

1 Wednesday, 12 June 2019

2 (10.00 am)

3 LADY SMITH: Good morning. We return to oral evidence and  
4 I think we have a witness ready now. Is that right? We  
5 may go on to some read-ins later this morning.

6 MS MACLEOD: Good morning, my Lady. That is right, we have  
7 a witness ready.

8 LADY SMITH: Who is this?

9 MS MACLEOD: This is an applicant who wishes to remain  
10 anonymous and to use the pseudonym "Jack" when giving  
11 his evidence.

12 "JACK" (sworn)

13 LADY SMITH: Please sit down and make yourself comfortable.

14 You see now that the red light is on the microphone  
15 will pick you up, so if you stay in a good position for  
16 it. Ms MacLeod will explain what the red file is about  
17 in a moment. If you're ready, I'll pass over to  
18 Ms MacLeod.

19 Questions from MS MacLEOD

20 MS MACLEOD: Good morning, Jack.

21 A. Good morning.

22 Q. We don't need your full date of birth, but to provide  
23 a time frame, can you confirm that you were born in  
24 1966?

25 A. That's correct.

1 Q. In the red file in front of you, you'll see there's  
2 a copy of the statement you've provided to the inquiry.  
3 I'll give the reference for the transcript:  
4 WIT.001.002.3229.

5 Could you please turn to the final page of the  
6 statement for me, Jack. Have you signed the statement?

7 A. I have, yes.

8 Q. In the final paragraph do you say:

9 "I have no objection to my witness statement being  
10 published as part of the evidence to the inquiry"?

11 A. Yes.

12 Q. And do you go on to say:

13 "I believe the facts stated in this witness  
14 statement are true"?

15 A. That's correct.

16 Q. I would like to start, Jack, by asking you a little bit  
17 about your life before you went into care. I think you  
18 tell us in your statement that you were brought up in  
19 Glasgow.

20 A. That's correct.

21 Q. And that you had four brothers and a sister.

22 A. Yes.

23 Q. And that you yourself were the second oldest in the  
24 family.

25 A. Yes.

1 Q. You go on to say, I think, that it wasn't an easy  
2 environment and that life was quite disruptive at that  
3 time.

4 A. That's correct, yes.

5 Q. I think what you say is that there had been a catalogue  
6 of things going on in the house.

7 A. Yes. I think it was like -- just a number of things  
8 that just -- factors -- the fact that my mother was  
9 a Protestant, my father was a Catholic. We were living  
10 very close to Ibrox Park for periods of time, so there  
11 was a lot of stuff going on then and it was kind of odd,  
12 and we were sort of -- it was in the 1960s and 1970s and  
13 it wasn't a great time to be Irish or having any  
14 associations. So it was difficult. Then both my  
15 parents were alcoholics and that didn't help matters  
16 either. And a big family of six kids, which didn't  
17 help, and unemployment as well at times.

18 Q. Did there come a time when you decided to do something  
19 about the situation?

20 A. Well, I was more sensitive to what was going on, and my  
21 siblings were more likely to -- they seemed to be more  
22 acceptable of what was happening in the house, while I  
23 was just a bit more sensitive to it. I just thought:  
24 this is terrible, this is just a terrible existence,  
25 putting up with this. I couldn't live with it, I just

1           didn't know ... So I was under some social workers  
2           at the time just because we were ideal for  
3           social workers, that kind of family -- and child  
4           guidance workers and different things like that were  
5           involved in our lives. I went and spoke to one of the  
6           social workers and I just didn't want to go home to  
7           that. I just couldn't live there with that going on.  
8           So I wanted to basically escape from that into some kind  
9           of place of safety.

10          Q. When you told the social worker that you wanted to  
11           escape, as it were, what did the social worker do?

12          A. Well, they probably -- at that time I'm unsure exactly  
13           what the process of what they'd have done, but in  
14           hindsight they've either went to the court and got  
15           a court order or they've got some kind of thing to make  
16           me a ward of the court. But a care and protection order  
17           was taken out in my name and I was placed in care for  
18           care and protection.

19          LADY SMITH: Do you remember ever going to a children's  
20           hearing?

21          A. No, it was never done at a children's hearing. There  
22           was a threat -- somebody who I knew, she was community  
23           development worker, she basically dealt with the whole  
24           thing -- and a social worker. So I think it was  
25           a social worker just -- Strathclyde Region just went

1           straight ... and under the ... I don't know exactly how  
2           they done it. I never went to a panel or anything like  
3           it, to be told -- I went to panels after it to get  
4           myself back when -- I was going to say when they  
5           discharged me, when they released me from the school,  
6           but I didn't go to a panel to go into the school.

7           LADY SMITH: Right. Thanks.

8           A. I'm sure some kind of formality would have taken place  
9           somewhere. I don't know why or where.

10          MS MACLEOD: I think you tell us in your statement that you  
11          initially went to a secure unit for a night.

12          A. There was a night. I remember, it was a place of called  
13          Gilshochill Hill, that's how I remember it, somewhere in  
14          the east end of Glasgow. I remember meeting people in  
15          there.

16          Q. And the next day, I think you say, you were taken to  
17          St Ninian's?

18          A. The next day I was taken to St Ninian's. I remember  
19          arriving there late at night and we were met by the  
20          brother who was the [REDACTED], which was Brother [REDACTED] LNA

21          Q. Your siblings remained at home at this time?

22          A. They did, yes.

23          Q. Was it your social worker who took you to St Ninian's?

24          A. It was a social worker -- I remember it was  
25          Alison Hallcet and her partner who was also

1 a social worker -- I believe it was her partner -- and  
2 he was called Steve Love. They took me to the school.

3 Q. The inquiry have recovered some records from the  
4 Christian Brothers and in those records it is suggested  
5 that you were admitted to St Ninian's in [REDACTED] 1980,  
6 when you were 13, and that you remained there for around  
7 six months until [REDACTED] 1980 when you would have been  
8 coming up for 14.

9 A. Mm-hm.

10 Q. Does that accord roughly with your own --

11 A. That sounds about right. I suppose at that age you're  
12 not that interested in times and dates. It's not that  
13 important. But yeah, that sounds about right.

14 Q. We'll come on to look at this, but I think you spent  
15 most of the summer holiday at home with your family.

16 A. No, not all of it. Some of it was in the school as  
17 well. I remember we went to Wales with them on a trip  
18 to Wales at some point.

19 Q. Okay.

20 A. I can't remember really. Sorry.

21 Q. So you mentioned your first day arriving late at night  
22 and being met by Brother [REDACTED] LNA who I think you said was  
23 the [REDACTED]

24 A. He was, yes.

25 Q. I'm going to put on photograph on the screen if that's

1           okay: CFS.001.006.1186. Do you recognise the building  
2           in the photograph?

3           A. Yes, that's the school, St Ninian's.

4           Q. I know it was dark when you arrived, it was late at  
5           night, but can you tell me what your initial thoughts  
6           were when you arrived at the school?

7           A. Going through the door, I was struck by the size of the  
8           big hall and it was just a huge -- we lived in  
9           a tenement in Glasgow and here I was turning up at this  
10          huge, big house.

11          Q. I'll put another photograph on the screen at  
12          CFS.001.006.1188.

13          A. The front door.

14          Q. Then CFS.001.006.1190. Do you recognise that  
15          photograph?

16          A. That's the hallway, yes. It's a long time since I've  
17          seen that.

18          Q. We'll see in that photograph that there is a carpet on  
19          the floor. That may not have been there when you were  
20          at the school.

21          A. There wasn't there. Just to the left there was a piano  
22          under that staircase and to the right-hand side there  
23          was a day room, whatever you want to call it, a  
24          playroom, day room, TV. And down at the bottom, near  
25          the door, to the left-hand side of it was the office-y

1 area that come up the whole back-end of the building,  
2 the side of the building.

3 That doorway that we can see on the left-hand side  
4 there at the top, that would have connected right  
5 through to that. There's a door in there that would  
6 have connected down into that.

7 Q. We'll look at a plan in a moment. You have mentioned  
8 Brother LNA who was the [REDACTED] Which other  
9 brothers do you remember being at St Ninian's when you  
10 arrived?

11 A. At that time when I arrived, there was five brothers  
12 in the school. There was Brother LNA there was  
13 Paul Kelly, Harry Harrington. There was two old guys  
14 who really didn't -- they were just there --  
15 Brother MBS and Brother MHJ

16 Q. You have mentioned Brother LNA as the [REDACTED] What  
17 role at the time did you think Brother Kelly had in the  
18 school?

19 A. He was a teacher. I never had any dealings with  
20 Brother Kelly at all. He wasn't -- I wasn't ...  
21 I wasn't one of his boys, if you want to call it.  
22 I don't know whether you want to say that. I wasn't ...  
23 I suppose when you come to the plan of the building  
24 where he slept and where we slept, there were two  
25 separate areas and there was a sort of divide in the



1 middle, which was the shower block. So he was on the  
2 other side of the building and I was on this side of the  
3 building. I don't know, as I say, I was there six  
4 months; six months was long enough for what was going on  
5 there. If I'd been there longer, I don't know ...

6 Q. You have told me about the brothers; were there also  
7 a number of lay staff at the school?

8 A. There was a number. There were some teachers who came  
9 in. There was a guy called BHB and there was  
10 a wee small woman -- she might have been huge, I don't  
11 know -- Ms Nicholl. She was a teacher that we had.  
12 There was also another guy called MIK, who was an  
13 kind of teacher, and then you had ancillary staff,  
14 you had cleaners who came in and there was a sort of  
15 seamstress woman that gave you clothes. And there  
16 was ... there was a sort of ... I don't know what you  
17 call her, a matron or a nurse or something, she wore  
18 a blue coat anyway, I can't remember her name now .

19 Q. Was there was a social worker at the school?

20 A. There was a as well, MBV when  
21 I think about it.

22 Q. If I can move on to the boys themselves. Did you form  
23 any view at the time of how many boys there were at the  
24 school?

25 A. There was about, I don't know. I think it varied.

1 I know now that the school took up to 45, but we were --  
2 I was at the far end, so a lot of the empty beds would  
3 have been down where we were. There were probably no  
4 more than 35 maybe at a time when I was there, anyway.

5 Q. What was the age range of the boys?

6 A. The four years of 12 to 16.

7 Q. So were you one of the younger --

8 A. I was one of the youngest in the school. There was  
9 only, I think, three classes in the school. Looking  
10 back, I think the education that was being provided  
11 in the classes wasn't going to really get us anywhere.  
12 We were filling out worksheets, when you get ... it was  
13 like brownie points for how many worksheets you could  
14 fill out in a day. To be honest, it was crap. You  
15 weren't going to get to go to college or university by  
16 doing some of the studying.

17 At 16, most kids there were going to be leaving at  
18 16, so there was never going to be any A levels. There  
19 wasn't any -- in actual fact, there wasn't any hope for  
20 a lot of people there because there wasn't any future on  
21 the education that was being provided.

22 Q. I think you tell us that the classrooms were divided by  
23 ability --

24 A. Mm-hm.

25 Q. -- as opposed to by age; is that your recollection?

1 A. Yes, my recollection, yes.

2 Q. Coming back to the boys, what were the sleeping  
3 arrangements? Were you allocated to particular dorms?

4 A. At the time when I went in, there was three or four kids  
5 in a room. I remember being in a room with three other  
6 boys in the room. At the time, the rooms were just  
7 rooms, like just an empty room with four beds in it.  
8 Then they built in these -- I remember at the time, this  
9 sort of person came in and he was building these  
10 cubicised things, and they all looked sort of a bit  
11 upmarket, because they had a drawer under the bed and  
12 I don't know what the drawer was ... so they sort of  
13 built this thing around you.

14 Q. During your time there, the six months you were there,  
15 there was a change in the set-up of the rooms?

16 A. There was a change in the set-up. It gave you a bit  
17 more privacy, but in actual fact it was a sort of  
18 cubicised type thing. I don't know what you'd call it.  
19 The base of the bed was built up and a mattress thrown  
20 on top.

21 Q. I am now going to put the plan on the screen for you:  
22 CFS.001.006.8297. You'll see, Jack, that this is a plan  
23 of the main floor in the building.

24 A. Yes.

25 Q. Take a few minutes to find your way around. You'll see

1 the entrance hall marked there --

2 A. Yes.

3 Q. -- and then the main hall that we looked at on the  
4 photograph. Does that look in the right place to you?

5 A. Yes.

6 Q. I think, just above the words "main hall", there's an  
7 indication that there are stairs there.

8 A. Mm-hm.

9 Q. Is that the main stairs?

10 A. Yes, that was the stairs up to the ... There was  
11 another set of stairs over to the side, but yes, that  
12 was the main stairs up.

13 Q. As you come in through the entrance hall and take  
14 a right, does that take you up to the dormitory area?

15 A. Yes. It took us over to the right-hand side of the  
16 building. Then you had the dormitories, so then you  
17 had -- and the chapel was at the far end of the corner.

18 Q. Were there some steps up to that area where the  
19 dormitories were?

20 A. Some steps, yes. There was a set of stairs going up  
21 for -- yes. Yes.

22 Q. The plan, as well as being in front of you, is also on  
23 a larger screen behind you. I wonder if you could stand  
24 up for me and indicate on the plan which dorm you were  
25 allocated to when you arrived.

1 A. Here (indicating).

2 Q. So you're pointing to the top row of dorms on the plan

3 and the second dorm from the left?

4 A. Yes. It was either there or there (indicating). It

5 might have been there. One of the two middle dorms.

6 We were in there.

7 Q. Did you move dorm at any time?

8 A. No, no. I was there for the whole time. I think to

9 come to it, it was this room here (indicating).

10 Q. Thank you.

11 Did any of the brothers sleep in the same area as

12 the dormitories?

13 A. Yes, if you look up to the top at the brothers' bedroom.

14 Q. That's at the top right of the plan?

15 A. Yes. That was where Brother LNA slept. There was also

16 a small room up there as well somewhere where there was

17 a lad who slept up there as well. I think he had

18 something wrong. But there was somebody else slept near

19 that.

20 Q. Was that a single room?

21 A. Yes, there were two single rooms up there somewhere.

22 Q. Were there any other brothers who stayed in the

23 dormitory area?

24 A. Yes. If you come down -- you've got the toilets and the

25 showers, which seemed to be the separation of the one

1 end of the building to the other end.

2 Q. So that's where you see the toilets and showers marked  
3 on the plan --

4 A. Yes.

5 Q. -- towards the right-hand side?

6 A. Yes. In here, we would -- this is the sort of -- this  
7 seemed to be the separation here (indicating) and in  
8 this room here is where Paul Kelly stayed (indicating).

9 Q. So you're pointing to the room that's marked "staff  
10 bedroom"?

11 A. The staff bedroom, that was Paul Kelly's bedroom.

12 Q. Okay, thank you.

13 The dorms along the top of the plan where you slept,  
14 was that the junior area?

15 A. That was the junior end, yes.

16 Q. Where Brother LNA room was?

17 A. Yes.

18 Q. And the bottom row of dorms, was that for more senior  
19 boys?

20 A. Yes.

21 Q. That's where Brother Kelly's room was?

22 A. Yes.

23 Q. We'll go on to look at some of the things that happened  
24 in the dormitories, but I think you tell us early on in  
25 your statement that the fact that some of the staff,

1           some of the brothers, stayed in the dormitory area was  
2           part of the problem.

3           A. Yes.

4           Q. I think looking back, you think that was clearly wrong,  
5           that there were brothers staying in that area?

6           A. Yes. There was never any separation, there was no sort  
7           of space where you could say, well, you're doing your  
8           own thing. At the end of the day we were only kids.  
9           There was part of that growing up that never happened  
10          and then when it did happen it was -- basically, we were  
11          robbed of any innocence that you might have had at that  
12          point because it was -- there was no space for you to be  
13          you with your friends. There was brothers sort of there  
14          all the time. There wasn't any sense of your own area  
15          where you could be.

16                 The sleeping areas, on that map, the door into that  
17          area, there was a Yale lock on it. That was always  
18          locked through the day so you couldn't get in there.  
19          We were just herded about.

20          Q. If we put the plan back on the screen, could you  
21          indicate for me where that door was?

22          A. Yes. It's here (indicating). That door there was the  
23          main entrance into the building or into the sleeping  
24          area. So when we come out in the morning, that was it.  
25          We never went back in there.

1 Q. So just for the transcript, you're pointing at an area  
2 there. If you come through the entrance hall, you turn  
3 right -- is it beside the matron's room?

4 A. Yes. We would go that way. There was another way in  
5 over here, but there was never used at the chapel, that  
6 turret thing there. There would have been a door there  
7 that connect through --

8 Q. So you would walk in through the senior area and go  
9 round to the junior side?

10 A. Yes, that was the only way round. There was no sort of  
11 -- in actual fact, when you look back, there was never  
12 any reason to go there anyway because we never had  
13 personal belongings. We never had games or toys or  
14 books or anything. The only thing that was at your bed  
15 space was a bed.

16 Q. So do I take it from what you're saying that the  
17 dormitory area was locked during the day?

18 A. It was locked, yes.

19 Q. What about at night once you were in the area?

20 A. No, it was only a Yale lock. You could have opened it  
21 and got out.

22 Q. So you could open it from the inside --

23 A. You could open it, yes.

24 Q. -- but not the outside?

25 A. Yes.



1 LADY SMITH: In the evening, once you'd had your meal, what  
2 did you do between then and bedtime? Where did you go?

3 A. It wasn't a secure unit of any kind. We were allowed  
4 out into the grounds and we would sometimes -- we'd just  
5 sort of ... and there were woods nearby. In the summer  
6 months you could go for a walk.

7 LADY SMITH: But you went there in [REDACTED] it would be  
8 dark.

9 A. It was a bit cold then, but when it got sort of nearer,  
10 it was a bit better. But there was never any ... Then  
11 again you were just sitting at the TV, video, that kind  
12 of stuff. There wasn't --

13 LADY SMITH: That would be in the room that's marked  
14 "television room"?

15 A. That would be the TV room, yes.

16 LADY SMITH: What happened in the games room?

17 A. You would be sort of at that time ... after dinner and  
18 in any free time, your time was spent between the TV  
19 room, the gymnasium, the games room and that ... It  
20 says classroom there. I don't know if that would have  
21 been a classroom really. That was more of a ... it  
22 might have been a classroom at the end. It was more  
23 like a wee sitting room with books in it, them  
24 encyclopedia type things that guys used to sell at the  
25 door. A room full of them that you could look through

1 and read about places that were far away and there was  
2 a piano under the stairs. We were playing it by ear.  
3 I could play a wee bit of it and another people could  
4 play a wee bit. So we just passed the time and somebody  
5 would show you "Chopsticks" or something like that.

6 LADY SMITH: What if you wanted to be on your own? Where  
7 did you go?

8 A. Nowhere.

9 LADY SMITH: Is that because there wasn't anywhere?

10 A. There was nowhere to go. That's what I was saying  
11 earlier: there was no space where you could be on your  
12 own, not that you were going to do anything. You know  
13 what I mean? And a toilet maybe, a cubicle. Even  
14 then ... You know, obviously, we were only kids. If we  
15 could have a smoke, we'd have a smoke, cigarettes, and  
16 we'd sit in the toilet and have a cigarette. And there  
17 was a row of cubicles that we would smoke in and you  
18 would have three and you would hear the brother coming  
19 in and we'd sit with the -- the cigarette was passed  
20 under the cubicle. So he would push open one door as  
21 the cigarette was going through to the one next door.  
22 And then ... Then you'd sit there, with your -- you'd  
23 put your hand between your legs so the cigarette was  
24 in the bowl.

25 He smoked anyway, LNA smoked, so he could never

1           smell it. But that was the only real place where you  
2           could have a bit of me time, sitting in a toilet cubicle  
3           at 13, smoking a fag, waiting to get caught. It was  
4           quite sad, really.

5           LADY SMITH: Yes. Thank you.

6           MS MACLEOD: Just going back to the door you mentioned there  
7           into the dormitory area, who had the key to the lock?

8           A. The brothers, Kelly and LNA would have had a key, and  
9           maybe the staff. But the kids never had a key to it.  
10          Not that I know of.

11          Q. You gave us some information about the food in your  
12          statement. I think you say that the food was all  
13          right --

14          A. Mm-hm.

15          Q. -- at St Ninian's.

16          A. From what I remember. But bearing in mind, you know,  
17          I suppose I'm quite an easy eater. I would eat whatever  
18          was put in front of me, I'm not that picky. So I don't  
19          remember it being very bad or I don't remember it being  
20          a la carte. It wasn't Michelin starred, but it never  
21          done me any harm at the end of the day.

22          Q. You tell us that there was a great interest in sport at  
23          the school; is that right?

24          A. Mm-hm, mm-hm. It was very much along the English kind  
25          of public boarding school sports, you know. Because it

1           was quite strange if I'm telling people I went to  
2           a school and we played cricket and hockey and rugby.  
3           They think, where the hell did you go to school, because  
4           you don't do them -- they're not sports that you would  
5           get in a normal comprehensive school in Scotland. You  
6           don't play hockey, cricket and rugby. These were the  
7           sports that were very much what we played.

8           Q. And I think you tell us that there were houses in the  
9           school that played sport against each other.

10          A. Yes.

11          Q. Did you also play against outside teams?

12          A. I wasn't there long enough. I think John Farrell had  
13          got a lot of that up and running. I don't think  
14          LNA was that interested in that stuff. John  
15          seemed to be more interested.

16          Q. I think you tell us that as well as sport, there was  
17          lots of leisure and that you could do things with your  
18          pals in the house.

19          A. Yes, with your pals. If you went -- friends go for  
20          these ... There were places to walk. It was a big  
21          area. The Falkland estate is -- I've been back since  
22          and it is quite a big area. It brings back memories.

23                 Outside the school, in the grounds, they were always  
24          good memories. You were hanging about with the lads  
25          that were good friends, and you got on well with them.

1           We were on the same boat, as they say.

2           Q. We'll go on to look at this, but I think something you  
3           say is that:

4                     "If it hadn't been for the touching up of the boys,  
5           it would have been all right."

6           A. I think overall -- I mean, I think if ... It was nearly  
7           all right. It was one of them places just nearly, they  
8           nearly got it right, but they screwed it up. The  
9           brothers had sort of ... it all went wrong somewhere.  
10          Something had ... As I say, it was one of them things,  
11          it was just nearly right, but the bit that was wrong was  
12          very wrong. They were feeding us, they were maintaining  
13          us, but they were also doing something else they  
14          shouldn't have been doing. 90%, but the bit they got  
15          wrong was way wrong.

