

1 Thursday, 24 October 2019

2 (10.00 am)

3 LADY SMITH: Good morning. I see we have the video link up
4 and running. Is the witness ready?

5 MS MACLEOD: Good morning, my Lady, and, yes, the witness is
6 ready.

7 The next witness is a witness who'll use the
8 pseudonym "Jack" when giving his evidence. This is
9 a witness who does require to be warned, my Lady.

10 LADY SMITH: Thank you very much.

11 Jack, good morning.

12 THE WITNESS: Good morning.

13 LADY SMITH: Can you see me and hear me all right?

14 THE WITNESS: Yes, thank you.

15 LADY SMITH: Let me introduce myself: I'm Lady Smith and
16 I chair the Scottish Child Abuse Inquiry here in
17 Edinburgh. We're about to take your evidence this
18 morning, as you know, but firstly let me thank you for
19 being able to engage with the inquiry over the video
20 link. That's very helpful.

21 Before we take your evidence, I'd like to put you on
22 oath, please.

23 "JACK" (sworn) (via video link)

24 LADY SMITH: I will hand back to Ms MacLeod in a moment, but
25 before I do that there's something I want to say to you.

1 As you know, this is a public inquiry, it's not
2 a court, it's not a criminal trial, it's not a civil
3 case, but in a public inquiry you have exactly the same
4 right not to incriminate yourself as you would have in
5 a courtroom. I think, as may have already been
6 explained to you, you understand that if you say
7 anything in your evidence to the effect that you were
8 involved in the abuse of children, then you may be asked
9 questions about that.

10 You're not obliged to answer those questions, it's
11 your choice, but if you do answer them, then you need to
12 understand that your evidence is all being recorded and
13 those answers would be included in the recording and
14 indeed in the transcripts that we make of all the
15 evidence at the inquiry.

16 So the short point is for you to appreciate that
17 you have the right not to incriminate yourself just as
18 you would in a courtroom. It subsists here in exactly
19 the same way.

20 If you have any questions about that or doubts,
21 please don't hesitate to let me know as we go through
22 your evidence. Also if you have any problems with the
23 video link or you want a break at any time, we need to
24 know that, so don't hesitate to speak up. Is that all
25 right?

1 A. Thank you, my Lady, yes.

2 LADY SMITH: If you're ready, I'll hand over to Ms MacLeod.

3 All right?

4 A. Okay, thank you.

5 Questions from MS MacLEOD

6 MS MACLEOD: Good morning, Jack.

7 A. Good morning.

8 Q. You've provided a statement for the inquiry and I think
9 you have a copy of the statement in front of you.

10 Is that right?

11 A. That's correct, yes.

12 Q. I'll provide the reference for the transcript:

13 WIT.001.002.9443.

14 Jack, could you turn to the final page of the
15 statement.

16 A. Okay.

17 Q. Have you signed the statement?

18 A. Yes.

19 Q. I know that there are three small corrections that you
20 wish to make to the statement and we'll look at those
21 shortly, but subject to that, can you confirm for me
22 what you say in the final paragraph, which is:

23 "I have no objection to my witness statement being
24 published as part of the evidence to the inquiry."

25 Is that right?

1 A. That's correct.

2 Q. Do you go on to say:

3 "I believe the facts stated in this witness
4 statement are true"?

5 A. Yes.

6 Q. You have indicated to me this morning that there are
7 three areas in the statement where you wish to make
8 small corrections, so I'll just take you to these
9 briefly before we get started.

10 The first of those you mentioned is at paragraph 35,
11 which is on page 7 --

12 A. Yes.

13 Q. -- and I think in the second sentence there on the first
14 line, where it says:

15 "The large dormitory on the first floor."

16 Instead of "first floor", it should read "top
17 floor"; is that right?

18 A. Yes.

19 Q. The next correction you mentioned is in paragraph 65 of
20 the statement, which is on page 12. In the very first
21 sentence of paragraph 65 it reads:

22 "I can't really using ..."

23 And I think you're pointing out that the word
24 "remember" is missing between the words "really" and
25 "using", so that it reads:

1 "I can't really remember using ..."

2 Is that correct?

3 A. Yes.

4 Q. The final correction you wish to make is on
5 paragraph 138 on page 23; is that right?

6 A. Yes.

7 Q. I think you wish to substitute the name which is
8 currently the first word on page 23 with the name
9 **MLX**; is that correct?

10 A. Yes, that's correct.

11 Q. Thank you.

12 Jack, I don't need your date of birth, but to give
13 a time frame, are you able to confirm that you were born
14 in 1952?

15 A. Yes.

16 Q. Are you now 67 years old?

17 A. That's correct.

18 Q. You begin your evidence in your statement by providing
19 some background information about your life and your
20 education and how you came to join the Marist Brothers.
21 I think you tell us that you joined the brothers in 1965
22 when you were 13.

23 A. That's correct.

24 Q. Did you go to a juniorate, first of all?

25 A. Yes.

1 Q. Where was that?

2 A. In Dumfriesshire.

3 Q. Did you then move on to a novitiate in Spain?

4 A. Yes.

5 Q. I think you tell us that you then came back to Scotland
6 in 1969 where you were a pupil at St Joseph's College,
7 Dumfries.

8 A. Yes.

9 Q. Did you board at St Joseph's College, Dumfries?

10 A. No.

11 Q. You were a day pupil?

12 A. Yes.

13 Q. Can I ask you, how did you find your experience as
14 a pupil at St Joseph's College, Dumfries, at that time?

15 A. Hard work academically. It was a good school, I enjoyed
16 it. I enjoyed the atmosphere in the school as a pupil.

17 Q. Was it a positive experience for you at that time?

18 A. Oh yes.

19 Q. I think you tell us that you took your first religious
20 vows in 1969 and then went on to university; is that
21 right?

22 A. Eventually I went to university, yes.

23 Q. When did you take your final vows?

24 A. 1974.

25 Q. So by that time had you come back to St Joseph's College

1 and indeed been posted to St Columba's in Largs?

2 A. I had been at St Joseph's 1972 to 1973 and then went to
3 St Columba's in Largs, yes.

4 Q. We'll focus in a moment on the periods you spent at
5 St Joseph's and St Columba's. I think you tell us that
6 you left the order in 1976; is that right?

7 A. That's correct.

8 Q. And I think you continued a career in education, but
9 you're now retired.

10 A. Yes.

11 Q. If we can look, first of all, then at the year you spent
12 at St Joseph's between 1972 and 1973. Who was the
13 SNR [REDACTED] of the school?

14 A. Brother MYZ [REDACTED].

15 Q. Did that change during your time there?

16 A. No.

17 Q. What was your role at St Joseph's during that year?

18 A. I was what was known as a [REDACTED], [REDACTED].
19 I supervised a particular age group for the dormitory
20 and during all recreations when they were not in class
21 and so on.

22 Q. Did that particular dormitory or age group have a name
23 within the school?

24 A. Inter or inters.

25 Q. What was the name of the boys then in your group?

1 A. Roughly first and second year of secondary school.

2 Q. And did you have a room yourself within the inters
3 dormitory area?

4 A. Yes.

5 Q. How many boys were you looking after in the inters
6 division?

7 A. Approximately 60.

8 Q. You've told me about your own positive experience at the
9 school at an earlier stage of your life; how would you
10 describe the atmosphere at St Joseph's when you returned
11 there in 1972?

12 A. I found it to be a good atmosphere. The boys seemed to
13 enjoy being there. I got on, I think, well with the
14 pupils in my charge.

15 Q. I think you tell us in your statement also that, in
16 general, the boys appeared to you to be happy.

17 A. Yes.

18 Q. Did you have any reports made to you by boys about
19 problems they were having or concerns that they had?

20 A. No.

21 Q. I think you tell us that if you'd had any such reports
22 you would have reported them on to the SNR .

23 A. Certainly.

24 Q. You tell us in your statement that while you were
25 looking after the inters dormitory, that

1 a Brother MFU was looking after a dormitory on the
2 same floor as you; is that right?

3 A. That's correct.

4 Q. Was he looking after the younger boys?

5 A. Yes.

6 Q. And you mention that a Brother MFT was looking after
7 another group -- a large dormitory, you call it -- on
8 a different floor. Was that the middle group that he
9 was looking after at the time?

10 A. Yes, it was. It was commonly known as mids.

11 Q. Looking at discipline, Jack, how did you discipline the
12 boys in your charge, under your charge?

13 A. Basically, by speaking to them. I did not use any
14 corporal punishment whatsoever.

15 Q. Did you have a belt?

16 A. No.

17 Q. Do you recall if corporal punishment was used in the
18 school by other brothers or staff?

19 A. I do not remember ever seeing corporal punishment
20 administered. It may well have been, but I do not
21 remember coming into contact with anything like that.

22 Q. During your year at St Joseph's did you see or hear of
23 anything that you considered to be inappropriate
24 behaviour towards the boys?

25 A. No.

1 Q. When you provided your statement to the inquiry, I think
2 you were asked a little bit about some of the brothers
3 who were at St Joseph's at the same time as you. I just
4 want to ask you about a couple of these. I won't go
5 through them all.

6 The first is one we've touched on already,
7 Brother MFU . Can you tell me what he was like?

8 A. He could be somewhat gruff, but in a gentle sense. He
9 appeared to get on well with the boys in his charge.
10 I wouldn't say he was extremely popular, but he was
11 certainly never unpopular.

12 Q. I think you tell us that you would make the comparison
13 that he was like a grandfather to the boys.

14 A. Around that sort of style, basically because of his age.
15 Brother MFU at that time would certainly have been
16 in his mid to late 50s.

17 Q. And I think you indicate in your statement that you
18 believe he'd been a member of the staff of the school
19 since 1936.

20 A. Yes. He arrived there, as far as I know, in 1936.

21 Q. Someone else you were asked about was a Brother Damien.
22 What was his role at the school?

23 A. He taught French.

24 Q. What interactions did you have with Brother Damien in
25 connection with his teaching?

1 A. I would occasionally help him with corrections of
2 classwork or homework because I did speak some French.

3 Q. Were you ever present in classes that were being taken
4 by Brother Damien?

5 A. No.

6 Q. I think you're aware, Jack, that certain allegations
7 have been made against you from somebody who has come
8 forward to the inquiry. I think you were told about
9 that when you met the inquiry team.

10 A. That's correct.

11 Q. Do you have a document in the folder in front of you,
12 which should be called a key, which has a name on it?

13 A. Yes.

14 Q. To protect the identity of this individual, you'll
15 notice that he has been given a pseudonym. Do you see
16 that?

17 A. Yes.

18 Q. Do you see the pseudonym is "John"?

19 A. Yes.

20 Q. Do you recognise the name of the boy who has the
21 pseudonym "John"?

22 A. No.

23 Q. Do you have any recollection of that boy being at
24 St Joseph's during your time?

25 A. No.

1 Q. I think you were given some information when you met the
2 inquiry team that John has said in his statement -- and
3 I'll read it out:

4 "Jack had a [REDACTED] and was my housemaster in second
5 or third year. His nickname was MPL [REDACTED]. His thing
6 was that he liked to wrestle kids on a big mat in the
7 dormitory. He would take five or six boys to wrestle.
8 He did that quite often, about once or twice a week.
9 It would happen just before bedtime, so we would be in
10 our pyjamas."

11 First of all, Jack, can I ask you, did you have
12 a [REDACTED] at that time?

13 A. Yes.

14 Q. And did you have the nickname MPL [REDACTED]?

15 A. I believe so.

16 Q. Did you at any time wrestle with boys in the way that's
17 described there?

18 A. No.

19 Q. Do you have any recollection of any wrestling going on
20 in the inters dormitory?

21 A. No.

22 Q. John went on to say that:

23 "Looking back, Jack was trying to make out he was
24 powerful. I thought he was a bit touchy-feely in the
25 wrong places. He did that to me. I remember an

1 incident happened but I can't remember exactly when it
2 was. I think I've tried to block it. I think he
3 touched me in the wrong place. I remember that I got up
4 and kicked him in the head. He never said anything but
5 he never bothered me again."

6 Do you recall any occasion when you touched a boy
7 in the wrong place?

8 A. No.

9 Q. Do you recall any occasion when a boy kicked you in the
10 head?

11 A. No.

12 Q. Did that happen?

13 A. No.

14 Q. Another thing John has told the inquiry is that you
15 liked to take boys back to your room. What he says is:

16 "If he caught anyone messing about or making
17 a noise -- his room was in the dormitory and he would
18 take a boy in there and shut the door. He would be in
19 there for about 20 minutes."

20 What's your response to that?

21 A. That did not happen.

22 LADY SMITH: Which part of it didn't happen? Did you ever
23 have boys in your room for any reason?

24 A. No, my Lady.

25 LADY SMITH: Never at all?

1 A. Never. The room was tiny.

2 MS MACLEOD: Another thing John said to the inquiry, Jack,
3 is this, and I'll read it to you:

4 "There was a brother that made me stand in the
5 washroom all through the night, instead of going to bed,
6 as a punishment. This was if I was caught doing
7 something wrong. One time it was because boys were
8 chucking paper at each other and I got caught three
9 times. I think it was Brother ^{AKV} or Jack who told
10 me to stand in the washroom. I stood there all night
11 and then was told to get ready and to go to school in
12 the morning. That happened to me a few times when I was
13 in third or fourth year."

14 Jack, did you ever instruct a boy to stand in the
15 washroom?

16 A. No.

17 Q. And indeed to do so overnight?

18 A. No.

19 Q. John provided oral evidence to the inquiry where he told
20 the inquiry that:

21 "When [he] was being belted, some brothers
22 intentionally aimed higher than [his] hands and aimed
23 for [his] wrists."

24 He was asked if he had any particular brothers in
25 mind and he included you in that. Did you ever belt

1 boys?

2 A. No.

3 Q. So what response do you make to what's been said there?

4 A. I'm hearing this for the first time, but it did not
5 happen.

6 Q. In your statement, Jack, you mention that after you left
7 St Joseph's College, you heard a rumour about
8 Brother Damien; this is in paragraph 192 of your
9 statement.

10 A. Yes.

11 Q. You say that that rumour was not to do with
12 St Joseph's College but it was to do with somewhere in
13 London.

14 A. Yes.

15 Q. Where in London?

16 A. I don't know.

17 Q. What did you hear?

18 A. Simply that allegations had been made about
19 Brother Damien.

20 Q. Who did you hear this from?

21 A. I'm not sure. I think I may have read it in newspapers
22 even, but I really cannot remember. It was well after
23 my time with the Marists.

24 Q. Did you hear any information about who was making the
25 allegations?

1 A. No.

2 Q. In your statement you say that:

3 "[You] heard it was something to do with boys, but
4 [you] didn't hear any details."

5 A. That's correct.

6 Q. After you left St Joseph's, did you go to St Columba's
7 College in Largs?

8 A. That's correct.

9 Q. And what was your role at St Columba's College?

10 A. I taught a combined primary class, the youngest pupils,
11 and I was a sort of a [REDACTED] to the
12 [REDACTED] SNR [REDACTED].

13 Q. Who was the SNR [REDACTED] at St Columba's at that time?

14 A. Brother MLA [REDACTED].

15 Q. Did you spend around a year at St Columba's, from 1973
16 to 1974?

17 A. That's correct.

18 Q. We've heard in evidence that there was a main house at
19 St Columba's called Landour House. Do you recall that?

20 A. Yes.

21 Q. And that there was another property to the left of
22 Landour House, as you looked at it.

23 A. Yes.

24 Q. Where was your accommodation at St Columba's?

25 A. In the other house, Northfield.

1 Q. Did any brothers have accommodation in Landour House
2 during your time?

3 A. Brother [MLA], the [SNR]

4 Q. Was there anybody in a housemaster role who had a room
5 in Landour House?

6 A. The only brother in Landour House was Brother [MLA],
7 the [SNR].

8 Q. How did you find your time at St Columba's? How would
9 you describe it?

10 A. I really enjoyed it. The boys were -- they seemed to be
11 really happy. They would come and talk to you very
12 easily as if you were like, possibly, an older brother
13 or some other relative. There was regular football
14 games and Brother [MLA] and I played with the boys on
15 the football field.

16 Q. Did you ever hear of or see anything that you considered
17 to be inappropriate at St Columba's?

18 A. No.

19 Q. Towards the end of your statement, Jack, you provide
20 some information in relation to the impact that all of
21 this has had on you, and in particular, I think, the
22 allegations that have been made; that's at paragraph 195
23 of your statement. I just want to ask you a little bit
24 about that.

25 What you say is:

1 "I'm afraid I have no great respect for the system
2 at the moment."

