

Friday, 14 December 2018

(10.00 am)

LADY SMITH: Good morning. We return to oral evidence this morning and, as you will see, we're going to begin the evidence with a video link to a witness who I'm now going to invite Ms Rattray to introduce.

MS RATTRAY: Yes, my Lady. The first witness is Michael Bulla, who is an applicant who has waived his anonymity.

LADY SMITH: Thank you.

MICHAEL BULLA (sworn)

(The witness appeared via video link)

LADY SMITH: I'm going to turn back to Ms Rattray and invite her to start asking questions, but Michael, if at any time you're worried about the link, the clarity of what you're hearing or what you're seeing of us, please don't hesitate to let us know. Will you do that?

A. Okay, no problem. I will.

LADY SMITH: Thank you. Ms Rattray.

Questions from MS RATTRAY

MS RATTRAY: Good morning, Michael.

A. Good morning.

Q. In front of you you'll have a copy of the statement that you have given to the inquiry. We have given it a reference number, which I will read out for our

1 recordings and that is WIT.001.002.1697.

2 First, could I ask you to turn to the very back page
3 of your statement, which is at page 1732.

4 A. Okay.

5 Q. Can you confirm that you have signed your statement?

6 A. I can confirm that I've signed my statement and dated
7 it.

8 Q. Thank you. Do we see that at paragraph 157 you say that
9 you have no objection to your witness statement being
10 published as part of the evidence to the inquiry and you
11 believe the facts stated in your witness statement are
12 true?

13 A. This is true, yes.

14 Q. Can you tell me the year you were born? I don't need
15 the date or the month, simply the year.

16 A. The year I was born was 1976.

17 Q. Michael, what I'm going to do, I'm going to ask you
18 questions about some parts of your statement. The
19 inquiry has considered your whole statement very
20 carefully, but today, because our case study today is
21 focused on Barnardo's and Aberlour, I'm only going to
22 ask you about those sections of your statement where you
23 tell us about being in care with Barnardo's at South
24 Oswald Road in Edinburgh and also at Aberlour at
25 Whytemans Brae in Kirkcaldy.

1 We'll look at the rest of your experience in care
2 more closely at another time during the inquiry. Do you
3 understand that?

4 A. Yes, I understand, yes.

5 LADY SMITH: Michael, if I can just add my explanation. The
6 way the inquiry is organised is we look in each case
7 study at groups of providers of accommodation and care
8 for children. That's why at the moment we're just
9 interested in what you can tell us about your experience
10 with two providers who are in the current group in the
11 current case study, that's Barnardo's and Aberlour. But
12 can I just add: I know that you have more evidence that
13 you've got for us, that your written statement covers,
14 and of course we are interested in that other evidence
15 as well, but not today. Do you follow that?

16 A. I follow, yes.

17 LADY SMITH: Thank you.

18 MS RATTRAY: Michael, I'm going to ask you questions about
19 your statement in four parts. In the first part, I'll
20 ask you about some of your background before you came to
21 be in care. In the second part, I'll ask you some
22 questions about when you were living at Aberlour in
23 Whytemans Brae in Kirkcaldy. In the third part, I'll
24 ask you about living at Barnardo's in South Oswald Road
25 in Edinburgh. In the fourth and final part, I'll ask

1 you about the effect your experiences in care have had
2 upon you in your adult life.

3 Turning to the first part, which is the background
4 to you coming into care. On your statement at page 1697
5 you tell us about your family life before going into
6 care and you tell us that your mum was from Edinburgh
7 and your dad is from Germany; is that right?

8 A. This is correct, yes.

9 Q. You don't remember the time when your mum and dad were
10 living together because you were very young?

11 A. I was only 2 years old when my father left myself and my
12 mum, yes.

13 Q. You lived with your mum and there appeared to be some
14 problems that you had with your behaviour after you were
15 attacked by a man when you were only 5 years of age;
16 is that right?

17 A. That's right, yes.

18 Q. In addition to that, your mum suffered from depression
19 and she found it difficult to cope with looking after
20 you. Your auntie was worried about you so she spoke to
21 the Social Work Department and you were taken into care.

22 A. That's correct. My mother had two jobs, she was also
23 training to be a nurse. My mother was very young when
24 she had me -- she was only 17 years old -- and when my
25 father left, it was too much for her. My mother

1 asked -- my auntie asked to adopt me, but my mother
2 didn't agree. Then my auntie was worried about my
3 safety -- can you still hear me?

4 Q. Yes, I can.

5 A. My auntie contacted the Social Work Department. I'm not
6 sure if my auntie knew about me being attacked by
7 a strange man when I was 5 years old in the park, but my
8 mother was aware of it, but no one contacted the police.

9 Q. You tell us in your statement throughout your statement
10 that you spent time -- are we okay, can you hear me?

11 A. Yes. Something's come up on the screen. I just want to
12 get someone to fix it.

13 (Pause)

14 Okay, I can see you now.

15 Q. I was saying that you tell us in your statement that you
16 spent time in care at different places during your
17 childhood and what I'll do now, I'll just list out the
18 various places you tell us you stayed in.

19 A. Yes.

20 Q. You stayed in: Canaan Lodge in Edinburgh; Barnardo's at
21 South Oswald Road; Howdenhall Centre; Cruachan in
22 Balerno; Rossie Farm; Comiston House; Aberlour at
23 Whytemans Brae in Kirkcaldy.

24 Today, as I explained at the outset, we're looking
25 at your time in two of those homes, Barnardo's at South

1 Oswald Road and Aberlour at Whytemans Brae in Kirkcaldy.

2 You do tell us that you can't always remember what
3 age you were when you stayed in the different
4 children's homes, but the inquiry has seen some records,
5 your children's records, Michael. What they tell us
6 is that they say that you were at Barnardo's in South
7 Oswald Road at two different times. The first time was
8 from 15 January 1986 until 11 June 1987. So you would
9 have been in there when you were aged about 10 and you
10 would have left when you were aged about 11.

11 A. I see, okay.

12 Q. But later on, you went back to Barnardo's at South
13 Oswald Road and the second time it says in your records
14 was from 4 April 1989 until 28 June 1989. So that was
15 a shorter period, for about three months when you were
16 aged 13. Does that generally fit with your memory of
17 things, Michael?

18 A. I don't have any memory of it, but it would be correct,
19 yes.

20 Q. So ages and dates are quite vague when you're trying to
21 remember your childhood?

22 A. Yes.

23 Q. Records we've seen also tell us that you were at
24 Aberlour in Kirkcaldy from 2 November 1989 until
25 30 July 1991. So you'd have been there from about the

1 age of 13 to the age of about 15.

2 A. I was there until -- yes, until 15, that's correct.

3 Q. I'm going to take this slightly out of order in terms of
4 time. What I'm going to do is I'm going to go next to
5 the second part, which is actually to look at your
6 experiences at Aberlour when you were aged 13 to 15.

7 Michael, you tell us about that at page 1718 of your
8 statement. That's page 22 at the bottom, it's
9 paragraph 100.

10 A. Yes, I have it.

11 Q. Michael, you tell us Aberlour was a special home.
12 Can you explain to us what was special about that
13 particular home?

14 A. Well, the Aberlour Trust was set up by a man called
15 Mr Tim Foley. He's from America and he brought the idea
16 from America over to Scotland. Aberlour Trust at
17 44 Whytemans Brae is for children who have
18 experienced -- who have emotional problems or
19 experienced maybe some sort of abuse in the past.

20 It was special in that way. It wasn't for any
21 child: it was for children who had these kind of
22 problems. I'm still a bit unclear of what all the
23 (inaudible) because I was very young when I was there,
24 but I was told by Tim Foley it was a special set-up for
25 children.

1 Q. So when you arrived there, did Tim Foley or anyone else
2 explain to you why you were coming to Aberlour?

3 A. Yes, but my memory's quite vague why I went to
4 Aberlour Trust.

5 Q. It would probably be fair to say that at the time, you
6 were a child who'd had some problems, you had had
7 problems with your behaviour and you needed support and
8 help with that; is that fair?

9 A. That's correct, yes. That's fair.

10 Q. Do you remember, how many children were at Aberlour?

11 A. The Aberlour Trust, it had 44 Whytemans Brae and I think
12 it must have been maybe -- I'm not sure if there were
13 six children or ten children. They had other houses
14 in that housing estate which had smaller groups of
15 children. The home that I was at there was maybe six of
16 us, I think.

17 Q. The six children, were they all boys or was it boys and
18 girls?

19 A. One was a girl and the rest were boys.

20 Q. You mention at paragraph 100 that you were more
21 independent there. Can you help us understand what you
22 mean by that?

23 A. I was learning to play guitar. I went to the local
24 boxing club for one year. I also went to a Thai boxing
25 club for around about a year. So I had special

1 interests, which I went to, hobbies. I also had friends
2 within that housing estate who were older than me, who
3 were mature, more mature than me, and I used to go out
4 jogging every morning to get fit for the boxing club.

5 Q. These activities, were these things which were
6 encouraged?

7 A. By Aberlour Trust, yes. My idea is Aberlour Trust
8 supported the kids to go out and have hobbies if you
9 wanted to.

10 Q. That independence you were given to enjoy a life outside
11 the actual building of the home, did you find that
12 helpful --

13 A. Yes.

14 Q. -- for you?

15 A. I think it was helpful when you're aged 15 because it
16 can prepare you to have an experience what it would be
17 like having a normal life if you weren't in care, maybe.

18 Q. So did you find it helpful in preparing you for life as
19 an adult beyond care?

20 A. Yes. It was my first time since in care that I had
21 friends and hobbies and interests, yes.

22 Q. You make the general statement at the end of
23 paragraph 100 that at Aberlour it was good and you
24 enjoyed it; is that fair?

25 A. Not always because when I first went to Aberlour Trust

1 I got bullied by the bully of the home and that made
2 life difficult. I also got made to share a room with my
3 bully. That wasn't a nice experience.

4 Q. I'll ask you about that in more detail later on.
5 In relation to staff at Aberlour, who was in charge of
6 the home there?

7 A. The person in charge -- the owner of the home was
8 Mr Tim Foley.

9 Q. And do you remember any other members of staff who were
10 there?

11 A. A man called **BBB** -- I think he was my key worker, maybe.

12 Q. What was the role or job of the key worker?

13 A. The key worker is responsible -- I'm not sure how to say
14 it -- for your well-being or responsible to cater for
15 some of your needs while in care.

16 Q. How was your relationship with **BBB** your key worker?
17 Was it a good one or was it not so good?

18 A. It was good, it was good, very good.

19 Q. I think you tell us in your statement at paragraph 101
20 that he did weights and perhaps that --

21 A. Yes.

22 Q. -- was something you were into as well; is that right?

23 A. Yes, he was very physical. He did weights. We had toy
24 fighting and this was okay for me most of the time.

25 Also, I went to a boxing club because I was getting

1 bullied and I tried to find a way to be able to look
2 after myself better.

3 Q. Turning to the issue of being bullied, Michael, you tell
4 us that you shared a room with one other boy. You don't
5 have to tell us the boy's name just now because you have
6 given it to us and we have it in your statement. You
7 tell us that that boy was older than you and you were
8 sharing a room with him. Was there anyone else in the
9 room or was it just the two of you who shared the room?

10 A. It was two of us.

11 Q. You tell us that you had some problems with him.

12 A. Yes. Whilst coming down the stairs, he kicked my face
13 until my face burst open.

14 Q. Did the staff see that happen?

15 A. I told the staff, but they didn't do anything about it
16 as far as I could see. They didn't take it seriously,
17 which I don't understand why.

18 Q. Do you remember who it was that you told?

19 A. I can't remember who -- I'm not sure who I told at that
20 time.

21 Q. It may well be that your feelings at the time is you
22 thought it wasn't being taken seriously, but there is
23 some reference in your children's records about that
24 event and that assault, which appears to have occurred
25 on 15 April 1990.

1 A. Okay.

2 Q. It appears in fact that it was reported to the police.

3 Was that something you were aware of at the time?

4 A. I wasn't aware of this. I wasn't aware.

5 Q. It does seem that the boy was charged with assault.

6 A. You know, I wasn't aware he was charged with assault,
7 there was police involvement, but yes, if so, it's good,
8 yes.

9 Q. Once you had reported it, although your feelings at the
10 time was that it wasn't taken seriously, what happened
11 in relation to sharing a room with this boy? Did you
12 still have to share a room or did that change at all?

13 A. I think the home's opinion was to let me continue
14 sharing a room with this guy, the other boy, because
15 they thought it would give me a chance to bond with the
16 other boy and maybe it might sort out the differences.
17 In the end, they thought if they put us together
18 it would, through time, make things better. That's the
19 impression I got.

20 Q. Did this boy's behaviour towards you change?

21 A. After I went to the boxing club, he asked me what
22 I learned and I gave him a demonstration, and after that
23 he said, "There's no way I could beat you any more", so
24 after that he left me alone and everything was fine
25 after that.

1 Q. Another matter you tell us about, about your time at
2 Aberlour, was that there were certain young people who
3 were involved in a sexual relationship with each other
4 and you had concerns because at least one of the young
5 people, a girl, you thought was under age. Can you tell
6 us about that?

7 A. Well, the home had boys, there's one girl, and sexual
8 contact with her and the boys ... But I must say,
9 they're all of the same age. Me personally, I didn't
10 take part, but they're all the same age. So I'm not
11 sure by law if it would be classed as underage sex.
12 Maybe it is. But they're all around the same age group.

13 Q. Were the staff aware of those kind of relationships
14 taking place in the home?

15 A. I could imagine so. I should imagine so.

16 Q. Do you know whether the staff did or said anything to
17 try and stop that kind of relationship taking place
18 within the home?

19 A. I don't know. I don't know.

20 Q. The third thing you tell us about at Aberlour is there
21 was an occasion involving your key worker, **BBB**. You
22 tell us at paragraph 113 of your statement on page 1721
23 that you used to play-fight with **BBB** is that right?

24 A. That's right, yes.

25 Q. What happened?

1 A. One time, he hit me too hard and bruised my arm, so
2 I went to Tim Foley and they called my mother and my
3 stepfather and they asked me if I wanted to press
4 charges, getting the police involved. But they told --
5 Tim Foley or one of the other workers told me if I get
6 the police involved, BBB would lose his job. BBB
7 I think he had a wife at the time or a new girlfriend,
8 I think he had a baby or something, so at the time
9 I decided not to press charges with the police.

10 Q. I think you describe in your statement at paragraph 116,
11 that you found that was a difficult situation to be in.

12 A. It's difficult because I liked BBB and it's a difficult
13 situation. Me personally, I don't think he bruised my
14 arm on purpose, but he was a strong man, he did weights,
15 he's very physical, and it seems to me it was an
16 accident. But I was just very young and he hit me too
17 hard. I'm not sure what to think about it at the
18 moment.

19 Q. From what you've described and what you say in your
20 statement, that you decided to take no further action,
21 did you feel that the responsibility for making
22 a decision about what should happen was being given to
23 you?

24 A. Yes.

25 Q. And how did you feel about that, that you were the one

1 who was being asked to decide whether or not action
2 should be taken or not against BBB

3 A. Yes. Yes, I think Aberlour Trust should have decided
4 themselves what should have been done when it comes to
5 the police. I don't think the responsibility should
6 have come on me. I don't know.

7 Q. Michael, the inquiry has spoken to BBB about this
8 because when someone makes an allegation against
9 a person, we try and find that person and ask them about
10 it and also to give them a chance to answer and to tell
11 us what their position is.

12 What BBB has told us is that he says that
13 play-fighting was not condoned and was actively
14 discouraged, but that he and his colleagues often had to
15 respond to young people when they sought physical
16 contact, but not through play-fighting. So he denies
17 the allegation and says that he doesn't accept that the
18 events described by you ever took place. What's your
19 response to that?

20 A. Well, I'm not happy he said this because it's untrue.
21 My mother has also offered to give evidence to the
22 inquiry. My mother's aware of this incident between
23 myself and BBB at Aberlour Trust because I told my
24 mother about it. The owner, Tim Foley, was the one who
25 was in the same room with my mother and my stepfather

1 and myself, asking me if I would like to get the police
2 involved.

3 Q. To your knowledge, at the time, although **BBB** tells us
4 that he didn't think something like that happened in the
5 way you described, at the time do you know whether or
6 not **BBB** accepted that he had perhaps hit you with too
7 much force in the course of play-fighting?

8 A. I think he's not accepting responsibility. I was only
9 15 years old and he was a big man to me. Also, he did
10 weights, he was very strong and very physical. In the
11 past, play-fighting with him was sometimes a bit too
12 rough for me, but I just accepted it because sometimes
13 I liked to play-fight. It's good for self-esteem. But
14 I don't ... I think **BBB** should take responsibility of
15 what happened, yes.

16 Q. Michael, we know that at the end of July 1991 you left
17 Aberlour and that was through a decision of the
18 Children's Hearing and it was considered that your time
19 there had been of benefit to you and you were now able
20 to return home. What preparation took place that you
21 can remember for you leaving Aberlour and returning
22 home?

23 A. The Aberlour Trust told me if I stayed in Kirkcaldy they
24 would help me get a flat and help me integrate into
25 society, back into society, and give me a lot of support

1 and get stuff for the house and things. But I decided
2 to go back with my parents in Edinburgh, so the
3 Aberlour Trust were unable to offer me the support they
4 would have given me if I stayed in Kirkcaldy. I went
5 back to my mother in Edinburgh.

6 Q. If the Aberlour Trust considered they couldn't support
7 you in Edinburgh rather than in Kirkcaldy, did you get
8 any other kind of support, say from your local authority
9 social worker?

10 A. No, no.

11 Q. Because I think you tell us in your statement at
12 page 1723 or page 27, paragraph 120, you say that:

13 "I left Aberlour when I was 15 and a half. There
14 was no preparation before I left. I just left care.
15 There was no social worker or support worker help after
16 that. I was just left to come out of the system."

17 You say:

18 "I think I would have got support if I had stayed in
19 Kirkcaldy."

20 A. That's right.

21 Q. But because you moved in with your parents, that wasn't
22 available?

23 A. This is correct, yes.

24 Q. Michael, I'm now going to turn to the third part of my
25 questions, which is about your experiences at Barnardo's

1 at South Oswald Road.

2 You tell us about that starting at page 1702,
3 paragraph 22, which is also page number 6 at the bottom
4 of the page.

5 Obviously, you tell us you think you were maybe
6 about 6 years old, but we've been able to confirm that
7 you were there on two occasions, one when you were about
8 ages 10 to 11 and the other occasion for about three
9 months when you were aged 13.

10 What was the house like at South Oswald Road?

11 A. South Oswald Road was a big mansion with its own
12 grounds. It had a play park in the grounds. It had
13 a games room, a TV room, a dining room for people eating
14 their meals, the children, a staff room. It had
15 different levels within the home, maybe two levels or
16 so. Some of the children shared a dorm and some had
17 their own single individual rooms in the annex of the
18 mansion, the children's home, Barnardo's.

19 Q. [REDACTED] ?

20 A. Yes, good question. I don't know. [REDACTED] BDL

21 Q. Yes.

22 A. Or [REDACTED] BDL . I can't place his name, I can't remember.

23 Q. Certainly in your statement at paragraph 25 you tell us
24 that [REDACTED] was called [REDACTED] BDL .

25 A. I think it's -- I'm not sure if it's [REDACTED] BDL or

1 BDL I'm not really sure.

2 Q. I think we've managed to establish that it is in fact

3 BDL so when you say BDL in your statement,
4 you are right there.

5 A. Yes, right.

6 Q. So how did BDL treat you on the whole in general
7 terms?

8 A. BDL was a big, heavy man. Sometimes my behaviour
9 wasn't very good, I admit that, but my concern was when
10 BDL restrained people, he used to put his whole body
11 weight on my chest. This was too much pressure for
12 a child to experience at that time, I think, because
13 he was quite fat, you know, quite big.

14 Q. If we just move on to that, in fact you tell us about
15 that at page 1706, paragraph 45. You tell us:

16 BDL restrained me when I misbehaved. He put
17 his body weight on my chest and I remember not being
18 able to breathe properly."

19 You say that:

20 "I understand that people have to be restrained, but
21 he was too large to be applying that pressure to my
22 chest."

23 A. That's correct, yes.

24 Q. You say that:

25 "Nowadays, the way in which he restrained me would

1 be viewed as unacceptable."

2 A. Yes. The reasons for that is because people nowadays
3 that work in children's homes would probably have better
4 people skills and would resolve situations in
5 a different way. So I think the way that people like
6 BDL responded to someone's behaviour is not the
7 best way nowadays, but I think back then society was
8 a bit different and things were done differently.

9 LADY SMITH: Michael, can you tell me where you would have
10 been when BDL was restraining you in this way?

11 A. Yes. I was in the main -- outside the staff office --
12 in the hallway there's like a staff office. It was
13 right outside the staff office.

14 LADY SMITH: Were you standing by a wall, for example, or
15 were you lying down?

16 A. He restrained me -- I was lying down, yes.

17 LADY SMITH: Was he alone or were there other staff there as
18 well?

19 A. I can't quite remember, but I think it was him by
20 himself at the time, yes.

21 LADY SMITH: Right. Was it he that put you on to the floor?

22 A. Yes.

23 LADY SMITH: Thank you.

24 Ms Rattray.

25 MS RATTRAY: Did this physical restraining happen on more

1 than one occasion?

2 A. With [REDACTED] BDL I can only remember one time.

3 Q. Did you ever see it happen to other children?

4 A. Yes. It was the norm, you know. Such children as
5 myself at the time had behaviour problems and sometimes
6 people got restrained, so it was a normal occurrence
7 in the care homes. Some of them.

8 Q. Was it part of that normal occurrence that a member of
9 staff would have the child on the floor and lie on top
10 of the child on the floor and restrain them on the
11 floor?

12 A. Yes.

13 Q. Did you tell anyone what had happened?

14 A. Well, [REDACTED]
15 there's no one you can really go to, there's no one you
16 can turn to and speak about it.

17 Q. Did you have any contact with a social worker at that
18 time?

19 A. Yes, I did. Her name was Iris Fletcher, but I can't
20 remember the conversations I had with my social worker
21 because when my social worker come to see me, we used to
22 go to the gardens and go for something to eat. We had
23 similar interests, so when I was with my social worker,
24 I tended to forget about the care home. It gave me time
25 to give me a break from Barnardo's.

1 Q. So what you're saying is that wasn't a time that you
2 felt you were able to talk about any problems that you
3 might have had in the home?

4 A. That's correct, yes.

5 Q. You tell us, going back to paragraph 24 of your
6 statement, that you had a key worker at Barnardo's, too.

7 A. Yes.

8 Q. But you can't really remember the name of the key worker
9 there?

10 A. I think it was -- Sandy was my key worker. Sandy.

11 Q. Was the role and job of the key worker in Barnardo's the
12 same as you have described for the key worker at
13 Aberlour?

14 A. Yes.

15 Q. What was your relationship like with your key worker?

16 A. It was good, good relationship, yes. We used to play
17 Japs and Commandos in the grounds, so there was a key
18 worker and he was the second in charge of the home,
19 Sandy. I remember he played guitar. He had a flat
20 annexed next to the -- joined on to the home with his
21 family. They used to always play with the kids and play
22 Japs and Commandos, so I had some good times with Sandy.

23 Q. Turning to the sleeping arrangements, did you sleep in
24 bedrooms or was it dormitories at South Oswald Road?

25 A. It was both. Some people had their own room and some

1 people shared a dormitory.

2 Q. How many children were at the home, do you think?

3 A. I can't remember.

4 Q. In your bedroom or dormitory, how many children did you
5 share with?

6 A. The dormitory I was in, there was around six children
7 in the dormitory, the room, six of us.

8 Q. And the children at South Oswald Road, was it all boys
9 or was it boys and girls?

10 A. All boys.

11 Q. At mealtimes, what was the food like?

12 A. The food was good. We had a cook called Tony. I think
13 he was sort of Italian. He cooked good meals, I think.
14 I have no complaints with the food at South Oswald Road.

15 Q. Did the staff and children all eat together?

16 A. Eat together, yes.

17 Q. What happened if someone didn't like their food?

18 A. Yes, good question. I didn't always like -- I liked the
19 food most of the time. I think there was one occasion
20 I didn't like the food, I refused to eat it, and what
21 happened was he tried to force-feed me the food.
22 I remember this, but I forgot to mention this in my
23 witness statement. You just jogged my memory.

24 Q. Who was it who tried to force-feed you?

25 A. I can't remember who it was exactly.

1 Q. Whoever tried to force-feed you, what did this person
2 do? Well, firstly, was it a man or a woman? Can you
3 remember?

4 A. I can't remember.

5 Q. This person, when they were trying to force-feed you,
6 how did they do that?

7 A. Get the fork and hold you and try and get you to eat
8 it -- I think it must have been [REDACTED] [REDACTED] her name
9 was. I'm not sure.

10 Q. You mention a member of staff called [REDACTED] --

11 A. Yes. She was terrible, yes.

12 Q. -- and it may have been her who was force-feeding you.
13 But apart from that did you experience any other issues
14 or problems with [REDACTED]

15 A. Yes. I didn't have a good relationship with [REDACTED].
16 When I didn't do what she wanted me to do, she used to
17 lift my top up -- she had big sharp nails, and she'd
18 scratch my chest, my chest would bleed. She did this
19 a number of occasions.

20 Q. You have told us about that at paragraph 46 of your
21 statement, Michael.

22 A. Yes.

23 Q. You say there that she had big, long, sharp nails and
24 when you misbehaved, she would lift your top and scratch
25 your chest with her nails until your chest was bleeding.