16          LADY SMITH: And, as you have said, they weren't educating  
17          you.

18          A. They weren't educating us either. I've got a friend of  
19          mine who's a priest in Glasgow and he once gave a sermon  
20          in Glasgow that consisted of three sentences. Then he  
21          sat down. And I'm going to swear when I say it, but it  
22          just indicates where it was at. His sermon, which I'm  
23          going to change the word, but the children are being  
24          abused --

25          LADY SMITH: It doesn't matter if you use the right word to

1 me.

2 A. His sermon was along the lines of:

3 "The children are being abused, it's a fucking  
4 disgrace. Why are you more concerned about my use of  
5 the word 'fuck'?"

6 That was really what it boiled down to. People were  
7 more concerned about the way the children were behaving  
8 or getting beaten up for crap, you know, we were get  
9 punished for crap, but at the same time you were getting  
10 touched up, abused. I was fortunate: I was only there  
11 for six months.

12 I've met some -- obviously, with Facebook and  
13 different things, I've met some friends from then. They  
14 were there for four years. It is very difficult having  
15 a relationship with these people. We can't communicate  
16 about this stuff. We just don't talk about it, but we  
17 know what went on. I know what went on. It's just ...  
18 It's difficult. It wasn't normal. We never had  
19 a normal upbringing. It wasn't a normal -- you know,  
20 we were ... I'm quite liberal minded. If that had been  
21 lads playing with lads, you know, just normally growing  
22 up and experimenting, that would have been fine. But  
23 this wasn't that. This was something totally different.  
24 Our choice had been robbed -- we'd been robbed of all  
25 that stuff.

1 MS MACLEOD: We'll come on in a minute to look at exactly  
2 what happened to you.

3 You tell us that you had weekend leave fairly  
4 regularly. Is that right, did you go home at weekends?

5 A. It wasn't every weekend. I remember going on a bus and  
6 we'd all go down the road on the bus to Glasgow.

7 I think it was maybe on a Thursday or Friday, and we'd  
8 stay two nights and come back on the Sunday. The bus  
9 would be there in the town at Buchanan Street to take us  
10 all back.

11 Q. Were there some boys who stayed in the home?

12 A. Some boys stayed. I think if you were -- it was seen as  
13 a privilege to go home. So there was a punishment if  
14 you were being naughty or didn't play the game.

15 Q. You mention in your statement that sometimes a brother  
16 might take some boys to their own house.

17 A. He wasn't a brother. That was -- sometimes ... I was  
18 there at weekends, I never went home. MIK would  
19 sometimes take us to his house over in  

20 There was never anything untoward there. He would --

21 Q. That would be you and some of the other boys?

22 A. There was always a couple of us there. His wife was  
23 there, she would make us something to eat, we'd go out  
24 and play in his garden and tootle about. He was sort  
25 of ... I don't know whether he was the duty member of

1           staff and he was just responsible for looking after the  
2           three kids or four kids that was in the school and he  
3           just bundled us into his car and took us home. There  
4           was never any ... He was okay. He never gave us any  
5           problems.

6           Q. You mentioned that you went to a trip to Wales with the  
7           school.

8           A. Yes.

9           Q. Did you go on any other trips with the school?

10          A. That was the only time. I went to Wales and I remember  
11          we went -- other than just going to swimming, and  
12          I think we went to a football match one time where they  
13          managed to get free tickets for us to go and see ... we  
14          all got into bother because one of the lads invaded the  
15          pitch, so it gave us a bit of a hoosh after it. And  
16          days out to St Andrews and places like that.

17          Q. On the trip to Wales that you mentioned, did you witness  
18          something happening involving John Farrell?

19          A. We went to Wales. There were two separate -- it took us  
20          a day or two to get there. We went on the bus. We  
21          stopped off in Liverpool and then we drove on.  
22          I remember the bus, it was a single-decker bus, they  
23          took half the seats out and just left the number of  
24          seats in that they required and put all these tents and  
25          everything in the back. So at the back of the bus were



1 all these tents and when we got there we were in a place  
2 near Dolgellau and in the Kings Valley or Kingdom  
3 Valley. They built up a tent site and they had an old  
4 school building that we were using as accommodation.

5 Somewhere -- we were rambling around and a couple of  
6 the lads had come across a motorbike and they were  
7 in the tents or something, I think, then they moved them  
8 up because they pushed the motorbike trying to kid on --  
9 it wasn't going to start. The guy that sort of pushed  
10 the bike, he was battered by a belt by John Farrell  
11 in the wee house.

12 Q. Did you see that happens?

13 A. Yes, I heard it and I seen it. I was outside the door.

14 Q. What did John Farrell do with the belt?

15 A. He was beating him. He basically put him over a chair  
16 and beat him on the arse with a belt. He was raging.

17 I don't know what he was raging at. I don't know why  
18 he was getting that angry about it. But at the end of  
19 the day, what had been done had been done and what  
20 he was doing wasn't making any ... [REDACTED] was the  
21 kid.

22 Q. What kind of force was John Farrell using with the belt?

23 A. It was force.

24 Q. How many strokes of the belt do you think the boy got?

25 A. I don't know, but I'm just glad it wasn't my arse that

1 was getting it. And that was by and large, you know,  
2 you were just, "Thank God it's not me".

3 Q. Was this over the boy's clothing?

4 A. I'm not sure. Because we could hear him. He was in  
5 there, he was getting beaten up, you could hear him  
6 howling. But no, I don't know whether he had stripped  
7 him. See, that was --

8 Q. Could you hear the boy as opposed to seeing him?

9 A. Yes, we could hear him. You knew he was being beaten.  
10 You knew he was getting beaten for what he'd done.

11 Q. John Farrell, is he somebody who arrived in St Ninian's  
12 while you were there?

13 A. While I was there. He came for -- I think ... Bear in  
14 mind I was only 13 at the time, so what I'm saying  
15 is ... I remember him coming, but he must have become  
16 the [REDACTED] some time just around about in the period  
17 when I was leaving or whatever. I remember [REDACTED] LNA  
18 was always there when I was there and John Farrell must  
19 have tipped up on a kind of walkthrough, talk through,  
20 handover kind of thing. He'd come for a visit or had  
21 been there for some kind of look around. Something like  
22 that must have happened and then John Farrell had  
23 assumed [REDACTED]

24 I remember one time, I went home, and something ...

25 I can't remember why, but I went back earlier. There

1 was a problem in the house and I went back to the  
2 school. And I remember I phoned and he was ... And  
3 I got John Farrell. John Farrell told me how to get --  
4 and he got me to go to Glenrothes and he picked me up  
5 there and he was raging that he had to come and get me.  
6 And he was raging at the fact that I didn't stay at  
7 home.

8 I don't know why, he just seemed annoyed. He was  
9 more concerned at the fact -- I think there was dirt on  
10 my hands, he was more concerned about that than what  
11 happened in the house that made me want to come back.  
12 It was of no interest to him what had happened.

13 Q. Were you trying to tell him what had happened?

14 A. He wasn't interested in what was happening there.

15 I don't know why. It was strange. It was a strange  
16 place at times. You could just never make things -- you  
17 could never figure things out.

18 Q. I think you tell us in your statement that you don't  
19 think you went back to St Ninian's after the trip to  
20 Wales.

21 A. I don't think so. I don't know. I can't remember it.  
22 To be honest, I just ... I don't know. I don't think  
23 I did. I could have, but I don't know.

24 Q. And do you think it was after that trip that

25 John Farrell became the [REDACTED]

1 A. I think so, yes. And [REDACTED] LNA would have -- I don't  
2 know where he went after that.

3 Q. You mention in your statement that you recall a visit  
4 from the head of the order to St Ninian's.

5 A. Mm-hm.

6 Q. Can you tell me about that? What do you remember about  
7 it?

8 A. I remember that we knew he was coming and I remember his  
9 name was Coffey. You drink it and it was a kind of  
10 strange name. But Brother Coffey was coming. He would  
11 have been the superior of the order. That was ... But  
12 he never spoke to any kids as far as I'm aware. It was  
13 only years later that I realised that they were more  
14 interested in the brothers than they were in the kids  
15 and whether they were following their rules. But  
16 I think their view was if the brothers were following  
17 the sort of rules that they should have been following,  
18 then everything else would have worked. If they had  
19 been doing their duties or the things that they were  
20 meant to be doing, like following according to the  
21 order, then everything else would have been in place.  
22 And I think that's ultimately the reason why the place  
23 was closed, because the brothers were not following the  
24 duties of the order or their tasks or whatever it is,  
25 their prayers. I think some of them weren't even going

1 to Mass.

2 Q. You say in your statement that you didn't think the  
3 visit was so much to visit the children, it was because  
4 things weren't working?

5 A. Mm-hm.

6 Q. What was your understanding at the time of why  
7 Brother Coffey was coming to visit?

8 A. I think it was just a normal visit, but he never ... As  
9 far as I am aware, he never spoke to any kids, so it was  
10 of no interest to him. To me, if he's not speaking to  
11 the kids -- I suppose it's like doing any kind of  
12 inspection: if you don't speak to the prisoners, you  
13 don't know what's going on in the jail; if you don't  
14 speak to the patients, you don't know what's going on  
15 in the hospital; if you don't speak to the kids, you  
16 don't know what's going on in the school. You're only  
17 getting the view of the staff or teachers, whoever  
18 you're inspecting. So it's going to leave you with the  
19 conclusion that they're -- I don't know, it was just ...  
20 It didn't make any sense at the time. It's only in  
21 hindsight I'm looking back at what went on.

22 Q. Did you ever get any visits from your own social worker,  
23 the one who'd taken you to St Ninian's?

24 A. No, I don't think so, no.

25 Q. One thing you say in your statement is that you don't

1 remember anyone ever asking you how things were with you  
2 or if you were happy there.

3 A. No. These things weren't -- this wasn't part of ... how  
4 you feel wasn't part of people's vocabulary. It was  
5 a ... It was ... It was quite a sad existence,  
6 I think, there because a lot of people were there. It  
7 was just a game. You know, we were just there. I don't  
8 know why we were ... We were just there to be played  
9 with or whatever you want to call it, and the brothers  
10 had lost their way -- some of them anyway. They had  
11 lost track of what they were meant to be doing, which  
12 was providing -- a lot of us were there for care and  
13 protection. We were maybe getting cared for but  
14 we weren't getting protected. The people we needed  
15 protected from were the people who were supposed to be  
16 caring for us.

17 Q. Can I ask you then about discipline at the school and  
18 how discipline was managed. Did you have any view  
19 at the time of who was in charge of discipline at the  
20 school?

21 A. LNA was in charge of everything. The other  
22 brothers were there. The old brothers were just --  
23 I believe that Brother MHJ would have been the bursar  
24 and he was just the accountant and making sure the  
25 pennies were coming in. Brother MBS I don't know,

1 he was a bit of a teacher. But LNA was the boss.  
2 He was in charge of everything. Discipline, he dealt  
3 with ... But again, in a situation, you know, I think  
4 that if something was happening, the brothers themselves  
5 could deal with it there and then and sometimes it was  
6 just a slap there and then, and that would have been ...  
7 That would have been the end of it, you wouldn't be ...

8 Q. You mentioned a slap there. Which brothers would slap?

9 A. I was only ever hit once by one of the brothers --  
10 physically whacked.

11 Q. Which brother?

12 A. Harry. Harry Harrington hit me one time. But I was  
13 probably glad he hit me because -- I think I've said it  
14 there -- we were playing a game of hockey and some kid  
15 hit me with a stick. I don't even think he intended it,  
16 but I was running to the kid with the stick above my  
17 shoulders and if I had got to that kid, I would have hit  
18 him over the head with the stick, and the brother  
19 managed to get in between us. So that was probably just  
20 fair dos, you know what I mean? He had no choice but to  
21 stop me. That was the only way. But he never ...  
22 So ... That wasn't a big ...

23 Q. Were you injured as a result of that?

24 A. No. I'd never been hit by a brother and that was the  
25 only time. So it was quite a shock. But I think he

1 just done it as a means of stopping me from doing what  
2 I was doing.

3 Q. You mention in your statement that one form of  
4 discipline that was used would be being told to stand  
5 and face the wall.

6 A. Mm-hm.

7 Q. Is that something that happened to you?

8 A. Yes, yes.

9 Q. How would that come about? What sort of behaviour would  
10 be seen to merit that kind of punishment?

11 A. I suppose, I mean, like ... I remember the time, one of  
12 the times I got it was talking in the chapel, whispering  
13 and things like that, and then spending three hours  
14 standing in the hall, whatever length of time it was.

15 Q. Who issued that punishment?

16 A. One of the brothers.

17 Q. Do you remember which one?

18 A. Yes, I do remember. He was a visiting brother,  
19 he wasn't a brother that was at the school. His name  
20 was Jimmy Burns. But he was visiting the school.  
21 I don't know if he was ... I don't know, I just  
22 remember the name Jimmy Burns. He never taught anything  
23 in my time there.

24 Q. You mentioned that Brother LNA was in charge of the  
25 discipline. Did he ever discipline you?



- 1 A. No, he never beat me with anything.
- 2 Q. Did you see him discipline any other children in  
3 a physical way?
- 4 A. No, not physically. When you go into a comprehensive  
5 school -- if you were naughty in school the teacher  
6 would take out the belt and give you the strap. That  
7 was usually done in a classroom. But that never seemed  
8 to happen. If you were punished like that, it was  
9 generally probably in his office. But I was ...
- 10 Q. In whose office?
- 11 A. In [REDACTED] LNA [REDACTED] office.
- 12 Q. What would happen in his office?
- 13 A. If he done that, I assume where that would have taken  
14 place. We didn't get strapped in the classroom. The  
15 teacher I had, Ms Nicholl, she was kind. She wasn't  
16 a bad teacher.
- 17 Q. Were you ever taken to the office to be punished?
- 18 A. No, I was never taken to [REDACTED] LNA [REDACTED] office, no.
- 19 Q. One thing you mention there was a brother who had  
20 visited -- was visiting St Ninian's and who issued the  
21 punishment of standing in the hall. Can you give me  
22 some indication of whether brothers did visit  
23 St Ninian's from time to time?
- 24 A. That's the only brother I ever remember visiting,  
25 Jimmy Burns. I don't remember any other brothers being

1           there, other than that Brother Coffey who came to do  
2           some kind of inspection. He might have had other  
3           brothers with him, but I don't remember anybody else  
4           being there.

5           Q. Did you wet the bed sometimes when you were at  
6           St Ninian's?

7           A. Most of the times. Most of the times.

8           Q. Once you were in bed, at night, did anybody come into  
9           the rooms?

10          A. Yes. There was a kind of ... A kind of ritual thing.  
11          Every night, what would happen, we'd all end up up the  
12          stairs, we'd have showers. We'd go in rooms, just  
13          people would go along. You'd go in and ... Either it  
14          was kind of ... it was a communal shower, I can't  
15          remember exactly how many heads were in it. Then we'd  
16          go back -- so it was a process.

17          Q. If we just look at the showering first of all, where  
18          were the showers?

19          A. The showers -- as I said, if you looked at the map, they  
20          are in the middle between the two blocks --

21          Q. Between the senior and the junior dormitories?

22          A. Yes.

23          Q. Are those the showers you used in the evening before  
24          bed?

25          A. Yes.

1 Q. You mentioned there they were communal showers.

2 A. Yes.

3 Q. Does that mean that when you were showering you could  
4 see other boys who were using the showers?

5 A. Yes. And it was a brother standing there, usually

6 [REDACTED] LNA watching, with his hands in his pocket,  
7 playing with himself, watching us.

8 Q. Would that be in the evening before you went to bed?

9 A. Yes.

10 Q. How many boys would usually be showering at one time?

11 A. There could have been four or five. I just can't  
12 remember the number of heads coming down, shower heads,  
13 but there'd be four or five maybe.

14 Q. When you were showering in the evening, would that be  
15 boys from your own dormitory you'd be showering with?

16 A. I think there was just a queue and you just joined the  
17 end of the queue and went in. There could have been  
18 anybody. It could have been the senior boys, could have  
19 been the junior boys.

20 Q. And you mentioned [REDACTED] LNA being there.

21 A. Yes.

22 Q. What was his purpose being there?

23 A. I don't know. He was supposed to be supervising to make  
24 sure we washed. But I don't think that was his purpose.

25 Q. What was he doing?

- 1 A. His hands would be in his pockets, playing with himself.
- 2 Q. Would he be saying anything during the showering in the  
3 evening?
- 4 A. Not that I remember, no. I don't remember him saying  
5 anything. You just wanted in and out of there as  
6 quickly as you could.
- 7 Q. Was there ever any contact between Brother LNA and the  
8 boys in the shower rooms in the evening?
- 9 A. Not that I know of. That would have been -- there were  
10 boys there. That wouldn't have ... no.
- 11 Q. After the shower then in the evening, what was the next  
12 thing that happened?
- 13 A. The next thing, we'd end up ... There was a bit of time  
14 before the lights went out. People would go up and sit  
15 in his room, we'd all just go up and sit there until he  
16 eventually got fed up with us.
- 17 Q. Would you be changed into your pyjamas?
- 18 A. Yes.
- 19 Q. How would it come about then that some boys would be in  
20 Brother LNA room?
- 21 A. The door was open and that just seemed to be the norm.  
22 When I went there, this is that you done. So after the  
23 shower, you got yourself sorted out, that was youse in  
24 for the night. His door was opened, there was sort of  
25 a tannoy system in every room and they used to play the

1 charts. So we'd go to sleep listening to the Top 40 or  
2 Top 20. So that would be ... And basically, we'd sit  
3 in his room.

4 Q. How often did you go into his room?

5 A. Every night. Every night we were there. That was the  
6 ritual, that's just what you done. You went up and sat  
7 there. The older boys, they probably sat in Kelly's  
8 room or -- the doors were opened.

9 Q. When you were in Brother [REDACTED] LNA [REDACTED] room at that time in the  
10 evenings, how many other boys were there?

11 A. There could be five or six, maybe more. As many as you  
12 could get in sometimes.

13 Q. Were all the boys wearing pyjamas?

14 A. Yes, we were all dressed.

15 Q. What happened in Brother [REDACTED] LNA [REDACTED] room?

16 A. Just people chatting. Sometimes he'd have people  
17 sitting on the bed, sometimes on his knee. It was kind  
18 of strange.

19 Q. How would it come about that a boy would be sitting on  
20 his bed?

21 A. Because there wasn't any chairs to sit on, so you were  
22 just sitting wherever. Looking back, it was a strange  
23 set-up. You wouldn't have a set-up like that now.

24 Q. And about what his knee? How would it come about that a  
25 boy would be sitting on his knee?

1 A. He would pick you up, put you on his knees, and that  
2 would be it and you just accepted it. That was  
3 whatever. That was fine.

4 Q. Did that happen to you?

5 A. I wouldn't sit on his knee, no.

6 Q. Did you see other boys sitting on his knee?

7 A. Yes.

8 Q. What did he do when a boy was sitting --

9 A. I think you'd just sort of see the bouncing. I don't  
10 know what he was up to.

11 Q. So could you see him bouncing?

12 A. Mm-hm, bouncing his leg away, sort of jittering.

13 Q. What was he wearing in the evening?

14 A. He was dressed.

15 Q. And the boys who would be sitting on his knee?

16 A. Just pyjamas.

17 Q. Did boys wear underpants under their pyjamas at that  
18 time?

19 A. No, I don't think we did. Certainly the bed-wetters,  
20 I don't remember us wearing ... I think it was just  
21 more garbage to clean for them, so it was less junk for  
22 the machines. I don't believe we did. You never owned  
23 any clothes. This is the whole thing about the rooms.  
24 There was nothing up there other than a bed. It was  
25 like being in a prison cell. You never owned any

1 clothes. Everything you had was communal. When you  
2 went to change clothes, they just gave you stuff to wear  
3 that was -- that looked as if it would fit.

4 Q. So you didn't necessarily get the same clothes back each  
5 time?

6 A. No, no, you never got the same clothes back. I never  
7 took any clothes away with me and I was just provided  
8 with everything while I was there. So we all had the  
9 same kind of jeans. There wasn't any -- and the same  
10 kind of pyjamas, them sort of squares ... big draw cords  
11 on them, big things that your grandad would have worn  
12 years ago.

13 Q. The situation you've been describing for me that would  
14 happen in the evening in Brother [REDACTED] LNA [REDACTED] room, how would  
15 that come to an end?

16 A. He would just get fed up, "Right, time for bed, boys",  
17 and we'd all go to bed.

18 Q. Do you know what time that would be?

19 A. I remember when I was doing the interview -- the time --  
20 I was trying to think of the time. I live in Ireland,  
21 I live in a kind of farming community, and we were just  
22 animals, we were getting herded about. We didn't have  
23 an idea of time. Timing meant nothing to us. We got up  
24 when we were told to get up and we went to bed when  
25 we were told to go to bed. We moved to the sound of

1 a whistle or me move to the sound of, "Go here, go  
2 there". We never had any -- other than at night-time  
3 for the small period of time between meals or whatever,  
4 we never had any -- we didn't have any idea of time. It  
5 didn't make any difference. It could have been 3 in the  
6 morning or 3 in the afternoon. It made no difference to  
7 us because timing was just something that somebody else  
8 worried about. We had no idea about timing.

9 Q. So having been in Brother [REDACTED] LNA [REDACTED] room, would the boys  
10 then go to bed?

11 A. Go to bed and then -- we'd be in bed. You wouldn't  
12 be ... No sooner sleeping when -- and in the  
13 bed-wetters anyway, there was a sort of -- he would come  
14 in to check --

15 Q. Who would come in?

16 A. Brother [REDACTED] LNA [REDACTED] would come into the rooms to check. He'd  
17 get you up first of all to check if you'd ... if you  
18 were sleeping, he wanted to know if you'd wet the bed at  
19 this point. His way of doing it was to put his hand  
20 into the bed and just touch you up.

21 Q. So what did he do with his hand?

22 A. His hand would -- well, his hand was supposed to be  
23 touching you to see if you'd had a piss but in actual  
24 fact, the hand was sometimes going into your -- in  
25 through the opening. As I say, these were them



1 old-style pyjama type things that your granny or grandad  
2 had, with big white draw cords on them. So there was  
3 a big opening at the front. So he just put his hand in  
4 to see if you'd wet yourself.

