Friday, 18 August 2023

(10.00 am)

LADY SMITH: Good morning to the last day this week of Edinburgh Academy hearings. We have three in-person witnesses today, as I indicated last night, and the first one is ready to give evidence.

Mr Brown?

MR BROWN: That is correct, my Lady. 'Grahame' is ready.

LADY SMITH: Thank you.

'Grahame' (affirmed)

LADY SMITH: 'Grahame', the red folder has your statement in it. You might find it helpful to refer to that, but you don't have to.

I see you have also brought documents of your own. If they're going to help you to give your evidence, do feel free to find whatever you need to find in them, so don't be inhibited from that.

Can I start with an apology? Because I know from reading your statement that this colour isn't the greatest colour for you. I'm so sorry. When you look my way, you are going to see it. Don't look my way if it makes you uncomfortable, just look the other way, if that's better.

A. Okay.

LADY SMITH: All right. Anything else that we can do to

help you give your evidence as comfortably as you can we'd like to do, so please let us know if there's anything, will you?

A. I will. Yes.

LADY SMITH: If you're ready, I'll hand over to Mr Brown and he'll take it from there.

A. Okay.

LADY SMITH: Mr Brown.

Questions from Mr Brown

MR BROWN: My Lady, thank you.

'Grahame', good morning.

A. Morning.

Q. You have the statement in front of you. It has a reference number, WIT-1-000001286, and it's a document, we see from the final page, that you signed last month. The very final paragraph reads:

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

That's the position?

A. That is correct.

Q. Thank you.

You are now 58 and you were at Edinburgh Academy between 197[redacted] and 198[redacted]?

A. Correct.
Q. When you were 9 until 16?
A. Yes.
Q. We see from the background details set out at the beginning of the statement that as with a number of other boarders your father was in the military and, as a result of that, and postings, you had been moving around; is that fair?
A. Yes, every two to three years.
Q. That was the routine?
A. Yes.
Q. I think we see that certainly some of the schooling you had received prior to going into the Academy hadn't been particularly successful, military schools; is that also correct?
A. Very much so, yes.
Q. So your parents took the decision, presumably with the best will in the world, to try to give you a consistent education in one place?
A. Definitely. Definitely.
Q. For whatever reason, Edinburgh Academy was chosen?
A. Yes.
Q. Do you have any understanding as to why that school was chosen?
A. Probably not the decision process. But they chose

Scotland -- my mother was educated in Scotland, and also my grandparents lived in the Borders and two of my uncles lived within the Edinburgh area. So, geographically, it kind of made sense, the education package that they expected to deliver made sense, and I think they're probably right on that score.

And the Easter before -- it must have been the Easter, I'm kind of guessing because it's not that fixed in my brain -- I travelled with my father to Gordonstoun and one of the other schools and the Edinburgh Academy.

The Edinburgh Academy was the only one I was at where they kind of gave me some form of test. Gordonstoun, I remember, driving with my father, going: oh, my God, this place looks horrible.

LADY SMITH: You had a long drive to get there, too, I suppose?

A. Yes. It was three days. I wasn't really sure at the time, I think, what was happening. But, yeah, so I think they probably sort of made what they thought was the best decision.

MR BROWN: Do you remember how you felt?

A. No. That's kind of odd. It just felt like something -- it was time with my father. You know, bonding. I was at my grandparents. It wasn't really explained that you were going to go and see these schools because this is

where you might be going in September. So I kind of just sailed through it, really --

Q. All right.

A. -- with no real emotional side to it.

Q. Once the decision is made and you knew you were starting in September at Edinburgh Academy; do you remember how you felt about that?

A. That, again, kind of washed through. The only thing I kind of remember is having passed the entrance exam.

My father bought me a German railway set. It's another fixed memory. I still have parts of it on the sideboard at home.

And then the next thing was coming back to Scotland in the summer for fitting out at Aitken & Niven, and that whole two days of putting strange things in a box, like cricket whites. What was cricket? I don't know. It was kind of just everything was put in a big, black trunk with my name on it.

Q. Okay. The railway set is something you've kept; is it fair to say it's something you go back to from time to time?

A. It is. It's a fixed point ...

(Pause)

It's a fixed point to a happier time.

Q. Yes. And putting matters very short: is it fair to

describe the time between 9 until 16 at Edinburgh Academy as anything but happy?

A. Yes.

Q. But, from your statement, from 13 onwards things begin to get better, progressively?

A. Yeah. I mean, I suppose that's the dilemma. In the years after leaving the Academy, I've kind of recognised the period from 13 to when I left as actually being a good time.

Q. We'll come back to that and the reasons why it was a good time, as compared with the other period.

We have a photograph of you, which was taken, I think, before you started; is that correct?

A. The photograph was taken shortly -- after or if not during kitting out, because I didn't -- it's split. I took out my sister, for obvious reasons, and I have a feeling that at Aitken & Niven they had the ability for people to have their children -- taken with the school uniform, because I wouldn't have seen it until I went to the school.

Q. Yes. I think we can see it in the screen. This is EDA824?

A. It's not on that one. It's behind me. I know the picture.

Q. All right. I think as you know -- it's your picture --

there is an element of excitement in it; novelty?
A. Yeah. I was a sort of very vibrant, happy child and the world was an exciting place to be in. I've always been a sort of -- an explorer of the world, and this is one of -- this photograph is a major milestone because I know something changed. Every time I looked at this picture over the last 50-odd years it comes back to me.
Q. After that picture was taken, life changed?
A. Definitely. I kind of describe it as a sort of revolving door. A boy was left at the door of Dundas House.
LADY SMITH: The point you make 'Grahame' is this photograph appears to have been taken when you were, if you like, on the threshold. You hadn't actually entered the life of the school at that stage, but you were fresh and full of hope that it was going to be a good thing --
A. Yeah, there was --
LADY SMITH: -- would that be right?
A. Yeah. I was definitely sort of happy.
MR BROWN: Thank you. I think we can take the photograph down.
LADY SMITH: 'Grahame', thank you for sharing that with us. Thank you.
MR BROWN: Again, just to put things in context, you were in three houses at Edinburgh Academy. You start in

Dundas --

A. Yes.

Q. -- for a year, and then you then go to Mackenzie for three years?

A. Yes.

Q. In Mackenzie, there is a change of housemaster?

A. Correct.

Q. Mr Brownlee is Dundas. Mr Dawson starts as housemaster in Mackenzie, but while you're still there, he goes and there is a new housemaster, Mr Lister?