1 A. Yes.

2 Q. You say she did this every time you didn't do what she
3 wanted you to do?

4 A. Yes.

5 Q. But you can't remember how many occasions this would
6 have happened?

7 A. It was quite a lot of times.

8 Q. Did you tell anyone else what **BEI** was doing to you?

9 A. No.

10 Q. Can you help us to understand why it was you didn't tell
11 someone that **BEI** was doing this to you?

12 A. You know, when I was a child I didn't have much common
13 sense. I didn't have any -- obviously I had no
14 education. I wasn't ... I didn't know how to complain.
15 I didn't know if it was normal or abnormal. I was only
16 a child at the time. So it's not so easy. Now it would
17 be easier to say, but when you're actually at the time,
18 it's not so easy. I was uneducated and I didn't know
19 what to do.

20 Q. Turning now to the leisure time that you spent at South
21 Oswald Road. You have told us about your key worker
22 playing Japs and Commandos with you. Were there any
23 other activities that the children did there?

24 A. Yes. There was like a playground. I think we had
25 a flying fox. You know the flying fox?

1 Q. Yes.

2 A. We had a flying fox.

3 Q. You described at Aberlour you went out to do boxing and
4 other outside activities --

5 A. Yes.

6 Q. -- were there any outside activities or groups you could
7 join when you were at South Oswald Road?

8 A. No. I didn't get encouraged to go on any hobbies.

9 Q. What about trips and holidays? Were you ever taken out
10 on a trip or holiday when you were there?

11 A. Yes. South Oswald Road took us to Spain, the
12 Costa Brava, to a campsite.

13 Q. Was that something you enjoyed?

14 A. I enjoyed it, but we had to get the bus and it took us
15 two days to get there. It took a long time to get
16 there. It was a good holiday, but me and some of other
17 boys, we got the fire extinguishers and had a water
18 fight, so the owner of the campsite wasn't very happy.
19 But I enjoyed the sunshine and the break from the
20 children's home, so it was quite good.

21 Q. When you were there, did you still maintain contact with
22 your mum?

23 A. I can't remember. I don't think I did, but I'm not sure
24 I remember.

25 Q. You tell us a little bit about that in your statement at

1 paragraph 39, page 1705 or page 9. What you tell us,
2 and this might help jog your memory, is when you were in
3 Barnardo's to begin with you couldn't go home at the
4 weekends.

5 A. Yes.

6 Q. You say your mum had to go to court to allow you to go
7 home for weekends.

8 A. This is correct, yes.

9 Q. After that, you went home to your mum's house or your
10 grandparents' house?

11 A. Yes.

12 Q. When you weren't going home for weekends, were family
13 members able to come and visit you?

14 A. At Barnardo's?

15 Q. Yes?

16 A. No, I didn't get any visits.

17 Q. What about phone calls? Were you able to keep in touch
18 by phone?

19 A. No phone calls.

20 Q. Any letters, do you remember?

21 A. I had no letters.

22 Q. When children didn't behave at South Oswald Road, you've
23 obviously spoken about a situation where you weren't
24 behaving and perhaps you were being restrained. But if
25 you weren't behaving in a manner in which someone might

1 have had to restrain you in some way, but you had been
2 misbehaving, how was this misbehaviour dealt with at
3 Barnardo's?

4 A. With me, there might be reasons why I misbehaved, for
5 a number of reasons. I've also got bipolar affective
6 disorder and I'm now -- for the past 15 years, I've been
7 on medication to keep my moods stable. I have been in
8 hospital three times, in a psychiatric hospital, so it's
9 possible I may have had mental health problems as
10 a child as well as I do now.

11 I'm on medication to keep me level. So maybe people
12 might perceive me as misbehaving, but maybe it was due
13 to my mental state, I'm not sure.

14 Q. If back then you hadn't been behaving and the staff had
15 thought perhaps you were just being naughty, although it
16 may well be that you were unwell, how did the staff deal
17 with children who weren't doing as they were told?

18 A. I think we got pocket money. We got pocket money and if
19 you didn't do what you were told or you misbehaved then
20 they'd deduct money from your pocket money. The reason
21 why I remember getting pocket money is because they used
22 to take us to Morningside to the sweet shop once a week
23 at Barnardo's.

24 Q. I think you tell us about pocket money at paragraph 41
25 of your statement, Michael. You also say that the staff

1 might ground boys for a day in their room if they had
2 been fighting.

3 A. Yes, and also they got chores. They had to do the
4 hoovering or something like that. So we got grounded,
5 pocket money deducted or we had to do chores around the
6 house if you misbehaved.

7 Q. You also say that there probably were occasions when you
8 might not get to go home for the weekend as
9 a punishment, but you can't remember that happening with
10 you.

11 A. I can't remember.

12 Q. Do you know if it happened to other children?

13 A. I've got no idea.

14 Q. Okay. Was there any corporal or physical punishment
15 at the home?

16 A. No. No.

17 Q. You also tell us, Michael, at paragraph 42 of your
18 statement, you tell us about something, that there was
19 an initiation from the other boys. What happened there?

20 A. Well, my first day at Barnardo's, some of the other boys
21 gave me a kicking for initiation, welcome to Barnardo's.
22 I remember that happening. But in Barnardo's you had
23 your hardest guy, you had your second hardest guy. It
24 was like a pecking order with the boys. But yeah,
25 that's the only time it happened, there was this

1 initiation with the other boys.

2 Q. You talk in the next paragraph, paragraph 43, about
3 a hierarchy of bullies and how sometimes a new boy would
4 come in and knock out one of the bullies and take their
5 place.

6 A. Yes.

7 Q. It was all physical bullying?

8 A. Yes.

9 Q. Did the staff know about this?

10 A. I don't know. I don't know. They must have known about
11 it because I remember there was another boy called [REDACTED]
12 from Glasgow, and I was getting bullied by the bully of
13 the home at the time and he asked me who it was and then
14 he went and knocked him out, burst his nose and then
15 said, well, I'm now the new bully and everything's okay
16 now. And me and him became blood brothers, and my
17 bullying stopped.

18 Q. So your position is with all this going on, the staff
19 must have been aware that something was happening?

20 A. Yes, because if there's blood on the ground, the staff
21 would have to clean it up, wouldn't they?

22 Q. Yes. Okay. Did the staff do anything to stop the
23 bullying?

24 A. I can't remember.

25 Q. Do you remember whether the bullying stopped for

1 a reason other than you stood up for yourself or someone
2 else stood up for you?

3 A. Someone else stood up for me. I was never really
4 a fighter, I'm not a fighter, I was quite vulnerable,
5 very vulnerable as a child, so I didn't fight and
6 I didn't stick up for myself while I was at Barnardo's.
7 So sometimes someone else would stick up for me.

8 Q. So you got some form of protection from another child,
9 but not from a member of staff?

10 A. Yes.

11 Q. The other incident you tell us about, Michael, is
12 in relation to something that happened to you at the
13 hands of another boy -- and you have told us the boy's
14 name, you don't have to tell us it again here -- after
15 you got out of hospital after breaking your leg --

16 A. Yes.

17 Q. -- and something happened. What happened?

18 A. Well, I got given my own room until my leg was
19 healing -- because I broke my leg on the roundabout on
20 the playground and I had a stookie in my leg and
21 crutches. The other boy on one occasion pushed me on to
22 my bed and rubbed his, you know, penis against me. But
23 there was no intercourse, and it was against my will
24 at the time. I didn't want this to happen. I was
25 afraid of him because he used to bully me for the time

1 I was at Barnardo's.

2 Q. Did that happen on the occasion you've told us about or
3 did it happen again on other occasions?

4 A. Just the occasion -- it happened on other occasions.

5 When I was asleep in my bed at night he would get into
6 my bed and do this kind of stuff to me. It happened for
7 a long time, but I should have told someone about it but
8 I didn't, I felt too embarrassed or ashamed to tell
9 other people because I'm not gay, you know. I like
10 women and this is not good.

11 Q. So this wasn't something that you were able to tell
12 anyone about?

13 A. No.

14 Q. From your experiences in care, can you help us with what
15 could have been done differently so you would have been
16 able to tell someone about what happened to you when
17 this boy abused you?

18 A. The staff at the home did in fact sit outside the boys'
19 rooms until they went to sleep, so staff would sit
20 outside the boys' rooms. But when the staff went away
21 back downstairs, people would go in and out of other
22 people's rooms. The abuse that happened to me by the
23 other boy happened during the daytime.

24 Q. So can I take it from that that perhaps that kind of
25 abuse might have been prevented had there been more

1 supervision by staff; is that what you're saying?

2 A. Yes, possibly, yes.

3 Q. What could the staff or Barnardo's or anyone have done
4 differently to help a child tell and report what had
5 happened to them?

6 A. I don't know. I'm not sure what to say.

7 Q. Okay. I was just wondering whether, through your
8 experience in care and the benefit of looking back,
9 whether you were able to help us at all to understand
10 what could be changed to encourage a child to be able to
11 report abuse.

12 A. I think more one-to-one talks would maybe be the answer.

13 Q. One-to-one talks. Would that be with someone that you
14 would trust?

15 A. Yes, it could be somebody who's independent from the
16 care home or independent from the social work, someone
17 who a child could speak to easily. Because some of the
18 staff didn't always listen to what the children had to
19 say when something wasn't right at times.

20 Q. Michael, you tell us that you left Barnardo's on bad
21 terms; is that right?

22 A. Yes.

23 Q. What happened there?

24 A. Well, I was thinking of ways to get chucked out of
25 Barnardo's because I didn't like it there. I decided

1 enough was enough, I wanted to leave. I asked for
2 a transfer, but they didn't transfer me. So I, one day,
3 went into the kitchen, turned all the gas on on the
4 cooker and then set a fire in the corner, hoping that
5 the kitchen would blow up. But one of the staff smelt
6 the smoke and extinguished the fire and turned the gas
7 off.

8 Q. I think perhaps, following that incident, and maybe
9 another, that resulted in you leaving South Oswald Road
10 and I think at that stage you moved to Rossie Farm
11 school.

12 A. Yes.

13 Q. Michael, turning to the fourth and final part of my
14 questions for you. You have obviously been in many
15 different care settings that you've told us about in
16 your statement. Just overall, your experience as
17 a child in care, how has that affected you in your adult
18 life?

19 A. Well, when I left care at the age of 15 and a half,
20 I went back to my mother and stepfather in the
21 West Pilton area of Edinburgh. My life became really
22 bad there, I got bullied by gangs of casuals in my area,
23 without my area. I got dragged into drugs for many
24 years. I had a drug problem, an alcohol problem.

25 I got into crime. My criminal record is ten years

1 long. I've been -- as well as being in
2 children's homes, I've been in young offenders'
3 institutions, prisons, and been homeless on the streets
4 for seven years off and on. It's been terrible.

5 I was trying for many years to get a normal life.
6 All I wanted was just to have a job, a nice girlfriend,
7 have a few kids, have a normal life, but I've never been
8 able to get what I would like to have. It's been very
9 difficult.

10 When I left the children's homes, I didn't have much
11 schooling, I only went to school for two years, so it's
12 not until I got to age 30 that I went to college and
13 gained qualifications and changed my circumstances as
14 well.

15 But I did do some jobs as well at the age of 15, 16.
16 I did as many different types of jobs as I could to try
17 and work my way out of poverty, but that's not easy to
18 do when you get low wages from employers.

19 Q. I think you also make the point, at paragraph 154 of
20 your statement on page 1731, you tell us that you think
21 people from a very early age who are in your situation
22 should have an assessment with a psychologist or
23 a psychiatrist and you believe there are children with
24 mental health problems who haven't had them diagnosed
25 because there hasn't been an intervention at a very

1 early stage.

2 A. Correct, yes.

3 Q. I think what you're saying there is that if you had had
4 that type of intervention at a much younger age, that
5 might have made a difference to you and to your outcome
6 in life. Is that what you're saying here?

7 A. Of course, that's what I'm saying. Also, I have other
8 disabilities. I have mild learning difficulties as well
9 as bipolar affective disorder, and because I got raped
10 at the age of 5 years old by a stranger in the park,
11 that also was the beginning of my behavioural problems
12 and psychological problems. I probably should have been
13 dealt with at a very early age as a child, even before
14 care. It should have been dealt with.

15 That's what I would like to say.

16 MS RATTRAY: Michael, I have no further questions for you,
17 and it just remains for me to thank you very much for
18 helping us and for answering all my questions.

19 I'm not aware of whether there might be any other
20 questions for you.

21 LADY SMITH: Let me check whether there are any outstanding
22 applications for questions. No.

23 MR JACKSON: No, thank you.

24 LADY SMITH: Michael, those are all the questions we have
25 for you today. Thank you very much for your engagement

1 with the inquiry. As I've said, we have your written
2 statement which is very helpful to us and it has been of
3 more assistance for us to hear from you today. It's
4 very helpful to me in the work that I have to do here.
5 I'm now able to let you go. We'll switch off the
6 connection very shortly. Thank you for that.

7 A. Okay, thank you very much.

8 (The video link was terminated)

9 LADY SMITH: Before we decide where we go next, could I just
10 mention that in the course of that witness's evidence,
11 he gave the name BDL and the name BEI as
12 people who in his evidence he alleges were the
13 perpetrators of certain types of abuse. He did also
14 mention a boy -- did he mention his first name or not,
15 Ms Rattray?

16 MS RATTRAY: I don't think he did mention his first name.

17 LADY SMITH: Could I just remind everybody who's here that
18 the identification of these individuals, as being people
19 associated with allegations of abuse, is protected by my
20 restriction order and they cannot be mentioned outside
21 this hearing room in that context.

22 What next, Ms Rattray?

23 MS RATTRAY: My Lady, it may well be that this might be an
24 appropriate point to have the morning break to allow
25 handover of counsel and move to the next witness.

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

2 (11.10 am)

3 (A short break)

4 (11.38 am)

5 LADY SMITH: Yes, Mr Peoples.

6 MR PEOPLES: My Lady, the next witness this morning is
7 a former child in care who has anonymity and has chosen
8 the pseudonym "David".

9 "DAVID" (sworn)

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

11 If I could ask you to try to make sure that you're
12 picked up by the microphone when we're hearing your
13 evidence.

14 Mr Peoples will explain to you what he wants you to
15 do with the red folder in just a moment and I'll hand
16 over to him.

17 Mr Peoples.

18 Questions from MR PEOPLES

19 MR PEOPLES: Good morning, David.

20 A. Good morning.

21 Q. Before I begin asking some questions today, it's just to
22 explain that the red folder in front of you contains
23 a copy of a statement you've already provided to the
24 inquiry and it's there for your use today and I'll ask
25 you some questions about the matters that you deal with

1 in the statement.

2 There is also in front of you a screen and if
3 I refer to any document, including your statement, the
4 document will come on the screen. So you're free to use
5 that as an alternative to the folder where it's the
6 statement, and if it's a new document, it will simply
7 come up on the screen so you can see what we're looking
8 at.

9 With that introduction, can I just, for the benefit
10 of our recording of the evidence, give the number that
11 we've given to your statement. We've given it the
12 identification WIT.001.002.0128.

13 David, if I could ask you to turn to the red folder
14 and go to the final page in the folder, which we have
15 numbered 0157. It'll be page 30, I think, of your
16 statement. Can you just confirm for me that you have
17 signed the statement on that page?

18 A. Yes.

19 Q. Would you also confirm that you have no objection to
20 your witness statement being published as part of the
21 evidence to the inquiry and that you believe the facts
22 stated in your witness statement are true?

23 A. I have no objection and, yes, they're true.

24 Q. David, if I could ask you -- you may want to keep the
25 folder open because you might want to refer to it.

1 On page 1 of your statement, page 0128, can you
2 confirm for me that you were born in the year 1953?

3 I don't need your date of birth.

4 A. Yes.

5 Q. You tell us a little bit at the beginning of your
6 statement about your family and your background
7 circumstances before going into care. I'll try and take
8 that fairly briefly. I think to some extent I'd have to
9 because I think it's maybe a little bit chaotic in terms
10 of what happened before you ended up in care settings.
11 Maybe I could just take this from you. You tell us
12 a little bit about your parents, is that right, and that
13 your natural father died when you were in fact in care?

14 A. Yes.

15 Q. And I think that was when you were in care at Aberlour?

16 A. Aberlour Orphanage, yes.

17 Q. Would that be in about 1966 he died?

18 A. Yes, it was 1966.

19 Q. You tell us about siblings in paragraph 2. I don't need
20 their names, but you tell us that you have two older
21 half-brothers?

22 A. Yes.

23 Q. You also have two older brothers?

24 A. I have one older brother; one's now dead.

25 Q. So you did have two, but one is now deceased. The two

1 older brothers that we're referring to in paragraph 2 of
2 your statement, are they the brothers who went into care
3 at the same time as you?

4 A. Yes.

5 Q. Did they therefore spend time at Aberlour?

6 A. Yes.

7 Q. At the same time as you did?

8 A. Yes. They left before me because you left when you were
9 15.

10 Q. So there would be a period when they were there with
11 you?

12 A. Yes.

13 Q. And there would be another period when you were on your
14 own --

15 A. Yes.

16 Q. -- in the care of Aberlour?

17 A. In the care of Aberlour Trust. Aberlour Orphanage, as
18 it was then, I was there with my brothers.

19 Q. We tend to just use the term "Aberlour" at the moment to
20 refer to the organisation that was looking after you.

21 Don't worry too much about the formal changes of names.

22 If I say "Aberlour", I'm intending to capture whatever
23 name it had from time to time and that is the name of
24 the organisation that ran the various establishments
25 that I think you have told us about in your statement.

1 So if I use that as a shorthand form, don't worry about
2 being precise at this stage. It's maybe easier for us
3 to just call it "Aberlour" as the organisation.

4 So far as your life before going into care is
5 concerned, I think you tell us that your family lived in
6 difficult conditions in Edinburgh; is that right?

7 A. Yes.

8 Q. And another complication was that your father had
9 problems with alcohol?

10 A. Yes.

11 Q. The impression I have from that section of your
12 statement is that you were moving addresses quite
13 frequently in your early life; is that right?

14 A. Yes. And schools.

15 Q. Indeed, I think you say in paragraph 5 -- that's on
16 page 2 of your statement, page 0129 -- that your memory
17 is of being in lots of addresses and going to lots of
18 schools?

19 A. Yes.

20 Q. So far as being taken into care is concerned, I think
21 your memory is that you have a memory of being taken
22 into care perhaps for the first time around 1962;
23 is that correct? That's on paragraph 6 of your
24 statement if you want to make reference to that.

25 A. Yes.

1 Q. This is before you were in Aberlour, by the way?

2 A. Yes.

3 Q. What you tell us in paragraph 6, David, is that you were
4 taken from your then address by the Social Work or the
5 equivalent of the Social Work in those days to an
6 establishment called Redhall Children's Home?

7 A. Correct.

8 Q. And you spent time there. As you tell us, and we can
9 read this, as we've done before for ourselves, you don't
10 have any bad memories or anything bad to say about
11 Redhall?

12 A. I have very good memories of Redhall Children's Home.
13 I actually took my wife and we visited and Mr Whelan was
14 still there, one of the chaps that used to look after
15 us. They were very, very nice.

16 Q. You were in Redhall for a time, then you went back to
17 the family home for a short time; is that correct?

18 A. No.

19 Q. Sorry. I was picking this up from paragraph 9 of your
20 statement. Maybe you have that ...

21 A. No, I went from Redhall directly to Aberlour Orphanage.

22 Q. Okay. Sorry, maybe I took that too quickly.

23 I think what your statement seemed to be saying
24 is that you were in Redhall, you went back for a short
25 time to the family home, and then you went back to

1 Redhall and from there you went on to Aberlour; would
2 that be right?

3 A. No.

4 Q. It's not right?

5 A. Sorry, I beg your pardon. We went from the home to
6 Redhall Children's Home, to Linlithgow Sheriff Court
7 where they said we were going to be in care for a fixed
8 amount of time. We then went back to Redhall
9 Children's Home where they sought some place that would
10 take us long-term.

11 Q. Right.

12 So you were back at Redhall for a very short time
13 after the hearing in Linlithgow?

14 A. Yes.

15 Q. And the upshot of that was I think that a Miss Talbot
16 came to see you, who was a children's officer with
17 Edinburgh Corporation as it then was?

18 A. Yes.

19 Q. And had you met Miss Talbot before?

20 A. I have no memory of meeting her before, no.

21 Q. What you tell us happened in paragraph 10 on page 0131
22 of our numbering is that, in about [REDACTED] 1964, you
23 made a long journey by train via Inverness and Elgin and
24 ended up in Aberlour; is that right?

25 A. That's correct, yes, Craigellachie.

1 Q. You went to Craigellachie before that and you got off
2 the train --

3 A. And a car took us up.

4 Q. Do you have a good memory of that journey?

5 A. Yes, very.

6 Q. Did you get any warning of where you were going and why
7 you were going there?

8 A. No. I remember crying on the day because I was very
9 small. We'd gone ...

10 (Pause).

11 We'd gone and we changed trains and we went further
12 away and I became very upset. We travelled all day. It
13 wasn't like nowadays.

14 Q. Was anything even said on the journey as to what was
15 going to happen next?

16 A. No. We didn't know where we were going.

17 Q. But Miss Talbot was on the train with you?

18 A. Yes.

19 Q. But she wasn't saying anything to you?

20 A. No: "Sit still, be quiet".

21 Q. It was like that?

22 A. Yes. That was it actually: "Sit still, be quiet".

23 Q. You at least had your brothers with you; is that right?

24 A. Yes.

25 Q. Was that at least a comfort for you?

1 A. Yes, very much so.

2 Q. Given that you were going on a basically unknown journey
3 as to what was going to happen next, was your distress
4 to do with not knowing what was going to happen or what
5 you were leaving behind?

6 A. No, it was absolutely what was going to happen.

7 Q. So far as Aberlour itself is concerned, when you
8 arrived, can you help us with what your first
9 impressions were when you arrived and what the first day
10 was like? Is that still etched in the memory?

11 A. Yes, absolutely.

12 Q. Can you tell us about that?

13 A. We got put to what was called the infirmary. It was
14 a ward in the east wing of the orphanage. We were the
15 only occupants, myself and my two brothers.
16 I distinctly remember we looked outside and everything
17 later fell into place. The kitchens were to the left of
18 the infirmary and children, older children, would go
19 down and pick up these food trolleys, which were
20 hospital trolleys, same as you'd find in hospitals.
21 They were passing with the trolleys and they had -- the
22 big boys had shorts on, very, very short hair, hairy
23 legs. We saw them and we were laughing through the
24 window and thinking this is ... Now, you can always
25 reflect on it and I think it was utterly Dickensian.

1 Q. It was 1964, so how did you look in comparison to these
2 boys that were passing you heading for the kitchen?

3 A. We all had Beatles haircuts, jeans, winkle-picker shoes.

4 Q. Very different to the boys you were seeing?

5 A. Utterly different, yes. We were examined by the matron
6 and she checked us for lice and everything else, and she
7 was poking about in our ears, I remember distinctly,
8 with a matchstick, which we thought was really odd. And
9 it was only in later years that I read an article in the
10 newspaper that the same woman had been charged -- it was
11 in the Aberdeen Press & Journal. She had been charged
12 with the theft of a nurse's badge and she had been
13 masquerading as a nurse. She had no credentials or
14 qualifications to be a nurse.

15 Q. So are you telling us that, insofar as she was
16 professing to be a nurse when she saw you, she didn't
17 have any qualifications --

18 A. I'm saying that absolutely, yes.

19 Q. We've heard there are other significant figures in the
20 orphanage's structure. At that time there was a warden,
21 and I will ask you about that shortly, and was there
22 anyone equivalent to like a lady superintendent?

23 A. Mrs Craven or Miss Craven.

24 Q. She is not the person that we're talking about here, the
25 matron?

1 A. No, no, the matron was the nurse.

2 Q. Was her domain the infirmary?

3 A. That was all she did.

4 Q. But it sounds as if you're describing a building where
5 new admissions go for some degree of assessment and
6 check-up?

7 A. That's precisely what it was. Isolation until such
8 times as they put you in the general population of the
9 orphanage.

10 Q. How long did you spend in the infirmary?

11 A. A weekend.

12 Q. What happened to the Beatle haircuts, the winkle-picker
13 shoes, and the blue jeans?

14 A. We went on the Sunday to Gordon House, which was run by
15 BGH/BGI The clothes were taken from us and
16 we were given clothes to change into, which was a serge
17 uniform, shorts and a jerkin style jacket. It looked
18 like a cut-down army uniform.

19 On the Monday we went down to the village, the high
20 street, where the barber shop was, and he took off --
21 cut our hair very, very short. So by the Monday
22 evening, it looked as though we had been there four
23 a while.

24 Q. So you looked exactly like the boys you saw going into
25 the kitchen to get the trolleys by the Monday?

1 A. Yes.

2 Q. A complete transformation?

3 A. Total.

4 Q. What impact did that have on you, that you'd suddenly
5 been transformed from somebody who may have reflected to
6 the times to someone different?

7 A. I remember I was more concerned about my clothes being
8 taken away because they were the clothes I had at home
9 when we were at home. When we left Redhall, they gave
10 us our own clothes back. I suppose it was some sense of
11 identity of -- that was gone, it was gone. But it was
12 a big thing in your mind. And then of course, you had
13 to adapt and fit in with the kids you were now living
14 with.

15 Q. Did the loss of the Beatles haircut have a profound
16 impact at the time?

17 A. To be honest, not really. I looked a bit odd when
18 I looked in the mirror.

19 Q. One of the things you tell us in your statement in the
20 section about general matters about the layout and the
21 people is reference to [REDACTED] BGF

22 [REDACTED] BGF Did you meet him on the first day?

23 A. I can't remember if I met him on the first day. I don't
24 think I did. If I recollect, we were really surprised
25 because matron had told us that we were likely to be

1 split up because there was three of us, and the houses
2 that they put you in were sort of age-dependent. So
3 we were really surprised and pleased to find that
4 we were all going to the same house and it was only
5 a short walk from the infirmary to Gordon House. The
6 infirmary was in the east wing, and Gordon House was in
7 the west wing, but only the school buildings separated
8 both wings.

