

1 Wednesday, 3 November 2021

2 (10.00 am)

3 (Proceedings delayed)

4 (10.29 am)

5 LADY SMITH: Good morning and welcome to the second day this  
6 week of evidence in relation to Keil School. My  
7 apologies for the slightly delayed start. I understand  
8 our witness was also delayed in arriving here, but is  
9 now available; is that right, Mr Brown?

10 MR BROWN: That's correct, my Lady, my apologies too, but  
11 the witness has had to travel from the West and was  
12 delayed.

13 LADY SMITH: Thank you.

14 MR BROWN: He is obviously now ready to go and the witness  
15 is 'Martin'.

16 'Martin' (affirmed)

17 LADY SMITH: The red folder in front of you contains your  
18 statement. Mr Brown will be taking you to that in a few  
19 moments, I think. Your statement will also come up on  
20 screen in front of you, 'Martin'.

21 A. Okay.

22 LADY SMITH: So feel free to use either or neither as you  
23 find most useful.

24 A. Okay.

25 LADY SMITH: Also, if you have any questions or concerns

1           during the course of your evidence, please do not  
2           hesitate to let me know. It matters to me that you're  
3           as comfortable as you can be giving evidence, and what  
4           works for you will work for me.

5           A. Thank you.

6           LADY SMITH: Including if you want a break at any time, just  
7           say so.

8                     If you're ready, I'll hand over to Mr Brown and  
9           he'll take it from there. Is that all right?

10          A. Yes, thank you.

11          LADY SMITH: Mr Brown.

12                                 Questions from Mr Brown

13          MR BROWN: My Lady, thank you.

14                     'Martin', good morning again.

15          A. Good morning. Sorry about that confusion.

16          Q. It's quite all right. Her Ladyship referred to the  
17          statement, you're obviously looking at it, in front of  
18          you. It's in front of you, it's behind you as well on  
19          the screen, so I can read it, it's everywhere. But as  
20          you will see, it's been anonymised and we don't need to  
21          go into, for example, the details of your work history.  
22          We know all of that.

23          A. Thank you.

24          Q. The document has a reference number, WIT-1-000000390.

25          It runs to 37 pages and I think we see on the last page

1           you signed it in August last year?

2           A. I did.

3           Q. And you did that presumably having read through it to be  
4           content it was accurate?

5           A. I did.

6           Q. And that is reflected in the final paragraph, which is  
7           at the foot of page 36, paragraph 129, where you say:

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 witness statement are  
11           true."

12                     Correct?

13           A. That's correct, I did, yes.

14           Q. The beauty of that is because you have clearly a very  
15           good memory for detail about particular years,  
16           particular houses at Keil, two things about that. We  
17           don't need to reinvent the wheel. It's in evidence, we  
18           have read it and it's understood.

19                     Also, to be frank with you, we've been hearing from  
20           other witnesses so we have a sense of Keil already, so  
21           again we don't need to labour it.

22                     What we're interested in is your experience, and  
23           your particular experience, so that's what we'll talk  
24           about, but I will give you the opportunity at the end if  
25           there are other things you want to say, to say them.

1 A. Thank you.

2 Q. Going to the beginning of the statement, obviously we  
3 see your background. You're now 59 and I think you were  
4 at Keil from 1974 onwards.

5 A. Yes.

6 Q. For how many years?

7 A. Six years.

8 Q. So you left in 1980?

9 A. 1980.

10 Q. One of the things we obviously know about Keil School is  
11 it was originally set up for boys from the West of  
12 Scotland and the Islands --

13 A. That's correct.

14 Q. -- as a technical college in Kintyre, but it clearly  
15 moved to the site you know in Dumbarton in the 1930s.

16 A. (Witness nods).

17 Q. You fit the original bill in the sense that you were  
18 from Argyll?

19 A. I was, yes.

20 Q. But by the time you went, should we understand Keil had  
21 changed, a lot of the boys were from Glasgow itself?

22 A. It was in the process of changing even wider and during  
23 my second and third year we started seeing people from  
24 Iran, from Iraq and from China coming I think really  
25 chasing money to keep the school going.



1 LADY SMITH: 'Martin', could I just ask you to pull the  
2 microphone a little bit nearer and probably bend the arm  
3 down a bit. It will pick your voice up.  
4 A. Is that better, my Lady?  
5 LADY SMITH: That's much better. Thank you.  
6 MR BROWN: The two ladies to your left-hand side are  
7 obviously stenographers who are transcribing everything,  
8 so they'll listen through the microphone. Thank you.  
9 You touch on an interesting thing and that's  
10 reflected in the statement, that clearly the school was  
11 seeking pupils from Firth of Scotland?  
12 A. Yes.  
13 Q. And your understanding was that that was to try and  
14 chase pupils to fund the school?  
15 A. Keep the school afloat, I think, yeah.  
16 Q. Even in '74 to '80, were you aware as a pupil that it  
17 was running tight because of lack of funds?  
18 A. I think I was aware there were certainly boys coming  
19 from abroad and that hit me that that would be why they  
20 would do that. It was only later on reflection as  
21 I looked back on my school years and realised that I was  
22 doing the cleaning, it reminded me of the fact that they  
23 couldn't even afford cleaners, so it really ran on the  
24 shoestring.  
25 Q. Thank you. Going back to your experience, though, and

1 we don't need to go into the detail of it, obviously,  
2 your parents were keen that both you and your brother  
3 went to private school, boarding school, and we see that  
4 your brother, [REDACTED]  
5 essentially had done his time at Keil [REDACTED]  
6 [REDACTED]?

7 A. Yes.

8 Q. Because of that, you knew Keil because you'd been up to  
9 the school to visit him?

10 A. Yes.

11 Q. Can I ask, prior to going to Keil, what was the picture  
12 you had of it from your brother?

13 A. It wasn't so much from my brother as from my parents.  
14 My brother and I, perhaps because of our childhood, were  
15 never particularly close. Even now I see my brother  
16 rarely. We want to be closer but it's never been  
17 practical. So I think partly that was down to being at  
18 boarding school. But my parents certainly thought that  
19 they had done the right thing by my brother and looked  
20 on it as some sort of educational Mecca, and therefore  
21 they really wanted me to go. And to a certain extent,  
22 I didn't want to disappoint my parents, so I accepted  
23 that's my destination.

24 Q. Indeed, and you set out in your statement very clearly  
25 the efforts they made to get you to boarding school.

1 A. Yes.

2 Q. And more widely family support funded it.

3 A. Yes. My parents did not have the wealth to send a child  
4 to a boarding school and they were supported by wider  
5 family.

6 Q. But that background mattered to you in the sense you  
7 didn't want to disappoint your parents?

8 A. Indeed.

9 Q. And did that, just going straight to it, impact on the  
10 way you behaved towards them about Keil?

11 A. I don't think just that. There was a -- there was  
12 a duty of secrecy amongst the pupils at Keil that you  
13 didn't talk about anything, you were shunned if you  
14 sought assistance, therefore I think that also went on  
15 to returning home, so I didn't tell my parents about  
16 some of the things that went on. I spoke highly about  
17 the school and how happy I was when inside I wasn't  
18 quite as happy as I made out.

19 Q. We'll come onto all of that in a little more detail in  
20 due course. [REDACTED]  
21 [REDACTED]  
22 [REDACTED] although you say  
23 at paragraph 128 on page 36 you have [REDACTED] spoken to [REDACTED]  
24 [REDACTED] about his time at Keil?

25 A. Yes.

1 Q. [REDACTED]

2 A. Yes.

3 Q. And you've talked and he talks about being sexually  
4 abused in the first four weeks of his time at Keil?

5 A. Yes.

6 Q. And was very upset now, thinking back about it?

7 A. He had never told anybody. I've had lunch with him,  
8 [REDACTED] and I told him I was giving  
9 evidence to this Inquiry and he disclosed that to me.  
10 I don't think he's even disclosed it to his wife.

11 Q. All right. But I'm interested in the context of what  
12 you've just been saying, you don't want to disappoint  
13 your parents to start with, there's also a code of  
14 silence from the school: you don't talk about what goes  
15 on at Keil elsewhere.

16 A. Yes.

17 Q. Or, presumably, to teachers, as we'll come onto?

18 A. Yes.

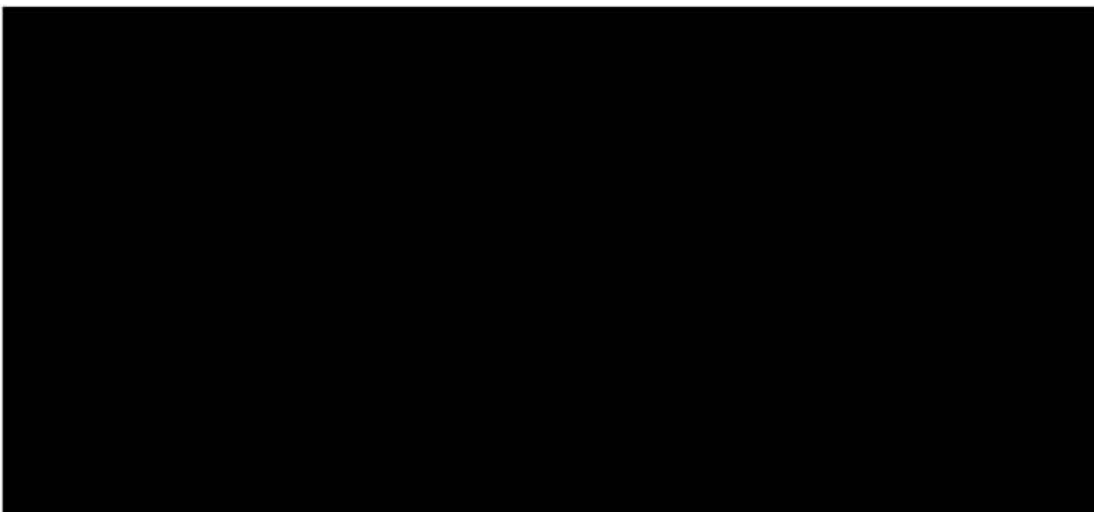
19 Q. So the reports you were giving to your parents in your  
20 time there were positive.

21 A. (Witness nods).

22 Q. Was that the same, thinking back to your childhood, when  
23 your brother was coming back from Keil?

24 A. It's very hard for me to say. [REDACTED] when my  
25 brother went to Keil, so I remember him being home, he

1 got summer jobs in his later time, as I did, when he was  
2 home, so we had very little contact, and so I never  
3 really discussed in much detail his time at the school  
4 and he never discussed it with me. So perhaps the same  
5 rule applied.



15 MR BROWN: Obviously, though, there came a time, and you  
16 reflect this in your statement, that when you arrive in  
17 Keil on day 1 he has been [REDACTED]

18 A. Yes.

19 Q. And there's interest: what's the younger version going  
20 to be like?

21 A. Not only was he [REDACTED] but he was [REDACTED] of the  
22 12-year-old boys the year before, who had now become  
23 second year, and there was a new batch of younger boys  
24 arrived and one of them was [REDACTED] brother, so they  
25 turned up at the house to see who I was and it was quite

1 a first day.

2 Q. Let's go back to that first day, or perhaps the day  
3 before. You knew Keil because you'd been up with your  
4 parents to visit your brother. You knew the  
5 establishment. Had you done an exam to go there?

6 A. (Witness nods). Yes, I had, yes.

7 Q. So you knew the location. Did you have any idea of the  
8 set-up, what you were going into?

9 A. I knew there were chiefs. I knew the names of some of  
10 the masters or teachers. And I knew the location of the  
11 school. I think no more than that. I don't think I was  
12 prepared at all. I didn't expect to get the reception  
13 I received and I didn't expect how austere my living  
14 situation was going to be. So that was all, I had  
15 blissful ignorance of these issues.

16 Q. Were you excited on day 1?

17 A. I think I was as excited as any small boy going to a new  
18 adventure would be. My mother had convinced me before  
19 I went, as she would, that I was going to be captain of  
20 the First XV and all these new adventures were going to  
21 start and ... it was slightly different.

22 Q. You've said your first day was quite a day. Why do you  
23 say that?

24 A. I hadn't quite anticipated the impact of having 24 other  
25 young boys in the same room as me. I hadn't quite

1           anticipated the number of boys that were going to come  
2           to see me specifically. But the first night there was  
3           a boy in the bed opposite me, whose name I still recall  
4           to this day, who spent the whole night crying.

5           Q. Was anything done to --

6           A. No.

7           Q. -- comfort him?

8           A. No.

9           Q. You talk about the first day on page 9 of the statement.

10          A. Yes.

11          Q. And obviously you get a sense of the anticipation with  
12          a great deal of purchasing of items, as you say, at  
13          Paisleys?

14          A. Paisleys.

15          Q. Now defunct but remembered I'm sure by generations of  
16          boys and girls in Glasgow schools and West schools.

17          A. Yeah.

18          Q. You've got a trunk full of stuff, you unpack, you  
19          discover your dormitory, your parents go. What  
20          induction was there, to use a modern word, to introduce  
21          wee boys into the school?

22          A. I don't recall the induction. The chiefs became  
23          all-important. We had a mixture. We had two chiefs and  
24          two deputies in that house. One of the deputies was  
25          quite a sensitive chap, I got on fairly well with him.

1           The chiefs -- to me they were men. I was just 12, they  
2           were 17 or 18, totally different, and it was quite clear  
3           from that moment onwards that they were going to be in  
4           charge of me. Whether we were taken around the school  
5           and shown, I don't know.

6                     What I do remember is the New House being so far  
7           away from the schoolhouse, and it's a real distance. We  
8           were really in splendid isolation, to a certain extent.

9           Q. We obviously have a sense of Keil School in terms of  
10          layout as the original main house, which is now  
11          a burnt-out shell, we understand.

12          A. Yeah.

13          Q. But it's in large grounds with buildings dotted around,  
14          some, as you say, further away from the rest of the  
15          school.

16          A. Yes.

17          Q. In terms of housemasters, and you detail obviously the  
18          housemasters you engaged with, was there any contact  
19          from the housemaster that first day you remember?

20          A. I think he came up and said hello. I think they were  
21          there when our parents dropped us off. My recollection  
22          of that is not great. But generally speaking, you  
23          really only saw the housemaster one night a week,  
24          Thursday night, when he came to open the bank where you  
25          could withdraw money for the weekend if you needed to



1           and to dispense justice. So that was really all you  
2           saw. The rest of the time it was pupils.

3       Q. And the housemaster, did he live close to the dormitory?

4       A. No, he didn't. He lived down at the school. The  
5           headmaster's house was the closest to us, the headmaster  
6           was Mr Jess at the time and the headmaster's house was  
7           about 200 yards from the New House.

8       Q. So we should get a picture of a dormitory of  
9           11/12-year-olds?

10      A. 24 11/12-year-olds, yeah.

11      Q. With how many chiefs supervising?

12      A. Two chiefs upstairs aged around 18 and two deputies  
13           downstairs aged about 17.

14      Q. So reflecting sixth year and fifth year?

15      A. Yeah.

16      Q. And in due course in all likelihood the deputies the  
17           following year if they were still there would become the  
18           next round of chiefs?

19      A. Yeah.

20      Q. You've talked about seeing the housemaster once a week  
21           when he came to dispense, essentially, your funds?

22      A. Yes.

23      Q. Or to mete out punishment, and we'll come on to  
24           discipline and how punishment was effected as a distinct  
25           chapter. That's one night a week. Are you saying,

1           effectively, for the other six days no teacher was  
2           present in the boarding house?

3       A. Absolutely.

4       Q. What about if you had a problem? What were you meant to  
5           do?

6       A. You went to the chief or the deputy. There was no  
7           direct approach to the masters in that respect. There  
8           was a master who ran a Scripture Union and I used to go  
9           there just for something different, really, once a week,  
10          and he would sometimes have it in his house, and so  
11          there was that but it wasn't formal. That was if you  
12          wished to go, and three or four of us would go. But  
13          that was the only real contact.

14       Q. If we can look at a couple of practical things, your  
15          point of contact was the chiefs or deputies. Was that  
16          set out in any rule book or --

17       A. No, it was just the custom and practice.

18       Q. And you picked it up as you went along?

19       A. Picked it up as you went along, yeah.

20       Q. The silence that you talked about, not speaking, was  
21          that something you picked up by custom and practice?

22       A. Yes, it would be. There was certainly no rule book.  
23          I don't know how it happened, whether older boys passed  
24          it on to junior boys, but there certainly was a culture  
25          whereby you didn't tell anybody what was happening.

1 Q. And did you understand, and if so at what stage, there  
2 would be consequences if you did speak?

3 A. I think they were implied. There's no doubt in my mind  
4 at all that the masters knew what was happening, but it  
5 just didn't get discussed.

6 Q. Looking at a couple of practicalities and then we'll  
7 perhaps go wider on your experience, you've mentioned  
8 already they didn't have cleaners and we understand that  
9 in the morning you would have orderly duties which you  
10 would have to perform supervised and instructed by the  
11 chiefs and the deputies.

12 A. Yes.

13 Q. Did you know that was coming when you started?

14 A. I suspect I probably did. I suspect my brother probably  
15 told me about that. But it was horrible. And as my  
16 wife would say, I'm not the best at cleaning toilets and  
17 that was one of my jobs for six months, so I don't think  
18 the standard of cleanliness was particularly high.

19 Q. I think you say there were good jobs --

20 A. Yes.

21 Q. -- in terms of orderly duties and bad jobs. Bad jobs,  
22 plainly, were toilets?

23 A. Yes.

24 Q. Good jobs?

25 A. I had a good job one time and my job was to go down to

1 the town and collect the newspapers for the masters and  
2 deliver it to their -- it was a nice leisurely stroll  
3 down in to Dumbarton in the morning which I would say  
4 was at the complete opposite end of the scale.

5 Q. How were those tasks decided?

6 A. The chiefs decided who were doing each on a term-by-term  
7 basis.

8 Q. Just arbitrary?

9 A. Arbitrary.

10 Q. I think you do say that you perhaps were not the tidiest  
11 of children.

12 A. No.

13 Q. Did that lead to dissatisfaction with your cleaning  
14 efforts?

15 A. Well, yes, I certainly didn't enjoy the cleaning jobs,  
16 it wasn't my skill set, but I had difficulty keeping my  
17 bed area clean as I would want, and sometimes I went to  
18 great lengths to do so to find that somebody -- they  
19 were all laid out in a row and somebody would come in  
20 and jump the whole way down and then I'd get into  
21 trouble for an untidy bed when I'd gone to great lengths  
22 to make sure that wasn't the case. So yes.

23 Q. You no doubt felt it was all very unjust and unfair?

24 A. Oh, very unjust, yes.

25 Q. Was there actually any monitoring of the cleaning?

1 A. Yes, the deputies or the chiefs would pop around, (a) to  
2 make sure that you were actually doing it, and (b) to  
3 see if it reached a particular standard. This is -- we  
4 cleaned the classrooms, we cleaned the corridors, and  
5 then in the summer months we did the gardening.

6 Q. What about staff supervision, by which I mean teachers?

7 A. None. No interest whatsoever. It was down to the  
8 chiefs and the deputies.

9 Q. Were you ever aware, from what you can remember, of  
10 a staff member saying, "This isn't tidy enough"? Or did  
11 they just ignore that?

12 A. No, they took no role in that.

13 Q. Right. The other mainstay of boarding schools is food.  
14 And I think we can understand both from you and from  
15 others that the food was not of a high quality?

16 A. It was awful.

17 Q. Did it ever improve?

18 A. I don't think so. I really found it hard to find things  
19 to eat. And it was a take it or leave it choice. You  
20 didn't get a choice. Some of the things were better  
21 than others. I think I mentioned in my statement there  
22 was a currency of toast, so if you were to clean the  
23 chief's shoes or such like, you would get a piece of  
24 toast and I used to live off toast, so.

25 Q. And again, that would be understood --

1 A. Yes.

2 Q. -- just by people would pick that up?

3 A. Yes.

4 Q. In due course, did you become a --

5 A. I became a chief, yes. In fact, interestingly,

6 I became, [REDACTED] the chief of the younger

7 boys, but by that time New House had closed, we moved

8 them down to Mason House, so I had first and second

9 year. And we also had a change in headmaster, so there

10 was a total change in emphasis.

11 Q. We'll come onto that too. But sticking with food, was

12 toast still the currency when you were a chief?

13 A. Toast was still the currency, yes. And if you were

14 a chief, you collected your loaf of bread in the morning

15 and took it over and you had a toaster and it was

16 a currency, yeah.

17 Q. Going back to the food, though, it was take it or leave

18 it, and I think you make the point that some people

19 would probably eat what you didn't like?

20 A. Yes. Interestingly, you sat at long tables and there

21 would be a chief and a deputy at each table and they

22 dished out the food.

23 Q. And in relation to the dishing out of the food, we

24 understand that this is a squad?

