

Tuesday, 18 January 2022

1

2 (8.30 am)

3 LADY SMITH: Good morning and welcome to the first day of
4 evidence this week in our boarding schools case study.
5 As you'll remember, we're looking into the provision of
6 residential care by Merchiston Castle School. Thank you
7 particularly to those of you who had to make special
8 arrangements to be here a little earlier this morning.
9 I do appreciate that.

10 Mr Brown, I see we have a witness.

11 MR BROWN: My Lady, we do indeed. The witness is 'Ian'.
12 We're starting slightly late because of technological
13 issues entirely at our end, not in any way 'Ian's'
14 problem, so thank you to him for his patience.

15 LADY SMITH: Thank you.

16 'Ian' (affirmed)

17 LADY SMITH: 'Ian', thank you for that.

18 Just before I hand over to Mr Brown, who will be
19 asking questions this morning, could I assure you that
20 if you have got any queries or concerns at any time, you
21 must let us know. You mustn't worry about interrupting
22 or feel that you're not allowed to say. It's important
23 that we do know if you have any queries.

24 If you need a break, we can do that. What really
25 matters to me is that you're as comfortable as you can

1 be, carrying out what I know is a difficult exercise of
2 giving evidence and the difficulties in your case are
3 added to by the fact that you're doing so over a WebEx
4 videolink. So do let us know if you have any problems
5 or queries at all, don't hold back.

6 A. I will. Thank you, that's very kind.

7 LADY SMITH: Thank you. If you're ready, I'll hand over to
8 Mr Brown, who will take it from there. Is that all
9 right?

10 A. Yes, that's fine.

11 LADY SMITH: Thank you.

12 Mr Brown.

13 Questions from Mr Brown

14 MR BROWN: My Lady, thank you.

15 'Ian', hello again.

16 A. Hi.

17 Q. I think you can now see me on the screen, but you also
18 should --

19 A. I can.

20 Q. -- be able to see a copy of your statement on the screen
21 too, if you want to use it.

22 A. Yes.

23 Q. But I think you have a paper copy as well with you?

24 A. I do.

25 Q. Well, whichever is easiest to reflect.

1 A. Mm.

2 Q. If we can start with that statement briefly, it has
3 a reference number, WIT-1-000000560, and we see that it
4 runs to 36 pages.

5 A. It's 36 pages. I don't have the number on my copy.

6 Q. Don't worry. The only page that I'm interested in for
7 the present is the final page.

8 A. Yes.

9 Q. We see that you signed this statement on 7 December
10 2020?

11 A. Mm.

12 Q. The last paragraph confirms that you have no objection
13 to your witness statement being published as part of the
14 evidence to the Inquiry and that you believe the facts
15 stated in the witness statement are true.

16 A. That's correct.

17 Q. Presumably before you signed it you read it and you were
18 happy that it was an accurate reflection of what you
19 wanted to say?

20 A. Yes, I did, yeah.

21 Q. That was obviously over a year ago. Have you reread it
22 in advance of today?

23 A. I've reread parts of it, yes.

24 Q. I take it you're still happy?

25 A. Yes, I am.

1 Q. Thank you. The point about that is the statement is in
2 evidence, so we don't have to go over much of the detail
3 you talk about. What I'll be touching on today is just
4 a number of particular themes and your insights into
5 your time at Merchiston.

6 You were there, I think, from 1986 to 1993?

7 A. Yes, that's right.

8 Q. You then left and you talk about what you did
9 subsequently, but just to understand and put in context
10 some of the things we'll come to a little later, you are
11 a psychiatrist?

12 A. Yes, correct.

13 Q. Going back to the beginning, you were born in 1975,
14 you're now 46?

15 A. Yes.

16 Q. And you were brought up in Aberdeenshire, a rural-ish
17 background?

18 A. Yes.

19 Q. And despite, I think, enjoying being in Aberdeenshire,
20 the view was taken you should go to Merchiston?

21 A. Yes, yeah.

22 Q. I think from what we --

23 A. I was asked, I was given the choice or I was sort of
24 asked, but you know, at that age it's -- you know, it's
25 a hard one.

1 Q. I think, as you say, you were shown a brochure, which
2 showed forests, a swimming pool and all sorts of
3 exciting things that made you think of Disneyland --

4 A. Mm.

5 Q. -- but the reality, as you discovered, wasn't quite like
6 that?

7 A. Mm, yeah.

8 Q. But we see from the opening pages of the statement that
9 the choice to send you there seems to have been taken in
10 part because of your mother's experience of going to
11 boarding school, which in her case was better than being
12 at home, so she perhaps had a positive view of boarding
13 schools --

14 A. Mm.

15 Q. -- that impacted on the selection?

16 A. Yeah.

17 Q. As you say on page 3, paragraph 8:
18 "I don't remember being forced to go."
19 But you had no idea what it would actually be like?

20 A. No. I think at that age, you know, until you're there
21 and even until you've been there for a while, you just
22 don't know, as a kid, yeah.

23 Q. We read at paragraph 10 that you had been for interview
24 with the headmaster, Mr Spawforth, and again you make
25 the point that that wasn't --

1 Sorry, can you speak again, 'Ian'?

2 LADY SMITH: 'Ian', if you can let us know when you can see

3 and hear us, because at the moment we can't see you.

4 MR BROWN: 'Ian', can you hear us?

5 LADY SMITH: You're getting a reading that says his

6 bandwidth has dropped?

7 (Pause for technical issue)

8 A. Hi. Sorry, I'm not quite sure what happened there. It

9 looked like there might have been a bandwidth problem at

10 my end, which is quite unusual at the office.

11 MR BROWN: I think that's what happened, 'Ian', but you're

12 back now, so shall we just press on and see how we go?

13 A. Yes. Yes. I'm at an office and it usually is fairly

14 reliable, so I'm sorry about that.

15 Q. No problem at all.

16 We were talking about going to see the headmaster,

17 Spawforth?

18 A. Yes.

19 Q. And again that meeting encouraged you, you saw boys on

20 BMX bikes, you were given a can of coke?

21 A. Yes.

22 Q. It all seemed very exciting?

23 A. Yes, it did, yeah.

24 Q. Again, was that a slightly false impression once you

25 were in the system?

1 A. I'd say "incomplete" rather than "false". I mean the
2 thing is there was a lot of good stuff about the school,
3 but I think there were some fundamental, you know,
4 things that were lacking, and I think that's something
5 that I only realised later, you know, once I'd been
6 there quite a long time.

7 Q. Yes. One of the things you said in paragraph 11 is:

8 "When I think about it now, the thing that gets me
9 are the implications of what that trip meant: that was
10 the end of my family life."

11 That's something I think we see in the statement --

12 A. Yeah.

13 Q. -- because your father died relatively shortly after you
14 left school and you felt that that had curtailed your
15 relationship with him?

16 A. Yeah. I mean, I think the thing was, you know, I went
17 away for most of the year. I was home in term times --
18 sorry, home in holidays, didn't see my parents much
19 between that, you know, during the term, because they
20 were, you know, a few hours away and I saw them maybe
21 once a term, something like that, maybe a little more
22 occasionally, but I mean I, you know, left the family
23 dog and she died when I was there. It might sound like
24 a small thing, but I think as a kid it's kind of -- and
25 you know, I never really had a sort of fully -- or at

1 least in terms of when you become an adult yourself and
2 the way that your relationship with your parents changes
3 and you have more of an adult-adult relationship, you
4 know, I had that for a very short time with my father,
5 so I think for me I, you know, obviously I don't --
6 I was a kid. If I had known then what I know now about
7 that stuff, I would have chosen differently.

8 Q. Okay. If we go to page 5 and paragraph 16 of your
9 statement, you say:

10 "In terms of the ethos of the school, you were made
11 aware by fairly strict discipline of what was acceptable
12 and what wasn't. The school motto was, 'Ready, Ay
13 ready.' The more I think about it, the less I know what
14 it means. It's something about being prepared, like the
15 scouts."

16 A. Yeah.

17 Q. What were you getting at there, not knowing what it --

18 A. I think -- so I think it was just such an alien world,
19 you know. You get thrust into this kind of new world
20 and it's institutional and at the -- you know, I was 11,
21 I was very young. You don't feel young because you just
22 feel -- you know, you feel as old as you feel and you're
23 trying to be older and in a sense that was -- that was
24 one of the things. There was a very -- there was a sort
25 of overt and covert system of rules, you know, different

1 systems of rules that you learned from older boys or you
2 learned from the housemasters or the other teachers, the
3 other masters, and, you know, if you put a foot wrong,
4 then there were punishments. It was quite kind of
5 traditional in that way.

6 And there were also, in the junior boarding house
7 there were also -- you put a foot wrong sometimes in
8 ways that were more unpredictable and there would be
9 outbursts or anger from the housemaster, you know, that
10 really were sort of fairly unpredictable, or I suppose
11 getting the cold shoulder from him, you know, or anger,
12 one of -- you know.

13 Q. I think one of the things you went on in that paragraph
14 to say is you talk about rugby being venerated.

15 A. Yeah.

16 Q. That was prevalent throughout your entire time at
17 Merchiston?

18 A. Yes, yeah. So there were -- there were players from,
19 you know, the top year who went on to play for the
20 Scottish team and -- you know, so it was quite
21 a well-known rugby school for that. Yeah, I kind of
22 tried to like rugby, but I just -- I was not -- I was
23 not -- I did fitness, you know, I was a runner, but
24 I didn't -- yeah, rugby was not my -- yeah, square peg,
25 round hole.

1 Q. Okay. You talk about academic achievement, though, it
2 was also praised, and I think you're complimentary about
3 the teaching, broadly?

4 A. Yes. Yeah, it was very good. I reread my statement and
5 I think the problem is with an Inquiry or with
6 questioning I'm sort of thinking, you know, was there
7 anything wrong with it? But I think on the whole the
8 teaching was very good generally and that -- yeah, but
9 I don't have anything to compare it to from personal
10 experience, but yeah.

11 Q. But what you then go on to say is you make the point in
12 the absence of any sort of family life, the importance
13 of academic achievement or sporting achievement took on
14 an intensity that they otherwise might not have had?

15 A. Yes. Yeah, they were a currency of approval and
16 identity and, you know, they were something -- they were
17 things that might distinguish or separate somebody,
18 a boy, from their peers. You know, they earned respect
19 from teachers and peers and so -- yeah. And so -- yeah,
20 there was kind of this focus on -- you know, in a sense,
21 anything that gave value was based on -- well, it's
22 not -- maybe it wasn't completely this way, but my
23 memory and the way it seems is that it was -- there was
24 a real focus on achievement when it came to valuing
25 oneself in a way.

1 Q. Looking back, I think you say it makes you feel quite
2 sad and angry, thinking about it. Why?

3 A. I think -- I think the thing that I find difficult is
4 that things are very different now and even in the
5 1980s -- I mean, boarding schools have a -- you know,
6 Merchiston's got a great reputation, there was a lot of
7 really good stuff about it. I mean, a lot of very
8 well-meaning teachers and housemasters. But I think the
9 thing that I find tricky now, thinking back, is that
10 there was just the minute -- the minute I went away from
11 family, there was this lack of -- you know, the
12 attachment bonds are kind of broken, and as a kid
13 you're -- you don't have anybody that you -- those
14 important people in your life, you just don't have them.
15 You know, assuming your relationship with your parents
16 or caregivers is reasonable, that just -- suddenly just
17 disappears.

18 So what you do have is you have an institution where
19 people are paid to take care of you, and it didn't seem
20 like that at the time. I mean, it's hard to put into
21 words because it -- I think the rational part of it and
22 making sense of it comes after you leave -- after I'd
23 left the school as an adult. I think as a kid, you
24 know, my experience was trying to fit in, trying to,
25 I suppose, do well, you know, do well in the things that

1 I wanted to do well in and the things that were valued,
2 you know, that I perceived were valued by my parents and
3 by the school. There's a huge sort of -- I mean,
4 private schools and boarding schools are traditionally
5 they're an upper class kind of thing. They've got
6 this -- they're associated with status and good
7 education, and so there's this real -- and your parents
8 have sent you there as well, so you don't want to let
9 your parents down. You know, there is this kind of huge
10 cultural norm, it's this massive cultural norm in the
11 UK.

12 I think that in the 1980s -- I mean attachment
13 theory was known about, but it wasn't maybe ... there
14 were some massive changes I think in parenting and
15 education that came in from the 1990s onwards, maybe,
16 which just I think might make the experience quite
17 different now, or at least parents might make different
18 decisions. Statistically, I mean, a certain number of
19 parents might make different decisions than boarding
20 school, I suspect.

21 Q. Thank you. We're going to talk a fair amount about
22 Pringle House, the junior boarding school.

23 A. Mm.

24 Q. But one -- you talk about that to a large degree in your
25 statement, but the other thing, and this is going to

1 page 27, is you talk about bullying.

2 A. Yes.

3 Q. You've talked about what gave currency in the school,
4 and that was sporting achievement and also academic
5 achievement.

6 A. Yes.

7 Q. What you said -- you were a square peg in a round hole
8 when it came to rugby.

9 A. Mm.

10 Q. To that extent were you different from the majority?

11 A. That's a hard one. I don't think so. So there were
12 probably -- there were a significant number of boys who
13 got into rugby and probably a bell curve thing, a bell
14 curve distribution, possibly, where, you know, a smaller
15 number were excellent at it, a lot wanted to be good and
16 tried hard, and then I was probably in the group that
17 just -- you know, I preferred a different sport,
18 probably. So I was sporty, but I wasn't -- I wasn't --
19 and there was no choice for about -- I think it was
20 about three or four years. The only alternative to
21 rugby for the first four years, I think, was a thing
22 that we called "veg swimming", which is very politically
23 incorrect but that's what it was called.

24 Basically to get into that you either had to be
25 injured and essentially it was a rehab thing to get you

1 back to rugby or you had to just be so absolutely
2 terrible that it was more effort for the coaches and the
3 teachers to put you onto the field, it was sort of more
4 of an embarrassment and an effort for them to have you
5 on the rugby field than to send you to the pool every
6 day.

7 Q. Sorry, what was the name?

8 A. So we called it veg swimming, so as in people who were
9 not fully functional physically, and it was -- it was
10 really for the first three years or so the only
11 alternative, so it wasn't as if, you know, you could
12 have said, "I don't like rugby but I like football" or,
13 you know, running or tennis. It was really -- you could
14 play those other ones in your own time or at different
15 times, but rugby was really the -- it was just that or
16 nothing, really.

17 Q. If you were one of those in that group, did that affect
18 how other pupils treated you?

19 A. If you were in the group -- the swimming group?

20 Q. Yes.

21 A. Oh, it did sometimes. I mean, it was a pejorative
22 label, obviously the name itself was. It was -- it was
23 just another thing that marked people out, I suppose, as
24 a bit less than other people. You know, it's just
25 another thing that could be used as a taunt for

1 bullying, but I don't think I remember myself getting
2 much of that, or if I did, I didn't care too much.

3 Q. What other things led to taunts and bullying?

4 A. I think any source of difference. There was a boy who
5 was in the top year when I was in Pringle who
6 I mentioned in the statement and he -- I mean he was --
7 he was given a lot of homophobic bullying. I don't know
8 his sexuality, but, you know, nobody deserves that, in
9 my opinion. I mean, I think it was pretty horrible and
10 there was a lot of homophobic bullying. There was --
11 regardless of -- I mean I don't think people really knew
12 what sexuality was anyway, but it was just words that
13 people heard from older kids and you knew that it would
14 annoy people, hurt people. You knew it was a bad thing,
15 and so people used it, you know?

16 So anything like that, you know, lack of physical
17 ability, being sort of seen as less intelligent.
18 I mean, I think the difference, though, from state
19 schools in like the -- in my experience was that there
20 wasn't that kind of -- there weren't the same regulatory
21 mechanisms. So, you know, at the end of the day at
22 a state school you go home and you have a caring person,
23 if you're lucky, who can -- who says, "How was your
24 day?" And even if you can't change the actual reality
25 of bullying, at least you've got somebody who cares and

1 you can talk to and there's that connection. And also
2 that person -- that adult can then go to the school and
3 say, "Look, this isn't good enough, this is what's
4 happening". They could -- you could move schools -- you
5 know, but at Merchiston, the boys -- it was -- it was
6 pretty wild, and there was really no -- it's hard to
7 find words to kind of explain the way it was, because it
8 wasn't like there was no control, but there were a lot
9 of things that were sort of seen as probably toughening
10 the boys up that would be classed as bullying these
11 days, and it probably would have then as well in
12 (unclear) like boarding schools.

13 Q. I think --

14 A. But -- oh, sorry.

15 Q. No, no, just going back to page 27 of your statement,
16 you talk about the homophobic label, which in the 1980s
17 was --

18 A. Yes.

19 Q. -- I think we understand quite common, that was a real
20 form of condemnation.

21 A. Yes.

22 Q. You mention a boy. For today's purposes we're calling
23 him 'Mark'. You mention him in your statement.

24 A. Yes.

25 Q. He was a senior boy?

1 A. Yeah, he was. Yeah. I was 11, I think I was in my
2 first year there in second form and he was in -- he
3 would have been 17 or 18 in the top year.

4 Q. And he --

5 A. I didn't know him, but --

6 Q. What you describe is:

7 "On one occasion I remember waiting outside the
8 dining hall for dinner. A few kids his age, who seemed
9 like adults to me, piled onto him verbally with all this
10 stuff. Some of the younger kids joined in."

11 A. Yeah. Yeah.

12 Q. Now, this is in a public space, waiting to go into the
13 dining hall.

14 A. Yes.

15 Q. He's a senior boy, perhaps in his last year, from what
16 you're saying, 17/18?

17 A. Yeah.

18 Q. And he is being bullied for being homosexual?

19 A. Which he may or may not have been. You know, and it was
20 repetitive. I mean it went on and on and on. I'm
21 talking just in the same incident. You know, I don't
22 know how long we were waiting to go into the dining
23 hall, but it would have been, say, 15 minutes, maybe
24 longer. But for a significant portion of that, he was
25 just getting it. You know, again and again. It wasn't

1 just one insult and -- yeah.

2 Q. Presumably -- sorry, you know Merchiston in ways we
3 don't, but if you're going to the dining hall for food,
4 presumably there will be staff round and about?

5 A. So there were staff once the dining hall opened. We
6 were -- there were -- I mean, I have a very faint memory
7 of this aspect of it. I do have a clear memory of the
8 incident, but not of the staffing. Basically I think
9 from memory the doors were kept closed until the food
10 was ready to be served and at that point the doors would
11 open and we could all go in, and I believe probably at
12 that point a staff member would maybe be there.

13 But I don't -- some of the masters used to eat
14 dinner with us or eat meals with us. I don't know if
15 there was someone who was specifically there to
16 supervise the boys or not. I honestly don't know. We
17 wouldn't maybe have known if that was the case. But
18 there were kitchen staff and they were -- you know, they
19 were sort of seen as staff members that ... I mean,
20 yeah, I don't know in terms of if they told you to do
21 something and you didn't they might -- you know, it
22 could go further, I think.

