

# TIME TO BE HEARD: A PILOT FORUM

An Independent Report by Tom Shaw  
Commissioned by the Scottish Government

**“The greatest thing you  
can give a survivor  
is acknowledgement,  
not sympathy but  
acknowledgement.”**

# **Time to be heard: A pilot forum**

The quotation on the front cover is from a TTBH participant.

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## Foreword

Time to be Heard was a unique opportunity for 98 people to recount their experiences as children in residential care, in a confidential, non-judgemental setting. It was a 'pilot forum' designed to test one model of acknowledging, and hopefully helping to heal, any hurt relating to that experience. That the participants were willing to talk about private, personal and often deeply painful matters to people who were unconnected with them is a firm indication of their need to be heard.

The response of those who participated confirms the value of the Government's initiative. The pilot allowed a wide range of people to be heard, the great majority of whom had not engaged previously or publicly with initiatives and services for former residents, especially for those who had suffered abuse when in care. Many of them said that participation had been very worthwhile, giving them a sense of release, of a burden lifted, of the beginning of closure. That therapeutic benefit should not be under-estimated as it is a significant gain for individual and public health.

Time to be Heard took place in a context of divided opinion about its scope, focus and representation of survivors. That it was able to proceed as planned despite strongly-held, opposing views from some survivors - but with their goodwill - was very much appreciated by me and my team.

This report reflects the experiences of the remarkable individuals we met and those we heard from by phone; it is offered as an affirmation of all that they hoped to achieve through participation, namely to be listened to, to be believed, and to be acknowledged.

I am indebted to Anne Carpenter and Kathleen Marshall who, as Commissioners, contributed enormously to every aspect of Time to be Heard. Their knowledge, skill, experience and humanity enabled the confidential hearing process to be effective and affirming.

We believe that the opportunity to be heard should now be given to all.

**Tom Shaw**



## Part 1: Executive Summary

### The purpose of the Pilot Forum

The purpose of Time to be Heard (TTBH) was to test the appropriateness and effectiveness of a confidential forum in giving former residents of residential schools and children's homes the opportunity to recount their experiences in care, especially abusive experiences, to an independent and non-judgemental panel. TTBH was designed to serve both as a means of acknowledging their past and a context in which they could find some release from their suffering. TTBH also offered advice and guidance on the action they could take if they wished to report a criminal case against an individual who had abused them or the institution in which they were cared for. TTBH was modelled on the Confidential Committee of the Irish Commission to Inquire into Child Abuse (CICA).

TTBH is part of the SurvivorScotland Strategy developed by the Scottish Government and overseen by a broad based National Reference Group, with support from the SurvivorScotland Team which is part of Scottish Government's Health and Social Care Integration Directorate. The SurvivorScotland Strategy ([www.survivorscotland.org.uk](http://www.survivorscotland.org.uk)) aims to raise awareness of childhood abuse and its long-term consequences, improve services and enhance the health and wellbeing of survivors.

### The issues faced in setting up the Pilot Forum

A key issue - identified in the human rights framework commissioned by the Scottish Government (SG) from the Scottish Human Rights Commission (SHRC) on meeting the needs and respecting the rights of victims of abuse - was that TTBH should be independent of Government. That finding required a swift re-design of the arrangements for the pilot. The lack of protective legislation in Scotland for the work of a confidential forum necessitated changes in the conduct of the Forum's business and especially in the way in which it recorded what participants said.

Another key issue for some survivors was the lack of an accountability strand in the work of the Forum. TTBH had no powers to investigate allegations and no role in recommending participants for compensation. For some survivors that was seen as a major weakness and a renegeing by Government on what had been anticipated during its consultation on an 'Acknowledgement and Accountability' forum. The Restorative Justice Toolkit, which was developed alongside TTBH, offers one way in which institutions can demonstrate their acceptance of accountability. Information on the Restorative Justice Toolkit is available on [www.survivorscotland.org.uk](http://www.survivorscotland.org.uk) or from the SurvivorScotland Team.

A third key issue was the Government's decision to restrict participation in TTBH hearings to former residents of Quarriers. The rationale for that decision was presented at stakeholders' events some months prior to commencement of the work of TTBH but some survivors remained wholly un-persuaded and were opposed to the initiation of TTBH linked to the former residents of one institution.

### **Publicising the Pilot Forum**

Information about TTBH was posted on the SurvivorScotland website [www.survivorscotland.org.uk](http://www.survivorscotland.org.uk) and on the websites of relevant organisations, including Quarriers. Additionally advertisements were published in two national newspapers and in the Big Issue. After agreement was reached between the Board of Quarriers and Scottish Government, letters from me, as Chair of TTBH, were distributed by Quarriers to some 500 of its former residents who had been in contact with the institution in the past five years. Subsequently 168 requests for copies of the application form and information pack for TTBH were received. By the closing date of 31 May 2010 112 applications had been received. Subsequently another 4 participants were added because of exceptional circumstances, for example where an applicant lived abroad.

### **The participants**

All but two of the 116 applications to participate, which were ineligible, were accepted. I wrote to those whose applications were ineligible to explain why they could not be included; in one case the applicant had not been a resident in Quarriers and in the other the person had been an ancillary worker in Quarriers and not a resident. The participants ranged in age from 83 to 38; 47 of them were men and 51 were women. Some had lived for almost all of their childhood in The Orphan Homes of Scotland, later re-named as Quarrier's Homes, others had lived there for shorter periods of time, for example, 48 had spent more than 10 years in Quarriers and 18 had spent 5 years or less there. Of those who participated, 69% still live in Scotland, 18% live in England or Wales and 13% live outside the United Kingdom in Canada, the USA, Hong Kong, Australia, Germany, Italy and France.

### **Where participants were heard**

Of the 114 who applied and were accepted, 98 were heard. The others withdrew because of a change of mind or because of illness and one participant died a few weeks before his scheduled hearing. The hearings were conducted in premises in central Glasgow, selected by Scottish Government after careful consideration of what was needed and in three instances in locations adjacent to the individuals' homes or work places. Five participants were heard in Canada and 6 were heard through a combination of written submissions and tele-conferencing. Two recounted their experiences entirely in written submissions.

## What we heard

Part 2 of my report contains groups of quotations and individual accounts, drawn from what we heard from participants, of their experiences of living in Quarriers as children. Readers may find some of the quotations distressing. Three main themes are evident in those accounts – poor communication, lack of respect, and inadequate preparation for leaving care. The issues which reflect those themes are addressed in sections on physical assault, sexual abuse, emotional abuse and leaving care. A section on the psychological needs of participants is included in Part 2. I include a number of recommendations related to observations on what we heard and these appear in Part 4 of the report and at the end of this Executive Summary.

## The participants' response to the Pilot Forum

The feedback from the participants to the Commissioners and me was overwhelmingly positive both about the experience of TTBH and the effect of participation on their self-respect, self-confidence and progress towards closure. They said that they felt acknowledged, affirmed and could begin to move on from painful past experiences. Many of them said they felt better and some wrote to us subsequently on similar lines. The findings of the independent evaluation of the process confirm equally positive outcomes. The participants' response, our observations and the independent evaluation of the process lead to the firm conclusion that a national confidential forum should be available to all who have been cared for in a residential setting in Scotland at anytime in the past. It offers the prospect of both acknowledgement and health benefit to many former residents.

## Quarriers' response to TTBH

We welcome and commend the decision of Quarriers to be associated with the pilot of a confidential forum and in particular the institution's assistance in publicising the opportunity to be heard. We also welcome Quarriers' engagement with the Restorative Justice Pilot. We urge all institutions to follow that lead and avail themselves of the Restorative Justice Toolkit in developing similar opportunities for their former residents.

We also acknowledge the co-operation of Quarriers throughout the life-span of TTBH, providing us with information on request.

Getting access to their records has long been a major issue for former residents and for many of them a source of frustration and pain. Quarriers had established and continues to develop its archival and genealogical service. Similar commitments have been made by some other institutions. The experience of participants in TTBH indicated that there are still aspects of that service which need to be enhanced. Those experiences may well have relevance to other service providers.

Photographs of our childhood are important to all of us and none more so than those whose childhood has been characterised by uncertainty and insecurity. Getting photographs of themselves as children has proved to be very difficult for many of the participants in TTBH. They depended on finding photographs in their records and all too often found few or none. We heard that there are many photographs of children in Quarriers, some in publications held in the archives, some in envelopes and folders also in the archives, and some in private hands. We believe that participants would benefit greatly were the photographs to be assembled into a photographic archive to which they could be granted access on a secure basis. We are aware that the National Archives of Scotland would be able to give expert advice in taking this forward. We believe that all institutions should develop photographic archives, if they have not done so already.

### **Observations for the Scottish Government**

We have no doubt that a national confidential forum designed to acknowledge those who were abused in residential care as children is worthwhile and is needed urgently for all who were cared for in residential schools and children's homes in Scotland in the past.

Because TTBH was set up without legislative basis, it did not have the benefit of the statutory protections enjoyed by the Irish model that it sought to emulate. The essence of the Confidential Committee model is, as its name implies, its confidentiality. Because TTBH did not have statutory protection for confidentiality, the Chair and Commissioners, informed by independent legal advice, developed practices to mitigate any risks that information provided in confidence might require to be disclosed. This was done through minimising the amount of identifiable information held by TTBH, seeking to anonymise it as far as possible and as soon as possible, and exploring with participants whether they were involved in legal proceedings as this could increase the risk, however small, of a court ordering the production of information held by TTBH.

Another consequence of the non-statutory basis of TTBH was its lack of a corporate legal personality separate from the Chair and Commissioners. This had implications for the possible personal liability of the Chair and Commissioners, employment and contractual issues and the ownership of the records held by TTBH. These matters were addressed by negotiation with the Scottish Government and separate independent legal advice obtained.

Despite these difficulties, the Pilot Forum proceeded effectively. Nevertheless, it is essential that any future forum be established on a statutory basis, modelled on the Irish legislation, thus providing necessary protections for both the participants and staff of the forum.

The question arises as to whether the opportunity to participate in a national confidential forum should only be open to former residents of residential schools and children's homes. There is a long tradition in Scotland of boarding out and there are and were other forms of provision for caring for children outwith their family homes including, residential provision for children with special needs, hospital provision for children with acute medical and mental health needs, detention centres and other youth justice provision and boarding departments of schools. We are convinced that the opportunity to be heard should be inclusive of any who have experience of such provision and wish to recount experiences which they believe to have been abusive.

The model adopted for TTBH proved to be very effective in providing the acknowledgement and potential for therapeutic benefit that are so necessary for many former residents. We believe that the experience of TTBH should inform the design, planning for and operation of a national confidential forum for those who were cared for as children in residential provision of any kind in Scotland in the past.

The panel of Chair and Commissioners appointed for TTBH appears to have had an appropriate mix of expertise and professional backgrounds to lead the Pilot Forum. The recruitment of a panel, and of staff to complete the team, for a national confidential pilot forum, should reflect the mix of knowledge, skills and experience identified by the Scottish Government for TTBH.

We are aware that the Confidential Committee was only one of the components of the Irish model and that many survivors and the SHRC consider that more than that is required to respect the human rights and needs of survivors. Our observations and recommendations focus solely on our experience of piloting the Confidential Committee and should not be interpreted as a conclusion that nothing else - for example an investigation or redress committee - is required.

### **Observations for service providers as a whole**

TTBH, through its focus on the former residents of one institution, might be thought to have generated few observations that would have relevance to other providers of residential child care and especially to provision today. There is also a risk that the highlighting of any points for learning might run into a form of 'lessons to be learned' fatigue or prompt a sense of déjà-vu in response to familiar messages. We concluded, nevertheless, that certain themes were so strong in what we were hearing, and that particular issues raised by participants across the decades were so likely to resonate with service providers and practitioners in other institutions and with practice today, that we should comment on them in this report.

The issues raised by many participants included lack of affection, denigration, punishment that was disproportionate to the misbehaviour which prompted it, the uneven quality of care (the lottery of location in Quarrier's Village) and the lack of preparation for independent living. These seemed to us to reflect the extent to which management and practice were not reflecting effective communication with and genuine respect for the children being cared for or were doing so inconsistently.

We believe that high quality residential care will still be the best option for some children today. In the interests of continuous improvement, we urge service providers, in line with their responsibility to respect the welfare, needs and rights of children, former residents and staff to use the list of actions in Part 4 paragraph 4.2.1 as a tool to inform their ongoing review and development of provision.

## Recommendations

The following are the recommendations arising from the work of TTBH.

### Recommendations for the Scottish Government

#### Recommendations relating to the establishment of a national confidential forum

1. **An independent national confidential forum should be established in Scotland for all adults who, as children, were cared for in any of the following types of provision: residential schools and children's homes, residential educational provision for children with special needs, long-stay hospital provision for children with acute medical and/or mental health needs, residential youth justice provision, boarding departments of schools and private homes through boarding-out and foster care arrangements. (para 2.13.1)**
2. **Appropriate legislation should be introduced to give the necessary protection for the effective operation of a national confidential forum. (para 3.7)**
3. **Any future national confidential forum should engage with survivors at the earliest date to devise a communication and project development mechanism that will ensure that survivors' interests are kept at the centre, while paying due regard to the human rights of everyone involved. (para 3.3.1)**
4. **The Chair, Commissioners and staff for the national confidential forum should be in post sufficiently far in advance of the commencement of hearings to allow them to be the only contact with prospective participants. (para 3.4.3)**

### **Recommendations relating to the administration and operation of a national confidential forum**

5. The arrangements for and administration and operation of the national confidential forum should be based on the model and informed by the experience of TTBH. (paras 3.4.1 to 3.4.10)
6. Applications from any person who spent time in care as a child should be accepted. Those who do not consider themselves to have experienced abuse in care can be given the opportunity to provide written testimony initially. (para 4.1.1)

### **Recommendations relating to monitoring and research**

7. The Scottish Government should collate information on care leavers who commit suicide or who experience suicidal ideation, quantify the extent of the problem and shape a multi-disciplinary response to address this enduring tragedy. (para 2.10.10)
8. The Scottish Government should fund research to identify which factors make some individuals more resilient to the effects of abuse. (para 2.11.1)
9. The Scottish Government should commission research to explore the impact of a history of residential child care on attitudes to care of older people. The results should inform professional training, assessment of older people and the choices made available to them. (para 4.1.1)

### **Recommendations for service providers**

10. Support for young people leaving care should be an unqualified priority for local authorities and institutions who have looked after them. Someone who has had a relationship with the young person in care should maintain that personal relationship and follow their progress for at least five years after they leave care. Local government should work in partnership with central government to identify and address barriers to young care leavers coming back to stay for short periods of time in their former residences. They should also work together in analysing the Children Looked After Annual Survey and draw up an action plan to ensure that care leavers receive what they are entitled to. (para 2.10.11)
11. Accepting that high quality residential care will still be the best option for some children today, we urge providers of residential care services to children to use the list of actions given in paragraph 4.2.1 of this report in their regular review of provision and practice.

**The following recommendations arise from our observations throughout Part 2 of the report**

- 12. Complaints processes should be communicated to children in residential care in a way that they can understand and those responsible for this should recognise the fears children might have of repercussions.**
- 13. Children must be able to raise concerns with confidence that doing so will not make things worse and with some hope that it will make things better. The role of independent advocates should be promoted, extended and safeguarded in the face of budget cuts.**
- 14. All institutions that provided residential care services to children in the past should ensure that their record keeping, records management and archival services meet the best current standards, including those relating to communication and interaction with former residents.**
- 15. All institutions should develop a photographic archive in response to the needs of former residents who have no or few photographs of themselves, if they have not already done so.**



## Part 2: Remembering life in Quarriers

### 2.1 Introduction

The comments which follow – about life in Quarriers - are almost wholly direct quotes from what we were told in the individual hearings or in written testimonies. The comments in this part of the report are at times harrowing and could cause distress to some readers. We have organised the quotes by decade or across decades, in the latter case because many of the participants' years in Quarriers were distributed in that way. Each decade has a scene-setting introduction which is derived from what we heard and includes some historical information drawn from Quarriers' annual publication, the 'Narrative of Facts'. We hope that these introductory sections will help to set the quotes in the context of their time and to relate them to contemporary attitudes to children and policy on residential child care.

While these quotes touch on significant issues such as physical, sexual and emotional abuse and the problems associated with leaving care, these matters are addressed more fully in later sections of the report.

We give figures throughout Part 2 for the numbers of reports of different kinds of experiences including good and bad treatment. These should not be taken as representative of the experience of former residents of Quarriers as a whole, as it is likely that more came forward to TTBH who had bad experiences than would be indicative of the range of experiences across all former residents of that institution. Additionally some asked us not to quote from their accounts of their experiences in Quarriers.

Five summarised individual accounts are also included, one for each decade from the 1930s to the 1970s. Again, it is important to keep in mind that these accounts are not representative of experience of all the former residents of Quarriers; they are simply five accounts based on what we were told by five individuals who chose to come forward to be heard.

This part of the report is not a report on Quarriers; nor is it the outcome of a review or an inspection of the institution or an academic research exercise. Rather, it is representative of what people told us; it is a collection of their words and an assembly of their feelings. That the participants were able to recount their experiences so clearly and with such impressive self-control and humanity is remarkable and humbling. That they trusted such private and, in many cases painful, memories to strangers is an indication of the reality of their need to be heard and believed. It is also, I contend, a strong affirmation of the value of being heard in private in a non-adversarial setting.

Those who told us of their experiences readily conceded that they do not remember everything about the years they lived in Quarriers; some, after all, were infants when they were admitted. But they were able to describe significant experiences and events clearly and convincingly. As we progressed through the hearings and heard from more participants, we were able to engage with the situations and circumstances they spoke about and sense the veracity of their descriptions. We came to know people, places, events and daily life in Quarriers in some detail.

We learned that life for a child in Quarriers could be good, with care of a high standard. Stability was provided for many children whose lives had been marked by uncertainty. Safety was assured for many children whose lives had been marked by threat and abuse, usually in their family and, for some, also in their community. Nurture was provided for many children who had experienced neglect.

We also learned that life for a child in Quarriers could be mixed, with some good aspects and some that were bad. This could be a child's experience within the one cottage (individual houses accommodating 15 or more children) or across the time they lived in Quarriers in one or more cottages. The very stability that came from being in one cottage for several years could become associated with being in harm's way for long periods of time.

We also learned that, for some children, living in Quarriers meant having to endure unrelenting cruelty and harm which all but overwhelmed occasional good experiences and any positive aspects of the care they received.

One major theme, running through the majority of the accounts we heard, was the lack of affection shown to the children, the lack of affirmation, respect and positive communication with them. Time and time again we were told that 'no one showed any love or affection to us', 'no-one gave us a cuddle', 'no-one listened to or heeded us' and 'when we complained, we were punished'. Others said they quickly came to the conclusion that 'there was no point in complaining'. All this was recounted by people remembering that they lived in cottages where the house parents insisted on being called 'Mummy' and 'Daddy' and if, as children, they did not accede to this they were punished. One rhetorical question, typical of so many we heard, went as follows: 'Why should I call them Mummy and Daddy when I had a Mummy and Daddy?'

## 2.2 A brief history of Quarriers

This brief historical account of Quarriers is drawn from the annual publication, the Narrative of Facts (NOF), copies of which are available in Quarriers' archives. The NOF includes annually a report of the Annual Meeting and Thanksgiving Service, month by month notes on events and gifts received, a statement of income and expenditure and a detailed list of donations.

Quarriers was first known as The Orphan Homes of Scotland. The founder was William Quarrier, a prosperous businessman in Glasgow. For years he had the desire to do something for the poor children of the city streets and in 1871 The Orphan Homes of Scotland took form with the opening of the first buildings in what came to be known as the Model Village at Bridge of Weir, in the countryside 15 miles south west of Glasgow. His original scheme for 10 cottages gradually expanded so that by 1938, for example, there were 43 cottages, besides Homes for Babies, Toddlers and Invalid Boys and Girls. In 1894 Consumption Sanatoria had been added and a Colony for Epileptics in 1906. The Village also had its own church, fire station, workshops and farm. In later years a swimming pool and recreational centre were added. In 1958 it became known as Quarrier's Homes, in 1983, Quarrier's Village, Homes and Epilepsy Centre, and in 1985, Quarrier's Village, the changes reflecting changing services in response to changing times.

From the outset, the Christian ethos was very strong. The work of the Homes was carried on 'in dependence upon God for daily supplies' (NOF 1938). The inscription on the badge was A Father of the Fatherless is God and the motto of the Home was Have Faith in God. It was the policy 'to centralise the whole life of our village community around the Church' (NOF 1939). Each year there was a very large gathering in September for the Annual Meeting and Thanksgiving Service. The children were expected to attend morning and evening services in church on Sunday, with Bible classes on Sunday afternoon and an evening service on Wednesday. They were also encouraged to join other Christian organisations such as Boys' Brigade and Girls' Guildry.

The staff were expected to demonstrate good Christian character. In his 1957 address, the Director in appealing for more 'workers to help in the care of our children' added - 'The qualifications for any who may think of coming are essentially a sincere love for and interest in children with a true understanding of the Christian vocation into which they enter.'

In the 1930s, as noted above, there were 43 cottages, substantial stone built houses, each accommodating 25 to 35 boys or girls. In the boys' cottages a couple were in charge, called Father and Mother, and in the Girls' cottages, a Mother and an Aunt took charge. The number of children in each cottage was reduced so that by 1948 the average was 21, by 1957 it was 17, by 1963 it was 14, by 1977 it was 12.

In 1944, a start was made to introduce 'mixed cottages' so brothers and sisters could stay together and this experiment was extended in subsequent years. We learned from the participants that children could have visitors on one day per month, but this seems to have been extended in later years.

As time went on, the length of time children spent in the Home decreased. In the period November 1952 to August 1953, for example, 107 children were admitted and 145 discharged. In 1965, the Director noted 'Our turnover seems to increase year by year and the stay of many children is very much shorter.' (For details of the changing numbers of children in Quarriers see the Table in Appendix 1.)

Apart from during the war years, the children were taken away for a holiday in the summer. Many went as a 'cottage' with their house parents; others went to camps or to relatives and friends. The Homes had a Holiday Home in Girvan.

There was a policy from 1872 to send some boys abroad to trusted contacts in Canada and, later, Australia. After a ban on immigration to Canada was lifted in 1936, 28 boys left for Canada in 1938 and this practice continued for many years. The Chairman of the Council of Management received glowing reports of their progress and enthusiastic letters from the boys - 'not one has expressed regret at his decision to go to Canada'. In 1959, 11 boys went to Australia - the first to go in twenty years - and equally encouraging reports were received about them.

Attitudes to adoption and 'boarding out' (fostering) changed over the years. In 1952, the Chairman in his annual address argued

'We do insist on our right to maintain and develop The Orphan Homes Of Scotland..., Adoption and Boarding-out have their definite places in any schemes for dealing with Deprived Children, but so also have Voluntary Children's Homes.' In 1955, the Homes Statement read 'Children are admitted on the understanding that they remain in the Homes until they leave school or until changed conditions make it possible for them to return to relatives. The Homes are not registered as an Adoption agency and, accordingly, no arrangements can be made for the adoption of children.' By 1958, however, the Director stated: 'We are sometimes asked about the adoption of children. The Homes are not a registered adoption society, but if and when children suitable for adoption come into our care, it is our policy to arrange for such through one of the recognised agencies. Probably some 4 or 5 are settled in this way each year.'

In 1961 it was reported 'Recently we have placed selected children to be fostered in suitable homes.... The arrangements for such fostering are in accordance with the conditions that govern boarding-out by local authorities.' In 1966 the Quarrier's Homes statement referred to foster parents and that 'Foster friends [befrienders] for children without visitors are always needed.'

In 1975 the Director was conceding that ‘Fostering and Community Care rather than residential care are the ‘in’ theories at the moment’ and was planning for the future with Strathclyde Regional Council Social Work officials.

In 1954 a significant reduction in the number of children was reported. This was mainly due to the fact that, in 1948, the Children’s Act enjoined local authorities to set up children’s homes of their own. Children normally sent to The Orphan Homes of Scotland were redirected to these homes which were sited in or near large cities.

In 1980 the Director issued a special statement about the ‘drastic change’ in the finances of the Homes. The Strathclyde Regional Council Social Work Committee decided that no referrals should be made to any Voluntary Homes until their Homes were filled to capacity. In addition they launched a widespread campaign to recruit foster parents. This meant that funding from the local authorities was drastically cut and sixty staff were made redundant.

In 1982 a plan was drawn up for the ‘new’ Quarriers which was to be a more ‘normal village, rather than a home for specially dependent groups’ (Director’s Report). This resulted by 1984 in a widening of scope and provision to provide for child care, the Epilepsy Centre, care of the ‘mentally handicapped’ and care of older people. New houses, flats and shops were also built in the grounds. By 1986 there were only 48 children left living in the cottages and in 1989 there was one remaining child.

[Note: we recommend that as an additional aid, in putting participants’ recounted experiences in context, reference should be made to Chapter 1 of the report of the Historical Abuse Systemic Review (HASR). That chapter presents the historical background to children in general, and to children in residential care in particular. It describes the lessons and limitations of history, how society’s view of child welfare changes after 1945 and how attitudes to children and childhood changed. It also refers to changes in policy and legislation relating to children, charts how society’s views of child abuse developed and how residential child care changed after 1948.]

