

## Scottish Child Abuse Inquiry (extract pages)

### Criminal Convictions and Criminal Charges of former Quarriers employees

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- The offences were committed between 1950s-1980s.
- The following are details of the offences in respect of which they were accused at trial.
- Please note: These extracts pages 133-149- are taken from the main Scottish Child Abuse Inquiry interim report published 08/01/2020 case study 3 see full report here link.

<https://www.childabuseinquiry.scot/case-study-findings/case-study-findings-pdf-version/case-study-findings-quarriers-aberlour-and-barnardos/>

# | Scottish Child Abuse Inquiry

## **Case Study no. 3**

The provision of residential care for children in Scotland  
by **Quarriers, Aberlour Child Care Trust, and Barnardo's**  
between 1921 and 1991

Evidential Hearings: 23 October 2018 to 12 February 2019

## Appendix D - Prosecutions of former staff of the three providers

### Introduction

Former staff of each of the three QAB providers have been convicted of abusing children in care whilst working there. Seven former members of staff at Quarriers have been convicted of physical or sexual abuse. One former member of staff at Aberlour has been convicted of sexual abuse. One former member of staff at Barnardo's has been convicted of sexual abuse. The offences were committed from the 1950s to the 1980s. The following are details of the offences in respect of which they were accused at trial.

### Quarriers

#### Samuel McBrearty

(born on 2 October 1930)

Samuel McBrearty was tried at Glasgow High Court in August and September 2001 on 21 charges (see below). There were two charges of rape, nine charges of lewd indecent and libidinous practices (LILPB), nine charges of assault and one charge of shameless indecency. The offences with which McBrearty was charged were alleged to have been committed against girls at Quarriers Homes, Quarriers Village, Bridge of Weir over the years 1961 to 1968. There were five complainers. Before the trial, one complainer became too ill to give evidence in relation to Charges 17 and 18. The Prosecutor dropped the charges relating to her. During the trial, some of the remaining charges were amended in the light of the evidence. At the close of the Crown case, the Prosecutor withdrew certain charges, namely, Charges 4, 5, 6, 7, 11, 12, 13, 14, 15, 16, and 21. On 7 September 2001, after a lengthy trial, the jury convicted McBrearty by a majority on Charges 1, 2, 3 and 8, and unanimously on Charges 9, 10, 17 (formerly Charge 19) and 18 (formerly Charge 20). On 28 September 2001, he was sentenced to

12 years imprisonment. On appeal, heard on 2 July 2004, that sentence was reduced to 10 years.

#### Charge 1 (as amended before jury's verdict)

Assault **Child A**, a female child born in 1950, on various occasions between 1 October 1961 and 31 December 1964 at Quarriers Homes, Bridge of Weir, enter her bed, lie on top of her, place your hand over her mouth, force her legs apart and rape her

**Guilty** (by majority verdict)

#### Charge 2 (as amended)

Use LILPB towards **Child A** on various occasions between 1 October 1961 and 10 March 1962 at Quarriers Homes, Bridge of Weir, and did enter her bedroom, partially remove or lift up her nightdress and touch her on the legs and buttocks

**Guilty** (by majority)

#### Charge 3 (as amended)

Use LILPB towards **Child A** (then a girl of or above the age of 12 years and under the age of 16 years), on various occasions between 11 March 1962 and 31 December 1964 at Quarriers Homes, Bridge of Weir, and did enter her bedroom, partially remove or lift up her nightdress, touch her on the legs and buttocks, enter a bathroom while she was partially clothed, repeatedly punch and kick her on the head and body, forcibly remove a towel she was wearing and tie her hands behind her back with said towel, force her to kneel on the floor, pull her by the hair and insert your private member into her mouth

**Guilty** (by majority) under deletion by the jury of the words "repeatedly punch and kick her on the head and body, forcibly remove a towel she was wearing and tie her hands behind her back with said towel"

**Charge 4** (as amended)

Assault **Child A** on various occasions between 1 January 1961 and 31 December 1964 at Quarriers Homes, Bridge of Weir, and seize her by the hair, strike her head against a wall, repeatedly punch and strike her on the head and body with your hand, repeatedly kick her on the head and body, stand on her body and lock her in a cupboard, all to her injury

**Withdrawn** at close of Crown case

**Charge 5** (as amended)

Assault **Child A** on one occasion between 1 January 1961 and 31 December 1964, and seize her by the neck and pull her from a chair to her injury

**Withdrawn** at close of Crown case

**Charge 6** (as amended)

Assault **Child A** on one occasion between 1 January 1961 and 31 December 1964 at Quarriers Homes, Bridge of Weir, enter a bathroom and while she was naked and in a bath pull her out of the bath by the hair, repeatedly kick her on the body and repeatedly strike her on the head and body with a wet towel to her injury

**Withdrawn** at close of Crown case

**Charge 7** (as amended)

Assault **Child A** on one occasion between 1 January 1961 and 31 December 1964 at Quarriers Homes, Bridge of Weir, and strike her on the body with a brush handle or similar instrument to her injury

**Withdrawn** at close of Crown case

**Charge 8** (as amended)

Assault **Child B**, a female child born in 1951, on various occasions between 1 October 1961 and 1 April 1968 at Quarriers Homes, Bridge of Weir, remove her from a bed and force her to accompany you to a bathroom, lie on top of her and rape her

**Guilty** (by majority)

**Charge 9** (as amended)

Use LILPB towards **Child B** on various occasions between 1 October 1961 and 13 January 1963 at Quarriers Homes, Bridge of Weir, and remove her from a bed and force her to accompany you to a bathroom, remove her clothing and your clothing, induce her to kiss your private member, insert your private member into her mouth, emit semen over her body, induce her to masturbate you to the emission of semen, handle her breasts and lick her private parts

**Guilty** (unanimously)

**Charge 10**

Use LILPB towards **Child B** (then a girl of or above the age of 12 and under the age of 16) on various occasions between 14 January 1963 and 13 January 1967 at Quarriers Homes, Bridge of Weir, and remove her from a bed and force her to accompany you to a bathroom, remove her clothing and your clothing, induce her to kiss your private member, insert your private member into her mouth, emit semen over her body, induce her to masturbate you to the emission of semen, handle her breasts and lick her private parts

