

ICS BOOKS

THE BEST OF 25  
YEARS OF  
**THE SCOTTISH  
REVIEW**  
**ISSUE 2**

INVESTIGATIONS  
**BY KENNETH ROY**



# The Best of 25 Years of the Scottish Review

Issue 2

Investigations  
by  
Kenneth Roy

Edited by  
Islay McLeod

ICS Books

*To*

*Kenneth Roy, founder of the Scottish Review, mentor and friend.*

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Sweet bird of youth:  
Casualties of a rave night

Kenneth Roy

1995

*After the recent deaths and uproar about E [ecstasy] and how shit it is compared to how it used to be, I feel obliged to say that my friends and I will go on taking it every weekend just like we have for the past four years... I love the buzz and I think the only way I'll stop is if I drop.* – G Brown and the Perth Posse, in a letter to M8, a magazine for Scottish clubgoers

On 15 February 1995, Neil Gow QC, Sheriff of Ayr, gave a judicial determination at the end of a six-day fatal accident inquiry. He found that John Nisbet, 19, and Andrew Dick, 19, died on 1 May 1994 and Andrew Stoddart, 20, died on 21 August 1994, in Ayr Hospital, all three deaths resulting from consumption of the drug ecstasy in the Pavilion, Ayr, also known as Hanger 13, at a public musical entertainment generally known as a rave. Sheriff Gow said that ecstasy, a Class A drug in the same category as heroin or cocaine, had no therapeutic or medical value. What follows is a day-to-day account of the hearing at Ayr Sheriff Court.

### **Week 1: Monday**

*We were present the night John Nisbet and Andrew Dick died. It was a great night and the place was bouncin', but it was far too busy and there was hardly any ventilation, so it felt like you were dancing in a sauna instead of a rave club.* – Hangar Posse, Ayr, in a letter to M8 magazine

The dock is empty. For the next week the domestic abusers and the house-breakers will be punished in another place. Here in Court No 2, no-one is on trial, no-one is guilty, no-one is going to prison. The purpose is to determine how three young men died and whether their deaths could have been prevented. It is nothing more than that, but it should be nothing less.

'Court will stand!'

A small figure, gowned and wigged, strides to the most comfortable chair in the room. 'This is an important case which may raise matters of wide public interest,' Sheriff Gow begins. At the end of a brief prepared text, he says he will repeat his statement for any television crews which 'may be present' outside Hanger 13 prior to his inspection of the premises at 2.15. And so a media agenda is established from the outset. We are to be co-operated with – 'used' in the nicest possible way. We ought to be a little uneasy. Maybe we're not.

The procurator fiscal, who has been instructed by the Crown to present the evidence,

rejoices in the name James Kelman. A solicitor, James Reid, represents the management of Hanger 13. The only surprise in the group of interested parties under Sheriff Gow's bench is the presence of a layman, Jack Drummond, as spokesman for the Stoddart family. He tells the court he was Andrew's uncle.

It is 169 days since the death of Andrew Stoddart; he would have been 21 on Christmas Day 1994. It is even longer – 281 days – since the deaths of John Nisbet and Andrew Dick. They must have passed this building the night before they died, for Sheriff Gow's courthouse is only a few strides from the seaside pavilion where boys scarcely old enough to be called men meet girls, dance and pop pills. And now, at last, we are to hear what happened. Vital witnesses have been summoned. Many have been given immunity from prosecution.

**Jean Nisbet, 41, New Cumnock**

She agrees that John Nisbet, her son, was born and educated locally and that he was unemployed at the time of his death. How briskly the fiscal ticks off this inventory of one brief life: the task is accomplished in under 30 seconds.

On Saturday 30 April, he went to Hanger 13. Early on Sunday – about four in the morning – the police came to her door and told her to contact Ayr Hospital. She didn't have a phone in the house, so they took her to the police station. The hospital advised her to go to John's bed straight away.

'Had you any indication he was taking drugs?'

'I never saw any difference in John. Happy go lucky John. Never complained about anything.'

He died at 11.30am on Sunday 1 May.

**Andrew Stoddart, 45, Rigside, near Lanark**

Andrew Stoddart's dad confirms that his son was a van driver and a member of Douglas Water amateur football team.

'You were aware that on Saturday 20 August last year he attended Hanger 13 in Ayr?'  
Yes: Andrew had been several times before.

'Were you aware that he had taken pills on any previous occasion?'

'Absolutely not.'

'Andrew took ill that evening?'

'The police contacted us at half past one in the morning to say he had died.'

Mr Stoddart joins his brother-in-law at the table. He remains there for the rest of the hearing, whispering an occasional confidence but more often withdrawn, a careful listener, head slightly bowed. As the days pass, his silent fortitude becomes a kind of testament in itself.

**Gillian, 20, unemployed, New Cumnock**

The first of the Hanger 13 clubbers. The court has difficulty knowing how to label them. Sheriff Gow talks mostly about 'young persons' or 'patrons', the latter term evocative of Cliff Richard records in echoing halls of old wood with a faded sign at the door asserting the management's right to refuse admission.

By the end of tomorrow, Hanger 13's 'patrons' will have dissolved into blue-jeaned, monosyllabic impersonality, but because this is the standard-bearer I can picture her still. She is tall and exudes a certain raw physical confidence. It is possible to imagine this girl around 6.30 on a Saturday evening, the deadly hour of custard pie television, when the streets of sour, derelict Scottish towns are at their emptiest and the old, sunk in lethargy, check their pools coupons. She is looking at herself in a mirror. She is getting the hell out of this.

Kelman puts a lot of leading questions very quickly. She answers 'aye' to most of them. Aye, she'd known John Nisbet well. Aye, they'd gone regularly to Hanger 13. Aye, everybody was searched at the door. Aye, she'd taken a pill that night. Ecstasy. Had it any special markings? Aye, it had the markings of a dove. A wee white dove.

'What effect does it have?'

'It makes you feel good. It makes you feel happy.'

Gow glances up from his notes.

'Had you taken any alcohol that night?' It is his first intervention, and the reply appears to astonish him.

'Aye,' she says, 'a bottle of Buckfast'.

'What, a whole bottle?'

'Aye.' She'd drunk it on the bus to Ayr.

John Nisbet, who didn't drink on the bus but took one and a half pills inside the club, became ill and was removed outside by two bouncers. He was shaking. He couldn't talk.

'Later you found out he'd died?'

'Hmm.'

**Brian, 20, slater, New Cumnock**

Another of John Nisbet's friends explains how it works at Hanger 13. If you want stuff, you tend to buy as a group, each member contributing his share – a 'whip round' as Gow calls it in his jaunty way, bringing to mind a retirement collection for some long-serving sheriff clerk. Someone is delegated to approach a dealer. The price? Around £13 a pill. That night, the go-between returns with nine Es – about £120 of business in a single transaction.

Brian swallows one pill, another an hour later. They make you want to dance, so you become hotter and hotter, then you buy a bottle of water at the bar – that's £1 a shot – and once you've drunk the lot you take your plastic bottle to the Gents and fill up from the tap, and that keeps you going for the night.

John Nisbet, who was wearing a fluorescent orange jacket, a baseball cap and joggers under his trousers, had been warned by friends that, if he insisted on all that clobber, he wouldn't be able to stand the heat. Later in the evening, John wasn't saying much. He was just sitting there with his legs crossed, quite close to death, while the band played and sweat poured off young limbs.

Brian is followed by Tom, a factory worker, and Victoria, who isn't working at the moment, and Campbell, who isn't working at the moment, and Gary, who's just unemployed. Then there's James, 18, a draughtsman, who wears a tie for his morning in court and who, on the night John Nisbet died, took speed. He doesn't seem sure what speed is, but he knows it's different from ecstasy. Well, he's tried ecstasy too, but not that night.

'Speed gives you the feel good factor?', Gow suggests helpfully.

'Should do,' the witness replies. Anyway, it's cheaper – eight quid a powder.

**Stewart, architectural technician, Cumnock**

This one lives on a farm. He is different from the others. He has the bespectacled assurance of a junior bank official. He might be something voluntary in a young farmers' club. And he goes to Hanger 13 by car.

'Were you approached that night?'

'Yes.'

'By whom?'

'Don't know, a stranger.'

'Where was he?'

'Parking his car across the road.'

'What did he say to you?'

'He asked me if I'd like to buy some ecstasy.'

'Did you buy any?'

'Not at that time.'

'But there was an arrangement to see him inside?'

'There was.'

'Did you notice how many pills this man had?'

'There was a girl in the car. She had a plastic bag full of something or other.'

**Alan, 21, apprentice, Prestwick**

He approached a man in a corridor next to the toilets.

Gow: 'How did you know you might get drugs from him?'

Witness: 'Dunno, he seemed to be that kind of person.'

**Alan, 23, computer operator, Irvine**

The show-off of the morning: he talks in a racy clubber's shorthand, refers to ecstasy as eccies, and claims to have downed four in one night at Hanger 13. Gow asks him what drugs do for him. 'They make you pure full of it... they make you mad with it.' James Reid, for the management, wonders if a Saturday night would be complete without ecstasy. No, Alan says, it would be dead boring.

Afterwards, the witness swaggers to the public benches. He's stinking of aftershave. 'Fucking brilliant,' he whispers to a friend. On the steps outside he is filmed by the television cameras. Tomorrow he will be all over the papers.

**Clare, 20, student, Paisley**

A boy she met in Hanger 13 gave her half an E. She had convulsions, collapsed, and ended up in Ayr Hospital. This morning she's wearing stylish gear that might have been inspired by the fashion mag under her arm. After this slender young thing come two more students – Ross, 18, and Gordon, 18, each of whom admits to having bought a gram of speed.

'You just ask about,' Gordon says, 'and find out who's got the stuff'. Child's play, it seems.

Suddenly it's time for lunch.

'Great PR, it really is.' One businessman is boasting to another of his latest wheeze – giving away the car of the year as a prize. 'Got it at a nice discount.' Then the clincher: 'Got a spot on West Sound'. At another table they're discussing the latest reconstruction of the football leagues: 'Grassroot level... take some pressure off... too competitive... kids play the game naturally... well, we'll not solve it overnight'.

As the conversation drifts across the restaurant, I try to visualise this secure little world in which kids play the game naturally before aspiring to own the car of the year. And then I walk back into the square, where the scaffolded pile of the County Buildings is flanked by two terraces of Georgian facades, until I come to the County Hotel and then, about as far as you can get to the sea without falling in, there's the tower of the Pavilion with its collective memory of amorous Saturday nights.

But facades can be deceptive; this secure little world is not what it was. There may be a County Hotel and a County Buildings, but county there isn't. That ceased to exist in 1975, long enough ago to encompass John Nisbet's entire life. The seat of the former Ayr County Council accommodates, in addition to Sheriff Gow's court, a sub-regional office of a larger local authority which itself is about to disappear.

The Pavilion is no longer the old-fashioned dance hall in which nothing more lethal than heavy petting ever occurred. And along the prom, rosy-cheeked young men from the backwoods notoriously race fast cars – perhaps even the car of the year – at life-threatening speed.

After lunch, Gow goes for his look-see. 'He needs a haircut,' a court officer mutters. One journalist records later that the sheriff during his procession to Hanger 13 is belted with golden watchchains and stiff with Jermyn Street pomp. All I manage to note is the bowler hat, which triumphantly stays on its owner's head, even in the teeth of a bone-chilling breeze.

What is the point of this exercise? If the sheriff felt it would be useful to see inside Hanger 13, he should have gone at 10 o'clock on a Saturday night.

While he delivers to camera a reprise of his opening statement – 'a highly unusual move,' the BBC's representative observes with a hint of reproof – I attempt a breach of Hanger 13's security by marching into the foyer. I am confronted by a bouncer. Unlike the weekend punters, I am not frisked for powders, pills, notebooks or other offensive weapons. He asks me politely to leave. I plead hypothermia. He relents. But as soon as the lawyers arrive for their private tour of inspection, I'm shown the door. I turn towards the prom and there at the side of Hanger 13 is a wooden hut bearing the words 'Lost Children'. Metaphors come too easily.

## Tuesday

*Police were last night awaiting the results of tests on a 23-year-old clubgoer who collapsed and died on a dance floor after taking ecstasy. John Robjent is the second to have died at the Mirage nightclub in Windsor, Berkshire, in five months after taking the drug. – Report in today's Guardian (7 February 1995)*

Below the *Guardian's* report on the Hanger 13 inquiry, there's news of Sunday morning's death at the Mirage in Windsor. 'There have been about 50 ecstasy-related deaths in Britain, some caused by youngsters taking substances sold as ecstasy, which have included vitamin pills and dog-worming tablets. The Class A drug, which is sold in tablets costing £10-£15 each, is widely counterfeited. But the genuine article can cause the body to overheat, particularly with hours of strenuous dancing.'

The paper produces one or two statistics. Last year, Customs seized enough ecstasy to make 2.3 million tablets. In the north-west of England, a survey of 750 14- to 19-year-

olds showed that one in 10 had taken the drug. But according to a fellow of Manchester University who is looking into drug consumption among the young, ecstasy may be declining in popularity as the rave culture wanes. Other hard drugs are more popular. LSD, for example, was used by one in four of the teenagers questioned for the English survey.

A woman with a pale, gentle face is crying: we haven't had tears until now. Helen Dick, 43, mother of Andrew Dick, of Possilpark, Glasgow, only heard of her son's death when she reported him missing to the police. 'I thought he was going to one of they places down the toon. When Andrew never came home on the Sunday, I thought he was staying with a girl in Paisley. It wasn't until Monday that I called the police.' He had been dead since 11.30 the previous night.

Unknown to his mother, Andrew Dick did not go clubbing in Glasgow that weekend. Instead, he and his pals hired two taxis to take them 30 miles to Ayr. They arrived at Hanger 13 around 10 o'clock, instructed the taxis to wait, and agreed to rendezvous outside the club at 2am for the journey home.

Details of these travel arrangements are given in a deadpan way by a 19-year-old girl, unemployed, and corroborated by a 16-year-old boy, also unemployed. Andrew Dick himself was out of work. A question that no-one considers worth asking is where all the money's coming from to finance this Saturday night jaunt down the coast. The witnesses appear to find nothing remarkable about it; the court listens without comment – yet the economics are baffling.

I asked a Glasgow taxi operator how much it would have cost Andrew Dick and his friends to hire two cars to Ayr, wait four hours, and return. Let's assume that their estimate of £200 is about right. Let's further assume that there were five passengers (the maximum allowed) in each car. Here, then, is the least that Andrew Dick could have spent on his last night:

Share of taxi £20  
Admission to Hanger 13 £9  
One bottle of water £1  
One ecstasy tablet £15  
Total £45

One witness remembered Andrew as he waited in the queue to be searched for drugs. He was 'happy, jumpin' about, couldnae wait to get inside for some GBH'.

'GBH?' Sheriff Gow is puzzled by the use of the term, more familiar to lawyers as shorthand for grievous bodily harm.

'He said it was a kind of ecstasy.'

'Was the term familiar to you?'

'I'd heard of it, know what I mean.'

'Did he say what the drug did for you?'

'He said it was amazin'.'

Another witness recalled Andrew later in the evening. Now he was 'fu' o' it, no' in a stable way, fu' o' drugs, just walkin' about hissel'. Somewhere in the hall, John Nisbet was even further gone. Both youths were drifting into unconsciousness and both were alone. Outside, meters ticked over.

The first ambulance arrived at 12.30am for John Nisbet.

Ambulanceman: 'A male had collapsed. I found a young gentleman being supported by two security guards. He was quite delirious. He was throwing himself about and could not be restrained.'

The second ambulance arrived at 2.25am for Andrew Dick.

Ambulanceman: 'Patient unconscious. Possible drugs. We found him outside, propped up against a wall. We tried to rouse him, but there was no way we could get any response.'

Scott, 21, from Airdrie, tells the inquiry he is a frequent attender at Hanger 13 and buys from a regular supplier. He doesn't know who the supplier is; all he knows is the guy is always there. The night the ambulances called for John Nisbet and Andrew Dick, Scott approached the guy, but demand had been high; he was sold out. Scott got the stuff from somebody else – the first person he asked. Back home, his fingers became tingly, he began to hallucinate, he felt sick. They took him to hospital and put him on a heart machine. And this was after one tablet. Had he taken ecstasy since? Yeah. A few times.

Jack Drummond (Andrew Stoddart's uncle) asks Scott if the door search is tough. Scott thinks so. Then how come the pushers manage to smuggle drugs into Hanger 13? No explanation.

Stephen steps into the witness box. Like most of the others from Glasgow, he is unemployed. I note: 'Must be 12 years old'. But he's older than he looks. He gives his age as 20.

'After you bought the tablet,' the fiscal asks, 'did you consume it?'

'What do you mean?' the witness replies. He has not understood the question.

'Eat it or swallow it?' the fiscal persists.

He knows what it means to eat or swallow. He does not know what it means to consume.

### **Wednesday**

*The experts have told us of the dangers and a lot of us have experienced them. What you do when you're so overjoyed dancing but you find you can't really breathe properly. Your legs start to feel rubbery and you need to take a five-minute break. You are so hot and no matter how much you drink, you can't cool down. You start to panic, which makes your breathing worse and causes your racing heart to pump even faster. What sort of happiness is this? – Lucy, Clydebank, in a letter to M8 magazine*

Four months after the funerals of John Nisbet and Andrew Dick, Hanger 13 was still open and more popular than ever. On 20 August, in the Lanarkshire village of Rigside, it was Derek Hamilton's birthday. He organised a bus to take himself and 14 friends, including Andrew Stoddart, to Hanger 13. They met at the local pub, the Viewfield Tavern, where the bus picked them up around 7.30. They made two brief stops: first to collect a tape from somebody's house, then to buy a drink from an off-licence.

### **Lorraine, 18, machinist**

'Were any drugs taken on the bus to Ayr?'

'Not that I know of.'

A pause. 'Do you know what a joint is?'

