yet
7 of that sort.

8 Can I just leave that with you at the moment because
9 it is a worry.

10 A. Yes.

11 LADY SMITH: Mr Peoples.

12 MR PEOPLES: Good morning, my Lady. Good morning,
13 Mrs Harper.

14 If I should ask you to return to the report at
15 QAR.001.001.0001.

16 Perhaps it is probably suitable at the moment,
17 bearing in mind what has just been said, just briefly to
18 touch upon your statement in relation to the general
19 position as regards records.

20 I'm not planning to return to the specific issue of
21 the logbooks, as that has been covered, but I do want to
22 get the position as matters currently stand on record.

23 We did go through the sort of documentation that
24 seems to be available to provide information that is
25 contained in parts A and B.

1 If I could go to page QAR.001.001.0002, the second
2 page of the statement you have provided. I just want to
3 pick up on a few points there are there, just before
4 passing on.

5 In relation to paragraph 5 on that page, just so I'm
6 clear what's being said, the first sentence states that:

7 "There are records available for the vast majority
8 of former Quarriers residents."

9 Why are there some records that are not available?
10 Can you just help us with that? They are not complete,
11 is that ...

12 A. We have a vast number of historical records. Any
13 records that are not there, I don't know why they are
14 not there. So the children's files, because we have had
15 over 30,000 children supported in the past through
16 Quarriers over a long period of time, you know, it is
17 good that we have fairly comprehensive children's record
18 files and we will continue to look through those to find
19 out if there's any other additional information that can
20 support the Inquiry.

21 We are not trying to cover anything up. We are
22 absolutely here to co-operate with the Inquiry and are
23 being transparent.

24 Q. Forgive me, I was not suggesting that. I was just
25 really wanting clarification that -- when we say the

1 vast majority, you have talked about 30,000 children, so
2 are we talking about a relatively small number of files
3 that may not be capable of being located?

4 A. I can't give you a number, but I don't think there will
5 be a huge number. We have vast historical records in
6 respect of children, so I can't give you an exact
7 number.

8 Q. Just so that I can be clear, would there have been
9 circumstances in which the records that were held would
10 have been released, the originals, to third parties?
11 I'm thinking in particular to the police, for example.

12 A. Yes, that is correct.

13 Q. I think the usual practice, if my memory serves me
14 right, is that after criminal proceedings are over the
15 appropriate practice is to return records, like medical
16 records or other original documents, to the provider.

17 A. That is right.

18 Q. I take it, because we have heard there has been a major
19 investigation, that records would have been uplifted.
20 Is your understanding that these records, at least for
21 the large part, have been returned to Quarriers?

22 A. For the large part. I think there may be two that are
23 still outstanding. We can confirm that number, I can
24 check that. But most of the records that were held by
25 the police have been returned.

1 Q. On a separate point at paragraph 5, which is the issue
2 of the quality of the records, I think the statement is
3 made on behalf of Quarriers that:

4 "From looking at the records, it is obvious that
5 record-keeping improved with time. Some of the
6 children's files are very thin. For children cared for
7 in the 1970s and 1980s, the files are, as a generality,
8 relatively detailed."

9 I take it then, if we turn that round, prior to the
10 1970s, it might be said in many cases the records are
11 not very detailed.

12 A. That would be correct.

13 Q. Moving away from the children's files. In paragraph 7
14 of your statement you deal with records relating to
15 former employees and the statement is made that:

16 "Quarriers only have very limited records in
17 relation to former employees [dating from the 1930s
18 through to the 1990s]."

19 You make reference to the current documentation
20 retention policy for employee records which requires the
21 organisation to keep records only for 7 years.

22 The statement is made that:

23 "There are no individual files that we are aware of
24 in relation to house parents", for example.

25 There is the register of house parents. We spoke

1 about that yesterday. I think you said that wouldn't
2 contain the sort of information you will see in
3 a personal file of an employee.

4 A. That is right.

5 Q. It would just give quite basic details?

6 A. That is correct.

7 Q. So, so far as records are concerned, are you saying
8 there that, for example, going back prior to 1990, are
9 you saying there would be no records, no personal file
10 or records of that kind which relate to employees?

11 A. That is right.

12 Q. None?

13 A. That is right. Our retention policy for employees is
14 7 years, so yes.

15 Q. That retention policy, which is the current one, how
16 long has that been in place, do you know?

17 A. Certainly it was in place when I came into post.

18 Q. I suppose what we need to know is whether there was any
19 policy or practice prior to the current policy in terms
20 of either retention or destruction of material. Is that
21 something --

22 A. I would have to check that. I haven't got that
23 information.

24 Q. That's maybe something that perhaps you could consider
25 and supply some information upon.

- 1 A. I will do.
- 2 Q. So far as employees are concerned then, if we leave
3 aside the usual records which might contain information
4 about their recruitment and their progress during
5 employment and any information of that kind and any
6 reasons why they left, would other records that are held
7 contain information of employees, for example, if
8 a matter concerning -- a serious matter concerning
9 an employee, such as a conduct issue, had been raised,
10 would documents such as those you have listed in
11 paragraph 4, such as the minute books or the committee
12 minutes or other forms of records, would they still be
13 available and may contain information about these
14 matters?
- 15 A. They may do. I can't confirm that but we can certainly
16 check that.
- 17 Q. I'm thinking, for example -- and I can't remember what
18 the answer was -- I think I touched upon it yesterday,
19 that the 1982 allegation, for example, was a serious
20 matter and, for example, that might have been the sort
21 of allegation that one might expect to have been
22 communicated in some shape or form to the governing body
23 given that the police were called in and it was
24 a serious matter. Would it be possible that minutes or
25 documents recording discussions of meetings of the body

1 or executive committee would touch upon or discuss these
2 matters?

3 A. It may be. We will have to check that information out.

4 Q. You see the point I'm making?

5 A. Absolutely.

6 Q. So far as a different category of documents, which is
7 again of some considerable relevance as far as the
8 Inquiry is concerned, you deal with historical policies
9 and procedures in paragraph 8 of your statement and you
10 state that:

11 "We have only been able [in your researches so far]
12 to trace limited documentation in relation to historic
13 policies and procedures."

14 In particular you give an example:

15 "We have not traced any policy or procedure
16 documents in relation to the internal social work
17 department which previously operated at
18 Quarrier's Village."

19 You were just giving that as an example, I take it.

20 A. Yes.

21 Q. Because you have produced, I think, so far as I can
22 recall, there's a -- I suppose that in this category the
23 two obvious examples we looked at yesterday would be the
24 standing orders --

25 A. Yes.

1 Q. -- which contain some form of internal rules that were
2 applied at least at some point in time to -- by the
3 organisation at least, leaving aside to what extent they
4 were applied in practice. But is that to some extent
5 the limit so far of what you have been able to
6 unearth --

7 A. That is correct.

8 Q. -- by way of written evidence of policy and procedure?

9 A. And also the staff handbook to some extent.

10 LADY SMITH: Where did you find the standing orders and the
11 staff handbook?

12 A. They would be within our archives and historical
13 information that we have.

14 LADY SMITH: Is that archive clearly indexed?

15 A. Yes.

16 LADY SMITH: I am just thinking aloud: I'm just wondering
17 whether further searches of areas that apparently
18 contain other documents might unearth documents that
19 seem to be missing if they have been put in the wrong
20 place in the index.

21 A. We will continue to look for any relevant information
22 but we have had extensive research over weeks and months
23 prior to the Inquiry so we will continue to do that.
24 And if there's any --

25 LADY SMITH: That though would be a classic mistake,

1 wouldn't it, somebody choosing to put the documents in
2 the wrong part in the archive and it being missed there.

3 A. It would be. I don't know if that has happened but we
4 will continue to search. As I have said before, if
5 there's any documentation we come -- I am here to be
6 co-operative and support the Inquiry, so if there's any
7 documentation that we discover, we will be -- and we
8 have done up to this point -- we will submit that.

9 LADY SMITH: Thank you.

10 Can I just say, Mrs Harper, I do appreciate you have
11 come to this recently and I'm asking you to carry out
12 a search for documents that you had no direct
13 involvement with and you weren't involved at the time,
14 but the problem is in the job you have the buck stops
15 with you, doesn't it?

16 A. Yes.

17 LADY SMITH: Thank you.

18 MR PEOPLES: Just taking up this point about policies and
19 procedures. Two points arise. I think we saw yesterday
20 that the standing orders that have been located made
21 reference to the possibility of amendment or revision by
22 way of either a further set of standing orders or
23 circulars; you can recall the passage about that in the
24 standing orders we have seen.

25 Is that the sort of document that, for example, if

1 it was the subject of discussion by the governing body,
2 might have been attached, for example, to a minute of
3 a meeting or the papers for a meeting and be archived as
4 part of the documents --

5 A. That is definitely a possibility but we have submitted
6 what we have found so far.

7 Q. Because obviously, if a matter is of that importance
8 then it may well be that the governing body would have
9 a say in whether new standing orders or some significant
10 revision should be approved or not and it might be
11 accompanied by recommendation and it may well be that
12 a draft of the proposed changes is tendered to the
13 meeting, that sort of thing. Is that --

14 A. That's a possibility.

15 Q. I mean that's what happens in a lot of organisations,
16 does it not?

17 A. Yes.

18 Q. So it may well be that something like that -- and if the
19 document itself isn't available, then the discussions
20 might show what the proposed changes -- the material
21 parts that were being put forward and the reasons for
22 them.

23 So it doesn't have to be the document itself; it
24 could be something in the discussion that will inform
25 what was happening in terms of policy and policy

- 1 changes.
- 2 A. That is correct.
- 3 Q. The other thing I wanted to ask is -- well, I think we
4 are all aware that policies, perhaps more so
5 historically, in some organisations were not always
6 written down. Whether you call them a custom or a
7 practice or a policy is rather an academic question, but
8 policies sometimes just evolve and become unwritten but
9 understood rules of the organisation. Would it be fair
10 to say that in the case of Quarriers that may well have
11 been the situation in some areas at least?
- 12 A. I guess so, yes.
- 13 Q. But it could still have been seen that, whatever the
14 practice was, it might well have reflected the
15 organisation's practice, not simply the practice of
16 an individual such as a superintendent or a house
17 parent.
- 18 A. That could be the case.
- 19 Q. But equally it might reflect a practice that was at odds
20 with what, for example, management thought was
21 appropriate.
- 22 A. Yes.
- 23 Q. The difficulty always is though if there's nothing in
24 writing it is quite hard to make these judgements.
- 25 A. That is right.

1 Q. So far as training records are concerned, I think you
2 tell us at paragraph 9 that other than brief details in
3 relation to house parents we have not been able to trace
4 any historic training records. That's not again
5 necessarily entirely a staff matter because the training
6 may be a reflection of a training policy. So, again,
7 perhaps just -- it wouldn't necessarily follow, would
8 it, that if there was a destruction procedure that
9 training policy should necessarily disappear as part of
10 that process?

11 A. No.

12 Q. Training might be a part of a -- if there were standing
13 orders or circulars in relation to important matters
14 such as training or qualifications or things of that
15 kind, you would expect perhaps maybe something to be
16 recorded on the subject?

17 A. Yes, that's a possibility.

18 Q. I think you did tell us that in the 1960s, for example,
19 there was quite a lot of changes going on, including the
20 change of policy to mixed cottages and the introduction
21 of more structured training and things of that kind in
22 the creation of a social work department at the end of
23 that decade.

24 A. That is correct.

25 Q. It strikes me that these are sort of matters that you

1 might expect to have been discussed at least at the
2 governing body level, given their importance.

3 A. That is right.

4 Q. I think we have discussed sufficiently punishment books
5 and logbooks so I think we can pass over on that one.

6 Can I ask you just one other matter about records.
7 I think it would have been a legal requirement under
8 regulations -- I don't think we need to trouble
9 ourselves locating -- but to -- for the -- for Quarriers
10 or the organisation to maintain medical records for
11 children in their care. I think that was part of the
12 regulatory framework.

13 A. Yes.

14 Q. I just want to be clear: we have talked about children's
15 files --

16 A. Yes.

17 Q. -- and you say that Quarriers do have such files, albeit
18 they may be in terms of detail, not very informative for
19 earlier periods of time; what about medical records?

20 Because they normally are documents that contain
21 a reasonable degree of detail and presumably would be
22 prepared by a medical officer who was appointed by the
23 organisation.

24 A. Yes.

25 Q. Where would we find those records?

- 1 A. They would be in the children's files.
- 2 Q. They should be a part of --
- 3 A. They should in there, yes.
- 4 Q. Just in terms of the medical officer, so I'm clear, in
5 terms of Quarriers, when it was operating the village,
6 would the medical officer have been a local doctor or
7 someone who is employed by Quarriers and, if so, on-site
8 or where else?
- 9 A. I'm trying to remember from the structure that we
10 submitted as part of the evidence if the medical officer
11 was an employee of Quarriers. I actually can't remember
12 if that is the case. Certainly nursing staff within the
13 hospitals and, as I say, we had the psychologist who was
14 employed by Quarriers. I can't actually recall if the
15 medical officer was an employee or, you know, a local GP
16 or whatever.
- 17 Q. Because what we do know I think from the report -- and
18 I don't want to go back to the detail -- but I think we
19 know that there was a hospital that was part of the
20 village.
- 21 A. Yes, that's right.
- 22 Q. We saw the photographs and indeed children who were
23 cared for at the village would attend that hospital for
24 appointments --
- 25 A. Yes.

1 Q. -- presumably either because of some acute problem or
2 because of a periodic examination --

3 A. That is right.

4 Q. -- which would be required --

5 A. That is right.

6 Q. -- and records should be kept of those --

7 A. Yes.

8 Q. -- attendances.

9 A. Yes.

10 Q. But what you can't tell us from recollection at the
11 moment is whether the person who -- the medical officer
12 who would carry out such -- who would deal with such
13 attendances came from the community or was based at the
14 hospital?

15 A. It would be within the structure that we submitted and
16 I can't recall the detail.

17 Q. I'm being reminded that -- would it be possible to look
18 at -- maybe this might help us all -- at page
19 QAR.001.001.0279, which I have been helpfully reminded
20 that we have, this is the organisational structure,
21 I think, in the past. Does that assist us? It is
22 really rather difficult to read.

23 A. It does, actually. You will see there is a medical
24 advisory board, an honorary dentist, radiographer, and
25 a medical superintendent, medical consultants varied.

1 So, yes, they are reporting in, so that would imply to
2 me that they are within our employment.

3 Q. I suppose it is the organisational structure. It may be
4 that you are making an assumption. I think in some
5 cases there is a requirement for a medical officer as
6 a matter of, I think, legal requirement but it may be
7 something that you could perhaps pursue. I don't think
8 we need to know the answer today. I was more concerned
9 for the records themselves. But maybe we could just
10 establish whether these individuals were employees of
11 Quarriers and either were based on-site or came from
12 time to time and if they were not employees whether they
13 were, for example, local doctors or other health
14 professionals.

15 A. As I mentioned, it would imply to me that they are
16 employees, but we will double check that.

17 LADY SMITH: Yes, they are in part of the chart that
18 mentions others who must have been employees, for
19 example, the matron --

20 A. Yes.

21 LADY SMITH: -- and the nursing staff.

22 A. I will check it.

23 MR PEOPLES: Yes, if you can check that would be very
24 helpful. I think there would be a matron on-site who
25 would be in charge of the hospital.

1 A. Yes.

2 LADY SMITH: She presumably had nursing staff who reported
3 to her. It is just probably the other side of it, the
4 medical side, whether there was a doctor who was full
5 time at the hospital or not. That would be helpful if
6 you could.

7 The main point is the records should include medical
8 records relating to individual children.

9 A. That is right, yes.

10 Q. And that perhaps, in that case at least, that might have
11 more detail than some of the other parts of the file.

12 A. What we can do, if it helps the Inquiry, is we can
13 submit an example of a medical record.

14 Q. If I could move to something different.

15 Could you go to page QAR.001.001.0323, which is the
16 extract from Anna Magnusson's book, which is published
17 in 2006, the revised edition.

18 I think that's what's been done here is to reproduce
19 certain pages from that publication. I don't want to go
20 through this in any detail today but one thing it does
21 do, for those that want to look at it in more depth, it
22 does give the history of Quarriers and indeed a lot of
23 information about William Quarrier and why he founded
24 Quarriers and the creation of things like the brigade
25 and then the establishment of homes and the principles

1 like the cottage principle that he adopted and
2 implemented at Quarrier's Village.

3 What is said in the extracts that have been
4 reproduced at page QAR.001.001.0323, if I go to the
5 bottom of that page, is a statement that:

6 "Over the decades since Quarrier built his
7 children's city [as it is described] at Bridge of Weir
8 there have been many changes, of course, to keep abreast
9 with the changing times, especially in the sixty years
10 since the Second World War. The cottage groups became
11 too large. Sometimes discipline became excessive, even
12 cruel. Brothers and sisters were separated and
13 segregated. The Canadian emigration scheme suffered
14 when examples of gross exploitation and neglect of
15 British children came to light."

16 We are not going to pursue -- I said we might look
17 at that. There is quite a lot of information included
18 in the extract and in the book itself about that matter
19 and I think we can read it for ourselves about why that
20 statement was made and what the background to it was,
21 particularly about what was going on at the end of the
22 19th century into the 20th century. I think to a point
23 that Canada stopped, I think, taking children from
24 Britain because of concerns.

25 A. That is right.

1 Q. I think some local legislation was passed in Canada to
2 address concerns raised in an important report that was
3 published in the 19th century.

4 I'm summarising it very briefly, but there is
5 a background to that and I think it was because of
6 concerns about what happened when the children reached
7 Canada and the extent to which or the absence of
8 supervision of such children once they were taken there.

9 There's also, if I turn to the next page,
10 QAR.001.001.0324, there are descriptions on that page at
11 the first part of that page about what William Quarrier
12 sought to establish and create and I think you made the
13 point yesterday that what he created was, for the
14 children, a lot better than what they had before --

15 A. It was in the best interests of the children --

16 Q. There are two paragraphs I will read because I think one
17 has to get a sense of this in perspective. The fourth
18 paragraph down, having set out his various achievements
19 in creating the village to supplement what was clearly
20 an absence of appropriate or sufficient state care, it
21 says:

22 "These are fine achievements, to be trumpeted and
23 celebrated. But the author does not attempt to fudge
24 the failures, [this is in the foreward actually] any
25 more than Quarriers has done-in particular, the

1 sickening cases of child abuse at the Village in the
2 1960s, which have come to light only in recent years."

3 That is a reflection not everything was good. If
4 I may also just add what is also said in the following
5 paragraph in the foreward:

6 "'The Quarriers Story' tells the whole tale of the
7 passing years, of these changing times -- and of the
8 thousands of lives which were transformed. It is much
9 more than a deserved tribute to William Quarrier and to
10 the men and women of Quarriers down the years. It is
11 a story of high hope and heroism, of determination and
12 dedication, of warmth and willingness, of conscience and
13 compassion."

14 Perhaps one has to keep in mind that there would be
15 good and bad experiences, rather than simply focus on
16 the experience of those who perhaps suffered when they
17 shouldn't have done.

18 A. Yes.

19 Q. I think on the following pages -- I am not going to go
20 through them -- some of the matters we discussed
21 yesterday about the evolution of Quarriers and the
22 changes due to the changes in social care and other
23 things are dealt with and discussed in this work.

24 Then, if we go on to page QAR.001.001.0336, just
25 towards two thirds of the way down, I think we see there

1 is an extract from pages 110 to 112, which has been
2 reproduced. I don't intend to go over that but, if we
3 then go on to the following page, QAR.001.001.0337.

4 The next extract is taken from page 139 of the
5 Magnusson book dealing with wartime and what emerged
6 from the wartime experiences of evacuation and the
7 setting up of the committees.

8 I took the trouble to look at Anna Magnusson's book
9 and there are other passages which perhaps I can read to
10 you which have not been reproduced in this part of the
11 report. At page 130, it is stated by the author that:

12 "The first half of the 20th century was an era of
13 rigidly enforced rules and uniform practices.
14 Everything was done at a set time and in a set way."

15 I am not sure, but would you have any quarrel with
16 that statement?

17 A. No.

18 Q. Because I think you said you felt it was a largely
19 accurate description of Quarriers --

20 A. Yes.

21 Q. -- warts and all.

22 Then, the observation is made in relation to quality
23 of life at page 131 and I quote:

24 "More than anything, the quality of life in the
25 homes depended on the cottage parents."

1 Again would you have any quarrel with that?

2 A. Certainly from yesterday we covered that there could be
3 variations in the cottage home depending on the house
4 parents.

5 Q. And there was a lot of autonomy?

6 A. Yes.

7 Q. Of course, we have discussed the fact that it is clear
8 that, at least in the earlier part of the period we are
9 concerned with, there was no training given and no
10 qualifications required other than the good Christian
11 faith and so forth.

12 A. Yes.

13 Q. As regards discipline, the author states at page 132 --
14 and I quote:

15 "Discipline for all children was, by today's
16 standards, strict but there were a few men and women who
17 most certainly punished children in their care
18 excessively and in some cases treated them with
19 unbelievable cruelty."

20 Is that something you take issue with?

21 A. Certainly through -- obviously the information now
22 within Anna Magnusson's book and the "Time to Be Heard",
23 etc, I would agree with that.

24 Q. I think if we want to look even for some contemporaneous
25 evidence, we have so the James Kelly letter of 1937 to

1 support that statement; is that fair?

2 A. Yes.

3 Q. That's not judging it by contemporary standards; he felt
4 moved to tell house parents that the punishment was
5 grossly excessive.

6 A. Yes, in 1937.

7 Q. Then, if I could just also read two more passages. One
8 at page 133 of the work where it is also stated:

9 "The worst thing was there was little help. If
10 a child happened to be in a bad cottage, complaining was
11 out of the question; they would probably be punished for
12 that too. They were powerless. Besides, the children
13 had virtually no contact with the higher authorities in
14 the homes. A child could be cruelly mistreated and few
15 outside the cottage would know about it."

16 I think that might echo a point that the chair
17 raised with you about the degree to which a child could
18 speak to the superintendent --

19 A. Yes, speak to the superintendent, yesterday.

20 Q. -- and seek permission through the house parent for
21 example, particularly if it related to the conduct of
22 the house parent.

23 This might be a matter for further explanation in
24 due course when further information is available, but at
25 page 133 she touches upon the state of knowledge of

1 abuse at the time. She says -- and I quote:

2 "There was certainly a different attitude to
3 physical punishment in those days, but those who
4 experience physical abuse as children don't complain
5 about being spanked or having to endure strict
6 discipline; what they are describing by any standards is
7 cruelty and excessive physical punishment. Whether this
8 was tolerated or not known about by the managers of the
9 days is difficult to say."