### **2.3 Living in Quarriers in the 1930s**

The earliest decade we heard about was the 1930s. Participants’ accounts portray a way of life in a residential children’s home that has long gone but, as they described it, had potential strengths. The model of care advocated by William Quarrier in 1871 was still predominant. Cottages catered for 25 to 35 boys or girls and were in the charge of house mothers – single women (unmarried or widowed) supported by assistants (Aunties) in cottages for girls, and house parents – married couples – in cottages for boys. Commonly each house father had a job in the Village, for example in grounds or property maintenance.

Children had their daily routines and domestic ‘chores’ and were educated in Quarrier’s school. Their health was supervised by a doctor and those with acute illness or requiring surgery were admitted to the Elise Hospital – the on-site, purpose-built hospital for The Orphan Homes of Scotland.

This provision as a whole had the potential to provide appropriate care where the house parents were skilled in relating to the children and saw their work as a vocation.

House parents were recruited principally on the strength of their Christian character and practice. But despite that some seem to have fallen far short in providing the standard of care expected and to which the children were entitled. What we heard suggests that some of them lacked the personality, temperament, skill or integrity to care for the children appropriately. It would seem also, that there was little in the way of consistent and effective supervision and management of what went on in the cottages, much being left to the discretion of the house parents. That there was some intervention is evidenced by a 1937 letter from the Chairman to the Fathers in Charge of the Boys’ Cottages, warning against extreme measures of corporal punishment (see Appendix 2). This shows good intent, but the evidence of participants suggests that it did not make an enduring impact on practice.

### 2.3.1 What was said about the 1930s/40s

‘I wanted to say that not everything was bad. I loved the Park; not being allowed to play in the Park was the worst punishment. In Quarriers, I was just being... living in my own wee world; you cried on your own.’

‘I’m grateful for having had the chance to speak about it. It was like you were a prisoner. I don’t hold it against the home. I appreciate that my mother had the good grace to put me there.’

‘Even if you cut your knee you were taken to the hospital straight away. You were marched to church three times on Sunday. You didn’t complain because that was what life was like.’

## 2.4 Living in Quarriers in the 1940s

What we heard about life in Quarriers during this decade painted a picture with many similarities to that in the 1930s. The key external factor that inevitably influenced life in Quarrier’s village was the Second World War. This led to pressure on accommodation to cater for children orphaned by bombings in Glasgow and along the Clyde, and by the death of so many fathers in active service. There were also numbers of children admitted who were ‘born out of wedlock’ whose fathers were overseas service personnel stationed in Scotland.

Other challenges that Quarriers faced at this time included getting sufficient clothing for the children, including boots and shoes, and coping with a shortage of labour and building materials.

The daily routines were largely unaffected by the impact of the War but additional chores were introduced as part of the 'War effort' such as knitting blankets and helping to grow vegetables. It was clear, from what we were told, that many children in Quarriers had ample food of good quality thanks to the products of the adjoining farm. As some commented to us: 'we were probably better fed than many children living at home'. But that is not to deny what we were told by some participants, namely, that they had poor food and yet, as one said 'they [the house parents] had food in greater variety and quantity than we ever knew'. He sought to explain this by saying that his house parents lacked the skill and the commitment to cater properly for the boys.

#### 2.4.1 What was said about the 1940s

'We were brought up to believe that they [adults] were always right and I was always wrong. [Life in Quarriers] stood you in good stead; you were able to look after yourself and defend yourself. Although harsh... I quite enjoyed it and anyway I knew nothing else.'

'I just want to let you know that what happened to me was horrible. The people who ran these places had a hatred of children. They couldn't have loved children because they put all their anger out on them.'

'If you were part of a family and if one child was bad, we were all judged as bad. My house parents derided me and my siblings because of our mother's mental illness.'

'...being in the orphan home deprived me of being part of a family.'

'No one ever talked to me about our history or identity... and no one ever consulted us on our future career.'

'We were assaulted with the leather strap that hung on the parlour door. There was never enough food..... I was forced to eat tripe.'

'It's a sad world now when you can't cuddle children, because children need it. When you were crying, nobody would come to you. Nobody would say - "What's the matter?" You couldn't complain. They wouldn't listen to you. Nothing would be done. I have a yearning for motherly love that I never had.'

'I'm glad I came here. I'm telling you exactly what went on in these homes - and it's true.'

### 2.4.2 What was said about the 1940s/1950s

'It did me a lot of good – the training. Without that, I wouldn't have survived because I had to look after myself for years and years.'

'It was a wonderful place. Moves [of cottage] made you anxious. "What's it going to be like?" Coming out into the big world was the most frightening experience. "Would I cope? Where was I going to?" Looking back at my life, it could have been a lot, lot worse. I feel very blessed. Where there were sad moments – we all learn from these experiences.'

'I came forward because I felt I was holding it in myself and folk should really know what goes on behind closed doors. When I seen it [TTBH], I wanted to help other folk because folk don't realise what does go on and the help you need after you come out of a place like that. It was not a home, more like a prison. You were not even allowed to walk on the grass. When the priests' thing came out, I thought "That happened to me" to the point where I started to commit suicide. I was frightened to go into a room with any grown-up. The only man I would have trusted was one of my teachers.'

'Although I had a lot of unhappy experiences as well, I also received a lot of kindness from people. [Hospital] Staff were phenomenal. I really liked going to hospital. You got all this personal care and attention which you didn't get in the cottages. The people who looked after me really cared – they did care. And people higher up cared about you. I know the experience of others is going to be very different from mine.'

'I didn't know who I was. I didn't know anybody. We were there, not to be seen, not to be heard, not to be taught anything. I go through life thinking about Quarriers all the time.'

'It's nice to be heard. We knew very clearly we were not the wanted children. Every child should have somebody on their side. It was a beautiful place but the ambience didn't fit what was really happening. Quarriers had a tendency to look at us as if we were delinquents – scruff of the earth. It was pretty clear from religion that we were sinners, but also a message that we were not on a par with the rest of the world, and I still carry that. We were very docile and regimented – not like normal children. I felt – you can take me but you can't take my spirit. I may have got that from some of my early years with one set of house parents. I was totally clueless about how the world turned. There was no library – nothing. I didn't realise how difficult it would be when you were on your own and had to make a living. It's a lonely walk.'

'You have guilt built into you. [In later life] I volunteered for anything dangerous; it's as if you have a death wish. Life in Quarriers was so regimented and we all had jobs so there was little time for play.'

'The nurse in the hospital was wonderful. I was a strong-willed boy beaten into submission. Being in Quarriers was like being in prison. It was Dickensian.'

'I just wanted to say that it was not all bad and overall I had a good upbringing.'

'Our cottage mother looked after us like she would like to have been looked after herself. When she died, the house was in mourning for weeks. We always compared other mothers unfavourably with her.'

'My sister who went to stay with our grandmother, instead of going to Quarriers, felt she had missed out because she had a harder life and did not have the company of her siblings. She did not have the "safe, secure background" of Quarriers where you never needed anything - you took it for granted. The good never outweighs the bad - but I have to say what Quarriers has done for me.'

'You can never, ever, allow people to have power over a child the way they had. It has to stop. I don't look back in anger, I look back in hurt. How can we be told God loves us and God's doing all this, and nobody loves us and we're from the gutter? When I left Quarriers, I said - I will never forgive or forget what you people have done to me. It was Stalin's Gulag. Hitler would have been proud of what was done to us. The truth didn't exist in Quarriers' vocabulary. They always said you were liars.'

'Once a month - on Visitors' Day - the phone would ring and I would wait with the tears running down my cheeks. I just wanted someone to love me and take me away. When you leave care, you're a reject of society because you've got nobody. You can't sit in company and talk because you've got no family to talk about; no adult conversation. To live without a sense of belonging to anyone or any place - is the most terrible way of living.'

'I thoroughly enjoyed it. It stood me in good stead for what I done throughout my life. Sometimes I wish I could be a bit more flexible, but if I get a job, I just go and do it. Maybe Quarriers was a bit of a regime, but everyone was in the same boat. Today, people are not firm enough with children. I didn't know what an ice cream was till I left Quarriers at age 14. It's important to have places like Quarriers - maybe not to the extent that it was. It must have been hard for the house parents to keep control and maybe that's why they drew the line.'

'I am so pleased. I have told you now and I can put it away. I thought I would take it to the grave with me. I thought - suffer the little children! I'm one of them! Your life depended on the older girls and whether they liked you - whether you became somebody's "pet". I got totally numb to the belt. When you left you were so vulnerable - so impressionable.'

## 2.5 Living in Quarriers in the 1950s

The first signs of significant change in the arrangements for care provided by Quarriers became evident in this decade. Participants in TTBH referred to mixed cottages, which allowed families to be kept together; this model had been tested in the 1940s and now became an established part of provision. At the same time, developments in education following on from the raising of the school leaving age and the introduction of a qualifying examination in the late 1940s led to developments in educational provision and choice and some children, who performed well in the examination, were able to transfer to schools in Paisley such as Camphill. A number of participants spoke about this - both those who transferred and those who did not, the latter group regarding themselves as 'not up to standard'.

Staffing shortages were mentioned in the Senior Manager's report in 1951. He referred to two cottages having to close and others urgently needing help because of staffing needs.

The average length of time that children spent in Quarriers was decreasing and fewer children were being admitted. It was noted that there was a rapid turnover of children. In the same decade the consequences of the Children Act (1948) became evident in that children in need of care and protection were now the responsibility of local authorities and fewer were directed to Quarriers. In response to the need to ensure that members of staff were trained for their responsibilities, training courses were held for cottage parents and assistants. Another development of significance was the establishment of a cottage for children with special needs.

### 2.5.1 What was said about the 1950s

'It may be good for me to be heard. Other than my brothers, others only know snippets. It just validates for me - this happened and it wasn't very nice. Where could I have gone to people who knew it was true? Religion was pushed down our throats. I liked the church. It was a safe place. The kids were singing. But I'm not religious today. I learned to be very fearful in that place. You got scared because there were people who could hurt you. The orphanage was cruel, unloving and it just shaped me and shaped my life. I take care of children because of what was done to me because I think every child deserves love. Quarriers - nice dwellings - beautiful homes - but maintained by the children.'

Everything was in the village. It was like you were hidden from society. It was like a little prison. I ran away but came back because there was nowhere to run to. They had total control. Staff implied there was something wrong with you because you came from a broken home. The people recruited had no skills for children. They wanted a roof over their head and to sit there and boss people around.'

'Quarriers did not prepare us for family life and relationships.'

'I was regularly told my mother would come to visit but she was ill with TB in the sanatorium. The beds were spartan and cold. At Christmas time we opened up a big box of toys but weren't allowed to play with them because our house mother disliked us messing up the house. It was the best possible care at the time and my house mother was sometimes very nice.'

'I would take the beatings for my sisters so they wouldn't be punished. If you ever dared ask a house parent to stop hitting you, you got more beatings. So you learned to say nothing. If my father ever gave us money, we were told it was put into savings. But I never saw the money again. We didn't tell anyone because we didn't expect to be believed.'

'I felt I didn't succeed in school as there was too much going on in my head. I told my father [about being beaten] who told the doctor. I was called bad and evil and a liar by my house parents.'

'When they were slapping you, they would say to you, "Who are you going to tell?" They used to let you stand on a chair to stir the porridge. I liked that because they couldn't slap you in case you fell in.'

'You tended to fight by family. Quarriers looked after you. We must have been quite sort of middle class. There was a strong church ethic, but we were already used to going to church. Leaving Quarriers was "like coming off the moon". There was a lack of socialisation. You were socialised into the village of Quarriers, but you had never done anything like gone to a Woolworth's café.'

'Nobody ever listened before. I hope I'll get closure because someone has sat and listened to me. They did a lot in Quarriers for people. If it wasn't for the cruelty of the house parents it would have been a good place. Behind the closed doors, there was quite a lot of cruelty. We were looked after - clothed, fed, got days out. But that wasn't just our cottage but a whole lot of cottages going together. It was a beautiful village. If I could confront all them now ...'

'People who work with children should be vetted and trained and should love children.'

'When I wet the bed when I was 4, I was sent downstairs to wash the sheets. I was taught to believe. "I am an evil, sinister person because I am left handed." Quarriers didn't beat me. They could have. But I'm proud of myself.'

'I wanted TTBH to know that I was not the only scapegoat. I had to peel the peelings as a punishment. In one of my cottages you were asked nicely to do things; elsewhere "Keep quiet!" and "Go to bed!" are phrases I remember.'

'Quarriers was the only home I ever really knew. I felt safe in church - all were equal there. Quarriers celebrated those who did well but had no interest in the others. I haven't sought my records - I'm scared of what I might find. I loved Quarriers [but] you were not allowed to have a mind of your own. You grew up to be naïve.... When I left I was an easy target. You were constantly told how lucky we were. The problem was not with Quarriers and its standards, but with the people who cared for you. Children ran away because they had to, not because they wanted to.'

'My house mother was a lovely, gentle woman..... a fine Christian woman. Quarriers was good for me.'

'I still want answers. I don't want it swept under the carpet. Quarriers is to blame for everything, I assure you. School was better than being in the cottage - if you asked questions, you got answers. You got slapped [in school] if you did wrong, but that was what you deserved.'

'I came forward to say how important it is to listen to the children.'

'I loved the times I could escape to the Park. I was belted by my house father on the hand and legs and bare bottom many times.'

'I had a better life than I would have had had I stayed in Aberdeen. The worst day of my life was the day I left Quarriers.'

### 2.5.2 What was said about the 1950s/60s

'You didn't feel like you were in a home - it was just home. Dad used to say - "I could easy put you back in the home", and I used to say - "I wish to God you would". In a place that size - it's like a village - there's going to be good and bad in it, just like any other village.'

'I might not always have been an angel. You were made to feel you were nothing short of the dirt on a shoe. It's wi' ye all yer life. By the grace of God I stayed oot the Pokey. There should have been somebody there spotting what was going on. It was psychological warfare. There were good ones in Quarriers. The man that approached me got flattened.'

'In those days, if people on a pedestal said something was true, it was accepted as true. Children wouldn't have been listened to. Children had rights but were not aware of them. There was no advocate for you to go to. You were frightened of the cottage parents because they had power over you.'

'If any child misbehaved our house mother would line us up and we were each slapped on the face twice. We were made to stand in the corner for hours with our fingers on our lips. At night the toilets were locked.'

'If I fell asleep in Church, my house mother would hit me with the Bible. I was frequently grabbed by the hair and pulled out of bed, dragged downstairs and battered again. I thought all adults were the same so I didn't trust anyone.'

'My overall memory is of fear. If we were given sweets or money on Friends day, it would be taken from us. As punishment we had to stand in line and memorise verses from the Bible.'

'I was a very, very fearful little boy who cried oftentimes for a Father and Mother.'

## 2.6 Living in Quarriers in the 1960s

Participants described a range of aspects of life in Quarriers that reflected changing policy and approaches to children's residential care at national and institutional levels. Changing attitudes and values in society were also significant; the 'closed community' or 'bubble' that some spoke of when describing life in Quarriers had to take account of life and expectations in the wider community and 'move with the times'. By now the number of children in each cottage was set at 14 and the length of stay for most children was much shorter than had been the experience of many in the 30s and 40s. Quarriers began to arrange for selected children to be placed in foster homes. Several participants spoke of their experience of this development which, for them, had not proved successful.

Other significant developments included the appointment of a resident psychologist and a youth leader. These innovations in service capacity were important and were mentioned by some of the participants but the most memorable development as far as participants in TTBH were concerned was the construction of a swimming pool and its gala opening by Bobby MacGregor.

After a break of some 20 years the practice of sending children abroad was recommenced; for example, children were sent to Australia and one of the participants in TTBH was one of that group.

### 2.6.1 What was said about the 1960s

'I deserved punishment because I did get out of hand, but I wouldn't have got out of hand if they had been more approachable. As a child you know goodness in people. You feel it. You smell it. I learned what loneliness was, what fear was. Isolated. I could function – do what I was told – but I was deeply unhappy inside. I learned how to hold things in, because – where could you go with it? Some homes were good. I know because I was in them. There was more disruption but also more warmth. I want love but I am also frightened of it. Time to be Heard is a beautiful name for it because we bloody weren't listened to then. Who do you trust when these people are supposed to be your parents? Where do you go? I was robbed of my childhood and through therapy I have learned to love me and to forgive me for the stupid mistakes I have made. Some of the kids didn't make it. There's been suicides as well. God – we feared Him all right. Then we feared people and then we feared life. They sure got the God-fearing bit right. We were dangerous to put out there because we'd hug anyone. I'm not sure what kind of person I would have been. It was a wasted childhood – just a blur.'

'What does somebody become when you're a nobody? What can you become? I think I was an embarrassment to Quarriers. They want to project – look at all the good work we do. They don't shout about the suicides. Then they send you out broken – a bloody mess. Where were you when we needed you? I wouldn't bond with people, but I hungered for love.'

'He [my house father] used to say "Who will you tell? Nobody will believe you." He also told me to remember that, when I left, my sisters would still be in Quarriers. They never asked us anything. Never taught us to look after money. Then at 15 they just got you a job and dumped you. You go to the grave with it, no matter how much therapy you get. It's not a healthy environment for a child. You wish you could erase it, but you can't. Quarriers was a paradise for paedophiles. I don't think they were properly screened or supervised. The only qualification was that you were a regular church-goer and you liked children. They [the house parents] made sure their own children got everything. They got preferred treatment. Their kids would manipulate us too; be friends with some and gang up on others. Their children had their own clothes and went to an outside school. They had their own bedrooms while the other boys and girls had dorms. There was good and bad in Quarriers. There were homes we used to say – "I wish I was in that one".'

'You just knew nobody was going to believe you. Quarriers must have known. They should at least have moved him to a boys' home. I don't think he was cruel to boys. We were taken into care because of cruelty, but they [my house parents] were more cruel. I would rather have been at home with my drunken father - even if we were starving. At least my father wasn't sexually abusing us. They [Quarriers] should be charged with cruelty to us. I know for a fact that other kids also reported it. It makes you feel worthless. Some kids thought the abuse was normal. They were all quite strict. It was just unfortunate I never got into any of the good cottages. The ones that were in the good ones didn't appreciate it. And us in the bad ones were dying to get into a good one. We had good fun amongst ourselves, but we got punished for laughing. They would say, "What are you so happy about? We'll soon change that".'

'She couldn't do anything to me in church!'

'I have nothing bad to say about the place. The house parents were kind, food was good and plentiful.'

'My main grievance has been the lack of aftercare and lack of preparation for the outside world. We were slapped or kicked if we spoke out in church. We never learned how to give or receive affection.'

'We were never allowed to have friends.'

'I was belted with a leather belt till I had welts on my back and legs. I was never shown any affection.'

'I spent a lot of time wandering - even as a young child. I remember the beatings, many of them from my house mother and her helper. My brother was thrown down the stairs and I thought he was dead... I thought all the time that he would be killed.'

'Christmas day was brilliant - we had presents every year. You got fed up crying but you had to keep on so as not to be forgotten about. I didn't see the belt as cruel - it was just life. We were lucky compared to what happened in other cottages. We were not sexually abused.'

### 2.6.2 What was said about the 1960s/70s

'He [my house father] had the mentality of Quarriers; keep things strict, under control. What would happen if it went like St Trinian's? You're stuck in there and you can't get any answers. They don't have to tell you the truth because of who you are, and there's nowhere else to go. I cannae forget. Sometimes I'd like to forget. I loved my house mother - I treated her like my Mother.'

'I was just one of those faces that didn't fit whereas my sister was goody-two-shoes. I spoke up for myself. The more I spoke up for myself, the more I got beaten. You were not allowed to question what was getting done.'

'My brother told a nurse when [the house father] beat up a child but it was never followed up. I just accepted the abuse as normal.'

'I was leathered with a strap for not going to church. I was under-weight... and I was constantly hungry.'

'I can't say a bad thing about Quarriers. It wasn't all good, but I had a better upbringing than some. I had a very good upbringing at Quarriers. I would love to see someone from Quarriers and tell them that. I stayed in a mansion in Bridge of Weir. I miss it.'

'She had hands like shovels and she would hit you. Being in hospital was like "a small holiday": You were away from [the house mother] with her big, massive hands.'

'Quarriers was stable. In Quarriers, you were well provided for physically, but you never got a hug. It wasn't all bad. It had its bad moments but - at the end of the day - it had its rules and regulations and you knew where you were. If I hadn't been in Quarriers, where would I be now? I saw some young girls smoking and drinking and with young kids and I thought - that could have been me. At the end of the day, they took me away from a bad situation.'

'It's just a shame it takes 41 years to be heard. In the 60s and 70s it was a taboo subject. Part of me is very angry that it's taken so long. Funny that you call it Time to be Heard, because where I grew up I thought everyone was deaf and blind. I feel forgotten by the Scottish Government; completely and utterly forgotten. I used to think - was there anyone there who was normal? I made a pact with myself at 7 - when I grew up not to be like any of these adults. It was like Cinderella, but I gave up on the fairy godmother. I also gave up on God for a while. In Quarriers, I stood at the mirror and looked at myself and said - when I am older, I'll be somebody else's fairy godmother. You were not allowed to speak at table, but you were not allowed to stretch either - you were supposed to ask for things, but if you did you would get hit with a ruler. You sort of give up. You

learn to adapt. The pain becomes a normality. I don't understand why I was so unloved. I forgive those that done that to me. I still get very, very angry. My inner child will always be angry.'

'It was all I knew. Quarriers made me a survivor.'

'In (Elise) hospital a nurse asked me how I was feeling. That was the first time anyone did that to me in Quarriers; [but on the other hand,] bad attention was better than none. No child is worthless.'

'The greatest thing you can give a survivor is acknowledgement, not sympathy but acknowledgement.'

## 2.7 Living in Quarriers in the 1970s

This decade was characterised by rapid change in Quarriers. The consequences of the Social Work (Scotland) Act 1968, the continuing changes in society, not least in respect of care of very young children, affected the scope, scale and system of care in the Village. There was a marked drop in the rate of admission to the Baby and Toddler Home due to the high demand for adoption, changing attitudes to single mothers and the increasing provision of day nurseries in the wider community. By 1979 the Baby and Toddler Home had closed.

Some cottages changed in use as the reducing numbers of children freed up accommodation. One became a chaplaincy centre, another an assessment and rehabilitation unit and a third a residential unit for children with Down's Syndrome. In the other cottages the number of children was generally limited to 12.

There was a clear commitment by Quarriers to support children's overall development by giving them more responsibilities and widening links with the 'outside' community. A Council of senior children was set up to contribute to the reviewing and developing of life in the Village. Older children received a clothing allowance and were able to go to Paisley or Glasgow and buy their own clothes. Several participants spoke about this and the enjoyment they got from doing their own clothes shopping. A 'Friendship' scheme was set up with the aim of giving Quarriers children some experience of family life and a wider range of adults to relate to; this was intended to strengthen the overall development of the child through allowing them to experience stable family relationships and life in the community.

During this decade the school in Quarrier's Village was affected directly and adversely by the declining number of children on the roll. It became increasingly difficult to offer the breadth and range of curriculum that the children needed and by the end of the decade the school had closed. Participants spoke fondly of some teachers and negatively of others.

### 2.7.1 What was said about the 1970s

'You couldn't get bored. It was impossible to get bored. Aunty gave us the freedom to explore. Quarriers was a kind of magical place. Aunty loved hugs and we all hugged her. She was willing to give you a hug when you fell down and scraped your knee. It gives me personally a warm glow to look back. Even though it was brief, I did have a normal childhood for a while. It's a wee spark.'

'Everybody knew [about the abuse in our cottage]. You would have to have been blind not to know. My house mother told me nearly every day I would die; I wouldn't leave Quarriers alive. I kept waiting for the bells to go. Leaving Quarriers was like being sent to another planet - "How could all these people be here and we didn't know about them?"'

'I came here because I didnae want someone to be painting Quarriers as a bad place. I wanted to make sure someone spoke up for the good side. Quarriers done good by me. You're going to get horror stories in every walk of life. The only bad thing for me was going to church twice on Sundays and Sunday afternoon clubs.'

'There was a feeling that people who are allegedly Christian must be good. They can't have all these allegations against them. Some kids will make up stories, but not every kid every time. Not all the kids had negative experiences. Most had some negative and some positive. If we all tried to pursue things done by people like ... [a house parent], we'd be here till doomsday. Because nearly all staff did that, whereas only a minority did the abuse. It was a sign of the times that kids were not listened to - so they got away with it. It can't be easy, with 500 kids, to listen to every kid and believe every kid.'

'My house parents were great - strict but reasonable - the rules and regulations I learned there I applied to my own children. I was shocked by the accounts of abuse from other people - but I was not surprised.'

### 2.7.2 What was said about the 1970s/80s

'It was a children's heaven - a real privilege. We were so lucky because there were so many things that could have gone wrong but went right - thanks to them.'

'There was a lot of good in Quarriers - I want that on record. It was the luck of the draw who you got [as house parents]. I still view Quarriers as my home and visit regularly. Quarriers gave you a good work ethic. Chores earned you pocket money and in the summer there were paid jobs. Quarriers kids are survivors - most had no mum or dad to turn to. I had some harsh experiences, but so had others. I wonder why other cottage parents or the authorities did nothing about it? There were rumours but there was no means of doing anything.'