A. Correct.

Q. Then, after three years in Mackenzie you go on to Jeffrey House, the senior house?

A. Yes.

Q. Where, again, there is a different headmaster, Mr Evans?

A. Correct.

Q. Again, I think we'll come back to the fact that the last two of the four had a different approach to the first two.

A. Yes. Now, with sort of hindsight and looking at the records and things, it's very different.

Q. Dundas, we know, was a small house in comparison with the other two?

A. Yes.

Q. As you moved up; did the numbers of boarders grow?

A. Yes, definitely.
Q. The houses were physically bigger?
A. Physically bigger and then, of course, they got even bigger with the Jeffrey and -- I can't remember the other house name.
Q. Scott?
A. Scott, yes. Scott and Jeffrey House had the same age groups in them.
Q. Do you remember day one at Dundas, just what sort of welcome you got?
A. I think difficult to say. I remember chaos because everybody was moving in, opening the trunks and trying to find space for it all. I don't remember my parents leaving. I don't think there was much ceremony in those days. It was just, "Right, goodbye", and off they went. I remember Mrs Brownlee. I can even picture her face in my head.

I remember Mr Brownlee kind of being around, but it was just very chaotic and, obviously, meeting the other boys that would be in my dormitory.
Q. Was there any induction as you would have now, perhaps, explaining how the house worked, what was expected of you?
A. No, I don't remember that specifically happening. I think it just unfolded and we slotted in with: it's

6 o'clock, do this.

Q. You picked it up on the job, as it were?

A. I think so, yes.

Q. Now, you say that -- and just talking generally -- bullying was a factor throughout school; is that correct?

A. In Dundas, bullying from sort of other kids wasn't something that happened.

Mackenzie House, I think it sort of -- it floated around, just because you had sort of age groups and the system being the older boys kind of controlling what happened.

In Jeffrey, it was a kind of mixed thing. That was my last year of sort of maybe just coming to terms -- the last two years, no. But the first year in Mackenzie was the tail end of the bad years.

Q. Okay.

A. That was where it came.

Q. From what you say -- and I think, Dundas, the numbers in the house, were actually quite small?

A. They felt very small. There were four people in my dormitory. There was another dormitory which had probably been a mirror image. Interestingly, we never went into the other dormitory.

And I remember we were lined up to go to school in

the foyer downstairs, where we were checked, you know, whether we had rubbish in our pockets, whether our shoes were polished, whether our ties were done up. I think we wore the cap once, but it was disposed of quite quickly.

So, yeah, then it would be off to school or -- yeah, from there.

Q. Okay. So, numbers-wise, I think in the statement you are talking perhaps around ten?

A. Could have been, yeah. It felt like it wasn't a large number. There was no double line in the foyer before we left.

Q. Okay. And it's a physically smaller house, numbers aren't enormous and, in terms of the staffing presence, from your recollection, it really was Mr Brownlee and his wife?

A. Principally, yes. There may have been somebody popping in. But, really, it was them with total control of us.

Q. How much of a role did Mrs Brownlee take?

A. Background. I remember her being there on day one, and sort of occasionally seeing her and they had the two little boys they had.

Q. But, in comparison, I think, with other houses later on, did the housemasters' wives in those houses play more of an active role?

A. No. I mean, I never saw Mr Dawson's wife at all. She appears in one photograph in my memory. But, no, it's the only time I saw her.

In Jeffrey House, Mr Evans' wife sort of played a smaller role. So she would talk to you. I remember when I left she was running a scheme where the boys signed a piece of cloth that she was embroidering the names of the pupils that had been there. So she was quite pleasant.

And of course there was matron in both those houses and, usually, one of the younger teachers in Jeffrey, I think it was, a chap called Ian Storie, and I can't remember the name of the young man that was in Jeffrey House. But the younger teachers seemed to have got accommodation in return for which they did things like weekend duties.

Q. Sorry, Mr Storie, which house was he in?

A. Jeffrey. He was, like, there in the last couple of years I was there.

Q. Right, thank you. You talk about your roommates; you're in a dorm of four?

A. Yes.

Q. And of those they have similar backgrounds to you?

A. Very similar, yes. Three of them, yeah.

Q. Did you get on with them?

A. I think we got on like a house on fire, to be honest. Very fond memories. We shared a lot between us. We were all the same age, all very young. I wouldn't say it's like a sleepover, but you put three or four nine-and-a-half-year-olds in a room then they kind of are just nine-and-a-half-year-olds. They'll do what they do.

Q. I think, moving on to perhaps the unhappier elements, you were, I think, quite a talkative child?

A. Yes.

Q. And we've heard about the importance of lights out in the dormitories. In Dundas, there was a set time; did you understand after lights were out you should be quiet?

A. I think, as any child would do is, say: yeah, okay, the lights go out and that should be quiet time.

Q. But the reality is different?

A. Yeah. Very different. I've seen that in the nine-and-a-half-year-olds who have been closer to me in my adult life and quite recently. I can't imagine how you can tell them to be quiet and shut up just by closing the door and they'll do what you tell -- especially if they're not your children.