10 That's just the view of the author based on whatever
11 research she did and she goes on:

12 "But a 'spare the rod and spoil the child' mentality
13 and culture could bring out the worst in some staff."

14 I think we did see yesterday, certainly in relation
15 to some matters, perhaps there was a degree of
16 encouragement to that approach by, for example, the
17 attitude to bed-wetting, which was seen as objectionable
18 by the organisation.

19 A. Yes.

20 Q. I think obviously, as regards state of knowledge,
21 certainly in 1937, it was known that excessive
22 punishment physically was being administered, at least
23 in some cases, to certain children.

24 I suppose because it will always be said that one
25 has to judge it by the standards of the day, and that

1 may well be a valid point for people to raise and
2 consider, but I suppose if we are talking of not simply
3 either issues of physical chastisement but issues of
4 particularly sexual abuse, then by any standards, there
5 was no justification --

6 A. It is not acceptable.

7 Q. -- whenever that happened so we can't use that as a
8 justification for any conduct of that kind and you
9 readily accept that.

10 A. Absolutely.

11 LADY SMITH: And so far as corporal punishment is concerned,
12 the 1937 letter gives us evidence to the effect that it
13 was not the standard of the day, at least in the mind of
14 that author, to punish the children physically in the
15 way they were being punished. It was expressed in quite
16 strong terms.

17 A. Yes.

18 MR PEOPLES: I think I'm not going to refer to this, but
19 I will just, for the record, I think that -- and this is
20 something that was not in the first edition, in
21 chapter 15 there is actually a specific chapter entitled
22 "Past Wrongs" and I think reference is made to several
23 notable convictions of staff who were, I think, fairly
24 long serving employees of Quarriers --

25 A. Yes.

1 Q. -- in the past.

2 If I could move finally to part B of the response,
3 if I may, and take you to QAR.001.001.0281. This is
4 described as a current statement. Its purpose
5 essentially was to offer an opportunity, I think, to
6 make some form of retrospective acknowledgment or
7 admission about things that may have gone on in the past
8 in the context of the abuse of children in care.

9 I will just take you through some of this. Some of
10 it we have touched on yesterday but I think we need to
11 look at the specific questions and answers that are
12 given.

13 In terms of paragraph 3.1 on that page, the question
14 is asked:

15 "Does the organisation/establishment accept that
16 between [I think in these cases it is one and the same]
17 1930 and 17 December 2014 some children cared for at the
18 establishment were abused?"

19 The response is:

20 "Yes. We do since we are aware of seven convictions
21 relating to the period from 1955-1981 and that further
22 allegations have been made."

23 A. Yes.

24 Q. In passing can I just say for the benefit of perhaps
25 those who are here today and the public in general,

1 I think that you can confirm that you were asked to
2 provide greater detail of that matter in what's -- in
3 a section of the report which is part D, which we are
4 not discussing today, but in due course will be
5 considered and explored in more depth. So I just want
6 to perhaps get you to confirm that that is the
7 statement --

8 A. We accept and we acknowledge that abuse happened in
9 Quarriers.

10 Q. So far as the details concerned, as I have said, it is
11 in part D of a response that you have now submitted to
12 the Inquiry, and would be the sort of material that
13 would be more appropriate for detailed consideration in
14 a case study in relation to Quarriers.

15 But can I just take from you -- and I don't expect
16 you to be overly familiar with the detail of part D --
17 but you can -- I had an opportunity to have a look at
18 some of the material and can I just say I think that you
19 have said that you are aware of allegations of abuse and
20 I think that there are allegations that have been made
21 against approximately 37 former staff of the village --

22 A. 37, yes.

23 Q. -- and that, as we have already noted, seven former
24 members of staff were convicted of abuse of children in
25 the care of Quarriers and that, I think, it is also said

1 that one other conviction was overturned on appeal. So
2 there was an eighth --

3 A. That is right.

4 Q. -- trial where there was a conviction at first instance.

5 The period covered by these convictions is the
6 period from 1955 through to 1981?

7 A. That is correct.

8 Q. I think I took from you yesterday that in relation to
9 those convictions -- I think it was in the order of 23
10 complainers who gave evidence that resulted in the
11 convictions --

12 A. That is correct.

13 Q. -- that you have mentioned.

14 Another point you make in both, I think, part D and
15 also in part B, I think, that many allegations of which
16 Quarriers are aware were made from 2000 onwards --

17 A. Yes.

18 Q. -- some time after the cottages ceased to be
19 operational. I think the point has been made that the
20 majority of those at least were made against former
21 staff --

22 A. Yes, that is right, former house parents.

23 Q. That is my understanding. We can look at the detail in
24 due course and we will do so, but it is just to get
25 a broad picture of the situation.

1 While there were 23 complainers whose evidence
2 resulted in the conviction of seven staff, am I correct
3 in assuming, or understanding, that the number of known
4 complainers -- that's known at least to Quarriers, there
5 may be others known to other parties, such as the
6 police, that -- I have a total here that seems to be in
7 the order of at least 86 complainers, perhaps more.
8 Would that accord with your general -- that may have
9 made allegations. Some female, some male. You may not
10 be able to help me with that. I'm just trying to make
11 the point that the 23 complainers are not the sole
12 complainers --

13 A. No.

14 Q. -- who have made allegations of abuse. We can agree on
15 that, can we?

16 A. Yes.

17 Q. So far as the question of internal investigation is
18 concerned, again, I just want the generality at this
19 stage, my understanding is that Quarriers did not
20 conduct any internal investigation into allegations of
21 non-recent abuse at the village.

22 A. It was because of the police investigation,
23 I understand.

24 Q. Yes, because I think we discussed there was a major
25 investigation --

1 A. Yes.

2 Q. -- in the early part of 2000 or the early 2000s.

3 So far as contemporaneous alleged abuse is
4 concerned, we did discuss -- and I won't go back to the
5 detail -- the 1982 allegation --

6 A. Yes.

7 Q. -- against a former employee who was subsequently
8 convicted of the abuse of other children. As I noted
9 yesterday, there was no investigation centrally by
10 Quarriers of that particular matter.

11 A. No.

12 Q. I think I am correct in saying that examination of the
13 children's files, which has been a limited examination,
14 it has not been an examination of all files, has
15 revealed or has disclosed that there were complaints of
16 abuse that were made by and on behalf of children in the
17 care of Quarriers when these children were still
18 children. You have seen or those looking at the files
19 have seen examples of that --

20 A. Yes.

21 Q. -- is that correct?

22 So far as the files reviewed are concerned, and it
23 may be that a different picture emerges if there was
24 a full review, in most instances the examples that have
25 been located relate to complaints of peer abuse.

- 1 A. Yes.
- 2 Q. So far as those contemporaneous allegations are
3 concerned, whether against staff or others, including
4 peers, are concerned, were these allegations at the time
5 investigated by Quarriers --
- 6 A. My --
- 7 Q. -- what's your understanding?
- 8 A. My understanding is, and I mentioned yesterday, that the
9 allegations came out after 2000 and therefore they would
10 be -- Quarriers would know about them through civil
11 claims for compensation, so we assume they would be
12 investigated by the police --
- 13 Q. I probably put the matter badly, but I'm not sure that
14 was the question I was asking.
- 15 I appreciate the point that you are making that
16 I think for non-recent disclosures or allegations the
17 position of Quarriers is, and it is stated in part B,
18 that there was no separate investigation --
- 19 A. No.
- 20 Q. -- the matter was left in the hands of the police --
- 21 A. That is right.
- 22 Q. -- and these matters were investigated and Quarriers
23 co-operated in the investigation. I think that is the
24 broad position --
- 25 A. That's right, that's correct.

1 Q. If I go back to the situation -- I think you have told
2 us about the 1982 allegation, that there was no
3 investigation separately by Quarriers in relation to
4 that allegation, which was against a matter of staff.

5 A. That is correct.

6 Q. If we look at the allegations that were made by
7 children, allegations of abuse by other children, peer
8 abuse, which -- and there appears to be examples of that
9 in the files that have been reviewed -- and that's not
10 all of the files, as I understand it, that have been --
11 not all the files have been reviewed. What I'm asking
12 about those allegations -- just call them peer abuse
13 allegations for the moment -- that if there is a record
14 of those, what happened? Do the records disclose that
15 these were properly investigated and findings made and
16 people interviewed and so forth? Do you know -- can you
17 help us on that?

18 A. I can't help you with that. I'm not aware or I have not
19 seen any outcomes of investigations, internal
20 investigations.

21 Q. So --

22 LADY SMITH: Well, can you say if there were any internal
23 investigations?

24 A. I haven't got that information, I'm not aware --

25 LADY SMITH: But there is indication in some of the records

1 of children at the time complaining of peer abuse?

2 A. Yes.

3 LADY SMITH: And that's all there is; is that what you are

4 saying?

5 A. That's what I am personally aware of, but we will do

6 further checks to see if there's any outcomes.

7 MR PEOPLES: Yes because you see the point I'm making --

8 A. Yes --

9 Q. -- that if the record -- the children's file says that

10 someone, either personally or through another person,

11 complained of, in this case, peer abuse, one would

12 expect the record to go further --

13 A. Yes.

14 Q. -- and state what response there was to those

15 allegations, what was done, what action was taken, what

16 investigations were carried out, what the outcome was,

17 whether anyone was disciplined, dismissed, reported to

18 the police, whatever.

19 A. Yes.

20 Q. But am I correct in understanding that the review of the

21 files that have been seen that contain those doesn't

22 appear to tell us anything about these matters?

23 A. Not that I'm aware of.

24 Q. So that either we have to look somewhere else or we may

25 conclude that that's all that happened, that something

1 was said and that was all and it was recorded?

2 A. That is correct.

3 Q. That's one possibility?

4 A. That is a possibility, yes.

5 Q. Because you would expect if an allegation is recorded

6 that you would expect something else to be recorded

7 along with that to make the record accurate and

8 intelligible.

9 A. Yes.

10 LADY SMITH: You mentioned yesterday that in relation to --

11 let's call them broadly concerns -- you could see

12 examples of house parents being moved or children being

13 moved --

14 A. Yes.

15 LADY SMITH: -- between different cottages. Can you link

16 any of those moves to these complaints of peer abuse?

17 I have in mind, for example, if you find a complaint of

18 peer abuse in a record, nothing more is said about the

19 complaint, but shortly after the complaint the child is

20 moved to another cottage.

21 A. I can't recall. I would have to check.

22 LADY SMITH: That would have to be looked for, wouldn't it?

23 A. Yes.

24 MR PEOPLES: Just in terms of those examples that the chair

25 has mentioned, if there is some sort of record -- and

1 I'm not sure where the record was -- if the concern was
2 voiced and some action appears to have been taken that
3 someone gets moved, whether it is a child or a house
4 parent, are you saying that that record is in the
5 children's files or is it in a minute of a board meeting
6 or an executive committee or in some other document?

7 Which document --

8 A. I'm not aware of any record that gives the reason.

9 Q. But are you aware of any record that mentions the fact
10 that there were concerns or that it resulted in a house
11 parent being moved from cottage A to cottage B or
12 a child being moved from cottage C to cottage D or
13 whatever?

14 A. There is something to do with concerns being raised and
15 house parents being moved and I'm trying to recall where
16 I have read that, whether it has been in the "Time to Be
17 Heard" report by Tom Shaw or whether that was in the
18 Anna Magnusson, but there is some information in
19 a report where there has been concerns raised.

20 Q. So we are not to assume at the moment -- and obviously
21 this might be subject to further investigation -- that
22 these concerns and any action that seems to have been
23 recorded would be things that are in the children's file
24 that have been reviewed? They may have been based on
25 some other record or some other document that you have

1 looked at?

2 A. They may have been, yes.

3 Q. But the fact remains -- the main point is the
4 allegations appear to have been made --

5 A. Yes.

6 Q. -- and I suppose that the interest of the Inquiry is:
7 what actually happened in response at the time and why
8 and to what extent there was any process or procedure
9 and how that played out.

10 I think, just to complete this sort of general
11 picture, I think it is correct to say that -- this might
12 echo some of the things you have in mind -- that there
13 are former residents who have said either to the
14 organisation or to others perhaps, Tom Shaw for
15 example -- or indeed to the police is a possibility --
16 that abuse was reported either to house parents or to
17 the management at Quarriers. I think you are aware that
18 there are reports of that kind that have been made --

19 A. Mm.

20 Q. -- by former residents. I think some at least, as
21 I understand it, have said that those complaints were in
22 some cases ignored or no action was taken in relation to
23 them.

24 A. Yes.

25 Q. Is that your understanding --

- 1 A. Yes.
- 2 Q. -- that there are such reports?
- 3 A. Yes.
- 4 Q. Am I correct -- I just want to be clear -- that
5 Quarriers' position, as matters currently stand, is they
6 don't know to what extent such reports are accurate
7 based on the researches to date?
- 8 A. Yes.
- 9 Q. I suppose one matter that one would have to consider
10 based on these types of reports is whether there's any
11 record of these matters in either the children's files
12 or in other documents held by Quarriers?
- 13 A. Yes.
- 14 Q. That would be one way of trying to see if one can
15 confirm that the reports are accurate?
- 16 A. Yes.
- 17 Q. Of course, if there's no record, it doesn't follow, does
18 it, that the reports are inaccurate because they may not
19 have been recorded?
- 20 A. This is true.
- 21 Q. I suppose I should say for completeness that
22 I understand that in some cases testimony given by
23 former residents has indicated that in some instances
24 action was taken. It may be that one of the actions
25 that has been mentioned in such testimony could be that,

1 "I was moved", or, "The person I alleged did something,
2 that I didn't approve of or I didn't like or was bad was
3 moved from my cottage to another cottage". That is
4 a possibility?

5 A. Yes. As you say, it is in some of the documentation
6 that we have researched.

7 Q. If I could return to the QAR.001.001.0281 to 3.1(ii).
8 There is a question:

9 "What is the organisation/establishment's assessment
10 of the extent and scale of such abuse?"

11 The response is:

12 "Quarriers does not know the true nature and extent
13 of the abuse which occurred at Quarrier's Village.
14 However, we acknowledge that such abuse took place."

15 A. Yes, we do acknowledge that such abuse took place in
16 Quarrier's Village and we apologise unreservedly to any
17 child that has been abused while in the care of
18 Quarriers. We don't know the true extent of the abuse
19 because we understand, you know, obviously, it is very
20 difficult for individuals/survivors who have been abused
21 to come forward and there is the National Confidential
22 Forum because of the nature of that then we as
23 an organisation don't necessarily know who has come
24 forward to discuss abuse.

25 Equally here today at the Inquiry individuals are

1 encouraged to come and speak, so we as an organisation
2 don't know that total extent at this time.

3 LADY SMITH: But you do accept that we are looking at
4 a period spanning 26 years?

5 A. Yes.

6 LADY SMITH: A very significant part of Quarriers' history
7 whilst they were providing widespread residential care.

8 A. Yes, we don't disagree with that.

9 MR PEOPLES: In fact the period might be longer, might it,
10 because that period covers the convictions, so it may be
11 extended either forwards or backwards depending on what
12 the other allegations relate to --

13 A. That is right.

14 Q. -- what period they relate to; is that correct?

15 A. That is right, there is that further period.

16 Q. I think that, so far as what is known, at least what is
17 known about what is being reported is concerned, mention
18 is made at QAR.001.001.0281 of various forms of reported
19 abuse or ill-treatment that were -- which were disclosed
20 during the "Time to Be Heard" process; is that correct?

21 A. That is right.

22 Q. One is the response to bed-wetting with punishment or
23 humiliation. We certainly saw the standing orders had
24 something to say on that matter.

25 Forced feeding. Again, I think there is some

1 discussion in the standards about feeding and meals, but
2 I do not think it advocates force-feeding, but people
3 have reported that that happened.

4 A. Yes, they have.

5 Q. Excessive physical punishment. We have seen the 1937
6 letter; at least there is something that supports that
7 at the time that the letter was written.

8 Then sexual abuse. Of course we do know that there
9 have been convictions for both physical and sexual abuse
10 over a considerable period of time.

11 There's also, I think, reports of emotional abuse
12 and neglect and, I think, that can take a variety of
13 forms.

14 A. Yes.

15 Q. So there is quite a range of reported abuse. Some of it
16 we can see is confirmed by what is known --

17 A. Yes.

18 Q. -- in this case.

19 Again, I will not labour the point because I think
20 we have -- I have gone through before what is known and
21 what we do know about convictions and the bases of
22 knowledge of other allegations of abuse.

23 I think one other source of knowledge which has been
24 relied on by Quarriers is the context of civil claims
25 and those who have chosen to participate in the "Time to

1 Be Heard" process. This is part of the conviction that
2 assisted Quarriers to get an understanding of what is
3 the nature and extent of the abuse, or alleged abuse,
4 that occurred; is that correct?

5 A. Yes, that is correct.

6 Q. So far as the civil actions are concerned -- again, this
7 is not the place to go into the detail about these
8 matters, but I think that is covered by your part D
9 response, which we are not dealing with today.

10 A. Yes.

11 Q. But it is correct to say, is it not, that there were
12 a number of actions raised against Quarriers --

13 A. Yes.

14 Q. -- in respect of a range of abuse?

15 A. That is correct.

16 Q. And these actions were brought by former residents?

17 A. Yes.

18 Q. I think I have got in my head something in the order of
19 between 20 and 30 actions, but I stand to be corrected.
20 I'm trying to get a general flavour for the number that
21 has been raised. I'm not suggesting that is the total
22 number of allegations other than convictions. Would
23 that accord with your -- maybe it is not a fair question
24 to ask.

25 A. Uh-huh.

1 Q. But it is not just one or two we are talking about?

2 A. No, it is a number, yes.

3 Q. They would cover presumably a range of periods --

4 A. Yes.

5 Q. -- and a range of abuses?

6 A. Yes, prior to 1951 and going after --

7 Q. Prior to 1955?

8 A. Sorry, prior to 1955 and going just after post 1981.

9 Q. Then, if we go on to page QAR.001.001.0282, I think you

10 have made the point already, and so I don't need to

11 repeat it, that in some cases people who have been the

12 victim of childhood abuse find it difficult to come

13 forward. So these are the people that don't talk?

14 A. Yes.

15 Q. Is it not common knowledge, and you may well be able to

16 confirm this, that it is widely accepted that abuse,

17 whether in care or in the community, is under-reported?

18 A. Absolutely. It is the nature of that experience; people

19 don't necessarily want to talk about it because it is

20 very traumatic.

21 Q. Then, just following through -- I'm not going to read

22 the whole of it, but you made the point about the timing

23 of making of allegations in a lot of cases and in

24 relation to Quarriers that these allegations came to

25 light from 2000 onwards. But of course we have

1 discussed that there were allegations that were made by
2 children --

3 A. Yes.

4 Q. -- particularly against peers, but we have obviously
5 seen one notable example of an allegation against
6 a member of staff.

7 You go on to say -- and I will just read what's
8 said:

9 "Quarriers' priorities since 2000 have been to
10 provide a platform to assist survivors; to assist any
11 police investigations in any way we can; and to try to
12 ensure, as far as possible, that there could be no
13 repetition of any such wrongdoings in the future by
14 adopting a zero-tolerance approach to abuse."

15 Just by way of a general question -- and I don't
16 want to take this at length -- but in relation to those
17 complainers that had to go through the process of giving
18 evidence at the trials of those who were convicted, did
19 Quarriers, as an organisation, take any specific steps
20 to support them before, during and after the trials?

21 A. The specific support I understand would be Quarriers
22 would obviously co-operate with the police in the
23 investigation, etc. With relation to survivors we
24 offered -- people could, for example, come to check the
25 records. I believe that counselling was offered by

1 Quarriers. We also, as part of that recognition of the
2 wrongdoings, took part and offered to take part in the
3 pilot "Time to Be Heard", recognising survivors' voices
4 needed to be heard. We took part in that also.

5 The SIRCC report was commissioned -- that is the
6 Scottish Institute of Residential Child Care, to look at
7 the current practices at that time, what we could learn
8 from that, and what was the current state of play with
9 regards to child care and safeguarding within the
10 organisation. All the actions have been implemented
11 from that report.

12 LADY SMITH: Sorry, are you saying that is a report that
13 Quarriers commissioned from the institute?

14 A. Yes, from the Scottish Institute.

15 LADY SMITH: Because of course would there have been other
16 reports commissioned by government, such as "Time to Be
17 Heard", to which you have already referred?

18 A. Yes.

19 LADY SMITH: When you were talking about Quarriers being
20 involved in a pilot, was that in connection with the
21 decision to use Quarriers to explore what was referred
22 to as a model of possible response to child abuse?

23 A. That was the "Time to Be Heard".

24 LADY SMITH: In "Time to Be Heard"? Yes, thank you.

25 MR PEOPLES: Just dealing with this briefly because we have

1 not really discussed it but the "Time to Be Heard" was
2 a pilot that was almost testing what became the National
3 Confidential Forum, isn't it?

4 A. That is correct.

5 Q. Quarriers was used to test this process and to see
6 whether -- and people came forward and --

7 A. Yes.

8 Q. -- gave accounts of experiences and that was recorded
9 and reported on by Tom Shaw.

10 A. That is right.

11 Q. This was after his major review that had taken place in
12 2007, I think.

13 A. I believe it was the report "Time to Be Heard (2011)".

14 Q. Yes. The other report that was just mentioned which was
15 commissioned by Quarriers was a report from the Scottish
16 Institute of Residential Child Care, as we have called
17 it, SIRCC. Just for the record that report has been
18 reproduced as part of the response that we are looking
19 at today. I will just give the reference at the moment:
20 QAR.001.001.0176.

21 It is quite a long report --

22 A. Yes.

23 Q. -- which was an independent report, I think, to review
24 matters and to look at Quarriers' practices as of the
25 date of the review, I think.

1 A. Yes.

2 Q. The period was --

3 A. I think it was 2002.

4 Q. Yes, maybe we will just look at QAR.001.001.0178
5 briefly, if I can, just to put some context in this.

6 In the introductory section, if we just scroll down
7 to about halfway down, do you see that the content of
8 the report, it says in the third paragraph, relates to
9 the systems and practice in the period between
10 13th August 2001 and 16th May 2002.