25 A. Yes, squad, yes.

1 Q. And you would sit at that table for a term or a year?

2 A. Mostly for the year.

3 Q. And again we've understood, please correct me if I'm  
4 wrong, that boys would be allocated to go and get the  
5 food, bring it to the table and then tidy up afterwards?

6 A. Yes.

7 Q. You weren't being forced to eat the food, but were  
8 people running short?

9 A. I don't recall anybody running short. I certainly don't  
10 remember anybody taking my food that I -- it was more  
11 a case of my own personal point of view that I didn't  
12 particularly want to eat it.

13 Q. The masters, we understand, would sit at their own  
14 table?

15 A. Yes.

16 Q. Again, was there any supervision by the masters at meal  
17 times?

18 A. They were in the hall and part of the duties, certainly  
19 for -- I think it was as chief, I had to serve them on  
20 occasion. And they certainly didn't supervise anything  
21 that was happening. They never -- and whether they ate  
22 the same food or not, I have absolutely no idea.  
23 I suspect they might have.

24 Q. Turning then to the point of the school, I suppose,  
25 education, what were your views on the education you

1 received?

2 A. There were a number of good teachers. I wouldn't want  
3 to slight them all. There was a number of very  
4 dedicated and good teachers. But there was some there  
5 who I feel probably weren't even qualified to be  
6 teachers and certainly didn't have the skill set. And  
7 the ones who were the least qualified tend to be  
8 victimised by some of the pupils. They would --  
9 actually sitting in the classroom was an embarrassment  
10 sometimes, and the educational standard was extremely  
11 poor.

12 Q. You talked about having a number of headmasters, two  
13 headmasters.

14 A. Two.

15 Q. The first one was?

16 A. Edwin Jess. And then -- goodness me -- his name will  
17 come to me. Widdowson.

18 Q. Widdowson. Did the character of the school turn on  
19 their characters? Did it change when the new man came  
20 in?

21 A. Definitely.

22 Q. In what way?

23 A. Well, Edwin Jess was very laissez-faire. To me, I can't  
24 remember if I mentioned it in my statement, I think  
25 I possibly did, that he was just a silly old man. My



1 parents had him on a huge pedestal, but actually he was,  
2 to my mind, well past retirement age and showed no real  
3 interest at all. When Widdowson came in, he had been  
4 the headmaster at Lomond School in Helensburgh, what  
5 became Lomond School, and he brought a completely  
6 different ethos. He was far more dominating as  
7 a figure. A big man, he filled the room. Wore a long  
8 sort of cloak when he was teaching, and he brought in  
9 several rules. And the whole attitude of the school  
10 changed completely. Some of the disciplinary procedures  
11 disappeared, the informal ones. The formal ones still  
12 remained, but certainly not applied in the same way.

13 Q. Did you get the sense that he had brought in to change  
14 things?

15 A. Looking back, that's possibly a fair reflection. He was  
16 certainly completely different. He had his faults as  
17 well, but completely different from what went before.

18 Q. Just out of interest, do you remember him appearing on  
19 Mastermind?

20 A. Yes, I do. [REDACTED]

21 [REDACTED]

22 Q. Right. I think we may have read from another applicant  
23 that he came last out of four and that caused much mirth  
24 in the school?

25 A. I couldn't have told you that.

1 Q. You don't remember?

2 A. What I do remember, he was a man who had a sense of his  
3 own importance and he lived Islay Kerr House in  
4 a cottage there and he had the King's Singers from  
5 Cambridge coming up to visit him and as they were coming  
6 in, he was embarrassed at the state of the school, the  
7 driveway up to Islay Kerr House, he had the whole thing  
8 re-tarmacked. How the school paid for that when they  
9 couldn't pay for anything else I have no idea, but that  
10 was the type of chap that he was.

11 Q. Okay. Again as a broad observation, things, as you got  
12 older, perhaps became a little easier at Keil?

13 A. There is no doubt at all the older you became the easier  
14 it became. Your status rose as your sporting prowess  
15 improved, and as a 12-year-old boy, you were there --  
16 they used to refer to them -- strangely enough  
17 a Conservative minister was accused of -- but they were  
18 referred to as plebs and 12-year-old boys were treated  
19 in such a way.

20 Q. So there was a very clear pecking order because of age?

21 A. Yes.

22 Q. The lower down you were because you were younger, you  
23 were treated differently?

24 A. That's correct.

25 Q. And that was more than just doing the cleaning and so

1           forth?

2           A. No, you hadn't reached a status that went with age,  
3           really.

4           Q. And you touched on sport there.

5           A. Yes.

6           Q. Sport mattered, we understand, at Keil?

7           A. Definitely, definitely.

8           Q. Again, was that something you were aware of when you  
9           started?

10          A. My brother was not sporty, my brother was more academic.  
11          He had an interest in sport but he had never played much  
12          sports. He hadn't really talked to me about it, whereas  
13          I was very keen on sport. Unfortunately I wasn't good  
14          at anything, but I could turn my hand to it so I ended  
15          up playing on most teams and probably that went against  
16          my education because the school fielded me in most  
17          teams, so I spent a lot of my week playing sport.

18          Q. Did that help your status within the school?

19          A. Yes. I certainly -- once you'd reached -- I didn't play  
20          many games for the First XV, but once you'd reached that  
21          level, you had a certain status. You were awarded your  
22          socks after five games and that got a certain status in  
23          the school as well. [REDACTED] the table tennis team,  
24          I played for the chess team, I played for the cricket  
25          team, so all of that enhanced your status.

1 Q. It counted?

2 A. It counted, yes.

3 Q. Just touching briefly on the First XV, that presumably  
4 was the --

5 A. Pinnacle.

6 Q. And getting your socks mattered. Was there any  
7 initiation associated with that you remember?

8 A. Yes. If you walked into the gym hall with your socks on  
9 for the first time, you were grabbed and stripped of  
10 your socks and they were thrown over the rafters and it  
11 was all great fun.

12 Q. It was understood that that would happen?

13 A. Yes, you knew that would happen.

14 Q. It was perceived to be great fun at the time?

15 A. No, I don't think anybody enjoyed it happening, but it  
16 was looked upon by -- you had made it to that level of  
17 status. I suppose like winning your first international  
18 cap. It wasn't just a shake hands with a former player,  
19 it was -- it was quite a rough situation.

20 Q. Again, presumably, with no teachers in evidence?

21 A. No teachers -- so it would happen at a school assembly.  
22 The school would assemble in their squads and the chief  
23 of the day would then go and get whoever the duty master  
24 was to come in and you would sing a hymn and there would  
25 be a Bible reading, which was normally the same one that

1           you had the whole week because it was a short one, and  
2           then it was either before or after the master had come  
3           in that the ceremony would take place.

4       Q.   So would a teacher see it potentially?

5       A.   Teacher wouldn't see it, no.

6       Q.   Wouldn't see it?

7       A.   The teacher wouldn't be there.

8       Q.   So again this morning assembly is broadly run by the  
9           boys except for the duty master?

10      A.   Run by the boys, yes.

11      Q.   So discovering what's happening that day at the school,  
12           any notices, that was done by boys?

13      A.   Done by the boys.

14      Q.   When did you see teachers?

15      A.   From an assembly point of view, I think there was one  
16           a week that the headmaster took and all the teachers  
17           would line up, I think that was a Wednesday or Thursday  
18           morning, and you saw them in the classroom and you saw  
19           them if you were -- you know, they took the rugby  
20           practice, for example, and if you had been given a copy,  
21           which is a punishment, which you may raise, you went to  
22           the housemaster to collect the copy and you returned it  
23           to him. That was basically it.

24      Q.   You talked about the change with the new headmaster.  
25           Did you see more of the teachers?

1 A. No. No. The same regime.

2 Q. Except discipline was more formalised?

3 A. Discipline was more formalised, yes.

4 Q. The unofficial, we'll come to this, was cut back on?

5 A. Yes.

6 Q. And we'll see how that was achieved. You describe your

7 time at Keil, certainly in the early years, as

8 essentially a time of isolation?

9 A. Yes.

10 Q. Can you explain why you chose that word?

11 A. Well, there was a number of weekly boarders. You

12 mentioned earlier people from the Glasgow area. They

13 went home at the weekends. From Argyll at that time it

14 was really impossible for me to go home every weekend.

15 There wasn't such a good ferry service from [REDACTED] and

16 my parents would have had to travel around [REDACTED]

17 [REDACTED] which has recently got worse but was never

18 very great in these days either, so I was stuck there

19 largely and there was fewer of us at the weekends. It's

20 massive grounds and people used to spend their time on

21 their own. You got permissions, weekly permissions to

22 go out, and they were all taken at different times, so

23 even when you had a particular friendship with somebody,

24 they may go and do something, may go home for that

25 weekend or go out with their parents on a Saturday.

1 I spent a lot of time first and second year on my own,  
2 I remember it vividly, playing imaginary games of  
3 cricket against myself, and it just -- it was a time of  
4 isolation.

5 Q. Was it also isolation because you were trying to avoid  
6 things or was it just the way it was, there was no one  
7 else to be with?

8 A. I don't think I was trying to avoid things. There was  
9 no one else to be with. After the rugby had finished on  
10 a Saturday and people went home, Saturday -- there was  
11 times where I'd play -- I played a lot of table tennis  
12 and I'd maybe spend Saturday and Sunday with another boy  
13 playing table tennis most of the time. The school was  
14 dead, to all intents and purposes, there was hardly  
15 anybody there until about 6 o'clock on a Sunday when  
16 people returned.

17 Q. One of the items we've heard about is roll calls.

18 A. Yes.

19 Q. There'd be a roll call on Saturday after games?

20 A. Yeah.

21 Q. Because people are going out?

22 A. Yes.

23 Q. And then there would be a roll call on Sunday evening to  
24 make sure people were back?

25 A. I don't so much remember the Saturday after games

1           because games finished at different times and people  
2           who'd been away playing, we could have been in  
3           Edinburgh, you know, coming back, and then going, you  
4           would go at different times. The roll call on a Sunday  
5           evening, yes, and you all had to be there for that time  
6           and again it was the boys who took the roll call.

7           Q. So between Saturday lunchtime and Sunday evening, you  
8           were left to your own devices?

9           A. Indeed.

10          Q. Was anyone supervising you?

11          A. Not really, no. There would be a chief and a deputy,  
12          perhaps, in the dormitory but there was no direct  
13          supervision. They would be doing their own thing as  
14          well.

15          Q. You say at paragraph 37, you've touched on this already,  
16          this is page 12, things got better as you moved up the  
17          years. Your level of recognition at the school and  
18          ability to be yourself improved as you matured.

19          A. Yes.

20          Q. Which I suppose makes sense generally.

21                 "I think the most harmful part of my upbringing was  
22                 from 12 to 14 ..."

23          A. Yes.

24          Q. So would that be the first two years or --

25          A. Certainly into third year. I remember distinctly my



1 life changing in third year the older -- one of the  
2 duties I had then was cleaning a dormitory which had  
3 fifth year boys in it and Hotel California had just come  
4 out and I remember sitting listening to it with them and  
5 realising that I'd reached a stage of recognition where  
6 the fifth year boys would actually sit and talk to me,  
7 so yes, that was around about 14.

8 Q. I was just interested, what changed in terms of you  
9 weren't so isolated, and that's an example of it.

10 A. Yeah, I matured as an individual, became more aware of  
11 culture, and therefore fitting in better with older  
12 boys. And I think I spoke earlier about as  
13 a 12-year-old boy looking at a 17- or 18-year-old, they  
14 were men. All of a sudden they looked more like me,  
15 they were more of my size, so it was just a natural  
16 progression.

17 Q. And you were no longer a pleb?

18 A. No longer a pleb.

19 Q. Was there a name for boys in the middle years?

20 A. No, there wasn't.

21 Q. You were just a pleb. Was that first and second?

22 A. First and second, yeah. Mainly first year.

23 Q. If we can move on to discipline, and I think this is on  
24 page 25 onwards, obviously you've talked about the new  
25 headmaster making a change to the approach, but you

1           observe, and I think this may mirror with things we've  
2           already heard, there were two levels of discipline,  
3           obviously teachers' discipline, official sanctioned  
4           discipline, and then unofficial discipline.

5           A. Yes.

6           Q. If we can look at the teachers' discipline first, at  
7           that point of course corporal punishment was accepted as  
8           normal?

9           A. Yes.

10          Q. Some teachers presumably were more enthusiastic about it  
11          than others?

12          A. Yes.

13          Q. And that would be known by the boys who was a keen  
14          belter, for example?

15          A. Or a good belter.

16          Q. Or a good belter.

17          A. Mm-hmm.

18          Q. And did that modify behaviour?

19          A. You were always wary of these individuals. One was  
20          a coach of the [REDACTED] the [REDACTED] teacher, Mr CDK [REDACTED]  
21          who was a very keen belter. He also had a -- I never  
22          got belted by him, but I remember one occasion where he  
23          made me feel that I was going to get belted by him and  
24          I stood outside his door for three hours waiting to be  
25          belted and then he came out and told me to go away. It

1           was quite a level of cruelty.

2           Q. Because you had three hours of anticipation?

3           A. Yes.

4           Q. And anxiety?

5           A. Yes.

6           Q. Which presumably increased as time passed?

7           A. Indeed.

8           Q. Did he have a nickname?

9           A. CDK

10          Q. And was he known as an enthusiastic belter?

11          A. Yes.

12          Q. Might he have had more than one belt?

13          A. I couldn't tell you. I tried to stay away from him.

14          Q. You talked about the housemaster turning up on

15             a Thursday evening to issue money but also to punish.

16          A. Yes.

17          Q. Is this in connection with the copies that people would

18             be given?

19          A. Yes. So if you had an untidy bed, if your shoes weren't

20             polished, if some transgression took place that upset

21             the chief or the deputy on that day, you could be given

22             a copy. Chiefs could issue double copies if it was

23             a particularly heinous offence. If you got three copies

24             in one week, then you got belted on a Thursday night.

25          Q. And I think at paragraph 93 on page 26 you talk about

1           that and this is the housemaster in first year?

2           A. Yes.

3           Q. He would come and give the belt to anyone who had three  
4           copies and you all stood by your beds to receive  
5           punishment?

6           A. Yes -- well, you stood by your bed and watched the  
7           people that were to get three copies being called out to  
8           be belted. There was one particular night where we all  
9           got belted, which again is firmly etched in my memory  
10          due to the injustice of it, and the great feeling of  
11          pleasure that the housemaster seemed to have as he  
12          inflicted the punishment.

13          Q. Why did you all get belted?

14          A. It had been decided that the dormitory was so untidy  
15          that everybody would get a double copy, so that was the  
16          beginning of the week, so you had to all make sure you  
17          behaved yourself very well during that week. It was  
18          very difficult to go through a week at that time without  
19          picking up a copy and we all ended up with a copy at  
20          some point so the whole dormitory got belted.

21          Q. You describe in your statement at paragraph 93 his  
22          excitement about this?

23          A. I've never -- it has never left me. We had a room where  
24          the television was situated, such as it was, which was  
25          slightly below the dormitory, called the pulpit room.

1           It was called a pulpit room because it had the shape of  
2           a pulpit halfway down. We were all down in a lower  
3           area, he was in the pulpit and he was shouting at us  
4           about our behaviour and how we'd let us all down and  
5           then one by one we received the belt and the injustice  
6           of that night has lived with me since.

7           Q. You describe him as foaming at the mouth?

8           A. Foaming at the mouth, yes. He did. He had  
9           an unfortunate spittle that formed when he was excited  
10          and he was foaming at the mouth, yes.

11          Q. You make the point that despite the injustice -- and  
12          presumably that was an injustice felt by the dormitory  
13          in total?

14          A. Yes.

15          Q. You couldn't tell your parents anything about this?

16          A. I never told my parents.

17          Q. Did you ever feel belting was justified, from your  
18          experience of it?

19          A. Never. Never. How could you belt a child?

20          Q. Obviously at that stage it was legal?

21          A. It was.

22          Q. And I think it was understood that there was a maximum  
23          of six?

24          A. Maximum of six.

25          Q. Is that right?

1 A. Yes, six.

2 Q. Did anyone exceed six?

3 A. I've never seen anyone exceed six. I can't even

4 remember how many we got that night, as much as the

5 detail of the night's imprinted in my brain. It would

6 be very hard for him, I should think, to dish out six to

7 24 boys, so I should imagine we didn't all get six that

8 night, but it was sore. And the tongues of the belt

9 used to ride up your arm and cross your wrist and it

10 wasn't -- and there was a thing about the boys where you

11 tried not to cry, so you didn't want to cry in front of

12 your peer group.

13 Q. Is this what might be described as stiff upper lip?

14 A. Stiff upper lip, yeah.

15 Q. And that was something you picked up?

16 A. You just felt you didn't want to be the one that cried.

17 Q. Was that something that was discussed by the boys, that

18 you shouldn't cry?

19 A. No, I -- you could see other boys fighting the tears so

20 you took the same stance.

21 Q. That was the official punishment, line copies and then,

22 as necessary, belting?

23 A. Yes.

24 Q. In the school context, in the classroom context, belting

25 presumably took place too?

1 A. Yes.

2 Q. What for?

3 A. Well, I talked earlier about misbehaviour in the  
4 classroom, particularly with the weaker teachers. There  
5 was a teacher called Mr Munn(?), who -- I suspect the  
6 man suffered from shell-shock actually, he just didn't  
7 have the ability to teach and the boys ridiculed him  
8 continually and he would lose the place and then belt  
9 several boys for that behaviour. It was cruel what  
10 happened to him, but the response was equally unjust.

11 Q. Okay. And did that official sanctioning change with the  
12 new headmaster?

13 A. I can't honestly say. I would be speculating.  
14 I certainly experienced more of it when I was younger.  
15 Whether it was a rule by the new headmaster, I've got no  
16 idea.

17 Q. Belting continued presumably if you got three copies?

18 A. Yes, three copies, that was still ongoing, yeah.

19 Q. That's what I wondered, because you make the point that  
20 as you progressed this aspect lessened?

21 A. You didn't get a copy after second year or third year.  
22 That just stopped.

23 Q. So I think you expressed the view that perhaps it was  
24 just to try and instill discipline?

25 A. Instill discipline and adherence to the school society.

1 Q. Did that approach to first years continue when you were  
2 in sixth year, for example?

3 A. Yes, it did, but not to the same extent. I can't  
4 remember anybody when I was in -- I didn't really give  
5 out many copies and I really got on very well with the  
6 young boys I looked after, and so I can't remember  
7 anybody getting belted at all. In fact, the housemaster  
8 I had -- I had two housemasters because we moved -- New  
9 House had closed, we went down to Mason House, so we had  
10 [REDACTED] who was the [REDACTED] teacher, who was  
11 a very nice man, who lived there, and then his wife died  
12 and he moved out and a new housemaster, OCQ [REDACTED]  
13 came in, who was just a really nice character.  
14 I couldn't even see them considering belting anybody.  
15 I think they probably got the allocation of chief and  
16 housemaster right at that time and the whole bit  
17 progressed thereafter.

18 Q. So from what you're saying, it very much turned on the  
19 characters who were selected?

20 A. Characters of the people, yes.

21 Q. We've got the impression, I think, from what we heard  
22 already, that it's a fairly small pool of people to  
23 choose from.

24 A. Yes.

25 Q. But would it be the brighter boys, the A stream boys and



1 the achieving sportsmen who would tend to be chiefs and  
2 deputies?

3 A. Yes, except when it got to my sixth year because only  
4 six of us came back as far as I recall and only five of  
5 us were made chiefs because one boy was just felt to be  
6 too unruly to hold that responsibility, so it was --  
7 yeah.

8 Q. But presumably how a chief or a deputy behaved would  
9 really turn on their individual personality?

10 A. Personality, yes.

11 Q. Was that something you got the sense the school took  
12 account of, who was appropriate?

13 A. I think they may have done -- I suspect -- I've never  
14 really considered this, but as you ask the question, on  
15 reflection I think different values were -- so the boy  
16 that was head boy, chief of New House when I was 12, was  
17 very much First XV mould, been in the XV for years,  
18 a boy from Africa. By the time I'd taken over, I think  
19 they were looking for people with maybe a bit more  
20 sensitivity, perhaps, I'd like to think.

21 Q. Certainly you, by the sounds of it, treated your charges  
22 when you were a sixth year, you were more humane?

23 A. I think I was more parental in that respect, but on the  
24 other hand, I would go as far as saying I should never  
25 have been given that level of responsibility at that

1           age.

2           Q. Did you see any benefit in the level of pupil control?

3           A. My brother wrote to me at school when I'd been made

4           a chief saying, "You'll really enjoy your year because

5           it's the most responsibility you'll have in your life

6           for quite some time", and I suppose it did give you --

7           talk about character-building, it did give you that

8           level of character-building, but it came at expense. It

9           came at expense in terms of your own personal

10          development, relationships with peers, et cetera.