'Yes.'

'Did you see a joint on the bus?'

'Uh huh.'

'And was it smoked on the bus?'

'Uh huh.'

Lorraine and her friend Clare, Andrew Stoddart's girlfriend, stayed on the bus to change before joining the others in the queue. It was Lorraine's first night at Hanger 13 and she found the heat overbearing. She wasn't offered drugs; nor did she take any. For much of the evening she sat in the foyer where the air was slightly cooler.

Later, back in the hall, she saw Andrew Stoddart. He looked unwell. He was sitting on a chair. Clare was with him. Next thing she knew, a bouncer was dragging him to the doors.

Gow: 'Could he walk?'

'He wasn't given a chance to walk. He was just dragged to the doors.'

'Were you told what was going on?'

'Somebody said he'd be okay in a few minutes, that he was just dehydrated.'

'Was there water to drink?'

'The water was turned off in one of the toilets. The pressure wasn't strong in one of the others.'

At 4.15am, after the police had noted the names of everybody inside, the party from Rigside was driven to Ayr police station and told that Andrew Stoddart was dead.

**Stewart, 17, warehouse assistant**

This witness took an E on top of 'Bud' (Budweiser). No after-effects.

'I don't suppose there's much happening in Rigside on a Saturday night,' Gow says out of the blue.

**James, 19, unemployed**

Said it was as if Andrew was having a fit. They got him out of the building and round the corner to a play park. He lay on the ground and they tried to resuscitate him. He was sick. They turned him over on his side. It started to rain. It was raining heavily. They called an ambulance.

**Clare, 18, student**

They seem a decent lot, the kids of Rigside. The details of one reckless night in their tender lives are now being brutally laid bare – the detour to pick up the tape, the carry-out, giggly girls changing into party gear in the back seat, the hash passed down the bus as it bumps and twists along the old road to Ayr through has-been places where God-fearing men once hid in the moors and prayed for deliverance. And now the most secretive event in this country of Covenanting graves and abandoned pits is an illicit puff of cannabis on Derek Hamilton's birthday bus to Hanger 13.

Clare might be the nicest of the lot. She has been waiting to give evidence since 10.30 and now it's almost 1 o'clock. She is crying uncontrollably and nothing will console her – not even the comforting words of Neil Gow, who is skilled at putting the inarticulate at their ease.

'Please sit,' he says kindly, and asks the court officer to fetch her a glass of water.

Painfully, the story of her evening with Andrew Stoddart unfolds.

'When you got inside Hanger 13, he went away and came back, is that right?'

'He showed me three tablets.'

'And did he say something about having got three for £45?'

'Yes.'

'And did you see him taking any of these tablets?'

'Yes.'

'Right away?'

'Not long after.'

'He took bottled water with the tablet, is that right?'

'Yes.'

'When did he take a further tablet?'

'Can't remember.'

'Did he offer you one?'

'No.'

'You didn't want one?'

'No.'

'So he took two. What did he do with the third?'

'Don't know.'

'How was he after he'd taken the tablets?'

'He told me he wasn't feeling well. He said he had very sore legs. He had to go and sit down.'

'He had difficulty controlling his legs?'

'Yes.'

She called a steward and Andrew was taken from the hall.

'Was he conscious?'

'You couldn't really tell.'

Gow says that will be all; she can go now. She's still sobbing.

### **Craig, 18, unemployed**

In the pub before they left Rigside, Andrew asked him if he would share an E. Craig agreed. It was normal to take an E before a rave. Andrew swallowed his half in the queue outside Hanger 13. Inside the hall, Craig gave Andrew £60 and asked him to fetch some. Andrew returned with four tablets for Craig. 'If you just walk about in there, people point you in the right direction.'

Later, when Craig went to the toilets, there was no water coming from the taps. He was sure about that. What state was he in? 'I wasn't aware of what was going on.' One thing he did remember. He remembered a girl screaming.

We have heard all we are going to hear from the punters. Now it's the turn of the pros. And for a spot of light relief, the afternoon session is something of a bouncers' outing. The press have lost interest and by 3.30 I'm on my own. But the press are missing a treat. Bouncers turn out to be a species of minor anthropological interest.

### **Bouncer 'A'**

Kelman, the fiscal, ventures in his usual gruff manner a definition of a bouncer – except that he employs the euphemism 'door staff' – as someone who is employed to regulate persons entering a venue and supervise the behaviour of those attending. But how do you become a bouncer? 'Anyone can come down and apply,' the witness assures him. Sheriff Gow has taken his wig off. Maybe he's planning a career break.

Anyway, if you're lucky enough to land a job at Hanger 13, you're taught how to search and resuscitate the punters and you wear a nice new uniform of white shirt, black trousers and security jacket. And you look about as undercover as the Rangers defence.

'Well, you can never totally stop drugs going in. We're not allowed to do internal searches.'

'Have you ever seen drug dealing going on?'

'I've thought I've seen something on quite a few occasions.'

The sheriff wonders if the 'general behaviour of the young people is satisfactory'. It is. There are seldom any fights. That's all right, then.

### **Bouncer 'B'**

Jack Drummond: 'Do you consider a staff of 20 stewards is enough to cover a crowd of 1,200?'

'Definitely.'

'You know there's a drug problem?'

'I suppose some get in. The police canny stop it, so there's no' much chance of us stoppin' it. Quite a few have it stuffed up their backsides.'

### **Bouncer 'C'**

Kelman is reading from a set of guidelines for the operation of raves prepared by the Advisory Council on the Misuse of Drugs. He's curious to know if the management has

provided a 'cool environment' where ravers can recover their breath. 'Well, there's the toilets. But anyone short of breath can go outside for the breeze off the shore.'

Drummond: 'We've heard evidence that a considerable amount of drugs is sold inside.'

'I wouldn't know about that.'

Gow's deceptively light touch sometimes yields surprising dividends. He decides to probe the nature of the rave scene: a lot different from anything else, the witness agrees. For one thing, ravers dance more. But you get ravers of all ages. People in their 30s and 40s have been known. Even Kelman looks mildly surprised by this revelation.

### **Bouncer 'D'**

What happens if drugs are discovered? 'If it's a large amount, the police are called. If it's a small amount, they're flung out and the drugs are stamped on.'

This is an astounding piece of evidence. It isn't denied that an illegal drug is widely available in Hanger 13, yet what happens if punters are caught in possession? At the discretion of the staff, they can be reported to the police – but not automatically. No-one challenges the wisdom of this approach or demands to know if the police approve of it.

Only Jack Drummond stirs up any aggro. All afternoon he has been nagging at his favourite theme: the thoroughness or otherwise of the search. Are members of the staff searched? It transpires they're not. Confronted by this flaw in the system, some of these mean hombres become a shade tetchy. It doesn't take much.

After the court rises, Sheriff Gow invites me to his chambers for tea. This could be awkward, but we scrupulously avoid discussion of the case. Instead, he expatiates upon his hero, James Boswell, a fellow lawyer who considered the sheriffdom of Ayr such a sinecure he thought of applying for the job. He might not consider it much of a sinecure were he around now.

We are to have tomorrow off.

### **Friday**

*Drug squad bosses were yesterday quizzing a schoolboy after a £5 million heroin bust. The 14-year-old was arrested in a massive undercover operation. A 16-year-old boy and two men were also held over the five kilogramme seizure in Glasgow's Kelvingrove area. – Report in today's Daily Record (10 February 1995)*

Dr Leo Murray is the first of the medical witnesses. The head of the accident and emergency unit at Ayr Hospital describes the collapse of the human body as a headmaster might deliver an end-of-term report.

They called him from home to attend to John Nisbet. When Dr Murray arrived at the hospital, the patient's pulse was extraordinarily fast, he wasn't responding to pain, he was very hot, his brain wasn't functioning normally. Suspecting ecstasy, Dr Murray contacted the national poisons service for advice.

Andrew Dick was admitted later that morning – 'an exact re-run of the earlier patient'.

Then, in August, Andrew Stoddart: 'Clinically, this young man was dead when he arrived. I was struck by the fact that his muscles were rigid. We tried to stimulate an already dead heart. There was no response. He felt hot to the touch. I declared this man dead at 1.20am'.

Andrew's dad is in his usual place in court, silent and stalwart.

The fiscal produces a paper from a medical journal on the use of ecstasy as a mood enhancer and dance drug. The discussion turns technical. 'Put it in simpler terms,' Gow urges.

Dr Murray explains that normally the body can cope with heat. Think of the effect of the sun as we lie on a Tenerife beach. But if we're jumping around at a rave in a high ambient temperature, and we've just popped a pill, and we're not replacing fluid, there comes a point when the body's ability to control its temperature at 37 degrees fails. Our system breaks down with profound results. We start to bleed spontaneously. Clots develop all over the body. We're wrecked.

When Dr Murray graduated in 1978, he had never heard of ecstasy. Its use is now so widespread that he accompanied the ambulance service to a rave – not Hanger 13 – to observe the phenomenon for himself. He saw hundreds of people with widely dilated pupils.

Gow: 'And the reaction to it will vary from person to person?'

'As with most drugs.'

'Perhaps,' the sheriff muses, 'the most disturbing aspect is the possible long-term psychiatric effect'.

'It could be,' Dr Murray replies, 'that, when you take this drug, you're either going about your business in a few days or you're dead. We don't know if there's a long-term effect yet'.

**Dr Ruth Adamson, 37, consultant pathologist, Crosshouse Hospital, Kilmarnock**

'Complete breakdown of the body's functions,' Gow is noting from case papers on her post-mortem. 'Breathing... heart... kidney... blood clotting...'

'That's right,' she murmurs reassuringly.

Towards the end of her evidence, the sheriff picks up a gratuitous detail from her report on Andrew Stoddart.

'You spotted a tattoo on his arm with the word Scotland. Why did you note that?'

'Well, we usually note that kind of thing.'

'Because you might be criticised if you didn't?'

They exchange knowing smiles.

**Dr John Oliver, 50, senior lecturer in toxicology, Glasgow University**

His analysis reveals how many milligrams of ecstasy per litre of blood the victims had in their bodies. But the readings are of limited value: it is impossible to deduce how many tablets they represent. The toxicologist does impart one alarming fact: the white dove weighs 300 milligrams, of which 60 milligrams are ecstasy. We are left to wonder what the rest might be.

'Ecstasy is far from the harmless recreational drug that many of its users believe it is?' Gow asks rhetorically.

'It is potentially lethal.'

'So what is your advice to young people?'

He gives a somewhat pedestrian answer. Afterwards, outside the court, he is interviewed by the BBC and asked to elaborate. Taking ecstasy, he says, is like playing Russian roulette. On all the bulletins that night, he is reported as having 'told the inquiry' that taking ecstasy is like playing Russian roulette. He didn't tell the inquiry any such thing. Rather he shared this metaphor with a reporter from the BBC. Does the distinction matter? Only as a minor

illustration of the true purpose of the hearing, which is not so much a judicial inquiry as a health education campaign conducted by a compliant media.

Detective Constable Donald Fraser, 41, of Strathclyde Police drug squad, is the star turn after lunch. His sardonic humour appeals to Gow.

'You have street experience?'

'I have been on the streets for 19 years.'

'Today, however, you are wearing a suit.'

'It is very nice to wear a suit sometimes.'

'But you're still wearing your hair long, I see.'

'Old habits die hard, m'Lud.'

Between these droll exchanges, the detective gives a short history of ecstasy. It has been around since 1914. It is also known as MDMA and by the slang expressions Adam, Eve, X and XTC. It was originally taken as an anti-depressant. In the late 70s and early 80s, it was banned in the United States and Britain.

'I take it,' says the sheriff, 'that the drug is manufactured commercially?' Now, what might have led him to that extraordinary supposition?

'No, sir,' Fraser replies. 'It is made illegally by pill machines. People with chemical knowledge can make up the drug in tablet form. It can be made up locally.'

Kelman: 'Is it a rip-off scene?'

'If you approached me, I could pass you anything and you wouldn't know until you took it whether it was genuine. Approaching someone in the street is the last resort. Users either have a regular dealer or a friend who does.'

'Is the drug addictive?'

'No, sir. The dependence is psychological. Users can't have a good time without it.'

'So they don't need the drug on the other six days of the week, when they're not at a rave?'

'Correct. They associate it with a particular environment. Ecstasy is a social drug.'

More than any other witness, it is this beat cop who articulates the seductive appeal of ecstasy. As a stimulant, the drug increases the energy of the ravers so that they are able to dance for as long as five hours without a break. They feel euphoric: happy with themselves and others. And they are at one with the music: 'they can feel the sound waves hitting their chest'.

Gow: 'Do most people at raves take drugs?'

'Not 100%. I would say 50%. And not always ecstasy. Other drugs too.'

'Speed, perhaps?'

'It's cheaper, but the effects last for a shorter period.'

'We've also heard about something called GBH.'

'We believe this is an American drug. We have not seen it in the UK yet.'

(A minor mystery: if this drug has not been seen in the UK yet, why was Andrew Dick looking forward to buying it in Hanger 13 in April 1994?)

'So,' says Gow, 'this is a new worry that lies ahead?'

'There is always something new on the horizon, sir.'

'Do you ever get violence associated with ecstasy?'

'I have never seen a fight.'

'So young people taking ecstasy are not a problem for the police?'

'Quite, sir.'

Two local MPs have arrived – George Foulkes (Labour), who has demanded the closure of Hanger 13, and Phil Gallie (Conservative), who believes that the club should stay open to prevent the drugs problem being driven underground. Each of these opposing positions is respectable, although Gallie's self-appointed role as apologist for Hanger 13 is surprising considering his zeal on other law and order issues.

They hear a Mr McBride, the club's 'PR consultant' outline his duties. 'I look after the VIPs and any press,' he explains.

Gow chips in: 'What sort of VIPs?'

'They range from MPs to football players.'

'You haven't asked Max Clifford along?'

'Not yet. They're just people we know in the business. All areas of society. People who come down to have a look, and we make sure they have a good night.'

'There will be particular reasons for having these guests?'

'It's a PR stunt.'

His employer, Fraser McIntyre, 21, is next. Describing himself as the manager of the Ayr Pavilion, he insists the venue is only known as Hanger 13 on Saturday nights; there are other forms of entertainment on other nights.

Gow: 'But on Saturday night, it's a rave?'

'A dance night, we call it.'

'And you are aware of a problem with drugs on the premises?'

'After the incidents, that would be fair to say.'

He selects his words carefully: all customers are searched before entering; searches, while thorough, necessarily stop short of the powers granted to the police; all stewards are first aid trained; since the death of Andrew Stoddart, two paramedics and an ambulance have been in attendance and video cameras have been installed; posters warning of the danger of drugs are displayed. As to water pressure in the toilets – he agrees there was a problem one night (the night Stoddart died, as it happened), but it was a failure of the public supply outwith the management's control.

Kelman: 'Are there rest facilities in a cool environment?'

'There are areas within the club which are slightly cooler than the main dance hall.'

'We have heard from the stewards that outside the hall is what they consider a cool area.'

He nods.

Jack Drummond, the amateur advocate with a knack of unsettling witnesses, niggles this one by referring to Hanger 13 as a rave. McIntyre repeats that it is not a rave. Drummond sounds unrepentant.

'We have heard that the stewards and bar staff at your rave are not searched.'

'That's right. We feel that our procedures for selecting staff eliminate any problems of that nature.'

At the fag end of the week, it is left to Sheriff Gow to put the question that has been intriguing some of us. 'Why did you call it Hanger 13?'

McIntyre: 'It was to do with an aircraft hanger in the United States which supposedly held UFOs.'

Wan smiles all round.

## **Week 2: Monday**

*My whole life changed after that first ecstasy. For the better. Yes, that's right. Es make people love each other in a brotherly way. So, please explain to me, what is the harm in that?* – Gary, Aberdeen, in a letter to M8 magazine

While we've been away, it has been business as usual at Hanger 13. This morning, in another courtroom, four young people appear on drugs charges relating to incidents at the club over the weekend. Among them is a woman of 20 who is accused of possessing ecstasy with intent to supply.

The proprietor, Christine Ridha, 48, who is listed as a company director, corroborates the evidence of her son. It is hard to know what to make of her. She appears reasonably pleasant and capable. She wouldn't look out of place as a teacher of primary schoolchildren.

Drummond: 'Do you feel that, having charged £9 at the door, you have to charge a further £1 for water?'

Ridha: 'I have no problem with that.'

Drummond: 'We've heard that water is essential.'

Ridha: 'I am supplying an entertainment venue, not a place for taking drugs. I have to pay for my water, and I think the price is reasonable.'

Gow evidently agrees that it is proper to charge for water. He wonders about the ventilation of the premises, but suggests a full-time air conditioning system would be expensive. Ridha says the possibility is being considered.

Gow: 'Dancing in a warm atmosphere is part of the scene, I suppose? They don't expect to be dancing in the freezing cold?'

Nor, however, in a sauna.

At the end of the world, there will be a policeman like Detective Chief Inspector John Corrigan surveying the debris and preparing a report for the procurator fiscal. He is relaxed and congenial.

Corrigan knows exactly how many were present in Hanger 13 the night Andrew Stoddart died – 1,288, including 39 staff – of whom his men had failed to trace and interview only 80. 'One of the largest investigations ever conducted in this area,' he adds. 'To have spent 10,000 police hours on one inquiry is quite extraordinary.'

With all evidence spent, we're left with a two-page summary of one night in Hanger 13:

**Home addresses given by persons leaving:**

Glasgow, 330; South Ayrshire, 319; North Ayrshire, 234; Renfrewshire, 153; Lanarkshire, 132; Dumfries and Galloway, 34; Lothian and Borders, 14; Central Region, 7; England, 4; Tayside, 3.

**Age of customers:**

13 years, 2; 14 years, 3; 15 years, 31; 16 years, 72; 17 years, 107; 18 years or older, 1,034. (To summarise: 215 – 17% of those attending – were under age.)