23 Q. But can we take it, because --

24 A. There were no staff present at that point.

25 Q. But can we take it, given you talk about discipline,

1 that prefects -- and you were a prefect in your final
2 year?

3 A. Yeah.

4 Q. Prefects would have been present, because if staff
5 aren't there, responsibility falls onto prefects to
6 maintain order?

7 A. It's a bit like -- so it might be a bit like waiting for
8 the new iPhone release and you're out there on the
9 pavement sleeping all night waiting and you don't have
10 the people in the shop -- you know, they come in the
11 next morning. So there is a good chance -- I mean there
12 might have been prefects there, but there is a good
13 chance that there could not have been, because it was --
14 this was in advance of the meal, so it wasn't -- you
15 know, there was -- I don't know if there were sort of 20
16 people, 15 people, maybe, but it wasn't by any means the
17 whole cohort. You know I think this was the group that
18 had got there especially early and people kind of --
19 more people appeared as time went on.

20 Q. But from what you say, no one tried to stop it, and, if
21 anything, younger boys would join in?

22 A. Yeah. From my memory, nobody tried to stop it, yeah.
23 And I -- I mean, I don't know. These days it's easy to
24 say that, you know, you regret things and I feel
25 ashamed, but I mean I look back on that and I feel

1 really sorry for the guy, for 'Mark', because I just
2 think -- you know, I just think that stuff affects
3 people, you know, for their whole lives in some cases,
4 you know, as adults.

5 Q. One person that you mention a number of times in your
6 statement is one of your classmates, who we're calling
7 'Craig' for today's purposes.

8 A. Yes.

9 Q. I think you're still in touch with 'Craig'?

10 A. Yes, I am, yeah.

11 Q. We're going to hear -- because 'Craig's' statement will
12 be read in and his focus is on Pringle House.

13 A. Yeah.

14 Q. But from what you say in paragraph 90, 'Craig' was
15 really badly bullied throughout school?

16 A. Yeah, yeah. Do you want me to -- to talk about that
17 or --

18 Q. Well, I think we can see from the statement that he was
19 bullied for being gay and the allegation was he looked
20 at people's penises and that presumably was a form of
21 obvious condemnation because of shared showers?

22 A. Yeah, you have a shared shower but you're not allowed to
23 look at penises. It's just -- it's ridiculous, you
24 know.

25 Q. But he, from your description, and perhaps you say more

1 than he does because you're looking rather than being:

2 "He was just a quiet, introverted kid, who was smart
3 and just wanted to be left alone."

4 And in context we should understand technologically
5 he was really smart?

6 A. Yes, yeah. Yeah, so

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but he -- yeah, he just -- he
was a quiet, you know, kid who would have got on really
well with adults, but he didn't defend himself or he
didn't know how to -- you know, the banter.

I mean, I didn't either, but he just -- yeah -- and
he didn't do -- he didn't play rugby, he hated rugby.
He was in the swimming group, so I mean that didn't help
in terms of how other boys might have seen him, if they
were, you know, wanting to bully.

Q. But in context of the school, he is winning awards, his
achievements are recognised by the school, we understand
and --

1 A. Well, they -- oh, sorry.

2 Q. No, I was just going to say, and to an extent feted by
3 the school, because he is good at that, but was the
4 bullying you describe a constant throughout his school
5 career?

6 A. So, look, you'd have to ask him if it was constant.
7 I remember it in Pringle and I remember him crying
8 himself to sleep at night in the dormitory in the first
9 term, aged 11 in form 2 in Pringle, and being sort of
10 made fun of in the dark by one of the boys in the year
11 above. I remember him being bullied in other years.
12 I don't -- I don't have necessarily many specific
13 memories of in between.

14 But I do remember the recognition -- the external
15 recognition for that prize that he won, that was --
16 I think he was either 16 -- it would have been probably
17 two years before he left the school, possibly even one
18 year, and so the school did sort of -- you know, that
19 was a recognition thing, but I also remember that year
20 he had a car, which I think he had bought with some of
21 the prize money, and I think he might -- I think he was
22 allowed to drive it with limited sort of -- yeah, but it
23 was very limited, but I remember going in the car with
24 him one day down the back driveway of the school and him
25 telling me about bullying from some of the rugby

1 players, and so this was in 6A, which was the final year
2 of the school. And it was a specific boy who had been
3 doing it, I think there were two of them, and they had
4 been calling him names and sort of -- I don't know.

5 Yeah, that's probably all I can reliably remember,
6 but he was really upset by it.

7 Q. What you say in your statement is:

8 "He was bullied by some of the rugby players and
9 some other people. It was really awful. I think that
10 some teachers would have been aware of him being
11 bullied. I think they may have seen parts of it, but
12 I don't know of any action being taken."

13 That's what I really wanted to ask about.

14 A. Right.

15 Q. Did you -- whether about him or others, were you aware
16 of action being taken by staff to address bullying?

17 A. So -- (Pause)

18 Sorry, I'm just having a quick look at my statement,
19 because there's ... (Pause)

20 Yeah, there was a friend who I mention in
21 paragraph 91, section 91.

22 Q. Yes.

23 A. He -- yeah, so he ended up with a blood blister on his
24 nose from a much older boy. So we were in Pringle, the
25 other boy would have been 14/15, maybe, and you know,

1 much, much bigger. I can't remember if the housemaster,
2 James Rainy Brown, did talk with the boys about that,
3 but I remember my friend -- I think because it was so
4 visible, I think James Rainy Brown did actually possibly
5 talk to the housemaster of the more senior -- of, you
6 know, the housemaster who was in charge of the other
7 boys, the older boys.

8 Other than that, the thing is that there -- the
9 bullying could just happen in so many different
10 contexts. I mean, you know, you'd be walking to class,
11 you'd be in the classroom waiting for the teacher, you'd
12 be -- you'd be in there with the teacher during the
13 class, there'd be the evenings, the early mornings, the
14 meal times. You know, there were so many opportunities
15 where -- you know, if you're at a state school or even
16 a non-boarding school, possibly, you know, you're there,
17 you go there, you come home at the end of the school
18 day, but there's maybe eight hours. We had so many
19 opportunities where you just almost kind of couldn't get
20 away, and some of the kids I think who were badly
21 bullied, where it was -- you know, they really -- they'd
22 got more -- I mean where it was kind of persistent, bad
23 over a longer period, I mean I think they must have
24 suffered because they just couldn't get away, really.

25 Q. But was there -- I mean, you were aware of this?

1 A. Yeah. So the boys would have -- we knew kind of pretty
2 much what happened. I think the boys kind of -- we had
3 a pretty good idea. I don't -- my overall feeling
4 vaguely in my memory was that a lot of the bullying was
5 kind of -- there was a threshold where below that
6 threshold or up to that threshold it was seen as
7 something that, you know, would toughen us up and it was
8 something that you just had to not complain about and
9 all of that.

10 And then if it went beyond that threshold, then, you
11 know, I would think that there would be something --
12 something would be done about it. But I don't have
13 specific memories of that ever happening, which doesn't
14 mean it didn't.

15 Q. What you say as the final sentence of paragraph 90 is:

16 "There certainly wasn't any effective response."

17 And that's to bullying of your friend 'Craig'.

18 A. Yeah, that's right. So I know with 'Craig' -- I mean,
19 unless he -- yeah, he would know better than I do, but
20 my -- to my knowledge, there was never anything that
21 stopped the bullying. I -- I mean he's told me -- he
22 told me a few years after leaving the school that he
23 felt that it had ruined his -- his kind of life and
24 meant sort of around relationships with other people,
25 social situations, you know, it's complicated. But

1 I would say that certainly the bullying would have --
2 you know, didn't help, and to my knowledge, yeah, it
3 wasn't -- it wasn't -- it wasn't stopped, therefore
4 there wasn't an effective response, because that would
5 have stopped the bullying.

6 LADY SMITH: 'Ian', can I ask you this. If adults who have
7 responsibility --

8 A. I'm sorry, I'm a little nervous, so please interrupt me
9 or please guide me if I'm not --

10 LADY SMITH: You are being so helpful. Please don't worry
11 about this. It's just something that I'm thinking about
12 as I listen to you.

13 If you have circumstances such as at boarding school
14 where adults have duties towards children which include
15 looking out for children who are the victims of bullies,
16 it's clear if they do nothing about that they're
17 abrogating a very important responsibility to the child
18 who is the victim of bullying.

19 A. Mm.

20 LADY SMITH: However, are they also failing in their duties
21 to the bully? I ask that because if a child is not
22 guided and taught that it is not a good thing to be
23 a bully, that may carry on into their adult life and
24 their adult life will be damaged if that is how they
25 carry on behaving. They will become damaged adults as

1 well.

2 A. Yeah.

3 LADY SMITH: Am I right about this?

4 A. Yeah. Look, I would agree with that, but that -- in
5 order to have changed that, there would have had to have
6 been a response rather than a reaction. You know,
7 a response that was reflective and asked the question,
8 you know, what's the function of the behaviour, why is
9 the child behaving that way? And, you know, the thing
10 is in those days -- I mean, I don't know what it was
11 like in state schools, but for the first year or two
12 that I was in Merchiston there was still -- there was
13 still beating kids, you know, corporal punishment, and
14 I think that's the thing, is that it wasn't -- it wasn't
15 ever to my knowledge at dealt with reflectively. It was
16 more -- I would compare it possibly with the military,
17 where you don't snitch, you don't -- you deal with
18 things internally. So the boys, the culture among the
19 boys was that you don't go to teachers, you deal with it
20 internally, and there was no -- there was no sort of
21 higher level sort of attempt to break that down and
22 say -- and get rid of the shame and the stigma and
23 normalise going to teachers if you need help when you're
24 in distress.

25 LADY SMITH: It may not surprise you to hear I have heard

1 quite a lot right across the board in this whole case
2 study, which covers schools other than Merchiston as
3 well as Merchiston, about what may be referred to by the
4 Latin name, a code of omerta, as in silence, or a good
5 Scottish expression: no clipping.

6 A. Yes.

7 LADY SMITH: "Clipping" is telling on somebody else.

8 A. Yeah, that was it, yeah, yeah. And, you know, I think
9 loyalty to the group is a great -- you know, it's
10 an admirable thing, but I think there are lines that
11 people can cross where it's not banter anymore, it's
12 not -- it's not okay, you know, it crosses boundaries
13 where a child's sense of self is being damaged,
14 permanently in some cases, and I think that that's not
15 okay and I think educators should know that.

16 I don't know, things change, times change, but I do
17 think that it could have been significantly better than
18 it was in those days.

19 LADY SMITH: Thank you. That's really helpful, 'Ian'.

20 Mr Brown.

21 MR BROWN: Just taking on from that, going back to
22 paragraph 92, you say that you were bullied quite a lot.

23 A. Yeah.

24 Q. You describe yourself as an "easy target" and you've
25 perhaps alluded to some of the reasons behind that, but

1 you go on to say halfway down:

2 "I felt like I had no control over it. It was
3 upsetting at the time because I was in a new place that
4 was unfamiliar. It was humiliating because things often
5 happened in front of other people or when I was on my
6 own. I was in a new environment, trying to fit in, and
7 just live."

8 So that suggests --

9 A. I'm sorry, which bit was this in?

10 Q. Paragraph 92.

11 A. Oh, okay, yeah. Yeah.

12 Q. You talked about there being a disciplined rule-based
13 society, you picked it up, you were given a copy of the
14 school rules you mention, and yet you have no control
15 over what's going on and you just try and survive seems
16 to be what you're saying.

17 A. (Witness nods)

18 Yeah. So it's -- it's a hard one, because there
19 were -- there were good things, you know, there were --
20 there was hot chocolate with the junior housemaster
21 sitting around in the evening with all the boys, your
22 friends, and there was all of that, so there were really
23 good things about the school, but they were sort of
24 alongside all this other stuff. Like, you know, the
25 code of silence or the -- just the unregulated -- there

1 was a -- essentially you've got all these young -- these
2 kids, teenage boys, living together, and in Pringle
3 there were two different year groups, and there is
4 regulation, you know, there are rules and there -- you
5 can't -- you can't do anything and get away with it.
6 But there's a lot that can happen until it gets to the
7 attention of the housemaster. You know, that's what it
8 was like.

9 And so ... yeah. So it was this -- it was this
10 strange unresponsive environment where you just were
11 trying to -- trying to sort of do what was expected, you
12 were trying to achieve, you were -- you were trying to,
13 I suppose, make friends at the beginning and then kind
14 of keep those friends and be a good friend, but it was
15 a -- yeah, it was a funny -- I don't know, looking back,
16 it was a funny environment.

17 Q. You confirm that because you finish that paragraph
18 saying:

19 "Later I verbally bullied some other kids
20 myself ..."

21 A. Yeah, yeah. Which I'm not proud of, you know. I think
22 in retrospect I was not happy, possibly. I mean, I am
23 a bit torn about this whole -- this statement in a sense
24 because I mean everything I've said is what I remember
25 and it is true, to my knowledge, but I suppose this is

1 the thing about boarding school is that you're very --
2 it is a privileged position to be in as a kid and you
3 know that, you know? People pay -- your parents have
4 paid a lot of money for you to go there, so there are
5 all sorts of expectations, you know, from your parents,
6 from teachers, from your peers. You know, it's sort
7 of -- yeah.

8 I mean, I don't remember being unhappy all the time
9 when I was there, but I think looking back it was -- it
10 was probably an environment that put a lot of stress on
11 me and a lot of the other kids, just by the nature of
12 the environment and the lack of, you know, family.

13 Q. But the fact you bullied, was that --

14 A. Yeah.

15 Q. -- on your part trying to survive by taking on that
16 role?

17 A. I don't -- I think it started with humour. There was
18 another kid who came in that year, a new kid when we
19 went into the second year at Merchiston, I remember
20 bullying at least one bully, or probably two, who were
21 known bullies. So it was kind of a mixed bag, and
22 I think there was an element of sort of enjoying the
23 humour of it, because this other boy was incredibly
24 funny in the way that he could do impressions and all of
25 this, and I think there was an element possibly of

1 survival, of fitting in, of maybe avoiding being
2 a target myself. Also just doing the only thing I knew
3 how to do, which was -- I don't know, you sort of find
4 a way to -- yeah, I don't know. It's hard. It's hard
5 to say without kind of guessing, because it happened.

6 Q. Okay. Her Ladyship talked about a code of silence or
7 not clipping. You do talk --

8 A. Yeah.

9 Q. -- that the chaplain was someone you could speak to and
10 you did speak to.

11 A. Yeah.

12 Q. But was that --

13 A. Yes.

14 Q. Would that go so far as to talk about bullying and the
15 negative aspects of life?

16 A. So I think at the time I talked to him I was 15 or 16,
17 something like that, from memory. It was in the last
18 few years. It was sort of middle to late when I was
19 there. And I don't remember specifically talking to him
20 about bullying. It was more loneliness, isolation. You
21 know, I had friends and I was pretty good in most
22 groups, you know, I could talk to most people, but it
23 was just like there was something missing and, you know,
24 maybe partly something spiritual, but kind of more ...
25 yeah.

1 So he would have been open to kids talking to him
2 about bullying and I believe that he was -- from what
3 I know, he was actually very kind and I didn't -- yeah,
4 for a while at school I did -- I was kind of a Christian
5 and my father also had known this chaplain from -- sort
6 of after the war, basically, like a long time ago, so
7 I think that possibly made me go to see him, whereas if
8 there hadn't been that connection with my father, I'm
9 not sure I would have.

10 Q. I was going to ask: was the chaplain used, from your
11 experience, broadly by the boys?

12 A. I don't know. So I know -- I don't know how I knew that
13 you could go and talk to him. He might have said
14 something to us that you know, "If you ever need to come
15 talk to me, please do", and I took him up on it and
16 found him very -- you know, he was lovely. He was very
17 kind. He listened. He didn't judge. He was very
18 thoughtful. He did sort of essentially support --
19 I don't know about supportive counselling, but he
20 certainly did pastoral care and he listened, and I'm not
21 sure what he would have done with bullying, but I'm --
22 I have a feeling that he would have probably had some
23 sense of confidentiality and boundaries, yeah.

24 And -- sorry, where were we with --

25 Q. You talk about him being someone you could speak to, but

1 did you talk to him about bullying?

2 A. I don't remember is the honest answer. I didn't go to
3 see him until I was probably at least -- at least 14,
4 probably 15, so I remember having conversations with him
5 about the meaning of life and about boarding school.
6 I remember having conversations with him about -- I did
7 a paper round in my final maybe couple of years there,
8 which was seen as very odd and I was eventually banned
9 from doing it, because I was going out of school really
10 early in the morning delivering papers in the local
11 suburb. But I was quite friendly and 'Craig' was quite
12 friendly as well with the kitchen staff, because I think
13 in retrospect they were probably some of the most normal
14 people there -- the most approachable, sorry. Yeah,
15 some of the most approachable people, where they didn't
16 have a -- you could talk to them like they didn't have
17 a rank in the hierarchy, you know, in the system. They
18 were in this kind of separate world, and they were
19 just -- most of them were pretty nice, decent human
20 beings that as a young boy you could go and talk to them
21 and they'd be rude and they'd swear a bit and they'd
22 sort of be kind and they'd give you leftover bits of
23 food and, you know, they were just -- they were pretty
24 non-judgemental as well. I think that was probably one
25 of the biggest ones, was that they were just

1 non-judgemental.

2 Yeah, so I talked to the chaplain I think a bit
3 about the fact that I'd been told not to talk to --
4 yeah, I think there was some feeling among staff that
5 boys maybe shouldn't be too friendly, fraternising with
6 the kitchen staff kind of thing was not seen as a good
7 thing and -- I don't know.

8 Q. Would you have talked to the housemasters about
9 bullying? Or is that where the code of silence kicks
10 in?

11 A. About bullying? I can't remember if I ... I have a very
12 vague memory of trying to approach James Rainy Brown
13 about -- about an incident of bullying and basically
14 being told something like, you know kind of, "Toughen
15 up", but I don't have a clear memory of it in general.

16 I think -- I mean ... (Pause)

17 Yeah, I didn't feel that there was necessarily -- at
18 least in Pringle I didn't necessarily feel that there
19 was a clear person that you could go to where there
20 wouldn't be potentially huge judgement or just the
21 feeling of -- you know, the response of, you know,
22 "Well, just toughen up", you know, something like that.

23 Q. Let's --

24 A. And memory was the boys would probably have dealt --
25 boys dealt with it on their own. And maybe eventually

1 it petered out on its own and the person, the bully,
2 moved on to someone else -- or they didn't in some
3 cases. But there wasn't -- there wasn't really
4 a system -- it was very isolated. There was no mobile
5 phone or internet in those days. It was very isolated
6 and cut off, and if you were badly bullied, it was not
7 easy to get out of it.

8 Q. Thank you.

9 A. That's my memory.

10 Q. In terms of your statement, you talk under the general
11 headings of abuse about a number of individual teachers.
12 With one there's a little bit of uncertainty, with
13 another there was a very specific event of a teacher
14 grabbing one of your friends and lifting him off the
15 ground by the neck, which we can read about. The real
16 focus is on the housemaster you just mentioned,
17 James Rainy Brown, at Pringle --

18 A. Yes.

19 Q. -- which is where you spent the first two years of your
20 time at Merchiston.

21 A. Mm.

22 Q. I'd like to just focus on that for a little while.

23 A. Yes.

24 Q. You describe generally the layout of Pringle earlier on
25 in your statement. It is separate from the rest of the

1 school physically?