11          Q. We'll come onto the impact in due course, but you could

12          see that there was a potential benefit, I suppose, in

13          giving responsibility?

14          A. I would reflect that I'm the person I am now because of

15          the childhood I had, and some of that was good and some

16          of that was bad.

17          Q. Okay. But then if we can move on to the unofficial

18          punishment system.

19          A. Yeah.

20          Q. And this is what the new headmaster did have some impact

21          on.

22          A. Yes.

23          Q. You talk about, and we've heard it before, the peech.

24          A. The peech.

25          Q. It's spelt peach with two Es but pronounced peech.

1 A. I've no idea. When I gave my statement, I did say that  
2 I don't know how to spell it, but I'll go with any  
3 spelling.

4 Q. I think we would understand in written form it's been  
5 seen as peach but with two Es, but it's like loch, it's  
6 peech.

7 A. All right.

8 Q. Again, was that something you learned about in your  
9 first year, that the peech existed?

10 A. I had no idea about it until it turned up. And it  
11 probably disappeared just around the time Widdowson  
12 came. So I don't know how it went. It certainly became  
13 unacceptable, it was outlawed, so probably around  
14 that -- he came to the school when I was third year,  
15 fourth year, so it was really something I experienced  
16 very much in my first and second year.

17 Q. You're not sure how it was removed?

18 A. No.

19 Q. Was it known about, do you think, by the teachers?

20 A. I have no idea. I'd be speculating. I knew --  
21 definitely the teachers knew it went on in my early  
22 years, yeah. How it was removed, I've got no -- whether  
23 it was a quiet word from the housemasters or whether  
24 Widdowson told the chiefs, I have absolutely no idea.

25 Q. But however it was achieved, it diminished?

1 A. It diminished.

2 Q. By the time you left, was it being used at all?

3 A. There was one particular night where I had the flu and

4 I was in my bed and one of my compatriots peeched two

5 boys in my dorm and there was a huge kick-up about it.

6 I got called out to see the headmaster about it. But

7 that was because it was so rarely used.

8 Q. So that example, the staff clearly knew about it and

9 weren't happy?

10 A. Yes.

11 Q. And I think, as we know from the statement, the initial

12 response was it was your fault, but once they took the

13 point that you were flu-ridden in bed --

14 A. I think actually one of the boys who was peeched ran

15 away and then was brought back into the school and

16 therefore some sort of inquiry was initiated.

17 Q. Right. Now, the peeched, so we would understand it

18 properly, is being slippered?

19 A. Yes.

20 Q. How often, how many times?

21 A. As often as the person doling out the punishment thought

22 it was required. I only -- in terms of the peeched,

23 I only experienced the slipper, but I heard stories

24 about people getting hit with other implements and such

25 like, but that's --

1 Q. Such as?

2 A. Well, there was a story went round about a boy that got  
3 peeched with a running spike. Whether that was true or  
4 not, I have no idea. I heard about people getting hit  
5 with a shovel, so other implements were occasionally  
6 used but it's normally a carpet slipper.

7 LADY SMITH: Were plimsolls used?

8 A. Sorry?

9 LADY SMITH: Plimsolls?

10 A. Plimsolls, yes, I'd heard of plimsolls being used, yes.

11 LADY SMITH: With the rubber soles on them?

12 A. Rubber soles on them, yeah.

13 MR BROWN: Carpet slippers?

14 A. Carpet slippers was the normal modus operandi.

15 Q. Would it have a rubber sole too?

16 A. It would have a rubber sole too, yes.

17 Q. I think on page 28 you talk about other punishments?

18 A. Yes.

19 Q. And your word to describe them is "grotesque", and  
20 there's reference to hands being put flat on desks and  
21 compasses?

22 A. I experienced that one. So a compass would be run  
23 through at great speed. This happened during prep,  
24 which was really homework, where an older pupil would  
25 sit and supervise. You were supposed to be working.

1           Some of them would get bored and if you were caught  
2           talking or reading a magazine or something like that,  
3           then you would be punished and the punishment would be  
4           something like a compass run through your fingers at  
5           great speed or a duster for wiping the blackboard would  
6           be hit across your knuckles. I experienced that one as  
7           well. In fact I lost a nail on my right hand with that  
8           one. My parents asked me how I'd lost my nail and  
9           I told them I'd got my fingers caught in a door. But  
10          that was how these punishments were dished out.

11         Q. To be clear about the compass, when you say running  
12          through the fingers, is this being jabbed down?

13         A. Jabbed down, yeah, at speed.

14         Q. Did the compass ever connect with fingers?

15         A. It did occasionally.

16         Q. You talk about, and in warm terms, matrons as being kind  
17          women?

18         A. Yes.

19         Q. Would people go to matron if that happened?

20         A. No, but there were times where I felt quite lonely and  
21          oppressed and I would sort of feign illness to get  
22          a couple of days in sick bay just to get a break,  
23          really.

24         Q. Is this more in the first couple of years, in the  
25          isolation?

1 A. In the first couple of years, yes.

2 Q. But if someone suffered a severe injury, and you talk  
3 about losing a fingernail --

4 A. Well, I lost a fingernail but I didn't go to anyone for  
5 any help. It was gradual over time. So the blood would  
6 build up under your nail and then occasionally the nail  
7 would the grow off and then it'd grown back in again.  
8 So it's not something you would go down for immediate  
9 sustenance.

10 Q. Injuries, you were talking about this happening during  
11 prep. Again, it's in your statement but just to be  
12 clear, were teachers ever present during prep?

13 A. I think there was an on-duty master that used to come  
14 around occasionally, but it wasn't -- you didn't see  
15 them every night. I think there was a duty master on  
16 until about 8 o'clock, 8.30 at night who used to come  
17 around and pop their head in occasionally, but that was  
18 a bit -- it was like a royal visit.

19 Q. I take it from what you've said earlier, it would never  
20 have occurred to you to go and tell someone about this?

21 A. No. It wasn't the done thing.

22 Q. You make the point and you've made it already that of  
23 course when you're small 17/18-year-olds seem like grown  
24 men and some presumably physically were grown men?

25 A. Yes.

1 Q. This is paragraph 100, page 29, it's a phrase you use:  
2 "They were massive. So being hit by these fit young  
3 men was sore. To me I was being hit by a man."  
4 Fourth and fifth line down. Then you go on:  
5 "It was humiliating and cruel. It was a slipper or  
6 a training shoe on the backside. I had my bum bacon  
7 sliced with a wooden ruler on one occasion."  
8 A. Yes, I forgot about that. Yes, I did.  
9 Q. Just to be clear, what do you mean by "bacon sliced"?  
10 A. Chopped down on your backside in a chopping motion,  
11 which is quite sore.  
12 Q. Did you ever hear the phrase "chiefs' peeche"?  
13 A. It rings a bell, but I couldn't -- I couldn't --  
14 I couldn't say what it was. Sorry.  
15 Q. All right. But would you say, just rounding off this  
16 chapter of your evidence, official punishment never  
17 changed; the peeche diminished in use?  
18 A. Yes.  
19 Q. And that seems to have been deliberate?  
20 A. Deliberate around about the arrival of Widdowson, so  
21 I suspect he was the one who made that change.  
22 Q. But it was still present even in your last year?  
23 A. It was still -- there were people there who had  
24 experienced it, who remembered it. It was -- it was  
25 very rare. I can only remember that one occasion in my



1 sixth year.

2 Q. That's punishment, but then you talk about bullying.

3 A. Yeah.

4 Q. Some of what you've been saying, I suppose, might be  
5 like a Venn diagram, there's a bit of overlap --

6 A. Yeah.

7 Q. -- between punishment turning into bullying.

8 A. Yes.

9 Q. Do you agree with that?

10 A. Yes. There were boys -- you get different types of  
11 personality. There were some boys who revelled in  
12 treating younger boys badly. I remember when I was --  
13 there was a tuck shop just at the back of the old school  
14 and I remember some older boys holding a younger boy up,  
15 shaking all the money out his pocket outside the tuck  
16 shop. You know, these things went on. Even down to the  
17 nicknames that were given. Some people went through  
18 their whole school life with the most abhorrent  
19 nicknames and the behaviour that followed.

20 I look back and it's funny, I'm sure we'll get on to  
21 the work I do now, but we talk about bystanders, people  
22 who stand by and let things happen, and I was  
23 a bystander. I knew it was wrong, I didn't take part in  
24 it myself but I didn't do anything to intervene.

25 Q. Is that something that troubles you still?

1 A. It troubles me, yes.

2 Q. Again, to get a sense of bullying in a school, would you  
3 say that the number of bullies and the people -- the  
4 number of people being bullied was relatively small?

5 A. Yes.

6 Q. But presumably there were an awful lot of bystanders?

7 A. A lot of bystanders.

8 Q. Did you ever see anyone intervene to stop bullying in  
9 their time at Keil?

10 A. Absolutely never.

11 Q. Again was that understood, that you just didn't do it?

12 A. I suspect that's probably the case.

13 Q. Was it discussed amongst the boys that this was  
14 iniquitous but we can't do anything or was it just not  
15 talked about?

16 A. Just didn't talk about, as far as I recall. One boy in  
17 my year who was particularly badly treated, I saw him in  
18 later life, I lived in the area and he also lived in the  
19 area, I saw him walking around the streets and he  
20 just -- he looked like a poor soul and I suspect that  
21 his -- he was different and I suspect his school days  
22 impacted on him greatly.

23 Q. He was different then?

24 A. Yes. His upbringing was different, his outlook in life  
25 was different, and as such he was ridiculed by some of

1           the pupils.

2           Q. So the people who were bullied, did they tend to be  
3           different in some shape or form?

4           A. They tended to be softer boys, for want of a better  
5           expression.

6           Q. Again thinking of the staff, understanding that this is  
7           a regime where boys have been given powers which you  
8           would now consider extraordinary, I take it?

9           A. (Witness nods).

10          Q. Would the staff have been aware of the bullying?

11          A. I would find it hard to believe they didn't know about  
12          bullying. I certainly -- if you're going to let boys of  
13          these ages stay together and be together all that  
14          time -- in fact, even going so far as using Lord of the  
15          Flies as a teaching material, I think you should suspect  
16          that that sort of thing would go on, but there was never  
17          any steps taken to prevent it.

18          Q. Was Lord of the Flies one of the books in English --

19          A. It was standard teaching for O-level English.

20          Q. Was that commented on by the boys, "Gosh, isn't this  
21          similar"?

22          A. I don't think we ever drew that comparison, but  
23          internally you could see it.

24          Q. But you didn't draw the comparison?

25          A. I don't remember anybody discussing it.

1 Q. Right.

2 A. Maybe we did. I don't know.

3 Q. We obviously now talk easily about pastoral care in the  
4 context of schools. Was there any pastoral care in the  
5 sense that you could go and talk to someone?

6 A. The only pastoral care that I recall was that Scripture  
7 Union class that I went to that John McNeil ran.  
8 I don't recall any time where I went and had time with  
9 somebody to give me support or what you'd expect from  
10 a parental approach. I think that is one huge  
11 comparison I would make, that if you suffered a bad day  
12 and went home and you had a closer relationship with  
13 your parents, you would expect them to put their arm  
14 around your shoulder and support and enquire. There was  
15 nobody there to do that for us. We had no attachment to  
16 anybody.

17 Q. We'll come back to attachment. One of the things though  
18 that you talk about, and you're not alone talking about  
19 this, is you have the, my word, genteel estate around  
20 the school with its own grounds, which presumably were  
21 lovely, looking over the Clyde, it's all potentially  
22 idyllic.

23 A. Yes.

24 Q. Then over the wall you have Bruce Hill, which was one of  
25 the worst council estates in Scotland?

1 A. In Scotland, yes.

2 Q. And we understand that connection with Bruce Hill was  
3 unpleasant if you were at Keil because obviously you  
4 were seen as entitled, presumably rich?

5 A. Yes.

6 Q. Snooty?

7 A. Indeed.

8 Q. And that showed itself in attacks on pupils?

9 A. Yes. The walk from schoolhouse to New House at 12 years  
10 old was quite a scary walk, particularly coming back  
11 after prep at night in the winter, so you'd be leaving  
12 prep at 8.30 and walking up this dark road separated by  
13 a small unploughed field between Bruce Hill and the  
14 school, and there was regular stories about boys being  
15 attacked, so you were in fear going up, and we were  
16 advised to go up in groups and not to go up  
17 individually, and that's what we tended to do.

18 The worst attack I ever heard of, or was aware of,  
19 was actually on Edwin Jess himself. During the school  
20 holidays he was severely beaten heading up that road.

21 Q. So there are pastoral issues going on all the time  
22 because of Bruce Hill?

23 A. Yes.

24 Q. Was anything done pastorally about that?

25 A. No. Not at all.

1 Q. So even there, where staff are being attacked, from what  
2 you're saying --

3 A. The headmaster was attacked. There was an occasion  
4 where the police were involved. I don't want to be  
5 critical of former colleagues, but the way they dealt  
6 with it was to encourage us to go up one by one while  
7 they sat in bushes and waited. It wasn't really going  
8 to solve the problem.

9 Q. You were bait?

10 A. We were bait, yeah.

11 Q. Did that ever change?

12 A. New House closed. Whether that was one of the reasons  
13 it closed -- it closed about two years after I started,  
14 maybe three years after I started, and then Islay Kerr  
15 was the most outlying -- but it actually went the other  
16 direction. So things got a lot safer. And I think --  
17 whether New House was closed for that reason or because  
18 it was really dilapidated and people shouldn't have been  
19 living there anyway, I'm not quite sure.

20 Q. Okay. But even something that is impacting the whole  
21 school wasn't really addressed by the school?

22 A. No.

23 Q. The perception, obviously, of the people living in the  
24 estate was that you were presumably rich kids who were  
25 entitled and --

1 A. Again, I'd be -- surprising. I don't know exactly what  
2 their motivation for it was, but certainly I think if  
3 you're living in one of the most impoverished housing  
4 estates in Scotland and there's a privately educated run  
5 school playing rugby and wearing shorts, then there  
6 would be a feeling of animosity, I would imagine.

7 Q. I think, as we can see in paragraph 33 on page 10, one  
8 of the reasons that you contacted the Inquiry was  
9 because of what you have done since.

10 A. Yeah.

11 Q. And you've talked about feeling that things were unjust  
12 at school.

13 A. Yeah.

14 Q. But is it fair to say taking on two lines into one, one  
15 that privately educated children are somehow entitled  
16 and different --

17 A. Yeah, this was a -- it was a really important part for  
18 me coming forward, there was two triggers. This was the  
19 first one, and they happened very quickly after each  
20 other.

21 I was asked -- I was very honoured to [REDACTED]  
22 [REDACTED]

23 [REDACTED] we heard evidence from a very articulate young man  
24 who's now a social worker who had been in the care  
25 system and he had been brought to give us his evidence

1 because he was so articulate, and he outlined his  
2 experiences of having no parental support, being  
3 isolated [REDACTED]

4 [REDACTED] my  
5 childhood was very similar at boarding school. [REDACTED]

6 [REDACTED]  
7 [REDACTED]  
8 [REDACTED]  
9 [REDACTED]  
10 [REDACTED]  
11 [REDACTED]  
12 [REDACTED]  
13 [REDACTED]  
14 [REDACTED]

15 [REDACTED] my trauma is every bit as  
16 real to me as his was to him.

17 Q. That's the point. His trauma is his trauma. Your  
18 trauma is your trauma.

19 A. Yes.

20 Q. And that is perhaps the point.

21 A. Yeah.

22 Q. Were you traumatised by Keil?

23 A. There is absolutely no doubt that I was traumatised by  
24 going to Keil, and my whole life from that moment  
25 onwards has been taking account of my experience. It



1           made me the person I am.

2           Q. As you very fairly said, some good things.

3           A. Yes.

4           Q. But it's perhaps interesting that in terms of your  
5           experience -- and plainly there's no criticism in  
6           this -- you were one of the bystanders.

7           A. Yes.

8           Q. You were traumatised. Trauma seems to be a broad  
9           experience, not just for those who were the bullied.

10          A. Indeed.

11          Q. Or even the bullier, the bullies themselves.

12          A. Yes.

13          Q. [REDACTED] it's  
14          understandable, perhaps, at the time.

15          A. [REDACTED] I don't think  
16          I'd ever get that individual to see from my point of  
17          view. I think he -- just even given by the way he  
18          portrays himself as a representative of care experience  
19          children, has an agenda which he's pursuing and quite  
20          rightly pursuing, so I don't think I would get him to  
21          change the way he views it. I would have to try and  
22          find the words to explain exactly how I felt [REDACTED]  
23          [REDACTED]

24          Q. But your experience is not something to apologise about.

25          A. It's certainly not something to apologise for.

1 Q. It was traumatic?

2 A. It was traumatic.

3 Q. You left Keil in 1980 and obviously we know that I think  
4 educationally you feel you were let down.

5 A. I was definitely let down. I -- I could have done so  
6 much better at school, educationally, as I found later  
7 in life, and I had no proper career guidance or guidance  
8 about how to go to -- I didn't know what university  
9 courses did. The only subject I was particularly  
10 interested in was history and when I looked at that, you  
11 could either become a history teacher or librarian and  
12 neither of these appealed to me, so I applied to join  
13 the Clydesdale Bank, which I actually still have no idea  
14 why I did that, and I ended up working there for five  
15 years. Again, I just -- when I sat and talked to my  
16 children, they made their own choices but I gave them  
17 advice. I had nobody to do that for me.

18 Q. And there was certainly no guidance as you would now  
19 expect --

20 A. No guidance.

21 Q. -- and presumably see with your children. You know,  
22 there's careers guidance at schools. It's something  
23 people think very seriously about.

24 A. You have guidance teachers now.

25 Q. And then obviously we know that you moved on from the

1 bank and had a very successful career?

2 A. Yes.

3 Q. One thing, before we go to talk about some of the  
4 knowledge you've gained from that career and how it  
5 might affect how this Inquiry looks at things, but  
6 there's another aspect that you do touch on, which  
7 I would like to touch on briefly, which is your ability  
8 to engage with the opposite sex.

9 A. Yes.

10 Q. That was something that was also limited by Keil?

11 A. Yeah, definitely. My wife's sitting in the audience so  
12 I have to be careful what I'm saying, but yes. I had  
13 never grown up with girls, so leaving school at 18 I had  
14 never had a relationship with girls. I found that very  
15 difficult. It's something I overcame over the next  
16 couple of years, but it was very, very difficult. But  
17 I also had pupils that were at school with me, fellow  
18 pupils who really had great difficulty. I invited one  
19 of my friends to come and play rugby [REDACTED] when  
20 I played there and he went to a party where my cousin  
21 was there and he started sending her poetry and she had  
22 to ask me to get him to stop, but he didn't know how to  
23 interact with girls at all.

24 Q. So you weren't well equipped educationally and you  
25 weren't well equipped socially?

1 A. Not at all.

2 Q. But obviously that was overcome too?

3 A. That was overcome too, yes. Hopefully.

4 Q. Well, plainly. Your career obviously after the bank has  
5 led you in many directions and given you particular  
6 experiences, and one of those is being involved in  
7 trying to stop violence within society, [REDACTED]  
8 society, which, would you agree, is an issue with  
9 [REDACTED] society, there are levels of violence which are  
10 as ingrained, perhaps, as your experience of unofficial  
11 punishment at Keil once was?

12 A. Given my -- the job I hold, I have to say that we've  
13 come a long journey, we still have a journey to go,  
14 we're not quite as bad as we once were, but yes,  
15 violence remains an issue in [REDACTED] society.

16 Q. But that's one of your tasks?

17 A. Yes.

18 Q. To try and address that?

19 A. Yes, indeed.

20 Q. You make mention of a scheme within schools which is  
21 designed for Local Authority schools and it's talking  
22 about getting people to be able to report things.

23 A. Yeah.

24 Q. And to stop being bystanders.

25 A. Yes.

1 Q. Is that successful?

2 A. Yes, it's extremely successful, and we're now applying  
3 it in wider society. So we've done some work with  
4 [REDACTED] Government on the back of the Alex Salmond  
5 affair to try and support civil servants to feel  
6 empowered, to not be bystanders, and I've currently  
7 offered it to [REDACTED] on the back of the  
8 Sarah Everard case where cultural issues are evident  
9 within large organisations and bystanders need to be  
10 empowered. So it can be employed far wider than just  
11 within schools.

12 Q. But the original focus was in schools?

13 A. Was in schools. And it's an [REDACTED] and  
14 it -- it's designed by a chap called [REDACTED] but  
15 one of the issues we focused on, the murder of  
16 Bailey Gwynne in Aberdeen where the boy brought a knife  
17 to school, several pupils in the school knew the knife  
18 but didn't know what to do and he ultimately killed  
19 Bailey Gwynne, so it's about empowering the pupils not  
20 to allow these situations to occur.