## 2.8 Living in Quarriers in the 1980s

The 1980s saw the continued steady decline of mainstream residential care in Quarrier's Village. The numbers of children in residence dropped from 338 in 1980, to 67 in 1984, to 45 in 1986 to 1 in 1989 and most of those in residence were adolescents. All the children went to schools outside Quarriers and the services provided in the Village focused on meeting a range of special needs.

### 2.8.1 What was said about the 1980s

'My experience in Quarriers was very positive - it taught me survival skills and independence. I feel that care homes need to look more into the background of staff... I knew how to tell if situations were potentially risky and therefore avoid them.'

'When I was placed in Quarriers that marked the beginning of order and balance and I felt wanted. It was the only place I felt was mine and where I felt I belonged. Even with numerous house parents, I still felt it was mine.'

## 2.9 Five individual accounts of life in Quarriers

The individual accounts which follow - five in total - are based closely on what we heard. They have been paraphrased and made anonymous. They are included in order to give another way of describing life in Quarriers - that of five people across the generations whose experiences resonate with what we heard from others. Reference to Chapter 1 of the HASR report may be helpful in relating these accounts to contemporary attitudes to children and to policy and practice in residential child care over the years.

### 2.9.1 A Quarriers child in the 1940s: 'Growing up in Quarriers'

I went to Quarriers as a baby in 1938 and stayed there until I was 15.

At first I was in the baby unit but when I was two and a half I was transferred to a cottage. The house mother was like a real mother to us and I will always remember her kindness and loving care. We went on treats to Glasgow and at Christmas we were taken to the circus and had a party and tea in Lewis's store. During the summer we had a week at the seaside.

When I was 5 we got new house parents. It was during the war and we were all afraid of the bombs. We had a lot of chores like cleaning shoes, cleaning the playroom and the bedrooms, getting coal, cleaning the kitchen, washing dishes, sweeping, and peeling potatoes.

During the week we had Boys Brigade, band practice and football training. On Sundays we went to morning and evening church and Bible class in the afternoon.

Once a month, boys who had parents had visits from them but I had no one.

Then new house parents arrived but I would not care to mention what I went through during this period. My new house father had been in the army and I think he thought that he was still in the army.

Summer was a really busy time in Quarriers – working in the gardens and the farm, looking after the horses, polishing the fire engine. I did not like working in the [outbuildings] and hated the man there, as he was just terrible. I do not wish to go into detail.

My house father was so bad it was just not true. Any boys who wet their beds were put into cold baths and once I was severely punished because I did not change my shirt on the correct day. I was so badly beaten that I was terrified to go to school in case any of the teachers saw my injuries and it got back to my house father. However a boy told one of the teachers – a real gentleman – and he was so appalled he took me to the Head and the Matron who were absolutely shocked.

A main problem for me was that I could not read and this made me very embarrassed and nervous. I ran away because of this but the police brought me back and I was too scared to tell them the reason I ran away.

Life at Quarriers was not all bad. After my house parents left we had a kind house mother. At Christmas we had a party and were given a present. We were always asked what we wanted.

My big fear was having to leave Quarriers and I was absolutely terrified to go out into the big bad world. Only people who have experienced life in a Home can fully appreciate how traumatic this is.

Not being able to read and write continued to be a problem for me for many years. To this day I always feel people are putting me down and calling me names.

A few years ago I discovered I had a brother (now deceased) and three sisters whom I have met. They have told me a lot about my family background that I never knew. I had been told that my mum and dad had died in the war. I have taken my sisters to see Quarriers and they were very impressed with it all. I had to let them see that, after all, everything had worked out perfect.

### 2.9.2 A Quarriers child in the 1950s: 'It was all our fault'

The experiences I and my brother and sister had affected us terribly. We were firstly in Quarriers in 1956 and then in 1958, when the nightmares began for me.

When I first arrived, aged 7, I had the strange feeling of being on my own without my brother and sister. The separation from my family unsettled me profoundly and I felt helpless in a situation I couldn't control.

I was excited by getting new clothes and shoes but the big lady who gave them to me didn't smile. She had a stern, cold face. When she scrubbed me with the hard wooden scrubbing brush I didn't cry as I didn't want her to think I was a bad girl.

I was shown to my room but I didn't want to stay without my sister. Finally she came to bed beside me but my brother had to go to a different dormitory where boys were allowed.

My sister's duty was to clean the dormitories and mine was to take the linen basket with the dirty linen to the laundry. Each day felt the same and each day I hoped that mum and dad would come to take me away. The best times were when my brother and I could slip away for an hour in the Park and we felt free.

Later, the hour I hated the most was the dreaded bedtime. It was my horror being up in that cold bedroom without my sister. I got into those cold sheets after hanging my underwear up at the end of my bed for the usual ritual of inspection. I would be drifting off to sleep when the terrible stinging began and the slaps rained down on my bare bottom. My house father used a strap to beat me and then made me put my pants over my head for the next day. I was so ashamed that everyone saw I was a bad girl and, worst of all, that I was dirty too.

Our visits from family were once a month and all the sweeties that were brought in for us had to be handed over to my house father. They were supposed to be distributed to us but all we ever saw was a half bar of toffee on Sunday.

One Sunday after church my house father punished me for coughing in church. I couldn't help coughing and his words are as fresh as if it was yesterday. He said I had brought deliberate attention to myself and had to be punished. He whacked my hands, legs and back until they were numb.

The mental scars of all this are deeply rooted and nothing will take them away. The pain and suffering of the physical abuse and the mental abuse was awful - and worst of all was that we were made to believe that it was all our fault.

### 2.9.3 A Quarriers child in the 1960s: 'Mixed feelings'

My family split up and we were all sent to Quarriers. We were all put in different cottages so we only saw each other at school and church. After a while we were moved to one cottage so we could all be together.

There were good things I remember - I liked our wee summer dresses and we had plenty of food. Sunday dinner was good. You got a clean uniform on Wednesdays and clean sheets. Once a year taxi drivers came with balloons and took us out for the day. We had a fortnight's holiday every year and one year our trip was to Belgium. We went to shows in Glasgow and the summer sports were fantastic. We had great discos, fairs and pantomimes.

Christmas was brilliant - you got a pillow case full of presents at the cottage and a big present in the church. We got loads of stuff at Easter from outside charities and we had fireworks and bonfires at Hallowe'en.

We had chores to do, like cleaning shoes and peeling potatoes.

There were bad times too. One of my cottage mothers would hit you for no reason and was very cross. When I was about 12 a boy who was another resident in my cottage kept coming to my bed and abusing me. He would follow me to the toilets and sheds and on holiday and during Hallowe'en games he kept on. He never touched me down below but he was getting me to do things to him. A man who worked in Quarriers kept getting me to touch him too.

One time a couple of girls in my cottage opened the toilet door and saw the boy abusing me so they reported it to the cottage mother who reported it to the Head - and it stopped. The boy was moved to another cottage and the cottage mother told me to tell her if anything else happened. I felt angry that nothing was being done to punish the boy - he was just moved and I still had to see him at school. I was so angry I tried to do bad things to get the police to come. Another time I tried to throw myself down the stairs so I could be taken to hospital and somebody might ask me why I did it.

Another boy tried to kiss me one time but when I told the cottage mother, she called me a dirty besom. All the money in China wouldn't take away the pain we kids went through.

But then, when we went back to our own home my father had re-married and our stepmother was really cruel to us and we were afraid of her. I would rather have stayed in Quarriers for ever.

### 2.9.4 A Quarriers child in the 1970s: 'Eventually I just stopped complaining'

I had been in and out of care several times before I went to Quarriers. My whole family was taken to Quarriers so we children could stay together.

I had problems in Quarriers and so ended up in four different cottages; one move was supposed to give me a father figure but it didn't work out that way.

The first cottage was the worst and I was there for four years. The house mother wore the trousers in that cottage and she was wicked to the kids. She never drew blood but she knew how to hurt you. If you wet the bed – even though Quarriers had a laundry – she would make you wash the sheets by hand and hang them out so others would know you had wet the bed. Or you'd be dragged out of bed and made to stand in the hall for hours in wet pyjamas. The house father was very laid back; I think he was afraid of her. If their daughter wanted a toy you had, it was taken off you and given to her.

Then I moved to another cottage but the house mother there was too soft. All the aggression that had built up in me in the last cottage came to the surface and she just couldn't cope. After a year I was moved again. The house mother there was as cold as ice to the children. Then I was moved to a cottage for teenagers. That was good because there were no wee silly punishments that were really designed for younger children. That was my best year in Quarriers.

You were better treated as a teenager – for example, up until you were 14 the clothes you got were hand-me-downs, but when you hit 14 there were different rules and you got a clothing allowance and you could go to Glasgow to choose your clothes. The food was OK, but it all depended on the staff. In my first cottage, if you didn't eat, you were force-fed until you were sick and it was served up to you again until you ate it. You got pocket money on a Saturday – but in that cottage, you didn't get it if you wet the bed.

Some people might label what was done to me as abuse – others might say it was the way things were done. If you complained to anybody and the house parents were summoned and chastised, they would take it out on you. You couldn't tell social workers because you never saw them that often – often months after the incident. Eventually I just stopped complaining.

I had a few happy times in Quarriers, but all of that last year was good. We all went on a summer holiday. Quarriers didn't give you any TLC, but they gave you the material things – football, swimming, discos – everything on site. They also gave you preparation for life skills such as cooking, ironing, cleaning.

My family situation would have been worse if we had not been taken into Quarriers so, in that respect, it was a Godsend.

### 2.9.5 A Quarriers child in the 1980s: 'Trust and love'

I went to Quarriers when I was 6 and I stayed there until I was 16. My first house parents were a bit cold but the next ones were fabulous. There were 15 children in the cottage at first but this was reduced to 8. Quarriers was beginning to close down as a residential home.

When we were taken to Quarriers we were told it was for a holiday but then it became clear it was more permanent than that. I was gutted at first at being separated from my mum and dad but I later came to see it was necessary. We would never have had a stable life at home.

Our house parents gave us unconditional love. They made it clear they were not trying to replace our parents and didn't insist on being called Mummy and Daddy, which was the case in some other cottages. There was no shouting or smoking or alcohol in the cottage. There was trust and love. It gave me a brilliant basis for the difficult time I had after I left Quarriers.

We had chores to do like potato peeling, washing dishes and shoe shining. I was a bedwetter but I was treated well. I always got clean sheets and I was not punished.

There was plenty to do in Quarriers. On Saturdays the minister addressed all the cottages by Tannoy from the church and told us all the activities for the next week - sports, games, crafts. It was a children's heaven - a real privilege.

At first my mum and dad visited most weekends but then my dad died and my mum's visits fell off.

Later on I moved to a flat - they called it 'Steps to Independence' but there was no real support for us. It was exciting having your own flat but it was a real shock too. I had to look after myself - for example, I didn't know how to do laundry because it was all centralised in Quarriers. I really just wanted to go back to Quarriers. I had not experienced crime or cruelty or unkindness - we were living in such a bubble - so I wasn't prepared for life after Quarriers. I was easily exploited and got into abusive relationships.

My house parents were always there in the background, especially for birthdays and Christmas - but I was too ashamed to contact them when I was in the most trouble.

## 2.10 Themes and issues from what we heard

As the hearings progressed, we became aware of themes running through the accounts; we also became aware of some common issues. We have focused in particular on three themes that resonate with what we have read and know about the needs of young people in care today – poor communication, lack of respect and inadequate preparation for leaving care. We approach these through some of the common issues that emerged from testimonies, in particular the forms of abuse that so many of the participants experienced.

### 2.10.1 Physical assault

In this section of the report the experiences of 69 survivors who reported physical assault have been grouped in decades according to when they first entered Quarriers. For some of them, their time in Quarriers spanned two or three decades, so the experiences reported in terms of the identified decade may have taken place in their later years there. Nevertheless, we thought it would be interesting to set it out this way in order to see whether there was any general developmental trend. Surprisingly, there was a remarkable amount of consistency. This applied in particular to the issues of the response to bedwetting and to failure to eat the food served to a child. These two recurring issues are addressed separately after the more general reports of physical assaults.

Within this section, we have set out the experiences of participants as they recounted them to us. We refer to the number of times reports were made about the abuse and whether they were acted upon. However it is important to note that the survivors themselves were often unsure whether any action had followed on a complaint. There may have been some action that the survivors did not know about. What their accounts do show is whether the act of making a complaint had any impact from the perspective of the child.

#### 1930s onwards

Nine of the participants described life in Quarriers from the 1930s. All reported some level of physical chastisement, although one said that the traumatic beating that still haunted him happened after he was moved at age 14 from one cottage, where he had never been hit, to another where physical punishment was the norm. The house father had once caned him severely on the bare bottom for laughing in church. He couldn't sit down for a week. For the Chair and Commissioner hearing this account, it was clear that this man, now in his late seventies, still suffered deeply from the memory of that painful and humiliating experience which, even now, still had the power to reduce him to tears.

Participants reported some standard triggers for beatings including an inability to recite the weekly Bible verse correctly, bedwetting or a refusal to call the house mother 'Mummy'. Some reported getting hit for having holes in clothes or shoes, for standing on a swing or climbing a tree. A woman who entered Quarriers in the late 1930s and spent most of her childhood there reported: 'They strapped us for anything - at least weekly.' She gave a particular example:

'I don't remember ever having a doll except a wee, plastic one that I kept under my pillow. I can't remember who gave it to me. They wakened me and strapped me for having this bare, naked doll.'

She also told us that a neighbour had once reported her and another girl for standing on a swing. They were taken to the toilet, their pants taken off and 'belted silly'. She was once hit on the head with a strap to make her eat faster. It hit her eye. The house mother put a steak on it and sent her to the hospital. She had to walk there herself. She was told to say she had banged her head on a door and was threatened with another beating if she told the truth.

Some of the beatings we heard about seemed to be random acts of cruelty by powerful adults against vulnerable children. A woman who had spent her whole childhood in Quarriers reported:

'you got hit every day. When you walked past her [the house mother] you would protect yourself. She would say, "I'll not disappoint you, girl" and hit you with her hand. Sometimes she used a kitchen implement. Sometimes she would take you out your bed for no reason and bump you down the stairs. When she was finished she would put you in a bath of cold water for the rest of the night. Others were put in a black cupboard. She was the devil reincarnated.'

A man who described his house mother as 'a very, very evil lady', described how she placed a young boy's hand on the coal range. She thrashed another boy so hard, his legs were black and blue. She wouldn't let him go to school, saying he was sick. She was famous throughout the village for her use of a wooden spoon to beat children. The spoons kept on breaking. She ordered them in batches from the store but they knew how she used them and refused to supply them.

Physical punishment was also used in the school, although no-one described it as any harsher than what went on in other schools. Children sometimes developed strategies to minimise it. One man told us: 'one would strap you till you cried. You got fly and learned to cry at the third stroke. Then it would stop.'

Sometimes one 'offence' could lead to multiple beatings:

'When you were taken back after running away, you got "leathered" by the Senior Manager, then by the house parent, and then by the head teacher for missing school.'

Three of these participants told us that they did not report the beatings because they were afraid or intimidated by threats from the offender or did not think it would do any good. One said the house father who had beaten him came to see him in hospital where he was recovering from his injuries: 'He threatened to hit me again if I said more.' Another reported that the house mother tried to avoid difficult questions by treating most wounds herself - as she had usually been responsible for inflicting them.

However four did report it and told us about the action that appears to have followed from it. One said that he and a friend went to the Senior Manager with a stick to show him what they had been beaten with. The house parent subsequently left. Another who told the Senior Manager said he was believed; the offender was admonished and the survivor was moved to another cottage. Another said he was being 'beaten black and blue with a leather strap' when an older resident stepped in to save him. He was so bruised, he was reluctant to get undressed at football. The other boys told a teacher why. The teacher took him to the Headmaster to tell what had happened. He [the boy] was in hospital for a week. He continued to live with the same house father for a further year and a half, but there were no more beatings and the house father was always trying to make it up to him.

Another reported the abuse to a new teacher, who reported it further. This resulted in the survivor being moved to another cottage. So action was taken in this case, but there was a difficult time lag before the move. When word got back to the house mother that a complaint had been made, she threatened to belt the whole class to find out who had told. The survivor confessed but refused to take the belt. He ran away but was picked up and then moved.

In one case, it was not a resident who reported the abuse but a cottage Aunty. The survivor reported that this Aunty felt sorry for the children and told the police. Some of the children were questioned but the offender ordered them to say it was not true. The Aunty was not believed and was 'put out'.

We received a report of a house mother who tried to maximise the pain to children by hardening the leather belt used for the beatings by laying it on the fire and then the floor. This arose again in a 1940s account of life with the same house mother and is further discussed below.

Some of the survivors feel strongly that other people in Quarrier's Village must have known what was happening but accepted at face value the explanations children were ordered to give for their injuries. It may have been that by accepting these explanations without question they could avoid the challenge of doing anything about it.

### 1940s onwards

Twenty-nine participants had entered Quarriers in the 1940s. A few said that they had never experienced physical punishment and some described a very happy life in Quarriers with loving house parents. However, most of the children who had had a good experience were aware that others were having a harder time, even if they did not know the details. One woman described the very different experiences of herself and her now deceased younger brother:

'I had a happy normal childhood. I was never shouted at or smacked. If you did something wrong you were told off and you felt bad. You might get extra chores for punishment - for example - peeling potatoes for the whole cottage or sorting the coal into different sizes.'

Her younger brother was in a different cottage and kept running away. She found him one day and noticed severe bruises on his arms. He told her that his house mother had beaten him. She took him back to her cottage and her house mother told the Senior Manager. He and the doctor came to see. Her brother was moved to another house. She didn't know if anything had happened to the house mother but, after the move, her brother stopped running away.

Physical punishment was the routine in some cottages:

'I was beaten for running away, for speaking up, for talking to my sister in a neighbouring cottage; for putting salt instead of sugar in the porridge; for telling my Dad I didn't want money (because it was always taken from me by the house mother to give to the starving children of Africa). I told my teacher who complained on my behalf - but I was beaten for telling the teacher. I told my Dad who said I was lying.'

Children were sometimes slapped for refusing to call the house mother 'Mummy', for having soiled underwear or for talking at night. Sometime a whole dormitory would be slapped because someone was making a noise.

There were consistent and persistent accounts about being locked in dark cupboards. One man reported:

'I was punished once for mischief by spending 3 days in the 'Glory Cupboard' under the stairs. I was only given bread and water and a bucket for toilet needs. There was a vent on the third stair and I used to peer through that.'

The same man was beaten by a neighbouring house father, on the instructions of his house mother who had difficulty in controlling him:

'He once battered the hell out of me. I woke up and didn't know where I was. I had been put into the relief worker's room. No-one was allowed to see me. I was black and blue. A nurse came round - a friend of the house mother.'

Survivors reported being hit with a hammer, a poker, a shoe, keys and hands. One reported being hospitalised after his feet were put into boiling water, and another said his head was put down the toilet and flushed for not cleaning the toilet properly.

Sometimes the beatings were given by other residents. Bullying was common in some cottages and was facilitated in those where the older residents were given a degree of authority over the younger ones. One former resident described how he was appointed 'head boy' in his cottage. His duties included dealing with absconders whom, he said, he 'thumped'.

Some extreme punishment at school was reported to us, again compounded by the ramifications when you got back to an abusive cottage:

'I was belted at school so bad my arms were bleeding and I was sent to hospital. The teacher gave me 3 or 4 strokes of the belt every 30 or 40 seconds because I wouldn't be quiet. I was determined not to give in. When I got home, the house mother gave me the strap as well for speaking back. She put both my hands on top of the hot fire guard while she strapped me.'

And living in an abusive cottage could also mean you got strapped at school more often:

'Every day, two bells rang for school, a warning bell at 10 to 9 and then the 9 o'clock bell. If you were not in school by then you got the belt. Miss X used to keep us late every day. She would lock the door and lecture us. So we got the belt every day.'

One participant remembered a teacher being dismissed for over-use of the strap.

Fear and a sense of hopelessness were barriers to reporting the abuse. 'If there's no-one there to go to for help, you just have to go into a corner and cry. I cried at night, under the covers.'

However, some reports were made with varying degrees of response. A woman who was in Quarriers during the 1940s and 50s told us of severe beatings at the hands of the same house mother, referred to earlier, who took pains to harden her leather belt on the fire. On one occasion this survivor had been given 50 strokes of this woman's hardened strap: 'It was worse in the winter because when your hands are cold it stings a lot more.'

She described how, after she had reported abuse of a younger girl, the phone in the cottage rang. She heard the house mother talking. After that the house mother was livid and got the belt and whacked the participant. She told us that the house mother was eventually removed for abusing children, but was not sure whether this was a result of her report, as a teacher had also reported this house mother when he had seen welts on the pupils' wrists. She had then been told to punish them on the hand. This house mother's cottage was described as a 'silent cottage' where children were not allowed to talk. There were reports of another couple who had been reputedly dismissed for abusing children but were later allowed back, and continued the abuse.

Ten of the participants who entered in the 1940s told us about attempts to report the physical abuse that they or others were experiencing. Three of these seem to have been followed by action, although participants were not always sure whether that was a result of their report. In one of these cases, the child was moved, in another the house parent was moved and in the third the house parent was fired. Four accounts referred to children being punished by the abuser following their report. In the other three cases, there was no apparent action. In one of these cases, it is not clear how accurately it can be described as a report as the child was wary of telling what had happened. A teacher had noticed her bruising and sent her to someone more senior who had questioned her about it. She had been punished before for complaining, so: 'I told him a big story and said to him - "you just don't understand anything".'

### 1950s onwards

Twenty-three participants entered Quarriers during the 1950s. A few said they did not remember ever being hit. For some who were hit, it was accepted as just a part of life. Others were aware that it was not right and tried to complain about it. One participant believed his house mother was mentally unstable.

A participant who had mixed feelings about his experience in Quarriers testified to the pervasive culture of physical chastisement:

'I was given 6 of the belt for confessing to a crime I didn't commit. When I confessed about the lie I was given 3 more as a punishment. I was strapped for crying following night fears. I was probably four at the time. When I was late for my first day of school I was strapped as a punishment and was also strapped when I said "fivety instead of fifty".'

A woman described singing sessions in the cottage in which they all had to take a turn. She has a very high voice and later became a singer, but she was slapped about 10 times for 'putting a voice on'. There were also reports of being hit for failure to recite Bible verses accurately and for refusing to call the house mother 'Mummy'; and there continued to be reports about being locked in dark cupboards.

One man, who spent his whole childhood in Quarriers, described his house mother as 'brutal and sadistic', adding that he believed now that she was mentally disturbed. 'I think even the leadership of Quarriers were afraid of her,' he said. He dealt with the situation by becoming a 'helper'. He tried to get other children to stop crying at night because he knew the house mother would come up and hit them. She would come to the bedrooms at night and seriously assault a child physically. She would drag boys to the shed and pour ice water over them. Her most extreme behaviour took place only when there were no other adults present. He described how he tried to help a four year old girl who had been severely beaten by the house mother because she was having difficulty getting her socks and shoes on. The assault made her fall off the table and she was just left there.

Night-time punishments were a recurring theme. A woman described how, if you talked in the dormitory you were put out in the shed. It was cold, with concrete floors, and you would only be wearing a wee nightie. Then you might be joined by another child. This had happened to her once when all she had done was to warn another girl to stop talking to her. She decided to ask her mum and dad for slippers and a dressing gown to hide in the shed, but she never did. Another participant reported being frequently grabbed by the hair and pulled out of bed, dragged downstairs, battered and made to stand in the hall all night.

Sometimes the children fought back, either physically or emotionally. One woman reported: 'She enjoyed hurting. She got pleasure from it. I learned how to smirk, but I cried inside.' A man observed: 'See - you either break a person or you make a person more aggressive.' He adopted the latter course. He described how a particular incident became 'the straw that broke the camel's back'. Thirteen boys rebelled. He 'went for' the house father and the house parents backed off after that. He stood up for himself and his brothers. When he left he warned the house

mother that, if she did anything to his brother, he would be back. He commented: 'Towards the end I must have become a total nightmare because I did nothing. You were made to feel you were nothing short of the dirt on a shoe.'

Another participant gave a moving account of coming home to find another child who had been beaten by the house mother. He had been hit on the head with a poker and was still bleeding through a bandage:

'I lifted him out through a bathroom window telling him to go and get help at the hospital. He stood outside sobbing and wouldnae go so I let him back in again. His injuries were terrible. From then on I began to stand up for myself and intervened where I saw other children being beaten. I stopped [the house mother] beating another child. She asked her husband to intervene with me but he didn't. I was never hit again after that.'

There were nine references to the abuse being reported. Only two of these seem to have resulted in action. In one case the house parents left soon after a report to the Senior Manager. The participant was not sure whether these events were related. Another case involved an incident at school. A teacher caught the participant talking and got a boy to hold her arm while he belted her. The house mother saw the welts and complained and the teacher was moved on.

Apart from that, participants spoke of the fear of telling and their belief that they would not be believed: 'I thought all adults were the same so didn't trust anyone.' This was a belief that was promoted by some of the abusive adults. A child who never had visitors said: 'When they were slapping you they would say - 'who are you going to tell?'