**Guilty** (unanimously)

**Charge 11**

On various occasions between 14 January 1967 and 1 April 1968 at Quarriers Homes, Bridge of Weir, you did conduct yourself in a shamelessly indecent manner towards **Child B**, remove her from a bed and force her to accompany you to a bathroom, remove her clothing and your clothing, induce her to kiss your private member, insert your private member into her mouth, emit semen over her body, induce her to masturbate you to the emission of semen, handle her breasts and lick her private parts

**Withdrawn** at close of Crown case

### **Charge 12**

Assault **Child B** on one occasion between 1 January 1961 and 1 April 1968 at Quarriers Homes, Bridge of Weir, and throw a bowl of hot water over her head and body to her injury

**Withdrawn** at close of Crown case

### **Charge 13**

Assault **Child B** on one occasion between 1 January 1961 and 1 April 1968 at Quarriers Homes, Bridge of Weir, and strike her on the head with a brush handle or similar instrument to her injury

**Withdrawn** at close of Crown case

### **Charge 14**

Assault **Child C**, a female child born in 1954, on various occasions between 1 January 1961 and 1 January 1963 and 27 May 1964 and 31 December 1968 at Quarriers Village, Bridge of Weir, and did force food into her mouth causing her to choke, repeatedly strike her on the hand and body with your hand, seize her by the neck and hair and throw her against a wall, repeatedly shake her, forcibly remove her from a bed and pull her down a flight of stairs causing her head to repeatedly strike same and repeatedly kick her on the body, all to her injury

**Withdrawn** at close of Crown case

### **Charge 15**

Use LILPB towards **Child C** on various occasions between 1 January 1961 and 1 January 1963 and 27 May 1964 and 5 October 1966 at Quarriers Homes, Bridge of Weir, and did enter a bathroom while she was unclothed and wash and dry her naked body

**Withdrawn** at close of Crown case

### **Charge 16**

Use LILPB towards **Child C** (then a girl of or above the age of 12 years and under the age of 16 years) on various occasions between 6 October 1966 and 31 December 1968 at Quarriers Homes, Bridge of Weir, and did enter a bathroom while she was unclothed and wash and dry her naked body

**Withdrawn** at close of Crown case

### **Charge 17**

Use LILPB towards **Child D**, a female child born in 1948, (then a girl of or above the age of 12 years and under the age of 16 years) on various occasions between 6 October 1966 and 31 December 1968 at Quarriers Homes, Bridge of Weir, enter her bed and touch her on the body under her clothing  
This charge was **removed** from the indictment because the complainer became too ill to give evidence

### **Charge 18**

Assault **Child D** on one occasion between 1 January 1961 and 19 July 1963 at Quarriers Homes, Bridge of Weir, and strike her on the head with your hand to her injury

This charge was **removed** from the indictment because the complainer became too ill to give evidence

**Charge 19** (as amended) in the original indictment which became **Charge 17** after Charges 17 and 18 above were deleted from the indictment

Use LILPB towards **Child E**, a female child born in 1953, on one occasion between 1 October 1961 and 8 February 1965 at Quarriers Homes, Bridge of Weir, and did enter a bathroom while she was naked and handle her private parts

**Guilty** (unanimously)

**Charge 20** (as amended) in the original indictment which became **Charge 18** after Charges 17 and 18 above were deleted from the indictment

Use LILPB towards **Child E** (then a girl of or above the age of 12 years and under the age of 16 years) on various occasions between 9 February 1965 and 28 June 1968 at Quarriers Homes, Bridge of Weir, and did enter her bed and handle her breasts and private parts underneath her clothing

**Guilty** (unanimously)

**Charge 21** in the original indictment which became **Charge 19** after Charges 17 and 18 above were deleted from the indictment

Assault **Child E** on various occasions between 1 January 1961 and 28 June 1968 at Quarriers Homes, Bridge of Weir, and repeatedly punch and kick her on the head and body to her injury

**Withdrawn** at close of Crown case

Joseph Richard Nicolson

(born on 30 September 1927)

The trial before a jury of Joseph Nicolson began on 3 October 2001 at Greenock Sheriff Court. The indictment (statement of charges) contained seven charges. The offences with which Joseph Nicolson was charged were alleged to have occurred between 1966 and 1973. Prior to the trial, after hearing legal argument, the court dismissed Charges 5, 6 and 7. At the end of the Crown case, the Prosecutor withdrew Charges 1, 3 and 4 from the jury. On 9 October 2001, Nicolson was found guilty in respect of Charge 2. On 15 November 2001, Nicolson was sentenced to a period of two years imprisonment on Charge 2 which was subsequently reduced on appeal to a period of 12 months imprisonment.

### **Charge 1**

On various occasions between 1 January 1966 and 1 June 1966 at Quarriers Homes, Quarriers Village, Bridge of Weir, you did conduct yourself in a shameless and indecent manner in the presence of the lieges and did enter a dormitory there full of sleeping children and did masturbate

**Withdrawn** at close of Crown case

### **Charge 2**

Use LILPB towards **Child A**, a female child born in 1952, on various occasions between 1 June 1966 and 2 September 1967 in a cottage at Quarriers Homes, Quarriers Village, Bridge of Weir, and open her clothing, remove her pyjama trousers, handle her breasts and private parts, masturbate and ejaculate onto her body, rub semen onto her body and breasts and insert your finger into her private parts

**Guilty** (by majority)

### **Charge 3**

Use LILPB towards **Child A** on an occasion between 1 June 1966 and 2 September 1967 in a cottage at Quarriers Homes, Quarriers Village, Bridge of Weir, and insert your private member into her mouth

**Withdrawn** at close of Crown case

### **Charge 4**

On various occasions between 3 September 1967 and 2 September 1968 in a cottage at Quarriers Homes, Quarriers Village, Bridge of Weir, you did conduct yourself in a shameless and indecent manner towards **Child A** and handle her buttocks

**Withdrawn** at close of Crown case

### Charge 5

Use LILPB towards **Child B**, a female child born in 1958, on various occasions between 4 October 1965 and 3 October 1970 in a cottage at Quarriers Homes, Quarriers Village, Bridge of Weir, and open her pyjama top, pull down her pyjama trousers, handle her breasts and private parts, insert your finger into her private parts, handle her breasts and expose your private member