5 Q. Which part of your body did he check?

6 A. Well, the penis. It didn't make any sense because if  
7 you had -- at this point if you had wet yourself, well,  
8 it wasn't going to change -- he never changed your  
9 sheets, he never came in and said, "We'll have to get  
10 you a new mattress", or, "We'll get this", or, "We'll  
11 get that". None of that happened, so it made no sense.  
12 If it had made any sense, he could have ... it didn't  
13 make any sense.

14 Q. I think you tell us in the process he would touch you  
15 and play with your private parts.

16 A. Yes.

17 Q. How would that situation come to an end?

18 A. He'd sort of ... Well, initially he just sort of ...  
19 It was a strange time. I was at that age, I was only  
20 13, I didn't even know -- I mean, to me, to be honest  
21 with you, I thought a standing cock was for peeing on  
22 high walls. I didn't even know what was going on down  
23 there. Nobody had ever explained to me about puberty or  
24 anything like that. Least of all we never got told any  
25 of this by these brothers. So the first time anybody

1           ever played with me was [REDACTED] LNA           That was robbed,  
2           that was, you know, to ... That was ... I didn't even  
3           know what was happening.

4           Q. You say in your statement that:

5                     "If he could get away with it, Brother [REDACTED] LNA would  
6           masturbate boys until ejaculation."

7           A. I don't know if he done it to any of the others, but  
8           eventually you just thought, "This is not right".

9           Q. Did he do that to you?

10          A. Mm-hm, mm-hm. There was nothing to ejaculate. It  
11          wasn't even at that age where that was happening.  
12          I didn't even know what the hell was happening.  
13          I thought I was going to die when he done it.

14          Q. Was it painful?

15          A. It wasn't painful. This is the worst part of it: there  
16          was an enjoyability about some of it. Of course there  
17          was. At the end of the day that's ... If sex was  
18          a horrible experience, there wouldn't be too many people  
19          walking about the planet. You know what I mean? So  
20          there was an enjoyment to it. It just was ... It was  
21          a bit too early for that rubbish and it wasn't the right  
22          situation. And ultimately, at the end of the day, there  
23          was no choice there. That was the bit that was taken  
24          away.

25          Q. Do you remember the first time Brother [REDACTED] LNA did this to

1           you?

2           A. I remember it just built up to that. Eventually  
3           I thought, "This was wrong", and I think if you sort  
4           of ... You're lying there and you just sort of think,  
5           "What's happening, what's happening here?" And  
6           eventually I just started to turn or indicate that I was  
7           wakening up. He didn't want to be ... I don't know  
8           why. You sit back and you look back and you think, why  
9           me. When I look back -- when I was a child -- I've not  
10          got much hair left now, but I had blond hair, blue eyes,  
11          it was kind of ... Maybe, I don't know ... I was a lot  
12          different looking then from what I am now. Maybe that  
13          was, I don't know, why he was attracted to some and not  
14          to others. I don't know.

15          Q. How long had you been in St Ninian's when this --

16          A. Right away, because I was bed-wetting before I went to  
17          St Ninian's. So when I turned up, I was a bed-wetter.  
18          This would happen every single night I was there. This  
19          would be the process. But that was at night-time. Then  
20          in the morning time, we were wakened up again because  
21          there were no showers in the morning unless you had wet  
22          the bed.

23          Q. Before we get on to the morning, can I just ask you  
24          this: you have told us about what happened to you. Did  
25          you see Brother LNA go to the beds of any other boys?

1 A. I knew he went to the beds of other boys.

2 Q. How did you know that?

3 A. Because of what happens in the morning.

4 Q. Did you see him go to the beds of other boys?

5 A. Yes.

6 Q. What did you see?

7 A. The same thing. He would be checking to see if they had  
8 wet the bed.

9 Q. How would he be doing that?

10 A. The same way. That was the only -- well, you would know  
11 this by the morning. I can only say if, for example,  
12 because I don't know the exact timings, if we were  
13 wakened at say 8 o'clock in the morning, that was the  
14 normal time for wakening up, the bed-wetters would have  
15 been woken up at 7, earlier than the others. If you had  
16 wet the bed, you could have got up and went for another  
17 shower. So when you were in the shower area -- I can't  
18 remember if **LNA** was even there this time. I don't  
19 remember him being there in the morning.

20 But there would be other boys there, so the other  
21 boys who had also wet the bed would be there as well.  
22 So all the bed-wetters would be up. So there was that  
23 kind of process: you got up, had a shower, came back.

24 Q. So there would be a shower in the morning for --

25 A. The people who wet the bed would re-shower in the

1 morning, yes.

2 It made more sense to have a shower in the morning  
3 if you're laid in your bed sweating all night. I think  
4 the only reason we were showering at night-time was for  
5 the sexual gratification of Brother [REDACTED] LNA There  
6 was no reason to be showering at night-time.

7 Most people shower in the morning anyway because  
8 they've been lying in their bed sweating most of the  
9 night, so why would you shower at night? Shower in the  
10 morning before you get up and get yourself --

11 Q. Do you remember any brother being involved in the  
12 showering process in the morning?

13 A. I don't remember anybody being there. At bedtime  
14 [REDACTED] LNA was there, it was the usual. I just remember  
15 that. I seem to always remember the bad parts of these  
16 things, you don't remember any good parts.

17 LADY SMITH: A few moments ago you said that one of the ways  
18 you tried to make it come to an end when [REDACTED] LNA was  
19 touching your private parts in bed was to show that you  
20 were starting to wake up.

21 A. And move, just sort of turn.

22 LADY SMITH: He would start this when your eyes were shut  
23 and you were still --

24 A. You just freezed.

25 LADY SMITH: So he would start it when it looked as though

1           you were asleep?

2           A. Uh-huh.

3           LADY SMITH: Okay. Ms MacLeod.

4           MS MACLEOD: Would Brother LNA say anything to you while  
5           he was doing this?

6           A. No, never had any conversations about any of that stuff.

7           Q. When he left, would you be upset?

8           A. Mm.

9           Q. Would you be crying?

10          A. Sometimes. The whole thing was you were ... You had to  
11          take it back to the day when I went in there, thinking  
12          that I was under a care and protection order, I was  
13          going in there because things weren't working at home.  
14          And LNA was this big, tall man, standing at the  
15          door that was going to help me and make my life better.  
16          And he was the guy that greeted me through the front  
17          door of the place and the two social workers, who were  
18          all right, were nice people left and left me with  
19          this ... which was worse. Nobody would believe you  
20          anyway, would they, at that time? Nobody did believe  
21          us.

22          Q. Was there any discussion that you remember between the  
23          boys at the time?

24          A. No, we never spoke about this stuff. Never even to this  
25          day when I see friends who -- we have met up sometimes

1 with people and this doesn't get spoke about. We don't  
2 talk about it. Unwritten rules, you know: you just  
3 don't chat about shit like that.

4 Q. Did you tell anybody in authority, any of the brothers  
5 or staff at St Ninian's, what Brother LNA was doing to  
6 you?

7 A. No.

8 Q. Did you tell -- I understand you didn't have much  
9 contact with social workers, but did you tell anyone  
10 at the time what was happening to you?

11 A. No, never told a soul. The whole thing, partly the ...  
12 These things were never talked about. You didn't talk  
13 about sex, you didn't talk about any of these things.  
14 That's not the culture we were brought up in. If you  
15 did talk about sex, you just talked about just bravado  
16 stuff, you made up stories to sound good. You wouldn't  
17 go round to the playground and say, "By the way,  
18 LNA s been tumbling about with the boys again",  
19 or, "So-and-so has been up in his room too long". There  
20 would have been an implication that if you had said  
21 something like that, that you've had some form of gay  
22 experience with a brother, that you would be gay, and  
23 nobody wanted to be known as gay. There was something  
24 wrong with that, especially we're talking about in the  
25 1970s and 1980s. That wasn't an acceptable thing to be.

1 Q. And I think what you do tell us at paragraph 79 of your  
2 statement is that you grew up in an atmosphere of hiding  
3 everything.

4 A. Yes. That was certainly part of that.

5 Q. I think you say that:

6 "Looking back [this is at paragraph 75] nobody would  
7 have believed [you] anyway."

8 A. No.

9 Q. And you say it was a closed shop.

10 A. The school was a closed shop with the brothers. There  
11 wasn't any kind of -- at night time you were only left  
12 with the brothers. There wasn't anybody else there.  
13 There just wasn't any other person. There wasn't  
14 anybody there you could speak to. So it's the same  
15 as -- very difficult. When the [REDACTED]  
16 [REDACTED] and you don't know the  
17 system to complain -- if you don't know how to complain,  
18 if you don't feel as if you can go to somebody and say,  
19 "There is a problem here, who can I speak to?" the  
20 answer is there's nobody here to speak to because the  
21 man that's causing the problem is the man who should be  
22 solving the problem, but he is the problem. So how do  
23 you deal with that? You need to then find -- I know now  
24 you need to go to the board of management or the  
25 superior. These weren't people we spoke to. We didn't



1 know who these people were, so there was no means for us  
2 to express any concerns or anything like that.

3 Q. Someone else you tell us about in your statement is  
4 Brother Paul Kelly.

5 A. Yes.

6 Q. You describe him in your statement as "a nasty piece of  
7 work".

8 A. Mm-hm.

9 Q. Can you tell me about that? What do you mean by that?

10 A. Paul Kelly ... I just ... He was doing the same thing  
11 in the senior end as what LNA was doing on the junior  
12 end. And he would have his favourite boys and that  
13 was -- you know ...

14 Q. What did you see? Did you see anything happening --

15 A. No, but I know that boys were sleeping in his room  
16 overnight.

17 Q. How did you know that?

18 A. I know one particular boy slept there most nights.

19 Q. Do you know where in the room the boy slept?

20 A. Supposedly he was on the floor, but I don't think that's  
21 where -- it didn't always end up there.

22 Q. How do you know he didn't always end up there?

23 A. I just know.

24 Q. Is that something you knew at the time?

25 A. Not at the time, but I know now. There was a group of

1 us tried to get together a few years back -- myself,  
2 Alex, [REDACTED] [REDACTED] -- and we were all trying to get [REDACTED] MCU  
3 to come and it was just before [REDACTED] MCU was killed at the  
4 house. I remember I'd been in ... Bear in mind that  
5 Farrell never caused me any problems, so I had been in  
6 touch with Farrell and I had said to him that [REDACTED] MCU had  
7 been killed.

8 My understanding, being a Catholic, and it surprised  
9 me at the time why Farrell wouldn't come to Rutherglen  
10 and do the Mass for [REDACTED] MCU He never done it for [REDACTED]  
11 either.

12 Q. Was he asked to?

13 A. No, it was just the normal thing. You don't have to be  
14 asked to come to do a Mass. If you were a priest and  
15 your friend has died, you don't need to be asked to go  
16 to the funeral. You don't get invited to funerals, it's  
17 not a fricking wedding or a baptism, it's just one of  
18 those things out of respect you would go. At the time,  
19 I was thinking to myself, why is John Farrell not coming  
20 to these funerals? It was tragic. You know what  
21 I mean? But [REDACTED] MCU was one of Kelly's boys and it was  
22 sad, you know. He was just too young to be there, left  
23 with these guys when he shouldn't have been.

24 Q. What you say at paragraph 73 of your statement is that:

25 "Paul Kelly had boys staying in his room overnight

1 and there was full-blown carnal relationships going on."

2 Can you expand on that? What do you mean by that?

3 A. I know that that was true, that he had relationships.

4 People in that room were having sex. And as I say, that  
5 was -- what I'm saying there, that was based on what was  
6 proven in a court of law.

7 Q. Is that something you knew at the time or something you  
8 say you've learned in later life?

9 A. I've learned since. I've only made a comment on what  
10 I've learned from a court hearing what took place at the  
11 High Court in Glasgow.

12 Q. Did you run away at any time while you were at  
13 St Ninian's?

14 A. No -- a couple of times, yes.

15 Q. Why did you run away?

16 A. I don't know. I think I was at an age, just ...  
17 I don't know.

18 Q. On any of the occasions you ran away, did anything  
19 happen when you came back to St Ninian's?

20 A. No, no, never got beaten up or anything for running  
21 away. I was one of them kind of -- I was always  
22 constantly going through life trying to escape, trying  
23 to escape something and trying to escape -- by that time  
24 escaping from the school would have been escaping from  
25 what was going on. I don't know what was going on in my

1 head at the time. Sometimes you weren't thinking a lot  
2 about what was going on. It just wasn't the way you  
3 thought.

4 Q. I think you say that on one of the occasions you ran  
5 away and there were about 12 of you --

6 A. Yes.

7 Q. -- who ran away.

8 A. Yes.

9 Q. And you were brought back by the police; is that right?

10 A. Yes, brought back by the police, yes.

11 Q. You have touched on this before and you say in your  
12 statement that:

13 "Although good things were happening in St Ninian's,  
14 the bad things far outweighed the good."

15 A. Mm-hm, for sure. At the end of the day, we were only  
16 kids, we were children, most of us had -- by turning up  
17 there round about 12, 13 years of age, we had our whole  
18 life ahead of us and that should have been about a  
19 process of getting us from A to B or A to Z and  
20 a process that would have been part of growing up. And  
21 then a lot of was that robbed by the brothers who --  
22 well, depending on the situation, depending on ... Down  
23 to the brother themselves, depending on your situation  
24 and your vulnerabilities. At the end of the day,  
25 we were there because we were vulnerable. Again, as

1 a bed-wetter, we were even more vulnerable. We were  
2 then placed in a situation where [REDACTED] LNA [REDACTED] you know --  
3 so it just became problematic. So we were -- instead of  
4 being given attention, protection, you know ...

5 But as I say, if it hadn't been for that end of it,  
6 I think that they done the best they could. But it  
7 wasn't leading anybody anywhere.

8 Q. I think something you say in your statement is that:

9 "Thinking back, [you] wanted a safe place to stay  
10 ..."

11 A. Mm-hm.

12 Q. "... and that's why [you] went to the social workers and  
13 [you] ended up in St Ninian's, in another place that  
14 wasn't safe either."

15 A. Yes. Very unsafe, obviously.

16 Q. There came a time, Jack, when you left St Ninian's.  
17 What are your recollections about that and how that came  
18 about?

19 A. I think that, overall, my parents were mortified that  
20 one of their six kids had ended up with a care and  
21 protection order, so basically it wasn't good, so they  
22 wanted me back just to keep -- everything on the face of  
23 it had to look good, so ...

24 Q. I'm not going to put this record on the screen, but the  
25 inquiry has recovered some social work records and in

1 particular a record can be found at GLA .001.002.6322,  
2 that indicates that, by the summer term of 1980, you  
3 were anxious to go home, and after an extended period of  
4 leave, it was decided that you would remain at home and  
5 attend a school in Cardonald.

6 A. Yes.

7 Q. Is that your own recollection?

8 A. That'd be roughly right, yes. I think at the end of the  
9 day, I think that being -- when I look back, the safe  
10 place that I was looking for to live wasn't that safe at  
11 the end of the day and I was probably better off back  
12 with my ma and da where I was safe. It wasn't safe  
13 either, but it was a lot safer than having LNA  
14 fumbling through the beds at night.

15 Q. You tell us that while you were at secondary school you  
16 joined the cadets and then the army when you were 16.

17 A. Mm-hm, mm-hm.

18 Q. I think you go on to say that you found some aspects of  
19 that arrangement difficult because of what you'd  
20 experienced at St Ninian's. I think you point to the  
21 shared accommodation and the team environment as things  
22 you found difficult.

23 A. I just found life difficult from -- I just found life  
24 difficult. I tried a number of things. I tried the  
25 army. I was discharged for being, at the time,

1           temperamentally unsuited for that kind of lifestyle.  
2           I wasn't fitting in. In hindsight, I have spoken to  
3           what would have been my troop commander at the time, who  
4           then went on to become the brigade commander in Wales,  
5           and I was chatting to him. He said -- I remember him  
6           saying, "If we had known, we could have worked it out".

7           It's things like that. I wasn't in a position where  
8           I was able to tell, but Rick Libby, who was the brigade  
9           commander, brigadier, did say that if I'd spoken to  
10          them, if he had known, they could have sorted things  
11          out, the army would have figured that out.

12         Q. You tell us --

13         A. I couldn't be able to tell them.

14         Q. You tell us that after you left the army, you had  
15          a number of lost years in your life?

16         A. I just slowly went downhill. Life ended up really bad  
17          with drink, drugs, whatever, and I ended up on the  
18          streets in London for two years or thereabouts.

19         Q. You tell us that then, in around the early 1990s, you  
20          came back to Scotland and went into rehabilitation;  
21          is that right?

22         A. Yes, I went to rehab down the road here in [REDACTED].

23         Q. You say that you that that changed your life.

24         A. Yes. I went to rehab in 1991/1992 up at [REDACTED]  
25          I had since then, since I've left there, I've had one

1 drink one day, which was on 4 May 1992. I haven't drunk  
2 in -- what is it, 26 years? Or taken drugs in 26 years.  
3 I'm clean now.

4 Q. And you went on from there, you tell us, to do a degree  
5 in politics and sociology.

6 A. Yes. I done that in Oxford Brookes. I initially done  
7 a diploma through Oxford University and done a degree in  
8 politics. I graduated in 1999. I stood for [REDACTED]  
9 [REDACTED] that year, became a [REDACTED], and  
10 stood a year or so later for the [REDACTED] and  
11 became a [REDACTED] in [REDACTED]

12 [REDACTED] And during that time, I was approached by  
13 Ian Davidson, who was the MP for Glasgow Govan, I went  
14 down and worked in London as a researcher in [REDACTED]  
15 [REDACTED] in London as well. That was sort of -- kept  
16 me going for a while.

17 Q. Did you get involved in the army cadets again at a later  
18 point in time?

19 A. I worked on with that kind of stuff, doing the politics,  
20 and I felt as if it wasn't getting me anywhere. I was  
21 sitting in rooms chatting but not really doing too much  
22 and I would rather have been -- so I went and took on --  
23 there was a guy on ... Facebook is a wonderful thing.  
24 I found somebody who I knew from my days in the army  
25 living in Oxford, over in Banbury. I eventually got



1           involved in the army cadets, so I joined up there. They  
2           had a wee band; it was only one guy in it, playing  
3           a bugle, and that was it. So I decided I would --  
4           I became -- to cut a long story short, we ended up with  
5           45 kids in the band and I became the OC. I'd reached  
6           the rank of captain and we took the band to a number of  
7           places, the Military Tattoo, we were at the Menin Gate  
8           in Ypres. We had a great old time and the kids loved  
9           it. It was great and I'm still in touch with a lot of  
10          them ... it was good diversionary activity, kept them  
11          out of a lot of trouble.

12         Q. I think you say that you got to see the positive impact  
13          that the activities you were doing had on the --

14         A. Yes.

15         Q. -- children's lives --

16         A. Yes.

17         Q. -- and that it provided you with a great experience of  
18          childcare?

19         A. Yes. A better experience, yes, of course, of how things  
20          should have been.

21         Q. Are you making a comparison there between your own  
22          experience --

23         A. Yes. There were occasions when we would have to --  
24          I would have to personally organise the sleeping  
25          arrangements for kids, adults, males, females, officers,

1 sergeants. That could have been -- and there was  
2 a certain acceptable, what could be acceptable and  
3 what was unacceptable. And putting people in  
4 situations, you know, and looking at child protection --  
5 in actual fact, I used to say to some of the guys, the  
6 sergeants and the guys that were under me, that the  
7 whole thing about child protection rules, is it's not  
8 there to protect the child, it's there to protect you,  
9 it's there to put you in a situation where you are not  
10 in a situation where something could be said. If you  
11 stick to them rules, you're never going to have any --  
12 there's no suspicion that can be lobbed at you. It's  
13 when you start deviating from them rules you're going to  
14 start putting yourself in a situation where things could  
15 be said.

16 So the cadets gave us a good -- especially because  
17 they had been through their own experiences of a lot of  
18 problems there. And I was sort of seen -- I don't know  
19 why, but I've always been seen as one of these kind of  
20 guys where if you had a problem, people would come to  
21 you. Some people, I don't know, you just never went  
22 near them, but people always seem to come to me with  
23 problems, so I would get people coming to me with child  
24 abuse problems or, you know -- and I would then have to  
25 deal with that, and just for the record, every time

1 I was ever put in a situation like that, I always  
2 involved the police, so there was never anything covered  
3 over.

4 Q. Can I ask you about the impact you think your time in  
5 St Ninian's has had on your life?

6 A. I'm a single man. I find it difficult to have  
7 relationships with people unless it's based on some kind  
8 of formal, you know, that kind of ... it needs to have  
9 clear lines about where we're at.

10 Q. I think you say you find it difficult to trust people.

11 A. Yes, trusting in that way. You know what I mean?

12 I don't take advice from people. I don't go looking for  
13 advice. If I can't figure it out myself, then ...

14 I would sit and think constantly about what situation  
15 I'm getting into. I don't get myself into situations  
16 I can't cope with. I don't take risks. I am the kind  
17 of guy where -- I could go into a shop and buy something  
18 and people think you're being very, you know, impulse,  
19 but in actual fact, no. There's never an impulsive  
20 thing about me. I've sat and thought about what I'm  
21 doing for a long time before I've got anywhere near to  
22 doing what I'm doing because I just can't be put in ...  
23 and trusting people is just a difficult thing.

24 Q. Do you often think about your time in care?

25 A. Mm-hm. I think I was robbed of a lot of things.

1 I think I've grown up, you know -- but I'm mixed with it  
2 because some of the things I did ... Meeting ... The  
3 friendships were good, I enjoyed that. It was nice to  
4 meet people that did ... I had some good friends there.  
5 There were times -- there was always going to be bullies  
6 in these places, and then, you know ... for no reason.

7 There was one particular lad who -- and I was in  
8 a situation where somebody was bullying me, and another  
9 lad from Glasgow stood -- he stood up for me and  
10 basically the other guy never came back near again.  
11 Things like that you remember, it's not often people do  
12 things like that. People don't need to do, that but the  
13 guy who did, [REDACTED] was very good.

14 I'm still in touch with people, but it's very  
15 difficult, because we just -- when you go to school with  
16 people, you have these relationships that you build up  
17 for years and you can ... kind of the old school tie  
18 thing and good friends. There's people I know from  
19 St Ninian's and we don't chat, we don't chat. We are  
20 friends, there's a link that joins us, that binds us  
21 together, even though I was only there for a short space  
22 of time, I'm still part of that. There's something that  
23 joins us together, but unfortunately it's something  
24 that's not fucking good. That's the sad thing about the  
25 whole ...

