

Friday, 29 October 2021

(10.00 am)

LADY SMITH: Good morning. Today we continue with evidence in relation to the provision of residential care at Keil School, Dumbarton, and the plan, as indicated yesterday, is to have two in-person witnesses and then I think probably a read-in. Have we got a witness ready to start?

MR BROWN: We do, my Lady. The first live witness is 'Ferguson'.

LADY SMITH: Thank you.

'Ferguson' (affirmed)

LADY SMITH: 'Ferguson', the red folder in front of you has your statement in it and I think Mr Brown will be taking you to that shortly. You'll also see your statement coming up on the screen in front of you, so do use either or neither, if you find that helpful.

Also, do let me know if you have any questions or concerns as we're going through your evidence, or if you need a break. If it works for you, it works for me.

I want to do all we can to make you as comfortable as possible while giving your evidence so please bear that in mind.

A. Okay.

LADY SMITH: If you're ready, I'll hand over to Mr Brown and

1 he'll take it from there. Is that all right?

2 A. Yeah.

3 LADY SMITH: Mr Brown.

4 Questions from Mr Brown

5 MR BROWN: Thank you.

6 'Ferguson', good morning.

7 A. Morning.

8 Q. As her Ladyship has just made reference to, you have  
9 your statement in front of you, and having just met you  
10 to say hello, as I warned I'll start with the reference  
11 number and then we can talk more relaxedly. It's  
12 WIT-1-000000440. This is a statement that I think was  
13 quite laborious to prepare in the sense there were  
14 drafts, people coming back and forward with you; is that  
15 right?

16 A. It was okay. I've done worse things.

17 Q. Okay, I'm sure. But ultimately there came a point where  
18 you were content to sign it?

19 A. Yes.

20 Q. As we see on page 35, the final page, you've signed it  
21 and dated it 25 September last year and the last  
22 paragraph, 200, says:

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

25 I believe the facts stated in this witness statement are

1 true."

2 And that's accurate because you'd obviously read the  
3 statement and were content with it?

4 A. Yes.

5 Q. Thank you. A little by way of your background. You're  
6 now 44?

7 A. I think so, yeah.

8 Q. And although your background, I think, in terms of  
9 Scotland was over in the west in Ayrshire, you spent  
10 a lot of childhood in the Middle East, is that fair?

11 A. Yes.

12 Q. Because of your dad's --

13 A. Work.

14 Q. -- work. You were at schools in Saudi Arabia. From  
15 what we read, you were a clever child, particularly with  
16 things electronic?

17 A. Yes.

18 Q. And your parents took the view, as we see at paragraph 7  
19 on page 2, that you should go to Scotland to a boarding  
20 school?

21 A. Yeah.

22 Q. And various schools were looked at, but I think  
23 ultimately Keil was selected because it was closest to  
24 your family who were living in Ayrshire?

25 A. Yes.

1 Q. You say that you had friends in Saudi who went to other  
2 Scottish schools, but they tended to be at Edinburgh; is  
3 that right?

4 A. That's right, yeah.

5 Q. Did you have any choice in which school you went to or  
6 was that really a decision for your parents?

7 A. Well, that's -- that's a funny thing. If you ask my  
8 parents now, they say I picked and it was my decision to  
9 go to boarding school and all that stuff, but -- yeah,  
10 I think -- I think for me it made sense to be close to  
11 my grandparents or my grandmother, so yeah.

12 And it was, I guess you ask an 11-year-old,  
13 10-year-old what they want, you know, yeah, I don't know  
14 whether I was making an informed decision at the time.

15 Q. Quite. But we know that you went to Keil School between  
16 1988 and 1995, so between the ages of 11 and 17,  
17 I think?

18 A. Yeah.

19 Q. Again, looking at the statement, I think there is  
20 a visit to the school beforehand?

21 A. Yes.

22 Q. Where your mother was shown around while you were doing  
23 an IQ test.

24 A. Yeah.

25 Q. Were you shown around the school on that first visit?

1 A. No, not that I remember. Not that I remember. I very  
2 much remember sitting doing the test. I remember where  
3 it was in the building and meeting SNR [REDACTED], but  
4 no, I don't remember seeing the rugby pitches, the  
5 dorms, no.

6 LADY SMITH: 'Ferguson', could I just ask you to pull the  
7 microphone a bit closer to you.

8 A. Sorry.

9 LADY SMITH: We need you to use the sound system for various  
10 reasons, including to help the stenographers hear you  
11 through the sound system.

12 A. Sure.

13 LADY SMITH: Thank you.

14 MR BROWN: Thank you, my Lady.

15 But then, as you say, there's a great rush as you  
16 buy all the kit from a long list?

17 A. Yes.

18 Q. And then the big day comes and you arrive at Keil.

19 A. Yeah.

20 Q. In terms of that first day, you obviously go into it in  
21 the statement and please understand we don't need to  
22 relive every detail in the statement, but was there any  
23 induction? You talk about being shown the dorm by,  
24 I think, a housemaster, but was there any school  
25 assembly where new boys were spoken to by the

1 headmaster, there was some explanation of how the school  
2 worked?

3 A. Not that I remember, no. No. I mean, the first day was  
4 settling into the dorm and all the rest of it.

5 I don't -- all the years I don't remember having  
6 a special assembly on the next Monday morning or  
7 anything like that. I remember maybe sitting with  
8 the -- I think every year the housemaster would maybe  
9 welcome people to the house that night, but nothing --  
10 no -- not something I would call a formal induction  
11 these days, no.

12 Q. What about being given a set of school rules?

13 A. I don't remember getting them at that time when  
14 I joined. I do remember writing them out a good few  
15 times over the years because that was a punishment but  
16 I don't remember being given them. I think I remember  
17 asking for them to copy out at some point.

18 Q. I see. Now, you're 11, suddenly you're away from your  
19 parents. Can we take it you were homesick?

20 A. Absolutely, yeah.

21 Q. And was anything done to alleviate that?

22 A. No. No. I would say no. I mean, I wasn't allowed to  
23 talk to my parents, I wasn't allowed to phone home. My  
24 parents were told not to -- I think not to contact me  
25 for the first month or so because I would be homesick.

1 I wasn't hysterically homesick, crying and all that  
2 stuff, or at least not in front of all the other kids.  
3 There were other kids like that. We were just kind of  
4 told to get on with it.

5 Q. So it was an official policy, from what you're saying,  
6 that you weren't --

7 A. Yeah, yeah. The no contact, yeah. And it was -- or  
8 contact by mail. There was no -- I mean, there was  
9 a phone in the boarding house, there was a payphone, but  
10 it was -- it was no contact, yeah.

11 Q. All right. You've gone into a dormitory of about 20-odd  
12 boys, 20-plus boys. Were they all from the same year?

13 A. When I started, no, they were all a year older than me.  
14 So I started Keil a year early. But they were all from  
15 first year.

16 Q. That was my point.

17 A. Yeah, yeah.

18 Q. And the environment in the dormitory, was that friendly  
19 because you were on the same boat or did pecking order  
20 start appearing fairly quickly?

21 A. Yeah, that started pretty quickly. I think like the  
22 first two days was probably pure excitement and, yeah,  
23 the homesick bit. But excitement, you've got 20 kids  
24 who are all away from home and I think the first night  
25 no one slept at all, I'm guessing, but yeah, then pretty

1 quickly that pecking order came about, yeah.

2 Q. We all understand, we've seen photographs, we can read  
3 about the progression through different houses as you go  
4 up the school. Always in dormitories with the same sort  
5 of numbers or --

6 A. No, no, smaller as you got older for sure. So 20, 21  
7 for first, second year, down to five or six in third  
8 year, same in fourth year. Fifth and sixth year, if you  
9 were a prefect you'd have your own room or you'd have  
10 two people sharing.

11 Q. I know we'll come onto the fact that you say this was  
12 a school where the boys ran many things.

13 A. Yeah.

14 Q. But if we can just look at the structure in terms of  
15 teachers, you mentioned you'd spoken to SNR  
16 after you did the IQ test.

17 A. (Witness nods).

18 Q. We know that you had two SNR while you were  
19 there.

20 A. Yeah.

21 Q. [REDACTED], Mr CGC, was he someone you saw a lot  
22 of or was he distant?

23 A. No, I seen a lot of him but mainly because he was  
24 teaching different topics. So I think like the first --  
25 I say first year and second year, but for me that's



1 three years because I repeated one, the first year, but  
2 he -- at that time it wouldn't be one teacher for one  
3 subject, it would be one teacher who happened to know  
4 something about something and he'd teach that subject.  
5 So I had Mr CGC for quite a few lessons. I had  
6 Mr CGC for quite a few activities as well. And yeah,  
7 if you got in trouble, you were going to see Mr CGC  
8 at some point.

9 Q. Although I would imagine when you were there, there was  
10 no corporal punishment from teachers?

11 A. Depends how you think about that.

12 Q. Go on.

13 A. No, I -- you know, there wasn't -- have I been hit by  
14 teachers at that school? Yeah, I was, yeah, if that's  
15 what you mean by corporal punishment. By more than one  
16 teacher at that school I was physically struck, yeah.

17 Q. Well, let's look at that.

18 A. Was I belted by Mr CGC? No. There wasn't a belt,  
19 there wasn't a cane by that point.

20 Q. The formality of a cane or a belt, as had been  
21 understood before, was out?

22 A. Yeah.

23 Q. But there was physical connection, I think you talk  
24 about things being thrown at you?

25 A. Yeah, yeah, things being thrown at me, hit with books or

1           whatever. Hit with a whistle, stuff like that.

2           Q. So is that in the classroom setting and on the sports  
3           field?

4           A. Yeah, yeah, yeah.

5           Q. For what sort of transgression?

6           A. I would think something pretty minor. Probably --  
7           probably making a joke or laughing or -- I would say  
8           horseplay. You know, I'm lucky enough I have two kids  
9           who are that age just now and I see -- I can see when  
10          someone's truly misbehaving in a bad way. That didn't  
11          really happen at Keil, you know. Kids weren't -- kids  
12          were very disciplined. They weren't tearaway kids. The  
13          things they were being punished for, I wouldn't even --  
14          I don't think I'd even raise my voice to my own children  
15          now, you know.

16          Q. Just being boisterous or being children?

17          A. Yeah, but some -- you know, when you say boisterous,  
18          people think, oh, kids, you know, being little buggers,  
19          but -- you know, it -- yeah, boisterous, maybe, if you  
20          think of that as them just having a laugh, having  
21          a joke, you know, pulling someone's chair away or  
22          swinging on their chair or, you know, something like  
23          that. No, I've see kids who'd swing on a chair and they  
24          get -- yeah, you'd get the feeling the teacher wanted to  
25          pick up the chair and hit them with the chair, they

1           might be screaming and shouting at them for something --  
2           something really minor, you know, in the grand scheme of  
3           life what kids were punished for there was ridiculous.

4           Q. All right. So **CGC** was someone you saw in the  
5           classroom. What about in his  role as  
6           **SNR** ?

7           A. Yeah, yeah, you definitely seen him about the school.  
8           He'd talk at lunchtimes and things like this, he'd read  
9           out rugby scores on Monday at lunchtime, things like  
10          that, he'd  assemblies.

11          Q. And I think he had a **SNR** , did he?

12          A. Yeah, yeah, he did.

13          Q. Who was that?

14          A. I think different folk over the years, is it not? Yeah.  
15          I do remember Tom Smith being there.

16          Q. And was he **SNR** to **CGC** , certainly for part of  
17          the time?

18          A. For part of the time, yeah. I'm trying -- yeah, I'm --  
19          yeah.

20          Q. What was he like?

21          A. I didn't find him very approachable. Yeah, just didn't  
22          find him very approachable.

23          Q. Why not?

24          A. Just pretty angry guy as well. Definitely not friendly  
25          in any way, I wouldn't have thought. But yeah, I just

1 didn't find him approachable.

2 Q. Okay. I think you say that when you arrived, you had  
3 understood that Mr **CGC** had been appointed  
4 as **SNR** when the finances of the school were  
5 perilous?

6 A. Yeah.

7 Q. Was that understood by the boys that things were not  
8 easy on the money front?

9 A. Yeah, I didn't know it when I joined initially. I would  
10 say like second year, third year, I think that became  
11 apparent among the boys. It became apparent you'd need  
12 to do something -- you'd need to do something pretty  
13 outrageous to get thrown out the school, you know. So  
14 yeah, I think the finances were low. I think some of  
15 the kids -- you know, like I remember talking to people  
16 later on in school where their parents had been donating  
17 money to the school at the time through whatever and,  
18 yeah, the Friends of Keil Trust and stuff and you'd do  
19 fundraising through that. So I guess some of the kids  
20 understood that. But I didn't when I first went.

21 Q. Okay. But I think you go on to say that **CGC**  
22 left after a while **SNR**, John  
23 Cummings?

24 A. Yeah.

25 Q. And there was a change of --

1 A. Yeah, there definitely was. I think with Cummings  
2 and -- Tom Smith as well, I mean, I say he's  
3 unapproachable -- I say I didn't like to talk to him,  
4 I didn't like to be around him, but there was definitely  
5 a softening, a trying to stop some of the more severe  
6 bullying or -- or activities like that. You know, you  
7 didn't -- some of the things that happened in the  
8 earlier years maybe wouldn't have been allowed to happen  
9 in the later years.

10 Q. So a [REDACTED] comes in and there's at least an effort  
11 to try and make things, I think to use your word, less  
12 harsh?

13 A. Yeah, yeah, yeah. And I don't know if that succeeded  
14 once I was gone, but you definitely felt it was less  
15 harsh, because I think as a kid who had survived three  
16 years of that up until then, it became very frustrating  
17 because it was like, well, that was okay back then but  
18 now that's not okay now, so -- you know, yeah.

19 Q. I think one of the things, obviously, we'll talk about  
20 is discipline, and we've touched upon that in terms of  
21 the way teachers behaved, but looking at Keil when you  
22 first went, we would understand, looking at paragraph 28  
23 on page 6, you sum it up:

24 "The school was run by the kids ... not the staff."

25 A. Yeah.

1 Q. Did that come as a surprise to you, given your previous  
2 experience of schools?

3 A. Not really, no. I mean, I went to primary school a few  
4 years on the west coast, then I went to an international  
5 school with kids from all over the world, teachers from  
6 all over the world, and I came to boarding school not  
7 knowing what to expect at all in any way. So to me at  
8 the time I guess that was normal. You know, I'd go  
9 back -- I'd go back on holidays to Saudi and my friends  
10 would be at boarding schools and they'd tell similar  
11 stories or talk about similar systems and the way the  
12 place was run, so to me that was entirely normal.

13 Q. I see. I think we understand, both from your statement  
14 and from other sources, that prefects were known as  
15 chiefs?

16 A. (Witness nods).

17 Q. There was a deputy to the chief and you operated in  
18 squads?

19 A. Correct.

20 Q. Which would be a group of boys, perhaps 10, 12 boys in  
21 total?

22 A. Squads were really only for meal times, meal times and  
23 assemblies. Other than that, the squads really had  
24 nothing to do with each other.

25 Q. What about cleaning?

1 A. Cleaning -- well, there was different cleaning. So,  
2 yeah, cleaning of the dining hall and all that stuff,  
3 that was done by people from each squad. Cleaning of  
4 boarding houses and different areas of the school was  
5 done by the boarding houses and arranged by the prefects  
6 there.

7 Q. All right. So there's a distinction between --

8 A. Yes.

9 Q. -- school and boarding house?

10 A. Yes.

11 Q. There are different tasks allotted?

12 A. Yeah, yeah. So you'd have orderly tasks that were done  
13 in the morning and that was more about -- that was more  
14 either running about after one prefect or cleaning up  
15 somewhere in the boarding house. At school times you  
16 would have -- at meal times you would have the cleaning  
17 up of the dining hall or the serving of meals to masters  
18 or stuff like that.

19 Q. And we understand that you had a number and certainly in  
20 assemblies you would sit in the same chair, that would  
21 be your allotted number. Was that still the way it was  
22 with you?

23 A. No. No, there was no number. Assemblies were in the  
24 gym hall. You would line up in your squads, you would  
25 sing some hymns and listen to some school news, I guess,

1 and sit on the floor. But no number. I mean, every kid  
2 had a number, you had a number sewn into all your  
3 clothing. Yeah, so mine was [REDACTED].

4 Q. And I think that was a school of 240 pupils, roughly?

5 A. I think it was 241. I think someone got [REDACTED] at some  
6 point.

7 Q. But again in terms of what you're describing, cleaning  
8 tasks, were there any school cleaners or was everything  
9 handed down to the boys to do?

10 A. Was there any -- there was a couple of ladies who did  
11 laundry. I don't remember seeing -- do you know,  
12 I don't think there was. I honestly don't think there  
13 was. I never reflected on that before. Sorry,  
14 I just -- yeah, I don't think there was. We had the  
15 handyman who'd run about and fix stuff, a really nice  
16 guy, actually. But in terms of cleaning -- and your  
17 dining hall ladies who would probably clean the hot  
18 stuff in there. But my first year, we would burn all  
19 the waste. I remember standing chucking stuff into  
20 an open incinerator as an 11-year-old, you know.

