

1 Thursday, 19 September 2019

2 (10.00 am)

3 LADY SMITH: Good morning.

4 We return to oral evidence again this morning. As  
5 everyone will see, we have a video link, which I think  
6 is ready to go. Is that right, Mr MacAulay?

7 MR MacAULAY: Yes, good morning, my Lady. We are ready to  
8 go. The next witness is to be anonymous and he will use  
9 the name "John" in giving his evidence.

10 LADY SMITH: John, good morning. Can you see me?

11 THE WITNESS: Good morning, yes.

12 LADY SMITH: I'm Lady Smith and I chair the Scottish Child  
13 Abuse Inquiry and, as has probably been explained to  
14 you, we're sitting in a building in Edinburgh near  
15 Haymarket. The room has lawyers and representatives in  
16 it, members of the team from the inquiry, and a number  
17 of members of the public, and, as you can see, me and  
18 Mr MacAulay.

19 Before we start hearing your evidence, I'd like to  
20 put you on oath.

21 "JOHN" (sworn) (via video link)

22 LADY SMITH: John, it seems as though the video link is  
23 working well at the moment. It certainly is clear at  
24 this end, both in terms of picture and sound, and I hope  
25 that's the same for you at your end.

1 A. Yes, it is.

2 LADY SMITH: Can I also say that I know it's a little  
3 unusual giving evidence by video link. If at any time  
4 you're having difficulty, whether with the picture or  
5 the sound or if you just want a break from it, will you  
6 let me know?

7 A. Yes.

8 LADY SMITH: One other thing before I hand over to  
9 Mr MacAulay: it is possible that as the questioning  
10 proceeds, you may be asked about allegations made  
11 in relation to your conduct. It is important you  
12 appreciate that although this is a public inquiry and  
13 not a court case, and not a criminal trial, you have all  
14 the rights not to incriminate yourself that you would  
15 have if it was a court case.

16 That means that you are entitled not to answer any  
17 questions, if that's your choice, the answers to which  
18 might tend to incriminate you, but you do need to  
19 appreciate that if you do choose to answer them and you  
20 indicate that you were in any way involved in the abuse  
21 of children -- and that's what I think the focus of the  
22 questions will be -- the evidence is being recorded and  
23 the transcript of your evidence here would be available  
24 at a future date for any other purposes, including court  
25 purposes.

1 Do you understand that, John?

2 A. Yes.

3 Should I address you as "my Lady"?

4 LADY SMITH: That'll work fine. I've been called many  
5 things in my life, but in this job most people do call  
6 me "my Lady" or "Lady Smith", whichever you're  
7 comfortable with.

8 John, if you have any worries about the warning  
9 I have just given you or you want it explained again at  
10 any point, whether by me or by Mr MacAulay, please do  
11 let us know about that, will you?

12 A. Yes, my Lady.

13 LADY SMITH: I'll hand over to Mr MacAulay and he will  
14 explain to you what happens next.

15 Mr MacAulay.

16 Questions from MR MacAULAY

17 MR MacAULAY: Good morning, John.

18 A. Good morning.

19 Q. Can I begin by asking you to confirm that you have  
20 provided a statement to the inquiry in the form of  
21 answers to questions that were submitted to you by the  
22 inquiry; is that right?

23 A. Yes, I did, yes.

24 Q. And I'm going to give the reference of the document for  
25 the benefit of the transcript: WIT.003.002.2873.

1           What I want you to confirm for me, John, is that  
2           you're content that this document forms part of the  
3           evidence to the inquiry; is that right?

4           A. Yes.

5           Q. And so far as you're concerned, is what you say in the  
6           document true?

7           A. Yes.

8           Q. I don't need to ask you to confirm your date of birth  
9           because you want to be anonymous, but to get a time  
10          frame I want you to confirm that you were born in the  
11          year 1933; is that correct?

12          A. Yes, that's right.

13          Q. And you're now 85 or 86?

14          A. Yes.

15          Q. Can I begin by just looking at your background to  
16          a little extent. I think you went to Fort Augustus  
17          School as a boy; is that right?

18          A. Yes, that's correct.

19          Q. What age were you when you went to the school?

20          A. Ten, I think.

21          Q. Did you remain at the school until you were about 17 or  
22          18?

23          A. Yes.

24          Q. Did you decide at some point to become a trainee monk?

25          A. Yes.

1 Q. Was that with the Benedictine Order?

2 A. Yes.

3 Q. And in your statement, you tell us that you were  
4 a trainee from 1950 to about 1954; would that be about  
5 right?

6 A. The training lasts about seven years, so I would say  
7 until 1957.

8 Q. Do you have your statement in front of you, John?

9 A. Yes.

10 Q. In any event, you tell us that in 1999 you were really  
11 working as a monk under solemn vows, is that right, from  
12 1954 onwards.

13 A. I was there until 1999, yes.

14 Q. You then tell us that you were a teacher, housemaster,  
15 SNR and then again a teacher at Fort Augustus  
16 School at particular points in time.

17 A. Yes.

18 Q. I think you tell us at paragraph 2 that apart from  
19 certain periods, 1958 to 1961 when you were at  
20 Dundee University, and December 1969 to 1972 when you  
21 were in New Zealand, the rest of your time was spent at  
22 Fort Augustus School in some capacity.

23 A. Yes.

24 Q. Can I go back to your time as a pupil at Fort Augustus  
25 School; I think we can work that out to be from about

1           1943 to 1950. Can you describe your experience at the  
2           school as a boy?

3           A. It's a beautiful place. I enjoyed being there. I think  
4           I was well looked after. I think I was well taught.  
5           I enjoyed it, I suppose.

6           Q. How would you describe the regime at that time?

7           A. Pardon, the what?

8           Q. The regime. How would you describe it?

9           A. The regime -- well, corporal punishment, as I think in  
10          most Scottish schools, was very much part of the regime,  
11          yes. But the regime was benign, really. It was for the  
12          good of the pupils.

13          Q. Do I understand that you went directly from the school  
14          to training as a monk?

15          A. Yes.

16          Q. So far as the training was concerned, you mention it's  
17          over a period of seven years. Does that involve in  
18          particular developing a clear understanding of the rule,  
19          St Benedict's Rule?

20          A. The first year or year and a half is very much devoted  
21          to that. Then two years' philosophy and then four  
22          years' theology. All our life the Rule is read in the  
23          dining room during lunch, and we get through it about  
24          three times a year, and so I heard the Rule three times  
25          a year for about 50 years (inaudible: distorted).

1 Q. So it would be firmly in your mind as to what it --

2 A. Very much. Very much.

3 Q. If we look at the dates then that you have provided to  
4 us in your statement as to when you held particular  
5 posts at the school, you say that you were a teacher  
6 from about 1961 to 1971, and in 1971 you became  
7 a housemaster; is that correct?

8 A. It was actually -- my memory isn't too good. It was  
9 a long time ago. It was 1972 I became a housemaster,  
10 September 1972.

11 Q. I just want to ask you about that. First of all, what  
12 did the role of housemaster entail?

13 A. You were responsible for the well-being in all sorts of  
14 aspects of about 40 or 50 boys in your house.

15 Q. Can you elaborate upon that? On a day-to-day basis  
16 then, what did you see that as involving?

17 A. Goodness, um ... I had my office in the school. If  
18 they were sent to me for punishment, they were sent to  
19 my office. They came to me for their money allowance;  
20 they used to hand in their money to my safekeeping and  
21 they'd come when they needed cash for shopping or  
22 whatever, when they needed that. We had a weekly social  
23 get-together with every boy, like seven days a week,  
24 it would be about seven or eight boys each evening. We  
25 called it a social.

1           We were with them -- it's a long time ago. We were  
2 with them in the dining room, I think, for meals, sort  
3 of presiding at one of the tables there. Each table had  
4 about 10 boys or whatever.

5           In general, you were in -- handy and with them and  
6 in their environment, really basically all the time,  
7 even -- well, we did have prefects, senior boys in  
8 charge, who slept in the different sleeping quarters for  
9 the well-being of the boys, and if they had any needs.

10           I just can't remember just at the moment if I slept  
11 in the monastery or if I slept in the school -- I think  
12 in the monastery, until I was a housemaster in the 1970s  
13 and then I did sleep in the sixth form wing where the  
14 sixth formers had their individual rooms.

15       Q. You have mentioned there, John, that you would have  
16 responsibility for perhaps 40 to 50 boys. Do I take it  
17 that the age range of the boys would go from younger  
18 boys to older boys?

19       A. They were in Junior House from 13 and 14 and from 14  
20 until leaving school they were in the senior house.  
21 I was housemaster of a senior house, Lovat House, yes.

22       Q. Do I take it from what you've said that you were  
23 principally responsible for the care of those 40 or  
24 50 boys?

25       A. Yes.



1 Q. Did you receive any form of training or guidance as to  
2 how you'd perform these duties?

3 A. Basically, my training was passing through the whole  
4 experience myself as a schoolboy and a trainee.

5 Q. So would you bring to bear on how you performed your  
6 duties having regard to how you had been treated at the  
7 school?

8 A. Yes.

9 Q. If we look at your statement, John, in paragraphs 7  
10 through to about 21, you provide some detailed  
11 information on the routine at the school.

12 In paragraph 22 you are asked some questions and you  
13 respond to some questions about inspection. Can I just  
14 ask you about that? Did inspectors come to inspect the  
15 school during your time?

16 A. Yes.

17 Q. As a housemaster, did you have any involvement with  
18 inspectors?

19 A. Inspections were to do with the studies and the  
20 curriculum of the teaching and learning -- that was  
21 mostly the SNR province -- and teachers who did  
22 the subjects, the inspectors would sit in their classes  
23 and so on.

24 Q. So these are inspectors from the Scottish Education  
25 Department --

1 A. Yes.

2 Q. -- assessing the education that was being provided to  
3 the pupils?

4 A. Yes.

5 Q. If we go back to the beginning of your statement, you've  
6 provided us with details as to when you held particular  
7 roles. For example, you were housemaster, as you have  
8 just told us a moment ago, from 1972 to 1985. You then  
9 became [REDACTED] SNR [REDACTED] from 1985 to 1988 for three years;  
10 is that right?

11 A. Yes.

12 Q. As [REDACTED] SNR [REDACTED], would you have direct involvement with  
13 inspectors who came to the school?

14 A. Yes.

15 Q. But not as housemaster?

16 A. Not as housemaster, no.

17 Q. You then, after 1988, reverted to being a teacher. Was  
18 there any reason for giving up [REDACTED] SNR [REDACTED] and  
19 reverting to being an [REDACTED] teacher at the school?

20 A. Yes. In the 1980s, the number of pupils was declining  
21 fairly rapidly. In 1985, when I was appointed, there  
22 was a motion to close the school, but that was rejected,  
23 and I was put in as [REDACTED] SNR [REDACTED]. And then in 1988, the  
24 numbers had decreased further during those three years,  
25 and I proposed at a meeting that the decision to close

1 the school was the correct decision and I was then  
2 relieved of my post and somebody with a different view  
3 was appointed in my place.

4 Q. Who took over from you?

5 A. Father [REDACTED] MEW

6 Q. And he was quite keen to keep the school up and running,  
7 was that his position?

8 A. I don't know. You'd have to ask the abbot about that.

9 Q. Can I move on to the subject of discipline and  
10 punishment. First of all, was there any written rules  
11 in relation to discipline?

12 A. I think the code of rules was really largely unwritten,  
13 I think. There were places and times of silence. There  
14 were places and times when you had to be in the school  
15 or in certain places. You had to -- you weren't to  
16 disrupt the routine or the teaching or the ordinary  
17 observances and usages of the school and if you  
18 disrupted life, then you were given verbal correction or  
19 possibly even corporal punishment.

20 Q. When you were housemaster, did you have any  
21 responsibility for giving corporal punishment to boys?

22 A. Only the housemasters and [REDACTED] SNR had the power to  
23 give corporal punishment, and yes, I gave corporal  
24 punishment to people in Lovat House.

25 Q. Was there an occasion where you gave corporal punishment

1 to boys who were not in Lovat House?

2 A. Not that I can recall. If that did happen, there must  
3 have been some sort of urgency about the situation.

4 Q. So it could have happened in that situation?

5 A. If it did happen. I'm not sure that it did ever happen.

6 Q. On page 2883 -- if you look at the top right you'll see  
7 the page numbers -- you were asked the question:

8 "Who administered discipline to the children?"

9 And your answer was:

10 "Prefects, housemasters and headmaster."

11 A. Correct, yes.

12 Q. You touched upon the housemaster's role. Can I just  
13 look at the role that prefects had to play in relation  
14 to the administering of discipline. What was their  
15 role?

16 A. We had homework times in the evening and the prefects  
17 presided at that to make sure there was peace and quiet  
18 and people were doing their homework. In the  
19 dormitories at night or, really, anywhere around the  
20 school, they had a responsibility of establishing order  
21 and discipline. It was in fact a great help to have  
22 somebody on the wavelength of the boys maintaining  
23 discipline in the routine, ordinary way, yes.