Q. Yes. And you make the point -- and this is paragraph 78/89, page 14 -- you liked story telling?

A. That's where I kind of -- yes. I mean, it just became a thing. I've always done -- or had always done amateur dramatics and been involved in theatre and those sort of things prior to coming to the Academy. And we would talk about the day and then we -- from day one we kind of were telling jokes and laughing and everything else, and we seemed to start a session whereby they would say, you know, give some scenario and some characters to play and then I would stitch together a story, funny or otherwise. And that became something we did every evening and then after that we would sort of go to sleep. It seemed to be a sort of routine where we dealt with the day, talked about what we were doing, what was happening and then we'd have a bit of a laugh, I suppose, relax and half an hour after lights out, 40 minutes after it -- you know, it seems to have been the routine.

Q. And that, I take it, was fun and, to you, entirely normal?

A. Yes. I kind of always have been quite happy being centre stage. I've rediscovered that with conference speaking and things, and holding an audience I can do. It is what was happening then.

Q. Did you have any sense that was likely to lead to trouble?

A. Nothing.
Q. Nothing. But I think, as we know -- and you think it's probably within a couple of weeks of starting?
A. It might even have been the first week.
Q. It might even have been the first week?
A. Yeah.
Q. From what you recollect, you've done your usual evening routine with your roommates, you've chatted, stories, and then silence will reign?
A. Yes.
Q. But, despite it being silent, and it's dark from your recollection, Mr Brownlee came into the dorm?
A. Yes.
Q. You say you thought he might have been listening outside; is that just ...
A. The reason why I thought he would have been listening outside is because he had identified me. He didn't take any of the other boys. It wasn't somebody coming in to say, you know: can you all please shut up? It was a door opening and he specifically came and took me out of the dorm.
Q. So he came for you?
A. It feels like that. I can't -- I mean, I don't remember and we haven't spoken, a lot of the boys didn't make it beyond the first year and I've never had the chance to

talk to those dorm mates about what happened. So I just know that he came -- he didn't take any of them.

Q. Did he say anything?

A. Not at that time, no.

Q. So, if he's not saying anything; did he take hold of you?

A. I can't remember if he took hold of me. I just -- or whether he -- I don't think he said anything. I was just -- kind of either followed him or he led me out of that dormitory.

Q. All right. And you were taken, you say, to his study?

A. Yes.

Q. Was that just part of the -- Dundas House, he had a study which ...

A. I don't remember which door it was. I didn't think I went down any stairs. The landing was quite large.

Q. Okay. And once you are in the study -- and you make the point you had no explanation of what's going on?

A. Nothing.

Q. But you realised he was not happy?

A. I just remember the desk and being turned around, bent over the desk and then just -- he unleashed hell.

Q. As you set out, your pyjama trousers were off; correct?

A. It felt like that, yes.

Q. What did he unleash hell with?

A. The Academy had a -- I hadn't met one until then -- a clacken, which is a rather large, flat wooden spoon.
Q. We have seen one.
A. I didn't see it.
Q. But you felt it?
A. Yes.
Q. And from your description, his behaviour was out of control?
A. It just, in the form of sort of physical punishment, floated around, probably been part of the schooling. Occasionally, people got the belt, if you like. Most of it never happened. Teachers would threaten it, for sure. He had never threatened anything so this was a kind of out-of-the-blue, unexplained beating.
Q. I appreciate it is a long time ago and it's not a happy memory, but do you have any sense of how many blows he issued?
A. None.
Q. None?
A. No.
Q. Okay.
A. Or how long it was. It was just ...
I think it was just a shock.
Q. Yes, and very painful.
A. Yes.

Q. Now, you say that once it was over you went back to the room and the other boys didn't ask; and you didn't speak about it?
A. No, my memory is just going back to the room, going to my bed, getting in it, lying on my side, with my back to the rest of the boys and they didn't ask. They never did ask. We've never -- I've never talked about it. But it was -- yeah --
Q. As you remember things, after that, there were no more stories?
A. No.
Q. Did it simply seem to be understood that you wouldn't do that?
A. I don't -- it seemed to be implied. It wasn't a conscious thing. They didn't ask. I know it was the end of that particular part. I'm not even sure if we spoke after lights out, either. I don't remember. It was just kind of a full stop.
Q. Prior to that, how had you viewed Mr Brownlee?
A. I suppose he was a kind of distant teacher. He didn't do any teaching of our year. He was only really there, I suppose, more just in the house and around.
The routine started to kick in. So we'd go for breakfast, come back, get ready for school, go to school, come back. You know, you had the evening

routine, the evening meal. So, by the time all that was finished, we were almost on to the back of going to bed.

LADY SMITH: Which primary year had you gone into, 'Grahame', when you started?

A. The class I was in was 5[redacted], when I was nine-and-a-half years.

LADY SMITH: Was Mr Brownlee, at that stage, teaching P6, rather than P5?

A. I don't know. I never had him teach me, I think, until the following year, where I think he did some of the classes, yes.

LADY SMITH: Thank you.

MR BROWN: But was he a warm or a cold person in the house?

A. I don't think -- I didn't feel he had any personality. You know, Mr Dawson had a personality. Mr [redacted], who was my first teacher, had a personality. You could sort of work with something. Mr Brownlee felt quite distant. His wife was not somebody who sort of -- I felt that she wasn't welcome.

I'm trying to see it from a nine-and-a-half-year-old's perspective. But, as two people who were in charge of us and had the care of us, it wasn't somewhere where you would go: hey, this is a safe -- this is a place where you felt comfortable.

They were just people who were overseeing you and,

you know, you were maybe in some George Orwellian-type Animal Farm story, really.

Q. Putting it simply: there was no care?

A. No, I don't think -- there was no proactive care. I saw differences, obviously, over the years, but it didn't feel like somebody was -- as long as we toed the line we were left alone.

Q. But if you didn't, there were consequences?

A. Yes, it would appear there were.

Q. Could you describe the atmosphere in Dundas House, perhaps in a word?

A. No. I mean, we -- the dorms kept themselves to themselves, the boys in the little group. It didn't really have an atmosphere.

I've been to primary schools, obviously, as a father and there was none of that vibe. It was quite an austere place. It was also dark wood.