21 Q. Do you think or did you think at the time this was down  
22 to lack of funds? Was it an economy measure?

23 A. No, that was just part of the -- that was -- I don't  
24 think -- I think even if they had funds that would have  
25 still been the regime at the time. I mean, it was very



1           much look after you, look after your kit, look after the  
2           school. And I think some of that I don't know if that's  
3           a bad thing or not, you know. I don't know if that's  
4           a bad thing, you know, look after your stuff, make  
5           sure -- that maybe gives you a bit of discipline. So --  
6           but yeah, the wholesale -- you know, I spent an entire  
7           year serving food to the squad, serving food to the  
8           masters and then cleaning up after the -- cleaning up  
9           after that as an 11-year-old, which is just ridiculous  
10          when I look back now.

11       LADY SMITH: What sort of waste did you have to burn?

12       A. Plastic. So milk at the school would be delivered in  
13          the little Tetra Pak cubes, so like a cardboard box with  
14          plastic in it, so you'd go out and burn the plastic and  
15          the cardboard. Yeah, it was a big open incinerator at  
16          the back of the kitchen block.

17       LADY SMITH: How big was it?

18       A. The size of a skip.

19       LADY SMITH: Thank you.

20       MR BROWN: Going back briefly, you've been talking about  
21          cleaning and serving food. I think we read that there  
22          were times where you didn't get any food.

23       A. Yeah, a lot -- a lot when I was younger. You were  
24          really at the mercy of the prefect or the person at the  
25          top of that squad or table. So yeah, I think like my

1 first three years, yeah, you might get food, you might  
2 not get food. The portion size you got was up to them.  
3 They would serve out the food at the top and pass it  
4 down the table, so -- and then anything could happen in  
5 between as well, so you might have annoyed someone in  
6 the squad halfway down and you'd get what you got at the  
7 end.

8 Q. And I think that could include them adding to the food?

9 A. Correct.

10 Q. Spitting on it?

11 A. Spitting on it, putting it in a teapot -- they used to  
12 have these big hot metal teapots, stainless steel  
13 things. I've had my food crushed, I've had, yeah,  
14 a tonne of salt, you name it, we had it.

15 Q. This is in a dining hall where I presume there were some  
16 teachers?

17 A. Yes.

18 Q. Supervising?

19 A. Well, kind of, kind of. So you'd have a squad with  
20 probably tables of three desks long here, with, what,  
21 10, 12 kids, whatever that -- I could probably count it,  
22 with benches. It was quite a big dining hall. At the  
23 other end of the dining hall you'd have a big long table  
24 where all the masters would sit there at lunchtime and  
25 eat. At breakfast, when you had more people, you had

1 all the boarders, obviously, there'd only be a few  
2 teachers there at breakfast time and they wouldn't  
3 necessarily sit at that big long table at the end of the  
4 dining hall. There'd be another room behind that. So  
5 definitely at dinner time, the masters that were there  
6 would get everyone in the dining hall, they'd say grace,  
7 we'd sit down, we'd have dinner and they'd disappear  
8 into a little room behind -- their own little private  
9 dining room.

10 Q. That was for dinner?

11 A. Yes.

12 Q. And you talk about serving them?

13 A. Yeah. They'd pick boys from each squad, normally boys  
14 that were doing that serving anyway, to go and serve  
15 them their dinner and clean away their plates and all  
16 that.

17 Q. But in terms of any oversight which might have ensured  
18 you got your food --

19 A. Yeah, it wasn't --

20 Q. -- that it wasn't covered in salt or whatever --

21 A. Nothing, nothing. No -- yeah, that was left to the  
22 boys. That was that.

23 Q. And was that the mentality amongst the teachers, that  
24 sort of supervision was not their function?

25 A. No, I think they -- I mean, I've been disciplined plenty

1 of times by teachers as well. Was that their mentality,  
2 letting the boys -- I think certain aspects of the  
3 school it was expected the boys would manage that. So  
4 setting the squads, sorting out the orderlies, looking  
5 after the boarding houses, that was definitely left to  
6 the kids to do. And me as a prefect at one -- you know,  
7 later on in life there, that was very much left for them  
8 to do.

9 Q. You mentioned the house there. Obviously you're in  
10 different houses. I think by the time you are at Keil,  
11 there are allocated housemasters and deputy  
12 housemasters; is that correct?

13 A. Yeah, that's correct.

14 Q. We know that there would be chief and deputy supervision  
15 of houses.

16 A. (Witness nods).

17 Q. What about involvement from the housemaster, deputy  
18 housemaster? Were they actively involved within the  
19 house?

20 A. I wouldn't say -- no, I wouldn't say so. I wouldn't say  
21 so. So I'd see -- again, different years, so like the  
22 younger years, like third, fourth year, we'd do homework  
23 at night, you know, so you'd do like an hour of prep,  
24 which was homework in a classroom somewhere. That would  
25 happen in the schoolhouse but then fifth and sixth year,

1           you'd be in the boarding house, you would do that in the  
2           boarding house, there'd be a little more trust maybe in  
3           you, and you'd see the deputy housemaster or the  
4           housemaster in the house at night around that time,  
5           maybe -- and then maybe an hour after that when the  
6           younger kids came back from the schoolhouse, from doing  
7           prep, so you'd see them about at night for an hour or  
8           two, they'd be in the house, but they would be in the  
9           rec room. They wouldn't be walking about the house  
10          looking in the dormitories. You'd see them at the  
11          weekend, so, you know, you'd have a Sunday night  
12          assembly to make sure everyone was back or sober, and  
13          that would -- that would pretty much be it. You know,  
14          they'd only get involved if there was something they  
15          really weren't happy about.

16                 Or occasionally there'd be inspections. So in first  
17          and second year there'd be an inspection every week  
18          where you had to get all your kit out, all ironed, out  
19          on your bed, all -- everything, you know, so you've got  
20          that big list they give you with -- I don't know how  
21          many things were actually on that, I'd like to see that  
22          list now. They'd check you have -- so they'd check your  
23          stuff's all there. And then if it wasn't, the same as  
24          you guys have probably seen on comical army films or  
25          something where your locker gets thrown about, stuff

1 gets turned over and someone shouts at you. So  
2 that's -- or -- I would say that was it. So  
3 inspections, back for the weekend, an hour or so at  
4 night, but again in the rec hall or in their study.  
5 I think that's about it.

6 Q. The rec room where they'd be, was that a room that would  
7 be full of children doing things?

8 A. The rec room would be the television -- in MacKinnon  
9 House anyway, there would be the television room and  
10 there'd be a pool table, so people would sit around and  
11 chat. Generally after prep there'd be maybe one or two  
12 kids in there. It wouldn't be -- we'd all be out  
13 enjoying the one hour of freedom we got a day or  
14 something, so there wouldn't be too many people there.

15 Q. What about the pastoral side? Was the housemaster or  
16 the assistant there to address problems?

17 A. They would, but only if they were significant, you know?  
18 I'm trying to think of what problems. I think --  
19 I think if bullying got to a level where someone was  
20 phoning their parents and all the rest of it or thinking  
21 about leaving or running away from the school, then the  
22 housemaster would get involved and talk to people. If  
23 there was some aspect of discipline that went badly  
24 wrong, they'd get involved. But generally, no, no.

25 Q. Were they proactive?

1 A. No. No. No.

2 Q. Except when someone had brought it into public sight  
3 because a parent had complained or someone had  
4 physically run away from the school?

5 A. Yeah, yeah, absolutely, absolutely.

6 Q. You mentioned a couple of things. If we can take them  
7 in turn. Sport and then we'll talk about discipline.

8 A. Yeah.

9 Q. Sport, you say in paragraph 73 on page 13, Keil was all  
10 about rugby. In the balance, where did rugby stand as  
11 compared with education, for example?

12 A. Number one. It was everything. It was everything.  
13 I don't -- I mean, the education I got, if I look back,  
14 it was terrible. Terrible. It was rugby. I was there  
15 to play rugby, the school was there -- it was all about  
16 rugby. And that's what it was. You can -- yeah.

17 Q. I think you make the point that someone who had  
18 a particular skill as a BMX rider --

19 A. Yeah, wasn't allowed to ride his BMX and ended up  
20 leaving the school. No one had a bike at the school.  
21 There wasn't anything like that. There was the -- you  
22 know, we weren't allowed to -- we were very much  
23 discouraged by our housemasters from playing football in  
24 case we got injured and couldn't play rugby at the  
25 weekend, so the whole thing revolved around that, you

1 know.

2 Q. Whether you wanted to play rugby or not?

3 A. I didn't. I didn't. I was -- I was -- yeah, I was  
4 a big, big football player at the time but I wasn't  
5 allowed to play football, I had to play rugby.

6 Q. In terms of status in the school, we've heard that if  
7 you were, for example, in the First XV --

8 A. Yes.

9 Q. -- you were top dog.

10 A. Yeah. Mostly. Mostly.

11 Q. Mostly, all right. But if you were not rugby orientated  
12 or interested, then presumably your standing would be  
13 lower down the scale?

14 A. Yeah, you were in trouble. If you were good on the  
15 rugby pitch, then I would have definitely said school  
16 was a lot easier. But then as well, rugby isn't the  
17 game that you see on the television now, so you need to  
18 rewind your mind back to what rugby was then. And rugby  
19 didn't have yellow and red cards then. It was a brutal  
20 sport. I mean it was a brutal -- I've got the brain  
21 damage that can show you that, you know.

22 Q. Yes, we'll come onto that. But you make the point that  
23 if you were in the First XV, you stood out because you  
24 had a different tie and I think --

25 A. Different socks, the socks.



1 Q. -- we heard yesterday about different socks.

2 A. Yeah, socks is a big thing, yeah.

3 Q. And getting your socks was an event?

4 A. Yes, yes.

5 Q. Tell us about the event?

6 A. Oh, that was running around the school naked or

7 something pretty similar in task, getting your socks.

8 Q. So there was a rite of passage that you had to --

9 A. Yeah, it was for some, but I think by then, when you

10 were a sixth year anyway, that was enough of a deal that

11 you'd survived that with a bunch of guys who had

12 survived that as well, so by the time you got to fifth,

13 sixth year, the standard -- the standing as a -- oh,

14 he's got his socks or not didn't really matter. But

15 probably the younger kids and all that, it played out.

16 You know, it played out like -- I couldn't play because

17 I'd had my concussions and stuff eventually, and I had

18 to go and coach kids, you know, and I was coaching the

19 kids to be just brutal rugby players, you know.

20 Q. Because that's the way rugby was played.

21 A. That's the way you played, yeah.

22 Q. I think in relation to the concussion, if we look to

23 page 17 you talk about the various injuries you

24 suffered --

25 A. Yeah.

1 Q. -- which includes breaking both ankles --

2 A. Yeah.

3 Q. -- playing rugby, and your parents were never told about

4 that?

5 A. No. No. So -- yeah, I broke my ankle again a couple of

6 years ago running and I went to get it X-rays and they

7 went, "Oh, you've already broken that", and I'm saying

8 to my mum, "Oh yeah, I thought I'd done that at school",

9 and it turned out I had done that in school all the

10 years ago and no one had ever told her about that. Or

11 my father.

12 Q. And I think in terms of the concussions, you talk in

13 paragraph 94 of being knocked out and then just spending

14 the rest of Saturday afternoon in the sick bay?

15 A. Yeah.

16 Q. But next week you'd be playing again?

17 A. Well, the Monday I'd be playing again.

18 Q. Oh, so two days later?

19 A. Yeah. I'd become completely knocked out. I was lucky

20 enough that I'd met my wife at the school, so we've

21 known each other since we were 12, so I'd phone her on

22 a Saturday night and she'd be like, "Oh, why didn't you

23 phone me at lunchtime?" "Oh, because I was in sick bay

24 and I don't know really what happened". And that

25 happened on quite a few occasions, yeah.

1 Q. I think we see at paragraph 95, again page 17, that you  
2 began to get migraines and when you were back in Saudi  
3 you have CT scans and discovered you had bruising to the  
4 rear of your brain?

5 A. Yeah, yeah.

6 Q. But as you go on to say, even with that --

7 A. Yeah, they still wanted me playing. They were on my  
8 case the entire time and every time -- so after that it  
9 was, "Okay, so your next holiday you need to get another  
10 CT scan, we need to get you back playing rugby".

11 Q. So the pressure was kept on that you had to go back?

12 A. Oh yeah.

13 Q. But by the sounds of it, since you were coaching, that  
14 didn't happen?

15 A. No, I -- I think in my last year I played maybe two  
16 games. I went back and played two games in my last  
17 year, and then I got asked to go on the rugby tour, so  
18 they used to go on rugby tours to places and I got asked  
19 to go and play with the First XV to do that, but  
20 I didn't want to do it. I was -- you know, the younger  
21 years I really didn't want to play rugby, I really  
22 didn't enjoy it, but then when you're getting coached  
23 like that, you start enjoying that, you start getting  
24 good at it, you start -- I mean, my first year our team  
25 played -- must have played 25 games, maybe 30 games,

1           lost every single one apart from the last one, and then  
2           it just gets institutionalised into you, so by the time  
3           you're in fourth year, fifth year, you know, I'm getting  
4           knocked out every weekend and still wanting to play  
5           because that's what you do. Yeah. It's mad.

6       Q. Briefly you mentioned your then girlfriend, now wife.  
7           Was she a day pupil?

8       A. She was, yes.

9       Q. And girls, we would understand, were coming in  
10           progressively as you spent your time at school?

11      A. They certainly were, yeah.

12      Q. Did that have an impact on the ethos of the school?

13      A. I don't think it did. I don't think it did. Even when  
14           I joined in first year, there was four or five girls at  
15           the school already. My first first year.

16      Q. Were they in the senior years?

17      A. Yeah, they were in senior years. So the boys were kind  
18           of used to that. And then the following year it opened  
19           up for girls all the way through, which is when my wife  
20           came. I don't think it changed it. I don't know what  
21           someone stuck in the middle, you know, like a few years  
22           older than me would have thought, but for me it  
23           didn't -- from that first year to the next one it didn't  
24           change anything.

25      Q. Out of interest, your wife-to-be was a day pupil?

1 A. Yes.

2 Q. Is her recollection of Keil --

3 A. Very different.

4 Q. -- different to yours?

5 A. Very different, yeah. We don't -- we don't talk about

6 it. We don't talk about it. We talk a little bit but

7 don't, no.

8 Q. She didn't see the world you saw?

9 A. She seen some of it, but -- but very different, yeah.

10 Q. Okay. Another thing you touched on, and again

11 interesting, I take it she didn't see this side of it,

12 you talked about alcohol?

13 A. Oh, she seen that, she seen that.

14 Q. All right. Because from your description, alcohol

15 seemed to feature -- this is page 22, paragraphs 122

16 onwards to 128, alcohol and drugs seemed to be --

17 A. A thing, yeah.

18 Q. -- a fairly regular thing?

19 A. Yeah, certainly from -- yeah, yeah. Yeah, I think

20 from -- I would say from 13, third year, so like 14, 15,

21 I'd be in Glasgow as much as I could be on a Saturday,

22 getting very, very drunk. Unfortunately for some of the

23 establishments, I think, you know, a 14-year-old and

24 you'd have a pub full of kids after rugby going up there

25 to drink. So from 14 through to 17, I used to frequent

1 the Cellar Bar in Ingram Street. It wasn't till I went  
2 back there when I was at university and I was 21 they  
3 realised what age we actually were, which was pretty  
4 funny.

5 But yeah, drink was a big thing. I mean, you'd  
6 bring drink back to the school. I was lucky that  
7 I lived in the Middle East where cigarettes were very,  
8 very cheap and I'd bring cigarettes back. I remember  
9 a boy bringing back an entire -- one of the bottles of  
10 whisky that you normally keep the coins in, he brought  
11 one of them into the school.

12 Q. You're putting your hand out to the side, so about  
13 3 feet high?

14 A. Yeah, yeah, one of them.

15 Q. It may be blindingly obvious to you, but did you have  
16 any fear about bringing this into the school?

17 A. No, what's going to happen to you that hasn't already  
18 happened to you?

19 Q. Well, one might have thought that the staff would be  
20 interested, if they saw drunken 14-year-olds coming back  
21 from the Cellar Bar?

22 A. Well, I think -- so I would have said that on a normal  
23 weekend from third year to sixth year I was drunk nearly  
24 every weekend. The worst one when I think back -- or  
25 there's a few. I think back, one of my friends was in

1 charge of Mason House, which was the young kids' house.  
2 He came up to visit me in MacKinnon House, where I was  
3 a deputy, and we got very drunk. So he drunk an entire  
4 bottle of whisky, so he would have been 17, an entire  
5 bottle of whisky, and he didn't make it back to his  
6 house. We found him in the morning on the way to  
7 breakfast lying in the school grounds, you know. So  
8 that was pretty bad.

9 My other recollection of that year was I didn't like  
10 drama, I really didn't like drama, so I didn't want to  
11 get involved in that, and everyone had to take part in  
12 the school play in some way or another so I'd do the  
13 spotlight for the play. So I'd climb up into the roof  
14 of the Denny Civic Theatre in Dumbarton and do the  
15 spotlight. So my -- it would have been my sixth year,  
16 I remember doing that very drunk. I think myself and  
17 two other boys drunk a bottle of vodka and an entire  
18 crate of beer, 24 cans of beer, and went and done that,  
19 you know. And nothing.