**Number of people suspected of dealing: 25**

**Number of reports to procurator fiscal: 14**

**Number of prosecutions initiated: 6**

It's an impressive document, but not quite complete.

**Gate receipts:**  $1,249 \times 9 = \text{£}11,241$

Multiplied by 52, this would yield an annual revenue for the Saturday 'dance night' of £584,532. (Caveat: the management claims the average attendance is fewer than 1,249.)

Illegal revenue generated by the 25 suspected drug dealers based on the assumption that 50% of those attending take one ecstasy tablet per night at an average cost of £13: £8,112 (£324 per dealer). Multiplied by 52, this would yield an annual illegal revenue of £421,824.

Gow orders a 15-minute break before interested parties address him. In the corridor, Jack Drummond and Andrew Stoddart are looking glum. They feel the bench has been unsympathetic to Drummond's line of questioning. They no longer expect much from this inquiry.

So to the closing speeches. Kelman, for the Crown, briefly summarises the evidence and commends the media coverage. He cites in particular the 'Russian roulette' reference and acknowledges that he had listened to it on TV. He believes the inquiry has exposed a major drugs problem and 'it is to be hoped' has highlighted the dangers of taking ecstasy.

Reid, for Hanger 13, maintains that all reasonable precautions were taken and that there were no management defects which could be said to have contributed to the deaths. 'No search will ever be foolproof. We have heard no evidence that the staff had any involvement in the supply of drugs. It was clear indeed that the staff were not involved.' Nor was there any criticism of staff reaction to the various incidents.

Drummond criticises the lack of a cool environment within the club, the ease with which drugs could be obtained, and inadequate stewarding of the large crowd. He reiterates his belief that all bar staff and stewards should be searched.

Gow goes away for a long think about everything.

## **Wednesday**

The sheriff enters a packed house dramatically late. So many have turned up for the verdict that extra seats are required. Ridha is here with her son and several of the

bouncers. Of the families, only Andrew Stoddart's relations appear. And, of course, there's the press, more than ever.

Copies of Gow's judgement are to be made available later, but I note what he says just in case. It is written in lucid, even elegant prose, marshalling the evidence skilfully. But it is clear – it has been clear for some time – that the Hanger 13 management will emerge relatively unscathed.

He describes as 'an obvious point of weakness' the failure to search staff, but notes that the manager was content to rely on the trustworthiness of his employees. 'These are matters which should be left to the discretion of the management, and I have no particular recommendations to make.'

Likewise, the chances of detecting surreptitious drug deals 'might be enhanced' if more stewards, possibly out of uniform, patrolled the hall. But he stops short of a recommendation to that effect. Again, the management knows best.

Furthermore, the club had 'to a greater or lesser extent' met the recommended criteria for raves, although 'there may need to be air conditioning or the like in the longer term'. Meanwhile, the Scottish Office should promote model conditions for raves, governing such matters as numbers, stewarding and searches, 'so that there is a clear framework within which to operate'.

Sensing, perhaps, that his judgement may have come as an anti-climax, the sheriff offers the press a small bone. 'A dance with ecstasy,' he ends with a flourish, 'can lead to a dance with death'. It's a headline grabber: my colleagues are well satisfied. But now, it seems, we have outlived our usefulness. A court officer announces that only six copies of an abridged version of the judgement are available. Either we share them – which means a scrum – or we pay £10 a head for the complete text. There are few takers.

The sense of unfinished business is deeply frustrating: the inquiry has raised as many questions as it has answered.

Here are three:

1. Why were those found in possession of a Class A drug not reported to the police? Was Strathclyde Police aware of the management's policy?
2. In the light of the management's claim that there was a failure of the public water

supply on the night of 20 August 1994, why did the Crown not call an official of Strathclyde water department to substantiate the complaint?

3. Similarly, why did the Crown not call expert evidence on the quality of the ventilation?

We don't know the answers. I doubt if we ever will.

## Epilogue

A week has passed. Already public interest in the case has evaporated. Phil Gallie MP says 'nothing new' emerged; he suggests that Hanger 13 will now succeed in its appeal against the licensing authority's decision to revoke its licence. And the media caravan, a notoriously restless vehicle, has moved on to fresh grief.

In Rigside, the grief is no longer quite so raw. The Viewfield Tavern, where Andrew Stoddart and his mates met before the minibus picked them up for the trip to Ayr last summer, has few customers this lunchtime. It's a fine little pub with a horseshoe for luck and faded pictures of Rigside football teams.

This is fertile footballing country. Ian St John started with one of the local teams and there are relatives in the village of the legendary Bill Shankly, who said that football was not a matter of life and death; it was more serious than that. Andrew Stoddart – a midfielder for Douglas Water – was part of that unbroken heritage, proudly alluded to by old men over slow half pints.

Football in the pit villages of Lanarkshire has survived the industry which brought them into being. The mine in Rigside closed so long ago that Andrew's dad can't remember exactly when. Now, here at the back of beyond, there is just a petrol station, a social club which used to be the miners' welfare, a police station, a couple of shops, and a council scheme which includes too many houses abandoned and boarded-up. Travelling bakers and butchers call regularly, buses infrequently.

A haulage firm in the neighbouring village of Glespin – 'blink and you miss it,' they say in Rigside – provides the little work that's going. Andrew Stoddart worked for the firm, as his grandfather had before him. He was fond of his grandfather and enjoyed a weekly drink with him in the Viewfield Tavern. Then, at the end of July last year, the old man – though, at 68, not so old – died suddenly. Andrew took it badly. He was inconsolable. Three Saturdays later, he too was dead.

All this is being explained to me in a warm, sociable living room in the house where Andrew lived with his parents, Andrew and Mary, his older sister, Deborah, and his younger brother, Stewart. Jack Drummond has joined us with his wife Anne. And the family parrot is observing the scene, though not saying much. Mary has prepared sandwiches, scones, cakes – and, in the best tradition of Scottish hospitality, there's too much of everything.

Andrew is here, too, in an unexpectedly powerful way. He is here in the minds and hearts of the people who loved him, seldom far from the centre of the conversation.

Jack: 'Andrew enjoyed life. He'd do anything for people. I never knew a more generous young guy.'

Anne: 'When he came into a room, it was as if the room lit up. And I've got tears in my eyes again.'

Andrew snr: 'He was a hard worker. His job involved long drives to the north of England, 12-hour shifts, up early in the morning, back late at night. No complaints. When he had a night off he'd go football training, or work out in the gym at Motherwell, or maybe just watch TV. And he enjoyed drinking in the Viewfield. I'll say that for him... Andrew loved his drink!'

Jack: 'And a good carry on.'

Andrew snr: 'But drugs... we had no idea. He didn't go regularly to Hanger 13. Only when it was somebody's birthday.'

Jack: 'His pals called him Star.'

Andrew snr: 'Aye, Shining Star! We never knew why. When he died we got 230 cards of sympathy, and that's not counting the letters. You should have seen the wreaths at his graveside up there. All the boys came to see us.'

Jack: 'Young men were walking the streets, crying freely.'

A few days later, Jack Drummond telephones. Have I seen the papers? A sheriff at Ayr (not Gow) has postponed the hearing of Hanger 13's appeal against the loss of its licence. Meanwhile, the club is organising a 'Save the Hanger, Save the Scene' protest dance, with Phil Gallie MP as guest of honour. A disc jockey billed to appear at the event has had his invitation withdrawn at the last minute after his comment in the new issue of *M8* magazine that 'drugs can be fun'.

## **Footnote**

Eventually Hanger 13 did close. The Pavilion was converted into a children's centre. After 1994, the price of an ecstasy tablet steadily fell – until it was possible to buy one for £1.

The lost girls:  
The life and death of offenders in Cornton Vale prison

Kenneth Roy

1996

Two 17-year-old girls on remand in Cornton Vale prison, Stirling, hanged themselves in June 1995. Their names were Kelly Holland and Arlene Elliot.

Their deaths within a few days of each other provoked public alarm, questions about the nature of the regime in Scotland's only women's prison, and widespread criticism of the policy of detaining girls in an adult jail. Yet, more than a year later, comparatively little is known or understood about the background to these cases. Most of what emerged at the fatal accident inquiry into the girls' suicides (Stirling Sheriff Court, November 1995-January 1996) was never reported at the time.

The *Scottish Review* has obtained a copy of the transcript of the inquiry, running to several million words, and has studied it carefully.

What follows is necessarily a heavily edited version. But the words quoted (except those in the explanatory narrative) were the actual words used before Sheriff Principal John Maguire. The questions in italics were asked by lawyers representing interested parties.

## 1. 'Hiya, da, where are we going?': The life and death of Kelly Holland

### **Edward Holland, 44, father**

*I understand, Mr Holland, that you were the father of your daughter who is now deceased, Kelly Holland, is that right?*

Yes.

*And how old was she at the date of her death?*

Seventeen.

*And what was her residence at the date of her death?*

Cornton Vale prison.

\*\*\*\*

Kelly Holland left her parents' house in Hamilton on 20 June 1995. Early next morning, she was spotted by a police patrol 'wandering through the gardens of King Street shouting and wailing, sort of incoherently'. When the police approached, Kelly shouted: 'Fuck off and leave me alone'. They arrested her and took her to Hamilton police station. Underneath the sleeve of her sweatshirt, which she was clutching tightly to the palm of her hand, there was a piece of broken bottle. She was charged with breach of the peace, resisting arrest and possession of an offensive weapon. She was put in a cell, where she knocked the glasses off a policeman's face and struck him twice on the neck and shoulders.

\*\*\*\*

### **Graham Rankin, 26, police constable, Hamilton**

*Did you have any cause to believe that Miss Holland was in any way disturbed or at risk of self-harm?*

Not at all. We had had dealings with Miss Holland in the past and she was always quite aggressive towards the police.

*Constable Rankin, you have three and a half years' service. What training do you have to identify individuals who may have a psychiatric condition?*

No training whatsoever.

### **Maureen Sinclair, 44, procurator fiscal depute, Hamilton**

I had had previous dealings with cases involving Miss Holland and was aware that on occasions she had displayed a suicidal tendency. Consequently I telephoned the police over at the court and asked the officer if he would alert Cornton Vale to the fact that she was a possible suicide risk.

*Now, is that something that you would normally do?*

Only on a very rare occasion.

**Adam Angus, 49, duty police officer, Hamilton Sheriff Court**

[Stated that he had no recollection of speaking to Mrs Sinclair that day. Suggested she must have spoken to someone else.]

*What would you have done if you had had a phone call from the fiscal's office to say that somebody thought that Miss Holland was at risk of suicide?*

I would have asked the fiscal where the information was coming from, and if it was substantiated and not just a hearsay comment from anybody, I would have raised an SR form, a special risk form.

*And that would have gone with the prisoner to custody?*

Yes.

\*\*\*\*

Kelly arrived in Hamilton police station at 1.19am on 21 June. She spent the rest of that night and the whole of the following day and night in police custody before being taken to court at 8am on 22 June; by then she had been alone in a cell with virtually no human contact for 32 hours. Having been remanded in custody, she left for Cornton Vale prison at 3pm after several more hours in a police cell, and was finally received in the prison at 6pm on 22 June. It was now 40 hours since the minor incident which led to her arrest.

**Carol Anne Mercer, 50, prison officer**

[Described how inmates are received.]

The police bring them in, take the handcuffs off them. One of us checks the warrants and another officer checks them bodily to see if they have anything in their pockets. They are then placed in a cubicle and the two officers check the properties to make sure they are all correct. Then the two officers go and start strip searching the prisoners. Once they've been strip searched, they are given the chance of a bath or shower. Once that has been done, the nurse officer has usually arrived and one by one they start seeing the nurse officer as well. In between times they get offered a cup of tea and a sandwich.

\*\*\*\*

That evening there were 10 arrivals, including Kelly Holland. About half were judged to be in need of regular observation in their cells. There are various levels of observation according to the perceived degree of risk – every 15 minutes, every 30 minutes, every 60 minutes, and SSS (strict suicide supervision). If a special risk form had been attached to Kelly's warrant, as Maureen Sinclair requested, she would have been placed automatically on SSS (aka 'Triple S' or 'sui').

\*\*\*\*

**Nurse's note on Kelly Holland's arrival 22 June 1995**

Alcohol abuse. Two to three bottles of wine and Budweiser approximately two days ago. Very quiet and apprehensive. Previous history of attempted suicide. 15 minutes obs meantime. States she is not going to harm herself.

**William Rock, 46, nurse officer**

*You did not think that she was at risk of suicide?*

That's correct.

*There was nothing in her demeanour?*

Other than that she was quiet when she came in, she was quite the thing, yes.

*Would it have made any difference to you if a special risk form had accompanied her admission?*

It certainly would have helped, sir, yes.

**Edward Holland, 44, father**

I think Kelly's medical reports, all her medical reports, should have been at hand. I believe she should have been seen by a doctor when she was there, not by a nurse. Plus the fact that it should be there on the records that her parents had phoned up and shown concern on previous occasions.

\*\*\*\*

For each new inmate, a door card is completed. This is a small card, green for Roman Catholics, white for Church of Scotland, pink for Church of England, which contains the prisoner's name, date of birth, date of admission, details of any psychiatric or medical reports, and on the back a note of the charge or charges against the prisoner. The card is attached to the cell door.

\*\*\*\*

**Gloria Graham, 37, prison officer**

I entered reception and asked who the admission was for remand block. I was informed that it was Kelly. I went over to Kelly and I asked her for her door card and the clothing sheet. As we left reception I turned the door card over and saw she had several charges on the back. I said to her, 'My, haven't you been busy?' and she said, 'Yeah, I know'. I then asked her how she was feeling and she said, 'A bit gutted,' and how long she had last been in prison and she said, 'Only a few weeks ago'. By that time, we had entered the remand block and I asked Kelly how old she was and she replied that she was only 17.

*How did you take this remark about being gutted?*

It is a terminology that a lot of people use when they come as an admission into the prison.

*Uh, huh?*

So I didn't think it was anything untoward, her saying that.

*Did you know why she was on 15-minute observations?*

Personally, I didn't, no.

*Would it not be helpful for you to know, for example, if Miss A, whom you are taking into the block, was having 15-minute observations because she was suffering from DTs?*

That would be a medical decision.

*Yes, it would be a medical decision, but you are a prison officer who has the responsibility for the safe keeping, control and custody of an individual. Would it not be helpful to know?*

Personally, no, because I would have checked her at least once every 15 minutes.

### **Pauline Mitchell, 29, prison officer**

I remember him [Nurse Rock] telling me that I would be getting an admission, Kelly Holland, and I said what observes was she, 15 minutes, and I says all right, I says I remember her from previous when she was Triple S and he went, yes, she's fine and there's no cause for concern.

*Did you ask him anything more about that, did you question his decision?*

No, no, I don't question the nurses.

*Did she seem to be distressed in any way?*

No. She seemed, like, quite settled.

[Kelly was allocated cell 2, unit 3, in the remand block, aka Romeo. Pauline Mitchell left Kelly with another inmate. As she was going, she heard Kelly and the other girl discussing medication.]

*Can you remember the name of that other girl?*

It was Arlene Elliot.

*Did you see Kelly later that night?*

Yes, at lock-up time. A quarter to nine. She was in the kitchen getting a cup of tea for going to her room. She was joking and laughing with the rest of the girls.

\*\*\*\*

Three hours later, Kelly Holland hanged herself.

\*\*\*\*

### **Social Enquiry Report 17 October 1994**

The subject did not come to the attention of this department until July 1992 when she was referred by her parents after demonstrating difficult behaviour.

**Edward Holland, 44, father**

She kept leaving the house, not coming in, sleeping in the streets, wandering the streets. I used to go and find her and bring her home. She could be having her lunch and two minutes later she would go out a window. She would never go out the door, always a window for some reason, and go away. And then the police would go and find her. And when you found her it was as if she didn't realise she was away. I used to say things like: 'Where have you been?' 'Naewhere.' 'Where are you going?' 'Coming hame.'

She didn't realise that she was doing it.

**Social Enquiry Report 17 October 1994**

Later that year [1992] her behaviour caused further concern in that she was displaying physical signs of depression and expressed suicidal tendencies. She was admitted to Hairmyres Hospital under section 25 of the Mental Health Act and thereafter transferred to an adolescent psychiatric unit in Livingston. Her response there was mixed, responding better to individual work but less successfully when working within a group.

\*\*\*\*

She absconded and was found in Newcastle with a paracetamol bottle containing 100 tablets. No longer considered clinically depressed or suicidal, she was discharged from the unit.

\*\*\*\*

**Edward Holland, 44, father**

Kelly would be very unpredictable. I would find her in Hamilton, Bellshill, Airdrie, Coatbridge, Lanark. She would just walk about on her own. I found her sleeping in doorways, in bus stations, and every time I got Kelly it was, 'Hiya, da, where are we going?', as if she had done nothing wrong. Before all that, Kelly was so bright at school it made you really happy inside to talk about her. She passed her French no problem and one of the teachers even asked us to encourage her to take a second language. And then, out of the blue, this happened. Kelly went away for four days. My sister and my wife found her in Hamilton. It was at the same time that Amanda Duffy was found murdered in Hamilton and Kelly was found less than 100 yards from there. Whether she had seen anything we don't know, but she changed dramatically.

\*\*\*\*

Amanda Duffy, a student, was found dead in May 1992. The case against Francis Auld of killing her was found not proven. Later, Auld was ordered to pay Amanda Duffy's parents £50,000 after he declined to contest a civil action they took out against him.

\*\*\*\*

### **Social Enquiry Report 17 October 1994**

She [Kelly] has been traumatised in some way and is bothered with a deep-rooted anxiety which she is unable to share yet.

### **Edward Holland, 44, father**

She would never give you any information, she kept everything to herself.

### **Allan English, 31, social worker, Hamilton**

It was very difficult to engage Kelly in a conversation and make progress. I never found she displayed any extreme emotions either way, whether it was regret or sorrow or, you know, remorse, there was nothing extreme. I mean, I don't think anyone had any definite explanation as to why she was behaving like that.

