

1 Tuesday, 11 January 2022

2 (10.00 am)

3 LADY SMITH: Good morning and welcome back to our evidential
4 hearings in the boarding school case study.

5 Today we turn to evidence in relation to the
6 provision of residential care for children by Merchiston
7 Castle School and we have witnesses coming to speak to
8 us about their experiences there, two witnesses,
9 I think, today.

10 Those of you who are here -- I think I can see from
11 faces around -- will be familiar with the way we work,
12 but of course if anyone has any questions about the way
13 the hearings operate, you can ask any of the staff that
14 are around. Please don't hesitate to do so, and I hope
15 you're able to make yourselves comfortable in the usual
16 way.

17 Mr Brown.

18 MR BROWN: My Lady, good morning. There are indeed two
19 witnesses today. There were meant to be three, but I am
20 afraid there was a last-minute change because a witness
21 had an appointment he couldn't miss.

22 We start today with two witnesses speaking to
23 Merchiston in the late 1950s, early 1960s, and the first
24 is 'John'.

25 LADY SMITH: Thank you.

1 'John' (sworn)

2 LADY SMITH: I see you've picked up the red folder, 'John'.

3 A. Yes.

4 LADY SMITH: What's in that is a hard copy of the statement

5 you've provided to us.

6 A. Yes.

7 LADY SMITH: You may find it helpful to use that hard copy,

8 or alternatively the statement will be shown on screen,

9 or the parts of it that we refer to as we go through

10 your evidence will be there.

11 Otherwise, I hope that you're as comfortable as you

12 can be giving evidence.

13 A. Yes.

14 LADY SMITH: If you have any queries or concerns, please

15 don't hesitate to tell me. If it works for you, it

16 works for me, and I do want to know if you have any

17 worries or anxieties about giving evidence at all.

18 A. Yes.

19 LADY SMITH: I know it's not easy and it's not a familiar

20 experience for most people that do it.

21 Unless you have any questions at the moment, I'll

22 hand over to Mr Brown and he'll take it from there. Is

23 that all right?

24 A. Yes, yes.

25 LADY SMITH: Mr Brown.

1 Questions from Mr Brown

2 MR BROWN: My Lady, thank you.

3 'John', hello again.

4 A. Hello.

5 Q. Her Ladyship has just mentioned the statement which you
6 have on the screen in front of you. If we can begin the
7 formality of reading its reference number into the
8 record, that's WIT.001.001.6249. This, as we see, is
9 a statement which runs to 20 pages, and I think we see
10 on the --

11 A. Yes.

12 Q. -- 19th and 20th pages, the last paragraph is number
13 99 --

14 A. Yes.

15 Q. -- which is on page 19, and it reads:

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 witness statement are
19 true."

20 Then over the page we see it's been blacked out --
21 you signed the statement --

22 A. Yes.

23 Q. -- on 20 June 2017?

24 A. Yes.

25 Q. So four and a half years ago?

1 A. Yes.

2 Q. I know, because we discussed this, you've read through
3 it and you're happy that that's still correct, that the
4 statement is accurate?

5 A. Yes. There are odd things, but I told you --

6 Q. Yes, we'll come back to that.

7 LADY SMITH: 'John', could I just ask you to maybe adjust
8 the microphone and you might pull this a little bit
9 nearer to you, you might be able to pull yourself
10 a little bit nearer to that.

11 A. Is that better?

12 LADY SMITH: It's much better. It's not just for my benefit
13 and the other people who are listening, but also the
14 stenographers who are preparing a live transcript for me
15 are listening through the sound system.

16 MR BROWN: Thank you, my Lady.

17 I noticed, 'John', you actually pulled the
18 microphone, but then made the mistake of sitting back,
19 so if you can try and bear that in mind.

20 A. Yes.

21 Q. We see from the statement that you were born in 1945;
22 you're now 76?

23 A. Yes.

24 Q. Just in terms of your contact with the Inquiry, if we
25 can touch on that at the very beginning, you contacted

1 the Inquiry obviously four and a half years ago plus?

2 A. Yes.

3 Q. Because the statement took some time to prepare,

4 I imagine?

5 A. I think it was -- I signed this in 2017, didn't I? Yes.

6 I think it was probably at the beginning of 2017 that

7 I --

8 Q. (Overspeaking) --

9 A. -- saw about the Inquiry in a newspaper and that had my

10 school's name in the article, so I thought, well,

11 something happened, I might as well get in touch.

12 Q. Yes. That's going back to when you were in your early

13 70s.

14 A. Yes.

15 Q. You'd been at Merchiston, we know, between 1958 and

16 1963?

17 A. Yes.

18 Q. And, as we know, you then led a full life doing other

19 things?

20 A. Yes.

21 Q. But reading about Merchiston being part of this Inquiry

22 triggered something in you? You wanted to make contact?

23 A. Yes. I'd found that -- the Merchiston School was

24 a boarding school and it operated on a sort of house

25 system, similar in a way to English public schools --

1 private schools, public schools, but with a difference
2 that in Merchiston you went from house number 1, to 2,
3 to 3, to 4 as you aged. So your first year you were in
4 house number 1, and then second year, house number 2 and
5 so on.

6 Q. Yes.

7 A. And it was when I went into house number 1, it was one
8 of the reasons why I'm here today.

9 Q. I will come to that.

10 A. You'll come to that.

11 Q. Yes. What I'm interested in, though, 'John', had this,
12 the experiences you're going to talk about in house
13 number 1, were those experiences that had stayed in your
14 mind through your entire adult life or was it just
15 triggered by reading about the Inquiry?

16 A. It was triggered by reading about the Inquiry, and as
17 I said to you ... the wee committee that I met in
18 Inverness, after which was the -- my evidence, and as
19 I said to them, when I went into house number 2, I was
20 quite happy with the housemaster in charge there, and
21 house number 3, ditto, and house number 4 ditto. And so
22 things gradually went into the back of my mind. And
23 then I became a committed Christian within a couple
24 years of that and I firmly believe that God kept them in
25 the back of my mind until the precise moment when it

1 needed to come back into my mind, and it was only after
2 seeing the newspaper article, that's when everything did
3 come back.

4 Q. Yes.

5 A. And so that's when I contacted you.

6 Q. Because you felt you wanted to -- it should be known,
7 what had happened?

8 A. Well, I mean the article actually sort of did make
9 comments that in 2015 Merchiston had actually sacked
10 a teacher for similar offences, and then in 2016 another
11 teacher, and then in 2017 another teacher, and I said to
12 myself: if there are still teachers getting caught in
13 that school, there's something wrong with their policy,
14 and I hope that by coming forward it would help the
15 school to adapt their policy if they find the things
16 that need to be done.

17 Q. Yes. And I think by way of background, part of your
18 career was in teaching?

19 A. Yes.

20 Q. You became a primary school teacher and then head?

21 A. Yes.

22 Q. For many years?

23 A. Yes. I found as I got older I seemed to enjoy working
24 with the primary age children and at one stage I was
25 going to go into children's nursing and went for

1 an interview and passed the interview -- this was in
2 Belfast -- and I was due to start within a couple of
3 months, and then the matron had to write to me and she
4 said, "'John', sometimes the public can be quite
5 difficult if they know that somebody's in a certain
6 situation and especially as a nurse". She said,
7 "I think we would advise that you did not start as
8 a nurse and maybe think of some other occupation", and
9 that's when I --

10 Q. So you tried teaching?

11 A. I tried teaching and thoroughly enjoyed working with the
12 kids.

13 I wouldn't go near a secondary school as a teacher.

14 Q. Why not?

15 A. I can and did communicate with the kids when they were
16 in the primary school and having known them grow up
17 I could continue to communicate with them in their
18 teenagers, but to actually go into a secondary school,
19 I just felt I couldn't communicate with every single
20 pupil, whereas with little kids I could.

21 Q. One last thing before we go back to your childhood, did
22 you find contact with the Inquiry helpful for you?

23 A. Oh yes, yes.

24 Q. I think I'm right in saying that you made contact
25 through the Inquiry with Future Pathways?

1 A. Yes. And they put me in touch with the psychiatrist in
2 Glasgow.

3 Q. I think from what you say, that's been helpful because,
4 having triggered or the memories having been
5 triggered --

6 A. Yes.

7 Q. -- things have been coming from the back of your mind to
8 the front of your mind --

9 A. Yes.

10 Q. -- since you gave the statement?

11 A. Yes. And the psychiatrist gave me excellent advice
12 saying something along the lines of: if something comes
13 back into your mind, a flashback, and you're not
14 watching television, put it on. If you are watching
15 television, change the channel. Anything to get your
16 mind to go away from what it had suddenly come up with.

17 Q. Can I take it from that that the flashbacks are not
18 enjoyable?

19 A. No.

20 Q. Because they take you back to that first --

21 A. Yes.

22 Q. -- that first year at Merchiston?

23 A. Yes.

24 Q. And that first housemaster in particular?

25 A. Yes.

1 Q. But, as I think we will discover, you have remembered
2 more in the last four and a half years, a little more?
3 A. Yes, yes.
4 Q. Thank you.
5 Let's go back to the beginning and page 1 of the
6 statement. Your background, we needn't dwell on it, is
7 perhaps an unusual one, even for its time when Britain
8 had an empire still --
9 A. Yes.
10 Q. -- and people were all over the planet, but perhaps with
11 military parents, but in your case it was tea
12 plantations?
13 A. Yes.
14 Q. And your father met your mother in India?
15 A. Yes, because her father was a tea planter.
16 Q. Yes, and he had gone out from Northern Ireland?
17 A. He had gone out from Northern Ireland, yes.
18 Q. You were born in India in 1945?
19 A. Yes.
20 Q. You had to come back to the UK because you caught TB?
21 A. Yes.
22 Q. And that's something that has impacted you for the rest
23 of your life?
24 A. Yes.
25 Q. I think, as we read, it impacted on one of your lungs --

1 A. Yes.

2 Q. -- in particular, and other aspects we needn't dwell on.

3 A. Yes.

4 LADY SMITH: And you were a baby when you came back?

5 A. Yes. Oh yes. And as my dad said, I was six months in

6 Great Ormond Street Hospital and he said that cost him

7 a year's wages. No NHS in those days.

8 LADY SMITH: Of course.

9 A. And of course because of his work and his financial

10 situation, he couldn't stay in the UK, he had to go back

11 to India to carry on. And of course my mother was

12 obviously faced with a situation: do I stay and look

13 after the kids or do I go with my husband? And her

14 parents were in Edinburgh, but unfortunately her mother

15 did not like kids, having had three already, and so they

16 put me into boarding school at age three. My sister was

17 in the same boarding school.

18 LADY SMITH: Mr Brown.

19 MR BROWN: Thank you, my Lady.

20 I think, reading the matter short, what's striking

21 is you saw your parents essentially every time you moved

22 school, they would come back across --

23 A. Yes.

24 Q. -- either both or your mother, in one case when you

25 joined Merchiston?

1 A. Which was about four, sometimes five years.

2 Q. Yes. Otherwise, you were living in boarding schools, as

3 you just said, from the age of three?

4 A. Yes. I mean, the ideal situation would have been if my

5 grandparents had looked after my sister and myself, but

6 as I say, my granny would not have that. So it had to

7 be boarding school. And even in the holidays, she might

8 take us for a couple of days, but that would be

9 fortunate, but my parents found out another organisation

10 who looked after children whose parents were abroad, and

11 there must have been about maybe a dozen of us, and they

12 lived way out in the countryside, near Dollar, Crook of

13 Devon, and they had horses and other animals and we

14 thoroughly enjoyed ourselves. Of course my parents had

15 to pay for it, but it was certainly a better way out.

16 Q. Again putting matters short because you talk in detail,

17 which we don't need to go through, of Grange Home School

18 in Grange Road in Edinburgh, which no longer exists --

19 A. Yes.

20 Q. You were there from three to seven, run by two

21 spinsters?

22 A. Yes.

23 Q. You seemed to have had actually a fairly happy time

24 there?

25 A. Yes. They allowed us to call them auntie so-and-so, the

1 two heads, and it was, it was a lovely time. I mean,
2 I suppose if I'd had my parents it would have been
3 completely different, but it was better than what could
4 have happened.

5 Q. Your memories are happy?

6 A. Yes, yes.

7 Q. Also, you then move from south side of Edinburgh to the
8 west side of Edinburgh to your next school?

9 A. Yes.

10 Q. In Eglinton Crescent, to Angusfield House, and you're
11 there from 7 till 12. Is that right?

12 A. Yes, yes.

13 Q. There you met, I think, discipline in a way that was new
14 to you --

15 A. Mm-hmm.

16 Q. -- in that the SNR would beat?

17 A. Yes. Oh yes.

18 Q. But, that aside, your memories of that school, another
19 small school --

20 A. Yes.

21 Q. -- are broadly happy?

22 A. Yes. I mean you kind of accepted the discipline.

23 Q. You have paragraphs on page 6 over to 7 about abuse at
24 Angusfield House.

25 A. Yes.

1 Q. You say your mum and dad trusted the staff at the school
2 would discipline us fairly.

3 Was that something your parents ever talked about on
4 the rare occasions you saw them or did you write to them
5 about it?

6 A. No, I think -- I think if I -- if I did say anything, it
7 would probably be when they came back either for
8 holidays -- and I might mention something and my dad
9 would probably say, "Well, you deserved it", and I would
10 say, "Yes".

11 Q. That's what I was interested in because at paragraph 32
12 you say if you went to the shops at Haymarket yourself
13 then you would be unaccompanied and anything could have
14 happened to you:

15 "The punishment was perfectly fair, they were in
16 charge of us."

17 A. Yes.

18 Q. I was just wondering, did you think when you were beaten
19 at the time it was fair or --

20 A. Yes, because I mean you admitted you'd done something
21 wrong and if this was the punishment, then that's, you
22 just took it.

23 Q. Okay.

24 LADY SMITH: I noticed in an earlier paragraph you said that
25 slipping or caning would be on children's bare

1 backsides; is that right?

2 A. Yes, yes. But you just -- just -- it was the way things

3 were done.

4 LADY SMITH: Well, that's it. You didn't know any

5 different?

6 A. You didn't know any different, no.

7 MR BROWN: I think you go on to make the point that the

8 reason for that was otherwise children would put books

9 down their trousers?

10 A. Yes, there was that.

11 Q. But, for whatever reason, that was the norm?

12 A. Yes.

13 Q. Angusfield, you say, was closing in 1958 but by that

14 stage you were of an age to go to Merchiston?

15 A. Yes.

16 Q. Had Merchiston, so far as you were concerned, always

17 been a next step or was that just what happened?

18 A. Yes ... I'm not sure if -- sometimes parents would put

19 their children's names down in a particular school and

20 I think that was possibly what happened. As I was

21 growing older, my parents obviously thought where would

22 we go next and they put me down for Merchiston.