3 A. That's correct.

4 Q. I wonder if you could elaborate upon that for me.

5 A. Simply the statement that is coming -- I am not implying
6 anything to those in the inquiry, I'm talking about the
7 political statements where, "Come forward, we will
8 believe you." I think that should be altered to, "Come
9 forward, we will listen to you and investigate", because
10 people can make allegations and simply be believed and
11 I think that is wrong.

12 Q. And I think in your statement, you describe that as
13 "lunacy".

14 A. To me, yes.

15 MS MACLEOD: Well, thank you, Jack, for engaging with the
16 inquiry and for speaking with me today over the video
17 link. I don't have anything further to ask you.

18 My Lady, I'm not aware of any other questions being
19 submitted for Jack.

20 LADY SMITH: Thank you.

21 Are there any outstanding applications for
22 questions? No.

23 Jack, those are all the questions we have for you.
24 Could I just thank you for recognising that the inquiry
25 is not the government and I can assure you we are

1 independent, completely independent, of the government.
2 That is the whole point of a public inquiry. We have
3 been since it started and will remain so until we
4 finish.

5 Thank you very much for engaging with us and helping
6 us with both your written statement and your oral
7 evidence today. I'm now able to let you go and the link
8 be switched off. Thank you.

9 A. Thank you, my Lady.

10 (The video link was terminated)

11 MS MACLEOD: My Lady, I think we may have another witness,
12 but it might be appropriate to have a short break just
13 to get things changed over.

14 LADY SMITH: Very well.

15 (10.30 am)

16 (A short break)

17 (11.08 am)

18 MS MACLEOD: My Lady, the next witness is covered by
19 a restriction order and will use the pseudonym "Barbara"
20 when giving her evidence.

21 "BARBARA" (sworn)

22 LADY SMITH: Barbara, please sit down and make yourself
23 comfortable.

24 You'll see the microphone is switched on; you can
25 tell that because the red light is showing. If you

1 A. I was yes.

2 Q. And are you now 65?

3 A. I am.

4 Q. You provide some information about your employment in
5 your statement. Are you employed by the
6 Kinharvie Institute in Glasgow?

7 A. I am now retired. I retired at the end of [REDACTED]

8 Q. I see. So were you employed by the
9 Kinharvie Institute --

10 A. Yes, I was.

11 Q. -- for about 10 years?

12 A. Yes, I started in [REDACTED] 2009.

13 Q. What was your role at the Kinharvie Institute?

14 A. I was [REDACTED].

15 Q. I think when you met with a team from the inquiry, you
16 were informed that a witness had provided a statement to
17 the inquiry which referred to yourself; is that right?

18 A. Yes, I was.

19 Q. If you turn to the first page in your folder, you'll see
20 there's a document there that we call a key.

21 A. Yes.

22 Q. There are two people listed there whose names are
23 protected and who have been allocated pseudonyms;
24 do you see that?

25 A. Yes, I see that.

1 Q. The person that I'd like to ask you about is a witness
2 who's been allocated the pseudonym "James".

3 A. Yes.

4 Q. Is that the person that you were asked about by the
5 inquiry team?

6 A. Yes, it was.

7 Q. I think you were asked if that is someone that is known
8 to you.

9 A. Yes.

10 Q. Is that someone you know?

11 A. I don't know him.

12 Q. I think you tell us in your statement that you've spoken
13 to him on the phone, but that you have never met him;
14 is that right?

15 A. Yes, I took a telephone message from him.

16 Q. We'll come to look at that shortly.

17 I think you were informed by the inquiry team that
18 James was born in 1967 and that he went on to attend
19 school at St Columba's College in Largs; is that right?

20 A. Yes.

21 Q. You were asked, I think, if St Columba's College means
22 anything to you. Is that a school that you were
23 familiar with?

24 A. No, I never saw St Columba's, but my husband went there.

25 Q. In his statement, James refers to a pupil, who he says

1 was at St Columba's at the same time as him, by the name
2 of Aldo Moroni. Have you ever known anybody by the name
3 of Aldo Moroni?

4 A. No.

5 Q. When was the first time that you heard the name
6 Aldo Moroni?

7 A. The first time I heard it was -- [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 Q. [REDACTED]

15 A. [REDACTED]

16 [REDACTED]

17 Q. And when was this?

18 A. I'm not sure exactly. It must have been about ...

19 I think it must have ... I moved into my present

20 address four years ago and it was some time after that.

21 So I think it was about 2016, because I had [REDACTED]

22 [REDACTED].

23 Q. Are you saying then that it's really in the last

24 four years that you first heard the name Aldo Moroni?

25 A. Yes.

1 Q. You've mentioned there that [REDACTED]

2 [REDACTED]

3 A. Yes.

4 Q. What was the purpose of that visit?

5 A. He wanted to speak to me about my dead son, Aldo Moroni.

6 And I just looked at him. I said, "Look, just come in.

7 I don't have a dead son; I've got a son but he's very

8 much alive." Then he realised that he was talking to

9 somebody that didn't know anything, so then we

10 started -- he was looking at my house and the view from

11 the back window and then he went away.

12 Q. When you met with the inquiry team, I think parts of

13 James' statement were read out to you. You deal with

14 this in paragraph 15 onwards of your own statement.

15 That'll come on the screen for you or you can also look

16 at it in the folder if that's easier for you.

17 One of the things that James said to the inquiry in

18 his statement was that when he was at St Columba's

19 College -- he said:

20 "I'm almost 100% certain that I recognised Aldo's

21 stepfather and that he was MFZ [REDACTED] "

22 Were you told about that when you --

23 A. Yes.

24 Q. And do you know anything about that?

25 A. No.

1 Q. The statement went on to say:

2 "I also saw a lady that I'm sure was Barbara at the
3 school and that she was Aldo's mother."

4 What's your response to that?

5 A. It's absolutely ridiculous.

6 Q. So I think to give a time frame for this, the inquiry
7 has information to suggest that Aldo Moroni was a child
8 who was at St Columba's in 1979 and 1980, around that
9 time, as he was a 7-year-old boy. In 1979/1980 I think
10 you would have been about 25 or 26; is that right?

11 A. Yes.

12 Q. Were you at St Columba's at any time over that period?

13 A. No. I'd never been in that area by that time. I lived
14 in the Borders of Scotland.

15 Q. Have you ever been to St Columba's College?

16 A. No.

17 Q. You were given further information that came from
18 a statement James provided to the inquiry and that was
19 to the effect that -- and I quote from the statement,
20 this is James' statement:

21 "In more recent times I phoned a place called the
22 Kinharvie Institute in Glasgow. A lady called Barbara
23 answered the phone. I'm sure I saw her at the school
24 when I was there. She wasn't there for very long but
25 I think she was there because of something to do with

1 Aldo Moroni."

2 And again, you've just told me that you've never
3 been to the school; is that right?

4 A. No.

5 Q. James goes on to say in his statement -- and this is
6 in relation to a meeting he says he had at the
7 Kinharvie Institute -- that you, Barbara, [REDACTED]

8 [REDACTED].

9 A. Well, if there's a meeting at the Kinharvie Institute,
10 [REDACTED], and when the
11 person arrives, [REDACTED]
12 [REDACTED] and then when the person they're
13 meeting comes in, they go into the room. They're never
14 interrupted, ever, because there's a lot of coaching
15 goes on in Kinharvie. You wouldn't ever. It doesn't
16 matter what happened, you would never interrupt
17 a meeting.

18 Q. So can you tell me about the phone call that you
19 received from James? When was that?

20 A. At the time it was just a call that you take at work, so
21 I'm not exactly sure when it would be. I really
22 wouldn't be able to put a date on it, to be quite
23 honest. It was just a name. I got James, but I didn't
24 get the last name very easily, and I passed it on to my
25 boss because that's who he was asking for.

1 Q. And do you know if James had a meeting at the
2 Kinharvie Institute?

3 A. Yes, he did.

4 Q. Were you in the Kinharvie Institute on the day of the
5 meeting?

6 A. No, I was not there.

7 Q. I think you provide in your statement at paragraph 18
8 some information as to why you say that you're clear you
9 weren't there.

10 A. Yes.

11 Q. To summarise that, is that because you were aware that
12 James was bringing a counsellor with him to the meeting?

13 A. Yes.

14 Q. And did you recognise the name of the counsellor --

15 A. Yes.

16 Q. -- as someone you knew?

17 A. Yes.

18 Q. Did you decide therefore not to be in the office on the
19 day of the meeting?

20 A. Well, I happened to have a day off anyway, but

21 I remember thinking, well, I'm glad I'm not there

22 because I know [REDACTED]. So that's why I was clear that
23 I wasn't there.

24 Q. I think you mention that a colleague of yours may have
25 been present on that day.

1 A. Yes.

2 Q. And that's a colleague who looks --

3 A. She's not unlike me.

4 Q. If you look at your key, there is a person named there,
5 given the pseudonym "Gary".

6 A. Yes.

7 Q. Was that a colleague of yours when you worked at the
8 Kinharvie Institute?

9 A. Yes, he was the SNR [REDACTED] at Kinharvie.

10 Q. In relation to what James says about him, are you aware
11 of there being any connection between Gary and
12 Aldo Moroni?

13 A. No.

14 Q. So I think, just to summarise what you've told us,
15 Barbara, you didn't know anybody by the name of
16 Aldo Moroni, you've never met James, and you've never
17 been to St Columba's College in Largs; is that right?

18 A. That's correct.

19 MS MACLEOD: I don't have anything further to ask you.

20 My Lady, I'm not aware of any other questions being
21 submitted.

22 LADY SMITH: Are there any outstanding applications for
23 questions of this witness? No.

24 Barbara, that does complete all the questions
25 we have for you today. Thank you very much for helping

1 because it's important that we hear you through the
2 sound system.

3 In a moment, Mr MacAulay will explain what he's
4 going to ask you to do with the red file. Before he
5 does that, could I just say one or two things, Gary.
6 I know they may already have been explained to you, but
7 it's important that you remember them, so I'm going to
8 do it now.

9 In the course of your evidence you may be asked
10 about the abuse of children who were in the care of the
11 Marist Brothers. If in the course of your evidence you
12 say anything to the effect that you were involved in any
13 such abuse, you have the right not to incriminate
14 yourself. Although this is a public inquiry and not
15 a criminal trial, nor a civil litigation, you have all
16 the rights that you would have in a courtroom.

17 You can, of course, answer any such question that
18 you choose to answer, but it's important you recognise
19 that you would be doing that on the basis that your
20 evidence is all being recorded, it will be included in
21 your evidence, and in any transcript made of it. Does
22 that all make sense to you?

23 A. Yes. I'm more than happy.

24 LADY SMITH: I think you've already had this explained to
25 you.

1 A. Yes.

2 LADY SMITH: If you have any worries about that or doubts
3 about it as you give your evidence, please don't
4 hesitate to ask or indeed ask about anything else you're
5 not sure about.

6 If you have no questions for me at the moment, I'll
7 hand over to Mr MacAulay and he'll explain what happens
8 next. Is that all right with you?

9 A. Fine, yes.

10 LADY SMITH: Very well, Gary, thank you.

11 Questions from MR MacAULAY

12 MR MacAULAY: Good morning, Gary.

13 A. Good morning.

14 Q. In the red folder in front you, you'll find your
15 statement. I'll give the reference of it for the
16 transcript: WIT.001.002.6853.

17 If I could ask you to begin by looking to the final
18 page. Can you confirm you have signed the statement?

19 A. I have signed it, yes.

20 Q. Do you say in the final paragraph:

21 "I have no objections to my statement being used as
22 part of the evidence to the inquiry"?

23 Is that correct?

24 A. That's correct.

25 Q. Do you go on to say:

1 "I do not want my witness statement to be
2 published"?

3 Do you say that as well?

4 A. Yes.

5 Q. And do you also say:

6 "I believe the facts stated in this witness
7 statement are true"?

8 A. I do, yes.

9 Q. Gary, in order to provide the inquiry with a time frame,
10 I do not want your date of birth, but I require to ask
11 you to confirm the year of your birth. Can you confirm
12 that you were born in 1960?

13 A. Yes.

14 Q. In the first part of your statement you provide us with
15 some personal background and also you provide
16 information about your qualifications. Do you tell us
17 that as a boy, between 1972 and 1977, you went to
18 St Mungo's Academy in Glasgow?

19 A. Yes.

20 Q. As you tell us, the headteacher and indeed some of the
21 other teachers were Marist Brothers; is that right?

22 A. Yes.

23 Q. In that way, were you exposed to the Marist Brothers as
24 an order?

25 A. Yes.

1 Q. After school, in 1977, did you go to Glasgow University
2 and graduate in 1981?

3 A. I did, yes.

4 Q. After leaving university, did you become a [REDACTED]
5 [REDACTED], initially with an international firm of
6 [REDACTED]?

7 A. Yes.

8 Q. And thereafter did you set up your own firm in about
9 1992?

10 A. Yes.

11 Q. Can I just look, first, Gary, at your involvement with
12 the Marist order. We've already touched upon your
13 exposure to the Marists when at school. You also tell
14 us in your statement that, either at school or even
15 after school, you had involvement with the Marists;
16 is that right?

17 A. Sorry? At school, yes, and afterwards.

18 Q. If we look at paragraphs 45 and 46 of your statement.
19 It should come on the screen as well and sometimes it's
20 easier to look at it on the screen, although it hasn't
21 in fact as yet.

22 (Pause)

23 If we look at paragraph 45, you're telling us there
24 about an occasion when you travelled by minibus to
25 a retreat and that retreat was in Dublin and you mention

1 that there were two brothers with you on that occasion,
2 Brother AKU and Brother Ronnie, and they went with you
3 on this retreat. Do you remember that occasion?

4 A. I do remember that occasion, certainly Brother Ronnie
5 was there, and I think AKU may have been there.

6 Q. Was AKU somebody you had come across before or
7 was this the first occasion that you came across him?

8 A. To the best of my recollection, not at that stage.

9 Q. But this was a retreat you went on. What age were you
10 at that time?

11 A. Around about 18, I think.

12 Q. So had you left school?

13 A. My recollection is that it was round about the time
14 I was leaving school.

15 Q. Was it a retreat that was organised by the Marists?

16 A. It was, yes.

17 Q. You go on to say in paragraph 46 that:

18 "The first time I met Ronnie was when he came to
19 St Mungo's School and asked who was interested in going
20 to Hetland House near to Dumfries. This was also
21 a retreat."

22 Do you have a recollection of going on a retreat
23 organised by the Marists to Hetland House?

24 A. I do, yes.

25 Q. You also tell us in your statement that you were

1 involved in fund-raising on behalf of the Marist order;
2 is that right?

3 A. Yes.

4 Q. And what did that actually involve as a matter of fact?

5 A. There was a little group that raised funds through just
6 like activities to support. I think the focus of it
7 at the time was to support groups that were going to
8 Kinharvie House in Dumfries.

9 Q. Did you yourself go to Kinharvie House?

10 A. Yes.

11 Q. Did you go when you were at school or after school?

12 A. I didn't go when I was at school. I went to Hetland,
13 I think, once or twice when I was at school. I don't
14 think I was at Kinharvie House until afterwards.

15 Q. Can I just then focus on the Kinharvie Institute, if
16 I can refer to it as that. If I could ask you to look
17 at a document. This'll come on the screen, I think,
18 once I've given the reference for it. That's at
19 MAR.001.001.2638.

20 Can I just ask you what your present connection is
21 with the Kinharvie Institute?

22 A. Predominantly I advise both the Marist Brothers and the
23 Kinharvie Institute, and I perform [REDACTED]
24 role in terms of SNR [REDACTED] role for the
25 Kinharvie Institute.

1 Q. First of all, how long have you been involved in
2 providing advice to the institute?

3 A. My own practice was set up in 1992 and it was round
4 about that time, just prior to setting that up, I'd
5 given some advice around [REDACTED]. So from 1992
6 onwards to date.

7 Q. In relation to your role as SNR [REDACTED] when did
8 you take that up?

9 A. That was round about [REDACTED], I think.

10 Q. This document we're looking at, it's a note that's been
11 provided to us by the order, which sets out the
12 relationship between the Kinharvie Institute and the
13 Marist Brothers. Have you seen this before?

14 A. Yes. Um ...

15 Q. Just take your time and have a quick look at it.

16 A. (Pause). I don't know if I have seen this particular
17 document. I recognise some of the wording in terms
18 of -- it's jumped on -- certainly the initial paragraphs
19 there.

20 Q. I think what it's seeking to do is to set out the
21 history of the institute and its connection with the
22 Marist order; is that what essentially it's doing?

23 A. It looks like that, but I don't think I've seen this
24 statement.

25 Q. For example, in the second paragraph, do we read:

1 "Prior to this date [and that's February 1991] the
2 charity was known as the Kinharvie Youth Centre,
3 accepted by the Inland Revenue as a charity with effect
4 from 26 October 1980."