9 Q. I didn't take this from you earlier when we were talking
10 about your older brothers that went with you to
11 Aberlour. I think one was about two years older than
12 you, and the other was a year older than you, so there
13 was a two-year gap between the three of you?

14 A. Yes.

15 Q. But you were at least placed together in Gordon House?

16 A. Yes.

17 Q. With a [REDACTED] BGH/BGI to begin with?

18 A. Yes. I -- later they mentioned I was the one that was
19 going to be probably moved to a separate house, so I was
20 lucky in the sense that we were all kept together.

21 Q. While I'm on the subject of [REDACTED] BGF, you
22 presumably did meet him at some point?

23 A. Yes.

24 Q. Fairly soon after admission?

25 A. [REDACTED].

1 Q. On Monday you were getting your haircut and by [REDACTED]
2 [REDACTED] ?
3 A. Yes.
4 Q. [REDACTED] ?
5 A. [REDACTED]
6 [REDACTED]
7 Q. Yes. Don't worry, I think we now know who [REDACTED]
8 [REDACTED] BGF [REDACTED] is, so don't worry about that.
9 You offer us a description of [REDACTED] BGF [REDACTED] in
10 paragraph 12 of your statement. Can you help us with
11 how you would characterise him?
12 A. He was a tall, thin man. [REDACTED]
13 [REDACTED] He had glasses. He was
14 the coldest, coldest, most distant man you ever met in
15 your life.
16 Q. You obviously saw him [REDACTED]
17 [REDACTED]. How much did you see him in the
18 orphanage in the day-to-day life itself?
19 A. Not very often at all.
20 Q. In terms of your description, can I just say that
21 I think the way it's described is found in paragraph 12,
22 page 0130, that you describe him as:
23 "... very cold, Dickensian, draconian man, tall and
24 blunt, and really someone who wanted nothing to do with
25 the children."

1 Was that the impression you had at the time?

2 A. And that's the impression I have today.

3 Q. So far as dates, if I could just, before we get into any
4 more detail, just establish some dates for our benefit
5 at this stage.

6 You tell us it was [REDACTED] 1964 that you were taken
7 to Aberlour Orphanage. David, we have been shown some
8 records and the records do confirm that you were
9 admitted to Aberlour Orphanage on [REDACTED] 1964 when
10 you'd be aged 10. Is that right?

11 A. 11 -- 10, I beg your pardon. You're quite right.

12 Q. You were getting close to 11, but I think you were still
13 10. You were taken there by Miss Talbot because by that
14 stage you were in the care of the local authority, which
15 was the Corporation of Edinburgh at the time; is that
16 correct?

17 A. Yes.

18 Q. So we've got some other dates at this point to help us.
19 You stayed in the care of Aberlour, the organisation,
20 until [REDACTED] 1968, according to the records, when you
21 were discharged home to your mother at the age of 15.

22 A. Yes.

23 Q. Between the dates I've given you, the admission date and
24 the discharge date, there were some developments. On
25 [REDACTED] 1967, I think essentially owing to the closure

1 of the orphanage at that stage or the winding down of
2 it, you were transferred to a smaller, what might be
3 described as group home, as I think is the term that's
4 been used in these proceedings, in Quarryhill, Keith.

5 A. Yes. [REDACTED]. It was
6 a brand-new house.

7 Q. Was it purpose-built?

8 A. Purpose-built, yes.

9 Q. So they didn't find a house or a mansion?

10 A. No, no, they were still laying the lawn when I went down
11 the steps.

12 Q. I think you only spent a relatively short period there
13 because I think on [REDACTED] 1967, according to the
14 records, you had another transfer to Bellyeoman road in
15 Dunfermline.

16 A. Franklin House, yes.

17 Q. Is that F-R-A-N-K-L-A-N-D?

18 A. L-I-N, Franklin.

19 Q. As in Benjamin Franklin?

20 A. Yes.

21 Q. And you moved there until you were discharged in [REDACTED]
22 of the following year?

23 A. Yes.

24 Q. Just while we're on the subject of Franklin House, was
25 that a purpose-built property?

1 A. No, that was bought. That was a big stone building. It
2 had belonged to somebody who was very wealthy, that
3 lived there. He died and he bequeathed the house,
4 we were told.

5 Q. So it was a large house?

6 A. Very, yes.

7 Q. Was it converted or adapted into a home, group home, for
8 children?

9 A. I think there was some alteration but not much. It was
10 just a big spreading house in its own grounds.

11 Q. Let's be clear at this stage. As your statement
12 discloses, and as you'll no doubt tell us, so far as the
13 period at Quarryhill is concerned, and also the period
14 at Franklin House, these were positive and happy
15 experiences in general terms?

16 A. Absolutely.

17 Q. And your experiences at the orphanage were more mixed,
18 if I could put it that way, and indeed you had some very
19 bad experiences?

20 A. Dreadful. If I had to use one word for
21 Aberlour Orphanage, I would say dreadful.

22 Q. The whole experience?

23 A. Well, the bad certainly outweighed the good. I made
24 some lifelong friends among the children there, but for
25 the people that looked after us, with the odd

1 exception -- Peter Walker was such a nice man, but it
2 was few and far between.

3 Q. I may be wrong, and you'll correct me if I am, that in
4 your statement at some point you may have given a rating
5 to the establishment using a sort of simple formula of
6 marks out of ten; am I right?

7 A. I may have.

8 Q. I may have seen 3 out of 10, but I might be wrong.
9 Maybe it's someone else's statement I'm thinking of.

10 A. I would doubt very much that I would give it as much as
11 that.

12 Q. Okay.

13 If I go back to your statement, David, with those
14 dates in mind. You can take it we have a familiarity
15 with the general layout of Aberlour, so I won't focus on
16 too much of the detail of the building or the layout
17 with you today.

18 The one thing you tell us about so far as
19 house parents are concerned -- and I'm not sure what you
20 were referring to in terms of a report, but at
21 paragraph 14 on page 0130, you seem to have picked up
22 a report somewhere that was indicating the house parents
23 were not living within the orphanage, but I think you're
24 making the point that the house parents did live --

25 A. Absolutely.

1 Q. -- on the premises.

2 A. Absolutely. Even the ones who were temporary
3 house parents, they could stay overnight. Because
4 Aberlour was a very small village, it would be very,
5 very difficult -- and there was nobody that actually
6 stayed in Aberlour that worked in the orphanage.

7 Q. What we do know from evidence we've already heard or
8 been given is that there were a number of houses in the
9 orphanage.

10 A. Yes.

11 Q. They were given various names and I think you have told
12 us already that the first house you went to was
13 Gordon House.

14 A. Yes.

15 Q. And there were a number of houses at least historically
16 that were for boys and other houses that were
17 historically for girls and there was an east wing and
18 a west wing, which I think made the division between
19 those houses.

20 A. Yes.

21 Q. Although I think you will tell us that that position
22 changed a little bit when you were in Gordon House.

23 A. Yes.

24 Q. So far as Gordon House is concerned, can I take you on
25 to paragraph 15 in your statement on page 0131. You

1 tell us that the house parents were [REDACTED] BGH/BGI

2 Subsequently, when they left, they were replaced by

3 a couple called [REDACTED] BBP/BGZ ?

4 A. Yes.

5 Q. Just so far as -- to help us, can you give us a broad

6 indication when you think [REDACTED] BGH/BGI left and

7 were replaced by [REDACTED] BBP/BGZ

8 A. They left some time in the summer of the first year

9 I was there.

10 Q. So if you were there in 1964, from [REDACTED] do you

11 think --

12 A. They would have left about the [REDACTED]. It

13 was still light nights I remember.

14 Q. So it was the first year you were there. They were only

15 there for six months or thereabouts and they were

16 replaced by [REDACTED] BBP/BGZ

17 A. Yes.

18 Q. So am I right in thinking that anything you tell us

19 about your time and treatment when [REDACTED] BGH/BGI

20 were house parents would have happened around 1964?

21 A. Yes.

22 Q. Then so far as [REDACTED] BBP/BGZ are concerned, you tell us that

23 you were transferred to another house called

24 Mount Stephen House along with one of your brothers.

25 A. Yes.

1 Q. Your other brother having left by then.

2 A. Yes.

3 Q. Again, to help us so that we can understand when things
4 may have happened, when did you make the move to
5 Mount Stephen, roughly? I don't need a precise date.

6 A. 1966. Yes, it would be 1966, yes, definitely. My
7 father died and that's where we got the news that my
8 father had died.

9 Q. So by the time you got the news that your father had
10 died, you were in Mount Stephen House?

11 A. Yes. The World Cup was on. I remember --

12 Q. For some that might be a point of reference. Were you
13 watching the World Cup?

14 A. Yes. The whole school stopped. There was no lessons.
15 Everybody sat round the TV.

16 Q. By that stage you were there along with one of your
17 brothers?

18 A. Yes.

19 Q. Does that mean that the brother who was two years older
20 than you had left by then?

21 A. Yes.

22 Q. And your brother who was a year older was still there?

23 A. He was there, but it wouldn't be long before he left.

24 Q. He was on the point of leaving?

25 A. He would leave in the [REDACTED] of the following year.

1 Q. When you left Gordon House in 1966, it would be, would
2 it?

3 A. Yes.

4 Q. Before the World Cup?

5 A. Yes.

6 Q. When you left there, were BBP/BGZ still in charge?

7 A. Yes. I beg your pardon. BBP/BGZ -- sorry,

8 Gordon House, BGH/BGI left, BBP/BGZ came

9 when we were still in Gordons. It then became a mixed
10 home and the house was moved to the east wing and
11 we were boys and girls living together in that house.

12 Q. While you were still in the care of BBP/BGZ ?

13 A. Yes.

14 LADY SMITH: But it was still called Gordon House, was it?

15 A. For a short time and then they changed it to

16 St Margaret's. But BGH/BGI -- when it became

17 a mixed house, BGH/BGI were first in charge.

18 It was only a matter of two or three months before the
19 house that we went to became mixed.

20 MR PEOPLES: You go in 1964?

21 A. Yes.

22 Q. Within a very short period, a matter of months --

23 A. Yes.

24 Q. -- it becomes a mixed house?

25 A. Yes.

1 Q. It's called Gordon House for a time, but you move
2 physically to the other wing?
3 A. Everybody moved.
4 Q. And it then was a mixed house and at some point, it
5 became --
6 A. St Margaret's.
7 Q. So it is given a new title?
8 A. No, it was St Margaret's house before. It was a girls'
9 house.
10 Q. That was where St Margaret's, the girls' house had been?
11 A. Yes.
12 Q. So you took that title because that was the traditional
13 name of that location?
14 A. Yes.
15 Q. And St Margaret's was run by? Just so I'm clear again.
16 A. St Margaret's was run purely by BBP/BGZ the BGH/BGI
17 by this time had left.
18 Q. So this move must have occurred maybe later on around
19 the summer of 1964 --
20 A. Yes.
21 Q. -- if the BGH/BGI left?
22 A. Yes.
23 Q. Then just while we've still got some of these names in
24 front of us on paragraph 15, when you went to
25 Mount Stephen House in 1966, with your brother, you had

1 a different set of house parents when you were there.

2 A. Mount Stephen House was a single -- it was a man-only
3 house. It was a house that prepared you for bye-bye,
4 for departure.

5 Q. For leaving?

6 A. Yes.

7 Q. So it was for older male residents --

8 A. Yes.

9 Q. -- who were maybe getting towards the age of 15 or
10 thereabouts?

11 A. Yes. Lots of people I met in Mount Stephen House, MS,
12 they left. They were leaving.

13 Q. You tell us in paragraph 15, David, that that house was
14 run by two males, [REDACTED] BGJ [REDACTED] and [REDACTED] BGG [REDACTED] known
15 as [REDACTED] BGG [REDACTED]

16 A. Yes.

17 Q. While we're still on the subject of these individuals --
18 and we've heard a bit about them and when you were in
19 their care -- just to be clear at this point that
20 I think you tell us, by way of introduction in your
21 statement, at paragraph 16 on page 0131, that really
22 your problems were all with [REDACTED] BGH/BGI [REDACTED] when they
23 were in Gordon House and with [REDACTED] BGJ [REDACTED] and [REDACTED] BGG [REDACTED]
24 [REDACTED] BGG [REDACTED] when you moved to Mount Stephen House?

25 A. Yes.

1 Q. And you express some views about BBP/BGZ as individuals
2 and can you tell us what you thought of them and what
3 they were like?

4 A. They had -- the best way of putting it is they had their
5 favourites and they were very good to their favourites,
6 but they weren't at all in the mould of the BGH/BGI or
7 BGG or BGJ. They were firm but fair
8 is the best way of putting it, but very ... you were
9 never going to be embraced by them. They were
10 custodians more than carers.

11 Q. Do you mean literally they weren't affectionate people
12 that would embrace you?

13 A. They weren't, not at all.

14 Q. Were any of these individuals you have mentioned of that
15 type that would embrace you?

16 A. Not in the orphanage, no, none of them.

17 Q. That changed when you went to these other
18 establishments?

19 A. Absolutely, yes.

20 Q. So you didn't get any real affection from any of the
21 people you have mentioned in the orphanage as house
22 parents?

23 A. None at all.

24 Q. And just so that we've got some idea of the sort of ages
25 of these individuals. BGH/BGI what age would they

1 be? You said they moved on shortly after you --

2 A. You know when you're a young person, it's difficult. An
3 older person can seem to you to be very old, but
4 perhaps -- they were certainly in their 40s.

5 Q. You didn't really find out, did you, where they went
6 when they left the orphanage?

7 A. They left -- no, they left so quickly. They were there
8 and then gone.

9 Q. Did you get any explanation why they left?

10 A. There was rumour.

11 Q. What was the rumour?

12 A. Because it had become a mixed house, and I saw it --
13 never mind -- there was rumour as to why they had had to
14 leave, but from what I personally saw, you knew -- you
15 never knew, but it made sense.

16 Q. Was it because of the way they treated children and the
17 things that were being said about them?

18 A. It's because of the way that Mr **BGH** treated the
19 girls and Mrs **BGI** treated the males, the boys.

20 Q. You think that that was what was the discussion -- and
21 we'll hear about that in more detail -- but you think
22 that their departure was connected with how they were
23 behaving towards the children?

24 A. Absolutely, yes.

25 Q. Would you describe their departure in 1964 after several

1 months as abrupt?

2 A. Very.

3 Q. You weren't prepared for it?

4 A. No.

5 Q. And BGF didn't come say, BGH/BGI have
6 decided to move on and this is why"?

7 A. No, there was no explanation given and you knew better
8 than to ask.

9 Q. BBP/BGZ what age would they be?

10 A. They were younger. Again, perhaps late 30s, early 40s.

11 Q. I think you tell us later on about Mr BGJ and
12 BGG, were they different ages?

13 A. BGG was an old man. He had the distinction
14 of being the oldest house parent who was applying for an
15 Open University degree. He was doing a correspondence
16 course to get a degree.

17 Q. At that time?

18 A. At that time. In the orphanage. Mr BGJ was young.
19 Rumour had it -- I mean, he was from the
20 Aberdeen area. He always wore black trousers and
21 it looked like -- black shoes, so it looked like he had
22 a uniform on.

23 Q. His background appeared to have been in
24

25 A. Yes. When I was -- I still see people who were in the

1 orphanage with me and they are absolutely firmly of the
2 opinion that he was [REDACTED].

3 Q. Okay. So far as the children are concerned and the
4 numbers, you told us there was a gender mix, at least
5 after a short time after your admission to the
6 orphanage. In paragraph 17 you estimate that there were
7 perhaps around 300 children at the time that you were
8 admitted to the orphanage.

9 A. In the entire orphanage, yes.

10 Q. But you make a point about their backgrounds, do you?
11 You say that maybe "orphanage" is a misnomer for the
12 children that you came across.

13 A. As far as I was aware, there was only one absolute -- or
14 perhaps ... I knew of one.

15 Q. Who was an orphan?

16 A. Yes, a genuine orphan. The others were cared for by the
17 local councils, local authorities, who had transferred
18 the kids to Aberlour Orphanage.

19 Q. You describe -- you say -- you describe them as:

20 "There were some real poor souls."

21 That's the way you express it in your statement.

22 You say:

23 "Some were academically challenged, some were
24 psychologically troubled."

25 Is that how it came across to you?

1 A. Yes.

2 Q. What you say, and I suppose this is with the benefit of
3 hindsight, is there were many children with special
4 needs, you considered?

5 A. Absolutely.

6 Q. Who were being housed there and looked after?

7 A. Yes. There were children of 13 or 14 years old who were
8 in P1, which -- they were going to a class for
9 5-year-olds.

10 Q. In the same class?

11 A. Same class.

12 Q. You would have seen that?

13 A. Yes. Because everybody lined up in the playground. The
14 school was part of the orphanage, so the only people
15 there were orphanage inmates.

16 Q. And they weren't necessarily there according to age
17 in the classroom?

18 A. No, no. They were sitting in these tiny seats. At the
19 time -- looking back it was ridiculous.

20 Q. Do you know or can you tell us whether the staff,
21 including the house parents you have mentioned, had any
22 special qualifications, expertise, training, to care for
23 children with special needs? Did it appear to you they
24 did?

25 A. There were one or two who did their very best, but as

1 far as I am aware from what I could see, no, there was
2 none. There was none I could think of and say they were
3 qualified to take that post, no.

4 Q. So far as the BGH/BGI are concerned, if I can explore
5 with you what you say about them since they were the
6 first house parents who cared for you for that period
7 that you've told us about in 1964. Maybe I could pick
8 up what you tell us about them in your statement at this
9 stage.

10 In paragraph 22 on page 0132, David, you give us
11 a description of the individuals, BGH/BGI,
12 describing Mr BGH as:

13 "... very heavy set, swarthy, greasy, had
14 a moustache. Mrs BGI was very matron-like, seemed
15 older and you understood they were from the north of
16 gland, the area."

17 A. Yes.

18 Q. Was that something they told you or something you found
19 out?

20 A. Something they told us because he'd made noises when
21 they were leaving about having to go back to
22 to take over his brother's business.

23 Q. He said something along those lines before he left to
24 the children?

25 A. He didn't say, "I'm leaving in a week's time", he was

1 preparing the ground, I think, I would say now, although

2 at the time we just thought, he's leaving, brilliant.

3 That was it.

4 Q. So you were just happy to see the back of him?

5 A. Absolutely.

6 Q. On paragraph 22, you say:

7 "They were never meant to be working with children."

8 Is that for the reasons that you're about to tell
9 us, that you deal with in your statement, you don't
10 think they should ever have been let loose near
11 children?

12 A. I think that's a perfect statement to make. They should
13 never have been allowed near children.

14 Q. Can I just pick up with you, before I go to the
15 things -- the way they treated the children and how they
16 behaved. I did notice that when you were -- in your
17 statement when you were discussing the **BGH/BGI** in
18 particular at paragraph 52 -- I'm moving a bit forward
19 in your statement, it's just to pick up a statement you
20 made there.

21 At paragraph 52 you say:

22 "With the **BGH/BGI**, they were marking time and
23 didn't care."

24 I was interested in what you meant by that. We will
25 find out what they did, but just that general sort of

1 view that you've expressed there, "They were marking
2 time and didn't care", what were you trying to convey by
3 that statement?

4 A. It was a source of income for them. It was really that
5 simple. They weren't at all interested in what they
6 were doing. They never made any pretence of being
7 interested in what they were doing. Personally, because
8 there was almost a revolt in the house, it was coming --
9 even at that age, you could see that something was going
10 to have to happen. They were either going to be asked
11 to leave or they would leave or they would have to be
12 transferred elsewhere. But certainly they totally lost
13 control of the house, of the older children in the
14 house.

15 Q. So you sensed at that time that something had to give?

16 A. Yes.

17 Q. And these were the various possibilities?

18 A. There were lots of children that knew what was going on.
19 It was done in front of you. It wasn't a shared secret.
20 They'd become so blasé about what they were doing, it
21 was done before your very eyes.

22 Q. If I go back to the earlier part of your statement,
23 having explained that statement that you made. You tell
24 us in paragraph 24 on page 0132, David, that when you
25 first arrived in Gordon House, it was only boys, and you

1 estimate the ages as between 10 and 14.

2 A. I was the youngest. It really was a house -- there was
3 Gordons and Jupps, and both these houses had older
4 children from, say, 13 to 15, and you had a house,
5 Spey House, which was for wee kids. You were coming up
6 and then you were being processed through these houses
7 until you left.

8 Q. You missed out on Spey House because you were older?

9 A. I missed out on Spey House because I like to think I was
10 kept with my brothers.

11 Q. Okay. But Spey House was generally for younger
12 children?

13 A. Yes, it would have been for me.

14 Q. And younger than you as well?

15 A. Yes. Oh, much younger.

16 Q. As you have told us, and you tell us in your statement,
17 Gordon House became a mixed house and was known as
18 St Margaret's shortly after. You estimate it was
19 a 50/50 mix of girls and boys or roughly?

20 A. I may have been ... Probably 60/40. 60% males, 40%
21 females.

22 Q. But the same sort of broad numbers? I didn't establish
23 from you: how many children in all were in Gordon House?

24 A. When I first went, it'd be over 30.

25 Q. And when they made it into a mixed house?

1 A. There would be 30.

2 Q. Around 30?

3 A. Around 30 kids. I'm going by the dining room, by the
4 tables.

5 Q. And maybe if you're right about your proportions, about
6 18 would be boys, 12 girls?

7 A. It'd be higher than that. Looking at it, there was
8 six -- there would be about 40 children in the house.

9 Q. Again with the 60/40 balance?

10 A. Yes.

11 Q. So 24 and 16?

12 A. Two dormitories for the boys and --

13 Q. You're testing my powers of arithmetic.

14 LADY SMITH: So far so good, Mr Peoples!

15 MR PEOPLES: It's helpful to get a sense of scale here. So
16 there was quite a lot of children in the house, young
17 people?

18 A. Oh yes.

19 Q. And a preponderance of males, 60%?

20 A. There wouldn't have been so many, but because they
21 obviously had in mind a change of business model and
22 they were closing houses down, so they were transferring
23 children from the houses they were closing. Gordons was
24 still a functioning house so we got an influx of kids
25 who came from other houses.

1 Q. At the time this was happening in 1964, this change of
2 model to a mixed house with maybe 40 children, boys and
3 girls, that you understood or perhaps understand now was
4 a reflection of a change of direction. They were
5 beginning -- was this the beginnings of the end of the
6 orphanage as it was traditionally operated?

7 A. Yes.

8 Q. Because I think you did, as we can see, you did move to
9 smaller group homes in due course. Was St Margaret's
10 then seen at the time as possibly being an early form of
11 group home in itself or a testing ground for it?

12 A. Yes, it was seen as an experiment: let's see what's
13 going to happen here. And also the move away from --
14 because they moved Gordon House, which then became
15 St Margaret's, down to the east wing, which was on its
16 own, it was the only house in the wing, the east wing.
17 All the other houses were in the west wing.

18 Q. Even the traditional girls' houses?

19 A. No, no, they'd gone. They had taken the girls and moved
20 them into the mixed house. In conversations with girls
21 that had left, and also conversations -- we had
22 a reunion where everybody went. You could see by the
23 age demographics that when they were 14 they weren't
24 taking any others who they may have taken before who
25 were older. They were simply taking just enough and

1 then they said, right, we can't do anything more with
2 the other children, so they all go into Gordons, and
3 they came.

4 Q. They came to Gordons -- is there an overall reduction
5 then in the number of children at the orphanage? Is
6 this a gradual process of reduction the overall numbers?

7 A. Yes, there was definitely an overall reduction.

8 Q. There were closures of certain houses which were
9 traditional houses?

10 A. Yes.

11 Q. And the creation of, in the first instance, a large
12 mixed house called Gordons and it then became
13 St Margaret's?

14 A. Yes.

15 Q. And this was all happening in your time?

16 A. Yes.

17 Q. Ultimately, what did happen is all of the houses closed,
18 the orphanage closed in 1967, and the children were
19 decanted to different places including the places you
20 went to?

21 A. Yes.

22 Q. Is that in broad terms what was going on in that whole
23 period?

24 A. There were two houses in Aberdeen, even while I was
25 staying in Aberlour Orphanage, Bucksburn and

1 Bridge of Don, and then they moved me to Keith at
2 Quarryhill, and they opened Kirkcaldy, which was opened
3 just months after Dunfermline, after Franklin House, and
4 then they opened Cumbernauld and all those places,
5 because I would still keep in touch with the
6 house parents.

7 Q. They were opening a number of new group homes across the
8 country and diversifying into these smaller units and
9 models and the orphanage was being wound down?

10 A. Yes.

11 Q. And it was finally closed as a large residential home in
12 1967 and sold thereafter?

13 A. Yes.

14 Q. Right. That was a digression, but it's a helpful one
15 for us to understand the context of why you were moving
16 and what was happening at the time.

17 For most of the time you were in Gordon House then
18 it was a mixed house?

19 A. It was a mixed house.

20 Q. And it was called St Margaret's for most --

21 A. It was called St Margaret's.

22 Q. You describe the layout. Just so that I'm clear,
23 I don't need too much detail, but in paragraph 26, you
24 are describing dormitories having corridors up the
25 middle, a corridor up the middle and about 20 beds on

1 either side. Is that a description of St Margaret's
2 in the wing you moved to or a description --

3 A. Yes, because St Margaret's only had one dormitory.
4 Gordons had two dormitories for boys so you had more
5 space.

6 Q. So the boys' dormitory in St Margaret's, if I can put it
7 that way to make it easier for me, was a big dormitory
8 with about 20 beds on either side? Maybe not quite as
9 many --

10 A. About 15 beds either side, yes. There was a girls'
11 dormitory too, remember.

12 Q. Moving on, because you've got a section in your
13 statement dealing with the general routine. If I go to
14 page 6 of your statement, David, page 0133,
15 paragraph 30, you are telling us a bit about the general
16 routine. One of the things you tell us is that there
17 were bed inspections.