21 It's also in terms of children as they move into  
22 adulthood, what they might see as they go into the wider  
23 world, you know, looking after female companions,  
24 watching what they're drinking. It's about empowering  
25 people to take action to prevent issues from happening.

1 Q. But you make the point in paragraph 119 on page 34 that  
2 it's been rolled out into 30 of 32 local authorities.  
3 Is that still the position or is it --

4 A. Yes, I don't know the exact number but there's a lot of  
5 discussion -- it's now delivered by [REDACTED]  
6 that programme. There's a lot of discussion on it. The  
7 [REDACTED] is the programme.

8 Q. But you go on to say it doesn't touch the private  
9 schools?

10 A. It doesn't touch the private schools because it's  
11 delivered by [REDACTED] So there is the -- the  
12 chap who used to work for us who designed the programme  
13 [REDACTED], he'd gone out to work with [REDACTED] he  
14 set up his own business when he left, interesting that  
15 he had that ability, but he set up his own business to  
16 do [REDACTED] work and he does some  
17 in private schools, particularly around about Edinburgh  
18 and he does some in universities, so he delivers that  
19 programme as a business.

20 Q. So it is available but as a private enterprise?

21 A. They would have to pay for it, yeah.

22 Q. But [REDACTED] wouldn't see it as their remit,  
23 it would seem?

24 A. They don't have a remit within private schools.

25 Q. Okay. They are involved in inspection of private

1 schools?

2 A. Yes.

3 Q. But it doesn't go so far as --

4 A. No.

5 Q. -- putting in place -- do you think it should?

6 A. I think that programme is excellent. As I discuss it,

7 ■ do a lot of work in England and Wales. As I discuss

8 it, there's an appetite for it down there. There's

9 a lot of schools, particularly around about London, who

10 have taken that programme. I would recommend it to

11 every school. And as I say, wider use. The issue of

12 bystanders, which we've touched on, is a huge problem

13 with our society and people need to believe that they

14 can speak up.

15 Q. And I think, as you say in the subsequent paragraph,

16 120, this emphasises the point that privilege doesn't

17 protect you in any way from the sort of things that this

18 programme touches on.

19 A. I think hierarchical structures in themselves make the

20 issue more pronounced, so I think it's not just schools

21 that require that.

22 Q. Indeed. Another item that you are clearly concerned

23 about is the impact your experience at Keil had on you,

24 some good, but clearly much bad. Fair?

25 A. Yes. I agree with that, yes.

1 Q. You talk about attachment theory.

2 A. Yes.

3 Q. Tell us about that?

4 A. I'm not an expert on it, but it was the second trigger  
5 that caused me to come here. Dr Suzanne Zeedyk, who  
6 specialises in that, [REDACTED] a lot of work around  
7 childhood trauma.

8 So the very fact that a child is not born bad, it's  
9 what happens to the child that causes issues to arise  
10 and so we look at how we can support families to break  
11 that cycle, so stop -- and part of that is attachment  
12 theory. People who grow up with a solid family circle,  
13 loving caring parents, tend to grow up as normal,  
14 thriving human beings. But the more you break that  
15 bond, the more likely it is that you will have issues  
16 arising. And as that lady was discussing this in  
17 a seminar that I was at, she started talking about  
18 children that had been to boarding school, the  
19 relationships with parents, the relationships with  
20 siblings, how they tend to be, for want of a better  
21 word, needy, largely because of their break from their  
22 childhood. And it can express itself in a not very  
23 realistic view of the world, that you may see the world  
24 as a slightly different place than other people.

25 The point she was making is a lot of our politicians



1           went to boarding school and therefore political opinion  
2           can be framed by people with such narrow outlooks, but  
3           actually while she was making that point she triggered  
4           me to break down because my relationship with my parents  
5           was never close.

6           Q.   And with your brother?

7           A.   And with my brother.

8           LADY SMITH:  Was the expert you referred to Dr Suzanne --

9           A.   Suzanne Zeedyk.

10          MR BROWN:  So you clearly, and we see this on the final full  
11          page of your statement, think that this is very material  
12          when one thinks of boarding schools?

13          A.   I -- my parents wanted to do the best for me they could.  
14          Excuse me.  It was not their fault.  And I would never  
15          ever put my children through that.  And I think a lot of  
16          parents continue to make the mistakes my parents did,  
17          thinking they're doing their best for their children but  
18          long-term they're doing some damage to them as well and  
19          they need to make these decisions with open minds and  
20          full knowledge, and I think studies such as attachment  
21          theory are important because, as you break that very  
22          important bond with your children, there's a cost that  
23          comes with it.

24          Q.   I think you make the point at paragraph 126 for you, you  
25          say:

1           " ... if I was writing a section in the Inquiry  
2           report I would be challenging the stiff upper lip and  
3           the character building ethos of boarding school  
4           existence."

5       A. Certainly that was the way it was viewed, that this was  
6       character building, it turned you into a man, made you  
7       stand up for yourself. It comes with a major cost, and  
8       I think, as you alluded to, even your questioning,  
9       there's been the number of people coming in here telling  
10      you about that cost. It is quite a traumatic  
11      experience.

12     Q. Obviously that is based on your experience at Keil.

13     A. Yes.

14     Q. But I take it you wouldn't contemplate sending your own  
15      children?

16     A. There is no shadow of doubt that I would never send my  
17      children away. I couldn't believe that anybody would  
18      send their children away at that age, and let's face it,  
19      at prep school, eight, even worse. Why bother having  
20      children if you're going to do that? The bond between  
21      parents and children should be so important.

22      I understand some people work abroad, can't take their  
23      children and there has to be arrangements, et cetera,  
24      but it is at a huge cost for the child.

25     LADY SMITH: And you're also saying then where a boarding

1 school has to be chosen for whatever reason, the parents  
2 need to know what they should be looking for in terms of  
3 the quality of let's just call it proper care, but also  
4 the schools in the modern world have a responsibility to  
5 ensure that they are offering a wide range of services,  
6 not just education, but proper care of the children,  
7 recognition and understanding of the need to do all they  
8 can to preserve and foster the attachment between child  
9 and parent and sometimes between children and their  
10 siblings as well, which may be important?

11 A. I don't disagree with any of that, my Lady. I would  
12 like to think that the system is totally different to  
13 the one I experienced now. The point I make, though, is  
14 there is no more important relationship than that  
15 between parent and child, and to sever it in such a way,  
16 I don't know how you -- having somebody else provide  
17 that care and that support is all very good and well,  
18 but a child looks to the parent for that, and without  
19 that support, the child is largely exposed.

20 LADY SMITH: Mr Brown.

21 MR BROWN: I don't think I have anything to follow up on  
22 that. It's that was the line I was going to pursue  
23 next, so I'm very happy for it to be done so succinctly.

24 Is there anything else you would wish to say?

25 A. No. I've actually -- I know you prepare yourself for

1           this, but I've actually found it traumatic. So I think  
2           I'd like to draw a line if I can.

3           Q. Thank you very much for attending and making the effort,  
4           which has clearly been onerous.

5           A. Thank you.

6           LADY SMITH: 'Martin', before I let you go, can I add my  
7           thanks to you for engaging with the Inquiry, for making  
8           the choice you did to come forward, for providing such  
9           a detailed and thoughtful statement. It's very plain  
10          you have considered carefully all you've said there and  
11          again today, coming along and expanding on what's in  
12          your written statement. This is of enormous assistance  
13          to me in the work that we are doing here. I'm really  
14          grateful to you for doing that.

15          A. Thank you very much.

16          LADY SMITH: Now please feel free to go and I hope that you  
17          do manage to find something that enables you to relax  
18          for the rest of the day.

19          A. Thank you very much, my Lady.

20    (The witness withdrew)

21          LADY SMITH: We could take the morning break now, Mr Brown,  
22          and then there will be time for a read-in at least, one  
23          or two, afterwards?

24          MR BROWN: I think the totality. I think we have three  
25          read-ins planned now for today, having done one of

1           today's yesterday.

2           LADY SMITH: Of course, yes.

3           MR BROWN: Which might take us a fraction after 1 o'clock

4                           and then we have a live witness in the afternoon. We

5                           can perhaps do another read-in, if necessary.

6           LADY SMITH: We'll see. We have a little bit of room later

7                           in the week if we don't manage to complete all the

8                           planned read-ins today.

9           MR BROWN: Absolutely, there's no pressure of time. But I

10                           think the three read-ins today might take fractionally

11                           over an hour.

12           LADY SMITH: Thank you. I'll rise now for the morning

13                           break.

14           (11.53 am)

15                           (A short break)

16           (12.12 pm)

17           LADY SMITH: Ms Bennie, when you're ready.

18           MS BENNIE: Thank you, my Lady. The first witness statement

19                           bears the reference WIT-1-000000439 and, my Lady, this

20                           is the witness statement of Thomas Smith.

21           LADY SMITH: Thank you.

22                           Thomas Smith (read)

23           MS BENNIE: "My name is Thomas Stewart Smith. My year of

24                           birthday is 1944."

25                           My Lady, in paragraphs 2 and 3 the witness sets out

1 his professional qualifications and his background and  
2 I resume reading at paragraph 4:

3 "I was appointed as depute head of Keil through  
4 completion of an application form and provision of my  
5 degree certificates and GTC registration. I also  
6 visited the school and was interviewed by the  
7 headteacher, the director of studies and the principal  
8 teacher of chemistry. References were taken up by the  
9 school.

10 As depute head, I had involvement in the day-to-day  
11 administration, timetable construction, exam  
12 arrangements, disciplinary issues and organising school  
13 events from weekly assembly to speech day. I also  
14 taught science/chemistry to a small number of classes.  
15 I was also the housemaster of a boys' boarding house and  
16 was responsible for the daily running of the house,  
17 assisted by an assistant housemaster and later by  
18 a house mother.

19 There were four boarding houses in Keil - Islay Kerr  
20 and Mackinnon were for senior boys, School House for  
21 girls and Mason for junior boys, although this house  
22 later became a day house and the boys became part of the  
23 senior houses. I was housemaster in Islay Kerr House.  
24 William Bain was my assistant there from 1989 until he  
25 became the housemaster in Mackinnon House in 1998.

1           From 1999 to 2000 I was the headteacher in overall  
2 charge of the school but the school was facing  
3 a financial crisis and the concerns were principally  
4 trying to help Keil survive with cost-cutting, staff  
5 appointments and promotional activity.

6           As depute head, only the headteacher was more  
7 senior. We met every day. As a classroom teacher,  
8 I would take instructions from the principal teacher of  
9 science/chemistry. As headteacher, I was responsible to  
10 the Chair of the Board of Governors and the Trust.

11           No specific training was provided by the school for  
12 my different positions but induction included time with  
13 the headteacher and meeting a number of other staff and  
14 pupils. I also spent some time with my housemaster  
15 predecessor to learn of his processes and procedures.

16           I am asked if I had an involvement in or  
17 responsibility for policy in relation to the care,  
18 including the residential care of children. As  
19 a housemaster, I and all the other housemasters met  
20 weekly with the headteacher to discuss individual pupils  
21 and procedures and to agree changes to school practices  
22 and arrangements, particularly for the boarders.  
23 Commonly, this was to improve conditions in the house.

24           In addition, the full staff met every month for  
25 a lengthy meeting to discuss the monthly pupil reports.

1 Every child would feature and their academic and social  
2 progress would be debated. House staff would note  
3 decisions regarding their specific pupils.

4 As depute head, the headteacher involved me in  
5 formulating policies, changes and improvements,  
6 including staff appointments and in-service training.

7 Improvements included moving evening homework from  
8 the school to the boarding houses, facilities were  
9 improved in toilets and showers, the menus were  
10 adjusted, evening tuck shop was installed and supper  
11 facilities were introduced, and leisure facilities were  
12 extended in the houses.

13 Without question the school promoted good  
14 relationships between staff, pupils and both. This was  
15 a central theme to all of our policies. On his return  
16 from a Scottish Council of Independent Schools  
17 conference in the mid-1990s, the head introduced a child  
18 protection policy documents which led to the appointment  
19 of a child protection officer and an independent  
20 listener. This introduced concepts and actions that had  
21 been rarely considered in the school.

22 From memory, I believe that the designated child  
23 protection officer would have been myself or the  
24 headteacher, but I cannot be absolutely certain after  
25 this length of time. Likewise I am not absolutely



1 certain, but I suspect the listener was the chaplain,  
2 the Reverend Ronald Boyd. I suspect there was no  
3 surprise at the introduction of these measures because  
4 the issues at the time in Orkney had appeared in the  
5 media. As far as I am aware, no one had considered the  
6 need for a written child protection policy before,  
7 although the welfare of children was always central to  
8 our ethos.

9 The school had an excellent relationship with the  
10 local police who visited regularly and provided good  
11 security advice. The school was sited in a difficult  
12 area.

13 Over the years, the curriculum was extended to  
14 include IT, German and social and moral education. This  
15 allowed even a small school to provide a full  
16 curriculum.

17 As depute head, the headteacher and I would  
18 regularly look to the future. We were like-minded over  
19 staff qualifications, both for teaching positions and  
20 for house staff, the requirements of the modern  
21 curriculum and the welfare of the children. Without  
22 doubt, from 1989, Keil quickly became a softer, kinder,  
23 more professional environment than in the past and pupil  
24 happiness and academic success were main priorities.  
25 These objectives were well met in my opinion, which was

1 shared by HMI.

2 When I arrived in Islay Kerr in 1989, I had no  
3 previous experience of boarding. I considered the  
4 furnishings and decor in Islay Kerr House to be spartan  
5 with hospital-style metal beds and poor curtains and  
6 flooring. Likewise I found the style of housemastering  
7 strict and almost military, with what I felt was  
8 insufficient oversight of chiefs. I therefore tried to  
9 change the situation to be more akin to my home and  
10 family, and I moved the Islay Kerr housemastering style  
11 to something more familial.

12 In my time, boarding house furniture was upgraded to  
13 give each pupil a space of his own in a dorm, with new  
14 carpeting. More in-house leisure facilities were  
15 introduced.

16 Pupils were no longer required to stand by their  
17 beds when staff entered. While still giving the house  
18 chiefs a lot of responsibility, I kept a close eye on  
19 their work. I was regularly in the house, chatting to  
20 pupils. My door was always open for boys to come to  
21 talk to me, even when I was not on duty. House mothers  
22 were interviewed to ensure a kinder environment,  
23 particularly for younger pupils. Whilst discipline was  
24 important, I was very conscious that Islay Kerr was the  
25 boys' home in term time, and I believe the atmosphere in

1 the house was very relaxed.

2 Other wider changes were occurring at the same time.  
3 When I arrived, the school had an all-male staff apart  
4 from one part-time art teacher, and matron. Over time,  
5 staff became equally male/female and boarding houses  
6 each had a male and female presence, which definitely  
7 led to a softer, although disciplined, approach.

8 Over the 1990s, the school adapted to a changing  
9 roll as the number of girls and day pupils increased,  
10 while there was a fall in boarding boys. This was no  
11 longer simply a boys' boarding school. One of the  
12 original boarding houses became a day house and latterly  
13 included a Primary 7 classroom. These changes  
14 inevitably led to the provision of activities for girls  
15 and pastoral care for girls. The appointment of a male  
16 head of girls' house was completed following full  
17 parental consultation and was a most successful move.

18 The school worked extremely hard to provide a secure  
19 and caring environment. Generous staff levels were in  
20 place and there was always a duty staff member available  
21 all day, every day. The school's academic staffing  
22 level was approximately 10 to 1 and class sizes were  
23 therefore very small. The boarding houses were  
24 satisfied every evening and every weekend. In Islay  
25 Kerr, two to three members of staff shared

1 responsibility for 20 to 30 boys, the ratio becoming  
2 more generous as the roll fell. On weekdays each  
3 boarding house had one housemaster on duty each evening.  
4 At weekends, the school had a duty teacher each day with  
5 a housemaster coming on duty each evening. In practice,  
6 however, most of the boarding staff would have been  
7 around. A good number of staff lived on site and the  
8 level of staff commitment was exceptional. The  
9 provision of regular activities, sports and weekend  
10 outings for pupils was given considerable attention.

11 Senior staff were very visible around the school  
12 with visitors, parents and guests and could often enter  
13 classrooms unannounced.

14 As depute head I had some direct responsibility for  
15 managing staff, such as covering for absent teachers,  
16 exam supervision, timetabling and extracurricular  
17 activities. Under the headteacher, I shared  
18 responsibility for all staff. This involved the  
19 recruitment and the monitoring and the encouragement of  
20 all. Staff support was first class.

21 In my own boarding house, I was more directly  
22 involved in overseeing the work of my assistant  
23 housemaster, William Bain. He was an experienced  
24 housemaster and gave the pupils an unbelievable amount  
25 of his time.

1           As headteacher in the final year, I had overall  
2 responsibility for all staff.

3           I was closely involved with all appointments.  
4 Applicants invited for interview required to be  
5 professionally qualified in the relevant subjects, and  
6 GTC registered, and to have positive references.  
7 Contact was always made with referees. When applicants  
8 came to visit the school, several members of staff would  
9 be involved and senior pupils would be asked to guide  
10 the inevitable tour and provide feedback. Boarding  
11 house staff appointments involved extra considerations,  
12 as some were married, some had children, some were  
13 single - and much depended on the quality of the  
14 interview and the relevant references. Would this  
15 applicant fit into a boarding environment and have good  
16 relationships with the children? We wished Keil to be  
17 as close to a home as possible.

18           Professional references were always taken up and  
19 always from present employers if relevant. Character  
20 references were also sought, particularly essential from  
21 recently qualified staff coming straight from university  
22 or college. It was my practice, and I believe the  
23 practice of other heads, to make every effort to speak  
24 to referees.

25           I am asked whether I was involved in the training

1 and/or personal development of staff. Mainly by example  
2 and promoting the school ethos, but I had a closer  
3 involvement with probationer teachers who required  
4 formal appraisal. Probationer teachers required to have  
5 two years of formal appraisal by the head of department  
6 and senior management. I would sit in probationer class  
7 lessons and report back.

8 On appointment, teachers received their job offer,  
9 a reasonably detailed contract and a school handbook  
10 entitled, 'School discipline and routine', which covered  
11 rules, routines, punishment, rewards, reporting of  
12 problems, et cetera. Professional training days were  
13 compulsory when major national changes were introduced  
14 to the curriculum or exam structure. Staff were free to  
15 attend other training days and conferences and there  
16 were internal in-service days. Regular meetings took  
17 place - principal teachers, whole staff, ad hoc  
18 committees and boarding staff. In a small school it was  
19 possible for staff to have significant input into school  
20 matters.

21 I am asked whether I was involved in the supervision  
22 of staff and staff appraisal. I was involved, but  
23 secondary to the head, who analysed the required staff  
24 self-evaluation returns. All staff completed  
25 self-evaluation returns for the headteacher, but I can't

1 recall the details, although it would have included  
2 their own review of the year and their ambitions for  
3 future progression. I would meet with all heads of  
4 department to discuss external exam results and  
5 timetable arrangements for the following session.

6 Much appraisal of staff was informal as senior  
7 management regularly visited classrooms. In the later  
8 1990s, the headteacher introduced a more formal annual  
9 system of staff appraisal, including classroom  
10 observation and interview, and all staff benefitted from  
11 this."

12 My Lady, in paragraphs 35 to 37, the witness tells  
13 us about living arrangements and I move on to resume  
14 reading at paragraph 38, which is, "Culture within  
15 Keil":

16 "My years at Keil were the happiest in my career.  
17 The pupils were generally well-behaved and hard-working.  
18 The atmosphere was extremely friendly and volunteering  
19 rather than coercion was the norm. The pupils were good  
20 to each other, bullying was minimal, and a willingness  
21 to take part in everything was impressive. The school  
22 was not their home, but the efforts by staff to provide  
23 an environment as close as possible was commendable.  
24 The staff commitment was exceptional.

25 Historically the boys had a major part to play in

1 running the school, but this modified down the years.  
2 There was some evidence of minor fagging when I arrived  
3 at the boarding house in 1989, but I outlawed it  
4 immediately as unacceptable. One example of fagging  
5 I remember was a chief requiring his rugby boots to be  
6 cleaned by a younger pupil.

7 During my ten years, the senior pupils were still  
8 given significant responsibilities but there was no  
9 doubt that house staff ran the boarding houses.  
10 Physical punishments were not acceptable, but prefects  
11 were allowed to issue copies, but staff should be  
12 informed. Most commonly, these would follow  
13 unacceptable orderly work assigned to a pupil. All  
14 boarders were assigned orderly work, which involved  
15 daily tasks within the house, for example, making beds,  
16 tidying rooms, delivering laundry.

17 There was also a unique punishment called a 'long  
18 stand'. A long stand was when pupils assembled for  
19 assembly or similar events, if they did not quieten down  
20 while waiting for staff, the senior chief could order  
21 a long stand, which entailed the whole school standing  
22 for about five minutes in absolute silence.