24 Q. What were they allowed to do insofar as maintaining  
25 discipline was concerned?

1 A. Basically, they would send people to the housemaster if  
2 they didn't heed a verbal control from the prefect. But  
3 they could give lines, say 100 lines for something, or  
4 learning a poem, or even picking up litter. They could  
5 give little impositions like that.

6 Q. What about physical types of punishment? Were they  
7 allowed to do that?

8 A. No.

9 Q. Was that made clear to them that that wasn't within  
10 their jurisdiction?

11 A. Yes.

12 LADY SMITH: How? How was it made clear?

13 A. By the routine and daily practice of the school. They  
14 picked up the unwritten code of discipline just by being  
15 through it in their junior years.

16 LADY SMITH: Were they actually told in terms that being  
17 a prefect did not entitle them to give corporal  
18 punishment of any type to children?

19 A. Well, as a housemaster I don't remember ever doing that,  
20 but there was never -- it was so sort of firmly embedded  
21 in the sort of spirit of the school that it just didn't  
22 happen. It wasn't a problem.

23 LADY SMITH: Mr MacAulay.

24 MR MacAULAY: You did mention that a child could be sent to  
25 the housemaster for punishment.

1 A. Yes.

2 Q. And if a child in your house was to be sent for  
3 punishment, it would be to you?

4 A. Yes.

5 Q. And what sort of punishment would you give?

6 A. It could be just verbal reasoning with them or it could  
7 be some task, like picking up litter or we had a custom  
8 of chopping sticks for the local old people, kindling.  
9 It could be some sort of job like that. I used to have  
10 them raking up leaves in the autumn in the grounds, for  
11 example.

12 But often it would be giving them the belt, the  
13 tawse, on the hands. And they got -- well, you could  
14 have twice-one, that's one hit on each hand, twice-two,  
15 twice-three, twice-four. The maximum was twice-six and  
16 in practice the minimum was twice-three, three strokes  
17 on each hand.

18 Q. With the tawse?

19 A. With the tawse, yes.

20 Q. What about a cane? Did you use a cane on occasions?

21 A. Very seldom was the cane used by me or by anybody,  
22 I think. I think bullying or possibly stealing other  
23 boys' money would be the chief reasons.

24 Q. And if you were to use the cane, how would that be  
25 applied?

1 A. They always came to my office, the Lovat boys, for  
2 punishment and I'd ask them to bend over a table, put  
3 their hands on a table and bend over, and they would  
4 get, say, three strokes of the cane on their behind.  
5 That was through their normal clothing and you just  
6 hoped they hadn't put some books down there in  
7 preparation, you hoped they hadn't seen it coming, as it  
8 were. You didn't sort of inspect to see if they'd put  
9 in some padding.

10 Q. You mention in the answer you have provided to the  
11 inquiry that the SNR also had a role in relation  
12 to punishment. Can you just elaborate on that?

13 A. I found that difficult because I never gave corporal  
14 punishment when I was SNR. I do remember one  
15 stage in the school when the SNR made it his duty  
16 to use the cane to persuade the boys to apply themselves  
17 to their studies more, you know, more assiduously and  
18 more productively, as it were.

19 Q. Could children be sent to the SNR for punishment  
20 as well?

21 A. Not that I recall, no.

22 Q. When you became SNR, particularly in the latter  
23 period, 1985 to 1988, was corporal punishment at that  
24 time being phased out?

25 A. It's a very difficult question for me. I stopped giving

1 corporal punishment in 1983. I might have assumed that  
2 all the other housemasters had stopped, but I can't  
3 quite remember. But certainly it was being phased out  
4 at that time, yes.

5 Q. Were there discussions among the housemasters, of which  
6 there were two or possibly three at times, about what  
7 punishments would be appropriate for children who  
8 misbehaved, or did you just do your own thing?

9 A. (Overspeaking) about all sorts of things to do with the  
10 pupils of the school and corporal punishment was  
11 discussed at that. And I remember the SNR  
12 I think in 1983, proposing to phase out corporal  
13 punishment, but he didn't get a vote wholly in favour as  
14 it wasn't phased out, but I myself decided that  
15 I wouldn't do it anymore.

16 LADY SMITH: John, if one talks about phasing something out,  
17 that suggests that a practice will continue but there  
18 will be less of it. I am not sure I understand why the  
19 approach to take should have been, "We'll carry on with  
20 corporal punishment but do less and less of it", if  
21 a decision had been reached that it wasn't appropriate.  
22 Can you help me with that?

23 A. Well, (inaudible: distorted) system at the end of a term  
24 might have been considered difficult. They might have  
25 said as from the end this term, or as from the end of



1           this month, or as from the end of this week.

2           LADY SMITH: I still don't follow that. If I decided today  
3           that children ought not to receive corporal punishment,  
4           how could I carry on doing that simply because a term  
5           hadn't finished?

6           A. I'm just saying having it as a norm of discipline, you  
7           would have to fix a time, but you could well say, "As  
8           from this moment no more corporal punishment", yes. But  
9           we never reached a decision to end corporal punishment  
10          at the staff meetings that I recall. I'm very  
11          embarrassed to say that as SNR, I think I assumed  
12          we weren't doing it anymore and I didn't bring it up at  
13          staff meetings. But it is 30/35 years ago and I just  
14          don't remember.

15          LADY SMITH: So you don't remember giving any instruction  
16          that it should stop?

17          A. Well, what has disturbed me in recent years is that some  
18          pupils who were fairly trustworthy say they got the belt  
19          between 1985 and 1988, and I thought it wasn't operative  
20          anymore. I wasn't housemaster then.

21          LADY SMITH: Mr MacAulay.

22          MR MacAULAY: When you punished a boy with the tawse or  
23          possibly the cane, did you keep a record of that?

24          A. No.

25          Q. Why not?

1 A. It just never came up as being necessary. The belt,  
2 which was the commoner thing, was very short and sharp  
3 and it sort of ... It wasn't ... made a permanent sort  
4 of mark, no.

5 Q. Do I take it from that there was never any instruction  
6 given to anyone who would give corporal punishment to  
7 a child to record that that had happened?

8 A. I never knew of any such instruction, no. I don't  
9 remember it. I'm sure there wasn't any such  
10 instruction. I'd have known.

11 Q. At paragraph 28 of your statement, John, if you could  
12 have that in front of you, you are asked about abuse.  
13 The question that you were asked is:

14 "Did you see behaviour that you considered to be  
15 abuse of any kind taking place at the establishment?"

16 Do you see that's the question?

17 A. Yes.

18 Q. You go on to say:

19 "Not abuse as such."

20 But then you give an example of an incident. Can  
21 you tell me about that episode?

22 A. First of all, it is 30/35 years ago, isn't it? So it's  
23 very hard -- it's maybe 40 years ago -- for me to  
24 remember. But some boys who had come in intoxicated --  
25 I think were brought in by the police to us, I don't

1 remember for sure. Well, first of all, they were given  
2 recovery measures and then I think they were probably  
3 punished, but I don't remember the detail of the  
4 punishment because they were more senior boys who would  
5 be in the two senior houses and so I wouldn't be giving  
6 them punishment.

7 I can't remember who gave the punishment there. Was  
8 it the SNR because the police had brought them  
9 in, or was it -- did I do three in Lovat and the Vaughan  
10 housemaster do three in Vaughan? I don't remember.

11 Q. Can I just focus on this in this way. In the folder  
12 that you have in front of you, you'll find a pseudonym  
13 list and I wonder if that could be put in front of you.  
14 The way this works is, because the names on the left  
15 have been granted anonymity, we don't mention their  
16 names, but on the right-hand column, the individual has  
17 been given a pseudonym. Do you see that?

18 A. Yes, I do.

19 Q. If you go down to the third entry you'll see there's  
20 a pseudonym for a witness who gave evidence who took the  
21 name "Ian" when he gave evidence. Can you see that?

22 A. Yes, I do.

23 Q. And do you recognise the name?

24 A. Yes, I do.

25 Q. Was this person involved in the incident you have been

1           telling us about?

2           A. As far as I remember, yes.

3           Q. So far as his evidence was concerned, he knew that two  
4           of his friends had acquired alcohol and had left the  
5           vicinity of the school. He became concerned about the  
6           fact they hadn't returned and he went searching for them  
7           and found one of them in particular in a very poor  
8           state. Is that your understanding of what happened?

9           A. If it's the incident that I recall, no. I was the one  
10          who found them. It was about a mile away in an empty  
11          house and they were all singing and having a nice time.  
12          I said, "Remember you have to be back at school an hour  
13          from now for homework", or whatever, and they said,  
14          "Yes", but then they didn't come back.

15          You see, they were all sitting down and singing when  
16          I saw them and I didn't realise they were under the  
17          influence. But when they came to walking, they wouldn't  
18          be able to walk all that much and one the lay masters  
19          went out in a car or vehicle and brought them in.

20          Q. The evidence that Ian provided is that there were two  
21          boys involved, two of his friends, who got into a very  
22          poor state, one in particular, and that at a point in  
23          time you had seen the boys and had not assisted them or  
24          taken them back to the school. And he thereafter had to  
25          go and get assistance from one of the lay teachers.

1           You're saying that's not your understanding?

2           A. That's what happened, yes, but they were sitting and  
3           singing and happy and looked very fit when I spoke to  
4           them. I didn't ask them to stand up and walk. I said,  
5           "You have to be back at school in an hour", but then  
6           I noticed when they didn't turn up and so I arranged  
7           that this lay master would bring them back, go and find  
8           them and bring them back.

9           Q. But is it your recollection that the boy who we've given  
10          the name Ian to was involved in helping these boys get  
11          back to the school?

12          A. When they got back, he was very attentive to a boy who  
13          was inclined to vomit and he sat by that boy for hours  
14          making sure he didn't vomit and choke, yes. He was very  
15          helpful.

16          Q. But notwithstanding the role that he had played, he was  
17          also punished; is that correct?

18          A. Well, the decision was made, not by me, that the whole  
19          group who were together in this escapade should all be  
20          punished, even though this boy had behaved so well when  
21          they came back. I didn't really -- I was distressed by  
22          that.

23          Q. Was it your view that this boy should not have been  
24          punished at all?

25          A. I think he had punishment enough sitting up beside this

1 other boy, mopping up when he was sick and so on.

2 I thought he had suffered sufficiently.

3 Q. What was the punishment that was handed out on this  
4 occasion?

5 A. I don't remember. I don't think I gave it. It could  
6 have been gating, that was keeping in bounds and not  
7 being allowed out of bounds for a day or two, or it  
8 could have been the belt and it could even have been the  
9 cane. But certainly I don't think I administered the  
10 punishment, no.

11 Q. I think what you say in your statement -- if we go back  
12 to it, John, it's in the last few lines -- is:

13 "Notwithstanding this, the SNR saw fit to  
14 administer the same punishment to all in the group,  
15 including the one who had volunteered to look after his  
16 friend."

17 And I think the evidence from Ian was that he was  
18 caned by the SNR Is that your recollection?

19 A. My memory isn't clear. That could have been the case,  
20 but I don't remember precisely.

21 Q. And do you remember if you took any steps to persuade  
22 the SNR that this particular boy should not be  
23 treated in such a way?

24 A. Again, I have no clear recollection. I think I would  
25 have done, but I have no clear recollection. It's

1           35 years or more.

2           LADY SMITH: Do you remember what time of day the headmaster  
3           meted out this punishment?

4           A. I think it was the next day after they had recovered.

5           LADY SMITH: Or was it possible that it happened during the  
6           night that boys were taken out of their beds?

7           A. No. They were too ill.

8           LADY SMITH: Well, one of them was.

9           A. Yes.

10          LADY SMITH: What about the others?

11          A. You see, I don't recall -- and that's what makes me  
12          think they weren't all in my house. Ian, who sat up and  
13          the one who was sick, they were in my house, but I don't  
14          think the others were, so that wasn't my business.

15          LADY SMITH: Mr MacAulay.

16          MR MacAULAY: Can I ask you about the whole issue of abuse.  
17          Did you witness what might be described as abuse at any  
18          time, whether physical or otherwise, during your time at  
19          Fort Augustus?

20          A. Could you repeat that, please?

21          Q. Yes. Did you witness any abuse, any form of abuse,  
22          during your time at Fort Augustus?

23          A. No. No.

24          Q. Did anyone, by that I mean a child, a boy, report to you  
25          that he was suffering any form of abuse?

- 1 A. No.
- 2 Q. If a boy was being abused in any way would the  
3 housemaster be a port of call for that boy?
- 4 A. The housemaster should have been, but, you know, nobody  
5 ever came to me complaining they were being bullied or  
6 abused, no.
- 7 Q. Can you tell me who the other housemasters were during  
8 your time when you were housemaster? You were  
9 housemaster of Lovat for quite some time.
- 10 A. Father [REDACTED] MFG [REDACTED] was Vaughan. That's the two  
11 senior houses. Father [REDACTED] MEV [REDACTED] was  
12 Junior House.
- 13 Q. In your view, can you help me with this: did you  
14 consider that you and your colleagues were approachable  
15 to the children?
- 16 A. Yes. The socials we had, one a week for every boy, were  
17 very informal. Again, there was a group there. But you  
18 were always available in your office, in your room.  
19 I think we were approachable, yes.
- 20 Q. And did any boy ever approach you with concerns, for  
21 example in connection with bullying, if we take that as  
22 an example?
- 23 A. No, no.
- 24 Q. Did bullying take place at the school so far as you are  
25 aware?