5 At that time, was the Kinharvie Youth Centre, that's
6 in 1980, based at Kinharvie House itself?

7 A. That's my understanding. I wasn't involved with it at
8 that stint. But when I did get involved in 1992,
9 roughly, and we were changing from the structure that it
10 was set up as, the Kinharvie Youth Centre, I'd have been
11 aware that that was the date it was first registered as
12 a charity.

13 Q. I think as we read on, we know that it moved,
14 essentially, from Kinharvie House to where it's now
15 based in Glasgow; is that right?

16 A. It did, yes.

17 Q. And I think we're told at the bottom of the third
18 paragraph that:

19 "Kinharvie House was sold by the Marist Brothers in
20 August 2001"; do you see that?

21 A. Yes.

22 Q. And do I take it then that at a point in time before
23 that, the Kinharvie Institute was based in Glasgow?

24 A. The centre in Glasgow was opened in 1994, and
25 Kinharvie House was sold, yes, about August 2001. So in

1 a sense there were two centres for the charity at that
2 stage and as from the sale of Kinharvie House,
3 everything was based in Glasgow.

4 Q. Then can you give us an understanding as to what the
5 Kinharvie Institute does?

6 A. Yes. Basically, there are three areas: coaching,
7 organisational development, and training. Predominantly
8 for other charities. 90-odd% of our work will be with
9 other charities in terms of their development and
10 training.

11 Q. You provide us, for example in paragraph 9, with aspects
12 of your own role as SNR [REDACTED] of [REDACTED]
13 and that involves you attending safeguarding meetings;
14 is that right?

15 A. That's correct.

16 Q. What is your role in relation to these particular
17 meetings?

18 A. Can I just say that that's not of the Kinharvie
19 Institute, that's the Marist Brothers we're talking
20 about now. And that's a distinction that I think has
21 been lost in a lot of the documentation and
22 correspondence. The Kinharvie Institute is a completely
23 separate charity from the Marist Brothers.

24 The safeguarding work is with the Marist Brothers
25 and allegations against historic cases of abuse for the

1 Marist Brothers.

2 Q. So what role do you have to play there?

3 A. It's the same. In [REDACTED] I was appointed on a part-time,
4 a [REDACTED] role, as SNR [REDACTED]. It's
5 in that capacity that I attended the safeguarding
6 meetings.

7 Q. Is that as SNR [REDACTED] of Kinharvie Institute?

8 A. No.

9 Q. So it's a quite separate role?

10 A. Of the Marist Brothers, yes.

11 Q. So I can understand you, you have these two roles?

12 A. Yes.

13 Q. You have a role in connection with the institute and one
14 in connection with the Marist Brothers?

15 In relation to your safeguarding responsibilities,
16 does that involve you becoming involved with people who
17 are making complaints against the order?

18 A. Not directly involved. At the time I wrote my
19 statement, I think I said that I had one telephone call.
20 It generally wasn't my role to receive the telephone
21 calls; it was either the safeguarding officer or the
22 provincial of the Marist Brothers. But in their absence
23 I did take a call from one chap who was alleging abuse
24 by the brothers.

25 Since making that statement, in the last week or

1 two, I did take another phone call of somebody who said
2 he was appearing here and he was asking me, basically,
3 what the connection was between the Kinharvie Institute
4 and the Marist Brothers.

5 Apart from that, I have had no direct involvement.
6 I have heard, obviously, at the meetings the names and
7 allegations that have been made, but I would have no
8 direct involvement with them.

9 Q. We see from the document I have put on the screen
10 previously that the address of the Kinharvie Institute
11 is at Downhill Street in Glasgow.

12 A. It is, yes.

13 Q. So if you're performing your role in connection with the
14 institute, would you go to that address?

15 A. Yes, there or I could be out working with clients or ...
16 but that is where we're based, yes.

17 Q. And then in your position, your safeguarding role for
18 the Marist Brothers, where are you based for that?

19 A. There are two levels of the property. 49
20 Downhill Street is the address of the
21 Kinharvie Institute and 29 Havelock Street is the
22 address of the Marist Brothers.

23 Q. To whom does the property belong?

24 A. The Marist Brothers.

25 Q. Is there some arrangement between the Marist Brothers

1 and the institute in connection with that part of the
2 property occupied by the institute?

3 A. Yes, it's leased to the institute.

4 Q. Can I ask you this question, because the primary reason
5 you've been brought to give evidence is in connection
6 with certain matters that have been raised in evidence
7 in connection, in particular, with St Columba's College
8 in Largs.

9 Have you ever been to St Columba's College in Largs?

10 A. I have never been there.

11 Q. Did you know of a boy by the name of Aldo Moroni?

12 A. I have become aware of him from the safeguarding
13 meetings and from a sort of [REDACTED] which
14 has raged over the last few years.

15 Q. But in the past, did you know of that boy?

16 A. No.

17 Q. If you look at the first document in your folder, you'll
18 see what we refer to as a key. It's a list of names and
19 against the names are pseudonyms that have been
20 allocated to these persons.

21 A. Yes.

22 Q. Number 6 in the list is "Barbara" and I think that is
23 somebody you know; is that right?

24 A. Yes, I do.

25 Q. Have you ever been married to that person?

1 A. No.

2 Q. So far as the inquiry is aware, the boy Aldo Moroni was
3 at St Columba's College in Largs from about August 1979
4 through to mid to late February 1980. So just bear
5 those dates in mind.

6 If we cover that period, would you be aged 19 or 20
7 at about that time?

8 A. Yes, I would, yes.

9 Q. I think in more recent times, you've become aware that
10 the boy Aldo Moroni died.

11 A. Yes.

12 Q. And at the time of his death, he had been a pupil at
13 St Columba's in Largs?

14 A. Yes.

15 Q. In the inquiry, a number of allegations have been made
16 that have involved yourself and I just want to explore
17 those with you.

18 If you go back to the key, the first name that
19 you have as a pseudonym is "David". Do you recognise
20 the witness' name?

21 A. I don't, no.

22 Q. Were you quite recently shown a transcript of that
23 witness's evidence?

24 A. I don't recollect. I think recently there was an
25 additional statement, I think, that was sent through but

1 I can't recall if that was the name that was on it.

2 Q. Well, this is a witness who has given oral evidence to
3 the inquiry and, in fairness to yourself, Gary, I just
4 want to put to you what he has said. His transcript
5 begins at TRN.001.006.4800.

6 I can tell you, just to give you the background,
7 that this was a person who was at St Columba's and he
8 covered the period from about 1979, possibly, to 1981,
9 so he would have been there when Aldo Moroni was a boy.

10 If we turn to page 4838 of his evidence -- and this
11 will come on the screen in front of you. Can we make
12 that a little bit bigger? Are you able to read that?

13 A. I am, yes.

14 Q. This witness was someone who spent time with Aldo. At
15 line 6 he's asked the question:

16 "Question: You told us about your own family
17 visits. What about Aldo? Did Aldo receive any of the
18 visits from anybody?

19 "Answer: The only visitor that I remember coming to
20 the school to visit Aldo, and he did so on a number of
21 occasions, was a gentleman by the name of MFZ ."

22 Do you see that?

23 A. I do, yes.

24 Q. Then:

25 "Question: How did you know his name?

1 "Answer: I recall his name being mentioned. He was
2 within the Marist Brothers -- he worked within or had
3 a position within the Marist Brother organisation,
4 although he didn't dress like a Marist Brother. He had
5 [REDACTED], brushed to one side, quite a young man, slim
6 build. I think he just stood out from everybody else.
7 He was the only person that I saw visiting the school
8 in relation to Aldo Moroni."

9 What he is providing there is evidence in relation
10 to a man that is given the name -- to whom he's given
11 the name MFZ [REDACTED] and what you've just said to me a moment
12 ago is, however that may be, that could not have been
13 you.

14 A. Categorically not, no. I certainly have never visited
15 the school. I didn't know Aldo and I had no position
16 with the Marist Brothers at that stage.

17 Q. His description, where he describes the visitor as:

18 "... with [REDACTED], brushed to one side, quite
19 a young man, slim build ..."

20 Would any of that fit your description at that time?

21 A. Well, I would have been slimmer, certainly. I probably
22 had more [REDACTED] than I've got now. But ...

23 Q. But be that as it may, your position, Gary, is that
24 however accurate that description may be, it does not
25 relate to you?

1 A. It certainly doesn't relate to me, no.

2 Q. The second name that you'll find on the list, if you go
3 back to the list that you have in front of you, the
4 pseudonym is "Billy" and you'll see the name that's been
5 allocated to Billy. Do you recognise that name?

6 A. I do, yes.

7 Q. How do you do that? Why do you recognise it?

8 A. Again from the safeguarding meetings.

9 Q. Do you know if you've seen the transcript of this
10 person's evidence? Because again this is someone who's
11 given evidence to the inquiry.

12 A. Certainly, in the initial witness statement I provided,
13 I think I was shown this chap's statement and the
14 allegations that he was making.

15 Q. For some technical glitch, we can't put the actual
16 transcript up on the screen. I'll give the reference
17 for the transcript itself: it's TRN.001.006.5096.

18 The page I want to take you to -- and I'll read this
19 out to you -- is at 5156. On that page, he is asked the
20 same question that the previous witness was asked:

21 "Question: Did you see anyone come to visit Aldo
22 during your time there?

23 "Answer: Yes, I saw his mother. His brother and
24 his sister turned up at one time and also his stepdad,

25 MFZ

1 "Question: Did you see MFZ [REDACTED] ?

2 "Answer: Yes."

3 And he's then asked on how many occasions and so on.
4 And he goes on to say that MFZ [REDACTED] had [REDACTED]
5 and blue eyes. He goes on to say that he was a young
6 man, probably early 20s -- that's his description -- and
7 that he was dressed in civilian clothes.

8 He gives a fairly similar description to the
9 previous witness, but again, notwithstanding that,
10 looking to your position, your position is that, however
11 that may be, that person, if such a person was there,
12 was not you?

13 A. Yes, absolutely. I've never been to Largs.

14 Q. I'll just complete this exercise just to put the
15 evidence to you. The next witness who is of relevance
16 is number 3 on the list. His pseudonym is "Jack".
17 Do you recognise the name itself?

18 A. I don't recognise that name. There is a similar name
19 that I do recognise. I recognise the second name
20 certainly as the one that I did know an allegation from,
21 and someone I think who is responsible for a lot of this
22 [REDACTED].

23 Q. Okay.

24 Can I just look at the transcript. I'll give the
25 reference of the first page: TRN.001.006.5185.

1 If I can just put on the screen 5201. At line 11,
2 Gary, the witness is asked:

3 "Question: Can I ask you this: did you see if Aldo
4 had visitors when he was there?"

5 There's quite a long answer:

6 "Answer: He never had. He spent a lot of time on
7 his own and he seemed to be stuck up in his dormitory on
8 his own. He was a lovely little boy and I don't know
9 why he couldn't have been in a dormitory with the other
10 boys for friendship or companionship to keep him
11 thingummy. But for some reason he was kept in
12 a dormitory up the stairs on his own. There was
13 a gentleman used to come -- and I remember he was a man
14 in his early 20s with [REDACTED], slim, and he was well --
15 he was kind of always kind of well dressed. I don't
16 know his name, but we used to ... I remember the boys
17 would ask, 'Is that your father, Aldo?' and of course he
18 wasn't because the guy -- Aldo was Italian, dark, and
19 this man had [REDACTED]."

20 So this witness doesn't use the name [REDACTED] MFZ, he
21 simply provides a similar description to the previous
22 witnesses.

23 Your position, as I understand it, Gary, however
24 that may be and to whatever extent the description may
25 fit you, that was not you?

1 A. Categorically not. I think that's an even looser
2 description. I wasn't in my early 20s at that stage and
3 I wouldn't have been fairly well dressed. I was at
4 university during the dates that you gave to me.
5 I would be slightly more scruffy, I think, than that
6 description.

7 Q. I think at most you'd have been 20 over the period I've
8 asked to you look at; that's from August 1979 through to
9 about mid to late February 1980.

10 A. That's correct, yes, I'd have been at university, yes.

11 Q. I don't propose to take you to the parts of the
12 transcript, but there have also been allegations made,
13 for example, that this person, MFZ, may have
14 been in an embrace with one of the brothers,
15 a Brother Germanus. Does the name Brother Germanus mean
16 anything to you?

17 A. Yes, I know who he is.

18 Q. In what way?

19 A. Well, as I said, it was one of the older brothers at the
20 time when I became involved with the brothers. So I met
21 him some time after 1992 when I started advising the
22 brothers.

23 Q. But do I take it that you had no involvement or
24 connection with Brother Germanus in the period we're
25 looking at here, in about 1979 to 1980?

1 A. No, absolutely not. I wouldn't have known him at that
2 stage.

3 Q. Another allegation that's been made is that you were
4 seen with other men in a hallway in St Columba's and the
5 suggestion might be that there's some sort of sexual
6 connotation. Again, from what you've told us, when
7 I say "you", the man MFZ [REDACTED] whoever the man may
8 have been, it wasn't you?

9 A. Yes, again, categorically not me.

10 Q. The other person who mentions you is number 4 on the
11 list. You'll see that that person has been allocated
12 the pseudonym "James".

13 A. Yes.

14 Q. Do you recognise that name?

15 A. I do, yes.

16 Q. We can perhaps just pick this up from your statement
17 because this has been set out in the statement. This is
18 at paragraph 36 and that's at 6859.

19 I'll just read out what's in this person's
20 statement:

21 "When Aldo was dropped off at school by his
22 stepfather, Brother Germanus and the stepfather told all
23 the boys that they were allowed to hit him because
24 he was a bad boy. We were told we were allowed to hit
25 him, but not too hard. I also remember Aldo's

1 stepfather being in the bed with Brother Germanus and
2 Aldo. I saw Aldo's head popping up over the covers.
3 I'm almost 100% certain that I recognised Aldo's
4 stepfather and that he was MFZ ."

5 So that's the allegation made against you by this
6 individual. Again, I take it, Gary -- I think I know
7 what your answer is -- whoever that may be, that
8 certainly was not you?

9 A. Correct, yes.

10 Q. It appears to be the case that there are a number of
11 witnesses, three who have given evidence, two who have
12 named you specifically, one who has provided a form of
13 a description, and this other witness who's provided
14 a statement naming you or naming the name MFZ .

15 Are you able to explain why these individuals have
16 seemed to speak about this man MFZ in
17 connection with this young boy Aldo Moroni?

18 A. I certainly can't explain that. The only connection
19 I can make is [REDACTED] that I referred
20 to earlier, which has been raging for the last few
21 years.

22 Q. What can you tell me about that then?

23 A. Yes, it's basically ... I don't know if it's totally,
24 [REDACTED]
25 [REDACTED]

1

2

As part of that, a [REDACTED] that we have [REDACTED]

3

4

[REDACTED], there's a [REDACTED] there

5

that was [REDACTED] and [REDACTED], others are [REDACTED] from the

6

Kinharvie Institute. That has been used to try,

7

I think, to associate Kinharvie Institute with the

8

Marist Brothers and all sorts of -- how would I phrase

9

it? -- all sorts of -- well, certainly falsehoods,

10

things that are completely untrue and inaccurate and not

11

related to Kinharvie Institute, they have been [REDACTED]

12

[REDACTED]. That is the only suggestion I can make as to

13

where any of these people would have seen me.

14

Q. Or seen your name?

15

A. Or seen my name, yes.

16

Q. [REDACTED], in

17

connection with the Kinharvie Institute?

18

A. Well, it certainly would be, yes.

19

LADY SMITH: Gary, help me with this: when you say that [REDACTED]

20

[REDACTED] is by one of the names on the list

21

in front of you, are you telling me that you definitely

22

know that or is it something you're inferring?

23

A. If it is correct, it is the second name of one of the

24

people on this list --

25

LADY SMITH: I don't need to know which one, I just know

1 that you've said it's one of them and what I'm
2 interested in understanding is whether you are telling
3 me that you know as a matter of fact that it's that
4 person or if it's something you believe, something you
5 infer.

6 A. Well, I would have to say it's what I believe. The name
7 is attached to it, but whether it's that person or not,
8 I don't know.

9 LADY SMITH: That's helpful, thank you.

10 Is your name on this [REDACTED] in the
11 Kinharvie Institute?

12 A. Well, it's part -- I don't think it's on the [REDACTED],
13 but it's part of a [REDACTED] where all the names are there
14 and all the people are listed.

15 LADY SMITH: Yes, I can see that, but I think you said --
16 oh, the [REDACTED] is just [REDACTED], it's not
17 actually in the building, the one that you were talking
18 about?

19 A. No.

20 LADY SMITH: It's [REDACTED]?

21 A. It's a [REDACTED] that's been taken from [REDACTED]

22 [REDACTED].

