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This professor teaches the next generation of Scottish social workers but he ...

- Defends religious Brother convicted of torturing children with electricity
- Ran care home where girl was strip searched and burned with cigarette
- Insists he is not convinced of guilt in any child abuse case he has dealt with

Now calls go out: 'Sack this apologist for child abusers'

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Social work professor 'should be sacked' for defending convicted child abusers

The Scottish Sunday Herald; Exclusive by Peter Swindon @PeterSwindon Senior reporter, Sunday Herald
A PROFESSOR of social work who has defended child abusers and ran a care home where a teenage girl was ordered to strip by male staff has been urged to quit.

Mark Smith, of the **University of Dundee**, has written extensively about child abuse, often questioning convictions. He previously oversaw St Katharine's residential children's home in **Edinburgh** at a time when male staff ordered a newly-arrived teenage girl to strip.

She was later ordered to get out of bed by male staff who carried out regular searches by putting their hands inside her pyjamas. The practice only stopped when she began going to bed with clothes under her nightwear.

It also emerged during an investigation by Edinburgh Council that she was burned with a cigarette, and denied both anti-depressants and access to education. The council this week upheld her complaints about the treatment and apologised.

Smith, who was principal of Secure Services overseeing the care home at the time of the abuse, said he “did not recognise the picture presented” by the probe and said he was not spoken to by council investigators.

Smith has written a series of articles which question evidence against convicted child abusers, including a man who used an electricity-generating device to torture youngsters. Smith described the electrical charge as “mild” and insisted the prosecution was “odd”.

The leading Scottish social worker also claimed he had not “come across a case yet where I have been convinced of guilt”.

In another article, Smith accepted that his questioning of cases of historical abuse leaves him open to “accusations of being at best an apologist for child abuse or perhaps even a fellow traveller”.

In one article, he said: "I found myself thinking on hearing of some charges: 'I've done that!'"

Smith has robustly defended his comments and rejected criticism, however there have been calls for him to be removed from his academic post.

The former Director General of the Scottish Crime and Drug Enforcement Agency and the chief executive of the Scottish Social Services Council are among his critics. The woman who complained about her treatment in St Katharine’s insisted “his position in the field of social work is untenable”, while another abuse survivor simply said Smith “should be sacked”.

The leaders of three charities which work with child sexual abuse survivors have also said Smith should consider his position.

The University of Dundee stands by Smith’s “academic freedom”.



'I HAVE NOT COME ACROSS A CASE OF ABUSE YET WHERE I AM CONVINCED OF GUILT'

PROFESSOR Mark Smith is facing calls for him to be sacked from his post at the University of Dundee over his claims that evidence against convicted child abusers is “flimsy” and statements by him that he hasn't come across a case yet where he has been convinced of guilt.

Smith teaches the next generation of social workers at the university and was previously Principal for Secure Services in Edinburgh, which gave him oversight of St Katharine's residential children's home.

Smith was at St Katharine's at a time when male staff ordered a newly-arrived teenage girl to strip. She was also repeatedly ordered to get out of bed by male staff who carried out searches by putting their hands inside her pyjamas. An investigation by the council upheld her complaints about the treatment.

The care home became notorious in 2016 when former council carer Gordon Collins was jailed for 10 years for sexually assaulting female residents aged between 13 and 15 at St Katharine's and at a Northfield children's home between 1995 and 2006. Smith did not work with Collins.

Another former St Katharine's employee, Kevin Glancy, was jailed for 15 months and placed on the Sex Offenders Register for 10 years in 2008 – five years after he had left St Katharine's – for possessing 239 pictures and 70 video clips of children being abused. Glancy was employed at St Katharine's when Smith was in charge.

Smith was unit manager at St Katharine's from 1994 until 1996. He was then the City of Edinburgh Council's principal of Secure Services, based at and overseeing St Katharine's, from 1996 to May 2000, when he left and took up a post at Strathclyde University.

Last year Smith wrote an article entitled “Criminalising everyday care” in which he said he had “come uncomfortably close to cases of historical abuse over the past dozen or so years” and had

given evidence to both prosecution and defence and been a witness in cases where he has “worked directly with the accused”.