Q. Sombre then, perhaps?

A. Yeah. It wasn't a warm -- it didn't feel like a warm and happy place at all.

Q. I think you experienced Mr Brownlee's use of the clacken again when you were in the house, but after or during a trip to the school's house in the country, Glen Doll?

A. Yes, it's one of three occasions that year.

Q. Yes. And we would understand that Mr Brownlee would

take you and the boys in the house up to Glen Doll in a minibus?

A. Yes, an old Commer minibus, British-built design, rubbish. Sliding doors and sort of vinyl seats and things. It was a horrible thing.

Q. But, once you're up at Glen Doll; long walks in the country?

A. Yeah.

Q. Two aspects to that. One directly involving you, but the other involving one of your classmates, as you walk. And these were long walks, we should understand?

A. I've learnt there are longer walks, as an adult, but as a nine-year-old --

LADY SMITH: You were little.

A. Yes. Long walks in the dreich weather.

MR BROWN: Yes, and what happened to your friend?

A. This is another one of my very strong memories that I've not ever, until recently, been able to understand.

We were coming back from one of these long walks. I can picture it now. I can smell the cagoules that didn't really do anything, they've got wet on the outside and wet on the inside. And one of the boys was at the back of the little group and I dropped back to talk to him.

He was in clearly some form of discomfort. After

talking to him for a little bit, it was very clear that he needed a toilet break. And, to this day, I've never understood why he never asked for a toilet break, because he kind of just kept walking and at some point he defecated himself while walking.

Q. You were aware of his predicament?

A. I was aware he was in a predicament. How much is difficult to know. I know that he was taken away when we finally got back, and that's why we kind of learnt that he'd defecated himself on the way back.

He was just so scared. I don't know. He felt really scared about asking, and I've lived with that ever since then. And I've just -- every time I kind of -- it comes up in my brain, I go: what?

Q. It was too much just to ask the obvious?

A. Yeah. He was just so scared. Why? Why not just say: look, I'm sorry, I need to stop.

But he didn't.

Q. And just to be clear: who was leading the walk?

A. Mr Brownlee.

Q. Yes. But, on that same trip in the minibus, however poor it was, you are driving up, boys talking one to another; and were you entertaining them?

A. I can't remember if it was on the way or on the way back. I can picture us sitting at the back of the

minibus and I suppose we forgot where we were. We were telling jokes and talking and being boisterous at the back of the bus.

Q. Being nine-year-olds?

A. Yeah. Being nine-year-olds.

Q. But there were consequences for you?

A. Yes.

Q. And they were?

A. I received another beating.

Q. Of a similar ferocity to the first?

A. Yes.

Q. And I think where you have difficulty is you can't remember where it was, whether it was either at Glen Doll or back at the school?

A. It's very hard because it's a bit broken up, those memories, those images.

You know, I remember being at Blair House and the little library they had, tucked in a corner and spending a lot of time there. And kind of part of me says the logic would be it was dark when we were in the minibus and I suspect that after a weekend with us the pressure would have been higher.

I don't remember where it was. A lot of it is blocked out, but I know that was a -- I know that was the second occasion.

Q. You mentioned the library and you were going there; and this is at Blair House?
A. Yes.
Q. And I think you describe it as -- along with a number of other places -- as a safe space?
A. I think probably it's the first space where -- I found for myself. It was a very small room, with a worsted carpet and just, I suppose, a corner and I spent -- I remember it. I can see it again right now, sitting there, away from everybody else. So it was probably one of the first places where I actually sort of found a sense of safety.
Q. Should we understand, thinking of the next years at the Academy, you would find similar places to go and be alone?
A. Yes.
Q. And feel safe?
A. Yes.
Q. There was -- I think you alluded to a third occasion, that year with Mr Brownlee, but this time it's in the school, rather than the boarding house?
A. Yes.
Q. Just to be clear, this is P5, when he's not teaching you?
A. Yes.

Q. But we understand that he instructs you to go to his classroom?
A. One of the boys came to tell me that he wanted to see me in his classroom.
Q. Did you know why?
A. No.
Q. No. And presumably, as instructed, you go to his classroom; was this over lunchtime?
A. I've no idea whether it would have been over a lunchtime. It probably was or at a break time. But it was a kind of -- a bit like the dentist. Sometimes you have to go and do things and get them over with, and it was also a period where we kind of knew we were changing house, so there would be a chance to sort of escape.
Q. Okay. So this is the tail end of that first year?
A. Yes, it was the summer term.
Q. What happened when you went to the classroom?
A. He beat me again.
Q. Why?
A. I have no idea.
Q. Why do you have no idea?
A. I got an instruction to go, he's the deputy head; what do you do? You go.
Q. Was anything said when you arrived in the classroom?

A. No.
Q. But you were beaten with a clacken again?
A. Yes.
Q. Just to be clear: the episode after Glen Doll; clacken again?
A. Yes.
Q. Third event in the classroom; what degree of ferocity?
A. They were all kind of the same cycle. The sort of -- the memory I have has partly been erased. I just remember being asked and going, and then that's about it, really.
Q. And, again, just to be clear, we've heard first event in the dorm, nothing is said.
A. Yes.
Q. Nothing is said in the classroom; was anything said by way of explanation, Glen Doll or immediately afterwards?
A. No. I mean, my only association is that we were talking after lights out, and this is the adult looking at it. We were very boisterous in the minibus. I think it would have annoyed any parent or -- after a long weekend. But no one sat down and said: look, this is -- this wasn't done.

There was no explanation.

Q. You describe feeling very, very sore on every occasion he beat you, but you didn't, as you remember, have

injuries that drew blood?

A. No.

Q. Were you bruised?

A. I didn't look.

Q. Rightly or wrongly, did you feel this was only happening to you?

A. I wasn't aware it was happening to anybody else. That's why I was -- I think I was so shocked and have been so shocked that a nine-year-old boy couldn't ask to stop for a toilet break. That's always puzzled me and sort of -- I've struggled with. And until very recently I think one -- maybe I hoped I was the only one.