\*\*\*\*

Kelly was arrested many times by the police, mostly for breach of the peace, and was twice sentenced to short terms of imprisonment. On several other occasions, she was held on remand in Cornton Vale while awaiting sentence. Two weeks before her final imprisonment, she faced yet another court appearance.

\*\*\*\*

### **Charge**

On the 6th of June 1995, within a first-floor dwelling house situated at 9 Anne Street, Hamilton, you, Kelly Holland, did conduct yourself in a disorderly manner, attempt to throw yourself out of a first-floor window, all to the alarm of the lieges and commit a breach of the peace.

### **Stewart Smith, 24, police constable, Hamilton**

She suddenly jumped off the floor and ran to the broken front window within the living room and attempted to jump out of the window, and Mr Harkins [a neighbour] stated that he had to grab hold of Miss Holland's waist to stop her jumping out of the window. In my opinion, she wasn't a risk and the circumstances were just drunk and disorderly conduct rather than a serious suicide attempt.

**Stewart Cassidy, 31, procurator fiscal depute, Hamilton**

[Decided not to prosecute. Spoke to a social worker at the court and told him that he intended to liberate Kelly.]

As a person without any medical qualifications or experience, I was just concerned about her mental welfare, given the nature of the evidence against her.

*Have you ever had an occasion to act in this manner before with an accused?*

Not that I can remember.

*Prosecuting somebody for attempted suicide is a somewhat bizarre piece of behaviour for the State, is that a view that you would subscribe to?*

Well, I just didn't think it would be appropriate.

*Uh, huh. You referred her to a doctor at that stage?*

Yes.

*And what was his view?*

His view was that she was not suffering from any mental disorder. He used a phrase along the lines that she was an attention seeker.

**Dr Michael O'Keefe, 45, police casualty surgeon, Hamilton**

When I examined Kelly Holland at 12.15 on the 7th of June, I noted her to be quiet, co-operative and polite. I noted that she was fully alert and oriented in time, place and person, and by that I mean she knew who she was, where she was, which town she was in, and she knew she was in the court house. However, she was able to tell me that she had been drinking. She told me that she had been drinking two bottles of Buckfast and two bottles of cider. Kelly said that she was too old for all this. These were her exact words. She was 17 years of age, she'd been in trouble with the police for several years. My conclusion primarily was that she was not certifiable under section 24 of the Mental Health (Scotland) Act. I formed the opinion that Kelly had what is termed a personality disorder, and I concluded that she had an immature personality with addictive traits. A personality disorder usually describes a person who has disturbances of their feelings or attitudes or behaviour which are so severe that they find difficulty in leading a normal, quiet life. I think it's fair to say that a personality disorder is not regarded as a mental illness, because a vast number of the population suffer from personality disorders.

**Allan English, 31, social worker, Hamilton**

At no point did Kelly ever say that she felt depressed or suicidal, ever.

\*\*\*\*

About 9 o'clock on the evening of 22 June, in her cell in Romeo block of Cornton Vale prison, Kelly Holland asked Pauline Mitchell, a prison officer, for a pen and a light.

Pauline Mitchell thought she seemed fine. There was no reason to believe that there was anything wrong with her.

\*\*\*\*

**Karen Minty, 21, prisoner**

I did shout over [from the cell opposite] to ask her if she was all right, she just said yes. You can't really have a conversation. I heard him [a prison officer] speaking to Kelly. He just sort of poked his head through the hatch and asked if she was all right, and she said yes, she was all right.

**John McFadyen, 32, prison officer**

*Were you aware if she was writing a letter at any stage?*

I did see her writing a letter on two or three obs.

*Did she seem to you to be distressed in any way?*

I didn't actually see her crying although she did seem when I went round as if her eyes were slightly red. But I didn't actually physically see her crying.

*No, but you noticed that her eyes were red?*

I believe when I first went she looked as if she had been crying, but when I asked her if everything was okay, she said that she was fine.

*Did you observe Kelly at least every 15 minutes?*

Yes, I did.

*You've described two occasions when she was standing up. Where was she when you looked through on other occasions?*

She was restless and writing on one occasion. She was lying on her bed after she wrote the letter. At 12.30am, she was lying on her bed and appeared asleep.

*At 12.45, you checked her cell again. What did you find then?*

A silhouette at the window. It was a particularly hot night, and I thought she was just getting some air from the window. I asked Kelly was she okay, is everything okay, shone a torch in, and that's when I noticed the ligature from the top half. I immediately realised the enormity of the situation.

*Was there any sign of life?*

There was none. I was looking for a wee bit, a gasp, anything, but there was nothing.

**Ethel Arkley, 18, prisoner**

[Turned her light off around 10pm. Couldn't sleep. Tossed and turned. Opened the window and looked out into the yard across to Kelly Holland's cell.]

I seen Kelly...

*I'm sorry we can't quite hear. Yes?*

I saw Kelly hanging.

*You say that you saw Kelly hanging, but can you just describe what you saw?*

I saw a shape tied to the top of the bars and Kelly was hanging there.

*And did you see anybody going to help Kelly?*

Yes, Mr McFadyen. He was holding her and he let her go to get help and he ran in again and he was holding her up again.

*And did other officers arrive?*

Yes.

*And would you just describe what you saw?*

I saw a woman cutting her down and then this other girl. She cut her down and I heard somebody saying, 'We'll need to get an ambulance'.

*Sorry, I didn't catch that.*

I heard someone saying she was a silly girl and 'We'll need to get an ambulance'.

**Pamela Ligget, 29, prison officer**

*Did you notice how Kelly was suspended?*

It was a bed sheet, a white bed sheet.

*Had it been torn or something like that?*

No.

*It was an entire sheet was it? Round Kelly's neck?*

It was.

**Karen Minty, 21, prisoner**

I got up to look out my hatch to see what was going on. Two officers were giving Kelly mouth to mouth resuscitation. One of them came over and closed my hatch so that I couldn't see anything.

**Colin MacLeod, 40, nurse**

When we cut her down I just remember wondering what stage she was at, if she was still with us. And placed her on the floor, removed the ligature from her neck. There were no pulses present, no visible signs of breathing, so we immediately inserted an airway and started artificial respiration. Well, once the paramedics had taken over and I was looking round the room, this envelope, I noticed this envelope on the top of Miss Holland's bed. Initially, it would have been concealed under the pillow because the pillow had been removed to kneel on for the attempt at resuscitation.

**Edward Holland, 44, father**

Well, I definitely don't believe she was watched every 15 minutes. Because my daughter wrote me and her mother a two-page letter and in her letter it states that she was sitting crying writing this letter. Now, if anybody was watching her every 15 minutes, they must have seen she was upset about this. And I've been told that Kelly is supposed to have

written this letter, gone to bed, then got up and took her life. Now, that I don't believe. The bottom of the letter. It says she never felt so alone... And it says goodbye... It also says that she was crying while she was writing the letter. The top of the page as you turn over says, 'I just can't stop crying,' and all the ink is wet. If she was doing that, somebody must have seen her.

### **Entry in nurse's notes**

Kelly was pronounced dead by duty doctor Price at 1.30am.

### **Karen Minty, 21, prisoner**

[Remand prisoner in jail for first time. Once tried to commit suicide by jumping in front of a bus.]

Straight after Kelly's death I was quite upset because of what I'd seen, and I got moved over to Yankee, which is actually like a padded cell, I got moved over there for the night, and then I got moved into SSS the next day. You are totally stripped and you wear special clothes. You haven't got anything in your cell apart from a mattress. You are not allowed to have cigarettes and you have no furniture in your cell.

### **Professor Richard Simpson, 53, medical officer**

[Partner in a GP practice in Bridge of Allan which acts as medical officers to the prison.] They are put into a cell, stripped, and put into Bermuda shorts. The mattress on the floor is somewhat demeaning but, you know, that's safe and we use that quite a lot. But I think, you know, the fact that it's really so bare is not particularly good for somebody who is already suffering from a condition in which they feel isolated, they feel alone. As an overnight accommodation, it has the merit of having some degree of safety, but not sufficient.

### **Ethel Arkley, 18, prisoner**

[Prison officers gave her and her cellmate valium and told them to go to sleep and not to make a fuss.]

*How long did they visit you for?*

A minute, a couple of minutes.

*So they were in and out very quickly, and then you were locked up again?*

Yes.

*And what did you and Anne do after that?*

Anne fell asleep and I tidied up my cell.

*I beg your pardon?*

I tidied up my cell.

*Did you get any sleep at all that night?*

Half an hour.

[Ethel Arkley and her cellmate were unlocked the next morning at 6.30. No-one discussed Kelly Holland's death until they were asked to report to the office of a Miss Angus, a senior prison officer.]

We told her what we seen and what we heard. We told her one of the officers said she was a silly girl. She says: 'Well, that must have just been nerves'.

*And did she discuss with you how you felt about it?*

No.

*She didn't ask if you were upset or had any worries yourself?*

No.

[Later they saw a doctor.]

He just says he'll give me a sleeper. I think they call them moggies in the jail.

*I beg your pardon?*

Moggies.

*What's that short for? Mogadon?*

Yes, probably.

**Karen Minty, 21, prisoner**

*Was there anything that the officers seemed to be doing differently [immediately after Kelly's death]?*

Everything was being done bang on time, everything was really efficient. Then on Sunday they went to church and had a service for Kelly.

## **2. 'A dead happy wee lassie': The life and death of Arlene Elliot**

### **Nurse's entry 23 June 1995**

[Arlene Elliot] upset due to Kelly dying. Block advised by Arlene's sister that they were good friends.

### **Catherine Elliot, 32, prisoner**

[Arlene's aunt, though brought up as her sister. A convicted prisoner in Cornton Vale at the same time as Arlene was being held on remand.]

After they told us about Kelly's death they put us all on librium. I had my concerns about Arlene because my friend had come up from remand, Sandra her name was, and she said you'd better get a grip of Arlene, get a grip of her, she's suicidal. [Catherine confided her anxieties to a prison officer, Mrs Currie.] Mrs Currie lifted the phone there and then and she says we're watching her now and things like that. I says good, and I seen Arlene later on that day. She says, I got put on strict suicide, but she's laughing. I says, I've got peace of mind, Arlene.

\*\*\*\*

Like Kelly Holland, Arlene Elliot was 17 years old, had exhibited frequent symptoms of self-harm, and was a frequent visitor to Cornton Vale. On 2 May 1995, she was seen by the prison psychiatrist.

\*\*\*\*

### **Dr Margaret Morrison, 40, visiting psychiatrist**

She [Arlene] gave me a two-month history of auditory hallucinations, of hearing voices. She said they were usually pleasant, then they became derogatory and then imperative. They told her to harm herself by pulling her hair and by punching her abdomen. She said that she had a recent stomach upset with vomiting and she said that this had been as a result of the voices. The voices had told her that she was fat and that she should vomit. They had threatened to kill her if she told anyone and she also believed that people were looking at her and laughing at her... I found her to be very distressed and disturbed. I concluded that she was suffering from a psychotic illness.

### **Linda Nicolson, 29, solicitor**

I spoke to the client [Arlene] and she indicated to me that she, in her words, was schizophrenic.

**Marie Moran, 45, social worker, Strathclyde**

Arlene's lifestyle was very chaotic. She was supposed to be living with her grandmother, but she was actually not resident there and her grandmother only saw her when it suited Arlene. She was staying somewhere in Strathaven and she wouldn't give her grandmother the address. I felt that she was a young girl who probably didn't know where she was going or where she wanted to be. Quite a pathetic young girl.

**Roseanne McKay, 40, mother**

I've always said Arlene was a manic depressive. I've said it for long enough. Very strange behaviour. Disappearing for weeks at a time, you just couldn't get through to her. Nobody knew where she was. She'd never tell you where she was either. She would drink anything. Drugs. God knows what she was into. You could just guess, actually. She was snorting heroin. Injecting it at the end, I believe.

*What was Arlene like prior to this change in her personality when she was about 14?*

She was a very quiet girl, used to play the cello, went to church.

*Did you know what happened to change her?*

Drugs I put it down to.

*Did you ever hear her talking to herself?*

Well, she was always talking to herself. With a faraway look. We thought it was drugs.

**Dr Margaret Morrison, 40, visiting psychiatrist**

*She seemed to have been taking up to £100 worth of heroin and up to 30 temazepam capsules per day?*

That's correct, yes.

*Depending on what money she had available?*

Yes.

*And she also took LSD, amphetamine and ecstasy on an occasional basis?*

That's right.

*What did you think should be done with her at that stage?*

I considered that at that point she suffered from a mental illness to the extent that she was detainable in terms of the Mental Health Act. I therefore contacted Dr Hunter at Gartnavel Royal Hospital to ask him to consider her admission to hospital. I also placed her on strict suicide supervision because of the obvious risk of her harming herself.

**Dr Robert Hunter, 42, consultant psychiatrist, Gartnavel Royal Hospital, Glasgow**

We [Dr Hunter and a senior nurse from Gartnavel] arrived at the prison [about 4.30pm on 10 May] and I'm sorry to say that really the lady at the gatehouse didn't seem to know we were coming. She seemed slightly startled, and informed us that very shortly the prison would be closing down. Now, I don't know, I mean, I don't work in prisons, and I didn't know the prison was about to shut down, otherwise I wouldn't have come at that

time. So I said to her, well, I think it's very important that you let us in, we've made this effort, and I think Dr Morrison has requested it, we need to get in, and she said, well, I don't think you'll get in, but I will go and see what I can do, and we had a seat for perhaps 15 minutes or so. She then called us back and said, no, we can't let you in, it's the prison regulations, you understand. We were told the prison would open up again after 6 o'clock, and if we waited until after 6 o'clock there was a chance we would get in at that stage.

**Dr Alexander Stuart, 43, medical officer**

[Another partner in the GP practice in Bridge of Allan.]

It's difficult to say what Dr Hunter's assessment would have been had he gained access. I mean, I don't agree with the fact that he didn't gain access. I think if a consultant psychiatrist is asked to visit, then regardless of the time, even just as a strict courtesy, he should be allowed to come in.

\*\*\*\*

Dr Hunter left Cornton Vale without seeing Arlene Elliot. She was not admitted to Gartnavel Royal Hospital. She remained in prison, where her condition appeared to improve. Dr Morrison now regarded community care as a more suitable option.

\*\*\*\*

**Medical officers' report 10 May 1995**

Staff report that she [Arlene] is now very much more settled. The voices no longer tell her to harm herself or others. However, she has had her hair cut in order that the voices cannot make her pull it out.

\*\*\*\*

She was released from Cornton Vale later in the month, but returned on remand on 30 May on a minor shoplifting charge.

\*\*\*\*

**William Rock, 46, nurse officer**

[Stated that, although he had all the nursing notes and medical records of inmates available to him at the initial screening, time and pressure of work did not always allow him to read them. When Arlene Elliot was re-admitted, he did not read the account of her previous psychiatric history. He did not consider it relevant.]

That night she came in, sir, to myself she was fine.

*So the fact that she seemed fine, was that the sole basis on which you decided not to put her on any more than just simple 60-minute observations?*

Yes, it is, sir.

**Dr Kevin Power, 40, consultant clinical psychologist**

*You will have heard evidence that he [Rock] did not in fact read the notes at the time of his screening interview. Did that, in your opinion, heighten the risks which might attend upon an incomplete knowledge of the facts?*

Indeed. I think the more information that one has available the greater the reliability and validity in one's final judgement. I see very little point in having information available that is not taken into consideration when arriving at a judgement.

**Avril McMurtrie, 31, prison officer**

*Was she [Arlene] someone who slept a lot?*

Yes.

*In comparison to the other inmates?*

Yes.

*Was this related to the medication she was on?*

Sorry, I don't know about that.

**Pauline Mitchell, 29, prison officer**

*When was the last time you saw Arlene?*

I remember speaking to her on the Saturday.

*Did you notice if she was sleeping a lot?*

I did notice, yes. On occasion I had to pass unit 5 to go to the linen cupboard, and I had seen Arlene in her room sleeping and I asked how she was and she just says that she was tired and she was having a sleep. That was just before lunchtime.

*She was still in her bed up until lunchtime?*

She had been up and about and she was back in her bed.

*Did that cause you any concern?*

No, no, a lot of the girls go to their bed during the day.

*Are the majority of the girls on medication?*

About 75%.

**Catherine Elliot, 32, prisoner**

I found out that she was on largactil, and I says to her, whit are you doing on that? I says, you'll no' even know you're doing a remand, and she says, I know, I'm coming off it, that was her words. I don't think it should be served to a 17-year-old girl and to me I don't think Arlene needed it, but she was taking enough to knock a horse out, do you know

what I mean? When she first seen me she was hyped up, she was all giving it Kane and shouting to me. I seen excitement in her face, do you know what I mean? Then the next day when I see her go on to medication she was sort of slumped. Dormant. No' thinking for herself. It was just as though she was in a daze, staring at the ground with her arms folded and hunched up.

**Dr Margaret Morrison, 40, visiting psychiatrist**

It [largactil] makes them feel sleepy, but it also has the effect of making people think that their thought processes are slowing down a bit, so they describe a feeling of mental dullness.

*Do remand prisoners have jobs to do?*

Not often. Clean up, that's all.

*So do they have physical exercise?*

I understand there are recreation periods, but much of the time is spent doing very little.

**Anne McCann, 27, prisoner**

[Cell-mate of Arlene Elliot]

In my eyes, Arlene didnae need largactil. Because in the morning before medication she was all right. But then she went through and she got the largactil and she just went pure depressed and I said to her, well get Dr Stuart to get you off it, and she went, he'll no' take me off it, and that was when I says, I says, that's no' right, I says, you are getting it three or four times a day, I says, as soon as you get it, you just go pure down, I says, no, I says, that's no' fair.

*Are you able to carry on?*

Inaudible reply.