He wrote: “I have not come across a case yet where I have been convinced of guilt. In fact, I have been horrified by the flimsiness, indeed the banality, of the evidence that finds its way to court. Not only that, I found myself thinking on hearing of some charges: 'I've done that'.”

Smith has insisted he was not referring to cases involving former St Katharine’s carers Collins and Glancy. There is no suggestion Smith was aware of any of the criminal behaviour by Collins and Glancy at the time of their offences. Smith denied teenagers were strip searched at St Katharine’s when he was in charge.

Smith has previously written about former colleague Michael Murphy, known as Brother Benedict, who was jailed in 2008 for torturing young boys at St Ninian’s List D school in Gartmore. Murphy was originally convicted in 2003 for force feeding boys vomit, whipping them with knotted boot laces and administering electric shocks, but appeals meant he was released in 2003 after nine days behind bars. He was finally jailed for a year in May 2008.

In the article written for child care workers in June 2008, Smith said he “watched a former colleague, a 74-year-old religious Brother whose entire life had been spent helping others, jailed. His crime was to have used an electricity-generating device as an instrument of torture to punish boys ... of course had the Brother involved actually electrocuted kids then a jail sentence would seem only appropriate. But he hadn’t.”

Smith said the device, which he described as “Brother Ben’s machine”, worked when boys held two rods while the handle was turned to generate a “charge” which he described as “mild”. Smith said: “When practices such as this are construed and indeed prosecuted as torture or punishment there is something very odd going on.”

Murphy was jailed again in June 2016 for torturing and sexually abusing boys at St Joseph's List D **School**, in Tranent, in the 1970s. During the trial victims said he had laughed when administering electric shocks to boys using a hand-wound generator.

One survivor of Brother Benedict’s abuse, who asked not to be named, said Mark Smith “should be sacked” for his views, adding: “There is no way he can present himself as an expert in social care while defending, downplaying or sympathising with an abuser who has twice been convicted.”

In another article in 2010 Smith admitted that questioning cases of historical abuse risks “accusations of being at best an apologist for child abuse or perhaps even a fellow traveller.”

Abuse survivor David Whelan, of campaign group Former Boys and Girls Abused (FBGA), said Smith was attempting "to discredit genuine victims. I would go as far as to say he’s an apologist for child abusers”. Whelan said Smith “should not be teaching students studying social work”.

He added: “It’s perverse to say the least and institutions such as the University of Dundee that supports such individuals are no better than the failed care institutions of the past. By allowing such individuals to teach they are colluding in covering up the systemic failures of the past Scottish care system.”

Laurie Matthew, the director of 18 and Under, a Dundee charity which works with abused children, said: “I was astounded at his comments. He shouldn’t be educating social workers if those are his views.”

Former **MSP** and ex-head of the Scottish Crime and Drug Enforcement Agency, Graeme Pearson, said Smith’s views “demonstrate an alarming absence of self-awareness and a casual approach to the standards of child protection”.

Pearson said he found “assertions questioning the evidence given by numerous witnesses over the years of the disgusting behaviours they endured as children 'in care' deeply worrying. In that light Mr Smith would do well to consider whether he is best placed to continue with his work teaching the social workers of the future”.

Academic Dr Sarah Nelson, author of Tackling Child Sexual abuse, said: “Professor Smith is of course entitled to express his views but having followed his writings and his research projects for at least 15 years, I’ve found them throughout this time questioning of the credibility and integrity of those who tell of maltreatment experiences in residential settings; trivialising of practices towards children which would be cruel or unsafe, in whatever time they were set; and perennially questioning of the guilt of abusers convicted, charged or accused.”

Janine Rennie, chief executive of Wellbeing **Scotland**, a charity for child abuse survivors, said: “I am horrified that this individual has been involved in the care of children and equally appalling is his role in training social workers.” She added: “He needs to consider his position and the university should reconsider the appointment of Mark Smith.”

Anna Fowlie, chief executive of the Scottish Social Services Council, the regulator responsible for raising social work standards, said: “As the body responsible for ensuring a safe and skilled social service workforce these matters cause us serious concerns.”