And indeed, some participants reported that when they told, they were not believed. One told a nurse at the hospital but she was not believed and her abuser was told to come and collect her. Another told his father, who told the Doctor. The house parents were involved and called him bad, evil and a liar. They didn't touch him for a few weeks after that but it started up again. One participant told his aunt. She believed him but 'couldn't do a lot about it'. He thought about telling the cleaner who was 'an excellent woman, but would anybody believe a cleaner?' This doubt seems to be vindicated by the experience reported by another participant who said that a cleaner who had seen a child hit with a poker had reported this to the Senior Manager and was never seen again. One participant told the cottage Auntie, who told the house father who was abusing her and this just resulted in another beating. As one participant observed: 'A wean telling an adult about another adult who is a church-goer - who are you gonnae believe?'

## 1960s onwards

Nineteen participants entered Quarriers during the 1960s. As in earlier decades, a few reported not having been hit but many more spoke of regular beatings, with hands, a strap, a slipper, a carpet beater, a chain, a wooden coat hanger, having a cigarette stubbed out on the hand or being whipped with wet towels. A woman who said she had been 'beaten constantly' concluded: 'You sort of give up. You learn to adapt. The pain becomes a normality.'

There were again references to being locked in dark cupboards and made to stand barefoot or sit in cold places. Some children were still being belted for failures in their religious education:

'I was strapped if I couldn't say the Lord's Prayer. I was also unable to say the word "cardigan" and was slapped by the house parents as they passed me as I stood on the stairs where I'd been made to stand as a punishment.'

Short term residents appear to have a hard time from some house parents, who resented them, and some longer term residents, who bullied them. We heard about this from the perspective of both the self-confessed bully and the bullied. One who implied her own involvement in the bullying said: 'Most of the new kids got it; and if they got the wrong house parents, they could pray to God!'

A survivor who entered Quarriers when she was seven reported that, the day she arrived, an older girl was told to take her to the Park. She pulled her along by the hair on the way back. The cottage mother asked why she was crying. When she told her she was whipped with wet towels and put to bed with no supper.

There were a few references to harsh treatment at the school, by teachers and other pupils.

Six participants referred to reports being made about the abuse and two of these seem to have been resolved, in one case by the removal of the child to another cottage, and in the other case by the disappearance of the offender after a police investigation. As in previous decades, the children were not sure about the causal link between their reports and the subsequent action. In a third case, the participant said her complaint was 'respected' but did not indicate that any change followed. One talked about telling his house mother about happenings in other cottages and being advised that that was none of their business; he should not listen to tittle-tattle. A woman said she had complained of harsh treatment to her social worker, who just told her to go back. Another said her brother had told a nurse about another child having been beaten but this was not followed up. Some who did not report abuse cited the usual reasons - fear of recriminations and a perception that they would not be believed. Lack of trust in adults and suspicion of authority were also barriers. One man reported that, when he was

ten, he saw an older boy get hit with a chain. He was covered in blood. The police were involved and asked questions. He had seen it all but his older brother told him not to say anything, so he remained silent.

It was common for former residents to feel that other adults must have known what was going in the village. One participant asked:

'All the good parents - who were good to their children - saw bruises, blood, etc. Why did they not do anything?'

### **1970s onwards and 1980s**

Seven participants entered Quarriers during this period. A survivor whose stay in Quarriers spanned the 1960s and 1970s reported: 'The regime became more relaxed in the 1970s as the old house parents were phased out.'

Four of these participants reported positive experiences and never having been hit, but we heard reports about severe and unacceptable punishments from the other three. There were still reports about being locked in the coal shed or dark cupboards. One participant talked about being locked in a cupboard for a couple of days at a time. A cleaner would sometimes open the door a little and ask if they were OK. She would hand in a drink or a sweet and apologise for having to lock the door again. Occasionally she left it unlocked because she knew the survivor was afraid and she reassured her that she would take the blame if it was discovered.

One of the incidents reported seemed to show a measure of calculated cruelty in the mind of the perpetrator. We were told that, when visitors came to this cottage, biscuits were available, but the children were not allowed to have them. On one occasion, when the children were sitting together with the visitor and the house mother, she passed the biscuits around and the children refused as they knew they should. The house mother joked and commented on this to the visitor and then insisted that the children take a biscuit. Eventually, one child gave into the pressure and took a biscuit and was punished afterwards for doing so. The participant who reported this came from an area that was a distance from Quarriers. Because of this, social workers did not visit but merely phoned to check on the children's welfare. However, the phone was in the house mother's sitting room. She told the children what to say and listened in to the phone calls. This survivor reported the abuse to the wife of a senior employee of Quarriers. She did not know whether or not she was believed, but no action followed. She also remembered a teacher asking about an injury but she could not remember what she said in reply. However, she commented: 'Everybody must have known. There were lots of children wandering around with serious injuries. The hospital must have known.'

### 2.10.2 Bedwetting

A recurring theme, across the decades, was the response to bed-wetting. The Standing Orders for The Orphan Homes of Scotland (an undated set from before 1944 and a 1944 revision), included the following:

38. Treatment Of Children Suffering From Incontinence Of Urine - The objectionable habits of children who are bed-wetters and given to soiling their bed clothing and wearing apparel are very difficult to cure. The utmost sympathy is felt for House mothers who have to put up with all the consequent inconvenience. In every case the matter should be reported to the Medical Officer and his instructions as to treatment carried out as far as possible. No treatment should be given apart from such direction. In dealing with such cases, House fathers and House mothers should consider how they would handle the same condition if the children were their own. It will be helpful to refer to the Medical Notes on Enuresis and Bed-wetting enclosed with these Standing Orders.

The 1944 revision adds a warning:

‘On no account are children to be made to sleep next to Rubber Sheets.’

(Note: Quarriers provided TTBH with the copy of Standing Orders quoted above and confirmed that it had not been possible to trace a copy of the associated Medical Notes.)

The experiences reported by participants were so consistent that they seem to reflect a standard, although not universal, practice that persisted right up until the 1980s, in some cottages at least. Many spoke of this to us with considerable emotion. Most of those who talked to us referred to bedwetting as a punishable offence. The ‘offender’ was often physically punished, sent out to spend time in the shed, made to wash the sheets or later, when the laundry took on that role, made to carry them to the laundry at times and in circumstances when it was clear to all who saw what was happening. There were many reports of wet or soiled sheets being rubbed in the child’s face and of being made to wear wet pants on their heads. The intention seemed to be humiliation. Attempts by staff to control bedwetting included placing a rubber sheet in the bed with wires attached to a bell that rang if it became wet. One survivor said he was once burned by this contraption, which left a scar.

Here are some comments from the survivors:

‘Every morning I was dragged out of bed, pinned to the floor and beaten with a strap. I was put into a cold bath with the wet bed sheets to clean them.’

‘We were ridiculed for bedwetting.’

‘I wet the bed on the first night. I had never done so before. I had to take the sheets to the shed and wash them out.’

‘If you pee-ed the bed, you had to wash your sheets. If they fell off the rope when you were hanging them up, you had to wash them again. You would miss your breakfast and have to go to school hungry.’

‘At night the toilets were locked and we were all woken at 10pm to use the toilet. This was our sole chance to use the toilet as it was locked again afterwards. If we wet the bed we were to wash the sheets in cold water in the back room and everybody knew we were bedwetters. If the sheets weren’t dry at night they were put back on the bed and we would sleep on a damp cold bed. As a result I got bronchitis. I wet the bed till I was 17. I learnt quickly not to report bedwetting and it was better to sleep in soiled sheets.’

‘After entering Quarriers aged 10, I started wetting the bed. In the morning I had to go into Miss X’s room and say, “Mummy, I wet the bed”. Then I would pull up my nightie and lie across the bed and get strapped. Every day started like that. I used to try to stay awake at night so I would not wet the bed.’

A survivor who wet the bed at age four, reported standing in the cold shed, washing her sheets and singing to herself, ‘Take me back to Dundee’ (her home town) to the tune of ‘Take me back to the Black Hills’.

A participant whose stay spanned the 1970s and 80s reported that he wet and soiled the bed regularly. Soiling was more frequent around the time of parental visits. His house parents, who he described as having ‘very old, Victorian values’, would rub the sheet on his face in front of the other children.

### 2.10.3 Forced feeding

Another recurring theme that survivors spoke of with emotion was forced feeding. Most participants reported the food at Quarriers as having been of a good standard, indeed some were very complimentary about it. Like all things in this cottage-based system, it was of course subject to variation according to the skills and care of the house parents and the cook who, in the early decades, would be an older child or ‘kitchen boy’.

Food that was not eaten was kept and served up to the child again and again – sometimes for days. Some participants reported hiding unwanted food in their pockets or pinafores. In some cases, the child was physically forced to eat it: ‘Meals were served up repeatedly if I didn’t eat them. If I vomited because I didn’t like the food I was made to eat my own vomit.’

‘Most mealtimes were terror-stricken for me. If you didn’t eat you were called “an ungrateful bastard”. At every meal there was someone being force fed or beaten up. My lips were once prised open with a fork. It ripped my lips. If you vomited, you either had to eat the vomit or food from the brockbin [pigswill]. It surprises me that the school never noticed the missing children who were being made to stay at table till they had eaten.’

There were a couple of reports of children being forced to eat extra food as a punishment for stealing food or asking for more: ‘I was caught stealing food from the fridge and forced to eat six slices of dry bread after my meal every day for a week. I was bloated by the end.’

#### 2.10.4 Observations

There was widespread acknowledgement amongst the participants that standards of acceptable punishment had changed since they were in Quarriers and that some of what happened to them there reflected what was happening in family life and the wider world. Some also acknowledged that they were sometimes challenging in their behaviour and they showed a commendable and very generous concern for the house parents charged with the care of large numbers of children. Some would acknowledge that they had been belted frequently but would add that they had ‘deserved it’ and did not categorise it as abuse, even when, to us as Chair and Commissioners hearing the account, it seemed clearly to go beyond the bounds of anything that might have been categorised as reasonable chastisement. Other former residents clearly felt they had been severely abused and still suffered from the memory of it.

It is difficult to check on the overall scale of physical punishment as, although cottages were supposed to keep ‘punishment books’, Quarriers told us that there were no completed punishment books in their archives.

Even acknowledging the fact that standards of acceptable punishment have changed over the decades, and that some children had a good experience in a family environment provided by caring house parents, it became clear, through sincere and consistent testimony, that some house parents operated a regime that was brutal and sadistic. Some of the assaults described by the survivors could in no way be described as legitimate punishment, even by the standards of the time, either because they were related to no fault of the child or because the severity was completely out of proportion to the supposed offence. Moreover,

from what we heard, these house parents knew that what they were doing was wrong because they tried to cover up their actions and compelled the children, through threats of further violence, to lie about the cause of their injuries and their general level of happiness in the home.

There seems to have been a weakness in the system in that it placed too much trust in adults and not enough trust in children whose reports of brutal treatment were often not believed. We know from what we heard that this was not a universal response. There were occasions where children were believed and action appears to have been taken. The offender was advised of the complaint and appears to have been admonished. Sometimes the child was moved or the offender was moved, although the children were not always sure whether the one action followed from the other as no explanation was given to them. However, even where action was taken, there appears to have been a lack of awareness of the implications for the child of their complaint being made known to the offender who still had access to them and power over them.

We may well assume that William Quarrier, who repeatedly emphasised his concern for the happiness of children and insisted that their 'frankness' should be encouraged, would have been appalled at the treatment meted out to some children in the institution founded by him.

The hypocrisy of adults was not lost on the children. One told us of a rhyme about a particularly brutal house father:

'XX is a holy man -  
He goes to church on Sunday.  
He prays to God to give him strength  
To batter kids on Monday.'

A female, who said she witnessed her house mother beating another girl just after church, reported getting about 40 straps for telling the house mother that she was no Christian and quoting the minister's sermon to her.

Looking back on his house mother's behaviour, a survivor reflected:

'How she got away with it, I'll never know. I still can't understand how no-one spotted her. She went to church and took communion once a month and yet abused the children.'

The participants often asked why the brutal treatment was not picked up. Why did the Elise Hospital not notice that there were children coming to them with serious injuries? This is an interesting question as the participants generally spoke very highly of the medical staff and their kindness to them. One can only speculate that they too were too trusting of the adults in the institution, or perhaps that their isolation from the outside world bred a particular sub-culture where injuries and their explanations were accepted that might have raised suspicion elsewhere.

Why too did the school not notice that the same children were belted for lateness every day? Surely it must have occurred to someone at some point that the fault might have lain with the house parent rather than with the children? Perhaps someone did pick up on this in some instances and take it forward, but no such example was reported to us.

The main witnesses to the abuse were other children. Former residents frequently described to us the impact on them of hearing other children screaming or watching them being ill-treated, especially if they were siblings. Children often tried to help each other. Some staff too tried to help. Some felt they had to do this in a furtive way. The former residents were aware of some cases where junior staff had complained to management about the children's treatment at the hands of the house parents. The most common consequence reported by the former children was that the junior member of staff 'disappeared' and things in the house went on as normal.

Children responded to brutal regimes in various ways: by conforming, by rebelling, by withdrawing, by becoming a 'helper', by becoming the 'favourite' of a house parent or the 'pet' of an older child who would protect them. Siblings generally looked out for each other although, in the earlier decades, the children might not know they had siblings or who they were, or they would be split up into different cottages. Children also reported being subject to bullying by other residents and by the children of the house parents. In some cases this amounted to extreme violence.

Physical punishment is now banned in residential care. The issue today is more about respecting child residents, providing opportunities for them to tell about things that are troubling them, listening carefully to what they say and building into systems an acknowledgement of the dynamics of power in residential care and the propensity for powerful people to exploit the trust placed in them. This is reflected in the recommendations at the end of this report.

### 2.10.5 Sexual abuse

Sexual abuse was mentioned by 40 participants. The instances we heard about were spread across the decades, and both men and women spoke about having been abused sexually. In some cases the sexual abuse was associated with both physical and emotional abuse.

The nature of the sexual abuse mentioned included inappropriate behaviour of a sexual nature by adults in the presence or in the view of children, inappropriate touching of children, children being made to touch others inappropriately, and sexual intercourse, vaginal, anal and oral. The participants stated that the perpetrators included house parents, other staff in Quarriers, other residents, former residents and people in the community who gave hospitality to children from Quarriers at weekends or on holiday trips.

Most of the instances that were mentioned involved older males (house fathers, other male staff, other residents and former residents) abusing children; two participants described being abused sexually by a house mother, another described being sexually abused by the daughter of his house parents, two said they were abused by the boyfriends of Cottage Aunties and two referred to abuse by other adults in family homes they were invited to for the weekend or when they were on holidays.

The emotional and psychological impact of the abuse was similar to that commonly reported by survivors of child sexual abuse as the following comments and quotations show:

- Some of those who mentioned having been sexually abused explained to us that they were unable to describe the detail of the abuse they had experienced because it caused them too much distress and embarrassment. They said that they had kept it to themselves for so long that talking about it was difficult. Commonly in referring to sexual abuse, as was the case with emotional and physical abuse, they became distressed and struggled to continue giving their account of their experiences.

- A few said they felt guilty that they had found the sexual experiences enjoyable at the time. It was, as several participants told us, good to be shown affection, to feel special, to be the focus of attention; and at the time they did not know that what they were experiencing was wrong.

- Some males, referring to being sexually abused by other males, said that they were unsure at the time as to whether what was being done to them was wrong. Both at the time and in later life they felt uncertainty about their sexuality and had inhibitions in establishing heterosexual relations and in relationships in general and in expressing affection to their partners and children.

- Others referred to hating the perpetrators and the sexual abuse they experienced. They dreaded being approached, cornered, threatened, and denigrated.

These are some of comments made in the hearings:

### **The 1940s**

'I hated going to the outbuildings but the man always asked for me by name. I would say I didn't want to go but I couldn't say why. There would be nobody else there when I went and he locked the door. He abused me there and I was terrified.'

'Nobody wanted to go to the outbuildings for fear of the house father who worked there. I was only three when he made me have oral sex with him. Another time when we were on a walk, this man told the other boys to go on ahead and he kept me behind to do it. At night-times he would abuse me but say he was taking me to the toilet.'

'I was abused by older residents in the bathroom of the cottage when I was at secondary school. They threatened me with violence if I didn't comply.'

'Other boys abused me and although I was uncomfortable, I didn't know it was criminal.'

### **The 1950s**

'When I was 11 or 12 to 14, I was abused sometimes four or five times a night by older boys, particularly two brothers. It was always at night when people were sleeping. The next night it would be someone else's turn. I can still smell it yet.'

'An older boy was the house mother's favourite. He made me masturbate him when I was 11.'

'I was sexually abused by other residents and former residents and I worried that I might be homosexual after that. Later I got married and had children.'

'I was often late back from school so I was the last one to have a bath. The bathroom was really out of the way. Other boys would wait for me and sexually abuse me there. I was uncomfortable with it all but I didn't know it was criminal. I have never had a bath since I left Quarriers - I always shower.'

'One of the former residents used to come to the cottage to abuse boys. He was in his late 20s and would pick up the boy he wanted for the night. He used a room in the cottage with a double bed. It first happened to me when I was 13 and I'm sure the house mother knew what was going on. I didn't tell because I was afraid, I wish I had. Another former resident came to 'get his pleasures' from me but I refused, so he put my head down the toilet.'

'I had a sexual relationship with my house father that I considered to be consensual at the time. I was upset when I heard that there had been other victims as I always considered it a love affair.'

'A boyfriend of the cottage Aunty used to touch me up - he would appear in the bathroom when we were at the toilet or having a bath. There were two boys who were brothers who used to rub up against the girls and make them touch their private parts. We couldn't tell the house mother because these boys were her favourites and she wouldn't believe us.'

'I was sexually assaulted by my house father. I reported it but was told to go away.'

### The 1960s

'A house mother seduced me when I was 14. I knew nothing about sex. I was immature and didn't know it was possible to say no. The relationship lasted for several years. The authorities must have known for it was difficult to hide things in Quarriers.'

'This man who worked in Quarriers rubbed his willie against me. I thought he was giving me a cuddle. The second time wasn't so subtle. I hated what he was doing, but I was getting attention - a cuddle... Then suddenly it stopped one day. I was so relieved but also puzzled because I didn't get a cuddle.'

'Our house father always looked in the window when you were having a bath and he came into our bedrooms. You would wake up to find your pyjamas open and your chest sticky and wet. We got wise and started pinning our pyjamas. Even the little ones got it - in turns - even a five year old. Then it turned to touching...'

'Our house father did the rounds of the bedrooms at night with a torch. He interfered with me under the covers. The next house father made my life a living hell on a daily basis. He gave me a piggyback and put his hands on my legs, inside my pants and inside me. I was abused on a daily basis, usually in the kitchen.'

'On Visitors Day we had to show people around the cottage. One, a man, asked to see the house mother's bedroom and when I took him there he touched me and made me touch him.... The house mother had boyfriends who stayed overnight - the man who touched me was one of them. The same thing happened another time downstairs near the toilets and I felt scared.'

'Our house father played games in which he lay on top of us. He came into the bedroom and touched us. My sister and I shut our eyes and curled up as tightly as we could.'

'The house parents performed sex acts in front of us. You could hear it too. Their daughter used to come into the boys dorm - "You show me yours and I'll show you mine." She would threaten to tell her parents if we didn't do what she wanted. They didn't care anyway. Our house mother would walk past the open dorm door with nothing on.'

## The 1970s

'When I was 8, the house father would sneak into the bedroom and pick a girl to perform sex acts on. You would lie there hoping it wouldn't be you while crying your eyes out as you listened to the others being abused, especially the younger ones. Then he focused more on me but it wasn't full sexual intercourse until he raped me when I was 11.'

'The cottage Aunty's father used to chase me and abuse me. I was bleeding a lot so I stole some pants to stop the bleeding and then I dug a hole in the woods to hide them. Sometimes when you were sent to the dorm for being naughty the window cleaners would expose themselves and ask you to touch them.'

'The Aunties would call the children into the playroom and make brothers and sisters have sex with each other - and they would tell them off for not doing it properly.'

### 2.10.6 Reporting sexual abuse

Participants were asked about what, if anything, they had done to report their abuse. Their responses are set out below and are grouped by decade.

Eighteen of those who told of being sexually abused said they told no one about it at the time. The reasons they gave for this varied very little over the decades:

#### 1940s/50s

'You wouldn't be believed and you'd get beaten'.

'I didn't know what to do'.

'I didn't expect to be believed or for anyone to care'.

#### 1960s

'No one would have listened. You wouldn't have dared complain as a child'.

'I told no one. There was no one to tell. Social workers visited but we were told by our house mother to say everything was fine. We were afraid that anything negative we said would be repeated (back to her) and we'd get punished'.

'You could never have told because you would have got it from the house parents when you got back'.

#### 1970s

'I couldn't have told my house mother about the sexual abuse for she would have beaten me for being evil'.

Several of these participants did not talk about their abuse to anyone for many years. Of those who did talk about what had happened to them, a small number spoke only to family members and no action ensued in any of these cases; either they were disbelieved or told to keep quiet or the family member felt unable to do anything.

#### 1940s/50s

'I told my father but he said I was lying'.

'I told my aunt and she believed me but she couldn't do a lot about it'.

**1960s**

'I told my granny but it was difficult for her to do anything about it because of church connections'.

**1970s**

'I told my sister but she had been abused in the same way and there was nothing we could do'.

A few told their house parent but were not believed -

**1940s/50s**

'I told her several times about it and got the strap for lying'.

'I told my house mother about the sex abuse but she just didn't believe me'.

'We told about the older boys but we were told we were lying'.

It was difficult for the participants to be sure that their reporting resulted in action being taken, but there were a few positive outcomes -

**1940s/50s**

'I told the assistant supervisor and he must have believed me for that house father was dismissed, but we were never told why'.

**1960s**

'Other residents saw the abuse and reported it to the house mother who reported it to the supervisor - and it stopped. That boy was moved to another cottage'.

'I told a nurse and the Senior Manager. I don't know if they believed me but I was moved'.

Some children did report what happened to them or what they had seen happening to others but said it was difficult to do so because they were disbelieved or their complaint was dismissed and sometimes led to negative consequences. For the following participants, reporting the abuse had an adverse effect -

### 1940s/50s

'We told an Aunty who always felt sorry for us girls. She told the police and they came to interview us, but the house mother told us to say nobody had abused us. They believed that and the Aunty was put out'.

'I told a nurse but she didn't believe me and just returned me to the house father who was abusing me'.

'I told my teacher who complained on my behalf - but then I was beaten for telling the teacher'.

'I told an Aunty who told the house father that I had complained about him. He told me I was a bad girl and beat me'.

### 1960s

I tried to tell an Aunty when the house parents were away for the day, but she didn't believe us and nothing was done'.

'I went to the Senior Manager's house because they were hurting me. He told me to go back to my cottage'.

'We told the Matron and I think she believed us. Then all us girls were brought into the Senior Manager's office - full of men - and they told us we had overactive imaginations and that our house father was just tucking us in'.

#### 2.10.7 Observations

The experiences reported by many of the participants who reported sexual abuse exemplify vividly the dilemma they faced as children. Communication with them was completely inadequate; there was no respect for them, indeed there was contempt; and they were left to suffer in silence whilst, as they reported, some older residents, some former residents and some staff took advantage of them shamelessly and disgracefully. Responses to their reporting abuse were not encouraging; whilst some told us of action being taken, others spoke of being punished for speaking up and others felt too intimidated or saw no point in telling anyone in authority. 'Where was everybody?' is how one participant expressed so eloquently the feelings of being left bewildered and alone.

### 2.10.8 Emotional abuse and neglect

Forty-nine of the participants reported emotional abuse and neglect. Earlier sections of this part of the report give examples of what some of them said. Many spoke of harsh, unsympathetic treatment by their house parents and, as noted elsewhere in this report, of a complete lack of affection, warmth and empathy. Some of them rationalised this by saying that it was simply 'all that you could expect', and as being 'of its time'. As they saw it they owed a lot to Quarriers for caring for them to a much better standard than they would have experienced at home. Some excused the lack of individual attention and affirmation on the grounds that, especially in the 30s, 40s and 50s, the cottage parents had so many children to look after. Nevertheless, a participant who had been in Quarriers in the 1930s/40s said that his house parents loved the children – so it was possible to engender that atmosphere even with a lot of children.

Many spoke of being denigrated in a variety of ways. Some reported being told they were the children no-one wanted, not even their parents; others spoke of highly derogatory things being said, in their presence, about their parents. Some reported preferential treatment and favouritism being shown to other residents and to the children of the house parents.

Some said that bedwetting commonly resulted in humiliating treatment and some accounts of this have already been given in section 2.10.2. Many commented on the distressing practice of attempting to force children to eat what they did not like by repeatedly serving the rejected food meal after meal after meal, and all in the presence of the other children. Accounts of this have given in section 2.10.3.

Some also reported being given false information about their parents, and of parents or family members being sent away without being allowed to see them because they came to visit them on a day other than the day scheduled for visitors. Some reported that presents brought to them by members of their family were taken from them to be shared with the other children in their cottage; others said that they either never saw the presents again or, if they did, they were in the hands of the house parents' children; or in the case of sweets and food, they were being eaten by the house parents and their children.