**Dismissed** before trial by the court

### Charge 6

Use LILPB towards **Child B** (then a girl of or above the age of 12 years and under the age of 16 years) on an occasion between 4 October 1971 and 3 October 1972 in a cottage at Quarriers Homes, Quarriers Village, Bridge of Weir, and place your private member in her mouth and emit semen therein

**Dismissed** before trial by the court

### Charge 7

Use LILPB towards **Child B** between 4 October 1970 and 3 October 1973 at Quarriers Homes, Quarriers Village, and open her pyjama top, pull down her pyjama trousers, handle her breasts and private parts, insert your finger into her private parts, handle her breasts and expose your private member

**Dismissed** before trial by the court

Mary Ann McDonald or Arnold or Drummond

(born on 14 June 1928)

Mary Ann McDonald or Arnold or Drummond faced 11 charges including 5 of assaulting children in her care and 5 of wilfully ill-treating children in her care. The offences with which she was charged were alleged to have occurred between 1952 and

1961. On 18 February 2002, at Greenock Sheriff Court, she pled guilty to Charges 2, 5, 7, 9 and 11, all charges of wilful ill-treatment of children in her care, and pled not guilty to the remaining charges against her. Her guilty pleas were accepted by the Crown. Having unsuccessfully tried to withdraw her guilty pleas, she was placed on probation for a period of three years on 1 October 2003

### Charge 1

Assault **Child A**, a female child born in 1944, on various occasions between 14 June 1952 and 11 July 1959 at Quarriers Home, Quarriers Village, Bridge of Weir, and did strike her on the head with plates, strike her on the head, body, arms and legs with kitchen utensils and a belt, pull her hair, repeatedly slap her on the head and body, repeatedly punch and kick her on the head and body all to her severe injury

**Not Guilty** (plea accepted by Crown)

### Charge 2

On various occasions between 14 June 1952 and 11 July 1959 at Quarriers Home, Quarriers Village, Bridge of Weir, being a person having attained the age of 16 years and having the custody, charge and care of **Child A**, a female child born in 1944, you did wilfully ill-treat her in a manner likely to cause her unnecessary suffering or injury to health and did lock her in a cupboard and shed, refuse to permit her access to medical assistance after she had been injured all to her severe injury and permanent impairment, repeatedly serve her with the same food for every meal until it was eaten and further, on one occasion, awaken her from sleep and force her, while inadequately clothed, to pick up ice from the bathroom floor

**Guilty** (by admission)

### **Charge 3**

On various occasions on dates and place above libelled, you did steal a quantity of sweets and money

**Not Guilty** (plea accepted by Crown)

### **Charge 4**

Assault **Child B**, a female child born in 1946, on various occasions between 14 June 1952 and 11 July 1959 at Quarriers Home, Quarriers Village Bridge of Weir, and pull her about by the hair, place your hand over her mouth and force her to swallow food and vomit, strike her on the head and body, arms, legs, hands and feet, strike her on the hands with a plate, carpet beater, kitchen utensils, brushes, a belt, and trap her fingers in doors there all to her severe injury and permanent disfigurement

**Not guilty** (plea accepted by Crown)

### **Charge 5**

On various occasions between 14 June 1952 and 11 July 1959 at Quarriers Home, Quarriers Village, being a person having attained the age of 16 years and having the custody, charge and care of **Child B**, a female child born in 1944, you did wilfully ill-treat her in a manner likely to cause her unnecessary suffering or injury to health and did refuse to permit her access to medical assistance after she had been injured to her severe injury and permanent impairment, lock her in a small concrete out building and broom cupboard, force her to sit in a bath of cold water, force feed her and deprive her of food

**Guilty** (by admission)

### **Charge 6**

Assault **Child C**, a female child born in 1949, on various occasions between 14 June 1952 and 11 July 1959 at Quarriers Home, Quarriers Village, Bridge of Weir, and punch, slap and kick her on the head and body, pull her about by the hair and repeatedly strike her on the body with a wooden spoon, a belt, and a rolling pin, all to her injury

**Not guilty** (plea accepted by Crown)

### **Charge 7**

On various occasions between 14 June 1952 and 11 July 1959 at Quarriers Home, Quarriers Village, Bridge of Weir, being a person having attained the age of 16 years and having the custody, charge and care of **Child C**, a female child born in 1949, you did wilfully ill-treat her in a manner likely to cause her unnecessary suffering or injury to health and did lock her in a small concrete out building, a shed and a broom cupboard, deprive her of food and further, on one occasion, awaken her from sleep and force her, while inadequately clothed, to pick up ice from the bathroom floor and further, on one occasion, destroy a toy belonging to her

**Guilty** (by admission)

### **Charge 8**

Assault **Child D**, a female child born in 1948, on various occasions between 10 October 1955 and 4 March 1961 at Quarriers Home, Quarriers Village, Bridge of Weir, and strike her on the legs and body with a shoe, wooden spoon and a belt and slap her on the face and further on one occasion strike her on the head with a plate to her severe injury and permanent disfigurement

**Not guilty** (plea accepted by Crown)



### Charge 9

On various occasions between 10 October 1955 and 4 March 1961 at Quarriers Home, Quarriers Village, being a person having attained the age of 16 years and having the custody, charge and care of **Child D**, a female child born in 1948, you did wilfully ill-treat her in a manner likely to cause her unnecessary suffering or injury to health and refuse to permit her access to medical assistance after she had been injured to her severe injury and permanent disfigurement and did put her in a broom cupboard and shed, force feed her and cause her to swallow vomit

**Guilty** (by admission)

### Charge 10

Assault **Child E**, a female child born in 1950, on various occasions between 10 October 1955 and 4 March 1961 at Quarriers Homes, Quarriers Village, Bridge of Weir, and did repeatedly slap her on the face and body, strike her on the hands with a belt and pull her about by the hair all to her injury

**Not guilty** (plea accepted by Crown)

### Charge 11

On various occasions between 10 October 1955 and 4 March 1961 at Quarriers Home, Quarriers Village, Bridge of Weir, being a person having attained the age of 16 years and having the custody, charge and care of **Child E**, a female child born in 1950, you did wilfully ill-treat her in a manner likely to cause her unnecessary suffering or injury to health and did lock her in a cupboard

**Guilty** (by admission)

### John Porteous

(born on 4 May 1933)

John Porteous and another person (the co-accused) were tried at Glasgow High Court. The trial began on 28 October 2002. There were 21 charges on the indictment (statement of charges), of which 15 charges related to John Porteous. The offences with which he was charged were alleged to have been committed between 1969 and 1982. On 7 November 2002, John Porteous was convicted by a jury on charges 9, 10 (the alternative charge), 14, and 15 (the alternative charge). He was sentenced to eight years' imprisonment. On appeal, charges 10 and 15 (charges of shameless indecency) were, for legal reasons, quashed. The original sentence of eight years was reduced to five years' imprisonment. All of the charges against the co-accused were withdrawn by the Prosecutor at the close of the Crown case.