1 A. There was some bullying, yes. In general -- well,  
2 I mean, I only know of one or two cases -- or maybe only  
3 one case -- but I found out too late after the boys had  
4 been taken away from the school by their parents or  
5 whatever.

6 Q. But in any event, no boy came to you to say that he was  
7 being bullied?

8 A. No.

9 Q. Who else could a boy approach if the boy had some  
10 concerns, whether it was about abuse or any aspect of  
11 life at Fort Augustus?

12 A. Well, the matron was always a very sympathetic presence.  
13 There were other lay staff, you know, other lay teachers  
14 or the games master.

15 There were other monks who -- like the monk who used  
16 to look after the chickens. The boys found him very  
17 approachable and friendly.

18 Q. The matron, was she resident on site?

19 A. Always, yes. Was the matron?

20 Q. Yes.

21 A. Did you say the matron?

22 Q. Did the matron have a place in the building where she  
23 stayed?

24 A. She had a wee outhouse where 10 or 20 boys slept and she  
25 slept there. Yes, she was in charge there at night.

1 Q. Another thing you were asked about in connection with  
2 your statement, John, was about records. You say  
3 something about that in paragraph 30 on page 13 of your  
4 statement. And in particular, you were asked the  
5 question:

6 "What records did you keep when you worked?"

7 And let's break it down a bit. When you were the  
8 housemaster, what records did you keep of the boys in  
9 your care?

10 A. Well, every term a report on the boys' progress and  
11 conduct was sent to their parents. And during term,  
12 of course, you were -- there was periodic reports of  
13 their marks and studies and they were sent to you if  
14 they had neglected their homework or whatever. So there  
15 was an ongoing day by day record, really, and then a  
16 term by term record and year by year records and  
17 reports.

18 Q. Let's look at the position with you as housemaster:  
19 where did you keep the records that you were making?

20 A. I kept them in my desk. But when the school closed, or  
21 after a few years, they were considered sort of  
22 obsolete. You only kept them for a year or two,  
23 really --

24 Q. What happened to them --

25 A. -- for the boys who were in my charge.

1 Q. Just to be clear, you're saying you kept records of the  
2 boys in your desk?

3 A. Yes.

4 Q. But after two or three years, did you do something with  
5 the records?

6 A. Probably threw them out, yes.

7 Q. Why did you do that?

8 A. Because you felt they were out of date, they were not  
9 relevant anymore. Academic records were kept for years,  
10 you know, their passes and the leaving certificate and  
11 so on. They were kept for years. In fact, they  
12 probably still exist in Edinburgh.

13 Q. But personal records as to boys' behaviour and  
14 development and so on, did you have such records?

15 A. There was a termly report of that, yes.

16 Q. Did you keep records of that kind in your desk?

17 A. Yes.

18 Q. Did you then dispose of them after a period of time;  
19 is that what you're saying, John?

20 A. After they left school, you would generally not keep  
21 them any more.

22 Q. Was that the rule for some reason?

23 A. There was no rule. There was no rule about it, no.

24 Q. So just to be clear, why would you dispose of such  
25 records if there wasn't a rule that you should do so?

1 A. Because I ... They didn't seem relevant anymore. I was  
2 never called upon to refer to them. There seemed to be  
3 no use for them, there seemed to be no reason.

4 Q. They may not have been of particular relevance to you,  
5 but can you understand they might have been of relevance  
6 to the boys themselves, particularly in later life?

7 A. Well, yes, yes.

8 Q. What about when you were SNR Did you keep  
9 records of boys?

10 A. Of all SNR reports, yes.

11 Q. And again, where were they kept?

12 A. In SNR office.

13 Q. Can you tell me what happened to these records?

14 A. When I ended being SNR I probably disposed of  
15 them, probably didn't keep them. But I might have left  
16 them in SNR office, I don't remember.

17 Q. And again, if you disposed of them, would that be for  
18 the same reason we've already discussed in relation to  
19 the other records?

20 A. The new SNR -- I suppose I judged he wouldn't be  
21 interested in my old records, yes. He'd prefer his own  
22 views.

23 Q. If we look at page 14 of your statement, this is at  
24 reference 2886, towards the top you tell us at the  
25 second bullet point that:

1           "The purpose of keeping records was to monitor  
2 pupils' progress."

3           Do you see that?

4       A. Yes.

5       Q. And I think we can understand that. Then when you're  
6 asked:

7           "What happened to the records when you left the  
8 establishment?"

9           We're moving on now to when the school closed in  
10 1993, what you tell us there is:

11           "Redundant records were over a period of time  
12 disposed of."

13           And I think that's what you have been telling us.  
14 If you: considered records to be redundant then they  
15 were disposed of on an ongoing basis; is that right?

16       A. My records as a housemaster would be of secondary  
17 importance to the records of the headmaster. I think if  
18 you go to Columba House in Edinburgh or whatever, you  
19 would probably find the headmaster's records might still  
20 exist, but not the housemaster's, no.

21       Q. The [REDACTED] SNR records you kept or you made, as  
22 I understand it -- I know you're not 100% clear about  
23 it -- you think you may in fact have disposed of those  
24 because they'd be of no interest to the incoming

25       [REDACTED] SNR ?

1 A. I probably left them in SNR office for him  
2 to evaluate.

3 Q.

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7 A.

8 Q.

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11 A.

12 Q.

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17 A.

18 Q.

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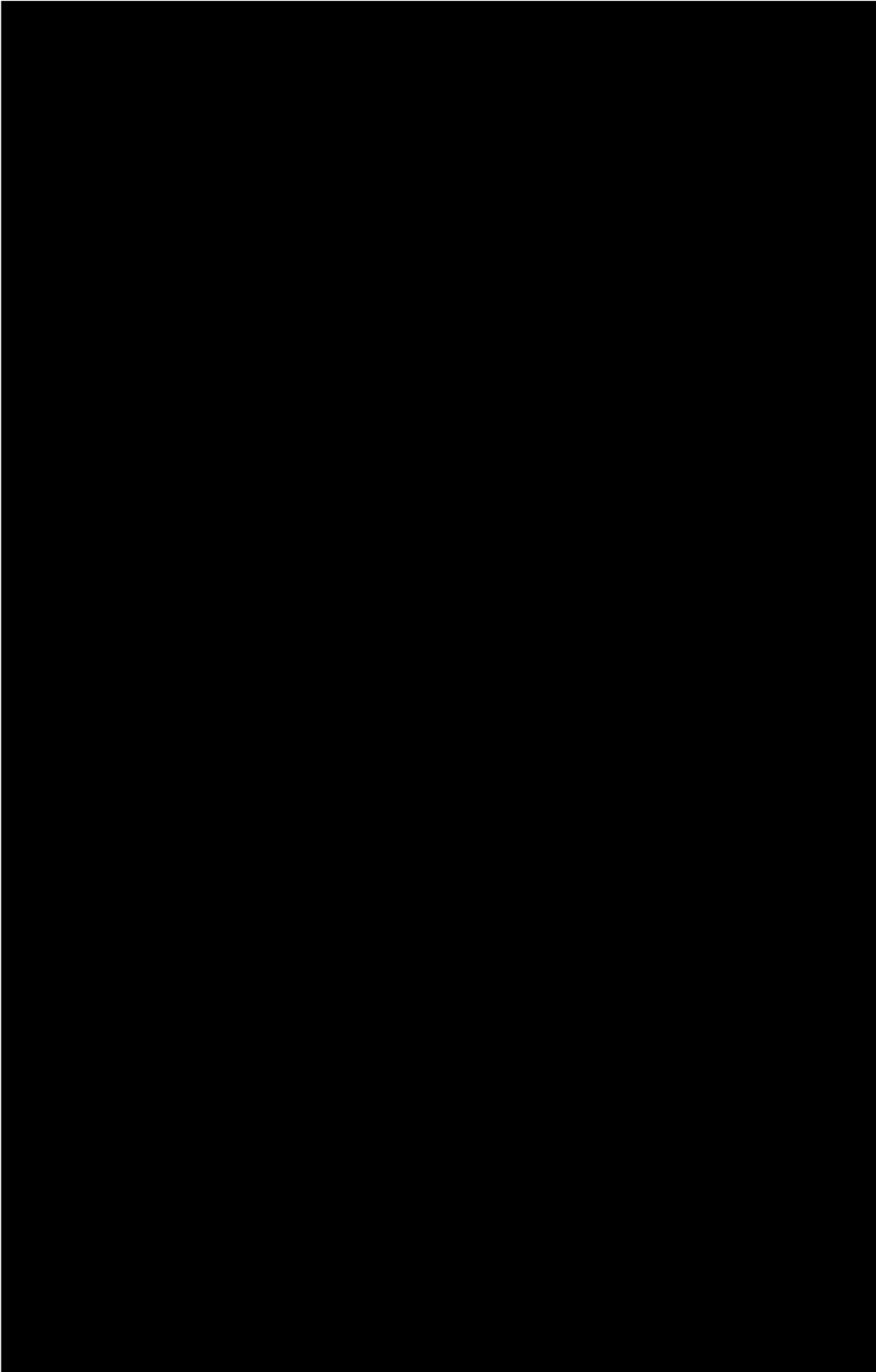
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24 A.

25 Q.

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1 Q. I have asked you this already, but during your time as  
2 a teacher at the school, and a housemaster in  
3 particular, did you have any knowledge of any  
4 allegations of abuse being made against any other  
5 housemaster or monk at the school?

6 A. No.

7 Q. If you go back to the folder and the pseudonym list,  
8 again we follow the same drill. You'll see the name to  
9 the left and the pseudonym to the right. Do you see the  
10 pseudonym "Peter"?

11 A. Yes, I do.

12 Q. Do you recognise the name?

13 A. Yes.

14 Q. During your time at the school, did you become aware of  
15 that particular boy making an allegation of sexual abuse  
16 involving [REDACTED] MEV [REDACTED]?

17 A. Only by hearsay.

18 Q. It may be, but it was hearsay knowledge then that you  
19 had at about the time that the allegation had been made;  
20 is that right?

21 A. No. [REDACTED] MEV [REDACTED] was immediately sent away from  
22 the school and when we came back for the next term,  
23 he wasn't there anymore, and this hearsay explanation  
24 was given, yes.

25 Q. Can I ask you to look at this document for me, and again



1 I think you'll have it in your folder. I'll give the  
2 reference for the transcript, first of all:  
3 BSC.001.001.3852. It's number 3 in the folder, if  
4 we can identify that. Just to confirm with you, John,  
5 if you look to the top right, can you see that the  
6 reference is BSC.001.001.3852?

7 A. Yes.

8 Q. So we're on the same wavelength. Can you see this bears  
9 to be a letter -- it is addressed to the former Bishop  
10 of Aberdeen, the Right Reverend Peter Moran, and it's  
11 dated 1 May 2010; do you see that?

12 A. I do, yes.

13 Q. If we turn to the third page of the document, can you  
14 see it appears to have been from the Very Reverend  
15 James Bell, who was the dean at the time?

16 A. Yes.

17 Q. This document sets out that on 30 April 2010,  
18 Father Bell had received a telephone call from you,  
19 John, having been contacted several times by the police.  
20 Do you see that being set out in the first paragraph?

21 A. Yes.

22 Q. I think we can read that there was to be a meeting with  
23 the police and that Father Bell wanted to be involved  
24 in that. But at paragraph number 4 do we read:

25 "Before the CID officers arrived, I had a brief

1 meeting with [that's you, John] during which he referred  
2 to the incident in which a monk, a housemaster in the  
3 Abbey School, Father [REDACTED] MEV was sent back to his  
4 home monastery in Australia after a complaint from  
5 a parent concerning an accusation of sexual  
6 impropriety."

7 Do you remember having a discussion at this time  
8 with Father Bell about the incident?

9 A. It's so long ago, I don't remember, but I can believe it  
10 did happen.

11 Q. You appear to have been aware at this time, in May 2010,  
12 that a complaint had been made and it was in relation to  
13 a sexual matter.

14 A. The police didn't come about that case at all. They  
15 came about a different allegation.

16 Q. I'm not suggesting they did. This seems to be  
17 a conversation on the side, so to speak, that you had  
18 with Father Bell.

19 A. Well, secondly, I never believed the accusation against  
20 Father [REDACTED] MEV.

21 LADY SMITH: John, just a minute. Mr MacAulay is not asking  
22 you to comment generally on what you see in the letter  
23 that he has put before you. I think he is using it as  
24 a point of reference.

25 Could I ask you to concentrate on the particular

1 questions he is asking you? I think we'll make better  
2 progress that way.

3 Mr MacAulay.

4 MR MacAULAY: Can we leave aside your own views. I just  
5 want to understand that you did have a conversation with  
6 Father Bell that involved an allegation of abuse, sexual  
7 abuse, made against Father [REDACTED] MEV .

8 A. Yes.

9 Q. I just want to understand what your state of knowledge  
10 was at the time Father [REDACTED] MEV left the school, which  
11 was in 1977.