20 And yeah, later in school I got -- in my sixth year  
21 I did get suspended from school, I get caught drinking.  
22 I get caught with one can of cider, it was quite ironic  
23 at the time, and suspended from school with another  
24 couple of boys as well. Then I came back and I wasn't  
25 a prefect anymore, and then within a month they'd asked

1 me to be a prefect again. So the punishment for  
2 drinking was not very much, you know. You had an entire  
3 rugby team, I remember, getting what amounted to tidying  
4 up the school grounds as a punishment for being caught  
5 drinking on tour, you know. So, yeah, no control.

6 LADY SMITH: Just going back to the occasion when you told  
7 us your friend [REDACTED], you said his name was, didn't even  
8 make it back into the boarding house.

9 A. Yeah.

10 LADY SMITH: But was found outside in the morning.

11 A. Yeah.

12 LADY SMITH: Who found him?

13 A. We did. The kids.

14 LADY SMITH: Did the housemaster notice that he --

15 A. No.

16 LADY SMITH: -- had not come back to the house?

17 A. No.

18 LADY SMITH: Was there no system for signing in and out of  
19 the house?

20 A. Not for prefects.

21 LADY SMITH: Thank you.

22 Mr Brown.

23 MR BROWN: Thank you, my Lady.

24 Was that because it was assumed that the prefects  
25 would do the headcount?



1 A. Yes.

2 Q. Not the teachers?

3 A. Yeah.

4 Q. That was one of the areas where --

5 A. Yeah, a teacher never counted me into bed or out of bed  
6 or into the house, no.

7 Q. Even when you were a small child?

8 A. Even when I was small.

9 Q. That was one of the tasks that was left to the chiefs?

10 A. Yes.

11 Q. If we could then move on to discipline, because I think  
12 as we know discipline was left to the chiefs too to  
13 a large degree, is that fair?

14 A. Mm-hmm.

15 Q. This is from page 23 onwards. We've heard about Natural  
16 History, which is tidying the grounds. In your time at  
17 the school, did people actually carry that work out? If  
18 you got an hour's Natural History, did you have to  
19 actually carry it out?

20 A. Yeah. Yeah, yeah -- well, again, it depends how old you  
21 are. Depends how old you are. So if you're in sixth  
22 year or fifth year, then the person that's generally  
23 policing whether that happened or not is a prefect,  
24 who's one of your friends, so is one of your friends  
25 going to make you do something like that? No, they're

1 not. So -- but if it's the younger kids, then  
2 absolutely. I think -- I didn't tend to get too much of  
3 that in terms of punishment compared to others. There  
4 were other kids that were, you know, friends of mine  
5 that would have to do 12 hours of that every weekend the  
6 entire time they were at school, I remember.

7 Q. And was that issued by teachers, Natural History or --

8 A. Yeah, teachers, teachers.

9 Q. That was their preserve?

10 A. Well -- yeah, I'd say that was mostly their preserve.

11 I think as a prefect you could get someone to do that  
12 because you'd be in charge of the kids anyway, so you  
13 could say, "Hey, you're doing that", but generally the  
14 prefects -- it would be a physical punishment more than  
15 anything else.

16 Q. We'll come back to prefects and physical punishment in  
17 a moment. I think the other thing you say is you have  
18 talked about suspensions for drinking.

19 A. Yeah.

20 Q. What about expulsions?

21 A. Very few.

22 Q. Why?

23 A. Very few. I don't know. I mean, I think other than  
24 drinking and getting caught with drinking and drugs, the  
25 kids didn't do bad stuff, you know. I'm talking about

1           drinking. That -- you know, they weren't out breaking  
2           into people's houses, graffitiiing things, smashing  
3           things up, they weren't kids like that. They're just --  
4           I don't think there was too much -- I mean, the  
5           expulsions I remember were for incredibly bad persistent  
6           behaviour where someone just didn't buy into that  
7           system, so didn't buy into, you know, a prefect shouting  
8           at you all the time. They'd just be like, you know, "Go  
9           away", just ignore the whole thing and carry on behaving  
10          whoever they wanted to behave. So a few like that.  
11          I think there was a few around drugs, and I think there  
12          was one to do with rape as well.

13         Q. But I think you make the point that expulsion was pretty  
14          rare:

15                 " ... and to me felt like it was because the school  
16                 needed the money."

17                 Was that --

18         A. Yeah, it did feel like that.

19         Q. At the time?

20         A. At the time, yeah.

21         Q. Was there a feeling amongst the boys and girls that  
22                 really you could get away with anything because they  
23                 needed you to be there?

24         A. As a -- well, even as a prefect, you know, like I said,  
25                 I mean, I got suspended for drinking and that made the

1 front page of the newspapers at the time as well because  
2 I happened to do it with someone whose -- yeah,  
3 I happened to do it with someone pretty famous at the  
4 time.

5 Q. I think you mention that in your statement.

6 A. Yeah. So the guy who [REDACTED]  
7 [REDACTED]. So -- yeah. And then I was back like a month and  
8 they were wanting me to be a prefect again, so.

9 Q. Let's move on to the discipline by prefects or senior  
10 boys. That was more physical?

11 A. Absolutely, yeah.

12 Q. And official?

13 A. I don't think there was official or unofficial. When  
14 I became a prefect, no one said, "You can do this or you  
15 can't do this or here's the rules around how we  
16 discipline people". There was nothing like that. I was  
17 never sat down and talked to and said, "This is  
18 acceptable, this isn't." Punishment was pretty much  
19 whatever the boys wanted to do.

20 Q. And I think you say in your statement that -- and this  
21 is where we move into perhaps what would be seen as  
22 bullying rather than discipline -- this was behaviour  
23 that was learnt in the school?

24 A. Yeah.

25 Q. This was how people behaved and it just repeated as

1 people went up through the school, they did the same  
2 thing?

3 A. Absolutely, absolutely. So, you know, through the  
4 statement I don't -- like all these years later,  
5 I haven't had very much to do with people from the  
6 school. I had a couple of friends. But I don't blame  
7 any of the kids for any of that bullying or anything  
8 that went on there at all. Anything that was done to  
9 me, anything that was done to my -- I just -- that was  
10 how we were taught, that's how we were nurtured,  
11 I guess, that's how we learnt to behave. So, you know,  
12 probably not good language for here, but for me in my  
13 head, I got the absolute shit kicked out of me for four  
14 years, until I was big enough to look after myself, and  
15 then I probably did the same for the last two years that  
16 I was there, the last three years that I was there.  
17 So -- and I'm not proud of that, I'm not -- I'm not  
18 happy I did that now. I've apologised to people that  
19 I did that to then. But I don't have -- I don't hold  
20 any grudges against any of the kids at all. There were  
21 adults there who should have been looking after the  
22 kids. That should never have been allowed to happen,  
23 any of that, you know, even the minor stuff.

24 Q. I think, as you say at paragraph 144 on page 26:

25 "I became a prefect when I went into fifth year,

1           when I was 16 and about the time [REDACTED] SNR  
2           you experienced] Mr Cummings [REDACTED] SNR ,  
3           which meant that things changed and I couldn't tell any  
4           of the junior boys what to do. I couldn't make  
5           a younger boy do my laundry or carry my books.  
6           I thought it was a good thing, but then I'd been in that  
7           culture and it almost didn't seem fair that I wasn't  
8           going to have my turn."

9           A. Yeah.

10          Q. So, change of [REDACTED], there does seem to be an attempt  
11          to change somewhat.

12          A. Yeah. There was an attempt to change and then there was  
13          a resistance to change because you've got so many boys  
14          that have went through that -- boys and girls that have  
15          went through that, just that -- grown up in that  
16          environment, that learned behaviour. They tried to  
17          change, but I don't know if it did after I left. But it  
18          was still pretty brutal when I was there.

19          Q. From what you're saying, people had been waiting for  
20          their shot?

21          A. Yeah.

22          Q. And they didn't like it being taken away from them.

23          A. Yeah, yeah. So definitely -- definitely -- I definitely  
24          got in trouble personally, and other boys got in trouble  
25          as well for things that went on. So I think if you sat

1 and had a conversation with everyone that was in that  
2 fifth year or sixth year and said, "Hey, are you happy  
3 with the way things have changed?", they would probably  
4 be like, "No, the place is getting soft, why are letting  
5 people get away with this or do this, people getting  
6 away with that now". So yeah, I think that's what they  
7 would tell you now.

8 Q. From page 26 on to page 29 --

9 A. Yeah, sorry, just when I'm thinking through that there.  
10 There was an attempt to change but nothing changed. So  
11 nothing changed as in they didn't sit the prefects down  
12 and say, "Here are the rules now, this is the way we  
13 behave now". It would just be someone would get in  
14 trouble for something they'd done that they wouldn't  
15 have got in trouble for in the past, maybe. So there  
16 was no like institutionalised: here's a line in the  
17 sand, that's the way it was in the past, this is what  
18 we're doing now. That wasn't clearly articulated to  
19 anyone.

20 Q. Although from what you say at paragraph 144, things did  
21 at some levels change because, for example, you couldn't  
22 get younger pupils to do things for you.

23 A. Yeah, yeah, yeah. So you would get pulled up if you  
24 were doing something more than what they had in the  
25 past, but definitely not a -- as a -- like I'm a leader

1           these days in companies and I've led companies all over  
2           the place. That wasn't -- that wasn't -- that wasn't  
3           the change -- that's a slow, slow gradual change, that's  
4           not -- yeah. I guess I just don't want you to think  
5           that, yeah, Mr Cummings [REDACTED] and everything changed  
6           for the better. It was still pretty horrific. And it  
7           wasn't a line in the sand change.

8           Q. Thank you. I was moving on to pages 26 to 29, where you  
9           detail under the general heading, "Abuse at Keil  
10          School", a great raft of experiences that you endured  
11          and saw other boys enduring. You talk about being  
12          bullied relentlessly in that first year because you were  
13          different?

14          A. Yeah.

15          Q. What was the difference?

16          A. Looking back now, I don't know. Looking back now. You  
17          know, I was definitely -- you know, I turned up to  
18          school with two cuddly toys. There was a film called  
19          Elf at the time and I remember having these two little  
20          cuddly toys. They were gone within like two weeks,  
21          shredded within about two weeks. I was definitely into  
22          computers and electronics and things like that. I was  
23          into football, I wasn't a rugby sort of a guy. And  
24          I think -- and that just wasn't what went on at the  
25          school sort of thing. So that, I guess, marked me out



1 as different. It's different I was smaller physical as  
2 well. I was a year younger. At the time I was -- at  
3 the time I think they considered us to be pretty bright,  
4 so yeah. But -- yeah, I was still just a kid, I guess,  
5 like anyone else at the time.

6 But anything at all, like anything at school, the  
7 way you wore your clothes, the way you wore your bag,  
8 anything like that, any -- anything, anything, you'd get  
9 picked on for anything.

10 Q. And was any effort made by the boys in authority to stop  
11 this?

12 A. Oh no, that would be -- they would generally encourage  
13 that sort of thing, you know.

14 Q. Would they take part?

15 A. Yeah, absolutely, yeah.

16 Q. Because what's striking about a number of the accounts  
17 you give, it's --

18 A. It's them leading a lot of it, yeah.

19 Q. It's the prefects themselves who are punishing.

20 A. Yeah, absolutely.

21 Q. For example, 149 on page 27, a boy forcibly put into  
22 a luggage trunk by a prefect and flipped end over end up  
23 and down the dormitory in Mason House for about an hour?

24 A. Yeah.

25 Q. And when he protests, when he's let out, he's punched

1 and knocked out?

2 A. Yeah.

3 Q. Is that a clear memory?

4 A. Yeah, vivid. Vivid. All of these. I can see it.

5 Yeah.

6 Q. You mention in that litany of events, paragraph 152,  
7 your housemaster, in relation to a boy peeing in welly  
8 boots and no one admitted it, has the entire house  
9 standing outside.

10 A. Has the entire school.

11 Q. Entire school, thank you.

12 A. So it wasn't one pair, it was about 30 pairs over a long  
13 period of time, and then when they discovered this --  
14 and there was only two, two toilets, so each of the  
15 dorms for 20 kids had -- there was one toilet at the  
16 end, at each, that you could actually use. You weren't  
17 allowed to go out of the dorm at night so there was one  
18 toilet you could actually use, so this is probably why  
19 the welly thing happened. So the boy in the washroom,  
20 there was a washroom for just washing your face and  
21 stuff, had obviously been peeing in them for weeks or  
22 whatever, and then that got discovered. We ended up  
23 standing at the end of our beds every spare moment of  
24 the day and through the night for -- it went on for  
25 a few weeks, I think. I'm not sure what I put in here,

1 but a few weeks. It ended up with day pupils as well  
2 standing in the hall in their spare time. So, really,  
3 an attempt to get the kids to tell on each other. So  
4 maybe that's -- the whole thing probably reinforces that  
5 most boarding school kids are never going to tell you  
6 anything. They're not going to tell you anything, you  
7 know. If they've got a secret, you're not going to find  
8 it out.

9 So the entire school was punished for that until  
10 someone would own up. No one ever owned up for that.  
11 Someone owned up for that maybe two or three years ago,  
12 apparently, which was rather funny now. But that just  
13 shows you boarding school kids all the way through. You  
14 know, the entire school punished for that. Kids  
15 fainting, kids fainting and having to go to the sick bay  
16 and all the rest of it, when we're supposed to be there  
17 getting educated, you know.

18 Q. Two things from that. You've got a culture where you  
19 don't clipe?

20 A. Never. Nobody likes a grass, yeah.

21 Q. Was that made clear to you --

22 A. Absolutely, day 1.

23 Q. By pupils?

24 A. By prefects, by pupils, yeah.

25 Q. So that's understood?

1 A. Absolutely, yeah.

2 Q. And did you see anyone ever break that?

3 A. Yeah. Yeah, yeah.

4 Q. With what result?

5 A. Just beaten senseless for a long period of time. And

6 that doesn't go away. You know, like that's not a --

7 that's not a -- you go to school in the morning, you do

8 something wrong, you do something wrong, you go home at

9 night to your parents or whatever and then you come in

10 the next day, everyone's forgot about it, they're on the

11 next thing. It's a boarding school. You do something

12 wrong there, that's with you for six years, you know.

13 Q. Did the teaching staff at any stage encourage you to

14 speak about things?

15 A. Not that I -- no, not that I can think of.

16 Q. Again, thinking of pastoral care, was there anyone you

17 would understand you --

18 A. That I would talk to?

19 Q. -- would talk to?

20 A. Not generally, no. I'd say most of the teachers,

21 I think, I didn't feel I could talk to, I didn't feel

22 they were approachable. There were a few exceptions and

23 I'm sure you'll want to talk about them later, but

24 I didn't feel I could approach any of these teachers to

25 talk about anything like that.

1           I ran away from the school at one point, but  
2           I didn't -- I didn't even talk about -- I didn't really  
3           even talk about that. We talked about one incident with  
4           a teacher at that point when I ran away and that was it.  
5           It wasn't, "What's really going on?" They weren't  
6           interested to know what was really going on, I don't  
7           think.

8       Q. I think you mentioned the running away at paragraph 119  
9           to 121, which is pages 21 and 22. I think you set the  
10          background that you'd been beaten up by one of the  
11          prefects and you just wanted to get away.

12       A. Yeah.

13       Q. But in fact what you did was live in a tent on the  
14          school grounds?

15       A. Yeah.

16       Q. And you weren't found by anyone at the school?

17       A. No.

18       Q. Your uncle --

19       A. My uncle, yeah, and my mum.

20       Q. -- came and walked around the ground shouting for you  
21          and presumably you eventually appeared?

22       A. Yeah. Well, it was a bit -- I guess at the time the  
23          idea of running away, where am I going to go? My  
24          parents are 6,000 miles away. And I just, yeah, needed  
25          to go away. And it was traditional for kids to run away

1 from Keil and get caught on the Erskine Bridge, that's  
2 a nice big open stretch to catch somebody walking over.  
3 So yeah, and my uncle came. That made things better for  
4 a little while because my uncle was an MoD guy at the  
5 time so turned up and, to be honest, I think pretty much  
6 threatened the housemaster at the time that if  
7 anything -- if he had to come back to the school,  
8 there'd be trouble.

9 Q. Which housemaster was that?

10 A. That was Mr **OCQ**.

11 Q. So at that point Mr **OCQ** engaged?

12 A. He engaged because he'd been physically threatened,  
13 I guess, yeah.

14 Q. But in terms of speaking to you to discover what had  
15 been going on --

16 A. No. He didn't actually speak to me about it. Because  
17 I spoke to my uncle and my mum, and they must have  
18 talked to him and then that was it. There was no big  
19 sit down conversation like let's get this out in the  
20 open, what's going on? There was no apologies, there  
21 was nothing like that.

22 Q. Life just carried on?

23 A. Life carried on.

24 Q. In that sense, your housemaster couldn't but be aware of  
25 what had gone on?

1 A. Exactly, yeah. And my parents as well. And my parents.  
2 So at that point for me, that was, well, no one really  
3 does care, so -- you know, what's the point of talking  
4 to anyone after that?

5 Q. But in terms of what teachers would have been aware of,  
6 in that case your housemaster can't ignore it because  
7 your uncle's there.

8 A. Oh no.

9 Q. Do you think the teachers, the housemasters would have  
10 been aware of the abuse you've been describing going on?