23 Chiefs and deputy chiefs were appointed annually by  
24 the head, the deputy head and the other senior house  
25 staff. They were all in years 5 and 6. Each house had



1 a house chief, aided by two deputy chiefs, who each had  
2 a school and house responsibilities. There was a senior  
3 chief, the equivalent of a head pupil, who had a great  
4 deal of responsibility for representing the school and  
5 helping staff by organising events, visiting tours,  
6 constructing rotas for chief duties, et cetera.  
7 Interesting to note that in the latter years, the senior  
8 chiefs were commonly female.

9         These punishment modifications from the harder  
10 line approach available to chiefs in earlier years did  
11 not affect the obvious desire for younger pupils to earn  
12 responsibility posts in later years. In the main,  
13 pupils looked up to the chiefs and deputies and did as  
14 required.

#### 15         Discipline and punishment.

16         Punishment of children was mainly within the remit  
17 of staff. For unsatisfactory or missing work, extra  
18 exercises or detention were assigned. If work continued  
19 to be poor, satisfaction cards were given, which had to  
20 be signed in all classes and were monitored closely by  
21 house staff. For unsatisfactory behaviour, the  
22 punishments were the loss of privileges or house gating.  
23 For more serious misconduct, the school also ran  
24 a weekend system of light manual work called Natural  
25 History, which could involve leaf sweeping in the

1 garden, picking up litter, classroom organisation,  
2 et cetera. Pupils were referred by staff. Detentions  
3 and NH were supervised by a chief and deputy teacher.  
4 NH tasks were assigned by the deputy head. House staff  
5 were kept informed. Smoking would lead to NH, drinking  
6 to suspension, and drug abuse to expulsion.

7 The behaviour, work rate and conduct expected of  
8 pupils was clear to all. Pupil and staff booklets  
9 covered some of this, but in general staff and pupils  
10 were well aware of what was acceptable without it being  
11 in print.

12 I am asked how staff and pupils were aware of school  
13 policy in relation to discipline and punishment.  
14 Pupils, staff and parental booklets contained  
15 information and advice. Pupils met tutors formally  
16 almost daily and house staff spent a great deal of time  
17 with the pupils each and every day. Staff had meals  
18 with the pupils. This was almost a family situation and  
19 communication was regular. Tutors kept records and  
20 reported each term to parents as part of the written  
21 report.

22 Senior pupils were given responsibilities which was  
23 a major strength in Keil. This included waking the  
24 house in the morning and supervising the tidying of beds  
25 and rooms and public areas and organising house events.

1 Prefects ensured all pupils attended meals, church and  
2 other activities and they were in general respected by  
3 younger pupils, most of whom aspired to becoming chiefs.

4 Punishments were not a regular feature, but issuing  
5 copies and reporting to the housemaster were available  
6 to the chiefs. House staff were occasionally accused by  
7 chiefs of never being out of the house, so a reasonably  
8 tight control was achieved. It was important in Keil  
9 School for the chiefs to be given significant  
10 responsibilities, but regular presence of house staff in  
11 the house was essential to ensure that all chiefs were  
12 acting responsibly. Even when not on duty, house staff  
13 were often around the house. So a firm but fair  
14 oversight was applied.

15 Day-to-day running of the school.

16 As the depute head, my main function was to ensure  
17 the smooth running of the school. I ensured the  
18 timetable ran smoothly and that absent staff were  
19 covered. Afternoon activities were also part of the  
20 curriculum, and pupils were required to sign up for  
21 a specified number of these per week. Morning assembly  
22 and lunch and tea time were organised, with responsible  
23 staff/pupils available. Exam diets, both internal and  
24 national, were arranged. Formal reporting of pupils  
25 each term was organised, as was the monthly grading

1 meetings of staff to ensure the reports in advance. The  
2 NH punishment list was made available to staff. I also  
3 had a reduced teaching timetable.

4 I am asked to look back and say whether I can be  
5 confident that if a child was being abused or  
6 ill-treated, it would have come to light at or around  
7 the time it was occurring. Until the accusations of  
8 abuse were made, I had never considered any real  
9 possibility of this. I was made aware in 2004 of  
10 an accusation against OZC at another school,  
11 but his death closed the investigation. In 2015,  
12 I noted newspaper reports about the sentencing of  
13 'Richard' for an offence at another school before his  
14 time in Keil. In the same year, the police informed me  
15 of accusations against William Bain at Keil.

16 During 'Richard''s and OZC time at  
17 Keil, I had no concerns about them at all. Even looking  
18 back, I can think of no reason for concern. They were  
19 both hard-working and popular teachers.

20 I would not have been surprised at some element of  
21 bullying, as in most schools, but such instances were  
22 not common. The school was so small, the pupils were  
23 well known to several members of staff and house staff  
24 were available 24 hours a day as well as the school  
25 doctor, matron and chaplain.

1           I was confident that I was working in a fine school,  
2 with generally well-behaved pupils, with committed staff  
3 doing a professional job, and I met nothing to dispel  
4 those beliefs. Pupils had good relationships with their  
5 teachers and our 'family atmosphere' was confirmed by  
6 HMI reports.

7           I remain astonished and dismayed that offences were  
8 occurring under my nose. House staff were generally in  
9 the houses with the pupils seven days a week. The  
10 chiefs would normally have their ears to the ground and  
11 pupils shared rooms and facilities in close  
12 co-operation. That I did not suspect and that no pupil  
13 alerted me or my colleagues is quite distressing and has  
14 seriously spoiled my wonderful memories of Keil. The  
15 police called it grooming, but I remain staggered that  
16 nothing came to light or was suspected by me.

17           Reporting of concerns and complaints.

18           Boarders were encouraged to take concerns to the  
19 house staff in the first instance. Should that be  
20 inappropriate, then reporting to the senior staff would  
21 be the next step. It is fair to say that pupils would  
22 be comfortable to talk with quite a few of the teaching  
23 staff and matron was generally considered to be  
24 a sympathetic and compassionate ear. I worked closely  
25 with the headmaster, but I am not aware of any serious

1 concerns having ever been raised. If there had been any  
2 I am unsure of, I don't know what records the headmaster  
3 might have kept.

4 Parental complaints were rare and would normally be  
5 directed to the house staff. In my experience, these  
6 would always be dealt with timeously. Parental contact  
7 with house staff by telephone was common and regular.  
8 Parent contact evenings were organised over a Sunday to  
9 facilitate parental attendance where possible.

10 Complaints were simply dealt with and any recording  
11 would have been minimal. They were generally not of  
12 a serious nature and were often relatively trivial so  
13 that they were not worthy of a formal record.

14 I received no complaints about ill-treatment apart from  
15 minor bullying. However, complaints of any kind were  
16 always dealt with. House staff kept notes if they were  
17 relevant to the end of term report.

18 The school was so small that pupils had good  
19 relationships with several staff, not least the house  
20 staff. In addition, matron was a full-time member of  
21 staff and was clearly valued by pupils. She was  
22 approachable, friendly, and discreet. The school  
23 chaplain, the Reverend Ronald Boyd, was a regular  
24 visitor and also very approachable. I have spoken to  
25 him since the school closed. He was clearly

1           disappointed that abuse issues had never been raised  
2           with him. The school doctor offered surgery twice  
3           a week. He had children at the school and he was good  
4           with the children.

5           Boarders were also free to go home at the weekend or  
6           to visit the home of friends or relatives. These  
7           opportunities certainly offered an alternative contact  
8           to confide in, should the young person have major  
9           concerns.

10          Over time the school became more democratic and  
11          child-centred and gave more attention to replicating  
12          a home environment. I believed latterly that the  
13          majority of staff were very approachable and very  
14          caring.

15          Some bullying was reported and dealt with, but  
16          accusations of abuse never materialised. Allegations of  
17          bullying were minor, and always boy against boy, but it  
18          is so difficult to come up with examples after such  
19          a long time - perhaps horseplay or disagreements on the  
20          sports field going too far.

21          Abuse.

22          I am asked if during my period of employment the  
23          school had a definition of 'abuse' that it applied in  
24          relation to the treatment of children at the school.  
25          I would expect all qualified teachers to be well aware

1 of acceptable conduct parameters. I am fairly sure that  
2 there was a definition of 'abuse', or at least  
3 a description in our child protection policy document,  
4 but I no longer have a copy and I cannot remember  
5 details. I no longer have a copy of my original  
6 contract, but a revised contract of May 1996 included  
7 a definition of 'gross misconduct', which would lead to  
8 dismissal, which echoes elements of a child protection  
9 policy through references to physical assault, gross  
10 insubordination, offences relating to drug abuse, sexual  
11 misconduct, abuse of children, et cetera.

12 The school aims were to provide a safe, caring  
13 environment. A full education, good quality boarding  
14 and lodging, and a healthy environment were expressed in  
15 all the school's documentation. The teacher's contract  
16 clearly summarised the meaning of misconduct and gross  
17 misconduct and the action available to the school.  
18 Physical and sexual abuse were certainly totally  
19 unacceptable.

20 Keil was a member of SCIS. My memory is unclear,  
21 but I think it was in the mid-1990s when the child  
22 protection policy was introduced. This was widely  
23 debated and issued to all staff. I recall that it  
24 provided for a named pupil listener and a named staff  
25 member to be approached. A 1998 school inspection



1 stated the need to upgrade the child protection document  
2 and a number of other suggested improvements, all of  
3 which were taken forward. The HMI report did not  
4 specify in the document the upgrading required to the  
5 child protection policy, but may have reported more  
6 detail to the headmaster.

7 Child protection arrangements.

8 Senior staff met weekly and all staff met at least  
9 monthly. Various educational and residential issues  
10 were debated. Abuse, ill-treatment and inappropriate  
11 behaviour were more focused by the child protection  
12 document and increasing national concerns over abuse.  
13 I believed that our teachers were first class in their  
14 commitment to the school and the pupils, and that the  
15 close-knit nature of the school made incidents of abuse  
16 something that would happen elsewhere. Naive for sure.

17 Staff were expected to listen to children, take  
18 seriously any accusation and report immediately to  
19 senior staff. Teachers were expected to respond  
20 professionally to issues. There would certainly be no  
21 attempt to sweep things under the carpet and senior  
22 staff were considered to be approachable. I received  
23 not a hint of impropriety. Staff would normally take  
24 care of things in their own classroom, but serious  
25 matters were to be reported up to house staff, the

1           depute or the head.

2           I am asked what child protection arrangements were  
3           in place to reduce the likelihood of abuse,  
4           ill-treatment or inappropriate conduct by staff or other  
5           adults towards the pupils. Even before the child  
6           protection policy previously referred to, all staff were  
7           mindful of the care of the children. Staff were to be  
8           careful to avoid, when possible, being alone with  
9           a pupil, although at the same time to provide  
10          an opportunity for a pupil to be able to speak to them  
11          privately. The particular care involving one-to-one  
12          contact applied more to the classroom situation. In  
13          a boarding situation it is not always possible or even  
14          desirable to avoid one-to-one contact, because children  
15          need a private time with house staff to discuss  
16          progress, permissions, day-to-day concerns about  
17          laundry, for example. Mr Bain's flat door was regularly  
18          open in the evenings and pupils (both girls and boys)  
19          sought his company to play games on his computer, watch  
20          TV, have him help with homework, et cetera, but there  
21          was always, in my experience, a group of children. He  
22          was extremely popular with pupils of both sexes and was  
23          kind and helpful towards them. His flat door was left  
24          ajar so that the other members of staff could look in.

25          There was improved access to the house telephone or

1 house staff telephone where pupils could speak privately  
2 to parents. Pupils were not allowed to wander freely  
3 after the school day. If not in their boarding house,  
4 they had to sign out with details of their destination,  
5 but always within the school unless given permission.  
6 Boarding houses were secured by coded locks. Formal  
7 policy came in later in the day for Keil, but it still  
8 remains a tragedy, somewhat incredibly, that abuse  
9 remained unsuspected and undetected for a number of  
10 years. By formal policy, I mean the child protection  
11 policy. Before that, it was understood that teachers  
12 knew how to treat children.

13 In general, pupils were safe and happy, and I am  
14 distressed that we never identified the cancer within."

15 My Lady, in paragraphs 70 to 74 the witness tells us  
16 about external monitoring and records and I resume  
17 reading at paragraph 76:

18 "In 2015, some 15 years after the closure of the  
19 school, I was approached by the police regarding abuse  
20 committed in the 1990s by William Bain. I was  
21 interviewed on two occasions. I assisted the police as  
22 much as possible.

23 The case finally went to court and the accused  
24 pleaded guilty and was jailed. While never being  
25 officially informed, I understood that the accusations

1 were of serious abuse.

2 I know only of William Bain who pleaded guilty in  
3 2017 to offences committed in the 1990s.

4 I knew William Bain well from 1989 to 2000. He was  
5 a member of staff and was assistant housemaster to me.

6 He was a very intelligent man, a fine principal  
7 teacher of physics, achieving good external exam  
8 results. He was a bachelor and gave unstintingly of his  
9 time to the school, being well involved in rugby,  
10 photography, school quizzes and outdoor pursuits. He  
11 was very popular with the pupils, both boys and girls,  
12 and his flat door was almost always open. Our adjoining  
13 door was almost always open when we were home, but  
14 pupils knocked and waited to be invited in to our study  
15 to discuss permissions, progress and problems.  
16 I considered Mr Bain to be a bit overgenerous with his  
17 time in allowing children to be in his flat, but I had  
18 no concerns about abuse.

19 Mr Bain was appointed before my time, but I have no  
20 reason to believe that his recruitment was not normal,  
21 that is application, references and interview. He had  
22 no formal childcare qualifications, except teaching  
23 qualifications, that I am aware of, but some of his  
24 skill set would be ideal in a boarding school situation  
25 where evening and weekend activities were important. He

1 would have received the in-service training that all  
2 staff received, as previously referred to.

3 I am asked whether he was subject to supervision or  
4 monitoring. None, other than being my head of house and  
5 my assistant. Technically I was his line manager, but  
6 in practice we shared much of the running of the house  
7 equally. Obviously in the context of teaching and  
8 housemastering in a very small school, we saw a great  
9 deal of each other. The head would, of course, know him  
10 well and would have formally interviewed him every year.

11 To the best of my knowledge and belief, no previous  
12 allegation had been made about William Bain.

13 In light of the guilty plea, the trustees accepted  
14 with great sorrow and regret that abuse had occurred in  
15 the mid-1990s by one member of staff. I believe that he  
16 pled guilty to five charges.

17 Helping the Inquiry.

18 I am seriously distressed that I could live so close  
19 to an abuser for so long and not suspect it. It is also  
20 disappointing that no pupil informed any member of  
21 staff, some of whom were very approachable, not to  
22 mention talking to their own parents.

23 It was over 20 years ago when Keil closed and  
24 I assume that by today the school would have upgrade  
25 again its child protection policies. Staff would be

1 a great deal more conscious of the increase of abuse in  
2 churches, schools and sports clubs.

3 School policy documents would be more focused and  
4 comprehensive over abuse issues than in the past. Risk  
5 assessment is also a more recent phenomenon and would  
6 feature more in a number of school activities when trust  
7 was more often the main consideration.

8 Keil suffered by trying to do too much for too few  
9 and simply ran out of money. There is no doubt that the  
10 physical conditions were poor, but the level of care  
11 was, until now, never in question. When a teacher  
12 offered to provide a weekend outing, I was delighted and  
13 grateful and gave little thought to the composition of  
14 the group, for example, were there two members of staff?  
15 With the benefit of hindsight, I accept that I should  
16 have been thinking of such matters at all times,  
17 although a requirement of more than one member of staff  
18 would have drastically reduced the number of outings  
19 possible.

20 The answer must surely lie in a more focused  
21 education, ensuring that youngsters are well aware of  
22 unacceptable approaches and that confiding in an adult  
23 is the correct response even when the abuser is  
24 a trusted teacher. Pupils should be made aware of what  
25 a grooming process might look like. I was surprised at

1 just how much the police identified grooming as a major  
2 factor in the repertoire of a paedophile. This would  
3 surely alert potential abusers that they could be more  
4 readily identified by a potential victim. Suggestions  
5 of a no teacher/pupil contact ever without the presence  
6 of a colleague would not be realistic. That suggestion  
7 was never made at Keil. It would have been impractical  
8 in a small boarding school like Keil and maybe  
9 undesirable as previously explained. It would be more  
10 possible and advisable for youth leaders, sports  
11 coaches. It would remain a dilemma for schools.

12 Children must be aware of the nature of unacceptable  
13 approaches and have to be comfortable in reporting them.  
14 Closer school contact with Social Services could well  
15 reinforce this message.

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

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

19 My Lady, the statement is signed and it's dated  
20 14 September 2020.

21 LADY SMITH: Thank you.

22 MS BENNIE: My Lady, there are two more read-ins. It's 10  
23 to 1. I don't know if my Lady would wish me to continue  
24 on with one.

25 MR BROWN: One of them I think is short, my Lady, and should

1           be achieved by 1 o'clock.

2           LADY SMITH: Let's do the short one then.

3                     Thank you, Ms Bennie.

4                             Sarah Guy (read)

5           MS BENNIE: My Lady, the statement bears the reference

6                     WIT-1000000518. This is the witness statement of

7                     Sarah Guy:

8                             "My name is Sarah Guy. My year of birth is 1966."

9                     My Lady, in paragraphs 2 to 4, the witness sets out  
10                     her professional qualifications and background.

11                     I resume reading at paragraph 5:

12                             "I was a teacher of history at Keil School from 1995  
13                     to 2000, and in 1996 I became the assistant boarding  
14                     housemistress at Mackinnon House. I held that post  
15                     until the year 2000. I was interviewed for the teaching  
16                     post by John Cummings and Tom Smith. I produced my  
17                     Curriculum Vitae, my references and my General Teaching  
18                     Council for Scotland registration. From recollection  
19                     I was asked if I would take on the boarding house role  
20                     as I had experience in boarding.

21                             My line manager for the teaching role was  
22                     Mr Tom Smith. My line manager in the Mackinnon House  
23                     from 1996 to 1998 was **OZC** and from 1998  
24                     to the year 2000, Mr Bill Bain. Appraisal and  
25                     monitoring of my performance mainly took the form of



1           liaising over rotas, duties and operational issues as  
2           well as pupil welfare and academic progress. I have no  
3           recollection of having any formal training for these  
4           roles.

5           During my time at Keil School, the pupil roll was  
6           falling, so much of the planning was to do with  
7           marketing and trying to increase the school roll. I was  
8           not at any time involved in the day-to-day running of  
9           the school.

10          All staff had an annual review of their role and  
11          effectiveness with the school leadership team. The  
12          annual review focused mainly on the academic results.

13          During my first year of my employment at Keil,  
14          I lived off site. For the next four years I lived in  
15          Carn Mhor, a detached house approximately 100m away from  
16          the boarding house.

17          The housemaster had a flat within Mackinnon House.  
18          There were various other staff residences in the  
19          boarding houses and in other accommodation on the  
20          grounds. Some staff lived off site.

21          The housemaster, myself, cleaners and maintenance  
22          staff all had access to the children's residential  
23          areas.

24          My personal experience was that Keil was  
25          an unpretentious, relaxed and happy place to work in,

1 with a commitment to providing pupils with an all-round  
2 education. To my knowledge, the practice of fagging did  
3 not exist.

4 Discipline and punishment.

5 I cannot recall any formal policy in relation to  
6 discipline and punishment. Pupils could be disciplined  
7 and punished by staff and prefects. My perception was  
8 that the traditional Keil punishment of Natural History  
9 was well established. Natural History was known as NH  
10 and consisted of working in the grounds. As far as  
11 I can recall, NH could be given out both by staff and  
12 prefects, but I may be wrong. NH was carried out on  
13 a Saturday afternoon.

14 Discipline was not the responsibility of the senior  
15 pupils, although there were certain things they could  
16 hand out a sanction for. For example, a sanction could  
17 be given out for being late for prep. Sanctions were  
18 along the lines of withdrawing permission to go out  
19 after prep. As far as I can recall, the giving of  
20 a sanction would be reported to myself or the  
21 housemaster and this would have enabled us to intervene  
22 if the sanction was unreasonable. My memory is vague on  
23 this.

24 I believe that many of the pupils sought the school  
25 matron out if they had any worries or concerns. She

1 lived in a flat in School House and was much loved by  
2 staff and pupils alike. However, I don't know whether  
3 children did raise concerns in this way.

4 Child protection arrangements.

5 I do not recall the school having a definition of  
6 abuse that it applied in relation to the treatment of  
7 children at the school.

8 There was no formal guidance that I recall on how  
9 children at the school should be treated, cared for and  
10 protected against abuse, ill-treatment or inappropriate  
11 behaviour towards them. I do not recall any formal  
12 guidance on how to handle, and respond to, reports of  
13 such behaviour.