1 Q. Did there come a time in later life, Jack, when the  
2 police contacted you about your time at St Ninian's?

3 A. Can we stop?

4 LADY SMITH: Jack, we would be having a break about this  
5 time in the morning anyway. Would it suit you  
6 if we took it now?

7 A. Yes.

8 LADY SMITH: We can take the morning break just now and  
9 whenever you're ready to come back and finish your  
10 evidence, we can do that.

11 (11.28 am)

12 (A short break)

13 (11.48 am)

14 LADY SMITH: Are you ready to carry on, Jack? Is that all  
15 right?

16 A. All good, thank you.

17 LADY SMITH: Ms MacLeod.

18 MS MACLEOD: Jack, did there come a time in later life when  
19 the police contacted you about St Ninian's?

20 A. Yes.

21 Q. Did you provide a statement to the police?

22 A. I did at the time, yes. I was working in [REDACTED]  
23 at the time and the police from -- it must have been  
24 Lothians, Fife, they came to Peebles and interviewed me  
25 in the police station in Peebles.

1 Q. Did you tell the police about the experiences you've  
2 today me about today?

3 A. Most of it, not going into any ... not ... But they  
4 weren't that -- I mean, [REDACTED] LNA was dead, so it was  
5 under that, there was no criminal case to follow there.  
6 I never had any truck with Farrell or Kelly, they never  
7 gave me any trouble.

8 Q. You mentioned that you wrote to the archdiocese at one  
9 point. What did you write about?

10 A. I can't remember exactly. I just remember that the --  
11 for me, the Archdiocese of Glasgow was very ... They'd  
12 been very quiet about it all. There wasn't a lot  
13 getting said about the kids that had been in these  
14 schools. Mostly we were all Catholic anyway -- mostly,  
15 there might have been an odd person who wasn't, but  
16 we were part of the -- and it really sort of scunnered  
17 me with the church. We were just ignored.

18 Q. Was there a specific person, do you remember, that you  
19 wrote to?

20 A. I suppose at the time -- I would have known who to write  
21 to. I probably wrote to Peter Smith, who would been the  
22 Chancellor at the time.

23 Q. When approximately was this?

24 A. I'm not really too sure. I think I wrote a couple of  
25 times, but I never, ever got a -- I think also wrote to

1 Ronnie Convery, who was their communications director.

2 They never, ever responded.

3 Q. In your letters, did you tell them about any of the  
4 abuse?

5 A. Yes. That this was going on and it was -- but they  
6 never ... This was after -- this was in recent years.  
7 This is not when I was young. This is when the bubble  
8 had burst, when the can of worms had been opened, and  
9 yet there were still a number of people who were being  
10 ignored.

11 Q. Did you have any response to your letters?

12 A. No, I never got any response. I've never officially  
13 heard anything from either ... and I knew the ...  
14 Although it's just changed, I think, the vicar general  
15 who would have been Philip Tartaglia's right-hand man,  
16 Paul Conroy, who I know quite well, he was one of the  
17 parish priests where I lived, but he never responded.

18 Q. You go on to tell us in your statement about things that  
19 could have been done better and you give quite a lot of  
20 helpful information there. I just want to touch on  
21 a few of those with you today.

22 One thing you say is that:

23 "There was no personal touch at St Ninian's and it  
24 was very impersonal"; is that right?

25 A. That would be correct. It was very much an us and them.

1           There was never anybody in the middle. There was never  
2           any female sort of influence. There wasn't any -- it  
3           was just a matter of -- it was a practical set-up.  
4           There wasn't any care proper, you know, love or  
5           whatever. These things that ... This is what was  
6           lacking in a lot of our lives. I'm only saying that as  
7           somebody who's been to self-help organisations, who's  
8           seen how the -- the effect these things can have.

9           Q. You say you don't remember ever getting any kind of  
10          praise.

11          A. Not really. No, I don't remember anyone saying, "Well  
12          done, that was good", no. No, I don't remember that.  
13          That doesn't seem to be ...

14          Q. Something you touch on as something which might have  
15          helped is if there was a visitor who could have walked  
16          in at any time of the day or night.

17          A. Yes. There wasn't anything like that. I know you've  
18          got ... You know, when I was in a cadet camp one time,  
19          one of the kids was caught with or was found to have had  
20          some cannabis in their possession. The person who was  
21          responsible at the time decided -- they got the police  
22          in and then, because the child was under a certain age,  
23          they required an appropriate adult. The commandant of  
24          the camp knew that I had acted in that capacity in the  
25          past and he had said to me would I be prepared to be the



1 appropriate adult in this instance for this child while  
2 he was taken the police station in York and my response  
3 was: I would do it, but under the proviso that I'm doing  
4 this as [REDACTED] or as Jack or whatever, but I'm not doing  
5 it as a cadet officer. I'm doing it as an individual  
6 who -- and whatever I do here, there is no comeback on  
7 me, I'm going to protect the child, not protect the  
8 organisation.

9 And that was the thing that was lacking in somewhere  
10 like St Ninian's. There wasn't any individual who could  
11 be there, who could defend the child over and above the  
12 organisation that was there. So therefore, there was  
13 a problem.

14 LADY SMITH: Am I to understand that you wanted to make it  
15 clear that you needed to feel free to criticise the  
16 organisation --

17 A. Yes.

18 LADY SMITH: -- if that was the right thing to do?

19 A. If that was the right thing to do, yes. That's what I'd  
20 said: that if there's a problem here, I need to be able  
21 to protect my job as an appropriate adult, not to  
22 protect the cadet force, it's not to protect the police,  
23 it's to protect the best interests of the child who's  
24 being questioned.

25 MS MACLEOD: I think that's something you tell us about in

1 your statement as well at paragraphs 121 and 122. You  
2 say:

3 "You can't just report it to the next man up: if  
4 a crime is being committed you need to report it to the  
5 police."

6 A. My view had been if somebody had reported to me or if it  
7 came to my attention that a child in the cadets had been  
8 abused, then that was for me to report to the police.  
9 It wasn't for me to go and say -- there was no guarantee  
10 that they were going to do that. As I said there as  
11 well, a CRB or a whatever disclosure, that only means  
12 you haven't been caught, it doesn't mean that  
13 you haven't done anything. It just means so far you've  
14 kept your nose clean and you haven't ... so ...

15 Q. Ultimately, you say that if someone tells you about  
16 abuse and you're not prepared to report it, then you  
17 shouldn't be in that organisation.

18 A. That's correct.

19 Q. Finally, Jack, I want to let you know that the inquiry  
20 has spoken to Paul Kelly. I know what you've said today  
21 about Paul Kelly and what's in your statement about  
22 Paul Kelly has been put to him. He denies what you have  
23 said about him. I just want to ask you what you make of  
24 that.

25 A. I think it's quite sad that Paul Kelly has been in front

1 of a judge and a jury. He was sentenced to 10 years in  
2 prison. To a certain extent, I feel sorry for the chap.  
3 It's time he needs to grow up and sort of admit that  
4 there was a problem there and he was part of that  
5 problem. If he wants to continue going down that road  
6 of denial, then that's up to him. But he knows and  
7 every child in that school knows what he was up to. But  
8 as I say, at the end of the day, it's him and he's got  
9 to live with that himself.

10 Q. Well, thank you Jack --

11 A. Can I just say one thing? One thing that I would say is  
12 that the real problem where a lot of this kind of abuse  
13 stuff in the past has been individuals, and this  
14 includes the Catholic Church, for whatever level, and in  
15 my time in the cadets as well and anywhere else, that  
16 people have been more likely to protect the organisation  
17 than they were trying to protect the child. People like  
18 Kelly and Farrell and LNA they were there to -- when  
19 people reported, in recent years when people were  
20 reporting stuff to the church, the biggest problem they  
21 had is people were brushing things under the carpet to  
22 protect the organisation. The Catholic Church was more  
23 important, the cadets were more important, whatever. It  
24 was obviously wrong. The purpose is to protect the  
25 child.

1 Q. And on that point, I think you tell us in your statement  
2 that:

3 "You need to look beyond the situation and protect  
4 the child. Regardless of who falls, the child must be  
5 protected."

6 A. Yes.

7 MS MACLEOD: Well, thank you, Jack, for coming forward to  
8 the inquiry. That's all I need to ask you today.

9 My Lady, I'm not aware of any other questions for  
10 Jack.

11 LADY SMITH: Are there any outstanding applications for  
12 questions? No.

13 Jack, those are all the questions we have for you.  
14 I'm very grateful to you for engaging with the inquiry  
15 in the way you have, both by providing such a clear  
16 written statement and coming along today to tell us your  
17 evidence in person and expanding on what's in your  
18 statement. It's of enormous assistance to me to have  
19 heard from you and hear so many matters, if I may say  
20 so, so clearly articulated. You've given a very clear  
21 impression of what you have to say and I'm very grateful  
22 for that. I'm now able to let you go, but please do  
23 appreciate you go with my thanks. Thank you.

24 A. Thank you very much. Can I just say thanks for the  
25 opportunity to be able to come along and express that?

1 I never got the chance to go to -- when the court case  
2 was on because [REDACTED] LNA was gone. For me, it was also  
3 about moving on as well, and that time has come as well.  
4 It's been a long time waiting, but it's time for me to  
5 move on as well.

6 LADY SMITH: I hope you manage to do that. Thank you.

7 (The witness withdrew)

8 LADY SMITH: Before we move on to the next section of  
9 evidence, could I just remind everybody, if they didn't  
10 notice, that my general restriction order applies to the  
11 names of other children in St Ninian's who were  
12 mentioned by the last witness. One of them was a man  
13 called [REDACTED] There were other Christian names  
14 and there may have been another surname mentioned. But  
15 please do not forget that the mention of these names in  
16 evidence does not mean that my GRO, general restriction  
17 order, has been disapplied. It hasn't and the names  
18 cannot be mentioned outside the hearing room.

19 Now, Ms MacLeod?

20 MS MACLEOD: My Lady, I would now propose to read some  
21 evidence in from statements, possibly two, if we have  
22 time.

23 LADY SMITH: Yes, let's do that.

24 Witness statement of "WILLIAM" (read)

25 MS MACLEOD: The first of those statements is the statement

1 of an applicant who wishes to remain anonymous and use  
2 the pseudonym "William".

3 His statement can be found at WIT.001.002.5105:

4 "My name is William. I was born in 1957. My  
5 contact details are known to the inquiry. I was brought  
6 up in the Possilpark area of Glasgow. I lived in  
7 a two-bedroomed tenement along with my four sisters and  
8 two brothers. Possilpark was and still is a deprived  
9 area of Glasgow. Like many of our neighbours, my  
10 parents struggled financially. Their income to the  
11 family came from what was known then as family allowance  
12 and my father's war pension. It was a case of what we  
13 never had we never missed. The most important thing was  
14 that we were all in good health and happy.

15 "Unfortunately, the good health did not apply to my  
16 father. He was invalided out of the army after being  
17 caught in an explosion whilst serving in France. The  
18 serious head injury he received meant he was never able  
19 to hold down a job. As a result of 23 invasive surgical  
20 procedures, he was left bedridden and paralysed from the  
21 waist down. In 1973, my father died aged 50.

22 "During the time my father was confined to bed,  
23 I would often take a day off school. This was to help  
24 with his care and do various household chores. I would  
25 also run errands for my mother. This flexibility

1           towards school led to social services becoming involved.  
2           I appeared at the juvenile court in Glasgow. They  
3           recommended that I should be sent straight to  
4           St Ninian's School in Falkland, Fife. I saw this as  
5           more of a respite for my mother rather than as  
6           a punishment for truancy. I remember that was how it  
7           was put to me. I was 11 years old. I had never even  
8           been outside of Possilpark."

9           My Lady, the admissions register for St Ninian's has  
10          this witness noted as being admitted a little bit later  
11          in his life in [REDACTED] 1971, when he would have been 13,  
12          leaving again in [REDACTED] 1971 when he would have been 14,  
13          being readmitted in [REDACTED] 1972 when he would have been  
14          14, and finally being readmitted in [REDACTED] 1972 and  
15          finally leaving in [REDACTED] 1972 when he would have been 15.

16          I should say, my Lady, that the reason this witness  
17          isn't able to be here today to give oral evidence  
18          is that he lives in America. He does sometimes travel  
19          to Scotland, but it wasn't possible for him to be here  
20          while the hearings are sitting. We wished to explore  
21          the option of a video link with the witness, but it  
22          hasn't been possible to make contact with him in order  
23          to do that.

24          LADY SMITH: Thank you very much.

25          MS MACLEOD: "I was told that St Ninian's was not like an

1 approved school. It was more of a residential school  
2 for boys who came from families with problems. That  
3 part was certainly true. Most of the boys at the school  
4 did have problems with their families. This could be  
5 for a variety of reasons. It might have been that  
6 parents were not able to cope, had been abusive or were  
7 alcoholics. Some of the boys had no family to speak of.

8 "The thing that stood out for me at the school was  
9 that none of the boys were what I would call bad boys.  
10 When I arrived I instantly made new friends and quickly  
11 settled in.

12 "There were between 30 and 40 boys at the home.  
13 They were aged between 6 and 15. There were two groups,  
14 juniors and seniors. I think there were 12 to 14 rooms  
15 for the juniors and six rooms for the seniors. Each  
16 room slept two boys. This was a positive. I had come  
17 from a two-bedroomed flat with nine of us living there.

18 "The Christian Brothers ran the school. Brothers  
19 would come and go at the school. You were never sure if  
20 they were joining on a permanent basis or just visiting.

21 "Brother LHC I assumed was the [REDACTED]  
22 He was very old and frail. I remember him being a sort  
23 of semi-retired brother. Brother BHD was the  
24 [REDACTED] Brother LNA was [REDACTED] to  
25 Brother BHD. The rest of the permanent brothers



1 that I remember were Brother LHI Brother LMZ  
2 Brother MCY and Brother MBV

3 "Most of the brothers were chain-smokers and were  
4 rarely seen without a cigarette in their hand.

5 "Brother BHD was a cruel and sadistic man.  
6 He had an air of violence and menace about him. All the  
7 boys knew not to get on his bad side. You didn't want  
8 to cross him. Hindsight being what it is, he was a man  
9 who should never have been allowed near children.  
10 Brother BHD inflicted more abuse on me than the  
11 other brothers combined.

12 "I had a good relationship with Brother LNA  
13 Brother LNA also had a bit of a temper on him. There  
14 was the odd occasion when I would be on the receiving  
15 end of a good slap from him. He would dish out  
16 punishments but without the malevolence of  
17 Brother BHD

18 "Brother LHC would sometimes cover and supervise  
19 mealtimes. I remember him being a very likeable man.  
20 He was quiet and had a mild tone of voice. I never once  
21 saw Brother LHC punish any of the boys.

22 "All the brothers were a mixture of Irish and  
23 English. These men seemed to have a dislike of all  
24 things Glaswegian. Name-calling was open and  
25 commonplace. We would be called 'street urchins' and

1 'tenement scum'. There were frequent references made  
2 about the failure of our parents to provide for us. It  
3 often felt like they were trying to break our spirits.  
4 The Christian Brothers were abusive towards the children  
5 in their care; of that there should be no doubt. I was  
6 the victim of their rage on more than one occasion.

7 "There was also a number of lay staff at the school.  
8 The lay staff worked 9 to 5 and most of them lived  
9 in the nearby Falkland village. Some of the staff had  
10 their own rooms and stayed at the school.

11 [REDACTED] MCS had the title of housemaster. He had  
12 his own room. Cathy, I don't know her surname, was the  
13 housemaid for the brothers. Mr [REDACTED] BHB was a teacher  
14 and lived in the village. Maurice was the groundskeeper  
15 and maintenance man. He was also in charge of the  
16 boiler room. Maurice's wife was the seamstress. She  
17 also acted as matron until this position was filled.  
18 The lady who took the role of matron was Irish but  
19 I don't remember her name. Lizzie worked in the kitchen  
20 and was the cook. Lizzie also had an assistant until  
21 she left. After this, Lizzie's daughter would help her.

22 "The matron was like a ghost. She had a permanent  
23 scowl and never smiled. You would spot her sometimes  
24 coming out of her room or drifting around the main hall.  
25 The matron never interacted with any of the boys.

1           MCS was from Buckhaven in Fife. He was in  
2 his early 20s. I don't know what connection MCS had  
3 with the brothers. When I first met him he was an

4 [REDACTED]  
5 [REDACTED] By the time I left, he had a room next to  
6 the junior classroom and was calling himself  
7 a housemaster. His main duty seemed to be driving the  
8 minibus. I never really liked the guy. There was  
9 something about him that just didn't feel right. He  
10 tried too hard to be a friend of the boys.

11           "I think that Cathy was originally from Bellshill in  
12 Glasgow. She lived in Falkland. I assumed she was the  
13 cleaner or housemaid. Whatever it was she was there  
14 for, it was for the benefit of the brothers, not the  
15 pupils. She very rarely interacted with the boys and  
16 kept herself to herself. She spent most of her time in  
17 her room next to the kitchen.

18           "Mr BHB was apparently a well-respected figure  
19 of the village. I doubt that the villagers were aware  
20 that inflicting pain on children gave him great  
21 pleasure. In the brutality stakes, he ran a close  
22 second to Brother BHD

23           "The groundskeeper Maurice and his wife lived in  
24 Falkland. Maurice was another who very rarely  
25 interacted with the boys. I do remember that his wife

1 was very friendly.

2 "Lizzie the cook was also very friendly. She was  
3 well liked and respected by all the boys.

4 "Although I said that I settled in quickly when  
5 I first arrived, I did cry non-stop for days. I had  
6 never been away from my family or stayed anywhere other  
7 than Possilpark. There was no counselling or comfort  
8 from the brothers. They never spoke about my family.  
9 It was the other kids who helped me when I first  
10 arrived. Every morning I had to get up at 6 o'clock.  
11 You had work to do before breakfast.

12 "At night all the juniors went to bed at 9. The  
13 seniors were allowed to stay up later. They were  
14 basically looking after the home whilst the brothers  
15 were drinking in their rooms.

16 "The food was very good. I had come from a home  
17 where there was very little. This was completely  
18 different. In the home you were getting three meals  
19 a day. If someone didn't eat their food, then the other  
20 boys would eat it. I don't remember any punishments for  
21 not eating your meals.

22 "School started at 8. After lunch I was back in  
23 class until 4. After this, you had to stay in the class  
24 and do homework until 6. Brother BHD taught [REDACTED]  
25 He was famous for throwing things at those who upset

1 him. It could be anything: chalk, chalk duster, rulers  
2 and pencils. He was also very proud of his handmade  
3 strap. These straps, although perfectly legal at that  
4 time, were instruments of torture.

5 "Brother LNA taught [REDACTED]  
6 Brother LHI was a [REDACTED] teacher. He also played  
7 the guitar. He wasn't one for inflicting physical  
8 punishment himself. If you did something wrong, you  
9 would be sent to Brother BHD or Mr BHB to be  
10 punished.

11 "Brother LMZ was ou [REDACTED] teacher. He also  
12 seemed to find the physical punishments distasteful.  
13 Like a lot of the other brothers, Brother LMZ seemed  
14 to be fond of the younger boys. Mr BHB taught [REDACTED]  
15 [REDACTED], [REDACTED] and

16 [REDACTED] On one occasion I was collecting tuck money  
17 in his class. This was for an African charity.  
18 Mr BHB came into the classroom and saw what I was  
19 doing. He started screaming at me. I was then made to  
20 stand with my hands crossed. After this I was belted on  
21 the hands until I cried.

22 "I was allowed to return home for a week at  
23 Christmas. My birthday was never celebrated.

24 "You had a bit of time to yourself after classes.  
25 The boys were assigned separate parts of the house to

1 clean. This was called 'a charge'. About 80% of the  
2 cleaning in the house was done by the boys. My first  
3 charge was the main hall. Myself and another boy would  
4 dip cloths into tins of wax floor polish. We would then  
5 go on our hands and knees to rub the highly polished  
6 floors. The other boys would come behind us to bring  
7 the sheen out using a buffer machine.

8 "I was later moved to the showers to keep these  
9 clean. I thought I had won the pools. It was much  
10 easier than being in the main hall. I would wash down  
11 the cubicles and replace the soap. I had to do this  
12 in the morning before breakfast.

13 "Strangely, half the jobs assigned to the boys were  
14 used as punishments for misbehaviour. This could be  
15 clearing the blocked drains in the showers, weeding the  
16 cobbled courtyard, and mopping the basement corridors.

17 "Occasionally I was allowed home on weekend leave.  
18 I also had two weeks back home during the summer.

19 "Aside from the unwarranted and unexpected violence  
20 inflicted on the pupils there were a number of expected  
21 punishments. These would be for disobedience, impudence  
22 and smoking. If you did any of these, it would lead to  
23 loss of tuck, no television, no free time, early  
24 bedtime, no outings, extra chores, isolation in the main  
25 hall, or long runs in the country. Isolation in the

1 main hall meant standing against the main wall for  
2 hours. The long runs in the country would be given to  
3 everyone, even if they had disabilities.

4 "Another punishment was being made to clean the  
5 weeds from between the cobbles. You were given a knife  
6 and had to scrape the weeds out into a bucket. To do  
7 this job you had to go on your hands and knees.

8 "If someone wet the bed, Brother [REDACTED] BHD would make  
9 them put their mattresses on display to openly humiliate  
10 them.

11 "I ran away once. I was away for a day. When I was  
12 caught and taken back, I was belted by Brother [REDACTED] BHD  
13 I was made to stand in the main hall for hours. Every  
14 time Brother [REDACTED] BHD went past he would slap me on the  
15 face. I was eventually sent to bed. My tuck was taken  
16 away as well.

17 "All of us senior boys knew that the behaviour of  
18 the brothers was inappropriate. However, their  
19 behaviour was not a subject we would dwell on. At that  
20 time, we didn't understand what child abuse was. It is  
21 only now looking back you realise that young boys  
22 sitting on the brothers' knees was inappropriate.