12 A. I think it was 1976. I had no clear knowledge, no,  
13 other than I knew that an allegation had been made.

14 Q. Did you have an indication as to what the allegation  
15 was?

16 A. A hearsay allegation, yes.

17 LADY SMITH: Don't worry about the fact it's hearsay because  
18 in the inquiry context you can tell me about hearsay.  
19 What was it that you understand to have been alleged  
20 about the Father, Father [REDACTED] MEV .

21 A. It was alleged that he had given medical treatment to  
22 a boy who asked for it, and it was also alleged he had  
23 gone beyond giving medical treatment.

24 LADY SMITH: To what extent had he gone beyond it?

25 A. I don't know.

1 LADY SMITH: I'm not asking what you knew; I'm asking what  
2 you heard to have been alleged. You've told us that you  
3 certainly knew he'd been sent to the other side of the  
4 world, back to Australia. So what was it that you heard  
5 had been alleged against him?

6 A. I didn't hear what had been alleged against him.

7 LADY SMITH: But you told us you did.

8 A. An allegation of abuse, but the precise nature of the  
9 abuse I have no idea.

10 LADY SMITH: Sexual abuse?

11 A. (Pause). Yes.

12 LADY SMITH: Thank you.

13 Mr MacAulay.

14 MR MacAULAY: We have a position here, John, that I, at  
15 least, am trying to understand: one of your colleagues,  
16 who was a housemaster, has been sent away, on the face  
17 of it, from the school, having done something he should  
18 not have done. Were you not told by the headmaster or  
19 the abbot why that had happened?

20 A. No.

21 Q. Well, can you explain to me at least why you were not  
22 told?

23 A. I suppose ... I can't really explain, no. It's not  
24 really my business to know details like that. The boy  
25 wasn't in my charge or anything, and of course the monk

1 even less so in my charge.

2 Q. In hindsight, do you consider it would have been  
3 relevant for you as a fellow housemaster to have been  
4 told by the headmaster or the abbot the reasons why  
5 Father [REDACTED] had to leave the school?

6 A. No. I'm happy for people to think it wasn't my  
7 business.

8 Q. And just so I can understand who was the source of the  
9 hearsay information then that you got?

10 A. I don't remember.

11 Q. Was it well-known within the school that there had been  
12 a sexual encounter between Father [REDACTED] and Peter?

13 A. No. Not that any school personnel mentioned to me, no  
14 boy or no teacher.

15 Q. If I go back to the letter that we have from  
16 Father Bell, and go on to page 3853, there's another  
17 paragraph which begins with:

18 "The investigating officer ..."

19 Do you see that paragraph? Then it goes on to say:

20 "John reminded the officers of his previous  
21 discussions with DC Rice and outlined the situation  
22 about the complaint to the headmaster in which the  
23 father alleged that his son had been molested during the  
24 medical procedure mentioned above."

25 And there's a description of Father [REDACTED].



1 LADY SMITH: John, hang on a minute, that's not what  
2 Mr MacAulay is asking you about. He's drawing your  
3 attention to it being stated in the letter that when you  
4 all got back to school after the break at the beginning  
5 of the next term -- and when I say "you all", the  
6 housemasters -- he got you all together and he told you  
7 that Father [REDACTED] MEV [REDACTED] had been sent back to  
8 Australia because of an allegation that had been made  
9 against him.

10 Now you see that written there, does that trigger  
11 your memory of there being such a meeting?

12 A. I don't remember the exact circumstances, no.

13 LADY SMITH: Because according to this letter from the  
14 Reverend James Bell, the dean, he was told by you that  
15 that had happened in about 2010.

16 A. Well, that sort of ... You know ... It all happened  
17 25 years before 2010.

18 LADY SMITH: I see that. Yes, I see that. But this seems  
19 to be --

20 A. You see, for me to construct a scenario and for that  
21 scenario to be a fact with such a time gap, it's very  
22 hard for me to remember did I construct it or is that  
23 literally what happened.

24 LADY SMITH: John, tell me this: when the school got  
25 together again for the start of term, at the beginning

1           of each term, did the headmaster have a meeting with the  
2           housemasters normally?

3           A.   Yes.

4           LADY SMITH:   That would normally happen, would it?

5           A.   That would normally happen, yes.

6           LADY SMITH:   At that meeting would the headmaster bring the  
7           housemasters up to date in relation to any important  
8           news?

9           A.   You know ...

10          LADY SMITH:   Just tell me yes or no: at that start of term  
11          meeting, would the head bring housemasters up to date on  
12          any important news?

13          A.   It depends how private the news was.

14          LADY SMITH:   All right.   I'm sure it would be normal  
15          practice for a head to tell housemasters news that he  
16          thought they needed to know; would you accept that?

17          A.   The news you're talking about here --

18          LADY SMITH:   I'm not asking you about that particular news,  
19          John, I'm asking you about general practice.   It seems  
20          to me that it would be good practice for a headmaster to  
21          tell housemasters news he thought they needed to know at  
22          the beginning of term meeting; am I right about that?

23          A.   He would certainly tell us news we needed to know, yes.

24          LADY SMITH:   And if a housemaster had been sent away,  
25          particularly if he'd been sent away to the other side of



1 the world, that would be important news that the other  
2 housemasters would need to know, wouldn't it?

3 A. Australia was his home, where his parents lived.

4 LADY SMITH: I know that, but wouldn't it be important to  
5 tell the other housemasters that one of their number had  
6 been sent away?

7 A. Well, I suppose so. Yes. Yes.

8 LADY SMITH: Thank you.

9 Mr MacAulay.

10 MR MacAULAY: This suggests that there was some discussion  
11 and information was being provided by the headmaster  
12 about the departure of Father [REDACTED] MEV and  
13 the reason why he left. If we read on, can we see that:

14 "[You] reported that the school had a zero-tolerance  
15 policy in relation to sexual misconduct and it was his  
16 recollection that the abbot would have made the decision  
17 to send Father [REDACTED] MEV home."

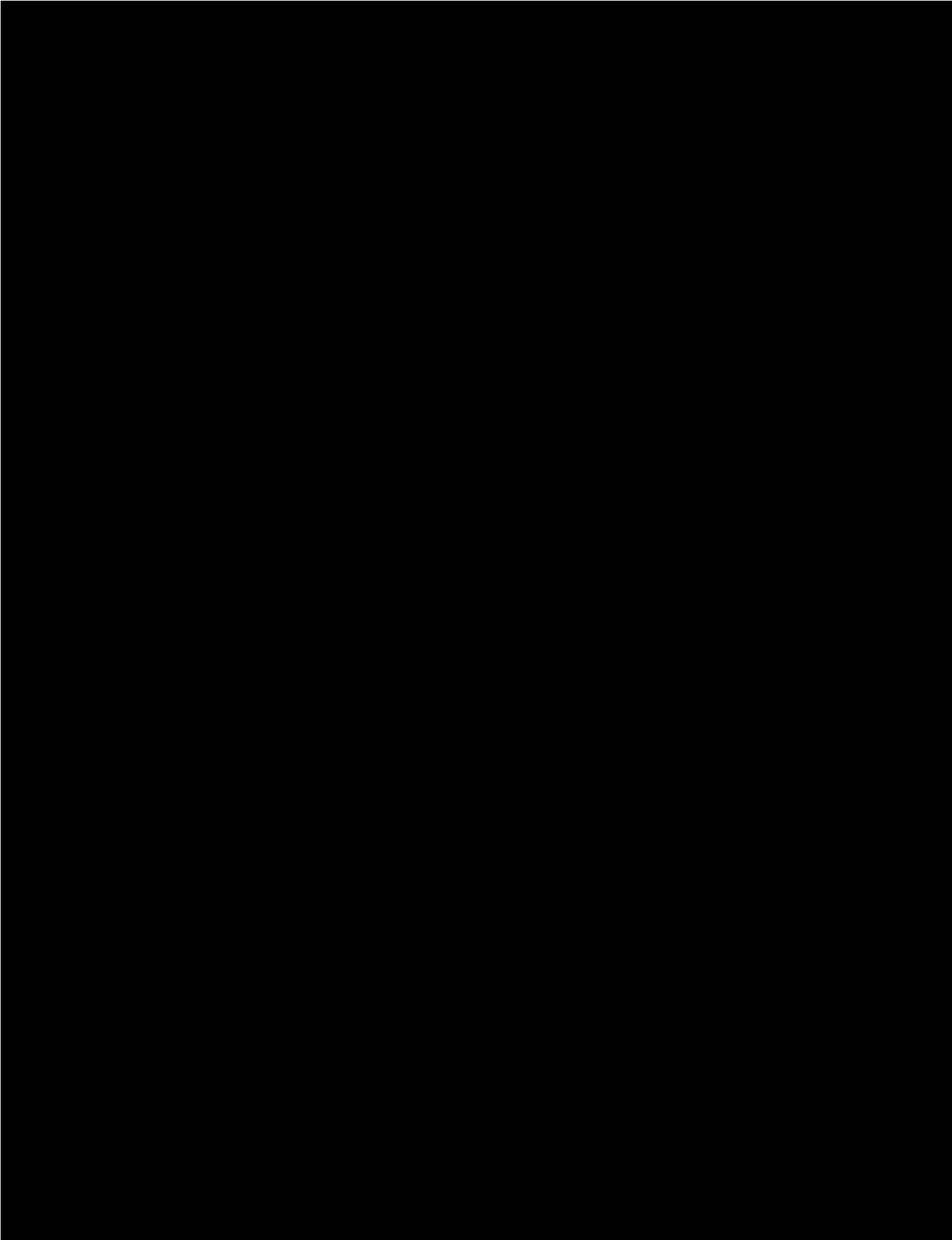
18 Does that tell us that the whole context of the  
19 sending away of Father [REDACTED] MEV was that of sexual  
20 misconduct?

21 A. (Pause). That's how it was enacted by the people who  
22 did it, yes. They were seeing sexual misconduct, they  
23 thought, yes.

24 Q. [REDACTED]

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Q. Thank you.

There was a time in 2013 when there was a TV programme with the title "Sins of Our Fathers", and you

1           recollect that programme, I think, John.

2           A. Say that again, please.

3           Q. In 2013, there was a programme broadcast with the title  
4           "Sins of Our Fathers"; do you remember that?

5           A. Yes.

6           Q. Did you see the programme?

7           A. Yes.

8           Q. Following upon that programme, did you have a meeting  
9           with Bishop Hugh Gilbert?

10          A. Yes.

11          Q. You'll bear in mind Lady Smith's caution at the  
12          beginning of your evidence and I want to explore with  
13          you what happened at that meeting and I want to put this  
14          document in front of you. I'll give the reference for  
15          the transcript: BSC.001.001.4058. You'll find that as  
16          item 7 in the folder in front of you.

17                 This bears to be the record of a meeting at  
18          St Mary's in Inverness on Tuesday, 20 August 2013. Do  
19          you see that at the top?

20          A. Yes.

21          Q. If you turn to the final page of the document at the top  
22          it says 4061. Can you see that the note of the meeting  
23          seems to have been by Father Bell again and he seems to  
24          have completed the note on 21 August, the next day,  
25          2013. Do you see that at the bottom of the page?

1 A. Yes.

2 Q. This begins, if we go back to the first page, at 4058,  
3 and we can see that those present were yourself,  
4 Bishop Gilbert and also Father Bell, who was making the  
5 notes. It begins by saying:

6 "Bishop Hugh reviewed the situation since the  
7 previous meeting with [John] on Friday, 16 August 2013  
8 at which [John] had informed the bishop of an incident  
9 and a short episode of encounters with two pupils at  
10 Fort Augustus Abbey School, which although not having  
11 led to any further expression, could be embarrassing if  
12 made public."

13 Did you, on 16 August 2013, make a number of  
14 disclosures to Bishop Gilbert?

15 A. Can we look ...?

16 Q. Sorry?

17 MR FITZPATRICK: A break, please.

18 A. Could we have a break?

19 LADY SMITH: We can take the morning break at this stage.

20 I'll break now for a quarter of an hour, if that would  
21 be suitable, Mr MacAulay.

22 MR MacAULAY: I think it is the case -- and John can confirm  
23 this -- he is in receipt of legal advice, so his  
24 solicitor is with him.

25 LADY SMITH: Thank you.

1 (11.16 am)

2 (A short break)

3 (11.36 am)

4 LADY SMITH: John, hello again. Are you ready for us to  
5 continue with your evidence?

6 A. Yes, I am, my Lady.

7 LADY SMITH: Thank you very much.

8 Mr MacAulay.

9 MR MacAULAY: Before the break, John, I had taken you to the  
10 record of a meeting that had taken place on  
11 20 August 2013. I was taking you to the first paragraph  
12 of the minute and what is said there, and I'll read that  
13 to you, is:

14 "Bishop Hugh reviewed the situation since the  
15 previous meeting with [John] on 16 August 2013 at which  
16 [John] had informed the bishop of an incident and  
17 a short episode of encounters with two pupils at  
18 Fort Augustus Abbey School which, although not having  
19 led to any further expression, could be embarrassing if  
20 made public."

21 I had moved on to ask you what is being referred to  
22 here.

23 A. I don't want to comment or to answer questions on this  
24 matter.

25 Q. In the course of this meeting, however, were you asked

1 to step aside from public ministry?