Twenty-one of those who came to be heard reported no abuse of any kind. Some of them, as we have noted earlier, spoke of the strict regime and of the punishment they received for misbehaviour. Some volunteered that they deserved all they got, others said that if you misbehaved you deserved to be punished. We recognise that it is important not to judge the practice of the past by the standards of today. Some participants reported receiving excellent care from dedicated house parents who evidently saw their work as a vocation. Some other participants made no complaint but described experiences which we considered to be harsh and punitive. It may be the case that they, in some

measure, accommodated this treatment as normal. Certainly, what we heard some participants, who made no complaint of abuse, describe as acceptable would not have been such, even in the context of its time.

### 1930s

'Emotional poverty was a great factor in Quarriers. I had no affection, no cuddles, no one ever said sorry, no comforting pat on the back. You cried on your own'.

'My house parents gave no encouragement to any child. The house mother complained about everything. You had contact with other boys at school and at sports, but you never spoke about life in your cottage'.

'At Christmas my gifts would be thrown in the fire. I was never given a birthday card or present'.

### 1940s

'Our house mother called us sluts, trollops, scum of the earth. Your name was never used. You were called "kitchen girl" or "hall girl" etc. Your job was your identity. At age 4, I was told I was unwanted and unloved'.

'When I was 9 I was selected to go to the seaside. I had to be ready at 9am and I was ready in good time. I waited and waited and eventually was sent to the gate at 11.30. Nobody turned up. I'm convinced it was planned that way'.

'My house mother derided me and my family because of our mother's mental illness. She had a vicious tongue'.

'I was punished for refusing to call the house mother 'Mummy'. I told her I had a mummy. My grandmother gave me a doll but I wasn't allowed to play with it. It was placed on the window and was hit every time the window pole was used. It eventually broke'.

'When you were crying no one would come to you. Nobody would say "What's the matter?" I cried at night under the covers'.

'We were brought up to believe that they [Quarriers] were always right and I was always wrong'.

'I was told I was there because nobody wanted me. We were allowed nothing to eat after 5pm. We were not allowed a cup of water at bedtime. I used to drink out of the toilet pan'.

## 1950s

'I was sent to bed at 5pm every night for four weeks in the summertime as a punishment for whispering. Ours was a 'silent cottage' - you were not allowed to talk'.

'We were constantly told how lucky we were... You were not allowed to have a mind of your own'.

'Our house mother was very tough and strict. There were restrictions on talking and having fun. When I reported sexual abuse, she didn't believe me'.

'I was locked in a dark cellar for screaming when I put my finger on a cockroach when I was cleaning shoes. I still can't sit alone in a room with the door shut because of that. You never had pals in the cottage. You didn't know the names of the other children. You were always called by your surname'.

'I did something wrong one Christmas so my sock on the mantelpiece had no gift in it. It was filled with cold, wet ashes. If my father ever gave us money, it was taken away and we were told it was put into savings, but I never saw the money again'.

'We got no affection. We didn't know what affection was. We used to get locked in a dark cupboard under the stairs as a punishment. We were always referred to as troublemakers - "The sooner you are out of here, the better".'

'We were made to stand in the corner for long periods if we misbehaved. We had to stand in line and memorise verses from the Bible. Once I was put on a stool standing on the landing when I was tired at bedtime'.

## 1960s

'We were made to stand on the tiled floor in the hall for hours. You got fed up crying but you had to keep on so as you'd not be forgotten about. A girl in my dorm was found dead in bed one Sunday. After that the house parents threatened us with the "Death Bed".'

'No child should be made to feel so worthless and left helpless. Having no sense of self-worth is the worst of all'.

'When I came to Quarriers I was 10 and I started wetting the bed. The house mother used to keep me until the school bell rang and then made me carry my wet sheets to the laundry in front of all the other children going to school. She told me I was "the bad seed" - that it was my fault that my mother was dying and that God was punishing me'.

‘There was no one to tell about the abuse. The biggest bully was the house parents’ son so if you went to tell them they would turn against you. I couldn’t tell my mum because my house father said that if I did, he would make sure her visits stopped and I would never see her again. When mum’s visits stopped, I used to wonder if her visits had stopped because of something I had said to her about life in Quarriers. I found out later that she had died’.

‘There was no affection from my house parents. If you wet your bed, you had your nose rubbed in it. If you misbehaved, you were locked in the coal shed for hours’.

‘I ran away frequently – even when I was only seven. Nobody asked why’.

‘I was told I was a waste of space who should have been drowned at birth. I was sexually abused by another adult but I couldn’t have told my house mother because she would have beaten me for being evil’.

## 1970s

‘At every meal there was someone being force fed or beaten up. One little boy couldn’t say some letters clearly but the house mother wouldn’t let him eat until he said the words clearly. He was desperate to eat but she thought it was funny. Our house mother called us scum and said we would die – we would never leave Quarriers. She liked to humiliate us. A child would be made to stand on a chair in the middle of the room and the others had to circle around and chant about them’.

‘If you made a complaint, the house parents would be summoned and, even if they were chastised, they would take it out on you. You couldn’t tell social work because you never saw them that often – often months after an incident. If you had seen them weekly or fortnightly, you might have told’.

### 2.10.9 Observations

A number of people referred to house parents showing more concern for and warmth towards children who had come into the cottage from the Baby Homes. It seemed as if there was a perception of those children as being Quarriers’ own, brought up from the earliest age in the Quarriers’ way and the others as being unwelcome new-comers with unsavoury backgrounds. It is not possible to substantiate this but the impression we gained was so clear that we could not ignore what may reflect an attitude and behaviour towards children that was as inappropriate in the past as it is today; it could be described as differentiated or discriminatory valuing.

A key observation arising from what we heard is that it is essential for staff involved in caring for children to respect and value them whatever their circumstances and needs, whatever their demeanour and behaviour and whatever challenges they present.

This in turn needs to be reflected in the criteria for appointing staff who work with vulnerable children in any form of residential care, in the content of ongoing training and in their management and supervision.

### **2.10.10** Leaving care: the issues

Natural family relationships usually last a lifetime, long beyond any period of childhood dependency. There is often no such continuity for children brought up in public or institutional care. The carers or institution may feel they have discharged their responsibilities by relinquishing the care of children to their families once the period of crisis or need has come to an end, or by launching into independence the young person who has reached what is regarded as an appropriate age. Over the decades covered by TTBH, participants reported very different experiences of preparation for leaving the care of Quarriers and support afterwards. These sometimes reflected the variety of services provided during different periods, but there were more individual differences too, reflecting the action taken by individual employees of Quarriers, the character of their relationship to the child residents or former residents and their personal commitment to them. Issues that emerged from what the participants said to us included:

- Preparation for leaving care
- Support after leaving care
- Issues for those who were returned to their families

#### **Preparation for leaving care**

The experience of participants varied across the decades, but there were recurring themes. One was that the location and self-sufficient nature of Quarrier's Village made transition difficult. Quarriers had its own medical facilities, including a hospital. It had a farm and a drapery that provided all the children's clothing. In earlier decades, most of the children were educated in the Quarrier's school. There was no need for the children to go out of the Village and for the most part they did not do so, apart from the occasional day trip or holiday. The outside world was an unknown quantity, especially in the days before access to radio or television was common. Many told us of their difficulties in negotiating traffic, taking public transport or shopping for clothes and basic necessities. Leaving Quarriers was described as 'like entering another world', 'the most frightening experience', 'like coming out of jail', 'like coming off the moon', 'like being sent to another planet' or 'like coming out of a wee cocoon' or 'a bubble'.

A participant who left in 1950s talked about not knowing how to buy sanitary towels. Another said: 'I had never slept in my own room with no light. I had never been in a double decker bus. I ducked when it went under a bridge.'

One who left in the 1970s commented: 'When I left Quarriers, I didn't even understand where electricity came from. I didn't know you had to pay for it and gas. I thought they just came oot the wa.'

Some things got better as time went on. A participant who left in the 1970s said that at age 15 he got taken out to buy clothes. And, while some who left in the earlier decades commented on their lack of sex education and complete ignorance of human reproduction, one who left in the 1980s spoke very warmly of his house parents who had promoted sex education along with practical steps towards independent living.

Leaving the 'cocoon' of Quarriers was difficult both for those who had good and bad experiences. Some commented on the vulnerability of the young people who were not used to dealing with strangers and did not know how to act appropriately with them. Some said they had never met racism or sectarianism in Quarriers or heard swearing, and they were shocked when they encountered it in the outside world. Life in Quarrier's Village was often described as 'middle class' and this posed a significant challenge for children and young people discharged to rougher areas where they felt isolated and afraid.

One who left in the 1980s commented: 'I ended up in a scary flat. I was not prepared for life after Quarriers. I had not experienced crime, cruelty and unkindness - I was ripe for exploitation. I got involved in abusive relationships. I was just waking up to the fact that there was real evil. I felt lost, vulnerable and scared.'

Given this vulnerability, the existence and quality of continuing support was very important.

## Support after leaving care

Quarriers provided different forms of transitional support over the decades. Children were helped to find jobs and sent on their way with a small amount of money and a case of clothes. Some were unhappy about the jobs found for them and said they had no choice in the matter while others were happy with the placements found for them. Some seem to have been encouraged to adopt occupations that allowed them to 'live in'. A number of males joined the armed services or went to work on farms, sometimes in remote areas. Girls might stay on and work within Quarriers, for example, in the Baby Homes, before going on to train as a nurse with accommodation provided, for part of the time at least. One participant described how, when this accommodation was not available during the holidays, her former house mother helped her to get a live-in work placement in the Baby Home for that period.

In the earlier decades, there was a facility for males, called 'The Working Lads Home' at Overbridge in Glasgow. This featured frequently in accounts of males who left Quarriers in the 1940s and 50s. The home at Overbridge was a staffed facility where young workers could stay and meals were provided. They handed over their wages and received pocket money in return - '3d in the shilling'. Some resented this arrangement and felt it did not help them learn about money management, but most spoke positively of Overbridge when it was an aftercare facility. It provided a useful base and they were living with people they knew. They tended to stay there for two or three years, then move onto lodgings, but some spoke of finding it hard to settle after their time in Overbridge when they received no further support. Later the function of Overbridge was changed and it became a centre designed to facilitate parental contact for those children for whom a return to family life appeared possible.

In the 1950s, Cottage 18 was a transitional facility for older girls working within or outside Quarriers. Cottage 32 also became a hostel and Cottage 9 was referred to as another semi-independent facility where people had their own rooms. Those leaving in the 1970s and 80s referred to local authority flats rented by Quarriers as an aftercare resource. Reference was also made to a resource for girls in Aberdeen, also referred to as Overbridge, which one former resident described as 'like a borstal'.

It seems clear that Quarriers did provide some services and facilities for children leaving their care, although even those who spoke of this with some appreciation often communicated that it was still not enough, given the level of need of the former residents and the institutionalisation they had undergone. What seems to have been lacking for those who were dissatisfied was personal contact and support from an interested person. Where this kind of contact was referred to - often with warm appreciation - it is not clear whether it was maintained by the employee as a matter of duty or expectation or whether it was the fruit of a

personal commitment to the young person and undertaken on an informal basis. Certainly, many former residents said they had maintained contact with former house parents and that this was a valued relationship. Others felt abandoned – or ‘dumped’ as it was sometimes described.

Some former residents described how they had approached Quarriers for help after they left. A woman recounted how, six months before she got married, she took on a job that was not live-in and had nowhere to stay. She went back to Quarriers for help and they gave her accommodation for that period. It was in one of the old Baby Homes and she paid a very small rent. A man told us how, at age 23, when he had nowhere to stay during an extended leave from the services, Quarriers gave him a job and accommodation in one of their semi-independent facilities.

It was not always clear exactly what Quarriers did for those leaving because sometimes it seems that the former residents were not fully aware of it. One described how it was only when she obtained access to her records in recent years that she discovered that Quarriers had paid her fees for secretarial college. Another discovered later that they had been paying his aunt for his upkeep when he went to stay with her after leaving care.

One of the main messages coming from former residents was their earnest wish that the recounting of their experiences would help young people today. Some expressed this particularly vociferously when they spoke of the need for proper aftercare.

Sad to say, reports in recent years indicate that support for many young people leaving care in Scotland still falls significantly short of what they should be able to expect. Many reports and papers have been published for example, by Ministerial working groups, the Social Work Inspection Agency and the Care Commission, focused on the improvement of outcomes for looked after children and young people in Scotland. Although the reports acknowledge efforts to improve and also highlight progress and practice that demonstrate what can be achieved, the emphasis on action in each of them reveals that much remains to be done. (A list of the reports we consulted is included in the Bibliography).

It appears that laws designed to make things better have not had the impact that might have been expected and many young people’s rights to proper aftercare are still not being met. Indeed, some of the services provided by Quarriers in former years would be a big improvement on the current situation for many young people leaving State care. The message from one former resident has resonance for State care today and should be heard and acted upon:

'I want to express my disgust at my brother being abandoned and receiving no further help after he left Quarriers. You can't throw children away like a toy. My brother died at 21. When he left Quarriers he was put into a bedsit in Ferguslie Park, Paisley. He was mentally unstable and the area was known to be very rough. He had been so cossetted he had no ability to cope and got in tow with another former resident. He offended and went to jail. I always suspected he had been abused in care. My main grievance has been the lack of after care and lack of preparation for the outside world. I felt that my brother and I were abandoned and given no further help after the age of 15.'

### **Children returned to their families**

About one third of the participants reported being discharged to the care of their parents or other family members. Almost half of these were aged 15 or over at the time and the rest were younger. Two-thirds of those returned to their families described the experience as bad. For the younger ones, a common scenario was their return following the marriage or remarriage of a parent, but they found it difficult to fit into family life and to relate to the step-parent. A participant returned to his father at age 10, after a happy experience in Quarriers, reported: 'He had never visited us in Quarriers and we only met them once before discharge. He had remarried. We were homesick for Quarriers. Dad was not a very nice person. There was no aftercare.'

Some reported serious abuse within the family after their return, both sexual and physical.

Amongst the older children too, some had either never or very rarely met the parent to whom they were returned. In some cases the young people had wanted to go back home but were disillusioned with the experience and did not stay long. A female who left in the 1970s reported: 'I met my mother when I was 15. I went to live with her but couldn't fit in and left to get my own flat.'

Some expressed strong views and emotions about being returned to environments that were seriously deficient and abusive and felt let down at the lack of care and monitoring of their situations. A few reported visits by welfare officers, some at least of whom were from the local authority.

A woman who was discharged at the age of 15 in the 1950s clearly blamed Quarriers for returning her to an incapable parent with no enquiry into her ability to care for her children. The home situation became abusive. A welfare officer from the Council visited after six months, but only after the abuse had been reported to the police.

A female who left Quarriers in the 1950s, aged 12, to stay with her grandparents told us that a welfare officer from the Council used to visit and said to her one day, 'you don't seem very happy when I come to visit you'. As her grandmother was out at that point, the child took the opportunity to tell the welfare officer what was happening. She was then moved to another children's home and continued her schooling.

It is not possible to attribute blame to Quarriers on the basis of these comments as the legal situation of the children, and the consequent discretion available to Quarriers, is not known, nor the respective responsibilities of Quarriers and the local authority. However, what is clear from what participants told us is that, whoever was to blame, insufficient care was taken to prepare them for their return to family life and to monitor their welfare thereafter.

### **Suicidal feelings and attempted suicide**

A number of participants - 12 - made reference to suicidal feelings and attempted suicide; of that number, 8 said that they personally had experienced suicidal feelings and/or had attempted suicide. Two others said spoke of siblings who were former residents and who had committed suicide and another 2 referred to other residents who had committed suicide. We were deeply concerned by what we heard and believe that the Scottish Government should collate information on care leavers who commit suicide, quantify the extent of the problem and shape a multi-disciplinary response to address this enduring tragedy.

#### **2.10.11 Observations**

Some of the strongest pleas from participants were for support for young people leaving care. This, as noted above, is still an issue today and despite the existence of some 'Throughcare' staff, for many young people the level of support is still not good enough. Apart from the risk of a young life being blighted by lack of support, it makes no sense to invest in expensive residential care and then undermine it by expecting young people to leave at too young an age into an unsupported and sometimes intimidating environment.

Laws are made and statistics are collected about young care leavers, but it is not clear that the information gathered is actually acted on to identify and remedy breaches of young people's rights. What is clear from recent reports is that, then as now, what young care leavers value most and what is most effective in terms of their happiness, resilience and future prospects, is an ongoing personal relationship with someone who had a role in their care before they left.

It is for these reasons, and out of respect for participants' concerns for the welfare of children in care today, that we contend that support for young people leaving care should be an unqualified priority for local authorities who have looked after them. Someone who has had a relationship with the young person in care should maintain that personal relationship and follow their progress for at least five years after they leave care. Central and local government should work together to identify and address barriers to young care leavers coming back to stay for short periods of time in their former residences. They should work together in analysing the Children Looked After Survey and to draw up an action plan to ensure that care leavers receive what they are entitled to.

### **2.11 The psychological needs of participants**

The social and psychological impact of child abuse has been the subject of extensive discussion in recent decades especially in the fields of social care and mental health care. The acknowledgement that children can be abused sexually, physically and emotionally has led to a subsequent acknowledgement of the impact of such experiences on their development into adulthood. The Scottish Government's and other countries' decisions to make arrangements such as TTBH for victims to talk of their experience is part of a developing response to what we have learned about healing wounds. The need to have experiences acknowledged and accepted is a crucial part of overcoming the often adverse consequences of being abused.

Whilst the area of abuse is now relatively well understood, there is a growing awareness that the attachments that children develop in childhood are central to their psychological development into adulthood. The issues of abuse and attachment are therefore crucial in understanding the psychological needs of the participants in TTBH.

As we have described in the earlier sections of this part of the report, the majority of our participants reported having experienced some form of abuse and some said they had experienced more than one. This happened in a variety of forms and was experienced at a variety of ages. The commonly acknowledged outcomes of abuse are a sense of shame, a sense of guilt, feeling dirty, having low self-esteem, having sexual difficulties, experiencing relationship difficulties, having difficulty engaging in work and educational opportunities and experiencing social and mental health difficulties. The findings of social and psychological research into these outcomes (Briere 1996, Sanderson 2006) emphasise the importance of helping people to acknowledge the fact that they were abused, accept that it was not their fault and believe that they are deserving of more respectful relationships. It is widely believed that the opportunity to disclose experiences in a safe and supportive setting is crucial in helping to overcome potential severe long-term effects.

Some of our participants reported psychological difficulties as a result of their experiences of abuse in residential care. One woman reported that she had been unable to sleep in a stretched out position for many years due to having been very badly beaten and sexually abused as a child. She had learned to have her legs curled up to minimise the extent of potential damage when she was beaten. In addition, she reported that she had been unable to sleep with the light off from childhood. In a follow-up contact after she had been heard, she reported that for the first time since the abuse, she had been able to sleep with her legs out-stretched.

Another participant described having had a series of relationships in which she had been abused. Her low self-esteem and her expectation of being abused had led to her developing abusive relationships in adulthood.

Some participants described difficulties relating to their children. This can be seen again as a potential direct result of abuse. Where adults have not had positive experiences of being parented in childhood, they often have no model to follow in making their own relationships with their own children.

Research papers on the potential for there to be few negative consequences of child abuse are scarce. This may be seen in some circles as extraordinary; how could there be an assumption that people who are abused could have few long-term serious effects? It was our experience in TTBH, however, that many participants had managed to go on to lead very fruitful existences despite their very traumatic experiences in childhood.

We were frequently humbled by participants describing quite severe abuse and then telling us that they had been able to overcome those experiences. They had been able to deal with the experiences as isolated incidents that were not personal to them, seeing them as reflective of a harsh and/or neglectful or ineffective regime in their cottage, their school or Quarrier's Village. Those participants had often been able to go on to develop very supportive relationships in adulthood and had succeeded in a variety of contexts, in the community, in education, in the armed services and in business. Some of the participants had not flourished in the short term but, with the support and care they had found elsewhere in the community, they had been able to go on to develop good relationships and as a consequence positive feelings of self-esteem and self-regard.

Much has been written in the research literature on depressive illness to indicate that, where people are able to see adverse experiences as isolated and not personal to them, there is good evidence that they will not go on to develop negative cognition, which is often associated with depression. This may account in some way for our finding that many of our participants have not developed long-term mental health problems. The expectation was that many of our

participants would, in fact, have some mild if not severe mental health difficulties but this was not the case. It is possible that where those who had been abused had learned, through other non-abusive supportive relationships, to attribute guilt and blame to the perpetrators and not themselves, they had been able to flourish, despite adverse experiences.

Attachment Theory has been established since the late 1960s and has recently been revisited in the research literature on the adverse consequences of child abuse. It has been described as 'a lasting psychological connectedness between human beings' (Bowlby, 1969). Psychologist John Bowlby showed in his research that the bond formed between children and their care-givers has a very important impact on that child's subsequent development. The central theme is that care-givers who are available and respond to a child's needs help that infant to establish a sense of security, which goes on to adulthood. From that sense of security comes self-esteem, a sense of one's own identity and subsequent success in making moves towards independence in adulthood. One of the overriding themes that came across from the participants was that many of the residents from Quarriers did not have a sense of their own personal identity. There was a sense that when they went into Quarriers they stopped having their own families; some would not know that they had siblings within the same care system and sadly relationships with parents or extended family, where appropriate, were often absent if not actively discouraged. Many of the participants described never feeling that they had any sense of being comforted or cared for by the house parents in Quarriers. Where this was provided, participants were very positive about the experience and many had gone on to have extended relationships with house parents into adulthood.

### 2.11.1 Observations

There are crucial lessons to be learned from what we heard and the potential for more still to be learned from any future hearings not only for social care but also in understanding the broad range of potential psychological consequences for survivors of abuse in care.

We are convinced that there is an urgent need for research to identify those factors in some individuals that make them more resilient to the effects of abuse. This would be particularly helpful for agencies that provide counselling for young people who report any form of abuse, not just sexual. It may be that the resilience is associated with other forms of support and aspects external to the individual rather than just internal psychological processes.

## 2.12 Our response to what we heard

The experience of TTBH for the Commissioners and for me has been remarkable. Throughout the hearings we were treated with respect, sensitivity and graciousness. Even those participants who expressed anger forcefully when recounting their experiences in Quarriers were at pains to re-assure us that their anger was not directed at us.

We were continuously impressed by the dignity and openness of those who came to be heard; it is remarkable that so many of those who spoke of particularly bad experiences had the capacity to be objective and to acknowledge individual members of staff and aspects of provision to whom and for which they are grateful. Indeed we reacted with dismay at times to the experiences they described and felt that, in some cases, the individuals had accepted as normal particular circumstances and treatment that even of their time were unacceptable.

We have been encouraged by our experiences in TTBH. The participants, more than any other assessment of TTBH can do, have shown that the confidential forum process is valuable and valued and should be available to all former residents who experience a need or desire to be heard.

## 2.13 The value of a confidential forum

We are convinced of the value of a confidential forum in which former residents can talk freely and in a way that suits them best about their experiences as children in residential care.

As the hearings progressed we became aware that the process was proving to be worthwhile to almost every participant. Commonly, when a hearing concluded, the participant thanked us generously for listening and said they were glad that they had taken part. The great majority of them said, in so many words, that they felt better now that they had talked about their experiences to people who had listened to them and had shown interest in what they had to say. Some referred to having a sense of closure; others said that they felt able to go away in good heart, and that the burden they had carried for so long had been lightened, even lifted; and yet others referred to feeling that as a result of having been heard they were beginning to move on even if they would never forget. Some said that it was just good to be able to talk about their experiences whatever those had been. We also received letters, e-mails and phone calls thanking us and referring to the sense of a burden having been lifted after the hearing. Nearly all the participants also urged us to make sure that other former residents would have the opportunity to be heard and most asked us to make that recommendation to the Scottish Government.

Those very positive responses stand as such and are very affirming of the therapeutic potential of a confidential forum. At the same time, in a number of hearings we were reminded that people have waited a long time to be heard and the sense of frustration that lay behind their remarks was even stronger in the thinking of those we heard who live abroad. It was best expressed by one woman in Canada who described herself as 'one of Scotland's forgotten children'. Clearly there is no time to be lost in allowing others to be heard.

Our confidence in our assessment of the value of a confidential forum was strengthened by the findings of the Process Review - the independent review of TTBH that was conducted as the hearings progressed. The Process Review found that feedback from participants was overwhelmingly positive. While about a quarter of the participants had found it very difficult or quite difficult to decide to take part, none of them indicated that they regretted doing so. Over 85% considered that they were able to say all or most of what they wanted to say. Only 4 people noted practical problems on the day. All the participants felt they were listened to with respect and sensitivity and that they were helped to understand the process. Very few people (10) had drawn on professional support but over 70% had personal support. Over 87% of the respondents considered that the overall experience had been almost all or mainly positive, 10% thought it was a mixture and 3% were still uncertain.

### 2.13.1 Observations

We believe that a confidential forum provides a very effective means of acknowledging the abuse and its consequences that some adults experienced as children in residential care. Through recounting their abuse, the participants can have a cathartic experience, the therapeutic benefits of which can include improved health and wellbeing. The benefits can be evident in a variety of ways including improved self-worth, self-confidence and better coping skills. Being heard can help to counter the negative effects of disbelief about their abuse that so many of them have experienced not only when they were children in residential care but throughout their lives as adults. In other words, participation in a confidential forum can help to make them feel valued and respected, responses they were denied as children and the lack of which has affected them ever since.