### Charge 1 (co-accused)

Assault a female child, **Child A**, on various occasions between 26 February 1969 (when **Child A** was eight years of age) and 5 November 1974 (when **Child A** was 13 years of age) at Quarriers Homes, Quarriers Village, Bridge of Weir, repeatedly slap her on the head, repeatedly punch her on the body, seize hold of her, push her against a wall, and twist her arm all to her injury.

**Withdrawn** at close of Crown case

### Charge 2 (co-accused)

Wilfully ill treat and neglect **Child A** in a manner likely to cause her unnecessary suffering or injury to health on various occasions between 26 February 1969 and 5 November 1974 at Quarriers Home, Quarriers Village, Bridge of Weir, force food into her mouth, re-serve meals repeatedly

until eaten rendering her hungry, deprive her of food and wake her from her sleep and force her to stand for a period of time in her night clothes

**Withdrawn** at close of Crown case

**Charge 3** (John Porteous)

Assault **Child A** on an occasion between 26 February 1969 (when **Child A** was eight years of age) and 5 November 1974 (when **Child A** was 13 years of age) at Quarriers Homes, Quarriers Village, Bridge of Weir, seize hold of her, drag her about and punch her repeatedly on the body all to her injury

**Withdrawn** at close of Crown case

**Charge 4** (co-accused)

Assault a female child, **Child B**, on various occasions between 4 March 1968 (when **Child B** was six years of age) and 7 May 1969 (when **Child B** was seven years of age) at Quarriers Homes, Quarriers Village, Bridge of Weir, repeatedly slap and punch her on the head and body, seize hold of her and drag her downstairs by the legs all to her injury

**Withdrawn** at close of Crown case

**Charge 5** (co-accused)

Wilfully ill treat and neglect **Child B** in a manner likely to cause her unnecessary suffering or injury to health on various occasions between 4 March 1968 (when **Child B** was six years of age) and 6 November 1972 (when **Child B** was 11 years of age) at Quarriers Homes, Quarriers Village, Bridge of Weir, force food into her mouth, re-serve meals repeatedly until eaten rendering her hungry, lock her in a pantry, force her to walk when she was unfit so to do and repeatedly fail to obtain for her appropriate medical attention

**Withdrawn** at close of Crown case

**Charge 6** (co-accused)

Assault a female child, **Child C**, on various occasions between 4 March 1968 (when **Child C** was five years of age) and 21 June 1976 (when **Child C** was 13 years of age) at Quarriers Homes, Quarriers Village, Bridge of Weir, slap her on the head and body, pull her to the ground, pull her about the ear and clothing, pull her hair, punch and kick her on the head and body and strike her on the body and legs with a slipper or similar instrument all to her injury

**Withdrawn** at close of Crown case

**Charge 7** (co-accused)

Wilfully ill treat and neglect **Child C** in a manner likely to cause her unnecessary suffering or injury to health on various occasions between 4 March 1968 (when **Child C** was five years of age) and 21 June 1976 (when **Child C** was 13 years of age) at Quarriers Homes, Quarriers Village, Bridge of Weir, rub her face in soiled bed clothes, hold her by the arms and force food into her mouth, lock her in a pantry, re-serve meals repeatedly until eaten rendering her hungry, deprive her of food and wake her from her sleep and force her to stand in her night clothes

**Withdrawn** at close of Crown case

**Charge 8** (John Porteous)

Use LILPB towards **Child B**, a female child then aged between 7 and 11, on various occasions between 8 March 1969 and 31 May 1972 at Quarriers Homes, Quarriers Village, Bridge of Weir, handle her private parts

**Withdrawn** at close of Crown case

**Charge 9** (John Porteous)

Use LILPB towards a male child, **Child D**, on various occasions between 21 September 1969 (when **Child D** was eight years of age) and 20 September 1975 (when **Child D** was 13 years of age) at Quarriers Homes, Quarriers Village, Bridge of Weir, handle his private parts, attempt to masturbate him, induce him to handle your private member, induce him to masturbate you, place your private member into his mouth and emit semen

**Guilty** (by majority verdict)

**Charge 10** (John Porteous)

Indecently assault **Child D** on various occasions between 21 September 1975 (when **Child D** was eight years of age) and 6 June 1977 (when **Child D** was 13 years of age) at Quarriers Homes, Quarriers Village, Bridge of Weir and elsewhere, handle his private parts, attempt to masturbate him, induce him to handle your private parts, induce him to masturbate you, place your private member into his mouth and emit semen

or alternatively (between those dates)

Conduct yourself in a shamelessly indecent manner towards **Child D** on various occasions at Quarriers Homes, Quarriers Village Bridge of Weir and elsewhere, handle his private parts, attempt to masturbate him, induce him to handle your private parts, induce him to masturbate you, place your private member into his mouth and emit semen

**Guilty** (by majority) on alternative charge - **quashed on appeal** on 6 January 2004

**Charge 11** (John Porteous)

Penetrate with your private member the hinder parts of the body of **Child D** and have unnatural carnal connection with him on various occasions between 21 September 1970 (when **Child D** was nine years of age) and 20 September 1973 (when **Child D** was 12 years of age) at Quarriers Homes, Quarriers Village, Bridge of Weir

**Not guilty**

**Charge 12** (John Porteous)

Assault a male child **David Whelan** on various occasions between 27 September 1969 (when **David Whelan** was 12 years of age) and 26 September 1973 (when **David Whelan** was 15 years of age) at Quarriers Homes, Quarriers Village, Bridge of Weir, pull him by the hair, slap and punch him on the body and further on one occasion slap him on the face, pull him by the hair, punch him on the arm and body, strike him on the legs with a belt all to his injury