I had no idea at all until the newspaper -- somebody shared a newspaper link to me about him and now it kind of makes sense.

Q. Thinking of the school environment, this is the prep school; you then had him in P6, as a teacher? Do you remember beatings in class in P6?

A. No, he taught us -- I have a feeling it was Latin, and we only had him for one or two lessons a week. And also, I think in that last year, the class master, who was a younger gentleman, who was about to get married, used to sort of take boys -- little groups of boys for tea with his wife. So there was a different connection. I think we were a little less under his influence. So

if he'd asked to see us he would have asked -- I can't remember the gentleman's name. The teacher, he would have had to ask the form teacher. So they had a little bit more -- we were -- I suppose there was another layer of protection. He didn't have that direct influence.

Q. He wasn't your form master?

A. No, he wasn't the form -- and he wasn't the housemaster either.

LADY SMITH: When he taught you what you think was [redacted]; did he come to your classroom or did you go to his? Can you remember that?

A. We always went -- so you had a home class. So you go to, in the first year, Mr [redacted]'s class and then, after assembly, you would go to the teacher in their classrooms, yes.

LADY SMITH: Thank you.

MR BROWN: You have touched on the fact that you move up a house; you have had your year in Dundas and you move to Mackenzie?

A. Correct.

Q. Do you think the experience of Dundas had any effect on you and your attitude when you went into Mackenzie?

A. So, in the last summer term in Dundas, I would go to the playing fields whenever I could and basically stay there for as long as I could. There was one just opposite the

house and, also at that time, I remember reading Call of the Wild and it stuck with me, and I think what I had been doing was trying to find a way of dealing with it. I felt comfortable being away, and that book kind of gave me a sense of direction as to what my life might look like at school.

So going into Mackenzie House was -- it was a new experience. We did not knowing anything at all, so we would kind of -- but we came -- I came with baggage, but also with a sort of -- I don't know what's coming next, in my brain, but with some sort of sense how I might deal with what it was.

It seems to stick together now, but that book really, when I read it -- still, today, is another milestone. What was it that attracted me to that book? Apart from [redacted] in it, obviously. Very terrible [redacted], so it was quite good to see something where it was in a context.

Q. Were you wary by the time you got to Mackenzie?

A. Again, with the passage of time, it feels that, yes, here was another place with somebody else that had control of us.

Was I aware of being wary? Was I aware of any sort of danger at the time? No. We were just glad to get out of Dundas House. You were growing up and going into

the last -- the oldest year in the prep school. You know, you are no longer the little ones.

Q. One final thing about Dundas, though -- and this is in relation to letter writing -- you didn't speak after you were beaten, the first time or afterwards; is it fair to say?

A. Yes.

Q. You wouldn't tell anyone?

A. No.

Q. You wouldn't discuss it with your classmates?

A. No.

Q. They didn't discuss it with you?

A. No.

Q. And you didn't tell your parents?

A. No.

Q. And your way of communication, thinking back to that first year, was by letter writing?

A. Yes.

Q. Letter writing was part of Sunday activities; is that correct?

A. Correct, yes.

Q. Sunday afternoon was letter writing?

A. Sunday after church.

Q. Right. But, as you say in paragraph 153, on page 27, and this is when you are discussing things a lot later

with your mother, you explain that whilst you had to write home on Sunday, the letters had to be left unsealed, and:

"If I had written anything down, it would never have got out the house."

Can you expand on that?

A. Yeah, I mean, letter writing for children of any -- at that age I was -- very hard. Talk about the getting thank you letters written, it felt that painful.

There were things that we had done, put on a blackboard. Topics, if you like, which were kind of acceptable to write about. So letters would have been done as quickly as possible. Yes, look, we did this, we did this, we did this, and then you left the letter there and unopened.

We didn't really have the mechanism to talk about it or write about it, or even maybe write what somebody might read and go: this is a small child talking about very strange things.

Q. I think the word you used in the statement was "unsealed"?

A. Yes.

Q. Did you understand they would be read?

A. No, no. It was just leave -- once you've written it, just leave it over there, unsealed.

Q. Who was writing the topics on the blackboard?
A. That would have been the Brownlees.
MR BROWN: Okay.
LADY SMITH: And, 'Grahame', am I right in thinking at this time your parents were living far away abroad?
A. Yes. My father was in Germany consistently for the better part of about 18 years. I saw them at Christmas and the summer, and all other vacations I was with my grandparents, yes.
LADY SMITH: Thank you.
MR BROWN: Moving on to Mackenzie, and you said that the housemaster, Dawson, had a personality; what sort of personality would you describe?
A. He was probably totally different to Mr Brownlee. He was more present. He was more interactive with the boys on -- I mean, we know a lot about him now, but it was a very different experience, in terms of, you know, even if -- he would have a conversation with you, or try and have a conversation with you, he would be around a lot more, particularly in the evening. Whereas Mr Brownlee really wasn't.
Q. What about his wife?
A. I said earlier, I never saw her. There is -- there was one photograph of us in Mackenzie House with him and his wife was in the picture. And this was in the original

collection of documents that my parents had from the time, but the photograph has now gone missing from that collection -- or went missing from that collection before I got it, officially, from my parents, but, no.

Q. But Dawson was present and the contrast that is striking from your statement is, unlike Brownlee, who wants silence and not to be there, with Dawson at lights out, he is present and heavily engaged with the pupils?

A. Yes.

Q. And your description is it felt like a routine with Ken Dodd and we were his diddy men, showing a date, obviously?

A. Yes, it dates it, doesn't it?

Yes, it felt like that. You know, if you went in and first ran into it, it was somebody who might have been trying to make you feel welcome on a certain level, but there was certainly some aspects which I think I -- I wasn't aware of being wary of him at that time, but I think that my experience within Dundas House had certainly set me up with a life-long mistrust of individuals who have some form of control over me, and he would have been somebody I was looking at and trying to work out whether he was going to be like Mr Brownlee.

I don't know. But I certainly had some sense of awareness that not all was good.