11 A. That is right.

12 Q. So it was looking -- it was a contemporaneous review of
13 the then practices and procedures. Again, without
14 labouring it -- and I'm not going to go through the
15 report in detail, it is there to be read -- it was to
16 an extent based on observation by the independent
17 consultants, who interviewed of staff and residents --

18 A. And observation.

19 Q. Yes, and access to various records, and the use of some
20 questionnaires to establish any concerns and any issues
21 that might arise that would give rise to
22 recommendations.

23 I think those who read the report can see that there
24 were a number of recommendations made in a number of
25 areas.

1 A. There was also recognition that a lot of work had
2 already been done and put in place by then as well.

3 Q. Yes.

4 LADY SMITH: That's recognised in the third last paragraph,
5 isn't it?

6 A. Yes.

7 MR PEOPLES: Just for the record, again, the general
8 conclusions are set out and I will give the reference
9 and maybe just bring it up briefly: QAR.001.001.0214.

10 I think perhaps I should just read this:

11 "Although children and young people's safety can
12 never be 100 per cent guaranteed, we found considerable
13 evidence that safety has been an area of consistent
14 attention and action by Quarriers in recent years. We
15 observed and heard about good, thoughtful, child-centred
16 practice. The culture of the organisation was one that
17 was open to finding out about and respecting young
18 people's choices and views. Parents, inspectors and
19 other visitors were welcome, as were the consultants
20 carrying out the audit. Quarriers does not have the
21 appearance of an organisation with things to hide.
22 Staff and young people expressed their views openly and
23 candidly to us.

24 "Inevitably we found areas where improvement could
25 be made and we have provided a number of recommendations

1 on issues such as tightening up safety procedures for
2 medication; young people and parents being better
3 informed about and having better access to complaints
4 and other procedures; supervision; certain training and
5 team building for staff; and care and unit development
6 planning. Some of the areas of concern were not mainly
7 within Quarriers' control (for instance, discrimination
8 against children with disabilities and looked-after
9 children in local communities and lack of visits from
10 local authority social workers). Nevertheless Quarriers
11 staff should actively pursue such matters.

12 "The audit is called 'Feeling Safe, Being Safe'. On
13 the basis of the findings of this audit and Quarriers'
14 intention to implement its recommendations, we consider
15 that Quarriers can legitimately reassure service users
16 and their families, staff and local authorities making
17 placements that the risk of current and future abuse has
18 been minimised and that their units are places where
19 children and young people can feel and be safe."

20 So that was the conclusion and it is said that there
21 was a willingness to implement recommendations. Do
22 I take it that all recommendations which were put
23 forward at that time were accepted and implemented by
24 Quarriers?

25 A. Yes, they have all been implemented, yes.

1 Q. Forgive me, it is a rather bulky bundle. (Pause). If
2 I could take you back to QAR.001.001.0282, which is the
3 part B response. What I would like to do is to look at
4 the section at paragraph 3.2 headed:

5 "Acknowledgement of systemic failures."

6 The first question asked is:

7 "Does the organisation/establishment accept that its
8 systems failed to protect children cared for at the
9 establishment between 1930 and 17 December 2014 from
10 abuse?"

11 The answer given is:

12 "Yes. In the context of trying to provide a better
13 alternative for over 30,000 children in our care since
14 Victorian times, we acknowledge that historically the
15 systems and norms of the time, and within our own
16 organisation, failed to provide adequate protection to
17 all children."

18 A. Yes.

19 Q. Then the second question that was asked was:

20 "What is the organisation/establishment's assessment
21 of the extent of such systemic failures?"

22 I suppose this harks back to an earlier point made:

23 "Quarriers acknowledges that it does not know the
24 precise extent of any systemic failures."

25 That maybe harks back to not having a complete

1 knowledge of the true extent and scale of the abuse that
2 did occur?

3 A. That's exactly that.

4 Q. Then if we turn over to page QAR.001.001.0283, the
5 answer continues:

6 "Quarrier's Village was a cottage-based care system.
7 The intention was that children would live in a family
8 type environment under the care of house parents in
9 individual houses or cottages. The house parents in the
10 cottages were given a great deal of autonomy. The
11 extent of variation in how children within individual
12 cottages were treated would not be acceptable today."

13 I think then you list a series of areas perhaps
14 which do raise systemic issues --

15 A. Yes.

16 Q. -- that the Inquiry could usefully explore and consider
17 in this context. I'm not going to go through them in
18 detail because I think we in fact covered these in large
19 measure yesterday.

20 A. Yes.

21 Q. But the heads that you have identified in terms of
22 systems is firstly the process of recruitment, and that
23 the fact that historically recruitment was not regulated
24 by the state and indeed I think you have explained the
25 actual process of recruitment by Quarriers and the

1 criteria, perhaps absence of criteria, that were used to
2 select house parents.

3 A. Yes.

4 Q. Training is another area and you make the point that we
5 discussed yesterday that formal training was neither the
6 norm within Quarriers or across society -- I think you
7 probably mean in the care sector --

8 A. Yes.

9 Q. -- until the 1960s and that potentially staff were
10 largely untrained until that point in time.

11 A. Yes and similarly with supervision and monitoring, not
12 just within Quarriers but other reports would suggest
13 that was wider as well.

14 Q. So there was an absence, you would say, of proper
15 supervision and monitoring of the kind --

16 A. Yes.

17 Q. -- that we see today more overtly and that this is
18 again, I suppose, the autonomy point, at least in the
19 case of Quarriers:

20 "House parents enjoyed a large degree of autonomy."

21 A. Yes.

22 Q. Of course we also saw the treatment of the problem of
23 bed-wetting; I don't need to go back on that one, but we
24 have seen the terms of the standing order. We don't
25 really know how long those standing orders appeared to

1 be in force.

2 So far as physical punishment is concerned, I may
3 just look at that.

4 It is said that:

5 "How and when punishment was administered was left
6 predominantly to individual house parents to decide."

7 I think we saw how the matter was dealt with in the
8 standing orders, at least when they were in force:

9 "There is some evidence of control being exercised
10 [and you make reference to the 1937 letter] and some
11 evidence of guidance being given."

12 And you mention some of the documents we looked at
13 yesterday in terms of the Home Office Adapted Guidance,
14 I think.

15 You say:

16 "Quarriers has traced documents from the 1950s which
17 stipulate the levels of physical punishment which were
18 considered acceptable."

19 Is that a reference to the documents we looked at
20 yesterday?

21 A. Yes.

22 Q. Because I do not think we found it easy to put a date on
23 them.

24 A. It was to do with the use of the strap. Yes, we went
25 over that yesterday.

1 Q. We think those are from the 1950s? At least that's
2 Quarriers' position?

3 A. It suggests that.

4 Q. Yes. Okay.

5 You then go to say:

6 "There is reported evidence that details of any
7 punishment administered would have been recorded in
8 a punishment book or logbook which would have been
9 reviewed by the superintendent."

10 The point then is made:

11 "We have not been able to trace copies of logbooks
12 or punishment books for the individual cottages."

13 As far as sexual abuse, it is said:

14 "Historically there was far less awareness of sexual
15 abuse across society. In addition, attitudes to
16 children were different and they were not necessarily
17 believed when they complained."

18 I think that is the only point which you are trying
19 to make there; you are not trying to say it is --

20 A. We are also making the point that it is not acceptable
21 at any point in time.

22 Q. Then in relation to the separation of siblings, I think
23 you make the point there was a trial in the 1940s and:

24 "So far as possible members were kept together in
25 the 1950s."

1 I think you said the 1960s was the more likely the
2 point at which that became a -- at least
3 an organisational position --

4 A. Yes.

5 Q. -- because I think there was a little bit of doubt.

6 A. There was a child in the 1940s, that is right, and it
7 was a change again, with a change of superintendent,
8 when it became the natural --

9 Q. Yes, I think Mr Roy Holman came from London in 1963 --

10 A. That is right.

11 Q. -- and he seems to have made some changes --

12 A. Changes, that is right.

13 Q. -- significant changes and then Mr Mortimer followed
14 that up with changes to training and qualification.

15 A. And the council of --

16 Q. The council of --

17 A. -- children's council --

18 Q. He set up the council we spoke about.

19 I think in terms of the basis for your assessments
20 of systemic failures, I won't go through that again;
21 I think that's mainly based on the sort of material we
22 have discussed already --

23 A. Yes.

24 Q. -- the convictions, testimony, historic records, "Time
25 to Be Heard" and so forth. You say that:

1 "Since 2000 Quarriers has maintained a professional
2 aftercare worker to uncover and document historic
3 information and records. Although, despite this
4 appointment, we have only been able to find limited
5 records in relation to policies and procedures in place
6 prior to 2000."

7 A. Yes.

8 Q. I don't need to go over that again.

9 There is a question asked towards the foot of
10 QAR.001.001.0284:

11 "What is the organisation/establishment's
12 explanation for such systemic failures?"

13 Reference is made to the cottage-based system being
14 the one which was employed at the village which was
15 innovative when first conceived in the 19th century and
16 was of its time:

17 "The model [it is said] on which Quarriers was based
18 became outmoded in the latter half of the 20th century."

19 I think that is explained by various changes that
20 led to it falling out of fashion.

21 A. Yes.

22 Q. It is said:

23 "The cottages housed up to as many as 30 children in
24 the care of either two house parents or a lone female
25 house parent, occasionally supported by a house aunty

1 (cottage assistant). Until the 1960s the house parents
2 were not trained in any way in residential child care
3 and would rely upon their own experience of how to
4 manage a family home."

5 And in some cases they would have no experience to
6 draw on because if they had no children then they had no
7 experience to draw upon and then they were recruited
8 without prior experience.

9 A. That is a possibility, yes.

10 Q. "In line with the practice of the time, there was little
11 regulation and oversight. The modern Quarriers
12 organisation fully acknowledges these practices as
13 deficient by modern standards, but it is notable that
14 being taken into care was regarded at the time as a much
15 better alternative than others open to the children."

16 That is a point you raise:

17 "Previous societal attitudes towards children and
18 the care of children were very different. Children's
19 rights and freedoms across all of society were not
20 respected in the same way that they are nowadays.
21 Societal attitudes towards the physical punishment of
22 children have also moved on significantly."

23 You add finally:

24 "Despite these observations however, Quarriers
25 acknowledges that lack of statutory regulation,

1 supervision and training across the sector created
2 circumstances where abuse could occur and that, under
3 the regulatory and management regime of the time ..."

4 That would embrace both the state's regulation and
5 the management within Quarriers?

6 A. Yes.

7 Q. "... too much variation was tolerated in service
8 provision."

9 Then, under the heading "Acknowledgement of failures
10 and deficiencies of response", it is said that -- the
11 question is asked:

12 "Does the organisation/establishment accept that
13 there were failures and/or deficiencies in its response
14 to abuse and allegations of abuse of children cared for
15 at the establishment between 1930s and
16 17 December 2014?"

17 It is said as regards the pre-2000 period:

18 "Using modern standards, there is no question that
19 clear failures and deficiencies occurred across the
20 whole care sector in response of abuse and allegations
21 of abuse until well into the 20th century."

22 I think the point you are trying to make there is it
23 is not just Quarriers that was an organisation where
24 there was systemic failures and problems --

25 A. There is other factors to take into consideration, but

1 we are not detracting from the issues within the
2 organisation at that time.

3 Q. But is the suggestion there that other care providers
4 were probably just as -- people were being criticised
5 for all the reasons you have said that there were
6 failures on the part of Quarriers in terms of things
7 like recruitment, supervision, training, and all these
8 matters?

9 A. These things are within government reports.

10 LADY SMITH: Mrs Harper, a theme that has come up in
11 a number of these responses is the point that of course
12 is not lost on me or indeed anyone who is looking at
13 this area, that one has to be careful not to judge
14 standards that were being adhered to or not adhered to
15 in the past by reference to standards of today.

16 However, can we just go back to QAR.001.001.0283 --
17 this is where you start the list of the particular areas
18 which you think the Inquiry may be interested in -- and
19 go to "Training". Bearing in mind that you accept that
20 the period over which abuse was taking place spans
21 probably some 30-odd years from 1950 or so, judging by
22 your evidence.

23 A. Yes.

24 LADY SMITH: If we look at "Training", you tell us that:

25 "Until the 1960s, formal training was not the norm

1 across society ..."

2 From which I take it that your are saying that by
3 the 1960s it was the norm for formal training of care
4 staff.

5 A. Uh-huh. There was a more increased focus on training.
6 These are from reports that I have read about, you know,
7 the sector in general --

8 LADY SMITH: Yes.

9 A. -- child care.

10 LADY SMITH: So we could expect to see, could we, that if
11 Quarriers were adhering to the standards of the day,
12 they would have embraced the need to have their care
13 staff undergo formal training --

14 A. Uh-huh, and there is evidence that they have started to
15 undertake training at that time.

16 LADY SMITH: So we would want to look at the detail of that
17 and see who, where, how, what sort of training, whether
18 anyone was left out?

19 A. Yes.

20 LADY SMITH: Because you do go on and say, actually, they
21 were allowed to run their cottages predominantly as they
22 saw fit, but then, so far as bed-wetting is concerned,
23 you point out that in the 1940s there was a certain
24 social attitude to bed-wetting, it was regarded as
25 objectionable, and we saw the very distressing

1 paragraphs in the documents yesterday.

2 A. Yes.

3 LADY SMITH: But that seems to tell me that by the time we
4 get to the 1950s, that attitude was changing, should
5 have been changing; is that right?

6 A. Yes.

7 LADY SMITH: So we ought to see in the evidence about
8 Quarriers that their attitude had changed by then.

9 A. Mm.

10 LADY SMITH: And we ought not to see it featuring in abuse
11 complaints throughout that 30-year period; is that
12 right?

13 A. That is right. Practice -- obviously attitudes and
14 practice were becoming more informed through, you know,
15 not just training but reports and a better
16 understanding. So again it is assumed that then the
17 practice should be changing at the same time.

18 LADY SMITH: Then there is the physical punishment example
19 and if we want to get evidence -- we have already
20 touched on this -- as to the standard which Quarriers --
21 the Quarriers organisation, through its chairman, was
22 expecting, as at 1937, it was to refrain from physical
23 punishment, which was actually being carried out.

24 A. Yes.

25 LADY SMITH: Yes. Thank you.

1 Mr Peoples.

2 MR PEOPLES: Can I just pick up on one point about sort of
3 standards of the time and just to be clear what you are
4 saying on this.

5 Supposing formal training, for example, or
6 recruitment practices were as Quarriers operated in
7 terms of there really was no process of recruitment as
8 we would -- no proper process and there was no form of
9 training or structured training. That seems to be the
10 position of Quarriers. I think the point you are making
11 is that other care sector organisations and other
12 providers would have been essentially doing much the
13 same as Quarriers at the time.

14 A. Uh-huh, because of the reports we have read.

15 Q. Well, I suppose one way of looking at matters as well is
16 you have mentioned the standards of the time within the
17 sector but I suppose if one is looking at standards
18 across society and across all sectors, one would also
19 have to bear in mind whether in certain areas -- I would
20 say, for example, social care, say areas of people who
21 were being employed to work in public service, like the
22 police or health professionals in the NHS or whatever,
23 if the recruitment processes there were more elaborate
24 in order to protect the public and the vulnerable, then,
25 if there's evidence of that, and that there's evidence

1 that the care sector and the individual providers within
2 it were not adhering to those standards in comparable
3 circumstances, then that would not be judging them by
4 today's standards, that would be judging them by the
5 standards of the time, would it not?

6 A. Yes.

7 Q. We would need to know whether really across society and
8 comparable situations it was acceptable to recruit
9 people without reference to criteria, without checks,
10 without suitability, without formal references, without
11 other processes, and the same goes for training: do we
12 recruit doctors without training, do we recruit teachers
13 without training, do we recruit others that deal with
14 young people, for example, and people that hold
15 positions of authority, do we let them loose without
16 training, without supervision, without processes of
17 recruitment? Surely that has to be factored in?

18 A. The reports that I read, as I mentioned yesterday, were
19 the report by Angus Skinner and also Curtis --

20 Q. Yes, I think Angus Skinner --

21 A. They focus on child care --

22 Q. They do focus on --

23 A. -- you now, not the wider --

24 Q. I think Angus Skinner focuses on the care sector and his
25 report was 1992.

- 1 A. That is right.
- 2 Q. He was highly critical of the lack of qualifications or
3 the requirement for qualifications and the lack of
4 structured training even then, not going back --
- 5 A. Yes.
- 6 Q. -- to the 1950s/1960s, but even then. But I'm making
7 a wider point, that if we are trying to resolve how we
8 approach these matters and how we judge people, and if
9 we are not simply judging them by today's standards, we
10 have to look at standards at the time but not simply
11 standards in the care sector. We have to look at how
12 organisations that were performing similar types of
13 functions, albeit different services, would have dealt
14 with matters of recruitment, training, supervision and
15 so forth.
- 16 A. Yes.
- 17 Q. Would that not be a fair point?
- 18 A. Yes.
- 19 Q. Therefore, if there wasn't adherence to reasonable
20 standards for obvious reasons that were being applied in
21 these areas, then the organisations that didn't adhere
22 to those would be justifiably open to criticism.
- 23 A. Yes.
- 24 Q. Would that not be a fair way of looking at things?
- 25 A. Yes.

1 Q. Going back to QAR.001.001.0258, if I may briefly, just
2 for completeness.

3 I think for the post-2000 period I think that
4 Quarriers' position is that they don't consider there
5 has been any failure or deficiencies in their response
6 to abuse and allegations of abuse of children cared for
7 at Quarrier's Village from 2000 onwards; is that the
8 broad position?

9 A. Yes.

10 Q. I'm not going to go back to responses to allegations
11 because I think we have perhaps covered that matter
12 sufficiently because it largely deals with the 1982
13 allegation. I have also taken some information
14 generally from you about the part D that's contained in
15 -- I think the rest of it is a reference to the
16 justification that Quarriers relies on for considering
17 that there have not been any failures or response since
18 2000. I think you have mentioned matters such as access
19 to records, apologies, the SIRCC report and indeed the
20 setting up of a helpline --

21 A. Yes.

22 Q. -- the "Time to Be Heard" participation --

23 A. Yes.

24 Q. -- and the involvement in what's called the Interaction
25 Action Plan, which is at QAR.001.001.0289.

1 A. Yes.

2 Q. I don't want to go through that; we can read it for
3 ourselves.

4 You also make the point that there is engagement
5 with former residents to maintain open dialogue and
6 positive relationships, to share information and so
7 forth, and that you have also, I think, tightened up or
8 sought to tighten up even more staff training and
9 supervision --

10 A. Yes.

11 Q. -- and you have also introduced what you call the zero
12 tolerance to abuse.

13 A. Yes.

14 Q. These are the sort of factors you rely on for that
15 statement.

16 The only other matter I would like to deal with
17 before I conclude is the question of external oversight
18 and I'm not sure I did touch upon this yesterday.

19 Could we go to --

20 LADY SMITH: How long is this going to take, Mr Peoples?

21 I would normally give the stenographers a break at this
22 point.

23 MR PEOPLES: Maybe I should be because it would give me
24 a chance to look at any questions that others may have
25 and see whether I have covered what I think are the

1 remaining --

2 LADY SMITH: Do you need 20 minutes rather than the usual 15
3 if you are going to do that as well?

4 MR PEOPLES: That would be helpful for me.

5 LADY SMITH: Very well. We will pause now and sit again at
6 11.50 am please.

7 (11.32 am)

8 (A short break)

9 (11.50 am)

10 LADY SMITH: Mr Peoples.

11 MR PEOPLES: My Lady.

12 Mrs Harper, if I could hopefully not detain you for
13 too much longer; I realise it has been a long session
14 but there are a couple of points I want to raise and it
15 is possible that -- I think it is possible that Mr Gale
16 may want to ask a couple of things; I'm just flagging
17 that up.

18 If I could take you to the report in relation to one
19 matter which I am not sure I did touch upon yesterday
20 and certainly I didn't deal with it today. If I go back
21 to QAR.001.001.0096.

22 It is towards the foot of that page and it is in the
23 section 2.6 headed "External oversight", which is trying
24 to get some information about the arrangements for
25 external oversight of essentially Quarrier's Village.

1 I picked up that it is stated there:

2 "It is a commonly held view that social care
3 organisations were given a great deal of autonomy with
4 very little external oversight."

5 Then it is said that:

6 "Local authorities would have individual placement
7 agreements with the organisation."

8 And that:

9 "From 1995 onwards, these would be monitored to see
10 that Quarriers was adhering to the terms of the contract
11 or placing agreement."

12 I don't need to read the rest of that answer because
13 I think it relates to the post-1995 period. I suppose
14 what I'm kind of more interested in today is the first
15 statement. It seems to be suggested that really state
16 organisations, particularly local authorities, were not
17 exercising in practice a large degree of oversight of
18 organisations/care providers who had voluntary homes and
19 establishments such as Quarrier's Village. Are you able
20 to help me on that statement?

21 A. I think certainly yesterday as well, through discussing
22 the records, a lack of information about inspections and
23 a lack of knowledge of any inspections, visits, etc,
24 seem to be minimal, if any. So, you know, certainly
25 looking at the past in comparison to today, there isn't

1 a lot of oversight by the external agencies such as
2 local authorities.

3 Q. So, so far as the evidence that you have been able to
4 look at and is contained in the records that you have
5 examined, the point you are making is that you are not
6 seeing much evidence that local authorities, either
7 through inspectors or visitors or officials, were making
8 visits and raising issues or submitting reports or
9 having discussions with the organisation on matters
10 concerned with the care of children in Quarriers? Is
11 that --

12 A. Yes.

13 Q. I take it that in the case of local authorities, that
14 insofar as Quarriers are concerned, children within
15 Quarriers would come from a variety of local authority
16 areas?

17 A. Yes.

18 Q. Therefore there would be -- there ought to have been --
19 maybe that is the best way of putting it -- a continuing
20 link between the local authority and Quarriers and the
21 child within Quarriers?

22 A. Yes.

23 Q. I know you said they had the internal social workers but
24 the children, if placed by a local authority, would have
25 some, or ought to have had, some link with the external

- 1 social worker or children's officer, or whatever term
2 was in use at the time --
- 3 A. Yes.
- 4 Q. -- but there's not much evidence there was that
5 contact --
- 6 A. No.
- 7 Q. -- with either the organisation or the child?
- 8 A. That is right.
- 9 Q. I suppose one example of where it did seem to operate is
10 in 1982, because I think Dundee Social Work
11 Department --
- 12 A. Dundee Social Work Department.
- 13 Q. -- or Dundee Council -- it might have been Tayside in
14 those days --
- 15 LADY SMITH: I think it might have been Tayside, yes.
- 16 A. Tayside, uh-huh, yes.
- 17 MR PEOPLES: I think it said Dundee but I think it would be
18 Tayside Region Social Work Department --
- 19 A. Yes, it is mentioned in that.
- 20 Q. -- was apparently involved in some shape or form with
21 that particular child and the particular matter raised
22 about alleged abuse.
- 23 A. That is right.
- 24 Q. But is that maybe a rare example of the involvement you
25 would have expected to see?