**Withdrawn** at close of Crown case

**Charge 13** (John Porteous and co-accused)

Wilfully ill treat and neglect a male child **David Whelan** in a manner likely to cause her unnecessary suffering or injury to health on various occasions between 27 September 1969 and 26 September 1973 at Quarriers Homes, Quarriers Village, Bridge of Weir, deprive him of food, repeatedly re-serve parts of uneaten meals rendering him hungry and lock him in a room there

**Withdrawn** at close of Crown case

**Charge 14** (John Porteous)

Use LILPB towards a male child **David Whelan** on various occasions between 27 September 1969 and 26 September 1971 at Quarriers Homes, Quarriers Village, Bridge of Weir, handle his private parts, masturbate him to the emission of semen, attempt to induce him to handle your private parts

**Guilty** (by majority)

**Charge 15** (John Porteous)

Indecently assault a male child **David Whelan** on various occasions between 27 September 1971 (when **David Whelan** was 14 years of age) and 1 January 1975 (when **David Whelan** was 17 years of age) at Quarriers Homes, Quarriers Village, Bridge of Weir, handle his private parts, masturbate him to the emission of semen, attempt to induce him to handle your private parts, struggle with him, lie on top of him and place your private member at his hinder parts and simulate anal intercourse

or alternatively (between those dates)

Conduct yourself in a shamelessly indecent manner towards a male child **David Whelan** on various occasions at Quarriers Homes, Quarriers Village, Bridge of Weir, handle his private parts, masturbate him to the emission of semen, attempt to induce him to handle your private parts

**Guilty** (by majority) on alternative charge - **quashed on appeal** on 6 January 2004

**Charge 16** (John Porteous)

Use LILPB towards a female child, **Child C**, on various occasions at Quarriers Homes, Quarriers Village, Bridge of Weir between 22 June 1971 (when **Child C** was nine years of age) and 21 June 1974 (when **Child C** was 11 years of age), expose your private member to her, induce her to handle your private parts and insert your finger into her private parts

**Not guilty**

**Charge 17** (John Porteous)

Use LILPB towards **Child C** (then of or above the age of 12 years and under the age of 16 years) on various occasions between 22 June 1974 and 21 June 1975 at Quarriers Homes, Quarriers Village, Bridge of Weir, expose your private member to her, masturbate in her presence, induce her to handle your private parts, handle her private parts and insert your finger into her private parts

**Not guilty**

**Charge 18** (John Porteous)

Conduct yourself in a disorderly manner on an occasion between 6 November 1972 and 5 November 1974 (age 13) at Quarriers Village, enter the girls dormitory there, kneel by the bed of **Child A**, stare at her, place her in a state of fear and alarm and commit a breach of the peace

**Withdrawn** at close of Crown case

**Charge 19** (John Porteous)

Assault a female child, **Child E**, at Quarriers Homes, Quarriers Village, Bridge of Weir between 10 November 1972 (when **Child E** was 14 years of age) and 9 November 1974 (when **Child E** was 15 years of age), seize hold of her and strike her head against a sink to her injury

**Withdrawn** at close of Crown case - **Child E** did not give evidence

**Charge 20** (John Porteous)

Use LILPB towards a male child, **Child F**, on various occasions between 24 May 1977 (when **Child F** was nine years of age) and 31 January 1982 (when **Child F** was 13 years of age) at Quarriers Homes, Quarriers Village, Bridge of Weir and elsewhere, handle his private parts, masturbate him, induce him to masturbate you, place your private member into his mouth and place the private member of **Child F** into your mouth

**Not guilty**

### **Charge 21** (John Porteous)

Penetrate with your private member the hinder parts of the body of **Child F** and have unnatural carnal connection with him on various occasions between 14 March 1977 (when **Child F** was eight years of age) and 23 May 1982 (when **Child F** was 13 years of age) at Quarriers Homes, Quarriers Village, Bridge of Weir, and elsewhere

**Not guilty**

### **Alexander (Sandy) Wilson**

(born on 18 February 1943)

The accused, Alexander Wilson, was convicted at Glasgow High Court on 17 March 2004. He faced 19 charges. The charges relating to children were alleged to have been committed between 1965 and 1973. After trial, he was found guilty unanimously on each of charges 1, 3, 5, 6, 7, 8, 10, 11, 12, 13, 14, 16, 17 and 19 and guilty unanimously on charge 9 under deletion of the words "and attempt to handle her private parts. The Prosecutor withdrew charges 2, 15 and 18 at the close of the Crown case and charge 4 at the close of the case for the Defence. On 27 April 2004, Alexander Wilson was sentenced, in respect of the charges found proved, to a total period of imprisonment of seven years and six months.

### **Charge 1**

Use LILPB towards **Child A**, a female child born in 1957, on various occasions between 15 October 1967 and 3 April 1969 at Quarrier's Homes, Quarriers Village, Bridge of Weir, press your private member against her hinder parts, handle her private parts and breasts and lie on top of her

**Guilty** (by unanimous verdict of the jury)

### **Charge 2**

Assault **Child A** on various occasions between 4 April 1965 and 3 April 1969 at Quarrier's Homes, Quarriers Village, Bridge of Weir, and did strike her on the face with your hand, punch and kick her on the head and body and on one occasion seize her by the hair, throw her into a bath of cold water and compel her to remain there

**Withdrawn** at close of Crown case

### **Charge 3**

Use LILPB towards **Child B**, a female child born in 1955, on various occasions between 12 May 1968 and 30 August 1970 at Quarrier's Homes, Quarriers Village, Bridge of Weir, press your private member against her and on one occasion handle her private parts

**Guilty** (unanimously)

### **Charge 4**

Use LILPB towards **Child C**, a female child born in 1955, on various occasions between 8 October 1966 and 7 October 1967 at Quarrier's Homes, Quarriers Village, Bridge of Weir, and seize hold of her, handle her breasts and private parts and press your private member against her hinder parts

**Withdrawn** at close of Defence case

### **Charge 5**

Use LILPB towards **Child C** on various occasions between 15 October 1967 and 10 August 1970 at Quarrier's Homes, Quarriers Village, Bridge of Weir, seize hold of her, handle her breasts and private parts