23 "If we had any rights at St Ninian's, no one ever  
24 told us what these were. As far as I know, the running  
25 of the school was never questioned. An example of this

1 was when a new junior committed suicide in his bedroom  
2 whilst he was on home leave. The boy was called [REDACTED] and  
3 aged about 12. He lived a few streets away from me in  
4 Possilpark in Glasgow. I don't remember anyone asking  
5 the brothers or pupils what [REDACTED] state of mind had been  
6 when he was at the school. I found this quite  
7 disturbing. It felt like nobody really cared about what  
8 had driven this boy to suicide. I don't suppose we will  
9 ever know. I only found out he had died when one of the  
10 brothers mentioned it to us after our home leave. All  
11 they said was that he had died. It was later on  
12 I discovered it was actually suicide.

13 "Abuse was prevalent at the school. I can assure  
14 you that actions carried out in the name of discipline  
15 would be viewed by the outside world as assaults and  
16 random acts of violence.

17 "How the day of a pupil went often depended on the  
18 mood of Brother [REDACTED] BHD

19 "My most disturbing and painful moment came at the  
20 hands of Brother [REDACTED] BHD One morning I was in the  
21 process of cleaning the showers. Brother [REDACTED] BHD came  
22 in. Without warning, he came screaming at me. He said  
23 I had missed a scrubbing brush from one of the cubicles.  
24 Brother [REDACTED] BHD proceeded to attack me. He hit me  
25 continuously with a long-handled scrubbing brush that



1 had been within one of the cubicles. It seemed to last  
2 an eternity. I truly believe that he only stopped  
3 because he became tired. When he was finished I was  
4 black and blue from head to toe. I was also bleeding.  
5 It was days before I had full mobility again.

6 "It was a sad reality that all the adults in the  
7 school who saw my condition made no attempt to console  
8 me or enquire how I was. I wasn't offered and didn't  
9 receive any medical attention for my injuries. It was  
10 down to the children to help me and provide some solace.

11 "On another occasion Brother **BHD** was entering  
12 the senior sitting room as I was leaving. It was one of  
13 these awkward situations where you had to shuffle left  
14 and right to pass each other in the doorway. It should  
15 have been a funny moment, instead and without warning  
16 Brother **BHD** punched me in the face. This knocked  
17 me off my feet. To me, this was him establishing his  
18 self-importance and ensuring his God-given right of way.

19 "I would say that most of the boys in St Ninian's  
20 experienced or at least witnessed this irrational  
21 violent behaviour. We learned to say and question  
22 nothing. We were afraid to openly offer support to our  
23 classmates. This wasn't cowardly; it was because  
24 we were only children.

25 "I always thought that Brother **LNA** and several

1 other brothers were overly fond of the junior boys.  
2 When I was school, I just thought that the boys were  
3 just like the teachers' pets. After lights out, I would  
4 often see the junior pupils making their way to the  
5 common room used by the brothers when they were  
6 supervising through the night. None of the seniors were  
7 ever asked to go to that room at night. Normally, you  
8 would only go there to have minor injuries treated.

9 "Brother [REDACTED] had a habit of bouncing little boys  
10 on his lap. Again it is only with hindsight that I now  
11 realise how inappropriate this behaviour towards young  
12 boys was.

13 "I would never have mentioned any abuse to anyone  
14 whilst I was at the school. No one would have believed  
15 me. If someone independent had spoken with me, I think  
16 I might have mentioned to them what had happened to me.

17 "I left St Ninian's when I was 15. This was the  
18 year before the school leaving age changed to 16. There  
19 was no preparation for me leaving; I just left without  
20 any qualifications. My time at the home had certainly  
21 not stood me in good stead for the rest of my life.

22 "There was a lot about St Ninian's that I had liked.  
23 Things like having clean pyjamas and a room of your own  
24 are good. Despite all of this, I was glad to leave.  
25 I think I chose not to remember a lot of the dark

1 things.

2 "My father died a year after I left St Ninian's.  
3 I started working at a fruit market in Glasgow. After  
4 this I did various labouring jobs. I struggled to hold  
5 down a job until I started working at a theatre.  
6 I worked there for around nine years. I began as  
7 a stagehand and worked my way up to stage manager.  
8 During this time I was married and had three children.

9 "In the early 1980s I got a job with the railways  
10 where I worked for 34 years. I educated myself and  
11 managed to obtain a degree along with various HND and  
12 HNC qualifications. This allowed me to gain various  
13 promotions. When I retired from the railways I was head  
14 of safety.

15 "I moved to Florida and started my own business  
16 there. I also undertake contract work as a safety  
17 consultant in the UK.

18 "I wouldn't say that my time in care had any impact  
19 on my life as an adult. I tried not to let it affect  
20 me. I would never say St Ninian's shaped me; it was my  
21 family that did this.

22 "Earlier in adult life, I was a member of the  
23 Children's Panel in Ayrshire. I wanted to make a  
24 difference. I wouldn't have done this if I hadn't been  
25 through what I had at St Ninian's.

1           "I have never thought about accessing my records.  
2 I don't think there would be anything recorded about my  
3 time there and what I suffered.

4           "I know that Brother BHD has passed away.  
5 I also know that the Congregation of Christian Brothers  
6 have lost all credibility and trust when it comes to  
7 caring for children. They failed all the children who  
8 were in their care institutions throughout the world.

9           "It makes me sad that an important time in my life  
10 and the lives of many others was affected by the abuse  
11 they suffered whilst in care. It makes me even sadder  
12 to read of caregivers, especially religious orders,  
13 denying these things ever happened. I know it did  
14 because I experienced it first-hand. This is yet  
15 another reason that I am happy to have left the Catholic  
16 faith behind me.

17           "I am sure that in the near future the brotherhood  
18 will be consigned to history's bin of good intentions  
19 gone wrong. If that happens, then it's good enough for  
20 me.

21           "It seems that children have been abused in every  
22 care institution throughout the country. I hope those  
23 who were abused achieve the justice that they seek.  
24 I also hope that by sharing my experience it will ensure  
25 that we never allow the abuse in care on the scale

1 we are hearing of today to ever happen again.

2 "The organisations involved need to take ownership  
3 and responsibility for what happened. When I was put  
4 into care, the court system got it wrong. Vulnerable  
5 children were put into care with the brothers who  
6 couldn't cope.

7 "I was brought up that adults were always right. As  
8 a child I never attributed a sinister nature to the  
9 things I saw and the incidents of abuse I suffered.  
10 When I was in care, I accepted their behaviour was  
11 normal. As an adult and with hindsight, I can now see  
12 them for what they were. What they did was so very  
13 wrong.

14 "I think if I had been offered counselling when  
15 I first came out of care, it would have helped. I don't  
16 need it now.

17 "I have no objection to my witness statement being  
18 published as part of the evidence to the inquiry.  
19 I believe the facts stated in this witness statement are  
20 true."

21 The statement was signed by William on 5 April 2019.

22 LADY SMITH: Thank you, Ms MacLeod.

23 Have we time for another one?

24 MS MACLEOD: I think we do.

25 LADY SMITH: Are you okay to go straight on to another one?

1                   Witness statement of "MICHAEL" (read)

2           MS MACLEOD: Yes. The next statement is from a witness who  
3           wishes to remain anonymous and to use the pseudonym  
4           "Michael". The witness statement can be found at  
5           WIT.001.002.6343.

6           The witness Michael, my Lady, was not willing to  
7           come and give evidence at the inquiry orally. During  
8           his private session my understanding is that he became  
9           quite distressed and indicated at that stage that he  
10          didn't wish to give oral evidence.

11          LADY SMITH: I see. Thank you.

12          MS MACLEOD: "My name is Michael. I was born in 1966. My  
13          contact details are known to the inquiry.

14                 "I was born in Glasgow. My dad worked in  
15                 construction and my mum was a stay-at-home mum. I had  
16                 six siblings. I was the second youngest. There was  
17                 about one year between each of us.

18                 "In the area I was brought up in, I got into trouble  
19                 for silly things such as shoplifting sweets and skipping  
20                 school. I went to several Children's Panels for  
21                 shoplifting, I think it was just the social worker in  
22                 attendance representing me. I don't me having a lawyer  
23                 or being told that I could have a lawyer. I can't  
24                 recall if my mum or anyone else was present. They  
25                 decided that they were going to send me to St Ninian's,

1 but they remanded me at Larchgrove Assessment Centre in  
2 Glasgow first.

3 "I have no complaints about Larchgrove. I went to  
4 the Children's Panel at Ingram Street again and I was  
5 sentenced to two years' residential training at  
6 St Ninian's, Falkland, but I spent four years there.  
7 I don't understand why that was. That was in 1978.  
8 I went straight from the Children's Panel to  
9 St Ninian's."

10 The registers for St Ninian's that have been  
11 recovered from the Christian Brothers note Michael as  
12 being admitted on [REDACTED] 1978, when he would have  
13 been aged 12, and him being discharged in [REDACTED] 1982,  
14 when he was 15.

15 LADY SMITH: Thank you.

16 MS MACLEOD: "I went to St Ninian's in the social worker's  
17 car, which was green. There was no central locking in  
18 those days, so I jumped out at a set of traffic lights.  
19 I got caught, though, and we carried on to St Ninian's.  
20 I didn't get any further punishment for trying to  
21 escape.

22 "St Ninian's was built in the 16th century. It had  
23 over 200 rooms. It was run by the Christian Brothers.  
24 Brother LNA ran it. He was [REDACTED] at the  
25 beginning. Brother LNA showed me around. He showed me

1 the quiet room, the assembly hall, the dormitories and  
2 the classrooms.

3 "It was all boys at St Ninian's. There were about  
4 45 to 50 boys from the age of about 12 to 16. I left  
5 when I was 16 and a half.

6 "The staff were Brother **MHG**, Brother **MCG**  
7 Brother Farrell, Brother Kelly, Brother **MBS** and  
8 Brother **MHJ**. They dealt with the classes. There  
9 wasn't a specific thing each of them had to do.  
10 Basically, they were all alcoholics.

11 "Brother **LNA** is dead now. He would have been in  
12 his 40s. He was a big guy. His nickname was **LNA**  
13 I can't remember what type of accent he had.

14 "I was only at St Ninian's a week or so and I was  
15 wearing striped pyjamas. He had me his on his knee and  
16 started to fondle me. Brother Kelly took over from  
17 Brother **LNA** and also fondled me, which I'll describe  
18 here. His nickname was Snoopy. He was in his 30s, he  
19 was tall, thin and had black hair. Brother Farrell  
20 ended up as **[REDACTED]** after Brother **LNA**. He had  
21 glasses. I think he was from Motherwell. I have  
22 nothing bad to say about Brother Farrell from my time at  
23 St Ninian's.

24 **MBV** was the **[REDACTED]** at St Ninian's.  
25 He was a Christian Brother, but he was a **[REDACTED]**



1 at the time I was there. Brother MCG was the [REDACTED]  
2 teacher.

3 "There were a lot of civilian staff as well. There  
4 were cooks, et cetera. MIK was a [REDACTED]  
5 [REDACTED] teacher.

6 "My first day there I wanted to run away  
7 straightaway. I probably felt scared. It was a big  
8 building with all these men with collars on. They all  
9 had different accents as well. I was scared by these  
10 authority figures rather than being scared of the other  
11 boys.

12 "Upstairs in St Ninian's were the dormitories.  
13 There were senior dormitories and round the corner  
14 younger ones. In between was Brother LNA room at the  
15 top.

16 "I don't know how many dormitories there were. Each  
17 dormitory room had about four to six beds. The boys in  
18 each dorm were all roughly the same age. There was also  
19 a shower room upstairs.

20 "We got up at 7.30 am. One of the brothers would  
21 come into the dormitory rooms, turn the lights on, and  
22 shout us to get up. We got up straightaway, got washed,  
23 got our clothes on, and went for breakfast. Bedtime was  
24 the same for all ages. We went back to the dormitories  
25 at 9 and had lights out at 10.

1            "You moved dormitory depending on your age. We each  
2 had a number as well but I can't remember mine. We each  
3 had an old-fashioned bedside cabinet to keep our stuff  
4 in.

5            "We didn't really have personal possessions, just  
6 clothes. The brothers gave you your clothes and  
7 a toothbrush. I can't recall getting any pocket money,  
8 but they must have given it to us because they had  
9 a tuck shop. Maybe we didn't get the money, just the  
10 sweets, I'm not sure. We had breakfast in a room down  
11 at the bottom of the building; we called it the dungeon.  
12 Lunch was at midday between school classes. Tea was  
13 about 5 pm. We got supper, a glass of milk and a  
14 sandwich or a biscuit, about 8 pm.

15           "The food was fine. Breakfast was black pudding,  
16 sausages, a full fry-up. Dinner was usually something  
17 likes mince and tatties or a stew. If you didn't like  
18 your food, you were made to eat it. If you refused, you  
19 were punished. You might have got the belt or made to  
20 stand on the spot for some time, sometimes for four to  
21 five hours without moving. You learned to eat what was  
22 put in front of you.

23           "Everyone had to use the same showers. It was all  
24 open, there was no privacy. You could get a shower  
25 every day, but I don't recall actually having a shower

1 every day. The brothers supervised the showers. It was  
2 mainly Brothers MHG LNA or Kelly that supervised the  
3 showers. I don't recall any of the other brothers doing  
4 this. They controlled the temperature and how long you  
5 got in the shower. We were all young boys naked and  
6 being watched as we washed. It was a bit degrading.

7 "They supplied you with clothes at St Ninian's. It  
8 was a uniform. Everybody wore the same clothes. You  
9 had black trousers and a white shirt. They supplied  
10 sports gear too, a red football top and socks. The  
11 football boots were like the 1930s style boots.

12 "I think my own clothes were put into storage.  
13 I wore my own clothes when we were going home for  
14 visits. As I was growing in the four years I was there,  
15 my mum would buy me some new clothes when I went home  
16 for a visit. After breakfast, we had school from 9  
17 until midday. Then we had a dinner break for an hour.  
18 Then back to classes until 4 pm.

19 "The schooling was fine. I learnt a lot in  
20 St Ninian's. We had maths and English and I caught up  
21 on a lot of stuff I had missed before from playing  
22 truant from school in Glasgow. I was catching up from  
23 the stuff I'd missed outside. We didn't get any  
24 homework. We did our homework in the classrooms.

25 "I learned how to play the mouth organ, the piano

1 and the flute, or rather the penny whistle.

2 "We all had to do cleaning in St Ninian's. I had to  
3 clean and mop the back stairs every day, Monday to  
4 Friday, before school. There would be two boys cleaning  
5 the stairs and two cleaning the hall with big buffers.

6 "I did work experience when I was at St Ninian's.  
7 When I was 15 I worked at the Mother's Pride bakery for  
8 about 3 months. Other people worked in the iron  
9 foundry. It was like a full-time job but I didn't get  
10 the money from working. [REDACTED] MBV [REDACTED] the [REDACTED]  
11 got the money.

12 "When I finally left St Ninian's I got the money in  
13 a brown envelope. It was maybe £100 or more.

14 "After school, we got free time when we usually  
15 played football. We got more free time after tea until  
16 9 pm. Saturday was sports day. We did all types of  
17 sports and cross-country running. I learned a lot about  
18 different sports. It was the only good thing about  
19 St Ninian's. We used to build rope bridges and rope  
20 swings on the nature trails in the woods near  
21 St Ninian's as well. As playing football, rugby and  
22 cricket we did canoeing and abseiling. I got medals at  
23 St Ninian's for sports but I didn't get any religious  
24 medals.

25 "The brothers were very strict about religion. We

1           went to Mass on Sundays. I ended up being an altar boy.  
2           You had to go to chapel and you had to say prayers  
3           before bed. I can't remember about prayers in the  
4           morning. We had to say grace before each meal. We also  
5           had education in the classes but it was just the  
6           Catholic religion.

7                 "We used to go to trips to Leitcham House, which is  
8           in Stoke-on-Trent. It was a big building for all the  
9           boarding schools and had plaques on the walls for  
10          St Ninian's and other schools. We sometimes used to  
11          visit a community centre. We went on camping trips to  
12          Wales with Brother Kelly supervising.

13                "Myself and another boy went down to Stoke-on-Trent.  
14          We went to the community centre, there were about 20 of  
15          us, and then these families came in. We were down there  
16          to play rugby against their sons. I was taken in by  
17          a family willing to take me into their house. Other  
18          boys were taken in by other families who played rugby,  
19          football and hockey. We went down there twice for two  
20          to three weeks at a time.

21                "We went home for Christmas. It was just a couple  
22          of days off at the weekend. I don't remember what the  
23          arrangement was if Christmas was midweek. We did have  
24          a tree at St Ninian's but Christmas was not really  
25          celebrated the way it should have been. Your birthday

1 was not celebrated at all as far as I can recall.

2 "We were allowed to go home every couple of weeks.  
3 On the Friday we were given a single-decker coach to  
4 Buchanan Street bus station. Your family would be  
5 waiting for you. We went back to Buchanan Street  
6 station on the Monday to go back to St Ninian's. There  
7 were a couple of times I never went back.

8 [REDACTED] MBV [REDACTED] was the [REDACTED] at St Ninian's.  
9 Social workers did come to visit but I can't remember  
10 their names or how often they visited. I can't remember  
11 any social worker speaking to me on my own about how  
12 things were at St Ninian's. I didn't see any official  
13 inspectors. There was no one who came to St Ninian's  
14 that I would have been able to talk to about what  
15 happened to me in there.

16 "There was a nurse, I think her name was Mary.  
17 I can't recall much about her. She was a heavy woman in  
18 her 50s. She's probably dead now. I do recall going to  
19 see her one time after I got belted on the buttocks  
20 because I couldn't sit down. There wasn't much she  
21 could about it. She knew what had happened. I told her  
22 I had been belted but she didn't note it down anywhere.

23 "Certain other things were used to hit you.  
24 Plimsolls were used a lot or anything he could get his  
25 hands on, by he I mean the [REDACTED] Brother MCG [REDACTED]

1           "I can't recall seeing a dentist. I can't recall  
2 any doctor visiting for inoculations or anything like  
3 that.

4           "I tried to run away from St Ninian's a few times,  
5 every few weeks. A couple of times I got away, a couple  
6 of times I got caught by the local police trying to  
7 escape. The local police were alerted whenever any of  
8 us ran away and usually knew where to get us. It was  
9 a fair distance from St Ninian's to anywhere I would  
10 know.

11           "Whenever I got caught the police would take me back  
12 to St Ninian's. They didn't ever ask me why I had run  
13 away.

14           "One time I got caught by the police and they took  
15 me to Falkland police station, which was really just a  
16 wee house. I managed to open a window and I got away  
17 again.

18           "One time I stole a Chopper bicycle in Falkland  
19 village. I managed to cycle as far as Kincardine Bridge  
20 to try and thumb a lift. That's the furthest I went  
21 trying to get a lift.

22           "I thumbed a lift in a delivery van, putting the  
23 Chopper in the back, and they took me as far as Paisley  
24 I remember I was sat in the back. I could hear the wife  
25 of the driver in the front saying to her husband that

1 she thought I was dodgy because of the way I was  
2 dressed. I was ready to jump out of the back of the  
3 van, but I was able to get out at Priesthill. Then  
4 I was on the run.

5 "When I was on home leave I sometimes didn't go back  
6 for the bus on Monday morning. I would do that every  
7 couple of months. It was treated as running away. When  
8 they then caught me in Glasgow, I would go back to  
9 Larchgrove and then two social workers would come and  
10 get me and take me to St Ninian's.

11 "I got punished for running away. It would either  
12 be six of the belt, standing on the spot, or not being  
13 allowed home leave for three months. The worst was not  
14 getting home, then the next worst was the belt.  
15 Standing in the corridor, which was a regular  
16 punishment, would not be as bad as the other two. All  
17 of these punishments would be decided by Brother LNA  
18 You always got the belt anyway, but getting your leave  
19 taken away was much worse because it meant that you  
20 couldn't see your pals. I am not aware of any  
21 punishments being noted down by staff anywhere.

22 "Some boys did wet the bed. I can't remember the  
23 names of any boys who wet the bed. Boys who wet the bed  
24 tended to be the more vulnerable ones. They would just  
25 be made to lie in it. The next morning they would get



1 the belt on the hands or buttocks from Brother LNA  
2 I can't remember what happened to the wet bedclothes.

3 "The belt was used for discipline. It was a big  
4 solid bit of leather with a split at one end and a hole  
5 at the other end to hang it up. If you got belted, I am  
6 not aware if it got recorded anywhere. I couldn't take  
7 six of the belt on the hands, it was too sore. I could  
8 only take four of the belt on the hands. If I was  
9 getting six of belt I would get the other two on my bare  
10 buttocks. Brother MHG also gave out punishment with  
11 the belt. He loved using the belt.

12 "When I got belted there was just the brother there  
13 who was doing it. No one-else was in the room. There  
14 was no holding back on the force used. I got belted  
15 approximately once a week. So it was either LNA or  
16 MHG

17 "The other thing they did for the discipline was  
18 called the long stand. You had to stand in the corridor  
19 in your shorts and a T-shirt. You had to stand still  
20 and be quiet. You weren't allowed to move. That could  
21 be for 4 or 5 hours maybe longer.

22 "At school they used the belt or a long stand to  
23 discipline. I was always getting the belt for stupid  
24 things. I got caught smoking at the age of 12 and burnt  
25 myself trying to out the cigarette out. I got six of

1 the belt for that.

2 "We were just wee boys. If we did anything wrong,  
3 it was because we didn't know any better. We were very  
4 frightened of the brothers. They were very strict,  
5 especially Brother LNA and Brother MHG

6 "Within a week or two of arriving at St Ninian's, I  
7 was taken into a room. I think it was Brother LNA  
8 room. I was just dressed in my pyjamas. There were  
9 other children in the room. Brother LNA had one hand  
10 on my knee and was fondling me with the other hand.  
11 I was very young. I didn't realise what he was doing.  
12 He would do this every couple of weeks.

13 "When Brother Kelly moved into the room after  
14 Brother LNA moved to another room, the fondling  
15 happened again. This time, Brother Kelly was fondling  
16 me. I don't recall Brother LNA and Brother Kelly ever  
17 being in the room at the same time. When I say  
18 fondling, I mean that Brother Kelly was touching my  
19 private parts under my pyjamas. I can't recall if he  
20 would touch himself while doing this. Brother Kelly did  
21 this to me every couple of weeks and it went on for  
22 maybe a year.

23 "Neither of them went further than fondling with me.  
24 I don't know if it went further with the other boys, but  
25 I did see Brother Kelly fondling the other boys,

1           although I can't recall their names. There would have  
2           been about six or eight boys in the room and he would go  
3           round us all fondling us in turn. We could all see what  
4           he was doing to each of us. As I said, this happened  
5           every few weeks over about a year. I don't think I was  
6           ever alone with Brother Kelly.