2 A. Yes.

3 Q. It felt distinct from the rest of the school in terms of
4 its operation; is that correct?

5 A. It did, yeah.

6 I'm sorry, I'm looking for this in the statement.
7 I'm just trying to find it.

8 Q. If we look -- the abuse stage is on page 23, but I think
9 if we go back to page 21 and paragraph 70, you're
10 talking about discipline in the junior house being
11 different.

12 A. Yes. Yes, yeah.

13 Q. What you say is:

14 "Things could be punished or accepted, depending on
15 the mood of the housemaster ... there were so many
16 things we could be punished for. They were all
17 presented as these massive moral failings. There may
18 have been a logic for choosing between the different
19 punishments, but I don't know what the logic was."

20 Would I be correct in saying that in Pringle
21 punishment could be quite arbitrary?

22 A. Yes. That sounds very dramatic the way that I phrased
23 it, but I think that's what I would say it was arbitrary
24 and it was scary because it was unpredictable, and so to
25 go to the person who meted out those punishments and,

1 you know, made those decisions, to go to that person
2 about bullying, you know, from a kid, when the
3 housemaster is actually beating your friends, it's a bit
4 of a contradiction. And yeah, it was -- there was -- it
5 seemed like the arbitrariness was dependent on mood and
6 dependent on personal values of the housemaster in
7 Pringle.

8 Q. You talk about him being religious.

9 A. Yes.

10 Q. But it's Old Testament wrath is one of the phrases you
11 mention.

12 A. Yeah. So it wasn't always like that, but there was
13 a lot of that, and I suppose that may be -- yeah, may be
14 in a sense -- yeah, it was -- yeah. He was quite a --
15 I don't know what the word would be, a sort of -- he had
16 a presence, you know. He was actually not that old, but
17 he -- he gave the impression that, you know, of a sort
18 of almost like he'd lived through the war and -- you
19 know, the Second World War, but he was not anywhere near
20 that old. But he gave -- he had a presence and he sort
21 of held himself in a certain way and it was quite
22 intimidating.

23 Q. You talk at paragraph --

24 A. He could be kind as well, but it was very unpredictable.

25 Q. You talk about this at paragraph 73 and you say:

1 "At the time, I don't think that I really understood
2 a lot of what was happening. Looking back and
3 remembering what it was like, I was certainly afraid
4 a lot of the time ..."

5 A. Yeah, yeah.

6 Q. "I wasn't necessarily afraid of physical punishment but
7 I remember being afraid of his moods, principally anger.
8 [He] could be very emotionally dysregulated."

9 A. Yeah.

10 Q. What does that mean?

11 A. So what that means is losing control of his emotions and
12 I honestly don't know how much of it was him losing
13 control and how much of it was him kind of putting on
14 a bit of a show, if you like. You know, something a bit
15 histrionic, a bit dramatic, you know to demonstrate a
16 point. I honestly don't know. But I found it very
17 difficult. I would say afraid -- when I say I felt
18 afraid, I look back and I think I -- I mean, I think
19 I was very -- I think I was anxious when I was around
20 him because of the unpredictability, so it was
21 distracting from, you know, all the other reasons that
22 I was at school. You know, it wasn't helpful. And it
23 was -- yeah.

24 I don't know what more to say about that except that
25 I -- yeah.

1 Q. I think you say that most teachers were fair and
2 essentially you knew where you were with them.

3 A. Yeah.

4 Q. Did it really come down to, with Rainy Brown, you had no
5 idea what he would do next?

6 A. Yeah. I would say that was reasonably fair. Yeah,
7 he -- I mean, a lot of the teachers were -- you know, it
8 was -- what is it now, 30-something years ago? A lot of
9 the teachers were -- had -- you know, they were decent
10 human beings with a sense of empathy, and I think with
11 Rainy Brown it really was a bit different and he had
12 this kingdom to himself in this junior boarding house.
13 You know, two years of the most vulnerable kids, you
14 know, the youngest two year groups, in this sort of
15 distant -- you know this kind of almost segregated bit
16 of the school, which -- I mean, I don't know, you could
17 argue maybe it was safer for the young kids being
18 separate from the older kids, but I don't think it was
19 and I don't think that's what it was about.

20 I mean, I think he -- he seemed to make up a lot of
21 his own rules, whereas every other boarding house that
22 I went through -- and I went through all of them at the
23 time -- you just knew where you stood more, you know?
24 I mean, housemasters each had their individual
25 personality, some were more relaxed, some were stricter,

1 some were sort of a bit more natural with you and, you
2 know, all of that, but with all of them there was more
3 of a sense of predictability and you just got to know
4 what they were like and maybe you didn't get on with
5 them that well or you did, but it definitely felt safer
6 with the other housemasters, and Rainy Brown in the
7 junior house was very different.

8 Q. You mentioned, for example, he would humiliate children.

9 A. Yeah. I'm just -- sorry --

10 Q. I think that's paragraph 72. This is when you have
11 climbed in a window, having missed church, and you're
12 found out.

13 A. Oh yes, yeah.

14 Q. And you have to sit on a bench outside in full view of
15 the rest.

16 A. Yeah.

17 Q. For hours.

18 A. Yeah. I mean, there was a lot of humiliation. The
19 punishments were -- in those days, a lot of the
20 punishments were kind of old school. There were lines,
21 which wasn't perhaps especially humiliating, but, you
22 know, in Pringle you got sent to the bench, which was
23 outside JRB's office, and, you know, that -- it was ...
24 ultimately it was humiliating. I don't mean that it had
25 this permanent scarring effect, but it wasn't -- it

1 wasn't teaching us anything -- you know, there wasn't --
2 I don't know what the goal was other than to kind of
3 say:

4 "You're bad, you've done something bad and we're
5 going to let you know and we're going to let everybody
6 know because they can see you there".

7 So I don't think the shame and humiliation side of
8 it when it came to discipline was unique to Pringle.
9 I think there was a fairly traditional sort of view of
10 discipline, and Rainy Brown probably took it further
11 than most housemasters. I remember him making quite
12 devaluing comments, pejorative comments about people,
13 you know, sort of -- I can't even remember a specific
14 one because there were -- I think there were just so
15 many, but, you know, something like a boy would say
16 something and there would -- you know, he would just say
17 contemptuously, "Oh, stop being such a sissy" or, you
18 know, something like that.

19 So the humiliation was just a kind of inseparable --
20 like a core part of the whole -- the whole experience,
21 I think.

22 Q. You talk about punishment also including cold baths?

23 A. Yes. Yeah, yeah.

24 Q. That seems an unusual punishment.

25 A. Yeah, my wife says that, who didn't go to a boarding

1 school. It probably was. And I think for us, it was
2 just -- I can't remember if I put this in my statement,
3 but there's a scene in Monty Python's Meaning of Life
4 where John Cleese is a headmaster and he gets up in
5 front of the school and this boy gets into trouble for
6 rubbing linseed oil into the school cormorant and
7 there's this arbitrariness to -- the cold baths, you
8 know, they were normal. You know to anyone else it
9 probably sounds crazy, but to us, you know, we would
10 stand there and we were told, "All right, turn up at
11 whatever it was, 6.30 tomorrow morning", in a very stern
12 voice. We were told, "You'd better be there, you're
13 going to have a cold bath", and all of this, and it was
14 just normal. It was what we were told we had to do and
15 so we did it.

16 Q. And there was ice in the bath?

17 A. So I ... I thought that there might have been ice in the
18 bath. I -- I -- I don't -- this was when I was 11, and
19 at 11 and 12, and I don't 100 per cent remember, but
20 I remember it being incredibly cold.

21 I thought -- yeah. I can't be clear on that
22 100 per cent, I'm sorry.

23 Q. I think your statement at paragraph 78 says:

24 "... I'm pretty sure there was ice in the bath as
25 well."

1 A. Yeah, I think I did say that, yeah. I thought that
2 there was, but I can't be 100 per cent sure. What
3 I remember is the feeling of being in it and it -- you
4 know, there might as well have been ice in it. Like it
5 was incredibly cold. And -- yeah.

6 LADY SMITH: 'Ian', do you know whether the school ever used
7 ice in cold baths to help rugby players who had
8 muscle-strain injuries or soft-tissue injuries? It is
9 something I know that's done, so the school might be
10 used to having a supply of ice to put in baths,
11 I suppose is my point.

12 A. In those -- yeah, I don't know. I didn't know about
13 that in those days. I don't -- so I'm not sure.
14 I don't remember -- so put it this way. I never ever
15 knew of any rugby player when I was in Pringle having
16 a cold bath for sport -- for rehab, basically, for
17 an injury or recovery, you know, sports recovery.
18 I never ever saw that. I never heard of it.

19 The only time that I ever saw anybody having the
20 cold bath or heard about it was as a punishment.

21 MR BROWN: What sort of thing would you have to do to get
22 a cold bath?

23 A. This is the stupid part. I can't remember. All
24 I remember is the bath. I don't know. It wasn't -- it
25 didn't have to be anything too awful, I don't think.

1 I mean, it wasn't ... I don't know how the punishments
2 were decided on. I mean, you know, and it may have been
3 that there was a system that I wasn't aware of, the boys
4 weren't aware of, but yeah, I honestly don't know.

5 Q. And you say that your --

6 A. And there was -- sorry.

7 Q. You say that your response was, and you think it was
8 a way of coping, was to try and get as many cold baths
9 as you could?

10 A. Yeah, we had a few -- it was -- it was a friend and
11 myself, and we had one or two and decided that we were
12 going to start volunteering for them. I don't --
13 I don't know, I do see that perhaps as a sign of
14 resilience, but I'm not sure it should have got to that
15 point.

16 Yeah, it's -- in some ways it's probably not the
17 sign of, you know, being well adjusted, but I think it
18 probably was a reasonably good coping strategy under the
19 circumstances.

20 Q. But your friend --

21 A. The other thing with Rainy Brown, sorry, that I was just
22 going to briefly say was that there was a bit of a theme
23 of -- of scantily dressed boys.

24 Q. Could we come back to that in a moment?

25 A. Yeah.

1 Q. It's just the last thing I wanted to talk about in terms
2 of cold baths is your friend 'Craig', and again we can
3 hear what he says about it.

4 A. Yes.

5 Q. But you were watching 'Craig' and he seems to have been
6 profoundly affected, from what you say in paragraph 79,
7 by his experience of the cold baths?

8 A. Yes. Yeah, so he told me about this and based --
9 I mean, this was years later as an adult and he told me
10 about what it was like for him, which I don't -- I don't
11 think I actually had known at the time. And I mean,
12 being a kid, how do you sort of -- you don't tell your
13 friends how you feel, at least -- so we didn't in those
14 days, because it just wasn't part of things, but he
15 described basically panicking, so having what sounds
16 like a panic attack, incredibly high anxiety and just
17 feeling like he couldn't breathe, but he was in the
18 bath, and wanting to get out and saying something like,
19 "I want to get out, can I get out now?" something like
20 that, and being told no, he had to stay in longer.
21 Yeah.

22 He certainly -- I think if somebody remembers it in
23 that much detail years later, it -- you know, my sense
24 was that he had been, you know, quite deeply affected by
25 it and had -- you know, yeah, I mean it was a complete

1 lack of control, you know, and humiliation --

2 Q. Now --

3 A. -- and betrayal by the person who was supposed to be

4 looking after you, you know, caring for you.

5 Q. In context, how recently were you seeing these after

6 effects?

7 A. I can't be sure of when he told me about the cold bath

8 incident, but I think it probably would have been --

9 I think it possibly would have been around the early

10 2000s, possibly -- yeah, early -- between 2001 and 2007,

11 possibly, 2008. Yeah.

12 Q. So perhaps two decades after the event?

13 A. Yes -- maybe 15 years, something like that, yeah, but

14 certainly a long time after, yeah.

15 Q. Okay. Again to come back to the point you were --

16 A. In fact, yes, definitely.

17 Q. -- moving onto, the pupils in the cold baths would be

18 naked and that was --

19 A. As far as I remember, yeah.

20 Q. I think you say so, but you were coming on to say there

21 was a theme of scantily clad or nudity amongst the boys

22 in Pringle and the teacher.

23 A. Yes.

24 Q. I think if we look to paragraph 82 you talk about:

25 "James Rainy Brown [this is page 25] had a habit of

1 being scantily dressed among the young boys. I think it
2 happened during the cold baths. It definitely happened
3 after rugby training."

4 And it happened when there was apple ducking, or
5 duking, around Halloween?

6 A. Yes. Yeah.

7 Q. You talk about school trips. Do you remember nude
8 swimming on school trips?

9 A. I don't -- I don't have a clear -- I don't have
10 a specific memory of that, but I'm pretty sure that we
11 did. Yeah, it's a hard one. I'm pretty sure that we
12 did that. We did sort of camping trips and that sort of
13 thing, and I'm pretty sure we would have swum nude.

14 Q. To be clear, this is with Rainy Brown?

15 A. I can't -- no, I can't answer that one.

16 Q. But I think you're clear, for Halloween you'd be in the
17 showers -- all the boys in the year?

18 A. I think there were -- I tried to remember about the
19 structure of the building. There was -- there might
20 have been -- I can't remember if there was more than one
21 shower area, but it would have been -- maybe there
22 wasn't. It was -- I'd say at least 15/20 -- at least 20
23 boys, probably, and it was after rugby, after games, the
24 ducking for apples one.

25 So, you'd know, he'd been in -- James Rainy Brown

1 was one of the rugby coaches so he took some of the
2 teams for rugby, and so he would have been out with us
3 in rugby shorts and shirt and all of that and come in
4 with us. I mean, we'd all be covered in mud, all of
5 that, and so we would go and change and shower, and he
6 would -- you know, it's not like he was wearing a suit
7 and had been absent for games and then just suddenly got
8 into his swimming trunks. You know, it seemed sort of
9 not entirely -- not -- not 100 per cent abnormal, but
10 I remember the boys joking about the duking for apples,
11 because it was weird. We knew that there was something
12 just a bit odd about it.

13 Q. I think he -- from what you say, he would position
14 himself, the boys who would be bent over duking for
15 apples, naked?

16 A. Yes, yeah, which again is a bit like the cold baths. If
17 you -- you know, that was just what we -- it was just
18 what happened. It was ... yeah. Yes, there were
19 traditions. You know, I think that's what I meant in
20 the earlier part of the statement where I said I wasn't
21 sure what the school motto meant. There were just these
22 traditions that were there and they seemed arbitrary and
23 there's nothing wrong with that, but what I mean is that
24 you essentially as an 11-, 12-year-old, or even older,
25 you took what you were told on faith. You know, you --

1 if -- you know, if we all got naked and ducked for
2 apples in the bath -- I mean, who doesn't like ducking
3 for apples? I'd never done it that way, but -- you
4 know, it really was normal. It's hard to explain. Even
5 as I'm telling you about it I think I'm thinking of it
6 as an 11-year-old where it was -- you know, it was --
7 there was fun to it. But now as a grown man I look back
8 and think that was completely, completely inappropriate
9 and I don't quite know what to make of it.

10 Q. I think at paragraph 83 you say:

11 "I believe James Rainy Brown was sexually attracted
12 to children. Personally, I don't have much doubt in my
13 mind about that."

14 A. Yeah. So I've talked to someone who I think is still
15 a staff member at the school, who was there most of the
16 time that I was there, who -- yeah, and I won't say who
17 that is, but they've been -- they've been at the school
18 at quite a high level and basically they have -- they
19 expressed that opinion to me, they put it into words
20 before I had put it into words and said it out loud.

21 So this is purely my opinion, but it was also shared
22 by a number of boys and also by this teacher.

23 Q. You make the point that --

24 A. But it's only opinion. I don't have evidence for that
25 other than, you know.

1 Q. You make the point that you don't know whether the line
2 was ever crossed, but you express concern that
3 Rainy Brown had selected which boys went into which
4 room, and there was a great preference or esteem if you
5 got into one of the small rooms, where there were only
6 two boys.

7 A. Yeah, yeah. I mean -- that's right, yeah. Yeah.

8 Q. Going back to the isolation, physically, of Pringle
9 House, was there any oversight that you remember from
10 Merchiston as an institution in Pringle?

11 A. Well, JRB was the institution. You know, he was
12 a housemaster in the school. You know, so as far as
13 I -- that's how I would answer that question. To my
14 knowledge, there was no oversight over him other than --
15 yeah, this might not -- you might not want me to tell
16 you about this right now, but there was a situation
17 years later where I'd left the school and a prefect in
18 the junior house at the time told me that he'd taken
19 something to the headmaster and that James Rainy Brown
20 was subsequently asked to talk -- meet with the
21 headmaster and I gather was kind of told, "You can't do
22 this stuff", and it was acting out a Bible scene where
23 he'd essentially humiliated and shamed a young boy into
24 taking his clothes off, even after the young boy had
25 said he didn't want to, and the prefects had become

1 aware of it and written a joint letter with all the
2 junior -- I believe, I was told all the junior Pringle
3 prefects at the time had written a letter to the
4 headmaster saying that their opinion was this was
5 completely inappropriate. And I believe the headmaster
6 did talk to Rainy Brown at that point and possibly
7 started involving, I think, Peter Hall, but involved
8 another master to possibly transition to becoming
9 Pringle housemaster or something of that kind.

10 Q. This is obviously long after you have left the school,
11 or some years after you left the school?

12 A. Yes, that's right. When I was there, there was no
13 oversight that I was aware of.

14 Q. What triggered oversight, so far as you understand, is
15 because prefects in Pringle were concerned at what was
16 going on?

17 A. Yeah. Yes, that's correct, yeah.

18 Q. You were a prefect in your final year and you were
19 allocated to Pringle, though you didn't stay there?

20 A. That's right, yes.

21 Q. Had anything changed in a supervisory role in Pringle
22 when you were in your final year from your experience
23 years before?

24 A. I mean the overall way that it was run seemed very
25 similar. I -- I mean, the culture might have shifted

1 very slightly, but overall I would say it seemed very
2 similar to how it had been when I was there, you know,
3 at 11 and 12, yeah.

4 Q. Do you remember being concerned at what was going on
5 when you were a prefect?

6 A. Did -- I'm just trying to think, did I say anything
7 about this in the statement?

8 Q. No.

9 A. No? (Pause)

10 I do have a -- I do have a vague memory of --
11 I don't -- the short answer is probably no, nothing --
12 nothing major, nothing beyond -- I mean nothing beyond
13 the stuff that I experienced, you know, when I was
14 younger. I think -- yeah. It's ... (Pause)

15 Yeah, I do remember seeing the 11-year-olds and
16 12-year-olds as very small, because I was obviously
17 almost 18 at that point and, you know, I was struck by
18 how small they were and young, and I remember -- I think
19 I must have been aware at some level of just some kind
20 of -- I don't know, like a -- like they were -- sort of
21 like a feeling that they were a bit -- a bit lost or
22 a bit -- I don't know, anxious or a bit lost, so you
23 just tried to go -- I just tried to go down and be human
24 with them, you know, like not be too strict but not
25 be -- you know, not go too far the other way, but

1 actually get to know them and show an interest and just
2 be a decent human being with them.