11 A. I don't know how they couldn't be.

12 Q. You don't know how they couldn't be aware of it?

13 A. I don't know how they couldn't be aware of that.

14 I honestly don't know how they couldn't be aware of  
15 that.

16 Q. Why do you say that?

17 A. Mason House or any of the houses, the masters would live  
18 in the house. They'd have a door, probably not as thick  
19 as that one there, into the dorms. So how you could  
20 hear that shouting, screaming, kids crying, how you  
21 could see kids walking about -- I guess the black eyes,  
22 the bruises was covered up a little bit by the rugby  
23 maybe, but, I mean seriously, I can hear my kids, the  
24 two of them when they're fighting up the stairs.  
25 I mean, that was a door, there was a door into each

1 dorm. There's no way. There's no way they didn't know  
2 what was going on.

3 Q. You mentioned that there were some teachers who you felt  
4 were more approachable, in theory at least.

5 A. Yeah.

6 Q. And I think, looking at page 30 under the broad heading  
7 of, "Reporting of abuse", reference was made to  
8 Childline in the school, although it would appear  
9 someone phoned as a prank and that just caused --

10 A. Yeah, that kind of shut down Childline, yeah.

11 Q. Do you know if the boy who phoned Childline was actually  
12 properly complaining about something or was it a prank  
13 call?

14 A. I think it was a prank call. Do you know, when I look  
15 back now, I'm not entirely sure. That boy in particular  
16 ended up being expelled from the school because he  
17 wouldn't -- he wouldn't behave the way the prefects, the  
18 way the teachers would want him to behave, so yeah, he  
19 was expelled. So maybe that -- maybe that was a prank  
20 call but not really a prank call.

21 Q. I think what you say in paragraph 168 is:

22 "I remember a boy got into trouble one time because  
23 he had spent four hours on the phone to Childline and it  
24 was traced back to the school."

25 And the person at the other end on Childline's end



1           contacted the school because they were so concerned?

2       A. Yeah. Yeah. I think the boy was doing that as a prank,

3           but probably told them what was really going on, but

4           probably no one would believe what was really going on

5           at the time.

6       Q. All right. Now, obviously, and we'll come onto this,

7           you were aware that one of your teachers was jailed --

8       A. Yeah.

9       Q. -- for six and a half years for sexual abuse of children

10          at Keil?

11      A. Yeah.

12      Q. Paragraph 169 you say:

13                 "I never reported anything, but my friend who had

14                 talked to us about [that teacher] Bain told his

15                 parents."

16      A. Yeah.

17      Q. "This was in my second year at the school and I don't

18                 want to say his name."

19                 Fair enough.

20      A. Yeah.

21      Q. But your understanding -- from the boy --

22      A. Yeah.

23      Q. -- was that his parents had approached --

24      A. Yes.

25      Q. -- SNR [REDACTED] --

1 A. Yeah.

2 Q. --CGC, because he had told them what was  
3 happening?

4 A. Yes.

5 Q. What your choice of words were:

6 " ... apparently it got swept under the carpet."

7 What did you understand from the boy?

8 A. I think from the boy it was made out as if there was  
9 some sort of misunderstanding or something, and he was  
10 told to go away and made out to -- the entire -- I'm  
11 really clear in my head, the entire time after that he  
12 was made out to have been lying and misunderstood, you  
13 know, mistaken, liar, or -- so he was -- like I said,  
14 when something happens at the school, that sticks with  
15 you for the next six years, it's not going away, so he  
16 was made out to be unreliable and untrustworthy for the  
17 rest of the time he was at the school.

18 Q. Was Mr Bain the subject of conversation by the boys?

19 A. Yeah, yeah, yeah. In the in terms of -- not in terms of  
20 what eventually came out in terms of the abuse that was  
21 going on, not that, but just the suspicion that -- that  
22 he might have been a paedophile. Or not in that --  
23 because I don't think even back then people talked about  
24 that word, you know, I don't think that was even a word  
25 used. But kiddy fiddler might have been a word,

1 a phrase used. Stuff like that. People would joke  
2 about it and laugh about it. When I talked about --  
3 I came across an old boy last week that I hadn't talked  
4 to for years, just through work, you know, and his  
5 phrase was "hiding in plain sight", you know, that it  
6 was a bit of a joke. But in all honesty, I didn't --  
7 I didn't realise the extent of what had happened there,  
8 and some of the boys I've known what feels like my  
9 entire life, since I was 11 years old, and some of them  
10 were at my wedding.

11 Q. I think we see in paragraph 164 on page 29 that so far  
12 as you were concerned at the time, Mr Bain was a bit  
13 different to the other teachers. You say:

14 "He was probably the only one I felt I could have  
15 talked to if I'd wanted."

16 A. Yeah, like first year, second year, like actually  
17 someone that was friendly and appeared to do stuff for  
18 the kids. So, you know, being 6,000 miles away from  
19 home and being pretty damn homesick, it's probably  
20 a good idea to try and occupy people's minds. So he  
21 would take people to McDonald's or take them out hill  
22 walking or find activities for them to do and do that.  
23 He'd -- yeah, he'd give people biscuits and all that  
24 stuff.

25 Q. I think, as we read, and we don't need to labour this --

1 A. Yeah.

2 Q. -- he would do things to you, as set out in  
3 paragraph 165. But as you say:

4 "At the time, I never thought any more of this  
5 behaviour."

6 A. Yeah.

7 Q. It's only now, obviously, knowing what you know in terms  
8 of the conviction that perhaps your mind goes in other  
9 directions.

10 A. Yeah.

11 Q. At the time it --

12 A. Well, even at the time, you know, definitely when I was  
13 older you'd stay away from that, and certainly after  
14 that incident with my friend, then I would say --  
15 I would say most of the kids in MacKinnon House of that  
16 year or the following year would make an effort not to  
17 interact with that -- with Mr Bain.

18 Q. All right. But he stood out as being particularly  
19 friendly?

20 A. Friendly, oh yeah, yeah, yeah, and it was very -- and  
21 maybe it's my recollection, I don't -- I don't know if  
22 other kids will tell you the same thing, but for me the  
23 entire experience was brutal and the teachers could be  
24 brutal and everything, so it really did stick out when  
25 someone was being nice, you know, just being nice they

1           would stick out.

2           Q. I think you remember there were other odd teachers, or  
3           perhaps all the teachers were odd?

4           A. Yeah, well, there's odd teachers and there's brutal  
5           teachers and there's ones that don't leave any impact on  
6           you at all.

7           Q. There's one teacher, who we'll call 'Richard'.

8           A. Yeah.

9           Q. What do you remember about 'Richard'?

10          A. I remember him being -- being intimidating, or being  
11          both -- being -- so being a kind of split guy. So he  
12          was quite a big guy at the time for a young kid, and  
13          very -- and he just appeared very big and very loud,  
14          shouting and screaming at kids, you know. I just have  
15          this recollection of him screaming at me for having my  
16          socks down around my ankles, you know. So if you didn't  
17          have your socks up around your shins you were getting  
18          shouted at. I just remember him screaming at me and  
19          a few other incidents, so very -- very intimidating, but  
20          also -- or either super nice. Like in that odd way like  
21          I explained with Mr Bain as well. Like very nice to  
22          kids. Like, I don't know if it was a few kids, I guess  
23          it was, but overly nice.

24          Q. Was he ever overly nice to you?

25          A. No. No. No. Looking back, luckily not.

1 Q. Okay. I don't think he stayed at the school terribly  
2 long?

3 A. No. Exactly. I think -- I was going through this  
4 recollection of the timeline about who was in what house  
5 when we were doing statements and yeah, he wasn't there  
6 very long and I kind of -- I guess I didn't have  
7 an awful lot to do with him in terms of he wasn't my  
8 teacher on a day-to-day basis and he wasn't my --  
9 I wasn't in his boarding house, so I didn't have a lot  
10 to do with him. I mean, there were a few -- over the  
11 years, there was a few teachers that weren't there for  
12 very long at all.

13 Q. I think you mention that 'Richard' was replaced by --

14 A. Mr OZC, yeah.

15 Q. -- Mr OZC.

16 A. Yeah.

17 Q. What was he like?

18 A. Again, he was very odd. He was a very odd guy. So  
19 I think for -- and I think this is the thing. So people  
20 will have their own recollection of back then, but he  
21 was my deputy housemaster and he was very odd and  
22 I would go out of my way to avoid being involved with  
23 him or talking with him or -- I never really got on with  
24 him. He was definitely a racist guy, made a big point  
25 about [REDACTED] and being from [REDACTED]. He had kids

1           that would come from other schools and stay in his flat  
2           which was attached to the boarding house, which to me  
3           was just odd. You know, I guess because I'd come  
4           through that -- I guess because I was older at the time  
5           and come through that and thought why the hell would  
6           I go and stay with one of my teachers at a boarding  
7           school after having survived it? What's going on there?  
8           But he was -- but again he as well was one of these ones  
9           that could be overly friendly with other kids.

10        Q. Okay.

11        A. That's my recollection, anyway.

12        Q. Thank you. But eventually, obviously, at 17 you left?

13        A. Yeah.

14        Q. How did you feel when you left for the last time?

15        A. It didn't really happen like that. So I kind of just  
16        stopped going. So at the time I had my -- my wife had  
17        left the school. She was away at another school, so  
18        I did the winter term, I'd be suspended in that term and  
19        then being made just sixth year nothing we were called,  
20        because you had no responsibilities, didn't have to  
21        worry about anyone, and I already had an unconditional  
22        offer to go to university, or I had two, so I knew I was  
23        going to university, I knew I didn't need to do my  
24        exams, so I just didn't go to school. So I think I went  
25        home one weekend and my parents were still in Saudi

1 Arabia and I just stayed at our house in Ayrshire and  
2 then didn't really go to the school.

3 Q. Did they notice?

4 A. I think eventually I got a letter or my mum got  
5 contacted to say, you know, "We really need" -- and this  
6 was quite funny, "We really need him to come back  
7 because he's supposed to be doing a sixth year project,  
8 the school's given him so much and he should be here  
9 putting back to the school, he should be here building  
10 steps", or something like that, you know, and I think  
11 when she got that I had this conversation with my mum  
12 saying, you know, "I'm not going back to the school,  
13 you're on a different side of the world from me, I'll go  
14 back and do my exams, I will just go for the days I'm  
15 doing my exams and that's it", you know, but still to  
16 this day, that still chuckles me, you know, "He has to  
17 come back and build a set of stairs because he needs to  
18 give back to this place".

19 Q. Okay. We know, because the statement obviously fills  
20 out what happened next and how you've progressed on and  
21 you've touched upon your job now. I'm interested in the  
22 impact, which we see on page 32, paragraphs 181 onwards,  
23 you feel you've had from going to Keil.

24 A. Yeah. Yeah.

25 Q. You talk about aggressive, which you think probably



1 stems back to surviving school at Keil, that's your  
2 word, survival?

3 A. Yeah, yeah. Yeah, it wasn't -- yeah, it messed us up  
4 for a long time. I mean, when I finished school I went  
5 off to Aberdeen to go to uni and was pretty much out of  
6 there after six months because I was just getting drunk  
7 all the time, doing a whole bunch of drugs, probably  
8 just trying to not think about that, you know. You  
9 weren't really trying to think about it. Ended up down  
10 at -- ended up back down in Paisley at uni and after  
11 that, yeah, just -- I've always had that level of  
12 aggression, I guess, that other people don't have in  
13 them. It's not got me in trouble, it's not that I'm  
14 going to work and knocking people out or anything like  
15 that, but it took me a long time to get over that. It  
16 took me a long time to try and be a normal person, you  
17 know.

18 Like, I remember at one point I lived in Stephenson  
19 and I was working in Birmingham and I was up and down  
20 and living with my wife who went to the school and  
21 I remember the neighbour, our neighbour was a social  
22 worker and he came in to see her to say, "Look, are you  
23 okay? Is he beating you up? Do you need support? Do  
24 you need help?" and she was just like kind of knocked  
25 out for six. She was like, "What are they hearing

1 through the wall or something, like us arguing?" and  
2 she -- you know, we're still happily married now, but  
3 just -- yeah, it definitely done that -- yeah, and then  
4 years later, seeing psychologists and stuff -- yeah,  
5 I guess I'm okay now, but this is a long time.

6 Q. You've been treated for depression and seen  
7 a psychologist?

8 A. Yes.

9 Q. And there are issues of trying to be a perfectionist?

10 A. Definitely. Definitely. So everything's like -- trying  
11 to do everything perfect. Or I was, and I think the  
12 psychology bit helped a bit. I still get depressed on  
13 a monthly basis, I would say. Still -- yeah, I mean,  
14 still when I look back through all of that, it's hard.

15 Q. How much would you associate that with Keil?

16 A. The whole thing.

17 Q. The whole thing?

18 A. The whole thing. I've got -- I think what really  
19 made -- you know, how I ended up at the psychologist was  
20 the kids. So I have two young kids, both about that age  
21 now, one that's 11, one that's 12, and honestly I wanted  
22 to bring them here today so you guys could see what one  
23 of those little boys look like. Because I look at that  
24 and I go that was me when I went there and the way he  
25 behaves and the way he acts, I think it was just --

1           that's what I lost. Through that, you know.

2           Q. I think we're you're we're touching now on lessons to be  
3           learned because I think you have concerns that perhaps  
4           things haven't changed very much.

5           A. Mm-hmm. Yeah, absolutely. So, I mean, we live down in  
6           the Borders, I have two young kids, one of them is very,  
7           very bright and the school system down there is not so  
8           great because we struggle to get teachers down there and  
9           then just numbers, you know, there's only 100,000 people  
10          down there, so if you're looking for bright kids,  
11          there's not so many -- that's just statistics.

12                    So we went along to one of the local private schools  
13          who had offered the kids bursaries and I'd spent half  
14          an hour in the school and I felt sick. I felt this is  
15          the same, it's the exact same. It's the same kids as  
16          prefects, kids with some sort of power, it's the same  
17          teachers behaving in the same way. It just felt the  
18          same. Yeah, and that was that. And my wife had  
19          a similar feeling as well.

20                    So that's what worries me. That's -- and it's the  
21          whole having my own kids that brings a lot of it into  
22          focus. I had one of them reading Roald Dahl's book  
23          about boarding schools, called "Boy", I think it's  
24          called, he was sitting reading it to me and I was like  
25          oh my God, that's Keil, that's Keil, and then I'm

1 sitting reading it myself going wow, that's the 1930s to  
2 1990, nothing changed, you know. Do I believe things  
3 have changed just from that experience of walking in the  
4 door to that place? Maybe it's just I'm scarred that  
5 way that any time I went to one of these schools I'm  
6 going to feel like that, but it felt the same, and do  
7 you know, the -- the offer of the scholarship, so I got  
8 the letter with the offer of the scholarship and one of  
9 the conditions of the scholarship was that -- so my  
10 boy's a triathlete, so he's 12 years old and he's  
11 a triathlete, a very good one. The condition of the  
12 scholarship was that he would play rugby for the school  
13 and they'd expect him to play rugby for the school and  
14 have full involvement in the school's rugby programme,  
15 you know, and that was --

16 Q. Were you straight back to Keil?

17 A. Ah, in a second, yeah. Yeah.

18 Q. So your big concerns would be --

19 A. It's the same.

20 Q. -- prefects controlling children?

21 A. Yeah.

22 Q. And teachers potentially abusing children?

23 A. Yeah.

24 Q. You feel --

25 A. I don't see how -- other than that people have got video

1 phones and camera phones and all the rest of it, I'm not  
2 sure that that makes it better, but I don't see --  
3 I haven't seen any change. No one's shown me anything  
4 that would make me think anything's different or it's  
5 hidden or -- I just haven't seen that, yeah.

6 Q. Is there anything you think can be done to change that?

7 A. There shouldn't be boarding schools. There just should  
8 not be boarding schools. I cannot think of a single  
9 reason why anyone -- my own parents will say: we sent  
10 you because we thought you were going to get the best  
11 education, you were going -- you were going to benefit  
12 from that. I see no -- absolutely zero benefit to any  
13 child spending that amount of time away from their  
14 parents, spending that amount of time with other kids  
15 like in that situation. People talk about social media  
16 and kids now. I have my own kids and I see people  
17 saying oh, fake accounts and people bullying -- people  
18 talk about bullying now and I think you have no idea  
19 what bullying is. Social media you can turn off, you  
20 can delete Facebook, you can delete all that stuff, you  
21 can not get involved in that stuff. When you're  
22 somewhere where you're there 24 hours a day for six or  
23 seven years and no one's listening, what do you do? You  
24 know. There should -- and I hear all the apologies, you  
25 know, like I've followed this -- at the end of my work

1 day I'll sit and read the news and I've followed this  
2 Inquiry and I see all the apologies from all these  
3 schools and they're all completely hollow, completely  
4 hollow. I don't believe that these systems, the way  
5 these schools run, the whole -- I don't think there's  
6 any way -- I don't think there's any way you can fix  
7 that. You can talk about child protection and all the  
8 rest of it. There's no way, there's no way. If you put  
9 all the kids in one place, then it's human nature that  
10 that's going to happen, and it just shouldn't. It just  
11 shouldn't.