7           "Brother **MHG** used the belt on me. The time when  
8           I was caught for smoking, I got belted four times on the  
9           hand and twice on the bare buttocks. I had to pull my  
10          trousers down. Brother **MHG** was not involved in any  
11          sexual abuse of me.

12          "When Brother **MCG** took us for  we sometimes used  
13          to go out to play rugby in minus 12 degrees with a pair  
14          of shorts, a pair of socks and boots. Obviously, you  
15          tried to put extra clothing on. He would search you and  
16          if he found you wearing extra clothes he would whack you  
17          on the back of your legs with a plimsoll.

18          "The brothers used to patrol the dormitories at  
19          night. None of the brothers did anything to me in the  
20          dormitory at night but you could hear them going into  
21          the other boys' rooms. I don't know which brothers, but  
22          I could hear them moving about. Basically, they were  
23          proglers.

24          "When I was 13, we went down to Leitcham House in  
25          Stoke-on-Trent to play rugby. We were there for about

1 two weeks. Somebody stole some money, it was about  
2 £1.50. I didn't steal it but someone else did. We all  
3 got made to stand naked in a corridor while the brothers  
4 walked around us as if they were doing an identity  
5 parade. I can't think of the reason for doing that to  
6 investigate a theft. Brother Kelly was there. I'm not  
7 sure about LNA and I can't recall the others.

8 "I got belted for breaking into the brothers' room.  
9 It was easy to do. I did it to steal their cigarettes.  
10 I once broke into Brother MBS room and stole  
11 a carton of cigarettes, not a packet. Brother MCG the  
12 teacher, whose nickname was MCG heard me from his  
13 room next door. I was only 12. I ran up on to the roof  
14 and Brother MCG chased after me. I refused to come down  
15 as I was worried about getting punished. I told them  
16 that if anyone came near me then I would be jumping off.  
17 A groundsman, a civilian worker whose name I don't  
18 recall, got the gardener to come along with ladders to  
19 try and get me down. I can't remember the gardener's  
20 name. I threatened to jump just to keep them away from  
21 me. The brothers, I don't know who, got the  
22 Fire Brigade and the police. I got six of the belt,  
23 made to have a long stand, and lost six months of home  
24 visits. When I went to the High Court to give evidence  
25 against the brothers, they just said this incident never

1           happened, but it did.

2           "I know that quite a few boys went to the matron  
3           with injuries from being belted. She would have known  
4           herself what caused these injuries.

5           "Brother **MBS** and Brother **MHJ** didn't do  
6           anything to me. Brother Farrell didn't do anything to  
7           me, although I know he was convicted of abuse at  
8           St Ninian's. I met Brother Farrell later when I was in  
9           Shotts Prison. He was there as the priest for the  
10          prison.

11          "There wasn't anyone I could tell about the abuse.  
12          When you were being abused, the brother would threaten  
13          you with the belt and things. Brothe **LNA** would  
14          threaten you not to tell anyone. I don't recall what  
15          exactly he said to me, or when he said it, but  
16          I certainly recall him making sure I was too scared to  
17          tell anybody about what was happening. I didn't tell my  
18          family when I went home for visits. I was trying to  
19          blank it all out. The lay staff were down in the  
20          kitchen and they all went home at night so they wouldn't  
21          have seen the abuse. They might have had a different  
22          opinion about the place from me.

23          "I was 16 and a half and it just came time to leave.  
24          I think the social worker decided when I was to leave.  
25          I can't recall being told what was happening or how much

1 notice I was given. I felt relief when I was leaving.  
2 I can't recall how I felt trying to fit in with my  
3 family at home.

4 "After I got home from St Ninian's, I ended up in  
5 St John's List D school in Glasgow. It was for theft.  
6 I was there until I was 18. I have no complaints about  
7 St John's.

8 "After that, I was always in trouble. I ended up in  
9 prison. I was in Barlinnie and then I got a big  
10 sentence when I was 21 and ended up in Shotts Prison for  
11 five years. I was in prison a few times between the  
12 ages of 18 and 38. The last time I was in prison was 15  
13 or 16 years ago.

14 "When I was 18, I learned painting and decorating in  
15 an open prison and I went to college for it in Dundee.  
16 I have two daughters but I don't get to see them. I was  
17 an alcoholic for years.

18 "I have blocked a lot of stuff out. I have had some  
19 counselling, but I have just tried to get on with life.  
20 I blame the social work department in Fife for  
21 everything.

22 "I did attend some meetings with INCAS, when  
23 Nicola Sturgeon was there. The woman who was organising  
24 the meetings seemed more interested in other groups so  
25 I didn't go back.

1           " My GP recommended the Moira Anderson Foundation to  
2 me for counselling. The relaxation technique was a bit  
3 helpful, but it got boring. I went for about 15  
4 sessions, but it was not much use to me.

5           " I previously applied to the Criminal Injuries  
6 Compensation Authority for compensation. They said  
7 I was not eligible because of an unspent conviction,  
8 even though I had done my time. I now have a lawyer  
9 pursuing a compensation claim.

10           " No one came to see me at St Ninian's. I turned to  
11 drink after leaving care. I was in and out of prison  
12 for years. I have had nightmares and flashbacks for  
13 years. I struggle to sleep. I have lost everything.  
14 I don't get to see my children.

15           " I think as you get older you get wiser. Eventually  
16 I decided enough was enough with the drinking. I didn't  
17 report the abuse to the police or anyone else after  
18 I left care. Someone gave my name to the police as  
19 having suffered abuse at St Ninian's, so the police  
20 contacted me in either 2013 or 2014 to give a statement,  
21 which was the first time I spoke about it. They took  
22 a statement from me over three or four meetings. I then  
23 went over my statement with a woman from the  
24 procurator fiscal's office.

25           " My family don't know about the abuse I suffered.

1 I would have taken this stuff to my grave if the police  
2 hadn't contacted me.

3 "I then gave evidence at the High Court in a trial  
4 against Brother Kelly and others in July 2016. I don't  
5 know the precise dates I gave evidence. I was  
6 questioned for a couple of days because of the amount of  
7 people on trial. There was a screen around the brothers  
8 so I didn't have to see them. Two of the brothers were  
9 convicted. They were Brother Kelly and Brother Farrell,  
10 although Brother Farrell had no involvement with me.  
11 Brother Kelly got 10 years and Brother Farrell got five.  
12 Brother Farrell was due out last year but it got  
13 blocked. I was contacted by a reporter called  
14 Peter Smith after the trial and myself and five others  
15 I had not seen since we were all boys at St Ninian's  
16 gave interviews to him.

17 "He is still trying to chase after the brothers who  
18 were not convicted. When I gave my statement to the  
19 police, there were two officers present, one of them was  
20 called Hay. I felt he was trying to pressure me into  
21 saying things that didn't happen to make the abuse even  
22 worse than it was. It was as if he was trying to ensure  
23 a conviction. When I spoke to the woman at the fiscal  
24 office, I pointed out to her that there were some things  
25 in the statement that I hadn't said, although I now



1 don't recall exactly what.

2 "Giving evidence in the High Court was a horrendous  
3 experience. There were a lot of defence advocates and  
4 when each one was questioning me, all the others would  
5 turn round and stare at me, which was incredibly  
6 intimidating. When each one questioned me they simply  
7 tried to make me out a liar and that nothing that I said  
8 was true. I felt I was being kicked all over the court  
9 as they tried to rip my evidence apart.

10 "When the police came to see me, a police support  
11 worker said that they tried to find my records but  
12 didn't have any luck. I have not gone looking for my  
13 records myself, but other people have gone looking for  
14 them for me and they have been told the records have  
15 been destroyed.

16 [REDACTED] MBV [REDACTED] was [REDACTED] at St Ninian's  
17 but the majority of the paperwork was destroyed, which  
18 is what I was told by the fiscal's office. They didn't  
19 explain exactly what they meant by this.

20 "When I gave evidence against some of the brothers  
21 at the High Court, their defence lawyers tried to make  
22 out I wasn't even at St Ninian's. They tried to say  
23 I wasn't there when Brother Kelly was there, but I was.

24 "I don't think abuse will ever stop, but I would  
25 like to see it stopped. It has been pushed under the

1 carpet for years. I don't know why it has taken so long  
2 to come out.

3 "I think the Scottish Child Abuse Inquiry is a good  
4 thing. I am aware the inquiry is looking at all groups.  
5 It is on the news all the time. However, there has been  
6 no apology from the Catholic Church.

7 "I have no objection to my witness statement being  
8 published as part of the evidence to the inquiry.  
9 I believe the facts stated in this witness statement are  
10 true."

11 The statement was signed by Michael on 30 May 2019.

12 LADY SMITH: Thank you very much.

13 It's now 12.50. I think we should have a break for  
14 the lunchtime session and sit again at 2 o'clock.

15 I think the plan is then to read in as much as you can  
16 of four statements?

17 MS MACLEOD: I think the plan is at 2 o'clock to have  
18 another oral witness.

19 LADY SMITH: Of course. And then we'll go on to some  
20 read-ins after that?

21 MS MACLEOD: Yes.

22 LADY SMITH: Very well. 2 o'clock for the next oral  
23 witness. Thank you.

24 (12.50 pm)

25 (The lunch adjournment)



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(2.00 pm)

LADY SMITH: Good afternoon. I think we have a witness  
who's ready for us; is that right, Mr MacAulay?

MR MacAULAY: That's correct, my Lady. The next witness is  
an applicant, he wants to remain anonymous and to use  
the pseudonym "Max" in giving evidence.

"MAX" (affirmed)

LADY SMITH: Please sit down and make yourself comfortable.  
You'll see that that microphone is switched on. You can  
tell that it is because the red light is showing. If  
I can ask you to make sure you stay in a good position  
for the microphone. I think I'll hear from the  
stenographers beside me if they have a problem.

I'm going to hand over to Mr MacAulay, if that's all  
right with you, and he'll explain to you what happens  
next.

Questions from MR MacAULAY

MR MacAULAY: My Lady.

Hello, Max.

A. Hello.

Q. I'll be asking you questions over the next little while.  
I'll be basing my questions on what's contained in your  
statement. In the red folder in front of you, you'll  
find your statement. I'm going to give the reference of

1 the statement for the transcript: WIT.001.002.3768.

2 What I would like you to do is to look at the last page  
3 of the statement. Can I ask you to confirm that  
4 you have signed the statement?

5 A. Yes, I can confirm that, yes.

6 Q. And do you say in the last paragraph:

7 "I have no objection to my witness statement being  
8 published as part of the evidence to the inquiry"?

9 A. Yes.

10 Q. Do you go on to say:

11 "I believe the facts stated in this witness  
12 statement are true"?

13 Is that correct?

14 A. Yes.

15 Q. You'll notice, Max, you have that hard copy of the  
16 statement, but you will also see from time to time the  
17 statement coming up on the screen in front of you. So  
18 you can look at either the hard copy or the screen.

19 I am going to ask you a number of questions,  
20 focusing in particular on your time at St Ninian's. If  
21 I ask you something that you can't remember, say you  
22 can't remember. If I ask you something and that prods  
23 another memory, feel free to tell us.

24 Because you want to be anonymous, I don't want to  
25 know your date of birth, but to get a time frame can

1 I just confirm with you that you were born in 1967?

2 A. That's correct.

3 Q. Insofar as your family background is concerned, you  
4 certainly had one older brother; is that correct?

5 A. Yes.

6 Q. Your family background involved you acquiring  
7 a stepfather at a point in time; is that right?

8 A. Yes. It's not how I'd say it, but yes.

9 Q. And he was abusive towards you; is that right?

10 A. Yes.

11 Q. In any event, the set-up in relation to your family  
12 background was such that you went into care.

13 A. Yes.

14 Q. When you first went into care, did you go in alone or  
15 did any other members of your family go with you?

16 A. I can't remember my brother being there. I think I was  
17 alone. Yes.

18 Q. As I said, we are going to focus on St Ninian's, but  
19 am I right in thinking that you were in a number of  
20 other places before you went to St Ninian's?

21 A. Yes.

22 Q. You tell us in your statement, for example, that you  
23 were in a place called Wallhouse Children's Home, which  
24 I think is in West Linton; is that correct?

25 A. West Lothian.

1 Q. I'm sorry, West Lothian.

2 A. Yes.

3 Q. Did you spend two spells there?

4 A. Yes, that's correct.

5 Q. The other place that you tell us about in your statement

6 is a place called Calder Grove Children's Home,

7 Sighthill in Edinburgh. Do you remember being there?

8 A. Yes, I was there with my brother at that point.

9 Q. We needn't dwell too long on your stays in these  
10 particular places, but so far as Wallhouse was concerned

11 one of the things you tell us in your statement at

12 paragraph 19 is that all the staff were very nice.

13 Is that your recollection?

14 A. I would say most of them, yes. The biggest majority of  
15 staff were nice, yes.

16 Q. Again, in relation to Calder Grove Children's Home, in  
17 Edinburgh, at paragraph 48 what you tell us is that you

18 consider that you were well looked after when you were  
19 there.

20 A. Yes.

21 Q. Can we then move on -- and perhaps before you went  
22 to St Ninian's, you also went to a place called Bathgate  
23 Children's Home; is that right?

24 A. That's correct.

25 Q. I think you thought that was probably between 1978 to

1 1979?

2 A. Yes, I'm not sure with dates. Dates just ...

3 Q. Was that a little while before you went to St Ninian's?

4 A. Yes. I was still in -- I was at high school when I went  
5 to -- I had just started high school when I was in  
6 Bathgate Children's Home.

7 Q. Again, I think you found that a relaxed place to be?

8 I think that's what you say in your statement.

9 A. Yes.

10 Q. But was there an incident that occurred that involved  
11 you and a teacher?

12 A. Yes.

13 Q. And you talk about that at paragraph 58. Can you just  
14 tell us what happened?

15 A. I was chatting to a girl in the class and the teacher  
16 came up and rapped her on the fingers. So I got up and  
17 punched her in the face.

18 Q. Did that really result in you being expelled from the  
19 school?

20 A. Eventually, yes, because the headmaster wanted to belt  
21 me and I refused the belt.

22 Q. Was that the background then, Max, to you being sent to  
23 a place called Howdenhall Assessment Centre in  
24 Edinburgh?

25 A. Yes, because I'd been expelled from school.



1 Q. According to the social work records that the inquiry  
2 has seen, you were in Howdenhall from [REDACTED] 1981 to  
3 about [REDACTED] 1981, for about three months or so, when you  
4 were aged 13. Does that tend to fit in with your own  
5 recollection?

6 A. Yes.

7 Q. Again, you deal with your time at Howdenhall in  
8 paragraphs 61 to 79, and was it after you had been at  
9 Howdenhall that you went to St Ninian's?

10 A. It was decided I'd go there, yes.

11 Q. So far as the records that the inquiry has had sight of  
12 are concerned, these records suggest that you were  
13 admitted to St Ninian's on [REDACTED] 1981 when you were 13.

14 A. Okay.

15 Q. Would that be about right?

16 A. I can't remember dates. I'm just ...

17 Q. Would the age be about correct?

18 A. Yes, around about -- I'd say, yes.

19 Q. And you were one of the last to leave, on [REDACTED] 1983,  
20 when you were 15?

21 A. Yes.

22 Q. Was St Ninian's closing down at that time?

23 A. It was.

24 Q. So you were there, on these dates, for about two years  
25 or so?

- 1 A. Yes.
- 2 Q. We know that St Ninian's was run by the  
3 Christian Brothers. When you arrived there for the  
4 first time, did you form any impression as to who was in  
5 charge?
- 6 A. I'd been taken into the headmaster's room,  
7 Brother Farrell -- sorry, the headmaster's room.
- 8 Q. Did you understand then that he was the headmaster and  
9 was in charge of the school?
- 10 A. Yes.
- 11 Q. What other brothers did you come across in your early  
12 period?
- 13 A. I think Brother Kelly was there as well, and I got  
14 introduced to others afterwards.
- 15 Q. Was it Brothers Kelly and Farrell that you were more  
16 involved with over your period there?
- 17 A. Yes, I'd say mostly, yes.
- 18 Q. We've seen photographs of the school and it was a large  
19 building. How did you feel when you first arrived  
20 there?
- 21 A. I wanted to get away from it.
- 22 Q. Why was that?
- 23 A. I just didn't like it, I'd say. I think it was just  
24 really the shock as well, being in one place and going  
25 straight to another without any ... Basically, I didn't

1 know what it was I was going to.

2 Q. Who took you there?

3 A. My social worker, I think.

4 Q. Were you given any explanation as to what the place  
5 would be like?

6 A. I think they said it was a school, but residential,  
7 I think, but ... in my head, I was like, "I don't want  
8 to go here".

9 Q. I want you to look at a plan just so I can get some  
10 understanding from you as to the layout. That's at  
11 CFS.001.006.8297. That will appear on the screen in  
12 front of you in a moment or two.

13 So if you just get your bearings, Max, you come  
14 in -- we see where the front door would be next to the  
15 car park.

16 A. Yes.

17 Q. You come into a large entrance hall; is that right?

18 A. That's correct, yes.

19 Q. And then you're into the main hall, just beyond,  
20 if we move off to the left; is that right?

21 A. Yes.

22 Q. Can you see, between the N and the H of the words "main  
23 hall", the stairs that would lead you up to the level  
24 above?

25 A. Yes.

1 Q. Just looking at that area itself, you'll see that  
2 a particular area has been designated as the  
3 headmaster's office. In your recollection, was that  
4 where the headmaster's office was?

5 A. I think so. I'm not 100% sure. But I think so.

6 Q. That would be Brother Farrell's office?

7 A. Yes.

8 Q. Then if we go back to the entrance hall and go off to  
9 the right, can we see that there's an area that's been  
10 designated as the dormitory area?

11 A. Yes.

12 Q. Was that on a higher level?

13 A. Yes, you went along -- I think you went down and you  
14 went back up on to stairs and into dorms.

15 Q. Just looking at this area, are you able to point to the  
16 dorm or dorms that you occupied during your time at  
17 St Ninian's?

18 A. I think it was either 2 or 3. I can't remember the  
19 exact one, it was either 2 or 3.

20 Q. Would it be possible for to you stand up? You'll see on  
21 the screen behind you that the same plan is on the  
22 screen. Are you able to point to where you first went?

23 A. I think it was one of those two (indicating).

24 Q. You're pointing to the bottom line --

25 A. Yes.

1 Q. -- and to the two middle dormitories?

2 A. Yes, because from the window you could see the car park.

3 Q. Okay. Did you ever move from there or did you stay

4 there the whole period?

5 A. No, I stayed there the whole period, I think, as far as

6 I remember.

7 Q. While we're looking at the plan, were there brothers who

8 had rooms in that area?

9 A. Yes. Brother Kelly's was either there or there

10 (indicating). I can't remember exactly where it was.

11 Q. There and there, you're pointing to --

12 A. The last dorm there.

13 Q. Either the last dorm at the left on the top --

14 A. Yes, next to the chapel. I can't remember if it was

15 that one or that one (indicating).

16 Q. The other one you're pointing to is the one that's been

17 designated "brother's bedroom".

18 A. Yes.

19 Q. That was Brother Kelly?

20 A. Yes.

21 Q. Was there any other brother who had a room in that area?

22 A. I can't remember if they did or not no. No, I don't

23 think they did.

24 Q. Okay, thank you.

25 Just looking at some aspects of the routine with

1           you, I think you tell us in your statement that there  
2           was a lot of physical exercise.

3           A. Yes.

4           Q. Can you tell me about that? What sort of sports did you  
5           get involved in?

6           A. We did cross-country running, we did football, hockey,  
7           field events. I can't remember doing the javelin. We  
8           did a lot of football and stuff. We sometimes had rugby  
9           against the staff.

10          Q. We looked at the dormitory plan a while ago. Were there  
11          showers in that area?

12          A. Yes.

13          Q. Were there also showers in another part of the building?

14          A. There were showers just off the -- before you went into  
15          the dorms, there were showers there.

16          Q. Again, if we could go back to the plan. It's at  
17          CFS.001.006.8297. There's certainly an area there that  
18          has been designated as "showers".

19          A. Yes, I remember that shower room.

20          Q. You're pointing to the sewing room.

21          A. Oh, sorry, yes. I think that was a shower room.

22          Q. What about the area to the right where we see there's  
23          reference to toilets and showers? Can you remember if  
24          the showers were there?

25          A. I can't remember.

- 1 Q. If you were playing games, where would you go to shower  
2 after games?
- 3 A. You just went to the shower room.
- 4 Q. Can you remember if there was a shower area at a lower  
5 level which you could access more easily, if you like,  
6 if you'd been playing games?
- 7 A. I can't remember.
- 8 Q. You also tell us that you would be allowed home at  
9 weekends. Did you go home at weekends?
- 10 A. Every second weekend. I think for the first six months  
11 I didn't.
- 12 Q. But then you did?
- 13 A. Then I did, yes.
- 14 Q. We've focused on Brothers Kelly and Farrell. Can you  
15 remember the names of any other brothers?
- 16 A. There was Brother **MHG** he came along later on. There  
17 was a Brother **MBS** There was another one, but  
18 I can't remember his name.
- 19 Q. So far as the lay staff were concerned, can you remember  
20 the names of the lay staff?
- 21 A. No. I know there was cleaners, there was a cook and an  
22 assistant cook, I think. There were teachers that came  
23 in five days a week.
- 24 Q. Were you taught by lay teachers as well?
- 25 A. Yes.

1 Q. What about brothers? Were you taught by brothers?

2 A. I think Farrell took a class. I can't remember Kelly.

3 Q. Can I ask you about discipline, Max. How was discipline  
4 managed when you were there?

5 A. It depended. I think it generally depended on the  
6 severity of what the person did.

7 Q. Can you give me some examples?

8 A. Well, I mean, there was one time where two guys were  
9 fighting and they got them and took them to the games  
10 room and made them box until one was standing and the  
11 other wasn't.

12 Q. So that's one form of discipline?

13 A. Yes, I remember that.

14 Q. What other forms of discipline were there?

15 A. I'm trying to remember.

16 Q. What about the strap? Was the strap in operation?

17 A. I can't remember it being. I never -- for me, I never  
18 got it because I just, you know ... I was small and  
19 quiet, they called me.