- 1 A. That is right.
- 2 Q. Then in the child's file, just to maybe complete this
3 chapter at this stage, if the local authority was
4 visiting or seeing the child and preparing reports on
5 the child, both for its own purposes and other agencies,
6 would one expect to see any relevant reports on the
7 child within the Quarriers file?
- 8 A. That is right --
- 9 Q. You would?
- 10 A. -- similar to who has referred the child as well.
- 11 Q. If a child has got to Quarriers via a Children's Hearing
12 procedure, whether with a local authority being the
13 intermediary as the person --
- 14 A. That is right.
- 15 Q. -- in whose favour a requirement was made, but they
16 placed them in Quarriers, would it be the norm or should
17 it be the norm to see any material relating to that
18 child within the child's file as well as elsewhere
19 perhaps?
- 20 A. Yes.
- 21 Q. Like seeing enquiry reports on the child or progress
22 reports?
- 23 A. Progress and also what was the plan in respect of
24 contact with the parents or other siblings at that time
25 from the Children's Hearing.

1 Q. So certainly post-1971, when the Children's Hearing
2 System was established --

3 A. Yes.

4 Q. -- following the 1968 Act, that would be something you
5 would expect to see --

6 A. Yes.

7 Q. -- if that's how the child ended up --

8 A. Yes.

9 Q. -- in Quarriers?

10 A. Yes.

11 Q. But even in the child ended up in Quarriers by
12 a different means, by the local authority exercising its
13 obligations under, for example, the Children Act (1948),
14 to take children into care and provide care for them,
15 then even then there would have been presumably
16 a process which ought to have resulted in regular visits
17 and reports on the child --

18 A. Yes.

19 Q. -- and on the child's progress?

20 A. Yes.

21 Q. But are you saying that from the files that have been
22 reviewed -- and I appreciate that you haven't reviewed
23 them all -- but there's not much evidence of much
24 reporting or visits and reports about the child and the
25 child's progress and so forth?

1 A. In past years that's true, yes.

2 Q. I see. Looking pre-1971, for example?

3 A. Yes.

4 Q. And even post-1971, you are not seeing the sort of
5 documentation that you might expect to see if the child
6 had been placed via a Children's Hearing process?

7 A. Again, I can't recall, but if it had been placed by
8 a Child's Hearing, the Child's Hearing System, I would
9 expect the records to have started to have improved by
10 then.

11 Q. Yes.

12 I don't -- if we maybe just pass on to
13 QAR.001.001.0098 just to have it recorded again.
14 I think there is a more specific question asked, which
15 you may well have answered or expanded on. If I can
16 just put that up. At (vi):
17 "What involvement did local authorities have with
18 the organisation and the establishment in respect of the
19 children at the establishment?"

20 It is again said:
21 "It is a commonly held view that local authorities
22 exercised little or no involvement with children at the
23 establishment [I think that is Quarrier's Village] until
24 approximately the 1990s."

25 Does that appear to be the picture that emerges from

1 the researches done to date and the review of the
2 records that have been done to date?

3 A. Yes.

4 Q. I don't know whether this is --

5 LADY SMITH: Commonly held by whom?

6 A. Basically from what we found in records from discussions
7 with staff, etc.

8 LADY SMITH: That is a Quarriers view?

9 A. Yes.

10 LADY SMITH: Thank you.

11 MR PEOPLES: Yes, it is commonly held within Quarriers.

12 A. Yes, sorry.

13 Q. It is not a general observation about the local
14 authority --

15 A. No, not the whole --

16 Q. -- involvement with care homes?

17 A. I should have been more specific in that answer.

18 Q. So we just relate these -- both of these answers to
19 Quarriers?

20 A. Yes.

21 Q. It is not making a general point?

22 A. No.

23 Q. But the point is made in relation to Quarriers that it
24 at least established its own social work department in
25 the early 1970s. Am I right in thinking there was no

1 legal requirement on Quarriers to do that?

2 A. No, there was no legal requirement to do that and the
3 thinking behind that, I assume, was with the changes in
4 relation to the requirement for people to be more
5 trained and qualified in child care and the
6 understanding of the needs of the child was increasing.
7 I would assume that was the thinking behind that.

8 Q. If I could deal with one other matter from the report.
9 It is a matter of clarification of what your position
10 is. It is QAR.001.001.0017.

11 About halfway down, the statement is made in the
12 third paragraph under (v) that:

13 "Before the creation of the Care Commission ..."

14 And its successor the Care Inspectorate; we are
15 talking about the period prior to 2001 then, I think:

16 " ... managers of individual establishments would
17 have followed the relevant legislation from appropriate
18 Acts along with organisational policies. Internal
19 audits would have been undertaken by Quarriers' service
20 managers."

21 Does Quarriers have evidence to support that
22 statement in terms of how managers would have followed
23 relevant legislation and organisational policies?
24 Obviously if some things that are reported happened, it
25 wouldn't suggest that they did.

1 A. Certainly before 2011 -- I started with the organisation
2 in 2012 -- there had been -- again recalling from
3 memory -- I think they are called the audits standards
4 evaluation. So it was audits of services, ensuring that
5 they complied with the organisation's policies and
6 procedures.

7 Q. So there are available what we would describe -- what
8 are described in these answers as internal audits, but
9 it would be prior to 2001?

10 A. There will be some of that at that point, 2011.

11 Q. But before 2001, would there be internal audits
12 available --

13 A. I'm not aware before 2001. I don't recall. I would
14 have to check.

15 Q. Insofar as one is looking at the position before 2001,
16 and the statement that managers of an establishment
17 would have followed relevant legislation, is that
18 reference to people such as the general director or
19 director general or superintendent or to Quarriers and
20 its governing body? What is meant by managers
21 of individual --

22 A. It was managers at that time. It could be the
23 superintendent -- again I'm trying to remember what the
24 structure was underneath the superintendent, whether
25 there was, at that time, assistant managers. I assume

1 they would be conducting these.

2 Q. In a sense -- yes, but not so much just the audits but
3 whether managers -- whoever the term "managers" embraces
4 -- is a statement that:

5 "[They] would have followed relevant legislation and
6 regulatory requirements and organisational policies."

7 I'm just trying to get to the heart of what is meant
8 by that. Are you saying that if we looked at the period
9 from 1930 to 2001 there is evidence that managers,
10 including superintendents, house parents who have
11 a managerial function, in terms of the Quarriers
12 organisational arrangements, would have followed
13 relevant legislation and organisational policies? Are
14 you going that far?

15 A. I couldn't say for definite but you would assume
16 certainly in a managerial role that they should be --

17 Q. It is difficult though --

18 A. -- and I can't say that they were.

19 Q. No. It says "would"; it is not "should" or "ought to
20 have". I'm just trying to be clear what is said here.

21 It would seem if we include in the definition of
22 "managers" for example, house parents, then the question
23 arises: if there were certain policies and certain
24 matters, whether punishment or other areas or complaints
25 or whatever, if the question arises whether they

1 followed relevant legislation or regulatory rules on the
2 subject or organisational policies insofar as they dealt
3 with the subject, you don't know whether they did.

4 A. I don't know.

5 Q. That's really where it comes to -- I think there is
6 a hope they would have done it, perhaps.

7 A. Yes, that's exactly it. As today managers are expected
8 to do that, so you would hope historically they would do
9 that but I don't know if they did.

10 LADY SMITH: Well, is it just a hope or is it, as you said
11 earlier, that it is what they should have done?

12 A. Should.

13 LADY SMITH: Yes.

14 MR PEOPLES: But you don't know whether they did?

15 A. I don't know.

16 Q. Would a further look at the records that are available
17 allow you to form any judgements on that question as to
18 whether there is evidence that they did or didn't?

19 A. Yes.

20 Q. It should maybe give you some indication or clue should
21 it whether there is evidence --

22 A. Yes, if there's evidence.

23 Q. For example, I'm just thinking just broadly -- and this
24 is just an example -- that the approach to bed-wetting
25 and the change in standing orders to instruct that

1 children should not at least sleep next to rubber sheets
2 seems to be in addition to the policy. One explanation
3 for that -- and I think you thought might well be the
4 probable explanation -- is that there was a need to
5 change the organisation's policy on that matter by
6 making it explicit to house parents --

7 A. Yes.

8 Q. -- that that was not to happen.

9 A. That is an assumption.

10 Q. If that was a fair assumption or a reasonable or
11 probable reason why it was added, then that might
12 suggest that that's at least one example where the
13 managers were not adhering to policies --

14 A. Yes.

15 Q. -- because it was felt they had to be told that this
16 should not happen.

17 A. Yes, and the other one is the letter that we have
18 referred to many times from --

19 Q. The letter is obviously another one that --

20 A. -- 1937.

21 Q. Albeit they are earlier examples than the period we are
22 looking at. But that's the sort of thing that might
23 give clues, is it, that things weren't always happening
24 as they ought to have happened?

25 A. Yes.

1 Q. If we don't find evidence that procedures like
2 complaints procedures or visits by superintendents to
3 cottages were happening, according to the records, then
4 that might be an example of situations where
5 requirements that ought to have been complied with were
6 not being complied with?

7 A. It could be.

8 Q. Well, you would expect to find some evidence -- if they
9 were being complied with, you would expect to find that
10 the superintendent, for example, making reports to the
11 governing body would be telling them that he regularly
12 has inspected cottage 1 or cottage 5 or cottage
13 whatever --

14 A. Yes.

15 Q. -- and inform them to that effect and inform them
16 whether he was satisfied with what he saw or whether he
17 wasn't.

18 A. Yes, that's what we do today.

19 Q. As you do today. So the absence of evidence might be
20 a clue to whether there was or was not compliance.

21 A. Yes.

22 MR PEOPLES: I think, my Lady, that's probably all I have
23 for this witness at this stage. I was given some
24 questions or possible questions by my learned friend
25 Ms Dowdalls. I don't understand her to have any --

1 LADY SMITH: Ms Dowdalls, are you content that the points
2 you raised have been covered?

3 MS DOWDALLS: I am, yes.

4 LADY SMITH: Thank you.

5 MR PEOPLES: I believe I have covered a large number of the
6 points that Mr Gale has submitted to me, both before and
7 during the course of this witness's evidence.
8 I understand there may be a couple of matters he would
9 like to apply for permission to ask questions about.
10 I will perhaps leave that to your Ladyship to deal with
11 if I may.

12 LADY SMITH: Certainly, thank you.

13 Is that right, Mr Gale, or are you content that, for
14 this stage, all the points that need to be raised with
15 this witness have been raised?

16 MR GALE: Thank you, my Lady.

17 I think, suitably chastened by Mr People's comments
18 yesterday, I did consider overnight the transcript of
19 yesterday's evidence and obviously I have waited until
20 this stage today, having heard in particular the part B
21 that Mr Peoples has gone through.

22 I did submit to Mr Peoples two formal applications
23 for certain questions to be asked. The majority of
24 those have been asked and I can give my Lady the numbers
25 if she likes but --

1 LADY SMITH: I don't need the individual numbers.

2 MR GALE: Thank you, my Lady.

3 There are two matters that I would like to apply to
4 your Ladyship to consider with the witness and I think
5 I can ask this without the witness being asked to leave
6 at this stage.

7 LADY SMITH: Thank you.

8 MR GALE: The first relates really to matters of numbers,
9 insofar as the numbers of persons that Quarriers has
10 knowledge of who have made complaints of abuse and
11 I would like to just explore in a little more detail
12 some of the figures that we do have in relation to that.
13 That will not take very long.

14 The second matter is slightly more substantial and
15 goes beyond the matters that I have asked Mr Peoples to
16 ask in his examination of Mrs Harper.

17 The reason for this is this: my Lady will be aware
18 that an assertion is made by Quarriers in its response
19 at -- in particular, it is at page QAR.001.001.0286.

20 LADY SMITH: Just wait a moment, it will be up.

21 MR GALE: I'm sorry, my Lady, I think I have given the wrong
22 reference. (Pause). Yes, I'm sorry, it is
23 QAR.001.001.0287. I apologise.

24 LADY SMITH: Thank you.

25 MR GALE: This is a repetition of an assertion made earlier

1 that:

2 "Quarriers does not consider that there was any
3 failure or deficiency in its response to allegations of
4 abuse received from 2000 onwards."

5 The position of my clients in relation to that
6 matter is that that is a proposition and an assertion
7 with which they profoundly disagree. I would wish to
8 ask Mrs Harper a number of questions concerning that
9 and, in particular, having considered those questions,
10 whether or not she would wish to vary or alter in any
11 way that response.

12 LADY SMITH: Right.

13 MR GALE: I did give thought to the possibility of asking
14 Mr Peoples to ask that question, but it appeared to me
15 that, given that the information comes from my clients
16 and it is their position that I should ask the question
17 rather than Mr Peoples and it be channelled through him.
18 That's the reason why I am now seeking to do so.

19 Again, it is a relatively short chapter. I have
20 again compressed the material that I want to ask the
21 witness about so that I don't anticipate I will be very
22 long.

23 LADY SMITH: Thank you for that clear explanation, Mr Gale.

24 I don't know whether there's anything further you wish
25 to say, Mr Peoples, is there?

1 MR PEOPLES: No, my Lady. I can understand the thinking
2 behind this. Clearly I explained to Mr Gale that there
3 is a case study and obviously to be mindful that any
4 questions do not stray into perhaps detail that would be
5 more appropriately dealt with at that stage but
6 I understand from what he has just said that he will be
7 mindful of that.

8 LADY SMITH: Thank you.

9 Ms Dowdalls, is there anything you wish to raise in
10 response to Mr Gale's application?

11 MS DOWDALLS: Only, my Lady, that it occurs to me that
12 Mrs Harper has already responded to questions in
13 relation to the organisation's response to allegations
14 post-2000. I wonder whether what is intended is to put
15 specifics to the witness which might, as Mr Peoples has
16 indicated, perhaps more appropriately be dealt with at
17 the case study stage. Beyond that I have no further
18 submissions to make.

19 LADY SMITH: Thank, you Ms Dowdalls.

20 Mr Gale, I'm going to permit you to ask these
21 questions and that is, firstly, regarding the numbers of
22 complainers, you wish to explore that, and, secondly, in
23 relation to -- it is the answer (ii) that we see the
24 substance at the top of page QAR.001.001.0287. But in
25 asking or exploring that second matter, it may be that

1 as you do so I will ask you to accept that if it is
2 something that Mrs Harper hasn't had notice of, then the
3 proper way to deal with it is raise it now for
4 consideration by Mrs Harper and others. Of course, this
5 would be before her time at Quarriers, so she wouldn't
6 have direct involvement with that, and it will be
7 returned to at the case study.

8 MR GALE: I should have mentioned, my Lady, that Ms Dowdalls
9 sent me an email on Monday. I did respond to that and
10 in that response I indicated that, subject obviously to
11 your Ladyship's permission, I would wish to ask
12 Mrs Harper a question in relation to this matter and
13 I indicated that my clients had a profound disagreement
14 with what she said.

15 LADY SMITH: I see that, but if you are inviting me to
16 regard that as adequate notice to Mrs Harper to turn her
17 mind to something that she hadn't had to do before now,
18 I'm not going to accept that, because she has rather
19 been engaged here subject to our demands regarding the
20 other parts of the response since then, but do proceed
21 in the way I have indicated, please.

22 Mrs Harper, you will have heard what has just been
23 exchanged and I am going to let Mr Gale ask a couple of
24 questions of you.

25 A. Yes.

1 Questions by MR GALE

2 MR GALE: Mrs Harper, good afternoon.

3 Can I begin, first of all, with just an introductory
4 comment to you?5 Your involvement with Quarriers began, I think, in
6 July 2012. You became CEO in 2014 and in the period
7 during which you have been involved with Quarriers,
8 I think you have had considerable dealings with
9 David Whelan.

10 A. Yes.

11 Q. I think also, if I can put it this way, in that period
12 you have developed a good working relationship with
13 David Whelan; would that be correct?

14 A. I think so.

15 Q. I can say, Mrs Harper, from Mr Whelan's perspective,
16 that is based on an appropriate level of respect for you
17 in your job and your position and I think, if I can
18 suggest to you, I think there is a level of mutual
19 respect between you.

20 A. Yes.

21 Q. Thank you.

22 So with that introduction, Mrs Harper, could I just
23 ask you a little more about your response to the issues
24 of extent and scale of abuse.

25 I think with my learned friend this morning you have

1 had a number of figures put to you regarding complaints,
2 whether they be through litigations or complainers in
3 various criminal cases.

4 Just so that we can have a clearer idea of the scale
5 that we are talking about, I think there were 114
6 applicants to be heard in the "Time to Be Heard"
7 process; is that right?

8 A. I think that is right. It was --

9 LADY SMITH: Mrs Harper, a technical matter, can we move
10 that microphone so that you are still being clearly
11 picked up. Naturally, you are going to turn towards
12 Mr Gale.

13 A. My understanding is that -- I can't remember the precise
14 figure, but it is over 100.

15 MR GALE: Unfortunately I haven't paginated this according
16 to DEMS, but it is page 6, the final paragraph in the
17 "Time to Be Heard" report. There were 114 who applied
18 and were accepted, 98 were heard --

19 A. 98, yes.

20 Q. One of the difficulties with the "Time to Be Heard"
21 report is that it then goes off into considerable
22 quotation from the various witnesses, but what we don't
23 get is a breakdown of the people who were complaining of
24 abuse at Quarriers or those who were in support of
25 Quarriers; is that right?

- 1 A. That is right.
- 2 Q. So, we can't necessarily assume that 114 were
3 complainers, if I can put it that way.
- 4 A. No.
- 5 Q. But I think it is reasonable to assume that a large
6 proportion of those who had contacted "Time to Be Heard"
7 were complaining about abuse in Quarriers; would you
8 agree with that?
- 9 A. A large majority.
- 10 Q. Thank you. I think we also know that David Whelan
11 established FBGA and initially there were 230
12 individuals who contacted FBGA; are you aware of that?
- 13 A. No.
- 14 Q. Right. We will find that at WIT.001.001.1591, which is
15 Mr Whelan's witness statement, and it is paragraph 13.
16 As with all organisations, perhaps the initial impetus
17 subsides and I think Mr Whelan indicates that so far as
18 FBGA is concerned at the moment, the number is down to
19 a core number of 30 to 40 members of FBGA; are you aware
20 of that?
- 21 A. No.
- 22 Q. So what you say, Mrs Harper, is that Quarriers is aware
23 of, I think, many complaints of abuse while in its care
24 from 2000 onwards. But, with respect, without a number,
25 it is rather difficult to know what context one gives to

1 "many".

2 Are you able to be a little more precise in how
3 Quarriers regards the extent of complaints of abuse that
4 it has received or it is aware of?

5 A. Just now?

6 Q. Yes.

7 A. We keep records just now and we also have numbers,
8 present day, with regards to safeguarding.

9 Q. Yes, how would you describe the extent of the
10 allegations of abuse that you are aware of?

11 A. In respect of the history of Quarriers --

12 Q. Yes.

13 A. -- in the period of the Inquiry?

14 Q. Yes.

15 A. The extent -- the type is obviously what we have
16 discussed over the last day or so, which ranges from
17 cruelty through to sexual abuse. In respect of the
18 extent, as I have mentioned or I have stated within the
19 evidence, we do not know the full extent because we are
20 not party to people that come forward to the likes of
21 the National Confidential Forum or today's Inquiry.
22 That is confidential information and we may not be aware
23 of that and that's why we don't know the full extent.

24 Q. I appreciate that, Mrs Harper, but if we have numbers
25 such as approximately 100 people coming forward to the

1 "Time to Be Heard" forum and if we have the number of
2 people who contacted and became members of FBGA at its
3 inception, does that not suggest that we are dealing
4 with a very substantial body of complaints in respect of
5 treatment and care while at Quarriers?

6 A. In my statement, my evidence I submitted I'm not trying
7 to dilute or reduce the significance of abuse that's
8 happened in Quarriers.

9 Q. Would you agree that there is a very substantial body of
10 complaints?

11 A. Yes.

12 Q. Yes, thank you.

13 The other matter -- sorry, just in relation to the
14 extent of the abuse, in your response at page
15 QAR.001.001.0286, and at the bottom of that page, you
16 refer to allegations of abuse were also made by -- the
17 name is redacted -- in a letter published in the Sunday
18 Mail. Again the date is redacted. Quarriers have not
19 been able to trace any records of a complaint being made
20 directly to them by, presumably, that named individual.
21 The letter contains an account of her time in Quarriers
22 from 1939 to 1946.

23 Mr Peoples referred you to Ms Magnusson's book, the
24 second version, earlier this morning and I think he
25 quoted certain passages to you from page 132. There is

1 a mention there -- I won't again give the name of the
2 individual, but there is an unpublished personal
3 narrative that is referred to. My Lady, the reference
4 is at page 132. It is not regrettably within the
5 section that has been reproduced.

6 LADY SMITH: That's all right. I can find it.

7 MR GALE: It is midway down the page for my Lady's
8 reference.

9 The dates fit for that person who was in Quarriers
10 from 1939 to 1946, so is that the person that you are
11 referring to?

12 A. I presume so. When those dates fit then I presume
13 that's who it is.

14 Q. Yes. Ms Magnusson observes that the memories of that
15 individual "read like something out of Oliver Twist",
16 presumably without the humour. But have you read that
17 manuscript?

18 A. Have I read the Quarriers book?

19 Q. Have you read the manuscript, the personal narrative?

20 A. Within the book?

21 Q. Have you read the personal narrative in its entirety?

22 A. If it is within "The Quarriers Story", yes.

23 Q. No, it is not within "The Quarriers Story"; it is
24 referred to in "The Quarriers Story".

25 A. No.

- 1 Q. I'm just asking whether you have read the --
- 2 A. No.
- 3 Q. Very well. Can I move on to the other area that I would
4 like to ask you about, Mrs Harper.
- 5 I have already referred to what is said by your
6 organisation at QAR.001.001.0287, which is in relation
7 to your response to allegations of abuse; you are aware
8 of that? You don't see any scope for criticism; is that
9 right?
- 10 A. That's in relation to the first paragraph on that page?
- 11 Q. Yes.
- 12 A. Yes. I have explained that.
- 13 Q. Yes. Can I just examine that a little further. You
14 have taken 2000 as the starting point. I think we know
15 why you have done that because that I think coincides
16 with when the complaint first came to light about the
17 individual who was the first to be convicted of offences
18 at Quarriers; is that right?
- 19 A. Yes.
- 20 Q. I think at that time we know that four other complaints
21 against members of staff were being investigated; are
22 you aware of that?
- 23 A. I believe so.
- 24 Q. We also know that a house parent was convicted in
25 November 2002 for sexual abuse of two boys which was

1 committed between 1969 and 1976. One of those boys --
2 and I can say this, he is in the room today -- is
3 David Whelan.