*Sorry, I missed that.*

She was a dead happy wee lassie.

**Dr Alexander Stuart, 43, medical officer**

*On the 23rd of June was there a report from the unit that she was over-sedated?*

That's right.

*Yes, and was she at that stage on largactil of 125 milligrammes three times per day and diazepam of 10 milligrammes three times per day, is that correct?*

That's right.

*And is it not the common street chat in Cornton Vale that if you're on largactil you end up being zombified?*

I can't comment about what the street chat is in Cornton Vale. I think the important part is to note that 'at interview bright and pleasant. Not depressed. No psychotic symptoms present,' suggesting that the largactil was actually helping her psychotic symptoms.

*On the 23rd of June?*

On the 23rd of June.

*But then she commits suicide on the 26th of June?*

I can't comment in terms of her psychotic symptoms, those were being treated.

**Dr Margaret Morrison, 40, visiting psychiatrist**

[Interviewed Arlene on 23 June.]

She took a fatalistic view. She used an old Glasgow term, 'What's for you will no' go by you'. That was the term she used, which was what gave her comfort. She felt that SSS was a form of punishment, that it would be very restrictive to her. She knew that she would be placed in a stripped cell and that she wouldn't have access to her friends, the people she was receiving comfort from the previous night. She said that her sister was 'suing' her up.

*Would it be fair to say that unless you had a significant fear that she might harm herself, the SSS regime was not really what she required? Might it have been bad for her?*

I think it would have been counterproductive. I think it would have caused a deterioration in her mental state.

[Took Arlene off SSS and placed her on 30-minute observation, 23 June.]

**Professor Richard Simpson, 53, medical officer**

She appeared to have coped well with the suicide and her view was that she shouldn't be on any observation. And I felt that was a reasonable course of action.

[Took Arlene off all observation, 24 June.]

**Margaret Reilly, 31, prison officer**

It was a very lovely afternoon [26 June] and the girls were outside playing games and sunbathing and Arlene had come into the office to ask for some sun tan cream. We had a bit of a laugh and joke between us. Arlene had her t-shirt tucked up inside her bra and her bottoms tucked down trying to get as much sun, and we were joking about her getting quite brown, and she just seemed pretty happy at that time.

**Anne McCann, 27, prisoner**

The night it happened. It was about six. I woke up and she was dancing about the room. She was brand new.

**Moira Grattan, 32, prison officer**

[Saw her about 7.10pm.]

She was in and out of her room. She was dealing with washing, she was... I remember her in the sitting room, dealing with clothes, hanging up clothes. I believe she was getting ready for a bath. She seemed fine.

**Ethel Arkley, 18, prisoner**

[Left to go to Arlene's cell around 7.30pm.]

*And when you got to Arlene's room was the door open or closed?*

Closed.

*Did you get a response?*

No, I looked through the spyhole, and then...

*And what did you see?*

I seen Arlene, I opened the door into her room, I just seen Arlene's face blue and then opened the door further to see if I was seeing things and...

*What position was she in when you saw her?*

She was like, her feet, something, a nightdress was hanging round her neck and she slipped, her feet was sliding away from herself and she slipped, her feet away from herself.

*Nightdress hanging around her neck?*

Yes.

*And you thought her face was blue?*

Yes, I froze when I opened the door and I looked at her face.

*Did she seem to be breathing?*

No.

*Did you notice anything else about her physical appearance, her face or anything of that sort?*

Her eyes were pretty white.

*And what was your reaction?*

I was frightened and I started panicking. I ran down to the bottom of the hall and I say to Miss Granton, 'Miss, miss, miss,' but she walked away from me. I put my hands on my head and shouted, 'Somebody help me, Arlene's hung herself'. Then Miss McMurtrie came running down from unit 6.

*And what happened after that?*

One of the nurses came along and shut the door, and prisoners came along, and one says what's wrong with Arlene? and I said Arlene's hung herself and Anne Dodds grabbed me and took me to my room.

*Took you to your room?*

And I started crying and officers locked us up.

**Catherine Elliot, 32, prisoner**

I think Arlene thought it was a way out.

**Dr Margaret Morrison, 40, visiting psychiatrist**

When I saw her [23 June] she was a lively vivacious girl.

*Yes?*

After discussing her distress about Kelly...

Yes?

She was again that lively vivacious girl.

*So there's a dreadful irony. One of the witnesses said she was a dead happy wee lassie?*

Uh, huh, she was.

### 3. 'I wouldn't call it care': The aftermath

**Professor Richard Simpson, 53, medical officer**

I was staggered by her death, as I was by the death of Miss Holland. I mean, it's really beyond comprehension why these things happen on occasions. One, you know, one feels really totally helpless when it does occur.

*Uh, huh?*

Clearly, you know, one could put everybody at risk onto an SSS system, or lock them up in cells which were totally ligature-proof and they would then be free from self-harm, but the quality of their existence would be minimal. One just feels that this is a terrible tragedy, a waste of a life.

[Asked whether, in hindsight, he was wrong to take Arlene off observation.]

I mean, I do regret this girl's death, and if being on observation would have altered that, I would do anything to go back and put her on that. But if you're asking me would I have altered my decision, I wouldn't have.

**Dr Kevin Power, 40, consultant clinical psychologist**

*In your opinion, and on the basis of all the evidence you've heard in the case of Arlene Elliot, do you think her suicide was an impulsive act?*

Yes.

*That being so, Doctor, is it not the case that there really was nothing to save this girl in that situation?*

Unfortunately, yes.

**Roseanne McKay, 40, mother**

*Do you have any concerns, Mrs McKay, which you would like this inquiry to consider about Arlene's admission to and care in Cornton Vale prison on the occasion of her last admission or any other admission?*

Well, care. I wouldn't call it care. I mean, she's dead, so there couldn't have been that much care. The system is wrong, totally wrong, from the bottom to the top. There should have been something done about this long ago. 17-year-old kids, they're stuck in with murderers. It's totally wrong. There should be something done about it.

**William Low, 49, deputy governor**

*Have you attended a Medical Review Board since the death of Arlene Elliot?*

Yes.

*And was her death discussed?*

I honestly can't remember.

*You can't remember? Mr Low, please, I mean when did you attend the Medical Review Board?*

The last one was about two months ago.

*Was Arlene Elliot's death discussed at that Medical Review Board?*

The last one, I would say, I honestly can't remember, I would have to see the minutes.

*But you've known you would be coming here as a witness for some time, haven't you?*

Yes.

**Dr Margaret Morrison, 40, visiting psychiatrist**

*Do you have any recommendations which might provide a safer regime at Cornton Vale to lessen the risk of suicide?*

I think it's always a logistic problem, who is going to look after people held on suicide supervision. I have worked in other prisons where there is a surgery and a hospital, where people can have nursing care and a better regime.

**William Low, 49, deputy governor**

*Do you have a hospital wing in Cornton Vale?*

Yes.

*Is it used?*

No.

*Has it ever been used?*

To the best of my knowledge, I think it was open for a fortnight years ago, but it's never been used. I think originally it was built for the HIV scare in the mid-80s, but when the scare didn't materialise into fact it was never really used.

**Lorraine Graham, 30, prison officer**

*What training have you had with a view to identifying any problems which might lead to suicide?*

The only training I've had was a day in the classroom.

**Moira Grattan, 32, prison officer**

*You've told the court about a booklet on suicide prevention strategy. Were you just given that and invited to read it, or did someone take you through it? Was there any form of training?*

Initially we were taken through it, we had a training day.

**William Rock, 46, nurse officer**

*What training do you have in identifying people who may be at risk of suicide?*

After this happened, I went on a suicide prevention management course for two weeks.

*Had you been on a course before?*

No, I hadn't.

**Professor Richard Simpson, 53, medical officer**

*What do you think about the regime as it operates for suicide risks?*

I think it is limited by the resources available, and that will always be the case.

[Question from the Sheriff:]

*If one were endeavouring to set up a safe regime in a prison, that is to prevent deaths by suicide, would not the best system be to lock people up in these quote unquote safe cells with quote unquote safe clothing on for long periods? That's simply from a point of view of preventing possible suicides?*

Logically, you are absolutely correct.

*Right. I'm obliged.*

**Dr Kevin Power, 40, consultant clinical psychologist**

[Completing a two-year research project into suicide in prison.]

*You say that total elimination of suicides in prison is not a realistic expectation?*

I think for total elimination of suicide in prison one would have to take such draconian measures that do apply in some states in Canada, whereby individuals who are deemed to be at risk are actually shackled to a bed. That may then reduce the risk for those that are identified, but I would see it as being a wholly unacceptable way of care. The other reason why it can never be prevented is that suicide in a large proportion of cases is an impulsive act without any forewarning. Maybe forethought, but no forewarning.

**William Low, 49, deputy governor**

*Following the deaths of Kelly Holland and Arlene Elliot, have you implemented any changes to the regime in Cornton Vale?*

Basically, no.

*Did you review the circumstances of those deaths?*

Yes.

*Did you come to the conclusion then that no change to the regime was required?*

The regime as it was seemed reasonable.

**John McFadyen, 32, prison officer**

*Did the regime change at all, the way that people were dealt with?*

It changed for a while after Kelly's death and Arlene's death, I think it changed, you know, obviously a lot of concern at what was going on. But, overall, things went back to normal quite quickly.

#### **4. 'Nothing except hindsight': The judgement**

After hearing the evidence, Sheriff Principal Maguire issued a determination. He found that both deaths had been caused by the deliberate acts of the deceased. If Arlene Elliot, 'a person of considerable vulnerability', had been maintained on strict suicide supervision after Kelly Holland's death, she might not have committed suicide. 'However, there is nothing except hindsight to suggest that the doctors' decisions were wrong.' In the case of Kelly Holland, 'a disturbed girl,' he said he did not think that confusion among police officers about the issue of a special risk form had anything to do with her death. None of the police officers dealing with her case in Hamilton had thought her a suicide risk. Sheriff Principal Maguire concluded that there were no defects in the system, nor any reasonable precautions which could have been taken to avoid the deaths. He made no recommendations.

## 5. 'Scotland stands virtually alone': An alternative view by Kenneth Roy

Sheriff Principal Maguire's judgement is astonishing in its complacency. He insists that there were no defects in the system. Let us consider a few.

As he says, the police in Hamilton did not regard Kelly Holland as a suicide risk. However, two members of the procurator fiscal's department were familiar with Kelly's disturbed behaviour, even if the local police were not. One depute took the unusual step of dropping a charge of breach of the peace which alleged that she had attempted to throw herself out of a window. Another was so concerned about her suicidal tendencies that she called the police and asked them to alert Cornton Vale prison by the issue of a special risk form. Whoever received this request forgot or neglected to contact the prison: no special risk form accompanied Kelly Holland into custody.

Kelly's father expressed his belief that, on admission to Cornton Vale, she was not kept on 15-minute observation – otherwise how could she have had time to write her suicide letter? It seems clear that John McFadyen, the prison officer on duty that night, did observe her every 15 minutes, but failed to realise the significance of her red eyes as she wrote the letter. Prison officers in Stirling, no less than police officers in Hamilton, are largely untutored in suicide prevention. Does this not suggest a defect in the system?

Arlene Elliot, who had attempted suicide more than once, seemed 'fine' to the nurse officer, William Rock, when she was admitted on 30 May. However, it emerged in cross-examination that he had not read her case notes in full before placing her on 60-minute observation. Sheriff Principal Maguire sounded mildly perturbed by this revelation at the time, but evidently the lax admission procedure did not amount to a defect in the system.

A few weeks earlier, Arlene's state of mind was so poor that Dr Margaret Morrison, the prison's visiting psychiatrist, placed her on strict suicide supervision and decided that she should be sectioned under the Mental Health Act. When the consultant psychiatrist from Gartnavel Royal Hospital arrived to see Arlene, he was refused entry. Does bureaucratic inflexibility at the expense of a sick girl's health not represent a defect in the system? The Sheriff Principal's judgement leaves this important question open.

The most depressing aspect of the inquiry was the evidence about the lessons learned – or not learned – as the result of the deaths. The prison's deputy governor professed not to remember if Arlene Elliot's death had been discussed by the Medical Review Board. Prison officer John McFadyen recalled that, after the initial upset, 'things went back to normal quite quickly'. The inquiry's resident psychologist, Dr Power, who was allowed to sit through the proceedings before giving an expert summing-up, concluded that, short of shackling prisoners to their beds, nothing could be done to eliminate the risk of suicide.

Yet there were occasional hints that a safer and more therapeutic regime might be possible: Dr Morrison considered that prisoners at risk should be cared for by nurses in a

prison hospital rather than observed by officers in a stripped cell. Such a hospital exists in Cornton Vale, as the deputy governor acknowledged: he thinks it was open 'for a fortnight years ago'. Prompted by the psychiatric evidence, the inquiry might have taken the opportunity to recommend its re-opening, both as a 'reasonable precaution' and as a humane reform. The opportunity was missed.

Sheriff Principal Maguire may have felt that it was outside the limited scope of a fatal accident inquiry to offer an opinion on such other matters as the liberal administration of drugs in Cornton Vale; the complete lack of any educational or work opportunities for remand prisoners; and the deplorable practice of detaining a disturbed adolescent girl in police custody for the greater part of two days and two nights on minor charges.

Then there is the question of strict suicide supervision in Cornton Vale. A schizophrenic, aged 17, is stripped, forced to wear ridiculous clothing, dumped in a cell furnished by a mattress on a concrete floor, denied personal belongings or the most basic creature comforts, and incarcerated in total isolation. And they call this suicide prevention?

Peter Moore of Prison Watch (the UK prison watchdog) says: 'It stands virtually alone internationally in using the archaic stripped cell and the 15-minute observation system for suicide risk inmates'. Which barbarous country does he have in mind? He speaks of Scotland. He means us.

And finally there is the shaming inhumanity of a penal policy which remands girls as young as 17 to an adult prison when they are of no danger to anyone except themselves. Too often such girls are imprisoned for no better reason than to satisfy our national taste for banging people up.

Since the deaths of Kelly Holland and Arlene Elliot, two more young women have committed suicide in Cornton Vale prison. Even in the face of these events, the chief executive of the Scottish Prison Service, Eddie Frizzell, has insisted that there is no crisis. What is happening in Cornton Vale may not be a crisis, but it is something worse. It is an affront to any civilised society.

The girls on the bridge:  
The deaths of Niamh Lafferty and Georgia Rowe

Kenneth Roy

2012

## Part I

The basic facts are these. Niamh Frances Bysouth (or Lafferty), born on 18 June 1994, and Terrie Faye Oliver (also known as Georgia May Rowe), born on 13 February 1995, walked a distance of three miles from the Good Shepherd Centre, in Bishopton, Renfrewshire, to the Erskine Bridge, arriving near the centre of the bridge just before 9 o'clock on the evening of Sunday 4 October 2009. They had walked for about an hour to their pre-planned destination.

When they arrived at the barrier, the two girls took off their training shoes and put them on the ground. Georgia – we shall call her Georgia – left a photograph of herself and her half-brother and sister in one of her shoes. One of the girls draped a scarf over the barrier. They sat briefly on the barrier with their backs to the water, linked arms, and fell backwards. The force of the impact killed them instantly. Niamh – who preferred to be called Neve; so we shall call her Neve – was 15 years old; Georgia 14.

A fatal accident inquiry heard by Sheriff Ruth Anderson QC decided that they took their own lives. Why they chose to do it together, and why they chose to do it that night, will never be known. Neve had just returned to the Good Shepherd after weekend home leave; Georgia had been out for a meal with her aunt. Neve came back at 7pm, Georgia 10 minutes later. They appeared to be in good spirits: there was nothing in their behaviour which gave any cause for concern. At 7.30pm, a member of staff saw both girls in their night clothes. Fifteen minutes later they had changed into outdoor gear and were on their way out of the building. By 9 o'clock, they were dead in the waters of the Clyde.

Other than the basic facts, what do we know of this case? There are several misconceptions, some more serious than others. We have been told that the girls were close friends. A minor matter: but they weren't. An impression has been given that, although both were in care, their backgrounds were relatively normal. On the contrary, their personal histories were shocking. The outcome of the inquiry into their deaths, as reported in the press, was grossly simplistic: if there had been more staff on duty in the Good Shepherd Centre on the evening the girls absconded, or if they had been accommodated more securely, their deaths that night might have been avoided. Is that it? Far from it.

The true story is one of systemic failure, a reluctance to confront official shortcomings, a judgement of extraordinary passivity about the culpability of one of the key players in the unfolding tragedy, and two needless deaths.

### *Neve's story*

Neve's parents separated when she was two years old. She lived with her mother, Colette, a caring person by all accounts, but went on seeing her dysfunctional father, Paul Lafferty, a man with a violent past and a record of illegal drug-taking. The turning point in her life came when she witnessed an incident involving Lafferty and another man

which led to her father's trial for murder. He was acquitted in November 2006, but Neve's life was permanently affected. Her behaviour deteriorated abruptly.

In 2007, she told her mother that she had swallowed an overdose of herbal tablets. In April 2008, she cut her wrists. She was taking drugs, drinking heavily, shoplifting and associating with delinquents; she was reported for assaulting a fellow pupil at school. She was now spending more time with her father, who had no money to eat or to heat his house. Lafferty decided that he could no longer cope with Neve, but she refused to live with her mother.

In June 2008, she became a client of Argyll and Bute Council, and was in and out of the open unit of the Good Shepherd Centre at Bishopton, where absconding could not have been easier. The unmanned fire exit door was the usual escape route.

Neve had a boyfriend, Jonny McKernan, who was as messed up as she was. On 19 February 2009, Jonny appeared in court on a charge. Two days later he killed himself. On 3 March, the day of his funeral, Paul Lafferty was admitted to a psychiatric unit (he committed suicide in 2010, after Neve's death). Neve had now lost her boyfriend and, effectively, her father. Her fragile life degenerated into chaos.