3 Yeah, there was a feeling maybe that there wasn't --
4 yeah, there wasn't maybe enough of that.

5 Q. Thank you.

6 Your statement goes into a lot of detail, it talks
7 about the impact on you and leaving Merchiston, and also
8 on page 35 talks about lessons to be learned.

9 A. Yeah.

10 Q. You obviously provided this statement over a year ago.
11 Given your particular background and some of the things
12 you've been saying, have your views on the lessons to be
13 learned focused at all or have they changed from what's
14 set out in the statement?

15 A. I mean, overall, no. What I would say is that
16 I think -- I think boarding school -- to me, you know,
17 there are kids who go to boarding school and they move
18 on with their lives when they leave and that's it. But
19 I think outward success can often hide -- a certain
20 dysfunction that is going on psychologically that will
21 be apparent to spouses, you know, and potentially other
22 people in that person's life, and that's one of the
23 things that I think makes it so difficult, this stuff.
24 You know, I have mixed memories of Merchiston. It
25 wasn't all bad. You know, I have some really fond

1 memories of being at the school, and I feel quite
2 disloyal saying a lot of this stuff, you know?

3 So there's always this kind of -- it's one of the
4 problems with it, that it tears your loyalties, you
5 know, apart, and family sort of shrink back a bit into
6 the background and, yeah, it's --

7 Q. What should be done for children in boarding schools
8 now, with that in mind?

9 A. Yeah, so ... (Pause)

10 Look, I think personally that it would -- it would
11 be helpful if the powers that be could read some of the
12 psychological research and some of the papers on the
13 psychological effects of boarding school. John Bowlby,
14 the founder of attachment theory, was not a fan of
15 boarding school. He went to boarding school himself and
16 I think -- I think Merchiston is an excellent school.
17 That was my memory of it in certain ways, was that it
18 was an excellent school to have attended as a day pupil.

19 I don't see these days that there is much of a need
20 for most children from most families to board, unless
21 there is abuse, unless -- you know, maybe the parents
22 are military. But, to me, the research on psychological
23 development of the sense of self, development of
24 self-esteem, development of essentially independence of
25 thought, you know, beyond just being able to achieve

1 academically and all this, it's very clear and it's been
2 clear for at least -- I mean it's been clear probably
3 since before -- I mean probably since the 1970s/1980s,
4 and especially in the last 20, 30 years, it's just --
5 there's much more evidence that's piled on.

6 I think personally that there should be some
7 consideration given to ways to over -- ways to change
8 people's traditional attitude to the idea of boarding
9 being a prestigious thing, you know, and seeing -- not
10 maybe sort of, you know, denigrating boarding, but at
11 least educating parents and educating -- you know, even
12 possibly people within the school about the adverse
13 psychological effects, and I'm talking long-term
14 effects, of broken attachment bonds at a young age.

15 There's a 2011 paper on -- called -- the beginning
16 of the title is "Boarding school syndrome", and it is
17 written by a psychotherapist with 20 years of experience
18 seeing people who have gone through boarding schools,
19 and essentially it gives quite a good literature review
20 and summary of some of the effects.

21 I think it -- yeah, I think it's clear to me that
22 there are some fairly major problems with the concept of
23 children -- in that paper, the author makes the
24 recommendation that children younger than 13 should not
25 be sent to boarding school. So I think it would make

1 sense having some kind of lower age limit that is --
2 that has -- that is based on the evidence base around
3 attachment theory, to limit or minimise any adverse
4 effects of taking kids away from their families.

5 And I think the education that I mentioned, what
6 I meant by that was that it would be about these
7 concepts that would also -- I mean "education" in the
8 sense of maybe changing this notion that it's something
9 to be aspired to, you know, that it's a prestigious
10 status-driven thing and that if you love your kids and
11 you want the best for them, you should send them to
12 a boarding school, you know?

13 And I think consideration should be given to sending
14 the kids to -- you know, exactly the same school, but
15 doing it as day pupils.

16 MR BROWN: 'Ian', thank you very much indeed. I have no
17 further questions. Is there anything you would wish to
18 add?

19 A. Only that I know that things are very different at
20 Merchiston now. I know -- I mean, I've heard there's
21 a child protection officer, who I know, or at least
22 I knew the one a few years ago. I know things are very
23 different. That would be the only other thing I would
24 suggest gets put in place, is some system of genuine
25 oversight, you know, with social workers involved at

1 some point, you know, people that -- people that have
2 some kind of training in child development and -- yeah,
3 that sort of thing.

4 But no, that's everything.

5 MR BROWN: Thank you very much indeed.

6 LADY SMITH: Thank you, Mr Brown.

7 Can I just check with those who are on the link
8 whether there are any outstanding questions for 'Ian'?
9 Unless somebody speaks up, I'll assume that there
10 aren't.

11 'Ian', thank you so much, both for your written
12 statement and for engaging with us over the link today.
13 You told me you were nervous and anxious. Please, as
14 I said earlier, be assured you have helped me with clear
15 and thoughtful evidence. It's been really, really good.

16 The paper you mention, the 2011 paper, sounds
17 interesting. I'm sure we'll be able to find it. If
18 I can't find it myself I'll ask my research team to do
19 that, but perhaps you wouldn't mind, if we have
20 difficulty, in us reverting to you to try and get some
21 more detail about that?

22 A. No, of course.

23 LADY SMITH: Is that all right?

24 A. Of course, yeah, that's completely fine.

25 LADY SMITH: Thank you.

1 The first statement I will read is by 'Craig', who
2 was mentioned by 'Ian', the last witness.

3 LADY SMITH: Yes.

4 'Craig' (read)

5 MR BROWN: 'Craig' was born in 1974 and went to Merchiston
6 between 1986 and 1993. His statement has the reference
7 number WIT.001.001.5150.

8 LADY SMITH: So he was the same academic year as the
9 previous witness, although a little bit older?

10 MR BROWN: Yes.

11 "I lived with my parents near Glasgow. I went to
12 the local primary school. There were lots of teachers'
13 strikes and so on going on at the time. I think that
14 was part of the decision not to send me to the local
15 secondary school. That, in combination with my dad
16 having been to Merchiston, resulted in the decision to
17 send me away to Merchiston as a boarder. I was 11 when
18 I went to Merchiston. I left the local primary school
19 after Primary 7.

20 I don't remember there being much discussion about
21 whether I wanted to go. I don't remember being
22 particularly keen on the idea of being sent away. I do
23 remember that there was an interview before I went to
24 Merchiston.

25 The school is in the grounds of Colinton Castle.

1 Merchiston is all boys. There were not many females in
2 the school. There were some female teachers. It was
3 a very masculine culture. The school had houses
4 separated off from the school building itself. The
5 houses were where you stayed as a boarder outside of
6 classes. Merchiston had different houses depending on
7 your age. The one I went into at the age of 11 was
8 Pringle House. That was the junior house.

9 The things that prompted me to come and speak to the
10 Inquiry all concern things that happened in and around
11 my time at Pringle House. The things all explicitly
12 relate to my housemaster there. That's where all my
13 personal alarm bells ring. I don't think that I have
14 any concerns about the school as I progressed through
15 later on. There are no specific incidents I heard of,
16 or was aware of, from my later time in the school and
17 the higher-up houses. I would go as far as to say that
18 had I not been in Pringle House, I probably wouldn't
19 have mentioned anything to the Inquiry."

20 The witness then talks about the layout of Pringle
21 House in paragraphs 6 to 8 and continuing at
22 paragraph 9:

23 "James Rainy Brown was the housemaster of Pringle
24 House. His nickname was JRB. JRB also taught chemistry
25 in the school. He was pretty much the only staff member

1 present in Pringle House. He was the main staff member.
2 He pretty much had a free reign.

3 Pringle House was physically separated from the
4 school but I also suspect it was separate in terms of
5 staffing. I don't have any recollection of any other
6 staff really being there. I don't think that the other
7 subject teachers really came down to the house from the
8 school. I am not aware of any oversight by the school.
9 The headmaster, for example, wouldn't come down to the
10 house. I think he was very much a separate person.

11 The only other staff member I can think of who was
12 in Pringle House during the day was Mrs Skinner. She
13 was in charge of cleaning the place and attending to the
14 laundry.

15 There were three or four prefects who came to
16 Pringle House. They were boys in their last year of
17 school. They were about 17. They had their own rooms
18 in the boarding house where they studied. They worked
19 in combination with JRB to administer the house. They
20 would turn the lights off and that kind of thing.

21 I arrived in Merchiston in 1986. I was nearly 12.
22 My parents both came with me. I didn't know any of the
23 other pupils there before I arrived. I have to admit
24 I can't say I enjoyed it on first arrival. I remember
25 feeling as if it was an alien place. It was very

1 different to the environment I had grown up in as
2 an only child. It was quite austere relative to the
3 house I had grown up in. I remember things like there
4 being no carpets. I remember it was very busy. There
5 were lots of people coming in and out with trunks. It
6 was very noisy. There were lots of boys tumbling
7 together. It's funny now that I want to dismiss it but
8 there was a feeling of being alone in a new environment.

9 Probably the person who would have been the first
10 official I met was JRB. I remember then being taken to
11 my dormitory. I was shown to my bed in the dorm and
12 left to unpack. There were a few things in the car.
13 I can't explicitly remember but I presume that my
14 parents helped me unload my possessions to the dorm.

15 I was very unhappy for the first few weeks I was
16 there. I was always on the phone to my mum asking her
17 to take me back. I presume my parents didn't respond.
18 I assume from the fact I stayed that nothing happened.
19 I don't know whether it was my parents' or the school's
20 attitude but I have a feeling there was an approach of
21 'leave them alone for a couple of months and they will
22 come round to it'. The attitude towards the new boys
23 being upset was 'they will get over it' kind of thing.

24 I remember early on that that my parents came to
25 visit. As my parents were leaving I was held back by

1 JRB. I remember being restrained. I don't know whether
2 I wanted to chase after the car or something. I don't
3 know whether I explicitly told JRB that I was unhappy.
4 You would assume that he inferred from that incident
5 that I wasn't happy as I was kicking and screaming."

6 The witness then talks about the daily routine and
7 pausing at paragraph 20:

8 "There were lessons on a Saturday morning. Saturday
9 afternoons were typically spent watching the First XV
10 play rugby. You to stand there looking enthused and all
11 that type of thing. Saturday evenings were free.

12 On Sunday mornings you went to the church service in
13 the school. That went on until 11.30 am or something
14 like that. After that you would be free. Probably
15 every other Sunday my dad would come and take me home.
16 I would come back about 8 pm. On Sundays when I was not
17 home, the housemaster would take us on trips.
18 I remember JRB organising trips to Cameron Toll and
19 other places. JRB was the only staff member in the
20 boarding house at weekends."

21 The witness talks between 22 and 27 of practical
22 arrangements, but pausing at food on paragraph 28 says:

23 "The meals were all taken away from the boarding
24 house. My recollection of the food was that it wasn't
25 like stringy meat. It was more like meaty string. I do

1 remember the person in charge of catering was kind of
2 large and would come over and say something if you
3 weren't eating your dinner. I can't say I was
4 a particular fan of the school dinners. I suspect you
5 could leave food if you wanted to. I think you probably
6 could do that because I remember surviving on a diet of
7 mainly Mars bars."

8 Moving on to paragraph 31:

9 "Visits/inspections.

10 I do recall times where there were inspections.
11 There was a lot of time spent tidying things up. There
12 were times when we had to be on our best behaviour
13 because the inspectors were coming. We were certainly
14 warned to act appropriately. I never met any inspectors
15 on a one-to-one basis or anything like that."

16 Moving on to paragraph 33 and general discipline:

17 "The prefects were involved with discipline.

18 I don't think they caned anyone or anything like that.
19 I don't think there was any physical discipline. There
20 was, however, a punishment called blue paper. It was
21 basically lines or writing an essay. If you were
22 punished you would get four sides or however many sides
23 given to you. You had to get the paper from the
24 housemaster and then had you to write the lines or
25 whatever out. I think that was the sort of punishment

1 that the prefects dished out.

2 I don't think there was corporal punishment. I do
3 have vague memories of something to do with a cricket
4 bat. It's not something I experienced but there was
5 something surrounding threats by JRB and a cricket bat.

6 Abuse at Merchiston and Pringle House.

7 When I talk about the things that happened I feel
8 quite conflicted. There is still a strong voice within
9 me that says, 'It is nothing. Stop being a wimp. Stop
10 complaining about it'. That is interesting in itself.
11 To my mind I think that I wasn't properly abused.
12 However, the stuff that did happen has affected me. If
13 the things that happened occurred now then I think that
14 parents would be upset. They wouldn't view it as
15 acceptable.

16 JRB was a chemistry teacher. He had a sort of
17 disregard for safety. We were doing the thing where you
18 put sodium in water and it fizzes around. I know in
19 later years there was a regard to safety with this
20 experiment because other teachers used to put a plastic
21 screen up. JRB was very much of the 'safety is girls'
22 stuff' school of thought. Being 'a girl' was one of the
23 worst things that you could be at the school. JRB
24 didn't use a screen and something spat out and landed in
25 one of the boys' eyes. The boy was okay but it

1 certainly stung a bit. I think the boy went out and
2 washed his eye in a wash basin in the toilet. I don't
3 recall him being taken to Accident & Emergency.
4 I mention this not as an example of something that is
5 harmful in itself or something that should ring alarm
6 bells, but I do think it provides an indication of the
7 attitude towards safety in general. It speaks to JRB
8 a bit."

9 LADY SMITH: I should perhaps own up, Mr Brown, to having
10 a vivid memory of the first time I saw sodium on the
11 surface of water in a chemistry lesson. It was quite
12 dramatic.

13 MR BROWN: To be honest, so do I, and I can't for the life
14 of me remember whether there were safety goggles or
15 anything like that. I suspect not.

16 LADY SMITH: I was at school a little earlier than this
17 witness. We didn't have safety protection.

18 MR BROWN: "JRB would sometimes take rugby. I have to admit
19 that I did my utmost not to play rugby. When you played
20 rugby you weren't allowed to wear pants under your
21 shorts. I do recall wondering why we weren't allowed to
22 wear pants. When you played, your bits would drop out.
23 I don't recall whether this was a rule throughout the
24 school or specifically when JRB was taking rugby. All
25 I recall is being told that I wasn't allowed to wear

1 pants. It may be inconsequential. I don't recall being
2 particularly bothered by it. I mention it just as it
3 was one of those things that has left me thinking now,
4 'what was going on there?' and 'that was a bit weird'.

5 JRB used to take boys on outings to the Pentlands.
6 Whether it was for exercise or just a trip out I don't
7 know. I didn't take part in the outings myself. All of
8 these outings were with him only. He was the only staff
9 member. I remember that some of the boys who came back
10 would say that they had been skinny dipping in the
11 reservoirs that were in the Pentlands. It may be of no
12 consequence but as an adult now I ask myself 'why didn't
13 he make them take swimming trunks?' We all had swimming
14 trunks. If that was now you would be made to take
15 swimming trunks with you. A teacher wouldn't go out
16 with a bunch of boys to reservoirs and tell them to take
17 their clothes off.

18 During my second term I remember a boy in my dorm
19 being very upset. He was crying quite loudly. It was
20 the first night of term. I remember thinking 'he's very
21 upset so I shall go to the housemaster and tell him'.
22 I remember going to JRB. He was still up in his study.
23 I remember JRB shouting at me for being out of bed. He
24 told me to get back to bed. I think I was then really
25 upset and frightened. I went back to my bed. The boy

1 was still crying. I have a recollection of pulling the
2 covers over me and hiding away.

3 There was a general culture of making boys run
4 around naked. That may or may not be something.
5 Looking back I ask myself 'why did we have to run around
6 naked?' Being naked in itself might have been part of
7 the culture then. However, as an adult now, were I to
8 go into an institution and there was a teacher making
9 young boys run around naked, I'd have to ask 'what is
10 going on?' I don't know whether the whole boys running
11 around naked thing is a problem or not. However, I do
12 recall that JRB had a propensity to watch the boys when
13 they were naked.

14 I remember one time that we had been playing rugby.
15 We came back to the house. There was a drying room in
16 the house. For whatever reason that day we had to put
17 our stuff in the drying room. JRB made three of us take
18 our stuff off in the drying room itself. The three of
19 us had to get naked in that room whilst JRB was there.
20 We then had to run naked through to where the shower
21 was. The fact that this happened only once doesn't make
22 sense to me. Rugby stuff got messy all the time. We
23 would get changed and then put all our stuff in the room
24 to get dried out. It may have been something that was
25 harmless, I don't know. I don't know why we had to do

1 it that day and why it happened only once. It doesn't
2 make sense to me.

3 At Halloween we had to duck for apples. The ducking
4 for apples took place in the bathroom. JRB would fill
5 one of the baths up with water and apples. He would
6 stand in the bathroom and make the boys come into the
7 bathroom to duck for apples while naked. JRB stood in
8 a position such that he would view our naked bottoms as
9 we bent over.

10 We would have got undressed in the locker room next
11 door. I do remember bending over and JRB watching me.
12 He was the only person present. It was just him.
13 I don't recall this being done under duress. It was
14 maybe just what you did, an activity.

15 I honestly can't remember how it came about. All
16 I remember is JRB standing there in nothing but a skimpy
17 towel watching us. It was quite a small towel. I don't
18 recall JRB generally walking around in a towel at other
19 times. I just recall him being there in the towel
20 during the ducking for apples and the cold bath
21 incident.

22 At the time I wasn't bothered by it. I think
23 I thought that was just what you did. It wasn't really
24 something that was remarked upon at the time. There's
25 nothing that I remember to suggest that JRB was aroused.

1 I don't believe I am bothered by it now. I don't think
2 the ducking for apples thing particularly disturbed me.
3 I have no memory of that. It may have been harmless.
4 I don't know. It was certainly unusual. Looking back
5 it was a strange thing.

6 Some boys masturbated in the changing room. There
7 was no privacy. One time, in the older year, after
8 rugby there was a boy who had nothing on but a rugby
9 top. He was getting changed. I don't know whether he
10 was half getting changed but he was certainly playing
11 with himself. I don't know what happened, but somehow
12 JRB came in. The boy pulled his rugby top down when JRB
13 came in. It was still quite visible what the boy had
14 been doing. I remember JRB saying 'what have you been
15 doing?' to the boy and the boy saying 'nothing,
16 nothing'. JRB then said 'lift up your top'. I can't
17 remember whether the boy or JRB then lifted up the top.
18 JRB then stared at the boy's erection for a while before
19 pulling the boy's top down. It seems strange to me that
20 JRB would do that when it was quite obvious what the boy
21 had been doing. JRB clearly wanted to see this
22 12-year-old boy's erection. It was more than just
23 a 'has he been masturbating?' thing. JRB was studying
24 the boy's genitals.