4 A. Yes.

5 Q. You have indicated what assistance you gave as
6 an organisation to the individuals who were the
7 complainers in both the first and the second trials, if
8 I can put it that way.

9 Was assistance given while those individuals were
10 going through that process of the criminal trials?

11 A. I don't know. I can't answer that.

12 Q. Do you think it appropriate that where assistance and
13 support was being offered, it was being offered to these
14 individuals through Quarriers, so effectively support at
15 the place at which they were abused? Do you think that
16 is appropriate?

17 A. Today I wouldn't think that was appropriate. We would
18 go to -- signpost individuals to other agencies.

19 LADY SMITH: Sorry, can I just be clear, Mr Gale: you are
20 suggesting that what was being offered, for example, in
21 terms of counselling, was to provide counselling at
22 Quarriers?

23 MR GALE: At Quarriers.

24 LADY SMITH: Thank you.

25 MR GALE: Thank you, my Lady.

1 A. Yes.

2 MR GALE: That was, with respect, only 16 years ago; it is
3 not in the dim and distant past. So you seem to be
4 suggesting that it would have been different now, that
5 this occurred at a different time and were different
6 considerations. I would suggest, Mrs Harper, at the
7 time that that was wholly inappropriate to proceed in
8 that way.

9 A. Obviously that's something I haven't been involved in.
10 I have only read about it, but certainly on reflection
11 and thinking about it today -- but at that time I can
12 only assume that Quarriers was trying to help and be
13 co-operative and all that.

14 Q. Yes. Well, can I just take that a little stage further.
15 One of the problems that Quarriers then encountered, if
16 I can put it that way, is that once the individuals had
17 been through the ordeal of a criminal trial, which
18 resulted in convictions, a number of those individuals
19 brought civil claims against Quarriers; is that correct?

20 A. Yes.

21 Q. In those civil claims did Quarriers -- I will use the
22 instances of where convictions had occurred -- ever
23 admit liability?

24 A. I don't know. I'm not -- I don't know. I can't answer
25 that.

1 Q. Will you take it from me that Quarriers at no stage
2 admitted liability? Will you take that from me?

3 A. Yes, I guess so.

4 Q. I have in my hand the pleadings at the instance of
5 Mr Whelan against Quarriers and the individual abuser.
6 In that document Quarriers deny that abuse took place;
7 are you aware of that?

8 A. I'm not aware. I am aware that apologies have been
9 given --

10 Q. With respect --

11 A. -- and an acknowledgment that abuse did occur.

12 Q. But this was a process that went on for a number of
13 years until the actions were dismissed. Is it your
14 understanding that Quarriers' consistent approach was
15 always to deny liability?

16 A. I can't answer that question, I'm not --

17 LADY SMITH: Mr Gale, you have now asked this a few times.
18 I followed your first point, which I think was to
19 suggest to Mrs Harper that in terms of appropriate
20 responses, offering a person counselling at the
21 institution where the abuse had taken place was not
22 appropriate. I got that.

23 It seems here that you are seeking to suggest to the
24 witness that another appropriate response is to admit
25 civil liability under the law prevailing at the time; is

1 that right?

2 MR GALE: Yes, my Lady. It was an option so far as
3 Quarriers were concerned.

4 LADY SMITH: All right. We know it didn't happen according
5 to what you say and we know that Mrs Harper was not
6 involved at the time to which you are referring. You
7 have asked this several times now.

8 MR GALE: Very well.

9 LADY SMITH: Can we leave it at that?

10 MR GALE: If my Lady wishes.

11 LADY SMITH: Thank you.

12 MR GALE: Can I just ask one other point on that,
13 Mrs Harper: do you know if certain of the complainants
14 or the claimants in civil actions were examined by
15 a psychiatrist specialising in false memory?

16 A. I'm aware of that certainly. Discussions that I have
17 had with [name redacted] -- with David, that was
18 something that was felt strongly, they felt strongly
19 about, so I am aware of that.

20 Q. You are aware of that? Thank you.

21 Finally on this matter, the individual who abused
22 David Whelan I think was eventually sentenced after
23 appeal for a period of five years' imprisonment; are you
24 aware of that?

25 A. Yes.

- 1 Q. So on that basis he was released, at the latest,
2 I suppose, in about 2006; would that be correct?
- 3 LADY SMITH: When was he sentenced?
- 4 MR GALE: He was sentenced originally, my Lady, in 2002.
- 5 LADY SMITH: 2002?
- 6 MR GALE: I'm saying at the latest.
- 7 LADY SMITH: At the latest it would be 2006, that is right;
8 it could have been earlier.
- 9 MR GALE: It could have been earlier.
- 10 Can you tell me where that individual came to live
11 when he left prison?
- 12 A. I understand and I may be wrong, I would have to check,
13 but that individual may have had a house in
14 Quarrier's Village.
- 15 Q. Did he return to live with his wife in
16 Quarrier's Village and continue to live there until
17 2014?
- 18 A. I believe that's so, but I would have to check to
19 confirm that.
- 20 Q. Was that in accommodation provided by Quarriers?
- 21 A. I would have to check that.
- 22 Q. Can I just ask you: what impression do you think that
23 gives to Mr Whelan and indeed others who were abused of
24 Quarriers' attitude?
- 25 A. I guess that would be difficult.

1 Q. Yes.

2 I will just put this to you as a final point,
3 Mrs Harper, that the comments that you have made or your
4 organisation has made in relation to its approach to
5 those who have been abused in the period after 2000 is
6 that FBGA, as an organisation, is very angered by the
7 suggestion that you do not accept any criticism of that.
8 Can you understand that degree of anger?

9 A. Any criticism of?

10 Q. Of the suggestion that there were no deficiencies or
11 failures on your part, on your organisation's part?

12 A. From 2000?

13 Q. Yes.

14 A. But I have explained -- I have given an answer to that.

15 Q. With respect, you haven't. Do you accept that
16 individuals such as those involved in FBGA could be
17 angered, that's the word I use advisedly, by that
18 assertion on behalf the Quarriers?

19 A. My answer to that is that could be the case.

20 MR GALE: Yes, thank you.

21 Thank you, my Lady. That's all I have to ask.

22 LADY SMITH: Thank you, Mr Gale. There's nothing else you
23 wish to raise with this witness, Mr Peoples?

24 MR PEOPLES: Before I sat down I didn't thank her --

25 LADY SMITH: Your microphone, Mr Peoples. Could you repeat

1 what you said?

2 MR PEOPLES: I forgot to thank Mrs Harper for coming
3 yesterday and today because it has been a long session
4 today and I forgot to do that before I sat down, but
5 thank you very much.

6 LADY SMITH: Very well.

7 Mrs Harper, thank you very much for the evidence you
8 have brought to us at this stage. I'm now able to let
9 you go from this phase of the hearing. Thank you.

10 (The witness withdrew)

11 LADY SMITH: Am I right in thinking, Mr Peoples, from the
12 earlier indications that we now move to Barnardo's?

13 MR PEOPLES: Yes. I think in view of the time it would
14 probably suit me, because I have to switch some papers
15 and perhaps just if I can get ready for that, can we
16 perhaps resume at either 2 pm or 1.45 pm. I think the
17 witness is available; I'm very much in my Lady's hands:
18 just a short period or perhaps either an early lunch or
19 just 2 pm --

20 LADY SMITH: I think we will start again at 2 o'clock and
21 that will give you plenty of time to get the papers
22 reorganised as requested.

23 We will rise now and sit again at 2.00 pm.

24 (12.43 pm)

25 (The luncheon adjournment)

1 (2.00 pm)

2 LADY SMITH: Mr Peoples.

3 MR PEOPLES: Good afternoon, my Lady.

4 The next witness is Mrs Sara Clarke, who is
5 currently the senior assistant director in Barnardo's.

6 LADY SMITH: Thank you.

7 MRS SARA CLARKE (sworn)

8 Questions from MR PEOPLES

9 LADY SMITH: Do sit down and make yourself comfortable
10 Mrs Clarke.

11 Mr Peoples.

12 MR PEOPLES: My Lady.

13 Good afternoon Mrs Clarke. You are Sara Clarke?

14 A. Yes, I am.

15 Q. I think you currently hold the position of a senior
16 assistant director with Barnardo's, with a
17 responsibility which includes all aspects of Barnardo's
18 heritage and history?

19 A. That is correct, yes.

20 Q. In this role your responsibilities would include dealing
21 with disclosures of abuse, reporting of abuse to
22 statutory authorities and the police, criminal
23 investigations concerning Barnardo's or allegations in
24 relation to those who were cared for by Barnardo's,
25 support to victims and matters of reparation; is that

- 1 correct?
- 2 A. Yes, that is correct.
- 3 Q. You also have a strategic role in relation to what's
- 4 known as Making Connections, which was formerly
- 5 Barnardo's Aftercare Service, which is a service --
- 6 a national service and indeed an international service
- 7 for adults who wish to access personal care records and
- 8 also it provides support to those who grew up in
- 9 Barnardo's care, including victims of abuse?
- 10 A. Yes, that is correct.
- 11 Q. I think in addition, since 2012, you have also had
- 12 responsibility as the lead person in relation to
- 13 engagement with various public inquiries into child
- 14 abuse, which have been held in Northern Ireland, England
- 15 and Wales and indeed the Inquiry here in Scotland?
- 16 A. Yes.
- 17 Q. So far as your involvement with Barnardo's is concerned,
- 18 am I correct in thinking that that began in 2002, or
- 19 thereabouts, when you were appointed as head of the
- 20 Aftercare Service, which is what we have just perhaps
- 21 been talking about --
- 22 A. Yes.
- 23 Q. -- that's now Making Connections?
- 24 A. Yes.
- 25 Q. I think in 2005 you became an assistant director of

1 children's services based in London and the southeast
2 and that that role involved managing a diverse portfolio
3 of services in that area, including -- this is perhaps
4 most relevant for present purposes -- residential care
5 services?

6 A. Yes, that is correct, for children with disabilities.

7 Q. I see. Prior to joining Barnardo's -- I will take this
8 fairly briefly -- but I think your working life has been
9 largely or almost exclusively in the area of social
10 care, social welfare --

11 A. Yes, that is correct.

12 Q. -- in a variety of settings, both in the voluntary and
13 statutory sector?

14 A. Yes.

15 Q. I think that you hold postgraduate qualifications in
16 both social services management and social work
17 education.

18 A. Yes.

19 Q. You are also qualified in practice teaching and adult
20 education?

21 A. Yes.

22 Q. Does that include teaching matters such as child
23 protection issues and safeguarding?

24 A. It did at the time; I haven't done it for quite a while,
25 but it did at the time.

- 1 Q. That's something you have done in the past?
- 2 A. Yes.
- 3 Q. I think that you had a period of approximately 14 years
4 where you worked in both the voluntary and statutory
5 sector in residential children's homes in England; is
6 that correct?
- 7 A. Yes, I started in 1980 working for the National
8 Children's Home, as it was then, or Action for Children,
9 as it is now called, in a very large branch home for
10 children on the south coast of England.
- 11 Q. Is it during that period that you gained diplomas in
12 social work and higher education?
- 13 A. I didn't do that until 1990, so following my time with
14 Action for Children I worked for Portsmouth City Council
15 in one of their long-stay residential homes and then
16 I worked for Birmingham City Council in one of their
17 assessment centres, and that's when I went to undertake
18 my social work training.
- 19 Q. I see. Having gained these qualifications, did you
20 spend at least a period of time in fieldwork dealing
21 with a varied case load involving children and young
22 people who were in need of care or support?
- 23 A. Yes. I worked for Dudley County Council in one of their
24 long-term children's teams for a while and then I went
25 and worked for the intake team, which was responding to

1 section 40 investigations of child abuse.

2 Q. Forgive us, the section 40 may not be something we are
3 familiar with; is that from an English legislation?

4 A. Yes, under the Children Act (1989).

5 Q. 1989?

6 A. Yes.

7 Q. I think -- maybe this is partly covered -- I have,
8 I think, information to the effect that in 1996 you were
9 part of a specialist team involved in child assessment
10 and protection --

11 A. Yes.

12 Q. -- is that correct? Could you just tell us a little bit
13 about what was that role --

14 A. That is as I have just said --

15 Q. As you have just said, I see.

16 A. -- that was responding to section 40 investigations.

17 Q. So that is the role?

18 A. Child protection --

19 Q. I see, yes.

20 With that introduction perhaps we can turn to the
21 report that the organisation Barnardo's was asked to
22 provide to the Scottish Child Abuse Inquiry. If I could
23 ask to be put up BAR.001.001.0003 which should come up
24 on the screen hopefully.

25 A. Yes.

1 Q. So far as the report is concerned, this is part of
2 a larger report in four parts, parts A, B, C and D. For
3 the benefit of those who are here today, parts A and B
4 will be the only parts that will be dealt with at this
5 part of the public hearings.

6 I think it is correct to say that in relation to
7 those two parts, there is to some extent a division of
8 responsibility between yourself and a Mr Martin Crewe,
9 who is also employed by Barnardo's; is that correct?

10 A. Yes, that is correct. We thought that it would be of
11 most assistance to the Inquiry if we did it like that
12 because my remit, as you have said, counsel, is all
13 about the heritage and history and that's where my
14 knowledge and expertise lies. I'm based in England. So
15 I don't have the in-depth knowledge about common
16 practice in Scotland and Martin Crewe, as the director
17 in Scotland, is in a much better position to assist the
18 Inquiry in that respect.

19 Q. If I can try and understand how that will work in
20 practice, for my benefit as much as anyone else's, that
21 in relation to really matters of the past, relating to
22 the past and how Barnardo's operated and so forth, these
23 are matters that you will deal with, and can deal with,
24 in terms of questions asked in relation to parts A and
25 B; is that correct?

- 1 A. Yes, that is correct.
- 2 Q. If we start straying into the current situation,
3 particularly the situation as regards Scotland, then
4 that is an area that will be covered by Mr Crewe?
- 5 A. I think if you ask me a question that I feel would be
6 better answered by Mr Crewe then I would let you know
7 that.
- 8 Q. I would be grateful. I think that is probably the best
9 way to proceed. If I suddenly ask you something and you
10 think it is going beyond the areas that you have
11 agreed -- or you have decided you should deal with, then
12 please say so.
- 13 The only other matter to say is that -- this is
14 perhaps of more importance than in some other
15 organisations -- that in the case of Barnardo's, and
16 indeed in the case of the request that has been made, we
17 are dealing both with Barnardo's as an organisation and
18 also a number of particular establishments in Scotland
19 which were run in the past by Barnardo's.
- 20 A. Yes, that is correct.
- 21 Q. So that if we use the term "establishment" or
22 "establishments", it is meant to understand the
23 particular homes or schools, or whatever, that were run
24 by the organisation.
- 25 A. I hope I will try and be able to clarify for you if I'm

1 talking about Barnardo's the organisation and then if
2 I'm talking about or relating to one of the seven
3 establishments that are under consideration. Because it
4 has got a bit confusing at times as to whether we mean
5 Barnardo's the organisation or the establishment.

6 Q. I'm grateful. Just to be clear, one matter is that the
7 establishments that the Inquiry asked for information
8 about are no longer operational; is that correct?

9 A. That is correct; the last one closed in 1990.

10 LADY SMITH: Although you do still have a presence in
11 Scotland, as I understand it.

12 A. Sorry, in residential care, my Lady?

13 LADY SMITH: Yes.

14 A. Yes, I think we have three very small units that are
15 specialised units for children with disabilities.

16 LADY SMITH: In Glasgow, Inverness and Aberdeen?

17 A. I think they are either four-bedded or six-bedded, but
18 that's an example of an area that Mr Crewe would be able
19 to speak to more.

20 LADY SMITH: You are going to focus on the seven that are no
21 longer in operation?

22 A. Yes, my Lady.

23 LADY SMITH: Thank you.

24 MR PEOPLES: It may be a convenient point just to take you
25 to part of the report that will just disclose the

1 establishments that we have asked for specific
2 information upon.

3 Perhaps the best place, at least to see a summary of
4 the establishments in question, is to go to
5 BAR.001.001.0026. If we could put that up.

6 If we just start -- I will just go through them
7 briefly at this stage, if I may. The first is called
8 Balcary; that I think is in Hawick.

9 A. Yes.

10 Q. What we see there is that it was a home that opened in
11 August 1944, initially to evacuate girls from
12 a Barnardo's home in Kent.

13 A. It was called Kenwood and it was in Kent.

14 Q. I think this was part of evacuation arrangements made in
15 wartime by Barnardo's?

16 A. Yes, it is how Barnardo's became -- their first presence
17 in Scotland was the setting up of evacuation centres of
18 which Balcary, correctly, was one of those.

19 Q. I will perhaps come back to that in more detail. That
20 is the background to this home opening?

21 A. Yes.

22 Q. You tell us in 1945 that establishment became a mixed
23 provision for children between zero, well, birth and
24 16 years; is that correct?

25 A. That is correct and as the history of each of the homes

1 developed over the period they all changed and responded
2 to differing needs that were arising.

3 Q. I will come back to that again, so don't worry if I
4 don't take the details because we will maybe try and
5 establish the history but it is just to get an idea of
6 where the places are and how long they were open.
7 Although that one doesn't say so on this page, I have
8 written down that it closed in 1974.

9 A. 1974 yes.

10 Q. The next one we have asked for some information on is
11 a home that was in Blackford Brae in Edinburgh which
12 opened in 1944 as a home for younger children; is that
13 correct?

14 A. Yes, that is correct.

15 Q. In January 1966 we are told it became a home for
16 children with emotional difficulties. That will reflect
17 something we see from the report as a change in
18 direction of services by Barnardo's; is that correct?

19 A. Yes.

20 Q. Then in February 1969 there was a day care unit opened
21 and then in December 1973, the provision moved a short
22 distance to 31 Oswald Road and became known as -- that
23 was the name it was known as?

24 LADY SMITH: I think it was South Oswald Road it was moved
25 to, the other end of South Oswald Road.

1 A. It is quite confusing, my Lady, because some of the
2 historical documents describe it as "South Oswald Road",
3 some of them describe it as "Blackford Brae" and it has
4 been difficult with the research to establish what it
5 was at what period of time. I hope I have captured the
6 developments of that home as it changed over the years.

7 LADY SMITH: Anyone who is familiar with that area will know
8 that in the 1970s modern flats were built on what
9 I think was the site of Blackford Brae.

10 A. Which has happened with most of our old residential
11 sites, yes.

12 MR PEOPLES: For present purposes we can treat both
13 addresses as a single establishment albeit it changed
14 over time and had different service provision.

15 A. Yes.

16 Q. The South Oswald Road establishment, by December 1990,
17 was providing residential provision to five children
18 with special needs?

19 A. Yes, that is correct.

20 Q. We are told that in the spring of 1991 that provision
21 moved to 91 South Oswald Road and was offering six
22 places. Again, would it be for children with special
23 needs?

24 A. Yes.

25 Q. And that it closed finally in 1994?

- 1 A. Yes, it did, although the date that I have taken with
2 all the research for the closure of Blackford Brae is
3 1990 because it had morphed into something quite
4 different after that.
- 5 Q. So really the period we would be interested in would
6 be --
- 7 A. Up to December 1990, yes.
- 8 Q. Then, the next establishment is called Craigerne and
9 that is in Peebles?
- 10 A. Yes.
- 11 Q. That opened in April 1956 as a residential school --
- 12 A. Yes.
- 13 Q. -- for boys with emotional difficulties and this
14 remained its function until closure in June of 1989; is
15 that right?
- 16 A. Yes, that is correct. It was for primary aged boys, not
17 for senior boys.
- 18 Q. Before I go on, Balcary and Blackford Brae/South Oswald
19 Road, they would be treated as voluntary homes --
- 20 A. Yes, under the regulations.
- 21 Q. -- terminology used in the past --
- 22 A. Yes.
- 23 Q. -- which were partly funded by private donations and
24 funds of that --
- 25 A. Originally both of them were entirely funded through

- 1 Barnardo's, yes.
- 2 Q. So for the purpose of any legal and regulatory
3 requirements, so far as applying to Scottish
4 establishments, they would be voluntary homes --
- 5 A. Yes, they would.
- 6 Q. -- and that would be their status?
- 7 A. Yes.
- 8 Q. Craigerne was a residential school, I see, rather than
9 a home?
- 10 A. Yes, it was set up like that.
- 11 Q. Did it have any special status? Was it like an approved
12 school or List D?
- 13 A. It was never an approved school, no. It originally was
14 set up as -- well, in its earliest inception it was
15 a home but it really didn't establish itself as a home.
16 It was set up very quickly as a school because that's
17 what the local education department need was at the
18 time. So my understanding is it was registered from the
19 outset as a school.
- 20 Q. But not a special school such as an approved school or a
21 List D school?
- 22 A. No, no, no.
- 23 Q. Then, the next establishment is the Glasclune
24 North Berwick, East Lothian, and that opened in
25 October 1944 initially as a home for girls but admitted

- 1 boys from May 1953?
- 2 A. Yes. When one of the -- I spoke earlier on about the
3 evacuation centres and when a boys' evacuation centre
4 called Redholme closed, the boys from that home
5 transferred to Glasclune.
- 6 Q. I think Redholme, if I am not mistaken, was not far from
7 Glascune, they were both in the same general area.
- 8 A. Yes, they amalgamated the two.
- 9 Q. In April 1965, that establishment changed to a home for
10 children with emotional difficulties and closed in about
11 1982, although the point is made that from 1979 onwards
12 there were very few children in residential care there.
- 13 A. Yes, that is right. There was a fire in the main
14 building in 1979 and the annex was used just for a short
15 period after that, but the reality was that children
16 were moved after the fire and it eventually closed in
17 1982. But as with Balcary and Blackford Brae, it
18 changed its remit over time to become a specialist unit
19 for children with disabilities or emotional
20 difficulties.
- 21 Q. Then the next on our list was Stapleton Towers, which
22 was in Annan in Dumfries?
- 23 A. Yes.
- 24 Q. That was opened in 1949 as an evacuation centre for boys
25 and closed in 1948. Did it remain throughout as an

- 1 evacuation centre?
- 2 A. Sorry it didn't open in 1948, it opened in 1941 and
3 closed in 1948.
- 4 Q. My apologies: it was opened in 1941 as an evacuation
5 centre for boys and closed in 1948.
- 6 A. Yes.
- 7 Q. Throughout that period, obviously the war finished in
8 1945, but did it function as something other than
9 an evacuation centre?
- 10 A. No they still classed it as an evacuation centre but
11 eventually the boys were moved from Stapleton Towers to
12 Tyneholme, which is obviously the next one on the list,
13 so they were transferred.
- 14 Q. I will come to that one.
- 15 Tyneholme is in Pencaitland in East Lothian,
16 I think.
- 17 A. That is right.
- 18 Q. That opened -- and this ties in with the date you just
19 mentioned -- in 1948 as a home for boys and from
20 November 1970 it provided mixed accommodation and in
21 1973 it became a home for children with physical and
22 learning disabilities and it finally closed in 1985.
- 23 A. Yes, that is correct.
- 24 Q. The final establishment in the list is Winton Drive
25 which I think was in the Kelvindale district in Glasgow?