18 A. Yes.

19 Q. And that there was some form of tool that was used to
20 measure the hospital corners on your bed.

21 A. Yes.

22 Q. Were bed inspections a feature of all the houses you
23 were in or was this in the time of the --

24 A. The time of the **BGH/BGI**

25 Q. So when we're seeing this, you're talking about the

1 period with the BGH/BGI. Was it a bit more relaxed
2 when BBP/BGZ came in?

3 A. Yes.

4 Q. What was the tool that was used to measure the hospital
5 corners?

6 A. It had been made. It was called Cooper's tool.

7 Q. C-O-O-P-E-R?

8 A. Cooper as in the name Mr Cooper. Cooper was the joiner.

9 Q. A joiner?

10 A. He was a joiner.

11 Q. At Aberlour?

12 A. Yes. Because they had their own works department, if
13 you like, and he had made this tool, which came at
14 a 45-degree angle and set on the bed. It was a piece of
15 wood with a leg on it and BGH/BGI would take it and hold
16 it against the bed and if the angle didn't fit
17 perfectly, the blankets came off the bed and they were
18 fired into the middle of the corridor.

19 Q. And they had to be remade?

20 A. Yes, you remade it.

21 Q. Was this some sort of direction from BGH/BGI
22 or were you just told to make it again? Or is this just
23 what happened, they just stripped the bed?

24 A. It was done depending on his mood. That's the best way
25 of putting it.

1 Q. Was this one of his responsibilities, the bed
2 inspection, or did they both do it?

3 A. My recollection is only of Mr BGH but either would
4 wake you in the morning, depending on -- it didn't
5 happen every morning. He had his own targets, if you
6 like, that he would check.

7 Q. So he would check particular people's beds --

8 A. Yes.

9 Q. -- to see if they'd complied or met the Cooper tool
10 test?

11 A. Yes. And start off on the --

12 Q. And if they didn't, he would just pull the bedclothes
13 off and you'd have to remake before you got breakfast?

14 A. Yes.

15 Q. You sensed he had his favourites or perhaps the people
16 he picked on most?

17 A. Yes, absolutely.

18 Q. It may be an obvious question to you or need an obvious
19 answer, but was there some particular reason why it was
20 felt you had to make beds to the standard of the then
21 hospital corner test, if you like?

22 A. The whole --

23 Q. Did they explain the philosophy behind this and why they
24 were stripping the bed and making you do it again?

25 A. No, the whole thing was discipline and subservience. It

1 was down to the fact that they had absolute control and
2 what better way to start than first thing in the morning
3 and that was quite simply it. You did what you were
4 told when you were told without question.

5 Q. So you saw it -- and you see it now -- as a means of
6 demonstrating their control and authority and making
7 clear to the children they were the masters, they were
8 in control?

9 A. Absolutely.

10 LADY SMITH: It might be thought to be quite helpful to
11 teach young people how to do hospital corners. It's
12 a very neat way of making a bed.

13 A. And I agree with that, absolutely. But then --

14 LADY SMITH: I take it that's not your point?

15 A. No --

16 MR PEOPLES: I suppose if we were to explore that a little
17 further, if you were being helpful, the last thing you'd
18 do is pull all the bedclothes off. You might say,
19 "You've done it this way, but if you were trying to do
20 it to the standard of a matron in a hospital or a senior
21 nurse, this is the way that you do it, and I'll help you
22 and I'll educate you". That didn't happen, did it?

23 A. No. And that's exactly the point I was going to allude
24 to.

25 Q. I will ask you about another thing, which is maybe in

1 a not dissimilar vein. At page 7 of your statement,
2 page 0134, paragraph 38. You tell us what would happen
3 if lockers were not considered to be neat and tidy.
4 What happened?

5 A. They were emptied on the floor.

6 Q. By whom?

7 A. The house parent, Mr [BGH], or it could be -- that
8 wasn't necessarily just Mr [BGH]. It was done --
9 certainly it was done throughout my entire stay in the
10 orphanage.

11 Q. Even when you were with [BBP/BGZ]

12 A. And in Mount Stephen.

13 Q. So that was a practice that continued throughout?

14 A. Yes, absolutely.

15 Q. But they all did this, did they, if they didn't like the
16 state of your locker?

17 A. A locker inspection. You stood by the side of your bed,
18 they came in, opened your locker door --

19 Q. You have given a rationale or an explanation why beds
20 would be stripped off and you'd have to remake them.
21 Would you apply the same explanation to this practice?

22 A. Yes.

23 Q. It was a control exercise?

24 A. Yes, and again they had targets.

25 LADY SMITH: What did you keep in your locker?

1 A. You kept your soap bag -- you could keep a book. Soap
2 bag, your towel and your dressing gown, pyjamas.

3 LADY SMITH: Did you have any personal possessions that you
4 tucked away in your locker?

5 A. No. Other than perhaps a football or sticks that you
6 perhaps had fashioned into a gun when you were playing
7 army games. You had no other possessions, really. The
8 toys were communal toys. They were kept in the living
9 area.

10 LADY SMITH: What if a child got a letter from a parent or
11 a relative? Would they keep that in their locker?

12 A. Yes.

13 LADY SMITH: But that might be tipped out as well if the
14 locker wasn't tidy enough?

15 A. Yes, the entire contents of the locker were tipped out.

16 MR PEOPLES: Can I ask you about the subject of chores, if
17 I could call it that, or work or manual work. You tell
18 us in your statement that you and others on a rotational
19 basis would be asked to do certain chores. If I can
20 take you to page 8, paragraph 42 of your statement. You
21 recall between 4 and 5, before teatime, after school
22 presumably, you had to do some chores on a rotational
23 basis; is that right?

24 A. Yes.

25 Q. Was that a regular feature of life?

1 A. Yes.

2 Q. Examples being, for example, to clean everyone's shoes
3 or clean the baths.

4 A. Yes. The baths were done in the morning.

5 Q. But that was a chore that --

6 A. Yes.

7 Q. The children were expected to --

8 A. My brother excelled at it.

9 Q. You describe it as a very strict regime. So this was
10 a part of the routine that you were expected to follow
11 and be part of?

12 A. I know it's ... We live in an entirely different age
13 now, but it was part of the nature of control. If they
14 had -- you had to be doing something. You had 40
15 children. They had to have -- they exercised a control
16 over you, whether it was household chores or whether it
17 was these long walks, you were busy all the time. You
18 were kept busy all the time.

19 Q. But in the sense of busy on the direction of the people
20 in charge, you weren't busy because you were choosing to
21 be busy and making your own choices?

22 A. You got a list, a rota, yes.

23 Q. Again, just so I'm clear, this feature of life in the
24 orphanage of chores and rotations, was that something
25 that was a practice throughout your time in the

1 orphanage?

2 A. Yes.

3 Q. Or was it confined to the BGH/BGI or BBP/BGZ ?

4 A. Throughout the orphanage.

5 Q. So that was something you remember just happened for the
6 whole period you were there, this was the routine?

7 A. Yes he.

8 Q. Chores were a feature of the routine?

9 A. As were walks, yes.

10 Q. As were walks. Some might think walks are easier to
11 justify, healthy exercise, outdoor life. All that
12 stuff. You don't seem to see it that way, I think, you
13 see it as more of a controlling exercise?

14 A. You also had walks when you had children of 10, 11 years
15 old trying to keep up about with 14 year-old children --
16 or being forced to keep up with 14-year-old children.
17 And we're not talking about 100 yards down the road,
18 you're talking about -- on a weekend, you'd walk for
19 8 miles. They were fairly extensive walks. They
20 weren't short walks.

21 Q. Did some of the children struggle --

22 A. Yes.

23 Q. -- on these walks?

24 A. Yes.

25 Q. What happened if they struggled?

1 A. They were punished. They were punished for not keeping
2 up. They even make a reference to it -- when we had the
3 reunion and people went up for a church service in
4 Aberlour Orphanage, it's actually on the Internet, they
5 said, "Keep up, keep up". Because that was -- it really
6 was.

7 Q. Apart from shouting exhortations to keep up, what sort
8 of punishment would you get if you didn't keep up,
9 can you recall?

10 A. No, I'm not going to embellish by saying it's something
11 you don't know about. You were scolded for not keeping
12 up.

13 Q. I don't suppose everyone likes long walks. I suppose if
14 we go back to our days of cross-country at school, there
15 would be those who would happily participate and those
16 that would probably want to find other pursuits and
17 past-times? Was that the same in --

18 A. That'd be fair to say, yes.

19 Q. But they didn't have the choice?

20 A. Absolutely not.

21 Q. Chores as part of a routine, for whatever reason, is one
22 thing but there's also chores as a form of punishment;
23 did you experience that situation also?

24 A. Yes. My brother and I had -- we had to clean the
25 toilets in Gordons under BGH/BGI, with

1 a toothbrush.

2 Q. With a toothbrush?

3 A. Yes. That was quite common.

4 Q. It was a common punishment?

5 A. Yes. There were other children that we knew of who had
6 been put in the big hall with a toothbrush and a pail,
7 "Get on with it". Yes, that was common. That's not an
8 exaggeration, that's just fact.

9 Q. It wouldn't on the face of it seem to be the most
10 appropriate instrument to use to clean a floor --

11 A. No.

12 Q. -- if the purpose was to clean the floor.

13 A. Yes, I know. The purpose was to clean the floor.

14 Q. Well, it was to clean it, but if you're saying the main
15 purpose is to achieve a clean floor rather than to
16 achieve some form of punishment --

17 A. The punishment was you were using the toothbrush.

18 Q. The floors were presumably cleaned as a matter of the
19 general rota?

20 A. Yes.

21 Q. And you wouldn't use a toothbrush on those occasions?

22 A. No, no, no.

23 Q. You say that happened on a regular basis with the

24 **BGH/BGI** is that right?

25 A. It happened with the **BGH/BGI** it happened to my brother

1 and I.

2 Q. Did it happen with BBP/BGZ or --

3 A. No, it never happened --

4 Q. -- in Mount Stephen?

5 A. It happened in Mount Stephen. Mount Stephen were big on
6 punishment.

7 Q. And big on the use of toothbrushes for cleaning? I was
8 mainly looking at --

9 A. They were big on -- there was a couple of punishments
10 that you would use toothbrushes for.

11 Q. In Mount Stephen?

12 A. Yes.

13 Q. I take it then, you don't remember BBP/BGZ doing this,
14 though?

15 A. No, not at all. In fact, I would say BBP/BGZ never
16 asked you to do that.

17 Q. So the punishments varied according to which house and
18 which house parents you were cared for by?

19 A. The whole thing about Aberlour, as I said before, was it
20 was pot luck. If you went to a house where there was --
21 and there was one that I can think of who was very good
22 in what they were doing, a good house parent. But it
23 was pot luck, it really was. It depended on ... The
24 way that people wanted -- the house parents wanted you
25 to act, it depended on how they thought it was

1 appropriate to look after you. There was no training.

2 Q. I follow the point you make. The other thing I suppose
3 I wanted to explore is it might be said that, well, if
4 someone chooses to use an unconventional method of
5 cleaning using a toothbrush in one house -- but the
6 fact -- you say it happened in different houses to use
7 a toothbrush. So that rather suggests on the face of it
8 that these forms of discipline and punishment were known
9 to the staff generally in various houses, that these
10 things were going on?

11 A. Yes, and I think also they were handed down, they were
12 historic.

13 Q. But they were obviously known -- maybe they weren't just
14 simply what happens behind closed doors in Gordon House,
15 this is something that happened in Mount Stephen House,
16 it happened in Gordon House.

17 A. People certainly knew about it because the big hall,
18 which was the place where we used to go to watch a film
19 once a month on a Saturday night. If somebody was going
20 to be asked -- not asked, told -- to clean the big hall
21 with a toothbrush, everybody knew about it. Everybody
22 would know.

23 Q. Because the big hall was a communal area?

24 A. Absolutely, yes.

25 Q. So people with reason to be there --

1 A. If they were passing through they would see them.

2 Q. They would see children with toothbrushes, cleaning on
3 their hands and knees?

4 A. Yes.

5 Q. And presumably staff equally, if they were wandering
6 past, for one reason or another?

7 A. Absolutely, yes.

8 Q. And was it an area where there were staff and children
9 would mingle?

10 A. If you were walking between Jupps and Mount Stephen or
11 you were going to the administration block where
12 Mr BGF was then, yes, you would see it. You had to
13 pass -- it was like a square, if you imagine,
14 a thoroughfare.

15 Q. It's not the sort of place that you could miss what was
16 happening?

17 A. Absolutely not.

18 Q. So if I had been a visitor from Mars between 1964 and
19 1967 and walked through the main hall during that
20 period, I could easily have seen --

21 A. No. Because you would have to walk through the
22 administration block where Mr BGF was and there was
23 no way that you could access the main hall.

24 Q. As a visitor?

25 A. Yes.

1 Q. But if I was, say, invited to spend a period in
2 residence?

3 A. Then there would be nobody cleaning the hall. It's
4 really that simple.

5 Q. If outsiders came, they would avoid these things?

6 A. Yes.

7 Q. Let's say I sneaked in pretending to be someone that was
8 a child needing care, would I have seen these things if
9 they thought I was a child in care?

10 A. Yes.

11 Q. Can you tell me, because one of the things we hear about
12 sometimes is there are different approaches to children
13 who wet the bed. What I want here is your recollection
14 if you had that experience either personally or you knew
15 others that wet the bed from time to time. What would
16 happen when you were at the orphanage? Can you maybe
17 take it in stages?

18 If we take it in the [BGH/BGI] time, what would
19 happen if you were a child in the [BGH/BGI] house and you
20 wet the bed? You have told us what happened about the
21 bed inspection. What if the bed was found to have been
22 wet before it was due to be changed again? Can you
23 recall? Do you have any memories?

24 A. I only have recollections of MS House.

25 Q. What's your recollection of MS House in that situation?

1 A. We had one person who was a constant bed-wetter.

2 Q. You don't have to mention -- you do mention his name in
3 the statement. You don't have to mention it. I think
4 you deal with this in your statement.

5 LADY SMITH: I think we've got it on screen. Paragraph 81.

6 A. Do you want me to talk about it?

7 MR PEOPLES: I want you to tell me what you saw or what
8 happened, yes, but don't mention the boy.

9 A. You walked in the dormitory and the person who
10 constantly wet the bed was the first bed on the right.
11 You thought that he would be placed there because
12 it would be easier for him to access the toilet if he
13 needed to go, but it wasn't. He was put there because
14 the house parent -- when I say they had targets, they
15 would go and pull the blankets off his bed, just -- even
16 though he was still lying in his bed. He would have wet
17 the bed and they would wrap his wet sheets around him,
18 so he was standing there like a mummy, and everybody was
19 made to get up and troop past him. It was a form of
20 humiliation, I suppose.

21 Many years later, I met him, and he was working in
22 a garage. I had my wife in the car, and he said to me,
23 "Are you ..." and I said, "Yes, I am". He said, "I'm
24 such-and-such", and I said, "Yes, I recognise you, hold
25 on a second, I've got my wife in the car, I'll get her

1 to come and meet you". He said, "don't tell her
2 about ..."

3 (Pause)

4 Q. So what age would this person be when you had this
5 chance meeting in the garage?

6 A. 25.

7 Q. What age was he when he was being made to stand like
8 a mummy with the wet sheets around him?

9 A. 13 or 14.

10 Q. Is he the one that stands out for this particular --

11 A. Totally.

12 Q. Did it happen to other boys in Mount Stephen, can you
13 recall?

14 A. He was the focus because he was constant.

15 Q. And at the time, as I think you tell us in paragraph 81,
16 he was in obvious distress; is that right?

17 A. Oh yes, yes.

18 Q. Just to be clear, it was both house parents that were
19 involved in this practice?

20 A. Yes, because ... If you wet the bed, I don't think
21 there were particular days for it, but you could have

22 BGG who was on in the mornings or you could have

23 BGJ who was on in the mornings.

24 Q. So in the morning, if this boy had happened to wet the
25 bed, either would do this sort of thing to him?

1 A. Yes, absolutely.

2 Q. And it happened on a regular basis?

3 A. Yes.

4 Q. For the time --

5 A. And the more they did, the more he wet the bed. There
6 was absolutely no ... There was no lesson. There was
7 no improvement. There was nothing to be gained by it,
8 but they did it.

9 Q. You have told us already, David, that when you were
10 in the **BGH/BGI** household, there was a discernible
11 difference of treatment. Some were favourites, some
12 were not so favoured. This appears to be the same
13 situation in Mount Stephen. You said there were those
14 that were targeted. Was that the case? This is a good
15 example, this boy was targeted?

16 A. Mount Stephen, yes. He was targeted, yes. But
17 Mount Stephen was the kind of house where the
18 house parents depended on the older boys, more or less,
19 keeping the other children in line. And without that,
20 the place would never have functioned. It was quite
21 a rough house.

22 Q. How did this behaviour achieve that with this boy?

23 A. He was frightened.

24 Q. He was frightened?

25 A. He was frightened, he was afraid.

1 Q. But how would it help to get the older boys to behave in
2 a way that would control the younger ones?

3 A. Because the older boys had privileges. It was really
4 that simple.

5 Q. Was this boy younger at the time this was happening?

6 A. Yes.

7 Q. Was he one of the younger boys?

8 A. Not that much younger, but weaker.

9 Q. So younger or weaker, more vulnerable?

10 A. Yes, more vulnerable is perfect for it.

11 Q. Just in order to compare and contrast, did you see
12 anything, not necessarily to do with bed-wetting
13 specifically, but in terms of difference of treatment,
14 favourites or people that were not so favoured, did you
15 see anything of this nature when BBP/BGZ were running
16 St Margaret's?

17 A. BBP/BGZ were firm but fair.

18 Q. So you didn't get that sense of inequality --

19 A. No, not at all.

20 Q. -- or unfairness?

21 A. No. I personally wasn't their favourite, they weren't
22 mine, but I would have to turn round and say on
23 reflection, they were firm and fair.

24 Q. What would the BGH/BGI do if someone wet their bed?
25 Can you recall?

1 A. It wasn't the bed-wetting that was the ...

2 Q. I just want to know on this one.

3 A. I can't remember it.

4 Q. Just so we're clear, if BBP/BGZ encountered a problem,
5 a bed-wetting problem, how did they deal with it in
6 those days?

7 A. I think they would have dealt with it a lot more
8 sympathetically, to be perfectly honest. I never saw
9 it.

10 Q. You don't have a memory of it being dealt with
11 unsympathetically? If I could put it the other way
12 round, you don't have a memory equivalent to what you
13 saw in Mount Stephen happening in BBP/BGZ household to
14 any child?

15 A. No. I think BBP/BGZ were probably one of the best set
16 of house parents in the orphanage, even -- but it
17 depends on where you're taking the scale from.

18 Q. It's all relative?

19 A. Yes, absolutely.

20 Q. I'll introduce the next part, which I think is to do
21 with the BGH/BGI behaviour and specifically with what
22 I think -- you've already made general comments at the
23 beginning of your statement that they weren't suitable
24 people to look after children. But at paragraph 35 you
25 tell us, when you're describing the routine about

1 washing and bathing, that certain things happened at
2 that point. Can you describe for me what you're
3 recalling of those occasions?

4 A. Mrs BGI at bath times took the boys -- some of them
5 were big, strapping boys. Mr BGH took the girls,
6 some of whom were well-developed young women.

7 Mr BGH even had -- he had the perverse courage
8 to ask for a partition to be built over the last two
9 baths and he had a high seat, almost like an umpire's
10 chair that used to be folded away. If you were in the
11 bath and the lady was in the bath there (indicating), he
12 would be sitting in the middle there. If you opened the
13 bathroom door, you looked and you would see him face-on
14 in the high chair and he was looking at the two baths
15 occupied by two older girls.

16 Q. Who were presumably with no clothes and who were bathing
17 and were --

18 A. Naked, no clothes.

19 Q. -- getting in and out of the bath. And he would be able
20 to see them throughout this bathing?

21 A. Absolutely.

22 Q. Despite there being a partition, he had created a means
23 to see them?

24 A. The partitions were to cover them from you if you opened
25 the door, but him sitting on the pillar facing them

1 could do nothing else but see them.

2 Q. He could see them, but others couldn't?

3 A. Correct.

4 Q. But he had created this arrangement whereby he could see
5 them?

6 A. But you knew the baths were occupied. If the door
7 opened at all, he would say, "Out!" but you knew there
8 were people in the bath.

9 Q. He could have ensured privacy without creating this
10 arrangement?

11 A. He could have sent his wife in to take the girls.

12 Q. Or he could have just said, I'll have a door, I won't
13 have a chair, I'll just make sure that there's someone
14 outside the door until the person comes out with
15 a dressing gown or whatever.

16 A. Correct.

17 Q. He didn't need this arrangement to create privacy.

18 A. He wanted that arrangement.

19 Q. You say that Mrs **BGI** would take the boys and
20 Mr **BGH** would take the girls and I think you're
21 saying it was a pretty deliberate choice?

22 A. Absolutely, yes.

23 Q. Just on the bath times, while we're dealing with that
24 then, we mentioned paragraph 35, if I can take you
25 forward in your statement to paragraph 92, where you

1 tell us a bit more about bath times with Mrs BGI.

2 That's on page 16 of your statement, David, page 0143.

3 This is a memory you have of what would happen when
4 children, boys, were drying themselves.

5 A. Mrs BGI would dry you or the boys would dry
6 themselves, but one of the boys -- which started at
7 Mrs BGI suggestion -- would hook the towels over
8 his erect penis and she liked that very much. She would
9 make these rather insincere rebuttals about it, but you
10 could clearly see that she was in her element.
11 Absolutely no question about it.

12 Q. She was getting some sort of gratification from it?

13 A. Absolutely. Definitely.

14 Q. And you said she really instigated this behaviour?

15 A. Yes.

16 Q. I think you tell us about it in paragraph 90.

17 A. "Get the towels again." She would say, "You forgot the
18 towels again", and he would get the towels. He would
19 have his hands behind his head and a few towels hooked
20 over his private parts, and he'd walk in. That was her
21 thing.

22 Q. How often would this performance go on?

23 A. As often as she wanted it to.

24 Q. So it wasn't just a one-off occasion?

25 A. No, absolutely not, no.

1 Q. But you also say, I think, apart from what you've just
2 told us, when the boys were drying themselves, you say
3 that certain things happened to you, I think you tell
4 us.

5 A. She used to dry me and I was just young, she would be
6 touching me.

7 Q. On your privates?

8 A. Yes, absolutely.

9 Q. Was there any form of clothing between you or towel?

10 A. Sometimes, sometimes not. Sometimes the towel.

11 Q. Is this when you were trying to dry yourself?

12 A. When I stepped out of the bath. She would wait for the
13 next person to step out of the bath. It didn't just
14 happen to me.

15 Q. Was there any need, given your age, to have this form of
16 assistance to dry yourself with a towel when you got out
17 of bath? Because you were 10, maybe, 10, 11?

18 A. I was no more than 11.

19 Q. Was there any need? You're not a 3 year-old.

20 A. No, no. I could dry myself. Where would you start?
21 You start by drying your head. No, she started --
22 I mean, she just homed in on the area that she
23 especially wanted to dry and it was --

24 Q. How did she seem to you when she was doing this? You
25 mentioned how she reacted to the sight of this boy

1 coming in with the towel.

2 A. She called me her "big little boy".

3 Q. She said that to you at the time?

4 A. Yes, that stayed with me all my life.

5 Q. And I suppose the point I was making about what you're
6 telling us is that -- did you need help at that age to
7 dry yourself?

8 A. Absolutely not.

9 Q. And you didn't ask for help?

10 A. Absolutely not.

11 Q. And she simply foisted herself on you to give you this
12 help?

13 A. Yes.

14 Q. How often would she do this? She was there for, you
15 said, the first maybe --

16 A. Several months. But she had other ways of satisfying
17 herself besides the baths. I can't remember the exact
18 number of times it happened, but it was certainly more
19 than once.

20 Q. You tell us in the next paragraph, paragraph 93, David,
21 what you describe as "her nightly visits". Can you tell
22 us what went on in the nightly visits?

23 A. I had the bed beside -- there were two doors going into
24 the dormitory and I had the bed beside one of the doors.
25 I said -- the nightly visits, I think I said they were

1 middle of the night, but then on reflection perhaps they
2 weren't the middle of the night. We went to bed at
3 8 o'clock, 8.30. It may have been 11 o'clock when they
4 were going to bed. She would come in and go through
5 these ridiculous preambles of, "Are you sleeping?" and
6 she was molesting you underneath the covers.

7 Q. I think you say she put her hands under the cover of
8 your bed and you say molest. Let's be clear, what was
9 she doing?

10 A. She was masturbating me.

11 Q. Masturbating you? It wasn't just touching you as she
12 did in the bathroom?

13 A. She wasn't masturbating me from start to finish. For
14 a few seconds.

15 Q. Yes. So it wasn't just a touch, she was doing a bit
16 more?

17 A. Yes, absolutely.

18 Q. And you could certainly feel that it was a form of
19 masturbation, albeit it may not have been a complete act
20 of masturbation?

21 A. Absolutely.

22 Q. And you say -- you have mentioned she called you her big
23 little boy. You mentioned that in the bathroom. You
24 were called this in the bedroom when this would happen
25 as well; is that right?