23 LADY SMITH: Thank you very much.

24 MR MacAULAY: Are you able to help me with this: are you
25 able to provide any explanation or reason why these

1 witnesses are saying that a man by the name of
2 MFZ did go to St Columba's at about this time
3 that we're talking about?

4 A. I don't think I can. It would be pure speculation.
5 I have nothing to base that on. There may well have
6 been somebody called MFZ, I don't know, but
7 certainly it's absolutely nothing to do with me.

8 Q. And you couldn't think of any reason why these people
9 are focusing on the name MFZ in connection with
10 the boy Aldo Moroni?

11 A. Absolutely not. That's something I think, I presume,
12 that can be easily checked, that I have absolutely no
13 connection to Aldo Moroni.

14 Q. Just to confirm, you're not his father or his
15 stepfather, nothing of that kind?

16 A. Absolutely no connection.

17 Q. Can I go back then to your statement, Gary, and just to
18 the final part of it. If we look at paragraph 50 on
19 page 6862, I'll read out what you've set out. What you
20 say here is:

21 "I want to record that my experience of the
22 Marist Brothers has been overwhelmingly positive, as
23 I understand it has been for the vast majority of people
24 that they have educated."

25 So there you're setting out your own experience and

1 (12.14 pm)

2 (The lunch adjournment)

3

1

2 (2.00 pm)

3 LADY SMITH: Good afternoon. Mr MacAulay.

4 MR MacAULAY: Good afternoon, my Lady. The next witness
5 wants to remain anonymous and to use the name "Peter" in
6 giving evidence. He requires to be warned.

7 LADY SMITH: Thank you.

8 Peter, can you hear me?

9 THE WITNESS: Yes, thank you.

10 LADY SMITH: Good afternoon. Let me introduce myself. I'm
11 Lady Smith and I chair the Scottish Child Abuse Inquiry
12 here in Edinburgh. Before we start this afternoon,
13 Peter, I'd like you to take an oath to tell the truth,
14 please.

15 "PETER" (sworn) (via video link)

16 LADY SMITH: Thank you very much for agreeing to engage with
17 us today by the video link. If you have any
18 difficulties with the link at all, whether in seeing or
19 hearing, please don't hesitate to let us know.20 I will in a moment hand over to Mr MacAulay, who
21 will take your evidence from you. Before I do that,
22 there are a couple of things I want to say. I know they
23 may already have been explained to you, but they're
24 important, so I want to tell you again.

25 Although this is a public inquiry and not a court,

1 it's not a criminal trial, it's not a civil litigation,
2 you have the same rights in terms of the right not to
3 incriminate yourself in this public inquiry hearing as
4 you would do in a courtroom. That means that if,
5 thinking of our context, you say anything about being
6 involved in the abuse of children, you may be asked
7 further questions about that, but you don't have to
8 answer those questions. It's your choice whether you do
9 so or not.

10 If you do answer them, please do understand that, as
11 with all your evidence, your answers will be recorded
12 and then they'll appear in a transcript, because all the
13 evidence is being transcribed from the hearing. I hope
14 you understand that. Does it make sense to you?

15 A. Yes, thank you.

16 LADY SMITH: If you have any queries about it or doubts as
17 we go along through your evidence, please don't hesitate
18 to ask.

19 A. Thank you.

20 LADY SMITH: If there's nothing else that you need me to
21 answer for you at the moment, I'll hand over to
22 Mr MacAulay and he'll take it from there. Is that all
23 right?

24 A. Thank you so much. Thank you.

25 LADY SMITH: Mr MacAulay.

1 Questions from MR MacAULAY

2 MR MacAULAY: Good afternoon, Peter.

3 A. Good afternoon, Colin.

4 Q. The first thing I want you to do, Peter, is to turn to
5 the final page of your statement. The statement itself
6 is WIT.001.002.9169. Can you confirm you have signed
7 the statement?

8 A. Yes.

9 Q. And do you say in the final paragraph:

10 "I have no objection to my witness statement being
11 published as part of the evidence to the inquiry and
12 I believe the facts stated in this witness statement are
13 true"; is that right?

14 A. Right. Yes.

15 Q. Peter, you're wanting to be anonymous, and because of
16 that I don't require to ask for the date of your birth,
17 but to get a time frame I need to get you to confirm the
18 year of your birth. Can you confirm that you were born
19 in 1930?

20 A. Yes.

21 Q. So you're now 89?

22 A. Yes.

23 Q. You tell us in your statement that you were born and
24 educated in Fiji; is that right?

25 A. Yes.

1 Q. You trained to become a Marist Brother in New Zealand
2 and in Fiji; is that right?

3 A. Yes.

4 Q. You also tell us that you, in particular, I think, spent
5 time in New Zealand until about 1954, when you were
6 24 years of age.

7 A. Yes, correct.

8 Q. And by then, had you become a Marist Brother?

9 A. Yes.

10 Q. You also tell us in your statement that you spent time
11 in Fiji again and also in Samoa, and that ultimately you
12 came to Scotland in 1974; is that about right?

13 A. Right.

14 Q. And by then, were you in your mid-40s?

15 A. Yes.

16 Q. Originally, what was your intention when you came to
17 Scotland?

18 A. I'm sorry, could you repeat that, please?

19 Q. Perhaps I should put it this way: originally, when you
20 came to the United Kingdom, what was your intention?
21 What did you want to do?

22 A. I'm sorry, I can't quite understand.

23 Q. Can I put it to you in this way: did you originally want
24 to join the Closed Order of the Anglican Benedictines?

25 (Pause)

1 LADY SMITH: Peter, I think we've established that you came
2 to the United Kingdom in about 1974; yes? Is that
3 right?

4 A. Yes, yes.

5 LADY SMITH: You'd have been about mid-40s by then, about
6 44 years old?

7 A. Yes.

8 LADY SMITH: Why did you come to the United Kingdom?

9 A. I came to join the Benedictines.

10 LADY SMITH: Thank you.

11 MR MacAULAY: But did you then decide in fact to remain with
12 the Marists and did you go to St Joseph's College in
13 Dumfries?

14 A. After I left the Benedictines, yes.

15 Q. Was that in 1976?

16 A. I'm getting all the dates mixed up ... 1976 ... Yes,
17 I believe so.

18 Q. What was your role when you went to St Joseph's first of
19 all? What were you supposed to be doing?

20 A. I was supposed to be teaching there, but I wasn't
21 allowed to teach because I didn't have a Scottish
22 degree.

23 Q. So what happened, what did you do?

24 A. Then I was put in charge of one of the dormitories.

25 Q. Can you remember now what age the group of children was

1 that you were looking after?

2 A. At St Joseph's, I think they were around about 14, 15,
3 16.

4 Q. When you were carrying out that role, was there another
5 brother there to help you or did you just do it by
6 yourself?

7 A. He was there at the beginning, but then he was moved, so
8 I had the place to myself.

9 Q. How did you find that particular role?

10 A. I found it difficult to start off with, but after
11 a month or so, I was making headway and in the end
12 I quite liked the job that was given me.

13 Q. One thing you tell us in your statement, Peter -- and
14 this is at paragraph 37 -- is that when you arrived at
15 St Joseph's, the dormitory was in a mess.

16 A. Yes, I'm sad to say.

17 Q. Can you tell me about that?

18 A. There was rubbish, paper, all over the floor, and under
19 the beds there were empty cans.

20 Q. Did you see about getting that sorted?

21 A. I beg your pardon?

22 Q. Did you see to get that sorted?

23 A. Yes. Eventually, and I got it sorted and I found the
24 boys more happy.

25 Q. You also tell us a little bit about the discipline and

1 I think you say that you were strict but fair with the
2 boys; is that how you describe yourself?

3 A. Yes, that's how I describe myself.

4 Q. How would you deal with a boy that might have been
5 misbehaving?

6 A. Well, I'd have a chat with him and bring it to his
7 attention and ask him to improve, change. Normally,
8 that was enough to do, to get them to change and to
9 appreciate what was being done for them.

10 Q. During this time at St Joseph's, did you use any form of
11 physical punishment with the boys?

12 A. No, not at St Joseph's.

13 Q. You also tell us in your statement at paragraph 47 that
14 boys were not allowed to smoke; is that correct?

15 A. That's right.

16 Q. Was there an incident when you caught a boy smoking and
17 sent him to see the SNR ?

18 A. Yes.

19 Q. What happened?

20 A. I wasn't happy with the SNR advice to him, that
21 he was allowed to smoke as long as Brother MJZ didn't
22 find out, which I thought was quite wrong.

23 Q. You tell us at paragraph 56 of your statement that you
24 left St Joseph's and went to St Columba's College in
25 Largs; is that right?

1 A. Right.

2 Q. The inquiry has seen written information to suggest that
3 you went to St Columba's in September 1976.

4 A. Yes.

5 Q. So you'd been at St Joseph's for something less than
6 a year; is that right?

7 A. Yes.

8 Q. Again, the inquiry has seen written information that you
9 left St Joseph's in August 1979, so you were there for
10 about three years.

11 A. Yes.

12 LADY SMITH: Left St Columba's.

13 MR MacAULAY: I'm sorry, left St Columba's.

14 What role were you asked to play at St Columba's?

15 A. I had a class to teach. I was also doing private study,
16 doing a course at Oxford, and over the weekends I went
17 to look after the boarders, take charge, cook for them,
18 and then -- well, be a friend and counsellor to them.

19 Q. I think we know that at St Joseph's, there was the main
20 building, which was known as Landour House, there was
21 also another building known as Northfield House, and
22 there was an annex building. Where did you sleep when
23 you were there during this period?

24 A. I think it was at the main building, right at the top,
25 the attic, if you like.

1 Q. Were there any other brothers in that part of the
2 building?

3 A. Yes, there was one brother, Brother Germanus, who had an
4 office down below.

5 Q. And so far as Brother Germanus was concerned, what was
6 his role during this period?

7 A. I beg your pardon?

8 Q. What was Brother Germanus' role?

9 A. Well, Brother Germanus was the director; that means the
10 head, the superior. He spent most of his time looking
11 after the children and taking care of the domestic --
12 running the -- what is the word? -- running the ... I'm
13 sorry, I can't quite think of the word. Just taking
14 over -- in charge of the house, seeing everything went
15 well.

16 Q. Can you remember who the SNR [REDACTED] was at this time?

17 A. I think the SNR [REDACTED] was Brother MFW [REDACTED].

18 Q. You touch upon this in your statement: did the brothers
19 ever meet to discuss the children that were being cared
20 for?

21 A. I'm sorry, sir?

22 Q. Did the brothers ever get together to discuss the
23 children?

24 A. I can't remember being involved in that. They may have
25 discussed the children, but the fact that I wasn't

1 involved I think is because every spare minute I had,
2 I attended to my private studies. Probably also because
3 I was new to the place and didn't know the boys,
4 I wasn't involved.

5 Q. Can I take you to paragraphs 71 and 72 of your
6 statement, which [REDACTED] will show you. Can you look
7 at paragraphs 71 and 72 of the statement?

8 You begin by saying:

9 "My role was unusual for me. I had never dealt with
10 little kids. One or two were babies, almost."

11 And was that the position, that really you had no
12 experience in dealing with young children?

13 A. That's right, yes.

14 Q. You go on to say in the next paragraph:

15 "I had the kids all day and all night. I could
16 teach at St Columba's because it was a private school,
17 not government aided like St Joseph's."

18 You talk about cooking and then you go on to say:

19 "It was the worst time of my life."

20 A. Well, yes, in one way it was, because I'd never had so
21 much contact with boys, you know, teaching them and then
22 being with them in the same building at night, looking
23 after them, if I had to, but I didn't ... If there was
24 any looking after to be done, I think it was
25 Brother Germanus who did it.

1 But occasionally, very, very occasionally -- no, to
2 tell you the truth, I can't remember a time when I was
3 called upon to look after the kids, because that was
4 Brother Germanus' job.

5 Q. Were you given any advice or instructions as to how the
6 children should be disciplined?

7 A. I didn't get the last bit.

8 Q. Were you given any instructions as to how the children
9 at St Columba's would be disciplined?

10 A. Be disciplined?

11 Q. Yes.

12 A. No. I think it was left to my common sense, I think.

13 Q. If we look at paragraphs 95 onwards of your statement,
14 again [REDACTED] will show you the relevant paragraphs.

15 What you say in paragraph 95 is:

16 "Discipline was no problem at all. They were nice
17 kids."

18 Do you see that?

19 A. Yes.

20 Q. And is that your recollection of your time there?

21 A. Yes, definitely.

22 Q. I think you tell us --

23 A. Colin, can I add a little bit to that?

24 Q. Yes, of course.

25 A. When I say they were no trouble and it was a happy time,

1 you always had one or two who were typical boys and
2 they'd get into mischief. What's the word? Just --
3 well, being boys. You had to get in some sort of
4 mischief as part of growing up. But I felt I dealt with
5 that as best I could and it wasn't a problem, really,
6 because we solved -- whatever little problems they had
7 were all solved, to the happiness of the boys as well as
8 myself.

9 Q. If we look at paragraph 100 of the statement, what you
10 tell us there is:

11 "I had a cane or a slipper. I made it my business
12 when a kid was wrong."

13 Did you use a cane or a slipper on occasion when you
14 thought it was necessary?

15 A. Yes.

16 Q. Which part of the child's body would you hit with the
17 cane or the slipper?

18 A. Usually on the palm of the hands or very occasionally on
19 the bottom.

20 Q. When you left St Columba's, and I think I've taken from
21 you that you left in the latter part of 1979, I think
22 the intention was that you would go back to New Zealand;
23 is that correct?

24 A. Yes.

25 Q. What happened?

1 A. What happened when I went to New Zealand or what
2 happened when I came back?

3 Q. I think what you tell us in your statement is that you
4 got a letter from Brother John Ogilvy, he said that you
5 deserved a holiday, and to take four weeks off to go to
6 New Zealand. I just want to know what happened after
7 that.

8 A. Well, when I came back, I found I was given my marching
9 orders. I was no longer needed at St Columba's and that
10 I should go back to New Zealand. But I wasn't given --
11 oh yes, and the accuser's(?) word had got back to
12 Brother John Ogilvy that I had taken up a teaching
13 position in London.

14 Q. But that hadn't been the position, had it?

15 A. No. The teaching that I did was -- while I was waiting
16 for my visa, I spent about two or three weeks tutoring
17 my nephews.

18 Q. Was the end result that you left the Marist Brothers at
19 about this time?

20 A. Yes.

21 Q. I think what you tell us in your statement is that after
22 life with the Marists, you worked for a time in
23 Switzerland; is that right?

24 A. That's right, yes.

25 Q. And then I think you tell us that you did some tutoring,

1 and then you returned to the United Kingdom and you
2 worked in the United Kingdom.

3 A. Coming back from Switzerland, when I came to the
4 United Kingdom, I worked for the Danish Embassy. I was
5 tutoring the son of the [REDACTED] I did it for
6 a week -- sorry, for a year.

7 Q. I needn't know --

8 A. Sorry, can we just go over that again? I did the
9 tutoring as a side job, I was asked if I would tutor the
10 boy for a year, but in the meantime, while I was there,
11 I was employed as ... I was going to say [REDACTED]
12 I looked after [REDACTED]
13 because he was mostly out of the country and [REDACTED]
14 was left to me to look after.

15 Q. Can I then move on, Peter, to that part of the statement
16 where certain comments that have been made to the
17 inquiry have been put to you for your consideration.

18 Can I ask you to look at paragraph 107 of the
19 statement. Again, [REDACTED] will show you where
20 that is. You'll see there's a reference to a particular
21 boy at paragraph 106 and that boy wants to be anonymous
22 and he's taken the name "Billy". Do you recognise the
23 boy's name?

24 (Pause)

25 LADY SMITH: Don't speak it out, just tell us if you

1 recognise the name of the person that uses the pseudonym
2 "Billy".

3 A. Yes.

4 LADY SMITH: Thank you.

5 MR MacAULAY: Can I just read to you what has been set out
6 in the statement. You can follow me if you wish by
7 looking at it. What Billy says in the second line is:

8 "I remember the last one out of the washroom got
9 a slap from [you]. He was quite a handy man with his
10 beatings, on your head or wherever."

11 Can I ask you to comment on that? What's your
12 response to what's been said there by this individual?

13 A. Grossly exaggerated. I can't remember smacking a kid at
14 that time of the morning.

15 Q. On occasion, would you smack a child?

16 A. I think there was one occasion when I did, where a child
17 was being wilfully -- lying to me. He was supposed to
18 have made his bed like all the others, and when I asked
19 him, "Have you made your bed?" and he said yes and
20 I then said, "Come on, we'll go and see it", and
21 of course he hadn't, he had just pulled the eiderdown
22 over it.