25 The thing that affected me more directly was the

1 cold bath treatment that JRB meted out on me. I think
2 it only happened once to me. The cold bath thing is the
3 thing that is most alarming to me. I have no idea how
4 it came about that I was to be placed in the cold bath.
5 The cold bath was presumably a punishment for something.
6 I have no clue as to what I had done.

7 It took place early in the morning. I got up early.
8 It was probably on a school day. It was done whilst
9 everyone was asleep. I can't remember how I got up.
10 I believe that I took off my pyjamas in the dormitory,
11 left them on my bed and walked naked down the corridor
12 to the room where the baths were. The room was very
13 spartan and the window was open.

14 I think the bath was already filled. JRB was there.
15 He was standing there kind of in the corner. He was
16 there with his towel on. He was naked apart from the
17 towel. I don't know why he was there with just a towel
18 on. I don't recall him speaking much but that might be
19 just my memory. There was quite an atmosphere of
20 sternness and coldness. There was definitely not
21 a sense of, 'Oh, morning, 'Craig', let's get this over
22 with. I don't want to do this'. I then had to get into
23 the bath. I can't remember how long I sat in the bath.
24 My recollection is feeling really cold and numb. I was
25 shivering. I was vulnerable and naked. I wasn't

1 enjoying the experience. I wanted to be let out.
2 I recall begging, 'Can I get out now?' And was told,
3 'No, you have to stay in'. Obviously I hadn't been
4 punished enough because, for whatever reason, I wasn't
5 allowed to get out. Presumably after what had passed
6 I was allowed to get out. I remember getting out,
7 shivering, and going to the locker room to get my towel.

8 Looking back on this as an adult, I believe there
9 was a power relationship between him and me as
10 an 11-year-old. I wasn't physically touched nor was
11 I made to touch him. However, I do believe that there
12 might have been a sexual element. It is kind of hard
13 for me to justify why I think this, but I believe he
14 quite enjoyed having a naked 11-year-old boy beg for
15 him. I think he enjoyed the power he had over me.
16 There was almost an enjoyment for him in watching me
17 shivering and begging. It was certainly quite
18 an austere experience. Looking back at it now it would
19 have been quite possible, in that situation where nobody
20 else was around and him enjoying the power thing, for
21 things to have gone further.

22 The cold bath thing was certainly there as
23 a punishment. I don't recall JRB talking to me about
24 it. It may have been threatened but I just don't know.

25 A school friend has recently told me that he and

1 another boy also received cold baths. He said that
2 after that he tried to have lots of cold baths. He
3 thinks, looking back, and he is not sure why, that that
4 might have been some sort of coping mechanism for him.

5 The year after I left Pringle House I went to
6 Chalmers West House. Chalmers West House had
7 a different housemaster. The house was in a different
8 physical location within the school grounds. Although
9 the housemaster lived in the building he had a separate
10 flat. The housemaster didn't live, as JRB did, more or
11 less in amongst the boys.

12 There was another teacher who lived in another flat
13 in the house. He wasn't the housemaster but he would
14 come in once a week to help out when the housemaster was
15 having his night off. There were two staff members
16 around. That was different from Pringle House. Pringle
17 House was very much isolated.

18 All of the pastoral care was done by JRB. If there
19 was a problem then JRB was the only one you could report
20 things to. There wasn't a system as such. JRB was the
21 only one you could speak to by virtue of him being the
22 only one there.

23 The prefects were there in a monitoring role. They
24 dealt with issues of discipline. Their role was very
25 much authoritarian.

1 There was nobody at the school I could have spoken
2 to. It was possible that I could have spoken to people
3 in the school, but actually doing it was a different
4 thing. I think I probably could have said something but
5 the culture was 'don't'. It was all the 'stiff upper
6 lip' kind of stuff. The worst thing that might happen
7 to you is that you could be seen as 'a girl'. Not
8 reporting was very much part of that.

9 There was a different ethos between the men and the
10 women in the school. There were only a small number of
11 female teachers and a couple of female matrons. They
12 would probably have been the people that I would have
13 spoken to if I'd had to. I don't know whether that was
14 because, as an 11-year-old, I would have been more
15 likely to speak to my mum than my dad.

16 I don't think it was ever explicitly stated to me
17 that I shouldn't say anything. There was no explicit
18 rule. However, it was very implicit. There were things
19 that made you learn that you don't tell anyone about
20 your problems. There were things that made you learn
21 not to show your emotions. The incident where I went to
22 JRB and told him about the other boy crying is
23 an example of this.

24 Nothing comes to mind in terms of 'one to ones'
25 between the boys and other people not in the presence of

1 the housemaster. You may have spoken to an English
2 teacher after class but there was no formal set up.
3 Even if there had been someone formally there I don't
4 think it would have helped. I don't think it would have
5 helped because, back then, I felt that nothing untoward
6 had happened. I'm pretty sure I wouldn't have had
7 anything to say if someone had come up to me and asked.
8 Maybe I would have said that I had had a cold bath, but
9 I wouldn't have seen anything untoward happening in and
10 around the incident.

11 At the time it was normal and I didn't feel as if
12 I had anything to mention. At the time it was sort of
13 pushed down. There was very much a culture of pushing
14 down things. The environment was such that if you had
15 been told not to say anything to anyone then you
16 probably wouldn't have.

17 I would have mentioned the bath incident to my
18 parents. I have no recollection of mentioning it to
19 other pupils, but I am sure I would have at the time.

20 After JRB's suicide, I discussed the cold bath
21 incident with another school friend. We were trying to
22 figure out what had happened to cause JRB to commit
23 suicide. We talked about our own experiences of JRB.
24 I mentioned the cold bath incident to my friend. We
25 couldn't understand it.

1 I heard in 2013 that JRB had been accused of some
2 form of abuse, was being investigated by the police and
3 had committed suicide. I first heard that from
4 an ex-teacher I am friendly with. I later on heard
5 about it in the press. That was probably the first time
6 I really started to think about this stuff. I started
7 to actually feel quite angry that this was the first
8 time that something like this had come to light.

9 I knew from general knowledge that sometimes these
10 sort of cases are quite difficult to prove. I knew that
11 it could quite often be one person's word against
12 another. I thought that I would report to the police
13 the stuff that felt kind of dodgy. I thought that my
14 evidence might add weight to something that the accuser
15 might have said."

16 Moving on to paragraph 68:

17 "I remember that the police had questions about
18 other activities that I had not been aware of. I think
19 they asked me about a camp called Rua Fail. I can't
20 however remember the exact name. The police were
21 intrigued to know more about those trips. I couldn't
22 help because I had never visited the camp. I do
23 remember reading in the papers later on that someone
24 from the Morningside area had been arrested for abusing
25 boys at a camp that had a similar name to the camp the

1 police had mentioned to me.

2 Another thing the police asked me about was boys
3 being made to sit naked outside on a bench outside of
4 Pringle House's kitchen. I did remember the bench but
5 I didn't remember there being boys sat naked on it.

6 Impact.

7 I think one of the effects of the school and this
8 type of institution in general was that you grew up as
9 a teenager separated from girls. I don't know whether
10 regret is the word, but I regret not having that when
11 I was at the school.

12 To be honest, when I left the school, I wasn't aware
13 of how I had been affected. I'd internalised things,
14 and probably wouldn't have said anything back then if
15 you'd asked me. That's not to say that I didn't react
16 in certain ways to things. It's more that I wasn't
17 aware that I had been affected.

18 What I am aware of is the effect on some of my peers
19 from the school. When they went to university they kind
20 of went wild. I got the feeling that people from other
21 schools were fairly well adjusted at that point but they
22 weren't. I don't know whether this was just them
23 letting loose.

24 I'm very anxious about separation. My partner is
25 quite understanding. Sometimes I will wake up in the

1 night really anxious that she has gone away. I feel bad
2 about this, but I also feel it is important to
3 acknowledge that the anxiety is there. I am quite
4 anxious. I do suspect in terms of anxiety about her
5 going away it may be related to my time at school.
6 I would quite like to look at that further.

7 Before speaking to the Inquiry I was speaking with
8 my partner about my time at school. It's really
9 interesting that I started to feel really angry.
10 There's clearly stuff there that I need to resolve. The
11 anger is something that I have become aware of in the
12 last few years. It is hard for me to say whether that
13 has been there between the point of leaving school and
14 me becoming aware.

15 I am very eager to explore how to deal with how
16 I have been affected. I haven't spoken to anybody about
17 the impact. I'd quite like to speak to someone to
18 explore what is going on.

19 If I am honest my motivation to seek help has been
20 tempered with this feeling of 'there's nothing wrong'.

21 I have no idea whether a record was kept of
22 discipline. The very fact that you had to get this
23 special blue paper from the housemaster meant that he
24 was informed. I have no idea whether that was recorded.
25 I have never thought about getting my records.

1 I do feel slightly upset by the place. I would like
2 to know what was going on. I would like to know whether
3 it was just me. I'm very curious about what I did to
4 get this cold bath treatment. I have no idea what I had
5 done. I would be interested to know that, but I haven't
6 really thought about getting records to see what is
7 there.

8 I recall talking with my dad. My dad was at
9 Merchiston between 1960 and 1964. My father was in
10 Chalmers West House. He was about 14 when he was in
11 that house. My dad mentioned a housemaster by the name
12 of Mervyn Preston. The story he told me was that this
13 housemaster liked what he called some of the prettier
14 boys. My father told me that Mervyn Preston would
15 invite some of these boys up to his bathroom whilst he
16 was having a bath. My dad said that the boys would be
17 naked with the housemaster whilst he was having a bath.
18 That's all my dad said to me.

19 I occasionally bump into an ex-teacher who taught at
20 Merchiston. This ex-teacher has talked with me quite
21 a bit about the school and his theories on things that
22 have happened there. Somehow we must have started
23 emailing each other. I think I forwarded an email
24 between the ex-teacher and me on to my dad. I think
25 that may be how my dad and the ex-teacher got each

1 other's email address. They then, it would appear,
2 started corresponding with each other.

3 I was recently talking with this ex-teacher.
4 I discovered that my dad had told this ex-teacher more
5 than he had told me. The ex-teacher told me that what
6 Mervyn Preston did was 'way out of the bounds of what is
7 acceptable'. I don't know what it was that
8 Mervyn Preston did. The ex-teacher didn't go into any
9 further detail.

10 What intrigues me about the stuff I experienced at
11 Merchiston is that I am left with the feeling that I am
12 very much wasting people's time talking about it.
13 I think part of the reason I feel that way is because of
14 the ethos of the school. The ethos was to be a man,
15 stiff upper lip, hide your emotions and all that type of
16 thing. Those things have coloured the way I see things.
17 The ethos has created a culture of not wanting to talk.
18 I feel that I am breaking that ethos now. That is part
19 of why I want to talk now.

20 It's kind of funny that I think that what
21 I experienced is kind of normal. A hesitancy to talk
22 comes from that. It almost feels, to a certain extent,
23 something like Stockholm syndrome. You're made to think
24 'oh, but it was a good school'. However, equally I have
25 no qualms about saying that some of the things that

1 happened were wrong. I still very much believe that it
2 wasn't 'proper abuse' but I am happy to speak out if it
3 provides any evidence that may help get a clearer view
4 of the jigsaw as a whole.

5 The culture at the school in general was very much
6 'man up'. You couldn't show emotion. That was my
7 observation of the culture in general. You couldn't
8 show weakness. I'd almost say that the culture was
9 normalised and became more normal as you went up through
10 the school.

11 I feel now, looking back, that the culture of the
12 place was very insular. Some of the teachers used to be
13 pupils at the school. An example of this would be JRB.
14 I know JRB was a pupil there, went to university in
15 Edinburgh and then immediately returned as a teacher.
16 There was an attitude that we shouldn't mix with people,
17 like those who went to the local high school, outside of
18 school. There was a feeling of 'we are the institution'
19 going on. I don't think I have a concern as such about
20 that, but, as an observation from my time there, I could
21 see that if cases of abuse were to happen it would mean
22 that it would be kept within the walls. You wouldn't
23 want to say anything against the good name of the
24 school.

25 I do think that had there been more of a variety of

1 people at the school it would have been quite helpful.
2 Maybe the school later on wasn't so bad because the
3 school had teachers who were married, had their own
4 families and had their own homes and so on. They had
5 lives outside the school.

6 The danger of Pringle House was that there was only
7 housemaster with one culture. Whether this man up kind
8 of thing was purely JRB I don't know. It could be
9 because he had been at the school in a very different
10 time to when he returned as a housemaster. If there had
11 been a woman housemaster there I do not think that she
12 would have said that being 'a girl' was the worst thing
13 there was. It would have meant that things weren't so
14 insular as there would have been more variety. I think
15 the house system tended to encourage very
16 institutionalised people. By virtue of them being
17 institutionalised they wanted to be in the institution.
18 The system was a bit incestuous in that way.

19 Although I have no direct evidence, other than what
20 I have said, I do believe that JRB posed a threat.
21 Obviously that threat has now gone but that threat
22 existed when he was alive. Certainly at the time,
23 because he was the only adult in the house, there were
24 plenty of opportunities, should he have wanted to, to do
25 something. There was no apparent mechanism for

1 reporting problems. Although it didn't happen to me at
2 the time, I suspect that if JRB had asked me to do
3 something I probably would have obliged. The
4 relationship was such that he was in charge, he was
5 everything and you had to do what he wanted.

6 In hindsight, looking back, I definitely think there
7 should be a way to allow boys to speak to people other
8 than the housemaster. However, I don't think that would
9 be enough because of this culture of 'nothing happened'.
10 It would be easy to put in place someone or some sort of
11 grievance process. However, without the underlying
12 change in culture to encourage boys to talk, any person
13 or process would be no good.

14 At the time, there was a very strange attitude
15 towards women. I did sense, during my time there, that
16 some of the staff were ill at ease around women. The
17 worst thing you could be was 'a girl'. As an adult in
18 the world I don't see that as healthy. I don't know
19 whether or not that attitude has continued. I think
20 that if it had been mixed it may have helped. I don't
21 see the advantage of it being single sex.

22 I haven't really corresponded with the school in
23 many years but I do occasionally read the website. I do
24 sense the culture I have talked about is still there.
25 I do suspect that the culture I have talked about still

1 exists. I do worry that strict discipline and
2 discouraging emotional expression does lead to some sort
3 of unhealthy outcome.

4 My view is that one of the difficulties the Inquiry
5 may have is that, based on my experience from 30 years
6 ago, the school views itself as above the law.
7 I suspect the view will be, 'Oh, we have got to deal
8 with all this namby pamby stuff about abuse'. That kind
9 of attitude might still be there. I could be wrong, but
10 certainly based on my time there, and possibly what
11 I have seen since, there's an attitude of 'we are the
12 good guys. We don't need to deal with these meddling
13 guys who come to inspect us. We know better. We will
14 tell them what they need to hear'.

15 I suspect that any outcome of the Inquiry may be
16 viewed by the school as not applying to them. I don't
17 know what the answer is to that but that is what
18 I anticipate. I would hope that there is a change that
19 it is viewed by the school that this stuff matters. It
20 isn't just someone whingeing. These things have a real
21 effect on people. There are real long-term
22 consequences.

23 I'm very interested in learning what has happened.
24 The fact that JRB committed suicide has led me to wonder
25 what actually happened. That's gone round in my mind.

1 Almost for my own peace of mind I want to know what else
2 happened at the school and whether or not it was just
3 me.

4 I have no objection to my witness statement being
5 published as part of the evidence to the Inquiry.
6 I believe the facts stated in this witness statement are
7 true."

8 The statement was signed on 11 October 2017.

9 LADY SMITH: Thank you.

10 'Edward' (read)

11 MS BENNIE: I'm obliged, my Lady.

12 The next witness statement bears the reference
13 WIT-1-000000590. My Lady, this witness wish to remain
14 anonymous and he's adopted the pseudonym of 'Edward'.

15 LADY SMITH: Thank you.

16 MS BENNIE: "My name is 'Edward', my year of birth is 1937."

17 My lady, in paragraph 2 the witness sets out his
18 professional qualifications:

19 "In 1965 I was appointed as teacher at all levels
20 sharing the VI form work with the head of department.

21 [REDACTED] and
22 remained in post until I left in 1978. I was appointed
23 as housemaster in 1971 and remained in this post for the
24 next seven years also.

25 The post was originally advertised in The Times

1 Educational Supplement. I applied for it and supplied
2 references from two headmasters I had worked for as well
3 as my college chaplain from university.

4 I was called for interview in March 1965 when I met
5 the headmaster, the deputy head, the head of department
6 and the teacher whom I was to replace. I was offered
7 the post and I accepted it.

8 I worked closely with my head of department but
9 there was no formal monitoring or appraisal and no
10 induction training.

11 I had no responsibility for policy nor was
12 I involved in strategic planning: this did not feature
13 as part of the school's organisation.

14 [REDACTED] I was responsible for
15 arranging the teaching commitments of two full-time and
16 three part-time members of staff. [REDACTED]

17 [REDACTED]
18 [REDACTED] These decisions
19 were always taken after full consultation with the
20 colleagues involved. My own commitment was to teach at
21 all levels, though mainly with senior classes preparing
22 for O- and A-levels and university scholarships.

23 Recruitment of staff.

24 When a departmental vacancy occurred, the head
25 discussed the requirements for the post with me and

1 I made suggestions for the wording of the
2 advertisements. The head took responsibility for
3 following up the references, having discussed with me
4 the selection of the suitable applicants. I do not
5 remember actually seeing the applications myself.
6 I also do not know how the head followed them up but he
7 selected the shortlist for interview. I was never asked
8 to contact any referees personally as it was generally
9 felt that this information was confidential.

10 Training of staff.

11 This was very informal and consisted of general
12 discussions with members of the department as to their
13 observations and suggestions. There was no personal
14 development policies.

15 There was no process of formal staff appraisal and
16 supervision. Occasionally, on a topic we were both
17 teaching, another teacher and I would take a joint
18 session just to exchange ideas.

19 Living arrangements.

20 On arrival in 1965 I lived in a set of rooms in the
21 senior boarding house. At Easter 1968 I left to get
22 married and we lived in a school-owned house in
23 Colinton, about 10 minutes' walk away. In 1971 I was
24 appointed as housemaster, catering for the 14 to 15 age
25 group. We were still living in the house in Colinton

1 but I had use of the traditional housemaster's
2 accommodation of two rooms with a bathroom on the ground
3 floor of the house. The school was in the process of
4 building additional staff housing within the grounds and
5 one of these was allocated to us. This was two minutes'
6 walk from the boarding house and we lived there until
7 I left in 1978. I still retained the housemaster's
8 rooms as a working office.

9 Each of the boarding houses had resident bachelor
10 members of staff who shared supervision duties. In my
11 case I was on duty four nights a week and had two house
12 tutors who covered the other nights. One at least
13 always slept in the house overnight. On my duty
14 evenings I would go home about 10.30 in the evening,
15 lights out being at 9.45, having first checked that
16 a tutor was on site.