23 Q. What did you know of Merchiston before you went?

24 A. Nothing, nothing.

25 Q. But you've told us already that Merchiston operated --

1 it's a system where you would start in one house in your
2 first year --
3 A. Yes.
4 Q. -- and then successively progress into different houses
5 each year?
6 A. That's right.
7 Q. So you were staying within your year group?
8 A. Yes.
9 Q. But under different supervision in different houses
10 every year?
11 A. Yes.
12 Q. I think you talk about the number of boys in a given
13 year intake would be about 50?
14 A. Yes.
15 Q. Did you know any of the 50?
16 A. Well, I think there might have been one, maybe two, who
17 had come from the previous school I was at.
18 Q. Angusfield?
19 A. Yes, Angusfield. But apart from that, you just got used
20 to meeting new ones.
21 Q. Can you remember, where did the boys come from? Were
22 they Scottish or were they international?
23 A. They're certainly international now, but in those days
24 it was -- it was international if their parents happened
25 to be working abroad.

1 Q. But would they tend to be Scottish families?

2 A. Yes. I mean there were one or two English, you know,
3 coming up from England.

4 Q. Okay. And I think on this occasion your mother came on
5 her own from India --

6 A. Yes.

7 Q. -- to see you transfer into Merchiston?

8 A. Yes.

9 Q. Presumably there would be a great deal of buying of kit
10 and --

11 A. Yes, exactly.

12 Q. -- the routine for starting a new school?

13 A. Yes.

14 Q. You talk about your first day, and this is where you
15 meet the new housemaster --

16 A. Yes.

17 Q. -- you were going to be dealing with. This is the
18 housemaster for Chalmers House, which would be year one?

19 A. Yes.

20 Q. And that's a gentleman called Mervyn Preston?

21 A. That's it.

22 Q. Sorry, it's Chalmers House West, because I think you
23 explain it's Chalmers House West, then Chalmers House
24 East, Rogerson House East and Rogerson House West is the
25 order, as you recall things?

1 A. Yes.

2 Q. What do you remember about the introduction and meeting
3 Mervyn Preston?

4 A. Well, I was -- my mum took me there and it was about one
5 of the only times you were allowed through the front
6 door, but the Chalmers House West was on your left-hand
7 side as you went through the front door and then
8 Mr Preston had a suite of rooms and I think he was
9 probably at the front door to welcome us and he showed
10 us around and then I said goodbye to my mum and that was
11 that for a few years.

12 Q. How long did that introduction take? Was it just you
13 and your mother and him or was it in a group?

14 A. It was just myself and my mother and Mr Preston.

15 Q. All right. And I think you make the point it was one of
16 the few times you went in the main front door?

17 A. Yes.

18 Q. Ordinarily boys would be using side doors?

19 A. Yes.

20 Q. So this would be a special occasion?

21 A. Yes.

22 Q. You talk about him having a suite of rooms?

23 A. Mm-hmm.

24 Q. You were in that suite of rooms, as we'll come onto.

25 A. Yes, yes.

1 Q. Would we understand that he would have a bedroom?
2 A. And a study.
3 Q. A study, a living room, presumably?
4 A. Yes. And if you ever had to go to Mr Preston for
5 anything like being punished, you would knock on the
6 study door and he would say, "Come in", and either,
7 "Stay standing there" and administer the punishment or,
8 "Sit down and tell me what you've come to see me about",
9 but --
10 Q. We'll talk about that in a moment.
11 A. Yes.
12 Q. If we can just talk generally about the way the school
13 operated in terms of supervision, you go through
14 a different house each year?
15 A. Yes.
16 Q. And you're staying with your year group?
17 A. Yes.
18 Q. So presumably you make friends in the first year and
19 they're still with you throughout the entirety of your
20 time at Merchiston?
21 A. Yes.
22 Q. You talk at paragraph 42 on page 9 about a prefect
23 system being operated.
24 A. Yes.
25 Q. And that's, I think, common to many schools, if not all.

1 A. Yes. That would be the senior fourth years and fifth
2 years.

3 Q. Did they stay in their year group in their house or were
4 they living in your house if they were prefects?

5 A. There was -- I would say there might have been about six
6 or seven senior prefects and they would stay in a senior
7 prefects' room in the house, and similar in the other
8 four.

9 Q. So in each of the year group houses there were senior
10 boys who were allocated to that house to help run it?

11 A. Yes.

12 Q. They would have their own separate accommodation?

13 A. They would have their own bedroom and bathroom, yes.

14 Q. You have a housemaster, Preston?

15 A. Yes.

16 Q. And we would understand there was a -- in thinking of
17 year one, there was another teacher --

18 A. Yes, an [REDACTED] teacher.

19 Q. Whose name was?

20 A. CFK [REDACTED].

21 Q. And he lived in too?

22 A. Yes.

23 Q. Was it just those two staff and perhaps a matron who
24 lived in the house?

25 A. Yes.

1 Q. Day to day, you talk about the morning beginning with
2 a prefect making sure that all the boys were up.
3 A. Yes, roll call.
4 Q. Roll call. Was the day-to-day organisation done by the
5 prefects or the housemasters or a mix of the two?
6 A. A mix of the two.
7 Q. How much contact did you have with the housemaster and
8 the deputy housemaster, CFK [REDACTED]?
9 A. Well, the -- the [REDACTED] teacher, of course, taught us [REDACTED]
10 so you saw him more than the housemaster.
11 Q. I was thinking -- it's my fault entirely -- purely about
12 life in the house, forgetting the educational side.
13 When would you see the housemaster or the assistant
14 housemaster?
15 A. Well, he certainly saw us every day when we had to have
16 a shower.
17 Q. Yes. We'll come back to that too.
18 A. Yes.
19 Q. It's just from other schools we have the sense at times
20 it was the prefects who really ran the day to day and --
21 A. Yes, but I mean they didn't do it in a sort of really
22 superior way. I mean, they -- they were more
23 understanding, in a sense, than an actual adult, being
24 senior boys.
25 Q. So from that perspective, you weren't troubled by senior

1 boys bullying you?

2 A. No. I mean, the senior prefects, if Mr Preston happened
3 to be away on a course, then they could stand in for him
4 and in that case then they were allowed to administer
5 corporal punishment.

6 Q. Yes. Did you feel that that was abused?

7 A. No. I mean, as I say, you didn't get punished unless
8 you had actually done something and I mean it was easier
9 to admit that you had done it and take the punishment
10 and that was that.

11 Q. I think you make the point, and we can just briefly
12 touch on this, page 14 of your statement, paragraph 68:
13 "Prefects had the authority. If there was a minor
14 breach of the rules, to give you a punishment exercise."
15 Which would be blue paper or copying maps?

16 A. I thought that was very clever, because you couldn't
17 sneakily do some other punishment exercise in a class,
18 because of this blue paper the teachers would see the
19 blue paper and you'd probably get another punishment if
20 you were caught.

21 Q. All right. But they could also give you the belt?

22 A. Yes.

23 Q. Did that change when you were going through Merchiston
24 or was that always the --

25 A. No, the senior prefects, as I say, they -- when they

1 gave you the belt, you went to the senior prefects' room
2 and it wasn't just one prefect, they would all be there,
3 and presumably that helped in the long run that nobody
4 was being over enthusiastic.

5 Q. Did you think having them all there was a check in case
6 someone was?

7 A. Looking back, I would say yes, but I mean I just
8 accepted it, "Oh, they're all here", sort of thing.

9 Q. I think one of the details you give in paragraph 69 was
10 that you could bring a couple of scarfs to wrap around
11 your wrists?

12 A. Yes.

13 Q. Because it was understood that if it hit those parts of
14 your arms it would be painful, if not damaging?

15 A. Yes, yes.

16 Q. And that was understood by the prefects and the pupils?

17 A. Yes.

18 Q. Was the same true if you were beaten by a teacher?

19 A. Well, we were usually beaten on the bare bottom, so --

20 Q. Right, so it was a different part of the anatomy?

21 A. Yes.

22 Q. Okay. And you also make the point any beating was
23 written down in a book?

24 A. Yes.

25 Q. Thinking back, you weren't beaten often, I don't think?

1 A. No, no. And, as I said, every time I was, I admit
2 I deserved it and took the punishment.

3 Q. All right. Even listening secretly to the radio with
4 an earphone in?

5 A. That wasn't while I was having the punishment, that was
6 for why I was punished.

7 Q. I was wondering whether you thought now that was fair?

8 A. Yes, because it was -- I was listening during the --
9 what they called the prep time, the preparation time, it
10 was for doing your homework and you weren't supposed to
11 be listening to the radio, so I knew I'd done what
12 I shouldn't have done.

13 Q. But I think you go on to say that if it was sufficiently
14 serious to merit it, punishment would be passed up to
15 the housemaster?

16 A. Yes.

17 Q. I think you make the point you may have been punished,
18 you think, about four times or you were slippered four
19 times, rather, by a housemaster for some transgression?

20 A. Yes.

21 Q. You make the point again:

22 "He would pat you down to make sure you didn't have
23 a book down your trousers."

24 A. Yes.

25 Q. But this was over clothes? Or was it your bare bottom?

1 A. Well, it was -- they made sure it was a bare bottom by
2 telling you to pull your trousers down.

3 Q. Right. I think you say in paragraph 71:
4 "It was the slipper over the trousers."
5 But they would check --

6 A. Yes.

7 Q. -- there was no defence in place?

8 A. Yes.

9 Q. All right. I think on one occasion you got the tawse
10 from your housemaster on your last day?

11 A. Yes.

12 Q. But, in the round, did you feel punishment was misused
13 or was it fair?

14 A. No, I would say it was perfectly fair, yeah.

15 Q. It was the norm?

16 A. Yes.

17 Q. Again speaking broadly about your time at Merchiston,
18 the first year aside, did you enjoy being at Merchiston?

19 A. Yes, yes, I would say so, yes. Especially because some
20 of the other -- well, certainly the housemaster in
21 Rogerson East, he was interested in ornithology and he
22 would take us to the Bass Rock and other places around
23 Edinburgh to learn how to ring the birds -- that's
24 putting a ring on their leg -- and I always enjoyed the
25 times going out with him and that.

1 Q. Thinking about your fellow pupils, because you were with
2 the same year group throughout that entire career, did
3 you get on well with them or were there difficulties
4 amongst the year group?

5 A. No, I -- I can't really remember any -- any
6 difficulties. I mean you occasionally didn't agree with
7 something, but then that happens everywhere.

8 Q. All right. What sticks in your mind and led you to come
9 into the Inquiry was your experience in the first year
10 then?

11 A. Yes.

12 Q. We've talked about Mervyn Preston being the housemaster
13 and CFK [REDACTED] being the assistant housemaster, he's
14 a [REDACTED] teacher, and you began to touch about showering.

15 A. Mm-hmm.

16 Q. You make the point that baths were infrequent but
17 showers were essentially daily, is that?

18 A. Yes.

19 Q. And these are communal showers?

20 A. Yes.

21 Q. Was there a shower time or a washing time where the
22 entire year would go and --

23 A. Yes. It was usually after your evening meal in between
24 the preparation homework time, that's when you would go
25 for a shower.

1 Q. I think we see at page 11 and paragraph 53, you
2 confirmed:
3 "There were communal showers, no cubicles, no doors
4 or anything. You changed and put your clothes in the
5 lockers. You took your towel with you. If you weren't
6 dirty you had sinks you could wash in. Only five boys
7 could shower at any one time, so the rest of us
8 congregated at the sink area until a shower became
9 free."
10 A. Yes.
11 Q. So we would have the picture of the entire house milling
12 around --
13 A. Yes.
14 Q. -- and five boys at a time --
15 A. Going for a shower.
16 Q. -- going for a shower?
17 A. And, of course, we were naked at the time.
18 Q. Yes.
19 A. And I think that's what -- why Mervyn Preston stood in
20 the doorway, supposedly watching that we didn't get up
21 to any mischief, but I think if you carry on reading,
22 you find out what I said.
23 LADY SMITH: 'John', could I ask you to use that microphone?
24 You're drifting away from it.
25 A. Yes, sorry.

1 LADY SMITH: It's easy to do. I'll just nag you if that's
2 all right.
3 Mr Brown.
4 MR BROWN: Thank you, my Lady, I'm obliged. I was about to
5 follow up on that too.
6 He would come and watch every night?
7 A. Yes, unless he was away on a course, and that's what we
8 definitely noticed, that when Mr Preston was standing in
9 the doorway into the corridor and he was looking at us,
10 but as I think I told you, he wasn't looking in our
11 eyes. When a senior prefect was doing that same duty
12 while the housemaster was away on a course, he would be
13 talking to us and he was definitely -- the senior
14 prefect would be looking in our eyes. But Mr Preston
15 was not.
16 Q. Where was he looking?
17 A. He was looking at our genitals.
18 Q. This is the first year group of boys who have just
19 started at Merchiston?
20 A. Yes.
21 Q. Did this begin straight away?
22 A. Yes.
23 Q. And continue throughout the entirety of that first year?
24 A. Yes.
25 Q. When did it become the subject of comment amongst the

1 boys?

2 A. Well, it wasn't until I was in my late teens that

3 I suddenly remembered what some of the other boys would

4 say to you when you were milling around and Mr Preston

5 was looking at us and they would say something along the

6 lines of, "Never turn your back on him", and as I say it

7 was only in my late teens I suddenly dawned on what they

8 were meaning.

9 Q. I think when you started at Merchiston you were 12?

10 A. Just turned 13. 12, just turned 13, because it would

11 have been in September and my birthday ...

12 Q. I think from the records we've got, it suggests you may

13 have joined in the third term -- it's not entirely --

14 I may be confusing you with another witness, but you

15 would have been 12/13?

16 A. Yes.

17 Q. Were you naive, do you think?

18 A. Well, when I happened to mention it to a friend in 2017,

19 who didn't know anything about it, and I mentioned --

20 I used the word "naive" and this friend, she said, "No,

21 you weren't naive, you were just obeying an adult. You

22 did what you were told".

23 Q. But from what you're saying, it wasn't until later in

24 your school career that the penny dropped --

25 A. Yes.

1 Q. -- what had been going on?
2 A. Yes.
3 Q. All right. I think in context, did any other
4 housemaster watch the boys showering?
5 A. In the other three houses?
6 Q. Yes?
7 A. No. I enjoyed time with them, and especially the one
8 who helped us with the ornithological aspect.
9 Q. The other episode, because this would be a daily
10 occurrence unless, from what you're saying, Preston was
11 away on a course, for example --
12 A. Yes.
13 Q. -- but at paragraph 56 you then talk about the end of
14 the summer term.
15 A. Yes.
16 Q. As you approached the end of that first year at
17 Merchiston, and Mr Preston would give the boys a talk on
18 the facts of life?
19 A. Yes, but as I explained to you -- well, to the Inquiry,
20 he did it individually so there was himself and me or it
21 was himself and another boy, and as a headteacher,
22 I gave lessons in Primary 7 on sex education, but
23 I didn't do it to individual pupils, I did it to the
24 class as a whole.
25 Q. I think as we read, you would get people in to be with

1 you at the time?