14 I am unsure how much autonomy and discretion was  
15 given to staff in relation to child protection  
16 arrangements. I'm not sure what child protection  
17 arrangements were in place to reduce the likelihood of  
18 abuse, ill-treatment or inappropriate conduct towards  
19 the children at school."

20 My Lady, I move on to paragraph 27:

21 "I am aware of the successful prosecution of my  
22 former colleague, William Bain. The school was no  
23 longer in existence when the police investigation took  
24 place so I am unable to comment on the school's  
25 response. I was interviewed by the police during the

1 police investigation into William Bain. It was  
2 a lengthy interview, but I'm not sure if I gave a formal  
3 statement.

4 I worked alongside Bill Bain at Mackinnon House from  
5 1998 to 2000. Bill appeared to be a highly committed  
6 and popular teacher. He was always available to the  
7 boys in the house. Bill could often be seen playing  
8 rugby with them on the pitches after prep and also  
9 organised walking and outdoor trips. I had no concerns  
10 of impropriety. I felt that I had a good relationship  
11 with the boys in my care and assumed that they felt able  
12 to talk to me and confide in me.

13 Any concerns I had about Bill was that he was so  
14 accessible to the boys he could make himself vulnerable  
15 to accusations. I never articulated this, though. It  
16 wasn't so major that it was something that I dwelt on.  
17 Bill did spend his time with pupils when he was the only  
18 member of staff. He appeared very committed to his job  
19 and willingly gave of his time. The school seemed to be  
20 his life and he rarely, if ever, took time off to pursue  
21 his own interests as far as I could see.

22 As a young teacher, I think I may have felt that  
23 even to suggest he was making himself vulnerable would  
24 be to imply there was something untoward going on, which  
25 never occurred to me was happening. Now, as a senior

1 teacher with a lot more training and experience, I would  
2 suggest that for his own protection he should ensure  
3 that he had other members of staff with him.

4 Had I concerns about the welfare of the boys in the  
5 house, I would have spoken to someone, probably  
6 Tom Smith. However, I did not have concerns. No boy  
7 ever spoke to me or implied that he was being abused.  
8 If any of the boys in my care during the time were  
9 abused by Bill, I am truly sorry.

10 Helping the Inquiry.

11 Whilst I am not involved with the boarding provision  
12 in my current school, I am aware that there have already  
13 been significant improvements in the safeguarding of  
14 pupils in residential establishments. Child protection  
15 policies and training are at the forefront of everything  
16 we do now.

17 It is important that pupils are always kept aware of  
18 the definition of abuse and the forms that abuse can  
19 take. It is also important that children feel they are  
20 respected and able to access a trusted adult with  
21 confidence that their disclosures are acted upon.

22 I have no objection to my witness statement being  
23 published as part of the evidence to the Inquiry.  
24 I believe the facts stated in this statement are true."

25 My Lady, the statement is signed and it's dated

1 17 November 2020.

2 LADY SMITH: Thank you. Very well. I'll rise now for the  
3 lunch break and sit again at 2 o'clock. Thank you.

4 (12.56 pm)

5 (The luncheon adjournment)

6 (2.00 pm)

7 LADY SMITH: Mr Brown.

8 MR BROWN: My Lady, good afternoon. The witness this  
9 afternoon is Martin Coombs.

10 Martin Coombs (sworn)

11 LADY SMITH: Help me with this. Would you like me to call  
12 you Mr Coombs or Martin?

13 A. I don't mind. Martin would be fine, if you wish.

14 LADY SMITH: Very well. Martin, you'll see there's a folder  
15 in front of you. It has your statement in it in hard  
16 copy. The statement will also come up on the screen, so  
17 you can use either or neither, whichever you find  
18 helpful.

19 Also, please be assured that if you have any concern  
20 or question during your evidence, I want to know,  
21 because it's important to me that we do all we can to  
22 make you as comfortable as you can giving evidence, so  
23 don't hesitate.

24 A. Thank you.

25 LADY SMITH: If you have no questions at the moment, I'll

1 hand over to Mr Brown and he'll take it from there. Is  
2 that all right?

3 A. Thank you, yes.

4 Questions from Mr Brown

5 MR BROWN: Martin, good afternoon.

6 A. Good afternoon.

7 Q. As we discussed a moment ago, I'm using the microphone,  
8 you can see it in front of you. If you can try and  
9 speak to the microphone so we can all hear because it's  
10 obviously most important that we hear you, rather than  
11 anyone else.

12 A. Yes.

13 Q. Her Ladyship mentioned your statement. It has  
14 a reference number which I have to read in for the  
15 record, it's WIT-1-000000536, and as you know, it's  
16 a statement that you prepared and ultimately signed  
17 last November. It runs to 31 pages, and I think we see  
18 on the penultimate page, the last paragraph 98 says:

19 "I have no objection to my witness statement being  
20 published as evidence to the Inquiry. I believe the  
21 facts stated in this witness statement are true."

22 And that was correct?

23 A. Correct.

24 Q. You read the statement, carefully, I imagine?

25 A. Mm-hmm.

1 Q. And were content it was accurate?

2 A. Yes.

3 Q. Thank you. As you will understand, it's a lengthy  
4 statement, it talks about a lot of things. We have it  
5 in evidence, we don't need to go through it line by  
6 line.

7 A. (Witness nods).

8 Q. A little bit about you first. You're now 69?

9 A. Yes.

10 Q. And your background is set out on the first couple of  
11 pages and, read short, you left school, you went to  
12 university and then you enjoyed yourself for a few  
13 years?

14 A. I spent two years, effectively, travelling around the  
15 world. My degree had been in geography and I wanted to  
16 see some of that geography before I settled down.

17 Q. And I think we would understand from the totality of  
18 your statement that trains had been part of your life  
19 and still are.

20 A. Yes, and in fact I worked in the transport industry in  
21 various capacities before I became a teacher.

22 Q. Yes. We see that in that travelling the world phase you  
23 acted as a steam locomotive fireman on South African  
24 Railways and that was something you did as a hobby until  
25 relatively recently?



1 A. Yes.

2 Q. You worked, I think for the first 10 years broadly, in  
3 the transport side of things but then you moved into  
4 teaching?

5 A. I -- during my time working as a transport planner for  
6 Tyne and Wear Passenger Transport Executive in  
7 Newcastle, they had been building the Metro there and  
8 they needed people who were willing to talk to public  
9 groups, women's institutes, primary schools, university  
10 students, rotary clubs, whatever, and that built up my  
11 confidence and my interest in putting information across  
12 to others. And when I found that the transport industry  
13 was a bit in the doldrums, it was before the  
14 privatisation of the bus industry and before that  
15 possibility came along, and I eventually decided to make  
16 a complete change and do a PGCE and move into teaching.  
17 And I've never regretted it.

18 Q. No. We see, we don't need to go into the detail of it,  
19 that you have taught at a variety of schools, some  
20 state, some private, some day, some boarding.

21 A. Yes.

22 Q. We'll come on, obviously, to the boarding side with  
23 greater interest. Throughout that, I think it's fair to  
24 say, you had time off, you went back to trains, and is  
25 it fair to say that you have been someone who is very

1 active?

2 A. Yes. I was a dingy sailing instructor, I have a Summer  
3 Mountain Leader award and therefore did quite a lot of  
4 hill walking and that sort of thing. I was a gold Duke  
5 of Edinburgh's Award assessor, you know, dealing with  
6 other groups from other schools who came up to the  
7 Lake District.

8 I think the other important thing at this stage is  
9 that because I've been single throughout my life, I was  
10 freer to make decisions based on what I thought was  
11 right and not having to think: I have to keep my head  
12 down for the sake of family or whatever. I could  
13 therefore be a bit more of a free agent, and that may  
14 well come across in one or two of the moves I made  
15 between schools.

16 Q. Some schools, it's apparent, you don't last very long.

17 A. (Witness nods).

18 Q. You don't like the regime; they may not have liked you.

19 A. (Witness nods).

20 Q. Out of interest, given your clear outward bound  
21 approach, if I can use that broad description, are you  
22 someone who finds -- I don't say this in any sense  
23 disparagingly -- rules, regulations, health and safety,  
24 somewhat troublesome?

25 A. If I was, I wouldn't be safeguarding co-ordinator for

1 a charity, because that obviously involves quite a lot  
2 of paperwork and following instructions and rules.

3 Q. Absolutely. That's what I --

4 A. So no, I do see the need for such rules and I can see  
5 there needs to be a balance. But yes, you are right in  
6 saying I am interested in outdoor pursuits and therefore  
7 in the broader sense of education, and that's what took  
8 me into boarding in the first place.

9 Q. You said now as a safeguarder. Is that something that  
10 has developed over your lifetime, the greater need for  
11 paperwork, if I can put it loosely?

12 A. Obviously it has developed from virtually nothing when  
13 I started. I think I put in my statement I don't  
14 remember any mention of that when I did my PGCE nearly  
15 40 years ago. I suspect it was on nobody's radar then.

16 Q. But thinking back to your early days doing outward bound  
17 stuff with children, it was much more relaxed and  
18 informal?

19 A. It was, yes.

20 Q. I think, for example, we heard evidence this morning  
21 from a read-in that would outward bound at Keil, for  
22 example, had there been a requirement for two teachers  
23 to cover a trip, none would have taken place.

24 A. I think it's fair --

25 Q. Or fewer would have taken place.

1       A. I think it's fair to say that as a small school, there  
2       was certainly not a surplus of staff, and it would have  
3       been much harder to run things like that, yes.

4       Q. By today's standards, was that, for example, somewhat  
5       casual? And again I don't say that disparagingly, it  
6       was just the way it was?

7       A. Yes, it was the way it was. I did very few overnight  
8       and camping trips. Mr Bain tended to run the Duke of  
9       Edinburgh's Award until I got involved in the last year  
10      or two, but even then that was -- my involvement was  
11      more in organising the other activities the pupils,  
12      students, had to be involved with. I wasn't really  
13      involved in camping trips.

14      Q. Okay. You obviously contacted the Inquiry, or the  
15      Inquiry contacted you, perhaps more accurately, after  
16      you submitted a self-penned statement that you'd  
17      prepared. You wrote a statement, I think, talking about  
18      your time?

19      A. Yes. I'm -- I believe that it was Tom Smith, the depute  
20      head, who was the last head of Keil before it closed,  
21      I believe it was he who invited me to contribute or to  
22      be involved.

23      Q. I see. Obviously you talk about Tom Smith because he  
24      was the deputy head and then for the last year of Keil's  
25      existence, the head.

1 A. (Witness nods).

2 Q. But would we understand he was contacting former  
3 teachers and encouraging them to contact the Inquiry?

4 A. Yes, I think that was the case, although it may well  
5 have been that he passed my name on and that then the  
6 Inquiry contacted me.

7 Q. I think we have a -- the Inquiry were provided with  
8 a statement written by you early last year. Was that  
9 collated by Tom Smith? Did he collect them?

10 A. No, I don't think any statement of mine went through  
11 him. So I think it would have come direct here. But  
12 I think he was the one who initiated the contact in the  
13 first place.

14 Q. Right. Should we understand you're in contact with  
15 former teachers --

16 A. Yes.

17 Q. -- from Keil? Is there a group of you who --

18 A. I can't say that we meet up frequently. We met up for  
19 a ten-year reunion back in 2010. We would have met up  
20 again for a meal 18 months ago or so, had Covid not come  
21 along.

22 Q. Yes. But Tom Smith was making contact with this group?

23 A. He's not been the one initiating that social contact,  
24 it's been other ex members of staff. But certainly  
25 I got on very well with both him and his wife, [REDACTED]

1           and I have stayed with them in [REDACTED] where they live  
2           on several occasions.

3           Q. But just to be clear, he may not initiate social events,  
4           but did he initiate you contacting the Inquiry?

5           A. I think so, yes.

6           Q. Was he simply asking or was he advising you that Keil  
7           was being considered by the Inquiry and it would be  
8           helpful if you --

9           A. Yes.

10          Q. And did he encourage you to be positive?

11          A. I don't think he tried to influence me in any way.

12          Q. Okay. Thank you. But because of him, you contacted the  
13          Inquiry and then the Inquiry contacted you and the  
14          statement was produced?

15          A. Yes.

16          Q. Thank you. When you came to Keil School in 1991, you  
17          were appointed, as we see in paragraph 6, as head of  
18          geography and house tutor in Mason House with junior  
19          boys?

20          A. Mm.

21          Q. By that stage you'd obviously had some experience of  
22          looking after children in the domestic setting rather  
23          than just teaching?

24          A. Yes. When -- my two years at Strathallan School near  
25          Perth, I'd been attached to a senior boys' house, a much

1 bigger one of about 65, probably aged 13 to 18. When  
2 I moved on to St Anne's School at Windermere, where  
3 I also spent two years, I had not been officially  
4 attached to a boarding house, although I had been asked  
5 occasionally to cover weekend daytime supervision.

6 Q. When you were interviewed for the job, was the boarding  
7 house responsibility understood as part of the job that  
8 was on offer?

9 A. Yes.

10 Q. Just to be clear, who interviewed you?

11 A. It would have been CGC the SNR Tom  
12 Smith as depute, and Tom had much more responsibility  
13 for the academic side of the school. And, as is often  
14 the case, I might well have been shown around by  
15 John Whyte, who was the housemaster of Mason House, and  
16 no doubt his comments would have been taken into account  
17 as well.

18 Q. We understand that the Senior Management Team, which was  
19 a label that was used, would be the headmaster and Tom  
20 Smith?

21 A. Yes.

22 Q. And that was true when John Cummings took over as  
23 headmaster?

24 A. Yes.

25 Q. I think in 1993?

1 A. Yes, that's -- yes. I didn't -- I've been trying to  
2 work it out. I arrived September 1991. I think  
3 CGC [REDACTED] moved south to a much bigger school at  
4 Christmas at the end of 1992.

5 Q. In terms of the induction to the school, was there  
6 a formal induction when you started?

7 A. I don't recall one, but that, I think, was no surprise.  
8 I don't remember a formal induction, I don't really  
9 remember one in any of the schools that I taught in.  
10 Things tended to be much more informal in both state  
11 schools and independent schools in those days.

12 Q. In terms of school rules, for example, do you remember  
13 being given a copy of the school rules? Was there  
14 anything published, in other words?

15 A. I think school rules were certainly down on paper.  
16 And -- yes, they would have been brought to my attention  
17 and ways of doing things, but I suspect that would have  
18 built up over the first few weeks. I don't think  
19 anybody sat me down and said, "We're going to spend  
20 a day or half a day going through everything".

21 Q. One of the senses we get from your statement, but also  
22 from others, is that running Keil was difficult in the  
23 sense it was being run with limited funds.

24 A. That's certainly true.

25 Q. And did you understand that when you joined the school?



1 A. I could see that it was a good deal smaller than the  
2 schools that I'd been in before, and when I started,  
3 I think within probably a week or two I thought, yeah,  
4 this school is actually in a fairly fragile position.  
5 Q. And I think, as we know, it lasted a further nine years.  
6 A. Yes.  
7 Q. But that fragile position never really changed?  
8 A. No, it didn't.  
9 Q. And again is it fair to say that a great deal of effort  
10 in terms of Senior Management Team and the teachers was  
11 trying to keep, to be colloquial, the show on the road?  
12 A. Yes.  
13 Q. Working long hours?  
14 A. (Witness nods).  
15 Q. One teacher, perhaps, rather than two, doing things?  
16 A. Yes, that would be true.  
17 Q. And the focus could be diverted away from the  
18 education/pastoral side, if I can speak in those terms,  
19 to just trying to keep the school going?  
20 A. I think the focus for the teachers, including the Senior  
21 Management Team, certainly for the rest of us, for the  
22 main body of teachers, the focus was on the education.  
23 Clearly for the head and deputy head, a lot of their  
24 time needed to go into keeping the numbers up. I had  
25 a little involvement in the sense that I became the

1 editor of the school magazine, which was an annual  
2 publication, which was, to a great degree, intended for  
3 both parents and for prospective families to show them  
4 what the school could offer, and because I had shown  
5 I could do that and I could put together reasonably  
6 presentable documents, I did end up producing also  
7 a newsletter and creating a folder that would have gone  
8 out to prospective customers.

9 So I had a small amount of involvement in that.

10 Q. Presumably that reflects your experience with transport  
11 in Newcastle, that you're trying to sell a product to  
12 keep the thing going?

13 A. Yes.

14 Q. We've seen copies of the magazines, which of course are  
15 bright and jolly and exciting, showing what the children  
16 have been doing, but we should understand from what  
17 you've just said, that was in part at least to try and  
18 sell the school to --

19 A. Yes, I think that was -- I think that was at my  
20 initiative.

21 Q. Yes.

22 A. I don't think the Senior Management Team, when  
23 I arrived, had really thought of how the school magazine  
24 could help in that job.

25 Q. But I think latterly, in the last year, 1999 to 2000,

1           when the school closed, you became part of the Senior  
2           Management Team?

3           A.   (Witness nods).

4           Q.   Tom Smith, when John Cummings left to go to England, was  
5           appointed headmaster and you were appointed one of his  
6           deputies?

7           A.   Yes.

8           Q.   And presumably at that stage, given it closed within  
9           a year, was your attention really totally focused on  
10          trying to keep the school afloat?

11          A.   Not totally, because I still had a lot of  
12          responsibilities for things within the school, but yes,  
13          certainly my attention would have been drawn much more  
14          to -- although -- yes, I think we realised -- you see,  
15          by then the Assisted Places Scheme had gone or was  
16          going, and that was going to make a big difference.  
17          There was also a substantial increase to Scottish  
18          teachers' salaries, which was going to be difficult for  
19          the school to cope with. So I think the fragility of  
20          the institution was more obvious at that point.

21          Q.   Was it also impacted by the ever-greater drive to  
22          consider things which perhaps hadn't been so focused  
23          before, in other words child protection, which seems to  
24          have come in nationally in the mid-1990s?

25          A.   Yes, but I don't -- I think the, if you like, the

1 paperwork side of that -- and I'm not being disparaging  
2 of the topic at all, but the paperwork side of it only  
3 really became more onerous later on, after Keil had  
4 closed.

5 Q. But I think we read from your statement that there was  
6 a dearth of written policies at Keil when you began  
7 there. It was a policy-light school, if I can put it  
8 that way?

9 A. I think almost all schools were policy light, certainly  
10 by modern standards. After all, my first school had  
11 been a 1,000-pupil boys' comprehensive in London, and  
12 I don't suppose that had much more. In those days,  
13 almost everywhere was light on policies.

14 Q. Though I think in fairness that was probably ten years  
15 before you came to Keil, roughly a decade before?

16 A. Yes, that was '83.

17 Q. Yes, but I think we're conscious of HMI reports which  
18 talk about the need for policies in 1992, for example.

19 A. Mm.

20 Q. That these were things that Keil had not been focusing  
21 on, perhaps?

22 A. (Witness nods). Yes, I can believe that.

23 Q. And in terms of child protection, because we have  
24 statements from some of your colleagues, no doubt  
25 produced in the same way as yours was, some don't

1           recollect there being child protection policies, for  
2           example, I think you do?

3           A. I don't think there was one to start with, but I think  
4           it came in, as you said, in the mid-1990s.

5           Q. And that was because you couldn't but produce a child  
6           protection policy, is that fair, because the world was  
7           changing and fast?

8           A. Yes.

9           Q. In terms of what you knew about Keil when you first  
10          arrived, you talk about Keil's history of being a tough  
11          boys' school. Obviously that would be a view shared by  
12          staff?

13          A. Yes. I think the staff who were there when I arrived --  
14          and by then, quite a number of them were relatively new,  
15          brought in by CGC and Tom Smith -- Tom Smith  
16          himself had been brought in by CGC  
17          particularly because of his knowledge of Scottish  
18          system, Scottish exams and so on. I think the newer  
19          staff certainly would have made it clear to me, yeah,  
20          things are changing and I -- I met one or two of the  
21          previous staff who were still in the area, and yes, one  
22          or two of them were out of the ark, if you --

23          Q. But is it fair to say that when you arrived at Keil, one  
24          of the things that would be very different from other  
25          schools was the degree of responsibility that was put on

1 senior pupils to run things?

2 A. That, I think, had been the case in other schools, and  
3 certainly at Strathallan, but yes, there was more of it  
4 at Keil. In particular, there was more responsibility  
5 given to what we called the chiefs and deputies, what  
6 other schools would have called prefects, in the running  
7 of houses, in organising events and so on, although by  
8 then I think Tom Smith had been there two years,  
9 **CGC** probably three or more, and they had  
10 started to make some big changes by then.

11 Q. But the ethos of the school was that the chiefs and  
12 their deputies controlled the children in most  
13 circumstances outwith the classroom or the rugby field?