## Part 3 The Pilot Forum/Time To Be Heard (TTBH)

### 3.1 The origin, purpose and process of TTBH

In February 2008, Ministers announced the scoping of a Scottish Truth and Reconciliation Forum to address the needs of adults who had suffered childhood abuse whilst in care. This was a response to recommendations made in the Historical Abuse Systemic Review which I led and which was published in 2007.

The SurvivorScotland National Reference Group, which oversees the development of the SurvivorScotland Strategy to raise awareness of childhood abuse and its long-term consequences, helped to prepare a consultation paper on proposals for a forum which issued in October 2008. At the Group's request, the term 'Truth and Reconciliation' was replaced by 'Acknowledgement and Accountability' as the former term was thought to be too closely associated with earlier work in South Africa.

In addition to the consultation, Scottish Government officials considered the experience of Inquiries and Forums in Australia, Canada, Wales and Ireland, and the Scottish Inquiries into Kerelaw School (2009), Child Abuse at Care Homes in Fife (2002) and Abuse and Protection of Children in Care in Edinburgh (1999).

The work of the Ryan Commission to Inquire into Child Abuse (the Irish Commission or CICA) was considered to be particularly relevant because of its national status and coverage and the tradition and practice in both Scotland and Ireland of most residential child care provision being in the hands of religious bodies and charitable institutions. The approach in Ireland was established on a statutory basis and had six components:

- a Redress Board offering financial compensation to survivors
- an Education Finance Board providing educational grants for former residents in institutions and their relatives
- a national counselling service for survivors of childhood abuse generally
- an amendment to the Statute of Limitations to enable victims of childhood sexual abuse to bring civil actions
- a Confidential Committee providing survivors of abuse in childhood in institutions an opportunity to recount their abuse
- an Investigation Committee to inquire into abuse of children in care and to determine the systems of management and regulation.

### 3.2 Early decisions and actions by the Scottish Government

The following sections 3.2.1 to 3.2.6 set out the background to and the actions of the Scottish Government leading up to the establishment of TTBH as an independent confidential forum. The content is drawn from Scottish Government papers and correspondence.

#### 3.2.1 The choice of the Confidential Committee model

The Scottish Government, having examined in depth the range of practice and experience elsewhere, and having undertaken a full consultation process, including the views of more than 20 survivors of in-care abuse, concluded that a form of the Confidential Committee which had been developed in Ireland was its preferred option for the pilot in Scotland. The Government accepted that the pilot in Scotland would proceed on a non-statutory basis. A copy of the full analysis is available on the Scottish Government website [www.survivorscotland.org.uk](http://www.survivorscotland.org.uk) or from the SurvivorScotland Team.

The Government view at that time was that an Investigation Committee model on its own, whilst offering the degree of accountability sought by some survivors, would not provide a therapeutic forum for survivors more generally. It was also thought that the Investigation Committee model would create considerable difficulties in terms of 'due process' rights for alleged abusers, with the potential for significant breaches of human rights. The Government will be responding to this further when it addresses Scottish Human Rights Commission's (SHRC) recommendations on the full Forum.

Another factor which influenced the Government's thinking was concern that institutions could be hostile to such an approach and survivors might find it over-formal and possibly even unsympathetic. It was recognised that it would take considerable time to establish such a committee as legal challenges might well be made to its legitimacy and such delay would not have been in the interests of the many survivors who had not been heard from and who were seeking some closure. The Confidential Committee model having been selected, it was initially given the title 'The Pilot Forum'.

The Government's decision to proceed in this way was not intended to prejudice consideration of other strands of any strategy to respond to the needs of survivors, not least the Framework provided by the SHRC in its report, commissioned by the Scottish Government, entitled 'A human rights framework for the design and implementation of the proposed "Acknowledgement and Accountability Forum" and other remedies for historic child abuse in Scotland'. The SHRC supported the piloting of a Confidential Committee model and in its report recommended five criteria that the Pilot Forum should meet. The extent to which TTBH met those criteria is for the SHRC to judge.

### 3.2.2 The Pilot Forum purpose

The appointment letters to the Chair and Commissioners in November 2009 included a statement of the purpose of the Pilot Forum as follows, namely ‘to test out the feasibility of establishing a Forum where adult survivors of abuse in care can describe their experiences in a confidential supportive setting’. (Information about the Chair and Commissioners is given at Appendix 7). The Pilot Forum forms part of the commitment made to the Scottish Parliament by Ministers in February 2008 to actively scope a model ‘to give survivors the chance to speak about their experiences and to help them come to terms with the past’.

The letter also contained the following information:

The SurvivorScotland Team [the team in the Health and Social Care Integration Directorate that supports the SurvivorScotland Strategy] has already prepared outline plans for the Pilot Forum in line with the submission approved by Ministers. You will be assisted in the Pilot Forum by two Commissioners, one of whom [that is, one in each hearing], will sit with you to hear evidence. The work of the Pilot Forum will be supported by an Advisory Group composed of experts and including survivors of in-care abuse. It will be part of your responsibilities to chair the Advisory Group. You will also have responsibility for ensuring that confidentiality is assured for survivors and others identified in the evidence given at the Pilot Forum except where disclosure is required to prevent a serious offence or substantial risk to life or to prevent the continuance of abuse to a child or vulnerable adult, and for ensuring that other necessary procedures are in place. Your remit will include oversight of the arrangements for the Pilot Forum and, in particular, the conduct of business at each hearing.

It is important to be clear about what the Pilot Forum was and was not; as the statement of purpose sets out, it was a test of a means of hearing people who wanted to recount their experiences as children in residential care, notably those who experienced abuse. The underlying expectation was that that opportunity might afford them a means of and support in coming to terms with their past experiences; or as some of those who participated in the Pilot Forum said ‘of getting closure’.

The limitation of participation to those who had been resident in Quarriers is considered in paragraph 3.2.5 of this report. There is an associated risk in having limited participation to that community in that it is possible that others will read the findings of this report as a form of report on Quarriers, akin to a report of an inspection or review of, or research project focusing on, the organisation and management of Quarriers. The work of the Pilot Forum was none of those and the description and comments on aspects of provision in Quarriers (in Part 2 of this report) cannot be the basis of extrapolation or generalisation about the experiences of all who were cared for in Quarriers over some 140 years.

We were given the opportunity by the Scottish Government to decide who should take part in TTBH. We agreed that (provided the numbers did not exceed 110) applications from anyone who had been resident in Quarrier's Village at any time would be accepted, whether or not they presented themselves as survivors of abuse while in care. We explain the reasons for this decision at para. 3.4.2 of this report.

### 3.2.3 The role of SurvivorScotland

The SurvivorScotland Team played a central role in the consideration of and initial planning for a means of acknowledging and responding to survivors who had yet to be heard. The Team provided expertise and administrative support in developing the arrangements for and helping to realise the basic infrastructure for the Pilot Forum, later to be known as TTBH. Once TTBH was established as an independent forum, the SurvivorScotland Team's administrative support role ended; this was a necessary step to ensure that TTBH's independence, confidentiality and privacy were respected.

### 3.2.4 The role of In Care Survivors Service Scotland

The Scottish Government committed funds from November 2008 for a period of three years to the In Care Survivors Service Scotland (ICSSS). The remit of the service is:

- to provide a national confidential telephone support line (0800 121 6027) for in-care survivors and their families;
- to provide support, advocacy and confidential counselling to in care survivors and their families;
- to facilitate contact with relevant health, voluntary, community and social care agencies;
- to provide an independent advocacy/signposting service to in care survivors on access to records;
- to provide an independent advocacy/signposting service to in care survivors on accessing the Criminal Injuries Compensation Scheme, and other relevant legal services; and
- to produce a website ([www.incaresurvivors.org.uk](http://www.incaresurvivors.org.uk)) and series of leaflets on all aspects of in care and institutional abuse for survivors and their families.

ICSSS was identified as the agency which would provide support and guidance to those participants in TTBH who asked for assistance whether in advance of a hearing, during a hearing or after a hearing had taken place. Participants were free to turn to other support services or to continue to receive support from health and other services where they were so linked. Equally, participants were free to decide to by-pass support services or to keep their counsel on what they had decided to do. In practice, all of these options were reflected in participants' decisions.

### **3.2.5 The choice of a single institution - Quarriers - for TTBH**

The Scottish Government carried out an Options Appraisal on the choice of institution for the Pilot Forum (available on [www.survivorscotland.org.uk](http://www.survivorscotland.org.uk) or from the SurvivorScotland Team).

The options considered were to work with one organisation or to select the first 100 people who applied. Either way there would have been an element of discrimination as we agreed to prioritise older and ill applicants.

Quarriers was one of the largest institutions in Scotland providing residential care for young people and accommodated children from all parts of the country, with up to 1500 children living in the Village at any one time. In total over 30,000 children had been cared for since its inception in the late 19th century to the closure of mainstream residential child care provision in the 1980s. Drawing from Quarriers' former residents meant that valuable information could be gathered about people from all over Scotland.

Quarriers holds updated addresses of many former residents and the institution was able to draw on these in distributing my letter about TTBH. We were not allowed to access the addresses because of Data Protection issues.

Quarriers has acknowledged that abuse did take place in the Village. There have been at least six criminal convictions to date against Quarriers staff and some civil actions against the organisation itself. Quarriers carried out its own internal inquiry following the first criminal conviction in 2001.

Focusing on one institution, such as Quarriers, that operated with large numbers over a long period, was thought to have the potential to yield rich information that could be relevant to any follow-up to the work of TTBH.

### 3.2.6 An open field – the only feasible alternative to the choice of a single institution

The Scottish Government recognised that some survivors might feel that focusing on one institution was not desirable.

The only feasible alternative, given the tight time constraints, would have been to take the first 100 people who responded and attempt to stratify the sample to cover different types of institution, while continuing to give priority to older people and those who were seriously ill.

Attempts to stratify the sample would have been difficult given that there were more than 100 child-care institutions operating in Scotland over the last 70 years. It also might have proved more difficult to reach former residents within the tight timescale and access to the databases of other institutions might not have been given. In these circumstances, selecting survivors for the Pilot Forum would have been much more difficult and many more survivors could have been disappointed. Taking people from such a variety of institutions would have yielded very limited data which would not have been satisfactory for a pilot exercise.

It might also have been more difficult to test out the Restorative Justice Toolkit as other organisations might not have been willing to participate in this option for survivors.

### 3.2.7 The Scottish Human Rights Commission report

As part of the National Strategy and in relation to the proposed testing of an acknowledgement and accountability forum, the Scottish Government commissioned a report from the Scottish Human Rights Commission (SHRC). Reference has been made to this in earlier sections. The remit given to SHRC was as follows: 'to deliver a human rights framework for the design and implementation of an Acknowledgement and Accountability Forum'.

The timing of that work resulted in the report becoming available in early February 2010 just as TTBH was beginning the process of engaging with stakeholders about the way forward for the pilot. The advice of SHRC included a specific section on piloting a confidential committee and the advice given was adopted by TTBH, whilst recognising that Government would wish to consider the Commission's proposed Framework in full before responding to it. The five recommendations made by SHRC specifically in relation to TTBH are addressed in section 3.7, in paragraphs 3.7.3 and 3.7.4.

### 3.3 Early decisions and actions by TTBH

#### 3.3.1 Preparation for the Pilot Forum

From the outset, and with the support and encouragement of our Advisory Group, we agreed a set of key principles for the work of the Pilot Forum. These are included as Appendix 3. We thought it essential to the confidence of participants that the work of the Pilot Forum was conducted with full respect for their privacy in relation to their identity and what they told us. We took legal advice on how best to meet our Data Protection obligations in the interests of everyone who participated in the confidential hearings. We published a paper on Confidentiality and Privacy, which is included as Appendix 4.

At the first meeting of the Advisory Group, we began to develop what was needed for the operation of the Pilot Forum and agreed to publish the agendas, minutes and papers for meetings on the SurvivorScotland website. We also considered the name of the Pilot Forum and agreed that it would be called 'Time to be Heard' (TTBH), a name used thereafter in all communications about the work of the pilot. The SurvivorScotland Team prepared papers and provided assistance to us on all the key issues.

Two stakeholder events were held in February 2010 and provided opportunities for presentations about the work of TTBH and for open discussion. The first was for service providers and other agencies, the second for survivors and support services. We were not satisfied that all the questions that survivors in particular wanted to ask and views they wanted to express were addressed adequately at those events. Therefore we held two group meetings with survivors who had identified themselves as such at the events, one for former residents of Quarriers and the other for survivors from other residential child care institutions. Some declined the invitation to those meetings, indicating that they were content to await the outcomes of TTBH before commenting further. A few said that they did not want to participate in any discussion that might be contentious and hurtful, a sentiment that reflected their feelings about the second of the stakeholders' events.

We found both meetings valuable, providing, as they did, fuller insights into the concerns and expectations of those we met. The meetings also provided me with the opportunity to explain why TTBH could be a valuable precursor to any subsequent action by Government to respond to survivors and to the recommendations of the Scottish Human Rights Commission (SHRC) in its report (mentioned in paragraph 3.2.7.)

### 3.3.2 Concern for older and ill survivors

Concern for older and ill survivors was expressed passionately and eloquently during the planning stages of TTBH. The concern was that the length of time involved in running the pilot and reporting on the findings might pre-empt the possibility of those survivors being heard in any subsequent inclusive confidential committee. With the support of the Advisory Group, we determined to prioritise any older and ill former residents amongst the TTBH applicants.

We recognised that there was no straightforward way to meet this concern. We were aware that any attempt to provide hearings for those outside the pilot would be fraught with difficulties including determining sensitively and fairly how to identify and select those who might be considered in that category. We were advised that the risk of our making a discriminatory and subjective selection was too great and, reluctantly, we accepted that the inclusion of opportunities for those survivors to be heard could not be accommodated by TTBH.

The Scottish Government suggested that, as an interim measure, it might be possible to arrange for an independent agency such as the Scottish Institute for Residential Child Care (SIRCC) to be funded to hear from those survivors but that has not been taken further.

### 3.3.3 Re-traumatisation

In planning and preparing for TTBH, the possibility of re-traumatising participants through giving testimony was identified as a significant risk. In response, arrangements were made to have support and counselling available for them before, during and after the hearings. Our duty of care to all participants of TTBH was central to all our decisions.

The SurvivorScotland Team obtained advice about the potential risk and how best to address it from several sources, including the British Psychological Society, Queen Margaret University and Napier University. Anne Carpenter, one of the TTBH Commissioners, also has widely respected expertise and extensive experience in this matter and was able to inform and advise on approaches and arrangements for support.

We also looked to the experience of other countries - particularly South Africa, Canada and Ireland - where those who have experienced abuse and atrocities in the past were given opportunities to disclose them.

Research and testimonies from survivors given the opportunity to disclose and describe their past abuse experiences reveal that many have felt this to be beneficial, even if deeply distressing. Being heard, believed and validated can have a powerful and healing effect.

Where the disclosure of abuse is met with scepticism and doubt, survivors have reported, both in research and clinical settings, feeling traumatised and having adverse effects. For this reason TTBH aimed to hear accounts in an atmosphere of supportive non-judgemental acceptance. Former residents were not questioned in intense detail about the nature or extent of their abuse but were supported to say as much as or as little as they wished. Our intention was to hear their accounts and not interrogate or question in any way other than to obtain clarification where necessary.

Not being given the opportunity to disclose has had for many survivors a detrimental effect. In many respects feeling traumatised by virtue of having to remain silent bears upon survivors more than recounting their experiences in a safe caring environment.

### **3.3.4 Establishing and preparing the TTBH Team**

The SurvivorScotland Team had carried out scoping of the number and nature of staff needed for a valid test of a Confidential Committee model, following consultation with the Advisory Group, with a number of professionals, with relevant support agencies and with the Irish Commission. The recommended complement of staff was:

Administrative Officer: 1 post

Professional Support Staff: 2 posts

Chair and Commissioners: 3 posts

All staff, including the Chair and Commissioners, underwent a two-week induction programme, prepared by the SurvivorScotland Team, including a simulation of the hearings process. All staff were provided with professional support to help protect them from vicarious traumatisation. This opportunity to bond as a team and to recognise the team's mix of skills and experience was invaluable and helped to develop the resilience of the team for the unknown experiences ahead. It also enabled open and informal relationships to develop amongst the team members. This benefited both the team and - equally important - the participants in TTBH. They were able to sense, and said, that the team as a whole was there to support them in recounting their experiences.

### 3.3.5 The premises for TTBH

The SurvivorScotland Team selected and rented premises for TTBH in an office building in the centre of Glasgow convenient to public transport hubs. The premises and furnishings were chosen to ensure they were private, non-institutional and comfortable. Health & Safety and Risk Assessment protocols were implemented and strictly observed throughout the hearings.

Disability and access consideration ensured that the premises met Disability Access requirements; induction loop and arrangements for sign language or other language interpreters were available if required.

Although the great majority of participants (82) were heard in the premises in Glasgow, arrangements were made to hear 3 people elsewhere in Scotland, 1 in their own home, 1 in a health facility and 1 in their workplace. One of the Commissioners also accompanied me on a five-day visit to Canada to hear 5 participants – 3 in Toronto, 1 in Vancouver and 1 in Victoria. All five Canadian hearings took place in meeting rooms in hotels.

Six other hearings were conducted via telephone conferences. Two others participated exclusively through written submissions. No participant opted for a video-conference hearing.

## 3.4 TTBH in action

### 3.4.1 Publicising the opportunity to be heard

The first public announcement of the Scottish Government's decision to proceed with piloting a means of acknowledging those who had experienced past abuse came in a Ministerial statement on 1 December 2009. I issued a statement on the same day, published on the SurvivorScotland website. However, we recognised that much wider publicity would be needed and once the decision to proceed with TTBH as an independent pilot forum was made, the SurvivorScotland Team used various means to inform potential applicants. Organisations and public bodies were requested to place the invitation on their websites. An advertisement was placed in the Big Issue on 5 April 2010 and in the Evening Times, Daily Record and Metro on 6 April 2010.

Quarriers was asked to forward a letter from me to former residents who had been in contact with the institution over the previous five years (500 people). Other agencies requested to assist included In Care Survivors Service Scotland, and networks of former residents.

An information pack containing an application form was published on the SurvivorScotland website and was available on request from the SurvivorScotland Team in St Andrew's House. (This can be viewed on the SurvivorScotland website at [www.survivorscotland.org.uk](http://www.survivorscotland.org.uk) or obtained from the SurvivorScotland Team.)

### 3.4.2 Why we heard all who applied and the consequences of that decision

This matter presented TTBH with two initial challenges – namely:

- what definition of abuse should be used?
- should we distinguish between those who regarded themselves as survivors of abuse and those who did not?

Defining abuse was straightforward in that we adopted the definitions set out in the report of the Historic Abuse Systemic Review (see Appendix 5). But the question of whether we should set limits on participation by only hearing from those who regarded themselves as survivors was much more difficult.

At that stage there was no way of knowing what the response to or uptake of TTBH might be. The fundamental aim of TTBH was to test a form of confidential hearing in which those who came to be heard could speak as best suited them and without the adversarial questioning of a court or tribunal. A further consideration was the risk that any selection of applicants might be seen as discriminatory.

I concluded, with the advice of my Commissioners and Advisory Group, that it would be fair and reasonable to include all who applied to be heard and not seek to select until and unless TTBH was substantially oversubscribed by more than 10 applications. In practice TTBH received 114 eligible applications and I decided to accept them all given that experience of a confidential committee model in Ireland indicated that some applicants would decide not to participate, either because of subsequent health problems or simply a change of mind.

In the course of the hearings, some who came to talk about their positive experiences in Quarriers referred to events and practices which we regarded as less than satisfactory. For instance, they referred to what seemed to us to be excessive use of the 'belt', to punishments prompted by not eating the food, to excessive amounts of 'chores' to be done and to the use of chores as punishment, to bullying by older residents, and to restrictions on seeing and playing with siblings, especially where brothers and sisters were placed in different cottages. In a few instances, they began to tell of abusive experiences, a response which suggested that they had wanted to tell of their abuse but, until the hearing, had not been able to talk openly about this. It may be that their application to TTBH

was, to them, a means of reaching out for help, of having gained the confidence to acknowledge experiences which had always troubled them but which, they had assumed, were normal to life in care.

### 3.4.3 The application and scheduling process

Those interested in participating in TTBH were asked to complete a registration form, part of the TTBH Information Pack. These completed forms had to be returned to the SurvivorScotland office where, after the closing date, staff began to schedule appointments for the first two weeks of the hearings, that is from 17 May 2010.

It was unsatisfactory but unavoidable that applicants had to register their personal details with Scottish Government staff but given that the TTBH administrative arrangements were not in place during the first opportunity to apply, there was no alternative. Once TTBH began to operate, the administration of the applications and scheduling moved into the hands of the TTBH administrator and all personal information on applicants and the initial schedule of appointments were transferred to TTBH.

The closing date for applications, originally set for 30 April, was re-set at the 31 May. I was concerned that the earlier date had not allowed enough time for former residents of Quarriers particularly those who lived outwith Scotland to become aware of TTBH and decide whether or not to apply.

I accepted four applications after the 31 May; all were from former residents of Quarriers now living abroad. Reasons included the time taken for information to reach applicants, and an e-mail contact which was so detailed that it amounted to a written testimony. The fourth person, who was scheduled to be heard in Canada, asked me if another former resident of Quarriers, also living in Canada, could be included. The schedule had space for an extra hearing and this addition made best use of resources invested in the Canadian hearings.

Scheduling proved to be a significant responsibility for the TTBH administrator. In addition to scheduling appointments where possible to suit the stated availability of the applicants, the administrator had to accommodate requests for re-scheduling – either through illness, a change in their work or other personal circumstances. Occasionally an applicant failed to keep an appointment; when that happened, the TTBH administrator tried to contact them and agree an alternative date and time for their hearing. Mostly the second appointment was honoured and where a participant failed to attend for a second time a third offer was made. In a few cases the participant did not attend and at that stage no further offer of appointment was made.

Re-scheduling, where requested, was always attempted but as TTBH proceeded and the intended closing date for hearings drew nearer, it became increasingly difficult to accommodate changes. To help provide more flexibility, we agreed that we would schedule three hearings a day. We also agreed to have hearings at times outside the normal daily pattern of 10:00am, 1:00pm and 4:00pm and three participants were accommodated in this way.

We have reflected on our decision to hold three hearings daily. We are satisfied the decision was justified to ensure that we completed the schedule within an agreed timescale. We would propose, however, in any future forum that there should be no more than two hearings each day.

Additionally, we propose that there should be flexibility in the scheduling in order to accommodate people with family responsibilities and those in employment, and that this should be reflected in the publicity and in information for prospective participants.

We also propose that the criteria for the recruitment of staff should recognise the fact that the whole team would be in contact with sensitive information and vulnerable people. This has implications not only for the range of qualifications and experience they would need but also for their capacity to work as a member of a close-knit and confidential team.

It is essential that the appointment of the team takes place sufficiently far in advance of the commencement of hearings to allow the team to be the only contact with prospective participants. There should be no contact through the Scottish Government.

It is also essential that the team has independent tele-communication and IT systems, separate from those of the Scottish Government.

#### **3.4.4** The options for being heard

As stated the range of options offered to applicants for their hearings were face-to-face hearings in the TTBH premises, tele-conferences (with the Chair and a Commissioner based in the TTBH premises), video-conferences, written submissions on paper or in electronic form such as e-mail or an attachment to an e-mail and video or audio recordings. Ninety participants were heard face-to-face, six participated via a combination of written accounts (some submitted by post and some by e-mail) and tele-conferencing, and two submitted written accounts of their experiences. In all cases the participants were offered the opportunity of a further meeting or phone follow-up although only one took up that option. Tele-conferences as a mode of communication worked well both as an alternative to face-to-face hearings and as a supplement to other modes of communication. No participant chose to be heard through video-conferencing and so this could not be tested.

The experience of TTBH indicates that a break half way through a hearing to give commissioners time to look at information that participants bring and to allow participants time to reflect, take stock and try to recall all that they want to say, would be beneficial. It was difficult, in the midst of a hearing, for the Commissioner and Chair to give adequate attention to verification papers and other relevant information, photographs, correspondence and mementoes of childhood that some participants brought. We were concerned that some might think our interest in these sources of information was cursory.

We suggest that there should be more emphasis on the possibility of a second hearing. During the time spent with the TTBH support worker after a hearing and in the follow-up phone calls a few days later some participants referred to information they had forgotten to share or had subsequently begun to feel more confident in addressing. Special consideration is needed for people travelling a distance for whom a second hearing might not be feasible.

### 3.4.5 The participants

As indicated, 168 requests for copies of the application form and information pack for TTBH were made. By the closing date of 31 May 2010, 112 applications had been received. Subsequently another 4 participants were added, as explained earlier; all but 2 of the 116 applications to participate, which were ineligible, were accepted. I wrote to those whose applications were ineligible to explain why they could not be included; in one case the applicant had not been a resident in Quarriers and in the other the person had been an ancillary worker in Quarriers and not a resident.

The participants ranged in age from 83 to 38; 47 of them were men and 51 were women. Some had lived for almost all of their childhood in The Orphan Homes of Scotland, later re-named as Quarriers Homes. Of the others, 48 had spent more than 10 years in Quarriers and 18 had spent 5 years or less there. Of those who participated, 69% still live in Scotland, 18% live in England or Wales and 13% live outside the United Kingdom in Canada, the USA, Hong Kong, Australia, Germany, Italy and France.