2 A. I usually tried to get one of the children in Primary 7,
3 one of their mothers, because, as I said to her, this is
4 what we're doing, we're doing sex education, I think for
5 the sake of the girls, they would appreciate having
6 a lady in the room as well.

7 Q. Forgive me if this is a stupid question: why would you
8 not do it one to one?

9 A. Why would I not do it one to one? Because it would then
10 be my word against their word.

11 Q. Looking back at the way you experienced it, what do you
12 think as an educator?

13 A. Oh, I think it was wrong, the way he did it.

14 Q. Is that in principle or because of what happened?

15 A. Because of what happened.

16 Q. Right, and in principle too?

17 A. Oh yes, yes, in principle too. I mean, I said that
18 about that, that's why I did what I did when I was
19 a teacher myself.

20 LADY SMITH: Was Mr Preston a single man or was he married?

21 A. He was a single man.

22 LADY SMITH: Thank you.

23 A. And his friend, the [REDACTED] teacher.

24 LADY SMITH: The [REDACTED] teacher was also single?

25 A. Yes.

1 LADY SMITH: Thank you.

2 MR BROWN: I think we'll come onto your conclusions or
3 inferences from that in a moment or two.

4 A. Yes.

5 Q. When it came to that part of the year where the facts of
6 life talk was going to take place --

7 A. Yes.

8 Q. -- you mention at paragraph 57 discussion between boys
9 about what it entailed.

10 A. Yes. Well, you went as boys by alphabetical order of
11 your surname, so when the last boy with a name that
12 began with an [REDACTED] when he came out to find me, I said
13 something along the lines of, "What's it all about?"
14 And the reply I got was, "You'll find out for yourself",
15 and there wasn't anything said between the two of us or
16 between us boys. I think -- well, we were all probably
17 so embarrassed about what happened.

18 Q. You've talked already about the suite of rooms
19 Mervyn Preston had?

20 A. Yes.

21 Q. As a single man, he lived there, he has a bedroom and he
22 has a --

23 A. Yes.

24 Q. -- study/living room?

25 A. Yes.

1 Q. You'd been in his quarters before for discipline?
2 A. Yes.
3 Q. Which room had you been in for discipline purposes?
4 A. In the study.
5 Q. In the study. Did that make sense to you?
6 A. Yes.
7 Q. Would you have ever expected to go into his bedroom?
8 A. No.
9 Q. Why not?
10 A. Because that was his bedroom.
11 Q. Okay. But on this occasion for the sex education,
12 presumably you turn up at the appointed time?
13 A. Yes.
14 Q. You knock?
15 A. Knocked on the door, he opened the door and I expected
16 to be told to go and sit in one of the easy chairs and
17 he said something along the lines of, "I think we'll be
18 more comfortable in here", and that's when he took me
19 into the bedroom. And he sat down on his bed and told
20 me to sit down.
21 Q. Where were you to sit down?
22 A. I think there was a chair beside the bed.
23 Q. And what happened next?
24 A. He explained that it was to do with the facts of life
25 and in order to help him to explain, he started to

1 expose himself.

2 Q. While sitting on his bed?

3 A. Yes. And then he wanted me to expose myself too.

4 Q. And did you?

5 A. Yes. As I said, I was just a -- I did what I was told.

6 Q. These are things that have been coming back to you?

7 A. Yes.

8 Q. Can you remember what happened after that?

9 A. Well, I'm almost sure he wanted me to touch him and

10 I said, "No, I don't want to", and then he wanted to

11 touch me and I'm very grateful that I said, "No", and he

12 didn't, and that was probably the end of that facts of

13 life talk, because I -- I -- I left the room soon

14 afterwards and I just -- as I say, I just forgot

15 completely about it, until I saw the article in the

16 newspaper.

17 Q. I think comparing what you've just said to paragraph 59,

18 the details beyond him beginning to expose himself are

19 all things that have slowly come back to you --

20 A. Yes.

21 Q. -- in the last four and a half years?

22 A. Yes, which the psychiatrist helped me to try and get out

23 of my mind.

24 Q. Yes. Do you remember if you then spoke to the next boy

25 after you? Did they ask you, "What's happening?"

1 A. No, and if I did, I would probably have said what the
2 previous boy said to me, "You'll find out for yourself".
3 Q. Was it something, do you remember, that was ever
4 discussed amongst the boys?
5 A. No. No. No, it wasn't. I mean, we all obviously
6 wanted to keep it to ourselves.
7 Q. I think you used the word "embarrassment"?
8 A. Yes.
9 Q. You talked about --
10 A. I mean, I didn't even tell my parents.
11 Q. Ever?
12 A. Ever.
13 Q. Was it really only engaging with the Inquiry that you
14 talked about this for the first time?
15 A. Yes, yes.
16 Q. Did you have further contact with Mervyn Preston
17 thereafter in your school career?
18 A. No, although I was horrified to realise that the
19 headteacher had retired and Mervyn Preston had become
20 headteacher in his place. And I thought oh no, what
21 could he have done, and what he probably did do.
22 Q. Had you left the school by that stage?
23 A. Oh yes, yes.
24 Q. You've talked already and confirmed to Her Ladyship that
25 the [REDACTED] teacher, Mr CFK [REDACTED], was another single man?

1 A. Yes.

2 Q. Presumably he had similar quarters to Preston?

3 A. Yes.

4 Q. A bedroom and a study?

5 A. Yes.

6 Q. And he was an [REDACTED] teacher and a [REDACTED]. I think?

7 A. Yes.

8 Q. From what you say at paragraph 61, he could make you

9 laugh --

10 A. Yeah.

11 Q. -- by some of his --

12 A. Yes, which looking back on you can understand why,

13 because it was just getting you closer to him.

14 Q. Tell us about that.

15 A. Well, one of my friends -- in the first year of your

16 time in Merchiston they had what they called the fag

17 system, which meant that you were helping to do

18 something within the house. It could either be helping

19 teachers or going into the grounds and helping to keep

20 the grounds tidy.

21 Q. Or I think from what you say in your statement, doing

22 cleaning jobs for a prefect?

23 A. Yes, yes. And as I say, one of my friends was a fag to

24 Mr CFK [REDACTED], the [REDACTED] teacher.

25 Q. Do you understand what sort of tasks he would have to

1 perform for Mr CFK ?

2 A. He would need to light his fire, or clean out the grate
3 and light his fire and probably Hoover the rooms and so
4 on, but then he abused my friend. Mr CFK did.

5 Q. Yes. Did you discover that at the time?

6 A. He -- well, we discovered it because my friend kind of
7 explained what had happened, because what did happen was
8 my friend knew that it would be stupid to go to the
9 housemaster about it, because the housemaster was of
10 like mind to the teacher, so thankfully my friend
11 went to the headteacher, and what we found out was that
12 that teacher was in Merchiston on that particular
13 day but the next day he was not and we never knew of him
14 after.

15 Q. Do you know what happened to your friend to lead him to
16 going to the headmaster?

17 A. He said, "He touched me".

18 Q. When he was carrying out fagging duties?

19 A. Yes. Well, he would have got the boy so used to the
20 man's friendship while he was doing all these duties.
21 I mean he would probably give him toast and butter,
22 things like this, to help him to be happy --

23 Q. Okay.

24 A. -- in doing what he was doing for the man.

25 Q. Was Mr CFK someone who was discussed by the boys

1 in terms of anxiety about his conduct towards them?

2 A. No, because he was so friendly towards us that we sort
3 of didn't -- I mean he was only caught because, as
4 I say, the boy went to the headteacher, but the boy
5 never told us anything until after the man had
6 disappeared.

7 Q. All right.

8 A. And that's when he said, "Well, I can tell you why he's
9 not here any more".

10 Q. I see. So from your perspective -- and can you remember
11 when this was in the context of your school career?

12 A. It was within, I would say, the last few days of the
13 summer term.

14 Q. So we're talking perhaps 60 plus years ago?

15 A. Yes.

16 Q. He simply disappears. Is anything said formally by the
17 school?

18 A. No. They just appointed a new [REDACTED] teacher. I mean,
19 there was no police, nothing of that nature.

20 Q. I think, though, from what you've just said, he was --
21 was he a popular teacher?

22 A. Yes, because of his sort of general attitude towards us.
23 He tried to be friendly and we respected it.

24 Q. Do you know what happened to him after he disappeared?

25 A. Yes. I found out he'd been -- he'd gone to a girls'

1 school in I think it was [REDACTED] as a teacher.

2 Q. How did you discover that?

3 A. I think the guy actually wrote to the -- my friend, who

4 was the fag of the -- of Mr --

5 Q. He wrote to the fag?

6 A. He wrote to the boy saying, you know, "I'm sorry, I'm

7 not at the school, at Merchiston, any more. I've had to

8 go to another job". That was all -- the letter was

9 roughly along those lines.

10 Q. Did you continue to have any contact with CFK [REDACTED]?

11 A. I think we -- the two of us must have sent him

12 a Christmas card, because we got a Christmas card back

13 from him, but then that was that. After that, you know,

14 we didn't have any contact.

15 Q. Is that how you know where he'd gone?

16 A. Yes.

17 LADY SMITH: The girls' school in [REDACTED], you say -- and

18 I think it probably is the only girls boarding school,

19 [REDACTED] in [REDACTED]. Is that right?

20 A. Yes, I have a funny feeling it was that place, yes.

21 LADY SMITH: [REDACTED] Girls' School also has a link to

22 [REDACTED] Boys' School, a similar boys' boarding school

23 in [REDACTED].

24 A. Yes.

25 LADY SMITH: I'm not sure how they're located

1 geographically, but I'm guessing they're close to each
2 other.

3 A. Yes, yes. But then, of course, what obviously happened
4 was any references from Merchiston would have said
5 absolutely nothing, I'm positive.

6 MR BROWN: You just talked about references and I was going
7 to come onto that because you worked in education.

8 A. Yes.

9 Q. And again we don't need to go through the years after
10 leaving school, I think from what we see you left school
11 at 17, you had further forays with education in Wales --

12 A. Yes.

13 Q. -- and then Glasgow and then Northern Ireland?

14 A. Yes.

15 Q. And ultimately, as you have told us, you became
16 a primary teacher and then head?

17 A. Yes.

18 Q. Presumably you have dealt with teachers coming and going
19 from your schools?

20 A. Yes.

21 Q. In terms of references, were references full and frank
22 in your experience?

23 A. I always gave full and frank references and I would say
24 most of the time other teachers would about a new one
25 coming in, yes.

1 Q. Most of the time. Were there occasions where you were
2 concerned you weren't getting the whole picture?
3 A. Yes, odd occasions, but not -- not many. I mean just
4 one or two.
5 Q. Is that why you suspect the reference for whatever
6 school he went on to would not have revealed anything?
7 A. Yes.
8 Q. Just a couple of more questions about Merchiston. One
9 of the things we get the sense of from reading
10 statements like yours, but also other boys', is that at
11 Merchiston rugby was very important?
12 A. Yes, it was, yes.
13 Q. Where did rugby stand as compared with education, for
14 example? Was one more important than the other or did
15 they have equal status?
16 A. If there was a percentage for either, I would say that
17 the rugby was probably 50-something per cent.
18 Q. So on the same level, if not more so?
19 A. Yes.
20 Q. All right. But I think we read from your statement that
21 because of the TB, the one thing you couldn't do was
22 play rugby?
23 A. Right, yes.
24 Q. Did that cause you any problems within the school?
25 A. No, because there must have been about six other boys

1 that had other problems which meant that they couldn't
2 do outdoor sports.

3 Q. Did that cause any tension between you and the rugby
4 players?

5 A. Not really, because I mean they knew why we weren't
6 playing and they saw that we were doing something which
7 was good, which was to look after the grounds, help look
8 after the grounds. If a tree came down, we helped to
9 saw it up and then put it into -- cut it into logs and
10 take it to the resident housemasters for their fires.

11 Q. The other thing is just to touch again briefly on
12 fagging.

13 A. Yes.

14 Q. Obviously you've talked about your friend's experience
15 of fagging to Mr CFK

16 A. Mm-hmm.

17 Q. But, that aside, did you consider fagging to be
18 something that was misused?

19 A. No. I mean, I didn't exactly appreciate what myself and
20 a friend had to do, which was empty the dustbins.

21 Q. And then incinerate the contents?

22 A. No, we emptied them into a big bin at the incinerator.

23 Q. Someone else did the incineration?

24 A. Yes, an adult.

25 Q. But did you in due course become a senior boy with a fag

1 or did --

2 A. No, no, no.

3 Q. Did fagging stop?

4 A. Oh, it carried on in Chalmers House West, yes.

5 LADY SMITH: Were there any rules about what a fag could or

6 could not be required to do?

7 A. No, I would just say you had to do what you were told.

8 LADY SMITH: Was there a risk of the system being abused, or

9 at least open to abuse?

10 A. Well, of course with my friend's incident, yes, it was

11 obviously a risk.

12 LADY SMITH: I wasn't just thinking of sexual abuse, but

13 unfair, unreasonable demands being made of the fag?

14 A. No, I don't think so. I mean, you -- I knew the bins

15 had to be emptied and we were given the job of doing it,

16 so we just did it.

17 LADY SMITH: I get that, but could you have -- the way the

18 system works -- had unreasonable demands made of you?

19 Would anybody had stopped that?

20 A. No. If that ever happened, but it never did, really.

21 You just did what you were told, you were told what jobs

22 you had to do and you did it, even though you didn't

23 really like it.

24 MR BROWN: That's what I was going to come back to. Who

25 decided which job you did; do you remember?

1 A. Probably Mr Preston, I would think, the housemaster. He
2 would probably have read through a list of all of us
3 boys saying, "You're doing this, you're doing that", and
4 you did it for your whole year.

5 Q. That was your year task?

6 A. Yes.

7 Q. When you moved into other houses did that continue or
8 was it just in the first year?

9 A. No, it was just in our first year.

10 Q. Right, so that would, from what you remember, be
11 a function of the housemaster to allocate?

12 A. Yes.

13 Q. Though from what you say, both in terms of the prefects
14 and how fagging actually worked, you may not have liked
15 it but you didn't think it was abused? Save for your
16 friend with the [REDACTED] teacher.

17 A. Yes, yes. I mean, you did what you were told to do and
18 tried to do it as quickly as you possibly could so you
19 could get back to doing something else.

20 Q. Yes. We talked at the beginning of your evidence about
21 why you contacted the Inquiry and it was really reading
22 a newspaper article --

23 A. Mm-hmm.

24 Q. -- that triggered your mind opening up to the memories
25 of 60 plus years ago.

1 A. Yes.

2 Q. Or 60 years ago, perhaps.

3 A. Yes.

4 Q. Prior to that trigger, had you ever reflected on how
5 your experience at Merchiston impacted the rest of your
6 life? Had you ever thought about it?

7 A. I have and it certainly -- looking back on my life, it
8 affected the fact that I never married.

9 Q. Just to be clear, 'John', is that something you've
10 reflected on since you contacted the Inquiry or is that
11 something you had thought about before?