Q. And that was because of what?
A. His behaviour at lights out, or just before lights out. It was very much in the dormitory. He would -- sort of before came I (inaudible) recalling images of him. Much bigger dormitory, might have been ten of us in the dormitory, or maybe eight to ten, and I was in the bottom corner and then, at the top corner, there was a door and he seemed to spend a lot more time at the top end of the dormitory and sort of picking or interacting with probably the quieter boys in the room, threatening to tickle. The tie and being tied with the tie was the sort of theme.
Q. He would tie children up with their ties?
A. He would just say, "I'll tie you up and tickle you", and that sort of thing. It wasn't sort of, "I'll do it". He was just going: woo, woo, woo, woo, woo, woo.

It felt like a sort of a routine that he was doing and I was -- again, I don't realise now, but I was kind of stepping back from it.

He didn't tickle me and he never threatened to tie me up, but it was very visible and it was always the -- I mean, we were the year group going in and it seemed that we got more attention, but I don't think he really -- you're in a house with a lot of other boys of different ages, you really notice them. They're just

part of a crowd of people living in the same building.
Q. You say in the statement you felt he was testing how receptive?
A. Yeah, he had -- he did jelly beans for treats and tasks, so I -- we were, nearly all of us -- certainly my friendship group, we had all at some point in those very early days kind of either received jelly beans for a collective thing that was done. And on one occasion I was invited into his private area of the house to collect a jelly bean reward for something.
Q. In relation to that episode -- and here we touch on the issue you have with mauve and pink -- you recollect going into his part of the house and it was separate from the dorms?
A. Yeah. There was a long corridor, I think, on the first floor, at the end of which there was a door, which he used to stand next to to ring the bell to wake up in the morning. You go through that door into a corridor that led to his private part of the house.
Q. And the corridor, as you say, was painted in a purply-mauve colour?
A. There was a sort of purple-mauvey theme. And, again, that's just another thing embedded on my mind.
And you go back to talking about us meeting his wife and the fact we never met her. In as much as I remember

walking down the corridor, I was on the left-hand side and there was a woman coming towards me, who kind of dipped her head away from me, long hair, I think, and I didn't know whether that was his wife. We didn't know he had a daughter either, at that point. I now realise that actually it was probably his daughter I was walking past on the way in.

Q. And you have no recollection of what happened?

A. No, no. I think it was a sort of quick visit to collect whatever it was and out.

Q. Yet you are left with what you describe as an irrational dislike of purple, which you consider dangerous?

A. It has been another random memory, and I have never used the colour doing -- you know, making models. I never used the colour with pens. I removed pens from -- colours -- pens of that colour range from any felt tip set I was given or pencil -- was given. And it went on for a long, long time.

I got over it. I still didn't understand it -- why, but it just links to walking down that corridor.

Q. Okay. The other memory you have, I think the detail is in the statement, is that Mr Dawson, on days when you are going to play rugby, would check that boys were not wearing pants under their shorts and that would involve checking -- looking both into front of the shorts and

into the back?

A. Either/or, yes. So from back or front.

Q. And everyone would be checked?

A. Yes.

Q. Did any other teacher ever do that?

A. No.

Q. But that was part of the routine?

A. It was part of the routine. Also, I played a lot of rugby into my early 20s, quite senior level, and the other thing that I still -- I have got my head around now, is that I never understood why the other players on the team didn't -- they wore sport shorts underneath. It was kind of like, you know, the 30 other people wearing underwear here; why are they doing that because surely for rugby you don't do that? That used to get to me through my teens and 20s, and now I kind of got it.

Q. That idea of not wearing anything under rugby shorts; was that constant throughout the Academy?

A. Yes. I didn't wear anything -- from the point I was playing rugby at the school, I did not wear anything underneath until after my rugby career finished.

Q. That began in Mackenzie House with the checking by Dawson?

A. That's when it was checked and we were asked -- we were sort of checked to make sure we weren't wearing anything

under that.

What happened before is an interesting question. But that's definitely where we were kind of told that's how you dress for rugby, where we were checked.

Q. Did you understand why?

A. No. And I think, again, you kind of -- when you have 15 boys all going out to play rugby, they just want to go and play rugby. Or they want to play football. They want to just get out.

And you don't question a lot, I don't think, as a child. It's very difficult to question, and somebody comes along and goes: check, check, check.

We were used to having our boots checked: were your boots clean? Were the studs clean, and so on. So it was part of a routine that we just then didn't -- it wasn't worth your bother because then if you had anything on, it had to come off.

Q. I think in the statement you say -- and whether it's one or two years perhaps doesn't matter -- Mr Dawson was housemaster for one year?

A. No, it was two years, I think.

Q. All right. That's the point?

A. It was two years. I think I'm pretty sure it was.

Q. Okay. But then you have a change of housemaster?

A. Yes.

Q. And Mr Lister comes in. Prior to Mr Lister coming in; had your behaviour generally -- you have talked about finding safe spaces -- begun to change at school?
A. My behaviour changed -- I think in the second year if we went to whoever was looking after us at the weekend and you told them where you were going, you could draw down some money, and no one ever asked any questions about what you were doing as long as you came back to the house for the evening or came back for the evening meal.

And so I began just taking the 12 pence and disappearing into Edinburgh.
Q. Where would you go?
A. National Gallery, museums, Princes Street Garden, the Botanics, Leith. I remember walking all the way down to Leith docks. Anywhere that wasn't the house at all, and leaving it.

I mean, this is kind of building up to the -- later, basically, the trust in the boys to do what they said they were going to do and come back, then I could get freedom. And freedom, for me, was not to be in the house at all, whenever I could.
Q. Did you feel safe in the house?
A. I don't remember specifically saying: I don't feel safe here.

What I remember is feeling that I felt comfortable.

I could escape and be happy.

My behaviour at school was sort of degenerating and I was getting into a lot of fights in the boarding house, and I wanted sort of, I suppose, nothing to do with it.