- 1 A. Glasgow, yes.
- 2 Q. Initially the provision was at 5 Winton Drive from
3 June 1941, when it operated as a home for boys, until
4 December 1959. At that point it moved to
5 23 Winton Drive and became a mixed home between 1961 and
6 1967 and closed in 1972.
- 7 A. Yes.
- 8 Q. Between 1967 and 1972, does that mean there was some
9 change in its provision?
- 10 A. I don't believe so but I believe that the numbers were
11 gradually reduced during that period until it eventually
12 closed in 1972.
- 13 Q. While I appreciate you will not be dealing with this,
14 but just for completeness, in answer to perhaps one of
15 the questions that was raised by her Ladyship, if we go
16 to page BAR.001.001.0032. If we go to the bottom of
17 that page -- I appreciate this is the present, but just
18 something for information -- and I am sure you can
19 confirm this -- so far as residential provision is
20 concerned for children in Scotland, Barnardo's currently
21 have three establishments, Linksfield in Aberdeen,
22 Northern Lights in Inverness, and Onslow Drive in
23 Glasgow.
- 24 A. Yes, that is correct.
- 25 Q. I think that we see -- if we just carry on down -- that:

1 "Linksfield provides residential placements for six
2 children [if we turn the page] between 8 and 12 who are
3 displaying challenging behaviour and [it] offers
4 educational and family support. Northern Lights
5 provides five residential placements to young people [it
6 says] who have been in out-of-area placements."

7 Can you explain that term for me, if you can, if it
8 means anything to you?

9 A. Well, ideally Barnardo's would like to place children
10 within their locality, as all organisations would, but
11 sometimes the provision is in one place and the need is
12 in another place. So I think it was set up with the
13 view to enabling children who are placed further afield
14 to actually be located closer to their families. That's
15 my understanding of what an out-of-area placement would
16 be.

17 Q. So far as the Onslow Drive establishment is concerned,
18 that provides supported residential accommodation for
19 three young people who are leaving care who have high
20 levels of need?

21 A. Yes. Part of Barnardo's in Scotland's work today is
22 around leaving-care services and 16 plus and that is
23 a provision for young people who may, as it says there,
24 require a higher level of support and need.

25 Q. If I could just leave the report briefly and just take

1 some general information about the organisation and
2 Barnardo's.

3 I think we are told -- I don't need to go to the
4 pages -- that Thomas Barnardo, he was born in 1845 and
5 died in 1905 or thereabouts.

6 A. He did, 19th September 1905.

7 Q. Barnardo's, I think currently, is either the or one of
8 the largest children's charities in the UK; is that
9 correct?

10 A. Yes, it is.

11 Q. Its founder clearly was Thomas Barnardo. It has
12 undergone various changes of name over the years I think
13 and I think in particular in 1966 it changed its name
14 from "Dr Barnardo's Homes" to "Dr Barnardo's"; is that
15 correct?

16 A. That is right. When it was originally incorporated in
17 1899 it was known as --

18 Q. I will come back to the dates --

19 A. -- "Dr Barnardo's Homes" and then "Dr Barnardo's", yes.

20 Q. That will reflect certain things that were happening at
21 the time.

22 Then in 1988 "Dr Barnardo's" simply became
23 "Barnardo's"?

24 A. Barnardo's, as it is today.

25 Q. So far as some dates are concerned, maybe we can just

- 1 take some of those from you -- and I may give the
2 passage but I'm not sure we need to look at it.
- 3 Barnardo's involvement in Scotland started essentially
4 in the 1940s in terms of residential homes?
- 5 A. Yes, in terms of residential -- although they did, or we
6 did, open what was known as "an ever-open door", which
7 were as the name suggests, ever-open doors and we had
8 them round the country and it provided support to
9 families. The one in Edinburgh, which was open,
10 provided meals to families, family support. It also
11 provided temporary accommodation for families as well as
12 children, and then children who were then to be admitted
13 permanently into the care of Barnardo's would have then,
14 at that time, gone to homes in the south in England.
- 15 Q. So it is probably not the type of service that our
16 Inquiry is directly concerned with, but it does show
17 that there was a presence in Scotland?
- 18 A. That was the very first presence in Scotland.
- 19 Q. Was that before the war?
- 20 A. Yes, I think it was 1894.
- 21 Q. I see. It goes as far as back as that?
- 22 A. Yes. It was only open for about four years, I think,
23 and then it closed again.
- 24 Q. At this stage it may just be convenient -- did
25 Barnardo's, before the 1940s, were they involved in what

1 was then known as boarding out or fostering or foster
2 care as we might know it today --

3 A. In Scotland?

4 Q. -- in Scotland?

5 A. Yes and no. Again, children may have been referred or
6 come to Barnardo's through the ever-open door and there
7 were a small number we know about and when we look at
8 the figures maybe later, the figures highlight the very
9 small number of children who were boarded out. But the
10 reality was --

11 Q. When you say "boarded out", sorry to interrupt you: do
12 you mean boarded out to Barnardo's or boarded out by
13 Barnardo's?

14 A. Boarded out by Barnardo's to Barnardo's carers that they
15 would have had at the time.

16 Q. To foster carers who Barnardo's had identified?

17 A. Had identified -- although at that time there were very,
18 very small numbers and the majority of children would
19 have actually gone south of the border rather than
20 stayed in Scotland, although we did have a very small
21 number of foster places in Scotland.

22 Q. Just following that one through: when you say they would
23 have gone south of the border, you mean to foster
24 parents in England?

25 A. In England, yes.

1 Q. Not to Barnardo's homes in England which would by then
2 be well established?

3 A. To both, depending on the age.

4 Q. But there were some children, when this was operating,
5 who would have been boarded out in Scotland to foster
6 parents in Scotland?

7 A. Yes.

8 Q. But not a large number?

9 A. No, a very small number.

10 Q. I think that, if I can take this broadly, because the
11 period we are concerned with probably in reality is
12 starting around about the start of the Second World War,
13 so far as Scotland is concerned --

14 A. 1941.

15 Q. -- I appreciate the report explains there was
16 a considerable amount of activity south of the border on
17 the part of Barnardo's --

18 A. Yes.

19 Q. -- from the 1870s right through to the 1940s.

20 A. Yes.

21 Q. Indeed some of its peak activity was in the 1930s,
22 I think.

23 A. Yes.

24 Q. So far as the organisation was concerned, I think you
25 told us earlier that in 1899 or thereabouts Barnardo's

1 was incorporated as a company limited by guarantee.

2 A. That is correct.

3 Q. That remains its legal status today?

4 A. Yes.

5 Q. I will just give the reference -- I do not think it need
6 be brought up -- it is at BAR.001.001.0015 of the
7 response document.

8 We have discussed name changes. The other matter
9 about perhaps the legal status that may be convenient to
10 take at this point -- again I think it is at
11 BAR.001.001.0015 and we don't need to bring it up -- is
12 that in the year 2006 Barnardo's became a registered
13 charity, which was registered both in England and Wales
14 and in Scotland.

15 A. That is correct, yes.

16 Q. So far as the organisational structure and governance is
17 concerned, this can get quite complicated, but can we
18 keep this as simple as possible. I think in 1875, if
19 I can start there, after Dr Barnardo's had opened his
20 first home in London, am I right in thinking that in
21 1875 he established what was called a committee of
22 trustees who essentially were the governing body at that
23 time and who made certain arrangements for how homes
24 should be run?

25 A. Yes. I think prior to that he was very much a one-man

1 show and Dr Barnardo was advised that that couldn't
2 continue and so he set up this committee, as you say, in
3 1875, which shared some of the burden of the management
4 of the ever-growing organisation as it was at the time.

5 LADY SMITH: Is there any evidence of communication between
6 Thomas Barnardo and William Quarrier? They lived at
7 about the same time. They responded to the same child
8 needs and they had similar ideas as to the sort of
9 organisations they wanted to run for children.

10 A. The simple answer, my Lady, is yes. They were
11 contemporaries, as was Thomas Stephenson, who set up the
12 National Children's Home; they were all within a few
13 years. They were philanthropic Victorians and shared
14 the same kind of ideals and basis and it is contentious
15 because Barnardo's would like to think Dr Barnardo came
16 up with the idea, but I think the true story is that
17 Thomas Barnardo came up to Scotland, which is where he
18 got his boarding out ideas from, from the beggars' barn
19 that had been in Scotland for a long time and he visited
20 the Quarrier's Village --

21 MR PEOPLES: I think he was there on the day it opened
22 officially. I read somewhere that he was one of the
23 guests --

24 A. Was he, really? Then you have got better knowledge than
25 I have.

- 1 Q. I can perhaps give you information to that effect.
2 I think we can find that somewhere, but I think he was
3 one of the people who attended the opening.
- 4 A. I certainly know he visited Quarriers and then looked to
5 replicate the idea of the kind of the garden villages
6 and the little cottages which he then replicated in
7 Barkingside, which was the girl's village home and then
8 in other places as well.
- 9 Q. I think we already heard from other evidence that what
10 became the village or the cottage principle or model was
11 one that was obviously adopted by William Quarrier and
12 in a sense was adopted by Barnardo's, albeit in
13 a slightly different form and in a different way, as
14 opposed to the very large institutional establishments
15 that were set up, these large orphanages that were set
16 up by some care providers in the --
- 17 A. Yes, I would agree with that.
- 18 Q. We are going quite far back in time.
- 19 And neither Dr Barnardo nor William Quarrier could
20 claim to have invented this concept because I think
21 there was some evidence to the effect that it was
22 perhaps borrowed from concepts that had started in
23 Central Europe, in Germany in particular --
- 24 A. Yes.
- 25 Q. -- in the mid-19th century?

1 A. Yes, I would agree with that. That clearly is in the
2 history of Barnardo; he visited Europe as well.

3 Q. But there is another thing that I was going to ask you
4 -- and this is as good a time as any to ask it -- which
5 is about emigration. We have already heard -- and
6 I will just maybe introduce it in this way. Clearly one
7 of -- influenced by Annie MacPherson who was from
8 Glasgow and worked in London, William Quarrier, part of
9 his vision, apart from taking children off the streets
10 of Glasgow and other places and giving them a home, was
11 to see that some of them, as he saw it, had
12 an opportunity of a better life in places such as Canada
13 in particular in the case of Quarriers. Indeed his
14 first village was initially entitled an emigration home,
15 I think was the original name of it. We heard evidence
16 that between 1871 and around 1930 some 7,000 children
17 were sent by Quarriers to Canada and that indeed at the
18 end of the war until the 1960s there were further
19 children sent by Quarriers, albeit not in the same
20 numbers, both to Canada and also to Australia until the
21 practice tended to end some time in the late 1960s for
22 a variety of reasons.

23 It was no longer seen as an appropriate way to deal
24 with children who might be looked after away from their
25 own homes. Is that ...?

1 A. Yes, and Dr Barnardo visited Canada in the 1880s and
2 Barnardo's did have a programme of child migration to
3 both Canada and to Australia.

4 Migration to Canada finished in 1939, so no children
5 from Scotland were migrated to Canada. From our
6 database that we compiled we know that 19 children were
7 migrated from Scotland to Australia between 1947 and
8 1965, which was when Barnardo's formal migration
9 programme finished to Australia.

10 Q. Did you say 1965?

11 A. 1947 to 1965 and 19 children from Scotland were
12 migrated.

13 Q. I may put some figures to you, and correct me if I'm
14 wrong, because I have something to the effect that if we
15 are trying to get some scale of the emigration to
16 Canada, I have it noted from information I have read
17 somewhere -- I think it came from Barnardo's and it may
18 not be in the report -- but if I just put it to you that
19 in terms of numbers Barnardo's may have emigrated around
20 about 30,000 children to Canada between 1882 and 1939;
21 is that a reasonable figure?

22 A. No, that's absolutely accurate yes, between that period.
23 It stopped at the Second World War, 1939, and we
24 estimate 30,000 children.

25 Q. Given that Barnardo's was mainly operating south of the

1 border during that period, I think, from what you have
2 said, would the majority of those children have been
3 children from other parts of the United Kingdom?

4 A. Yes. We haven't found within the records on the
5 database that we compiled any children from Scotland
6 that went to Canada --

7 Q. In that period or at all?

8 A. Because Barnardo's presence in Scotland didn't start in
9 the 1941 and Barnardo's migration to Canada finished in
10 1939, we have taken that -- I have looked at the records
11 for --

12 Q. Insofar as there was a move to send children to Canada
13 rather than, I think, Australia at that time, prior to
14 1939, both from Barnardo's doing this and also
15 Quarriers -- because we have got 7,000 from Quarriers
16 going to Canada, 30,000 going from Barnardo's -- so the
17 tendency seemed to be sending children in very
18 significant numbers from the United Kingdom, both in
19 Scotland through Quarriers and England and Wales and
20 elsewhere through Barnardo's to Canada; is that the
21 picture?

22 A. Yes. It most definitely -- I think that was partly
23 because of the Canadian government's role in funding and
24 supporting child migration. In Australia that didn't
25 really take off really until after the Second World War,

1 although some organisations did send children to
2 Australia in larger numbers prior to the Second World
3 War.

4 Q. You have already given us a figure for the number of
5 children, I think, with a Scottish connection that went
6 via Barnardo's to Australia --

7 A. Yes.

8 Q. -- in the period from 1947 to 1965. I think you have
9 got the number at 19.

10 A. That is correct, yes.

11 Q. I have a figure here, I will put it to you and I hope
12 you can tell me if it is right or not, that between 1921
13 and 1967 -- I'm not sure why I have got that first
14 date -- I have an approximate figure of 2,784 children
15 being sent by Barnardo's to Australia; would that be in
16 accordance --

17 A. In total Barnardo's sent 3,232, I think it is, to
18 Australia. That's up until 1965, as I said, although we
19 have found that about 11 children went independently
20 later than that, with either foster parents or as
21 an adult-assisted passage, but that's the figure that we
22 use for --

23 Q. So it is fair to say that of that number of 3,232 that
24 were sent by Barnardo's, an approximate number, of which
25 19 had a Scottish connection --

- 1 A. Yes.
- 2 Q. -- a large proportion of that number presumably were
3 sent post-war, between 1945 and 1965?
- 4 A. Of the Scottish ones?
- 5 Q. No, of the 3,232, is it? Or not?
- 6 A. Yes.
- 7 Q. Just trying to get a sort of --
- 8 A. Yes because there was the Ross Report on migration and
9 recommendations from that about numbers to be migrated.
10 I think there was a very strong view amongst
11 professionals that migration was not in the best
12 interests of children. So Barnardo's, along with other
13 organisations, scaled down referrals for migration
14 because by this time the majority of the work was being
15 done with families to keep children together.
- 16 Q. Can you help me with this: in terms of putting time
17 frames, it may be of some value to us, that the Ross
18 Report, what date was that, roughly? You don't have to
19 be accurate; we are just talking of which decade.
- 20 A. Post-war, so I think it was in the 1950s.
- 21 Q. Yes. Then --
- 22 A. I can find that out for you.
- 23 Q. It may be helpful at some point if we had a date. That
24 influenced the thinking on migration?
- 25 A. Yes.

1 Q. And the wisdom of that and that led to scaling down, do
2 you say?

3 A. Yes, and Barnardo's was changing after the war and we
4 began our programme of closure of the homes and, as
5 I have said, far more children by this time were being
6 supported to stay with their families in the community.

7 So the kind of children who previously may have been
8 candidates for migration, because they didn't have
9 contact with families or they had been in long-term
10 care, was not there any more.

11 Also, the research and understanding about
12 separation and loss and the impact of children being
13 migrated -- it was felt that migration was not
14 a positive option for children.

15 Q. Just tying that into some evidence we have already heard
16 from other witnesses, we know there was a Children Act
17 of 1948 which was quite a significant milestone in child
18 care --

19 A. Yes.

20 Q. -- and apart from putting wider duties on local
21 authorities rather than other providers of care to deal
22 with children in need of care, it also established,
23 following the Curtis and Clyde Reports, the general
24 principle that perhaps residential homes were an option
25 of last resort and that children should, at that stage,

- 1 be boarded out or fostered rather than anything else.
- 2 A. Yes.
- 3 Q. Then subsequently, I think, we discovered there was
- 4 a movement towards supporting children in the community,
- 5 in their own homes, rather than even preferring foster
- 6 care, which was perhaps not the ethos of Clyde and
- 7 Curtis, but became the prevailing view, as time went on;
- 8 is that correct?
- 9 A. Yes. We can clearly see in the history of the
- 10 development of Barnardo's, particularly in the kind of
- 11 post-war years and into the 1960s and 1970s, that taking
- 12 place and far less children coming into residential
- 13 care.
- 14 Q. I have been passed a small note which might assist us
- 15 all: the Ross Report was published in 1955.
- 16 A. The 1950s? I'm glad I got the right decade!
- 17 Q. You were correct in that. To some extent some of the
- 18 changes that happened in Barnardo's, and indeed in
- 19 relation to attitudes to migration and what also is best
- 20 for children in need of care, when we are looking at
- 21 those matters, we have to try to bear in mind the
- 22 legislation as it was evolving and the different
- 23 attitudes and the different understandings of what was
- 24 best for children; is that correct?
- 25 A. Yes, that is correct.

1 Q. I think you mentioned at one point, apart from the
2 Ross Report, whatever it may have said precisely, in the
3 1950s, I believe, there was also a movement, perhaps
4 best typified by works by John Bowlby, in the early
5 1950s, about attachment theories and the problems of
6 young children being separated from their parents and
7 relationships that are important to their ultimate
8 development.

9 A. I think the understanding started with the large scale
10 evacuation of children and the impact of separation and
11 loss from parents as a result of the evacuation
12 programmes. I think then John Bowlby and others
13 followed on in terms of --

14 Q. Took that forward?

15 A. Yes.

16 Q. That perhaps neatly brings me onto Barnardo's
17 residential homes in Scotland. As you have told us,
18 Barnardo's were operating residential homes in the
19 south, in England and Wales, for many years before they
20 did likewise in Scotland.

21 A. Yes.

22 Q. They had a track record in that area; they were not
23 coming in new to this type of activity.

24 A. No. From 1870 I think Dr Barnardo set up his first
25 residential home in London.

1 Q. Again -- we touched on this earlier -- Barnardo's first
2 residential homes in Scotland were opened during the
3 Second World War and we have seen some examples of the
4 home that were opened up and we looked at the
5 establishments. They were to provide initially
6 accommodation for evacuated children; is that right?

7 A. That is correct.

8 Q. Those children were evacuated from England though?

9 A. In the main, yes, from England. Some came from Belfast
10 and some from Scotland, from Glasgow, from the
11 institute.

12 Q. Because I think we know -- it is well known -- that for
13 example Clydebank in the 1940s, and the Glasgow area
14 generally for obvious reasons, because of its strategic
15 importance, that large numbers of children and indeed
16 adults were evacuated to various parts of the country.
17 When I say "country", in Scotland in particular or
18 others areas they were moved to, away from the city.

19 What I'm trying to get an idea for is to what extent
20 were Barnardo's providing evacuation accommodation for
21 children from Glasgow? Because there were quite large
22 numbers, I believe; many thousands in fact.

23 A. I wouldn't be able to give you an accurate number
24 without doing a wide scale analysis but the majority of
25 children in the evacuation centres that were set up were

1 from England. At that time, Barnardo's concentration of
2 work was still in the London and the home counties,
3 which were being bombed. So the majority of children
4 did come from -- then some from Liverpool and some from
5 the bigger port cities in the north of England.

6 Q. I think you told us already that children were not
7 routinely boarded out, as it was then described, or
8 placed in foster care in Scotland until after the war.
9 You mentioned what happened before but that was
10 something that was a development, that was another
11 service that Barnardo's became more involved in
12 post-war?

13 A. I think -- yes, the evacuation centres, most of them
14 were big stately homes. I believe you have some
15 pictures of Stapleton Towers, which was a classic
16 example, and they were donated by wealthy benefactors
17 for the duration of the war, most of the evacuation
18 centres.

19 Then in 1943 Barnardo's met with the Council of
20 Social Services in Scotland to have a discussion with
21 them about what support Barnardo's as an organisation
22 could provide in Scotland and, as a result of those
23 meetings, Barnardo's were invited to open up residential
24 homes and that was kind of the second step in the
25 development of residential care in Scotland.

- 1 Q. The Council of Social Services would be
2 a state-appointed --
- 3 A. I believe so in Scotland, yes. That then follows on for
4 the homes being opened in 1944.
- 5 Q. I think following upon that development -- perhaps
6 I could just take you before I go to this to another
7 page in the report at BAR.001.001.0017, which I think
8 will tie in with some of the information you have just
9 supplied us with. Do we see there that we are told
10 that:
- 11 "The extension of the homes [that is Barnardo's
12 homes] into Scotland was approved by the council [that's
13 this governing body of Barnardo's at the time, the board
14 of trustees at the time] in 1943."
- 15 So that is what's described as:
- 16 "The external legal basis which authorised or
17 enabled the organisation to become responsible for
18 provision of residential care, including foster care,
19 for children in Scotland from that time onwards."
- 20 A. Yes, so that was on the back of these meetings,
21 an invitation to set up homes.
- 22 Q. So it wasn't just a question of do our objectives as
23 a company entitle us to do this and that and do we have
24 the approval of the organisation to expand into
25 Scotland; you are telling us over and above that there

1 were active discussions between Barnardo's and the
2 Council of Social Services in Scotland --

3 A. Yes.

4 Q. -- which really were the background to this approval
5 being given and the establishment of homes from then on
6 in Scotland?