12 MR BROWN: 'Ferguson', thank you very much indeed. I have  
13 no further questions.

14 A. Thank you.

15 LADY SMITH: Are there any outstanding applications for  
16 questions of 'Ferguson'?

17 'Ferguson', that does complete all the questions we  
18 have for you. Thank you so much for engaging so  
19 frankly, openly, thoughtfully and, may I say, actively  
20 with the Inquiry, both in terms of your written  
21 statement and coming here today to give your oral  
22 evidence. It's been of enormous help to me to listen to  
23 you here, being here yourself. It's been tremendous, so  
24 thank you for that and I'm now able to let you go.

25 A. Okay, thank you.

1 (The witness withdrew)

2 LADY SMITH: Mr Brown, it's 11.30.

3 MR BROWN: That would be an ideal time to break, if nothing  
4 else because I have yet to meet briefly the next  
5 witness. I think in terms of timetabling, we have  
6 perhaps more leeway because the read-in is relatively  
7 short, so perhaps a little longer.

8 LADY SMITH: Keep in touch and we'll start when you're  
9 ready.

10 MR BROWN: Thank you very much.

11 (11.31 am)

12 (A short break)

13 (11.58 am)

14 LADY SMITH: Mr Brown.

15 MR BROWN: My Lady, the next witness is here and is 'Dan'.

16 LADY SMITH: Thank you.

17 'Dan' (affirmed)

18 LADY SMITH: 'Dan', the red folder has your statement in it,  
19 I think Mr Brown might take you to it shortly. You'll  
20 also see your statement coming up on the screen in front  
21 of you, so use either or neither as suits you best.  
22 Would you also please let me know if you have any  
23 questions or concerns about anything during your  
24 evidence or if you want a break, all absolutely fine by  
25 me because what matters is that you're as comfortable as





1 confirm you have no objection to your witness statement  
2 being published as part of the evidence to the Inquiry  
3 and you believe the facts stated in the witness  
4 statement are true. We would understand that you read  
5 the statement before you signed it?

6 A. Yes.

7 Q. And were satisfied that it was true and accurate?

8 A. Yes.

9 Q. And I think the process of preparing it was quite  
10 laborious in the sense drafts were exchanged until you  
11 were content?

12 A. Yeah, I think I dragged it out as far as I could to make  
13 them get it right.

14 Q. Okay, thank you. And you're happy it is right?

15 A. Yes.

16 Q. Good. As you will understand, your statement is now in  
17 evidence and we don't need to rehearse it fully.

18 A. No.

19 Q. There are certain areas that I would wish to focus upon.

20 In terms of background, you're from Perthshire, from  
21 a farming world?

22 A. Yes.

23 Q. And that's a world that you are still involved in?

24 A. That is correct.

25 Q. You're now 46?

1 A. Yes.

2 Q. And as we see from the statement, you spent time,  
3 I think, in total in four schools, the local primary,  
4 which doesn't seem to have been particularly happy in  
5 the sense that I think you were viewed as a problem  
6 child; is that correct?

7 A. I can't remember that far back. I just didn't really  
8 fit in with my peers, I suppose, at that age for  
9 whatever reason, but yes.

10 Q. But aged 8, you went to [REDACTED]?

11 A. Correct.

12 Q. And then aged 14 you went to Keil School, I think in  
13 1989?

14 A. Yes, that would be right.

15 Q. For a year?

16 A. Correct.

17 Q. And then after that, you went to Strathallan?

18 A. I did.

19 Q. Obviously different experiences, but focusing on the  
20 boarding school trio, they were very different schools,  
21 I take it?

22 A. Yeah, they were massively different.

23 Q. Touching briefly on [REDACTED], which I think we see set  
24 out at pages 2 to 9 of your statement, would the  
25 following summary be accurate: it was quite a strict

1 school, but it was a fair school?

2 A. Yeah, I would say it was quite a strict school. They  
3 had definite boundaries, some of which you may or may  
4 not understand. But they did try and look after you and  
5 keep you safe and protect you. I mean, the headmaster  
6 and his wife at the time, they really were, as far as  
7 most of us were concerned, I believe, there to treat you  
8 as a family, look after you as a family, but also teach  
9 you that respect is needed and certain behaviour is also  
10 required in life.

11 So, yeah, I may not have agreed with it when I was  
12 younger entirely, but I understand it as an older person  
13 and I think they did a good job generally.

14 Q. I think, for example, at paragraph 14 you say, on  
15 page 4:

16 "I think [REDACTED] was good for me. It gave me  
17 perspective on life. It helped make me independent.  
18 They used to do lots of extracurricular activities like  
19 cooking, pottery and lots of other things. It gave me  
20 the opportunity going forward not to be blinkered.  
21 I don't know if you would have got that from a day  
22 school."

23 A. Yeah, I agree with that.

24 Q. And I think, as we will come to shortly, some of the  
25 skills that you learnt at [REDACTED] were helpful, at

1           least in trying to run away from Keil?

2           A. Yes.

3           Q. There was some bullying, but it was verbal?

4           A. Yes.

5           Q. There was discipline, which perhaps you took exception  
6           to at the time?

7           A. Yeah, there was a certain amount of discipline. I mean,  
8           I think in any environment, doesn't matter whether it's  
9           school or not, school related, I think there's bullying,  
10          there's aggression, there's lots of things. But yeah,  
11          I can't entirely fault ██████████ for that.

12          Q. I think in terms of one aspect which the Inquiry has  
13          heard about in relation to a number of spheres,  
14          paragraph 24 on page 6, talking about bed-wetting:

15                 "There were instances of pupils wetting the bed at  
16          ██████████. It was something that I was part of. I don't  
17          really know why it happened. The staff were fairly  
18          supportive. They didn't humiliate you or punish you for  
19          it. It was just a fact of life and they did their best  
20          to sort it out."

21          A. Correct.

22          Q. Was that the ██████████ approach, they would try and sort  
23          things out?

24          A. Yeah. I mean, they tried to address it, they tried to  
25          find out solutions. They would -- generally speaking,

1           they were -- they were like proper human beings who  
2           generally cared. There were one or two who obviously  
3           you were frightened of or, you know, you were scared of,  
4           but whether it was because they were horrible people or  
5           whether it was just because I don't know another  
6           characteristic that came across from them, I don't  
7           actually know. I don't really know much about it as  
8           such, but they were good people, generally speaking.

9           Q. But there comes a time, and this is page 10,  
10           paragraph 39 onwards, that obviously [REDACTED] you were  
11           to move on from to go to a senior school. You and your  
12           family looked at a number of schools, we read, [REDACTED],  
13           Fort Augustus and Keil.

14           A. Correct.

15           Q. We can read that you didn't really fancy [REDACTED] or  
16           Fort Augustus, in part because they weren't mixed,  
17           co-ed?

18           A. That's correct.

19           Q. And you didn't want to go to a single sex school?

20           A. Correct.

21           Q. You also didn't want to go to Loretto where your brother  
22           had gone?

23           A. I didn't want to go to Loretto because my brother was  
24           good at everything and I was the black sheep.

25           Q. Okay.

1 A. I wasn't as academic as he was and I wasn't a key rugby  
2 player or a pipe band member. It wasn't my -- wasn't my  
3 style.

4 Q. I see. And did you worry about going into a school  
5 where such things mattered, it might not be ideal?

6 A. Yeah, I'd been told sort of in the past by people, "How  
7 is your brother so good and how are you the way you  
8 are?"

9 Q. Okay.

10 A. So, you know, I wanted to be me for who I was, not for  
11 who somebody wanted me to be.

12 Q. Yeah. You visited the schools we've mentioned?

13 A. We only -- I only visited -- I visited Keil, I think  
14 I did visit one of the other schools very briefly, but  
15 I don't know if we actually went there or not. I can't  
16 remember much about it.

17 Q. But Keil was your preferred choice?

18 A. Keil was preferred purely for the fact it was, as  
19 I said, it was co-ed and also in emergency situations it  
20 was also close enough to my cousins who lived in  
21 Dumbartonshire, and therefore I thought, well, if things  
22 get tough, I've got that to fall back on, whereas some  
23 of the other locations were kind of a bit out of the  
24 way.

25 Q. Pretty remote?

1 A. Pretty remote, yes.

2 Q. You were there, as we see from paragraph 43, from the  
3 start of term in the autumn/winter term, autumn term  
4 1989 to end of the summer term 1990, so literally just  
5 one academic year.

6 A. Correct.

7 Q. You don't remember your first day at Keil School, we see  
8 from your statement, but can you remember your emotion  
9 just broadly, as compared with your experiences at  
10 [REDACTED], once you got there?

11 A. I can't remember them as such. I would guess there  
12 would be a bit of excitement, a bit of -- the fact that  
13 you're getting older, that you're becoming maturer, you  
14 could do more things perhaps, you could explore more,  
15 there are more people about, might find myself a nice  
16 lady friend, et cetera, et cetera. I think there's lots  
17 of things that potentially go through your head, and  
18 then once you actually start getting into it, all those  
19 sort of lovely thoughts that could have been there  
20 weren't there.

21 Q. That was what I was perhaps getting at. Did it live up  
22 to your expectations?

23 A. No.

24 Q. At any level?

25 A. No. The only thing -- the only thing that it kind of

1 was a slight comfort was that there were two teachers,  
2 'Richard' and --

3 Q. Mr Bain?

4 A. Mr Bain, I don't know if I'm allowed to use names or  
5 not, who did offer support, and basically pretty much  
6 made themselves available for me when I needed it, to  
7 which, you know, I -- yeah, I offloaded at times and  
8 thought, you know, wow, these people are actually maybe  
9 not as bad as I thought and they're actually almost on  
10 the same sort of a par as potentially could have been  
11 [REDACTED] teachers, et cetera, et cetera, had been.

12 Q. Yes.

13 A. They appeared to be interested, they appeared to listen,  
14 they appeared to want to be there for support. Oh, how  
15 potentially wrong I could have been, or I was.

16 Q. We'll come back to them very shortly, if we may, but if  
17 we can just look at perhaps someone you didn't warm to,  
18 that was your housemaster?

19 A. Yes, Mr [REDACTED] OCQ, I believe.

20 Q. Yes. When you went into the house, would we understand  
21 you'd be in a boarding house or a dorm of perhaps  
22 20 boys?

23 A. I'm just trying to think now. When I was at [REDACTED],  
24 the size of the dorms used to be -- I think there were  
25 usually about sort of six to ten beds in a dorm. Same



1 sex. All of your own peers, as in your own sort of age  
2 group. And it worked fine in -- at [REDACTED]. I think  
3 when it came to Keil, I can't remember how many were in  
4 a dorm, but I think it was probably nearer to the sort  
5 of 14 or maybe more in a dorm. Likewise, all your --  
6 I think pretty much all your same sort of peers. There  
7 might have been a few different age brackets, I'm not  
8 sure. There was then another dorm above us and I think  
9 there was two other small dorms, one of which basically  
10 housed the prefects, sort of bullies and whatever else  
11 they were. Yeah.

12 Q. In your mind, does prefect equal bully?

13 A. No.

14 Q. I just wondered why the two were associated.

15 A. Because those were the only ones I knew of. In my short  
16 period of time, as I'll put it, at Keil. I actually  
17 don't actually know how many prefects there even were at  
18 Keil, as I would refer to them as, or senior boys.

19 Q. Chiefs?

20 A. Chiefs. Chieftains, I think they were. I think they  
21 were chieftains, weren't there? Yeah.

22 Q. They were the ones who bullied you?

23 A. They were the ones that reckoned they had the authority  
24 and the rights to do as they wished to do. It was  
25 something that I understood happened to a degree at

1 boarding schools, where senior boys were given power  
2 over the first year pupils to act as basically their  
3 skivvies, slaves, whatever you want to refer to them as.  
4 It wasn't all negative. It wasn't all a disaster. Some  
5 of the prefects used to look after their first years  
6 incredibly well. They used to -- literally, they used  
7 to take them under their wing, they used to nurture them  
8 and look after them and protect them. There were  
9 obviously always some who, no matter where you are in  
10 the world, decided that they are the scum of whatever  
11 and I can do what I want to them.

12 Q. So it would really depend on the character of the senior  
13 boy?

14 A. Correct. Or girl, yes.

15 Q. Or girl. What about teacher's supervision of that? Was  
16 that picked up by the teachers?

17 A. I think -- and I don't know, I think basically the  
18 teachers accepted it, they knew it went on. I don't  
19 know -- as I was -- generally speaking, when I went to  
20 [REDACTED], I don't remember actually ever having to --  
21 I think one of the terms that they use is fagging, the  
22 sort of senior pupils. I don't remember ever having to  
23 do it as such, but that might have just been because  
24 I had an older brother there at the time. When I went  
25 to Strathallan, I didn't ever have to partake in it as

1 a junior because I'd missed the first year because  
2 obviously I was at Keil.

3 I know that when I got to the stage of technically  
4 speaking being a prefect at Strathallan, it was not  
5 something I took part in. I think I was allocated  
6 a junior pupil, if I remember, briefly, and I basically  
7 said, "Look, you know, I'm here if you want me, but  
8 apart from that, no, you don't have to clean my shoes,  
9 no, you don't have to go and get my books or carry my  
10 books or anything else. You are your person". I said,  
11 "If you need me I'm here", but I don't remember ever  
12 having to -- I don't remember actually having  
13 an undergraduate, as I'll put it.

14 Q. Okay. You've mentioned all three schools.

15 A. Yes.

16 Q. You've talked about [REDACTED] and staff seeming to care  
17 and wanting to make things better. Was that true at  
18 Strathallan too? Was there interest from the staff in  
19 the pupils?

20 A. Not as much. Initially -- initially there was a little  
21 bit of support, I would have said from the sort of  
22 housemaster, et cetera. There's guidance, there's help,  
23 there's support. I don't -- I don't know how it sort  
24 of -- because when I went to Strathallan, we moved into  
25 a -- literally a blockwork -- sorry, a breeze block

1 stone built building, basically, which was -- it was  
2 very, very, very, very basic. I mean, it was literally  
3 just a breeze block put on top of another breeze block  
4 with cement. There was no decoration, no character,  
5 there was no luxury, there was nothing.

6 I have to say for us boys when we moved into it, it  
7 was only where we were doing our studying aspect.  
8 Actually, we didn't really care. It wasn't, as I said,  
9 uncomfortable as such. It did have some heating. It  
10 was basic, but it was sufficient. And then we moved  
11 into the main building for accommodation in the  
12 evenings.

13 Q. Okay. But I think you've now talked about [REDACTED] and  
14 briefly about Strathallan where there was at least some  
15 attempt to --

16 A. Yeah.

17 Q. -- provide pastoral support by the teachers. What about  
18 Keil?

19 A. Apart from 'Richard' and Mr Bain, they were the only two  
20 that I ever came in contact with, pretty much.

21 Mr CGC, being SNR [REDACTED], I didn't get on with  
22 him in any shape or form pretty much. He wasn't the  
23 sort of person you could really comfortably speak to.

24 Mr OCQ, as far as I'm concerned, was a nasty piece  
25 of work, but that was just my own personal opinion.

1           Whether he actually did anything wrong as such ... other  
2           than the fact that I was punished for running away,  
3           I can't comment about huge amounts else, other than the  
4           fact I didn't feel he gave any support to people who  
5           were actually struggling at school.

6           Q. That's what I'm interested in. You're living in a house  
7           where he is the housemaster. Was he engaged with the  
8           house?

9           A. No.

10          Q. Or was it devolved to the boys?

11          A. No, it was devolved -- I'm pretty sure it was probably  
12          put to the prefects just to do whatever and he liked to  
13          crack the whip -- I don't think he ever actually cracked  
14          a whip, but metaphorically or whatever, he -- I never  
15          really saw him in a nice light, in an embracing  
16          supportive manner.

17          Q. We've heard that Keil was a school where pupils were  
18          allocated to squads with a chief and a deputy and there  
19          was domestic chores to do?

20          A. Yes.

21          Q. Did that happen at either [REDACTED] or Strathallan?

22          A. [REDACTED], I think you did have to do sort of domestic  
23          chores to a degree. It wasn't -- it wasn't sort of --  
24          no, the -- it was probably punished, et cetera, if you  
25          didn't do a proper job, but it wasn't in a nasty manner.

1           It was basically when you get up in the morning, you're  
2           supposed to make your bed, you're supposed to keep your  
3           area clean and tidy, you're supposed to make sure that  
4           your shoes are clean, you're supposed to make sure  
5           everything is well presented. You can call it  
6           regimental, I think regimental has been used somewhere  
7           in the statement. I don't equate that to being  
8           a negative. I think it's a very good thing that people  
9           are taught to be respectable and have a little bit of  
10          pride in who and what they are. Although, having said  
11          that, most of the time when you see me in my own home  
12          environment, yes, I look like I've just come off some  
13          dirty whatever it is in the background. But then that's  
14          my environment.

15                 When it came to Strathallan, I think likewise there  
16                 was certain things that you had to do to not only  
17                 maintain your area but also maintain the school area, so  
18                 that if there was somebody visiting or whatever, they  
19                 didn't go, "I'm not going to send my child here, this  
20                 place is a dump!" They taught us to be proud of who we  
21                 were, to show that, you know, we were one of the best  
22                 potentially that we could be.

23          Q.    What about Keil?

24          A.    They gave us chores, they punished us in other ways. My  
25          memories of Keil, yeah, were not happy, but then I can't

1 remember huge amounts about them because my time was so  
2 unhappy and I think to a degree I've blocked out a lot  
3 of the things that may have happened.

4 Q. Okay. You do talk about some of the unhappy things that  
5 happened at Keil, and if we look at page 21 and  
6 paragraph 89, we see you were picked on because you  
7 spoke properly.