**Guilty** (unanimously)

### Charge 6

Use LILPB towards **Child D**, a female child born in 1956, on various occasions between 31 October 1967 and 28 October 1968 at Quarrier's Homes, Quarriers Village, Bridge of Weir, compel her to sit on your knee and handle her private parts, rub your private member against her private parts to the emission of semen

**Guilty** (unanimously)

### Charge 7

Use LILPB towards **Child D** on various occasions between 29 October 1968 and 26 October 1971 at Quarrier's Homes, Quarriers Village, Bridge of Weir, compel her to sit on your knee and handle her private parts, rub your private member against her private parts to the emission of semen

**Guilty** (unanimously)

### Charge 8

Assault **Child D** on various occasions between 31 October 1967 and 26 October 1971 at Quarrier's Homes, Quarriers Village, Bridge of Weir, compel her to lie on the floor or enter her bed, insert your fingers into her private parts and into her hinder parts and lie on top of her, and compel her to masturbate you to the emission of semen

**Guilty** (unanimously)

### Charge 9

Assault an adult female born in 1952 on an occasion between 5 November 1968 and 31 January 1972 in the course of a journey, place your hand on her leg and attempt to handle her private parts

**Guilty** (unanimously) under deletion by the jury of the words "and attempt to handle her private parts"

### Charge 10

Use LILPB towards **Child A** on various occasions between 4 April 1969 and 3 April 1973 at Quarrier's Homes, Quarriers Village, Bridge of Weir, handle her breasts and private parts

**Guilty** (unanimously)

### Charge 11

Assault **Child A** on an occasion between 4 April 1969 and 17 May 1973 within a motor vehicle at Quarriers Village, Bridge of Weir, handle her breasts, attempt to touch her on her private parts and push her from a moving vehicle, all to her injury

**Guilty** (unanimously)

### Charge 12

Use LILPB towards **Child E**, a female child born in 1964, on various occasions between 17 September 1969 and 21 December 1973 at Quarrier's Homes, Quarriers Village, Bridge of Weir, remove her clothing, handle her private parts and insert your finger into her private parts

**Guilty** (unanimously)

### Charge 13

Use LILPB towards **Child F**, a female child born in 1960, on two occasions between 1 September 1971 and 2 December 1972 at Quarriers Homes, Quarriers Village, Bridge of Weir, handle her private parts, insert your finger into her private parts and kiss her on the mouth

**Guilty** (unanimously)

### Charge 14

Assault an adult female born in 1954 on an occasion between 1 January 1972 and 31 December 1972 within a motor vehicle at Quarrier's Homes, Quarriers Village, Bridge of Weir, handle her thigh and attempt to kiss her on the mouth

**Guilty** (unanimously)

### **Charge 15**

Assault **Child A** on various occasions between 4 April 1973 and 3 April 1974 at Quarrier's Homes, Quarriers Village, Bridge of Weir, and handle her breasts and press your private member against her hinder parts

**Withdrawn** at the close of the Crown case

### **Charge 16**

Assault an adult female born in 1957 on various occasions between 27 March 1979 and 26 March 1982 at an address at Quarriers Village, Bridge of Weir and handle her breasts

**Guilty** (unanimously)

### **Charge 17**

Assault an adult female born in 1955 on an occasion between 1 January 1980 and 15 January 1983 in the course of a journey and press your private member against her hinder parts, handle her breasts and simulate sexual intercourse with her

**Guilty** (unanimously)

### **Charge 18**

Assault an adult female born in 1957 on various occasions between 12 February 1980 and 3 April 1998 at Glasgow and another in Johnstone, and threaten to sexually abuse her daughter, strike her on the head, punch her on the head and body, handle her breasts and private parts, insert your finger into her private parts, remove her clothing, lie on top of her and rape her

**Withdrawn** at close of Crown case

### **Charge 19**

Assault an adult female born in 1955 on an occasion between 15 November 1983 and 15 January 1984 in the course of a journey and press your private member against her hinder parts, handle her breasts and simulate sexual intercourse with her

**Guilty** (unanimously)

### **Ruth Wallace**

(born 12 July 1933)

The trial of Ruth Wallace took place in early 2006 in Greenock Sheriff Court before a sheriff and jury. She faced 15 charges, 9 of assault, 4 of wilfully ill-treating children in her care, and 2 charges of LILPB. The offences with which Ruth Wallace was charged were alleged to have occurred between 1971 and 1982. She pled not guilty to all charges. After a lengthy trial, she was found guilty on 10 February 2006 of 4 charges of assault (Charges 1, 5, 6, and 13) and 3 charges of wilful ill-treatment (Charges 4, 9, and 12). On 8 March 2006, she received a non-custodial sentence: she was placed on probation for a period of 3 years.

### **Charge 1**

Assault **Child A**, a male child then aged between 10 and 12 years, on an occasion between 24 September 1974 and 16 December 1976 at Quarriers Homes, Quarriers Village, Bridge of Weir, and did empty a bucket of potatoes over his head and body

**Guilty** (by majority verdict)

### **Charge 2**

Assault **Child A**, a male child then aged between seven and eight years, on an occasion between 6 August 1971 and 25 April 1973 at Quarriers Homes, Quarriers Village, Bridge of Weir, and did strike him on the head to his injury

**Not Guilty** (by direction of sheriff)

### **Charge 3**

Assault **Child B**, a female child then aged between 5 and 11 years on various occasions between 6 August 1971 and 16 December 1977 at Quarriers Homes, Quarriers Village, Bridge of Weir, and did force feed her, force her head into a refuse bin

**Not Proven** (by majority)

#### **Charge 4**

On various occasions between 6 August 1971 and 16 December 1977 at Quarriers Homes, Quarriers Village, you being a person having attained the age of 16 years and having the custody, charge and care of a child, **Child B**, a female child then aged between 5 and 12 years, did wilfully ill-treat her in a manner likely to cause her unnecessary suffering or injury to health and did lock her in a cupboard

**Guilty** (unanimously)

#### **Charge 5**

Assault **Child C**, a female child then aged nine years, on an occasion between 10 February 1972 and 10 February 1973 at Quarriers Homes, Quarriers Village, Bridge of Weir, and did strike her on the head with your hand, seize her by the body, place your hand over her mouth and nose and restrict her breathing, all to her injury