23 Before I gave him a smack, I said, "Now, you know
24 what you're going to get a smack for?" and he said,
25 "Yes, brother". I said, "If you'd done what you were

1 supposed to do, you wouldn't be getting one. Do you
2 deserve it?" and he said yes.

3 Q. Where did you smack him?

4 A. Well, I can't remember, but I think I would have smacked
5 him with my hand, smacked his bottom, because we
6 didn't -- there wasn't a cane available, but again, you
7 just wouldn't have one in a dormitory, would you? If
8 there was a cane to be used, it would have been in the
9 classroom.

10 But maybe if he said that I smacked him with
11 a cane -- well, I have to just say maybe he's right, but
12 I don't know where the cane came from.

13 Q. I don't think that is being said here in fact. Can

14 I just move on then to paragraph 110. Again, if
15 ██████████ could direct you to that particular paragraph.

16 We have another person who wants to remain anonymous
17 and he wants to take the name "James". Do you recognise
18 the name of this person?

19 A. Yes, I do.

20 Q. I will read to you what he said and you can follow me
21 in the statement if you wish:

22 "Brother [you] was quite physically abusive as well.
23 He was all right, but when he gave you a doing, he
24 really gave you a doing. He would use his hands.
25 We would get beaten up if we didn't make our beds

1 properly."

2 What about that allegation? How would you respond?

3 A. Grossly exaggerated.

4 Q. Was this the boy that you mentioned earlier that you may
5 have smacked for not making his bed properly?

6 A. That's the boy, yes.

7 Q. Can I also ask you about some more general allegations
8 that have been made. If I could ask [REDACTED] to direct
9 you to paragraph 114 of your statement, could we look at
10 that?

11 Again, this is Billy, who's making this observation
12 and I'll just read that out to you:

13 "There was discipline, but it usually just depended
14 on the brother. We were usually just hit with whatever
15 they had, usually belted. It would be a belt or a ruler
16 across the hand. You didn't have to do much, it could
17 just be for doing something in school. Sometimes you
18 were lined up and hit just for swearing. It could be
19 anything, really."

20 Just looking to that description, to what extent
21 does that description accord with your recollection of
22 what happened at St Columba's?

23 A. Excuse me, if you don't mind, I need to explain this
24 a little bit more.

25 Q. Very well, carry on.

1 A. "It must be for doing something in school ... just for
2 swearing."

3 Well, I can't remember any kid swearing -- and
4 I think this is the involvement of my work in Fiji,
5 in the islands, where we used discipline more. But as
6 far as St Columba's was concerned, well, I ... no,
7 I don't quite agree with it.

8 Yes, they got a smack now and again, but there was
9 nothing ... it's just like a smack you'd get at home
10 from your mum if you didn't do what was right.

11 Q. Can I take you to another passage then in the statement.
12 Again, if [REDACTED] can help you and take you to
13 paragraph 118 of the statement.

14 This is directed against Brother Germanus and an
15 incident that Billy says he witnessed, in particular,
16 that a particular boy was being dealt with severely by
17 Brother Germanus and what Billy said -- and I'll read
18 that to you and you can follow me in the text:

19 "I jumped out of my bed and started running around
20 the bedroom. I didn't know what was happening and
21 I heard other boys shouting at me to get back into my
22 bed. I did get back into my bed and then I heard
23 another brother shouting, 'What have you done to this
24 poor child?' I think that was [you] but I can't be
25 certain."

1 Do you remember any incident where you had to
2 intervene or become involved with Brother Germanus, who
3 might have been dealing severely with a child?

4 A. Well, as far as I'm concerned, it never took place.

5 I was not involved at all because it just didn't happen.

6 Q. Okay. Can I then put another description to you that's
7 been provided by Billy as well. This is at
8 paragraph 122 of your statement.

9 He's describing an incident when he was last out of
10 the showers:

11 "Brother Germanus grabbed me on the back of the neck
12 with one hand and started fumbling about with his
13 clothing inside his robes with the other hand. I was
14 getting really scared so I started screaming, 'Help!
15 Help! Help!' Then he put his hand over my mouth really
16 tight. I bit him so hard and he screamed out. Then
17 another brother, I think it was [you], appeared and told
18 him to get off me and I just sprinted out of my
19 bedroom."

20 Did that sort of incident ever happen according to
21 your recollection?

22 A. No, never. And can I just say something there? Since
23 Brother Germanus and I were the only two in that
24 building, he would have known if I had -- if it happened
25 as he said, the other brother he thinks would have

1 been ... of course it would have to be me, but I can
2 tell you no such thing happened. As far as I'm
3 concerned, I was never involved in anything like that.

4 Q. Can I take this with you broadly then, Peter? Did you
5 ever see anything untoward happening between
6 Brother Germanus and a child?

7 A. No, never. And if I did see -- did happen to come
8 across a thing like that, I would have reported it to
9 the superiors immediately -- sorry, can I interrupt you?

10 Q. Of course.

11 A. I would have reported him to the superiors after having
12 a word with Germanus to tell him that I was going to
13 report him. But it never occurred.

14 Q. Can I go back to your time at St Joseph's? Can I just
15 go back to that and can I ask you about one or two of
16 the brothers that you had some involvement with at
17 St Joseph's.

18 At paragraph 147, if again you can be directed to
19 that, you make this comment:

20 "I didn't dare mix with the teaching brothers."

21 I just wanted to understand, what did you mean by
22 that?

23 A. Yes, because I wasn't teaching there, so you didn't ...
24 You didn't -- well, I didn't mix with the teaching
25 brothers because I had nothing to contribute. I was

1 just, as far as they were concerned, a layperson.

2 Q. If I could ask you --

3 A. Sorry, but to tell you the truth, I was better off not
4 mixing with them because I had nothing to contribute as
5 far as the school teaching was concerned, and also I had
6 great difficulty understanding the Scottish brothers
7 when they got to talk to each other. To me, sometimes
8 it was a foreign language; not because it was a foreign
9 language, but because to my ears I wasn't used to that
10 sort of ... they used, to me, a kind of patois. Well,
11 I closed my ears to it after a while because, try as
12 much as I wanted, I couldn't make head or tail
13 sometimes.

14 Q. And was that down to the --

15 A. (Inaudible: distorted), no.

16 Q. Can I take you to paragraph 156 of your statement.

17 Again, you'll be taken to that. You begin by saying:

18 "I saw AKU [REDACTED] once."

19 And you say:

20 "He was a young fella, about 18 or 19."

21 You go on to tell us -- you provide a description of
22 him, and you go on to tell us:

23 "AKU [REDACTED] was a disciplinarian."

24 I just wanted to understand from you what you mean
25 by that description.

1 A. I met him while he was in the dining room and he was in
2 charge of the dining room. And usually, it's a hard
3 place to get what you want done, but I found every
4 command -- when he told them to sit or stand, everybody
5 did that, one. Or two were late, but he still made
6 them -- by the tone of his voice -- that he wasn't going
7 to stand any funny business and that's why I thought
8 he had the makings of a great disciplinarian.

9 When I say disciplinarian, I don't mean whacking the
10 kids; I just meant that he had this particular talent of
11 being able to get what he wanted done.

12 Q. At this time was he young?

13 A. Yes, he was young and I thought he had a great future
14 with the Marist Brothers, especially in a boarding
15 school.

16 Q. The other --

17 A. He commanded great respect, yes.

18 Q. Please finish, Peter. Did you want to add to that?

19 A. I'm finished, thank you.

20 Q. The other brother I want to ask you about is

21 Brother MFU . You mention him in your statement at
22 paragraph 158. I just want to ask you about him. How
23 did you find him?

24 A. I found him unapproachable. Not that I ever tried to
25 approach him, but he just gave me that impression, that

1 if you wanted to go and see him, it had to be for some
2 good reason. He didn't suffer fools gladly. That's the
3 way I looked upon him. But I could have been wrong.
4 That was my interpretation of him because he didn't have
5 that look that would have sort of welcomed you.

6 I could be wrong, I'm not expressing myself
7 properly, but you just would say hello and that's all
8 and pass by. That's all. Not that he ever tried to
9 talk to me; he just would nod at me in the morning, as
10 you met somebody, and passed by.

11 To tell you the truth, I didn't miss his company,
12 I didn't want to get involved with somebody like that
13 because we just -- we were two different characters.

14 Q. Did you witness how he interacted with children?

15 A. I'm sorry, sir?

16 Q. Did you see how he got on with children?

17 A. No, I never saw him -- actually, I never, ever saw him
18 in a classroom. And as far as -- sorry, can I add
19 a little bit?

20 Q. Yes.

21 A. He never had to repeat what he said to the kids twice.

22 I drew the conclusion that if you wanted to get on
23 in the world, you'd just do what he told you, as far as
24 the kids were concerned.

25 Q. We've already mentioned Brother Germanus, who of course

1 was someone you knew at St Columba's. You mention him
2 again in paragraph 163 of your statement. In short,
3 what you say is that you knew him and you thought that
4 he was a lovable chap.

5 A. Yes.

6 Q. Would that be your description of him?

7 A. He had a stutter, and from my judgement of his reaction
8 with the kids, I thought he was marvellous. I didn't
9 know what went on, if anything went on in the
10 background, but as far as I was concerned, he was a nice
11 man, a really lovable man as far as the kids were
12 concerned.

13 Q. Then finally, Peter, can I take you to the very final
14 part of your statement that has the heading "Help the
15 Inquiry". Can [REDACTED] perhaps just direct you to that
16 part of the statement.

17 I want to pick up on one particular point. In
18 paragraph 172, what you say is:

19 "Children who are having problems should be able to
20 telephone to speak to someone. There should be
21 a dedicated number they can ring for help."

22 Are you saying there that essentially children
23 should have a voice?

24 A. Yes, definitely. Children that young in a boarding
25 school, they need somebody that they can contact

1 immediately if they need it. And children do need --
2 we're grown-ups and we don't look at things the way
3 children look at it.

4 I think it's wrong if they had no one to approach or
5 ask for help. By that, I mean somebody who's not
6 a brother, because our outlook -- we have our rule to
7 live by and that rule tells us that we must not be too
8 familiar with children.

9 Sometimes you look at the kid's face and you know he
10 wants to -- there have been times when I have wanted
11 to -- I'm going to tell you the truth. There were some
12 times when ... I could see a kid suffering and there
13 was nothing I could do about it. I don't mean kids at
14 St Columba's; these are kids that I have gone through
15 teaching all my life. You're not allowed to touch kids
16 because, if you do, it's misinterpreted immediately.

17 You want to act like a father, a father takes his
18 child in his arms, and I wasn't allowed to do that, and
19 I think I could have done -- that's all the kid wanted,
20 he just wanted to know that somebody cared for him.

21 Maybe Brother Germanus did that and it was
22 misinterpreted or maybe it went too far. The rule says
23 you have to be careful, you must not get involved with
24 children. There but for the grace of God go I, I could
25 have ended up with what you're hearing about.

1 But as far as I'm concerned, I never saw anything
2 untoward happening, although I did feel that we let the
3 kids down because they should be free to come any time.

4 For instance, at night, if a kid's in trouble and
5 some of the kids there were -- I felt like a baby
6 snatcher, you know. Little children should have been at
7 home with mum and dad. They come to a boarding school
8 and there are times, like with every kid, where
9 something happens and they need somebody to talk to or
10 even just hold them, hold their hand.

11 But if a kid came to me at midnight and knocked on
12 my door -- well, no matter how I felt personally, I was
13 not allowed to touch that kid and I would have to send
14 him away and I think that's wrong.

15 MR MacAULAY: Thank you for these thoughts, Peter, and these
16 final thoughts that you've shared with us, and thank you
17 for engaging with the inquiry and indeed today for
18 answering my questions.

19 My Lady, I can confirm that no questions have been
20 submitted to be put to Peter.

21 LADY SMITH: Thank you. Are there any outstanding
22 applications for questions? No.

23 Peter, that does complete the questions we have for
24 you today. Thank you very much for engaging with us as
25 you have done. We have your written statement as well,

1 of course, which is very helpful and detailed, and
2 that's been enhanced by actually hearing from you and
3 seeing you today. Thank you very much for that. I'm
4 now able to let you relax and the link can be switched
5 off.

6 A. Thank you. My pleasure.

7 (The video link was terminated)

8 MR MacAULAY: My Lady, we have, I think, two read-ins to do.
9 We can start now or have a short break, whatever suits
10 the stenographers.

11 (Pause)

12 LADY SMITH: Let's have a break now and then we'll get to
13 the read-ins.

14 (2.45 pm)

15 (A short break)

16 (3.03 pm)

17 LADY SMITH: Yes, Ms MacLeod.

18 Witness statement of JOHN HENRY HUTCHINSON (read)

19 MS MACLEOD: My Lady, the first read-in I will read is at
20 WIT.001.002.7596 and it is the statement of John Henry
21 Hutchinson:

22 "My name is John Henry Hutchinson. As a
23 Marist Brother my religious name was Brother Angelo
24 Cyril. My date of birth is [REDACTED] 1928. My contact
25 details are known to the inquiry.

1 "I was born in Newcastle upon Tyne where I went to
2 St Anthony's Primary School. My mother was Irish and
3 a very practical woman. We were never well off, but
4 despite this my mother was a very generous person. My
5 father was in the navy.

6 "My mother always believed in helping those worse
7 off than ourselves and many a time I would find clothes
8 or shoes missing and I wouldn't know if my mother had
9 given them away or taken them to the pawn shop. I think
10 it was her willingness to help the poor that influenced
11 me in my decision to help the poor during my life.

12 "I was at the end of my time in St Anthony's Primary
13 School when a lovely old man called Brother Osmond came
14 to the school, recruiting boys to train to join the
15 Marist Brothers. What he said about how they helped the
16 poor, especially in rural areas, impressed me. I went
17 home and told my mother that I wanted to become
18 a brother. My mother thought it was a phase and
19 it would pass.

20 "What happened after that was that Brother Osmond
21 got two recruits from the upper class and the other one
22 didn't turn up, so I ended up going from my school to
23 the Marist school in 1940, which has two names. It's
24 called Hetland House and also Champagnat House, about
25 8 miles outside Dumfries, near a place called Ruthwell.

1 It's a hotel now.

2 "The school in Dumfries was a very well-organised
3 secondary school run by eight brothers and the education
4 was excellent. The SNR [REDACTED] was Brother MYT [REDACTED]. The
5 [REDACTED] in Scotland was Brother MNQ [REDACTED]. The brother in
6 charge of the boys was Brother Christopher. There was
7 also Brother MYZ [REDACTED]. Brother Clemens, Brother David,
8 Brother Catanus, and another brother called
9 Brother Edwin or Egwin, and finally Brother Sylvester.
10 It was all religious. There were no laypeople there
11 except the cook.

12 "They put us through secondary school. It was very
13 good teaching, a good grounding from these monks as we
14 called them. I got three degrees and various
15 certificates. When I was about to turn 16 there was
16 a threat that I could be called into the army. The war
17 was still on at that time, so the brothers sent me to
18 Our Lady's Hermitage school which was in Athlone in
19 Ireland, also run by the Marist Brothers. The reason
20 they sent me there because there was no call-up.

21 "I finished my secondary school and then entered
22 into strict religious training and became a novice or
23 learner monk. It was fraternal, friendly, strict and
24 very religious. I was there for a year or so before
25 I returned to Scotland. The idea was when I returned to

1 Scotland I would go to university.

2 Secondary Institutions - to be published later

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Secondary Institutions - to be published later

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

"I had taken my first vows as a scholastic,
a student brother, in Athlone in 1946 then renewed my

1 vows in each of the next five years before taking my
2 perpetual vows when I was in Africa in 1951.

3 "I was sent back to Scotland for a short time where
4 I did four Highers before being sent to Africa at the
5 age of 20 in May 1948.

6 "I was a Marist Brother for 49 years until I left on
7 2 April 1996. During that time, I was rarely part of
8 a community and worked all over the world doing
9 a multitude of jobs. In this respect I was considered
10 something of a maverick.

11 "I worked with the Red Cross in Africa and was also
12 in the Army for 18 years. When doing these things, my
13 wages went to the Marist Brothers.

14 "In 1995 I had been in [REDACTED] and went back to the
15 Uk for the annual retreat that the Marist Brothers have.
16 I was a day late and all I had were shorts and a T-shirt
17 while all the others were well-dressed, which caused a
18 bit of a laugh amongst them. The provincial spoke to me
19 briefly, saying that he wanted to speak to me before the
20 end of the week.

21 "I was coming up for my 50th year with the brothers
22 and normally they would pay for you to go on a vacation,
23 so I was expecting to be told this, but when I met with
24 the provincial, Brother Ronald McEwan, he said that he
25 thought it was best for both me and the order that

1 I leave the brothers. He said that for the last number
2 of years I hadn't been part of a community, despite the
3 fact that I pointed out that he had allowed me to go out
4 and do the things I had been doing.