1 A. Yes.

2 Q. Was she not taking a bit of a risk because you were in
3 a dormitory with a number of other children?

4 A. No, because that's what I meant. When I said they were
5 marking time, somebody -- well, I don't know if this is
6 the best time to come to it. Because she was doing it
7 with others besides me, the children started -- children
8 talk. Eventually, it got to the stage where people were
9 talking to one another and the older boys or the boys
10 with a bit more courage remonstrated with her.

11 I had told Miss Talbot and in turn Mr BGF got to
12 hear about it, and he told me I was telling lies. He
13 threatened me -- is now a good time to talk about that?

14 MR PEOPLES: Maybe we should take a break for lunch.

15 LADY SMITH: It's obviously important that I hear from you
16 without putting you under pressure of a break time on
17 this. So we'll take the lunch break as usual, as we
18 normally do at 1 o'clock, and I'll sit again at 2.00.

19 (1.00 pm)

20 (The lunch adjournment)

21 (2.00 pm)

22 LADY SMITH: David, are you ready for us to carry on?

23 A. Yes, thanks.

24 LADY SMITH: Could I ask you to get a little closer to the
25 microphone? That's looking good.

1 Mr Peoples.

2 MR PEOPLES: Good afternoon, David.

3 A. Good afternoon.

4 Q. Before we broke for lunch, I was asking about the way
5 that BGH/BGI treated children. I was looking
6 at the section of your statement that did that.

7 Can I say, before I start asking more questions,
8 we have obviously read your statement and you have told
9 us about it there, but obviously one purpose today is to
10 hear this voice in a public setting, to hear what did
11 happen from people who were there according to their
12 experiences and recollections. So if you think I'm
13 asking you things that are covered, it's for that
14 purpose: we need to know and we need to hear these
15 things in this setting. That's why I'm trying to ask
16 some questions about some matters which I know are
17 difficult for you, and I appreciate that, but it's for
18 that purpose that we're doing it, to get the evidence
19 and to get a record of it as part of this part of the
20 inquiry process. I hope that's --

21 A. Yes.

22 Q. If I could just carry on. If I could take you back to
23 the section we were discussing before lunch. It's
24 in the statement at WIT.001.002.0143. That's page 16 of
25 your statement in the red folder.

1 You told us about some of the things that were
2 happening and what Mrs BGI had been doing. I don't
3 think I need to go any further. I'll maybe come to the
4 last bit you were dealing with about how to some extent
5 there seemed to be some effort on the part of the
6 children and young people in the house to maybe try and
7 address this or bring it to a halt. When I've asked
8 a few more questions, because I haven't asked you about
9 Mr BGH much and I think you deal with him in this
10 part of your statement, so if you could bear with me,
11 I'll maybe deal with that first.

12 Before leaving Mrs BGI at paragraph 95, David,
13 you describe a way she -- a situation where she would
14 give treats of one form or another and to some extent
15 that would be a precursor to other things that might
16 happen to the child who was treated in this way.
17 Can you help us? What sort of things would happen?
18 You're talking about children -- she would buy certain
19 children chocolate bars --

20 A. No.

21 Q. -- or she'd make you buy them?

22 A. She'd make you buy chocolate bars.

23 Q. You say she kind of got you to think that you somehow
24 owed her something or the child would owe her something?

25 A. "Buy me the chocolate bar." We would get paid. We were

1 paid pocket money on a Saturday, everybody was, and
2 I think if my memory serves me correctly, it was
3 thruppence. We would go down to Joey Gap's, which was
4 a converted garage which was a sweet shop. It was the
5 lady that owned it. She was a lovely lady.

6 Q. Is that GAP?

7 A. Yes, that was her name. We'd go down to the sweet shop
8 and Mrs BGI would take you down and she would stand
9 there waiting to get her -- it was a penny strip of
10 chocolate. She would take one off every single person
11 that went down there. If you didn't give her it, you
12 didn't love her. You didn't offer (inaudible). You
13 were frightened and you gave her the chocolate.

14 Q. But this was her way of getting you to express love for
15 her, by giving her a bit of your chocolate?

16 A. That was her way of getting chocolate because she was
17 a chocoholic before the word was invented, I think.

18 Q. Apart from her love of chocolate, you say that things
19 would happen afterwards, there would be some form of
20 sexual molestation. What would happen on those
21 occasions? What had you in mind that you recalled --
22 that you link to the taking of the chocolate and the
23 buying of the chocolate? What sort of things?

24 A. Very quickly after the original assaults, which they
25 were, I fell out of favour very quickly and wouldn't buy

1 the chocolate, with the result that I got more visits
2 from Mrs BGI

3 Q. More nightly visits?

4 A. More of her nightly visits, yes. That was her way of,
5 as I say, on reflection, it seemed to be it was her way
6 of having control.

7 Q. You describe it as a game of cat and mouse --

8 A. It was very much a game of cat and mouse.

9 Q. -- and psychological mind games.

10 A. Very much so.

11 Even though she was a woman in her forties, she
12 would play these games as though she was talking to
13 a child and she would adopt the persona of a child. It
14 was as though she was just ...

15 LADY SMITH: When you say persona, what do you mean?

16 A. She would talk to you in a way as though she was a child
17 too: "My big little boy doesn't love me any more". This
18 kind of stuff because she didn't get a bar of chocolate.
19 And by this time, things were ... The behaviour in the
20 house from myself and other children was on a downward
21 slope.

22 MR PEOPLES: I didn't ask you this earlier, but did the
23 BGI/BGH have children of their own?

24 A. No.

25 Q. Just before you say, I think, no doubt things were

1 coming to a head in one sense, obviously you were going
2 to tell us, but Mr [REDACTED] BGH he's not featured quite so
3 heavily for the moment, but you tell us about some of
4 the things he did.

5 If we stay on the page, page 16, 0143, paragraph 91,
6 you tell us what happened happen if Mr [REDACTED] BGH was in
7 some sort of sitting room and there were girl residents
8 present as well. What would he do?

9 A. It was a large room and the first half of the room was
10 the dining room. It was separated by a chest, a big
11 chest of drawers where the dining room implements were
12 kept, plates and so on and so forth. The other half was
13 the day area. There was a television to the right-hand
14 side and he had a big straight-backed chair that was
15 upholstered. He used to sit there and he would have one
16 of the girls sit between his legs, without any underwear
17 on, and he would actually remove his socks and shoes and
18 he would use his feet to sexually molest her in front of
19 you.

20 Q. So he was using his feet to touch the girl to make
21 contact? What parts of her body?

22 A. It was her vagina.

23 Q. With his feet?

24 A. With his feet, with his toes. And it was in full view
25 of anybody who was sitting there. That's what I said

1 when I made -- when I made the original statement this
2 morning regarding he was only marking time. It was as
3 though he had a death wish. He was definitely going to
4 be caught.

5 LADY SMITH: Who was it that had no underwear on?

6 A. Can I say?

7 LADY SMITH: Yes.

8 A. It was a girl, her name was --

9 LADY SMITH: No, no, not her name, sorry. The way you said
10 it, it could have been describing that he had no
11 underwear on or she had no underwear on.

12 A. The girl had no underwear on. She had been told to go
13 and take her underwear off. Or there was a signal that
14 she had been given -- she had no underwear on.

15 MR PEOPLES: She was in a position where she had some
16 clothing on but no underwear on.

17 A. She had her skirt on?

18 Q. She had her skirt on but he had his bare feet under her
19 skirt, touching her private parts; is that what he was
20 doing?

21 A. Yes, absolutely.

22 Q. This, you say, was in full view -- what he was doing at
23 least in general terms was in full view of other people?

24 A. We were watching the TV.

25 Q. It wasn't in any way hidden or covert?

1 A. No.

2 Q. He was doing these things and there would be a number of
3 children?

4 A. Yes.

5 Q. What about Mrs BGI would she be around?

6 A. I never saw Mrs BGI there. I was there a couple of
7 times when it happened.

8 Q. Okay. I think the way you put it was that it would be
9 obvious to anyone what was happening?

10 A. Yes, but I was also of the opinion that whatever he was
11 doing, now I have to say, he certainly must have had
12 carte blanche to behave as he did. They must have both
13 known what the other was doing.

14 LADY SMITH: What ages were these girls?

15 A. This particular one would have been 14. 15th birthday
16 they were out, gone.

17 MR PEOPLES: Were they teenagers, the girls generally?

18 A. Yes.

19 Q. You've told us about what you describe as their rapid
20 disappearance and there was no real explanation quite
21 why that came about. You were telling me just before
22 lunch -- and I just wanted to check what you were saying
23 because I got the impression you said that because it
24 was common knowledge in discussion amongst the young
25 people in the house, did I understand you correctly to

1 start to say, well, they started to think, was there
2 something we could do to put a halt to this? Is that
3 what you were telling me?

4 A. She, Mrs BGI, as well as me, there were other
5 children she was ... And whilst they, the older
6 children, older boys, would perhaps have put up with
7 what was happening originally, it began to be tiresome,
8 I suppose, where they just thought, "Get lost", and they
9 started to rebel. They rebelled in ways such as they
10 wouldn't do what they were told, they wouldn't do the
11 chores they were set, they wouldn't get out of bed. It
12 got to the stage where one weekend, there was almost
13 a protest. It was like a mass protest.

14 People were openly calling them perverts in the
15 house. Openly. It was very much a case of, "Get your
16 coats, we're going for a walk", "Get lost, pervert".

17 Q. How did they react to these comments?

18 A. They left very shortly after.

19 Q. They didn't try to suggest --

20 A. No, they put on a charm offensive to say things were
21 going to get so much better, all you have to do is stop
22 this silly nonsense, but everybody knew what was going
23 on.

24 LADY SMITH: Did you see them leave?

25 A. No, they left. I have spoken to my brother about this

1 in fairness, because they seemed to be there and then
2 they were gone. When I spoke to my brother, who was
3 in the house with me -- so was my other brother -- he
4 said they did a moonlight flit. He said they did a
5 moonlight flit because he had his car, a Consul, parked
6 right outside the door and it was gone. When we woke up
7 in the morning, it was gone.

8 LADY SMITH: That's Mr [REDACTED] BGH car?

9 A. Yes, [REDACTED] BGH/BGI

10 MR PEOPLES: How soon after this protest, weekend protest,
11 and the calling them the names you have said, how soon
12 after did they disappear?

13 A. The exact time, I'm not sure about. A short period of
14 time. I would say a couple of weeks.

15 Q. Therefore if I go back to another paragraph, and
16 I haven't directed you to it, paragraph 89 on page 0142.
17 Your description of the [REDACTED] BGH/BGI is that:

18 "They were paedophiles of the highest order. Utter
19 paedophiles."

20 Do you stand by that description based on what
21 you have told us today?

22 A. Absolutely, absolutely. If there was a name that
23 I could call them that fitted better, I would call them
24 it.

25 Q. I don't need to take you to the passage, but I think

1 later on in your statement, towards the end, one of the
2 things that continues to endure for you is you have
3 a sense of anger that you feel that they haven't been
4 brought to justice or they weren't brought to book
5 at the time, you having raised the issue at the time.
6 Is that one of the --

7 A. I tried at the time --

8 LADY SMITH: Tell me more about that.

9 A. We had a visit from -- she was called a children's
10 officer at that time, she wasn't a social worker. It
11 was the same Miss Talbot that took us there in the first
12 place. She must have come, I think, to check that
13 we were settling in okay. I complained about
14 Mrs BGI (inaudible) and about the coming through
15 in the middle of the night. Miss Talbot seemed annoyed
16 by it. Annoyed that I'd brought it up more than annoyed
17 with what was happening.

18 Then shortly after, I was asked by Mr BGF
19 BGF, to go to the administration block and I went to
20 the -- obviously I went, you never had a choice, and
21 Mr BGH took me. I stood inside the room and he
22 said -- I can't remember what his exact words were, but
23 certainly they gave the impression that he'd
24 investigated what I had to say, there was no substance
25 to it, and there was a place for children who lied, as

1 I was doing, and that place was Ladysbridge. And
2 everybody in the orphanage knew that Ladysbridge was the
3 psychiatric hospital in Moray, outside of Elgin.

4 MR PEOPLES: Can I put this together then? You had this
5 conversation with Miss Talbot, the children's officer.
6 You disclosed what was happening at bath times and the
7 nightly visits.

8 A. And my brother said the same thing.

9 Q. She was given this knowledge and I got the impression
10 that within a certain short time, you were called into
11 [BGF]'s office then, is it?

12 A. Yes.

13 Q. You went there in the company of Mr [BGH] so you
14 weren't seen alone?

15 A. No.

16 Q. Mrs [BGI] wasn't there?

17 A. No.

18 Q. Had you mentioned anything about Mr [BGH] behaviour?

19 A. No.

20 Q. I suppose in the circumstances, looking back, you'd
21 think now that it wasn't the best or most appropriate
22 thing to call in Mr [BGH]?

23 A. Absolutely not. Mr [BGH] gave me the distinct
24 impression when we were walking on our way that he was
25 going to be listening to every word.

1 LADY SMITH: How did you feel about that?

2 A. I wasn't happy about it.

3 MR PEOPLES: Because you'd have to go back to the household?

4 A. I did.

5 Q. You didn't know what was going to come of this?

6 A. No.

7 LADY SMITH: Did he say anything to you afterwards,

8 Mr **BGH**?

9 A. That was the strangest thing. We walked back through
10 the, what do you call it -- it was a school day and we
11 walked back through the big hall and it came outside --
12 beside Jupp and Gordon House and he said, "There's your
13 class, you've got PE, you'd better go", and that was it,
14 I went and joined the PE class.

15 MR PEOPLES: How soon after that did the **BGH/BGI** leave?

16 A. Not long after. But I had a friend, and I also raised
17 the point -- I had a friend, a girl, and she was just
18 a friend who was a girl, she lived in the same house as
19 me, and she complained that he was coercing her into ...

20 Q. Sexual activity?

21 A. Sexual activity. Because he'd promised her that she
22 would get a visit home and it hadn't happened.

23 Q. That was Mr **BGH** had promised her? That was what she
24 was telling --

25 A. Yes.

1 Q. Just going back to this meeting with BGF in the
2 presence of Mr BGH you said at one point that
3 someone -- and I just want to check who this was, was
4 this BGF -- gave the impression that there had
5 been some form of investigation into these matters?

6 A. Mr BGF.

7 Q. That's what he was trying to suggest?

8 A. Mr BGF as good as told me I was telling lies.

9 Q. Yes, but he also said that he conducted some sort of
10 investigation.

11 A. Yes, and he said, "I'm happy with the" -- more or less,
12 I can't remember the exact words. It was more or less,
13 I'm happy with the information I've been given with the
14 questions that I have raised.

15 Q. Surely he hadn't spoken to you at all until then? He's
16 telling you the result of an investigation --

17 A. He hadn't spoken to me at all.

18 Q. -- where the person who was giving the information
19 hadn't been interviewed --

20 A. Not at all.

21 Q. -- by him.

22 A. By him.

23 Q. Insofar as he got information, he didn't seek to speak
24 to you before he reached a conclusion?

25 A. He got BGH/BGI side of the story -- or

1 Mr [BGH] - or Mr [BGH] side of the story on
2 their own, I have no idea. It was quite simple that the
3 accusations I've made were dismissed as not true.

4 LADY SMITH: David, just let me check. You told me that you
5 told Miss Talbot about what was happening to you.

6 A. Mm-hm.

7 LADY SMITH: So what Mrs [BGI] was doing to you?

8 A. Yes.

9 LADY SMITH: Was it at the same time you told her what you
10 knew about your friend being coerced into sexual
11 activity by Mr [BGH]

12 A. No.

13 LADY SMITH: That was on another occasion?

14 A. Yes.

15 LADY SMITH: So on this single occasion when you went to the
16 study and were told effectively you were lying because
17 there's been an investigation that satisfies me that
18 these things didn't happen, that was only about your
19 experience, not about this other girl's experience?

20 A. Yes.

21 MR PEOPLES: You have seen some records, have you, of your
22 children's records?

23 A. Yes.

24 Q. Is there anything about this matter at all in it?

25 A. No, nothing --

1 Q. Nothing to say there has been an investigation and
2 I have reached a conclusion that this boy is lying and
3 there's no substance and this is what I did to reach
4 that conclusion?

5 A. Nothing at all. I raised that with the modern
6 Aberlour Trust and said, listen here, during this year,
7 1964/1965, I raised with Mr BGF and Miss Talbot the
8 fact that I had been sexually molested in care and they
9 said, well, I'm so sorry, we don't have records going
10 back that far, or, the records that we have are
11 incomplete. But they also wrote to me and said,
12 regarding the matter you raised of sexual assault, if
13 you still feel the same way, we suggest you contact the
14 police.

15 Q. That's much later on when you went back fairly recently?

16 A. Yes.

17 Q. Just to be clear, who threatened you with Ladysbridge?

18 A. Mr BGF.

19 Q. At this meeting?

20 A. 100%, yes -- no, he said to me, "There's a place for
21 children who lie and that's Ladysbridge".

22 Q. And you obviously knew what that meant?

23 A. Everybody knew. It was a constant threat to take you to
24 Ladysbridge.

25 Q. This was from BGF, the mouth of BGF, this

1 threat?

2 A. This was from the mouth of [BGF].

3 Q. Who else would be making these threats from time to
4 time?

5 A. The children talking to each other would say, "You'd
6 better be careful, they'll take you to Ladysbridge". It
7 was like a caution, that you need to watch what you're
8 doing. Some children were taken to Ladysbridge.

9 Q. I think we have evidence to that effect already.

10 Can I move away from the [BGH/BGI] and just ask you
11 about some of the other people that you mention. I can
12 take this more briefly. You mention in your statement
13 [BGG] and [BGJ]. They feature from time
14 to time in your statement. I just want to be clear what
15 you're saying about them.

16 If we go to page 0145 --

17 A. Can I please just -- because to me it's very, very
18 relevant. After that meeting with Mr [BGF] and the
19 fact that I'd raised a complaint and he said there's
20 a place ... I got taken to -- I was taken afterwards --
21 [BGH/BGI] left after. Just -- it seemed to me to be
22 a short period of time. Then [BBP/BGZ] came and
23 I wasn't sleeping. Well, I wasn't sleeping simply
24 because I had this vision of [BGH/BGI] constant
25 visits.

1 I was taken to see the doctor in Aberlour Orphanage.
2 It's in my records. They gave me a heavy sedative. But
3 when I went to see the doctor, Dr Caldwell, he spoke to
4 me like I had special needs. I was dux in primary and
5 yet he was saying things to me like, "Add 3 and 2 and 5
6 and take away 2, what do you have?" And I said, "Why
7 are you talking to me like this?" Then I got --
8 phenobarbitone, I think it was at the time.

9 Q. I'll take you to that matter. You deal with it at
10 paragraphs 115 through to 119 of your statement. I can
11 take you to that just so that you can remind yourself of
12 what you said in your statement. Paragraph 115 starts
13 on page 19 of your statement, David. It's page 0146 of
14 our numbering. You might want to just put that in front
15 of you.

16 This is something that happened when BBP/BGZ took
17 over, is it?

18 A. Yes.

19 Q. Shortly after BGH/BGI had left?

20 A. Yes.

21 Q. You say that you were taken to the local doctor,
22 Dr Caldwell?

23 A. Yes.

24 Q. You tell us about that at paragraph 115 and you're
25 telling us you thought you were going to discuss the

1 abuse.

2 A. Yes. Nobody went to see the doctor; the doctor came to
3 the orphanage. This was a complete break with normal
4 procedure.

5 Q. At that stage did you have symptoms such as
6 sleeplessness and anxiety?

7 A. I definitely had sleeplessness and anxiety.

8 Q. Was that to some extent the reason why you were being
9 referred to Dr Caldwell or was it explained to you?

10 A. It was never explained to me.

11 Q. Anyway, you did see him?

12 A. Yes.

13 Q. And you have told us one of the things he did was to --
14 it sounds like a rather crude intelligence test.

15 A. Yes, he said to me, "There's nothing wrong with your
16 brain anyway and anyway Winston Churchill got by on four
17 hours' sleep a night, bye-bye". And that's it.

18 Q. Did he prescribe the phenobarbitone?

19 A. I think so. It wasn't a case of I was taking
20 a prescription to a doctor. I was just given what --

21 LADY SMITH: I don't suppose you would know how the pills --

22 A. I didn't know -- when I said I was given medication,
23 when they sent the records, I discovered -- the first
24 time they didn't send me any records of the medication,
25 of the visit. I wrote back to them and said, these

1 records are incomplete. They wrote back to me and said,
2 we apologise that your records were incomplete and
3 here's all we have now, and they gave me further records
4 and I found the reference to the doctor's visits and the
5 medication.

6 LADY SMITH: David, just help me with this: how did they
7 find out that you were having difficulty sleeping?

8 A. Because I was in the dormitory beside my brother and
9 BBP/BGZ -- by this time, we were in
10 St Margaret's -- they would walk through our dormitory.
11 Their bedroom was at the end of the dormitory. Every
12 night they would access the dormitory and open a door at
13 the end and that was their bedroom. I was awake. They
14 then moved my bed to beside the door. I said, can
15 I sleep back beside my brother again, he said, no,
16 you're under observation. That was it.

17 MR PEOPLES: I think you tell us in paragraph 116 that the
18 prescription, you now know was changed to Mogadon
19 sleeping tablets.

20 A. Yes.

21 Q. And you tell us why you weren't sleeping. You say that
22 that was because of thoughts about what BGH/BGI had
23 been doing?

24 A. Absolutely, yes.

25 Q. Of course, by the time that BBP/BGZ took you to the

1 doctor and the doctor gave you this medication, by this
2 stage presumably the meeting with [BGF] had taken
3 place, you'd been dismissed as a liar, and told that you
4 might go to Ladysbridge?

5 A. Yes, that's fair. I have to say, with respect, you
6 think, well, [BBP/BGZ] came, [BGH/BGI] have gone, so
7 you can sleep now. I've never had a night's sleep in my
8 life since, a good night's sleep. Never.

9 Q. You tell us -- and I'll maybe come back to it -- about
10 the impact of that, even to this day you struggle with
11 night-time and sleeping; is that right?

12 A. Yes.

13 Q. And anxiety?

14 A. Yes.

15 Q. So can I maybe ask about Mount Stephen also? You do
16 deal with that. You tell us a little bit about that in
17 your statement and what you recall about life in
18 Mount Stephen.

19 You've already told us this morning about the
20 bed-wetting and the boy that you saw when he was an
21 adult and what had happened to him.

22 At paragraphs 78 through to paragraph 80 of your
23 statement, starting on page 13, David, you tell us that
24 there was an occasion when you ran away from the
25 orphanage after being beaten by [BGG] you and

1 your brother ran away.

2 A. Mm-hm.

3 Q. Before you tell us what happened when you were brought
4 back, when you say you were beaten, can you give us some
5 description of what the beating involved that caused you
6 to run away?

7 A. We had gone to bed. One of the boys who lived with us
8 in MS, he had got a home visit, he had gone home and he
9 came back. It was a Sunday night and he came back on
10 the Sunday. We went into the bedroom and we went into
11 bed -- into the dormitory and go into our beds as
12 normal. Within a few minutes, it seemed, this dreadful
13 smell -- he had got a stink bomb at home. He brought it
14 home and he lit it off in the dormitory bedroom. And
15 everybody, of course, was shouting, screaming, laughing,
16 complaining.

17 But there was a great deal of noise and

18 BGG came into the dormitory, and of course
19 the smell was so apparent, so he called everybody out
20 into the corridor. He lined everyone up on both sides
21 of the corridor and he was going round and

22 BGG was ... He was a very small man who
23 had -- he was really angular in the face and he had
24 these very, very, very thick glasses that looked as
25 though thought they were spider's -- very thick lenses

1 and he spoke with a very, very heavy guttural accent.
2 So even when he spoke to you at the best of times, it
3 sounded like something you were going to smirk at
4 because he was ...

5 So someone set off a stink bomb and he had everybody
6 lined up and he is going up to them individually, one by
7 one, and he was saying, "Did you let off that bloody
8 stink bomb?" And of course, I saw ... And I've always
9 been -- unfortunately, I've had a nervous laugh all my
10 life. I find things that should be very serious --
11 perhaps it's a form of escape, I don't know. Sometimes
12 you laugh when you really shouldn't. He was going round
13 the kids, "Did you do it? Did you do it?"

14 And he came to me and I remember I was standing in
15 front of the other dormitory door that wasn't in use any
16 more -- because the house had so many children leaving,
17 we only needed one dormitory. And he stood in front of
18 me and he said, "Did you let the bloody stink bomb off?"
19 and I was pressing my lips with my fingers and he looked
20 at me and he said, "Take that bloody smile off that
21 bloody silly side of your face", and I burst out
22 laughing and he punched me, he punched me so hard he
23 sent me right through the door.

24 He was in a rage, an uncontrollable rage. He was
25 kicking, and the other kids, my brother included, were

1 jumping on him. From somewhere, another house parent
2 came through -- there were linking doors in the
3 corridors, they must have heard the noise. And they
4 pulled him off and they thought at first that he had
5 broken my jaw because it swelled immediately and I was
6 kept off school for three days. I was taken to the
7 infirmary.

8 Q. You deal with this at paragraphs 107 to 110 of your
9 statement. You were taken to the infirmary because your
10 face was swollen by this stage. You say you were
11 punched. When you were kicked, where were you kicked?

12 A. On the body. I remember the punch so well because
13 nobody's hit me like that in my life. But the kick was
14 just, he just lost it, it was really that simple. He
15 absolutely lost control.

16 Q. When you get to the infirmary, did you stay in the
17 infirmary or did you get treatment?

18 A. I got treatment -- I can't remember how long -- I seemed
19 to be there for a while. But then I came home and
20 I went back to the house and it was as though I was the
21 chosen one. I was lavishly treated for about three
22 days, where he had obviously realised that he had gone
23 way over and it was ... He was trying to keep it under
24 wraps as much as he possibly could. It was that simple.