17 In the main school there were two large buildings,
18 Chalmers and Rogerson, each of which accommodated two
19 full year groups. They were divided into separate
20 parts, east and west, and were regarded as separate
21 entities. Structurally the two houses were one building
22 with free movement being facilitated between them,
23 though by convention members of one house would rarely
24 use the connecting corridors and only then after seeking
25 permission. But in an emergency the pupils knew that

1 there were at least three members of staff in the other
2 half of the building.

3 Culture within Merchiston Castle School.

4 The school was a well-disciplined community. Rules
5 were clear and generally accepted without complaint.
6 The staff were very hard-working and gave every
7 impression that they enjoyed working there and were
8 proud of the school. Pupils had a great sense of
9 loyalty and they appreciated the contribution of the
10 staff to their welfare.

11 I do not remember any fagging, certainly of
12 a personal nature, though it was expected that some of
13 the junior pupils would be responsible for some of the
14 menial household chores.

15 Discipline and punishment.

16 The system was pyramidal. The head at the top had
17 the complete and final authority, including the power to
18 suspend or expel pupils for the worst acts of
19 misbehaviour. Below him were the five housemasters,
20 essentially responsible for the conduct of pupils in
21 their house. In serious cases of misbehaviour the
22 housemaster would carry out a thorough investigation and
23 refer the matter to the head, where the pupil's
24 membership of the school might be in doubt; otherwise he
25 would impose a punishment himself. Other members of

1 staff observing misconduct would either refer the matter
2 to the housemaster or impose a limited range of
3 sanctions himself.

4 There was no formal printed policy for discipline or
5 punishment.

6 School prefects had the pursue to impose a detention
7 or a written punishment but frequently would discuss the
8 issue with the housemaster first.

9 I was never involved in the day-to-day running of
10 the school, other than the duties described above.

11 Pupils were accustomed to discussing problems with
12 members of staff, particularly with their own
13 housemaster. My belief is that had any abuse been
14 taking place, one of the pupils would have confided in
15 a master whom he trusted, most likely his housemaster.

16 Concerns about the school.

17 I am not aware of the school ever being the subject
18 of concern, in school or to any external body or agency,
19 or any other person, because of the way in which the
20 children and young people in the school were treated.

21 Housemasters were regularly in contact with parents
22 if there was any cause for concern over their children.
23 Similarly parents would frequently contact the
24 housemaster if they had any anxieties about their sons.

25 There was no formal complaints system. The

1 understanding was that the housemaster was the first
2 point of reference for any concerns the pupils wished to
3 raise and in general I believe this worked very well.
4 When a matter was raised, the housemaster would discuss
5 it with the boy and any others who might be involved.
6 Any difficult question would be referred to the head for
7 his judgement.

8 Each boy on coming into the school had a record card
9 kept by the housemaster and any matters of importance
10 were recorded. This was cumulative and at the end of
11 the year, when the boy passed on to another house, the
12 housemaster would write a brief summary and pass it to
13 the next housemaster.

14 Nobody was designated a trusted adult/confidante,
15 though chaplain, school doctor and school nurse were not
16 infrequently consulted on personal matters. These, of
17 course, were treated as confidential.

18 During my employment the school did not have
19 a definition of abuse that it applied in relation to the
20 treatment of children at the school.

21 Child protection arrangements.

22 No formal guidance and instruction on how children
23 in their care at the school should be treated, cared for
24 and protected against abuse, ill-treatment or
25 inappropriate behaviour was given to staff.

1 Housemasters would investigate first and then refer to
2 the head where necessary.

3 Inspections.

4 The only inspectors who visited the schools were
5 concerned with an evaluation of the academic standards.
6 They did not speak to the pupils. Following
7 an inspected lesson, the individual teacher would be
8 given a brief feedback.

9 Record-keeping.

10 As referred to earlier in this statement, when a new
11 group of pupils arrived in the house I would carefully
12 read the record sheets to see if there were any
13 important issues that I felt would be worth discussing.
14 I then had an interview of 10-15 minutes with each of
15 the boys new to the house to discuss any of the above
16 matters and to assure them that they were always welcome
17 to bring to my attention any matters they wished to
18 discuss.

19 Investigations into abuse -- personal involvement.

20 There were two incidents of abuse during my time as
21 housemaster, both of which were a boy-on-boy situation
22 with no adults involved. The first was in 1973 or 1974
23 when two of the dorm captains in the house came to see
24 me. Each housemaster appointed four dorm captains at
25 the beginning of the school year. They were of the same

1 age as all of the others in the house but were picked
2 out as responsible and reliable young men who would
3 raise with the housemaster any matters of concern they
4 had for pupil well-being.

5 The two who approached me explained that there was
6 considerable anxiety over the excessively sexualised
7 behaviour of a member of the house, 'John Crawford'. He
8 had repeatedly talked about masturbation when in the
9 showers with other pupils, boasting about how frequently
10 he masturbated, displayed an erection and started to
11 play with himself. This had caused considerable
12 distress to his contemporaries. He also boasted how he
13 had used the house telephone to call the local
14 newsagents in Colinton to ask if they could reserve
15 copies of Masturbators Monthly or Wankers Weekly.

16 The two dorm captains said that the other boys were
17 very disturbed by this and felt that it must be very
18 upsetting for the shop staff receiving the call and very
19 harmful to the school's reputation if the call's origin
20 became known. I interviewed 'John Crawford' and put
21 these concerns to him. He made no attempt to deny them
22 and just said that he thought it was a joke. I referred
23 the matter to the head, giving him full details, and he
24 summoned 'John Crawford's' parents and suspended the boy
25 for the remainder of the term (about six weeks).

1 The second matter was in about 1975 when a boy, A,
2 in the house came to see me in some distress to say that
3 he had been assaulted in his dormitory the previous
4 night by another boy, B. The allegation was that some
5 time after lights out, boy B, who was a member of the
6 same dorm, had come to his bedside and started to fondle
7 him. Boy B had then got into boy A's bed and proceeded
8 to masturbate him. He then left him and returned to his
9 own bed.

10 I interviewed boy B and he admitted that A's account
11 was essentially true. I referred the matter to the head
12 and he decided to suspend the boy for the remainder of
13 the term. As he lived abroad and had no notified
14 guardian in this country, the head arranged for another
15 Merchiston parent to accommodate the boy for the period
16 of his suspension.

17 Neither of the above incidents was referred to
18 outside agencies, though about five years ago the boy A
19 did refer to the matter to the police and they contacted
20 me to see if I could verify the above account. They
21 came to visit me at my home and took a statement in
22 which I described what I could remember of the incident.

23 I was never involved in the handling of reports to
24 or civil claims made against the school by former pupils
25 concerning historical abuse.

1 Police investigations.

2 In 2015 I was contacted by Police Scotland to say
3 that an allegation had been made against me by a former
4 pupil, 'John Crawford', as referred to earlier. He
5 maintained that in a football match at the school I had
6 touched him inappropriately. I strongly denied this,
7 including pointing out that Merchiston did not play
8 football. The police asked me to attend an interview
9 and I travelled up to Edinburgh for this purpose. There
10 was a brief meeting and this was recorded. The
11 solicitor was then told that there was no further action
12 to be taken. I have never given evidence at a trial
13 concerning alleged abuse.

14 Specific alleged abusers.

15 BRW

16 BRW was the [REDACTED] who also taught
17 some non-specialist [REDACTED] in the sixth form. He was
18 in post on my arrival, diagnosed with cancer in the
19 mid-1970s, retired through ill health and died shortly
20 afterwards. A man of great intelligence respected by
21 his pupils. Not especially outgoing and I did not know
22 him well.

23 'James'.

24 'James' was appointed as [REDACTED] in 1966 and
25 a former pupil of the school. He lived in school in

1 bachelor accommodation for the remainder of my time at
2 school. He was a teacher and became a good friend and
3 I found him friendly, sincere and hard-working. We
4 shared interests in sport and mountaineering.

5 He related well to the pupils who appreciated his
6 enthusiasm for being involved in so many aspects of
7 school life. He was a committed Christian who won
8 respect for the courage of his convictions. In later
9 years, when I became a SNR [REDACTED] of another school,
10 I appointed him as [REDACTED] and he served with
11 distinction for three years before leaving to get
12 married. We still remain in touch.

13 James Rainy Brown.

14 He was in post on my arrival and remained at the
15 school for the rest of his career, and indeed after
16 retirement. He was founder housemaster of Pringle,
17 a newly opened house for younger boys, after the school
18 made the decision to enrol at the age of 11. He was
19 completely dedicated to the well-being of those in his
20 charge, which they much appreciated. We shared
21 interests in sports and mountaineering and he took
22 a full interest in virtually all aspects of school life.
23 I regarded him as an excellent role model and found him
24 to be totally honest and trustworthy.

25 Gordon Cruden.

1 discipline and there was certainly no question of any of
2 them abusing children.

3 [REDACTED].

4 He was appointed to the [REDACTED] department in the
5 early 1970s. He shared the sixth form teaching with me
6 and with another colleague. He was very well-read and
7 knowledgeable about his subject. Pupils had a respect
8 for him and enjoyed his lessons.

9 There was an incident at the end of the [REDACTED] term
10 of 1977 which brought his career at the school to
11 an abrupt close. I knew very little about this as I had
12 been away for the whole term on a sabbatical in
13 Cambridge and returned on the day after term ended. It
14 was alleged that he had offered alcohol to two senior
15 pupils who had remained behind and apparently then made
16 an improper advance to one of them.

17 They reported the matter to the head who required
18 him to leave the school at once. I had no other
19 knowledge of his disciplining pupils or being involved
20 in any kind of abuse. Nor was I aware of any police
21 investigation into this allegation.

22 Specific allegations of abuse made against me.

23 Allegations made by 'Gerald'.

24 My memories of 'Gerald' are very vague as I have not
25 seen him for over 40 years. I remember that he was

1 an A-level pupil of mine of above average ability who
2 lived in Edinburgh and travelled in as a day boy. He
3 mentions an elder brother whom I apparently knew from
4 outside sporting connections and who supposedly had
5 a strong influence on his parents and other siblings.
6 I cannot remember any details of him either.

7 I did know that 'Gerald' had some unsettlement in
8 previous schools before coming to Merchiston. I also
9 knew his parents fairly well. They were pleased that
10 I took an interest in 'Gerald's' development, both as
11 an academic student and as someone with a keen interest
12 in the countryside and in mountaineering.

13 At that time all the independent schools in Scotland
14 had a thriving outdoor education department in which
15 many pupils and staff were involved and included
16 mountaineering. One of the really keen mountaineers at
17 Merchiston was a contemporary of 'Gerald'. He
18 suggested -- or he expressed an interest in exploring
19 some quite wild country around Loch Arkaig and he
20 mentioned that 'Gerald' would also like to be involved
21 so I invited the two of them to come down to my house
22 one evening to discuss the logistics. 'Gerald' was very
23 keen to come and I think this might well have been his
24 first venture into the more remote areas. This would
25 presumably have been in the summer holidays and we had

1 a careful check of mountaineering and camping equipment
2 and food supplies before setting off.

3 We were in the Arkaig area for about four days and
4 camped beside the loch. I do not remember 'Gerald' or
5 any other member of the party having a swim but this
6 would have been a very normal practice at the end of
7 a long day on the hills. I have no memory of 'Gerald'
8 bathing naked but had he ever done so, it would
9 certainly not have been at my suggestion.

10 I should explain that both sets of parents
11 thoroughly supported these expeditions, were very
12 grateful to me for taking their youngsters and were
13 always keen to hear about what we had done on our
14 return. 'Gerald' mentions that he joined me on a hill
15 walk 'once every holiday' but my memory is that these
16 trips were rather less frequent.

17 There is also mention of [REDACTED] competition that
18 'Gerald' had entered and had been successful in winning.
19 I would certainly have been very pleased with this
20 achievement but I have no recollection of such an event
21 nor have I any idea of the subject [REDACTED] or who
22 was responsible for setting up the competition. From
23 his description it seems that he had entered this on his
24 own initiative and was anxious to bring the [REDACTED] to
25 show me and to ask for my judgement. I would have been

1 glad to provide this, but if the [REDACTED]
2 [REDACTED] were too personal and perhaps embarrassing,
3 I would have certainly realised this and deflected the
4 line of conversation.

5 'Gerald's' statement implies that I had regular
6 Saturday night meetings at my house to discuss topics of
7 interest and that an agenda would be drawn up in
8 advance. Whilst my wife and I were happy to invite
9 pupils into our home for discussion on an ad hoc basis
10 if they wished, there was certainly no regular meeting
11 or any question of a formal agenda. We valued our
12 personal time in the midst of a busy schedule and I was
13 anxious that we spent as much time as possible,
14 particularly at the weekends. Pupils would come to see
15 us as and when they asked to, but not on any formalised
16 basis, and I saw this as part of my employment.

17 As a summary of the above I am grateful for the
18 comment that I showed 'a genuinely supportive concern
19 for a pupil I saw as having talent' as that is what
20 I tried to do as part of my role as a schoolmaster.
21 I would however firmly state that I see nothing that
22 could possibly be described as abuse.

23 Allegations made by 'Jack'.

24 I have virtually no recollection of 'Jack' and I do
25 not think that I ever taught him personally or that he

1 was a member of my boarding house. I believe that he
2 did not remain at the school for very long.

3 My first reaction on receiving the redacted
4 statement was of horror at such a dreadful accusation
5 but this changed to bewilderment as the circumstances
6 described were totally unbelievable.

7 It was stated that a housemaster was loathed and
8 that the pupils in his house took action against him on
9 the last day of the term in 1968. I, however, was not
10 appointed as a housemaster until 1971.

11 It was alleged that the pupils in the house had
12 smashed my room up but I did not have a room in the
13 school at that time. I had lived in a bachelor set of
14 rooms in the senior boarding house from my arrival at
15 Merchiston in September 1965 until I moved out in
16 March 1968. We then lived in a house in Colinton. At
17 no time were my private rooms or classroom ever damaged
18 or treated with disrespect.

19 I have never owned a sports car.

20 The idea of my having to run for safety from angry
21 pupils is ludicrous. Had such an incident occurred, it
22 would surely have come to the attention of the school
23 authorities and I very much doubt whether I should have
24 been allowed to remain on the staff, let alone for
25 a further nine years. Also, had there been such

1 a humiliating incident I would not have wanted to remain
2 at the school anyway.

3 Had the above been true, it is inconceivable that
4 the headmaster would have appointed me as a housemaster
5 three years later or subsequently been a referee for me
6 when I was applying for a [REDACTED]

7 The use of 'loathed' and 'hatred' is very strong.
8 I think it is fair to say that when I was preparing to
9 get married in 1968 the head boy approached me to say
10 the boys wished to give us a wedding present. This was
11 not, I gathered, an automatic occurrence and we felt
12 very honoured that they would have chosen to make such
13 a generous gesture. We were asked to attend the
14 informal milk and biscuits gathering in the dining hall
15 on an evening towards the end of term. The head boy
16 made a very gracious speech and presented us with
17 a beautiful cut-glass decanter. I made a light-hearted
18 reply, which seemed to be well received, and we were
19 then given a sustained standing ovation which lasted
20 even after we had left the hall. This was hardly
21 a reaction to someone who was 'loathed'.

22 Allegations made by 'John Crawford'.

23 I should point out that I have therefore referred to
24 'John Crawford' earlier in this statement.

25 'John Crawford' refers to the fact that I used the cane

1 as part of the school's disciplinary process. I did so,
2 as did the headmaster, all other housemasters and
3 a number of the other members of staff. We are
4 referring to a period of almost 50 years ago when
5 corporal punishment was common practice in most schools
6 throughout the country, both state and independent. As
7 a housemaster it was required of me to impose punishment
8 for significant breaches of the school rules and I did
9 so in accordance with my employment.

10 'John Crawford' states that 'when you got beaten by
11 'Edward' he would give you a good feel on the backside,
12 allegedly to make sure he 'hadn't hurt you"'. He
13 himself admits that had he no experience of receiving
14 such punishment from me and I strongly refute that
15 I ever acted in this way either to him or anyone else.

16 He claims that I put my hands up his shorts when
17 treating him for a football injury. Merchiston did not
18 play football and I can only ever recall one specific
19 instance of an informal match being played on the school
20 fields. This was against a group of youngsters from
21 Glasgow who were staying for a week in the hall of the
22 local church and they asked me to play in the goal as
23 they were short of numbers. I agreed to do so. I have
24 no knowledge of whether 'John Crawford' was playing in
25 the match and if so, I strongly deny any such action as

1 he alleges.

2 'John Crawford' claims that I would regularly walk
3 around the football fields on the pretext of providing
4 a medical examination for anyone who was injured. This
5 is a total fabrication which I absolutely refute.

6 I left Merchiston Castle School in 1978 when I was
7 appointed SNR [REDACTED] of a school in [REDACTED].

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 in this statement are true."

11 My Lady, the statement is signed and it's dated
12 22 December 2020.

13 LADY SMITH: Thank you.

14 MS BENNIE: My Lady, there are three other read-ins. I can
15 continue or would my Lady like a break before we proceed
16 with the next three? They will be able to be taken as
17 one ...

18 LADY SMITH: I think we'll give the stenographers ten
19 minutes. They've been hard at it since early this
20 morning. Just a short break now for a breather and then
21 hopefully we can clear the other read-ins after that.

22 Thank you.

23 (11.39 am)

24 (A short break)

25 (11.53 am)

1 MS BENNIE: Thank you, my Lady.

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

3 'Diane' (read)

4 MS BENNIE: The next statement bears the reference

5 WIT-1-000000585. My lady, this witness wishes to remain

6 anonymous and she has adopted the pseudonym of 'Diane'.

7 LADY SMITH: Thank you.

8 MS BENNIE: "My name is 'Diane', my year of birth is 1958.

9 My son 'Christopher' was born in 1990.

10 My son 'Christopher's' birth had been very difficult

11 and in his early teens I found out through his doctor at

12 the Royal Edinburgh Hospital Young Persons Unit that

13 'Christopher' had no feeling in his chin and limited

14 feeling in his feet and back. He never had talked to me

15 about this. He'd always looked a bit clumsy walking and

16 running.

17 Until the year 2000 'Christopher' and I lived in

18 England and 'Christopher' attended school in England.

19 He was happy at school and was doing well, he was

20 an active member of the local football team as the

21 goalkeeper and although his enthusiasm knew no bounds,

22 when he ran he was still a bit clumsy. However, he had

23 a good group of friends and he was well liked. He was

24 a happy boy.

25 In 2000 we moved to Edinburgh. Before moving I had

1 been looking at a number of different schools that
2 'Christopher' could go to as I didn't have a family
3 support unit in Edinburgh and from time to time I had to
4 be away with work.

5 One of the schools I looked at was Merchiston
6 Castle, who told me that they did flexible boarding.
7 They said that 'Christopher' could ordinarily be a day
8 pupil but that he could board for a couple of days as
9 and when required if I had to go away on business.

10 'Christopher' and I had two or three meetings at the
11 school before he started. We were given a tour, we saw
12 the facilities and we met some of the staff. I wanted
13 to make sure 'Christopher' had seen everything and that
14 he was happy to go.