12 A. Well, I would have had to have taken the decision not to
13 marry before seeing that of the Inquiry.

14 Q. Yes.

15 A. I mean, the odd things did sort of happen and I would
16 sort of say, oh, yes, and I mean any friendships that
17 I did make with girls, they always seemed to come to
18 a point where in the back of my mind I would realise
19 that if I, you know, went any further with
20 a relationship, it could become intimate and the
21 psychiatrist did bring that up with me and she said,
22 "And why would this have affected you?" and I said,
23 "Because I think if I had become so close to a girl and
24 become married ..." And, as the psychiatrist said,
25 "what about the intimate aspect of marriage?" And,

1 "I said I know what you're talking about" and I said,
2 "I think that's why I didn't marry, because I think if
3 I had got involved in intimate aspect of marriage,
4 I think that would have blown my mind", as it has done
5 to others to whom it happened. And I just managed by
6 keeping it in the back of my mind.

7 Q. Yes. You've been very candid about many things in your
8 statement, health aspects too, but what you've just been
9 talking about, does that go back to your first year at
10 Merchiston, do you think?

11 A. Yes.

12 Q. I think the other thing that perhaps has come into
13 greater focus since you read the newspaper article and
14 contacted the Inquiry, just over the last few years, is
15 from what you've said that you've been reflecting on the
16 set-up at Merchiston so far as Preston and CFK
17 were concerned. You have two single men, to come back
18 to her Ladyship's point, in a house for boys of 12 and
19 13.

20 A. Mm-hmm.

21 Q. What have you thought of in that context?

22 A. Well, I contacted the Inquiry because I also read, if
23 not in the same newspaper article, in one a few days or
24 a few weeks after, and it was explaining that in 2015
25 there was a teacher removed -- well, the police were

1 called and a teacher was removed from Merchiston, and in
2 2016 another teacher and I think in 2017 there was
3 another teacher. And I said, well, I had to have
4 a management policy when I was a headteacher. I would
5 change it if it needed to be changed, and if I can get
6 this information to the Inquiry, then hopefully it will
7 get eventually to Merchiston and they will have another
8 look at their management policy, because there's
9 obviously something they're not doing that they should
10 be doing.

11 Q. I think this is summed up in paragraph 96.

12 A. Yes.

13 Q. You say:

14 "The pupils should be protected. They are
15 vulnerable. If a school is acting on behalf of
16 a parent, which they are, then they should be thinking
17 of the pupils, look after them."

18 A. Mm-hmm.

19 Q. And you hope the school admit to their failings and try
20 to do better. We can hear that and we have already
21 heard something about that at the beginning of this
22 chapter of the Inquiry. But you have talked about
23 policies being in place when you were a headmaster and
24 you would change as required.

25 A. Yes.

1 Q. Thinking back to your experience in 1958 of Merchiston
2 and the first year of Merchiston when the housemaster
3 was Mervyn Preston, do you have concerns, obviously,
4 perhaps about lack of policy or overview?

5 A. Yes, oh, there was obviously something not being done
6 that should have been done in those days.

7 Q. But I think you've also made mention of your concerns
8 that it perhaps wasn't just your year?

9 A. Yes. Well, I mean -- I sort of -- I assume, and I think
10 I'm assuming correctly, that if it happened to my year,
11 then it would have happened to all the other years
12 before and after that Mervyn Preston was in that place.

13 Q. What about the fact that his assistant housemaster --

14 A. Yeah, the [REDACTED] teacher.

15 Q. The [REDACTED] teacher, from what you saw with your friend, was
16 of a potentially similar disposition?

17 A. Yes. Well, thinking back, I think he was probably
18 allowed to take that position by Mervyn Preston, the [REDACTED]
19 teacher was allowed to stay in that house because they
20 were both of the same mind.

21 Q. That's inference on your part?

22 A. That's inference.

23 Q. What was the working relationship between the two like?

24 A. Between the [REDACTED] teacher and the housemaster?

25 Q. Yes.

1 A. I would say pretty friendly. But I mean I couldn't
2 honestly say that we ever saw the [REDACTED] teacher coming out
3 of Mervyn Preston's rooms or vice versa.

4 Q. What you can say certainly about Mervyn Preston is that
5 he remained at schools for years after, all the years
6 you were there --

7 A. Yes, and became headteacher.

8 Q. So he certainly was a constant at Merchiston?

9 A. Yes.

10 Q. For years?

11 A. Mm-hmm.

12 Q. Is that what gives rise to your anxiety about what else
13 may have happened?

14 A. Yes, yes. And, as I say, what very probably did happen
15 in the years before I was there.

16 Q. And after?

17 A. And after, yes.

18 Q. Was that something, just last question about
19 Mervyn Preston, that was ever discussed by your year
20 group?

21 A. No. No.

22 Q. You talked about when you were -- perhaps later years,
23 there being discussion or mention and you realised
24 thinking back, for example about being present at the
25 showering.

1 A. Yes.

2 Q. Looking at genitals.

3 A. I never remember speaking about that to any of my
4 friends, but I mean we assumed we all knew because we
5 were all there, and we didn't know how to stop the man.

6 Q. 'John', is there anything else you would like to tell
7 us?

8 A. No.

9 LADY SMITH: Have we covered everything you want to talk
10 about today, 'John'?

11 A. Yes, I think so.

12 MR BROWN: Thank you, my Lady.

13 LADY SMITH: Are there any outstanding applications for
14 questions for 'John'?

15 'John', that completes all the questions we have for
16 you. Thank you so much for contacting us four and
17 a half years ago and waiting patiently for us to get to
18 this stage, and I hope you appreciate there's been a lot
19 of work going on in the Inquiry since then.

20 A. Oh, yes, yes.

21 LADY SMITH: Thank you for coming here today. It makes
22 an enormous difference to me to be able to hear from
23 people in person and give people the opportunity to do
24 just that, because I know it has been valued greatly by
25 a number of those who have come forward.

1 I'm now able to let you go.

2 A. Thank you.

3 LADY SMITH: I hope you have a safe journey back to your

4 home today and that you're able to relax, it's probably

5 been exhausting coming here, I do understand that, but

6 what you've given me has added enormous value to my

7 learning and I'm very grateful to you. So thank you.

8 Please feel free to go now.

9 A. Thank you for listening.

10 (The witness withdrew)

11 MR BROWN: My Lady, thank you.

12 The next witness is 'James'. I haven't yet spoken

13 to 'James', I'm sure he's here, but if Your Ladyship

14 might allow just a little time so I can introduce myself

15 and let him see maybe --

16 LADY SMITH: Yes. So if we take a slightly longer break

17 than usual.

18 MR BROWN: That would be very useful, but I think we'll

19 easily finish by lunchtime as planned.

20 LADY SMITH: And you'll use some of that time to make sure

21 that 'James' understands where he's coming --

22 MR BROWN: Absolutely. He's had no familiarisation visit,

23 for reasons I needn't trouble you with, so it would be

24 useful if we could do that just to smooth the process.

25 LADY SMITH: Thank you very much.

1 I'll rise now and sit again once the next witness is
2 ready.
3 (11.21 am)
4 (A short break)
5 (11.59 am)
6 LADY SMITH: Mr Brown.
7 MR BROWN: My Lady, thank you for the added time. The next
8 witness, 'James', is ready.
9 LADY SMITH: Thank you.
10 'James' (sworn)
11 LADY SMITH: A couple of things before I hand you over to
12 Mr Brown.
13 A. Yes.
14 LADY SMITH: You have a red folder in front of you there,
15 that has a hard copy of your statement in. You may find
16 it useful to use that. You don't have to, but if you
17 do, feel free.
18 A. All right.
19 LADY SMITH: Parts of your statement that we may be looking
20 at as we go through your evidence will also come up on
21 that screen in front of you there.
22 A. Yes, I understand.
23 LADY SMITH: I hope that's also helpful to you.
24 Very importantly, 'James', if you have any concerns,
25 any queries, please let me know. If you want a break at

1 any time, please do let me know. If it works for you,
2 it works for me, whatever it is, so don't feel you can't
3 ask.
4 A. Right, okay.
5 LADY SMITH: Or if there's something that you want to say
6 that you feel the need to say and you want to say it
7 before you forget about it, let us deal with that.
8 A. Okay.
9 LADY SMITH: You get the message?
10 A. Yes.
11 LADY SMITH: I want you to be as comfortable as you can.
12 Giving evidence isn't an easy task --
13 A. No.
14 LADY SMITH: -- it's not something any of us do on a daily
15 basis.
16 A. True.
17 LADY SMITH: So let's, as I say, do what we can do make it
18 as easy for you as possible.
19 A. Thank you.
20 LADY SMITH: If you're ready, I'll hand over to Mr Brown and
21 he'll take it from there. Is that okay?
22 A. Okay, thank you.
23 LADY SMITH: Mr Brown.
24 Questions from Mr Brown
25 MR BROWN: My Lady, thank you.

1 'James', good afternoon again?

2 A. Good afternoon.

3 Q. You have in front of you your statement either on the
4 screen or in paper hard copy in the red folder. It has
5 a reference number, WIT-1-000000776. If we can just
6 turn at the beginning of your evidence to the last page,
7 which is page 25, we see the last paragraph, 116, says:
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 You signed that on 10 August last year?

13 A. Correct.

14 Q. So you had the pleasure of preparing this statement
15 online through Covid?

16 A. Yes.

17 Q. Which I imagine was quite laborious?

18 A. It was rather difficult, yes.

19 Q. But the crux is that last paragraph, you signed,
20 presumably having read it --

21 A. Yes.

22 Q. -- and being satisfied it was accurate?

23 A. Yes.

24 Q. The point of that, just so you are clear, is your
25 statement is in evidence. We don't need to rehearse

1 every last detail.

2 A. Okay.

3 Q. But there are certain things that I will want to talk

4 about, and please understand if there are things that

5 you want to say at the end of it all, you'll get the

6 chance.

7 A. Okay, thank you.

8 Q. You were born in 1947?

9 A. True.

10 Q. You're now 74?

11 A. Regrettably.

12 Q. You've lived essentially in the west of Scotland,

13 Glasgow?

14 A. Yes, Glasgow.

15 Q. We see from the early part of your statement, you had

16 a varied school career, which culminated in Merchiston,

17 which we're going to talk about --

18 A. Yeah.

19 Q. -- most, between 1960 and 1963?

20 A. Yes.

21 Q. You'd go there, I think, when you would be 13?

22 A. Yes.

23 Q. Till you were 16/17?

24 A. Yes.

25 Q. But prior to that, you had had some experience of

1 boarding school --

2 A. Yes.

3 Q. -- at an establishment that no longer exists,

4 Crawfordton House in Dumfriesshire at Moniave. Why were

5 you sent away to Dumfriesshire; do you remember?

6 A. I don't know. I suppose that's what was deemed by my

7 parents would be best for both my older brother and my

8 good self.

9 Q. Your brother had gone ahead of you?

10 A. He'd gone ahead of me, he's seven years older than me.

11 Q. You didn't overlap at any stage?

12 A. No, not at all.

13 Q. Did he go on to Merchiston --

14 A. Yes.

15 Q. So the track was already laid, effectively, because of

16 your brother's experience and you've then followed?

17 A. Yes.

18 Q. Were you in any way involved in the decision to send you

19 to Moniave and then Merchiston?

20 A. At that age, no.

21 Q. Do you remember your feelings about going to Moniave in

22 the first place, were you happy to go or was it

23 exciting?

24 A. It certainly wasn't exciting, no. No, I wasn't happy

25 about it at all, but that was the era and that was --

1 you did what you were told, I suppose.

2 Q. Just to understand, thinking about going to Crawfordton

3 House, how did you get there on the first occasion?

4 A. Sorry, what was that?

5 Q. How did you get to Crawfordton House on the first

6 occasion? Did your parents take you?

7 A. Oh no, no, no. You were taken to -- as we discussed in

8 the witness room, I believed it was Queen Street, but it

9 was actually St Enoch's that virtually doesn't really

10 exist now, and put on the train, because the two schools

11 in that area were St Joseph's and Crawfordton House.

12 Q. St Joseph's being the catholic boarding school in

13 Dumfries?

14 A. Being the catholic boarding school, yeah. So it was

15 literally goodbye and, you know, and on the train.

16 Q. Off you went.

17 A. Bye-bye, "The big boys will look after you", quote

18 unquote. Whatever that meant.

19 Q. Was this a train for the two schools?

20 A. No, no, it was the standard train going to Dumfries.

21 Q. You were presumably met at Dumfries --

22 A. Yes.

23 Q. -- and taken to the school?

24 A. Yes.

25 LADY SMITH: And you were eight years old?

1 A. Yes.

2 MR BROWN: And did the big boys look after you?

3 A. No. You just sat and sort of got to know who you were
4 with and the particular -- in those days it was
5 carriages, who you were with. We were all terrified,
6 with overgrown uniforms and huge skip caps that were far
7 too big for them, so you would grow into them,
8 I remember that. But no, not really, no. I was -- when
9 I got there, the following day we were asked -- because
10 it was a dull, cold-ish sort of day, we had to walk in
11 a crocodile fashion down to the bottom of the drive,
12 which was fairly hilly, not desperately bad, and back,
13 and you had to wear your full school uniform which was
14 blazers, shorts and all the rest of it, and the famous
15 cap, and I've always had a dislike of caps, I don't know
16 why now, now I need them, but in those days I didn't,
17 obviously, and I took my cap off and I was beaten on
18 day 1 for removing my cap.

19 Q. I think as we read at paragraph 13, this is the
20 headmaster Mr Fauvel?

21 A. Fauvel, yes. That's right. It was over my pyjamas,
22 yeah. He may as well have taken the pyjama trousers
23 down, if you know what I mean.

24 Q. And this is with a slipper?

25 A. Yes.

1 Q. And six blows for not having your cap on?

2 A. Yeah, for taking my cap off. Nobody had said you had to

3 keep the cap on if I recall, if you understand what

4 I mean, "You must wear your cap", I wasn't rebelling

5 against them by taking it off. I've never liked hats,

6 as regrettably you can see now.

7 Q. I think we can see from paragraph 14, this is the point

8 you've just made, there was no formal welcome or

9 initiation into the school?

10 A. No.

11 Q. No introduction setting out what the rules are?

12 A. No. You were shown where you were going to -- where

13 your dormitory was and you had to find your way about to

14 go from classroom to classroom. We were all basically

15 on the one floor, and that was it.

16 Q. Just to put in context, this is a baronial mansion

17 that's now being used as a school?

18 A. No, it's now --

19 Q. No, no, when you go.

20 A. Oh yes, when I went, yes.

21 Q. It was built as a private mansion house?

22 A. Yes, it was, yes.

23 Q. But in the 1950s when you went, it was now operating as

24 a school?