25 Q. One thing you say -- and this maybe echoes what you said

1 about the meeting with [BGF] -- there's nothing
2 about this in your record.

3 A. No. Nothing. Nothing. Another thing I asked about --
4 because we ran away, my brother and I, we ran away and
5 we got to Dufftown. It was November we ran away. It
6 was freezing cold. Absolutely freezing. We had only
7 what we were wearing in the orphanage. So by the time
8 we got to Dufftown, we were absolutely freezing. They
9 say we handed ourselves into the police -- well, they
10 actually found us in the cinema in Dufftown and took us
11 to the police.

12 LADY SMITH: How did you get to Dufftown?

13 A. We walked. We took -- four hours to walk it, but you
14 were used to walking. You were a seasoned walker by
15 this time, so we walked. I remember vividly we saw
16 a fawn, a young deer, that was frozen at the side, and
17 we got to Dufftown, we got taken to the police, and the
18 policeman made us beans on toast. Then he was asking us
19 what had happened. We told him. We got taken back to
20 the orphanage. We got taken in to see Mr [BGF] by the
21 policeman and Mr [BGF] told us how worthless we were
22 and the policeman said, "Hold on a minute, I really
23 think you should listen to what these boys have to say".
24 He dismissed the policeman and belted us and then took
25 us back to be looked after by Mr [BGG]

1 MR PEOPLES: So you reported to the police, they raised the
2 matter with Mr BGF but you got disciplined and
3 punished?

4 A. We got belted. We got the belt.

5 Q. You said your records, can I put one record in front of
6 you. I think there's a record of you absconding, but
7 not a record of why and what the background to that was.

8 A. No, because -- yes, that's the whole thing I was looking
9 for. Because I thought when I get these records -- I've
10 been back to Aberlour and asked again. They said to
11 me -- and I said this was incomplete -- normally, you
12 would anticipate that Mr BGF would say, "Okay, you've
13 ran away, which is the wrong thing to do and stuff, but
14 why did you run away what gave you cause to run away?"
15 Nothing.

16 Q. No discussion of that kind, even in light of what the
17 policeman had said?

18 A. No. He just simply wasn't interested. At the risk of
19 sounding dramatic, it was me, so he wasn't interested.

20 Q. Can I just put up the document that I was going to put
21 to you. ABE.001.008.7327, which I think is part of the
22 records, and I think you maybe have seen this before.

23 7327, I think. It should be a description of some
24 of the events that occurred during your period at
25 Aberlour. It's a summary typed version of various dates

1 and what happened, including visits and so forth, when
2 you were admitted.

3 If we look halfway down that page, or a bit further
4 down, to 11 January 1967, you were still at the
5 orphanage then. Do we see it says:

6 "Absconded. Out from 3 pm, but gave himself up
7 along with brother at 6.45 pm to Dufftown police."

8 Was that the occasion?

9 A. Yes.

10 Q. So there is a record of you absconding, but what you
11 failed to find is any explanation or recording why you
12 had absconded?

13 A. I also ran away in 1964 when we went to the orphanage
14 with my brother and he's got the record in his records
15 and I've nothing in mine.

16 Q. So there's no record of that in this document? We do
17 know you absconded, but they don't tell us the
18 background to that?

19 A. Yes.

20 Q. Or what happened to you as a result of it. Is there
21 a record? There may be a record of you being punished,
22 is there? Or am I wrong?

23 A. No. Mr BGF just says in his letters, in the records
24 I have, that we were difficult boys. And that was
25 simply because we complained. There is no record to say

1 that we were vandals or whatever. He simply said --
2 "They haven't settled in well" were the words he used.

3 Q. I think you're correct that there are entries in your
4 records which I think were written in 1967 and 1968
5 along the lines of you were exceedingly difficult, you
6 were being demanding throughout your time in care, you
7 were a most disruptive member of even households that
8 you went to after the orphanage, it was being said of
9 you. You were very unsettled for the whole of your
10 period in care in Aberlour, and so forth. These are the
11 letters you're talking about, a couple of letters were
12 in the file so that effect.

13 A. It is the strangest thing: I can only say and invite you
14 if you could check. All those negative remarks were
15 made by one member of staff and that one member of staff
16 was a woman whose name was [REDACTED] BGN [REDACTED]. She was old
17 school Aberlour, she looked after me in Quarryhill when
18 she was a relief house parent and also in Dunfermline
19 when she was a relief house parent. The strangest thing
20 is when I took my wife to visit Mrs Burns, who looked
21 after us in Dunfermline, she remarked to [REDACTED] she said,
22 "We didn't know what to think when we met [REDACTED] BCM [REDACTED]
23 because he was on borstal report". She said it was the
24 strangest thing. I was excelling at school. As far as
25 I was concerned, I was a model child.

1 Rhona and Ken who looked after me had nothing but
2 praise. Mr and Mrs Burns (inaudible) who looked after
3 me had nothing but praise. And this [REDACTED] BGN [REDACTED] who
4 haunted me throughout my stay at Aberlour from 1964
5 until I left is the one who made the negative
6 statements.

7 LADY SMITH: We can see from the record that's got the
8 report of you absconding on it for 22 December 1966, in
9 a class of 26 children, you're studying eight subjects,
10 and you've done really well in all the academic
11 subjects, and you've come top of the class in a number
12 of them.

13 A. That was in the school after I'd left
14 Aberlour Orphanage. I was dux of the primary in
15 Aberlour Orphanage --

16 LADY SMITH: You were dux in the primary?

17 A. [REDACTED]
18 [REDACTED] and there's
19 no record. And when I phoned I said, surely you would
20 have the grace to confirm my academic prowess, and they
21 said, sorry, that's what we have.

22 LADY SMITH: Something else I noticed on this page: there's
23 a brief remark for 3 December 1965 about you rocking in
24 bed while you were asleep at night --

25 A. Mm-hm.

1 LADY SMITH: -- and you being referred to the doctor for
2 medical examination for that. Do you have any memory of
3 being sent to the doctor on that occasion?

4 A. I think that's when I went to see Dr Caldwell. I think
5 that's why he was trying to determine whether or not
6 I had -- I needed psychiatric evaluation. I was rocking
7 in bed at night because I was afraid Mrs BGI would
8 come and visit me. I've rocked in bed ever since.

9 LADY SMITH: Were you ever sent to a child psychologist?

10 A. No, but I got counselling when I left Aberlour. I have
11 taken anti-anxiety tablets all my life.

12 MR PEOPLES: David, can I just -- I should in fairness --
13 I did mention two letters. I think you explained where
14 the information came from that I was putting to you.
15 The letters themselves that I was reading from were
16 written by BGF to the children's officer, but
17 obviously BGF would have obtained that
18 information from sources.

19 A. The house parent.

20 Q. The house parents. I'll just give the reference.
21 I won't take you to them, but for the benefit of the
22 record, the first one is a letter from BGF to the
23 children's officer of Edinburgh Corporation on
24 5 July 1967. It's ABE.001.008.7332. I think at that
25 stage you had moved to Quarryhill.

1 The second letter that I had in mind and took
2 extracts from and put them to you is a letter, again
3 from BGF, [REDACTED]
4 [REDACTED] A letter of 1 April 1968, again to the
5 children's officer, ABE.001.008.7331. I think there
6 we have these expressions, the type of expressions that
7 I put to you there, that seem to be in the records at
8 that point in time.

9 At these points in time that I've mentioned, as
10 you've said, you were in different establishments.
11 You'd left the orphanage and you've told us in your
12 statement these were happy experiences --

13 A. Yes.

14 Q. -- and that you don't really feel that these comments
15 are justified, based on your experiences there. Is that
16 correct? Is that really what your position is?

17 A. Absolutely. The comments were effected to Mr BGF via
18 BGN. I should add, because it's relevant,
19 they were made by BGN because when I was
20 in the orphanage she didn't like me and when I was in
21 Dunfermline she came for relief housekeeping and there
22 was a sailor in the house. That should never have
23 happened. It was really that simple. We were beside
24 the dockyard. As far as I was concerned, I would never
25 have said anything about it, but she obviously thought,

1 oh dear.

2 Q. Just on the point of -- and I'm not going to spend too
3 much time today dealing with those two establishments
4 because we can read for ourselves and you did think they
5 were positive. But can I just say, I think in the
6 section of your statement that deals with Quarryhill,
7 which you went to in 1967, you say you loved it at Keith
8 and, although you were there only for six months, and
9 you talked very fondly of the house parents, Ken and
10 Rhona Nicholson and you said you remained friends with
11 them after you left.

12 A. I remained friends with them until they died. [REDACTED]

13 [REDACTED]
14 [REDACTED]

15 Q. I think you also had a lot of affection and good
16 memories of the people who were in charge at Bellyeoman;
17 that is Mr and Mrs Burns?

18 A. Yes. [REDACTED] we saw them
19 until they died.

20 Q. So far as you're concerned, whatever was written about
21 your time there, you had a good experience, you got on
22 well with the house parents, the people in charge and
23 you remained friends with them, they attended your
24 wedding and you remained in contact?

25 A. Ken and Rhona came to our house where we still live now.

1 [REDACTED]
2 [REDACTED] Gordon
3 and Lillian, they died before -- many years ago now.
4 When I left the orphanage and my mother died very
5 suddenly, and I wasn't yet 16 years old, she was the one
6 who was instrumental in going back to the social work
7 department, it was at this time, and saying,
8 [REDACTED] BCM is working in a restaurant, he's also
9 still at college, he's struggling to get by", and
10 Miss Craven of Aberlour Orphanage was instrumental also
11 in making sure that I was supported by the Social Work
12 Department.

13 Q. So you've got good enough memories of Miss Craven and
14 the efforts --

15 A. Absolutely, absolutely. But it wasn't Miss Craven that
16 I told. Miss Craven wasn't there when I had my meeting
17 with Mr [REDACTED] BGF. When I went home, when Miss Talbot came
18 for me when I was in her car, I said to her, "Why didn't
19 you say it all those years ago" -- because she said, "Is
20 there anything you want to know, is there anything you
21 want to discuss with me?" because I was going home to my
22 mother. And I said, "Yes, I want to know why you didn't
23 say, why you didn't say after I told you?" She said --
24 as far as I can remember, she said, "Be quiet and tuck
25 that cushion behind my back".

1 Q. Just going back then to Miss Talbot, you said you had
2 mentioned it to her and shortly afterwards there was
3 a meeting with BGF which you have described to
4 us. Did you think she hadn't said anything to BGF
5 BGF r do you think she was the source of the
6 information?

7 A. I thought that having been told that she would have to
8 say something, but I also thought because of the Mr Lee
9 thing, the Mr Lee scenario, there was no way they were
10 going to have two scandals, one following the other.

11 Q. Do you think it was Miss Talbot who probably did say
12 something to the warden and caused him to make this
13 "investigation" and then see you?

14 A. Mr BGI wouldn't have done it, so it had to be
15 Miss Talbot.

16 Q. So whatever she thought of whatever you think she
17 probably did --

18 A. She had raised a concern of sorts. How much influence
19 she placed on it or emphasis she placed on it, I don't
20 know. But certainly it had been raised with Mr BGF

21 Q. If I could go back again to Mount Stephen. You have
22 told us about the stink bomb incident and the reaction
23 of BGG and what happened and you ran away and
24 what happened when you ran away and came back. You have
25 some other things to say about BGG and

1 BGJ in your statement and I just want to ask you
2 about those.

3 On page 18 at page 0145 you tell us, I think, a bit
4 about other things that went on in Mount Stephen House
5 at paragraphs 105 and 106. I just want you to just
6 briefly tell us -- you tell us something about

7 BGJ , first of all, and another thing about

8 BGG they did certain things, is it at bath
9 time?

10 A. It wasn't bath time. But BGJ was -- they called
11 BGJ . His name was BGJ He
12 would always quote from Scriptures. He was always
13 humming psalms or hymns or whatever else. If you did
14 something wrong, he would punch you in the stomach.
15 Everybody knew he would definitely punch you in the
16 stomach. For some reason, for myself and my brother, he
17 would take us downstairs, down the passageway to the
18 bathroom, there were baths separate from toilets, he
19 would take you to the bathroom and he would ask you
20 to -- whatever misdemeanour you carried out, the
21 punishment was always the same.

22 He would make you spread your hands on the bottom of
23 the bath, first of all you had to take your trousers
24 down and your underwear down, you put your hands on the
25 bottom of the bath, and he had a table tennis bat with

1 no rubber on. And he would put his hand in his pocket
2 and with the other hand, he would hit you with the bat.

3 Q. And this happened to you and your brother, did you say?

4 A. Yes, on numerous occasions.

5 Q. Did it happen to other children, do you know?

6 A. I suspect it did, yes.

7 Q. In your statement on this matter at paragraph 105, you
8 say he'd make some utterances when he was doing so.

9 A. He made these Bible -- Biblical ... He was ... Just my
10 opinion, but clearly there was something wrong with him.

11 Q. That's presumably how he got his nickname?

12 A. Yes, **BGJ** Everybody called him **BGJ**

13 he was known as **BGJ**

14

15

16

17 Q. **BGG** had a particular use of spoons.

18 A. Shine the spoons.

19 Q. You tell us about that and you deal with that in
20 paragraph 106.?

21 A. I can see it just before me. He used to keep
22 a bent-over spoon in his pocket and he used to shine it
23 with his handkerchief and then when you had your towel
24 from the bathroom he used to hold it underneath you.

25 But -- that was, if you like, just something that

1 was really strange, but what he also used to do -- and
2 there was no question of him trying to make it
3 surreptitious or hide it -- he used to bend you over the
4 bath, spread the cheeks of your buttocks, and he used to
5 look at you.

6 Q. Not with the spoon, just to inspect?

7 A. Just to inspect. We were only young boys. We were
8 hardly likely to have haemorrhoids.

9 Q. The only other individuals I was going to ask you about
10 briefly, you tell us a little bit about some things that
11 BGK the music teacher did. I think they would be
12 employed by the Local Education Authority?

13 A. They were employed by Aberlour Trust because they were
14 made redundant by Aberlour Trust.

15 Q. Okay. You deal with BGK I think, at paragraphs 84
16 to 85. I think your focus is mainly on the
17 house parents, particularly the ones we've been
18 discussing today, but you did say that, under
19 "Discipline", that he would use a instrument sometimes
20 as a method of discipline. Is that right?

21 A. He would use a stick. He had a stick. He also used
22 a belt a lot. He was known for his liking for the belt.
23 When you're at school, if you were at school when there
24 was corporal punishment. You always knew the teachers
25 who were more than likely to use the belt. When we

1 first started, you were talking about -- before we even
2 went for our haircut that day, the Monday, the first day
3 were introduced to the school, and we saw Mr Robertson,
4 who was a lovely man, he was the headteacher. He said,
5 "Okay, you're all in music class", because they were
6 going to determine which class we were in so we all went
7 into music class. BGK was taking the music class
8 and we walked in and he said, "You're late". And we
9 said, "We've just been to see the headmaster",
10 "Nobody's late for my class", and he belted us.

11 Q. But he also did something when you didn't hit the right
12 note, you said, at paragraph 85. This is when you'd use
13 his baton. What did he do on those occasions?

14 A. I had -- when I was young, I could sing, and I was
15 in the choir. They sometimes farmed me out to Wester
16 Elchies, which is a prep school for Gordonstoun. When
17 there was a time for parents were thinking of which
18 school they were going to send their children to, they
19 had a choir that would sing and if they were short on
20 numbers, I suspect, they would ask and you would be sent
21 over. But first of all, BGK would, of course, make
22 sure that you were up to standard, ready for the job and
23 he would be -- I used to stand in choir on the
24 right-hand side and the organ was over on your side
25 (indicating), but instead you had to swap places and you

1 understood directly behind the organ. He'd be playing
2 the organ and you had to hold the note, and if you at
3 all faltered with the note, he used to lean over -- it
4 was like a black board pointer and he used to belt you,
5 head or shoulder or wherever else he -- hand, wherever
6 he caught you.

7 Q. Sore?

8 A. Very.

9 Q. Leave any marks?

10 A. No, no.

11 Q. The other person, and I'm not going to take up too much
12 time because we can read it for ourselves, was the gym
13 teacher, **BDG**. You have a memory of him as a
14 sadist; that's the word you use.

15 A. He was a sadist. A total, complete and utter sadist who
16 went on to work at Oakbank Approved School, which was
17 probably the best place for him.

18 Q. I think you have an occasion you tell us -- and I won't
19 take you to the passage -- that he asked you and your
20 brothers when you were lined at the deep end of a pool
21 whether you could swim, and when you said you
22 couldn't --

23 A. He kicked us in. He took a great delight in kicking us
24 in, I would hasten to add. He waited until such times
25 when it was teeming with other swimmers. Although he

1 kicked us into the deep end, he waited until it was
2 teeming with other swimmers and then kicked you in so
3 you were struggling with the other swimmers as well as
4 the fact that you simply couldn't swim.

5 Q. He also had a game called British Bulldog.

6 A. Which he delighted in. They all had their ears to the
7 ground and Mr **BDG** as well as being the gym teacher,
8 was also an assistant house parent who would take over
9 houses at night. He knew who didn't like who and so
10 he had this game of British Bulldog. He would line up
11 20 kids against 20 kids. He had a medicine ball, he
12 would throw it down and it was your job to get from this
13 end of the room to that end of the room and no holds
14 barred. And it was an excuse for a free-for-all. It
15 was really that simple.

16 Q. And children of all ages?

17 A. All ages, yes. And it really was -- yes, it was --
18 suffice to say that we had a visit from the school
19 inspector and it was stopped. But when the school
20 inspector used to come, to go back to Mr **BGK** just an
21 example of how things really were in the orphanage,
22 I used to go -- they made me -- they had me in the class
23 and I could be in Primary Seven for one class and then
24 in Primary Six for another class, depending on who the
25 school inspector was.

1 When you were there, they would ask questions and
2 you would give the answer. The school inspector would
3 say, "For the next question, if you don't answer the
4 question, you remain silent, I'm going to ask ... " And
5 Mr **BGK** who was pretending he was writing out the next
6 study on the board, would be writing down, and he would
7 write the answer to the question on the board. And
8 he had the eraser in his other hand and he'd sweep it
9 across as soon as somebody gave the answer. It was
10 a nuthouse. It was really that simple.

11 Q. I think these are probably all the questions I'm going
12 to ask about Aberlour. Can I say I'm not going to --
13 I'm conscious of the time and I'm not going to go over
14 all the Bellyeoman and Keith bits. I think we've taken
15 you from you that these were happy experiences and you
16 don't feel the records fairly reflect that fact in your
17 case.

18 After care, again, we've got the evidence there and
19 I'm not going to take you through the detail. Can I say
20 this: I think that really, when you went to Stephenson
21 College and met your wife, that was a big turning point
22 in your life?

23 A. Absolutely.

24 Q. And I think you made a success in --

25 A. I've been married for 44 years.

1 Q. Not just a success in marriage, but a success in
2 business and you did very well; is that the case?

3 A. Yes.

4 Q. Nonetheless, your experiences that you've told us about
5 today have had a lasting impact. I think you have told
6 us a bit about that already. Do you want, before we
7 conclude, to say anything about the impact or any other
8 observations you have about Aberlour and how it was run
9 and why these things happened?

10 A. First of all, just to finish the bit with Miss Talbot,
11 when I was going home, as I told you, I asked her, and
12 she said, "Put the cushion behind my back", and more or
13 less, "Be quiet", and we drove home. We went to
14 Boroughmuir and I got enrolled in school. I came home
15 and the first night I was in my mother -- with my mother
16 by herself and told her what had happened to me in the
17 orphanage.

18 Because I only saw my mum once in all the time that
19 we were there. When I told her, she immediately -- and
20 in those days there was no mobile phones, but I remember
21 we walked across the road to the post office in
22 Brougham(?) Street and she phoned Social Work Edinburgh
23 and Miss Talbot was to come for a meeting. She never
24 came.

25 My mother died and I had come home and I had no home

1 because the landlord had put us out because my mother
2 wasn't there any more, so -- my mother worked as
3 a bookkeeper for the landlord. He had given us two
4 weeks' notice and my Uncle [REDACTED] had taken us up Wick
5 for 2 weeks so when I came back there was nobody there,
6 so I phoned Mrs [REDACTED] and said, "Look, I have nowhere to
7 live", and she said, "Come over to Dunfermline,
8 do you have your train fare?" So I went over to
9 Dunfermline and I was there for a few days. She made
10 arrangements via Miss Craven for Miss Talbot to call at
11 Franklin House in Dunfermline. She never came.

12 That's all in my records that she had been asked to
13 call and she never came. Eventually I got another
14 social worker and Miss Craven and Mrs [REDACTED], who were
15 instrumental in making sure that I had an income and
16 I had some place to stay -- in fact, Mrs [REDACTED] gave me
17 her house to stay in.

18 Q. I think you said, you were between addresses in
19 Edinburgh and Dunfermline.

20 A. If I had anything to say about my stay in Aberlour,
21 it would be that when I -- I went to Redhall first and
22 I loved it. I really did, I loved it all. They were
23 such nice, caring, considerate house fathers. They were
24 both men. They were the nicest -- men with families,
25 the nicest guys. [REDACTED] and I went back to visit.

1 Then I went to -- I would have been delighted to
2 have stayed in Redhall. We got taken to Aberlour and it
3 was just like ... It was like going into the hell, is
4 the best way of putting it. The whole thing was so
5 bleak, it was so unwelcoming, it was so -- we were only
6 small children. But it was just -- it was hellish. You
7 made -- and I still have these friends -- you made
8 fantastic friends with children, but it was like in
9 adversity because the house parents were just so bad,
10 they were just so, so, so bad. And they should never
11 have been working with children.

12 If I had anything to say, the biggest failing of all
13 was that Aberlour Orphanage, whatever they were doing
14 in the selection process, they weren't doing it right.
15 But they proved they could do it right because of the
16 love and affection I got from the house parents in Keith
17 and Dunfermline.

18 So since that time, I have come to the conclusion
19 that any house parent who was at all concerned about
20 making a career would never have gone to Aberlour Trust
21 to look after 40 children at a time. You were never
22 going to be a carer; you were going to be a custodian.
23 It was really that simple.

24 That, I think, is why the government, in their right
25 mind, turned round eventually and said, these large

1 establishments have to close, they're not best fit for
2 today's social climate. So they've gone now.

3 But just as an aside, I still visit Dunfermline, so
4 does my wife. It's a place now where Aberlour has
5 totally changed its business focus and it looks after
6 children with special needs.

7 As far as the people, I hope, if they're still
8 alive, that somebody knocks on the BGH/BGI door --

9 BGG I doubt, very much would still be alive.

10 BGJ may still alive.

11 I sincerely hope that someone knocks on their door.
12 Whether or not they could prove that they did these
13 things, never mind. But they should be told: look here,
14 we know about you. That's the most important thing.

15 Q. The only other matter, and you touched on it -- and
16 I know you weren't there at the time -- you mentioned
17 a Mr Lee and you said they didn't want a repetition of
18 Mr Lee.

19 A. Yes.

20 Q. We'll hear a bit about Mr Lee in due course in this
21 inquiry. We know a bit about his background and what
22 happened. But was Mr Lee, was it known in your day --

23 A. Absolutely.

24 Q. -- about Mr Lee?

25 A. Absolutely known.

1 Q. Within the orphanage?

2 A. Within the orphanage and the school. When the
3 house parent or the teacher, even, turned round to face
4 the board, kids would start singing. They would look at
5 each other and they would sing. There used to be
6 a slogan for selling the confectionary Lee's macaroon
7 bar: "Lee, Lee, more if you please". And they would
8 sing, "Lee, Lee, does as he please", and they had some
9 really raunchy lyrics after it that referred to Mr Lee.
10 They were quite furious about it.

11 Q. Who was quite furious?

12 A. The teachers and house parents. [REDACTED] BGH/BGI [REDACTED] were
13 threatened with it. When I said there was
14 a mini-revolt, they were threatened with the fact,
15 "You're going to end up just like Lee". They were
16 certainly threatened with it.

17 Q. So however much the public might have known or not known
18 about Mr Lee and what he did and what happened to him,
19 within the orphanage, he was known in the 1960s, 1964
20 period to 1967 when you were there, what had happened,
21 or at least generally speaking what happened?

22 A. No, absolutely speaking it was known. There's no ifs or
23 buts about it.

24 Q. Do you know what did happen with him? Do you know how
25 many boys were involved?

1 A. Yes, I know exactly because I spoke to a friend of mine
2 who's still a friend of mine, who's an old man now. Who
3 made the remark: thank God, I was small, fat and ugly.
4 He was in Spey House with Mr Lee. We were talking about
5 Mr Lee and the fact he got six years in jail for
6 a single offence. He said, there were 30 children in
7 our house and he offended against 18 of them. They were
8 taken to hospital. So the one was a sample charge.

9 Q. Well, can I just say, because I'd better say this for
10 the record, Mr Lee was convicted on an accelerated
11 procedure where he admitted to 11 charges involving ten
12 boys: nine of lewd and indecent and libidinous practices
13 and behaviour and two of sodomy. And he was sentenced
14 to six years in prison on 13 September 1963, the matter
15 having come to light, it would appear, in about the
16 middle of August 1963. Mr Lee had joined Aberlour
17 in October of 1961.

18 That is the official position. You have obviously
19 heard from others that you think there might have been
20 a greater number of boys --

21 A. I was told -- in the company of my wife, I was told that
22 it was 18. And they were taken To Aberdeen Royal
23 Infirmary because they didn't want them taken to
24 somewhere close like Elgin because it was too -- they
25 could refer it to ... They would know it was Aberlour.

1 Q. You went to Aberlour in [REDACTED] 1964. Do you know
2 whether the matter of his conviction, sentence and the
3 number of boys involved, did it get a lot of publicity
4 locally in Aberlour beyond the orphanage?