14 A. Yes. Not to the extent -- I mean, if you want to go  
15 back -- if you want to go back in literature, you've  
16 only got to go back to Rudyard Kipling's *Stalky & Co* to  
17 find out what a small boarding school could be like 120  
18 years ago. It wasn't like that but --

19 Q. No, what was it like in 1991 when you joined?

20 A. It was still -- for example, at meal times for the  
21 boarders, it was still the senior pupils who did the  
22 roll calls and then led everybody up to the dining hall,  
23 at which point the staff would be invited to go up and  
24 join them.

25 Q. Staff sat at a different table?

1 A. They sat at the top table, yes, but lunchtimes they sat  
2 within the main dining hall. Evening meals, they sat in  
3 a smaller staffroom.

4 Q. Was the food better for the teachers?

5 A. No, it was just the same.

6 Q. Even in the staff dining room?

7 A. Yes, even in the staff dining room.

8 Q. Were there many complaints?

9 A. From us or from --

10 Q. Yes.

11 A. -- the pupils?

12 Q. From the teachers.

13 A. I remember commenting to the chef at one point that we  
14 had had pizza and chips and the vegetable, in inverted  
15 commas, was tinned spaghetti. I'm not being generally  
16 insulting to Glasgow cuisine, but I suspect it was local  
17 staff there, local catering staff there who were making  
18 the best of a limited budget.

19 Q. Again, we're back to operating in a financially fragile  
20 environment.

21 A. (Witness nods).

22 Q. But you've talked about pupils organising assemblies,  
23 getting the children into their squad tables --

24 A. Yes.

25 Q. -- where they would sit, they would serve themselves.

1           The teachers would be at their own table or in the  
2           dining room; they weren't engaged at that point, they  
3           were just eating?

4           A. Yes, although we -- I think it was Mondays we always sat  
5           on the pupils' tables.

6           Q. Okay. In terms of the houses, though, you become  
7           an assistant housemaster, and as you say in your  
8           statement, you didn't live in the house.

9           A. Mm.

10          Q. You were in a cottage some distance away. What about  
11          the housemaster? Did he live in residence?

12          A. Yes. That particular building was a 1950s two-storey  
13          brick building with one dormitory on the ground floor  
14          along the length of it and one dormitory on the first  
15          floor, with the bays that are sometimes called  
16          horseboxes, in other words you've got partitions between  
17          each bed and a central walkway down the middle. And  
18          then at the end there were bedrooms for two or three  
19          senior boys and a common room, and at the other end of  
20          the building was a two-storey house attached and linked  
21          on both levels for the housemaster and his family.

22          Q. Were you aware when you joined in 1991 if there were any  
23          houses where house staff did not actually live in the  
24          house?

25          A. The two boys' houses, Islay Kerr House had both -- well,



1 I suppose it was a substantial flat for the housemaster,  
2 who was Tom Smith and his wife [REDACTED].

3 And there was a flat for the assistant housemaster  
4 or house tutor.

5 The other house, Mackinnon House, there was a flat  
6 for the assistant in the house, but the housemaster's  
7 stone cottage was just across a courtyard a few yards  
8 away. And the schoolhouse, where the girls were, where  
9 the numbers were building up, it had a flat for a member  
10 of staff, but that changed later on. We can leave that  
11 to later if you are wishing to come back to it.

12 Q. Yes, carry on.

13 A. But there certainly was a flat there for a member of  
14 staff and the school matron, school nurse, was in her  
15 own house, which had access at all times, day and night.

16 Q. So by 1991, there is at least a staff presence in all  
17 the houses?

18 A. Yes.

19 Q. You were the assistant housemaster initially.

20 A. (Witness nods).

21 Q. How much -- and this is obviously you and the  
22 housemaster and any tutors who would be covering to give  
23 you time off -- time would you spend with the pupils?

24 A. I didn't spend as much time there with them as I had  
25 perhaps anticipated, compared with where I had been

1 before. John Whyte, the housemaster, asked me to cover  
2 two evenings up to 10 o'clock at night. And remember  
3 that these were junior boys, so by that time they would  
4 all be in bed. He didn't ask me to do much more than  
5 that.

6 To be honest, I was happy with that because I found  
7 many, many other things that needed doing in the school  
8 and therefore I didn't go searching for more involvement  
9 than he asked me to do at that point.

10 Q. We've heard evidence from former pupils that really  
11 house staff did not engage, it was still the  
12 responsibility of the deputies and the chiefs to control  
13 within the house. Is that fair from your first  
14 experiences of Keil?

15 A. I think when I arrived, yes, that was certainly true.  
16 I think --

17 Q. Sorry, I was just going to say, you mentioned your  
18 previous experiences. Was that different from your  
19 previous experiences in boarding schools?

20 A. The previous experiences tended to be larger boarding  
21 houses, and therefore more staff. Not necessarily more  
22 living in, but more staff with involvement and therefore  
23 probably a greater presence, yes, at both Strathallan  
24 and at St Anne's.

25 Q. And a greater involvement with the pupils rather than

1 the focusing on other things, which we'll come back to,  
2 given the pressures you had as a teacher and  
3 a housemaster?

4 A. (Pause). That's difficult to say with any sort of  
5 confidence, because I believe John Whyte was a good  
6 housemaster and his wife as well was also involved and  
7 was -- they had two -- I think two small, possibly three  
8 small children, but she was certainly involved as  
9 a pastoral presence in the house.

10 Q. When presumably the pressures of her own life allowed?

11 A. Yes.

12 Q. That's something I was coming onto because you talk  
13 about working 100-hour weeks at Keil.

14 A. (Witness nods).

15 Q. Again, speaking generally, if you were working as  
16 a teacher and involved in the house system, is it fair  
17 to say you were running hot most of the time?

18 A. Yes.

19 Q. There was so much to do and so few people to do it?

20 A. Yes.

21 Q. Is that fair?

22 A. Mm-hmm.

23 Q. We're back to economics, I suppose.

24 A. (Witness nods). Mm. Certainly later on when I was  
25 running the girls' house, I tried to put much more

1 effort in because I believed that's what the house and  
2 the girls there needed.

3 Q. Although I think that moves neatly on. Were you taken  
4 aback when you were asked to become the housemaster of  
5 the girls' house?

6 A. Yes, a little bit. It is very, very unusual for  
7 a bachelor to run a girls' house. As you may know, it's  
8 something I eventually was involved in for 15 years.  
9 I only know of one other person that's a bachelor who  
10 did that job down south and he was engaged to the matron  
11 in the house, and therefore I suspect he was appointed  
12 with the future -- his future marriage or their future  
13 marriage in mind. I don't know of anybody else.

14 Q. And again, was the fact that you were being asked, do  
15 you think, reflective of Keil's need to use what it had  
16 to plug gaps, if I can put it that way?

17 A. Yes. There were female staff, but there was nobody that  
18 they wanted to appoint. That did surprise me at the  
19 time, although later I came to understand their decision  
20 much more, and why they didn't want to appoint one or  
21 two other possible members of staff, female members of  
22 staff, to that job.

23 Q. But at the time you were appointed, I think it's fair to  
24 sum up, that was an unusual course for a school to take?

25 A. Yes, it was. I had been helping, as my statement says,

1 the -- what brought that situation about was the absence  
2 through -- again I'll put it in inverted commas -- "ill  
3 health" of both the female members of staff, and  
4 therefore I -- by that time I was no longer helping in  
5 Mason House, I was running a day house, it's called  
6 a house, but it was really a grouping of day pupils, but  
7 I was still living in the bungalow on the school site,  
8 and therefore didn't have the evening commitments and  
9 could -- was available for help.

10 Q. So you filled the gap?

11 A. So I filled a gap, yes, and I believe that before I was  
12 offered that job, the girls themselves were sounded out.

13 Q. I think it's fair to say you were reticent about it and  
14 reticent for a number of years?

15 A. No.

16 Q. The formalising of the process, it wasn't --

17 A. No, I was reticent and said no initially because at that  
18 time I didn't see why one of the female staff couldn't  
19 have been appointed, and I just -- it wasn't that  
20 I mistrusted the girls, but I was wary of what their  
21 parents would say. It turned out that [REDACTED],  
22 who was the head of house at that time in S6, she had  
23 been sounded out, and when my name had come up, in fact  
24 she had raised my name as a possibility, and Tom Smith,  
25 I believe, had said, "Oh, that would be unusual, what

1           would you think of that?" And I believe she had said,  
2           "Well, he's helping already and he's always very careful  
3           not to embarrass anybody", which is something I tried to  
4           continue to do in the other schools where I fulfilled  
5           the same role later on.

6           Q. Yes. I think, though, there was anxiety on your part  
7           about not staying over, for example, in a girls' house?

8           A. Yes. Even when I was eventually interviewed for the  
9           post, I declined it, declined the offer, and it was only  
10          the following day when I was approached and persuaded,  
11          perhaps -- I wasn't -- it wasn't that I wasn't keen to  
12          do the job, I loved working with the girls and I could  
13          see things that needed doing to improve the life of the  
14          house, but as I say, I was wary of how the parents would  
15          take it.

16          Q. Who encouraged you? Who persuaded you to take the job?

17          A. I think it was Tom Smith more than anybody else.

18          Q. Right. Is it fair to say we've got a picture that Tom  
19          Smith is really the driving force at the school for the  
20          decade you were there?

21          A. (Witness nods).

22          Q. Headmasters were somewhat more distant?

23          A. No, I wouldn't use that word in plural. CGC  
24          had been a very hands-on headmaster. John Cummings was  
25          perhaps a little -- just held back a little bit more,

1           and I think it would be fair to say that Tom Smith was  
2           the -- yes, was the driving force during that period.

3       Q. We have heard that there was a "them and us" mentality  
4           as between the day teachers and then the house teachers  
5           and staff. Is that something you recollect?

6       A. Yes. And it's something I've seen elsewhere. Not at  
7           Strathallan, which was almost entirely a boarding  
8           school, but I've seen it in other schools. Because many  
9           may -- of the day staff, as we might have referred to  
10          them, they had families, they had homes elsewhere, they  
11          had lives outside school, and many of them would not  
12          have wanted to be involved to the extent that the  
13          boarding staff were.

14       Q. Was there a feeling amongst the boarding staff: you day  
15          teachers can't tell us how to do things?

16       A. No, I don't think it would have been -- I wouldn't have  
17          phrased it that way round. It would have been more that  
18          the day staff were wary of letting themselves get  
19          involved more than in their day responsibilities. They  
20          could see the amount of effort that the boarding staff  
21          put in and many of them would have been reluctant to let  
22          themselves be dragged into that.

23       Q. Were you a member of a union when you were at the  
24          school?

25       A. I was in my first role, down in London, I was

1 a representative of what was then AMMA, the Assistant  
2 Masters and Mistresses Association, which was, you could  
3 say, the least militant, the union that many teachers  
4 joined because they wanted, effectively, the cover, call  
5 it insurance cover, if you like, which is why many  
6 teachers joined a union but --

7 Q. The question was were you a member at Keil?

8 A. I would, I think, have continued right through Keil.  
9 Later on, AMMA changed its stance and I did move to  
10 another union, but yes, I believe I would have been  
11 a member of AMMA and that other union all the way  
12 through my career. For that very reason, as cover.

13 Q. Was that something that was not encouraged at Keil by  
14 Tom Smith, who didn't like unions, to put it simply?

15 A. I don't ever remember that actually. That is news to  
16 me.

17 Q. I see.

18 A. No, I wouldn't have said that.

19 Q. Again in terms of Tom Smith being the driving force,  
20 particularly under the John Cummings era, so from '93 to  
21 '99, the bulk of your time at the school, was it very  
22 much Tom Smith who directed the direction of travel of  
23 the school? His way, in other words?

24 A. He was a more forceful character, but one whom I very  
25 much respected. I don't ever remember any disagreements



1 on direction of travel.

2 Q. That was under Cummings, where you say John Cummings was  
3 less hands-on than CGC [REDACTED].

4 A. (Witness nods).

5 Q. What about the CGC [REDACTED] [REDACTED]? What was the  
6 relationship between CGC [REDACTED] and the staff like?

7 A. I only overlapped with CGC [REDACTED] for four terms. He  
8 appointed me, I arrived September 1991, and he moved on  
9 Christmas at the end of 1992, so four terms.

10 [REDACTED]  
11 [REDACTED] I would regard both CGC [REDACTED] and Tom Smith  
12 as two of the three best of those 10 or 12.

13 Q. We've heard that there was tension between CGC [REDACTED]  
14 as SNR [REDACTED] and the staffroom. Do you remember that?

15 A. I don't, I don't remember that. I would not be at all  
16 surprised if there was tension earlier on, because he  
17 was -- quite clearly he had been trying to ease out some  
18 of the more old-fashioned staff. He had been brought in  
19 to drag the school into the late 20th century, and he  
20 had to be firm.

21 Q. If we've heard that there was tension because he was  
22 trying to prevent parents discovering harm coming to  
23 their children, does that ring any bells?

24 A. No.

25 Q. You don't remember a very tense meeting with the staff

1           who were anxious about a boy's burnt hand and the  
2           perception that CGC was trying to cover it from  
3           the parents?

4           A. No, I don't remember that. Was -- do you know whether  
5           that was during the time that I was there?

6           Q. I think the highest we can put it: it may have been.

7           A. No.

8           Q. Another member of staff remembers it clearly.

9           A. Right. I don't.

10          Q. All right. Because that would be a troubling  
11          character --

12          A. Yes, it would be.

13          Q. -- trait, would it not, for a teacher?

14          A. Yes.

15          Q. The reason I ask is you've acknowledged that there was  
16          a perception that Keil was running with difficulty  
17          because of financial limitations. Presumably the last  
18          thing -- and this goes back to your comments about the  
19          magazine and trying to portray Keil in a good light to  
20          encourage new parents -- the last thing the school would  
21          want was bad publicity or pupils leaving, just because  
22          of the loss of --

23          A. I'm sure, yes.

24          Q. That makes sense, I take it?

25          A. It does. And in any of the independent schools that

1 I've worked for.

2 Q. Though, just as with allowing pupil discipline or pupil  
3 supervision, Keil financially seems to be at the extreme  
4 of ...

5 A. Yes, it was fragile. I could see it was fragile when  
6 I first arrived. It lasted nine years. Rannoch lasted  
7 one year more than that, so we weren't the only ones.

8 Q. You talk about discipline and punishment, and again make  
9 reference to the fact that in the past you would  
10 understand Keil had been a harsher place?

11 A. I think certainly that's true.

12 Q. That was certainly what you were given to understand by  
13 those who might know?

14 A. Yes. And talking to one or two of the older staff who  
15 had retired, possibly eased out by CGC but  
16 certainly they'd gone by the time I arrived, and  
17 listening to their opinions, which I think I said were  
18 out of the ark, yes, there had been some very  
19 old-fashioned opinions.

20 Q. And that's not just amongst staff, but there was  
21 discipline by pupil on pupil?

22 A. There certainly had been much more of that in the past,  
23 and it was diminishing by the time I arrived.

24 Q. Though it was still there to some degree?

25 A. Yes.

1 Q. What about bullying?

2 A. I was trying to think of that on the train on the way  
3 up. I can't think of specific instances that I can, you  
4 know, say in any detail. I believe it was something  
5 that certainly Tom Smith was -- and I suspect  
6 **CGC** as well, were very keen to stamp out. But  
7 it wouldn't surprise me if you were to give me examples  
8 that still went on.

9 Q. And in terms of no matter how keen or whether you have  
10 a set of rules saying bullying is not acceptable,  
11 presumably what is required to stamp it out is adequate  
12 oversight?

13 A. And that's what I've said very clearly in my -- in  
14 several places in my statement, that particularly if  
15 you're going to give senior pupils responsibility, you  
16 you've got to keep a very close watch on them, very  
17 close.

18 Q. And at Keil was that the problem? Someone like you,  
19 who's doing a day job, doing lesson plans, marking  
20 papers and trying to do outward bound, et cetera,  
21 et cetera, et cetera, was there time to oversee?

22 A. Certainly we were stretched. Certainly when I was  
23 running the girls' house from early '96 onwards for the  
24 last four years, it's something I tried to watch over  
25 very, very carefully, but then that's in general easier

1 with girls than with boys anyway.

2 Q. Thinking of boys, though, were you aware, as a teacher  
3 and a boarding house teacher at Keil School, that  
4 bullying was a problem?

5 A. I think, to start with, when I first arrived, yes, there  
6 was probably a good deal more than there should have  
7 been. I believe it is something that we managed to  
8 diminish steadily through that nine years until the  
9 point, as I said in the statement, that at the end Keil  
10 was seen as a suitable school for some very fragile kids  
11 in the Vale of Leven and that area.

12 Q. Perhaps the sad part of that is that's right at the end,  
13 just before the closure?

14 A. It is, yes. I think the improvement came steadily right  
15 through those nine years, and as I've said, Keil by the  
16 end, by '98, '99, first half of 2000, was a very  
17 different school from the one that I had first joined.  
18 And rightly so, and I think those changes were all for  
19 the better.

20 Q. Part of that is no doubt teachers are modernising in  
21 their outlook. Part of that, would you agree, is  
22 because society and parliaments were demanding that  
23 children had greater protection?

24 A. Yes, but it was -- it was what we wanted. What the  
25 staff who were there by the second half of the '90s, you

1 know, virtually all of the old guard had gone and the  
2 staff would have been universally or almost universally  
3 in favour of all those changes.

4 Q. If we could move on to a number of staff in particular  
5 now, obviously you talked and you've made mention of  
6 this in terms of the housemistress you replaced, who  
7 I think caused the school problems.

8 A. (Witness nods).

9 Q. Is that fair?

10 A. Yes.

11 Q. And this is a lady who's now dead, from Northern  
12 Ireland.

13 A. Dublin, I believe.

14 Q. Oh, Dublin, thank you.

15 A. I -- you're -- I think I was probably the one who first  
16 said that I had heard that she had died, but I've never  
17 had any evidence of that so --

18 Q. Yes.

19 A. -- I don't know whether we need to be careful.

20 I certainly mentioned it to the police when I was first  
21 asked to give evidence back four or five years ago, and  
22 they may have investigated, but I wouldn't want to  
23 slander anybody without --

24 Q. No, no, we're just interested in impressions that you  
25 had, and of course that was speaking to the police about

1 Bill Bain, who we'll come onto.

2 A. (Witness nods).

3 Q. In relation to the housemistress, part of the problems  
4 arose because she didn't stay in the house?

5 A. Yes.

6 Q. She left it unattended?

7 A. (Witness nods).

8 Q. And she --

9 A. And --

10 Q. Sorry. She was taking illness breaks?

11 A. Yes, and that was why the school eventually said,  
12 "Enough is enough".

13 Q. Was that picked up quickly?

14 A. She must have arrived in '93. I ended up being involved  
15 in that house from September '95, so she must have been  
16 there for two years. During that time, I didn't have  
17 any involvement with the girls' house and therefore  
18 might not have heard of everything.

19 Q. I think you say -- and this part of your evidence is  
20 covered in your statement at page 26 onto 27 at  
21 paragraph 87, first of all she was troubled at the idea  
22 that you might be involved in the girls' house to start  
23 with.

24 A. No, it wasn't involvement in the house, it was three or  
25 four weeks after she arrived we were in the staffroom,

1           that's the boarding staff, in the staffroom waiting to  
2           go up for the evening meal and she came up to me, took  
3           me aside and I thought she was alleging something. She  
4           was saying, "Oh, you're putting yourself in a very  
5           difficult position here. What if somebody said ...",  
6           and it was because I was running activities with the  
7           girls.

8           Q. Thank you.

9           A. I then, within the next day or two, realised it was  
10          nothing to do with me personally, it was merely that she  
11          wanted the girls as her responsibility or her  
12          involvement and I and others, as bachelors, were seen as  
13          being very easy to pick off.

14          Q. I think your words in the statement are:

15                 " ... it rapidly became clear that she wanted the  
16                 girls solely for herself and was trying to frighten  
17                 other teachers away. I and other bachelors were seen as  
18                 easy targets to warn off."

19          A. (Witness nods).

20          Q. Then you go on:

21                 "During the subsequent couple of years I did hear of  
22                 behaviour that made me think she was leaning on the  
23                 girls emotionally, when they should have been able  
24                 metaphorically to lean on her, but until she left  
25                 I never heard of anything physical or otherwise that



1 I could pin down as definitely inappropriate in any  
2 way."

3 A. (Witness nods).

4 Q. Did you tell anyone in those two years or couple of  
5 years of your concerns?

6 A. No. Well, apart from the school nurse, I don't think  
7 I did, and it is something that I still regret, from  
8 what came about later on. But I had been made so wary  
9 of her by that first encounter that I think I shied away  
10 from any involvement with her responsibilities in the  
11 school. And I do think now that was a serious mistake.