### 3.4.6 Expenses for participants in TTBH

Each participant was told that the Scottish Government would meet their cost of travel and accommodation, the travel expenses and accommodation for up to two companions, expenses to cover the cost of a carer, and the cost of a meal for them and their companions if their travel and time at the venue took more than 5 hours. Expenses were re-imbursed at the current Government rate for travel and subsistence. It was agreed that any expenses incurred costing less than £20 would be refunded from petty cash. The latter arrangement was made in the interests of saving on administrative time and ensuring speedy re-imburement.

The experience of TTBH indicates that some flexibility regarding payment of expenses is important to take account of the personal circumstances of participants. The need to apply inflexible rules relating to very small sums of money risks casting a cloud over what is meant to be a positive, affirming experience. We propose that any future forum should have its own bank account with its accounts audited and with the assistance of an internal auditor (consultant) to help balance the need for careful stewardship of public funds and the needs of participants.

### 3.4.7 The arrangements for individual hearings

The TTBH Team wanted to make the experience of coming to be heard as welcoming and unthreatening as possible. In order to begin to build a relationship with an applicant the following arrangements were agreed:

- The member of the support staff who would be receiving and supporting an applicant on the day of their hearing, phoned the applicant in advance to introduce herself and confirm that the date and time were still suitable and to answer any questions.
- On the day of the hearing, the same person answered the intercom when the applicant arrived and went to the front door of the building to meet and welcome them. She then escorted them in the lift to the TTBH premises.
- She brought them to the waiting room and offered them tea or coffee and ensured that they were comfortable, before confirming some of the information in their application and asking some preliminary questions about the Process Review of TTBH.
- When she considered that the applicant was ready, she informed the Chair and Commissioner, one or both of whom came to meet the applicant and escort him or her into the adjoining room in which the hearings took place.
- At the conclusion of the hearing, the Chair or Commissioner contacted the TTBH support worker and asked her to accompany the participant back to the waiting room. The participant was offered tea or coffee again and asked for feed-back on the TTBH process as they had experienced it. It was explained that a questionnaire would be sent in a few weeks asking for additional feed-back for the Process Review. The completed questionnaire had to be returned to the Scottish Government where, with specialist assistance from Analytical Services Division, it would inform an independent evaluation of the process.

- Information about the Restorative Justice (RJ) Pilot (open to those who were living in Scotland) was either given at that stage or enclosed with the questionnaire. (As noted elsewhere in this report, the Scottish Government subsequently agreed to extend the RJ pilot to include all participants who lived in England and Wales.)
- When the de-brief was completed and the participant was ready to leave, the TTBH worker provided the participant with a leaflet on support services available from ICSSS and offered to accompany the participant to the main door. A few days after the hearing, the TTBH support worker phoned the participant to ask if all was well and to offer any advice or support that might be needed.

In the case of hearings conducted via tele-conferencing, confirmation of arrangements was made in advance through phone calls and e-mailing. Participants were advised to have someone present with them during the hearing - or in an adjacent room - to provide support as necessary. Most of them received a phone call from a TTBH support worker a few days later to confirm that they were well and to ask if any support or assistance was needed.

### 3.4.8 Verification

Participants were asked to bring to the hearing any documents they had which would serve to verify that they had been resident as a child in Quarriers. The majority of them brought a copy of their admission document and some brought that document and a copy of some part of their health record at Quarriers. Others brought copies of and in some cases original correspondence between Quarriers and members of their family. Some brought letters from one of their parents, letters that had been in their files and which they had not known about until they requested copies of their records in recent years. A minority brought photographs in addition to documents, usually photographs of themselves as children in Quarriers. Some brought my letter that they had received through Quarriers. Participants who lived abroad were asked to send to TTBH copies or scanned copies of any papers they wished to provide for verification purposes.

In a small number of cases, participants arrived at TTBH without verification and we allowed the hearing to proceed. In those instances, it became clear as the hearing progressed, that they had been cared for in Quarriers; the circumstances and situations they spoke about were convincing in terms of the accuracy of the detail they included in their account of their experiences in Quarriers. They were asked to explain why they had no papers to support verification. In a few cases this was related to personal circumstances such as a house fire which had destroyed one participant's papers, or simply lack of advance preparation; in the latter case a couple of participants had not given Quarriers sufficient notice to be able to get a copy of their records in time for their hearing at TTBH. They

obtained them subsequently, sent them to us and they were scrutinised and returned to them.

### 3.4.9 Recording hearings and requests to hear the recordings

At the beginning of each hearing, I asked the participant for permission to record the hearing. I explained that this had two purposes. One was to allow the participant to return in a week or so to listen to the recording and decide if they wanted to add anything to or amend anything they had said in their testimony. The other was to provide the Commissioner and me with a back-up to any notes we might take for use in the preparation of my report on the Pilot Forum. I explained that we would be transferring any information in notes into a database confidential to us, and which would not contain any information that could identify them. All names of people mentioned by them would be removed from that record. I also told each participant that the recordings would not be accessed by anyone else and would be deleted subsequently.

No participant asked to return to hear the recording of their testimony and all agreed with the intended way of handling the information they provided. No participant asked for a transcription of the recording although the daughter of one participant did so and I explained that it was only possible for a participant to make that request.

Assembling the content of what participants said was done with the aid of a template/database based on the model adopted by the Confidential Committee in Ireland. In practice we found that the template did not fit well with the needs of TTBH and prompted work that was not essential to the reporting of what we heard or to the evaluation of the process.

We propose that a bespoke template be developed for the national confidential forum that we recommend in this report. The design brief for that template should take account of the experience of TTBH but, most importantly, reflect precisely the outputs that the Chair and Commissioners believe necessary to the fulfilment of their brief.

### 3.4.10 Accompanied participants

Participants could choose whether or not to be accompanied during a hearing. Of the 85 heard in the TTBH premises and at their home or work place in Scotland, 30 were accompanied to the venue; some brought their partner, a few brought a son, daughter or grandchild, some brought a friend, and in 5 cases the participant brought a support worker. Three Canadian participants were accompanied to the venues by friends.

Of the 33 participants accompanied to one or other of the venues for the hearings, 30 brought a companion into the hearing itself. Generally, the focus of the hearing was not diverted away from the participant by having a companion present; but occasionally we sensed that the participant would have said more had they been unaccompanied.

One participant, who attended unaccompanied and was very anxious about the process, took some time to settle herself before the hearing began. She felt more confident in the company of the TTBH support worker and asked if she could be present during the hearing. This was a development we had not anticipated, but we could not see any reason why this request should be refused as the alternative might have been the cancellation of the hearing.

The lesson we took from the variety of situations that arose as the hearings proceeded was that flexibility was essential. The interests of the participant had to be paramount and any action that we proposed to take and that affected those interests adversely had to be avoided.

### 3.4.11 Confidentiality and the TTBH premises

All the participants in TTBH were asked not to disclose the location of the TTBH premises and were required to sign a form to this effect. This was done to protect their identity and privacy from the possibility that some who were curious about or unsympathetic to the Pilot Forum might approach them as they entered or left the premises. I am very glad to be able to report that we knew of no instances of disclosure of information about the premises and had no evidence of anyone approaching any participant as they arrived or left. Arrival and departure arrangements were made to ensure that participants did not meet each other. We are grateful to the participants for their compliance with our request for privacy.

### 3.5 The Process Review - purpose and scope

An independent review of the TTBH process was conducted by Analytical Services Division of the Scottish Government with part of the work being undertaken by the Scottish Institute for Residential Child Care. The purpose of this review was to assess the appropriateness and effectiveness of the model of confidential forum developed by TTBH.

Feedback from participants was overwhelmingly positive. While about a quarter of the participants had found it very difficult or quite difficult to decide to take part none of them indicated that they regretted doing so. Over 85% considered that they were able to say all or most of what they wanted to say. Only 4 people noted practical problems on the day. All the participants felt they were listened to with respect and sensitivity and that they were helped to understand the process. Very few people (10) had drawn on professional support but over 70% had personal support. Over 87% of the respondents considered that the overall experience had been almost all or mainly positive, 10% thought it was a mixture and 3% were still uncertain.

The findings of the Process Review are extremely encouraging and indicate that the TTBH model has been highly effective in meeting the expectations and needs of participants. On that basis there are good reasons for adopting a similar model in the event that the Government decides to offer the opportunity to be heard to all other former residents.

A copy of the full report of the Process Review is available on the SurvivorScotland website [www.survivorscotland.org.uk](http://www.survivorscotland.org.uk) or from the SurvivorScotland Team.

### 3.6 The Restorative Justice Pilot

The participants in TTBH were also offered access to a Restorative Justice process piloted and delivered by Sacro. This was funded jointly by Quarriers and the Scottish Government.

Restorative Justice is a process that involves the participant, a representative of Quarriers and a trained facilitator. The aim is to help repair the harm caused by a criminal offence or serious wrongdoing. This is done by providing a safe way in which those involved can explore and reach agreement on the following:

<b>FACTS</b>	<p>What happened?</p> <p>Who was responsible?</p> <p>Why did it happen?</p>
<b>CONSEQUENCES</b>	<p>Who was harmed?</p> <p>How were they affected?</p> <p>How do they feel now?</p>
<b>FUTURE</b>	<p>How can the harm be addressed or repaired?</p> <p>How can this behaviour be prevented?</p>

The process, which is designed to address the personal, moral and emotional aspects of the harm survivors have suffered, is informal and very different both in style and intention from a trial or a court hearing. It is managed by trained facilitators, and is normally entirely confidential to those involved. Restorative Justice is a voluntary process requiring the willing participation of all parties and agreements or actions arising from the process are framed in the form of undertakings or commitments rather than legally-binding obligations.

In the context of Sacro's Restorative Justice service for participants of TTBH there are three distinct features which distinguish it from 'standard' restorative justice interventions.

- Although the effects of the abuse are typically still very much present, the abuse itself is likely to have taken place between 30 and 60 years ago.
- Those directly responsible, both individually and organisationally, for the abuse and neglect are not part of the process.
- Financial reparation has been specifically excluded from the range of possible outcomes.

Of the 15 participants who have made contact with the service, 7 are resident in Scotland and 8 in England.

The process is still at an early stage, but the following interim observations are of significance:

- a) The intensity and pervasiveness of damage and pain caused by the childhood experiences of survivors is much greater than that anticipated even by the very experienced group of facilitators. Survivors typically describe how their treatment has resulted in long-term damage and has been the governing negative experience in their lives. This again dictates that progress in the restorative process is made at a speed controlled by and suitable for the individual survivor.
- b) The process is already showing great potential for assisting survivors in their struggle to come to terms with their experiences at Quarriers and the subsequent effects. The first Restorative Meeting to be held was an example of the healing and positive outcome that can be achieved through Restorative Justice.

A final report is expected to be produced in May/June 2011 and will be published on the SurvivorScotland website. Further information on the background to the Restorative Justice pilot is available at [www.survivorscotland.org.uk](http://www.survivorscotland.org.uk) or from the SurvivorScotland Team.

### **3.7 A summary of the legal issues**

TTBH was established as a pilot so that it could be set up quickly and could operate flexibly in testing out the feasibility of the Confidential Committee model for Scotland. TTBH encountered a number of legal issues arising from the fact that it was a non-statutory body set up to pilot what had been a statutory model in Ireland. In particular, we did not have the benefit of statutory protection for the confidentiality that was central to the work on which we were engaged. Further, the Human Rights Framework produced by the Scottish Human Rights Commission indicated a possibility that we might be obliged to pass on information relating to reports of abuse which reached a certain level of severity, irrespective of the wishes of the survivors. We took independent legal advice on these matters and are satisfied that we reached a suitable working arrangement to counter the difficulties posed by our lack of legal status and to respect the full range of human rights of the participants. Nevertheless, we recommend that any roll-out of TTBH should have the same statutory protection as the Irish model.

### 3.7.1 The Irish model

TTBH was set up to pilot a version of the Confidential Committee component of the Irish Commission to Inquire into Child Abuse (CICA). It was established on a non-statutory basis in May 1999 to consider and make recommendations on the initial terms of reference and the powers it would need to work effectively. Its recommendations shaped the Commission to Inquire into Child Abuse Act 2000. Its powers and duties were extended and amended by later legislation, in particular the Commission to Inquire into Child Abuse (Amendment) Act 2005. CICA's final report was published on 20 May 2009 and is commonly known as the Ryan Report.

CICA had two committees:

- An Investigation Committee with legal powers to compel witnesses and the production of documents, test the evidence in a manner similar to a court of law and make findings about abuse in particular institutions and the management of those institutions; and
- A Confidential Committee, envisaged as a less formal forum where survivors of abuse could have the benefit of recounting their experiences with no testing of their evidence.

The Confidential Committee could make proposals of a general nature arising out of the evidence it received. These would be considered by the Commission when it was deciding what recommendations to make in its report. It is of interest that the 2000 Act had referred to this committee also making 'findings of a general nature' but the wording was changed to 'proposals' in 2005.

An Act of 2002 introduced a Residential Institutions Redress Board as a mechanism for providing compensation to former residents. The 2005 Act established the Education (Former Residents of Certain Institutions) Finance Board, to pay grants to former residents and their relatives and provide information about relevant educational services.

Although the Confidential Committee was designed to be informal, it was felt necessary to give it a statutory framework largely to protect the confidentiality that was essential to its effective operation. Legal issues addressed by statute included:

- Its basic legal status. CICA was designated as a 'body corporate' and the Confidential Committee was part of that structure.
- Members of CICA and its committees, staff and designated officials were given 'absolute privilege' as regards utterances and documents related to CICA's work.
- Witnesses were given a level of immunity for their statements and documents, described as, 'the same privileges and immunities in respect of those matters as a witness before the High Court in respect of evidence'. This means that witness' utterances were privileged so long as they were truthful, made with honest intention and relevant to the matter being investigated.
- A bar on the evidence provided to the Commission or its committees being used against the person who made it in any civil or criminal proceedings or tribunals. This protection extended also to any person who might be liable for the acts or omissions of the person making the statement.
- A prohibition (buttressed by an offence) on disclosure of information provided to the Confidential Committee, with very few and well defined exceptions relating to the prevention of crime and the protection of children.
- Documents provided to the Confidential Committee were not to be regarded as 'Departmental records' within the meaning of section 2(2) of the National Archives Act 1986. This means they will not be transferred to the National Archives and subject to public scrutiny.
- A prohibition on courts, in actions not involving CICA, making orders for discovery of documents of CICA or its committees.
- A restriction on the Data Protection Act 1988, exempting from access any personal data provided to CICA or its committees. This exemption continues after the Commission is absolved and the information is passed to another body.
- Exemption from the requirements of the Freedom of Information Act where this would prejudice CICA's work unless, on balance, this is outweighed by the public interest. This protection also continues after the dissolution of CICA.

### 3.7.2 The implications of a non-statutory forum

Because TTBH was set up on a non-statutory basis, it did not have the benefit of the statutory protections enjoyed by the Irish model that it sought to emulate. The essence of the Confidential Committee model is, as its name implies, its confidentiality. The fact that TTBH did not have statutory protection for confidentiality meant that the Chair and Commissioners had to develop practices to mitigate any risks that information provided in confidence might require to be disclosed. This was done through minimising the amount of identifiable information held by TTBH, seeking to anonymise it as far as possible and as soon as possible, and exploring with participants whether they were involved in legal proceedings as this could increase the risk, however small, of a court ordering the production of information held by TTBH.

Another consequence of the non-statutory basis of TTBH was its lack of a corporate legal personality separate from the Chair and Commissioners. This had implications for the possible personal liability of the Chair and Commissioners, employment and contractual issues and the ownership of the records held by TTBH. These matters were addressed by negotiation with the Scottish Government and through independent legal advice.

Despite these difficulties, the Pilot Forum proceeded effectively. Nevertheless, it is recommended that any future forum be established on a statutory basis, modelled on the Irish legislation, thus providing necessary protections for both the participants and staff of the forum.

### 3.7.3 The Human Rights Framework: the SHRC recommendations

In February 2010, the SHRC produced ‘A human rights framework for the design and implementation of the proposed “Acknowledgement and Accountability Forum” and other remedies for historic child abuse in Scotland’. This had been commissioned by the Scottish Government before the Pilot Forum (subsequently known as TTBH) was established and reflected the fact that debate was around some form of ‘Acknowledgement and Accountability Forum’. The Confidential Committee model adopted for TTBH focused on acknowledgement rather than accountability, so the SHRC framework addressed wider issues. However it did include a section on the Pilot Forum and made five recommendations about it:

1. The Pilot Forum should build on steps already taken to secure the trust and effective participation of all those whose rights are affected in all decisions on its design and implementation.

2. The Pilot Forum and the Scottish Government should clarify, particularly for potential participants, the relation between the Pilot Forum and the State duty to investigate and prosecute as appropriate.
3. The Pilot Forum could be a step in scoping the steps required to secure effective access to justice, effective remedies and reparation for survivors of childhood abuse. Lessons from the Pilot Forum could lead to recommendations on steps which Scotland should take to ensure effective access to justice, effective remedies and full reparations for survivors of childhood abuse.
4. The Pilot Forum could identify law, policy and practice changes at all relevant levels which would contribute to mitigating the risk of repetition of abuse.
5. The Pilot Forum and the Scottish Government should explore with survivors and others, support which would enable them to participate effectively in the Pilot Forum and its successor(s), including advocacy and psychological support, protection and alternative means of testifying, taking reasonable steps to provide necessary support to participation.

Recommendation 1 is discussed in section 3.2 of this report, which sets out early decisions and actions by the Scottish Government. Related comment can be found in the Foreword, Executive Summary and section 3.3.1 on preparation for the Pilot Forum.

Recommendation 2 is discussed in this section on legal issues.

Recommendations 3, 4 and 5 are taken into account as appropriate in the recommendations section of this report.

Securing the functional independence of the Pilot Forum was a key aspect of the SHRC Framework and the Scottish Government worked with us to ensure that this happened. The practical ways in which this was achieved are described in section 3.3.4 of this report, regarding establishing and preparing the TTBH Team.

### 3.7.4 Issues for TTBH

Recommendation 2, referred to above, was that:

‘The Pilot Forum and the Scottish Government should clarify, particularly for potential participants, the relation between the Pilot Forum and the State duty to investigate and prosecute as appropriate.’

The main issue raised by the Human Rights Framework was whether TTBH was a ‘public authority’ in terms of the Human Rights Act 1998 and an ‘organ of the state’ for the purposes of the UN Convention against Torture and Other Cruel or Degrading Treatment or Punishment. If it were, its awareness of allegations of serious abuse might trigger a duty to initiate an investigation irrespective of the wishes of the participant. This would clearly have an impact on the confidentiality that could be promised to participants.

There was never any doubt that there would have to be some qualifications to confidentiality. The TTBH Confidentiality and Privacy Policy (see Appendix 4) informed potential participants that the information they provided would not be disclosed to anyone apart from the Chair and Commissioners except where this was required by law or where there was a risk of harm to the participant or to any other person, for example, where a person who carried out abuse in the past was now working with children or with adults in need of support and protection. Participants were reminded of the qualifications to confidentiality at the beginning of each interview. However, there remained a question about the extent of the duty to breach confidentiality in terms of the SHRC advice and this is considered further below. There were two issues to be addressed:

1. Was TTBH a ‘public authority’ or ‘organ of the state’?
2. If so, what did this mean in terms of a duty to initiate an investigation?

We received differing legal views on whether TTBH was a ‘public authority’ or an ‘organ of the state’. On one view, the fact that it had now been established as a body independent of the Scottish Government was presented as excluding it from these definitions. Another view was that it might still fall within them because it was carrying out a public function. All those we consulted, including the SHRC, agreed that the legal position was not clear. We decided to proceed on the basis that we were a public authority and organ of the state because:

1. It seemed safer to do so, given the difference of opinion on the matter.
2. The consequence of having that status was that we would have to comply with the 'Convention rights' defined by the Human Rights Act 1998. We felt that, as a matter of principle, we should not be seeking to avoid duties to comply with human rights standards.
3. As a pilot project, we hoped to learn lessons that might be helpful for a future roll-out. It seemed that, if that was established by statute, it would be more likely that the body concerned would be regarded as a public authority and organ of the state, therefore it would be more helpful if the pilot tested out the implications of that status.

Having made that decision, we had to explore the implications, in particular to the duty to investigate referred to above. The SHRC Framework (para. 2.2.3(a)) and the associated Review of International Human Rights Law explored these issues in some detail. They pointed out that the European Convention of Human Rights (ECHR) set out a duty to hold effective official investigations into 'arguable claims of violations of the right to life and the right to freedom from torture and ill-treatment by a public official'. There was also a duty where the ill treatment was by private individuals, although this area of law was still developing. The Framework added:

The duty to investigate does not depend on a formal complaint, but [quoting from a case that was presented to the UN Committee against Torture in 2001]

'it is enough for the victim simply to bring the facts to the attention of an authority of the State for the latter to be obliged to consider it as a tacit but unequivocal expression of the victim's wish that the facts should be promptly and impartially investigated'.

The question faced by TTBH was, did this mean that any report by a participant of abuse that 'arguably' reached the relevant threshold of severity would trigger a duty to report even if the survivor did not want to do so, or even if the abuser was dead? Could the 'tacit but unequivocal expression of the victim's wish' referred to above be overridden by the victim's expressed wish to the contrary? The Human Rights Framework made frequent references to the right to an 'effective remedy'. It seemed to us, on the basis of what we had learned from the Irish experience, that an effective remedy for some survivors would be a confidential hearing and that an inflexible approach to reporting abuse of a certain level of severity would act as a barrier to some survivors achieving the kind of relief that they sought with no clear benefit to them or to the general

public. One might also argue that overriding the wishes of survivors where there is no clear benefit to anyone is a disproportionate response that risks breaching the survivors' rights to respect for their privacy and personal autonomy under Article 8 of the ECHR.

The SHRC advice acknowledges the Article 8 rights of participants, but says this may be outweighed by a separate public interest in investigation stemming from the positive obligations of the State related to Article 3 (prohibition of torture) or 2 (right to life) of the ECHR. We received conflicting advice on this. Independent legal advice concluded that TTBH would not be bound to report allegations where:

- the participant has expressly and unequivocally requested that no report be made; and
- TTBH can be satisfied that no third party remains at risk of harm from the alleged abuser.

We were further advised that TTBH should provide assistance to those participants who may wish to have their allegations investigated further by law enforcement authorities. In practice, we have explored with participants whether they wished to make a report to the police and have facilitated this when they expressed such a wish. Where there were concerns that might have led us to decide that we needed to breach confidentiality in order to protect others, or respect other possible human rights requirements, we discussed this with the survivors and liaised with the police to take matters forward.



## Part 4 Final Observations and Recommendations

### Introduction

The experience of TTBH has shown clearly the benefits of a confidential forum. The large majority of participants have confirmed, in terms of release or partial release from the burden of the past, its encouragement of self-worth and self-confidence, and its contribution to moving on and getting closure. TTBH also proved worthwhile as a means of giving them information about sources of support and information available to survivors and about other action they could take in pursuing accountability; and it afforded them a means of contributing to making provision of care better for children today.

In this report we have recorded what we heard and our responses to that. It concerns us that our observations and recommendations might be seen to reflect little acknowledgement of good staff doing good work in the past. We have included numerous references to those care-givers and management who did do a good job. We have also referred to those aspects of provision which worked well with the right people in place. We commend the improvements in service provision and practice today. We believe that the good-will shown by so many participants in TTBH to those who cared for them in the past should encourage all who work in residential child care. Participants wish to support them in the provision of residential child care today and in helping to make it all that it can be. High quality residential child care, as testified by a significant number of participants, is a service that is so important, not least to those for whom it is the best option in childhood.

### 4.1 For the Scottish Government

#### 4.1.1 The implications of TTBH for any roll-out of a confidential hearing programme

The implications of the experiences of TTBH for the implementation of a nationwide programme of confidential hearings are clear.

We are confident of the value of such hearings in terms of the acknowledgment and therapeutic benefits they provide for participants. We believe that a national confidential forum would offer significant opportunity to improve the health and wellbeing of those who have been abused as children in care. We also believe that a national confidential forum would be important in giving survivors a feeling of being part of the community when for so long many of them have felt excluded.

There is nothing to be gained and potentially much to be lost in attempting to pre-determine precisely who can be 'heard'. I recommend that the sole criterion should be experience of having been looked after in a residential school or children's home, residential educational provision for children with special needs, long-stay hospital provision for children with acute medical and/or mental health needs, residential youth justice provision, and private homes through boarding-out and foster care arrangements.

Some may be concerned that such an approach is too loose, too vulnerable to mis-use, too likely to lead to ineffective use of resources - a concern that weighs even more heavily at a time when Government resources are severely restricted. I have discussed these possible concerns with my Commissioners and Advisory Group and considered, in the light of the experience of TTBH, how best to respond to applications from former residents who want to come forward to talk of their positive experiences when in residential care as children and I set out my views and recommendation below.