Saturday evenings at the dining hall, which was -- we always ate at the preparatory school, in the dining hall there, and I knew they left the doors open to the main staircase. I found that out just by wandering around, I suppose, at night-time. And I remember going there, nobody would have been there, and just sitting in the dark on those stairs, just to avoid being in the house.

LADY SMITH: And this is still Mackenzie House, at this stage?

A. I think it was Mackenzie, yes. There were various places I went to, but most of them would have been just to be away. A lot of time at the Botanics.

LADY SMITH: Thank you.

MR BROWN: We talked about the library at Glen Doll being a safe place; were these other safe spaces either in the house where you are alone or simply the Botanics or anywhere else out of the boarding house?

A. The boarding house was a place where you had to negotiate, I suppose, survival, and it took a lot of

effort to do that. You live it. It's just no escape for me, that those were -- the period where I began to find out that what made me able to deal with the world was to not be part of it, was to be away.

Q. What do you think drove you to that stage?

A. It's a good question. I suppose, for me, it was to -- part of that journey -- I know I wanted to be in the adult world. I did not want to be at the school. I did not get on with any of the other boys. Avoided getting involved in anything.

Mr Lister comments on this very clearly as he observes me in that year, how sort of independent and happily independent I was. It wasn't as if I was sad. So I wouldn't have been going: oh, I'm going over there to sulk.

It would have been: I like being away from that place.

Q. But this is in contrast to you, aged nine, in Dundas, telling the stories, being among your friends?

A. Yeah. I had withdrawn. They did theatre and things like that. It kind of feels like I had begun to build -- again, going on into later life, a load of layers around me, and part of that layer is not to step forward and be part of things or put yourself out there, because I had done that before and it had resulted in

pain. And drawing attention to yourself in institutions is also something that can lead you to more difficult paths.

Q. But this change was noticed by Mr Lister?

A. Yes. He's the first person that year.

Q. Did he take steps to try to discuss with you?

A. No. Retrospectively, it's the benefit of my parents having kept the reports from the time and then, in preparation for coming in and talking to the Inquiry, sort of going through those with a very different view.

When you see all the reports together -- I mean, they were done over a period of years, when you actually see them in one place and you turn the pages and you come to Dawson saying: don't worry, there's ...

In fact, Brownlee said, "Don't worry about it, there's nothing to see here", effectively.

Dawson alluded to the fact I was a very difficult individual to get to know, and he then sort of says: actually, yes, I've now spoken to him and I can see there is a child in here that's got something, personality.

So I was clearly withdrawn to him, but it's very shocking. Because Mr Lister was another new master. We did not get on and, looking at it, I was very defensive with him. But, at the end of the year, the comments he

had, he had me nailed. He said: this little boy has no need to be with other kids. He just goes off and does what he wants to do when he wants to do it. And he does things which are ...

Very much me being on my own and not wanting to be part of that community.

Q. So he was noticing?

A. So I think he would have been the first one to -- when I looked at it, and look at it in context now, you can see that somebody -- I think I've said before, if they'd been trained, if they had the ability or the understanding of what they were reporting.

Again, remember, three reports, he would have written them in context of writing reports on lots of other boys, plus his own classes. But it's when you put them together you see that something is noticed.

And also my mother has never given a specific time, but she has said that at one point she was called by the school and told that they had concerns about me. And given that my parents had access to all the documents we had and the only picture that appears is Mr Lister with them. The others have all been removed. I have constantly worried about -- and it's partly why I came here -- what has been going on in my mother's head all these years.

But, yes, he was the first one that you can see for me now -- reading now. And I think if anybody reads those, they would go: okay, this is a child who's -- there is something not right, whatever it is.

Q. But you were with Mr Lister for a year, from your recollection?

A. For a year.

Q. And then you move up and you have Mr Evans and you go to Jeffrey?

A. Yes.

Q. Is it at that point that you begin to perhaps engage more in the school?

A. I think the first year was probably the -- it's definitely the last year of where I can see there was a behaviour change from the people who had care of me. A lot of fights. A lot of fights that would flare up out of nowhere. It has taken a long time to manage the kind of -- that kind of anger and aggression. Running away, attempting to run away.

And again, looking at the school reports, I was just a different person in every single lesson. There's nothing consistent. Some teachers it's good, others it's: this is a hooligan coming through.

So I think it was a transfer year. Again, he was another person in control of me, so it would have been

another -- probably a year of trying to work out if this person was a danger, maybe.

Q. So you are being very vigilant?

A. Yeah. Again, we are talking about 50-plus years later or a bit less than that. So it's difficult to actually, physically suggest I was being vigilant. But certainly I would have now been looking and wondering what this next phase would be and: who was this person?

And I think they had a difficult year with me that year.

Q. By the sounds of it, they worked with you?

A. I see it kind of now. It didn't feel like it at the time. What felt more -- was because the age range in the senior house was a bit wider and also there were different boys coming in for different reasons. So, by now, you had people who were being sent to do A-Levels and Highers, who had had a different experience of life. And at that time, I actually managed to sort of find a small group of boys in the house who I suppose I trusted.

I mean, I wouldn't say they were misfits or oddballs or anything like that, but they weren't my age group. They were, I suppose, kids coming in who felt lonely and didn't have anybody there. We were just a small group of maybe four, but we were very close and there we --

I began to do a lot of other things.

If -- those were the years where, if anybody asked me -- and they have done in the past -- would I ever send my children to boarding school? I was quite categorical about the fact that I wouldn't, for many reasons, other than fact that the years of O-Levels, as they were at the time, and then Highers, it was good to be among a group of people who were working to the same objective. So, if you wanted to discuss Macbeth or whatever it might be, you could sit with a friend and have that conversation.

And in terms of education, if -- that focus, for me, was the strength.

And the freedom by that stage, again, a lot of -- I was into sort of heavy rock and what we call "metal", and we could go to concerts that day boys struggled to get to. It was like, "Do you want to go and see Motorhead?" because they were in Edinburgh. I remember that we could just get the tickets and we were told: as long as you're back by 9.30 you're fine.