She added: “The recruitment of suitable staff to teach future social workers is the responsibility of the individual universities.”

A spokesman for the University of Dundee said: “The university is aware of the many sensitivities in the area of care addressed in Professor Smith’s work. We support the freedom of our academics to research and investigate issues which are not always comfortable or without controversy, and to discuss and debate their findings.”

STRIP-SEARCHES AND CIGARETTE BURNS: INSIDE ST KATHARINE'S CARE HOME

A STRIP-SEARCH was ordered for a newly-arrived teenage girl at secure children’s home St Katharine’s in Edinburgh at a time when Mark Smith was principal of Secure Services, despite strict rules forbidding the practice.

The 15-year-old was also repeatedly ordered to get out of bed by male staff who carried out searches by putting their hands inside her pyjamas, according to a report by Edinburgh Council. The searches only stopped when she began wearing clothing under her pyjamas.

Edinburgh Council has apologised, reviewed search procedures and issued updated guidance to care home staff.

An investigation by the council uncovered evidence that girls were routinely ordered to strip in a bathroom and emerge in front of female staff wearing a towel before being told to move their arms and legs, a process which the council said was humiliating and should not have happened.

The probe also found that the complainant was denied prescription anti-depressants, burned by a member of staff with a cigarette, and had her time in education cut from five days to two and a half days a week. These events happened at a time when Mark Smith had oversight of St Katharine’s.

The woman, now in her 30s, asked not to be named. She said: “Smith’s position in the field of social work is simply untenable.”

Edinburgh Council began an investigation into practices at St Katharine's after the Sunday Herald revealed records from the home were destroyed despite strict regulations that files must be retained for 100 years.

The council found "a series of procedural errors" meant the complainant's files were "wrongly identified as a closed adult social work file several years past its destruction date".

During the investigation it emerged the complainant claimed she was told to remove her clothes by men who worked at St Katharine's. She said: "Two aggressive male staff members who towered over my 15-year-old frame told me they needed to perform a strip-search." She refused, and two female members of staff carried out the search.

The council report into her complaints about her time at St Katharine's in the late 1990s, when Smith had oversight, revealed children were regularly told to strip.

The report, signed off by Alistair Gaw, an executive director at the council, said young people were first "put into a bedroom isolated from other residents" before they were ordered to strip in a bathroom and hand their clothes to staff. The teenagers were then told to "move their arms and legs up and down" while wrapped in a towel.

"This process would have been humiliating and intimidating for any young person and does not appear to have been in keeping with departmental procedures," the report said.

Investigators also upheld a complaint that male members of staff regularly demanded that the complainant got out of bed and then searched the teenager by "placing their hands on your body". The report acknowledged evidence that the practice only stopped when she "started to wear clothes under your pyjamas". The report said: "Two male members of staff should not have been searching you in your room at night".

Smith confirmed that he wrote the search protocol but insisted they were undertaken by staff of the same gender. He insisted "there were no strip-searches" and residents would wear a dressing gown or towel when searched. He also said he wasn't interviewed as part of the council's investigation.

The investigation also found evidence that the complainant's GP was "unhappy that staff at St Katharine's Centre delayed in providing [anti-depressant] medication". Staff intervened because they "felt that the doctor should not have prescribed Prozac".

The investigation also upheld a complaint a staff member burned her with a lit cigarette. They crushed a cigarette against her wrist and told her not to tell anyone. The burn went untreated and scarred her. The council apologised for "distress caused".

The council also apologised for "denial of education" which prevented the teenager from gaining qualifications which would have secured a place at university.

She said: "These incidents happened in a context. The culture allowed it to happen. I felt like I was completely worthless, and the staff could do whatever they wanted to me. I was treated as if I didn't matter. I was treated like an animal."

Smith said he was not aware of the burning incident. He said decisions on medication were made by a psychiatrist and decisions on education by the council's education department.

Edinburgh Council's investigation dealt with a further allegation by the complainant that Smith ripped up a letter in which she detailed claims about abusive staff. The woman said that she had a "one-to-one meeting" with Smith to discuss her concerns. She alleges he "refused to accept" the complaint and "ripped up the written document".