8 A. Correct. I speak as I speak.

9 Q. Exactly. But it was the source of criticism?

10 A. They didn't like it because I didn't speak Glaswegian or  
11 whatever it was. I have no idea. I hate being put into  
12 a classification as to who or what I am, other than the  
13 fact that I'm a human being. I'm not above or below  
14 anybody else, except for sort of the ones that, as  
15 I shall put it, at the bottom who perhaps go out of  
16 their way to cause trouble and cause problems,  
17 et cetera. I am above them. But when it comes to the  
18 sort of class, the first class, second class, I'm  
19 afraid, sorry, we're all the same level. Some might  
20 think above, some might think, you know, whatever, but  
21 I'm afraid, you know, I class everyone as the same level  
22 until they can prove otherwise.

23 Q. Okay. Can you summarise why you were unhappy?

24 A. Because I just didn't fit in. They hated me. They  
25 bullied me. They didn't understand me. That's common

1 even to this day, but that's beside the point. I just  
2 didn't -- I don't know, I just didn't fit in with the  
3 environment. It wasn't -- it wasn't me.

4 Q. In terms of the bullying, you talked about [REDACTED], it  
5 being verbal. Was it verbal at Keil or did it go beyond  
6 that?

7 A. I think it was basically verbal. I don't remember any  
8 grievous bodily harm as such being done to me. There  
9 were other boys, I can't remember his name, I keep on  
10 trying to remember his name, and I don't know if I'm  
11 meant --

12 Q. Don't worry about his name.

13 A. Yeah. There were the other two that attempted to run  
14 away at the same time as I did, one of them I remember,  
15 but I don't know if it happened at Keil or if it  
16 happened at a previous location, used to be given nipple  
17 twisters, for instance.

18 Q. Okay.

19 A. And quite categorically, no disrespect to anybody, he  
20 could have actually been of a female gender, because  
21 they'd actually mutilated his body so much by basically  
22 ripping them in a sense and making them expand. I do  
23 remember that fact.

24 Q. Thank you. Did you ever feel at Keil that you could --  
25 forgetting 'Richard' and Mr Bain, did you ever feel you



1           could go to your housemaster or a senior pupil and talk  
2           to them about it?

3           A. No.

4           Q. Why --

5           A. Because they weren't those sort of people and they had  
6           no compassion to myself in any sense at all. I was  
7           an outsider, I was an alien, I was not suitable for  
8           their location as far as they were concerned, I think.  
9           I don't know. I don't know what it was all about, but  
10          no, I didn't feel comfortable about speaking to the  
11          housemaster or -- or the seniors.

12          Q. We've touched on the fact you ran away and you ran away  
13          with two others, I think.

14          A. Attempted to, yes.

15          Q. Attempted to. I think the idea had formed in your own  
16          mind to run away, and I think that's why I was making  
17          reference to it, paragraph 75 on page 17:

18                 "When I was at [REDACTED] I had learned all the basic  
19                 skills like how to build a shelter. I took a knife,  
20                 some string, and maybe a fishing hook. My intention was  
21                 just to disappear into the countryside for a couple of  
22                 weeks in such a fashion that I could get basics from  
23                 a shop ..."

24                 And to achieve that, as you admit, you'd taken money  
25                 from your parents?

1 A. Correct.

2 Q. And you go on at 76:

3 "There were a couple of other pupils at school who  
4 were unhappy at Keil School and they found out ..."

5 And wanted to join you?

6 A. Correct.

7 Q. Were they boys who were different to the norm too?

8 A. One of the boys was -- forgive my definition, so short,  
9 fat and tubby, however you want to sort of state it, and  
10 he used to get picked on because of his weight,  
11 et cetera. As far as I'm concerned, actually he was  
12 just -- he was just big built. He wasn't actually any  
13 of the previous at all. His surname implied that he  
14 liked to eat lots, so he got picked on for that purpose.  
15 Other things that happened that I don't know about,  
16 I have no idea.

17 The other character, I'm not entirely sure why they  
18 picked on him. I just know he was incredibly unhappy,  
19 as was the other one.

20 Q. And the three of you agreed to leave, as you say, they  
21 found out you were going to bail out and threatened to  
22 reveal you unless they could come too. Is that  
23 a summary?

24 A. That's correct.

25 Q. And whilst your plans had not involved the local railway

1 station, theirs did and you were caught by Mr OCQ  
2 because you missed the train by a minute?

3 A. Correct.

4 Q. You were frustrated, I imagine?

5 A. Frustrated doesn't come close. To be as knowledgeable  
6 about the countryside as I like to think I was, in  
7 practicality how good I would have really been I don't  
8 know, but the basic ideas and the concepts were there.  
9 The preparation was done, everything was as far as I was  
10 concerned organised in my own head. It was just about  
11 foolproof. To get to the station and be caught, to be  
12 then dragged literally back into Mr OCQ 's car,  
13 driven back to school, which was only five minutes away  
14 or whatever it was, then punished at school for having  
15 done what we did without any sort of understanding or  
16 whatever, I think is wrong. If it had been me, I think  
17 I'd have been sat down and said, "Look, why? For what  
18 reason did you do such a thing?" Not, "You have done it,  
19 you should be here, you've missed roll call, you're now  
20 going to be punished for X number of weeks and you will  
21 be punished".

22 Q. There was no questioning of what was wrong?

23 A. No.

24 Q. Ever?

25 A. No, not that I can remember.

1 Q. I think we know from the statement that you spoke to  
2 your parents and were candid with them that you were  
3 unhappy but the feeling was that this was mid term and  
4 they couldn't take you out?

5 A. Correct.

6 Q. And you were to stick with it. In due course,  
7 obviously, at the end of that academic year you were  
8 removed.

9 A. Correct.

10 Q. That was because of the levels of unhappiness and to  
11 that degree they listened?

12 A. Yeah, I mean, I said that no matter what, I wasn't going  
13 to go back. If they forced me to go back to the school,  
14 then basically, having taken £1,000 or more the first  
15 time around, basically I would be doing the same again  
16 if the opportunity was there, et cetera, et cetera, and  
17 I would just -- I would do whatever it took to not be  
18 there. They said, "We understand, we'll look into it,  
19 we'll sort something out." They spoke to Mr Pighills at  
20 Strathallan, who was the acting headmaster at the time,  
21 and basically he agreed to allow me to go and be a pupil  
22 of Strathallan on the basis of what the situation  
23 perhaps was but also perhaps because of the fact that my  
24 brother was who he was and he was a success so maybe  
25 I would be a success in different ways. I don't know

1           how it worked. I don't know what the discussion was.

2           Q. But what you are clear about is that, paragraph 96 on  
3           page 22:

4                     "From what I can remember, I believe that when  
5           I left Keil School it was a monumental day in the sense  
6           of relief of getting out of there."

7           A. Absolutely.

8           Q. Euphoric?

9           A. Yes, I mean, just thank God I got out of there, pardon  
10          my blasphemy or whatever.

11          Q. If we can touch briefly on the two teachers you said you  
12          did feel showed an interest in you. We start with  
13          Mr Bain. I think you say he worked as a physics  
14          teacher?

15          A. He was basically the science teacher. He also did  
16          computing studies and everything basically revolved  
17          around one classroom. So he was always basically in  
18          that one area, except for when he wasn't working.

19          Q. And was he accessible?

20          A. From what I can remember, yes, he was fairly accessible.  
21          I never had any issues with Mr Bain. He never did  
22          anything to me, other than offer support and help when,  
23          as far as I'm concerned, I needed it. He did have some  
24          qualities that I experienced in the sense that he was of  
25          the ability to take us out of school, to take us hill

1 walking, to explore the countryside, to go on adventures  
2 basically. Yeah. I can't comment about any more of his  
3 character other than that, other than obviously I've  
4 heard of other things since then.

5 Q. Of course, but did he stand out as different from the  
6 majority of the teachers?

7 A. He stood out as different, along with 'Richard', because  
8 he offered the support to certainly myself. Whether he  
9 did to other people, I don't know. But he offered it to  
10 me and had it not been for the support of 'Richard' and  
11 Mr Bain at the time, I have no idea what would have  
12 happened.

13 Q. Thank you.

14 A. Which is strange.

15 Q. Mr Bain was interested in you or took an interest in you  
16 as helpful. 'Richard', the same?

17 A. Correct.

18 Q. He was [REDACTED] teacher, I think?

19 A. Mr -- sorry, 'Richard', yes, he was my [REDACTED] teacher.

20 Q. And in what way did he give you support?

21 A. Basically by informing me that if I wished to go up to  
22 his flat in the main building out of hours, as  
23 in out-of-school classroom hours, that basically I could  
24 go up to his flat and sit and chat. To which I did on  
25 numerous occasions, from what I can remember. I don't

1 know how many times. There was never -- there was never  
2 an uncomfortable feeling as such. It was just somebody  
3 who was there to listen at the time, I thought.

4 Q. I think if we go to paragraph 98 and page 23, we see  
5 that you shared with him that you were leaving Keil.

6 A. Correct.

7 Q. And his response to that was to say, "I have never been  
8 north of Perth. Perhaps if I am at a loose end in the  
9 summer holidays I can come up and you can show me  
10 around?"

11 A. Correct.

12 Q. And you go on:

13 "In my naivety I never thought anything of that."

14 And you think you probably did leave your contact  
15 details, as in your parents' phone number as well as  
16 contact details at Strathallan?

17 A. I'm pretty sure I left my parents' details and probably  
18 just said to him that I was off to pastures new, off to  
19 Strathallan, all things allowing, in the autumn, and  
20 that I was probably looking forward to it.

21 Q. And he did in fact contact your parents, as we see set  
22 out in paragraphs 99 onwards, over the summer.

23 A. Yes.

24 Q. And invited himself up?

25 A. Yeah. He basically invited -- yeah, I'd say he probably

1 basically invited -- he phoned up one evening, I think,  
2 and said that he was going to be basically in the area,  
3 would it be convenient to come up and have a tour  
4 around. I said that as far as I was concerned, yes,  
5 that shouldn't be a problem. I spoke to my parents, who  
6 were probably in the same room as me at the same time,  
7 and they probably said, "Why don't you come up for  
8 lunch?" because that was their sort of -- their way, to  
9 which obviously he must have agreed because that's what  
10 he did.

11 Q. And I think you say he did come up, there was lunch.

12 I'm interested, though, you say your parents felt uneasy  
13 that there was something off or wrong about the way he  
14 was behaving at lunch.

15 A. They alluded to the fact on my return from the  
16 afternoon's events that -- I think it was at this  
17 point -- that they were uncertain as to what the  
18 situation might or might not be, that perhaps something  
19 was wrong or uncomfortable. I'm not sure if it came out  
20 then or if it came out when it all came out at  
21 Strathallan. I do remember my parents questioning me  
22 when they got back from having picked up their car that  
23 was in for a service, that: was I okay?

24 Q. They were worried?

25 A. They were -- they were worried or concerned, yes.



1 Q. And we can read what happened when you and he went out  
2 for a drive in his car after he'd had lunch with you and  
3 your parents.

4 A. Yes.

5 Q. But reading it short, he stopped at one point, produced  
6 porn magazines, encouraged you to read them and made  
7 references to having a hard-on?

8 A. Yes.

9 Q. And you, I think as you set out at paragraph 101, with  
10 perhaps admirable understatement, thought, "I think it's  
11 time to go"?

12 A. Correct.

13 Q. And, given your background in terms of planning for  
14 escaping Keil, you were thinking very practically about  
15 what opportunities you could take if you had to run?

16 A. Yeah, which wouldn't have worked in the location, sadly.

17 Q. No. But he did no more, but drove you home?

18 A. He did drive me -- he did drive me home, but there's  
19 an element of a letter, an essay, which I wrote, which  
20 I don't know if it's in the file or not, which implies  
21 we may have gone somewhere else, but I can't remember  
22 that.

23 Q. Okay. Are you --

24 A. Yeah, I'm okay.

25 Q. Thank you.

1 LADY SMITH: I think at this time you'd be about 15 years  
2 old, have I got that right?

3 A. Yeah, I'd have been -- I'd have been -- yeah, I'd have  
4 been 15, or just before 15.

5 LADY SMITH: Thank you. Mr Brown.

6 MR BROWN: I think, yes, you may --

7 A. I think it was probably just before my 15th birthday.

8 LADY SMITH: The summer in which you were 15?

9 A. Yeah.

10 MR BROWN: You turned 15. Thank you.

11 But in any event, he departs, although you recall  
12 that he may have left the magazines deliberately with  
13 you?

14 A. Yes, he left the magazines -- or he left certainly one  
15 of the magazines with me. After having got back to the  
16 house and offered him tea and -- as people have  
17 commented, God, how can you remember the details -- but  
18 offered him my mum's homemade granny's shortbread recipe  
19 stuff, which was just about the best shortbread in the  
20 world. But anyway, yeah.

21 Q. You then go to Strathallan, and again taking things  
22 briefly, he continues to contact you?

23 A. Yeah, the -- from what I can remember, there was a --  
24 a period whereby he didn't contact me initially, but  
25 whether that was just because I don't remember the

1           timescales or whether it was having had the experience  
2           perhaps, he maybe thought, well, maybe I should leave it  
3           alone. And then he maybe -- I mean, obviously I have no  
4           idea what went on in his mind in any shape or form.  
5           I can only guess that -- well, I don't know. I don't  
6           know what to think.

7           Q. Well, I think what we can say is he continued to  
8           correspond with you?

9           A. Correct.

10          Q. Until 1993?

11          A. Correct.

12          Q. Which would be when you were 17?

13          A. Yes.

14          Q. I think he sent you letters?

15          A. He sent me letters, postcards, made phone calls, claimed  
16          he was my father when he phoned, just to speak to me.

17          Yeah.

18          Q. In relation to the regularity of the contact, thinking  
19          of 91, 92, can you remember how often contact was?

20          A. No, not as such. I think -- I think the phone calls  
21          happened fairly frequently, and I would say probably  
22          every week, fortnight, there or thereabouts, some of  
23          which I managed to escape or dodge just because it was  
24          usually during prep time or homework time in the  
25          evening. Or some of the times I was away, so that

1 obviously meant that he couldn't.

2 I think when it came to the letters, I would say  
3 over the course of the two-year period that I probably  
4 received approximately a dozen, maybe slightly more than  
5 a dozen letters.

6 Q. We have some of the correspondence from 1993. What  
7 happened to the other correspondence?

8 A. They just got thrown in the bin. Because at the time  
9 I basically just thought, well, I can't oblige in doing  
10 what he wanted me to do, which was basically jump on  
11 a train and head to [REDACTED] and go and party with  
12 him and whoever else it was, if that was even the case,  
13 and some of them were just sort of supposedly friendly  
14 catch-ups. I don't know whether I ever replied to him  
15 in letter form or not. I cannot remember that factor.  
16 I would think possibly I did. But I can't be certain.

17 Q. In terms of the correspondence that you destroyed,  
18 you've talked about a request to come down to [REDACTED]  
19 [REDACTED], was that a consistent theme?

20 A. Yeah, it was a fairly consistent theme. It was always  
21 he wanted to have a gathering, a party of some sort,  
22 obviously I was underage for drinking and all the rest,  
23 but that didn't seem to obviously make any difference to  
24 him or whatever. He made reference to it frequently,  
25 but nothing obviously ever happened on that one because

1 I didn't -- I didn't oblige, but they weren't -- they  
2 weren't basically aggressive letters, I think, at the  
3 time. Whether the final letter that arrived just hit me  
4 on a bad day at Strathallan or whether other things were  
5 going on or whatever, I have no idea. All I remember is  
6 receiving the letter and reacting badly to it, and then  
7 feeling, as lots of us men try and do, we're the tough  
8 ones, we can't cry in front of women, and when you're  
9 sat beside -- it was somebody who you were incredibly  
10 fond of at school who sadly didn't show much interest in  
11 me, it's even harder.

12 Q. But I think what you're talking about is eventually you  
13 spoke to the staff at Strathallan about it?

14 A. Yes.

15 Q. And if we can look briefly at the document, which is  
16 STR000000008 at page 3, these are notes that the teacher  
17 took, I think. You won't have seen this before?

18 A. No.

19 Q. Reference to a teacher at Keil:

20 "No clue at Keil - nice guy/could rely on. Left him  
21 home address at leaving Keil. Letter came home and  
22 forwarded to school. [You] wrote back. Corresponded  
23 four or five times. In correspondence, no hint of  
24 anything strange."

25 Reference to writing to you and saying that you

1           should come and visit at half term, autumn term, and it  
2           goes on.

3           A. Yeah.

4           Q. But the net effect of that was -- and I think this is  
5           page 2 of the same document, in October 1993 -- by this  
6           time you were 18 --

7           A. Yeah.

8           Q. -- the headmaster of Strathallan writes to 'Richard' and  
9           says:

10                    "As [your] headmaster, I am writing to make  
11           absolutely clear to you something which, to date, you  
12           seem not to have accepted; namely that [you] has no wish  
13           to meet with you, or communicate with you at all, either  
14           now or in the future.

15                    I find it extraordinary that you should continue to  
16           try to make contact with [you] in this way when he has  
17           made it apparent that such approaches are unwelcome.  
18           I do not intend to take this any further at this stage,  
19           but should you ignore this advice I shall be forced to  
20           contact your employer to explain the situation."