25 A. Yes.

1 Q. I think you shared the fact that it had been set up
2 during the war?

3 A. From what I understand was he -- the headmaster was
4 a chap called Gerald Dale, now long gone, obviously, and
5 he was the sub-headmaster at Belmont House School, which
6 is in Newton Mearns, which is a day school for boys,
7 private, and the same uniform, purple and had "BH",
8 Belmont House, and we had the same uniform with "CH",
9 Crawfordton House. Dale reckoned it was safer to remove
10 the children, take them down to Moniave because of the
11 war and the possibility of --

12 Q. Glasgow being bombed?

13 A. Glasgow being bombed, yes.

14 Q. Which perhaps happened but --

15 A. Not to Newton Mearns, no. It was all fields in those
16 days, yes.

17 Q. Quite. That wartime connection we see in paragraph 12
18 is repeated with the dormitory names, which are after
19 warships?

20 A. Yes. That's right.

21 Q. You were there for the next four years?

22 A. Yes.

23 Q. You've talked about being terrified on that first train
24 journey?

25 A. Not terrified. It was a journey into the unknown.

1 I had no knowledge of anybody -- at that age of anybody
2 going to a boarding school. I didn't even know that
3 boarding schools, I suppose, existed at that age.

4 Q. My fault. I think we see at paragraph 5 you do say:
5 "I had a feeling of terror of going back to
6 Crawfordton to start a new term."

7 A. Oh yes.

8 Q. "I didn't want to go back."
9 Did you ever want to go back?

10 A. No. I always had an inclination to -- not the class
11 comedian, but I had a ukelele, my father taught me how
12 to play and I took it with me on my second term and got
13 caught in one of the classrooms, which was funnily
14 enough downstairs in the building with a lot of the boys
15 playing the ukelele and one of the masters, I'm not
16 certain who, took the ukelele away and it was put into
17 a locker or whatever until the end of the term when it
18 was handed back to me, "Don't bring it back", so you
19 weren't allowed any, you know, fun, if you like.

20 Q. It was very controlled?

21 A. Oh, very much controlled, yes, absolutely.

22 Q. Just a couple of details because your statement is very
23 full on this. Seeing you walk in, you're a big person,
24 you're a big man, a tall man.

25 A. Yes, thank you.

1 Q. And that helped you at Crawfordton?

2 A. Yes, because I was taller.

3 Q. You weren't bullied?

4 A. I wasn't bullied, because I was taller than most of

5 them, yes.

6 Q. But your year group, presumably from what you were

7 saying, older pupils would bully younger pupils?

8 A. Yes.

9 Q. But you got away with that one?

10 A. Yes.

11 Q. It's also perhaps fair to say, reading your statement in

12 toto, you were very much -- you've described yourself as

13 being a bit of a comedian?

14 A. Just to entertain -- talk to people. Lighten it up,

15 chaps, come on, you know, have a laugh. There's more to

16 than -- I don't think it's a correct phrase at that

17 particular age, but there's more to life than gloom and

18 doom.

19 Q. I think it's fair to say there are elements where you

20 clearly have a sense of humour.

21 A. Thank you, I do.

22 Q. And you also had the ability to say no?

23 A. Yes.

24 Q. In some situations?

25 A. Yes.

1 Q. For example, and we'll come to this, when a teacher at
2 Merchiston wanted to belt you?
3 A. Yes.
4 Q. Or beat you?
5 A. Yes.
6 Q. And you said no, and we'll --
7 A. More than two occasions.
8 Q. Yes. Belting though seems, or beating, corporal
9 punishment, seems to have been common at Crawfordton?
10 A. Yes.
11 Q. That's the part of your statement that you describe as
12 abuse, and belting would happen if you did something
13 wrong?
14 A. Yes.
15 Q. You got the slipper, you would be clipped around the
16 head?
17 A. Yes.
18 Q. This is paragraph 36, page 7.
19 A. Uh-huh.
20 Q. A young male teacher who had a 12-inch wooden ruler:
21 " ... and used the sharp narrow end to batter me on
22 the top of my head with it."
23 A. Yes. It was sore.
24 Q. Did it draw blood?
25 A. No. I had a head of hair in those days.

1 Q. All right, although to be fair you do say you were a bit
2 of a rebel?

3 A. Yes.

4 Q. The headmaster on your first day has beaten you for
5 taking your cap off and he did it at other times over
6 the next four years?

7 A. Yes, I was beaten again within the next 48 hours.

8 Q. What did you do on that occasion? Do you remember?

9 A. I went for one of the boys who was really very painful
10 and aggressive, so I hit him. And he bounced his head
11 off a wall, I got caught. I was beaten for that.
12 I didn't draw blood or anything like that, I just lost
13 the plot with the guy, I couldn't hack it. And funnily
14 enough the day the place closed down, they invited
15 everybody that had been there to go and visit and take
16 things that you may want from memories of their time at
17 Crawfordton, and the first guy I met was the guy I hit.
18 He turned up as I turned up. His name was [REDACTED].
19 I'll never forget it. I said, "I haven't seen you for
20 whatever it was years", and he says, "I'll never forget
21 when you went for me". It was the bathroom off the
22 dormitories. Bang. Not hard, I mean it wasn't
23 a knock-out blow or anything.

24 Q. I think the last time you were beaten by Mr Fauvel we
25 see was part of your entering Merchiston chapter --

1 A. Yes.

2 Q. -- because you've been interviewed, some might say,
3 paragraph 41, you've shown a little bit of wit, when
4 asked a question about what would you say if you saw
5 a gendarme in Paris and you reply "parlez vous Anglais?"
6 That caused the teacher from Merchiston to record with
7 laughter, but led to you being beaten by Mr Fauvel?

8 A. Yes. I can't remember the word he used, "insolence" or
9 a word like that for -- I mean, you know, what would you
10 say? If you don't speak any French, the first thing you
11 say, "parlez vous Anglais?" And then try and work out
12 where the station was? That's what we were looking for,
13 a station. That was the question, "ou est la gare?" or
14 "le gare".

15 Q. Going back to events at Crawfordton, paragraph 38 stands
16 out. You tell us that you were the hula hoop champion?

17 A. Yeah, that was the craze at that time. It's now coming
18 back I noticed on television.

19 Q. You think that was the reason for a teacher who clearly
20 didn't like hula hooping --

21 A. Obviously.

22 Q. -- to humiliate you?

23 A. Yeah, correct.

24 Q. You don't remember the man's name?

25 A. No.

1 Q. I take it it was a man?

2 A. Yes, it was.

3 Q. Do you remember the subject?

4 A. It was during homework.

5 Q. So it was a prep --

6 A. Prep, yeah.

7 Q. You wanted to go to the loo --

8 A. Yes.

9 Q. -- so you presumably put up your hand?

10 A. Yeah, "Please may I?"

11 Q. And he makes you stand there until you pee yourself?

12 A. Yes.

13 Q. In front of the class?

14 A. Yes.

15 Q. And then you're told to go and sit down and then clear

16 up the puddle?

17 A. Yes.

18 Q. Did you ever tell anyone about that outwith --

19 A. No.

20 Q. Why not?

21 A. Just ... who would you tell? Who -- there was nobody to

22 tell. You wouldn't get any co-operation, I don't think,

23 on recollection, of anybody else, any of the other

24 teachers or anybody else that was in control of us all

25 to tell. It was just the way it was. I couldn't have

1 gone to Fauvel, for example, to say, because he would
2 have said, "I agree ..." I assume, "I agree with
3 Mr Whatever he was called", or the colleague's name,
4 "Stupid boy", or whatever. Probably get beaten again,
5 I don't know.

6 So, no, I told nobody.

7 Q. So what we would now understand by pastoral care was
8 lacking?

9 A. I would suggest you're probably correct.

10 Q. Was there a matron you were expected to go and speak to?

11 A. There was a matron there, yes.

12 Q. Was she someone you could turn to, did you feel?

13 A. No.

14 Q. Why not?

15 A. Embarrassment, I suppose.

16 Q. Right. Was there a culture within the school that you
17 didn't talk about these things, you didn't complain?

18 A. I suppose so, yes. I don't think -- there were various
19 sort of incidents that happened. There was one incident
20 with one of the boys reported that some of the boys had
21 been seen catching bluebottles or flies in the gardens
22 and taking their wings off and virtually the whole
23 school were beaten for that, to stop them doing it.

24 Not -- I didn't do it, but -- wasn't interested.

25 Q. But you were beaten?

1 A. I was beaten for it, yeah. I was part of that -- that
2 crowd that were in the garden at the time when they all
3 was -- I didn't actually see it. But he went and
4 so-and-so did, he was telling tales on other people.
5 And we were all beaten and of course I was in the group,
6 I didn't do it, I was never involved in it, but got
7 beaten. That's what happened in those days.

8 Q. That's the way it was?

9 A. That's the way it was, yeah.

10 Q. Okay. You then move on, as you've confirmed, following
11 your brother's footsteps, to Merchiston.

12 A. Yes.

13 Q. Was there any discussion with you about whether you
14 wanted to go to Merchiston?

15 A. No.

16 Q. Was that just another --

17 A. No.

18 Q. -- guaranteed follow through, that's where you were
19 going?

20 A. Yeah, that's where you were going.

21 Q. You've talked about a seven-year age difference, did you
22 ever speak to your brother about Merchiston? Did you
23 have a sense of what it was like?

24 A. No. No.

25 Q. Do you remember, since you clearly weren't having

1 perhaps the happiest time at Crawfordton, did you look
2 forward to getting away and going somewhere new or
3 was --
4 A. No.
5 Q. Can you remember what you felt at the time?
6 A. I wanted to go to a school in Glasgow, because --
7 I don't know about Crawfordton, but Merchiston
8 particularly was described in the good schools guide as
9 the school for sons of farmers and wealthy tradesmen.
10 It was actually quoted as that.
11 Q. Crawfordton was?
12 A. No, Merchiston was. And most of the boys that were
13 there, I think there were nearly 400 of us I think at
14 that time, they were all basically farmers' sons and the
15 odd wealthy businessmen's sons. They went by generally
16 the son went and the father went, it rolled on. It was
17 generation after generation kept going to Merchiston but
18 we weren't like that. Just why it happened I don't
19 know. Just I was told that's what was happening and
20 that's what happened.
21 Q. Your father was a builder?
22 A. Yes.
23 Q. Were most of the boys at Crawfordton from Glasgow?
24 A. Do you know, I couldn't tell you, I have no idea.
25 Q. Did you feel in any way different when you went to

1 Merchiston that you were, given what you have just been
2 saying it was farmers' sons or businessmen's --
3 A. No, I'm only quoting that from a good schools guide.
4 A friend wanted to send his son, English, to a good
5 boarding school and that -- he phoned me one night
6 laughing and read it out to me.
7 Q. I see.
8 A. And I think he said I always knew you builders were
9 wealthy, all this rubbish, he said that's what it's
10 quoted as. But no, it wasn't really totally knew that
11 oh, he's a farmer's son. No, you didn't think that way.
12 Q. I think, in terms of scale, you're going obviously into
13 a much bigger institution?
14 A. Oh yes, yes. Yes.
15 Q. In terms of the year group, you would be going into
16 a year group of about 50 perhaps?
17 A. Yes.
18 Q. You're hesitant?
19 A. I would say so. I don't remember the exact number,
20 because I can't remember how many people were in
21 Chalmers West, which was the first house you went to
22 when you were 13.
23 Q. We know that Merchiston operates I think what's
24 described as a horizontal system, where you go into one
25 house and then move to another the next year?

1 A. Yeah, and so on and so forth.

2 Q. You leapfrog from house to house?

3 A. Yes.

4 Q. The point about that is you're staying within your own
5 year group?

6 A. Yes.

7 Q. You start as a group and you stay together, but move
8 house?

9 A. Yes.

10 Q. As opposed to the alternative, where you've got children
11 of all years in the one house --

12 A. Yes.

13 Q. -- which you progress through?

14 A. Yes.

15 Q. When you got to Merchiston, you've talked about no
16 induction, no initiation, explanation, welcome, at
17 Crawfordton. What happened when you got to Merchiston?

18 A. The same. Nothing.

19 Q. Nothing?

20 A. Nothing. You went along with the bigger boys that were
21 there and asked questions. Where is, what is. You went
22 around the buildings, the classrooms, and you would say
23 where's that and somebody would say that's that, that's
24 that, that's that, but there was no official welcome in
25 the assembly hall to all you new boys coming to this

1 wonderful old school. There was none of that.

2 Q. You picked it up as you went along?

3 A. Yeah.

4 Q. Obviously you discuss the different houses, but you

5 start in Chalmers West?

6 A. Chalmers West was for the incomers, yes.

7 Q. It has a housemaster, Mervyn Preston?

8 A. Correct.

9 Q. And a deputy housemaster or sub-housemaster?

10 A. Yes.

11 Q. Whose name was?

12 A. CFK [REDACTED].

13 Q. Right. Was there any introduction from either of them

14 when you came into Chalmers West?

15 A. No. No. CFK [REDACTED] had been -- my brother comes into

16 this. My brother, he used to be a [REDACTED] on [REDACTED]

17 [REDACTED], which I think we're all too young to

18 remember, of which my aunt also was a [REDACTED] on, and he

19 fell off a piano and broke his leg and he had a Morris

20 Minor and my brother is a total car freak and he looked

21 after his car until he got back, that he was able to

22 drive. He used to tinker with it. I don't know why.

23 Nothing ever happened to him, which I found most

24 peculiar, because he was very close with him, and for

25 some obscure reason he was invited by my brother, with

1 obviously the consent of my parents, to visit us, we
2 lived in Pollokshields at that particular time, and he
3 arrived with a cape -- it was obvious what was going on,
4 with a cape and the hands and the whole bit, and my
5 father's face at the time was an absolute study, because
6 those days homophobia existed badly, there's no question
7 about it, and he was, "darling this" and "darling that"
8 and my father just stood there with absolute ashen white
9 and he suddenly announced that he was going out to his
10 car to get his clarsach, and nobody knew what a clarsach
11 was? I've now found out, it's a very small harp, which
12 he produced in the car and proceeded in the lounge with
13 my father, my mother and the housekeeper we had at that
14 time playing this and singing. Well, eventually
15 Jimmy Shand records were put on and he was dancing about
16 with the housekeeper, [REDACTED] was her name now,
17 obviously dead, years and years, it was so long ago, it
18 was absolutely hilarious, but he just stood, face like
19 stone.

20 Q. Your father?

21 A. He stayed, and the following morning breakfast was all
22 served and he was late in turning up at whatever time it
23 was for breakfast and he came back in with a flamboyant
24 scarf and the whole bit and he said to my mother, who
25 was called "[REDACTED]", he said, "[REDACTED], darling", he said,

1 "Please forgive me, I went into your bedroom", that was
2 their bedroom, and he said, "I noticed Chanel number 5
3 on your dressing table, I hope you don't mind but I put
4 some on".

5 My father, I won't tell you what he said, but he
6 warned me, he warned me, and I had to play -- I was
7 playing guitar at that time, learning to play guitar,
8 could play reasonably-ish well, and he said, "Oh, I have
9 an antique guitar ..." Which brings you on to what then
10 happened to me.