On 5 March, she self-harmed by scratching her face and the following day, in the open unit, she drank a 200ml bottle of witch hazel. She was taken to the Royal Alexandra Hospital in Paisley but 'required no treatment'. Eight days later, she went missing from the unit for a full weekend, which she spent with a man, sleeping in a car.

On 19 March, she was finally transferred to the secure unit at Bishopton for her own protection. For a few months she was closely supervised. During this period, she repeatedly told staff that, if she could, she would 'go mad' with drugs and drink. She talked about ending her life. She talked about 'wanting to be with Jonny'. She told a case worker that she would take loads of 'blues' (street valium), mix it with vodka, go to sleep and not wake up. Neve was 'calm and focused' when she said these things.

### *A place of safety?*

On 26 June, there was a serious breakdown in communications at Argyll and Bute Council. A man named Roger Wilson, 'resources services manager', told the head of the children's department, Douglas Dunlop, that Neve's social worker, Deborah Wicks, had recommended that she should be transferred from the secure unit at Bishopton to the open unit. Dunlop, without seeing the case papers, decided that Neve should be transferred instead to one of Argyll and Bute's own children's homes.

Deborah Wicks had not recommended that Neve should be transferred from a secure unit to an open one or to a children's home. She was firm in her belief that Neve required the safety of secure accommodation, and refused to attend the children's panel hearing at which she would have been expected to recommend the move.

Despite her implacable opposition, the move was duly ratified on the recommendation of another social worker who took over responsibility for Neve and would continue in that role until Neve's death.

A case worker at East King Street, the children's home in Helensburgh where Neve was sent, prepared a note: 'Niamh self-harms – cutting wrists, taking paracetamol, drank half a bottle of witch hazel, and has threatened to hang herself – numerous suicide attempts'. Was this a suitable environment for Neve? The staff were doubtful, to say the least.

Neve plastered her bedroom wall with large laminated photographs of Jonny. According to one care worker her room 'resembled a shrine'. She absconded on several occasions, took drink to the home, and on 27 July was found semi-conscious in bed after a valium overdose. She again said she wanted to be with Jonny. She said she was sorry to have wakened up.

Neve was seen by two GPs in Helensburgh. Neither was of the opinion that she required to go to hospital, though one thought that she needed a psychiatric assessment.

It was obvious that East King Street could not keep Neve safe. It should have been obvious before she was referred there.

### *The journey*

On 28 July, her carers decided that she should go back to the open unit at Bishopton as an emergency measure. When Anne Berry, a case worker at East King Street, was helping Neve to collect her belongings for the transfer, she found a letter lying beside her bed.

Anne Berry, having glanced at the final line, quickly put the letter in her pocket. Neve was taken to the open unit in her night dress and with vomit stains on her clothes. During the car journey, she said several times that she wanted to be with Jonny and tried to get out of the car. She said that if a young person wanted to run away from the open unit, she just had to go to the Erskine Bridge because the staff would not chase anyone there – in case they jumped.

At reception, Anne Berry gave the letter to a case worker named Marjory Thomson, who copied it and returned the original to Anne Berry. When Anne Berry told a social worker about the letter, she was advised to put it in Neve's file at East King Street. The letter remained there unread – until the police discovered it after her death.

The existence of the letter was, however, brought to the attention of the head of the Good Shepherd unit, a man named Sandy Cunningham. He did not ask to see it. Nor did he discuss its contents with the social work department.

Neve's move from East King Street to the open unit should have been formally considered by the children's panel. It wasn't. The panel should have reviewed the transfer. It didn't.

When Neve's response to the transfer was to take another overdose, she was again seen in A&E at the Royal Alexandra Hospital where she 'required no treatment'. No further assessment was ordered by the duty doctor. The case worker who accompanied Neve had not been told about the letter.

Two days later, Neve tried to break into the secure unit at Bishopton. She was so distressed that she had to be physically restrained. She cut the inside of her wrist with a razor, and was taken once more to the Royal Alexandra Hospital. Sixteen stitches, but no further assessment recommended. The old story.

On 5 August, Neve saw a locum to have the stitches removed. The locum was concerned about her mental condition. As a result, Neve was referred to the NHS's Child and Adolescent Mental Health Service (CAMHS) on 7 August 2009.

On the day she died two months later, she was still waiting for an appointment.

### *The letter*

Dear Mum

Sorry about this but no-one gave a shit what was best for me. Don't know if you still have my old letter but I want to be buried with my necklace Jonny bought me. I want buried next to Jonny and my name spelt Neve Lafferty and can you play P.diddy and Faith Evans missing you at my funeral once again I'm sorry but I don't need to deal with anything anymore. Tell my dad I love him.

Lov Yaz all Neve XXX

Don't grieve for me for now I'm free.

At the inquiry, Marjory Thomson denied ever having seen this letter – a denial which the court rejected. Sandy Cunningham, the head of the unit, was reluctant to accept it as a suicide note. Roger Wilson, the manager who apparently misrepresented the wishes of the dead girl's social worker, left for New Zealand a week before the inquiry began. The court asked him to provide an affidavit. He failed to respond.

## Part II

### *Georgia's story*

There was a possible explanation for the degeneration of Neve Lafferty's fragile life into chaos. She witnessed a violent incident involving her dysfunctional, drug-addicted father in which a man died. Neve's father went on trial for his murder. Paul Lafferty was acquitted, but the trauma left a permanent impression on Neve.

There was no life-changing event in the case of Georgia Rowe: she was a deeply vulnerable child from the start. Born in Hull to a single mother, she was the subject of a care order within 10 months of her birth in 1995. The order (granted by a family court) remained in place until her death 14 years later.

Around the time of her first birthday, Georgia was sent to Scotland to be cared for by her maternal aunt, Tanya Oliver, in the Ayrshire village of Sorn. Tanya treated Georgia as her own daughter.

From the age of seven, there was a steady deterioration in Georgia's behaviour. She lied, she was aggressive and sometimes violent, and as she grew older she was sexually precocious. In 2008, Tanya decided that she could no longer cope. Georgia was placed with successive foster carers in Jedburgh and Hull, the Hull placement breaking down because of persistent absconding, Georgia's use of drink and drugs, and her liking for high-risk sex.

In March 2009, it was agreed that she should be transferred to the secure unit at the Good Shepherd Centre. It was thought to be sympathetic to Georgia's own wishes: she had indicated a desire to return to Scotland. But there was no improvement in her behaviour. She lashed out at staff, shouted and swore, squealed and made strange animal-like noises. She had to be physically restrained on a number of occasions. When she recovered, Georgia said she had no memory of these outbursts.

On 7 May 2009, she ripped up a pillowcase and formed a ligature. She put it round her neck and attempted to strangle herself. This was interpreted by the staff not as a serious suicide attempt but as a 'cry for help'.

Inexplicably, her carers decided that Georgia was fit to be transferred from the secure unit at Bishopton to the open unit, where absconding through the fire exit door was routine and easily accomplished. Her aunt was appalled. There was a heated discussion between Tanya Oliver and the staff, but Georgia was moved anyway. It was not long before she absconded.

### *The bully*

There was a very good reason for Georgia's desperation to leave the open unit. She was being badly and systematically bullied by another of the girls in the unit, a girl from Fife known only as 'AM'.

The first time she absconded, Georgia refused to return to Bishopton voluntarily. She

jumped repeatedly in front of moving cars, and when the police arrived she ran into a garden making animal noises. She had to be handcuffed for the journey back.

The bullying continued. It was a daily occurrence. On one occasion, AM intimidated Georgia by hiding a pair of scissors in the waistband of her jeans, making it known to Georgia that they were there. Another time, when the girls were heading for the swimming pool, AM told Georgia that when they got there she was going to drown someone – there was no doubt who she had in mind. Georgia refused to go to the pool that day.

Georgia absconded many times. Just as a distressed Neve Lafferty once tried to break into the secure unit for her own protection, so independently did Georgia. She was again physically restrained and in a condition of extreme distress as she was returned to the open unit. She told staff that AM was planning to stab her in the face with a piece of glass.

Nothing was done to stop the bullying. Nothing was done to remove the bully.

When Sandy Cunningham, the man in charge of the unit, gave evidence at the inquiry into the deaths of Georgia Rowe and Neve Lafferty, Sheriff Ruth Anderson formed the impression that he was seeking to minimise the 'extremely serious nature of the bullying in an establishment for which he had overall management responsibility'. Mr Cunningham is no longer employed at the Good Shepherd; he is listed in the court papers as an education officer with Glasgow City Council.

### *A day out*

On 26 September 2009, eight days before she killed herself, Georgia responded to a further threat from AM – to put her head through a \*\*\*\*\* window – by absconding. She met up with another girl – not Neve Lafferty – and they boarded a train at Bishopton for Glasgow.

The two girls hung about the city centre, where they were picked up by an older man who took them to a block of flats and plied them with alcohol and drugs. They spent the night with this man and had a conversation about committing suicide. Neither girl thought that she had anything to look forward to in this life.

The following morning they went to a police station and were returned to the Good Shepherd. In the car on the way to Bishopton, Georgia repeated that she did not want to go back to the open unit to be bullied by AM.

On 4 October, Georgia went out for a meal with her aunt, Tanya Oliver. She returned to the unit at 7.10pm and changed into her night clothes, as did Neve Lafferty who had got back from weekend home leave 10 minutes earlier. Both seemed cheerful and gave no cause for concern.

No-one knows what happened next – what passed between the girls. But by 7.45pm, unseen by anyone except CCTV, they were dressed in outdoor gear and on their way out of the building. They walked together for three miles to the Erskine Bridge. By 9 o'clock they were dead.

## *A&E*

Between the stories of Neve Lafferty and Georgia Rowe there are many striking similarities. A failure to listen by those caring for them is the most obvious and disturbing one. How many more times did Neve and Georgia have to exhibit signs of suicidal intent before someone took them seriously? But there was one important difference.

Earlier we described how on three separate occasions in the months leading up to her suicide, Neve Lafferty was admitted to the A&E unit of the Royal Alexandra Hospital in Paisley. In March, she was taken there having swallowed a 200ml bottle of witch hazel. She 'required no treatment'. On 29 July, she was there again after another overdose. Again she 'required no treatment' and no referral was made by the duty doctor. The following day, 30 July, she entered the A&E unit a third time having cut the inside of her wrist with a razor. The wound required 16 stitches, but again there was no referral.

Three suicide attempts; two visits to A&E within 24 hours; but still no referrals. This neglect of Neve's mental welfare would not have been permitted south of the border. When Georgia Rowe was admitted to the A&E unit of Hull Royal Infirmary after an overdose, she was referred to the psychiatric service as a matter of course. She was seen by a mental health specialist, who carried out an assessment despite the patient's reluctance to co-operate. The referral did not save Georgia's life – but it might well have done.

The automatic referral of young self-harmers which is policy in England should be adopted without delay in Scotland. It is more than a little surprising that Sheriff Anderson did not see fit to make this a recommendation in her judgement.

## Part III

Ten weeks before she finally succeeded in killing herself, Neve Lafferty made another of her many suicide attempts. On the morning of 27 July 2009, she was found semi-conscious in her bed in a Helensburgh children's home.

Throughout that day, Neve repeatedly told anyone who would listen that she wanted to die (or 'to be with Jonny', her dead boyfriend – it amounted to the same thing) and that she could not understand why she was still alive.

Neve was seen by two local GPs, Dr Jason Fang and Dr William Brown. It seems that Dr Fang did not ask Neve why she took the tablets, and there is an implied mild criticism in the inquiry report that he did not think of referring her to CAMHS (Child and Adolescent Mental Health Service), a specialist branch of the NHS.

Neither doctor thought that Neve needed to go to A&E. Could she, however, have been referred to the psychiatric unit at Gartnavel Royal Hospital in Glasgow? Dr Brown was well-informed about the pressure on beds there, and the particular shortage of beds for 14 to 16-year-old children. He was not hopeful about the chances of Neve being admitted.

Nevertheless, he felt that Neve should be given a psychiatric assessment. But by the time he saw her on the evening of 27 July, CAMHS had closed for the day. Emergencies in the lives of chaotic young people occur at any time, often at night, yet CAMHS observes the hours of a small town solicitor – 9 to 5.

Other than recording the fact, Sheriff Ruth Anderson had nothing to say in her judgement about this serious defect in the care of children at risk.

Neve, clearly still unwell, was eventually taken to A&E on 29 July. Nothing was done. Determined to die, she then cut her wrist and was re-admitted to the same A&E department 24 hours later. The wound was stitched, but no further action was deemed to be necessary. Did the duty doctors not detect some connection between these events or discern their significance? The hospital in Paisley escapes without censure in Sheriff Anderson's report – a report rightly critical of many other agencies and individuals.

The most the sheriff suggested – and it was only a suggestion – was that 'consideration should be given' to introducing a system of automatic referral to a psychiatrist when a young patient in A&E exhibits symptoms of self-harm. Although this sensible policy – which is common practice in England – should be introduced without delay, there appears to be no urgency to do so on the part of the Scottish Government.

It was only when Neve's stitches were being taken out – she required 16 for the wrist wound – that a locum became so anxious about the patient's mental health that Neve was finally referred to CAMHS. Caring though this action was, the locum might as well not have bothered. Two months later, on the day she died, Neve was still waiting for an appointment.

Had she lived, she would have gone on waiting, perhaps for many months. We

understand that, in March next year, there will be a new, improved waiting time target for CAMHS appointments. Scotland's most vulnerable young people should then be seen within 26 weeks.

Does Sheriff Anderson think this is acceptable? Does the Scottish Government think it is acceptable? Would any minister dare to justify a waiting time of half a year for severely damaged young people?

The Crown asked Stephen Platt, professor of health policy at Edinburgh University, to prepare a report on the deaths of Neve Lafferty and Georgia Rowe. To the question, 'Were their deaths preventable?', Professor Platt replied: 'Probably not'. It would be interesting to have the justification for this conclusion. Having studied the evidence, we have come to the opposite conclusion.

**1.**

No therapy of any kind was ever given to Neve or Georgia, despite the frequently expressed view of Neve's mother and Georgia's aunt that therapy would be helpful, and there was no stability in their care. They were treated as human parcels: Neve was moved no fewer than five times in seven months, and between June 2008 and August 2009, Georgia lived at nine different addresses, mercilessly bullied at the last of them. Had there been both therapy and stability, their deaths might have been prevented.

**2.**

Georgia's unsuccessful attempt to strangle herself, not long before her final walk to the bridge, was treated by staff at the Good Shepherd Centre as a 'cry for help' – a phrase that ought to be expunged from the language. Had her suicidal intentions been taken seriously, her death might have been prevented.

**3.**

In February 2009, a team leader in Argyll and Bute Council's social work department, Adah Lambie, recommended that Neve should be returned to the care of her father, Paul Lafferty, a man with a violent past and a record of illegal drug-taking. The social work department knew of Lafferty's appalling lifestyle, yet the move went ahead. Predictably, it was a disaster. Neve wrote: '... my dad had no money, both me and my dad had no money to eat, no electricity and not even any money for hot water to go for a bath'. Had Neve been removed from the malign influence of this man at an earlier stage, her death might have been prevented.

**4.**

Neve's social worker, Deborah Wicks, knew that her client required to be looked after in secure accommodation. Both girls also instinctively knew this. It is a distressing though largely overlooked fact that, in the last months of their lives, Neve and Georgia

independently tried to break into the secure unit at Bishopton, knowing it to be a place of safety. Neither succeeded, and Deborah Wicks's sound professional judgement was disgracefully undermined by her employers, Argyll and Bute Council. Had Deborah Wicks been listened to, Neve's death might have been prevented.

For all these reasons, we do not share Professor Platt's pessimism. In our view, both deaths *could* and *should* have been prevented.

### *Epitaph*

'Dont grieve for me,' said Neve Lafferty in her suicide letter, 'for now I'm free'. She would not have been surprised to learn that this desperate letter, leaving specific instructions for her funeral, was so little regarded that it was consigned to a file unread. 'No-one gave a shit,' she wrote in the same letter. Two months later, she left the Good Shepherd Centre for the last time, and walked with Georgia Rowe three miles to the Erskine Bridge, where the two girls linked arms on the barrier, their backs to the water.

Have their deaths changed anything? Does anyone give a shit now?

A body on the beach:  
The mysterious life and death of Annie Borjesson

Kenneth Roy

2013

## Part I

### A body on the beach

#### I.

Eight years ago today, the body of a young Swedish woman was recovered from an Ayrshire beach. A few days later, on 7 December 2005, a local newspaper published a brief account of her death:

*An area of Prestwick beach was cordoned off at the weekend after a woman's body was found washed up on the shore.*

*A dog walker discovered the 31-year-old woman's body about 8.30am on Sunday near to Maryborough Road.*

*A police investigation team quickly sealed off the area but there are no suspicious circumstances surrounding her death.*

*As the Post went to press the dead woman's details had not been released.*

In this 72-word story there were two minor inaccuracies and potentially one major one: the dead woman was not 31 but 30 years old and her body was found not near Maryborough Road but near Grangemuir Road. But the most intriguing assumption in the report was that there were 'no suspicious circumstances' – an innuendo commonly used by the police to rule out foul play and suggest the probability of suicide.

While the *Ayrshire Post* was reporting this news, a post-mortem on the body of Annie Borjesson was being conducted in the mortuary of Ayr Hospital. Why, on that very day, did the police confide in journalists that there were no suspicious circumstances when they were unaware of the post-mortem result? Why did they not confine themselves to a factual statement, familiar in cases of unexplained death, that the cause was unknown?

The rush to judgement, without any forensic support, became the first of many questions about Annie Borjesson's death – questions still unanswered despite the personal intervention of the First Minister, Alex Salmond, who had a meeting with Annie's mother in Edinburgh; a petition to the Scottish Parliament signed by 3,000 people; and a tenacious campaign by family and friends. Yet the authorities have consistently refused to reopen the case.