15 'Christopher' had to sit an aptitude test, which he
16 got on fine with, and he had to have an interview, which
17 we both went along to. That interview was with
18 Andrew Hunter, the headmaster, and Peter Hall, the head
19 of Pringle.

20 Merchiston had a much broader curriculum than most
21 schools, which was one of the things that I really
22 liked. 'Christopher' had a flair for languages and
23 there was lots on offer, including Latin. It was,
24 however, a much more formal system of education than
25 'Christopher' had experienced in England.

1 I had no previous knowledge of the wonderful
2 opportunities that a private school education could
3 offer, but these were explained to me at the interview
4 and I was told that the school had the best of
5 everything. The interview was basically a sales pitch
6 and they told us that they were happy to take him.

7 Life at Merchiston Castle School.

8 'Christopher' started at Merchiston in August 2000
9 when he was nine years old.

10 'Christopher' seemed to be doing okay at first,
11 although they were long days and he was extremely tired.
12 A typical school day started with lessons and then some
13 sport and then all the pupils, including the day pupils,
14 would sit down and do prep. Generally I would be
15 picking 'Christopher' up at 8 o'clock at night after his
16 work was finished.

17 After a couple of terms of 'Christopher's' first
18 year at Merchiston all of the teachers wrote in his
19 report at the end of each term that 'Christopher' was
20 a bright lad and that he had potential, but Peter Hall,
21 the head of Pringle, wrote that 'Christopher' would
22 benefit immensely from a half a term of weekly boarding.
23 He said that 'Christopher's' organisational skills would
24 improve and I went along with it.

25 On Peter Hall's advice, after the Easter of 2000 and

1 for the rest of that term, 'Christopher' became a weekly
2 boarder, coming home at weekends. He never said how he
3 felt about that, although we did always argue on
4 a Sunday night when it was time for him to go back to
5 school."

6 My Lady, I move on to paragraph 25.

7 LADY SMITH: Thank you.

8 MS BENNIE: "JRB organised a camping trip every year that
9 was like living in the wild. As I recall it, they went
10 away for a good few days, possibly a week, every year.
11 I can't remember where they went but it was always the
12 same place. There is a comment from JRB in one of
13 'Christopher's' reports that he 'needed to be toughened
14 up'.

15 Every week I'd pick up 'Christopher's' clothes when
16 I came to take him home and wash them. It was clear
17 that he was having to look after his own personal care
18 and it was obviously that he wasn't doing so properly.
19 That sort of thing never mattered to 'Christopher'.
20 Unless prompted he was never going to change his shirt
21 and as a result his clothes took a real bashing. His
22 blazer was torn and he always had food on his cuffs,
23 which will have been because of his clumsiness.

24 At the end of the first year Peter Hall wrote in his
25 school report that because of 'Christopher's' lack of

1 maturity, the school considered that he would benefit
2 from consolidation of his first year. He meant
3 repeating it, which I wasn't very happy about, but they
4 convinced me that because they were the professional
5 educators. I didn't know any better and I wanted the
6 absolute best for my son. Looking back, I realise I was
7 extremely naive.

8 In 2002, 'Christopher's' second year at Merchiston
9 and his consolidated first year, the school employed
10 a housemother for Pringle, which there had not been
11 previously. She was a lady called Marion Anderson and
12 we became quite friendly. After she had been there for
13 a while, she took me aside and asked me whether I had
14 thought about getting 'Christopher' assessed as she
15 thought he might be on the spectrum.

16 She told me that she had noticed certain things
17 about his behaviour and gave me an example of when
18 'Christopher' had been looking for something in his
19 locker. Whatever it had been wasn't exactly where it
20 should have been and she told me that she watched him,
21 but he just couldn't see it. It should have been on the
22 right, but it was on the left, and even though it was in
23 clear line of sight, he couldn't see it.

24 I asked the school if there was anything they could
25 do, but they told me no, so around the end of 2001 I got

1 in touch with a lady called Dr Christine MacIntyre from
2 the University of Edinburgh. I think I contacted her on
3 a recommendation from Marion Anderson. The report
4 confirmed that 'Christopher' was clearly on the spectrum
5 and she diagnosed him as suffering dyspraxia. She
6 details specifically his difficulties with fine motor
7 control and coordination.

8 Separately for his teachers, Dr MacIntyre gave
9 recommendations for 'Christopher' in the classroom. She
10 said that 'Christopher' had recently been diagnosed with
11 dyspraxia, which is often known as a hidden handicap.
12 Pupils with this condition became quite adept at
13 covering up their deficiencies and devise methods to
14 circumvent their problems. She also detailed the things
15 that teachers needed to look out for so that they could
16 allowances and help him.

17 After his diagnosis I met with various teachers and
18 heads and I explained 'Christopher's' diagnosis to them.
19 I also gave the school copies of both Dr MacIntyre's
20 report and the documents she gave me. If Merchiston had
21 said at that time that they couldn't deal with
22 'Christopher' I would have understood, but they didn't.
23 I think a lot of the damage had been done by then.

24 'Christopher' did 20 minutes of exercises every day
25 to help with his motor control and that did work. He

1 ended up being a really good guitar player, he played
2 rugby and he could really manage the ball. As he got
3 bigger he seemed to grow into his body a little bit,
4 although he always had issues. Dyspraxia doesn't
5 disappear, you just learn to live with it better.

6 Since his diagnosis I have five years of school
7 reports from Merchiston, completed by his various
8 teachers and all banging on about his lack of
9 co-ordination, his poor organisational skills, that he
10 can be disruptive in class and that he was fidgety. All
11 things that the school said he needed to improve on and
12 all critical of the very issues that Dr MacIntyre had
13 identified as part of his condition and had advised them
14 to be aware of. It was like telling a man with one leg
15 sitting in a wheelchair to get up and walk.

16 Those reports are all about conformity. There is no
17 recognition of 'Christopher's' individual needs. Time
18 and again I spoke to various teachers to remind them of
19 'Christopher's' condition and to ask whether they
20 thought about different approaches. I wish I had been
21 stronger.

22 I thought that if you were a teacher and an educator
23 you should understand these things. You should work
24 with it and find ways to deal with it, but the teachers
25 and the school did not, they just criticised him and

1 pushed him away.

2 Although 'Christopher' was already feeling bad with
3 his condition, albeit hadn't been diagnosed at that
4 point, making him repeat his first year meant that all
5 his friends in his peer group moved up to year two and
6 'Christopher' had stayed in year one. That coupled with
7 the continual comments in his reports that 'Christopher'
8 was not achieving what the teachers were asking caused
9 his self-esteem and his confidence to go down every
10 year.

11 Towards the end of 'Christopher's' time in Pringle,
12 some improvements were made to the bathrooms and
13 showers. Previously there had been a big old-fashioned
14 communal shower and it was changed to individual
15 cubicles. Marion Anderson told me that JRB had kicked
16 off because he didn't think it was the right thing to
17 do.

18 'Christopher' got a glowing report from his
19 housemaster at Pringle before he moved up to Chalmers
20 West, recognising that he had a good mind and 'despite
21 the inconsistency, his ability is apparent'. It
22 continued 'he should really give up with his efforts to
23 convince us that he is not very bright and I hope that
24 he can make a good start with his GCSE course
25 in September'.

1 His report for his first autumn term at Chalmers
2 West in 2004 is glowing. He clearly flourished when he
3 left Pringle, OPA [REDACTED] wrote comments such as
4 there are 'definite grounds for optimism' and an 'upturn
5 in his fortunes'. OPA [REDACTED] knew 'Christopher' really well
6 from the previous three years because he was also the
7 [REDACTED]. He said that 'Christopher' 'is
8 an intelligent, talented lad with a great deal to offer'
9 and that he was 'more relaxed and communicative in his
10 dealings with staff', however he adds 'organisation will
11 be the target for the coming term, as will be personal
12 tidiness', both being aspects of 'Christopher's'
13 dyspraxia that he really struggled with.

14 Andrew Hunter, the headmaster, wrote in the same
15 report that he was 'delighted with the progress that
16 'Christopher' has made in all aspects of his life within
17 the school'. He says 'Christopher' 'appears to be
18 a transformed young man and would now appear to be
19 reaping the benefits of a year of consolidation'.

20 In April 2005 'Christopher' took part in a six-week
21 exchange to a school in Philadelphia. Another four or
22 five boys from 'Christopher's' year also went and all
23 flew from Edinburgh to Frankfurt, where they transferred
24 to Philadelphia. There was such a lack of organisation
25 by the school that the kid that ended up leading the

1 others through the various airports was 'Christopher'.

2 We'd had a lot of holidays.

3 The difficulty with 'Christopher' going to
4 Philadelphia was that he'd been away for six weeks and
5 when he came back he had to catch up on all the work he
6 had missed, that was a massive pressure for him.

7 At the end of 'Christopher's' year in Chalmers West
8 in June 2005, OPA [REDACTED] wrote that 'after a strong
9 start it has been distressing to witness the change in
10 'Christopher' which began before his trip to America'.
11 He continues that 'Christopher' 'lacked focus in the
12 classroom, he was either being lethargic or disruptive
13 and little attempt has been made by 'Christopher' to fit
14 in with the routines'.

15 'Christopher' was on a downward spiral and was
16 entering what was later diagnosed as a deep depressive
17 episode.

18 Many of the comments from 'Christopher's' teachers
19 are nothing short of disparaging, stating that he wasn't
20 making any effort to catch up on what he missed from
21 going to America. That sabbatical had been organised by
22 the school and yet the school made no allowances for it.
23 'Christopher' struggled and I know that when
24 'Christopher' read those comments he gave up.

25 Andrew Hunter writes, 'This is an extremely worrying

1 report, I know many members of staff have spent a great
2 deal of time with 'Christopher' over the course of the
3 school year'. 'Christopher' was clearly on a downward
4 spiral and yet he writes, 'If this continues, I will be
5 forced to consider the age-old equation of the interest
6 of the individual versus the interest of the whole
7 community'. He adds, 'I am absolutely sure that
8 'Christopher' can do better than this'.

9 I think the school could have done better than that.
10 There was no room in there for the individual. When
11 I read that report, the level of the school's duty of
12 care is appalling. Surely somebody should have been
13 asking what is happening with this lad? He had received
14 such a glowing report and yet only six months later all
15 the teachers were so critical.

16 Instead it was all down to 'Christopher'. He had to
17 do the extra work to catch up, he had to be more
18 organised and I wonder where his support network was.
19 Not once was I contacted by the school and told that
20 they were worried about him and not once was there any
21 acceptance that the school had the responsibility to
22 help him. They were more concerned that Merchiston
23 might be shown in a bad light than in caring for
24 'Christopher' as an individual.

25 By way of discipline I know that the school would

1 give boys extra work, detention or chores. I also know
2 that it wasn't just the teachers and other staff who
3 were able to discipline a child, the prefects were too.
4 There is mention in 'Christopher's' reports of being
5 disciplined and being the only child who had to do
6 detention twice.

7 As part of the discipline, boys had to get 'effort
8 points', which were awarded by the teachers. The danger
9 with that sort of thing is that it's all very subjective
10 and if a teacher liked a particular child they were
11 going to give that child more points. There was also
12 something called 'H' points, although I don't know what
13 they were, perhaps it related to houses.

14 In 'Christopher's' reports there are comments that
15 he needs to get more effort points.

16 I went along to parents' nights every term. Every
17 parent would be invited for drinks and all the teachers
18 would be around the room and we would go round and speak
19 to each of them. I remember a conversation I had with
20 his English teacher who suggested that he would like
21 'Christopher' to start reading more adult-type
22 literature, because he was way ahead of others of his
23 age. He thought 'Christopher' was really talented and
24 really understood the subject.

25 That was what tended to happen at those parents'

1 nights, you got all the really good stuff. Every time
2 though, I took them Dr MacIntyre's report and I reminded
3 everybody I spoke to about 'Christopher's' condition.

4 I spoke to Peter Hall continually and he always
5 responded that he absolutely understood and that the
6 school was doing everything it could. He always assured
7 me that he would pass my comments on to all of
8 'Christopher's' teachers. I suspected he possibly did
9 want to do something about it, but the minute I left the
10 room they just carried on as before.

11 Leaving Merchiston Castle School.

12 'Christopher' left Merchiston during the first term
13 at Chalmers East, when he was 14 going on 15.

14 I was called in to see Andrew Hunter who told me
15 that he thought 'Christopher' would be better off at
16 a school outside Scotland. Peter Hall was there also,
17 as was the SNR [REDACTED], who I think was Glen. I felt
18 very intimidated. The meeting was held in a sort of
19 sitting room in the school, however nobody took minutes
20 and I never got a follow-up letter.

21 I was told that I had to find an alternative school
22 for 'Christopher' to go to and that in their
23 professional opinion as educators he would be better off
24 at a school outside of Scotland. In one of the reports
25 there is mention that if someone had to leave

1 Merchiston, no other school, having read 'Christopher's'
2 report, would want to take him, which I think is
3 possibly why they suggested a school outside of
4 Scotland. I feel that comment is nothing short of
5 arrogant.

6 At no time prior to that meeting had Merchiston told
7 me that they were struggling to cope with
8 'Christopher's' condition. As far as the school were
9 concerned, there was nothing wrong with them, it was all
10 'Christopher'.

11 I had given every teacher a copy of Dr MacIntyre's
12 report and how his condition manifested itself in
13 'Christopher' so that they could work with him and yet
14 every teacher wrote about his lack of coordination, he
15 forgetting to bring things to class and his being
16 disruptive. There was never an acceptance that the
17 school needed to do something about it.

18 Life after Merchiston.

19 Before 'Christopher' started at Sedbergh he had to
20 go for an interview and 'Christopher' had to sit a test,
21 which the school said showed that academically he was
22 fine. He started at the school as a full boarder in
23 [REDACTED] 2005 and stayed there for the first term,
24 coming home at Christmas. He went back the following
25 term and stayed until [REDACTED] 2006, when he ran away and

1 refused to go back."

2 My Lady, I now move on to paragraph 73.

3 "He was really ill by the time he ran away and
4 I know he just couldn't go back to school. He was still
5 only 15 and he had nowhere to go so I went around to the
6 local high school.

7 'Christopher' started at the local high school in
8 2006 but he was only there for a couple of months and
9 didn't make it to the end of the year. As soon as he
10 got to the local high school, his English teacher
11 immediately realised that 'Christopher' had problems.
12 He told me that they weren't going to put him through
13 his standard grades, because they had assessed him and
14 established that he had a reading age of an 11-year-old.

15 His head of year said he was very concerned about
16 'Christopher's' ability to cope. That was the first
17 time anyone had ever said that. Previously everyone had
18 said that they were concerned about 'Christopher's' bad
19 behaviour.

20 At the local high school 'Christopher' was a posh
21 boy from Merchiston. He was beaten up and his nose was
22 broken and after that happened he never went back.

23 After that he pretty much stayed in bed and getting
24 him motivated to do anything was almost impossible.
25 I took him to our GP and he was referred to the Young

1 Persons' Unit at the Royal Edinburgh Hospital where we
2 saw a psychiatrist who diagnosed him as suffering a deep
3 depressive episode."

4 My Lady, in paragraphs 78 to 89 the witness details
5 'Christopher's' medical struggles and I move on to
6 paragraph 90:

7 "'Christopher' died in 2018.

8 I don't know for certain, but I am fairly sure that
9 the first time 'Christopher' had any treatment was when
10 he went into rehab. While he was there and he was
11 receiving therapy he worked through a lot of things that
12 he'd kept bottled up for years and he'd never previously
13 shared with anybody. He was also encouraged to write in
14 a journal every day and he also had to write down his
15 life story and share that with his peer group.

16 I never saw his journal at the time, it was
17 obviously personal to him, it is only since he passed
18 away that I have seen what he had written. He had
19 scribbled lots of his thoughts in it.

20 As 'Christopher' was an adult, the unit would not
21 disclose to me what 'Christopher' had told them but they
22 did tell me that he was suffering post-traumatic stress
23 disorder. Something had happened to 'Christopher' that
24 was so traumatic it affected the rest of his life.

25 Abuse at Merchiston Castle School.

1 'Christopher' sat with me in the kitchen one day
2 after he had come out of rehab and he told me that he
3 had been raped while he was at Merchiston.
4 'Christopher's' words were, 'JRB raped me, but I know
5 you didn't know'. I think in 'Christopher's' head he
6 thought he had already told me, although before then he
7 had not. He didn't give me any more details.

8 I don't have any evidence but I do have his
9 behaviour, I have what he told me, and I have what the
10 counsellors in the rehab centre told me about
11 'Christopher' suffering PTSD and I have his journal.

12 Reading his journal, 'Christopher' wasn't always
13 consistent or organised because he couldn't be and a lot
14 of it is disjointed. It is an outpouring and on
15 a number of occasions he references some form of sexual
16 abuse.

17 The journal itself runs to about 30 pages.

18 He is asked about what he considers are the roots of
19 his problems and he has written down 'guilt, shame,
20 embarrassment, fear, anger, lack of self-worth and
21 a lack of self-care'. He also writes, 'I blame the
22 person that raped me as a kid', but then he seems to try
23 and discount that because he says he knows somebody else
24 who was raped who hasn't turned out like him.

25 When 'Christopher' wrote his life story in his

1 journal he wrote 'Father Rainy Brown, school priest at
2 school trip, raped me and two other boys'. JRB wasn't
3 the school priest, so I don't know if he is talking
4 about another person as well, but he did call
5 James Rainy Brown father. There was a priest at the
6 school who was a younger guy. 'Christopher' adds,
7 'I didn't understand. I felt disgusting, dirty'.
8 I suppose he must have been quite young when it happened
9 if he's writing he didn't understand.

10 I told 'Christopher' that I would go to the police
11 to report what he had told me, but he refused to allow
12 me and he said, 'He's dead, he got what he deserved'.
13 I believe there had been a police enquiry following
14 allegations that had been made by other boys against
15 JRB."

16 My Lady I now move on to paragraph 108.

17 "Lessons to be learned.

18 Looking back now I realise that Merchiston was
19 actually more about regimentation and running the school
20 with precision than it was about the needs of the
21 individual child. The individual child was lost,
22 because every child had to conform, and in my opinion
23 some serious errors of judgement were committed by the
24 school.

25 I think schools such as Merchiston are fine for boys

1 that are resourceful and can fend for themselves, but
2 not for boys who might be a bit different, or a bit
3 vulnerable, or boys that need extra help. Those sort of
4 boys are too much for such schools who can't seem to be
5 able to treat boys as individuals. It's much easier to
6 have a group of boys all doing what they're told.

7 Discipline is only one part of school life and good
8 pastoral care is essential. Being a good educator is
9 not about facts and figures, the school has
10 a responsibility and a duty of care to the individual,
11 not to the reputation of the school. Not every child is
12 a perfect square that can fit into a perfect square box.

13 There was no thought at Merchiston about mental
14 health or about care, it was a school built on
15 tradition. Everything was about upholding the past and
16 making sure past conventions were followed. If anything
17 threatened that tradition, it had to be removed.