11 Q. We'll come to that if we may.

12 A. Okay.

13 Q. But this man CFK was a known quantity then before
14 you went to the school?

15 A. No, I didn't know anything about him.

16 Q. Sorry, just to be clear, this episode of him turning up
17 at the house --

18 A. No, I was still at Crawfordton.

19 Q. That's my point, you met him before you went to
20 Merchiston?

21 A. Yes.

22 Q. To that extent, he was someone you had met?

23 A. Yes.

24 Q. He had asked you to bring a guitar and to come and --

25 A. Well, I took my guitar everywhere anywhere, because

1 I was hoping to get lessons.

2 Q. So you were to see him with the guitar?

3 A. He invited me to go and see him, yes.

4 Q. Okay. When you got to Merchiston with that background

5 in mind, did he make any effort to welcome you when you

6 started?

7 A. Not from any memory per se. He was the [REDACTED] teacher and

8 the [REDACTED]. I was a [REDACTED], so I had a perfect [REDACTED] at

9 that particular time and all [REDACTED] were aimed at me,

10 because I had the best [REDACTED] believe it or not, at that

11 time and joined in with the [REDACTED]. You had to, if you

12 could [REDACTED] you joined the [REDACTED].

13 Q. Just to be clear, you arrive at Merchiston day 1,

14 there's no induction, no welcome?

15 A. No.

16 Q. But CFK [REDACTED], who has met you before, did he make any

17 particular effort that first day --

18 A. No, apart from saying hello or pleasantries, that was all.

19 Q. Just to understand, and we'll come back to Mr CFK [REDACTED]

20 and Mr Preston specifically --

21 A. Yeah okay.

22 Q. -- but just in the round, the organisation of Merchiston

23 at that stage, you're in a house with those two as

24 housemasters. I would be right in saying there were

25 prefects allocated to the house, older boys?

1 A. Yes.

2 Q. Who day to day had the greater involvement with you, the
3 first years, the housemaster and his assistant or the
4 prefects? Just for getting people up, doing things,
5 getting from A to B?

6 A. No, you did it yourself. The bell went and off you got,
7 you got changed and ready for school. There was no
8 regimented prefectorial duties by them. You had to have
9 your shoes immaculate, because if you didn't, you got --
10 you had what was called a blue line, which was
11 writing -- it was on blue paper, A4, that size, with
12 a border, and you would write, "I will clean my shoes",
13 all this rubbish, 50 times. The second time you'd get
14 beaten.

15 Q. That was by prefects?

16 A. Yes.

17 Q. So prefects --

18 A. They stood at the doors, one on either side of the
19 doors, we'd go into assembly hall in the morning and
20 they would look at your shoes. Out.

21 Q. So they had some disciplinary function?

22 A. Oh yes.

23 Q. And they could give you blue papers --

24 A. And beat you.

25 Q. And beat you?

1 A. Yes.

2 Q. Since you've mentioned it, touch on it briefly, I think
3 you say in your statement that if you were beaten by
4 a prefect, you would wrap a scarf around your wrist?

5 A. You had to, two wrists.

6 Q. That was understood, that was part of the process?

7 A. Because in case you --you know, it would split the
8 veins, fairly serious, yes. You had to.

9 Q. What did they use to beat?

10 A. A tawse.

11 Q. This is the prefects?

12 A. A three-fingered tawse, yes.

13 Q. Did you feel that that discipline was overused by
14 prefects or was it felt to be just part of the routine?

15 A. It was part of the system. It was just you -- things
16 like -- I still have to this day this habit of every
17 time you open a door, you had to look behind you and if
18 there was a prefect behind you, you had to stand and
19 hold the door and let him through first, and to this day
20 I still do the same thing. Every time I open a door
21 I look behind me. It's just -- it was -- I don't know
22 why. It was just that was it. And if you didn't do it
23 you'd get beaten. You didn't get a warning, you'd get
24 beaten.

25 Q. So you learnt to look behind you?

1 A. Yeah. I still do it to this day.

2 Q. You talked about Crawfordton, there being bullying by
3 older boys of younger boys.

4 A. Crawfordton wasn't so bad, I don't know.

5 Q. Crawfordton.

6 A. I don't know, I don't know if there was actual bullying,
7 per se.

8 Q. You said I think in your statement, and you agreed
9 a moment ago, that because you were tall you didn't
10 suffer that?

11 A. Oh yeah, obviously there was the usual rabbling that
12 went on amongst youngsters, but --

13 Q. Did that happen at Merchiston, given the way the year
14 groups --

15 A. Yeah.

16 Q. It did?

17 A. Yes.

18 Q. Was that within your year group, the older ones --

19 A. No. No, within the year group you were reasonably safe,
20 if you like, but it was the older ones, the ones that
21 were -- it was the time of the Teddy boy hairdos and
22 smoothies and flick knives and all sorts of weird and
23 wonderful things that they had and get out the road.
24 That sort of stuff. Nothing physical per se. Nobody
25 ever hit me or attacked me or anybody that I knew.

1 I only come out of that establishment with two friends,
2 both -- one is in Edinburgh here, and the other one, he
3 was a farmer's son, funnily enough, from Strathaven,
4 who's dead. His father was my father's best man at his
5 wedding.

6 Those are the only two people I remained friendly
7 with after I left, because the rest were spread all over
8 the country.

9 Q. Yes, many were farmers' sons?

10 A. So there was no chance, if they lived way down in the
11 Borders, you never saw them, you only saw them at school
12 time.

13 Q. Did that have negative implications at holiday time when
14 you went home?

15 A. Yeah, you knew nobody. You had to find friends. We
16 lived in Pollokshields, I had a couple of pals, more
17 than that, maybe. Used to go to Titwood Tennis Club and
18 that's where the youngsters gathered and all the rest of
19 it, that's the only other friends that I had, if you
20 like, when I was on holiday because we had the school --
21 the longer school -- the schools went back, I don't
22 remember when in those days, but we had another two or
23 three weeks extra, you know, boarding school system, so
24 you were left on your own, nothing to do. In those days
25 you didn't have televisions or mobile phones or toys to

1 play with as such, so you were pretty bored.

2 Q. Going back briefly to beatings, you've talked about

3 prefects could beat.

4 A. Yeah.

5 Q. Teachers could beat too?

6 A. Yes, mm-hmm.

7 Q. When they beat, same implement, tawse?

8 A. Yes.

9 Q. What sort of things were you beaten for? By teachers?

10 A. Well, I was only ever actually beaten once with the --

11 as I mentioned to you earlier when we were discussing

12 this, BRW [REDACTED], he was known as BRW [REDACTED], he

13 was a character. He would just suddenly go, "Smith, two

14 strokes", and you had to stand up and he'd -- from the

15 back, it wasn't a wee -- it was from the back, one, two,

16 and then just went and sat down and nobody knew why.

17 Q. I think we see this is at paragraph 91 on page 18. This

18 was a sub-housemaster in a different house, Rogerson

19 East?

20 A. Yes.

21 Q. And he was known as "BRW [REDACTED]"?

22 A. BRW [REDACTED], that's right, yes, he was, because he was

23 a [REDACTED]. He drove Lagondas and allegedly supposedly was

24 a family business, but he went teaching and he was not

25 involved in the family business, he was English, and he

1 was always known for his cars and his flamboyance, but
2 not in an effeminate way, as far as I was concerned.

3 Q. No. He was a Beatles fan, you tell us?

4 A. He was a total -- when the Beatles came out, he freaked,
5 he completely freaked, and he would invite us into his
6 room to play the Beatles. Nothing else went on, it was
7 just listening to the music, listening to the lyrics and
8 what they were like and all the rest of that, at that
9 era --

10 Q. You describe him, paragraph 52, as a good guy and
11 a laugh --

12 A. Yes, he was fine, he was a good laugh, yes. He was
13 straight to the point, yeah.

14 Q. You didn't have any difficulties with him?

15 A. None.

16 Q. You quite liked him?

17 A. Yeah.

18 Q. Save for the fact that in class he was known as BRW
19 BRW --

20 A. BRW, yeah.

21 Q. What would you do to merit the BRW strokes?

22 A. Don't know. Just would suddenly do it. And be
23 absolutely calm. Not go, "Smith, stand up, I'm going to
24 beat you" -- sorry, I'm using your name.

25 LADY SMITH: Feel free, a lot of people have that name.

1 A. "... you've done such and such" and then beat you. He
2 just did it. I never saw anybody do anything wrong.
3 Just did it. It was just a known fact. If you went in
4 his class unless you sat, I suppose, rigid and stared at
5 the blackboard -- I don't know. I don't know why he did
6 it.

7 MR BROWN: It was, to use the word you chose, random?

8 A. Yeah. As far as I was concerned, it definitely was
9 random, yeah.

10 Q. Presumably as well as liking The Beatles, which would be
11 a known quantity amongst the pupils, he was also just
12 known as someone who would randomly beat for no apparent
13 reason?

14 A. Apparently, yes, it would appear that way, yes. Or it
15 appeared that way, yes.

16 Q. Right. The other general thing I want to touch on is
17 fagging. You describe there being fagging.

18 A. Yeah.

19 Q. Which I think you didn't warm to as a concept.

20 A. You had to do it. That was all part of the system. You
21 were nominated a senior whatever, prefect or boy, it was
22 usually prefects, and you fagged for them, which means
23 you had to look after all their kit and their rugby kit
24 and all the rest of it.

25 Q. Which year did you fag in?

1 A. Chalmers West, when I was 13.

2 Q. So it was just the first year?

3 A. First year.

4 Q. Who selected the fags or allocated their tasks?

5 A. I don't know. Preston, I assume. I don't know.

6 Couldn't tell you.

7 Q. But you assume the housemaster?

8 A. I assume that, yes.

9 Q. So it was something that was part of the system?

10 A. Part of the system, it was the system, yes.

11 Q. Was there any monitoring of whether it was used properly

12 or abused by an individual master or prefect?

13 A. Sorry, can you repeat that? I missed --

14 Q. Sure. Did anyone -- you were allocated you were going

15 to be this prefect's fag.

16 A. Yes.

17 Q. Did anyone check how that relationship worked in

18 practice? Whether it was being abused, for example?

19 A. I never saw that. If you didn't do it right, you were

20 beaten.

21 Q. By the prefect?

22 A. Yes.

23 Q. Do you remember, did teachers have fags to do tasks for

24 them?

25 A. No, there was nothing that I recall of that nature.

1 Q. Was fagging done in-house or was it just done for the
2 whole school? Presumably because you were fagging for
3 a prefect who was in a different house?

4 A. Yes, he would be in Rogerson West, he would be heading
5 on his way out, if you like.

6 Q. Did you ever have a fag?

7 A. No, I didn't make Rogerson West.

8 Q. By the sounds of it, there was no system in place to
9 oversee how fagging was working?

10 A. Not that I recall, no, no. It was just you did it, if
11 you didn't do it right you would get beaten, that was
12 it, end of story.

13 Q. What about, to use a word we touched on earlier,
14 pastoral care? Did you understand when you went to
15 Merchiston if you had a problem, who could you go and
16 talk to?

17 A. Nobody.

18 Q. There was no discussion provision?

19 A. No. Most of the services on a Sunday were taken by the
20 headmaster or they used to bring in the odd outside
21 minister or what they called the head -- the head of the
22 Church of Scotland.

23 LADY SMITH: The Moderator?

24 A. Yes, Moderator, that's the word, thank you. They would
25 maybe appear. But that was very vague that sort of

1 thing would happen. It was ordinarily done by the staff
2 on a Sunday, twice a day. Lunchtime and -- well,
3 lunchtime, before lunch, and in the evening. The whole
4 school, with kilts on.

5 MR BROWN: Going back to what I was asking about, being able
6 to go and talk to someone, there's no induction, there's
7 no explanation of how things work?

8 A. No, no.

9 Q. Did anyone at any stage ever say to you, "Come and talk
10 to me if you have a problem"?

11 A. No.

12 Q. You talked about learning, to be colloquial, the ropes
13 from talking to other boys.

14 A. Yes.

15 Q. Was that something that you ever discussed with other
16 pupils, "Who can I talk to?"

17 A. No. You just got on with it.

18 Q. That was the culture?

19 A. That was the culture, yeah.

20 Q. Was there a culture, because you've talked about someone
21 clipping, to use my words --

22 A. No, that didn't -- well, there was -- well, I don't know
23 whether it's mentioned, I was beaten along with a chap
24 called [REDACTED], now deceased, yet another one,
25 for being in a bar at a rugby international in

1 Haymarket, I think it was the Haymarket Bar.

2 Q. I think this is paragraph --

3 A. No, sorry, it was further, it was out beside where --

4 Q. Murrayfield?

5 A. No, no, no, Lothian Road, across the road, the big

6 store, there was bars down there, there was a bar in

7 there, and he and I were seen to be drinking alcohol,

8 and we were underage anyway, in this bar and I have

9 never been in that bar in my life and neither had he.

10 LADY SMITH: That would be across from Binns, is it?

11 A. That's the name I am looking for.

12 LADY SMITH: Across from Binns corner, by the clock.

13 A. There was a pub in there, I don't know its name because

14 I didn't drink in those days.

15 LADY SMITH: It's changed its name over the years, I can't

16 remember what it was in the 1960s.

17 A. So that was us hauled up for -- we weren't there. We

18 were reported by a senior prefect who said he saw us in

19 there drinking at the bar. I don't remember why. He

20 must have been in there too, one assumes. He certainly

21 wouldn't have been looking through the door, I don't

22 think.

23 MR BROWN: But that's someone telling tales of you --

24 A. Yes.

25 Q. -- within Merchiston, what was the culture in terms

1 of --

2 A. Actually not bad, to be fair. That was the only

3 incident that ever really happened to me, apart from --

4 Q. That was a false allegation.

5 A. Yes.

6 Q. If you bear with me, was there a culture that you

7 wouldn't tell tales?

8 A. I don't think it existed. I don't think it was really

9 relevant. You just ... no. No. Not that I was aware

10 of, put it that way.

11 Q. All right.

12 A. Apart from a couple of these sort of incidents, that's

13 all.

14 Q. All right. So there wasn't a culture of silence then,

15 from what you're saying, amongst the boys?

16 A. Obviously not, no.

17 Q. But what there certainly wasn't was a culture of being

18 able to talk to --

19 A. There was nobody to talk to, no. I suppose if you

20 asked, you could talk to, but would they listen to you?

21 I don't know. It never got that serious for me to

22 effectively go and say, "I need to talk to you about

23 whatever", that never came across my mind at that time.