After a thorough investigation during which we were given access to many documents never before made available to the media, the *Scottish Review* presents its dossier on the case, including new evidence which in our view points to the need for a fresh inquiry.

## II.

On 27 July 2007, the then Solicitor-General for Scotland, Frank Mulholland, who is now the Lord Advocate, replied to a letter from Eva Seiser of the Swedish Embassy in London. He repeated the initial police opinion, 20 months earlier, that there was no evidence of suspicious circumstances and cited the autopsy report as one of the justifications for his conclusion.

There was no acknowledgement from Mr Mulholland – doubtless because he had no personal knowledge of it – that the police had reached a view of the case in advance of the post-mortem. He was at pains to point out that the procurator fiscal at Kilmarnock had undertaken 'a full investigation... assisted by the local police' and that there were 'no lines of inquiry to pursue'. For that reason, he had decided that the case would not be reopened – although he did add the qualification 'at this stage'.

We have obtained a copy of the autopsy report, signed by the two doctors who conducted the post-mortem. It noted that the body was heavily contaminated by sand and seaweed, that the lungs were congested, that the air passages contained 'a frothy material'. Conclusion: death by drowning.

No sinister significance was attached to an unexplained 'depression' in the skin, small areas of bruising in the right temple, scratched abrasions on the left arm and 'two patterned roughly square contused areas' on the right arm.

Although there was no penetration of the skin, the police were satisfied that these minor injuries had been caused by contact with rough objects in the water.

Annie's body was flown home to Sweden on 16 December. The family were shocked to discover areas of more extensive bruising, which had not been recorded in the post-mortem report nine days earlier, but again it seemed there was an innocent explanation. They were assured that bruising could occur between eight and 10 days after death.

The undertakers in Vargarda, Sweden, were surprised by what they found when they opened Annie's coffin. Gun Daneberg and Lennart Svensson discovered 'big bruises' on her right arm and side – 'about the size of a palm' – as well as bruising behind her right ear. They insisted that these bruises, far beyond anything included in the autopsy report, were not the result of post-mortem lividity. ('We consider we have the knowledge to state the difference between bruises and corpse patches on a body.')

The striking divergence between the undertakers' observations and the autopsy report disturbed the Borjesson family.

## III.

Pieces of body tissue removed during the post-mortem were examined by RMV, the Swedish forensic service. RMV sent bone marrow from Annie's body to a professor in Strasbourg for analysis. He found tiny diatom shells – algae – in the sample and identified them as *navicula lanceolata*.

It was an unexpected discovery. Far from confirming that Annie had drowned, it

tended to cast doubt on the result of the post-mortem. *Navicula lanceolata* is a freshwater rather than a seawater diatom.

The family independently contacted other diatom specialists. One who checked the salinity in Prestwick bay found only a 'weak influence' of freshwater inflows and said it was more likely that *navicula lanceolata* had entered Annie's body through drinking tap water. 'Annie,' he wrote, 'may have had it in the bone marrow long before she passed away'.

A second specialist corroborated this view. 'Although the species might be found in low numbers in a coastal environment,' he wrote, 'it would not be one of the common species living or transported there. The source of the diatoms found in the bone marrow is therefore very unlikely to have been from the sea'.

In the opinion of these marine experts, the presence of *navicula lanceolata* in the bone marrow had failed to establish drowning as the cause of death. They agreed that this could only be established by analysis of other organs. One of the experts offered to conduct an extended test pro bono. The Swedish authorities not only refused to permit such a test, but declined to give any explanation for this decision.

Their counterparts in Scotland seem equally unwilling to contemplate any scrutiny of the autopsy findings.

On 15 December 2005, eight days after the post-mortem, toxicologists at Glasgow University received two samples of blood and one sample of urine labelled 'Annie Borjesson' from a consultant pathologist at Crosshouse Hospital, Kilmarnock, who was acting on the instructions of the procurator fiscal.

The toxicologists analysed the samples for alcohol and drugs. They found 19 milligrammes of alcohol per 100 millilitres of blood, well under the drink driving limit; Annie, who seldom drank alcohol, had had a small quantity shortly before her death, perhaps the night before. There were no drugs in her body or, at any rate, no detectable ones.

Two years after her death, the principal procurator fiscal depute at Kilmarnock, Robert Bloomer, released the results of the toxicology report to the family at their request. The family had also asked for histological samples which would have enabled a deeper examination of the body tissues to be performed. Robert Bloomer felt unable to make a decision on this request and referred it to the Crown Office.

On 13 December 2007, the procurator fiscal wrote to the family informing them: '... Crown counsel have instructed that these [the samples] will be retained and not destroyed but that they will not be released other than to a skilled person for a specific purpose'.

Inescapably, then, the authorities have body tissues which could confirm whether or not Annie Borjesson died by drowning but, for unexplained reasons, will not readily part with them.

## Part II

### Four minutes 41 seconds

#### I.

There were two attempts by Annie Borjesson to withdraw money from a cash machine in Glasgow Central station on Saturday 3 December 2005 – the last day of her life. First she requested £100, then £50. Both attempts failed because there was not enough money in her account.

For a while it seemed she had been in two places at once. At 3.15pm, when she was supposedly in Central station, she was also captured on CCTV 32 miles away, in the overhead walkway which connects the railway station at Prestwick Airport with the terminal building. The police in Annie's home country finally cleared up the confusion: the credit card company had recorded the transactions in Swedish time – an hour ahead.

In the first image from the airport, Annie is wearing the dark winter jacket which was found near her body on Prestwick beach the following morning, a red and white fleece, trousers and trainers; her long hair is tied in a ponytail; she has a bag over her shoulder.

In the second image, around 3.16pm, she is outside the terminal building, walking towards the car park. Annie, having entered from the walkway, used the escalator which takes passengers down into the concourse and then continued the full length of the concourse to the exit at the far end, where she left through the automatic doors into the car park.

According to the CCTV timings, Annie accomplished this in 55 seconds. Yesterday, eight years later at exactly the same time, we reconstructed a walk in Annie's footsteps from CCTV position A in the walkway to CCTV position B outside the terminal building. It took a young woman of Annie's age and fitness, with a bag over her shoulder, standing on the escalator rather than walking down it, 1 minute 32 seconds to get from A to B unimpeded across a deserted concourse.

Walking down the escalator – which would not have been Annie's normal practice – cut the journey time to 1 minute 20 seconds. Either way she could not have done it in 55 seconds unless she was running. Or – the only alternative explanation – the CCTV records in an international airport were wrong.

Why was she in Prestwick? There was a flight to Gothenburg around 6.30pm, and another the following morning. The family assume that she was intending to fly home. It transpired that she had an appointment in Sweden with her hairdresser, Inger Nossborn, on Monday.

Yet it seems she had no pre-booked ticket for either flight. She might have been able to buy a standby ticket at the airport, for although her bank had rejected her requests for cash, she habitually kept money in her Filofax. But, according to the CCTV timings, it would have been impossible for her to inquire about a standby ticket: she was not in the terminal long enough.

## II.

No timeline has ever been established for Annie Borjesson's last day. The gaps are yawning; the contradictions mystifying. In the absence of any CCTV until she arrived at the airport, it is far from certain how she even got to Prestwick.

She lived in serviced accommodation, Linton Court Apartments, not far from Haymarket railway station in Edinburgh. She had her own room but shared a kitchen with a number of other tenants. One of the staff, a woman called Jane, remembered seeing Annie in Linton Court around 1.15pm on Saturday. An hour later Annie was somehow at a cash machine in Glasgow Central.

These timings are not credible. They leave Annie too little time to travel the two miles from Linton Court to Haymarket station, by train from Haymarket to Glasgow Queen Street, and walk across the city centre to Central. Likewise, a car journey between the two cities on a busy Saturday three weeks before Christmas would have taken much longer than an hour. Jane must have been mistaken in her recollection.

Here is a more logical timetable. Annie catches the 1.04pm from Haymarket, which arrives in Queen Street around 1.50pm. She walks to Central and arrives at the cash machine at 2.15pm. She boards the 2.30pm for Ayr, disembarks at Prestwick International around 3.15pm, and walks through the overhead walkway to the terminal building.

There is only one flaw in this scenario. There is no CCTV to show that Annie was among the passengers on the 2.30pm train, which would have been packed with Christmas shoppers on their way to the Ayrshire coast. It would appear that, inexplicably, the police failed to scan the CCTV records from that train, the only one which fitted the most plausible chronology of her movements.

No-one knows why Annie visited the short-stay car park at Prestwick Airport. Annie's family say they were initially informed by the police that she may have gone out to withdraw money from a cash machine. But there was no cash machine in the car park – only ticket machines. Guje Borjesson, Annie's mother, discovered this for herself when she visited the airport after her daughter's death.

Had Annie left the terminal building for no more sinister motive than to have a breather? Or had she, as her family suspect, arranged a rendezvous in the car park with someone? Someone who had just come off a plane or was about to board one? Or someone who lived locally? Someone who failed to show up? Or someone with whom she had the briefest of encounters?

A CCTV image at around 3.19pm shows Annie, grim-faced, re-emerging from the car park using a different entrance nearer the escalator. Maria Jansson, her friend in Sweden, says she recognises that look: Annie is annoyed or angry. She had been outside for three minutes.

In the final CCTV images of the sequence, she is seen back in the walkway on her way out of the airport. After a two and a quarter hour journey from Edinburgh, she had been

in Prestwick Airport for all of four minutes 41 seconds. What she did next, according to the police's version of events, was stranger still. She started walking a mile towards Prestwick, a town with which she was unfamiliar, on a pavement by a dual carriageway, in the gathering dusk of a winter afternoon.

## Part III

### At the water's edge

#### I.

The decisive witness in the police investigation was a local man who went for a walk along the promenade at Prestwick around 4.30pm on the afternoon of Saturday 3 December in the company of a friend from England. They were distracted by the sight of a person on the shore at low tide.

The person was a long way out: about 150 yards, they reckoned. He or she was standing motionless at the edge of the water. The friends continued their walk to the end of the prom and then turned for home. Twenty minutes had elapsed since the first sighting, yet it seemed the lone figure on the shore hadn't budged – he or she was still there, looking out to sea. There was no-one else on the beach apart from a dog which had broken loose from its owner.

It occurred to the local man that the person might be contemplating suicide. He mentioned this possibility to his friend. But they thought no more about it until the following morning, when they saw that the police had sealed off the area. The local man decided to tell the police what he and his friend had observed.

For the police, this was the clincher: the nearest thing to a positive ID of Annie Borjesson, who had left Prestwick Airport on foot an hour and a quarter earlier, more than enough time to walk into the town and down to the beach, there to prepare mentally for taking her own life.

The significance of the sighting on the shore was underlined in July 2007, when the solicitor-general Frank Mulholland, in his letter to Eva Seiser at the Swedish Embassy, wrote that 'a witness statement indicated that someone fitting her description was seen standing at the water's edge looking out to sea at about 1630 hours'.

From the police's perspective, it was helpful that there had been a final sequence of CCTV pictures of Annie in Station Road, a short distance from the beach, at 4.05pm. The police now claimed to know how she had made her final journey, enabling the file to be closed.

Eight years on, however, two vital questions remain unresolved. Was the figure in Station Road Annie Borjesson? Was the figure on the beach Annie Borjesson?

#### II.

The CCTV images from Station Road are blurrier than those from the airport. The figure identified by the police as Annie is carrying a bag or rucksack, but there the resemblance ends: the figure looks more like a tall young man. A retired detective with Lothians and Borders Police who studied these images – from the airport as well as Station Road – gave as his professional judgement that they were all of poor quality but that the images from Station Road were particularly poor.

'I would question this identification,' he said. 'I have extensive experience of examining CCTV footage and I must say honestly that the images from Station Road are rubbish. I may assume that it's Annie, what with time and travel direction, but detectives should never assume. They work with facts not assumptions.'

The same expert added: 'We know Annie ended up on the beach, but the whole story is not known. They simply don't have a full picture of what happened. They know the start, they know the end, but they don't know the middle. In my opinion, they haven't achieved the mark in this case.'

If it was Annie in Station Road – and her family are extremely dubious that it was – it is surprising that she was not spotted by CCTV cameras at the entrance to Prestwick town centre a few minutes earlier. But there is a far greater puzzle. What happened to her between four o'clock on Saturday afternoon and the discovery of her body at 8.30am the following morning, more than 16 hours later?

The family insist that the police made no attempt to piece together these missing hours. The Borjessons heard nothing more about an apparently promising early lead that someone resembling Annie had been seen talking to two men in the area of the beach late on Saturday afternoon. Did the police simply operate on the assumption that, shortly after 4.30pm when the lone figure was spotted on the shore, Annie walked into the water and drowned herself?

It was not until 2008, three years after her death, that the family acquired first-hand knowledge which compromised this theory.

### III.

On one of their periodic visits to Scotland, Annie's friend Maria and her mother Guje received hospitality from a Prestwick family, members of a local Church of Scotland congregation. They had a meal together in a restaurant and then walked down to the shore, where they lit a candle at an informal shrine for Annie, re-arranged floral tributes, and put up a fresh notice appealing for witnesses.

'After that,' Guje recalls, 'we all walked back to their house and it was only when we sat down and spoke about the mysterious circumstances of Annie's death that we mentioned the witness statement from the man on the promenade who had been walking with his friend from England'.

It emerged from this clue that the family knew the witness. 'We were shocked but also excited,' says Guje, 'A family member went to see if he was at home. We were lucky. He agreed to meet us and tell us what he had seen, and allowed us to record his statement'.

The man told Guje and Maria that it was his friend who first drew attention to the person at the water's edge. They agreed that it was unusual and perhaps ominous: someone standing there on a bleak winter afternoon with darkness falling. The person was of medium height. He or she did not appear to be carrying a bag. The witness was unable to say if it was a man or a woman.

Some time later – five or six months after Annie's death – he was asked to go to the police station and repeat his description. He said that he couldn't tell them much because the person had been too far away. The police informed him that they did not believe there were any suspicious circumstances but that they were going over the case one more time to satisfy themselves. At no point was he asked if the person he had seen on the beach resembled Annie.

#### IV.

On Tuesday 3 December 2013 at 4.30pm, eight years later to the minute, we re-enacted the scene on Prestwick beach. It was a cold, clear, dry afternoon, similar to the weather on the corresponding day in 2005. Eerily, there was even a loose dog heading for the shore. The tide was well out, just as it was eight years ago.

A young woman walked 150 yards from the sea wall and could have walked the same distance again without hitting serious water. From the promenade, all that could be seen of her was a dark, nondescript shape.

A senior member of the Scottish Government gave an assurance to a foreign government that 'a witness statement indicated that someone fitting her [Annie's] description was seen standing at the water's edge looking out to sea at about 1630 hours'. There could have been no such identification; it would have been impossible to identify anyone.

## Part IV

### 'I have to take care of myself'

#### I.

If there was a serious misunderstanding at the Crown Office about the main witness statement, the reaction of the police to the discovery of Annie Borjesson's body was just as perplexing.

Did they ask the local lifeboat or coastguard to assist in the search for the dead woman's belongings? No – we have the word of the lifeboat and the coastguard for that. Was a specialist forensic team called to the scene? Were there house-to-house inquiries? The family say no to both these questions.

Nose rinsing might have helped to determine where Annie breathed her last. The family say this wasn't done.

Were fibres taken from her clothes for examination? Were water samples taken to support any future diatom test? Were swabs taken from the part of the sea wall closest to the body? Was expert scientific evidence obtained to establish that the movement of the tides made it possible for Annie's body to have been washed up in the position in which it was found? Again, the family say no.

Annie was still wearing her sports top, trousers, trainers, socks and underwear when her body was discovered. Her jacket and bag were found nearby. But the red and white fleece which she was wearing under her jacket was missing and has not been recovered. The fleece, clearly visible on the CCTV footage, has become a source of contention between the family and the police. The family maintain that the police attempted to suggest that Annie had not been wearing a fleece.

But the disputed fleece was not the only personal item which was never traced. Something of greater significance was missing too. Wherever she went, Annie always carried her Filofax. 'It was a natural part of her,' her friend Maria Jansson recalls. 'She would put small folders in it, funny plastic cards, and she would note down quotes, new words and expressions, the names of birds, special days, all sorts of things that interested her.'

Annie's Filofax also contained the names and contact details of many Edinburgh acquaintances. It would have been useful in tracing these people after her death. But the Filofax was not recovered from the beach at Prestwick. Had it somehow escaped from her bag? Had it been removed? Or, most unusually, had she not brought it with her? When her apartment was searched, it was not there either.

In the absence of the Filofax, the family turned to telephone and email records to help them in their quest for the truth. But when Guje Borjesson opened her daughter's Hotmail account, she was shocked to discover that all her emails, in and out, had been wiped, leaving her to speculate whether Annie herself had erased them or whether it had been done by someone else.

Maria Jansson's experience was equally unnerving. When she asked her telephone company in Sweden to send her a copy of all the phone calls she had made in the autumn of 2005, she expected to find that it contained the record of many calls to Scotland. It contained none. Hours of conversation with Annie had not been registered or charged. Maria attempted to contact the company's security department for an explanation. They refused to speak to her.

As the family's campaign for a fatal accident inquiry started to gather support in Scotland, there were unsettling incidents. Maria's phone rang repeatedly, but when she answered it there was silence at the other end. There were problems accessing email accounts. These escalated after Maria sent an email pointing out that her friend's full name – Annie Kristina Borjesson – was almost identical to that of a journalist in the United States who, it was thought, had been investigating rendition flights through Prestwick Airport.

The family were so intimidated by these incidents that, for a while, they stepped back from their campaign.

## II.

The story of the last weeks of Annie Borjesson's life is disturbing in its emotional complexity and profound sense of incompleteness.

On 27 November, Annie phoned Maria and they spoke for almost an hour. Maria assumed that Annie was calling from Linton Court Apartments. But there was no record of it on their call list.