5 A. I never read papers in those days. I never read
6 newspapers, so I don't know. But I know he got six
7 years. Everybody knew he got six years. I know what he
8 did, I know it was Spey House -- Wee Kids, that was the
9 pet name for it. Miss [REDACTED] AJF took over afterwards and
10 Miss [REDACTED] AJF became the main house parent and turned it
11 right round. Everybody wanted to go. If there was
12 a house they wanted to choose, it was Wee Kids. We had
13 a reunion as I told you at the very beginning of this
14 and Miss [REDACTED] AJF was the only house parent who turned up
15 and she was very, very warmly received.

16 I think he was called, let me think now, a director
17 or ... Anyway, the head person for Aberlour Trust
18 turned up and it was perhaps a bad idea because the bar
19 had been open some time and the abuse ...

20 Q. Was discussed at the reunion?

21 A. Yes. He was given a fair bit of abuse.

22 Q. He was as well?

23 A. Yes, and the children -- grown people were saying, "How
24 could you let this happen to us?" And they were talking
25 about not just sexual but physical and psychological,

1 and people grow up and become wiser and they reflect on
2 the past and they say, that wasn't right.

3 Q. Just lastly on this, when you got there, though, against
4 that background of someone being convicted months
5 earlier and you arrived, did you get any kind of
6 education or preparation to make sure that the sort of
7 thing that Mr Lee did to the boys in Spey House wouldn't
8 happen to you or that you should report anything of that
9 kind? Did you get any kind of talk or introduction to
10 say, well, we now know these things happened and we want
11 you to be sure to say something if you ever feel
12 threatened or you think something bad is happening? Did
13 you get any form of education of that type when you went
14 in?

15 A. Absolutely not.

16 But can I just add very quickly: for every house
17 there was in Aberlour -- when I went, there were perhaps
18 eight or nine by this time. The house parents never
19 mixed. They absolutely never mixed. The children would
20 perhaps meet in the big field if you were playing
21 football and you mixed at school. But there was never
22 a, "Come on, we'll go to the pub or have a barbecue".
23 What happened in your house stayed in your house and the
24 only way you heard about something happening in another
25 house was via the school playground. That was the only

1 way you heard. There were people who were in denial
2 about Mr Lee who were in senior positions in the
3 orphanage. They would simply refuse to discuss it.

4 Q. So I take it then BGF [REDACTED]

5 [REDACTED] when a new admission was present didn't say
6 anything about the standard expected or the dark period
7 in the history of the orphanage caused by Mr Lee's
8 behaviour? There was nothing ever said in an official
9 occasion about that or an assembly?

10 A. Never. Never.

11 MR PEOPLES: I think these are all the questions I have for
12 you, David. I just want to thank you very much for
13 coming and giving us your recollections, experiences and
14 reflections on your time in Aberlour. Thank you very
15 much indeed.

16 A. Thank you.

17 LADY SMITH: Can I check if there are any outstanding
18 applications for questions?

19 David, one thing, just let me check. You felt there
20 were people who were in senior positions in the
21 orphanage who were in denial, as you put it, about
22 Mr Lee.

23 A. Yes.

24 LADY SMITH: What made you think that?

25 A. Because it was their house parents and rather than

1 BGF saying, listen, for your own safety or ...
2 These things have happened and I think gate-keeping
3 would be really, really important, and preparing
4 children just as a matter of fact, in the event that
5 anything like this should happen, just so that they're
6 aware. Nothing was said. But nothing was said by the
7 house parents or, more importantly, nothing was said by
8 the assistant house parents, who could be assistant
9 house parents to several houses. They could be at
10 Whites one week, Gordons the next, Wee Kids, they could
11 be at any. And nobody raised the subject. Nobody ever
12 raised the subject.

13 LADY SMITH: You may have noticed Mr Peoples referring to
14 the case against Mr Lee being disposed of under
15 section 76, which may not mean anything to you. But
16 I should probably tell you that means that Mr Lee
17 admitted to the charges that were on that indictment;
18 he wasn't denying them.

19 A. He wasn't?

20 LADY SMITH: He wasn't denying them if it's a section 76
21 indictment, so he meant he accepted he had done those
22 things. But you're telling me the impression you had
23 was that people back at Aberlour had their heads in the
24 sand?

25 A. They had their head in the sand. But certainly nobody

1 ever said he didn't do it --

2 LADY SMITH: I see.

3 A. -- but they didn't reinforce the fact that -- "Mind how
4 you go and if anybody does this, this could be ..." In
5 other words, this could be someone grooming. No. There
6 was no education of any kind in that respect.

7 MR PEOPLES: One more question then.

8 You say in denial: is this almost in denial that
9 this could happen at Aberlour Orphanage, so we can never
10 speak of it? Is that the form of denial that you're
11 describing then? Not that they couldn't believe he did
12 it, because as Lady Smith has said, he did do it and he
13 admitted to it. Was that the form of denial that seemed
14 to be present, it was just a subject that you couldn't
15 speak of, the elephant in the room?

16 A. There wasn't just one elephant in the room at that time
17 at Aberlour.

18 Q. But was that one of them?

19 A. That was certainly one, but as I say, I've already
20 mentioned BGH/BGI and people -- the other children
21 would say to you, if somebody asks you to join the
22 Scouts, don't join the Scouts because he's a ... And it
23 was the other children who were telling you. It's
24 really that simple.

25 LADY SMITH: David, thank you very much.

1 A. Thank you.

2 LADY SMITH: You've been of enormous assistance both in
3 terms of the written statement which we have from you
4 that covers so much detail and in coming here today to
5 give me oral evidence to add to what's already before us
6 in writing. I'm very grateful to you because it really
7 does help me with the work that I have to do here and
8 I'm now able to let you go. Thank you very much.

9 A. Thank you.

10 (The witness withdrew)

11 LADY SMITH: Before we rise for the break, just let me pick
12 up again on the impact of my general restriction order,
13 beginning with the witness himself having at one point
14 mentioned his own name, but let me remind everybody here
15 that he chooses to remain anonymous, as he is entitled
16 to do, so that name cannot be repeated outside this
17 room.

18 Otherwise, he mentioned a series of people in his
19 evidence ones as being people who were responsible for
20 abusive practices: a [REDACTED] BGH/BGI, [REDACTED] BBP/BGZ
21 [REDACTED] BBP/BGZ [REDACTED] BGJ [REDACTED] BGG and a [REDACTED] BGK and
22 a [REDACTED] BDG. These are all covered by my general
23 restriction order, so they cannot be mentioned as being
24 the subject of any allegations outside the hearing room.

25 I'll stop now for five minutes for the afternoon

1 break.

2 (3.16 pm)

3 (A short break)

4 (3.23 pm)

5 LADY SMITH: Mr Peoples, before you call the next witness,

6 I should perhaps mention that I'm not going to sit any
7 later than 4.30 maximum today. Are we going to finish
8 this witness in that time?

9 MR PEOPLES: I wasn't planning to sit any later, my Lady,
10 either. There's another commitment that I'm trying to
11 make. I would hope we should have time if we could make
12 good progress. I think we should be able to live within
13 those time constraints.

14 LADY SMITH: Let's move on then.

15 MR PEOPLES: The next witness to give oral evidence is an
16 applicant who wishes to remain anonymous and has chosen
17 the pseudonym "Rab".

18 "RAB" (sworn)

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

20 You may have noticed there, Rab, that the microphone
21 picked you up when you moved forward to it. Can I ask
22 you to stay in a good position for that microphone? We
23 need to hear you through it. I'll let you know if you
24 drift away.

25 I'll hand over to Mr Peoples now and he will explain

1 what happens next.

2 Questions from MR PEOPLES

3 MR PEOPLES: Good afternoon, Rab.

4 A. Good afternoon.

5 Q. Just to begin with, there's a red folder in front of
6 you, and it contains a copy of the statement that you've
7 provided to the inquiry. It's for your use today, and
8 if I ask you about matters in it, you can open it up
9 at the relevant page. There's also a screen in front of
10 you, which will bring up any document, including the
11 statement, so you can use that as well if it's easier.
12 There may be sometimes things blacked out on the screen,
13 but your statement has the whole of the statement you've
14 given and you can use that at any point.

15 With that introduction, if I can give for the
16 benefit of the record of the proceedings the
17 identification number we have given to the statement.
18 It's WIT.001.002.1846.

19 With that introduction, Rab, if I could ask you to
20 open the folder and go to the last page, which is
21 page 16 of your statement and page 1861 of our
22 numbering.

23 Can you confirm that you have signed the statement
24 on that page?

25 A. Yes.

1 Q. And can you also confirm for me at this stage that
2 you have no objection to your statement being published
3 as part of the evidence to the inquiry?

4 A. None whatsoever.

5 Q. And you believe the facts stated in your statement are
6 true?

7 A. Yes.

8 Q. I was going to take you to page 1 of the statement and
9 ask you to confirm that you were born in the year 1953.
10 Don't give me your date of birth.

11 A. That's right, yes.

12 Q. What I would like, by way of a brief introduction,
13 because I'm going to focus on your time in the orphanage
14 and in particular some of the things that happened with
15 a particular individual. So can I say at the outset
16 we have read your statement very carefully, it will all
17 be considered, so I'm picking out some matters today
18 that we'll hear about and you can tell us about.

19 A. Yes.

20 Q. You can rest assured that we'll listen to and consider
21 everything carefully that you've said.

22 A. Okay.

23 Q. In terms of going into care, I think you tell us in your
24 statement that you were a member of a pretty big family.

25 A. Yes, like the Broons.

1 Q. And I think your mother had 14 children in all and
2 I think 10 survived ultimately.

3 A. Yes.

4 Q. I think that, as you tell us in your statement, your mum
5 died when you were quite young, about 4 years of age?

6 A. Yes.

7 Q. And that your father then remarried and I think you were
8 with your stepmother, was it, for a time?

9 A. Yes. Until I was 8 years old. About four years, maybe.

10 Q. Then I think, as you tell us -- and I don't need to go
11 into the detail, we can read it for ourselves -- you got
12 into a few problems, you and your brother, when you were
13 about 8 years of age; is that right?

14 A. That's why we landed in the orphanage.

15 Q. And the upshot of that was -- it was called the juvenile
16 court in these days, you had to appear before the
17 juvenile court in 1961.

18 A. Yes.

19 Q. And you ended up being sent to Redhall Children's Home,
20 first of all?

21 A. Yes.

22 Q. After a short time in Redhall, is that right, you then
23 were taken by a Miss Talbot --

24 A. Yes.

25 Q. -- to Aberlour with your brother?

1 A. That's right.

2 Q. You don't need to mention his name. He was older than
3 you?

4 A. He was two years older than me, yes.

5 Q. I say your brother, one of your brothers?

6 A. Yes.

7 Q. Two of you went to Aberlour?

8 A. Yes.

9 Q. You tell us about the orphanage in your statement, Rab,
10 but you can take it we've heard some evidence about the
11 actual layout, so I'm not going to take up your time
12 today in going through all of that.

13 You tell us that you went into a house called
14 Spey House?

15 A. Spey House, yes.

16 Q. We've sometimes heard evidence it was known as the Wee
17 Kids?

18 A. That's right: they were younger laddies in there.

19 Q. You tell us that you estimate there were about 30 boys?

20 A. Aye, yes.

21 Q. And that you say the oldest was maybe around 12, and
22 what was the youngest? Do you remember?

23 A. I was 8 when I was there.

24 Q. Would you be one of the younger ones?

25 A. Yes.

1 Q. And at this stage, Rab, we've had a chance to see some
2 records, so I'm going to put some dates to you that,
3 according to the records we've seen, you were admitted
4 to the orphanage on [REDACTED] 1961, so you'd be
5 8 years of age.

6 A. Yes.

7 Q. You left the orphanage on [REDACTED] 1968, and you went
8 to Redhall in Edinburgh after that.

9 A. Yes.

10 Q. Does that ring a bell?

11 A. Yes. After that I went to stay with my brother, [REDACTED]

12 Q. And when you left the orphanage, you were heading for
13 your 15th birthday. You weren't quite 15 in 1968, but
14 quite close to it?

15 A. Yes.

16 Q. The older brother that you went to the orphanage with,
17 he left the orphanage, as I understand it, on
18 [REDACTED] 1966.

19 A. He left a couple of years before I did, yes.

20 Q. Another witness has said 1966 was the year of the World
21 Cup in England; do you remember that?

22 A. It was, aye.

23 Q. I don't know if you remember that your brother left that
24 year?

25 A. No.

1 Q. Well, don't worry. I said you left the orphanage, you
2 left Aberlour on [REDACTED] 1968, because what I was
3 going to also say to you is that the orphanage closed in
4 1967 --

5 A. That's right.

6 Q. -- and arrangements were made to transfer children to
7 various places --

8 A. Yes.

9 Q. -- that year.

10 I think, on [REDACTED] of 1967, when you were
11 about 14 years of age, you were transferred to a place
12 called the Neuk in Hopeman.

13 A. That's right, yes.

14 Q. That, I think, had been a holiday home in the past?

15 A. At one time it was, yes.

16 Q. It became a small group home; is that right?

17 A. That's right, yes.

18 Q. Just by way of introduction, we mentioned Miss Talbot.

19 There's some record of her coming to visit you when you
20 were in the orphanage and I think when you were in
21 Hopeman as well. Do you remember Miss Talbot coming to
22 see you?

23 A. Yes, yes. She brought us a Christmas present one time.

24 I remember that, yes.

25 Q. Did she ever sit down and talk to you much?

1 A. Well, I remember ... She might have.

2 Q. You don't have a strong memory of that?

3 A. No, not really.

4 Q. So far as the orphanage is concerned, as you say, you

5 went to Spey House. Did you spend your whole time

6 at the orphanage in Spey House then?

7 A. Yes.

8 Q. The people who ran it when you first were admitted were

9 a Mr Lee?

10 A. Mr Lee, yes.

11 Q. And you mention a Miss [REDACTED] AJF [REDACTED] ?

12 A. She came after Mr Lee.

13 Q. She wasn't there --

14 A. She wasn't there at first, it was Mr Lee.

15 Q. But he was?

16 A. Yes.

17 Q. Did he have any assistants before Miss [REDACTED] AJF [REDACTED] came?

18 A. There was a couple of people there, but they were only

19 there temporarily. There was a Mrs Montgomery, I think

20 her name was, was there.

21 Q. Mr Lee then was in overall charge of Spey House?

22 A. As far as I know, yes, he was in charge of us all --

23 LADY SMITH: Rab, can you come a little bit nearer that

24 microphone? You're sliding away from it. There's

25 a limit to how far it'll come forward.

1 A. Is that better?

2 LADY SMITH: That's a bit better.

3 MR PEOPLES: We have to hear what you're saying so it can be
4 recorded. It's so we can hear your voice.

5 Mr Lee was in overall charge and it was an all-boys'
6 house at that time?

7 A. Yes, an all-boys' house.

8 Q. One of the things you tell us in paragraph 7, Rab, in
9 your statement is that the way it worked in those days
10 was that Mr Lee and Miss [REDACTED] AJF when she did come on
11 the scene, were not there at the same time and they
12 would work alternate shifts or days?

13 A. That's right, yes.

14 Q. And indeed, they had different rooms to sleep in --

15 A. Well, it was the same room.

16 Q. Okay.

17 You tell us on page 3 of your statement, Rab, at
18 paragraph 9, that you don't have a specific memory of
19 arriving at Aberlour, but you do remember on the first
20 day, you and your brother ran away.

21 A. That's right yes. It was snowing, I remember that.

22 Q. I suppose it was late in the year, and it's north of
23 Scotland, so I suppose that's always the risk. Why were
24 you running away on the first day?

25 A. Because it was all strange to us. I don't know. We

1 just -- "Let's get out of here".

2 Q. Was it very different to anything you'd seen before?

3 A. Aye, it was even different to Redhall.

4 Q. So far as your memories of before Aberlour in somewhere
5 like Redhall, what did you think of Redhall? Did you
6 have any strong memories?

7 A. Not really. I quite liked Redhall, actually, it was
8 quite friendly.

9 Q. Did anyone ever explain to you why it was necessary to
10 take you away from the Edinburgh area to go to the far
11 north?

12 A. No.

13 Q. So when you were taken to Aberlour, no one explained why
14 you were going there or how long you'd be there?

15 A. We didn't even know where we were. We got off the train
16 and we were at this railway station, and the next thing
17 I know we were at the orphanage, but I didn't ken it was
18 an orphanage at the time. I can't even remember how we
19 got there, if we got there by car or what.

20 Q. Did Miss Talbot take you?

21 A. She was there. She was already waiting on the train.

22 Q. You gave us a bit about the routine when you were in
23 Spey House. I'm not going to go through the detail
24 because we can read it and we have read it, but there
25 was a couple of things I just wanted to maybe pick out

1 of that part of your statement, Rab.

2 One was that in the morning, when you got up, I see
3 you say in paragraph 10 on page 3 of your statement that
4 you'd get up and you'd get washed in cold water.

5 A. Yes.

6 Q. Was there no hot water?

7 A. I suppose there was, but we had to wash in cold water
8 I think it was to waken us up maybe. I don't know.
9 That's what we did.

10 Q. Did someone tell you you had to wash in cold water?

11 A. That's what we all did.

12 Q. Right. What about bath times?

13 A. Bath times, it was two baths in this bathroom. There
14 was a bench where the lads used to sit on and two of us
15 would get into a bath. They would come out, then
16 another two would come in, and every so often they would
17 change the water, so we all had a bath.

18 Q. What was the temperature of the water?

19 A. It was pretty warm.

20 Q. So that was warm at least?

21 A. That was warm, yes.

22 Q. You basically liked the food, did you, generally
23 speaking?

24 A. No.

25 Q. You didn't?

1 A. No, I didn't.

2 Q. I know there came a time when you had a problem with
3 food.

4 A. Yes.

5 Q. Did you not like the food anyway?

6 A. Some of the food was all right, but most of the time --
7 say, I couldn't eat the fish.

8 Q. Right.

9 A. It was bony and it was like rolled up and steamed. It
10 had bones in it. Even the fried fish in batter had
11 bones in it and I can't eat fish with bones in it.

12 Q. Was that something you just didn't like and it wasn't
13 related to anything that happened to you at the
14 orphanage? Because you told us that certain things --
15 we're going to hear certain things happened. But it
16 wasn't because of the things that happened that you
17 didn't like fish?

18 A. No, it was just the bones in the fish I couldn't eat.

19 Q. Okay. What would happen if a child in Spey House didn't
20 eat the food that was served up? What was the
21 situation?

22 A. I don't know because everybody seemed to eat their food.
23 I was the only one that had a problem with it.

24 Q. But when you had fish and you didn't like it, what did
25 you do?

- 1 A. Put it in my pocket and put it down the toilet pan.
- 2 Q. If you hadn't done that, what do you think would have
- 3 happened?
- 4 A. They tried to make you eat it.
- 5 Q. Did you ever see other children being made to eat food?
- 6 A. No, I think I was the only one that had a problem with
- 7 the food.
- 8 Q. So far as washing and bathing is concerned, you have
- 9 told us already there were baths and you'd bathe in
- 10 twos, was it?
- 11 A. Yes.
- 12 Q. And the water would be changed every so often?
- 13 A. Yes.
- 14 Q. And before you bathed, you would be on a bench waiting
- 15 to get into the bath?
- 16 A. Yes, waiting for your turn.
- 17 Q. And you'd be wearing dressing gowns?
- 18 A. Yes.
- 19 Q. You'd take them off as you went into the bath and you'd
- 20 come out of the bath and dry off with a towel?
- 21 A. Yes, you'd put your dressing gown back on.
- 22 Q. Was bathing supervised by anyone?
- 23 A. By the housemistress or housemaster.
- 24 Q. Did they assist anyone with drying or getting into the
- 25 bath or doing anything at that point?

1 A. No, no.

2 Q. You tell us a bit about clothing and uniform, and again

3 I think we see what you have told us. There was one

4 thing you said, you were all given a number.

5 A. That's right.

6 Q. And that was sown or labelled on the clothes.

7 A. Yes.

8 Q. So you'd know which ones belonged to you?

9 A. That's right.

10 Q. And so far as children were concerned in Spey House, at

11 least, how were they called?

12 A. They could call you by your name.

13 Q. So you'd be called [REDACTED]

14 A. They called me [REDACTED]

15 Q. That would be the way you'd be addressed, by a first

16 name?

17 A. Yes.

18 Q. You tell us at page 5 of your statement, Rab, page 1850

19 in our numbering, that the school at the orphanage was

20 only for children of a primary school age.

21 A. Yes. As far as I know, yes.

22 Q. You say that after you finished your primary year, you

23 went to --

24 A. Aberlour High School.

25 Q. And that was in the village?

1 A. That was part of the village, yes.

2 Q. So that was different from the school in Aberlour

3 itself --

4 A. Yes.

5 Q. -- in the orphanage?

6 A. It was nothing to do with the orphanage.

7 Q. What did they call the orphanage school? Did it have

8 a name?

9 A. Not that I know of. We just knew it as -- myself, it

10 was the school. It didn't have a name as far as I know.

11 Q. What you do tell us -- and I think this obviously ties

12 in with the closure of the orphanage -- you weren't at

13 the Aberlour High School for too long because you moved

14 to Hopeman?

15 A. I got moved, aye.

16 Q. And there you attended Lossiemouth High School?

17 A. That's right, yes.

18 Q. You enjoyed Lossiemouth High School?

19 A. I did, aye.

20 Q. And I think it taught you quite a lot of practical

21 skills?

22 A. Yes, that's right.

23 Q. I think you tell us about that in paragraph 19.

24 A. Yes.

25 Q. On page 6 of your statement, Rab, there's a section

1 headed "Chores", and I just wanted to ask you about
2 that. In the time that you were there, you were given
3 various tasks; is that right?

4 A. Yes.

5 Q. And you gave us examples. One was I think that you
6 cleaned the floors.

7 A. Aye.

8 LADY SMITH: Tell me about that.

9 A. Well, it was a dormitory. We had big wooden floors and
10 they were full of splinters. What we used to do was
11 a line of us would go in a line, on our hands and knees,
12 and somebody would get -- there was a big tin of polish,
13 a big round tin called mansion polish, sort of orangey
14 stuff it was. You used to get a stick, you used to ...

15 LADY SMITH: So you're dodging it down on to the ground?

16 A. We had to rub it in -- a big line of us, maybe five or
17 six of us in a line, rub it all in. There'd be someone
18 with what we called a dummy bumper, a big long stick and
19 it had a brush thing and it was square. You used to
20 just shine it up. We used to go from one end of the
21 dormitory to the other polishing it all. You used to
22 get splinters in your knees and everything. It was
23 sore.

24 LADY SMITH: You used to get splinters from the wooden
25 floorboards?

1 A. Yes.

2 LADY SMITH: Would that be if you were putting the polish on

3 to the floor?

4 A. If you were buffing with your cloths.

5 LADY SMITH: So you are demonstrating using your hands to do

6 that?

7 A. Yes, you had a duster on your knees and another on your

8 hands. You'd scrub up and down and you'd go backwards

9 in a line.

10 MR PEOPLES: When did you do the cleaning of the floors?

11 A. It was usually in the morning before breakfast.

12 Q. Is this before you went to school?

13 A. Yes.

14 Q. What about weekends? Did you have to do it?

15 A. I don't think we done it at the weekends somehow. If

16 somebody ran away then they kept us on the one bit and

17 that's where they kept us.

18 Q. To do chores?

19 A. Aye, so everyone was kept to the one bit.

20 Q. So that was a punishment rather than --

21 A. If somebody done something, we all got punished type

22 thing.

23 Q. And one way of punishing you was to make you clean the

24 floors?

25 A. That's right.

1 Q. And another way was, you tell us at paragraph 23, if you
2 were misbehaving, you might be sent to bed?

3 A. Yes. We were sent to bed a lot.

4 Q. You were or everybody?

5 A. I was anyway.

6 Q. Was that quite a regular punishment for you?

7 A. It was for me. They knew you wanted to watch the telly,
8 you wanted to watch The Man from UNCLE and things like
9 that, and they knew if you misbehaved, bed, that was
10 your punishment.

11 Q. So you wouldn't get to see the TV?

12 A. You wouldn't get to see the TV.

13 Q. And I think you talk about cinema nights from time to
14 time.

15 A. Aye. In the big hall we used to have a film.

16 Q. If you were bad or misbehaving or --

17 A. You didn't get it.

18 Q. So that was a loss of a privilege?

19 A. That's right, yes.

20 Q. You went when you were age 8 and you left when you were
21 nearly 15?

22 A. Yes.

23 Q. You were at the orphanage until you were 13 or 14?

24 A. 14, yes.

25 Q. During that period, from 8 to 14, you tell us that at

1 some point you were allowed to go to the village on
2 a Saturday on your own?

3 A. You used to go and spend your pocket money, yes.

4 Q. Were you allowed to go on your own or in a group of
5 boys?

6 A. It depends on what age you were. Most times myself, it
7 was with a group, until I got older and maybe you and
8 a friend would go down.

9 Q. Did your friends tend to be the people in Spey House?

10 A. Yes. That's who you palled about with. That's all you
11 knew really.

12 Q. You tell us a bit on page 7, page 1582, about trips and
13 holidays, and the sort of things you did there.

14 A. Yes.

15 Q. Is that something you enjoyed?

16 A. Yes, definitely.

17 Q. Again, in relation to birthdays and Christmas, you tell
18 us these were good occasions.

19 A. Yes, yes.

20 Q. And I think we've now heard a few times about room 19.

21 A. Room 19, yes. That was like an Aladdin's cave of toys.

22 Q. And you got to choose something on your birthday?

23 A. Aye. We were always rushed.

24 Q. You always rushed?

25 A. [REDACTED] [REDACTED] "Go on, hurry up". So

1 you'd end up picking something you didn't really want
2 just to get out.