2 A. I really don't want to comment or answer questions about  
3 this matter.

4 Q. Was there an agreed form of letter of resignation with  
5 immediate effect that was to be signed by yourself?

6 A. I don't want to comment or answer questions on this  
7 matter.

8 Q. If we turn to page 4060, that's two or three pages into  
9 the document, I'm looking at paragraph 8, was there some  
10 discussion, John, that you should consider making  
11 "a voluntary self-disclosure to the police" of the  
12 admissions that you had made previously to  
13 Father James Bell and Bishop Hugh Gilbert?

14 A. I don't want to comment or answer questions on this.

15 Q. Was your response at the time that you were reluctant to  
16 consider this, taking the line that you would prefer "to  
17 be innocent until proved guilty"?

18 A. I don't want to comment or answer questions on this.

19 Q. Can I leave that aside then, John, for the moment and  
20 ask you about another incident that has been mentioned  
21 in evidence.

22 This evidence, if you go back to the pseudonym list,  
23 following the same drill as before -- this was evidence  
24 given by the first name on the list, the name "Michael".  
25 Do you see that name?

1 A. I do, yes.

2 Q. Do you recognise the name?

3 A. Yes.

4 Q. Michael gave evidence, not about something that he  
5 himself directly witnessed but about what he had been  
6 told. It was an incident involving

7 Father [REDACTED] MFA I think I'm right in saying that

8 Father [REDACTED] MFA was at the school at times when you  
9 were there; is that right?

10 A. Yes.

11 Q. He was somebody who was well-known to you?

12 A. Yes.

13 Q. Michael gave evidence that there was an incident in  
14 which Father [REDACTED] MFA invited another pupil to  
15 masturbate him and that you, John, walked in when that  
16 was happening or about to happen and you immediately  
17 walked straight back out again. Do you have any  
18 recollection of such an event?

19 A. No.

20 Q. Did you have any insight as to whether

21 Father [REDACTED] MFA sexually abused any child during  
22 his time at Fort Augustus?

23 A. No.

24 Q. Did Father [REDACTED] MFA --

25 LADY SMITH: John, just a moment: are you hearing

1 interference at your end?

2 A. No.

3 LADY SMITH: Ah. I know that during the break we have  
4 changed the volume at this end, but it is causing  
5 interference that's not good from our perspective.  
6 I think we need to break and get this fixed,  
7 Mr MacAulay. Hopefully it won't take very long.

8 MR MacAULAY: Very well.

9 LADY SMITH: I'm sorry John, we're just going to take  
10 five minutes and adjust the volume at this end because  
11 we need to hear properly what you're saying and the  
12 electronic interference is not good at the moment.

13 (11.45 am)

14 (A short break)

15 (11.48 am)

16 LADY SMITH: John, I gather we've got to the root of the  
17 problem and I hope we'll be able to hear you now without  
18 interference. I'll hand you back to Mr MacAulay.

19 MR MacAULAY: Before the short break, John, I had been  
20 asking you about Father [REDACTED] MFA Would you  
21 consider that Father [REDACTED] MFA had an alcohol  
22 problem when he was at Fort Augustus?

23 A. What problems did you say?

24 Q. An alcohol problem.

25 A. Say that again.



1 Q. Do you think that Father [REDACTED] MFA had a problem with  
2 alcohol when he was at Fort Augustus?

3 A. No, no.

4 Q. Did he drink alcohol?

5 A. We celebrated the important days with wine.

6 Q. I now want to ask you or put to you some points that  
7 have come out in evidence and where you're mentioned.  
8 Again, I'll do this under reference to the pseudonym  
9 list that you have in front of you.

10 The first person I want to go to is, again, the  
11 second on the list, "Peter", who we've mentioned before.  
12 Peter was not in your house; is that right?

13 A. I don't think so. I don't think he was in Lovat House,  
14 no.

15 Q. He confirmed in his evidence that he was never belted by  
16 you, so he did confirm that. But he also said that  
17 he had witnessed boys from Lovat House who he knew,  
18 friends, with injured wrists and blood had been drawn  
19 because of the way in which they had been belted. Is it  
20 possible that you belted with such force that you caused  
21 injury to boys?

22 A. No, I never had any complaints.

23 Q. But could you have injured boys because of the way you  
24 belted, in particular making contact with the wrists of  
25 the boys?

1 A. No, no.

2 Q. The next person I want to ask you about is the third  
3 down, "Ian", who we've looked at before. I think you  
4 told me already that you remember who Ian was; is that  
5 right?

6 A. Yes.

7 Q. He was in Lovat House?

8 A. Yes, I think -- as far as I remember, yes.

9 Q. He told us of an account where he developed a bad  
10 infection and there was a significant delay in him going  
11 to hospital, and part of the thinking he had was because  
12 you, as his housemaster, who went to see him, thought  
13 he was simply pretending or, as he put it, shamming  
14 about this. Do you have any recollection of that?

15 A. No.

16 Q. The other person I want to ask you about is the fourth  
17 on the list. He has the pseudonym "Roberto"; do you  
18 recognise that name?

19 A. Yes.

20 Q. You, according to Roberto, were his housemaster for  
21 a period and then you were SNR

22 A. That's possible. I don't remember exactly.

23 Q. His period covered May 1983 to May 1987, so that would  
24 coincide with that?

25 A. Yes.

1 Q. He, putting it bluntly, John, he described you as  
2 a bully and someone who picked on him. Does that in any  
3 way accord with your own recollection?

4 A. No, no.

5 Q. Do you remember an incident where you had produced some  
6 home brew?

7 A. I made beer for the monks all the time.

8 Q. Did you make beer that the boys would have access to?

9 A. No.

10 Q. Did you ever give the boys the opportunity of drinking  
11 some of your home brew?

12 A. No.

13 Q. Because he told us about an incident where boys were  
14 given your home brew by you, created noise, and were  
15 punished for it by being belted. Do you remember  
16 anything about that?

17 A. No.

18 Q. He also said that he was hit so hard by you that it  
19 broke a knuckle in his hand. Did that happen?

20 A. No.

21 Q. He told us about numerous occasions, as he put it, when  
22 he was belted by you and left with severe bruising on  
23 his hands. Could that have been the case?

24 A. No. Nobody ever showed me bruising.

25 Q. I asked you before about bullying. There has been

1 evidence before the inquiry, John, that bullying was, as  
2 it was put by one witness, rife at Fort Augustus. Could  
3 that have been the case?

4 A. Bullying was hidden from housemasters and the staff.  
5 That was -- the boys, if they were bullies, they didn't  
6 advertise the fact. I suppose it's possible that  
7 bullying happened that we never discovered. We didn't  
8 discover all the (inaudible: distorted) at all.

9 Q. There have also been descriptions along the lines of an  
10 atmosphere or climate of fear at the school.

11 A. No. It was a happy school, a happy school.

12 LADY SMITH: John, just taking you back a moment to your  
13 home brew: where did you make it?

14 A. Where did I make it? Gosh, um ... That's a good  
15 question. I had a cupboard in the monastery and a sort  
16 of cellar in the monastery and I used to make it there.  
17 When I bottled it, I bottled it in the cupboard near the  
18 monks' dining room in the monastery, my Lady.

19 LADY SMITH: I see. So was it available to all the monks,  
20 including those who worked at the school?

21 A. It was kept on the monastic side. On important  
22 celebration days, we did have wine on a big day, but my  
23 home-made beer, on a lesser day. St Patrick's Day, for  
24 example, would be a lesser day.

25 LADY SMITH: But you said you made it all the time; is that

1 right?

2 A. Well, it was always maturing, if you see what I mean.

3 I made batches, but then they matured for a year in the  
4 cupboard or wherever.

5 LADY SMITH: Home brew maturing for a year, really?

6 A. Yes, my Lady, yes.

7 LADY SMITH: All right.

8 Mr MacAulay.

9 MR MacAULAY: Would boys from time to time come back to the  
10 school with pornographic material?

11 A. Certainly pornographic material was found.

12 Q. And would you confiscate that if you found it?

13 A. If I found it, I would take it and destroy it, yes.

14 Q. There was a suggestion from Roberto that you had  
15 a collection of pornographic material in your study.

16 A. No, not at all.

17 Q. And I think he said also, although he didn't tell us  
18 where it had come from, that he had seen a blow-up doll  
19 in your study.

20 A. Not at all, no, never.

21 Q. I want to ask you about another incident as to whether  
22 you have any recollection of this, and this was an  
23 incident described by Ian, who you'll see who that is on  
24 the list, and it was an incident where MFG

25 MFG, who was in charge of the

1 [REDACTED] and he was attacked by over 30 boys and indeed  
2 stripped to his underpants and injured. Do you have any  
3 recollection of such an incident?

4 A. No.

5 Q. You told me earlier, John, that when you were  
6 [REDACTED] SNR you would have more direct involvement with  
7 the inspectors who came to the school; is that right?

8 A. Yes.

9 Q. I want now to look at some correspondence just dealing  
10 with that. I don't want to look at the detail of it,  
11 I just want to touch upon it. The first document I want  
12 to look at, and I'll give the reference for the  
13 transcript, is BEN.001.002.1916.

14 You will see, this is at item 8 in the list of  
15 documents.

16 A. Yes.

17 Q. You'll see that this is a letter from the Scottish  
18 Education Department, dated 15 September 1986, addressed  
19 to you, John, as [REDACTED] SNR Do you see that?

20 A. Yes.

21 Q. It's a short letter. If I read a part of it:

22 "When HMCI Mr Gallacher and I met you and later [REDACTED] SNR  
23 [REDACTED] SNR on 2 July, we expressed certain reservations about  
24 the quality of much of the education provided in the  
25 departments visited in session 1985/1986."

1           And there was discussion about how matters could be  
2           improved.

3           LADY SMITH: Mr MacAulay, reading on, it's not just the  
4           quality of the education, it's also the quality of the  
5           arrangements for pupil guidance and school management,  
6           isn't that right?

7           MR MacAULAY: It is, it's wide-ranging.

8           So were these issues that were being raised with  
9           you, certainly at this time, once you had become

10           **SNR**

11           A. I don't remember this correspondence at all, but yes, it  
12           must have happened, yes.

13           Q. If we look another document. I'll give the reference  
14           for the transcript: BEN.001.002.1926. You'll find that  
15           at item 5 in your list.

16           Have you got there in front of you a letter dated  
17           7 October 1986?

18           A. Yes.

19           Q. Again, it's from the Scottish Education Department, it's  
20           addressed to you, and it's from one of the inspectors of  
21           schools, a Douglas Osler. Can we see that it's in  
22           response to a letter by you dated 16 September and it  
23           makes reference to a visit. If we look at some of the  
24           points raised, the third paragraph says:

25           "In addition to the points listed in your letter,

1 I will want to discuss with you those matters which have  
2 not been considered with a view to receiving from you by  
3 15 December 1986 a detailed plan for action which  
4 incorporates the following:

5 "(a) A review of current staffing and a staged plan  
6 designed to ensure that teachers are appointed who have  
7 qualifications and experience relevant to their teaching  
8 duties in view of the lack of formal training and  
9 qualifications of teachers of some subjects."

10 Just on that, were there teachers there during this  
11 time who lacked formal training and qualifications?

12 A. Not that I knew of.

13 Q. But your attention was drawn then to the fact that there  
14 were?

15 A. Yes. You'll see I've written on "Is this so?"

16 Q. Yes.

17 A. I suppose I would look into it then.

18 Q. As SNR, would you not be aware of the  
19 training and qualifications of the teaching staff?

20 A. I would inherit most of the staff and they would not  
21 have been appointed by me, but certainly I was -- there  
22 was a chemistry teacher -- while I SNR I had  
23 to employ a chemistry teacher. So yes, I did employ at  
24 least one of the staff, yes.

25 Q. Are you saying that since you only became SNR



1 I think in 1985, you had not become fully aware of the  
2 nature of the formal training and qualification of your  
3 staff?

4 A. I assumed the [REDACTED] SNR [REDACTED] had qualified people,  
5 yes.

6 LADY SMITH: Did the chemistry teacher that you appointed  
7 have a teaching qualification?

8 A. I'm sure I would check on that when he applied for the  
9 job, so my answer there would be, I expect, yes. I'd  
10 have looked through his application form, but I can't  
11 remember.

12 LADY SMITH: Mr MacAulay.

13 MR MacAULAY: The letter goes on to raise a number of other  
14 issues:

15 "Management structure. Proposals for staff  
16 development. Opportunities for staff to consult widely  
17 outwith the school. Improved arrangements for personal  
18 curricula. Careers guidance to ensure pupils receive  
19 informed advice."

20 So a number of points, which imply criticism of the  
21 arrangements at the school, were being made by the  
22 Scottish Education Department. Is that a fair  
23 description of what the position was?

24 A. On the whole, I thought the staff were able for their  
25 job and qualified for their job and that things were in

1 good order, as it were. But certainly they would always  
2 be under review.

3 Q. Does the letter go on to say:

4 "The developments in (a) and (e) are envisaged as  
5 essential in bringing about improvements in the quality  
6 of learning and teaching in the school."

7 So the SED were looking on these matters, indeed as  
8 it's put, to be essential to the quality of learning.  
9 That appears to be the case.