At lunchtime on 1 December, Maria called Annie on her mobile but got no reply. Annie had said that she was going to the pool and to a work fair and later to the Murrayfield Warriors rugby club, where she often socialised. So Maria was not particularly concerned. But within the Borjesson family there were growing worries about Annie's demeanour during recent phone calls.

There seemed to be two Annies. The first was behaving normally. She was paying her December rent upfront, buying a leisure card for a local pool, and attending a rugby match at Murrayfield. But the other Annie was troubled. The same member of staff who assured the police that she had seen Annie in Linton Court Apartments at 1.15pm on Saturday 3 December, when she must already have been on her way to Glasgow, also informed the police that Annie had been depressed about a relationship with a man but hadn't wanted to talk about it. Annie apparently told someone else at Linton Court that she 'had to take care of something' and 'had made a decision that might change her life'.

Around 5.30pm on Friday 2 December, the day before she left Edinburgh for the last time, she turned up unexpectedly at the Scotch Whisky Heritage Centre in the Royal Mile, where she had worked earlier in the year on a scholarship. The first person she saw there was her friend and former colleague Kat Dalmo. At first Kat thought Annie was her 'usual happy and talkative' self.

But at 6.15pm, Annie took a call from her mother in Sweden, and her mood changed dramatically.

This is Guje Borjesson's account of how the conversation went:

*'Hello, Annie, this is mummy.'*

*'Hello, mummy.'*

*'How are you doing? Daddy and Charlie have been talking to you and they are worried.'*

*'I cannot talk right now. I am sitting here with Kat.'*

*'But Annie, tell me, what has happened? We are worrying about you.'*

*'You have to respect this, but I have to take care of myself.'*

*'Okay. But call me tonight... or tomorrow.'*

*'Well. We'll see about that.'*

*'Okay, bye then.'*

*'Bye.'*

The Scottish police informed the family that this call was not registered as a received call on Annie's mobile. Nor was Maria's earlier call registered as a missed call. According to the police, there were no calls in or out of Annie's mobile in the last three days of her life.

There was a final conversation with a friend in Sweden (not Maria) between 6pm and 8pm that night. Annie told her that she was going to a party in Edinburgh and that it was due to start at 10 o'clock. Annie seemed positive about the party, but was reluctant to say any more about it.

Where was this party? Who was she with? What happened at it? No-one has ever come forward with answers to these questions.

Meanwhile, her family wondered anxiously what Annie could have meant by the remark, 'I have to take care of myself'.

Thirty-six hours later, she was found dead in a small town 80 miles away.

## Part V

### In the Mood...with an imposter

#### I.

Annie Borjesson had been living in Edinburgh on and off for more than a year. When she first arrived in the autumn of 2004, she studied English at a language school in the city. She was a gifted linguist, speaking Hungarian, Finnish, Spanish and some French, as well as Swedish and English.

Annie was a member of a band which performed at gigs in various European countries. She sang and played bass guitar. And when she won a scholarship to the Scotch Whisky Heritage Centre in February 2005, she relished the opportunity to take part in informal street entertainments for the amusement of casual visitors to the centre. She was a strikingly classical Scandinavian figure with her thick, waist-length blonde hair.

Although Annie loved Scotland, she found it difficult to secure a permanent berth in this country. The scholarship ended in August 2005 and she went home. She could have resumed working for the family business, but she was restless and keen to return to Edinburgh. She did return in late October – six weeks before her death.

Annie renewed her tenancy at Linton Court Apartments and launched into her search for permanent work with typical determination. She fired off a string of job applications and seemed set on a job in the hotel industry, perhaps as a receptionist. She wasn't having much luck. She felt a little frustrated. But she kept hoping for the elusive breakthrough.

Meanwhile, she enjoyed walking and swimming, getting to know Edinburgh better, making new entries in her Filofax, and attending rugby games. She fancied rugby players as a breed.

Annie also enjoyed going alone to a night club called Mood. It was one night in Mood that she met the imposter – a man who claimed to be the rugby internationalist Martin Leslie. The real Martin Leslie wasn't in Scotland at the time, but it seems that Annie was instinctively attracted to the man who was pretending to be Martin Leslie. Although she declined his insistent offer of champagne, they talked animatedly for several hours.

A few days before her death, the man turned up without explanation in the swimming pool she frequented. Who was this character? Why, after such a promising first encounter, had Annie begun to feel uneasy about him? But it should be emphasised that there is nothing – absolutely nothing – which links this man to Annie Borjesson's death.

When the police visited Linton Court Apartments the following week, there was no presumption of crime. The few testimonies to Annie's state of mind merely confirmed what they felt they already knew.

## II.

There is a final mystery. Whatever happened to Annie's hair? It was her pride and joy, 'part of her personality' as her friend Maria puts it. The only person she would trust with it was Inger Nossborn, her hairdresser back home, whom she was planning to see on Monday 5 December.

When the body arrived in Sweden on 16 December, the Borjesson family were overwhelmed by their first sight of it. The waist-length hair had gone; to Guje Borjesson it looked as if it had been hacked off, leaving bunches on the scalp of between 5cm and 16cm. The family were horrified. They had given no consent for this to be done.

The autopsy report described Annie's hair as 'long' – but there was no indication that it was exceptionally long and no measurement of it. 'Long' could have meant something far short of waist-length. Had some of it already been cut?

The funeral undertakers in London who were responsible for transporting the body back to Sweden (not the company which received the body at the other end) admitted that they had cut some of Annie's hair to make it look more presentable. They said they had disposed of the hair – thrown it away. The then Minister for Health and Community Care, Andy Kerr, in a letter to Catherine Stihler, MEP, said the undertakers had removed 'between 4 and 5 centimetres' of her hair.

We asked a leading funeral undertaker for an opinion. This was his reply: 'I have never known hair to be cut. When they do a PM, they do open up the skull, but there is no need to cut hair. For international transportation, a body must be embalmed, but again there is no need to cut hair. It seems to me very unlikely, as whoever deals with the body would think that the family might want to see it and so it should be kept as intact as possible'.

If the people who transported the body cut – without authorisation – between 4 and 5 centimetres, it follows that most of Annie's hair was removed before her body left Scotland. It wasn't done at the post-mortem. So when was it done? And by whom? No-one seems to know. No-one seems to care. Why does it not matter? It matters to the family.

## III.

What should happen now?

(1) The various witnesses to Annie's life in Edinburgh should be interviewed or re-interviewed – if they can be found. The names are known to the family.

(2) The Crown Office should accept that the statement of the witness on the Prestwick promenade was misinterpreted, that a misleading impression was given to the Swedish Government, and that it would have been impossible to make any identification of the figure on the beach.

(3) Based on the tidal records for 3-4 December 2005, there should be an expert test to determine whether it was possible for Annie's body to have been washed up in the position close to the sea wall where it was found.

(4) The authorities should, without further delay, release body tissues for examination so that the cause of death can finally be confirmed to the Borjesson family's satisfaction.

(5) When all this has been done, there should be a fatal accident inquiry.

#### **IV.**

Annie's family have long suspected that she did not drown in Prestwick bay; that she was murdered elsewhere and that her body was dumped on the beach. Even if this is proved to be a mistaken view – even if the strong swimmer did simply walk into the sea and drown herself – she might still have been a victim of crime.

Why did she feel the need to take care of herself? Of what was she afraid? Of whom was she afraid?

And then there is the strangest question of all. Why would someone living in Edinburgh travel all the way to Ayrshire to kill herself? Eight years on, we are no nearer an answer to this question – or to many others.

We believe we have presented a compelling argument for a fresh look at this case. The Borjesson family deserve no less. The interests of Scottish justice demand no less.

## **Part VI**

### **My friend Annie**

#### **Maria Jansson**

Annie was sociable, verbal and fun. She was stubborn and seldom gave up when there was something she wanted to do. She had humour and a sparkle in her eyes. Annie always found positive things to enjoy. She was kind and helpful to all the people she met, and very fond of her family and friends whom she cared for in so many ways. Being unselfish, she was sometimes disappointed by people who let her down, but she always found something new and cheerful to focus on. Annie loved life.

Annie made new friends easily. Age, sex or skin colour didn't matter to her. As a child, she even made friends with the neighbours who were her parents' age or older and some of them became like extra parents or grandparents to her. Annie was radiant. People noticed her and turned round to look at her when she was walking down a street – at her beautiful hair which covered her back.

She was intelligent but sometimes naive. She could trust people too much. She was very tough and always thought she was able to take care of herself in every situation she faced. If she wanted to go somewhere she loved to go in the company of friends, but if nobody had the time or the money to join her, she would happily go on her own.

Annie was very much into law and order. As a child, she wanted to become a police officer. Annie laughed out loud and spoke loud, and she also used her space when making gestures. But still she made a feminine impression. She was a natural, beautiful young woman who loved the adventure of travel, of meeting new people, of learning new things, as well as being home with her family while being in the kitchen with her mother, peeling apples for a delicious apple pie.

Annie was thorough with papers and documents, which she had learned from her mother. Annie also trusted her mother with her passwords. She told me that she wanted the very best for her wonderful mother and thought or spoke about her often. She was happy about their mother-daughter relationship.

Annie and I had been friends for almost five years. We were almost like sisters, and she was like an aunt to my children. She told me that she wanted to have me as godmother to her future children.

Annie could sometimes be old-fashioned. For example it was not allowed to invite a guy (or a girl) up to your room at Linton Court Apartments for any kind of 'making out' (so to speak). If this happened, and someone complained to the management, all those who lived in the same apartment (several rooms with shared toilet/shower and shared kitchen) could be asked to move immediately. Those were the house rules.

One of the new girls went out partying and brought different guys back to her room. Annie pointed out the rules to this girl, but the girl didn't care and was disrespectful. The

other girls who rented rooms there were afraid of confronting this girl, but also very afraid of being asked to move, so Annie stayed up one night and waited for the girl. When she arrived after being out partying, she brought a new guy.

Annie kindly told the guy about the rules, that there were other girls depending on being able to live there renting their rooms, and asked him not to come inside and that they could go to his place instead. The guy went away after telling Annie that he understood and respected the house rules. But the girl was furious.

Annie always had some fruit juice or dark chocolate with her. She loved food and she ate proper food. She was strong and well-built and active in her lifestyle. She took great care of her body, went power walking and was a strong and great swimmer. She drank aloe vera juice which is very good for your hair and body in general, and always wanted to look proper and nice. She was careful about her health and always dressed properly.

One warm day in early May, when eight of us went down to the beach for a picnic, the only ones not wearing bikinis were Annie and me. Guess who didn't get a cold, when all the others did?

Annie always had her Filofax journal. We used to joke that it was like an extension of her. It didn't matter whether she was going to IKEA or a night club, she took her Filofax with her. There were always fun or important notes to add. Annie also loved books about real people writing about their lives; she loved to read or listen to other people's stories. She loved to look inside shops, but was careful about what she bought. It was not only an 'item' to her, it also had to be functional and useful.

Annie was careful with alcohol. She could drink, but always in a modest way. As she was the person she was, she never felt the need to get drunk in order to have fun or to be able to speak or dance with others. Annie told me many times that, when she was out in Edinburgh, at social events where rugby people gathered, her companions became almost annoyed because she would have soft drinks rather than alcohol. And Annie was never interested in drugs. She did not need anything to be able to be herself and enjoy life.

Annie went out walking most days – both power walking and looking around Edinburgh as a tourist. She wanted to discover historic buildings and attractions. She loved Scotland and the nice people she met. She went swimming a couple of times a week, visited internet cafes, wrote in her Filofax, was always looking for new fun words or expressions, and practised her English.

She spoke with Scottish friends, with her family very often and with me almost every day. She loved long discussions. She was interested in almost everything.

Maybe Annie over-estimated her abilities. She was not afraid of confronting people if necessary. Maybe she was too kind, putting her trust in people, helping to sort out their problems. She could have been used by people not so kind. She liked to meet all kinds of people, would not be afraid of odd people, and always treated everyone as being a 100% person. She thought that all people had the same value and was not the kind of person

who thought that an advocate was a better person or had a bigger value than a homeless person on the street.

She treated all people with respect. It was admirable, but when being as beautiful and kind-hearted, it also made her vulnerable.

*Maria Jansson was a close friend of Annie*

# Obituary

Kenneth Roy  
1945-2018

*Kenneth Roy, founder of the Scottish Review, died in November 2018. In his final days in his hospital bed, he did what came naturally to him throughout his life – he began to write. The result was his final book, 'In Case of Any News – A diary of living and dying'. But there was one more thing to be written – his obituary – and, of course, he wasn't going to leave that to anyone else. He said he rather enjoyed the novelty of writing about himself in the third person:*

Born in March 1945 in Falkirk, where his parents were both active in the amateur theatre, Kenneth Roy had an unhappy time at Denny High School, which he left as soon as legally possible. He had work lined up: having volunteered as Bonnybridge correspondent of the *Falkirk Mail* at the age of 13, a role for which he was paid in postage stamps, the paper promised him a full-time job as a junior reporter as soon as he acquired proficiency in shorthand and typing from Skerry's College in Glasgow. But it was not the most auspicious start to a career: the paper folded less than a year later.

After a short spell with the Greenock evening paper, and still only 19, he joined the *Glasgow Herald*, which assigned him to cover the criminal courts. He said later that this experience gave him a dark view of human nature, particularly as his duties were sometimes combined with a night-time trawl of the city's police stations for copy. When he quit the paper, he treasured a note from the editor, Alasdair Warren, predicting that he 'could have had a promising future in journalism'. A barren interlude in public relations followed.

He moved with his young family to a crumbling Victorian villa near Edinburgh, where he published, from 1969 to 1973, his own monthly magazine, *Scottish Theatre*, a precarious venture that quickly ran into financial difficulties. These were compounded when he diversified into the publication and production of plays by prominent Scottish writers, all of which enterprises lost money. He was left to eke out a bare living with jobbing work on Radio Scotland arts programmes and as an adjudicator of drama festivals.

Floundering in debt, he was rescued by Hugh Cochrane, newly appointed head of news and current affairs at BBC Scotland, who offered him a job on the teatime news programme, *Reporting Scotland*, where his long, prematurely greying hair proved too much even for the urbane Cochrane: he was ordered to get it cut. For several years he co-presented the programme with Mary Marquis.

In search of more creative challenges, he seized an opportunity to work with the head of religious programmes, Ian Mackenzie, on *The Yes, No, Don't Know Show*, an early experiment in audience participation, which focused on ethical issues. The series achieved uniquely high ratings for late-night religious television, but was bitterly opposed by the Church of Scotland hierarchy, which saw it as a threat to the sanctity of the God slot.

In 1979, Roy left the BBC and rented a 16th-century castle on the high street of Maybole, where he lived with his wife and two sons. It was from there that he engineered a bid for

one of the first independent local radio franchises in the UK. Fighting off competition from Radio Clyde, the little-fancied 'Maybole consortium' brought West Sound on air in the autumn of 1981 from studios in Ayr. Roy's preference for news and talk over needle-time gained an unexpectedly large audience, but his backers decided that he lacked the expertise to make a commercial success of the business.

He then set up his own small publishing company, profitably establishing the biographical reference annual, *Who's Who in Scotland*, while returning to BBC Scotland as presenter of the weekly politics programme, *Agenda*.

After a long absence from newspaper journalism, he was offered two berths on *Scotland on Sunday* when it launched in 1988 – as the paper's television critic, for which he was twice named Critic of the Year in the Scottish Press Awards, and as a peripatetic sketch writer. Switching to *The Observer*, he travelled the country for a series of observational pieces entitled 'Kenneth Roy's Britain'. At his most prolific he also contributed a weekly commentary on current affairs to *The Herald*, which earned him the title Columnist of the Year in the 1994 UK Press Gazette Awards, as well as a daily notebook, 'Kenneth Roy's Pocket Companion', on the back page of *The Scotsman*.

In 1995, Roy founded the *Scottish Review*, an independent quarterly of topical essays, biography, contemporary history and travel. When it migrated to the internet as a weekly in 2008, its small readership was dramatically enlarged. The online version acquired a sharper edge than the print version and was noted for its campaigning on such issues as the defective fatal accident inquiry system, the policy of detaining mentally disturbed young women in prison, and the need for greater transparency in public life. Having edited the magazine for almost 24 years, he retired in the early autumn of 2018 because of terminal illness.

In the hope of stimulating a social and cultural counterpoint to the fledgling Scottish Parliament, Roy established the non-political Institute of Contemporary Scotland (ICS) in 2000, persuading 800 prominent Scots – mostly recruited from the pages of his own *Who's Who in Scotland* – to bankroll the venture. A bitter row between the founder and some of his influential supporters, who claimed to find him impossible to work with or control, was soon being played out in public.

Undaunted, Roy went on to create the Young Scotland Programme, an annual series of courses for the intellectual development of people in the early stages of their careers, exporting the concept south of the border through the foundation of a separate charity. He regarded his work with young people – more than 3,000 participated in the courses between 2002 and 2018 – as the most rewarding thing he did in his professional life.

Late in his career he wrote two deeply personal accounts of the post-war Scotland in which he was born and brought up. *The Invisible Spirit*, which dealt with the period 1945 to 1975, was described by Ian Hamilton QC as the most remarkable book about Scotland he had ever read. Its sequel, *The Broken Journey*, which continued the narrative to the brink of the millennium, failed to achieve the sales of the first volume despite the endorsement of *The Scotsman*'s Allan Massie, who nominated it as one of his books of the year.

In 2000, Roy won the Oliver Brown Award given annually in recognition of outstanding service to Scottish culture. His native Falkirk made him the town's person of the year in 1978 and hosted a civic dinner in his honour. But perhaps the honour he valued most was the invitation from the family of Jimmy Reid to conduct the humanist service for the Clydeside legend at his funeral in Glasgow in 2010.

*A memorial service for Kenneth was held in Glasgow City Chambers in March 2019. You can watch it here:*

<https://www.youtube.com/watch?v=6Eh09NisPC8>