5 "This was a complete surprise to me and I pointed
6 out that paperwork would have to be completed and sent
7 to Rome to which he said, 'I'll do it for you, I'm not
8 supposed to but I'll do it for you.' The whole thing
9 took about 10 minutes and that was it: after 49 years
10 I was no longer a Marist Brother.

11 "However, years later I checked with a person I knew
12 in the administration in Rome, whose name I don't
13 recall, but they said they had received two lots of
14 documents about me leaving the Marist Brothers. They
15 said that the first lot had not been properly filled in
16 and had been rejected and they couldn't locate the
17 second lot. They had never issued dispensation for me
18 leaving and as such I am possibly still a
19 Marist Brother.

20 "In 1981 or 1982 when I was about 53, I had been
21 doing a four-year degree in special education for
22 disabled kiddies in Hull University. I had been
23 invalidated out of the Army after injuring my back in a
24 parachute jump. My degree ended up taking five years
25 because I had to take a year out to recover.

1 "I was sent to St Joseph's College in Dumfries, just
2 to fill a gap, to look after the senior boarders,
3 supervising their requirements when they were not in
4 class, supervising their sports, meals, going to bed,
5 getting them up in the morning, generally looking after
6 them, being a boarding master.

7 "I travelled from Newcastle to Dumfries by train
8 with my bike and then cycled the last part of the
9 journey to the college. I remember the boys thought
10 I had cycled all the way from Newcastle.

11 "Brother MFY was SNR of St Joseph's and when
12 I arrived, he was refereeing a football match. At half
13 time, Brother MFY spoke to me, he called me Johnny, he
14 never called me Angelo, and he told me I would be taking
15 over my duties immediately, which was being in charge of
16 the senior boarders, of which there were between 18 and
17 20, but there were day boys as well. They were aged
18 between 14 and 17. It was late in the evening when
19 I arrived, so by the time the game had finished, it was
20 more or less time for bed, so I just let the boys get on
21 with it.

22 "There were three groups of boys at St Joseph's.
23 Juniors were aged 8 to 11. The middle school was aged
24 11 to 13. Then there were the senior boys. The senior
25 boys each had their own cubicle, which were in a large

1 dormitory, and I was allocated a room next to it.

2 "I was what was called a boarding master or senior
3 prefect in charge of those boys in the senior group who
4 boarded. Due to declining numbers, the school was
5 in the process of closing down and they were no longer
6 taking in boarders.

7 "I was great with those boys. I had just left the
8 army and I was very fit. The boys were quite cheeky and
9 they asked what they should call me. I told the boys
10 that my name was John. I conducted myself army-style.
11 They did what I said.

12 "I told them we were going on a run the next morning
13 and anyway half the boys turned out for a run and I told
14 them we were going to Mass afterwards, so the boys came
15 to Mass with me in their running kit. This had never
16 been done before. The previous brother hadn't been in
17 the physical shape to do activities like this and he
18 didn't have the rapport with these guys. I got on great
19 with them from the word go.

20 "The boys formed kind of what looked like
21 a protective bodyguard around me. I couldn't go
22 anywhere without a group of them around me.

23 "Brother MFY was SNR of the school.
24 I recall that Brother MMK a big tall Scotsman, later
25 became SNR. I would say there were at least

1 another half-dozen brothers, though I don't recall their
2 names.

3 "There were also some teenagers who the brothers
4 employed as waiters, who also helped clean the place.
5 I think most of these teenagers came from unfortunate
6 backgrounds and this was the brothers' way of giving
7 them some pocket money."

8 From paragraph 26 through to paragraph 33, the
9 witness provides information in relation to the routine
10 and general life at St Joseph's.

11 I'll read from paragraph 34:

12 "I have no recollection of seeing any of the boys
13 getting corporal punishment. It is possible that the
14 belt was used during school hours, but I was never
15 present when the boys were in class. I think in these
16 days the belt was used quite rigorously in schools, but
17 I didn't have one and I never saw any of it.

18 "If the boys were punished they would be told to do
19 chores, like helping out in the kitchen. I never had
20 any reason to get angry with the boys or reprimand them.
21 My way of disciplining in a previous school, which was
22 a comprehensive school in Dundee, was to give the boys
23 a choice. I never gave the belt without the boy's
24 permission. I said, 'Do you want the belt or something
25 else?' They would always choose something else like

1 a few lines or learning a poem by heart or something.
2 If a boy had chosen the belt, I used to take them
3 outside and hit the belt against the wall so that it
4 made a slapping sound. I used to tell the boys not to
5 tell their friends that they hadn't had the belt at all.
6 I just gave them a bit of a fright, but I never
7 leathered a boy and I never belted anyone at
8 St Joseph's.

9 "The nearest I came to seeing anything like abuse in
10 my time was while I was studying at Champagnat House.
11 On that occasion, Brother MYT seemed to lose the
12 plot with one of the boys and slapped him with his hand.
13 Brother MYT is long since dead. I don't recall what
14 boy it was. Brother MYT was extremely sorry
15 afterwards and very repentant. It was the very first
16 and the very last time I saw a brother do anything like
17 that.

18 "I had only seen this from a distance and what
19 I think had happened was that some boys had been playing
20 around somewhere. Brother MYT must have thought
21 they had been up to no good and called this boy to him
22 and I think the boy was being a bit cheeky.

23 "What I saw was the boy kneeling in front of
24 Brother MYT who then gave the boy quite a whack on
25 the head, causing him to fall over. I saw

1 Brother MYT with a hanky at the boy's ear after it
2 and I think his ear was bleeding. I don't know how
3 serious the bleeding was and I don't think he received
4 any further medical treatment.

5 "As far as I am aware, no boy ever made an
6 allegation of abuse against me and I can think of no
7 reason why they would. I have never been the subject of
8 a police investigation and the only statement I have
9 given to the police concerned the incident at Our Lady's
10 Hermitage in Athlone, which I only gave earlier this
11 year.

12 "I was only in St Joseph's for an academic year and
13 a bit. I had been travelling to Glasgow regularly to
14 see an army doctor about my spinal injury when the
15 superior said I should just move to a Marist house in
16 Glasgow that the order owned. So I did. It was called
17 St Kentigern's.

18 "Shortly after that, a job came up with the
19 Red Cross in Largs and the order gave me permission to
20 do it. It was taking care of disabled youngsters aged
21 between about 17 and 22. I was given the post of
22 educational officer. While doing this I stayed at
23 St Columba's in Largs, though I was not part of the
24 teaching community there. This was about July 1980
25 until the summer of 1982. These dates are approximate.

1 "St Columba's was closing down and I started using
2 the classrooms to help give the youngsters in my care
3 some education. Prior to that, they had only been
4 receiving occupational therapy and the Red Cross were
5 delighted I was getting them some education.

6 "I was the person who drove the ambulance for the
7 youngsters until they got a full-time driver. The
8 youngsters themselves were in residential care in
9 Red Cross House in Largs, although I was not involved in
10 that part of their care. There were some in
11 wheelchairs, others on crutches, as well as some who
12 were severely epileptic.

13 "My routine was I was living in community with the
14 brothers but not attached to the school. I'd get up, do
15 morning prayer, go to chapel, have Mass, and then report
16 to the Red Cross. I would then take the ambulance and
17 collect the boys and girls and take them to
18 St Columba's to use the facilities there.

19 "Some of the older brothers loved working with these
20 youngsters. Brother ^{MYY} [REDACTED] was teaching them [REDACTED] and
21 while I was teaching them geography and English,
22 Brother Arthur taught them music. Red Cross was
23 delighted because before this they were only getting
24 tasks to do like packing boxes, things like that, to
25 keep them busy. These were morning sessions with the

1 youngsters. They would go home in the afternoon.

2 "Red Cross House was eventually closed down and the
3 children were moved to Irvine, which was a bit far for
4 me to commute and it was about that time that i was sent
5 back to Africa. I probably worked in Largs with the Red
6 Cross for almost two years.

7 "While I was working with the Red Cross in Largs and
8 staying at St Columba's, AKU [REDACTED] was working at
9 St Columba's. I didn't really have much to do with him,
10 other than now and again he would perhaps ask me to use
11 the ambulance to transport the boys under his care to
12 various places. However this was very occasional as the
13 children in my care needed the ambulance. He would take
14 them to the likes of Ardrossan and places like that, but
15 it was very occasional, maybe half a dozen times at the
16 most.

17 "On these occasions he would ask me to drive the
18 ambulance and I would go with them. He had a very
19 strong command over the boys. They could be running
20 wild one minute, whooping and yelling and shouting. He
21 would shout one word and they would calm down. He had
22 very good control over them. I would give him full
23 marks for that. He seemed to like being in control of
24 them, in my opinion.

25 "AKU [REDACTED] said in that part of the building that

1 housed the boys. He had a separate room from them.

2 "At about that time that St Columba's was also
3 closing down and AKU [REDACTED] was going off as he had
4 taken a job with the [REDACTED] somewhere. Prior to all of
5 this, AKU [REDACTED] had been in charge of all the money.
6 He had the chequebook which covered the community and
7 the college. When the school closed down the acting
8 superior, Brother Arthur, was going off to Ireland to be
9 with family, so I was made second-in-command. Part of
10 this involved me being responsible for the chequebook
11 and I recall having an argument with AKU [REDACTED]. He wanted
12 the chequebook and I said, no, I'm in charge of it.
13 AKU [REDACTED] wasn't too pleased about that as he had been
14 the person responsible for the chequebook before that.
15 In the end I just gave it to him but I don't know why he
16 needed it.

17 "I never really took to AKU [REDACTED], although
18 I couldn't give you a specific reason for it. But then
19 again, I really had very little contact with him. At no
20 time did I see him doing anything that would be
21 considered abusive to any boy. I would say I was
22 impressed at how well he controlled the boys and he
23 appeared to get on well with them.

24 [REDACTED]

25 [REDACTED]

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

[REDACTED] I never
saw anything at St Columba's.
Secondary Institutions - to be published later

1 Secondary Institutions - to be published later
2
3

4 "I am more for victims now and would hope that
5 everyone who has suffered at the hands of others are
6 suitably compensated for the distress that they have
7 gone through and that perpetrators of such things are
8 brought to justice.

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

12 The statement was signed by John Hutchinson on
13 5 August 2019.

14 LADY SMITH: Thank you very much.

15 Witness statement of STEPHEN SMYTH (read)

16 MS MACLEOD: The next statement I'll read is from Stephen
17 Smyth and it's to be found at WIT.001.002.7085:

18 "My full name is Stephen Eric Smyth. I was know as
19 Brother Stephen during my time as a Marist Brother. My
20 date of birth is [REDACTED] 1950. My contact details are
21 known to the inquiry.

22 "I was born in Glasgow where I lived with my parents
23 and two brothers. As a boy, I had gone to school at
24 St Mungo's Academy in Glasgow, which was run by the
25 Marist Brothers. When I had gone to school at

1 St Mungo's Academy in Glasgow, they organised summer
2 retreats to St Joseph's College for boys who might be
3 interested in religious life.

4 "I had spent six summers of holidays there from 1962
5 to 1968. I would go for a week each time. It was
6 effectively a holiday camp with the occasional prayer
7 and learning sessions. There was plenty of leisure time
8 and it was good fun.

9 "There would be 40 or 50 kids from all over Britain
10 there, aged from about 12 to 18, and those were the ages
11 that I attended. A small handful of us eventually
12 expressed an interest in becoming monks. I met one of
13 my closest friends there in 1963 and he became
14 a Marist Brother too."

15 Reading from paragraph 7:

16 "I don't recall any bad experiences during those
17 summers and didn't witness anything untoward. It was
18 a good and fun experience, which was instrumental in my
19 wanting to join the Marist Brothers. My family and
20 I got to know the Marist Brothers well during those
21 years."

22 Reading paragraph 10:

23 "I had a career with the Marist Brothers from 1968
24 to 2015. When I left the Marist Brothers on
25 1 June 2015, I asked them for a note of all the places

1 I had worked so I could have an accurate record of my
2 career. I was given a printout from their records as
3 I couldn't remember all the places I had been. Some of
4 the dates weren't accurate, so I have marked on
5 a printout where I think the dates differ. I have given
6 this printout to the inquiry and precise dates of
7 placements can be found thereon.

8 "I joined the Marist Brothers around 12 August 1968
9 when I was 18 years old. I moved from my home in
10 Glasgow to a little village in Belgium."

11 In the following paragraphs, my Lady, the witness
12 summarises his career and I'll pick up on a few of those
13 points.

14 He tells us that he was in Belgium training to be
15 a Marist Brother, that he later became a novice, and
16 that he took his first annual vows in Belgium in
17 August 1970, before returning to the UK. He tells us
18 that he spent some time in Ireland in 1970.

19 I'll read from paragraph 16:

20 "I was posted to Hetland House in Dumfries, which
21 was called a juniorate, the Marist equivalent of
22 a junior seminary. I was the [REDACTED] teacher there from
23 [REDACTED]. I wasn't officially a teacher
24 yet and hadn't had any training to be a teacher but
25 I was brought in to replace somebody. Those things

1 happened in private schooling places back then. You
2 were expected to go in and take over.

3 "I had an O-grade in [REDACTED] and did manage to get
4 the kids through their first exam. There were only
5 about 20 kids across all ages. The older kids there
6 were already going into St Joseph's in Dumfries on
7 a daily basis. It was a fairly small and easy post to
8 have.

9 "From 1972 to June 1975 I lived at St Kentigern's
10 House of Studies in Glasgow. During this time I was
11 a student at the Royal Scottish Academy of Music and
12 Drama.

13 "I went back to being a teacher at Hetland House in
14 August 1975. I was only there for a couple of months
15 and I think I was teaching English but I can't be sure.
16 I know I didn't teach science or drama. I didn't take
17 any exam classes when I was there.

18 "Here the records I have from the Marist Brothers
19 don't seem to be great. They haven't noted that I was
20 moved from Hetland House and went to
21 St Joseph's College, Dumfries, in August 1976. I recall
22 I was only in Hetland House for a couple of months
23 before going on to St Joseph's around October 1975 and
24 I stayed there as a boarder and did a bit of teaching
25 until June 1979."

1 My Lady, between paragraphs 21 and 31, the witness
2 provides evidence in relation to his career after his
3 time at St Joseph's. In paragraph 32 he tells us that
4 he left the Marist Brothers on 1 June 2015.

5 Reading from paragraph 33:

6 "The provincial told me one weekend in the summer of
7 1975 that I was moving to St Joseph's College. I think
8 Brother Ogilvy was the provincial at that time.
9 I wasn't given a choice and was just told I was moving.
10 I wasn't formally employed in a school so I was free to
11 be moved by the brothers and there wasn't a lot of
12 discussion about it. That approach changed later on and
13 all later posts were discussed and I was able to
14 negotiate with the order.

15 "I think the reason for the move was because
16 Brother MNZ was leaving St Joseph's College
17 but I can't now be sure if that's a clear memory. He
18 may have been the boarding master who I took over from.

19 "There was no interview process before I moved on to
20 St Joseph's College. The place had a proper teaching
21 system with teachers, so my role was to be one of the
22 boarding masters and not that of a teacher. There was
23 no vetting or checking process at that time. I suppose
24 the vetting process was that if there were any concerns
25 about anyone as a Marist Brother, they wouldn't allowed

1 to continue their annual vows.

2 "Once someone had taken their final vows it was
3 extremely difficult to send them away and it then became
4 a religious problem, like marriage; you couldn't be
5 married and then unmarried. I did not have any formal
6 childcare training. The only childcare training I'd had
7 was when I was in Belgium. I had worked with what was
8 their equivalent of the Boy Scouts and I had to do some
9 training for that. That was in 1968 and I can't
10 remember exactly what that training had been. It was
11 a couple of weekends' training on how to work with the
12 weans.

13 "I didn't have any training on being a boarding
14 master. That's what it was like back then. You were
15 just expected to go in and manage, and I suppose you
16 could just ask anyone if you needed help.

17 "During some of my earlier training as
18 a Marist Brother, there had been a discussion about not
19 forming 'particular friendships'. That was the phrase
20 they used. I am not sure that I actually understood
21 that at the time. There was talk about not being too
22 close to people, but there was no clear discussion or
23 training about boundaries.

24 "I was familiar with the building and grounds at
25 St Joseph's College when I went in 1975 because I had

1 stayed there as a boy at the retreat holidays.

2 "St Joseph's was originally a fee-paying Catholic
3 boarding school for boys but by the time I was there it
4 also took in local boys as day pupils. Most of the boys
5 were Catholic, as it was a Catholic school, but there
6 were some who weren't.

7 "St Joseph's was the only Catholic high school in
8 a 30 or 40-mile radius. Some of the local boys boarded
9 during the week and went home at weekends.