24 Q. All right. Let's talk about individual teachers then.

25 A. Yes.

1 Q. As we know, one of the portions of your statement is
2 about abuse and we'll come to that in a minute, but if
3 we could go to page 12, please, paragraph 57, which is
4 under the general heading "Washing and bathing".
5 A. Yes, oh yes.
6 Q. You talk about there being, and we're aware of this,
7 communal showers.
8 A. Uh-huh.
9 Q. We would understand that boys would go to the communal
10 showers and shower in the evening?
11 A. Yeah, we all had to do that. I see I say I don't
12 remember going for a shower before bed, but that's
13 actually not correct because everybody had to do it.
14 Q. That's what I was going to ask.
15 A. The whole school had to do it -- the whole, sorry, house
16 had to do it.
17 Q. That was part of the daily routine?
18 A. Yes. That's a mistake, that's my fault.
19 Q. All right. Was that a routine that was common
20 throughout all the houses?
21 A. I don't know.
22 Q. But when you went to second year, third year, presumably
23 you still showered?
24 A. I assume so, but there was -- you didn't have to go and
25 stand in a cold shower in the evening from memory in

1 Chalmers East and moving up, no, I think that kind of
2 stopped. I think. I'm not certain about that.

3 Q. Can we put it this way. The one year you remember the
4 showering was year one in Chalmers West?

5 A. Oh yeah, uh-huh.

6 Q. That, from what your statement talks about, is because
7 of the behaviour of the housemaster, Mervyn Preston?

8 A. Yeah.

9 Q. Tell us about that?

10 A. Well, in paragraph -- or number 58, if you could
11 understand how it reads, they were about six-feet high
12 and at the bottom was a thing like that, square, that's
13 where you put your shoes or your slippers or whatever.

14 Q. You're talk being a locker?

15 A. A locker, yeah -- no, but that's open, and it had a --

16 LADY SMITH: An open cubbyhole?

17 A. Yes, that's correct. And a ledge. So of course the
18 place was all covered with water, as you can imagine,
19 because I don't know how many went in at a time, it was
20 rather like the gas chambers at Dachau or something, you
21 all went in, all come out, the floor was just covered in
22 water. And you stood up on top of the ledge with your
23 towel to dry yourself off and Preston would come in and
24 walk particularly on the first two rows, there were rows
25 at the sides as well, and he was the same height as your

1 genitalia and would examine each boy individually, and
2 in some cases touch them.

3 MR BROWN: You describe that touching as being, to use your
4 words:

5 "... whatever he had in his top pocket to lift
6 a boy's penis to check if their testicles had dropped."

7 A. Correct, yes.

8 Q. Did he say that?

9 A. No.

10 Q. That is what was understood?

11 A. That is what was understood, yes, because we had already
12 had the test, the cough test, when we joined in, where
13 we started, with everybody all standing naked in a line,
14 "You're next", "You're next", coughing.

15 Q. How often would this happen?

16 A. Every night during the summer season, the summer term.

17 Q. Why the summer term?

18 A. Because it's hot. Well, theoretically Edinburgh
19 actually became hot on the odd occasion in the summer.
20 Or it was just the routine, I can't comment.

21 Q. What was the feeling amongst the boys at this behaviour?

22 A. I really don't know. I don't know. Nothing was ever
23 said. It was just -- that was it. It was accepted the
24 way he was. I don't know. I can't answer that.

25 I certainly never heard anybody say to me -- but you

1 didn't. You didn't say anything. You just did it or
2 had it done or whatever. It was just -- nobody said
3 anything. Nobody complained.

4 Q. Did other teachers come into the showers, thinking of
5 your time at Merchiston?

6 A. Not that I recall. I don't think so, no. No.

7 CFK in particular, who was the really suspicious
8 one, he didn't. From memory, he never came in. No, it
9 was Preston.

10 Q. But I think over the page, page 13, paragraph 60, we see
11 he would also -- this is Preston -- would call boys to
12 his study to examine them again and it's all about
13 seeing about maturity, from what you say --

14 A. Yes.

15 Q. -- about whether or not they required a jockstrap for
16 sport?

17 A. Correct, you had to go to him to ask for permission to
18 wear a jockstrap to play rugby, and he would look at you
19 very closely to see whether he would give you a line to
20 go to the tuck shop, sports shop, to get one.

21 Q. Did that happen to you?

22 A. Yes.

23 Q. Again, was that the subject of discussion by the boys?
24 Did it come as a surprise that he was having these
25 inspections?

1 A. It certainly became a surprise when some of them were
2 turned down, yes, "No, you're not mature enough" or
3 whatever he would say to them, "No, you're not getting
4 the famous line to go and get one".
5 Q. This inspection would take place where?
6 A. In his study.
7 Q. We would understand he would have his own quarters
8 within the house?
9 A. Yes, on the ground floor, yeah.
10 Q. Which, I think we've heard, was a study and a bedroom?
11 A. Yes.
12 LADY SMITH: Why was this not a matter for the house matron
13 or the school matron to deal with?
14 A. Don't know.
15 LADY SMITH: Or why couldn't boys be trusted to judge for
16 themselves when they felt they needed them?
17 A. Those were the rules and she was not involved.
18 LADY SMITH: Thank you.
19 MR BROWN: When would these inspections -- you've talked
20 about the showers, which would be in the evenings --
21 A. Yes.
22 Q. -- when would the jockstrap inspections take place?
23 A. In the evening.
24 Q. Was the matron on duty in the evenings?
25 A. No. So you were in the room with him on his own.

1 Q. Were you ever in his quarters on your own in any other
2 circumstances?

3 A. To ask for permission for leave-outs, you had to go --
4 if you wanted to go into Edinburgh, which was very rare,
5 or as it mentioned a pal of mine lived in Colinton, just
6 literally you could walk it to where he lived and he and
7 I were both into music heavily and I would go and have
8 the day out with him and his parents and his brother and
9 his sister, and -- but I had to go to ask permission and
10 he would say "yes" or "no". He always said, to be fair
11 to him, "Yes, you can go", because there's no point,
12 it's literally half a mile away, but he inevitably was
13 not properly dressed, as it states somewhere if we go
14 further on.

15 Q. It does. What sort of time would you be looking to get
16 your permission? This is page 20, paragraph 99.

17 A. After prep.

18 Q. For the next day?

19 A. Yeah. Or for that -- yes, yeah, uh-huh. Could be --
20 I can't remember whether it was actually the Thursday to
21 go out on the Saturday or whether it would be the Friday
22 to ask to go out on the Saturday. I don't remember
23 which particular night it was, but it was within -- it
24 wasn't on a Monday, put it that way, for the following
25 weekend. It was within a couple of days or 24 hours.

1 I really don't remember.

2 Q. The words you use in paragraph 99:

3 "We always had to go to his rooms to ask him for it

4 at night time. He would be in his room with a dressing

5 gown and his hands behind his back and the dressing

6 ground open in the front so he was totally exposed and

7 naked."

8 A. Yes.

9 Q. "You'd have to ask him for the leave and every time he

10 would be standing by the fire place in the same manner."

11 A. Correct.

12 Q. Is this the study or the bedroom?

13 A. In the study.

14 Q. "It happened to me and to other boys"?

15 A. Yes, everybody. It was common knowledge.

16 Q. It was common knowledge?

17 A. Yeah.

18 Q. Was this something, because you were going out

19 presumably quite regularly?

20 A. Oh yeah, oh yeah. All the boys used to talk about it.

21 Q. And what was the feeling about this man standing

22 exposing himself?

23 A. Mostly just ... it happened. He wasn't attacking

24 anybody, if you like, he wasn't -- I don't know how

25 you'd describe it. It was just the system. That was

1 just what he was like. Dirty old man, I suppose.

2 Q. That's what I'm getting at. Was he felt to be a dirty

3 old man?

4 A. Yeah, he was disgusting anyway, yes.

5 Q. Did he have a nickname?

6 A. Not that I remember.

7 Q. All right.

8 A. At that time you have to recall that -- you have to

9 remember that these things were going on all the time,

10 but it was never discussed by anybody anywhere. It was

11 all hushed -- covered up. I know that all you people,

12 we go through hell with this for years. (Pause)

13 You couldn't talk to anybody.

14 Q. Okay.

15 A. There was no counsellor or -- there was nothing. It was

16 just that was it. You accepted it.

17 Q. You obviously didn't feel you could talk about

18 elsewhere?

19 A. Correct.

20 Q. After first year you move on to a different house?

21 A. Chalmers East, yes, next one up.

22 Q. Presumably the experiences with Mervyn Preston stopped?

23 A. Stopped, yeah.

24 Q. You stayed at the school for another three years?

25 A. Yeah.

1 Q. As you got older, was his behaviour discussed more
2 amongst the boys?
3 A. No.
4 Q. You just moved on?
5 A. You just moved on.
6 Q. Let's talk about the other teacher, CFK [REDACTED].
7 A. Yes.
8 Q. This is the man that obviously was camp, to use your
9 description, openly?
10 A. Absolutely, no question.
11 Q. We'll come to the guitar in a moment.
12 A. Right.
13 Q. But speaking generally, from what you say -- this is
14 paragraph 97 on page 20 -- he was a man who would touch
15 boys openly in the corridors?
16 A. Yes.
17 Q. As you passed by, you say, "... you'd feel an exploring
18 hand around your testicles"?
19 A. Yes. What he would do was even going up to the [REDACTED]
20 [REDACTED], which -- the [REDACTED] class, which was also the tuck
21 shop, was further away -- it was actually Chalmers West
22 was there and you walked up a slight hill and it was
23 like a villa, if you like, and then there was the tuck
24 shop and that's where you got the famous jockstrap and
25 that's where the [REDACTED] school bit was. And he would

1 appear heading for there and he would literally put his
2 hand down and do this to your testicles. If there were
3 two of you he would do it with two hands if he wasn't
4 carrying something particular. It was common knowledge
5 that he did it. But nobody said anything. Nobody did
6 anything, because you didn't in those days.

7 Q. Did any of the senior years warn you about either his
8 behaviour or Preston's?

9 A. No, no, no. And it must have happened to all of them as
10 well, the ones that did the [REDACTED] side of it. No, it was
11 never discussed.

12 Q. You say he was notorious for it?

13 A. Oh absolutely, yeah.

14 Q. But that should we understand is notorious within the
15 year group?

16 A. I think within the school.

17 Q. All right. But no one --

18 A. Nobody said anything. It was just, that was it.
19 Because you didn't talk about it, you didn't -- it
20 wasn't out of embarrassment, it wasn't out of -- it was
21 just that was him, that was the way he behaved and you
22 accepted it, because you had nobody to talk to, nobody
23 to tell.

24 Q. But obviously he's invited you to come and --

25 A. See the famous antique guitar, yes.

1 Q. I think, as we see, on a weekend after perhaps about
2 a month at the school, you dutifully go and see him in
3 his quarters?
4 A. "Oh, you must come up", yes.
5 Q. Are his quarters similar to Preston's?
6 A. Yeah.
7 Q. Study and a bedroom?
8 A. Yeah, study and a bedroom, but not as big as. They were
9 slightly smaller.
10 Q. And the guitar, from what we read, is in the bedroom?
11 A. It was hanging on the wall above his bedhead stead.
12 Q. And you play a few tunes on the famous guitar?
13 A. He asked me to get it down. He asked me to get it down,
14 which I did, and played it. And then played it and that
15 was it and then he said, "Just put it back please",
16 I suppose, and that's what I did, and when I was -- had
17 to get up onto the bed to get up to the hook to put the
18 strap onto the hook, that's when he got me.
19 Q. And pinned you down on the bed?
20 A. Yes.
21 Q. From what you tell us in the statement, he tried to put
22 his hands down your trousers?
23 A. And kiss me.
24 Q. I think the phrase you used is stick his tongue down
25 your throat?

1 A. Correct.

2 Q. But you push him off?

3 A. Yes.

4 Q. But he tries again?

5 A. Yes.

6 Q. You then get out?

7 A. Took off, yes. Yeah.

8 Q. Did you tell other people in your class about that or in
9 the house?

10 A. No, I don't think so. I don't remember, to be honest.
11 I don't think so.

12 Q. Can you describe the emotion you felt as you were
13 leaving his bedroom?

14 A. I don't know how you'd describe it, "Ooh, what was that
15 all about?" Or I don't really -- it didn't kind of
16 really twig, but that's when I began to realise that
17 something was definitely completely wrong with what was
18 going on generally around about -- rumours, chat that
19 used to go about the place. I don't -- I don't
20 recall -- I don't remember any sort of feelings of --
21 I suppose I must have felt slightly revolted, I suppose,
22 but I don't remember, to be honest. I was just a silly
23 wee boy at 13.

24 Q. That's perhaps the point, you were only a wee boy of 13.

25 A. Yeah. Yeah.

1 Q. Did you want to tell anyone about it or was it just too
2 embarrassing?

3 A. I wanted to, but I had nobody to talk to. I didn't feel
4 I had anybody to talk to.

5 Q. I think you make the point your father had met CFK
6 and not taken to him, but you didn't feel you could talk
7 to him about it because you didn't think you would be
8 believed?

9 A. No, I didn't think I would be believed.

10 Q. You say an interesting thing at paragraph 102:
11 "Apart from the head, there was no one in place to
12 talk to."

13 A. That's right.

14 Q. "I wouldn't have felt able to trouble the headmaster
15 with things like that."

16 A. There was nobody else -- the headmaster at that time had
17 replaced the one prior when I was there, I think I was
18 there, his name was Alan Bush, and he was a decent
19 enough bloke. But I wouldn't -- I couldn't talk to my
20 father about it. I felt that, definitely, no point
21 because he would have just said -- effectively it was
22 a one and one. I could be lying and he could be lying,
23 which one's telling the truth? He's dead, I'm alive,
24 thank God, so am I telling the truth? I am telling the
25 truth. But he's -- I firmly believe he would have

1 denied it, if you know what I mean.

2 Q. Mm-hmm.

3 A. If you understand me, it's a difficult one because he's

4 not here at age whatever he would be now to defend

5 himself and say, "Oh, I never did that", and I could

6 imagine, having perhaps watched too much television in

7 my day and listened to various things, he may have

8 probably or possibly done that. I don't know.

9 Q. Whatever, you didn't feel able to tell anyone?

10 A. No. Only when this whole abuse opened up, that's when

11 I contacted the police.

12 Q. We'll come back to that in a very short while.

13 A. Yeah.

14 Q. You spoke to the police, though, and there was another

15 teacher that you mention in your statement, I think you

16 discussed with the police, and that's a teacher called

17 Rainy-Brown?

18 A. Yes.

19 Q. We see that that's a teacher that you didn't get on

20 with?

21 A. No.

22 Q. This is an example of you saying no.

23 A. Yeah.

24 Q. He wanted to beat you because you hadn't applauded

25 strongly enough whilst watching the First XI?

1 A. Nobody applauded. I was chatting to my buddy from
2 Colinton, we were talking about music in actual fact
3 probably, and we were called -- I was called, not him,
4 he got away with it. I was called in to be beaten
5 because I was not shown enough enthusiasm for this
6 excellent match between cricket's First XI versus the
7 Second XI, which is like watching a fly crawling up
8 a wall, if you know what I mean.

9 You're supposed to be -- rubbish, absolute rubbish.
10 All the boys around in a circle, all dressed in white.
11 We had to wear white, a big circle while they played
12 cricket. Oh dear.