The investigation found an archived log which noted that the meeting to discuss a complaint about staff took place. The investigation report said information retrieved during the probe “backs up your accounts of the issues you have raised”.

The report added “we have not retrieved any evidence that refutes any allegation that you have made” and the investigator “has no reason to doubt your credibility”.

Smith said all complaints were “investigated externally to the unit” and insisted he was “not in a position to close down complaints”.

He added: “If any complaint has been upheld retrospectively then, again, I was not aware of it or given any opportunity to respond to it.”

A spokesman for Edinburgh Council said: “A thorough investigation of the complaints has been carried out. We have apologised in full for the distress caused to the former resident who has our continued support.”

Smith said he found it “very odd” the council carried out its investigation without consulting him.

He added: “The picture presented by the former resident of St Katharine’s ... is not one I recognise. Because of the nature of secure accommodation, there were violent incidents (and still are in such units) and my colleagues and I used recognised restraint techniques to protect children and ourselves where necessary.

“Residents were never hit, however, and if they were unhappy about any aspect of their care there were multiple ways of raising the issue. At the time, they had access to their social worker, who visited weekly, a children’s rights officer, children’s advocacy groups, and parents. They had access to an established external complaints process.

“More recently, those concerned about their care experience, historically have access to the National Confidential Forum and to the Scottish Child Abuse Inquiry.”

PROFESSOR MARK SMITH IN HIS OWN WORDS

THE Sunday Herald went to the University of Dundee to interview Mark Smith last week, but he was not at his office. We then asked a press officer if we could interview Smith but he chose to respond in writing using the press officer as an intermediary.

He said raising questions of wrongful and false allegations is “an entirely legitimate academic interest” and he does “appreciate that this is a very sensitive area ... but I believe we must be honest in our examination of the complexity of care work and the reasons why former residents might seek to interpret or re-interpret their experiences in a particular way. That does not make me an 'apologist for child abuse' and I strongly refute any such description.”

Smith accused the Sunday Herald of a “witch hunt based on guilt by association or, more worryingly, guilt where there is not even association”.

When asked about his comments defending Brother Benedict, Smith confirmed they worked together and said the case inspired him to become an academic.

When asked to justify his defence, Smith said: “The device in question generated static electricity. It was similar to the Van de Graaf generators used in science labs across the country – its impact was no greater. I know this from personal experience and [in the trial] several former pupils testified to this effect. It is legitimate to assert from personal experience that this was not abuse.”


He added: “In terms of the [Brother Benedict] case I have only ever questioned the interpretation of allegations surrounding the Van de Graaf generator and whether the minor electric shock produced by a hand-cranked generator constituted abuse. I have never commented on any other aspects of the allegations.”

When asked whether his article entitled “Criminalising everyday care” is a defence of child abusers, Smith said: “There is nothing in this article that defends child abusers – I don’t defend child abusers. I question the criminal justice system’s responses to credulously believing every claim. I am not alone in this as recent events in England testify, for example ... the ‘Nick’ case, in which allegations against prominent figures have been shown to be wholly without substance. There are equally valid questions to be asked in respect of responses to historical abuse.”

When asked about his comments – that he has not come across a case yet where he has been convinced of guilt and he found himself thinking on hearing of some charges “I’ve done that” – Smith said these comments are “in relation to the application of historical standards to present-day care. This is in contravention of the Universal Declaration of Human Rights, which prohibits the application of retrospective justice. My legitimate interest is in miscarriages of justice”.

Smith added that he has “never denied that abuse takes place in residential care” and said he knows “as much as anyone the importance of delivering justice for victims but that does not mean I automatically accept every claim of abuse unquestioningly”.

In an article published in the Sunday Herald on November 26 ,2017 (St Katharine’s Secure Unit: a history of abuse) we stated that Mark Smith worked “alongside” Gordon Collins, who was jailed for sexually abusing children at St Katharine’s Centre, a secure unit, and at Northfield, another Edinburgh Council care home, between 1995 and 2006. Mark Smith was principal of Secure Services until 2000 and did work at St Katharine’s until then but he did not work alongside Gordon Collins and does not know Collins personally or professionally. We are happy to clarify this matter and set the record straight.

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