10 "The local authority, I presume, paid for the day
11 boys to attend St Joseph's and the staff were paid by
12 the education authority. From the time when the day
13 boys started at St Joseph's, the school was supervised
14 by the education authority and the local authority. The
15 whole school may not have been supervised, but
16 a relationship was established.

17 "The St Joseph's campus was also the Provincial
18 House of Marist Brothers, so the provincial was based
19 there, which meant their meetings and summer retreats
20 would be held there. It was a major part of the
21 congregation of the brothers in Britain."

22 My Lady, from paragraph 46 through to 64, the
23 witness provides information about the boarding set-up
24 and the layout of the buildings at St Joseph's.

25 I'll read on from paragraph 65:

1 "When I arrived at St Joseph's, I was the boarding
2 master for the mids dormitory. They were third and
3 fourth year boys and aged about 14 to 15 years old. The
4 mids area was made up of two dormitories.

5 "Brother AKV, whose name was AKV, was
6 in charge of the larger dormitory and I was in charge of
7 the smaller section. I slept in a very small room
8 within the smaller dorm. No one explained my role to
9 me. AKV was in charge of the mids dorm in my first
10 year there, so I would have just watched him and learned
11 almost by osmosis.

12 "I also learned a lot from the weans on how to run
13 things, as they knew the routine. I could have asked
14 AKV or one of the other brothers if I wanted help but
15 there was never any need to because it all ran fairly
16 smoothly.

17 "A lot of the older brothers would have had
18 experience of boarding schools through being in the
19 juniorate and so would have been familiar with it.
20 I didn't have that experience, but I don't think
21 I noticed at that time.

22 "I didn't get any training or guidance on what kind
23 of atmosphere to create in dormitories or what was
24 appropriate or inappropriate. I think it was an
25 unspoken rule that you didn't get too close to anyone,

1 but that was just something I knew from my earlier
2 training with the Marist Brothers.

3 "I didn't get any training during my four years at
4 St Joseph's. I didn't really have a supervisor or
5 mentor. If you had a problem, then you would just go to
6 the headmaster.

7 "In my second year there, I took over all of the
8 mids and became the principal boarding master. By then
9 the numbers of boys had fallen and only the big dorm was
10 used. That remained the case for the next three years
11 that I was there.

12 "I remained the principal dorm master for the mids
13 and slept in the room within the big dorm.
14 I unofficially taught some classes on a part-time basis,
15 which I started as soon as I arrived there and did for
16 the four years I was there. It was only a light
17 timetable. Most of my time was taken up as boarding
18 master.

19 "I was responsible for the boys in my group outwith
20 school hours. My role as boarding master was to make
21 sure the kids were looked after and reasonably settled
22 and attending to their schoolwork.

23 "I had a fairly relaxed approach, so I got on well
24 with the kids. I didn't have much trouble in the place.
25 There would obviously be some kids you liked more than

1 others, but I tried not to make that obvious and
2 I talked to them all.

3 "I could see the lounge area in the dormitory where
4 the TV was from my desk in my room, so I could keep an
5 eye on the boys. I got quite familiar with
6 Led Zeppelin, who they liked to play on the record
7 player.

8 "I was also responsible for giving the mids boys
9 permission to leave the school property. They would be
10 coming and going all the time and that worked.

11 "I had no idea if any guidance or policy documents
12 existed at St Joseph's. I never saw any."

13 In paragraphs 78 to 81, the witness provides
14 evidence in relation to the staff structure. I'll read
15 from paragraph 82:

16 "When I arrived at the school in 1975, I remember
17 that the SNR [REDACTED] was Brother MMK [REDACTED]. I can't remember
18 his first name but his family name was MMK [REDACTED]. He was
19 primarily SNR [REDACTED]. He was very old
20 school and had spent much of his time teaching there.
21 Brother MFY [REDACTED] took over as SNR [REDACTED] in 1977 and he was
22 easier to work with than MMK [REDACTED].

23 "If any matters arose about the boys I would usually
24 be able to deal with it. There was one occasion where
25 there was a serious fight in the mids dormitory between

1 two boys and one of the boys was injured. I called the
2 SNR [REDACTED], who took charge. The injured boy was taken
3 to hospital. The boy who caused the injury later left
4 the school. I don't know if he was expelled or if his
5 parents removed him from the school. That was unique.
6 I don't recall any other incident where a boy had to be
7 taken to hospital in similar circumstances.

8 "I didn't have a close working relationship with
9 Brother MMK [REDACTED] as SNR [REDACTED]. Although I taught English
10 I didn't fit into any of the school structure because
11 I wasn't a formal teacher.

12 "I think there were about six brothers who taught
13 at the school. There was a small differentiation
14 between the brothers in that you had the teaching
15 brothers and the worker brothers. The latter did the
16 gardening and housework. In some places that caused
17 issues. I think the older worker brothers resented it.

18 "Of the brothers who taught at the school, there was
19 Brother Francis, who was known as Big Frank, and he
20 taught geography. His real name was Julian Harrison.
21 I know from the list of names I have that he was
22 Brother Francis John. Brother Damien taught French and
23 Brother MLZ [REDACTED] might have taught [REDACTED] and was also
24 a [REDACTED] MLZ [REDACTED] was a sensible, wise man.
25 Brother MFS [REDACTED] was one of the retired brothers in the

1 Big Mount who would have given individual tuition to
2 some kids who were struggling. There may have been
3 other retired brothers who tutored some kids."

4 Reading from 95:

5 "The director at St Joseph's was Brother Damien, who
6 also taught French. As director he was officially in
7 charge of the community, which included all the retired
8 brothers who lived at St Joseph's. The director's job
9 was to look after the house, keep the books, and do the
10 ordering. Brother MLZ was SNR for
11 a period. Damien was a bit of an odd man and always
12 dressed in full soutane and his cape, which was very
13 19th century. He was a bit grumpy and we weren't
14 friends. He as okay as director and things ran
15 smoothly. One of his boasts one year was that he never
16 left the school grounds from the beginning of the school
17 term to the next. I remember being aghast at that
18 because it sounded ridiculous.

19 "Brother MFU was one of the older brothers who
20 had been there for decades. He was in charge of the
21 wee-rec and he took sports. He was a worker brother and
22 so didn't take classes. The information I have tells me
23 that he was there in 1975 but he isn't mentioned in 1976
24 or 1977; he may have been given a sabbatical. He was
25 also sick and in hospital at some point. I know he

1 didn't die that early but I don't remember when he died.
2 There was a chaplain and a retired priest in the
3 community who would say Mass on a Sunday."

4 Reading from paragraph 101:

5 "The retired brothers who stayed in the ground floor
6 of the Big Mount had worked St Joseph's for large parts
7 of their lives. They were quite resentful as they could
8 see the boarding school, which they considered to be all
9 things Marist in Britain, was about to dry up and close
10 behind them and be handed to the local authority.
11 I didn't spend much time talking to them because they
12 were all just bitter and wanted to tell old stories.

13 "The retired brothers did have contact with the
14 senior boys as they were in the same building as them.
15 They would also have had contact with some of the
16 younger boys as some of them watched over the evening
17 study period and some of them offered extra tuition to
18 the boys who needed extra support for certain subjects.

19 "There were situations when they would also be
20 around the grounds, eg when they ran the tuck shop or
21 when they helped out with something. There would be no
22 reason for the boys to be in the bedrooms of any of the
23 retired brothers.

24 "The retired brothers I remember were MBG and
25 MYX These were their given religious names."

1 In paragraphs 105 through to 116, the witness
2 provides information in relation to the children at the
3 school and some of the school routine. I'll read from
4 paragraph 117:

5 "Lights out was about 10.30 pm. Part of my duty was
6 to make sure they were all in bed. It was never
7 an issue because they were used to their routine. They
8 might be a bit slow stop chatting or getting settled but
9 it was fine. It was quite relaxed. I would always say
10 a short prayer at the end of the night. It was part of
11 my role to be on duty through the night. Sometimes
12 after about half an hour of them being in bed I would go
13 over to the brothers' community room in the wee-rec to
14 have a beer with the other brothers. It wouldn't be
15 late at night and I didn't do it every night. I do look
16 back now and think, eek, but it's what I did. There was
17 a runner carpet up the middle of the dorm, so I could
18 walk quietly back to my room without disturbing the boys
19 when I got back.

20 "The boys could get up and go to the toilet in the
21 night if they wanted to. I never had any problems with
22 them bed-wetting.

23 "Years later I was talking to one of the boys whose
24 family I was friends with and he told me they used to go
25 out of the dorm at night sometimes. He was surprised

1 I hadn't known. I said not to tell me anything else.
2 Quite frankly, I think if I heard more I would lose
3 sleep, even now, knowing they were sneaking out and
4 I hadn't known about it.

5 "Looking back there was a group of wild ones who
6 would be a bit difficult to wake in the morning, so
7 maybe they had been out drinking.

8 "I can't remember if there were any classes on
9 Saturday morning or if that was when they played sports.
10 The boys were free to do their own thing on Saturday
11 afternoons.

12 "There was virtually no interaction between the
13 recs. They would not go into each other's sections, so
14 the seniors would not come into the mids area and the
15 mids would not go into the inters area. It wasn't
16 painted on doors, it was just the way the place was ran.

17 "I was responsible for my group of boys, but I think
18 the other groups had the same kind of routine. I think
19 the seniors were maybe allowed to study in their own
20 rooms for study periods."

21 Reading from paragraph 133:

22 "When I first arrived, I didn't eat with the boys
23 but Brother **AKV** did as he was the main boarding
24 master for the mids. I think I must have eaten with the
25 brothers in the community.

1 "When I took over in my second year, I ate with the
2 boys. I sat on a slightly elevated podium in the
3 dining room so I could see them all. The wee-rec,
4 inters and mids all sat together. There would be
5 another brother on the other side of the room with the
6 inters. The senior rec sat separately from the other
7 three recs.

8 "The boys sat six to a table and there would be six
9 portions of everything on the table already set out.
10 I remember being appalled because the boys would run in
11 and scrabble to get the food and clear everything from
12 the table in five minutes before flying out the door
13 again. This meant that if you were the sixth to the
14 table you might not get anything.

15 "When I took over, I decided I wasn't going to allow
16 this, so when they ran in to wolf the food down,
17 I halted them, and made them wait for a couple of
18 minutes before letting them get to their tables.

19 "By the end of the year, Mrs Wiley came out and
20 asked me to tell the boys to go as they needed to clear
21 up. I saw this as a victory because now instead of
22 running in and out they were sitting and talking to each
23 other.

24 "I made a point to eat the same as the boys.
25 I don't think the other brothers did. By my doing this,

1 I think it improved the quality of the food because the
2 cooks wouldn't want to serve me anything bad. The food
3 wasn't terrific but it was okay. It was a boarding
4 school, so it was industrial. There were lots of chips.
5 I don't remember any complaints about the food."

6 Reading from paragraph 149:

7 "In my last two years I did a lot of work with the
8 poorer kids who came from the local estate called
9 Lochside. There were about ten of them who were not
10 academically interested and were probably seen as the
11 dregs. A decision was made to separate them from some
12 of their classes for a few periods a week and give them
13 to me. This would probably have been the headmaster's
14 decision.

15 "I think in those days some of the kids were down at
16 the bottom of the pecking order and were just left and
17 didn't get a good education. A lot of the teachers
18 there were used to a more academic and quiet class,
19 which these kids didn't fit into. The brothers were not
20 used to kids like these and they called them, without
21 affection, 'the Lochside monsters'. I always resisted
22 this name because there were some lovely kids amongst
23 them, even if they weren't academic.

24 "I was mainly childminding them for some periods.
25 I would have been officially teaching them English,

1 history or geography or something, but I don't remember.
2 Most of them were great kids.

3 "I set up work experience for them when they were in
4 their fourth year. About eight of them got six-week
5 placements in places like old folks' homes and primary
6 schools. They went there one afternoon a week instead
7 of coming to school. That ran quite well and was quite
8 successful. At the end of the year the old folks' home
9 called and said thanks for all the work that one of boys
10 had done as he went there once a week for a year. There
11 kids would go on to have families of their own and have
12 jobs in the community, like bus drivers or other useful
13 jobs."

14 Reading from paragraph 169:

15 "One summer, there was one boy who was from abroad
16 who stayed in the school all summer. I thought that was
17 verging on criminal. His big brother had been at the
18 school too and the boy was one of the mids in my group.
19 His father hadn't paid fees for years and didn't send
20 money for him to go home, so he ended up staying at the
21 school all summer on his own.

22 "I spent a lot of time at the school that summer and
23 went to stay at another house called Kinharvie House for
24 a few days. There was one other brother there at the
25 time. This was a summer break for the brothers too.

1 I really felt sorry for this boy and asked if he wanted
2 to come, which he did. It was a very relaxed couple of
3 days and I remember he caught a rabbit. I had told him
4 he could keep it if he caught it, but then had to go
5 back on that.

6 "I don't know what the background was to this boy
7 being from abroad and ending up at St Joseph's. I felt
8 he had been abandoned but you couldn't criticise his
9 parents to him. I'm sure he knew he had been abandoned
10 and it probably broke his heart. I tried to keep an eye
11 on him when I was around, but I wasn't there every day
12 that summer. I don't know who kept an eye on him when
13 I wasn't there. That wouldn't be allowed to happen
14 now."

15 Reading from paragraph 177:

16 "Siblings weren't housed together because boys were
17 housed according to age. If there were brothers who
18 were about a year apart they could end up in the same
19 dorm due do to their age. I had several pairs of
20 brothers in the mids. Brothers weren't encouraged to
21 spend time together. Sometimes they got on and
22 sometimes they ignored each other. It was always the
23 way in boarding schools, that the older boys didn't have
24 anything to do with the younger boys, and that included
25 if they were brothers. Often older brothers are

1 embarrassed of their younger brothers and don't want to
2 be seen with them.

3 " There was no encouragement to write to families and
4 there was nothing formal in place. I don't remember the
5 kids getting much mail from their parents. Parents
6 would learn about their child's progress at the end of
7 the year. I don't think many of the parents were
8 actively involved. It would have been the qualified
9 teachers who would have been writing the annual reports;
10 I only had to mark the occasional essay and I didn't
11 enjoy that.

12 "I remember parents once being quite annoyed that
13 their son, who was in my dorm, wasn't doing too well.
14 They thought he should have been doing better given the
15 money they were paying. The boy was a nice lad and did
16 his homework, so maybe he was dyslexic or something,
17 I don't know."

18 Reading from paragraph 187:

19 "Nobody else visited the school. It must have been
20 visited by the inspectorate occasionally, but not during
21 the time I was there. I think if that had happened
22 I would have hidden away because I was teaching without
23 qualifications. I think we got away with it because
24 boarding schools were still a different category.

25 "The provincial would come for weekend visits

1 occasionally but it was informal. The provincial
2 travelled around the communities and visited them but
3 I'm not sure how much of that was an inspection.

4 "The provincial, John Ogilvy, would come for
5 meetings, sometimes every other weekend. He would come
6 and talk to brothers and ask how things were going. It
7 was very informal. He would discuss organising the
8 province and make sure that everything was working all
9 right. He would probably be introduced to the boys as
10 the Brother Provincial, but it wouldn't mean much to the
11 boys. He was more there to speak to the brothers and
12 didn't really speak to the boys. Some people may have
13 kept records of the provincial visits and they would be
14 in the provincial records. I didn't keep or see any
15 records.

16 "Occasionally somebody would come from the
17 Marist Brothers in Rome every five to seven years to
18 visit the provinces. They would write a report of their
19 visit but that might only include one paragraph of
20 St Joseph's College. They did oversee us, but maybe it
21 wasn't as good as it could have been.

22 "There were very little problems around the bedtime
23 routine, but there was one night when, after I said a
24 prayer at the end of the night, I heard a voice saying,
25 'Goodnight, Steph'. I knew the boys called me 'Big

1 Steph', but not to my face.

2 " This kind of thing could become problematic in that
3 type of environment, so I announced that we had
4 a comedian in our midst and I asked the comedian to come
5 and see me. I went back into my room but nobody came,
6 so I went back out and growled, but still nobody came.
7 Then I called out the boy's name because I knew who it
8 was and asked him to come and see me. The boy dutifully
9 came into my room and he was usually a really good lad.
10 I didn't raise my voice and we chattered for about 10
11 minutes. I asked him what that was about but he didn't
12 have an answer. After the chat, I gated the boy for a
13 fortnight. That meant he wasn't allowed to leave the
14 school gates and go out. This was quite significant
15 because a lot of the boys liked going out. As he turned
16 to leave the room, he said, 'I don't go out anyway', and
17 I said, 'I know.' It was gently dealt with and I didn't
18 have that problem with any of the boys again. That boy
19 probably got brownie points with the lads as well for
20 doing it.