7 A. Yes.

8 Q. Is that essentially the situation?

9 A. Yes, that is correct.

10 Q. The next development in terms of dates that I maybe will
11 just mention at this stage is that in 1947 Barnardo's --
12 whose head office has always been in London, has it?

13 A. Yes, it is still -- was at Stepney Causeway during that
14 time.

15 Q. -- opened a regional office in Edinburgh?

16 A. Yes.

17 Q. My understanding, correct me if I'm wrong, is that from
18 that time onwards a file for each child who was placed
19 in Scotland by Barnardo's, whether in a residential home
20 run by Barnardo's or placed by Barnardo's in a foster
21 care setting within Scotland or elsewhere, perhaps,
22 I don't know, a file was held in the regional offices in
23 Edinburgh?

24 A. It was held in Scotland and copies of all the reports or
25 any information was sent to Stepney Causeway, the head

1 office.

2 So when the archives came back to be -- files came
3 back to be archived there was a lot of duplication with
4 what was held at Stepney Causeway.

5 Q. So the practice after the regional office was opened was
6 there was a principal file kept in Edinburgh --

7 A. Yes.

8 Q. -- but as a matter of routine anything important was
9 copied also to the head office?

10 A. Yes, essentially Barnardo's was run from London right up
11 until the 1970s/1980s, really, so everything was copied
12 down to London.

13 Q. I was going to come to that because I suppose any
14 decisions of importance were taken centrally, in other
15 words from London.

16 A. Yes.

17 Q. And that the governing body in London would be
18 ultimately taking the key strategic decisions and
19 considering matters that were appropriate for
20 consideration by a governing body at the time?

21 A. Yes, and that continued well into the late 1960s and
22 early 1970s until we really had the divisional structure
23 in the early 1970s.

24 Q. Before we rush onto the 1970s, if we just stick with the
25 earlier period because it can get a bit difficult for us

1 to keep our way in this. I'm trying to take it slightly
2 chronologically, if you don't mind.

3 So far as the position then at 1947 or 1943 is
4 concerned, that decision was taken essentially in
5 accordance with what you have just said --

6 A. Yes.

7 Q. -- by -- what was it called then? Was it called the --

8 A. In those days it was the executive committee.

9 Q. That was the governing body?

10 A. That was the governing body, yes, at Stepney Causeway --

11 Q. Were they like a board of trustees or a board of
12 management?

13 A. Yes, in today's terms, but whereas today the board of
14 trustees would be one step removed from operational
15 management --

16 LADY SMITH: The title "executive committee" suggests they
17 were empowered by a body that sat above them.

18 A. No, nothing sat above them in those days.

19 LADY SMITH: The title wasn't right really in modern terms.

20 A. In modern terms, yes. So, no, they made every decision,
21 even kind of quite minutiae (sic) operational decisions
22 they all went through the executive management committee
23 who sat weekly to begin with and then fortnightly and
24 those are all the records that are retained in the old
25 ledgers. So we have all those records.

1 MR PEOPLES: I will come back to ask you in more detail
2 about records and what Barnardo's has today, but it was
3 just to get -- in terms of the structure, and I think as
4 you have indicated, the -- did you say the executive
5 committee?

6 A. Yes.

7 Q. That was the governing body at the time until in the
8 1970s there was a re-think or review?

9 A. It turned into the committee of management in the 1950s
10 and then by 1970 you had a regional structure.

11 So the committee of management gradually over the
12 decades became less involved in key operational
13 decisions and more as the board would function today.

14 Q. But there was still an executive committee in the 1970s?

15 A. Yes.

16 Q. There is some reference sometimes, maybe I picked this
17 up wrongly, to "the council"; what does that mean?

18 A. As we developed, as we morphed then from the committee
19 of management and then when we started -- when
20 devolution -- and we had the regional/divisional
21 structure and we had the first child care director
22 appointed, which was in the 1970s, then you start to see
23 then the council. So then you start to see a layer
24 above that which is, as I said, looks more like our
25 board of trustees does today. They then were not

1 involved in operational decisions; that had then been
2 delegated down to the director of child care.

3 Q. Just so I can summarise for my own benefit, if you don't
4 mind, we start with an executive committee in the period
5 we are looking at, the 1940s. In the 1950s -- is it
6 renamed the committee of management?

7 A. Committee of management, yes.

8 Q. That name remains in place until around some time in the
9 1970s when there is a restructuring of the organisation
10 which creates a regional structure.

11 A. Yes.

12 Q. Would Scotland be a region?

13 A. Yes.

14 Q. At that stage there was introduced new posts, in
15 particular, the child care director post?

16 A. Yes.

17 Q. Was that like a chief executive?

18 A. Yes.

19 Q. Before we get --

20 A. The names change over time, which is why it gets a bit
21 confusing, but today that would be the equivalent of the
22 executive director of children's services with another
23 layer above.

24 Q. That's what I was trying to get at: that you have the
25 director -- the regional structure is introduced, you

1 have the child care director, is that -- are there other
2 directors at the same level?

3 A. Yes. When the new structure came in in the 1970s, there
4 is the director of child care and there was a director
5 of finance, I believe, at that time. That's the
6 structure that remains with then the chief executive
7 sitting above it, although today there are other
8 directors and I think I provided you with structure
9 charts from 1970.

10 Q. You have. I'm trying to get round this so we get up to
11 the point of today.

12 We have, until the 1970s, still very much -- it is
13 the committee of management that has been involved. We
14 then have what might in the modern view be a structure
15 that creates a senior management team or executive team
16 which consists of a number of directors including the
17 director of child care.

18 Does the team also include what you call the chief
19 executive at that stage or not?

20 A. The director's title changed into a chief executive
21 title over time, so there wasn't another layer.

22 Q. So you have got effectively a senior management team
23 doing operational matters, day-to-day matters and then
24 non-operational or strategic matters and financial
25 matters are dealt with by the committee of management,

1 as it was then titled?

2 A. The committee of management still had quite
3 an operational role. It was when the divisional
4 structure came in and then the council was appointed and
5 the divisional directors would then report to
6 a divisional director above, which we would now call the
7 senior executive of children's services. Then they
8 would report to the CEO.

9 Q. I was going to ask you actually, insofar as the Scottish
10 region was being considered at the time, it would have
11 a divisional director who is the head of the Scottish
12 region, the head of that part of the service.

13 A. In the 1960s it was called "the executive officer for
14 Scotland" and before that it was called "the Scottish
15 representative". I know it gets confusing because the
16 name has changed. As more and more of the operations
17 became devolved from head office to the nations, to
18 Scotland, the structure changed --

19 Q. But certainly by the 1970s you have got --

20 A. The executive officer, she was called, in Scotland.

21 Q. Which became a divisional director or something --

22 A. Yes.

23 Q. -- but above that person and the persons to whom that
24 director or executive also reported, were these
25 directors at a higher level?

1 A. It was called a general superintendent. So in the
2 1940s/1950s, that person was called the general
3 superintendent who reported it straight to the
4 management of committee. Then that name, general
5 superintendent, then later changed to "child care
6 director". So you had lots of directors. You had
7 a head office child care director and then you had
8 divisional directors depending which decade of the
9 development --

10 Q. Pre-1970 it was very much centrally run and controlled
11 by the committee of management --

12 A. Yes.

13 Q. -- which was formerly the executive committee?

14 A. Yes, you had your executive officer in Scotland who
15 reported to the general superintendent, who reported
16 directly to the committee of management.

17 The general superintendent role was very much
18 administrative. So he would -- because it always has
19 been a he -- he would then take instructions directly
20 from the management of committee and he would then
21 cascade that down to the regional executive officers.
22 So he was the conduit through which the policies and
23 procedures and developments and everything went between
24 the committee of management and the Scottish region.

25 LADY SMITH: Mr Peoples, would that be a convenient point to

1 take a 5-minute break?

2 MR PEOPLES: It certainly would be for me! Yes, it would.

3 LADY SMITH: Thank you. We will stop for five minutes just
4 now.

5 (3.05 pm)

6 (A short break)

7 (3.10 pm)

8 LADY SMITH: Mr Peoples.

9 MR PEOPLES: Mrs Clarke, if I can perhaps --

10 I'm going to move onto other things but just before
11 I do so, can I just take you to a page BAR.001.001.0044,
12 which is dealing with organisational structure and
13 oversight; it should come up on the screen shortly.

14 It is halfway down. I'm not wanting to take this at
15 too much length just now but I think that there is
16 reference there in the sort of table to the past
17 arrangements and the appointment of a committee of
18 trustees which was, in 1875, before the company
19 structure was established.

20 Then there's reference to the present position. I'm
21 not going to ask you about that in any detail at the
22 moment, but at the moment there is currently a board of
23 trustees that has a composition of between 18 and 20
24 members, 13 at the time that the report was prepared; is
25 that correct?

1 A. That is correct, yes.

2 Q. There are a number of matters that have to be dealt with
3 by the board and there are a number of matters that have
4 been delegated by the board to the chief executive and
5 various standing committees of the board; is that
6 correct?

7 A. That is correct, yes.

8 Q. If we just look at -- it just says at the bottom of that
9 page, the organisation in 1899, if we pass over to
10 BAR.001.001.0045, was incorporated as a company limited
11 by guarantee.

12 I think this may be helps me and others that the
13 role and powers of the council, which I think is
14 described as effectively a board of trustees for this
15 type of company, were set out in the memorandum and
16 articles of association of the company that was formed
17 in 1899.

18 A. Yes, that is correct.

19 Q. There is some explanation that:

20 "The council was to consist of ex officio members,
21 [namely] the president, vice presidents and treasurer
22 and the founder and director, Thomas Barnardo, or the
23 director for the time being and elected
24 members/trustees."

25 It is a bit like a board of directors, as we might

1 know today, that became the sort of council that was
2 running the organisation at the highest level of the
3 council; is that right?

4 A. In the early days, yes.

5 Q. There was to be a maximum of 25 elected members chosen
6 by those who formed the company and the analogy is made
7 with shareholders and a company limited by shares.

8 I think that's -- when there is references to "the
9 council" in the report, we have to read it by reference
10 to -- this is what it is a reference to: it arrives out
11 of the designations in the memorandum and articles?

12 A. Yes.

13 Q. What you have said -- if we go back to a different page
14 at BAR.001.001.0003 -- it might be sufficient for
15 present purposes that we keep this in mind. If we go to
16 the foot of the page that the governing committee was
17 originally the executive committee.

18 So that was a committee that stood at council level,
19 is it?

20 A. Yes.

21 Q. And if we pass over to BAR.001.001.0004, that this
22 executive committee, as it was termed, was re-named "the
23 committee of management" and then this body is now known
24 as "the board of trustees", which I think shows, as we
25 have just seen, that this is the equivalent of today's

1 governing body.

2 A. Yes.

3 Q. What I suppose emerges from that and also the evidence
4 you gave shortly before the break is that between what
5 was called the executive officer, I think, in Scotland,
6 after the regional office was established, there was,
7 above the executive officer, the general superintendent
8 but his role was largely administrative?

9 A. Yes.

10 Q. Not the type of role you would think of as a chief
11 executive today?

12 A. No.

13 Q. Above that there was the executive committee or the
14 committee of management as it became until the
15 divisional and regional structure was created in the
16 1970s. Am I okay on that one?

17 A. Yes.

18 Q. So far as the appointment of members of what's called
19 the council, as we now know it to be, can I just take
20 you to BAR.001.001.0047 briefly, which gives information
21 on how council members were selected in the past. Can
22 we just scroll down to (ii) where the question was
23 asked:

24 "How were members of the governing body selected?"

25 We are told:

1 "Until the 1970s new members of the council would
2 have largely been persons known to the current members
3 of the council and that this method of recruitment or
4 selection of members would not [according to the
5 response] have been unusual by the standards of the
6 day."

7 It wasn't the kind of formal process that we would
8 associate with large organisations today, including
9 voluntary bodies?

10 A. No, it was a bit like an old boy network.

11 LADY SMITH: Although there are trusts today who, for
12 reasons which they think are appropriate, still carry on
13 finding new trustees in the way you describe in this
14 form.

15 A. Although I would say there were women on the council as
16 well; it wasn't just exclusively men.

17 MR PEOPLES: From when though?

18 A. From the earliest executive committee minutes that
19 I have read, so that was in the 1940s. In the main they
20 were ladies of the aristocracy, so potentially
21 benefactors of Barnardo's.

22 LADY SMITH: But it is correct, isn't it, there can be quite
23 strong opinions either way as to how you should go about
24 finding new trustees for a charitable voluntary
25 organisation of this type? Both may work.

1 A. Yes, but today it doesn't happen like that and
2 obviously that is captured --

3 LADY SMITH: For you, it doesn't.

4 A. Yes.

5 MR PEOPLES: Your point being whatever the merits of both
6 approaches, Barnardo's today adopts a different approach
7 and it is --

8 A. A very different approach.

9 Q. -- perhaps more akin to the one might appoint members to
10 a large commercial organisation or something of that
11 nature.

12 A. Yes, and they only sit for a number of years, so there
13 is kind of a rolling membership.

14 Q. Just on this subject of membership, I might as well take
15 it just now at BAR.001.001.0047, if I may. We just see
16 there that:

17 "Until the 1970s [just to take up until then], new
18 members of the council would have largely been known
19 ..."

20 Sorry, I should have said the next page at
21 BAR.001.001.0048. I'm sorry, I have already read that
22 bit.

23 If we go down halfway, to do with qualifications and
24 training that was required of members of the council in
25 relation to provision of residential care services of

1 children, well, at least in the 1970s we are told the
2 council would have included at least one person from
3 a professional social work/social welfare background,
4 someone with some knowledge of property matters,
5 knowledge of government, medicine, they would come from
6 members of the clergy and so forth. Is that --

7 A. That is correct.

8 Q. So a wide range of experience in various areas?

9 A. Yes.

10 Q. But including a person with a professional social work
11 and social welfare background?

12 A. Yes, and that's very much as it is today as well.

13 Q. Would that have been an innovation in the 1970s?

14 A. Would that have been?

15 Q. Having someone at governing body level with
16 a professional social work and social welfare
17 background, so far as Barnardo's was concerned, was that
18 something new?

19 A. I think Barnardo's recognised the importance of having
20 members of the board who had a knowledge across all
21 areas of the provision of the organisation.

22 When the lady in question, whose name has obviously
23 been redacted, first joined Barnardo's, she didn't have
24 that qualification, but as it says here she went and
25 sought it, but she did come from a social welfare

1 background.

2 Q. I suppose the point I was trying to bring out was
3 whether before this person took appointment in 1979 or
4 thereabouts, I think it was, or in the 1970s certainly,
5 the council would not necessarily have included people
6 with professional social welfare backgrounds. They may
7 have been the great and the good and people from the
8 aristocracy, as you said and so forth, but they may not
9 have necessarily have had someone with that more direct
10 experience?

11 A. I think that would be fair to say: they wouldn't have
12 had a formal qualification but they would have been
13 involved in social welfare.

14 Q. They might have had an interest in social welfare. They
15 might have been someone like William Quarrier or
16 Dr Barnardo, they may have been interested in the
17 subject, they may have campaigned for it and so forth
18 and various measures of reform and so forth, but so far
19 as their knowledge of the sort of operational aspects of
20 social care or social welfare, these aren't the sort of
21 things they would have had any direct experience of or
22 any training in?

23 A. Possibly not, no.

24 Q. But that might again reflect, would it not, the
25 evolution of social care and social welfare that,

1 certainly in Scotland -- and I am not sure how the
2 position played out in England -- but we know that in
3 Scotland there was effectively the creation through the
4 Social Work (Scotland) Act of 1968 of what people see as
5 the start of the very professional social work
6 departments and local authorities that replaced
7 Children's Committees and Child Welfare Officers so
8 that -- and people were beginning to be seen as
9 a professional in social care.

10 A. I think the idea pre-1970s was the executive officer or
11 the general superintendent would have been the person
12 that had the qualification and the knowledge and he
13 would then -- because it was a he -- he would advise the
14 board. But as you have said, that expertise, at that
15 time, didn't sit at board level.

16 Q. If I could just pass on then to something else maybe at
17 this stage and see if we can get some more general
18 information on the situation. I would just like to look
19 briefly at numbers of children who were either admitted
20 into residential children's homes in Scotland run by
21 Barnardo's or were placed by Barnardo's in foster care,
22 largely within Scotland is my understanding.

23 Could we go to BAR.001.001.0032. Do we see there at
24 (iii):

25 "How many children in total were accommodated by the

1 organisation?"

2 We are told that:

3 "The total number of children admitted to
4 residential homes [these will be in Scotland] --"

5 A. Yes.

6 Q. "-- including leaving care projects during the period
7 1930 to 2014 is 3,602."

8 A. Yes, that is correct.

9 Q. Just taking the next subparagraph, (iv):

10 "What numbers ... were placed in foster care by the
11 organisation?"

12 Do we see that it says:

13 "From the information available, as identified in
14 (iii), the number of children who were only boarded out
15 or fostered, as the term became known, during the period
16 1930 to 2014 is 4,408."

17 But the qualification is made that:

18 "Some children were placed in both residential
19 accommodation and foster care."

20 So we can't just add the two together?

21 A. No. Would it be helpful to give you a bit of
22 explanation as to where all these figures have come
23 from?

24 LADY SMITH: Yes, please. I picked up danger of just doing
25 a simple addition sum that would produce the wrong

1 answer but I was not quite sure what was within it.
2 A. What Barnardo's decided to do at the beginning of last
3 year was to create a database to try to understand how
4 many children were placed in Scotland. So two of the
5 research team more or less worked full time on it. What
6 we do have -- when the children's files came back to
7 Aftercare or Making Connections, as it is now, to be
8 archived, there were lists of children that came with
9 the Scottish files. It is those lists that then have
10 been populated onto the database.

11 The way that the archives have been archived has
12 changed over the years as different platforms changed.
13 We don't have a digitised archive, so every child who
14 came into Barnardo's care has an index card which is
15 a card kept in a big filing room and you can only search
16 it by surname. So you cannot do an index card search
17 either by "Scotland", by nation, you can't do it by
18 home. So, for example, we couldn't look up
19 Stapleton Towers and have a list of all the children
20 that were at Stapleton Towers. So we can only do it by
21 surname and those surnames would be in birth names. So
22 if somebody changed their name, you could only search it
23 under birth name.

24 What the research team did was they took the lists,
25 they then looked up the index card for each child on

1 those lists, then had to look on either the microfilm or
2 microfiche, all the different variations of where
3 information is held -- and I am sure you will come onto
4 that later when you look at the records -- and then try
5 and populate this database. Because for a lot of
6 children they moved placements. So they may have been
7 placed in one home in Scotland, they may then have been
8 placed in a home in England.

9 It was Barnardo's policy in the early days to place
10 younger children -- to board out younger children and
11 then, for some reason, to then bring them back into
12 residential care. Or when children reached the age of
13 about 14 or, 15 they then went, in the main, to England,
14 to vocational training centres, so either the C schools
15 that were opened up or William Baker Training College or
16 the girls would have gone to Whalley maybe to learn
17 domestic service. So they may then have been placed in
18 a home in England.

19 Unfortunately Barnardo's archives are very, very
20 complex. In order to populate the database we have
21 tried to do that and capture the different children in
22 the different homes.

23 But to provide you with annual figures has been
24 quite difficult because some children would have been
25 placed in more than one home during a year so you would

1 be double-counting on all these --

2 LADY SMITH: So the admission numbers --

3 A. So it is very, very difficult, yes.

4 LADY SMITH: -- could actually have a child who had been
5 placed several times, but it is still one person?

6 A. Yes, they may have been in foster care as well so, yes,
7 it is still one person.

8 So whilst the figures are the very best we could
9 produce for you with our knowledge, I can't guarantee
10 that they are 100 per cent accurate for the reasons that
11 I have given.

12 LADY SMITH: Just going back a moment to the use of names
13 for the database -- and I fully understand how that
14 might have seemed sensible and would enable a person
15 coming to you to try to find their records to say, this
16 is my name, have you got anything. Of course if a child
17 had emigrated and had their name changed and lost track
18 themselves of what their own name was, then when they
19 came back to you, they would be in some difficulty?

20 A. I know it has been said of other organisations but it
21 was never ever Barnardo's policy to change the names of
22 children.

23 LADY SMITH: I'm not suggesting it was Barnardo's --

24 A. -- regardless of whether they migrated or not.

25 LADY SMITH: There are various accounts of how children's

1 names got changed at the other end, if I can put it that
2 way, but it would be another complication for them to
3 try and overcome.

4 A. It would but the Aftercare team/Making Connections
5 team/researchers have been around for such a long time
6 and have developed a very good understanding of thinking
7 laterally and looking for different -- because what you
8 have sometimes is a spelling that is completely
9 incorrect, so you would have to look at different ways
10 that surnames are spelt and sometimes you might -- so
11 you might have a Christian name and then you look at
12 other things. So the researchers then do lots of other
13 things to try to do the very best they can to locate the
14 person.

15 But I have to be honest and say it is not always
16 that straightforward.

17 MR PEOPLES: Can I then see if I can understand the tables
18 now with that explanation just for my benefit, if I may.

19 If we go to BAR.001.001.0028, that is a table headed
20 "Annual admissions", which I think is information the
21 Inquiry asked for.

22 A. Yes.

23 Q. You have explained it was not the easiest exercise to
24 perform --

25 A. No.

- 1 Q. -- and that the numbers are not necessarily --
- 2 A. 100 per cent.
- 3 Q. -- the numbers of admissions of individual children in
- 4 a particular year.
- 5 Do I take it that, as you say, that the number of
- 6 admissions -- if a child in, say 1944, was in three
- 7 Barnardo's establishments would that be counted three
- 8 times?
- 9 A. No. We tried very hard --
- 10 Q. You tried to strip that out?
- 11 A. Yes. I spent many hours myself with the data to try to
- 12 ensure that we have only --
- 13 Q. You have taken out the multiple admissions so you are
- 14 trying to get the --
- 15 A. If somebody had a multiple admission we have tried to
- 16 only count them once.
- 17 Q. I see. I see.
- 18 A. It became more problematic when you then get onto the
- 19 individual homes.
- 20 Q. I follow that. I just wanted to check. This is the
- 21 best estimate --
- 22 A. Our best.
- 23 Q. -- of the number of individual children that were
- 24 admitted in a particular year?
- 25 A. Yes.