21                    And a copy has been sent to your father. You were  
22           aware of that, I take it?

23           A. I am aware of that to a degree. I don't know -- I don't  
24           know enough about it. I know my father kept some of the  
25           communication, which may be where some of this has come

1 from. I know some of it was also scrapped at some  
2 point, though.

3 LADY SMITH: At that time, was 'Richard' working as  
4 a teacher?

5 A. At this time, ah, what date are we on?

6 MR BROWN: 1993.

7 A. 1993. I think he was working at Saint -- I can't  
8 remember now the name of the school.

9 LADY SMITH: So your understanding is he was still working  
10 at a school?

11 A. Yes. He was working at -- I believe it's an all-girls  
12 school, pretty much, mainly day pupils, but that only  
13 came because I actually received a letter-headed  
14 document which I've actually subsequently given all the  
15 information to the police about from that.

16 LADY SMITH: Thank you.

17 MR BROWN: I think we see that's October. If we go briefly  
18 to STR07 and page 2, this is a postcard which would  
19 appear from the postmark to be August 1993 and it's sent  
20 to your home address, so it's during school holidays,  
21 obviously predating the school, Strathallan, taking  
22 action because you raised it with them, is that fair?

23 A. Sorry, can you repeat that? Sorry.

24 Q. Sure. This is a postcard which is dated August 1993,  
25 and it was sent to your home address to you, because

1           it's the school holidays, obviously.

2           A. Yeah.

3           Q. But this is before that day at the school where you  
4           received correspondence and went and spoke to staff?

5           A. As far as I'm aware, yes.

6           Q. And this is a postcard which says:

7                        "I have deserted [REDACTED] for a fortnight. This  
8                        week I am working in [REDACTED] with an American  
9                        choir. Last week it was the same group in [REDACTED]  
10                      28 teenage girls and sundry adults so I'm being kept  
11                      busy. Ring me after the 17th with your news."

12                     That's the sort of correspondence you were  
13                     receiving?

14           A. Yeah, that sort of type thing. And -- yeah, I mean --  
15           I obviously kept it for good reasons.

16           Q. That's the summer of 1993. Would we understand that  
17           after the letter from the headmaster at Strathallan,  
18           correspondence stopped?

19           A. I'm not sure, because this would imply ... the class --  
20           the class I broke down in was the management information  
21           studies class, which was being run by Mr Smith. I think  
22           it's Mr Smith. And I'm trying to work out at this point  
23           in time whether it was the -- was it the summer -- the  
24           summer term that I -- was it the summer term I had all  
25           this problem or was it the September autumn term, as



1 I should call it, when I'd just gone back to school that  
2 maybe this had all happened? I can't remember that  
3 much.

4 Q. I think, in fairness to you, you say at paragraph 125 on  
5 page 31:

6 "The end of 1992, the beginning of 1993 was when  
7 things really kicked off. I had received multiple  
8 letters from 'Richard'. I was doing my Higher exams."

9 And that's when you write the essay about the  
10 experience on that afternoon car journey.

11 A. Okay.

12 Q. And that may have provoked the subject, do you remember?  
13 Or is it just not clear?

14 A. It's not 100 per cent clear. I'm just -- I'm just  
15 trying to sort of remember back to dates just now.  
16 I went to Strathallan in 1990, September. Studied for  
17 GCSEs, which I think was two years, so that would have  
18 taken me to 1992 September. And then the highers course  
19 that I was doing was spread over two years, which would  
20 have been correct. So that would have been 93/94.

21 What I'm trying to sort of work out is whether in  
22 fact I've got the 92/93 date in paragraph 125 correct or  
23 whether in fact it should have been 93/94 for all  
24 intents and purposes, which 94 is obviously the year  
25 I left, but this all happened much earlier on. Because

1 I think that when I came to write the essay, which would  
2 have been obviously late 93, which obviously then was  
3 after this. I'm not sure. I -- I'm not sure about the  
4 end of 92, the beginning of 93 as such, whether it all  
5 pretty much occurred in 93 as a year as opposed to  
6 92/93.

7 Q. Okay.

8 A. I mean, it was very close in that ballpark area.

9 LADY SMITH: Mr Brown, how much longer? I'm not pressuring  
10 you.

11 A. Sorry.

12 LADY SMITH: Don't apologise, there's nothing to apologise  
13 for.

14 MR BROWN: I would have hoped no more than another ten  
15 minutes.

16 LADY SMITH: Let me see what will work for you. We could  
17 either carry on for ten minutes, maybe quarter of  
18 an hour, or we can have the lunch break now, you can  
19 have a breather and we could finish the rest of your  
20 evidence starting at 2 o'clock. That would also give  
21 you time just to sort out in your head these dates.  
22 I know how troubling it can be.

23 A. I don't think the extra time will sort my head out all,  
24 no offence.

25 LADY SMITH: What do you want to do?

1 A. I'm very happy to try and get it done and dusted because  
2 then you guys can all hopefully enjoy your lunch.

3 LADY SMITH: It's not a question of us enjoying our lunch,  
4 but maybe I should look on it as getting you out of the  
5 dentist's chair and being able to relax. Would that be  
6 right?

7 A. Yeah, I mean, I'm easy. I'm -- yeah.

8 LADY SMITH: Okay, let's carry on. Don't worry unduly about  
9 dates. I can see why you're trying to work out whether  
10 in fact you're too early with what you're talking about  
11 in paragraph 125 if you're placing it starting just --  
12 that would be the end of your first term at Strathallan.

13 A. Yeah.

14 LADY SMITH: And from what you say in other respects, it  
15 sounds as though maybe it could have been the end of the  
16 following year.

17 A. I think it was probably more the autumn term of 93 when  
18 this kicked off, which would fit in better with all the  
19 other bits and pieces and would make sense.

20 LADY SMITH: And the letter writing having gone on for quite  
21 a long time by then.

22 A. Because I'd -- I don't believe -- I don't think --  
23 I don't think I received any more communication from  
24 'Richard' after he told -- after he was told not to make  
25 contact again. And the end of the 92/93 year is when

1           Mr Pighills left Strathallan and Mr McPhail started at  
2           Strathallan, and then they took charge of the situation.

3   LADY SMITH:  It was Mr McPhail that wrote the letter telling  
4           him to stop getting in touch?

5   A.  I think Mr Pighills had done it initially, perhaps.

6   LADY SMITH:  I think it's Mr McPhail's name on the letter.

7   MR BROWN:  It is, I was going to come to this, my Lady.

8   A.  I think perhaps the initial thing -- Mr Pighills  
9           definitely had an involvement, but because it was at the  
10          very end of the term, I think it was perhaps Mr McPhail  
11          who then took charge.  I mean, I haven't looked at all  
12          the other letters, but I believe there's one that was  
13          from Mr Pighills initially, but then he sort of kind  
14          of -- because I do remember the meeting with Mr Pighills  
15          in his -- in the headmaster's office with Mr Barnes, my  
16          housemaster.  So he had to have been involved.  Where  
17          that comes in to the date category, this is the  
18          confusion.

19   LADY SMITH:  Please be assured I know how difficult it is to  
20          remember things from so long ago when it comes to  
21          specifics of dates.  It's not a problem.

22   A.  Thank you.

23   LADY SMITH:  Mr Brown.

24   MR BROWN:  My Lady, thank you.

25           I was going to make that point.  The letter we have

1 is from Mr McPhail, who had taken over from Mr Pighills,  
2 but what you're clear about is Mr Pighills was aware of  
3 this?

4 A. Mr Pighills was the initial acting headmaster who took  
5 control of it, but due to his end of service as  
6 a headmaster, Mr McPhail got it dumped on his desk, and,  
7 "Welcome!"

8 Q. Yes, but do you think Mr Pighills contacted 'Richard'?

9 A. I'm pretty certain that Mr Pighills had contact in some  
10 shape or form. Certainly Mr Barnes, when it kicked off,  
11 had basically informed me that I was not of sound body  
12 and mind to be able to be subjected to Childline at the  
13 time. He said it would be detrimental to my well-being  
14 and character and everything else. Whether that's in  
15 fact true or not, I do not know. But having spoken to  
16 the police in a more recent fashion, obviously with  
17 this, they say actually probably, although it would have  
18 been good to have got it off your back at the time, the  
19 way society looked upon these things, nothing would have  
20 probably been done anyway.

21 Q. Okay.

22 A. He might not even have got a slap on the wrist.

23 Q. Two things about the letter we have from Mr McPhail. He  
24 does make reference to "writing to make absolutely clear  
25 to you something which, to date, you seem not to have

1           accepted", which might allow the inference that efforts  
2           had been made to speak to 'Richard' and get him to stop  
3           but they hadn't worked.

4           A. Yes. That would be logical.

5           Q. Yes. Mr Pighills was involved, certainly, as was your  
6           housemaster?

7           A. Yes.

8           Q. And I think in your statement, you think they may have  
9           written to 'Richard's' school as well as 'Richard'?

10          A. I don't know if they ever actually wrote to his school.  
11          I thought that it was actually in one of the  
12          communications that it was suggested that they had, and  
13          quite frankly, I think in these sorts of situations, as  
14          was referred to me on previous occasions, gross  
15          misconduct has actually occurred here because they  
16          should have investigated it a lot more intensely and  
17          perhaps saved an awful lot of other people from being  
18          abused.

19          Q. Okay. Just to go back to things we can pinpoint just  
20          very briefly so that we understand what sort of material  
21          you were receiving. We have on page 7 of STR08 a letter  
22          or note to you. This is dated at least 28 February  
23          1993, so this is presumably when Mr Pighills is in  
24          charge?

25          A. This was the final letter that came to me the day that

1 I broke down in school.

2 Q. Right.

3 "No more excuses - book a super apex train ticket  
4 and come south for a few days either the week before or  
5 the week after Easter Sunday! We're not snowbound and  
6 it's sunny here. You can pretend you're in the South of  
7 France. But you'll not see naked ladies on the beach  
8 in April. However, I do have ...."

9 A. Certainly if that's not the letter that he finally sent  
10 me, it's very like it. I think there were a couple that  
11 came in that sort of fashion. I think actually the  
12 final one might have been a bit more aggressive than  
13 that. But it starts off very similar.

14 Q. Aggressive in what sense?

15 A. In the sense of, basically -- pardon my language, "Cut  
16 the crap, do as I tell you and get down here".

17 Q. One other document, last document. Should we understand  
18 the last time you physically saw 'Richard' was when you  
19 went for the car drive with him?

20 A. Yeah, that was the day he came up to my family home and  
21 I then took him to the various different locations.

22 Q. So he's writing to you up until the age of certainly 17,  
23 because that letter was February 1993?

24 A. Correct.

25 Q. But he'd been writing to you and you think that that may

1           be the last or something similar to the last, which was  
2           even more forceful?

3           A.   Yeah.  I mean, obviously there was -- the other one that  
4           you said was August 1993 obviously was after that.

5           I just have an inclination that perhaps the latter one  
6           or the previous one that you showed me -- I'm not even  
7           sure if perhaps I was even aware that it had even maybe  
8           arrived.

9           Q.   Okay.

10          A.   I do have an inclination that my parents had received or  
11          seen communication from 'Richard' and may have  
12          subsequently removed it from my presence so that it  
13          wasn't there, as I'll put it.  But I'm not -- I don't  
14          know.  I don't -- yeah.

15          Q.   I'm going to show you another document.  Might this be  
16          the first correspondence you received after that  
17          journey?  This is page 8 of the same document.  
18          Obviously you've started at Strathallan, given the  
19          address, but it begins:

20                         "Thank you for my guided tour."

21                         Can that be anything other than that drive in the  
22                         car?

23          A.   No.  That has to have been that.

24          Q.   And this time you're just 14/15?

25          A.   I'd have been 15, I think.



1 Q. Yes, because you've started school.

2 A. Yeah.

3 Q. And it goes on:

4 "Can you come south the weekend before Christmas?

5 I'm having a party Saturday 19th, and there's the

6 cathedral special Christmas carol service on Sunday

7 20th."

8 I think the name has been scored out. Underneath

9 his name --

10 A. Yes.

11 Q. -- three kisses.

12 A. There is a certain question mark which has been put on

13 this and it has been stated that the loads of love and

14 the kisses, et cetera, et cetera, may not have -- I --

15 I never noticed that when it came in. This was drawn to

16 my attention by my housemaster I believe at the time,

17 Mr Barnes. I don't know whether that was -- the

18 writing's not the same, I don't think. So whether

19 that's somebody else having a practical joke or

20 something else, I have no idea.

21 Q. No.

22 A. But ... yeah, I don't know what to say.

23 Q. No problem. I think if we go on to the following page,

24 page 9, we can at least see with certainty what the

25 postcard was of.

1 A. Yeah. I don't know -- there were certain characters at  
2 Strathallan who potentially speaking may have got into  
3 my room, et cetera, at Strathallan, who may have  
4 graffitied it or whatever else.

5 Q. All right.

6 A. It is a possibility. Whether that was 'Richard's'  
7 thing, I don't know. The postcard was kept because  
8 obviously, pardon my term -- my thing, the three  
9 attractive bodies, if I can be polite or rude or  
10 whatever.

11 Q. Continuing a theme of the magazines, perhaps?

12 A. Perhaps.

13 LADY SMITH: And that came through the post as a postcard?

14 A. Correct.

15 LADY SMITH: Not in an envelope?

16 A. Correct.

17 LADY SMITH: What does that tell us about the type of person  
18 the sender was? You were at school.

19 A. Yes. Sending to a 15- or 16-year-old.

20 LADY SMITH: On the face of it, it looks as though there's  
21 quite an element of bravado on his part. Is that the  
22 sort of person he was?

23 A. I don't know what sort of person he was. I -- I thought  
24 at Keil -- forgive the words, he was an honourable  
25 gentleman who was there to help people and support

1 people. I later discovered that he was nothing of the  
2 sort. A sleaze, a dirty old man, who quite frankly no  
3 amount of horrible atrocities could be done to to make  
4 him suffer the way he made other people suffer. But,  
5 you know.

6 LADY SMITH: Mr Brown.

7 MR BROWN: My Lady, I'm content to leave it there. Thank  
8 you.

9 A. Thank you.

10 LADY SMITH: Are there any outstanding applications for  
11 questions?

12 Thank you so much for engaging with us in the way  
13 you have done.

14 A. Thank you.

15 LADY SMITH: Both through your written statement and your  
16 frank, open and clear evidence today. It's been  
17 enormously helpful to me.

18 A. Thank you for your time.

19 LADY SMITH: It can't have been easy, I can see that, but  
20 please be assured it's a very valuable contribution to  
21 the work that we're doing here. Thank you for that.  
22 I'm now able to let you go.

23 A. Thank you.

24 (The witness withdrew)

25 LADY SMITH: We'll stop now for the lunch break, Mr Brown,

1           and start again about 2.15?

2           MR BROWN: Yes, my Lady.

3           LADY SMITH: Thank you.

4           MR BROWN: Thank you.

5           (1.16 pm)

6                                 (The luncheon adjournment)

7           (2.17 pm)

8           LADY SMITH: Now we turn to the statement that's to be read  
9           in this afternoon. That's for you, Ms Bennie, whenever  
10          you're ready.

11          MS BENNIE: The statement bears the reference  
12          WIT-1-000000461. My Lady, the witness wishes to remain  
13          anonymous and has adopted the pseudonym of 'Tony'.

14          LADY SMITH: Thank you.

15                                 'Tony' (read)

16          MS BENNIE: "My name is 'Tony'. My year of birthday is  
17          1977. My contact details are known to the  
18          Inquiry. I lived with my parents and my sister who is  
19          eight years older than me. Both my parents were  
20          teachers and we had a stable family. Both my parents  
21          worked in state schools. We stayed in Balloch, close to  
22          Keil School. I went to primary school, which was  
23          a normal state primary school. I had friends there.  
24          There was an element of religious tension at school  
25          because the Catholic primary school was right next to my

1 primary school.

2 My dad definitely didn't want me going to the school  
3 where he worked. My sister had gone to Glasgow High  
4 School and my parents didn't want me to go to the local  
5 secondary school, so they decided to send me to Keil  
6 School, which was about eight miles from where we lived.  
7 Although I knew a couple of people who were going to  
8 Keil, none of my close friends from primary school were  
9 going so I didn't have any friends there.

10 My parents told me in Primary 7 that I was going to  
11 Keil School. My parents didn't discuss the proposal  
12 with me so much as they told me I was going. I think  
13 they wanted to maximise my academic potential. I did  
14 tell them I didn't want to go to Keil.

15 I didn't want to go there right from the start but  
16 the decision wasn't mine. I got some stick from my  
17 friends about going to Keil.

18 I remember I had to do an entrance exam to see about  
19 a bursary to go there. The exam was held at Keil  
20 School. My parents took me there for the exam and I had  
21 a tour about the school. It was very formal, almost  
22 military in some respects.

23 I was 11 years old when I started the first year at  
24 Keil School. I had to get a bus to the school. It was  
25 a private mini bus and it picked up kids along the route

1 to the school. I had to stand in the street in the  
2 distinctive green and yellow blazer, but fortunately it  
3 was earlier than the time when kids would be going to  
4 the local school. You didn't want to be seen in that  
5 blazer because it made you a target.