18 Schools such as Merchiston are closed shops and that
19 cannot be allowed. There needs to be an independent
20 oversight, not just oversight by school governors who
21 are probably ex pupils themselves. I believe that the
22 education authorities need to have a clear line of sight
23 as to what is going on in independent schools in exactly
24 the same way as a local authority school would be
25 accountable. It should not just be about exam results

1 and how many pupils they send to Oxbridge.

2 Other information.

3 When I found out about the Scottish Child Abuse
4 Inquiry I felt I needed to let 'Christopher' be heard
5 and approaching the Inquiry has given me an opportunity
6 to go through things and make sure that happens. I want
7 to make sure that how he was treated is known about.
8 That is really important. The people who were
9 responsible need to be aware of the impact they had on
10 people's lives.

11 I have no objection to my witness statement being
12 published as part of the evidence to the Inquiry.
13 I believe the facts stated in this witness statement are
14 true."

15 My Lady, the statement is signed and it's dated
16 26 November 2020.

17 LADY SMITH: Thank you very much.

18 'Jenny' (read)

19 MS BENNIE: My Lady, the next statement bears the reference
20 WIT-1-000000337. My Lady, this witness wishes to remain
21 anonymous and she's adopted the pseudonym of 'Jenny'.

22 "My name is 'Jenny'. My year of birth is 1968.
23 I am providing a statement regarding my son 'Marcus' who
24 was born in 1995.

25 I had always wanted 'Marcus' to go to Merchiston

1 Castle."

2 Moving on to paragraph 5:

3 It took boys from age 8 to 18 and two-thirds of the
4 boys were boarders. Merchiston Castle didn't take
5 children from age five so they recommended that 'Marcus'
6 attend Clifton Hall in Newbridge. They said it was
7 a good prep school, so 'Marcus' went there from primary
8 1 to primary 3, from 2000 to 2003.

9 'Marcus' started Merchiston Castle School in
10 September 2003 and went into primary 4. 'Marcus' had
11 an interview prior to starting so that Merchiston Castle
12 could see that he was doing all right.

13 'Marcus' was a day pupil in primary 4 and 5. Not
14 many of the boys in primary 4 and 5 boarded. When
15 'Marcus' was in primary 4 he had a female teacher and
16 when he was in primary 5 he had a different female
17 teacher. Everything was fine then. Quite a lot of the
18 boys boarded in primary 6 at Pringle House. Pringle was
19 then the boarding house for the juniors and it took boys
20 from age 8 to 12. There were about 80 boys in Pringle,
21 about two-thirds of these were boarders. There were
22 different boarding houses in Merchiston for different
23 age groups.

24 When 'Marcus' moved into primary 6 he left the
25 junior section of the school and he started having

1 lessons with different teachers. I think he still had
2 a class teacher but the boys went to different
3 classrooms for other things such as gym and for science.

4 The school was breaking the boys into the senior
5 school pattern, although some of their work was still in
6 the main classrooms. 'Marcus' didn't like this because
7 he had to carry his heavy books from classroom to
8 classroom and this hurt his back. He just complained
9 about everything and wasn't keen to attend school.

10 When 'Marcus' went into primary 6 there was
11 a Saturday morning class and that is when he started
12 staying in school on a Friday night. He didn't finish
13 until 6 pm on a Friday and he had to be in the school
14 for 9 am on Saturday morning. I felt that 'Marcus'
15 staying one night a week at this stage would help him
16 get used to being away from home.

17 On a Friday the boys had their evening meal, then
18 they had games. After that they had a supper, a movie
19 night and then they went to bed. On a Saturday morning
20 they got up, had their breakfast and then they went to
21 school for sports.

22 'Marcus' by this time had friends who were boarders.
23 I would pick him up at lunchtime on a Saturday.
24 I didn't even go and check out Pringle House. I just
25 trusted the school. I have a lot of guilt about letting

1 'Marcus' board on the Friday night, as looking back it
2 wasn't what was best for him. After a few weeks he
3 started to say he didn't like staying over because he
4 had a fold-down bed. I should have looked into it more
5 to see if anything else was going on."

6 My Lady, I move on to paragraph 16:

7 "When he started in primary 6 in September 2005
8 everything started to go downhill with his mental
9 health. Quite near the beginning of primary 6 I became
10 aware that there was a problem because his mood
11 deteriorated.

12 I found 'Marcus' very difficult to manage when he
13 was in primary 6. He started having angry outbursts and
14 behaving very negatively towards me. Because he had
15 been so happy at the school for the previous two years
16 I couldn't believe that the problem lay with the school.

17 'Marcus' wasn't happy boarding on the Friday night.
18 He was always moaning about it, but the only thing that
19 he said was that he wasn't given a proper bed. He was
20 given a fold-out bed because he wasn't a regular
21 boarder. He didn't like it but he put up with it.

22 He started having panic attacks at home in
23 January 2006 because he didn't want to go to school.
24 I had to stop sending him then because he couldn't cope
25 with going. He was really anxious about the whole

1 school thing and I felt he couldn't step up with the
2 transition in primary 6. One morning when it was time
3 to get him up and go to school he just started screaming
4 and I couldn't make him stop. He said he couldn't go to
5 school and he wouldn't go. I didn't know what to do so
6 I just had to ring up the school and say that I couldn't
7 take him.

8 That was when I took him to see a doctor. I told
9 the doctor he was refusing to go to school and that he
10 seemed anxious and panicky. He was sweating. The
11 doctor said that perhaps it was too much of
12 a high-pressure environment for 'Marcus' and that he
13 wasn't coping with the work. I ended up just not
14 sending him back to school. This was just after
15 Christmas 2005.

16 The Pringle housemaster came to the housemaster
17 after 'Marcus' refused to go back to school and asked
18 him what was going on. He told him that he was
19 a 'Merchy' boy but 'Marcus' just said he wasn't going
20 back. He absolutely refused to go back. Prior to that
21 'Marcus' had been doing well at school. He had done
22 really well in his exams. He was a clever little boy.

23 Leaving Merchiston Castle School.

24 Once I promised 'Marcus' that he wouldn't have to go
25 back he told me that the main reason he hated school was

1 because the other boys had been ridiculing him about his
2 penis because he was circumcised. The reason he was
3 circumcised was because his dad was American and in
4 those days American boys were all circumcised and we
5 wanted him to be like his dad. This was a social,
6 cultural decision.

7 I asked 'Marcus' how the other boys had seen his
8 penis and he explained that after sport on a Saturday
9 morning they had showers. I don't know if the showers
10 were communal but I assume the changing rooms were. He
11 said that the other boys laughed at him when he was in
12 the showers and teased him about his penis. I never
13 spoke to 'Marcus' about his penis and being circumcised.
14 He probably didn't know what was different about his
15 penis.

16 I told the Pringle housemaster in person about this
17 when I was driving him back to the school after he
18 visited the house. It was reported at the time that one
19 of the main reasons 'Marcus' was leaving was because he
20 was being ridiculed about his circumcised penis. He
21 just said something like that's what boys are like.

22 'Marcus' left in the January of the second term of
23 primary 6.

24 Life after Merchiston School.

25 After Merchiston I sent 'Marcus' to Rudolf Steiner

1 school because at that time I just panicked and it had
2 a reputation for being relaxed. I felt that we had gone
3 from one extreme to the other. We sent 'Marcus' to the
4 local high school at the age of 12 to start senior
5 school.

6 As soon as 'Marcus' left Merchiston everything went
7 downhill with his education, he started falling behind,
8 he got in with a rough crowd and went completely off the
9 rails."

10 My Lady, I move on to paragraph 36.

11 "Disclosure by 'Marcus' in 2018.

12 We went to Peebles Hydro for the weekend towards the
13 end of 2018. 'Marcus' had smoked a joint and had had
14 a few drinks. We were playing a board game and 'Marcus'
15 was talking about his future plans. I asked him whether
16 he ever regretted leaving Merchiston and he said no,
17 because he had been very unhappy about being teased and
18 even a teacher called James Rainy Brown had encouraged
19 the teasing about his penis by the other boys. He was
20 quite matter of fact when he was telling me this. The
21 conversation lasted about five minutes.

22 A few weeks later, after I had time to think about
23 it, I told 'Marcus' that I thought this was a serious
24 allegation and that we should inform the school but he
25 refused to get involved because he didn't want anybody

1 to know.

2 'Marcus' and I had no contact with James Rainy Brown
3 prior to 'Marcus' being in primary 6. James Rainy Brown
4 had taught at Merchiston Castle for 30 or 40 years. He
5 was mainly in charge of the sport. He was a thin,
6 tall-ish man and he was quite old, probably in his 60s.
7 I had met him, usually on a Saturday when I was
8 collecting 'Marcus' from school after he had finished
9 sport. I didn't have much to do with him but he came
10 across as posh. He was always dressed in sports
11 clothing.

12 A few years after 'Marcus' left the school, I found
13 out from the mother of one of 'Marcus's' friends at
14 Merchiston that James Rainy Brown had allegedly made
15 lewd comments to boys at Merchiston Castle and that he
16 took his own life before the police could interview him
17 in relation to the allegations.

18 I asked 'Marcus' if he could speak to the Scottish
19 Child Abuse Inquiry and he denied saying anything about
20 James Rainy Brown. He said he was a really nice guy and
21 that he wasn't going to get him into trouble. He warned
22 me not to go to the papers or to tell anyone. He said
23 it was bad enough being ridiculed when he was at
24 Merchiston Castle and that he didn't want anyone
25 ridiculing him now after what he had been through.

1 Impact on 'Marcus'.

2 I think what happened to him at Merchiston impacted
3 the rest of his life. I think it gave him a negative
4 view of his body and it reduced his confidence.

5 Impact on me.

6 My relationship with 'Marcus' has completely broken
7 down, which is absolutely heartbreaking."

8 My Lady, I move on to paragraph 47:

9 "Lessons to be learned.

10 I think the boys ridiculing 'Marcus' at Merchiston
11 possibly arose because it was an all boys' school.

12 I think schools should be co-educational.

13 I don't think you can get rid of boarding schools
14 altogether, but there should be a female matron or
15 somebody that the boys can go and talk to.

16 I hope Merchiston admit that they got it wrong and
17 that they compensate 'Marcus' and other children who
18 were victims of the comments of James Rainy Brown that
19 affected their lives. I hope that there is financial
20 recompense to 'Marcus' and I would also like him to have
21 some counselling.

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

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

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

1 28 February 2020.

2 LADY SMITH: Thank you.

3 Catherine (read)

4 MS BENNIE: My Lady, the next statement bears the reference
5 WIT.001.001.5901. My Lady, this witness wishes to
6 remain anonymous and has adopted the pseudonym of
7 'Catherine':

8 "My name is 'Catherine'. My year of birth is 1962.
9 I am providing evidence on behalf of my son. My son's
10 name is 'Duncan'. His year of birth is 1999.

11 'Duncan' knows that I am speaking to the Inquiry.
12 I spoke to him about me speaking to the Inquiry as
13 I know the state he gets into. He is happy for me to
14 speak to the Inquiry at this stage. He has said that
15 speaking to the Inquiry is not something that he wants
16 to do right now.

17 My husband was schooled in the west end of Glasgow
18 and he wanted 'Duncan' to have an education in a city.
19 That is how we ended up sending 'Duncan' to Glasgow
20 Academy as a day pupil. 'Duncan' loved Glasgow Academy.

21 He was a rugby player. He's a big strapping
22 outdoorsy boy.

23 We had thought about boarding. It was a good
24 solution for everyone. We went up to Glenalmond
25 in February 2011 with 'Duncan' for an entry test and

1 a look around the school. All the parents' children
2 were together in the morning. In the afternoon the
3 children went off and saw the school with the other
4 pupils. Later on we all met up. We said to 'Duncan',
5 'This is totally your decision. We are not sending you
6 anywhere against your will'. 'Duncan' fell in love with
7 the place. He said, 'I would love to come here'.
8 'Duncan' was offered a place at Glenalmond. Right away
9 he was really up for it. He wanted to go."

10 My Lady, in paragraphs 8 to 106 the witness
11 discusses 'Duncan's' experiences at Glenalmond,
12 including the fact that she lodged a complaint with the
13 Care Inspectorate in the year 2015 and also that at the
14 time 'Duncan' was taught by Mr William Bain.

15 LADY SMITH: Thank you.

16 MS BENNIE: I then move on to paragraph 107:

17 "Life after Glenalmond.

18 After we took 'Duncan' out of Glenalmond we were
19 faced with a situation regarding his GCSEs. 'Duncan'
20 was locked into the English system so our choices were
21 fairly limited. We approached Merchiston Castle
22 School's offices to see whether 'Duncan' could switch
23 examination centres to their school. We then spoke to
24 Andrew Hunter, the headmaster. He said that 'Duncan'
25 couldn't be outwith a school environment in the lead up

1 to his exams and encouraged us to take 'Duncan' to join
2 Merchiston at that point. We took 'Duncan' to
3 Merchiston.

4 'Duncan' met the housemaster. The housemaster,
5 Mr Kemp, was fully informed about what was going on. He
6 got to grips with what was going on right away. He
7 recognised how 'Duncan' may be feeling.

8 The chaplain at Merchiston is called Reverend Blair,
9 his wife is called Fiona Blair. She is a qualified
10 counsellor. She volunteered to be able to speak to
11 'Duncan' should he need to speak to someone.

12 Fiona Blair was excellent with him.

13 We ultimately transferred exam centres to
14 Merchiston. We visited 'Duncan' after he had spent six
15 or seven days at Merchiston. Whilst driving 'Duncan'
16 back, I noticed that he was crying. I pulled over and
17 asked him what was wrong. 'Duncan' said, 'I now know
18 what school should have been like'.

19 After the summer holidays 'Duncan' returned to
20 Merchiston for lower sixth form. He was fine for the
21 lower sixth year but ultimately left after the Christmas
22 holidays of 2016 during his upper sixth year following
23 psychiatric advice."

24 My Lady I move on to paragraph 113:

25 "Impact.

1 'Duncan' had a bit of a wobble at Merchiston in
2 December 2015. They knew 'Duncan's' history from
3 Glenalmond. They asked us to take 'Duncan' home for
4 a couple of days. They wanted to set up a meeting with
5 one of the senior GPs at the school. The GP got to
6 grips with it right away and referred 'Duncan' to the
7 NHS Child and Adolescent Mental Health Services, CAMHS.
8 Merchiston did a full Get It Right For Every Child
9 (GIRFEC) plan on 3 December 2015 for 'Duncan'. That was
10 done when the GP decided that he wanted to refer
11 'Duncan' to CAMHS.

12 'Duncan' saw a consultant psychiatrist based in
13 Edinburgh.

14 'Duncan' returned to Merchiston after the holidays
15 for upper sixth in December 2016, he had another bit of
16 a wobble. We took 'Duncan' home.

17 After the Christmas holidays 'Duncan' went back at
18 the start of the second term in 2017. He lasted three
19 days at school. He had a total meltdown. The Child
20 Protection Co-ordinator at Merchiston phoned me to tell
21 me that 'Duncan' had been to see Fiona Blair and had
22 been distraught for hours. He said that 'Duncan' had
23 admitted to self-harming over Christmas. He had shown
24 Fiona Blair scars on his wrists. He informed us that
25 an emergency appointment had been arranged with CAMHS.

1 'Duncan' was very anxious at this point. He had low
2 self-esteem and he felt worthless.

3 The psychiatrist spoke to myself and my husband
4 after she had a consultation with 'Duncan'. She advised
5 us that 'Duncan' should be taken out of school. She
6 said that 'Duncan' was not up to the rigours of
7 a boarding school.

8 We then had a meeting at Merchiston with the Child
9 Protection Co-ordinator, the housemaster and the
10 headmaster. We explained the situation. They were very
11 good. They made sure that they were speaking directly
12 to 'Duncan' in the meeting. They talked through his
13 options. They made sure from an academic point of view
14 that 'Duncan' didn't leave the school thinking that he
15 was burning his bridges. After the meeting, 'Duncan'
16 left Merchiston."

17 My Lady, I move on to paragraph 129:

18 "Care Inspectorate investigation into Merchiston
19 Castle School.

20 When 'Duncan' went to Merchiston in 2015 it was like
21 night and day. Any time we would arrive on the campus
22 a happy pupil would come up to us and ask us whether
23 they could help us. You never got that at Glenalmond.
24 The children there tended to either view you with
25 derision or suspicion. You weren't adults there to be

1 helped by them. I think that spoke volumes in terms of
2 the differing ethos between the two schools. With
3 hindsight, 'Duncan' would have been much happier at
4 Merchiston.

5 Just after 'Duncan' arrived at Merchiston the news
6 broke of a historic abuse case involving a man who had
7 been at Merchiston in the 1960s and 1970s. Instantly
8 there was an email sent out to all the parents from the
9 headmaster about what had happened. All the parents
10 instantly knew what was going on and we were informed
11 that the Care Inspectorate would be coming in for
12 an inspection. I think all that the Care Inspectorate
13 found out, following their investigation, was that one
14 set of documents didn't follow the course they should
15 have done. Because of that, the school was put under
16 a full inquiry. That meant the school was under the
17 spotlight for a year.

18 We attended a joint Care Inspectorate and HMIE
19 meeting held by the school. I remember that the parents
20 in the meeting were very much against the inspection
21 going ahead. The parents were essentially asking 'why
22 are you here?' I just listened for a while to see what
23 the consensus of the room was amongst the parents.
24 I then put my hand up and said, 'I'm in the unusual
25 position of having experienced both Glenalmond and

1 Merchiston and I have to ask why you are here and not
2 investigating Glenalmond?' I also asked HMIE why they
3 hadn't been in Glenalmond for nine years.

4 I got the impression that Glenalmond parents were
5 provided with information on a need-to-know basis.
6 Glenalmond parents were not even alerted when
7 William Bain was arrested. In my opinion we should have
8 been alerted given that 'Duncan' had been one to one
9 with that teacher and ultimately presented to his GP
10 with symptoms of abuse. If you didn't ask for
11 information then it wouldn't be given. Merchiston was
12 totally different. As soon as 'Duncan' started at
13 Merchiston we were bombarded with information.
14 Pastorally, Merchiston was streets ahead of Glenalmond."

15 My Lady, I move on to paragraph 136:

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

19 My Lady, the statement is signed and it's dated
20 7 November 2017.

21 LADY SMITH: Thank you.

22 MS BENNIE: My Lady, that concludes the read-ins for today.

23 LADY SMITH: Thank you very much, Ms Bennie.

24 Mr Brown, we have made good progress.

25 MR BROWN: We are, and tomorrow we return to a 10 o'clock

1 start, two live witnesses and further read-ins, and
2 I would hope that by the end of this week all the
3 read-ins, bar one for next week, will have been brought
4 into this week, which will expedite matters next.

5 LADY SMITH: Thank you very much indeed.

6 I'll rise there for today and I'll be sitting at
7 10 o'clock tomorrow morning, not 8.30, so I look forward
8 to seeing any of you who are intending to be here then.

9 Thank you.

10 (12.36 pm)

11 (The Inquiry adjourned until 10.00 am on Wednesday,

12 19 January 2022)

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I N D E X

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 Questions from Mr Brown2
'Craig' (read)60
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