**Guilty** (by majority) under deletion by the jury of the words "and restrict her breathing"

#### **Charge 6**

Assault **Child C**, a female child then aged between 8 and 12 years, on various occasions between 6 August 1971 and 3 August 1975 at Quarriers Homes, Quarriers Village, Bridge of Weir, and did strike her on the head with a hair brush, force feed her with a fork and force her head into a refuse bin

**Guilty** (by majority) under deletion by the jury of the words "force feed her with a fork and force her head into a refuse bin"

#### **Charge 7**

Whilst acting together with others who were then juveniles assault **Child D**, a female child then aged between three and four years, on an occasion between 6 October 1972 and 8 March 1974 at Quarriers Homes, Quarriers Village, Bridge of Weir, and did strip her naked, place her in a bath of cold water and force her against a hot radiator all to her severe injury

**Not Proven** (by majority)

#### **Charge 8**

Assault **Child D**, a female child then aged between seven and nine years, on an occasion between 27 January 1977 and 2 March 1979 at Quarriers Homes, Quarriers Village, Bridge of Weir, and did force her to the floor, place a mattress on top of her and jump on same to her injury

**Not proven** (by majority)

#### **Charge 9**

On various occasions between 16 October 1972 and 2 March 1979 at Quarriers Homes, Quarriers Village, you being a person having attained the age of 16 years and having the custody, charge and care of a child, **Child D**, a female child then aged between three and nine years, did wilfully ill-treat her in a manner likely to cause her unnecessary suffering or injury to health and did lock her in a cupboard, force feed her and force her to sleep on a bare mattress

**Guilty** (by majority) under deletion by the jury of the words "force feed her"

#### **Charge 10**

Assault **Child E**, a female child then aged between 10 and 12 years, on an occasion between 27 January 1977 and 2 March 1979 at Quarriers Homes, Quarriers Village, Bridge of Weir, and did seize her by the body and throw her down stairs there to her injury

**Not Guilty** (by majority)



### **Charge 11**

Use LILPB towards **Child E**, a female child then aged between seven and eight years, on an occasion between 23 September 1974 and 27 January 1976 at Quarriers Homes, Quarriers Village, Bridge of Weir, and did handle her private parts

**Acquitted** by direction of the sheriff at the close of the Crown case

### **Charge 12**

On various occasions between 29 March 1975 and 29 March 1979 at Quarriers Homes, Quarriers Village, Bridge of Weir, you being a person having attained the age of 16 years and having the custody, charge and care of **Child F**, a male child then aged between 6 and 10 years, did wilfully ill-treat him in a manner likely to cause him unnecessary suffering or injury to health and did lock him in a cupboard

**Guilty** (unanimously)

### **Charge 13**

Assault **Child G**, a female child then aged between 12 and 15 years, on various occasions between 25 April 1979 and 14 September 1981 at Quarriers Homes, Quarriers Village, Bridge of Weir, and did punch her on the head and body

**Guilty** (by majority)

### **Charge 14**

Use LILPB towards **Child H**, a male child born in 1968, on various occasions between 17 April 1978 and 17 April 1982 at Quarriers Homes, Quarriers Village, Bridge of Weir, and did handle his private parts and masturbate him

**Acquitted** by direction of sheriff at the close of the Crown case

### **Charge 15**

On various occasions between 29 March 1975 and 17 November 1978 at Quarriers Homes, Quarriers Village, you being a person having attained the age of 16 years and having the custody, charge and care of **Child J**, a female child then aged between 10 and 14 years, did wilfully ill-treat her in a manner likely to cause her unnecessary suffering or injury to health and force her to sleep on a wet mattress

**Not Proven** (by majority)

### **Euphemia (Effie) Climie or Ramsay**

(born 15 September 1946)

The trial of Effie Climie or Ramsay took place in July 2006 at Greenock Sheriff Court before a sheriff and jury. She faced seven charges of LILPB and 4 charges of assault. The offences with which Effie Climie or Ramsay was charged allegedly occurred between 1965 and 1973. She pled not guilty to all charges. She was found guilty in respect of three charges of assault: charges 4, 6 and 10. On 22 August 2006, she received a non-custodial sentence: a community service order involving the performance of 150 hours of unpaid work.

### **Charge 1**

Use LILPB towards **Child A**, a male child born in 1955, on various occasions between 23 March 1965 and 22 March 1967 at Quarriers Homes, Quarriers Village, Bridge of Weir, and did on numerous occasions masturbate him and induce him to touch and fondle your private parts and breasts

**Acquitted** by direction of sheriff

### **Charge 2**

Use LILPB towards **Child B**, a male child born in 1954, on various occasions between 16 October 1967 and 25 August 1969 at Quarriers Homes, Quarriers Village, Bridge of Weir, and did masturbate him and induce him to touch your breasts and private parts and penetrate your vagina with his penis, and did have sexual intercourse with him

**Acquitted** by direction of sheriff

### **Charge 3**

Use LILPB towards **Child C**, a female child born in 1961, on various occasions between 10 December 1968 and 23 June 1970 at Quarriers Homes, Quarriers Village, Bridge of Weir, and did induce her to rub your legs and private parts

**Not Guilty** (by majority)

### **Charge 4**

Assault **Child C** on various occasions between 10 December 1968 and 20 April 1973 at Quarriers Homes, Quarriers Village, Bridge of Weir, and repeatedly strike her on the body with a wooden shoe, seize her by the hair and force her to remove her clothes

**Guilty** (by majority) under deletion by the jury of the words "seize her by the hair and force her to remove her clothes"

### **Charge 5**

Use LILPB towards **Child D**, a male child born in 1965, on various occasions between 10 December 1968 and 20 April 1973 at Quarriers Homes, Quarriers Village, Bridge of Weir, and did induce him to rub your legs and handle your private parts and digitally penetrate your vagina with his fingers

**Not Guilty** (by majority)

### **Charge 6**

Assault **Child D**, a male child born in 1965, on an occasion between 10 December 1968 and 31 August 1970 at Quarriers Homes, Quarriers Village, Bridge of Weir, and repeatedly strike him on the body with a wooden shoe to his injury

**Guilty** (by majority)

### **Charge 7**

Use LILPB towards **Child E**, a male child born in 1963, on various occasions between 10 December 1968 and 20 April 1973 at Quarriers Homes, Quarriers Village, Bridge of Weir, and did induce him to rub your legs and handle your private parts and digitally penetrate your vagina with his fingers