6 The regime at Keil was quite harsh. The use of  
7 violence to keep us in line. The prefects were called  
8 chiefs and deputy chiefs. The chiefs were sixth year  
9 pupils and the deputies were fifth year pupils. They  
10 were mostly huge guys who played rugby. They all had  
11 the remit of disciplining the younger kids. It was  
12 mainly beatings or dead arms. Most of them were very  
13 handy with their fists and their feet.

14 Each chief and deputy had a squad made of up pupils  
15 from all the years below them. I think the allocation  
16 of squads was based on whether a pupil was a day pupil  
17 or a boarder. There were about 10 or 12 pupils in my  
18 squad.

19 The squad I was allocated to had a chief who was  
20 quite manipulative and crafty about enforcing the school  
21 rules. There was a phase of pupils using the inside of  
22 a ball point pen as a blow dart with the needles from  
23 Armistice poppies. The chief would ask junior pupils if  
24 he could borrow their pens to check for condensation  
25 which would show if they had been used as a blow dart.

1 In my opinion he didn't do anything without there being  
2 a benefit to him. He didn't do anything to support the  
3 younger pupils.

4 The deputy chief when I arrived was an [REDACTED]. He  
5 then became the chief when I went into the second year.  
6 He wasn't too bad, but most of the chiefs took delight  
7 in the enforcement of the rules.

8 [REDACTED] SNR was Mr [REDACTED] CGC. I also had  
9 a housemaster called William Bain. There were three  
10 houses but I cannot remember their names. There might  
11 have been a head of year, but I can't remember. You  
12 were randomly allocated to a house even if you were  
13 a day pupil like me. The boarding pupils didn't really  
14 treat the day pupils that differently, even though they  
15 were encouraged to do so. They had a nickname for us  
16 and they called us 'Huns', but it was nothing to do with  
17 sectarianism. Even the teachers would refer to the day  
18 pupils as 'Huns'. However there wasn't any bullying of  
19 the day pupils by boarders just because they were day  
20 pupils.

21 I don't think that some of the teachers at Keil were  
22 particularly qualified to teach. I remember the  
23 geography teacher asking my class what the capital of  
24 Scotland was and the answer given was Edinburgh. She  
25 was adamant that the capital of Scotland was London.

1 When people tried to insist on correcting her, she gave  
2 them punishment exercises. I can't remember that  
3 teacher's name.

4 Mr Evans was the chemistry teacher and he was okay.  
5 Mr Bain, my housemaster, was the physics teacher. We  
6 got all three sciences physics, chemistry and biology at  
7 Keil School right from the first year. Mr McMurty was  
8 the maths teacher. He did have a temper but he was  
9 reasonably straight. Mr ECB was the [REDACTED]  
10 teacher and he had quite a violent temper. He was quite  
11 a bad character. I remember him being right in your  
12 face bellowing at you. He had quite a short fuse. If  
13 you weren't good at [REDACTED] he would blow up.  
14 He didn't have a good teaching attitude. He was just  
15 a bully. I think I remember Mr ECB throwing  
16 something at someone but I can't remember for definite  
17 if he ever hit anyone. I can't remember any particular  
18 comments he made, he was just angry. Mr Smith was the  
19 deputy headteacher. He taught a subject too but I can't  
20 remember which one.

21 After school the boarders would have to do prep.  
22 I did mine at home as at the end of the school day  
23 I would get the minibus back home. We had exams at the  
24 end of the year. I did okay but I didn't do well at  
25 physics or maths.



1           There was no real change for me between first and  
2 second year at Keil. I had the same housemaster and  
3 I was in the same squad. The chief would have left and  
4 the deputy became the chief. It was probably slightly  
5 easier for me in the second year because I was learning  
6 the systems of the school and learning to avoid fists  
7 and feet. When the school had games periods, I knew how  
8 to get away from the school two or three hours early to  
9 avoid confrontations.

10           As a day pupil, I was only at Keil for lunchtime.  
11 We went into the refectory and each squad had their own  
12 table. The teachers had the top table. We had to queue  
13 up to get served our lunch. We would say a prayer  
14 before we ate. The food was absolutely dreadful.

15           After we had lunch each year would go to their  
16 common room until it was time to go back to class.

17           They had showers at Keil as we were playing rugby  
18 most days. The showers were open-plan. The showers  
19 weren't supervised. The chiefs and deputies weren't  
20 there. As far as I remember, you were just left in your  
21 year group to get on with it. There weren't any  
22 problems in the showers by I just remember they were  
23 dirty and unhygienic. I think most times I would not  
24 shower at school, I would just go home and get a shower  
25 there. The principal reason was that the showers were

1 unhygienic. There wasn't any sexual abuse in the  
2 showers that I suffered, but the level of horseplay went  
3 beyond what I would say was normal. Some boys would put  
4 bars of soap in the end of a towel and hit you with  
5 that, rather than just flicking a towel at you.

6 After lunch we had to clean the school. We had to  
7 sweep the floors and Hoover the carpets. I had to clean  
8 the history classroom. It seems unbelievable that we  
9 had to do this when our parents were paying for us to  
10 attend the school. One of the female student deputies  
11 supervised my cleaning duties. She was all right."

12 My Lady, in paragraphs 25 to 32 the witness tells us  
13 about religious instruction, trips and holidays,  
14 birthdays and Christmases and visits and inspections,  
15 and I resume reading at paragraph 32:

16 "There was a sick bay which was pretty grotty.  
17 There was a matron. The only time I had to see her was  
18 when I got kicked by a deputy.

19 Running away.

20 I had developed escape strategies by the time  
21 I reached second year. In the afternoon we would have  
22 sports such as rugby. If you weren't playing rugby, you  
23 were supposed to do another activity like tennis.  
24 However no one monitored whether you turned up to those  
25 activities so I just used to leave the school early.

1 I would sneak out of the school at 2.30 and get the bus  
2 home. It was the local bus that I got and not the  
3 school minibus. It was 40 pence for a child fare, but  
4 I can't remember how I got the money for the bus fares.  
5 I would get off the bus about 10 minutes from my house.  
6 The area between my house and Keil School was a concrete  
7 jungle. You didn't want to go through that area wearing  
8 a Keil blazer so I used to stick my blazer and my tie in  
9 my bag. I carried a normal jacket with me and wore that  
10 instead. My parents didn't know I was skipping school  
11 because I used to play at a farm near my house until it  
12 was the correct time to go home. The farmer didn't ask  
13 why I wasn't at school, I think he knew I hated it.

14 Discipline.

15 Corporal punishment such as the belt was no longer  
16 in use at Keil School when I was there.

17 The chiefs and deputies were horrible, power-hungry  
18 individuals. The chiefs and deputies had the power to  
19 issue punishments to younger pupils. They could give  
20 you a copy to do. This would mean copying out the  
21 school rules. Any chief or deputy could give you  
22 a copy, not just the ones in charge of your squad. If  
23 you got a copy from a chief or deputy, you would have to  
24 get that signed off by your form teacher so that if you  
25 got several at one time, they would know about it.

1 I think if you got a certain amount of copies at one  
2 time, that would lead to an automatic detention. I had  
3 about three or four copy punishments in my time at Keil  
4 School.

5 Teachers could also give out detention or what they  
6 called NH, which would involve going out with a shovel  
7 or a rake and cleaning up the grounds of the school.  
8 I don't know what NH stood for. If you got detention,  
9 you would be kept inside for an hour or two. I only got  
10 given detention once but I ended up not having to do it.  
11 I can't remember what the detention was for. I was  
12 usually too scared to do anything wrong. As a day  
13 pupil, I would have had to come into the school at the  
14 weekends for detention.

15 Abuse at Keil School.

16 I was bullied by a number of pupils who were  
17 violent. All of them were violent towards me, even if  
18 it was just giving me a dead arm. Over the two years  
19 I was at school I was subjected to violent abuse every  
20 week, although I did everything I could to try and avoid  
21 it. I still feel very upset about it now.

22 William Bain, who was my housemaster, is in jail  
23 now. He was convicted of sexual abuse of pupils. He  
24 never sexually abused me but he was inappropriate. His  
25 behaviour would not be tolerated now. I think he acted

1           inappropriately with everyone. He was very cuddly with  
2           me and he would make me sit on his knee. I can't  
3           remember the circumstances of where that happened.

4           On one occasion Mr Bain was talking about which  
5           parts of your body have bones in them. He started  
6           talking about his penis. He said to me, 'It sometimes  
7           feels like it's got a bone in it'. That incident  
8           possibly took place in the room behind his physics  
9           classroom. He had a room with soldering irons and  
10          things.

11          I can't remember if anyone else was there. I don't  
12          remember enough about the incident to give you a true  
13          picture. I can't remember if it happened in first or  
14          second year. At that age I didn't have the vocabulary  
15          to describe someone as a paedophile but I wasn't  
16          comfortable with what he was saying. Sex was a taboo  
17          subject in my family and it wasn't something that was  
18          discussed. I had the feeling that what Mr Bain had said  
19          to me was wrong but I couldn't bring myself to approach  
20          my parents about it.

21          When I was in the first year at Keil School there  
22          was a rumour going around that Mr Bain had raped a boy  
23          in my year. I can't say if he did or not but it was  
24          picked up on generally that Mr Bain was creepy. I can't  
25          remember who told me about this. It was all around the

1 school. I didn't speak to the boy about it, I wasn't  
2 that friendly with him. The boy was a boarder at the  
3 school. I do not know if there was any form of police  
4 investigation about Mr Bain when I was at the school.

5 The [REDACTED] teacher was very aggressive. He would  
6 invade your personal space and shout aggressively just  
7 inches away from your face. That happened to me and  
8 I recall seeing that happening to others. I think he  
9 may have hit a pupil but I'm not sure. Some memories of  
10 my time at Keil are very strong but others are much more  
11 vague.

12 One morning at assembly I got kicked in the back by  
13 a pupil who was a deputy. He would have been in fifth  
14 year. He was a big rugby player. At assembly the  
15 chiefs and deputies would stand on benches at the side.  
16 As a reprimand for him perceiving me to be mucking  
17 about, the deputy jumped off the bench and kicked me in  
18 the back and I went flying. It wasn't so much that it  
19 was sore but it was embarrassing. He shouted to me,  
20 'Get back in fucking line'. It may sound like  
21 a relatively trivial incident but I was just a wee boy  
22 when that happened and it has had a major impact on me.  
23 This happened just before assembly was due to start so  
24 the teachers weren't in the room. It may have happened  
25 in my first year at Keil School.

1           Chiefs and deputies used to give other pupils a dead  
2 arm or a dead leg. The first time that happened to me,  
3 I was quite shocked by how painful it was and I cried.  
4 Violence was routine. You weren't getting broken bones  
5 but getting hit or pinned down was quite common. When  
6 I was younger I wrestled with the notion that I had  
7 allowed these things to happen to me. I was never  
8 brought up to hit back in that type of situation. Maybe  
9 if I had been, things might have been better, or maybe  
10 they would have turned out worse.

11           The minibus to and from the school could be quite  
12 bad. It was a large minibus with about 15 to 20 seats.  
13 There were two day pupils who were quite physical, quite  
14 violent. They would have been in the fourth year when  
15 I was in first year. They were quite handy with their  
16 fists and liked to dish out violence. They liked  
17 bullying people and they pulled me on the bus. The bus  
18 driver was aware of what was going on but he never  
19 intervened.

20           I remember one boy from Manchester that I was quite  
21 friendly with getting punched by a few of the other boys  
22 who were leaning over the seats on the minibus. The  
23 fact that the boy was from Manchester and had  
24 a different accent was enough of a reason for him to get  
25 a hiding.

1 I don't know if I would have got on any different if  
2 I had gone to a secondary school locally, but I didn't  
3 get on well at Keil School.

4 Reporting of abuse.

5 I did tell my parents about the abuse I suffered at  
6 Keil School. They mainly took the attitude that sticks  
7 and stones may break your bones but names will never  
8 hurt you. I did tell them about the incident where the  
9 deputy kicked me and they did go to the school about  
10 that, but I don't think there was any action taken  
11 against the deputy. Some senior person at the school  
12 told my parents that he had been reprimanded, but he  
13 wasn't demoted from his position as deputy.

14 I think I did report the day-to-day abuse to my  
15 parents as well. I just think they thought there was no  
16 alternative to me being at Keil School, but I don't  
17 understand why they would think that. I think that's  
18 why I started running away from the school in the second  
19 year. I just had to take matters into my own hands.

20 Leaving Keil School.

21 I left because my parents were relocating up north  
22 to look after my grandmother. We moved north during the  
23 school holidays and up until I was told we were moving  
24 I was under the impression I would have to go back to  
25 Keil School for third year. I was delighted when my



1 parents told me I wouldn't be going back. I went to  
2 high school in [REDACTED] which was not far from where we  
3 lived. I think the school lived up to my parents'  
4 expectations. When I went to secondary school in  
5 [REDACTED] I found that I was ahead of the pupils in some  
6 subjects but not others.

7 I got on okay at school in [REDACTED] and I stayed on  
8 for fourth and fifth year. I was never really  
9 interested in academia at school. I find the things  
10 I was being taught at school more interesting now.  
11 I wish I'd done more at the time but I was deliberately  
12 rebelling. I got five highers.

13 After school I went to university.

14 Impact.

15 I felt embarrassed about going to Keil School.  
16 I still do. There was a sense of shame at the time  
17 because my pals were all at state schools. I couldn't  
18 explain these feelings to my friends at that stage.  
19 I needed a strong role model to help me through at the  
20 time and I didn't have one. It's not as much of  
21 a problem for me now but growing up I wrestled with the  
22 idea that I had allowed the abuse I suffered at Keil to  
23 happen to me.

24 For a time after Keil my confidence was shot. I was  
25 put on beta blockers at the age of 17 but they didn't do

1 me any good and I wouldn't take them again. Due to  
2 having panic attacks I was referred for counselling by  
3 my GP and I have tried hypnosis and things but none have  
4 helped me.

5 I took up karate at the age of 16 and Thai boxing  
6 after leaving school. My confidence was in pieces after  
7 leaving Keil School. I used to suffer from panic  
8 attacks and I had no confidence whatsoever. I couldn't  
9 go into somewhere like a hall full of people. Through  
10 martial arts I rebuilt myself from the shy wee laddie  
11 I was. It gave me great confidence. I also gained  
12 confidence from having a drink of alcohol when  
13 socialising as it made me feel relaxed and let me switch  
14 my mind off. I am not a heavy drinker, but it did help  
15 me to relax at university by having a drink.

16 I have forgiven all of the people who abused me.  
17 I have come to realise that they were a product of the  
18 environment at Keil School. They were shaped by the  
19 regime at the school.

20 Reporting of abuse.

21 I have never made a report to the police about the  
22 abuse I suffered at Keil School. I wish I had, but  
23 I wanted to protect my parents. I didn't want them  
24 involved. I felt it was for myself to deal with.  
25 I suppose, as an adult, I didn't have the motivation to

1 report it and I was also ashamed of having had this  
2 abuse done to me. I was ashamed of my background and  
3 I didn't want anyone to go over it all.

4 I would like to know who profited financially from  
5 Keil School because there was just systematic physical  
6 and sexual abuse that went on. There were things that  
7 just shouldn't have happened. There should have been  
8 someone who had a duty of care towards the pupils and  
9 there should be recourse for those who have suffered.  
10 I am not motivated by any financial considerations,  
11 I just want to make sure it doesn't happen to anyone  
12 else.

13 Lessons to be learned.

14 It is difficult not to sound spiteful against  
15 boarding schools. You hear about people wanting to keep  
16 the charitable status of boarding schools. I don't  
17 really know the arguments for or against this but  
18 I think there needs to be inspections of boarding  
19 schools. I don't remember any inspector coming into  
20 Keil School and speaking to us. There should be someone  
21 from a regulatory body coming in and speaking to pupils.  
22 There needs to be someone responsible for keeping an eye  
23 on these places, not just a box-ticking exercise.  
24 I don't know what went on before but it certainly didn't  
25 benefit us pupils in any way. Having a light shone on

1           these places is what is needed. I'd like to think that  
2           society has moved on from how things were done in those  
3           days.

4           I would like there to be an acknowledgement that  
5           what people have reported as having took place at Keil  
6           School and elsewhere did take place, to have that out  
7           there in the public domain.

8           I have no objection to my witness statement being  
9           published as part of the evidence to the Inquiry.

10          I believe the facts stated in this statement are true."

11          My Lady, the statement is signed and it's dated  
12          16 October 2020.

13   LADY SMITH: Thank you very much.

14           Mr Brown?

15   MR BROWN: My Lady, that concludes the evidence for this  
16           week. Next week we will continue with, I'm afraid, the  
17           same balance of two, on one day three, live witnesses  
18           per day, plus a number of read-ins. The schedule for  
19           the read-ins may be movable to try and accommodate  
20           times.

21   LADY SMITH: Of course.

22   MR BROWN: But I think the timetable is as good as it can  
23           be, but we should conclude it by a week today.

24   LADY SMITH: Very well, thank you very much for that.

25           Thank you all. I'll finish now for today and I'll

1           be sitting again at 10 o'clock on Tuesday morning to  
2           continue with evidence in relation to Keil School.

3           Thank you.

4           (2.39 pm)

5                         (The Inquiry adjourned until 10.00 am  
6                         on Tuesday, 2 November 2021)

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'Ferguson' (affirmed) .....1  
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