Some 20% of those who participated in TTBH gave us accounts which were uniformly appreciative of the care provided by Quarriers. Those participants were able to provide helpful perspectives on the system of care that was delivered in some cottages and by some house parents. They confirmed the patterns of daily life we heard about from others. It seemed that being able to talk about their positive experiences was of value to them and, as they said, in helping to let the wider public know that children were able to have good care and worthwhile childhoods in Quarriers. They were, they said, representing the views of those who were unhappy that the good reputation of their 'home' had been besmirched but, as all but two of them affirmed, they were not denying that some children had had bad experiences and they were supportive of initiatives to let those former residents be heard and, if appropriate, offered redress.

## 4.2 For service providers

### 4.2.1 Learning from TTBH

The accounts of experiences we heard from 98 former residents helped to heighten our awareness and understanding of the importance for those who provided services in the past to:

- acknowledge that harm was done, and acknowledge that provision and systems of monitoring and protection were inadequate and sometimes failed.
- say 'sorry' straightforwardly and in a variety of settings: publicly as an institution to the whole community of former residents, to the wider community, and to individual former residents as required.
- ensure that responses to former residents are objective and supportive - they were, after all, your children.
- acknowledge that management was not consistently effective.
- acknowledge that staff recruitment procedures especially in the 30s, 40s, and 50s were unreliable and often failed to lead to appropriate appointments.
- develop records management plans that are fit for purpose - and provide for historical records.
- take stock of and safeguard their historical records to help former residents make sense of their childhoods and remember more.
- provide skilled assistance and supportive arrangements to those former residents who are seeking information about themselves or about the institution that was their 'home'.
- anticipate surprise and shock for some former residents when they gain access to their records and provide support and empathy.
- ensure that former residents can go back to where they were cared for - if not to the institution they knew as home or carers they knew as family, then at least to their records.
- understand the need to help former residents feel that they are 'going home' and make them feel warmly welcomed and valued and feel that they are there as of right.

and for providers of services today to:

- maintain good quality records (and use them as monitoring and evaluation resources in the interest of improving outcomes for children).
- ensure that children in residential care know about themselves and their families, as appropriate, throughout the time they are being looked after.
- give comprehensive personal information to children and young people when they leave - or let them know and see that comprehensive personal information about them is held securely and will be there for them as and when they choose to request it.
- ensure that provision of care meets the children's need for stability, information, and affection. and empathy, integrity and consistency in the attitudes and behaviour of those who care for them.
- ensure that appropriate recruitment procedures and training strategies are in place for their staff, and that the staff recruitment process includes assessment of personality and aptitude for work with vulnerable children.
- provide training and knowledge in understanding how children may be vulnerable to abuse and regular training in child protection.
- encourage staff to have conversations with the children for whom they have responsibility to allow them to express worries and concerns.
- ensure frequent monitoring of staff responses to the demands of providing appropriate care to children and the provision of appropriate support services for them.

The broad message to be taken from all of this is that service providers have an unequivocal responsibility, in response to those in their care to:

respect and value them, listen to and heed them, relate and respond to them, affirm and encourage them, be consistent in expectation, be prepared to say sorry, mean it and do something about what went wrong.

We propose that the list of actions above should be used, as appropriate, by all providers of residential child care in their regular review of provision and practice; the actions have relevance to practice, good governance and continuous improvement. We also propose that service providers should strengthen their involvement with survivors and Government to ensure that they fulfil their responsibilities to all those they cared for.

It is my view that those who wish to present their good experiences for any of the above or other reasons could be asked initially to put forward accounts of their experiences in written or recorded form. These could be read or listened to by the Chair and one member of the panel of Commissioners and, on the basis of the content of each submission, a decision could be taken as to whether or not to invite the associated applicant to participate in a hearing. As with any applicant, the opportunity to request a meeting/further meeting with the panel could be available. In this way there would be no risk of pre-empting the hearing of a former resident who might see the opportunity as one in which she or he could begin to talk, not just about their good experiences but also of experiences which had concerned them.

#### 4.2.2 Other Care-related matters

##### Listening to all

It was a consistent concern of participants that their bad experiences should inform future good practice to ensure that other children do not suffer as they did. The lesson from what they told us is that children in care should be afforded as much trust and respect as the adults who care for them. Children must be given opportunities to tell about things that are troubling them. They should be listened to carefully and complaints and monitoring systems should acknowledge the dynamics of power in residential care and the fears that inhibit children from telling about what is happening to them.

##### The importance of care-givers

Some of the abuses reported by participants have always been illegal, while others have become illegal in more recent years. Physical punishment is now banned in residential care. But, despite all legal and policy intentions to the contrary, bad things can still happen, because care involves power and power can be exploited. From what we heard, it seems that the Quarriers' policy of emulating private, family life so far as possible, meant that house parents were allowed a great deal of discretion and independence. The children's happiness depended on the character and commitment of the house parents who held the power of care and the discretion it afforded. Then as now, the quality of care depended on the quality of the care-givers.

It was clear from the many positive accounts we heard that there were some truly committed and inspirational people amongst the Quarriers staff who dedicated their lives to looking after and loving the children committed to their care. A stark lesson that still has relevance today is that the fact that an institution has a good reputation, for good reason, does not mean that everything in it can be presumed to be beyond reproach. Constant vigilance is required to ensure that people who would harm children do not seek to do so under the cover and protection of other people's good work.

### Independent advocacy

Children must be able to raise concerns with confidence that doing so will not make things worse and with some hope that it will make things better. The role of independent advocates is essential to that goal and should be promoted, extended and safeguarded.

### Impact on options for care of older people

There were indications from what we heard that bad experience as children has led some former residents to fear the prospect of going into residential care when they are old and frail. We feel that, if this is the case, the least we can do as a society whose actions have engendered this fear is to acknowledge it and take account of it when decisions are being made about care of older people.

### Young people leaving care

Some of the strongest pleas from participants were for support for young people leaving care. This is still an issue today. In fact, some of the services provided by Quarriers in former years would appear to be a great improvement on what some young care leavers receive today. Apart from the sheer human tragedy of a young life blighted by lack of support, it makes no sense to invest in expensive residential care and then undermine it by expecting young people to leave at too young an age into an unsupported and sometimes intimidating environment.

### Engaging with survivors

Any future forum should engage with survivors at the earliest date to devise a communication and project development mechanism that will ensure that survivors' interests are kept at the centre, while paying due regard to the human rights of everyone involved.

## 4.3 Recommendations

The following are the recommendations arising from the work of TTBH.

### Recommendations for the Scottish Government

#### Recommendations relating to the establishment of a national confidential forum

1. An independent national confidential forum should be established in Scotland for all adults who, as children, were cared for in any of the following types of provision: residential schools and children's homes, residential educational provision for children with special needs, long-stay hospital provision for children with acute medical and/or mental health needs, residential youth justice provision, boarding departments of schools and private homes through boarding-out and foster care arrangements. (para 2.13.1)
2. Appropriate legislation should be introduced to give the necessary protection for the effective operation of a national confidential forum. (para 3.7)
3. Any future national confidential forum should engage with survivors at the earliest date to devise a communication and project development mechanism that will ensure that survivors' interests are kept at the centre, while paying due regard to the human rights of everyone involved. (para 3.3.1)
4. The Chair, Commissioners and staff for the national confidential forum should be in post sufficiently far in advance of the commencement of hearings to allow them to be the only contact with prospective participants. (para 3.4.3)

#### Recommendations relating to the administration and operation of a national confidential forum

5. The arrangements for and administration and operation of the national confidential forum should be based on the model and informed by the experience of TTBH. (paras 3.4.1 to 3.4.10)
6. Applications from any person who spent time in care as a child should be accepted. Those who do not consider themselves to have experienced abuse in care can be given the opportunity to provide written testimony initially. (para 4.1.1)

### Recommendations relating to monitoring and research

7. The Scottish Government should collate information on care leavers who commit suicide or who experience suicidal ideation, quantify the extent of the problem and shape a multi-disciplinary response to address this enduring tragedy. (para 2.10.10)
8. The Scottish Government should fund research to identify which factors make some individuals more resilient to the effects of abuse. (para 2.11.1)
9. The Scottish Government should commission research to explore the impact of a history of residential child care on attitudes to care of older people. The results should inform professional training, assessment of older people and the choices made available to them. (para 4.1.1)

### Recommendations for service providers

10. Support for young people leaving care should be an unqualified priority for local authorities and institutions who have looked after them. Someone who has had a relationship with the young person in care should maintain that personal relationship and follow their progress for at least five years after they leave care. Local government should work in partnership with central government to identify and address barriers to young care leavers coming back to stay for short periods of time in their former residences. They should also work together in analysing the Children Looked After Survey and draw up an action plan to ensure that care leavers receive what they are entitled to. (para 2.10.11)
11. Accepting that high quality residential care will still be the best option for some children today, we urge providers of residential care services to children to use the list of actions given in paragraph 4.2.1 of this report in their regular review of provision and practice.

### The following recommendations arise from our observations throughout Part 2 of the report

12. Complaints processes should be communicated to children in residential care in a way that they can understand and those responsible for this should recognise the fears children might have of repercussions.
13. Children must be able to raise concerns with confidence that doing so will not make things worse and with some hope that it will make things better. The role of independent advocates should be promoted, extended and safeguarded in the face of budget cuts.

14. All institutions that provided residential care services to children in the past - should ensure that their record keeping, records management and archival services meet the best current standards, including those relating to communication and interaction with former residents.
15. All institutions should develop a photographic archive in response to the needs of former residents who have no or few photographs of themselves, if they have not already done so.



## 5.0 Acknowledgements

We are deeply indebted to all those who expressed interest in and decided to participate in Time to be Heard. They demonstrated beyond any doubt the value of a confidential forum where survivors of child abuse in residential care can recount their experiences.

Our thanks are also expressed to the participants in the two stakeholders' events in February 2010 and to the two groups of survivors we met subsequently. The contribution they made to our understanding of the issues and sensitivities surrounding the prospective confidential Pilot Forum was invaluable and we have tried to reflect that in the way in which TTBH operated.

We have benefitted enormously from the knowledge, expertise and experience of Norah Gibbons (Commissioner), who resigned as Chairperson of the Confidential Committee in 2005 but continued to assist the Commission on a part-time basis and Brenda McVeigh (Commission Secretary) of the Commission of Inquiry into Child Abuse in Ireland. In addition to their participation in the stakeholders' events, they facilitated visits to the Commission's headquarters for me and for staff from the SurvivorScotland Team.

Professor Alan Miller, Chairman, and Duncan Wilson of the Scottish Human Rights Commission gave us valuable advice during the period when we were preparing for Time to be Heard and we greatly appreciate that. We thank Professor Miller for his excellent contributions to both stakeholders' events.

We acknowledge gratefully the assistance of Paul Moore, the Chief Executive of Quarriers, and Gerry Wells, one of the Directors, in facilitating a visit to Quarrier's Village by the TTBH Team and our thanks extend to the other staff of Quarriers we met during that visit. We are especially grateful to Gerry Wells for providing us with information and documents in response to our requests. We are also grateful to Phil Robinson, the former Chief Executive and to the Board members of Quarriers.

The Advisory Group established for TTBH was invaluable to us as the work progressed. The range of skills and experience they brought to the task was exactly right for what we needed and we thank them wholeheartedly for all that they contributed.

A number of agencies and authorities gave us help, advice and support throughout the lifespan of Time to be Heard and we offer our sincere thanks to them; they included, and in no particular order:

ICSSS and especially Lorna Patterson

NAS and especially Hugh Hagan and Bruno Longmore

SIRCC and especially Professor Andrew Kendrick, Moyra Hawthorn and Ian Milligan

Sacro and those associated with the Restorative Justice Pilot especially Keith Simpson, Ian McDonough and Jenny Johnstone

The Adult Care and Support Division of the Scottish Government - particularly the SurvivorScotland Team

Pagoda PR and especially Ian Coldwell and Esther Black

Brodies and especially Christine O'Neill and Kirsten Morris

Strathclyde Police in GA and K Divisions

The support staff of TTBH proved to be invaluable to the whole process and bonded and blended in a way that was not only greatly appreciated by the Commissioners and me but, more importantly, by the participants. We are genuinely in their debt and record our warmest thanks to Carolann Lanigan, Louise Montgomery and Rachel Taylor.

Finally we acknowledge all Scottish survivors of child abuse; the interest expressed by so many of them in different ways in the work of TTBH was both motivating and challenging. We hope they will find this report meaningful and affirming. As one participant in TTBH said:

'The greatest thing you can give a survivor is acknowledgement, not sympathy but acknowledgement.'

## Appendices

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Appendix 5	Glossary and Definitions
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## Appendix 1

### Table of Numbers in Quarriers at Different Times

<b>Date</b>	<b>Bridge of Weir</b>	<b>Glasgow</b>	<b>Total of children</b>
31.10.1934	1156	72	1228
31.10.1935	1211	65	1276
31.10.1936	1197	67	1264
31.10.1937	1189	54	1243
31.10.1938	1149	29	1178
31.10.1939	1121	25	1146
31.10.1940	1123	21	1144
31.10.1941	1184	22	1206
31.10.1942	1220	19	1239
31.10.1943	1191	16	1207
31.10.1944	1249	15	1264
31.10.1945	1211	16	1227
31.10.1946	1171	16	1187
31.10.1947	1062	15	1077
31.10.1948	1028	17	1045
31.10.1949	986	15	1001
31.10.1950	939	21	960
31.10.1951	885	18	903
31.10.1952	802	12	814
31.10.1953	744	19	763
31.10.1954	664	20	684
31.10.1955	624	22	646
31.10.1956	645	16	661
31.10.1957	581	14	595
31.10.1958	532	12	544
31.10.1959	492	16	508
31.10.1960	484	16	500
31.10.1961	491	14	505
31.10.1962	550	12	562
31.10.1963	533	13	546
31.10.1964	503	0	503

<b>Date</b>	<b>Bridge of Weir</b>	<b>Glasgow</b>	<b>Total of children</b>
	Bridge of Weir and Glasgow		
31.10.1965	496		496
31.10.1966	519		519
31.10.1967	516		516
31.10.1968	515		515
31.10.1969	527		527
30.9.1970	510		510
30.9.1971	527		527
30.9.1972	512		512
30.9.1973	520		520
30.9.1974	486		486
30.9.1975	461		461
30.9.1976	456		456
30.9.1977	432		432
30.9.1978	378		378
30.9.1979	358		358
30.9.1980	338		338
30.9.1981	267		267
30.9.1982	222		222
Speech Day 1983	c. 100		c.100
Speech Day 1984	c. 67		c. 67
Speech Day 1985	c. 70		c. 70
Speech Day 1986	45		45
Speech Day 1987	20		20
Speech Day 1988	11		11
Speech Day 1989	1		1

## Appendix 2

Chairman: Instructions from 25'

Hemelton,

BRIDGE OF WEIR.

22nd September, 1937.

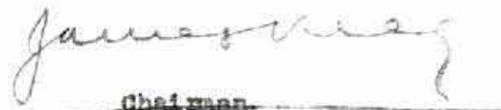
To the Fathers in Charge  
of the Boys' Cottages.

I am sorry to have to write this letter but I do so at the request of the Executive Committee.

Several cases of extreme corporal punishment meted out to lads have been brought to our notice within recent date. One of these complaints has come from The Royal Scottish Society for the Prevention of Cruelty to Children, another from a Donor and another from a Visitor. The receipt of such reports has vexed me very much. I do not wish to enter into the reason which may, or may not, have been the cause for the punishments, but I wish to express my own personal conviction with regard to excessive corporal punishment. Severe thrashing not only makes nervous wrecks of some boys, but hardens others, and produces defiance rather than penitence. It blunts the sensibility at a time when it is most desirable that the boy should be awakened by an intelligent understanding of his wrong doing and an attempt made to secure a response to efforts for his welfare. A boy who has been severely thrashed loses respect for the person who did the thrashing. "Thrashing" is wrong and represents a denial of that which is of God in every boy, even the most troublesome.

I trust that all who receive this letter will accept it in the spirit in which it has been written and help to remove from the life of the Village this loathsome and I believe, unnecessary form of punishment.

May I conclude by saying I am not unmindful of the difficulty of running either the Cottage or the Village life of our Community and I do appreciate the services rendered by all our fellow workers.



Chairman

## Appendix 3

### Principles and Values

- Time to be Heard will work to the following principles and values:
- We will treat everyone equally who comes to see us, whatever your circumstances, age, disability (including mental health issues), gender, race, religion or belief, or sexual orientation.
- We will listen to you, support you in telling your experiences to us and accept in good faith what you tell us.
- We may ask you questions to help us understand what you tell us.
- You can ask us questions about the work of Time to be Heard.
- We will give you time to tell us your experiences.
- We will understand if you get upset when describing your experiences.
- We will not judge you.
- We will be honest about what we can and can't do in Time to be Heard.
- We will help you to get in touch with the right people if you wish to take further action on anything to do with your time in residential care.
- We have contacts with lots of organisations and may be able to help you get the personal support you need.
- We promise that what you tell us will be brought to public attention so that the experiences of people who were in care as children can be better understood and recognised.
- We will always keep your identity confidential before, during and after Time to be Heard unless we need to share information you give us in order to prevent further harm to anyone, including yourself. We will always tell you about this before we take any action.
- We will write reports but your name will not appear in these reports. All information will be presented in ways that ensure your identity and the identity of others referred to by you are not revealed.

## Appendix 4

### Confidentiality and Privacy Policy for Participants

1. We will respond to your requests for information in the way that suits you best, seeking to ensure that we respect your privacy at all times.
2. There is a small team at Scottish Government - the SurvivorScotland Team in the Health Directorate - that will deal with your inquiries before Time to be Heard (TTBH) starts on 17 May. If you phone you will be put through to a member of that team. Any correspondence from you before that date will also be dealt with by the SurvivorScotland Team. After 17 May that team will deal with hearing schedules for the first 2 weeks of Time to be Heard or enquiries about government policy in relation to Time to be Heard only. The SurvivorScotland Team will work jointly with the support team (see paragraph 3 below) to ensure that your expenses are paid promptly.
3. From 17 May the support team at Time to be Heard will deal with any requests from you about the work of the Pilot Forum, except hearing schedules for the first 2 weeks or enquiries about government policy in relation to Time to be Heard. The support team consists of three people who are independent from government.
4. All information given at Time to be Heard that identifies individuals or is personal to you will be held confidentially for a short period. It will then be anonymised and stored securely. Any written information (except for your form asking to take part in TTBH), photographs or other material that you send to us or bring with you will be returned to you either at the end of the hearing or within a few days. Time to be Heard is registered as a 'data controller' for the purposes of the Data Protection Act 1998. This means that we have told the UK Information Commissioner that we propose to receive, hold and use personal information (data). As a data controller, Time to be Heard must follow the rules contained in the Data Protection Act about how and when it can store, use and release that personal information.
5. We have systems to protect the security of the personal information you give us. These include physical security within the premises used by Time to be Heard, IT security and staff security.

6. Personal information you give when you describe your experiences at Time to be Heard will not be disclosed to anyone else apart from the Chair and the two Commissioners except where:
  - (a) there is a risk of harm to you or to any other person. For example, where a person who carried out abuse in the past is working now with children or adults in need of support and protection we will want to make sure that this is reported to the police.
  - (b) we are required by law to disclose such information. For instance, a court could order us to provide the judge with such information.
7. In every case where we need to disclose such information we will take all reasonable steps to discuss our concerns with you and explain why we have to report this information to other people or authorities. We have links with the police to enable us to do this in ways that recognise concerns you may have. We will always try and give you the opportunity to talk through with us any worries you may have.
8. We will ask you to provide us with feedback about your experiences at Time to be Heard. Your responses will not identify you unless you decide that you want to give more feedback to an independent researcher.
9. No individuals participating in Time to be Heard or alleged abusers will be named in any published reports of the Pilot Forum's work.
10. The premises for Time to be Heard are in an office block in central Glasgow. The building contains a number of offices which receive visitors. You should not therefore be identifiable as a participant in Time to be Heard.
11. We want to ensure that participants' privacy and confidentiality are respected by everyone involved in Time to be Heard. So you will be asked to sign a Confidentiality Agreement if you wish to participate in Time to be Heard. You will be asked not to disclose the location and not to reveal the identities of any other participants you may know of - and their supporters - without their agreement.
12. Every participant will be asked whether they are willing for what they say to be recorded. This electronic record will not be transcribed unless you request that (see paragraph 13 below) and will be held securely for a short time after which it will be destroyed. When we have finished the report on Time to be Heard and completed any other work we will arrange for the destruction of any remaining personal data.

13. You can ask to listen to a recording of what you have said at Time to be Heard within 7 days from the date you take part or you can ask for a copy in writing within that time. We will remove any personal information about other people in the written copy we give you. The independent administrator attached to Time to be Heard will transcribe your account and will therefore have access to your personal information. However, your account will only be transcribed if you request that. Time to be Heard will not retain the transcription and the copy you receive will be the only copy and will be for your use alone.

## Appendix 5

### Glossary and Definitions

CICA	Commission to Inquire into Child Abuse (Ireland)
COPFS	Crown Office and Procurator Fiscal Service
HR	Human Rights
ICSSS	In Care Survivors Service Scotland
NAS	National Archives of Scotland
RJ	Restorative Justice
SACRO	Safeguarding Communities - Reducing Offending
SG	Scottish Government
SHRC	Scottish Human Rights Commission
SIRCC	Scottish Institute for Residential Child Care
SurvivorScotland	Scottish Government National Strategy for Survivors of Childhood Abuse
TTBH	Time To Be Heard

### What do we mean by In Care?

By 'In Care', we mean any residential care setting, be it local authority children's homes, approved schools, hospital care, kinship care, respite care, those run by charitable organisations, religious orders and foster care placements. By Institutional, we mean organised through institutions, such as religious orders, churches or other charitable organisations.

## Institutional Child Abuse: Definitions

Any kind of child abuse described in the five categories as set out by the Scottish Office (1998), which occurs within an institutional setting.

### Physical Injury

Actual or attempted physical injury to a child, including the administration of toxic substances, where there is knowledge, or reasonable suspicion, that the injury was inflicted or knowingly not prevented.

### Physical Neglect

This occurs when a child's essential needs are not met and this is likely to cause impairment to physical health and development. Such needs include food, clothing, cleanliness, shelter and warmth. A lack of appropriate care, including deprivation of access to health care, may result in persistent or severe exposure, through negligence, to circumstances which endanger the child.

### Emotional Abuse

Failure to provide for the child's basic emotional needs such as to have a severe effect on the behaviour and development of the child.

### Sexual Abuse

Any child may be deemed to have been sexually abused when any person(s), by design or neglect, exploits the child, directly or indirectly, in any activity intended to lead to the sexual arousal or other forms of gratification of that person or any other person(s) including organised networks. This definition holds whether or not there has been genital contact and whether or not the child is said to have initiated, or consented to, the behaviour.

### Non-Organic Failure to Thrive

Children who significantly fail to reach normal growth and developmental milestones (i.e. physical growth, weight, motor, social and intellectual development) where physical and genetic reasons have been medically eliminated and a diagnosis of non-organic failure to thrive has been established.

## Appendix 6

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## Appendix 7

### **Biographies of the Chair and Commissioners and Membership of the Advisory Group**

#### TOM SHAW CBE

Tom Shaw was Chief Inspector of the Education and Training Inspectorate in Northern Ireland from 1995 to 2000. He has contributed to international conferences and seminars on quality assurance in schools throughout Europe and in Australia and New Zealand. His core objective has been and is to ensure that all children – and learners of all ages – experience respect, quality and equality of opportunity in their education.

Since retirement he has served on a number of Government bodies in Northern Ireland including those appointed to review and make recommendations about the development of post-primary education, Irish-medium education, and Area-Based Planning of school provision.

In 2005 he was appointed by Scottish Ministers as the Independent Expert to lead a review of the legislative provisions and associated systems in Scotland to ensure the safety and wellbeing of children in residential schools and children's homes across the period 1950 to 1995. In the course of his work he met and received information from a number of survivors of abuse and from some of those responsible for the provision of residential services to children across the forty-five year period spanned by the Review.

#### ANNE CARPENTER

Anne Carpenter is a Consultant Forensic Clinical Psychologist. She has worked in the Greater Glasgow and Clyde Forensic Mental Health Directorate for 18 years and in this capacity has worked extensively with victims of crime, at both clinical and organisational levels. In addition she lectures on Victims of Crime at Glasgow University Department of Psychological Medicine and on the Glasgow Caledonia University Forensic Psychology Masters course. Since 2006, she has been a member of the Parole Board for Scotland.

## KATHLEEN MARSHALL

Kathleen Marshall's career has been devoted to promoting and safeguarding the rights of children. She qualified as a solicitor in 1975 and spent her early professional years in local government in Glasgow. She was Director of the Scottish Child Law Centre from 1989 to 1994. On leaving the Centre, she worked as a child law consultant, addressing many aspects of the lives of children and young people, including family matters, child protection, education, international child abduction, health, public care, criminal justice and participation in court processes. She chaired the Edinburgh Inquiry into Abuse and Protection of Children in Care that reported in 1999. From April, 2004 to 2009, she served as Scotland's first Commissioner for Children and Young People, with a remit to promote and safeguard the rights of children and young people in Scotland.

### **Membership of the Advisory Group**

Bob Balfour - Care Leavers Association

Pauline Boyce - Who Cares Scotland

Margo Dymock - Association of Directors of Social Work

Moyra Hawthorn - Scottish Institute for Residential Child Care

Helen Holland - In Care Survivors Service Scotland Monitoring Group

Debbie Stewart - Education through Care Scotland





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