12 Q. Obviously subsequently you have heard suggestions that  
13 she may have been inappropriate with female pupils.

14 A. Yes.

15 Q. Why, though, putting that to one side, why didn't you  
16 report your concerns?

17 A. I don't know. I suspect that they were so vague that --  
18 that I didn't have anything to go on. And as I say,  
19 I ... I knew that -- you know, I'd taught in a girls'  
20 school, I taught for two years at St Anne's Windermere.  
21 I was comfortable with working with the girls, but I was  
22 very, very wary indeed -- you know, I -- I think  
23 probably right from that first encounter I thought this  
24 woman is dangerous, I want -- for me as a member of  
25 staff, I'm going to stay out of her way, so to speak.

1           And as I said in the statement, I did not have  
2           anything concrete to make me think that she was acting  
3           in any way that could be pinned down as definitely  
4           inappropriate.

5       Q. But from what you've been saying, this is a school which  
6           is trying to change, become softer, you had great  
7           confidence in Tom Smith. Why not just tell Tom Smith of  
8           your concerns?

9       A. I wouldn't have hidden it. I may -- it may have come up  
10          in conversation. But I certainly don't remember going  
11          to him intentionally with the purpose of saying, "Look,  
12          I think there is a problem there."

13      Q. Was there a culture, to be blunt, of not talking about  
14          these sort of things?

15      A. No. Not at all.

16      Q. So, either you didn't tell anyone or, if you did,  
17          nothing was done. You see the concern that might be had  
18          now?

19      A. I think perhaps -- I can totally see where you're coming  
20          from and where you're trying to get to, but I think  
21          perhaps you are ignoring where I said I had nothing  
22          concrete, and because I had so little involvement with  
23          her -- and I certainly didn't hear any direct complaints  
24          from the girls, even when I was doing activities like  
25          sailing and so on.

1 Q. But your description of her the first time you met her,  
2 a moment ago, was that this woman is dangerous.

3 A. Yes.

4 Q. Now, that might be dangerous to you, but does that  
5 danger not, from the context of child protection,  
6 whatever it's labelled as back then, set flags waving?

7 A. Yes, and I suspect that my misgivings may well have come  
8 up in conversations with Tom Smith, but I can't remember  
9 actually going and talking to him about anything in  
10 particular.

11 Q. But what we can be certain of is for a couple of years  
12 nothing happened?

13 A. I don't know about that.

14 Q. Well, it's your words in the statement on page 27:  
15 "During the subsequent couple of years I did hear of  
16 behaviour that made me think she was leaning on the  
17 girls emotionally, when they should have been able  
18 metaphorically to lean on her, but until she left  
19 I never heard of anything physical or otherwise that  
20 I could pin down as definitely inappropriate in any  
21 way."

22 So from what you've told us in your statement,  
23 things were emerging which caused you some concern, but  
24 nothing happened because of those. I'm just interested  
25 why not.

1 A. I think I'm just going to have to say this was  
2 26/27 years ago and I honestly can't remember anything  
3 in particular where I had knowledge of something that  
4 nobody else had.

5 LADY SMITH: Depersonalising this just for a moment, can  
6 I take it from what you've said that you would agree  
7 that good child protection practice would demand the  
8 sharing of concerns such as those you've described to  
9 us, end of story.

10 A. Absolutely, my Lady.

11 LADY SMITH: Thank you.

12 Mr Brown.

13 MR BROWN: Thank you.

14 I was just going to ask you, you continued teaching  
15 until 2011.

16 A. (Witness nods).

17 Q. If this had happened in 2011, do you think you might  
18 have behaved differently?

19 A. Yes. Not merely because the environment and the  
20 legislation and the expectations had continued, but  
21 because I had much more confidence after 15 years of  
22 looking after girls in boarding, and it was my  
23 responsibility, latterly. I was head of boarding in  
24 another school down south. It would have been very much  
25 at the centre of my mind.

1 Q. Okay. That obviously leads on to William Bain --

2 A. To William Bain?

3 Q. William Bain. Because, again, putting things shortly,  
4 is it really the tenor of your statement: you had no  
5 idea there was any problem and you were astonished when  
6 it was discovered what he'd been doing?

7 A. Yes. I had very little to do with the senior boys'  
8 houses. I think I only ever did one duty in Islay Kerr  
9 and one duty in Mackinnon in those nine years.  
10 I thought, as many people did in those days, that if you  
11 listened to boys and girls, that sooner or later you  
12 would pick up what was happening. And, as I've said,  
13 I now can see: no, that is not true.

14 I did think he was more relaxed than I would have  
15 been in some ways about, for example, a group of us used  
16 to go out on a Friday evening down to a local pub just  
17 to escape because when you're working as intensively as  
18 that, you need some sort of break from school. And  
19 I would call in with whoever else was going down, and  
20 we'd call in and pick up, collect Bill Bain and go down  
21 to the pub on a Friday night, and he would leave some of  
22 the boys in the house, possibly playing computer games,  
23 in his flat. That I would never have done.

24 But apart from that, I never heard -- you see, many,  
25 many of the pupils thought he was wonderful. They did

1           lots and lots of activities with him. The majority,  
2           I would say, seemed to have no qualms at all about his  
3           actions within the school.

4       Q. If the majority didn't have qualms, can we take it  
5           a minority did?

6       A. It would appear, from -- and I've obviously only heard  
7           since the school closed. When this came out there was  
8           obviously much discussion on the old boys Facebook page,  
9           and inevitably you get those who thought "Oh, I thought  
10          he was great, I did this, that and the other that he  
11          organised", but you got some who said, "Oh, I was always  
12          a bit dubious".

13      Q. Okay, can I stop you there. That's obviously reporting.  
14          I'm thinking about the time you were teaching and so was  
15          he. Did you have a sense that -- you said the majority  
16          seemed enthusiastic about him, he would let them into  
17          his room to play computer games in his absence. I think  
18          we've heard from Tom Smith's statement he was  
19          overgenerous with his time to pupils.

20      A. What's overgenerous? I suspect in terms of time,  
21          particularly latterly when I was running the girls'  
22          house and in later jobs, I suspect I was just as  
23          generous of my time.

24      Q. Okay. He was involved in outdoor activities, as you  
25          were.

1 A. Mm.

2 Q. Do you ever remember thinking his choice of clothes when  
3 he was in the outdoors was untoward?

4 A. No -- because I hardly ever shared those outdoor  
5 activities. Again, as I think I wrote, right at the  
6 beginning, because I didn't know the Arrochar Hills,  
7 I went on a couple of his hill walks with pupils, but  
8 after that, our paths rarely crossed outdoors. I was  
9 running sailing. I did do some hill walking, but not --  
10 not usually shared.

11 Q. So if we've heard evidence of Bill Bain on an outdoor  
12 expedition in a pair of speedos, that's not something  
13 you saw?

14 A. No.

15 Q. All right.

16 A. Going back, when you said -- yes, you know, you accepted  
17 what I'd said about the majority seeming to be very  
18 happy with his -- the activities he ran and so on,  
19 I thought you were going to query the minority and push  
20 me a bit further on that, but I can't really add much  
21 more to that because that happens with every teacher.  
22 You get some who get on well with them and others who  
23 don't.

24 Q. Yes. I'm not going to return to that.

25 A. Okay.

1 Q. What I'm interested is showing you a number of  
2 documents, because you were aware of the prosecution of  
3 Bill Bain, because the police came and spoke to you.

4 A. (Witness nods). Mm.

5 Q. Could we look at document CFS665. If we can go down to  
6 the bottom of that page, the final paragraph. I'll just  
7 read it out if it's easier. This is a boy who began  
8 Keil in 1988:

9 "When I first met Mr Bain, he freaked me out  
10 a little. I can't really say why, but I just felt  
11 a little on edge around him. One occasion during first  
12 year a few of us kids would be allowed into Mr Bain's  
13 physics lab out of hours. By that I mean after school  
14 hours. It was just something to do. We would play with  
15 the equipment or use the computers that were within the  
16 lab. However I distinctly remember there being a period  
17 of time in first year when the lab was always locked and  
18 the blinds were always closed. The rumour around the  
19 kids in the school was that Mr Bain was in the lab with  
20 a boy ... but it was just a rumour at the time although  
21 I remember on an occasion I chapped the door of the lab,  
22 Mr Bain answered it and seemed flustered."

23 There's a boy, obviously before you start, but it's  
24 being talked about by the boys. That's the sort of  
25 thing that teachers might pick up on if they were



1 listening?

2 A. Yes. And as I say, I did try and listen. I've always  
3 thought that I was not as good as some at picking up  
4 pupil rumours principally because I didn't pass them on.  
5 I mean -- let's rephrase that. I didn't give anything  
6 back in terms of rumours or gossip or whatever, and  
7 I think those who do end up picking up more because  
8 there's more of an interplay to and fro. No, I didn't  
9 hear of any of those.

10 Q. If we go over to the next page and the bottom paragraph,  
11 because the boy describes a number of episodes, and then  
12 a third incident which in his mind he describes as the  
13 more serious but we don't need to look at the detail of  
14 that. Final paragraph:

15 "Towards the end of third year, Mr Bain gave me £10.  
16 I was sat on the school steps and he sat down beside me  
17 and gave me the £10 note. There was nothing said,  
18 I just took it. I remember after this spending the  
19 money maybe in the local shop. A friend at the time  
20 asked where I'd gotten the money. I told him and  
21 I actually found myself going on to tell him everything  
22 that Mr Bain had done to me. The other boy said  
23 I should report it to the school but it had been going  
24 on for so long and I was so embarrassed by it that  
25 I couldn't. However, the other boy did. I remember

1 I was summoned to Mr CGC the SNR office,  
2 and asked to provide a statement about it. I remember  
3 I didn't detail much in the statement because I don't  
4 think I was ready to discuss it, particularly not with  
5 one of Bain's colleagues. The other boy provided  
6 a statement too, and from that point on I no longer had  
7 Mr Bain as a teacher. However, my life became very  
8 difficult at the school after this as my housemaster was  
9 friends with Mr Bain and he took great offence to my  
10 report and bullied me constantly. Further, he allowed  
11 other kids in the school to bully me. My time at the  
12 school became very difficult. At the end of my third  
13 year I told my father at the request of CGC  
14 a little of what had happened to me and my father met  
15 with Mr CGC. He was told that what I had reported  
16 was naughty, but couldn't be corroborated and so the  
17 matter should be dropped."

18 Were you aware of Mr CGC being alerted?

19 A. (Witness shakes head). No. I did ask for -- no, two or  
20 three years ago, after Mr Bain's conviction, I had  
21 a long telephone conversation --

22 Q. This is with a pupil? You've detailed it in your  
23 statement.

24 A. Yes.

25 Q. Can we focus on the question.

1 A. Okay.

2 Q. Were you ever aware that Mr CGC knew about Mr Bain's  
3 alleged behaviour?

4 A. That was what I was trying to get to and --

5 Q. I'm not talking about conversations you've had after the  
6 event.

7 A. Okay, no.

8 Q. After the conviction. I'm interested about your time as  
9 a schoolteacher at Keil.

10 A. No. At the time, no.

11 Q. We should understand, though, that at the time this  
12 statement is being talked about, 1990, 1991, the  
13 SNR is CGC, the deputy head is  
14 Tom Smith. Can you conceive of any school where that  
15 information would not be shared within the Senior  
16 Management Team?

17 A. No. I can't.

18 Q. If we can look at another document, which is CFS896,  
19 this is a statement, if we go to the bottom of that  
20 page, of the boy's father:

21 "In 1992, I think, it was at the end of the semester  
22 and I attended at the school to collect [my son]. On  
23 collecting him, he seemed unsettled and concerned about  
24 something. When we got home I asked him what was  
25 troubling him. He eventually told me that a teacher at

1 the school called Mr Bain had touched him. I asked him  
2 for more detail and he mentioned that Mr Bain had rubbed  
3 the top of his leg and made him feel uncomfortable. He  
4 then went on to say that Mr Bain had offered him £10,  
5 which I took that Mr Bain was trying to buy his silence.  
6 [He] said it happened on the stairs at the main entrance  
7 to the school. I didn't push him more on what happened  
8 but decided to report it to the school."

9 Over the page:

10 "My wife and I attended the school almost  
11 immediately and spoke with the SNR

12 Mr CGC Also present was Mr OPR "

13 That would be presumably OPR ?

14 A. OPR mm.

15 Q. " ... who was the boy's housemaster. I explained our  
16 concerns and Mr CGC explained that the matter had  
17 been reported to him and the school had run an internal  
18 investigation, however there was nothing to support the  
19 allegation. He confirmed that the incident would remain  
20 on Mr Bain's record for the rest of his working life and  
21 I was happy enough with that."

22 Would you conceive of a situation in any school  
23 where that sort of information would not be shared with  
24 those who worked with a teacher who was responsible for  
25 pastoral care for children in a house setting?

1 A. I can conceive of it not being passed on to the  
2 generality of other staff, but no, I can't conceive that  
3 it would not have been shared amongst those with a need  
4 to know.

5 Q. And that would be at the very least the Senior  
6 Management Team?

7 A. (Witness nods). Mm.

8 Q. And yet, Mr Bain continued to work at Keil until the  
9 bitter end.

10 A. (Witness nods).

11 Q. And, as we know, continued to abuse children.

12 A. I don't know -- yeah, I mean, that may not be important  
13 at this stage in our discussions, I don't know what  
14 dates these --

15 Q. I can assure you, he did.

16 A. Right.

17 LADY SMITH: Are you aware he pled guilty to the charges of  
18 which he was convicted and sentenced?

19 A. I believe I had heard that from the police. And, again,  
20 it's only hearsay, really, but I have a feeling that  
21 they mentioned to me -- or, no, maybe that came from  
22 this ex pupil that I spoke to later, the suggestion that  
23 he pled guilty because that meant other charges would  
24 not be taken further. But I'm only hearing that two or  
25 three years ago, and as I say, it's hearsay, really.

1 LADY SMITH: I think Mr Brown can probably help you with  
2 that.

3 MR BROWN: Well, I think it is fair to say that we have  
4 a copy of the indictment to which he pled guilty to and  
5 the charges ran on for years subsequent.

6 A. (Witness nods).

7 Q. And involved abuse that was happening multiple times  
8 a week.

9 A. (Witness nods). (Pause).

10 Q. It would appear that Keil was, at best, naive?

11 A. Yes. Certainly.

12 Q. And at worst, remiss.

13 A. Certainly by modern standards, and I think probably by  
14 any standards, from what you've said, yes.

15 Q. Well, if a headmaster is aware of allegations and says  
16 that it will be on the man's record, it should follow  
17 wherever he goes. Is that fair?

18 A. Yes.

19 Q. It's the sort of thing a school wants to know about if  
20 it's taking on a teacher.

21 A. Yes.

22 Q. And yet I think you know Mr Bain carried on teaching.

23 A. Yes. How much of references he got, he -- I don't know.  
24 He did have, no doubt, a lot of contacts through school  
25 rugby and I honestly don't know what references

1 Glenalmond, for example, would have taken up.

2 Q. I think one of the things you do talk about, if we can  
3 just close, because it's interesting given your  
4 experience and your thoughts about what should happen  
5 now, one of the points you make is you're aware, from  
6 a career over 30 years in teaching, that there was or  
7 there were episodes of teachers just being moved on and  
8 problems being resolved, is that a fair way of putting  
9 it, by getting them to go to another school?

10 A. I think that's fair. I think that probably happened  
11 with the female member of staff that you've mentioned  
12 earlier, when she came up from a much more exalted  
13 school down south, down in Kent, and everybody thought,  
14 "That's a bit strange", but she passed it off by saying  
15 it made it much easier for her to get home to Dublin,  
16 but I suspect now, just guesswork, I suspect she was  
17 possibly eased out and given a good reference.

18 Q. Could we look at page 27 of your statement, which is the  
19 chapter where it's under the broad heading, "Helping the  
20 Inquiry", taking, frankly, advantage of your knowledge  
21 and what you would do to make things better for  
22 children, which is what of course this is about.

23 A. Mm-hmm.

24 Q. One of the things you talk about in paragraph 90 on  
25 page 28 is, fourth line down:

1           "For example those colleagues without experience of  
2 boarding house life often used to say 'You can't be too  
3 cautious'. It wasn't true; one could indeed be too  
4 careful. Just as trust begets trust, mistrust will  
5 breed further mistrust. For example, by seeming to be  
6 worried about minor situations I would have destroyed  
7 whatever relationship had been so carefully built up.  
8 The lesson was: by all means be careful, just don't make  
9 it obvious."

10           I can follow the logic of that, but would you  
11 accept, given, for example, the conduct of a teacher  
12 which causes you concern, now you would report it? So,  
13 in other words, you shouldn't be cautious about coming  
14 forward with concerns?

15       A. Yes. I think I was -- in what I wrote there, I think  
16 what brought that out was that as a man looking after  
17 girls, I often had comments from colleagues and others  
18 saying, "Oh, you know, you're really putting yourself in  
19 a difficult situation there, you can't be too careful";  
20 in other words, it was an assumption that I had to be  
21 very, very obviously careful. And what I was trying to  
22 say in that paragraph is there were better ways of  
23 treating such incidents. It was much better to not  
24 raise doubts in the girls' minds, just to laugh it --  
25 you know, the example I gave of meeting a girl running



1 back from the shower, perhaps wrapped in a towel, yeah,  
2 you make a joke of it, you put your hands in front of  
3 your eyes whilst still smiling, you look the other way,  
4 but you don't make a huge great row about it because  
5 that would mean they thought I was uncomfortable seeing  
6 that situation.

7 Q. All right.

8 A. They wouldn't realise that I was uncomfortable because  
9 of what their gossip might have passed around. They  
10 would have turned it round the other way.

11 Q. That's talking about a teacher/pupil scenario. I think,  
12 though, at paragraph 96 you move on to confirmation bias  
13 and the teacher abusing a pupil situation.

14 A. (Witness nods).

15 Q. There you say:

16 "Three things may be needed for child abuse to take  
17 place: an abuser, a child who may or may not tell of  
18 their experiences, and adults who do not react  
19 appropriately. This last thing has clearly been a major  
20 problem in the past, often because the consequences of  
21 believing the child seemed to be so catastrophic - for  
22 the institution, for the listener personally and maybe  
23 for a colleague or friend - that it was simpler to bow  
24 to one's own wishful thinking and become convinced that  
25 nothing had happened."

1 A. (Witness nods).

2 Q. Might that reflect Keil and Mr Bain, do you think?

3 A. Certainly, as I've said, I did not have any suspicions  
4 of those things going on. Whether that sums up the  
5 attitude amongst the senior management, I don't know.

6 And let's go back to what you said earlier. In that  
7 last 12 months I was a member of the Senior Management  
8 Team and I did not hear of anything during that time.  
9 Nothing at all. I've given up jobs twice in my career  
10 because of being uncomfortable with the way the school  
11 was acting, once because I disapproved of a school's  
12 lack of care to its pupils -- that was much later -- and  
13 once before I came to Keil, in fact the reason I came to  
14 Keil, because I thought that the school was being badly  
15 managed and when I tried to raise it with the head I got  
16 nowhere, and when I put it in writing he started to  
17 stick the knife in, so I thought, yeah, fair enough,  
18 I'll move on.

19 Q. Yes.

20 A. So I don't think I'm shy of raising issues, but I didn't  
21 hear of that at all.

22 Q. It wasn't shared with you?

23 A. No.

24 Q. No. And of course by 1999, sadly, perhaps, Keil was on  
25 its last legs.

1 A. Mm.

2 MR BROWN: Martin, thank you very much indeed. I have no  
3 further questions.

4 LADY SMITH: Martin, that completes the questions we have  
5 for you. It only remains for me to thank you both for  
6 your valuable written statement and for coming here  
7 today to answer our questions. I appreciate it's  
8 probably not felt straightforward and it's not felt the  
9 easiest ride you've had on a November afternoon, but let  
10 me assure you, it is really, really helpful for me to  
11 hear this. I'm grateful to you. I'm now able to let  
12 you go.

13 A. Thank you very much.

14 LADY SMITH: And hopefully relax for the rest of the day.

15 (The witness withdrew)

16 LADY SMITH: Well, Mr Brown.

17 MR BROWN: My Lady, I think that's enough for today.

18 LADY SMITH: I think so.

19 MR BROWN: We have one read-in but we have ample time --

20 LADY SMITH: We'll find space tomorrow probably for that, or  
21 Friday.

22 MR BROWN: Or Friday, perhaps.

23 LADY SMITH: Very well. Tomorrow we have three witnesses in  
24 person, haven't we?

25 MR BROWN: We have three live witnesses. A busy day.

1 LADY SMITH: That's fine. I'll see you tomorrow morning,

2 10 o'clock I will sit again.

3 MR BROWN: Thank you.

4 LADY SMITH: Thank you very much.

5 (3.36 pm)

6 (The Inquiry adjourned until 10.00 am

7 on Thursday, 4 November 2021)

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