20 Q. Okay.

21 A. So I just tried to do what basically -- keep my head  
22 down.

23 Q. One thing you say in your statement -- this is at  
24 paragraph 98 -- is:

25 "The Christian Brothers had organised the older boys



1 to keep us in line."

2 Do you see that?

3 A. Yes.

4 Q. Can you explain that?

5 A. Well, you got out of line, they would deal with you,  
6 basically beat you up or slap you or kick you, whatever.

7 Q. Who would do that?

8 A. The older boys.

9 Q. Were they allowed to do that?

10 A. Oh yes. I think in every children's home -- my  
11 experience in every children's home, there was  
12 a hierarchy, if you know what I mean. There was  
13 a judge, jury and executioner, basically, and you just  
14 did as you were told.

15 Q. Did older boys do anything to you during your time,  
16 particularly when you were a younger boy?

17 A. Yes.

18 Q. What sort of things?

19 A. I got a beating up one night and I got touched up as  
20 well.

21 Q. I'll come to that incident. That's a separate incident.

22 In relation to on an ongoing basis, did you receive  
23 any punishments, if you like, from older children?

24 A. Yes.

25 Q. What sort of punishments?

- 1 A. Just basically, threatened or slapped or kicked or  
2 beaten.
- 3 Q. Was that more of a bullying type of behaviour rather  
4 than something that was approved by the regime?
- 5 A. I wouldn't say there was much bullying per se, but there  
6 was -- you knew that if you crossed the line, you knew  
7 that you'd crossed the line, basically. That's the best  
8 way I can sort of describe it.
- 9 Q. Do you know if any of the brothers knew that boys were  
10 behaving in this way?
- 11 A. Yes, I got told. I got told that they were -- it was  
12 one of their boys, I can't remember his name, he told me  
13 that the brothers will use other boys.
- 14 Q. Okay. So far as the brothers were concerned then, did  
15 any brother, so far as you're aware, use the belt as  
16 a form of discipline?
- 17 A. I can't remember. I wouldn't like to say yes or no  
18 because I just can't remember.
- 19 Q. If someone misbehaved in the class that was being taken  
20 by a lay teacher, how would that be dealt with?
- 21 A. You'd go in front of the headmaster.
- 22 Q. So you'd be sent to the headmaster?
- 23 A. Yes.
- 24 Q. Did that ever happen to you?
- 25 A. No, I don't think so. Maybe once I think, but ...

1 I generally ... I suppose in a way it depended on the  
2 class for me. I liked history, I liked mathematics, so  
3 yes, I just ... I think it was just, classes wise, it  
4 was just getting out my head, you know, out of my room,  
5 basically, I would say.

6 Q. I think you are quite complimentary of the education  
7 set-up. Did you quite enjoy the education?

8 A. Yes. But there wasn't -- you couldn't get -- there  
9 wasn't exams, you weren't getting certificates or that.  
10 In a way, the way I saw it was, I'd say looking from me  
11 now to where I was, if you wanted to accept the teacher,  
12 you would, and if you didn't, you didn't.

13 Q. Can I just go back to the early part of your time there.  
14 I think in fact you talk about your first night there.  
15 What happened in your first day?

16 A. When my social worker left, I got told to take a shower.

17 Q. Who told you to take the shower?

18 A. I think it was Brother Farrell or Brother Kelly.  
19 I can't remember which one. It was one of them.

20 Q. Can you tell me: did you go to the shower area, you  
21 think, that was in the dormitory area?

22 A. Yes.

23 Q. And what happened?

24 A. I had stripped off in the shower. I was washing my hair  
25 and I heard a door open. And then there was a group of

1 boys came in. I couldn't see anything and they started  
2 touching me on my body.

3 Q. How many boys came in?

4 A. About four or five at least.

5 Q. Were they clothed?

6 A. I don't know because I didn't open my eyes.

7 Q. What were they doing to you?

8 A. Touching me, touching my privates and putting my (sic)  
9 finger up my rectum and stuff. I just curled up in  
10 a ball, I remember. I'd say, having been abused by my  
11 stepfather and stuff, it was just what I did. And  
12 having been in other children's homes, you knew not to  
13 say anything.

14 Q. Was anything being said by these boys?

15 A. No. I remember at one point, one of the staff came in,  
16 I don't know who it was, and shouted something. The  
17 boys ran out and then I think it was Kelly asked me,  
18 "What happened?" and I knew from being in care before,  
19 you just didn't tell, you know. I just said, "Oh,  
20 I slipped", or something. I didn't say anything.

21 Q. How long do you think this episode in the showers lasted  
22 before --

23 A. I would say between 10 and 20 minutes at least. I'm not  
24 sure of the exact timing.

25 Q. You mentioned Brother Kelly's name. Was it

1           Brother Kelly who came in to interrupt what was going  
2           on?

3           A. Yes, I think so. I think that was who it was.

4           Q. What was your reaction to this incident?

5           A. I was scared.

6           Q. What did you do?

7           A. That morning, I tried to -- the next morning, I got up  
8           early and left the school.

9           Q. And where did you go?

10          A. I went into Falkland, near the palace, and I got lost,  
11          and the police found me in the orchard area. I remember  
12          that. So I didn't get very far.

13          Q. And were you taken back by the police?

14          A. Yes.

15          Q. When you were taken back -- before I come to that, did  
16          you tell the police why you'd run away?

17          A. No.

18          Q. Was there any reason why you didn't tell the police?

19          A. Well, one, I didn't think they'd believe me, and at that  
20          time I would say, looking back on it, at that time,  
21          because you're in care, you're automatically branded  
22          a bad child, no matter what you were in care for.

23          Originally, I was in because of my stepfather beating  
24          me, so I was put in there for my own safety. There was  
25          boys in other homes and the school that were put in for

1           totally different things, but because you were in care,  
2           you were then a bad boy or girl, whatever.

3       Q.   And when you got back to the school, what happened?

4       A.   I got a telling-off from Brother Farrell and then I just  
5           went and got dressed, washed and dressed.

6       Q.   Did you tell Brother Farrell why you'd run away?

7       A.   No.

8       Q.   One thing you also touch upon in your statement is the  
9           matter of bed-wetting. I think at the time you did wet  
10          the bed.

11      A.   Yes.

12      Q.   How was that managed then at the time?

13      A.   I think it was the same as other places, just basically  
14          you got washed, you wiped down your bed, and you took  
15          the sheets down to the laundry room.

16                When I was at home, my parents used to -- the  
17                punishment for wetting the bed was getting sent to  
18                school smelling. That's why I stopped -- I wouldn't go  
19                to school because people next to me wouldn't sit next to  
20                me because I smelt.

21      Q.   You weren't punished at St Ninian's? There was no  
22          punishment?

23      A.   There wasn't -- well, I think ... I can't remember if  
24          there was punishment or not. I think there was a few  
25          other boys that wet the bed, so I wasn't the only one.

1 Q. Could you have got up during the night to go to the  
2 toilet?

3 A. Possibly.

4 Q. Was there any reason you didn't do that?

5 A. I think I was just scared.

6 Q. What were you scared of?

7 A. The dark, or scared I'd get a row for getting up.

8 Q. You mention in your statement, this is at paragraph 115,  
9 that there was a brother who, as you put it, sneaked  
10 about the dormitories at night. Can you tell me about  
11 that?

12 A. You'd hear boys shouting some nights, telling him to get  
13 off. I don't know who it was. I'm not 100% sure, so  
14 I couldn't really say. But I heard boys shouting, "Get  
15 off me", and stuff and it'd go quiet, and then ... but  
16 I never had that because they knew I wet the bed, so ...  
17 in a way, wetting the bed, because of that, that's what  
18 saved me from a lot as well.

19 Q. How often were you aware of someone sneaking about the  
20 dormitory area?

21 A. Quite a few nights. Not every night, but it was quite  
22 a few nights.

23 Q. Did that go on the whole time that you were there?

24 A. Yes.

25 Q. You've already touched upon what happened on your first

1 night when you had a shower. Did anything else happen  
2 in connection with times when you took showers?

3 A. Not as much because I sort of learned to get in and wash  
4 my hair first and then wash my body. I was always  
5 watching out. When I went for a shower, I always had to  
6 watch out. It took me a long time not to do that.

7 Q. One of the things you tell us in your statement at  
8 paragraph 117 is that when you were bathing some of the  
9 older boys would touch you up in a sexual manner.

10 A. Yes.

11 Q. Can I just ask you about that then? What are you  
12 telling us there, Max?

13 (Pause)

14 A. I'm trying to remember.

15 Q. Can I ask you this: do you remember a time when you went  
16 to Brother Farrell and told him that you were concerned  
17 about something?

18 A. Yes. I remember telling him that other boys were  
19 touching me up and stuff and other times, and he said  
20 he'd deal with it, but nothing ever happened.

21 Q. In relation to what?

22 A. Just with ... I'm trying to remember, really, I'm  
23 getting a bit confused.

24 (Pause)

25 Q. Well, can I ask you this, Max: when you went to



1 Brother Farrell and you expressed concerns about  
2 matters, was he sympathetic to you?

3 A. Yes. He just said, "Don't worry about it, I'll deal  
4 with it".

5 Q. And did anything then happen insofar as Brother Farrell  
6 was concerned?

7 A. Not that I can remember.

8 Q. How did your relationship with Brother Farrell go on  
9 thereafter?

10 A. We were quite close. He used to give me cuddles and  
11 stuff and reassure me and say to me, "Everything will be  
12 okay, don't worry about it". And yeah, it was ...  
13 I liked it because I was getting attention, really. It  
14 was the first time in a long time that somebody actually  
15 showed me affection, I would say, because I never got it  
16 at home.

17 Q. How did he show you affection?

18 A. He would give me cuddles and touch me and stuff like  
19 that. I'd touch him and then he would give me sweets  
20 and stuff.

21 Q. Where did this take place?

22 A. In his room.

23 Q. Was that at the headmaster's room, was it?

24 A. Yes.

25 Q. And when you say he would touch you and you would touch

1           him, can you just elaborate on that? What do you mean  
2           by that?

3           A. I would touch his penis and stuff and he would rub my  
4           bottom and touch my penis.

5           Q. And what else happened?

6           A. I would rub his penis and stuff and masturbate him.

7           Q. And would he do that to you?

8           A. Yes. He'd just basically touch me and stuff.

9           I remember when he was ejaculating, he would get his  
10          hanky out and ejaculate into a hanky.

11          Q. During these episodes you've been telling us about,  
12          would you be wearing your clothes?

13          A. Not always. Sometimes I'd be -- he would say to me,  
14          "Take your clothes off down to your underpants", or  
15          something.

16          Q. And what about him?

17          A. I'm not 100% sure. I think he didn't have his trousers  
18          on, if I remember. I can't remember the rest of it, but  
19          so far as I remember, he didn't have his trousers on.

20          Q. You have told us this would be in his room.

21          A. Yes.

22          Q. At what time of the day would this take place?

23          A. Round about 8-ish, 8 or 9 o'clock.

24          Q. Is this in the evening?

25          A. In the evening, yes, when the other staff weren't there.

1 Q. Did this develop beyond what you've just been telling  
2 us?

3 A. Yes. In my head it did.

4 Q. What happened?

5 A. We lay on the bed a couple of times with each other, on  
6 his bed, next to him and stuff. I kissed him on the  
7 cheek, I remember, and cuddled him and touched him and  
8 stuff.

9 Q. It may be difficult, but if you can tell us in your own  
10 words what sort of things happened.

11 A. Just ... Sorry.

12 Q. Okay.

13 A. I suppose just like when you would -- somebody you care  
14 about, touching them, cuddling them and kissing them.  
15 It's just too hard.

16 Q. Are you able to tell us if matters developed beyond  
17 touching and cuddling?

18 A. Yes.

19 Q. How did matters develop?

20 A. I can(?) remember having sex. My mind's just not ...  
21 Sorry. In my eyes, I was having a relationship with  
22 him, I would say, a close relationship. Like I say,  
23 I didn't get much affection at home. I can't remember  
24 my birth mother ever telling me she loved me.

25 Q. Did Brother Farrell tell you that?

1 A. Yes.

2 Q. Did you feel you were close to Brother Farrell during  
3 this period of time?

4 A. Yes.

5 LADY SMITH: You were a young teenager at this stage, Max,  
6 I think; is that right?

7 A. Yes.

8 LADY SMITH: Did you know how old Farrell was?

9 A. No.

10 LADY SMITH: How old did he seem to you to be?

11 A. His 40s or 50s, I think. I'm not 100% sure.

12 LADY SMITH: I was just interested in how he seemed to you.

13 A. He was an adult. It was someone that I could trust, in  
14 my head.

15 LADY SMITH: Yes.

16 MR MacAULAY: I think, as you've told us, Max, you developed  
17 what you've referred to as a relationship with him. For  
18 how long during your time at St Ninian's, the two years  
19 or so you were there, did the relationship last for?

20 A. I'd say most of it. Most of it. I certainly remember  
21 the last two months or so, because I was getting older,  
22 I would say, it sort of ... sort of petered out sort of  
23 thing, I stopped going to his room.

24 Q. Insofar as the relationship was concerned, was this  
25 a sexual relationship?

1 A. Yes.

2 Q. You've given us some insight into the nature of the  
3 sexual relationship. Is there anything else you'd like  
4 to add to what you've said as to what the sexual  
5 relationship consisted of?

6 A. There was masturbating and stuff like that and touching  
7 each other. I'm finding it quite hard to try and get  
8 the words out. My mind's just not wanting to go there.

9 Q. Okay.

10 A. In a way, I would say it's because I was getting the  
11 affection, I would do anything. So if he had told me to  
12 bend down and that and ... I would have done it, because  
13 I was getting shown -- to me, I was getting shown love  
14 and I never had that before. It just ... I didn't ...  
15 It came at a cost for me personally. Any affection  
16 always cost something. And throughout my life, when  
17 someone's shown me affection or that, I've always had  
18 the, "What's your angle? What do you want?"

19 Q. But I think you did tell us that towards the end of your  
20 period at St Ninian's, the last couple of months or so,  
21 this had tailed off; is that right?

22 A. Yes, he'd got other boys.

23 Q. Did you see him with other boys?

24 A. Yes. There was a group, a few of us went up to his room  
25 once or twice. We used to touch each other in his room

1           and stuff and he would tell us to touch each other and  
2           he would masturbate in front of ...

3       Q.   When you say "up to his room", was this a different room  
4           to his office?

5       A.   No, it was his bedroom.

6       Q.   Was his bedroom in the dormitory area or was it  
7           somewhere else?

8       A.   It was up near his office, if I remember rightly.

9       Q.   Can I just explore this business then of you and other  
10           boys being in his room?  First of all, how often did  
11           that happen over this period?

12      A.   The weekends when we weren't away mostly.  It never  
13           happened during oot(?) because -- unless there was  
14           holidays.  But because other staff were there, it  
15           wouldn't happen.

16      Q.   But then at these weekends when there were fewer people  
17           there, can you tell me what would happen?

18      A.   I'd go up to his office and he would say to me, "Find  
19           some other boys up, younger boys", and we'd all go up.  
20           We were sort of like in groups.  There was Kelly's group  
21           and Farrell's group, basically.

22      Q.   And you were in Farrell's group at this time?

23      A.   Yes.

24      Q.   So let's just look at the group.  How many boys were in  
25           the group?

- 1 A. Six or seven or eight. I can't remember exactly.
- 2 Q. How many would go to Brother Farrell's room?
- 3 A. About seven or eight of us.
- 4 Q. Can I just understand then what would happen on these  
5 occasions?
- 6 A. Basically, we would just sit around talking and then  
7 we would take our clothes off and sit in our underwear  
8 and he'd give us sweeties, we'd sit and eat sweeties and  
9 drink juice, and we'd be encouraged to start touching  
10 each other.
- 11 Q. Is that the boys touching the boys?
- 12 A. Yes, and also somebody touching him or he would just sit  
13 and watch us.
- 14 Q. So the boys would be touching each other sexually;  
15 is that what you're saying?
- 16 A. Yes.
- 17 Q. And someone would also touch Brother Farrell in a sexual  
18 way?
- 19 A. Sometimes, yes.
- 20 Q. And what would happen?
- 21 A. He would ejaculate, get his hanky out and ejaculate into  
22 his hanky, and then basically, by the time we'd finished  
23 our sweets and that, it would be bedtime and we got told  
24 to go back to our rooms.
- 25 Q. How long did this go on for?

1 A. Probably every second weekend or so. It depended how  
2 many boys were actually going home at the time. Some of  
3 the boys -- like I say, it was every second weekend we  
4 went home. But then as I got older, I stopped going as  
5 much. I wasn't encouraged to go.

6 Q. By whom?

7 A. Brother Farrell.

8 Q. Did boys continue to go to his room?

9 A. As far as I can remember, they did, but I'm not 100%  
10 sure.

11 Q. You've already mentioned this, Max, that there were two  
12 groups: there was Brother Farrell's group, and you have  
13 told us about them, and there was also Brother Kelly's  
14 group.

15 A. Yes.

16 Q. With regard to Brother Kelly's group, how many boys were  
17 in that group?

18 A. Eight or nine of them. They were sort of older ones.  
19 There were a couple my age, but most of them were --  
20 there was two or three that were older.

21 Q. On a daily basis, how would this present itself? Would  
22 there be boys with Brother Kelly and boys with  
23 brother --

24 A. It was mostly at night. I would say mostly at night.

25 Q. Did you see -- and I'll come on to things that might



1           have happened to you, but did you see what happened  
2           in relation to Brother Kelly and his group at  
3           night-times?

4           A. They would just be invited to his room at night.

5           Q. Did you see that happening?

6           A. It happened -- I saw once or twice -- I went --

7           Q. I don't want to know where you went, but did you see it  
8           generally happening that --

9           A. Yes. Boys would just go to his room, "Come on, we're  
10          going to ..." They called him Snoopy: "We're going to  
11          Snoopy's room", and away they'd go and I would just go  
12          up to Farrell's room.

13          Q. Was that the way it was, one group went to one room and  
14          the other went to the other room?

15          A. Yes.

16          Q. I'll ask you in a moment about something that might have  
17          happened to you in Brother Kelly's room. But before  
18          that, did you have any insight into what was happening  
19          in Brother Kelly's room?

20          A. You'd hear rumours.

21          Q. What were the rumours?

22          A. Guys were touching each other up or getting touched up.  
23          Sweets and stuff and there was boys sleeping in the same  
24          room as him or in his bed with him.

25          Q. What sort of dealings did you yourself have with

1           Brother Kelly before anything in particular happened to  
2           you?

3           A. He didn't like me because I was one of Brother Farrell's  
4           favourites.

5           Q. And how did you become aware of that?

6           A. I became aware of it quite soon because there was sort  
7           of tension between him and Farrell. I think Farrell had  
8           come after him and, if I remember how it went, Kelly had  
9           been in there first, and Farrell came in afterwards and  
10          made headmaster, and Kelly resented him for that. So  
11          that was basically the crux of it.

12          Q. But in relation to your own dealings with Kelly,  
13          Brother Kelly, what sort of dealings did you have with  
14          him?

15          A. He slapped me on the head and called me -- shouted my  
16          name and I had to go over to him and he'd touch me and  
17          stuff.

18          Q. When you say he would touch you and stuff --

19          A. Touch my privates, basically. Just grab a hold of them  
20          and just, you know ... Yes, he was quite nasty to me.

21          Q. How often did this happen to you?

22          A. Quite a lot. I could be walking along the hall or  
23          something, going somewhere, and he'd just shout my name  
24          and you knew if you didn't go, there would be trouble.  
25          I knew if I did go, things would happen. So it was

1 a Catch 22, basically, as far as I ... to look at it  
2 that way, it was like a Catch 22.

3 Q. Was there an occasion when you were asked to go to  
4 Brother Kelly's room?

5 A. Yes.

6 Q. Can you just give me the background to that? How did  
7 that happen?

8 A. One of the boys said to me, "Do you want to come along  
9 with us? We're going to Snoopy's room for some juice  
10 and sweets and stuff". I was not long in the school so,  
11 "Okay, sounds good".

12 Q. Had you become involved with Brother Farrell by the time  
13 this happened?

14 A. No, I don't think I had. I think it was after that  
15 I became ... with Brother Farrell.

16 Q. Then did you go to Brother Kelly's room?

17 A. Yes.

18 Q. And was that in the dormitory area that we've looked at  
19 already?

20 A. Yes.

21 Q. Were there other boys in the room at that time?

22 A. Yes.

23 Q. And was Brother Kelly there?

24 A. Yes.

25 Q. At the beginning what was happening?

1 A. They were just sitting chatting and there was juice and  
2 sweets and just sitting chatting. Then all of a sudden,  
3 I just heard somebody shout, "Get him", and a group just  
4 grabbed me, picked me up and put me on his bed. And  
5 then someone pulled my trousers down and I was  
6 struggling and one of the boys whispered in my ear and  
7 said, "Whatever you do, don't struggle, because he likes  
8 it".

9 Q. Did you know who this boy was? I don't want the name.

10 A. Yes, I think I know who it was, yes.

11 Q. Was this a boy you became quite friendly with?

12 A. Yes. When we met up or spoke; we never did it in the  
13 school.

14 Q. I think his first name was [MCU] Was his first name  
15 [MCU]

16 A. As far as I remember.

17 Q. So what happened then? You say your trousers were  
18 pulled down. Who pulled your trousers down?

19 A. The boys.

20 Q. What about Brother Kelly? What was he doing?

21 A. Brother Kelly was standing over me and he put his penis  
22 on to my bum and rubbed it up and down. I think because  
23 I wasn't struggling, there was no enjoyment for him.  
24 I basically, by that point, had learned to take my mind  
25 away. I just closed my mind down.

1 Q. How did that come to an end, that particular incident?

2 A. If I remember rightly, what happened is he just let me  
3 go, I pulled my pants up and went back to my room.

4 I remember that was the time when I went back to Farrell  
5 and said to him what had happened.

6 Q. So was that when Brother Farrell then, as it were, was  
7 friendly towards you?

8 A. Yes.

9 Q. Were you back in Brother Kelly's room on further  
10 occasions?

11 A. Once or twice, but I actually sat against the wall.

12 Q. Let's take the next occasion you were in Brother Kelly's  
13 room. How did that happen?

14 A. I just went to his room one night, somebody invited me,  
15 and I just went to the room, and was sitting talking,  
16 but I was watching everybody's moves. I was just ...  
17 because I was ready for it.