**Not Guilty** (by majority)

### **Charge 8**

Assault **Child E** on various occasions between 10 December 1968 and 20 April 1973 at Quarriers Homes, Quarriers Village, Bridge of Weir, and repeatedly strike him on the body with a wooden shoe to his injury

**Not Proven** (by majority)

### **Charge 9**

Use LILPB towards **Child F**, a female child born in 1961, on various occasions between 2 February 1970 and 1 February 1972 at Quarriers Homes, Quarriers Village, Bridge of Weir, and did induce her to rub your legs

**Not Proven** (by majority)

### **Charge 10**

Assault **Child F**, a female child born in 1961, on various occasions between 2 February 1971 and 1 February 1972 at Quarriers Homes, Quarriers Village, Bridge of Weir, and strike her on the body with a wooden shoe to her injury

**Guilty** (by majority)

### Charge 11

Use LILPB towards **Child G**, a male child born in 1959, on various occasions between 19 October 1970 and 14 November 1972 at Quarriers Homes, Quarriers Village, Bridge of Weir, and did induce him to rub your legs, handle your breasts and private parts, kiss you on the body and digitally penetrate your vagina with his fingers, and did masturbate him and handle his private parts

**Not Guilty** (unanimous)

### Aberlour

Eric Lee

On 5 September 1963, at Aberdeen Sheriff Court, the accused, Eric James Allen Lee, then aged 30, pled guilty to (firstly) nine charges of LILPB between 1 October 1961 and 17 August 1963, on numerous occasions using such practices and behaviour towards nine boys aged between 8 and 11 years old at the date of conviction and sentence, and (secondly) two charges of sodomy between 1 December 1962 and 17 August 1963, on numerous occasions with one boy, aged 12 at the date of conviction and sentence, and on one occasion with another boy, aged 10 at the date of conviction and sentence. The Sheriff remitted Lee to the High Court of Justiciary for sentence. On 13 September 1963, Lee was sentenced to a period of imprisonment of six years.

### Charge 1

Use LILPB towards **Child A**, a male child now aged eight years, on numerous occasions between 1 October 1962 and 17 August 1963 at The Orphanage, Aberlour, Banffshire and did induce him to take off his clothes, blindfold him, induce him to lie down, lie on top of him, and push an object or substance the nature of which is not known to the Prosecutor into the hinder part of his body having first on some of said occasions rubbed the hinder part of his body with cream

**Guilty** (by admission)

### Charge 2

Use LILPB towards **Child B**, a male child now aged 11 years, on one occasion between 1 January 1962 and 31 March 1962 at The Orphanage, Aberlour and did blindfold him, induce him to kneel on a bed, put a liquid into the hinder part of his body, push an object the nature of which is not known to the Prosecutor into the hinder part of his body and handle his naked private member

**Guilty** (by admission)

### Charge 3

On numerous occasions between 1 December 1962 and 17 August 1963, at The Orphanage, Aberlour with your private member penetrate the hinder part of the body of **Child C**, a male child now aged 12 years, and did have unnatural carnal connection with him

**Guilty** (by admission)

### Charge 4

Use LILPB towards **Child D**, a male child now aged 11 years, on one occasion between 1 October 1962 and 17 August 1963 at The Orphanage, Aberlour and did induce him to take off his bathing clothes, further induce him to bend over a table, blindfold him, lie on top of him, and push an object the nature of which is not known to the Prosecutor into the hinder part of his body

**Guilty** (by admission)

### Charge 5

Use LILPB towards **Child E**, a male child now aged nine years, on numerous occasions between 1 December 1962 and 17 August 1963 at The Orphanage, Aberlour and did blindfold him, tie his hands, take down his trousers, induce him to bend over a table, put cream on the hinder parts of his body, place your naked private member in contact with the hinder part of his body and on one or more of said occasions did place a cloth across his mouth

**Guilty** (by admission)

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## **Scottish Child Abuse Inquiry**

### **Criminal Convictions and Criminal Charges of former Quarriers employees**

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- Please note: These extracts pages 133-149- are taken from the main Scottish Child Abuse Inquiry interim report published 08/01/2020 case study 3 see full report here link

<https://www.childabuseinquiry.scot/case-study-findings/case-study-findings-pdf-version/case-study-findings-quarriers-aberlour-and-barnardos/>

Combining 4 classes of former Quakers  
employees.  
extract from the main report.

Scottish child Abuse Inquiry  
Case Study 3.

Pages 133 - 147

## Appendix A - Terms of Reference

### Introduction

The overall aim and purpose of this Inquiry is to raise public awareness of the abuse of children in care, particularly during the period covered by the Inquiry. It will provide an opportunity for public acknowledgement of the suffering of those children and a forum for validation of their experience and testimony.

The Inquiry will do this by fulfilling its Terms of Reference which are set out below.

1. To investigate the nature and extent of abuse of children whilst in care in Scotland, during the relevant time frame.
2. To consider the extent to which institutions and bodies with legal responsibility for the care of children failed in their duty to protect children in care in Scotland (or children whose care was arranged in Scotland) from abuse, regardless of where that abuse occurred, and in particular to identify any systemic failures in fulfilling that duty.
3. To create a national public record and commentary on abuse of children in care in Scotland during the relevant time frame.
4. To examine how abuse affected and still affects these victims in the long term, and how in turn it affects their families.
5. The Inquiry is to cover that period which is within living memory of any person who suffered such abuse, up until such date as the Chair may determine, and in any event not beyond 17 December 2014.
6. To consider the extent to which failures by state or non-state institutions (including the courts) to protect children in care in Scotland from abuse have been addressed by changes to practice, policy or legislation, up until such date as the Chair may determine.
7. To consider whether further changes in practice, policy or legislation are necessary in order to protect children in care in Scotland from such abuse in future.
8. To report to the Scottish Ministers on the above matters, and to make recommendations, as soon as reasonably practicable.

# Scottish Child Abuse Inquiry

## **Case Study no. 3**

The provision of residential care for children in Scotland  
by **Quarriers, Aberlour Child Care Trust, and Barnardo's**  
between 1921 and 1991

Evidential Hearings: 23 October 2018 to 12 February 2019



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