13 Q. This is paragraph 85 on page 17.

14 A. Mm.

15 Q. But you refused to be belted?

16 A. Yes, that's right.

17 Q. And went to the head --

18 A. Went to Bush.

19 Q. Who took your side on it?

20 A. Yes, he did.

21 Q. But you say Rainy-Brown was a bully and a weirdo?

22 A. Yes, definitely. Absolutely.

23 Q. Why do you say he was a bully?

24 A. Because that's just the way he was. He kept -- any
25 contact -- people liked him, funnily enough, I believe.

1 And there was just something about him and he was a --
2 you felt he was a hard man. I don't know how to
3 describe him. He was just -- I knew from my prior
4 experience as to what had happened to me there was
5 something not right, there definitely was something was
6 not right about him.

7 Q. When you say your prior experience, you're talking about
8 Preston and CFK ?

9 A. Yeah, yeah, as you get older, you go, "Oh ho, ha ha,
10 pennies are beginning to drop here, things are not going
11 the way they should be or one would have thought they
12 should be".

13 He was known for -- not bullying per se, not as
14 in -- he had an acid tongue, put it that way.

15 Q. What about --

16 A. Anything.

17 Q. -- the physical side?

18 A. No.

19 Q. He was a very sporty teacher?

20 A. He was an iron man, yeah.

21 Q. I think you talk about Mervyn Preston checking
22 hamstrings.

23 A. Yeah, yeah. And Rainy-Brown used to do that as well.
24 Not to me, but to other people -- people that he
25 thought -- I wasn't sporty, because they were all built,

1 all athletics and this stuff, "Let me check your
2 hamstrings", and, "Oh, hello there, lie on your back",
3 and he would do it right there and then.

4 Q. Are we talking about Rainy-Brown?

5 A. Both, Rainy-Brown and Preston.

6 Q. They would check people's hamstrings?

7 A. Yes.

8 Q. Run their hands down their legs?

9 A. Yes, down the leg and right down to the groin area and
10 back down again and all this. Nothing wrong with them.
11 Nothing wrong with them.

12 Q. Was that the subject of discussion amongst the boys?

13 A. Uh ... I don't know. I don't recall. I don't know
14 if -- here we go again. I don't remember, to be
15 absolutely honest.

16 Because it didn't go around the entire group of
17 however many it was, it would be, "So-and-so, oh, we
18 should check your hamstring", I couldn't even recall
19 their names.

20 MR BROWN: No.

21 LADY SMITH: Are you saying this is just a routine check,
22 it's not because boys have pulled a hamstring?

23 A. No, it's just they did it. It should have been as you
24 mentioned earlier, matron should have been -- it should
25 have been referred to a matron and if it was bad,

1 a doctor would have been called in, but that didn't
2 happen so there was nothing wrong with them. These were
3 athletic, fit young guys, whereas I wasn't, all levers
4 didn't run the right way, so I was not notoriously well
5 known for my running and jumping over steeples and
6 things in my day. So I wasn't sporty at all, as such.
7 LADY SMITH: Thank you.
8 Mr Brown.
9 MR BROWN: You didn't make it through the full panoply of
10 the Merchiston experience, you left a little bit early?
11 A. Yes.
12 Q. We see at paragraph 103 you say:
13 "I put a lot of stories in writing."
14 A. Yes.
15 Q. Now, you've been writing about your experiences, but you
16 destroyed those, you say?
17 A. Yes, and others.
18 Q. And the experience of others?
19 A. Yes.
20 Q. But some of these stories were found at the end of the
21 term?
22 A. Yes.
23 Q. From what you write or said in the statement, some of
24 them seemed to have been stashed down the back of
25 a radiator?

1 A. Yeah, they had fallen down, I don't know how they got
2 there, but they had got there and they were found.
3 Supposedly, I never saw them.
4 Q. Right, but you had been writing --
5 A. Yeah, yeah, the history of what was going on.
6 Q. Why did you feel that necessary to write --
7 A. Because I was sick of it. I was sick of it and what
8 I thought was going on.
9 Q. That was what had happened to you?
10 A. To me and others, that had told me what was going on and
11 also the allegations that were going on generally of the
12 behaviour of some of the teachers and staff of the
13 school.
14 Q. Now, you've talked about Preston, he obviously stays
15 put. CFK [REDACTED], we understand, suddenly departed?
16 A. Yeah, he was overnight.
17 Q. One day he's there, the next day he's not?
18 A. Yeah, three head boys, cap of the school, sub and
19 another senior prefect went to Bush, told him what was
20 going on and he was gone. He wasn't there the next
21 morning.
22 Q. What had driven those three senior boys to go to Bush?
23 A. They'd had enough. They must have been assaulted.
24 I don't know.
25 Q. But that's your understanding from --

1 A. That's my understanding, yeah. That's what I was told.

2 Q. As we see at paragraph 98, you understood allegedly that

3 he ended up teaching in a girls' boarding school in

4 England?

5 A. That's where he went, yes, apparently.

6 Q. That was the chat?

7 A. That was the chat, yes, he'd been sent down to -- they

8 even named it, I don't recall now, way down south.

9 Q. [REDACTED]?

10 A. I don't remember.

11 Q. Was anything formal said to the school about his

12 departure?

13 A. No.

14 Q. Or the parents?

15 A. No.

16 Q. He just disappeared?

17 A. Just gone.

18 Q. Going back to the stories you were writing about what

19 you were hearing of other people's experiences --

20 A. Yes.

21 Q. -- you say it was all rumours, and this is in terms of

22 the documentation that was found:

23 "It was all rumours and gossip about boys with boys

24 and not staff."

25 A. Yes.

1 Q. What was going on between boys and boys?

2 A. I don't know, because I was never there.

3 Q. But you were writing down the rumours --

4 A. It was happening up in the attic where the kilts were

5 all stored and the action used to take place allegedly

6 on a Sunday night, when the kilts were taken and put up

7 in the loft on their hangers, you know, put your kilt

8 and all the equipment that went with it.

9 Q. That's not something you know directly about, but that

10 was the chat?

11 A. Yeah, that was -- yeah. It was well known -- put it

12 this way: it was quite well known amongst the troops

13 that that was what was going on amongst certain

14 members -- boys.

15 Q. That was boys?

16 A. Yeah.

17 Q. But the other material about teachers you'd destroyed,

18 from what you say in the statement?

19 A. Yes.

20 Q. Your father learns about this material?

21 A. Yes.

22 Q. And is not happy?

23 A. Yeah.

24 Q. Presumably the school told him?

25 A. I suppose so, yes.

1 Q. But the description you give in paragraph 103 is you say
2 that your father wasn't going to pay any more money for
3 you to write that rubbish?

4 A. Yeah, that's right, correct. Waste of money, "Who do
5 you think you are, James Bond?"

6 Q. I think, as you've said in the statement earlier, one of
7 the problems you had was your father had said at the
8 very outset, "My business is yours"?

9 A. That's right, that's what was happening, you don't need
10 anything, don't need any O-levels, don't need any of
11 that. Sit at the back of the class -- I never forget
12 it. He said to me, "Sit at the back of the class. If
13 you don't understand something, put your hand up and ask
14 the teacher because that's what they're paid for, but
15 you don't need any qualifications because you are coming
16 into the business".

17 That was it.

18 So what did I do? Nothing.

19 Q. You went into the business at 16 and a half, having been
20 taken out of Merchiston?

21 A. Correct. To the Gorbals, that's where I went.

22 Q. You talk about subsequent parts of your life and
23 difficulties you had, for a variety of reasons, going
24 back 15 years or so or 12 years or so. In terms of the
25 difficulties you faced, going back to 2008 and having

1 a breakdown, clearly a lot of things were at play.

2 A. Yes.

3 Q. What impact do you think the experiences at school had

4 in all of that?

5 A. I don't really know. I've never forgotten it, put it

6 that way. I don't dwell on it. I'm too old for that

7 now, there's no point, what's the point, it's all done,

8 dusted and finished.

9 Q. But I think when you heard about police enquiries in

10 relation to Merchiston, you felt you should come

11 forward?

12 A. Yeah, I thought let's find out what's been going on,

13 whether I'm right or wrong, and I contacted -- I don't

14 remember his name, I'd got -- we spoke for, oh, I don't

15 know, two or three months. You know, not every day. He

16 would phone me, I would phone him, and he did at one

17 point, about the last phone call, just said:

18 "I would like you to know, 'James', that the

19 evidence we have, both Preston and CFK would be

20 jailed for what they did."

21 Or, "In court", I think, not "jailed", but "in

22 court".

23 Q. All right.

24 A. From the evidence we have from other people that phoned

25 in, and they'd contacted.

1 Q. Did that give you some comfort or --

2 A. I thought at last I'm right, I was right. I would have
3 been much better being educated -- I am saying here --
4 in Glasgow, at a school in Glasgow, Glasgow Academy,
5 Glasgow High School, it doesn't matter, than sent at
6 eight down to the wilderness and then to Edinburgh.
7 I did not enjoy my time at either place and was -- well,
8 abused at the second one.

9 Q. Did you also contact the school?

10 A. No. In what way? How do you mean?

11 Q. When at the same time did you contact the school to
12 report your experiences of the teachers?

13 A. No.

14 Q. I think we have some correspondence which suggests that
15 you spoke to the then headmaster, Andrew Hunter, or
16 there was some exchange.

17 A. Oh, sorry, yes, I beg your pardon, that was over the
18 Rainy-Brown disaster, yes. He contacted me to ask after
19 what he had done. They were going to have a gathering,
20 "do you know what a gathering is? I said, "Yes,
21 a meeting of people", I was semi-educated, "In his
22 memory. We're not having a memorial service, and would
23 you attend?"

24 I said, "No, definitely not".

25 Q. But I think you also spoke to him about your experiences

1 with other teachers, you mentioned --

2 A. I don't recall. Maybe I did. I don't remember that, to

3 be honest.

4 Q. I appreciate it's some years ago.

5 A. Yeah. I don't know, were the police involved at that

6 time? I don't remember.

7 Q. All right. Did you find dealing with the school in any

8 sense helpful at that stage? With Hunter?

9 A. No. Not really, no, because I'd never met the guy.

10 I didn't know anything about him. It was way beyond my

11 era. Or Bush's era, if you like, Alan Bush.

12 Q. Right. So as far as you recall it's really about the

13 Rainy-Brown gathering?

14 A. Yeah.

15 Q. Was that a letter sent do you think to all pupils?

16 A. It was a phone call.

17 Q. Oh, it was a phone call, all right. But that

18 gathering --

19 A. Never happened.

20 Q. Do you know why it didn't happen?

21 A. I don't know why. I can imagine why.

22 Q. All right. I just wondered, having been contacted,

23 whether there was subsequent contact to explain why it

24 didn't take place.

25 A. No, no, apart from the school lost out on 1.5 million

1 quid.

2 Q. All right. We may hear about that from others.

3 'James', you talk in your statement about your hopes
4 for the Inquiry and lessons to be learned, and you say:

5 "In a way I recommend boarding schools, I'm not
6 against them."

7 A. No, I'm not against them, because they do give you
8 a form of independence and they perhaps, they perhaps,
9 do give you perhaps a better education than state
10 schools, there's arguments for and against all that,
11 I don't know. I enjoyed parts of it, hated most of it.
12 I sent my two daughters to it, to St Leonards up in
13 St Andrews, after my wife died, because I felt I had to,
14 because I couldn't see how I could be a mother (father),
15 I'm still -- I found it very difficult to handle the two
16 of them, because they both live down south so I don't
17 see them a lot at all. This is difficult, and they've
18 got two children each, and I found that very difficult.
19 But I felt they should -- they could go there because
20 they would learn what they were taught, and they both
21 did, they both got all their O-levels, A-levels, they
22 both got degrees at universities and all the rest of it,
23 and they're fine. Whereas mine was just a waste of
24 money, as far as I'm concerned.

25 Q. I think in terms of your hopes, you would hope that --

1 A. Yeah, the independence, in a way, but I'd love to be
2 there now, knowing what I know now, if you know what
3 I mean.

4 You have to remember, at age 8 and 13 you're not
5 very worldly wise. Sex was a thing that was never
6 discussed. That was just horrific. Nowadays
7 an 8 year old will tell you stuff that parts of the
8 people in this room have never heard about. It's
9 unbelievable. They have sex education at 7 years of
10 age. That never happened to us. We didn't get any sex
11 education at all. It was all, "Oh, don't worry about
12 it". It was just farcical if you think about it, but
13 that was the era, "Oh, you don't talk about that oh
14 dear, no, no, no, oh, Playboy magazine? Oh, no, no. No
15 chance".

16 Q. 'James', thank you very much indeed. Is there anything
17 else you would wish to add?

18 A. No, I just ... no, I just -- just very disappointed that
19 you couldn't ... talk. Sorry, talk to anybody.

20 Q. If nothing else, that's what must change?

21 A. I hope it has.

22 Q. Yes.

23 A. That's it.

24 MR BROWN: Thank you very much, 'James'.

25 LADY SMITH: Are there any outstanding applications for

1 questions?

2 'James', that completes all the questions we have

3 for you.

4 A. Thank you.

5 LADY SMITH: You are not the first person to sit to give

6 evidence to me and explain how difficult it was having

7 nobody to talk to. So at least I hope you can feel

8 you're not alone in that, and I do get the message loud

9 and clear that that must change and remain changed for

10 the future --

11 A. Yeah, absolutely.

12 LADY SMITH: -- where children are not going home to their

13 own homes at night and for weeks at end with nobody to

14 turn to. I get that.

15 A. Yeah.

16 LADY SMITH: Can I thank you so much for engaging with us,

17 both by giving us your written statement, which is

18 evidence before me, and by coming here today yourself to

19 talk about your experiences.

20 A. Yeah.

21 LADY SMITH: It makes such a difference to have seen you in

22 person and heard from you in person. That's increased

23 my learning in a way that's very valuable to me.

24 A. Good.

25 LADY SMITH: Thank you for that.

1 I'm now able to let you go and I hope you can get
2 some downtime for the rest of the day.
3 A. Thank you.
4 LADY SMITH: Not at all.
5 (The witness withdrew)
6 LADY SMITH: Mr Brown.
7 MR BROWN: My Lady, as indicated, that's the end of today's
8 evidence. We will be having the afternoon's witness
9 tomorrow afternoon, which may impact slightly, but we
10 can recover any time as the week goes on.
11 LADY SMITH: Of course. Do we start with a link tomorrow
12 morning?
13 MR BROWN: We do.
14 LADY SMITH: That's set for 10 o'clock?
15 MR BROWN: For 10 o'clock, it's not far away.
16 LADY SMITH: That's always reassuring, thank you.
17 Very well, that's it for today.
18 Thank you, everybody, and I will be sitting again at
19 10 o'clock tomorrow morning.
20 (1.24 pm)
21 (The Inquiry adjourned until 10.00 am on Wednesday,
22 12 January 2022)
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