18 Q. And did anything happen?

19 A. I can't remember anything happening. It might have  
20 done. I can't remember.

21 Q. Was there any other occasion when you were in that room  
22 with Brother Kelly and other boys and things did happen?

23 A. Yes, I think so, but ... I just find it hard to  
24 remember.

25 Q. Is it hard to remember or just hard to speak about it?

1 A. Hard to speak about it, I would say.

2 Q. You do remember, but you find it difficult to speak  
3 about it?

4 A. Yes. Yes, yes.

5 Q. Was it sexual?

6 A. Yes.

7 Q. And can you give us any sort of ... It's up to you,  
8 Max, if you can help us with what you remember  
9 happening.

10 A. No, I don't ... I don't want to go there, sorry.

11 Q. But in any event, I think what you're telling us is that  
12 it was a sexual encounter that involved Brother Kelly.

13 A. Yes. And boys.

14 Q. And boys?

15 A. And boys. They used to tell the boys to do stuff to  
16 each other so that if anyone said anything, they could  
17 turn round and say, "Well, actually, boys were doing it  
18 to themselves and we tried to stop it". That's the way  
19 it operated there. Like I say, as far as I remember,  
20 one of the boys told his social worker and he was told,  
21 "Don't be so silly", because, like I say, in those days,  
22 kids in care were bad, basically, in the eyes of  
23 authority. We were the bad boys.

24 Even when we went -- sometimes some of us would go  
25 down to the shops in the village and you could hear them

1 saying, "Oh, there's the bad boys from that school".

2 And sometimes I would just -- I felt like screaming at  
3 them, saying, "You know what? I'm not a bad boy".

4 Q. I think you told us earlier that the boys in Kelly's  
5 room, they were a different group to the boys in  
6 Brother Farrell's room; is that right? But did you see  
7 any younger boys in Kelly's room at any point in time?

8 A. I think one or two, but not as many, I would say, as  
9 Farrell. Kelly liked older boys, I think, as far as  
10 I remember, and Farrell was more the younger ones.

11 Q. Did you see Kelly do anything to younger boys or any  
12 boys?

13 A. I think so. I can't remember. I know that a few of  
14 them slept in his room at nights, at weekends. I never  
15 slept in his room because I was always scared of what  
16 might happen. After that, that night when they grabbed  
17 me, I just ... At that time I was quite small in  
18 stature -- it wasn't until I was about 16 I sprouted up.  
19 But at that time I was quite small, so anyone could  
20 overpower me. I was quite weak as well.

21 Q. These in any event were bigger boys that were in  
22 Brother Kelly's room?

23 A. Yes.

24 Q. And there you're talking about the time your trousers  
25 were pulled down; is that the incident you're talking

1 about there?

2 A. Yes.

3 Q. Was there another incident?

4 A. I think there was, but I can't remember. My mind just  
5 doesn't want to go there.

6 Q. Okay. Thank you.

7 A. It's like when people ask me about the school when  
8 I left the school, I would tell them all the good things  
9 that had happened, but I wouldn't talk about the bad  
10 things that happened because I knew nobody would believe  
11 me.

12 MR MacAULAY: My Lady, it's 2.59. We tend to have a break  
13 at this time, Max. No doubt you'd welcome one.

14 LADY SMITH: Would that work for you, Max, if we take the  
15 afternoon break now? Just a short one. We'll do that.

16 (3.00 pm)

17 (A short break)

18 (3.12 pm)

19 LADY SMITH: Are you ready for us to carry on, Max?

20 A. Yes.

21 LADY SMITH: Mr MacAulay.

22 MR MacAULAY: Before the break, Max, you'd been giving  
23 evidence about some matters that you found very  
24 difficult to speak about. Is there anything else you'd  
25 like to say about these matters before I move on?



1 A. There's a lot of things I'd like to say, but my mind  
2 just doesn't want to ... yes, my mind just doesn't want  
3 to go there.

4 Q. Okay.

5 A. I'll admit I am frustrated that there is a lot I want to  
6 say but I don't know now.

7 Q. It is the case, I think, Max, that at the criminal trial  
8 involving, in particular, Father Farrell, as he was  
9 then, and Brother Kelly, as he used to be, you gave  
10 evidence.

11 A. Yes, three and a half days.

12 Q. In particular, you gave evidence implicating  
13 Brother Farrell in what one would describe as sexual  
14 abuse; is that correct?

15 A. Yes.

16 Q. Similarly, covering, I think, the three charges that  
17 Brother Kelly was found guilty of, you gave evidence  
18 implicating Brother Kelly in sexual abuse.

19 A. Yes.

20 Q. So putting it shortly, Brother Farrell was found guilty  
21 of a charge involving sexual abuse on you?

22 A. Yes.

23 Q. And Brother Kelly was found guilty of three charges?

24 A. Yes. Can I add something, please?

25 Q. Yes, certainly.

1 A. At the time I felt angry, not because they'd been found  
2 guilty of what happened to me but because they'd been  
3 found not guilty or not proven for other boys and I felt  
4 quite angry about that.

5 In a way, looking at when it happened, how can they  
6 not be found guilty about those boys? I felt that  
7 sometimes, I couldn't criticise the jury, but sometimes  
8 I felt that they looked at the person and not the child,  
9 I would say.

10 Q. You mentioned when you were telling us about the  
11 incident involving Brother Kelly and the other boys in  
12 his room when you were taken hold of and your trousers  
13 were taken down, that there was a person there who told  
14 you not to struggle, and I think you thought that his  
15 name was **MCU**

16 A. Yes.

17 Q. Was this somebody you got to know --

18 A. Yes.

19 Q. -- during your time at St Ninian's?

20 A. Yes.

21 Q. I think **MCU** is now dead; is that right?

22 A. I heard that, yes.

23 Q. But did **MCU** give you any information about anything  
24 that had happened to him?

25 A. He told me some stuff that had happened to him. He said

1           that he had been the same as what happened to me. But  
2           we always spoke to each other outwith the school. There  
3           was grounds we could go, there was like -- it was  
4           a waterfall where you had like a tunnel underneath and  
5           we sat under there to make sure we weren't heard.

6           Q. Was he an older boy? Was he older than you?

7           A. I think maybe a year older, if I remember rightly,  
8           a year or two older maybe.

9           Q. Did he give you any detail about what had happened to  
10          him?

11          A. Yes.

12          Q. What did he say?

13          A. Basically the same as what was happening to me.

14          Q. Did he say more than that? Did he say, "What's happened  
15          to you happened to me"?

16          A. He'd give me more, but I'd rather not speak, you  
17          know ...

18          LADY SMITH: Which of the brothers was he talking about?

19          A. Kelly.

20          LADY SMITH: So that would fit with him being there on the  
21          night that you described before we had the break.

22          A. Yes.

23          MR MacAULAY: You've been telling us about Brother Kelly and  
24          Brother Farrell as he then was. Are you able to compare  
25          these two individuals as to how they dealt with you?

1 A. Farrell was more affectionate and Kelly was just ...

2 I'm trying to think of a word without swearing.

3 LADY SMITH: You can swear if that is the best description  
4 you can give. Please feel free if that would work for  
5 you.

6 A. He was a bastard to me, basically. Sorry for that,  
7 but ... yes, he was just ... Like I say, because I was  
8 basically one of Farrell's favourites, I got treated --  
9 he treated us all ... I felt mostly me at that time.  
10 I felt I was the one getting picked on. I think there  
11 was others, but to me I seemed to be getting quite a lot  
12 of it.

13 MR MacAULAY: You have told us about the particular occasion  
14 where you were taken hold of in his room. In relation  
15 to that occasion, you have told us what he did. On that  
16 occasion or any other occasion, how did he behave  
17 towards you?

18 A. He was quite nasty to me. There was always underlining  
19 between them two, you could always feel the tension. So  
20 like I said, if it wasn't him, it was one of his boys.

21 Q. So far as you could tell, did Brother Kelly know that  
22 Brother Farrell was abusing you?

23 A. Yes, I think he did, but I don't know.

24 Q. You've told us already that you told Brother Farrell.

25 A. Yes, I told Brother Farrell what happened to me.

1 Q. So he knew?

2 A. He knew. But I think he knew that boys -- well,  
3 everyone knew that boys were going to Kelly's room.

4 Q. But I think you told us you told Brother Farrell that  
5 you had been abused in Brother Kelly's room --

6 A. Assaulted, yes.

7 Q. Sexually abused or not?

8 A. I think I did, yes. I did, I told him what had  
9 happened, basically, and he just said, "I'll deal with  
10 it".

11 Q. What had happened by that time was that you'd been taken  
12 hold of, your trousers had been pulled down, and there  
13 was a sex act.

14 A. Yes.

15 Q. Did you tell Brother Farrell all of that?

16 A. Yes, I think I did, yes.

17 Q. Insofar as dealing with it was concerned, so far as you  
18 could see, did Brother Farrell do anything about it?

19 A. I don't think he did. If I remember, he told me not to  
20 worry about it.

21 Q. The other brother you mentioned earlier on in your  
22 evidence, Max, was Brother MHG and I think you said  
23 that he came to the school after you'd been there.

24 A. We used to call him MHG

25 Q. I was going to ask you.

1 A. Sorry.

2 Q. I was going to ask you, how did you get on with

3 Brother MHG

4 A. He tried to be affectionate and I told Brother Farrell  
5 and he stopped it. He tried to put his arm round me and  
6 cuddle me and stuff, and I'm like, "No". I told him no  
7 and I told Brother Farrell and it never happened again.

8 Q. Do you think that it never happened again because  
9 Brother Farrell did something about it?

10 A. Yes, I think Brother Farrell had a word with him.

11 Q. Did Brother Farrell tell you that or not?

12 A. No.

13 Q. What you tell us, Max, in your statement at  
14 paragraph 123 -- and I think we've now gone through what  
15 happened -- is that you looked upon Brother Farrell as  
16 a father figure.

17 A. Yes.

18 Q. You go on to say:

19 "... and I became so used to being abused, I would  
20 have been upset if he had stopped treating me as one of  
21 his favourites."

22 A. I was, yes.

23 Q. Were you upset when he stopped treating you in the last  
24 couple of months or so as one of his favourites?

25 A. Yes.

1 Q. You also say that just before the school closed down,  
2 you were taken to see Brother Farrell and Brother Kelly.

3 A. Mm-hm.

4 Q. Were you taken to see them on your own?

5 A. You were told to go and see them in the office.

6 Q. Was that you on your own, was it?

7 A. Yes.

8 Q. Who was in the office when you went to see --

9 A. Kelly and Farrell.

10 Q. Were they both there?

11 A. Yes.

12 Q. What happened on this occasion?

13 A. They told us if we ever spoke about what happened in the  
14 school our families would be in trouble because they had  
15 the backing of the Catholic Church to back them up and  
16 if we ever spoke about it our families would be in  
17 danger, so I never spoke about it.

18 Q. What were they talking about?

19 A. Everything.

20 Q. What did you understand --

21 A. All the sexual abuse, all the sex acts, all the  
22 beatings.

23 Q. Who did the speaking or did they both speak?

24 A. I think it was Farrell and then Kelly said something as  
25 well. But yes, I was 15 years old and when someone said

1           that, you're like "yes".

2           Q. You're telling us about what happened when you went to  
3           see them. Do you know if other boys --

4           A. Oh yes.

5           Q. How do you know that?

6           A. Because other boys told me.

7           Q. What was the message they were receiving?

8           A. Same as what I got: you don't talk about it or else.

9           And being brought up in a Catholic family, basically you  
10          just kept your mouth shut. I never spoke to anyone  
11          about it, no one. If somebody asked me about the  
12          school, I'd say, "Oh yes, we went on this, we did that,  
13          it was great". But I knew in myself that I was lying.  
14          It just became the norm for me. I just ... My mind was  
15          going, "You should tell them", and I could hear myself  
16          having battles with myself, "No, I'm not saying  
17          anything".

18          Q. But there came a point in time when you did disclose  
19          things that had happened?

20          A. Yes.

21          Q. How did that come about?

22          A. The police had went to -- eventually found out who  
23          I was, they went to my birth mother and stepfather's  
24          house. My stepfather was very anti-police and they  
25          found out where I went and they came to my house and



1 I said, "How did you find me?" He says, "We went to  
2 your birth mother and stepfather's -- by the way, your  
3 stepfather's an ignorant pig". I said, "Oh yes, I knew  
4 that".

5 Q. Do I take it that it was a question of the police coming  
6 to you rather than the other way round?

7 A. Yes.

8 Q. Was this leading up to the trial that took place in  
9 2016?

10 A. Yes.

11 Q. And thereafter, did you give statements to the police in  
12 support of the charges that were libelled against --

13 A. Yes, about 54 pages worth.

14 Q. But you tell us in your statement to the inquiry, Max,  
15 that after you left St Ninian's you did go back.

16 A. Yes.

17 Q. What was your purpose in going back?

18 A. To see Brother Farrell.

19 Q. And did you see him?

20 A. Yes, but just for minutes. He just didn't want to talk  
21 to me.

22 LADY SMITH: How long after you left was that?

23 A. I think it was a few months, a couple of months,  
24 I think, if I remember rightly.

25 LADY SMITH: When you were still a teenager?

1 A. Yes.

2 MR MacAULAY: What was your purpose in going back?

3 A. I missed the care. I missed the ... I just missed  
4 being with him, I suppose, to me. I found it quite hard  
5 to cope without getting affection. Like I say, I was  
6 back home and there was nothing there, so when I got the  
7 chance, I jumped at it.

8 Q. What you tell us in your statement is that when you went  
9 back to visit Brother Farrell, he was still there but  
10 the feeling of love and affection had gone?

11 A. Yes.

12 Q. Was that from your side or --

13 A. His.

14 Q. His side?

15 A. Yes.

16 Q. What was your reaction to that?

17 A. I was angry, I think, with him, but also with myself.

18 Q. Can I then look at your life after care, quite briefly,  
19 because you've set it out in detail in your statement.

20 A. Yes.

21 Q. You spent some time, I think, on the streets; is that  
22 right?

23 A. Yes.

24 Q. Where was that?

25 A. Bathgate.

1 Q. And that was -- essentially you were in a homeless  
2 situation?

3 A. Yes. I'd left my birth mother and stepfather's home  
4 after an argument. He chased me out of the house, but  
5 he couldn't catch me. I was halfway up the street  
6 before he even left the house.

7 Q. I think you did get married at a point in time in your  
8 20s.

9 A. I did, yes.

10 Q. And you tell us about your personal circumstances. We  
11 needn't look at that in oral evidence; we have your  
12 written statement. You also tell us about an offence  
13 you committed; that's at paragraph 134.

14 A. Yes.

15 Q. And you served a sentence of four and a half months'  
16 imprisonment for that; is that correct?

17 A. Yes.

18 Q. I think one of the things you've been told is that  
19 you've had problems identifying boundaries of behaviour.

20 A. Yes.

21 Q. Do you relate that to any particular --

22 A. There's a few times when I've been taking single women  
23 home and girls home and not thinking about it, but later  
24 on thinking, why the heck did I do that? Why would  
25 I put myself in a situation like that? Yes, just later

1 on, I'd just think to myself: why am I doing this? It  
2 wasn't until later in life, when I was speaking to  
3 someone and actually by telling that person, when I was  
4 doing my statement, everything just started to click  
5 into place.

6 It's like putting my mind into a washing machine and  
7 taking it out in bits and then suddenly sort of joining  
8 it ... I had a CPN who asked me how I felt about myself  
9 and I said I felt like a monster, and he said, "No,  
10 you're not a monster". I said, "I am", because I felt  
11 like Frankenstein's monster, like I was created from  
12 different parts from different people in my life.  
13 I just felt nothing of me is me.

14 Q. But you've been involved with Future Pathways; is that  
15 correct?

16 A. That's correct.

17 Q. And I think you have support from them today, in fact.

18 A. Yes.

19 Q. Has that been beneficial for you?

20 A. It's been fantastic. They put me in touch with other  
21 people and people that can help me and stuff. When  
22 I was in prison, I was at rock bottom, and my Christian  
23 beliefs -- I just said to God, you know, "Right, what  
24 now?" and He just took over.

25 I have learned to actually accept help from people

1 and realise that they're not actually wanting anything  
2 from me, which before, when I asked for help from  
3 someone like yourself, and you'd say, "I'm happy to help  
4 you", the first thing in my head, I'd go, "What do they  
5 want? What's their angle?" So I wouldn't accept help  
6 from people, but if someone says to me, "Yes, we're here  
7 to help you", I have learned to accept it.

8 Q. That's really trust, isn't it?

9 A. Yes, it's trust. It took a long, long time, and  
10 I regret a lot of things that have happened, but  
11 I also ... I just ... I'm moving forward now. I just  
12 feel as if there's a future now.

13 Q. You're leaving behind, I think, aspects of the impact  
14 that care had on you. For example, I think you've  
15 attempted suicide on --

16 A. Seven times.

17 Q. -- more than one occasion.

18 A. But I never tried to kill myself; I tried to kill  
19 what was in my head. I just wanted that to go away.

20 Q. But do you still think about your time at St Ninian's?

21 A. Now and again. Now and again. I always remember the  
22 good times. Always remember. There's places in my mind  
23 where my mind just doesn't want to go and eventually  
24 I hope that I will be able to go to those places and  
25 deal with them. But my CPN (inaudible) said to me that

1 I was on a journey, not a race, and that's helped me  
2 a lot, because to realise that I'm actually in a journey  
3 and not trying to ... because for me, I wanted  
4 instant -- it has to be sorted now. But now I've  
5 learned to, you know -- it will take time but you will  
6 get there.

7 Q. So far as lessons to be learned from your own experience  
8 then, Max, you look at that at paragraphs 150 onwards.  
9 The first thing you say there is:

10 "I don't think we should let the 'sweep under the  
11 carpet' generation win."

12 Can you elaborate on what you mean by that?

13 A. Where's that, sorry?

14 Q. Paragraph 150. I have just read out:

15 "I don't think that we should let the 'sweep under  
16 the carpet' generation win."

17 A. Yes. Well, when I was in care, at that time, the police  
18 and authority weren't interested. In their eyes,  
19 we were bad boys no matter why we were in care. Like  
20 I said, when I first went, I was put in for my own  
21 safety. At that time, nobody believed you. I've got  
22 a friend who knows -- whose brother is a lawyer and  
23 stuff. He even said to me, like I said in my statement,  
24 the new Pope is actually starting to address issues and  
25 it's not being swept under the carpet like before: oh,

1 no, no, they don't know what they're doing, they don't  
2 know what they're saying, they're lying. But now it  
3 seems, even with the inquiry as well, that actually,  
4 yes, we do want to listen, and that's made a big  
5 difference, I would say.

6 For me personally, I would say that the moment where  
7 the Deputy First Minister stood up in the Parliament and  
8 apologised, actually watching that, I stopped and  
9 clapped my hands because it was like, wow, somebody  
10 actually heard me, somebody's listening to us now, we're  
11 not forgotten. Because when you went into care, like  
12 you said about the assessment centre, three months.  
13 When I went to the Children's Panel, it was three weeks  
14 or six weeks. You were told: you'll be there for six  
15 weeks and we'll get you back. Three months later ...  
16 It was like, "Oh, he's away; right, next".

17 Q. The other thing you say is you consider it important  
18 that children have a say in their own futures.

19 A. Yes. Yes, because, like I say, the Children's Panel,  
20 there was five people sitting in front of you, "We have  
21 decided". And that was the -- "We have decided, you're  
22 going here, we have decided you're doing this". But  
23 now, I have noticed that children get more, "What would  
24 you like to do? Where would you think you'd be better?  
25 What would help you?" I didn't get that. Never.

1 Q. The last chapter I want to raise very briefly with you  
2 is some responses we've had from people that have given  
3 statements to the inquiry from the order. Brother MHG  
4 for example, who the inquiry has seen, and I think you  
5 told us earlier, and indeed you say it in your  
6 statement, that Brother MHG tried to be affectionate  
7 towards you and you pushed him away.

8 According to Brother MHG his position is that --  
9 and I will quote:

10 "I used to put my arm around his shoulder and  
11 comfort him. He seemed to recognise and be happy that  
12 I was comforting him and he didn't object to it.  
13 I wasn't affectionate; I was just empathising with him."

14 So that's what Brother MHG says. Could that be the  
15 case?

16 A. No.

17 Q. You don't think that was the case?

18 A. No.

19 Q. Of course, so far as Brothers Farrell and Kelly are  
20 concerned, they, of course, continue to deny their  
21 situation and we've got your evidence, and of course on  
22 the back of your evidence at the trial, there were  
23 convictions.

24 A. Yes.

25 Q. Very well, Max. Thank you very much indeed for coming



1 to give your evidence to the inquiry. I can see that it  
2 has been quite a difficult --

3 A. Can I say something, sorry?

4 Q. Of course, yes.

5 A. Can I thank you all for this opportunity to come here  
6 and actually be listened to.

7 MR MacAULAY: Certainly. Again, can I thank you for coming  
8 and allowing us to listen to what you had to say.

9 My Lady, I haven't received any questions to put to  
10 Max.

11 LADY SMITH: Are there any outstanding applications for  
12 questions of Max?

13 Max, that does complete all the questions we have  
14 for you. I'm very aware of how many questions you have  
15 answered in the entirety of this process, both to enable  
16 us to obtain a clear written statement from you and  
17 today in the course of your oral evidence. It's been  
18 enormously helpful to me to hear what you have to tell  
19 us about your experience at St Ninian's, so thank you  
20 very much for that. I'm glad that I can now let you go.

21 A. Thank you.

22 LADY SMITH: Thank you.

23 (The witness withdrew)

24 LADY SMITH: Mr MacAulay.

25 MR MacAULAY: My Lady, I'm inclined to suggest that we

1           perhaps adjourn for the day. We have this little  
2           chapter in relation to evidence from those who have  
3           died, but that might be best held over until tomorrow  
4           morning.

5           LADY SMITH: Very well. So would the plan be to start with  
6           that tomorrow morning?

7           MR MacAULAY: Yes, and then move on to ...

8           LADY SMITH: To the planned oral witnesses?

9           MR MacAULAY: Yes.

10          LADY SMITH: And we would still have time to complete both  
11          the planned oral witnesses tomorrow?

12          MR MacAULAY: Absolutely.

13          LADY SMITH: Good, very well. Thank you very much. I'll  
14          rise now until tomorrow morning.

15          (3.40 pm)

16                         (The inquiry adjourned until 10.00 am  
17                         on Thursday, 13 June 2019)

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I N D E X

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