10 A. I think I would have dealt with that in my reply to this  
11 letter, saying it was being looked into and the remedies  
12 were necessary. But I don't have a clear memory now of  
13 this correspondence at all.

14 Q. Does the letter go on to say, however:

15 "In addition, I expect that the school [and moving  
16 on to page 1928] will be reviewing its policy towards  
17 corporal punishment in the light of recent developments.  
18 I would be interested to learn of the outcome."

19 So there is an issue being raised there in  
20 connection with the school's policy towards corporal  
21 punishment. Do you see that?

22 A. I do indeed see that, yes.

23 Q. And in the final paragraph can we read:

24 "Since I last wrote to you, HM Inspector's concerns  
25 about the quality of education offered by the school

1 have been discussed at some length with the Scottish  
2 Education Department's Registrar of Independent Schools  
3 as they impinge on the school's continued registration  
4 in terms of the Education (Scotland) Act 1980."

5 Do we see there that there is some consideration at  
6 least being given as to the school's continued  
7 registration under the relevant legislation?

8 A. Yes, I see that.

9 Q. Do you remember that? Do you remember there being  
10 a concern that you might lose your registration because  
11 of the set-up of the school?

12 A. Indeed, yes. I'm trying to remedy that, you know.

13 I continued **SNR** for two more years and must  
14 have taken steps to remedy that. I don't have an actual  
15 memory now of what we did, but I think we must have  
16 taken appropriate steps. I'm fascinated to see that  
17 about corporal punishment because I don't remember  
18 dealing with that. But certainly, you know, I never  
19 gave any corporal punishment and I did think at the time  
20 that we had stopped giving corporal punishment, but  
21 I might be mistaken about that.

22 Q. Okay. Well, the next letter I want you to look at is at  
23 BEN.001.002.1930. You'll find this one at item 5 in the  
24 list.

25 (Pause)

1           It's a letter dated 9 October 1986.

2           MR FITZPATRICK: I wonder if I might say at this time that  
3           this file of documents was only made available to us  
4           yesterday evening and we haven't really had a chance to  
5           discuss this in detail with the witness. I just wonder  
6           to what extent it's going to be examined in detail here.

7           MR MacAULAY: My Lady, I don't intend to look at this in  
8           detail; I'm just picking up discrete points. If John is  
9           looking for a bit more time then we can perhaps allow  
10          for that and interpose the next witness.

11          LADY SMITH: We could do that. We could pause now.

12                 How long will the next witness take, Mr MacAulay?

13          MR MacAULAY: About an hour, I would have thought. It  
14          depends. It's a shorter witness than John.

15          LADY SMITH: We could return to John's evidence some time  
16          early this afternoon if that would be helpful. Would  
17          it?

18          MR FITZPATRICK: Sorry?

19          LADY SMITH: We could return to John's evidence some time  
20          early afternoon, breaking his evidence now. We've got  
21          another witness waiting and we could take that witness's  
22          evidence and come back to John, but it would be after  
23          lunchtime, maybe 2.15 or 2.30, and that would give you  
24          a couple of hours. Would that help?

25          MR FITZPATRICK: Yes, it would help, yes.

1 LADY SMITH: Very well, let's do that then. We'll pause  
2 now.

3 (The video link was terminated)

4 (12.12 pm)

5 (A short break)

6 (12.20 pm)

7 MR MacAULAY: My Lady, the next witness is

8 Bishop Hugh Gilbert.

9 BISHOP HUGH GILBERT (sworn)

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

11 Can you tell me how you'd like to be addressed? We  
12 usually use people's first names if they're comfortable  
13 with that, but if you wish me to use a different  
14 address --

15 A. That's fine. Hugh is fine.

16 LADY SMITH: So if I call you Hugh, that's okay, is it?

17 If you're ready, I'll hand over to Mr MacAulay, just  
18 with the request that you stay in a good position for  
19 that microphone.

20 Questions from MR MacAULAY

21 MR MacAULAY: Good afternoon, Hugh.

22 A. Good afternoon.

23 Q. In the red folder in front of you, you'll find the  
24 statement that you provided to the inquiry. Can I just  
25 ask you to confirm that that is your statement?

1 A. It looks like it, yes.

2 Q. I think you're content that the contents of the  
3 statement forms your evidence to the inquiry?

4 A. Yes.

5 Q. And I think it's also your position that, so far as you  
6 are concerned, what you say in the statement is true?

7 A. Yes.

8 Q. Hugh, can you just confirm that you were born on  
9 [REDACTED] 1952?

10 A. Yes.

11 Q. And just going back closer to that point in time, you  
12 were educated in London and you went to King's College,  
13 University of London, between 1965 and 1974; is that  
14 right?

15 A. No, not until 1974.

16 Q. That seems a long time.

17 LADY SMITH: I think that's the entirety of your school and  
18 university career, isn't it?

19 A. Yes, I would have left university in 1974. I went  
20 there, I think, in 1971.

21 MR MacAULAY: And you left with a BA honours degree in  
22 history?

23 A. Correct.

24 Q. Was it after that then that you entered the Benedictine  
25 community?

1 A. Yes.

2 Q. In 1974?

3 A. Yes.

4 Q. Can you just give us a definitive definition or  
5 description of Pluscarden?

6 A. That's debated.

7 Q. What do you say?

8 A. With the emphasis or accent on the first syllable.

9 Q. And you professed your vows in 1979 and were ordained  
10 a priest in 1982?

11 A. That's correct.

12 Q. And you became Abbot of Pluscarden Abbey in 1992?

13 A. Correct.

14 Q. Can you tell us a little bit about this particular abbey  
15 at Pluscarden?

16 A. Yes. You may have to prompt me with the kind of  
17 information you would like.

18 Q. Some background to it, because I think we've already  
19 understood that Benedictine abbeys had a degree of  
20 autonomy.

21 A. Yes.

22 Q. Were you in any way connected, for example, to the  
23 English Benedictine Congregation?

24 A. No. Pluscarden belongs to another Congregation. There  
25 would be some 21, I think it is, Benedictine

1 Congregations worldwide, and the Congregation to which  
2 Pluscarden belongs is the Subiaco Congregation, now  
3 called the Subiaco Cassinese Congregation, but it is  
4 a separate ecclesiastical or monastic entity from the  
5 English Benedictine Congregation. But obviously,  
6 there's some sort of familiar similarities, but it's  
7 a different history, different background and different  
8 what are called constitutions, which would be, as it  
9 were, the proper law of a particular congregation. The  
10 specific law of a congregation would be different.

11 Q. Would you still follow the Rule of St Benedict?

12 A. Yes, but of course the Rule of St Benedict was written  
13 in the sixth century and therefore cannot be translated  
14 tout corps into current living, so the constitutions  
15 regulate those things -- or regulate in fact, more  
16 specifically, relationships between other monasteries of  
17 the same congregation and the structures within that.

18 Q. Just looking to life within your community, this is  
19 a monastic existence, is it?

20 A. Yes. And of a different character than Fort Augustus,  
21 which had a school, as we are well aware, and had  
22 parishes. We did not, so our life would come under the  
23 rubric of contemplative rather than active or apostolic  
24 and so on.

25 Q. No doubt the numbers change over time, but for example



1           during your time as abbot in 1992 what sort of numbers  
2           are we talking about?

3           A. It sort of hovered around 20, sometimes a few more,  
4           sometimes less.

5           Q. However, your position changed because in June 2011 you  
6           became Bishop of Aberdeen.

7           A. Yes.

8           Q. And you were nominated the bishop?

9           A. Yes.

10          Q. Who did you succeed? Can you remember?

11          A. Peter Moran.

12          Q. You go to tell us in your statement, Hugh, a little bit  
13          about the relationship between the Roman Catholic  
14          Diocese of Aberdeen and Fort Augustus Abbey School. Can  
15          I just ask you to elaborate upon how you perceive that  
16          relationship to have been? Because by the time you  
17          became bishop, of course, the school was closing down.

18          A. Had closed, yes, had been closed for 18 years, I think.

19          Q. Yes, it had.

20          A. 1993. Well, because of the whole thing of what is  
21          called autonomy or what was previously called exemption,  
22          so that a monastery would enjoy its own status, shall we  
23          say, an certain independence, it would not be under the  
24          jurisdiction of the local bishop because it had its own  
25          authority in the person of the abbot.

1           The school would have been under the umbrella, as it  
2           were, of the abbey -- and a private school as well  
3           of course.

4           Q. You tell us I think that you -- and this is on the  
5           second page, 4384 -- did spend some time at the abbey.

6           A. Yes, indeed, yes.

7           Q. And in particular, that was between 1977 and 1981?

8           A. Yes.

9           Q. Was that in connection with theological studies at the  
10          abbey?

11          A. Yes.

12          Q. What about the school? Did you have anything to do with  
13          the school at that time?

14          A. No. We were discouraged from entering it, really.  
15          There was one part, if you were going from A to B,  
16          it would actually have been convenient to go through the  
17          school physically, but one didn't do that. One went the  
18          longer way. We weren't involved in teaching. The only  
19          interaction with the pupils of the school might have  
20          been at the -- or would have been at the daily Mass,  
21          really.

22                 But there was a group of us who were from Pluscarden  
23                 and doing our studies there. We were generally there  
24                 from Monday to Friday, so we were not there over the  
25                 weekends, and so when the majority of the boys would

1           have gone to the liturgy, to the Mass in the abbey  
2           church, we didn't have that contact. So we really had,  
3           I would say, minimal contact with the school.

4           Q. In paragraph 4 of your statement, Hugh, you do tell us  
5           a little bit about the relationship between the diocese  
6           and the school following upon the closure of the school.

7           A. Yes.

8           Q. And, in particular, that after the closure of the  
9           school, the diocese became aware of allegations in 2010  
10          and then again in 2013.

11          A. Yes. That's correct, yes.

12          Q. What you say is:

13                 "Almost all relevant material which came to the  
14                 diocese's notice came through other sources."

15                 And you make reference to the television programme  
16                 in July 2013; is that right?

17          A. Yes.

18          Q. But also the National Safeguarding Office?

19          A. Yes.

20          Q. If we look at the following page, page 4385, it's the  
21          second main paragraph. What you say is this:

22                 "Also, in 2013, a handful of people shared in  
23                 confidence their experiences of life at  
24                 Fort Augustus Abbey School or its preparatory school in  
25                 North Berwick, Carlekemp."

1           You go on to say:

2           "It was clear from these, sometimes explicitly,  
3           sometimes implicitly, that they were not making  
4           allegations and were not asking myself to take further  
5           action."

6           I just want to understand what you're suggesting  
7           there.

8           A. Well, this was in the wake of the television programme  
9           and then of the statement that I'd made shortly after  
10          that. It was people responding to that and I think  
11          it would come under the heading of "sharing their  
12          experiences" or responding to what I had said. So  
13          I didn't understand those as making allegations to me  
14          because these were people who were perfectly capable, if  
15          they wanted to take something to the police. They were  
16          just telling me this was what life was like and some  
17          were positive and others were negative.

18          Q. Were they making contact to you by letter or by  
19          telephone?

20          A. By email or letter, yes.

21          Q. Were there some negative --

22          A. Oh indeed, yes.

23          Q. Can you give us a flavour of what was being said?

24          A. Well, "I did not have a good time at Fort Augustus",  
25          or -- I think it's in some other documentation that I've

1 submitted to the inquiry from the diocese, or "Father X  
2 or so-and-so was not a nice guy".

3 Q. Were there allegations made of sexual abuse?

4 A. I'd have to go through those again, but sometimes these  
5 were general, sometimes they were ... But they  
6 weren't ... I don't think they were allegations in  
7 a formal sense but they were reports of unhappy  
8 experiences and I believe, I think, some of them did --  
9 I've got that here, I could check it if you want.

10 Q. If you have it there in front of you, could you tell us?

11 A. I think you have this material, but I'm happy to recall  
12 it here. So eight people who wrote to me. Sorry, what  
13 would you like me to ...?

14 Q. Just to give us an understanding of the nature of any  
15 allegations or observations being made.

16 A. Okay. One here would say:

17 "I was at Carlekemp for [that's the preparatory  
18 school as you're aware] six years and one term.

19 Father **MFA** Father **MEW** and Father **MEZ** were there  
20 at the same time and I can assure you that nothing  
21 gravely untoward happened.

22 "Admittedly, Father **MEZ** would kiss a **[REDACTED]** on  
23 the head if he performed well and would also rap one  
24 over the knuckles with a ruler if it was deserved.

25 "I remember **MFX** thrashing a boy in front of

1 half the school because he had run away due to fear of  
2 a real sadist, namely Father [REDACTED] APJ [REDACTED]."

3 That's one.

4 Q. I think rather than trawling through them, you sent  
5 those into the inquiry, so we can have regard to that  
6 material. You're saying that was material sent to you  
7 by former pupils either of Carlekemp or Fort Augustus?