21 "The discipline wasn't bad at St Joseph's. The
22 school ran smoothly. I am sure there would have been
23 disagreements here and there. There was a lot of lip
24 from the boys. There was probably a couple of teachers
25 whose discipline was poorer than others in that they

1 couldn't control the class. Judy Faid was one of them
2 and Brother Julian the other. Brother Julian was liked,
3 but chaotic as a teacher. The lay staff were good
4 overall.

5 "When I taught the kids from Lochside, the
6 discipline amongst the boys was not good. They taught
7 me a lot about teaching. I don't remember the belt
8 being used much in class, but it would have been used
9 some times. I think any teacher could belt the boys but
10 I don't think that happened very often. It was either
11 infrequent or otherwise I missed a lot.

12 "If a boy was really bad I imagine he would have
13 been sent to the headmaster but I don't remember that
14 happening.

15 "On one occasion in my first year at St Joseph's
16 a group of boys in the mids paid another boy to shave
17 his head, which he did. Brother AKV was in charge at
18 that time and he decided to belt the boy who had shaved
19 his head and all the boys who had paid him to do it.
20 AKV lined the boys up and he called me through to
21 help with the discipline. The boys were lined up in two
22 lines. AKV belted one line and I belted the other.
23 That was the only time I was asked to give the belt and
24 I didn't like it. I think it brutalised the teachers as
25 well as the kids. The belt was not common in

1 St Joseph's. I do not remember the belt as an everyday
2 form of punishment. I don't remember having to really
3 discipline or punish much.

4 "Towards the end of my time there, the fifth and
5 sixth years were having a disco and I was trying really
6 hard to convince MFY, the SNR, to let my
7 fourth years go to it as well. He said no. During the
8 disco I was in my room and one of boys came up to me and
9 said there was a flood in the shower room. Somebody had
10 turned the showers on and flood the shower rooms, the
11 corridors and the stairs. I didn't get angry easily but
12 I was very angry because the boys were misbehaving while
13 I had been working hard to allow them to go to the
14 disco. I chased the boys away and was using a shovel to
15 try and collect the water. Brother MFY then turned up
16 behind me and said something to me. I turned around to
17 him with this shovel and almost clocked him with it. He
18 sent me away and told me not to come back for a few
19 hours.

20 MFY then took over the situation and armed with
21 the mids with mops and buckets to clean it up. I think
22 that was the right thing to do. He disciplined the mids
23 and also me in a way. There was a kind of comical
24 element to it.

25 "I don't know what other brothers would have used as

1 a form of discipline. There was a routine that the kids
2 followed and I don't think discipline was a serious
3 issue.

4 "I personally didn't keep any records. There would
5 have been records of attendance at the school kept but
6 I had nothing to do with that. The only record that
7 I kept was when I recorded if the boys from my dorm went
8 out of the school grounds during their free time. It
9 was just a list that I made up myself and I marked when
10 boys went out so I could check them off when they
11 returned. I didn't keep the lists.

12 "I don't know of any records being kept. I presume
13 any major incidents would have been recorded but I don't
14 know how good the record-keeping was. I don't think
15 a record was kept when the kids were punished. I know a
16 record wasn't kept for when children were belted.
17 I notice belting was never written down when I moved up
18 to Glasgow. It was very much part of the environment.

19 "It wasn't that the place just ran by the seat of
20 its pants, but there was an attitude that this was the
21 way things had always been. I think there was also an
22 awareness that it was the end of an era and the place
23 would be shut in a few years.

24 "I saw lay staff shouting at boys but never saw them
25 beating the kids. I never saw any misuse of the belt.

1 I never saw anything of a sexual nature or any behaviour
2 that I considered to be abuse. Nobody ever came to me
3 and told me of any abuse either.

4 "I don't think the culture at the time would have
5 encouraged boys to come forward and talk about abuse.
6 Kids didn't tend to come up to you and speak to you
7 about things.

8 "If it was the case that kids were walking around
9 miserable or if there was a boarding master who was
10 violent or abusive, you would think that other staff
11 members would have said something and spoken up, but
12 I didn't see anything like that. It was more down to me
13 to ask if I thought something was wrong. Usually the
14 kids would say no. I remember talking to one wee boy
15 once who was not himself and it turned out his parents
16 were threatening divorce.

17 "I left St Joseph's College in 1979 and in 1980 the
18 school was taken over by the local authority and they
19 appointed a new headteacher who had experience of
20 running a comprehensive school. This meant that
21 Brother MFY was not the first SNR but remained
22 as the SNR. The school remained
23 a Catholic school but not all the boys were Catholic.
24 About half of them weren't. As much as it was hurtful
25 that MFY wasn't the SNR when the local

1 authority took over, I think it was right that they
2 brought in someone who knew about modern schools.
3 MFY last MFY role had been at a school in
4 Nigeria, so it was good that someone with experience of
5 the Scottish system came in.

6 "The organisation of the Marist Brothers order is
7 separate from the Catholic Church, but if the
8 Catholic Church decides that an order is not approved of
9 anymore (because of sexual misconduct or anything else),
10 they can suppress it. The order can only function
11 within the Catholic Church and if it has the approval of
12 Rome or the local bishop.

13 "There have been occasions when the local bishop
14 falls out with a person or an organisation and the
15 bishop says that you have to move this person or close
16 the institution.

17 "When people see a religious order, they see
18 The Vatican, but there is a huge gulf there. What
19 happens within the order is the order's responsibility.
20 This separation is not built in as a buffer. It is
21 a different way for a group of people to express their
22 faith."

23 From paragraphs 225 to 229, the witness provides
24 information about the origins and history of the order.

25 From paragraphs 230 through to 247, he provides

1 evidence in relation to the provincial council.

2 From paragraphs 248 to 252, he provides evidence
3 in relation to Marist Brother appointments.

4 I will read from paragraph 253:

5 "I have been asked about specific brothers who were
6 at St Joseph's College at the same time as I was there
7 and have had allegations made against them.

8 "Brother MFU was Irish and was there for about
9 30 years. He was one of the older group of brothers who
10 had been there forever and for whom the college was his
11 life. He was a gruff Irishman. I have wondered what
12 training in education he got. He was probably brought
13 over from Ireland and put in charge of looking after the
14 wee-rec. He also took over arranging the sports.

15 He was okay but we were never close.

16 "I never saw much of MFU with the young kids.
17 He was maybe a bit shouty, but I never heard anything
18 about him or any suggestion about him that gave me any
19 cause for concern. Anyone that looks after wee kids
20 needs a medal because even the well-behaved ones are
21 hard work. I everyone felt sorry for him doing that
22 work with the young kids for 30-odd years.

23 "I am being asked about Brother MFI
24 I only knew of one Brother MFI when I was there so it
25 must be the same person. The MFI doesn't mean

1 anything to me. I think his family name would have been
2 MFI He was retired when I was at St Joseph's and had
3 heart issues. I never heard anything about him that
4 caused me concern at the time.

5 "I don't remember Brother Germanus being there when
6 I was there, but I can see from the list of names that
7 I have that he was at St Joseph's the first year I was
8 there. He probably supervised homework, but wouldn't
9 have been in charge of the kids or I would have
10 remembered him. I remember him from Largs where he was
11 the tailor, so made the soutanes and things, but was
12 never in charge of kids in St Joseph's.

13 "Brother MFS was very much retired and would
14 have been in his eighties, I think, when I was there.
15 I never saw him with children but he maybe did some
16 tutoring. He would have been around for mass and
17 things too. I was very disappointed and saddened to
18 hear about him being an abuser as I would have put him
19 down as a good old man.

20 "I was disappointed to hear about Brother MFT.
21 He was part of the older group of brothers and was about
22 10 years older than me. He may have been about 35 or 40
23 at the time I was at St Joseph's. He ran the inters
24 when I started and he ran a tight ship. I think he did
25 a lot of shouting, but I'm not sure. He might have

1 taught [REDACTED], but I can't be sure. There was
2 nothing about him that gave me cause for concern at the
3 time. I didn't know him that well, but we didn't need
4 to as we worked quite separately.

5 "I think I was on the provincial council from 1981
6 to 1984, 1986 to 1987, 1987 to 90 and 1990 to 1992.
7 I may have also have been on the council in some periods
8 from 1994 to 2000. These dates would need to be checked
9 with the Marist Brothers."

10 Reading from paragraph 263:

11 "I cannot remember details of provincial council
12 meetings and the exact dates of when I would have first
13 heard about allegations of abuse against certain
14 brothers. I think it was during the time that
15 Brother MFY was SNR [REDACTED]. They would have been
16 historical ones that the police had brought forward and
17 were looking into. That is how the council began to
18 deal with certain allegations. I came to know of the
19 names of certain alleged abusers, but I was not actively
20 involved in any discussions surrounding allegations of
21 abuse when I was on the council or any decision making
22 with regards to the same. I am not sure if previous
23 provincial councils would have known about or heard of
24 allegations of abuse. If they had, I am not aware of
25 any discussions or records kept about it.

1 "It would have been in the time of Brother
2 Ronnie McEwan and Brother Brendan Geary that a more
3 professional and pastoral approach would have been taken
4 in dealing with allegations of abuse in Britain. When
5 approached by the police, the brothers sought to be
6 cooperative, open and transparent to help the
7 investigations.

8 "I think the brothers in Britain led the way to
9 being open and transparent in dealing with abuse
10 allegations instead of being hostile and in denial.

11 "I heard about a Brother James Stephen whilst on the
12 council. I think he was a retired brother at
13 St Joseph's when I was there as a boy in the 1960s. He
14 had run the tuck shop there way back in the 1960s with
15 a woman and I had heard that he had fathered her child.
16 That might have been a rumour. There had been work done
17 in the order of offering pastoral care in the form of
18 offering him counselling and support, but I don't know
19 the details.

20 "Whilst I was on the council, I heard about
21 Brother Damien being an abuser, but I don't know details
22 of allegations. I heard that his nickname at
23 St Joseph's was 'Feel Your Balls'. He helped out in the
24 tuck shop and apparently things went on there, but
25 I don't know details. Damien was the director when

1 I was at St Joseph's and I never heard anything like
2 this about him when I was there. He was a bit odd and
3 grumpy but I never thought anything of it.

4 "I also heard about allegations of sexual abuse
5 against Brother MFI, who was one of the retired
6 brothers when I was at St Joseph's. Again, I don't know
7 any details of allegations and I'm not involved with the
8 investigation.

9 "MFI was a retired teacher at St Joseph's
10 when I was there and he may have helped tutor some of
11 the kids, but I can't be sure. I knew that from my time
12 at St Joseph's that MFI was popular with the past
13 pupils and they would come and visit him at the school.

14 "I heard about AKV and the boy and
15 I remember being shocked. I don't remember when or how
16 I came to know about this. I think it was already
17 a police issue when I heard. It brought back a memory
18 of my time at St Joseph's. One night towards the end of
19 the year, but I don't remember which year,
20 Brother AKV had said that he was taking a boy out for
21 dinner. I remember thinking it was a bit odd.
22 I remember the boy looked at me and he clearly was
23 anxious about something, but I didn't ask him and it
24 just passed. I think the boy was about to leave
25 St Joseph's at that time, but I am not sure.

1 "When I heard about the abuse the boy suffered
2 at the hands of Brother AKV years later, I thought
3 back to that incident and that the boy was trying to
4 tell me something and I didn't pick up on it. I still
5 feel guilty about that.

6 "When I started at St Joseph's and was in the
7 smaller mids dorm, the boy would have been in the big
8 mids dorm with Brother AKV as his board master.
9 I never saw anything that gave me cause for concern.

10 "I may be guessing, but I think Brother AKV had
11 moved from the mids to the seniors at the same time the
12 boy had moved from the mids to the seniors. I had been
13 a student with Brother AKV in Marist House, Glasgow.
14 We were very different and didn't share attitudes to
15 politics and royalty. He enjoyed being a Tory. He was,
16 however, very good fun and a good cook. We got on okay
17 but weren't close.

18 "I don't know who would have known that things were
19 going on back then, but sometimes I look back and wonder
20 if I was stupid or naive and how could I not have known
21 that anything untoward was going on.

22 "More recently, I learned about the abuse by
23 AKU . I wasn't on the provincial council when
24 I learned about this. I think I heard about it in
25 conversation from another brother. I was shocked when

1 I heard about it [REDACTED] from colleagues
2 because [REDACTED] and had been
3 in community with him in Glasgow. He was engaging and
4 humorous. I was shocked to hear about him being an
5 abuser as was a lot of the Marist community. He was not
6 at St Joseph's with me.

7 "I haven't been part of any police reporting or
8 investigations. [REDACTED]

9 [REDACTED] AKU [REDACTED]
10 [REDACTED]

11 "I don't think boarding schools and the very nature
12 of them are a good thing. I don't agree with them.

13 "Boarding schools should be professionally
14 inspected. They need to be monitored probably and
15 that is what the statutory authorities and Her Majesty's
16 Inspectorate for Education are for. I don't think
17 boarding schools should be rigidly monitored to fit the
18 same pattern because people send their kids to schools
19 that they like the sound of. Some like a disciplinarian
20 one, some like a relaxed one, or one focused on sport or
21 science or faith based. There needs to be flexibility
22 for them all to be individual and then it is up to the
23 authorities to monitor them and make sure the education
24 and care standards are up to scratch and finances are
25 being correctly used.

1 "Parents also need to be made aware of their own
2 responsibilities so that they don't just send their kids
3 to boarding schools and forget about them. I think
4 a lot of kids were there so the parents could get them
5 out of the way and I think the kids knew that.

6 "I think it was correct to pass statutory law
7 requiring teachers to be qualified to a certain standard
8 to be able to teach children. It is important to have
9 the right people looking after children too. The
10 contemporary challenge or metaphor to use is people
11 taking care of the elderly in care homes or children in
12 nurseries. If you are not paying people enough,
13 you will not be able to get qualified people for the
14 job. To get the right people caring for children and
15 the elderly they need to be qualified and paid the right
16 wage. This means that we may all need to pay more
17 taxes, but nobody wants to hear that.

18 "I have heard of incidents of abuse by the brothers
19 over the years and each one came as a shock to me.
20 I was horrified to hear those things now as I would have
21 been if I had heard it then. I have heard of abuse take
22 place during the time that I was at St Joseph's College.
23 I have considered how that makes me feel and whether
24 I share culpability for not noticing.

25 "I think kids who are abused generally don't speak

1 to anybody. I can empathise with people who have come
2 forward and spoken about their abuse decades after it
3 happened. I think it is right that the people who were
4 abused are now being heard and that things are being
5 done to follow it through, but it is very painful.
6 It is a painful issue, but it will do us good in the
7 long run. My heart bleeds for the weans.

8 "There are secondary victims who are people in the
9 community, like the Marist Brothers, who are generally
10 good people, or the families who sent the children to
11 these places. It is also hard for them.

12 "I feel tainted by what has happened.

13 "There is a model in the Netherlands where lots of
14 religious orders are part of a group that provides
15 support to survivors of abuse. This is a model that
16 should be put in place so that the church can respond
17 together to offer support to people. It offers a more
18 caring solution than denial and fighting people in the
19 courts. The model wouldn't cover the secular
20 organisations but a similar model could be done for
21 secular organisations.

22 "A lot of the religious orders are now only
23 a handful of old people. Onlookers think there is a lot
24 of money but there isn't. The orders might have
25 draughty old houses and many money is spent looking

1 after old people.

2 "I feel that people who work with trauma victims,
3 including in secondary roles, should have the
4 opportunity to access appropriate support to help
5 process issues that might arise.

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

10 The statement was signed by Stephen Smyth on
11 4 July 2019.

12 LADY SMITH: Thank you very much. And that finishes the
13 read-ins for today?

14 MS MACLEOD: Yes, it does, my Lady, and all the read-ins for
15 this case study.

16 We have four witnesses lined up to give evidence
17 tomorrow, starting again at 10 o'clock.

18 LADY SMITH: I'll rise now until 10 o'clock tomorrow
19 morning. Thank you.

20 (4.05 pm)

21 (The inquiry adjourned until 10.00 am
22 on Friday, 25 October 2019)

23

24

25

I N D E X

1

2 "JACK" (sworn) (via video link)1

3

4 Questions from MS MacLEOD3

5

6 "BARBARA" (sworn)19

7

8 Questions from MS MacLEOD20

9

10 "GARY" (sworn)29

11

12 Questions from MR MacAULAY31

13

14 "PETER" (sworn) (via video link)55

15

16 Questions from MR MacAULAY57

17

18 Witness statement of JOHN HENRY81

19 HUTCHINSON (read)

20 Witness statement of STEPHEN SMYTH97

21 (read)

22

23

24

25

1

2

3

4

5

6

7

8

9