- 1 Q. Can I just be clear as well -- it says:
2 "The table shows the number admitted to Barnardo's
3 homes and foster care."
4 Is that right?
- 5 A. Yes. Because, as we said, we didn't open our first
6 residential home until 1941 and as you can see we have
7 done the figures from your terms of reference, so back
8 from 1930.
- 9 Q. From the point that residential homes were opened up,
10 from 1940-ish onwards, right through to arrive at the
11 3,602, does that still include children that were placed
12 in foster care in that year?
- 13 A. Yes.
- 14 Q. All of the years include children that were both placed
15 in a home or placed in foster care?
- 16 A. Yes.
- 17 Q. So that if we look at just any year, 1950, 37 children,
18 that could include both X number of children that were
19 placed in a residential home and Y being the balance
20 that were placed in foster care?
- 21 A. New admissions -- so what this table doesn't give us --
22 and again you know the information that was asked for
23 doesn't kind of give the whole picture. What this gives
24 us is new admissions for that year. What it doesn't
25 tell us is how many children were in the care of

1 Barnardo's in total during that year. So whilst in the
2 year you picked there may have been 37 admissions, there
3 may then still have been 60/70 children in the care of
4 Barnardo's.

5 Q. Who had been in the care at the start of the year?

6 A. Absolutely and wouldn't be counted in this because they
7 would have been counted in a different year.

8 Q. When you say a new admission, does that a new admission
9 mean admitted for the first time or a return admission?

10 A. No, for the first time, or if, for example, a child had
11 gone home -- if they had gone to foster care they were
12 still in Barnardo's care, that would have been
13 a continuum of care. The only time a child would have
14 been counted again is if, for example, some children
15 only came in for very short periods of time due to
16 family crisis -- if a mother was in hospital having
17 a child was quite a popular reason -- and then they were
18 returned back to the family. Sometimes if there was
19 a family breakdown subsequently, a couple of years
20 later, then that child may actually have come back in
21 again.

22 Q. And that would be a new admission for the purposes of
23 this table?

24 A. For the purposes of this table that would have been
25 a new admission.

1 Q. Movement between Barnardo's establishments would not
2 constitute a new admission --

3 A. It is not captured, no.

4 Q. -- nor would moving them between foster care on the one
5 hand and residential establishments on the other?

6 A. No.

7 Q. These would be treated as they were already there --

8 A. Yes.

9 Q. -- and they are not counted for the particular year
10 because there are already in the system?

11 A. Yes.

12 Q. It is only if they break their connection with
13 Barnardo's and then reconnect --

14 A. Come back again.

15 Q. -- then they would be counted again?

16 A. Yes.

17 Q. So you might have the same child in this?

18 A. Yes, but those would be very, very small numbers. In
19 theory you could, yes. I think the better figures are
20 the figures later on for the homes.

21 Q. I was going to say --

22 A. That gives a better --

23 Q. Perhaps we are learning lessons as we go along about the
24 value of this information. Maybe I will take the next
25 table just to tell me because I think that that was

1 something I was obviously trying to tease out, maybe not
2 very well, which one would give us the most value in
3 terms of information. If we go to BAR.001.001.0030, can
4 we see there there is another table which shows the
5 total number of children accommodated in residential
6 services in Scotland:

7 "It should be noted that some children would have
8 spent time in more than one home, so would be captured
9 more than once in the figures."

10 I can understand that, that if you ended up in
11 Glascune and Craigerne, you would be counted for both
12 establishments. It is not representative -- it is not
13 an individual child. They may appear in different
14 establishments.

15 A. No.

16 Q. So far as the overall numbers are concerned -- I will
17 focus perhaps on the ones I asked you about, if I may.
18 If we take for example Balcary in Hawick, we have a
19 figure of 153. It is quite a significant number of
20 children that went to that particular home over the
21 period it was in operation.

22 A. Yes.

23 Q. So is this the best attempt to say that in total 153
24 children during the period of its operation were cared
25 for in that establishment for whatever period they were

1 there?

2 A. Yes. I think this is the best record that we have to be
3 able to say for the seven homes under consideration is
4 the numbers that are here. When you cross-reference
5 them with the years that we know the homes were open,
6 the capacity in each of the homes and compare that with
7 the total figures that we have got there, they more or
8 less stack up. So this is the best knowledge that we
9 have.

10 Q. Obviously subject to the fact that someone might be
11 counted twice in this, that in broad terms 3,723 which
12 I think -- sorry I should take you to BAR.001.001.0031,
13 which is the total figure -- let me bring that up -- for
14 all of the establishments, including the ones that are
15 currently open and the seven we have asked about, that
16 perhaps the most reliable guide to the number of
17 children that have been in these establishments over the
18 period from 1930 to 2014, probably the most reliable
19 figure you can come up with for these homes is 3,723 or
20 thereabouts?

21 A. Yes. This is the most reliable figure. What this table
22 doesn't cover is foster care.

23 Q. Maybe I can come back to that one and check the
24 reliability of the figure for foster care and whether
25 you can add the two together.

1 If you go to BAR.001.001.0032 -- leave aside the
2 figure for total number accommodated by the organisation
3 for a moment. You are saying that the numbers placed in
4 foster care by the organisation, between 1930 and 2014
5 was 4,408; is that right?

6 A. Yes.

7 Q. You say:

8 "From the information available, the number of
9 children who were only boarded out ..."

10 Does that mean they were never in residential care?

11 A. That is correct.

12 Q. They would not appear in the table "Total children in
13 Scottish residential services"?

14 A. No.

15 Q. So we can see that the two figures can be lumped
16 together can we, the 3,723 and the 4,408?

17 A. Yes, you can add those. There are nuances that I could
18 share with you which you might not wish to know about.

19 Q. I don't know if I want to go that far. If we just add
20 the two together, we are looking at something like 8,000
21 children in Scotland --

22 A. Sorry, which two figures are you adding up?

23 Q. Sorry, I have the wrong figures. It is slightly more
24 than that. 3,723 is the figure in the table you say is
25 the most reliable one for children placed in residential

1 schools and homes.

2 A. Yes.

3 Q. So I'm taking that one. It is 3,723, which is the one
4 we looked at for the homes. Then if you take the 4,408,
5 which is the number that were only in foster care. Do
6 you see?

7 A. Yes.

8 Q. I'm getting 8,131 children, if I have done my
9 arithmetic. Can I say that at least subject to --
10 there's always room for arguing -- approximately 8,131
11 were in the care of Barnardo's between 1930 and 2014 in
12 either residential care or foster care and in fact the
13 majority -- not the majority, but the higher percentage
14 would be in foster care, the 4,408?

15 A. Yes.

16 Q. The 3,723, they would be the ones who spent time in
17 residential care?

18 A. Yes.

19 LADY SMITH: Barnardo's became an adoption agency at one
20 point.

21 A. 1947.

22 LADY SMITH: Do these foster care figures include the
23 children who were initially fostered by parents who
24 subsequently became their adoptive parents?

25 A. I don't believe so, no.

1 LADY SMITH: Right. So that will be another set of figures?

2 A. Part of Barnardo's development after the Second World
3 War and after the Clyde Report was where the
4 recommendations were to develop foster care and on the
5 back of that, that's when Barnardo's became an adoption
6 agency in 1947, with -- the initial group of children
7 that were adopted through Barnardo's were children who
8 had been in long-term either residential care or foster
9 care, as the first kind of tranche of children, if you
10 like, and then it was later that the actual adoption
11 programme developed. That was the first group of
12 children --

13 MR PEOPLES: Maybe I have not quite got this.

14 Of the 4,408 I suppose what it comes to is that
15 among that are a group of children who were subsequently
16 adopted?

17 A. No.

18 Q. Not at all?

19 A. No.

20 Q. Because we know from the records that they remained
21 fostered children only; they never achieved the status
22 of being adopted children.

23 A. Yes.

24 Q. I follow. So we can say these are children that weren't
25 fostered --

- 1 A. I can add another complication into it if you wish.
- 2 LADY SMITH: Not particularly! Unless we really need it ...
- 3 MR PEOPLES: I do not think we need to. It is just to get
- 4 an idea of the scale of the provision being made.
- 5 A. Because what it doesn't include is -- again it was
- 6 unclear with the terms of reference -- what was meant by
- 7 "foster care" and whether that included short breaks --
- 8 Q. I think the answer is no.
- 9 A. So some of the statistics, when we had the electronic
- 10 system, could not separate out long-term fostering and
- 11 what your definition of foster care is opposed to
- 12 short-break care was. So we have again had to get the
- 13 best guesstimate and include those in the foster care
- 14 figures. So some of those foster care figures may
- 15 include what we would really class as short breaks.
- 16 Q. So sort of respite type care?
- 17 A. Respite type care.
- 18 Q. With that qualification we have to bear in mind that at
- 19 least some of them -- but can I perhaps, subject to that
- 20 qualification, can we proceed on the footing that the
- 21 great majority of that figure would be longer term
- 22 fostering in terms of they would not just be short
- 23 respite breaks and a lot of these children would be in
- 24 longer term foster care, however long that may be?
- 25 A. Yes. Two years was really the average length of foster

1 care.

2 Q. A lot of these children would be the
3 two-years-and-beyond category?

4 A. (Nods)

5 Q. We are just trying to get a picture.

6 A. It is very complicated to try to separate it out from
7 all the figures and the records that we have got to
8 actually give you an accurate picture. But we have done
9 the best that we can based on the information that we
10 put on the database.

11 Q. Since we have been dealing with numbers of children,
12 perhaps I can take a bit of general information about
13 the children that were placed in residential homes run
14 by Quarriers (sic) or in foster homes organised by
15 Quarriers (sic).

16 LADY SMITH: Quarriers?

17 MR PEOPLES: Sorry, it has been a long day; we started with
18 Quarriers. By Barnardo's, I'm sorry.

19 If we could look at that at the moment, just some of
20 the background.

21 There was one question I did want to ask. In terms
22 of the numbers you have given us about foster care, for
23 example, of that figure because it was a centrally run
24 organisation and there was no clear operational
25 separation between Scotland and England and Wales and

1 you have told us that children would be moved between
2 Scotland, England and vice versa, does that number
3 include children that have a Scottish connection but
4 were fostered by Barnardo's in England and Wales?

5 A. No. We have concentrated purely on populating the
6 database with Scottish children who were placed in
7 Scottish homes and Scottish foster homes.

8 Q. But to take that a stage further, would there have been,
9 in the period 1930 to 2014, children with a Scottish
10 connection who would have ended up with foster parents
11 in England or Wales?

12 A. Possibly, yes.

13 Q. In what circumstances was that happen?

14 A. Where there wasn't a foster placement available in
15 Scotland and there was a dire need identified. But,
16 what Barnardo's did try to do at the earliest
17 opportunity was to bring children back to Scotland.
18 What we do know, again with residential homes, some
19 children in the early days -- well, post-war -- when we
20 had a peak for referrals, we weren't able to accommodate
21 them in Scotland, so they were placed in homes in
22 England.

23 Q. Post-war?

24 A. Yes.

25 Q. Early years after the war?

- 1 A. Yes.
- 2 Q. But you are telling me, I think, if I'm understanding
3 this correctly, that the general policy would be that
4 where children were placed in foster care then every
5 effort was made, if there was sufficient provision, to
6 foster them within Scotland with Scottish foster
7 parents?
- 8 A. And for residential care, yes, where possible.
- 9 Q. But because you were a UK organisation you had the
10 ability to move them south of the border if there was no
11 capacity?
- 12 A. Yes, and when a child was admitted into Barnardo's care,
13 the admission form was signed and that early admission
14 form said that Barnardo's could place the child wherever
15 there was a vacancy.
- 16 Q. Signed by whom though?
- 17 A. The parent. Because in the early days they were all
18 voluntary admissions. So it is signed by the parent or
19 guardian or the SSPCC or whatever other welfare agency
20 may have admitted the child.
- 21 Q. If they had admitted them then they would sign a form
22 that would give authorisation to do that?
- 23 A. Yes.
- 24 Q. That maybe raises another point. If children were
25 placed with Barnardo's in that way and then Barnardo's,

1 at their discretion, obviously subject to any policies
2 to place them either in a home or in foster care; the
3 children themselves, the voluntary admissions as you
4 called them, remained in broad terms the legal
5 responsibility of the parent or guardian or the welfare
6 society that had arranged for the admission. Is that
7 the way it was seen?

8 A. Yes. In the early days a child was admitted into the
9 care of Barnardo's. Later, post-Second World War, with
10 the creation of local authorities, children were much
11 more likely to be referred to a particular home because
12 that would meet the individual needs of that child, or
13 if the local authority was placing the children, which
14 became much more common post-Second World War, obviously
15 into the 50s and onwards, then the local authority would
16 specify that that child should be placed in a particular
17 geographical area and if Barnardo's were unable to place
18 that child there, the likelihood is that they wouldn't
19 come into Barnardo's care.

20 Q. Really the situation you described about being given the
21 consent of the placing authority in these forms, really
22 applies essentially mainly to pre-1948?

23 A. Yes, it does really before the Children Act.

24 Q. After that a lot of the admissions to the care of
25 Barnardo's would come via local authorities --

- 1 A. Post-Second World War.
- 2 Q. -- under the Children Act obligations?
- 3 A. Yes.
- 4 Q. They would use Barnardo's as at least one form of care
5 provider they could use to meet their needs?
- 6 A. Yes.
- 7 Q. In that instance, the general position would be that
8 they would be looking for Barnardo's, if it was
9 a Scottish local authority, to accommodate the child in
10 a residential home in Scotland?
- 11 A. Yes.
- 12 Q. Or place them with foster parents in Scotland. Is that
13 the situation?
- 14 A. Yes.
- 15 Q. But just taking that one stage further. I understand
16 that position post-1948. I think Barnardo's homes were
17 largely in the central belt and some in the borders,
18 obviously we have seen Craigerne and that. I do not
19 think there is any in the north of Scotland at the time
20 or in the highlands?
- 21 A. Yes.
- 22 Q. Did Barnardo's take children from there? Did local
23 authorities approach them from say the northeast or the
24 highlands to take a child into care?
- 25 A. I believe that Barnardo's would have looked at every

1 referral and considered whether they were able to
2 provide a placement for that child.

3 Q. Are you able to say from the information you have so far
4 that that happened or that there would be local
5 authorities outwith the central belt, perhaps north of
6 the central belt, who would have placed children with
7 Barnardo's in Scotland?

8 A. I know with Craigerne because it was a specialist school
9 that it had a much wider catchment area than originally
10 the Lothian, which then eventually became the catchment
11 area, just because of the provision that it was
12 offering.

13 If we move into the 1960s, when Barnardo's had its
14 big programme of closure, and most of the homes we have
15 identified then changed its remit to specialise in
16 providing facilities for children with either
17 behavioural difficulties or disabilities. Because those
18 specialist provisions were quite scarce in Scotland as
19 a whole during that time, it may well be that placements
20 in those homes were made for children who were outside
21 the catchment area that you would consider should be for
22 that particular home, just because of the provision it
23 provided.

24 Q. So if I was a local authority in Dundee, for example,
25 and I had a child with needs that could be met by the

1 specialist service provider in Craigerne, for example,
2 if it was a specialist service of a kind, it might be,
3 in that situation, that Barnardo's would be asked to
4 take that child?

5 A. Yes.

6 Q. On a residential basis?

7 A. Yes.

8 Q. But so far as fostering is concerned, and Barnardo's --
9 the children that were fostered out by Barnardo's, the
10 4,400 whatever, in that period, how did that work in
11 terms of -- where were these children -- how were they
12 coming into Barnardo's post-1948? Through the local
13 authority?

14 A. Yes. We can see from the Scottish reports that we have
15 in the archives between 1946 and 1969, we have retained
16 those as part of the 10% sampling in the archives, and
17 we can track the increasing numbers of children who were
18 referred by local authorities during that period, which
19 significantly increased.

20 So, by the end of that period, all children were
21 being placed through local authorities.

22 Q. Could you just give me the period again?

23 A. Of the Scottish reports that we have?

24 Q. You said something about the -- you had two dates
25 there --

1 A. What we found in the archives is Scottish reports, which
2 were provided by the executive officer and submitted to
3 the committee of management or the executive committee,
4 depending on which period of time we are looking at, and
5 they capture within those reports the numbers of
6 children over that period of time that were being
7 referred by the local authority and that period of time
8 is 1946 to 1969.

9 Q. That's a period that essentially spans from the
10 introduction of the Children Act (1948) through to the
11 Social Work (Scotland) Act which changed arrangements in
12 Scotland to some extent and the powers of the local
13 authority to place independently of the Children's
14 Hearing System -- were replaced.

15 In that period when the local authority had a duty
16 to take a child into care, that needed care in Scotland,
17 are you saying there is evidence in your records that
18 local authorities all over Scotland, who were taking
19 children into care under that statutory obligation, were
20 using Barnardo's to provide care either in the form of
21 homes or by using Barnardo's to locate foster parents
22 for those children?

23 A. Yes, we were receiving referrals from all over Scotland.

24 Q. For both purposes, either to find a residential home
25 that Barnardo's could accommodate the child in or for

1 Barnardo's to act as the fostering agency?

2 A. Yes. I mean, obviously, the figures we gave you with
3 fostering takes us up to 2014. So the development of
4 fostering services in Scotland developed quite rapidly
5 in the 50s and 60s.

6 The recruitment of foster carers across Scotland,
7 and then there have been occasions where, if there had
8 been referrals for children in particular areas that
9 Barnardo's didn't have foster carers in, there has
10 been -- there's evidence and we know -- well, I know
11 from my time -- that a specialist recruitment campaign
12 would be done to attract foster carers in a particular
13 area. But I'm talking -- we are moving into the 60s,
14 70s and 80s, when our fostering services really took off
15 in Scotland. We had specialist services then.

16 Q. I suppose before we break, I'm conscious of the time,
17 but I'm just trying to get my head round -- if we say
18 from 1948 onwards, the local authorities, as we
19 understand it from the legislation, came under a wider
20 form of duty to receive children into care; and I think
21 that's seen as perhaps a milestone in terms of State
22 responsibility for children, taking over from the
23 charitable providers and so forth to a large degree in
24 terms of initially taking children into care and then
25 making the necessary arrangements for that care.

1 Obviously, at that stage, there was a lot of private
2 providers and so the system required them to be used.
3 But the Act seemed to require or give power to the local
4 authorities to establish their own children's homes.

5 It also said that preference should be given, if
6 placing, to boarding out or fostering rather than
7 putting them in a local authority home or a voluntary
8 home. That seemed to be the general framework that was
9 operating.

10 A. Yes, and as part of Barnardo's review in the 1960s, the
11 view was very much that Barnardo's shouldn't continue to
12 provide long-term residential care because the local
13 authorities were now stepping up and providing that and
14 it was much more beneficial for Barnardo's to use its
15 voluntary income and its funding to try and meet unmet
16 need and that's one of the reasons why it went into
17 specialist residential provision.

18 Q. I follow that. Insofar as fostering is concerned, if
19 the local authority takes a child into care and their
20 first port of call is to foster that child out, if
21 that's what the legislation is telling them to do, and
22 they have got the power to take them into care and make
23 those arrangements, then, perhaps I'm naively thinking
24 that the local authority would say: well, I will look at
25 our list of foster homes and foster parents in our area

1 and see if we can put a child with those parents or if
2 not find others who will take the child?

3 A. I would agree with that, yes, because it was potentially
4 cheaper.

5 Q. Therefore, in what circumstances would they think it was
6 appropriate to say: rather than do that, I will get
7 Barnardo's to do it for us? Is that because you had
8 foster parents and foster carers who were on your list
9 but weren't on the local authority's list?

10 A. It would either be because it was either an emergency
11 decision and they didn't have any available provision,
12 whether that was foster or residential care.

13 They didn't have a provision in the geographical
14 area where the child lived. I suppose those are the
15 two. Or it required -- the needs of the child required
16 a specialist foster carer or residential provision that
17 they didn't have at that time, because the local
18 authorities were concentrating more on long-term
19 provision and Barnardo's was very much specialising in
20 residential care for children with special needs.

21 Q. Before that specialisation took place, I suppose I'm
22 trying to get the 1948 to the early 1960s period to see
23 what was happening. Would I be right in thinking from
24 what you have said that the local authorities in
25 Scotland were to some extent at least dependent on

1 Barnardo's to help them with their primary
2 responsibility where a child was taken into care of
3 finding a foster parent?

4 A. Yes. The shortfall.

5 Q. Because they didn't have the facility to discharge that
6 personally?

7 A. Yes. From the reports we know that increasing referrals
8 and placements were made by local authorities, who then
9 paid the maintenance grant to support the children in
10 Barnardo's care.

11 Q. When you say paid a grant, it was to pay for them to be
12 in a Barnardo's home in Scotland or to pay for the
13 foster care?

14 A. Yes.

15 Q. And the cost of arranging that care, including any
16 payments that were made to the foster payments?

17 A. Yes.

18 MR PEOPLES: I think that may be a convenient time to stop.

19 I am conscious of the hour.

20 LADY SMITH: Yes. It is now coming up to 4 o'clock, so we
21 will stop here for today. I'm afraid your evidence is
22 not finished yet, plainly. So we will need you back at
23 10 o'clock tomorrow morning please.

24 Estimate of how much longer you are going to need
25 with Mrs Clarke?

1 MR PEOPLES: I would think that this witness will be
2 required for a good part of tomorrow. I do not think
3 the next witness, if I understand the balance of
4 responsibility for the report, will take as long.
5 I think this is for present purposes the witness that
6 will be more lengthy. I'm just warning Mrs Clarke at
7 this stage. I don't want to get her hopes up that she
8 will be finished by 10.30 am or the break because
9 I think it might be a little bit longer than that.

10 LADY SMITH: If you can take account of that, we may need
11 you for a while tomorrow morning Mrs Clarke, and then we
12 will move to Mr Crewe after that. Maybe or maybe not to
13 the Aberlour witness?

14 MR PEOPLES: I think it is safer to put that witness back to
15 Friday morning at 10 o'clock. If I could tell you that
16 now, I think that would -- I just think that is more
17 realistic.

18 LADY SMITH: So anybody who is interested in hearing that
19 witness knows that won't be before Friday morning.

20 MR PEOPLES: No and obviously we will discuss with Mr Crewe
21 at what point he might be required tomorrow. I don't
22 want him to be waiting around all day. We will try and
23 work out a best estimate of when he might be required.

24 LADY SMITH: Thank you for your assistance today Mrs Clarke,
25 we will see you tomorrow morning. We will rise now.

1 (4.00 pm)

2 (The Inquiry adjourned until 10.00 am on Thursday,

3 29th June 2017)

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