8 A. Yes, exactly.

9 Q. Following upon the BBC programme "Sins of Our Fathers",  
10 did you visit the parish of Fort Augustus?

11 A. Yes.

12 Q. And issue an apology?

13 A. Yes, I did, yes.

14 Q. Why did you consider that to be necessary?

15 A. Well, I was the local bishop, therefore I had  
16 responsibility for the parish and the people in that  
17 parish because it was within the diocese and I wanted to  
18 see how they were, see how they had been affected by  
19 this. I'd made myself available if any of them wished  
20 to speak with me personally. There was obviously some  
21 press interest and BBC interest because it was straight  
22 after the programme.

23 It seemed the right thing to do to say something  
24 publicly in the wake of that.

25 Q. You also tell us that a national helpline was set up

1 with Children First to provide help and counselling for  
2 those who had been affected.

3 A. Yes. There were quite a lot of measures. It was very  
4 much discussed by our safeguarding team as to how to  
5 respond to what had come in to the public domain there.

6 We took a variety of measures. I invited a survivor  
7 from the United States to go and speak in various  
8 places, including Fort Augustus. Our safeguarding team  
9 were there and we produced some literature and  
10 information as to who they should go to, and also  
11 referred them, because they were the primary -- they had  
12 the primary responsibility, referred people to the  
13 helpline and contacts that the English Benedictine  
14 Congregation had set up.

15 Q. If we look at paragraph 5 of the statement, Hugh, you  
16 indicate there that you drafted a statement for the BBC  
17 and that was on 4 August 2013.

18 A. Yes.

19 Q. What was the background to that?

20 A. Well, that's the same statement as we've just been  
21 talking about.

22 Q. But was this made public?

23 A. Yes.

24 Q. In what way?

25 A. It was done on camera.

1 Q. Could you read that out to the inquiry?

2 A. Yes, certainly.

3 "It is a most bitter, shaming and distressing thing  
4 that in this former Abbey School a small number of  
5 baptised, consecrated and ordained Christian men  
6 physically or sexually abused those in their charge.

7 I know that Abbot Richard Yeo has offered an apology to  
8 those who suffered such abuse and I join him in that.  
9 We are anxious that there be a thorough police  
10 investigation into all of this. All that can be done  
11 for the victims will be done and all of us surely must  
12 pray for those who have suffered.

13 "The Catholic Church has been addressing this issue  
14 increasingly effectively in recent years. We want to  
15 work with all public bodies who care for the young and  
16 vulnerable adults. We wish to share our experiences and  
17 share best practice so that lessons can be learned and  
18 children be fully protected."

19 Q. And I think that statement did go out to the public.

20 A. Yes.

21 Q. If you look to the very front of your red folder, Hugh,  
22 you'll see there is a yellow tab attached to the inside  
23 cover.

24 A. Yes.

25 Q. There is a name there that we want to protect, it's



1 anonymous. You'll see the pseudonym that that  
2 particular person has been given is "John".

3 A. Certainly.

4 Q. I now want to ask you some questions about John.

5 In that connection, could I ask you to look at this  
6 document, which we'll put on the screen:

7 BSC.001.001.4058.

8 This is the record of a meeting at St Mary's,  
9 Inverness, on Tuesday, 20 August 2013. Were you present  
10 at that meeting --

11 A. Yes.

12 Q. -- along with John and Father James Bell?

13 A. Yes.

14 Q. The record begins by saying:

15 "Bishop Hugh reviewed the situation since the  
16 previous meeting with [John] on 16 August 2013 at which  
17 [John] had informed the bishop of an incident and  
18 a short episode of encounters with two pupils at  
19 Fort Augustus Abbey School which, although not having  
20 led to any further expression, could be embarrassing if  
21 made public."

22 A. Yes.

23 Q. And I think the position taken at this time was that  
24 John should step aside from public ministry.

25 A. Yes. Yes, that was actually, I think, taken about

1 two days later or four days later technically, but  
2 he was asked, I think -- well, that was a Friday. There  
3 was a weekend coming and so we asked him not to  
4 celebrate at all or do anything as a priest over that  
5 weekend, and then after I'd -- I needed to take advice  
6 on how to respond to this. By the 20th, I think it was,  
7 I asked him to step aside from all public ministry.

8 Q. What were the disclosures that were made to you by John?

9 A. Yes, well, I mentioned -- I think that question was put  
10 to me in our exchange on paper, as it were. As I said  
11 in there, I thought for quality of evidence it would be  
12 better to -- or if the police had a full statement from  
13 me and followed it up. But there is also ... I can  
14 quote you what was said. Again, this was just a few  
15 days ...

16 LADY SMITH: Is this what was said to the police you're  
17 about to quote?

18 A. It was later communicated to the police.

19 LADY SMITH: Just to follow what you're talking about,  
20 that's helpful. Thank you.

21 A. Yes. It was first of all disclosed -- well, secondly,  
22 I was the second person to hear this self-disclosure.

23 MR MacAULAY: Who was the first person?

24 A. The first person was Father James Bell.

25 Q. Are you able to tell us as best you can, Hugh, what was

1 disclosed to you?

2 A. Yes. I did not make a written record of it, personal  
3 written note of it, at the time, and I have had one  
4 experience in my life of having misremembered -- it  
5 wasn't in this domain at all, but misremembered  
6 a disclosure to me and that caused a lot of trouble.

7 But here it is, really:

8 "He admitted inappropriate behaviour with two pupils  
9 in the 1980s during his time at the school. He  
10 attempted but failed to elicit a response from two  
11 pupils, over 16 years old, both of whom had medical  
12 conditions or were unwell at the time."

13 Q. What sort of response, can you remember, was in mind?

14 A. Well, I mean, a sexual response, yes.

15 Q. Do you know if this happened -- you talk about two  
16 pupils, but do you know if it happened once or more than  
17 once with either of the pupils?

18 A. That I don't know. That I don't know. I made  
19 a statement a few days later, or at that same time, to  
20 the police, and then they followed the matter up. But  
21 we've never had any feedback from the police on that.

22 Q. I'm particularly interested in what you were told by  
23 John. Have you told us as much as you can remember then  
24 as to what was disclosed to you?

25 A. As much as I can safely remember, yes.

1 Q. Your reaction was essentially to stop him from public  
2 ministry?

3 A. Yes.

4 Q. So the concern was such that that was a step you  
5 considered appropriate to take?

6 A. It is the normal -- it would be the normal procedure in  
7 such a case. It doesn't usually come to light.

8 What was distinctive in this case was that it was  
9 a self-disclosure. It wasn't an allegation that had  
10 come to us from somebody else.

11 Q. The reference in the record to "embarrassing", can I ask  
12 you about that.

13 A. Well, I mean, it would have been shameful -- it is  
14 a shameful thing -- and would have attracted media  
15 attention and so on. That's really what was in my mind.  
16 It doesn't signify that we were not going to respond  
17 appropriately to it.

18 Q. As indeed you did to the extent of telling him to step  
19 aside from public ministry?

20 A. And also within a week having it referred to the police,  
21 yes.

22 Q. If we go to page 4060, and it's on the screen at  
23 paragraph 8(b), where there seems to have been  
24 a suggestion that John should consider making  
25 a voluntary self-disclosure to the police --

1 A. Yes.

2 Q. -- of the admissions that he had previously made.

3 A. Yes.

4 Q. And he seemed to have been reluctant to go down that  
5 route.

6 A. Yes, to be honest, I can't remember that aspect of the  
7 conversation, but the police did interview him, to my  
8 knowledge, yes. So perhaps he overcame that reluctance.  
9 But we made it very clear to him that I and  
10 Father James Bell would need to pass this on to the  
11 police.

12 Q. If we look at a letter that I want to put to you. It's  
13 at BSC.001.001.4067. This is a letter dated 23 August,  
14 shortly after the meeting we've been looking at, and  
15 Marjory -- is that the safeguarding --

16 A. That's the safeguarding adviser of the diocese, yes.

17 Q. I'll just read it out. We should ignore the name; it  
18 should have been redacted. We're talking about John:

19 "I am writing to you in your capacity as  
20 safeguarding adviser to myself. As previously  
21 discussed, John, who was formerly a monk at  
22 Fort Augustus and is now a priest, has made  
23 a self-disclosure to myself regarding two incidents with  
24 minors which occurred at Fort Augustus Abbey School  
25 during the 1980s."

1           You go on to say:

2           "Following advice given at the recent meeting of our  
3           diocesan safeguarding team and other advice I have  
4           received subsequently, I believe this disclosure should  
5           be brought to the attention of the police. I would be  
6           grateful if you would progress this matter with them."

7           So that was the course of action you took?

8           A. Yes, and subsequently, of course, I was interviewed by  
9           the police and made a statement to them.

10          Q. I want to move on and ask you to look at a photograph if  
11          you could.

12          A. Yes.

13          Q. I'll give you the reference of that: INQ.001.004.2723.

14                 I think we understand this is a photograph taken at  
15                 Fort Augustus in celebration of Father MFF  
16                 anniversary as a priest. Are you in this photograph?

17          A. Yes, I am: I'm at the end on the left-hand side, as it  
18                 were, of the bottom row.

19          Q. I think if I'm right, if you look to the left, you're  
20                 the very far left at the bottom?

21          A. Yes, correct.

22          Q. One beyond that, I think we have Archbishop Conti;  
23                 is that correct?

24          A. He would have been Bishop Conti then, yes.

25          Q. And the person in the gold vestments, is that

1 [REDACTED] MFF

2 A. Yes.

3 Q. What was the occasion, can you remember?

4 A. I can't remember. You mentioned an anniversary ...

5 Q. That's the understanding.

6 A. Possibly the anniversary of his ordination or ... [REDACTED]

7 ... the only other possibility is if it was his blessing

8 as [REDACTED] SNR but I really ... I'm afraid there are often

9 these jubilees and anniversaries and celebrations and

10 I can't remember all of them. But I would have been

11 there as a representative of Pluscarden.

12 Q. The reason I'm putting this to you is that there has

13 been evidence that we can also see in this photograph

14 [REDACTED] person [REDACTED] guilty of child sexual abuse.

15 That is Richard White, who is to the far left at the

16 top, as you look at the photograph, [REDACTED]

17 [REDACTED]

18 [REDACTED].

19 A. Yes.

20 Q. Do you know [REDACTED]

21 A. [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

1 Q. What about Richard White?

2 A. Richard White, yes, I had met him at ... Again, I don't  
3 know when, but I was aware that he had been sent to  
4 Fort Augustus from his own monastery because -- well,  
5 presumably because -- I can't remember how explicitly it  
6 was said, but presumably because of allegations against  
7 him at that time. But I certainly had just met him  
8 once, I think, at Pluscarden and possibly here.  
9 He wasn't someone I knew in the ordinary sense of the  
10 word.

11 Q. To what extent did you have any awareness that monks  
12 such as Richard White could be sent from another abbey  
13 to a place like Fort Augustus because allegations were  
14 being made?

15 A. Yes. To what extent ...? Well, I suppose that  
16 happened. Of course, the school was closed by this  
17 time.

18 Q. It was, that's correct.

19 A. Yes, the school was no longer there. I think I was  
20 possibly informed about Richard White's move, but I was  
21 not a person of any status, I was simply a monk of  
22 Pluscarden, I wasn't the Bishop of Aberdeen or the abbot  
23 of the community at that -- yes, I was the abbot of the  
24 community. If it was 1997, I was the abbot of the  
25 community, sorry.



1 Q. But as a practice --

2 A. I think what had happened in the case of Richard White  
3 was that I had been informed, possibly by the Abbot of  
4 Downside, that he was being sent there. But the  
5 chronology I wouldn't be sure of at all.

6 Q. Would you be told the reasons why he was being sent?

7 A. Yes, probably, or at least generically, shall we say.  
8 One would know that there were -- I remember -- I think  
9 it was said that there were reasons why it was not  
10 a good idea for him to be at the school at his own  
11 monastery.

12 Q. What's your view of this practice, as it seems to have  
13 been then in 1977, of sending people against whom  
14 certainly allegations of abuse have been made to a place  
15 like Fort Augustus?

16 A. I think today we would be a lot more cautious about  
17 that. I think it's important to mention that the school  
18 was no longer there and I don't know in the legal  
19 process concerning Richard White what stage that was at.  
20 But I don't think that that practice would be done or  
21 it would be done with many more safeguards than perhaps  
22 at that time.

23 I can't speak with authority about this particular  
24 person and this particular process and the subsequent  
25 story. I think he was found guilty and that is

1           lamentable, but it might have been thought that this was  
2           a safe place to send him because it was not a school at  
3           that time.

4           Q. Finally, bishop, can I take you back to your own  
5           statement, to your final paragraph, where you set out  
6           some hopes for this inquiry. Could you tell us what  
7           these are?

8           A. Yes, "Hopes for the Inquiry". Well, I suppose the great  
9           hope that we all have is that the children of today and  
10          the years to come will not have to endure some of the  
11          dreadful things that they did endure. I think that.  
12          One hopes that it will help certain survivors, the  
13          acknowledgement and so on of what happened to them, that  
14          this will be of help to them.

15                 Certainly I would mention those two things.  
16                 I suppose I could write an essay on it if I had the  
17                 time.

18          LADY SMITH: Be careful, I might ask you to! But not yet.

19          MR MacAULAY: The final comment you make there is:

20                         "The inquiry needs a clear methodology and to keep  
21                         strictly to its remit, without being distracted by  
22                         outside forces."