3 Q. Were you allowed to keep what you had?

4 A. Yes.

5 Q. And you got some pocket money?

6 A. Yes, you got two shillings a week on a Saturday. You
7 used to save maybe a shilling for the holidays and
8 a shilling to spend.

9 Q. If you misbehaved, would it have any effect on the
10 amount of pocket money?

11 A. Yes, you wouldn't get your pocket money obviously.

12 Q. So that would be another form of sanction if you were
13 bad?

14 A. Yes.

15 Q. You tell us a bit about visits as well. I think as you
16 tell us, you didn't see your mum or your dad.

17 A. No, I didn't see them since I went to the orphanage.

18 Q. And you tell us when your brother, as we think,
19 according to the records, left in [REDACTED] and you
20 tell us in paragraph 34 that you have become aware that
21 he wrote a letter; is that right?

22 A. He wrote me a letter saying he was going to visit me and
23 bring our other brothers, but apparently Mr [REDACTED] BGF wrote
24 to him and said he wasn't allowed to. I never got that
25 letter by the way.

1 Q. No. How did you find out the letter --

2 A. When I got this stuff from Aberlour Trust, they gave me
3 my records and it was in there.

4 Q. It was only when you got your records that you found
5 out?

6 A. Yes, I never knew about it.

7 Q. And when did you get your records?

8 A. A few years ago I got it.

9 Q. Was that when you met Anne Black?

10 A. Yes.

11 Q. In 2006, I think?

12 A. Yes, she came to the house and another lady.

13 Q. Romy Langland?

14 A. They came to my house, yes.

15 Q. Because you'd asked to see your records?

16 A. Yes.

17 Q. And I think they had found some things in the records
18 and they wanted to talk to you about them.

19 A. Probably, yes.

20 Q. One of the things you deal with in your statement is
21 bed-wetting. You say there were children who wet the
22 bed?

23 A. Yes; I wasn't one of them.

24 Q. What happened if a child wet the bed?

25 A. What they done was they moved the known bed-wetters --

1 every morning they used to strip their bed and they had
2 to put the sheets on the floor. They got taken away
3 somewhere obviously to get washed and that. And they
4 had to get clean sheets and clean pyjamas.

5 Q. Were they ever disciplined?

6 A. I don't think they were ever disciplined for it.

7 I don't think so.

8 Q. You say the sheets would be taken away.

9 A. Taken away to get washed and obviously they'd get clean
10 pyjamas and sheets.

11 Q. Who would be there in the morning looking to see whether
12 the beds were okay?

13 A. It would be Miss **AJF** or Mr Lee.

14 Q. Either could be doing this?

15 A. Yes.

16 Q. And if they saw something, they'd take the sheets and
17 change them?

18 A. Yes, but I wasn't aware they were getting punished for
19 it, I didn't know that.

20 Q. On the subject of discipline which you deal with in your
21 statement, you say that Mr Lee and Miss **AJF** would
22 deal with minor --

23 A. Minor misdemeanours, yes. But if it was anything ...
24 you were sent to Mr **BGF**

25 Q. You have told us the sort of things that might happen to

1 you, going to bed early, not getting to see a TV
2 programme.

3 A. That's the kind of thing they would deal with it. But
4 if it was anything other than that, you were sent to
5 Mr BGF

6 Q. You give some examples of the sort of things that might
7 get you sent to Mr BGF Is it if you ran away?

8 A. That was the main thing, yes. That was the no-no.

9 Q. Why is it a no-no?

10 A. Because of the trouble they went to to try and get you
11 back. They'd have to get the police to try and get you
12 in. Things like that.

13 Q. What would Mr BGF do when he got you back?

14 A. You got belted.

15 Q. Was it with a school belt?

16 A. Aye. One of those leather belts. What he used to do --
17 he used to bend you down and put your head between his
18 legs and he used to belt you like that (indicating) on
19 the back of your bum.

20 Q. Was that over your shorts?

21 A. No, that was shorts down.

22 Q. So he had to remove your shorts and you'd get it on the
23 bare backside?

24 A. Yes.

25 Q. And how many strokes of the belt would you get on those

1 occasions?

2 A. You'd get about six anyway, at least.

3 Q. So would that be the way he would discipline if he had
4 to use the belt?

5 A. That's how he disciplined you, yes. Yes, he was great
6 with the belt, him. I never trusted [REDACTED]
7 since.

8 Q. Is that your memory of him, that he was good with the
9 belt?

10 A. Yes.

11 Q. Would that be the only reason you would tend to come
12 across him [REDACTED]?

13 A. There would be other things. I can't give an example,
14 but if you misbehaved or whatever, swore at them or
15 something -- I never did, but if you did, I take it that
16 you were sent to Mr [REDACTED] BGF. He'd belt you. You knew if
17 you went to Mr [REDACTED] BGF that was it, you knew you were
18 getting the belt. That was par for the course there.

19 Q. [REDACTED]
20 [REDACTED]
21 [REDACTED]

22 A. We wouldn't see him otherwise. The only time you saw
23 him was a [REDACTED]
24 [REDACTED]
25 [REDACTED]

1 Q. Rab, you have another section that starts on page 10 at
2 paragraph 41. You tell us about Mr Lee, because things
3 did happen when you were in the orphanage.

4 A. Yes.

5 Q. I would just like you to tell me in your own words what
6 happened with Mr Lee if you can.

7 A. Right. Well, he used to -- I don't know what age I was
8 at the time. Probably 9, something like that. 9 and
9 a half, 10. He used to get me up in the morning and
10 sometimes he would take me through to his room and he
11 would try to stick his thing down my throat.

12 Q. His penis?

13 A. Yes. At other times he tried to put it up my bum, but
14 I used to scream and squiggle. He tried to do it, he
15 didn't actually penetrate me because I was too squiggly.

16 Other times he'd stand me out in the corridor,
17 naked, "Take your jammies off". We had this big long
18 corridor and it was made of -- and I don't know if it
19 was granite or marble, the actual floor, but it was
20 stone and it was cold and he used to open the porch
21 doors, open them wide, and you would stand there naked
22 with your hands on your head like that (indicating).
23 Just stand there for hours, two or three hours.

24 Q. In this corridor?

25 A. Frozen. It was in the winter that I remember it.

1 Q. You had no clothes, no footwear?

2 A. Nothing, just standing naked with your hands up there,

3 the doors open, the wind blowing through, frozen.

4 Q. How long do you reckon you had to stand?

5 A. A couple of hours at least, I would imagine. In his

6 report he was saying, [REDACTED] is always tired". I know

7 why I was always tired because I never got to sleep.

8 Q. Did this happen quite a lot?

9 A. It happened regularly. It happened a while. That's why

10 I'm saying it. I told my friend [REDACTED] about it and

11 I think he told Miss [REDACTED] AJF I think this is how he

12 got ...

13 Q. I think Mr Lee was then --

14 A. Got the joe(?) for it or something like that.

15 Q. We'll come to that maybe in a --

16 A. Yes.

17 Q. But this particular form of making you stand for long

18 periods with no clothes on, on a stone or granite floor,

19 what prompted this? Was it a punishment?

20 A. I don't know, no. I'd go to bed as normal and during

21 the morning, whatever time it would be, he would go,

22 "Get up", and you're half asleep.

23 Q. So you weren't aware that you'd done anything to merit

24 some punishment like this, if it was a punishment?

25 A. I didn't do anything that I knew I would get --

1 LADY SMITH: You're telling me that other children were
2 still asleep when he got you up?

3 A. Yes.

4 LADY SMITH: Was it dark?

5 A. Yes. It was dark, yes.

6 MR PEOPLES: Did you ever become aware whether other
7 children were treated this way?

8 A. I don't know.

9 Q. You just know this happened to you?

10 A. It happened to me. I don't know about anyone else
11 at the time.

12 Q. You have told us already about what you tell us in
13 paragraph 42 what you knew what would happen when he
14 took you -- on the occasions he took you to his room --

15 A. Yes.

16 Q. -- and what he did to you there, and you have described
17 for me already what happened. You thought you were
18 maybe 9 or 10 when he first tried to do this.

19 A. I think I was maybe younger, I don't know.

20 Q. You arrived when you were aged 8: how long after that
21 did this sort of thing start happening?

22 A. I couldn't really say.

23 Q. Because Mr Lee -- I don't know if you were aware, but
24 I think Mr Lee, as we understand -- you arrived
25 in [REDACTED] of 1961, but I think Mr Lee joined Aberlour

1 in October 1961, so he was quite a new house parent.

2 You didn't know that?

3 A. No.

4 Q. He was there when you arrived?

5 A. He was there when I arrived, yes.

6 LADY SMITH: And I think we have a date for the conviction,

7 Mr Peoples, don't we?

8 MR PEOPLES: 13 September 1963.

9 So he was there from October 1961 to -- I think he
10 left in August 1963, I think, according to the records,
11 but he was convicted in September.

12 A. Yes.

13 Q. I think you've heard it and I'll maybe ask you a few
14 questions about what you know about that.

15 So he would do these things to you, and how often
16 would this happen, taking you to his room and doing
17 these things?

18 A. I don't know. It happened quite a few times anyway. At
19 least half a dozen, at least. But I don't know the time
20 structure.

21 Q. No, no, don't worry.

22 A. I can't ...

23 Q. I'm just trying to get -- it happened more than once?

24 A. Yes, definitely.

25 Q. You tell us that it was at night; I think that's

1 paragraph 43.

2 A. It was always night-time, yes, or early morning.

3 Q. You say you weren't aware of this happening to other
4 boys at the time?

5 A. No.

6 Q. Is that right?

7 A. I didn't know about anything happening to any of the
8 other boys.

9 Q. I think you know now.

10 A. I've heard since there were nine other boys it happened
11 to, but I never knew that.

12 Q. Can I just ask you because I think that was something
13 that was raised with you by the inquiry. Before this
14 inquiry started did you know that?

15 A. No.

16 Q. Did you know how many boys had been involved in this?

17 A. I think there were a couple because what had happened
18 was after I had told my pal and the police got involved
19 and all that and we were taken to Aberdeen to see
20 a doctor and there was two or three boys in the
21 minibus -- obviously it must have happened to them as
22 well, but I can't recall them.

23 Q. But there were a few boys, not nine or ten in the
24 minibus?

25 A. Not at that time.

1 Q. You don't remember that many going to Aberdeen?

2 A. No. There would be a few going maybe at different
3 times, I don't know.

4 Q. These were all boys from Spey House?

5 A. Yes, these were all boys from Spey House.

6 Q. And you'd know these boys at least?

7 A. At that time I did, yes. I can't remember now who they
8 were --

9 Q. It's not important. We can work out who they might be.
10 Were you given any explanation why you were going to
11 Aberdeen, what was going to happen to you?

12 A. No. Because what happened was, in Aberdeen, apparently,
13 we went to see a doctor, and we went to Aberdeen Zoo as
14 well, they took us to the zoo and all that.

15 Q. Before you saw the doctor?

16 A. Aye.

17 Q. And then you were asked to go for some sort of
18 examination?

19 A. Yes. We were taken back in -- I think it was
20 a Volkswagen minibus type thing. We played a game
21 caught Wot, a card game. We used to play that in the
22 orphanage. We were playing that -- I think maybe to
23 distract us, I don't know.

24 Q. How long were you away from the orphanage to go to
25 Aberdeen?

1 A. It would probably be a few hours.

2 Q. So it was just all done in a day?

3 A. All done in one day, yes.

4 Q. And you travelled back after the examination?

5 A. Yes.

6 Q. Did they try to explain what was happening?

7 A. Not a thing.

8 Q. You tell us, I think, that the way you think maybe this
9 came to light was you had spoken to a friend --

10 A. I spoke to a friend because -- see, on a Sunday, we'd
11 all go out as a group. Most of us, the small ones,
12 would go out as a group. The older ones, with your pal
13 you'd go a walk yourself. The majority of us were in
14 a group and my friend [REDACTED] had said to me, what's the
15 matter with you, because I wasn't my usual boisterous
16 self. I told him about Mr Lee and I think he must have
17 told Miss [REDACTED] AJF I don't know, but I think he must
18 have. Next thing I knew, I was being sent to see
19 Mr [REDACTED] BGF I thought I'd done something wrong.
20 I thought, here we go, Mr [REDACTED] BGF, I'm going to get the
21 belt.

22 But there were two policemen or detectives there and
23 they asked me about Mr Lee, what he was doing to me, and
24 I told them. Then the next thing I knew, like I say,
25 I was in this minibus and we were taken to Aberdeen, but

1 I never had anything else after that. There was no
2 feedback or any counselling, nothing.

3 Q. That was all?

4 A. That was it.

5 Q. So what happened was you told your friend, you assumed
6 your friend must have told someone, possibly
7 Miss **AJF** the next thing you knew you were be asking
8 to come to see **BGF** and the with **BGF** there
9 were a couple of policemen, they talked to you and asked
10 what happened?

11 A. That's right.

12 Q. They wanted to know what was going on with Mr Lee?

13 A. That's right.

14 Q. And you told them, did you, the sort of things you've
15 told us?

16 A. That's right, yes.

17 Q. And the next thing you knew, you were on a minibus at
18 some point?

19 A. Going up -- I didn't ken it was Aberdeen at the time.

20 Q. But you did go; I think we know that.

21 A. We went to Aberdeen. We went to the zoo and that and
22 I think we went to the doctor's and we came back to the
23 orphanage.

24 Q. And that was it?

25 A. And that was it. That's all.

1 Q. Did you see the police again?

2 A. No.

3 Q. Did you ever give a formal statement to them?

4 A. Just when I was in [REDACTED] BGF office. That was it.

5 Q. They just had a notebook and took some notes?

6 A. Yes.

7 Q. And that's the only involvement you had with the police?

8 A. Yes.

9 Q. You now know that Mr Lee was convicted and you know
10 there were a lot of boys involved --

11 A. I know now, yes.

12 Q. -- in the conviction.

13 A. That's right.

14 Q. But you weren't told any of that at the time?

15 A. No.

16 Q. And you just went back to the orphanage?

17 A. Just went back to the orphanage. And life just carried
18 on as normal.

19 Q. Without Mr Lee?

20 A. Without Mr Lee being there.

21 Q. Did anyone attempt to explain to the boys --

22 A. They didn't explain to me, anyway. I couldn't tell you
23 about explaining to the boys. I never had any feedback
24 off anything.

25 Q. All you knew was he wasn't there any more?

1 A. Aye.

2 Q. Did Miss [A] say anything?

3 A. Not to me she never.

4 Q. She didn't try to talk to you about the situation or

5 what was happening?

6 A. I think they were trying to make us forget it. Thinking

7 back, that's probably what they were trying to do. They

8 weren't going to mention it to you to try and maybe help

9 you forget. Like I say, I didn't get any feedback,

10 I didn't get any counselling, nobody asked me how

11 I felt, how are you doing? Nothing. Just let you carry

12 on.

13 Q. So the same routine carried on after that?

14 A. Just the same, aye.

15 Q. Just without Mr Lee?

16 A. Aye.

17 Q. Did [B] ever approach you again and have you in

18 and talk you through about what was going on?

19 A. Not a thing.

20 Q. Did he ever saying anything [] to the

21 orphanage children?

22 A. Not that I'm aware of.

23 Q. You'd have been there if there was a --

24 A. That's what I'm saying, not that I know of. I think

25 they tried to brush it under the carpet and tried to

1 make you forget. Like I say, we went to the doctor's in
2 Aberdeen, come back, and life just carried on as normal.
3 Normal routine.

4 Q. You went there through Edinburgh Corporation,
5 Miss Talbot we've heard about?

6 A. Yes.

7 Q. Did she come to see you as soon as this came to light?

8 A. Not that I know of, no.

9 Q. When she did see you, because I think there's a record
10 she may have seen you after Mr Lee was convicted, did
11 she ever raise the subject or discuss it with you?

12 A. Not that I can remember.

13 Q. Or sit you down and say, "I need to have a chat about
14 a few things"?

15 A. No. Not that I can remember, not that I can recall.

16 Q. Was there any discussion whether you should remain or
17 leave Aberlour after this happened?

18 A. No, nothing. The only time I knew I was leaving was
19 when I was going sent to Hopeman and that was a couple
20 of years later.

21 Q. So far as you can tell -- and I know it's a long time
22 ago -- you say you didn't know, obviously, who the other
23 boys were that you now know were also abused by Mr Lee.
24 But was there any great change in the composition of the
25 house or did the same boys stay on as had been there

1 before?

2 A. As far as I know, yes.

3 Q. So there wasn't any change or exodus in children?

4 A. Not at that time, no.

5 Q. Because the reason you left Aberlour Orphanage was
6 because it was closing, wasn't it, in 1967?

7 A. As far as I know, yes.

8 Q. I think that is the case --

9 A. I think that's what happened, aye.

10 Q. -- it closed.

11 A. They took me to the Neuk in Hopeman.

12 Q. Just on a separate matter about Miss [AJF] you mention
13 one occasion when Miss [AJF] did something to you.

14 A. Yes, she slapped me.

15 Q. You had a sty on your eye?

16 A. That's right. She hit me with the back of her hand and
17 she burst the sty, and I hit her back. It was just
18 instinct. She went bang and I went bang.

19 Q. Do you know why she did that?

20 A. No, I don't know. I was cleaning shoes at the time. It
21 was a Sunday. I was in the porch and that's where you
22 kept the shoes. We were polishing them and I probably
23 hadn't polished my shoes right or something, I don't
24 know, but I remember getting a skelp on the sty and it
25 burst, and there was all blood and yellow pus coming out

1 of it. As I say, she went like that, and it was just
2 instinct, I went bang (indicating). The next thing,
3 I was sent to Mr BGF and I got belted for that.
4 I knew that was going to happen. It was all instinct.

5 Q. How many times did Miss AJF do this to you?

6 A. She never really hit you much. That's the only time
7 I can recall. I must have said something to her or done
8 something wrong to make her do that. She never normally
9 lifted her hands.

10 Q. Did you see her lift her hands to other children?

11 A. Not really. It was out of character I think.

12 Q. You said in paragraph 48 of your statement, Rab, at
13 page 11, page 1856, that apart from what Mr Lee was
14 doing, you enjoyed your time at Aberlour?

15 A. I did, yes.

16 Q. And you seemed to like Miss AJF ?

17 A. Aye, I got on with her.

18 Q. You say she could be warm and nice at times; is that
19 your memory?

20 A. Yes.

21 Q. What about Mr Lee, what did you think of him when you
22 were there?

23 A. I was scared of him.

24 Q. Okay. What was it that made you terrified or scared of
25 him?

1 A. The things he was doing to me.

2 Q. Okay.

3 A. If he was in the room with me, I couldn't eat. I got
4 sent to the infirmary to see a doctor and everything,
5 and I had to go to the infirmary to eat my meals because
6 I couldn't eat them when he was there because I was
7 terrified.

8 Q. I think there is a record that you had a problem with
9 eating and you're telling --

10 A. I used to eat no bother -- except the fish because of
11 the bones. When he was there, I couldn't eat.

12 Q. Your brother was there at the time when Mr Lee was
13 there?

14 A. Yes.

15 Q. And Mr Lee did things to your brother as well, didn't
16 he?

17 A. So I believe, yes.

18 Q. Did your brother ever talk to you about what he did?

19 A. He never told us nothing.

20 Q. But you know he did do things?

21 A. Because I think he was in the minibus.

22 Q. But you didn't talk about it amongst yourselves?

23 A. No.

24 Q. Did you talk to him about it about you were adults or
25 not?

1 A. Not really. I don't think I knew about [REDACTED] being
2 abused until recently.

3 Q. It's not something he's talked to you about either?

4 A. No, he didn't mention it. He come to visit us not so
5 long ago and I showed him Aberlour stuff, stuff I've got
6 from Aberlour, and it was him that told me about Mr Lee.

7 Q. So he knew a bit about Mr Lee?

8 A. He knew, but I didn't.

9 Q. You left Aberlour -- you left the orphanage in 1967 and
10 then in 1968 you went to Redhall?

11 A. Yes.

12 Q. You have mentioned the impact of Mr Lee when you were at
13 the orphanage, that you couldn't eat and you were
14 terrified.

15 A. That's right.

16 Q. What lasting impact did it have on you, what he did to
17 you? Can you describe for us how it has impacted on
18 you?

19 A. Well, I think I would have been a different person.
20 I don't know.

21 Q. Because I think you got into a bit of bother even after
22 you left the orphanage?

23 A. Aye. I think it was probably something to do with it.

24 Q. I think you got into trouble before you left the
25 orphanage?

1 A. Yes, I did.

2 Q. And that led to you getting sent --

3 A. I think I was a bit of a rebel.

4 Q. Are you saying you would put some of that behaviour down

5 to what was going on with Mr Lee?

6 A. I probably would, yes.

7 Q. As well as the eating problem?

8 A. Yes. I don't think I was like that before. I never,

9 ever got into trouble until Mr Lee starting doing his

10 business with me. I think I was rebelling against it,

11 I think.

12 Q. You told your friend because he asked you, is there

13 something wrong, and you felt able to tell him?

14 A. Yes.

15 Q. And ultimately someone got to hear, you think

16 Miss [REDACTED] AJF . Why did you not feel able to tell someone

17 like Miss [REDACTED] AJF ? You said she was quite a nice person

18 at times.

19 A. Because she was staff and he was staff, so they might

20 not believe me.

21 Q. Was that your fear?

22 A. Aye, aye.

23 Q. I suppose it's a tricky one to answer. Do you think the

24 reason you told your friend was you hoped maybe he would

25 bring it to light?

1 A. Probably.

2 Q. Did you --

3 A. Maybe that was my intention, I don't know.

4 Q. To see if something might get done?

5 A. Probably, I couldn't tell you.

6 Q. At the time you told him, you weren't aware that other
7 boys were being abused by Mr Lee?

8 A. No, no. Never at all.

9 Q. And just one matter that you raise in terms of -- in
10 your statement is that your brother left in 1966. In
11 paragraph 64 of your statement, Rab, you say you didn't
12 get any warning he was going.

13 A. No. You're just up and you're away, yes. I come back
14 from school and, "Where's my brother, where's [REDACTED]"
15 Obviously he had been in a different class, in a higher
16 class than me, because he was older. And I got back and
17 I was, "Where's my brother?" "Oh, he's left". That
18 really upset me, yes.

19 Q. If you go back to that time when Mr Lee was doing these
20 things, you told your friend, but you didn't feel that
21 you could tell someone on the staff?

22 A. No.

23 Q. Do you think if there had been someone else --
24 Miss Talbot, you didn't tell her either if she was
25 visiting?

1 A. No.

2 Q. Would there have been any person, any adult, you might
3 have felt able to tell at that time if you look back?

4 A. I might have told -- I could have told a teacher,
5 Miss Dee maybe.

6 Q. But you didn't?

7 A. No, I didn't trust adults because of what was happening.

8 LADY SMITH: You were still very young, Rab. This all
9 happened when you were somewhere around 8, 9, 10 years
10 old.

11 A. Yes.

12 MR PEOPLES: I suppose we're just trying to learn whether it
13 was the fact that there were adults that were connected
14 to the staff member that was doing these things, whether
15 that was the problem or whether you'd have found it
16 difficult to tell any adult.

17 A. It would have been difficult to tell any adult, I think.

18 Q. Particularly because of what was happening?

19 A. Yes.

20 Q. And you'd have a worry that you wouldn't be believed?

21 A. Yes, that would be about right.

22 Q. Do you think it would have made any difference if
23 someone had told you when you went to the orphanage the
24 sort of things that you should tell them about if they
25 were happening, say the sort of things that Mr Lee was

1 doing to you? Do you think if someone had actually said
2 to the boys, the new admissions, if anything like this
3 happens or you think anything like this is going to
4 happen, you must tell so-and-so?

5 A. That would have been a good idea.

6 Q. Do you think that might have made a difference?

7 A. Then I would know -- I would have somebody to go to,
8 somebody to see, but that didn't happen, so ...

9 MR PEOPLES: I think these are all the questions I have for
10 you today, Rab. I'd just like to thank you. I'm sorry
11 you had to wait a bit longer than anticipated. I would
12 like to thank you for coming today. I don't know if
13 there are any questions I haven't been asked to put to
14 you.

15 LADY SMITH: Can I check if there are any outstanding
16 applications for questions? No.

17 Rab, that completes the questions we have to ask you
18 today. It just remains for me to thank you very much.
19 We've got your written statement, which is enormously
20 helpful, and now in addition to that we have your oral
21 evidence, which has really helped me understand what
22 you're able to tell the inquiry. Thank you for all of
23 that and I'm now able to let you go.

24 A. Right, thank you.

25 (The witness withdrew)

1 LADY SMITH: Let me mention one name. The last witness has
2 referenced the BGF where in some respects,
3 to the effect that he physically abused children and to
4 that extent, his identity cannot be disclosed outside
5 the hearing room because it is covered by my general
6 restriction order. He may also have mentioned his own
7 name at one point, but you will have noticed he has not
8 waived anonymity. The only name that can be used
9 in relation to him was the pseudonym "Rab", which he
10 chose to have today.

11 MR PEOPLES: That concludes the evidence for today. I think
12 we'll resume on Monday, this time, I think at 10.00.

13 LADY SMITH: 10 o'clock this Monday.

14 MR PEOPLES: The earlier start was one of the days this
15 week. We will have some more oral evidence on Monday
16 and possibly a read-in if time allows -- again, evidence
17 about Aberlour.

18 LADY SMITH: Very well, thank you very much. I'll rise now
19 until Monday morning.

20 (4.18 pm)

21 (The inquiry adjourned until
22 Monday, 17 December 2018 at 10.00 am)

23

24

25

I N D E X

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