23                         I just wondered what you had in mind there.

24          A. Well, I suppose that is ... We would hope that ...  
25          Because often, public bodies can be set up and there can

1 be a great deal of outside interest in them, which could  
2 have -- this is not a personal comment about anybody  
3 here, obviously -- but which could influence the manner  
4 of proceeding of a body like this.

5 In our own experiences, just in so many areas, not  
6 simply this area, a clear remit and a clear process is  
7 essential.

8 Q. I think what you're saying is, really, this is an  
9 independent inquiry and it should retain its  
10 independence?

11 A. Yes.

12 MR MacAULAY: Thank you for these thoughts, Hugh, and for  
13 coming to give your evidence today. I have no further  
14 questions for you.

15 My Lady, no questions have been submitted to me.

16 LADY SMITH: Are there any outstanding applications for  
17 questions? No.

18 Hugh, that does complete all the questions we have  
19 for you. It remains for me simply to thank you so much  
20 for responding in such detail as you did to our written  
21 request for information from you and for coming along  
22 today to elaborate on that and answer questions here.  
23 It's of enormous assistance to me in the work that we're  
24 doing and it has helped particularly with one area of  
25 evidence that we needed your assistance on, so thank you

1           for that. I'm now able to let you go.

2           A. Thank you.

3                                 (The witness withdrew)

4           MR MacAULAY: My Lady, I think that would be an appropriate  
5           time to stop.

6           LADY SMITH: We'll stop now for the lunch break.

7           (1.02 pm)

8                                 (The lunch adjournment)

9           (2.00 pm)

10                                "JOHN" (continued) (via video link)

11          LADY SMITH: John, good afternoon. Welcome back. Have you  
12          had long enough to adjourn and discuss whatever you were  
13          asking to discuss?

14          A. We've had a good time -- we've had time.

15          LADY SMITH: I'm delighted to hear that you've had a good  
16          time! Let me put it this way: are you ready to carry  
17          on?

18          A. Yes.

19          LADY SMITH: Good.

20                                Mr MacAulay.

21                                Questions from MR MacAULAY (continued)

22          MR MacAULAY: Good afternoon, John. We're going to look at  
23          two more letters very briefly and I'll draw your  
24          attention to these. The reference for the transcript of  
25          the first of these -- and you'll find this in tab 5 --

1 is BEN.001.002.1930. Do you have that in front of you?

2 A. Yes.

3 Q. It's a letter from you, or a copy letter, dated

4 9 October 1986; do you see that?

5 A. Yes.

6 Q. It's your letter to a Mrs Sischy, and I think that's in

7 connection with independent schools; is that right?

8 A. I don't remember. I think it must be.

9 LADY SMITH: Do you remember the Scottish Council for

10 Independent Schools, or SCIS as it was often referred

11 to?

12 A. Yes.

13 LADY SMITH: And I think at the time Mrs Sischy was the

14 chief executive of SCIS; do you remember her?

15 A. I don't remember that, my Lady, no.

16 MR MacAULAY: You begin by saying that you're enclosing

17 a copy of Mr Osler's letter, and then there's quite

18 a number of detailed paragraphs, the first beginning

19 with the question of your continued registration, and we

20 talked about that before.

21 I want to focus in particular on the issue of

22 corporal punishment. If you could turn to page 1932.

23 A. Yes.

24 Q. At paragraph 8 you're quoting from what you described,

25 I think, as "the grim agenda" earlier on in the letter,

1 and what we can read at paragraph 8 is:

2 "Corporal punishment: are you keeping a corporal  
3 punishment record, and are you discontinuing it?"

4 And that appears to have been an item on the agenda.

5 I think what you've written is:

6 "Yes."

7 I think the "yes" there is in relation to  
8 discontinuance because I think you've already told us  
9 that there was not a record of corporal punishment being  
10 kept; is that right?

11 A. Yes, that's correct.

12 Q. And then you go on to say, because this is your letter,  
13 John:

14 "Housemasters can still give it if the situation  
15 would be mistakenly evaluated by an offender."

16 I'm trying to understand what that means. Can you  
17 remember what you meant by that, apart from the fact  
18 that housemasters could still use corporal punishment?

19 It's the other bit --

20 A. I don't remember exactly what it means, no. I suppose  
21 I was thinking somebody might sort of misbehave as  
22 a challenge because they couldn't get corporal  
23 punishment, but I don't know.

24 Q. I see.

25 A. I don't remember.

1 Q. You don't remember. Then we can read:

2 "Notice was given two weeks ago of its phasing out.

3 It is very rare."

4 A. (Inaudible: distorted).

5 Q. Sorry?

6 A. I don't remember doing that, but I must have done that,

7 yes.

8 Q. And the last letter I want you to look at is at tab 6

9 and the reference is BEN.001.002.1966.

10 Hopefully you've found the letter dated

11 31 January 1987. Do you see that?

12 A. Yes.

13 Q. It's again one of your letters to Mr Osler, where you

14 respond with more information in relation to the

15 education at Fort Augustus. Do you see that's what you

16 say at the very beginning of the letter?

17 A. Yes.

18 Q. Again, I just want to focus on corporal punishment. If

19 you could turn to page 1971. At the very bottom,

20 paragraph 6, can we read:

21 "Corporal punishment. The use of belt, cane and

22 suchlike instruments is no longer permitted. Miscreants

23 can be given constructive manual labour in the school

24 premises and grounds."

25 So does this at least mark a point in time when

1 corporal punishment was no longer permitted at  
2 Fort Augustus?

3 A. Yes.

4 Q. The reference to "constructive manual labour", is that  
5 picking up materials in the grounds and so on that you  
6 mentioned earlier?

7 A. Yes.

8 Q. Can I take you back, then, John, to your witness  
9 statement, which I trust you still have in front of you.  
10 If you could turn to page 2890, that's page 18 of the  
11 statement.

12 On that page we see that you've listed a number of  
13 monks and other people who were involved with  
14 Fort Augustus. Can I just ask you about two or three of  
15 these?

16 Father [REDACTED] MFG, who I mentioned earlier  
17 this morning, is mentioned at (a). Was he already  
18 a former pupil of Fort Augustus?

19 A. Yes.

20 Q. Was he a contemporary of yours or not?

21 A. A year behind me.

22 Q. Did you say a year behind you?

23 A. Yes. He left school in 1951 and I left in 1950.

24 Q. The other person I want to draw attention to is

25 Father [REDACTED] MFC who's mentioned at (j). Was he



1 also a former pupil of Fort Augustus?

2 A. Yes.

3 Q. Where was he in relation to you?

4 A. He was, I think, two years ahead of me. I think  
5 he would leave in 1948, but possibly it was 1949.

6 Q. Do I take it from that that you, Father **MFG**

7 **MFG** and Father **MFC** would be

8 passing through the training to be a monk broadly at the  
9 same time?

10 A. Yes.

11 Q. Were there any other monks at Fort Augustus during your  
12 time who were former pupils of the school?

13 A. Do you mean joining before me or joining after?

14 Q. Joining after you, who were there as monks during your  
15 time as a monk.

16 A. **MMF** joined in 1955.

17 Q. And he was a former pupil?

18 A. Yes. Is he on the list? Maybe not.

19 Q. But in any event he was a former pupil of the school.  
20 Anyone else?

21 A. Not on that list. I don't think any others persevered  
22 for any number of years in the monastery. One or two  
23 would come and try the life for a year or two and then  
24 leave.

25 Q. If you look at the list at (k), there's reference to

1 Father [REDACTED] MFF Was he a former pupil or not?

2 A. I think he was, yes. But I think he joined the  
3 monastery about 1940.

4 Q. So he was ahead of you, as it were?

5 A. Ten years, yes. He had left school before I joined.

6 Q. Can we see then a picture of a number of former pupils  
7 from the school simply moving on from the school to the  
8 monastery at the age of about 17 or 18?

9 A. That happened between, say, 1920 and 1955. Not much  
10 after 1955 or 1960. That source dried up.

11 Q. But the names we've mentioned, they were prominent  
12 people at the school during your time, at the school in  
13 either teaching or other capacities during your time as  
14 a monk?

15 A. What is it you're asking?

16 Q. The names we've focused upon, they were monks at the  
17 abbey and at the school that crossed paths with your  
18 time at the school?

19 A. Father [REDACTED] MFE he was at school in the 1930s,  
20 and joined the monastery, say, about 1939 or something.

21 Q. So he was ahead of you? He was older than you?

22 A. Yes. He was 10 years or more older than me.

23 Q. Can I then take you, finally, John, to what is  
24 paragraph 36 of your statement, and that's headed  
25 "Helping the Inquiry". You repeat there that you don't

1 accept that any punishment administered by you went  
2 beyond the norm in most or all schools of that  
3 particular time and that you didn't see any evidence of  
4 sexual abuse, so you can't give any reason why  
5 allegations of such against monks and members of staff  
6 have been made.

7 You go on to say:

8 "There is, however, the possibility of some former  
9 pupils having other issues and/or having unconsciously  
10 exaggerated their memories of past circumstances  
11 relating to the abuse they allege."

12 And I just wanted to fully understand what you mean  
13 by that particular comment in that pupils may have  
14 unconsciously exaggerated their memories?

15 A. Pupils could vie with each other as having had a worse  
16 punishment than their neighbour. You know, they could  
17 sort of compete with their stories and they would  
18 exaggerate or embroider their story to make it more  
19 impressive. At least I think human nature is like that.

20 Q. Are you saying that that's something that they may have  
21 carried on into adulthood, then? This process of  
22 exaggeration, as it were, has simply drifted into their  
23 adult lives?

24 A. They might be embroidering their stories, but on the  
25 other hand, of course, they could be seeking sort of

1 compensation for what they had. Seeking to hurt, say,  
2 the teachers like they might have been hurt by the belt.

3 Q. And what about sexual abuse then? You say that you do  
4 not know of -- this is on page 19, 2891. You say:

5 "As I do not know of any sexual abuse, I can't  
6 explain why some former pupils consider that sexual  
7 abuse at the abbey has affected their lives adversely."

8 We've touched upon Peter's position already and we  
9 needn't go over that again. But subject to that, can  
10 you at least understand that if children were sexually  
11 abused, that that could very well have an impact on  
12 their lives?

13 A. Yes.

14 Q. When the abbey came to close down in about 1999/2000, in  
15 1999 were you still a member of the monastery?

16 A. For part of 1999, yes.

17 Q. Did you then receive a payment in connection with that  
18 fact of £50,000 once the assets of the monastery were  
19 being wound up?

20 A. Yes. When all the belongings were sold, the return was  
21 divided among the surviving monks, yes.

22 MR MacAULAY: Very well, John. Thank you very much indeed  
23 for coming along to answer my questions and to engage  
24 with the inquiry in the way that you have.

25 My Lady, I have not received any further questions

1           for John.

2           LADY SMITH: Are there any outstanding applications for  
3           questions? No.

4           John, that completes all the questions we have for  
5           you today. Thank you very much for providing us with  
6           your written response to the questions that we sent --  
7           that's what we've been looking at today -- and also for  
8           engaging with us in giving your oral evidence so as to  
9           help me with building the picture I need to build about  
10          what was happening at both Carlekemp and Fort Augustus  
11          over the period we're looking at.

12          Thank you, as I've already said, in particular for  
13          bearing with the challenges of communicating via video  
14          link, and I know it's been quite a long link today, but  
15          I'm now pleased to say that I can let you go and the  
16          link can be switched off. Thank you.

17          A. Thank you, my Lady.

18                                 (The video link was terminated)

19          LADY SMITH: I think that's going to be all the evidence for  
20          today. Before we go on to confirming what's happening  
21          tomorrow, as some of you may have noticed, there was,  
22          I'm afraid, a failure to redact the last witness's true  
23          name in one or two of the documents that were put on the  
24          screen. I hope all of you here appreciate already that  
25          my general restriction order covers the repetition of

1           that name outside this room. Outside this room he can  
2           only be referred to by the pseudonym he chose to use,  
3           which was John. If any of you have any queries or  
4           doubts about that, please check with a member of the  
5           inquiry staff.

6           Mr MacAulay. Tomorrow morning, what do we have in  
7           store?

8           MR MacAULAY: Tomorrow morning we have a witness who will  
9           give evidence, that's the abbot. Then in the afternoon,  
10          we have a video link with America for the canon lawyer  
11          to provide us with some insight of an aspect of canon  
12          law, and I think there are a couple of read-ins to  
13          finish the evidence tomorrow.

14          LADY SMITH: Yes. I think we've worked out those would more  
15          conveniently fit in that gap tomorrow between the first  
16          witness and the second witness, otherwise there's going  
17          to be a hiatus that wouldn't be filled.

18          We'll finish now for today and leave things until  
19          tomorrow morning.

20          (2.20 pm)

21                         (The inquiry adjourned until 10.00 am on  
22                                 Friday, 20 September 2019)

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I N D E X

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3 "JOHN" (sworn) (via video link) .....1

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5 Questions from MR MacAULAY .....3

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7 BISHOP HUGH GILBERT (sworn) .....61

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9 Questions from MR MacAULAY .....61

10

11 "JOHN" (continued) (via video link) .....84

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13 Questions from MR MacAULAY (continued) .....84

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