As long as you hit those milestones, Mr Evans kind of let you get on with it, which is amazing. You don't get that now. It was good times, those last couple of years. Good friends.

Q. I think looking back at the four housemasters,

Mr Lister, Mr Evans, you've made the point that it wasn't that they were doing anything special, they were just doing what they should do?

A. Yeah. I've also said, looking at where I am now, they should be thanked, just for doing what they did.

Q. I think we know, at 16, your father returned to the UK?

A. Yes.

Q. At that point, the need for boarding stopped?

A. Correct.

Q. And you left. Given what you just said about that last two years, perhaps with a degree of regret?

A. Yeah. Again, I think not such a good idea. It's very difficult to come out from a system which is very high performance with high expectations into -- basically, I went to a sixth form college, where I found you didn't have to be there, you just turned up for lectures, and for me rugby took over at that point.

Yes, it was regret. I had friends that stayed for years, exchanging letters and things and -- probably for about another eight or nine years the friendship group I had in the last period, they were part of my life.

Q. We can read what happened next, career, et cetera, in the statement.

A. Mm-hmm.

Q. But, in relation to the memories you have been talking

about today, in Dundas and the first part of Mackenzie; did you just bury them?

A. No. I've talked about the milestones. The photograph, the first time, the three occasions, the cagoule, the boy who defecated himself, the colours, Mr Dawson, jelly beans, and all of this, they've been with me my whole life.

Q. Ever-present?

A. They have been ever, ever-present, even though I have come -- stupid really, coming to terms with a colour. But, even coming to terms with sort of not worrying too much about mauves and pinks anymore, they are still there. And still that picture of me, a little boy, just feels, like I said earlier, went through a revolving door and a different boy came out, a different person. But he still calls me, which is why I'm here talking about him.

Q. Yes. Did you talk to people about him?

A. No. I've not been able to talk to anyone, because it's buried deep under the layers. I have never let anyone get that close and feel that trust with somebody, whether they've -- I've been married to them or friends with them, or any other relationship to actually sort of unlock that, and that has blocked my ability to -- well, I mean, my trust in other human beings was basically

destroyed, and the ability to explain why that is to anybody until this year.

Q. Are the layers beginning to come off?

A. At times, yes. I've had years of an inability to sleep and this year, for the first time -- and it's kind of one of the first things I noticed when I did start talking about it, because I was at counselling for something else at the time and we happened to start talking about this, and with my mother pushing me and reading Nicky Campbell's and Stephen Stewart's articles -- not even reading them, but reading the first lines -- I have slept, and I mean slept from going to bed at 9 o'clock and getting up at 7.00, up until this year.

I can go to bed at 10.00, but I'm up until 2.00 am and that comes from going back to staying awake until everybody in the house was asleep, for several reasons. One, I would be unlikely to be visited and, secondly, if you talk about bullying and that kind of thing, that's where you're vulnerable, is after dark, and this is the first year I've really slept.

Q. That inability to sleep began when?

A. In Mackenzie. The first year in Mackenzie.

Q. You mentioned your mum. She began to ask you things; was that part of the process of --

A. She has been a big part, a really big part.

We haven't spent a long time together. I left home at nine-and-a-half and intermittently since then. This year, I went back to, in the end, care for her. She has only just gone into a care home. And she mentioned the once about them calling and asking how I was doing. We didn't discuss it. She's not -- she wasn't that kind of person. And then Nicky Campbell's broadcast went out and she asked me had I listened to it, and I was like: no, I left it.

This is now -- I don't recall the dates. They're easy to find.

And then before the end of the year she had started to ask and every single time a newspaper article came out she would remove it and say: oh, I've cut this out for you and, as a result of her, I thought: okay, I'll go and look.

And when I looked on the web I remember reading, I think, just two lines of an article that Stephen Stewart had written for the Sunday Post and suddenly it was like, "Oh". I spent three days, at least.

I think, actually, before that my mum had said, "Oh, it's the same time you were there", and she recognised the names of the masters involved, and that's why I went

to the website and I thought: I'll go and have a look.

And then I read the lines, and I was, "Oh". My first reaction was: I must have been a witness.

And while I was dealing with that, I sort of began to say: okay, what about the other memories I have?

I realised that, yeah, I was in the middle of it. Maybe not the same as other boys' experience, but I had been part of it and it took about four days before I was able to sort of think about what to do next.

I think there was also a time where I contacted the Inquiry through the website. The school website was very good and directed me, and so I began to do that.

I didn't talk to my mother about it until I had -- I was talking to [redacted] and he was talking about the book that somebody had written and he said that they'd talked about the parents also being victims.

I realised that he's right. It's not just about the people who went through it, but my parents placed me in the trust of a school which said, "We'll look after the boys". They went off and did what they had to do, which was difficult. I know it was difficult, because my parents had at least one huge fight, in which my mother broke all the crockery in the kitchen. And then I also realised she knows everything that's in the press.

LADY SMITH: And you think that fight was to do with the

decision about you being sent to boarding school?

A. I believe it was. Yes, I think there was a sort of anger around that.

I eventually sat down with her and talked to her. I didn't tell her all the details. I said, "Yes, it wasn't an easy time", to her. Because I felt that she's ill, you can't talk to her now, and her illness has progressed very, very quickly. And one of the reasons why I think she started to push was she had realised last year something was wrong and she kept bringing it up, and I had the chance to talk to her before -- while she was still -- you could have a sensible conversation with her. Because I felt I needed to put her mind at ease, because when you read it and you listen to it and I thought: my God, what does she think I suffered and went through?

She is a big part of me being here and, at the moment, me coming here today is the only thing she remembers. She asks -- she knows I was coming today and, in some respects, it's -- I'm here to save parents. How many of those are not with us anymore?

Q. You say in the statement -- and you set out your various hopes for the Inquiry. One of them is:

"The reason I came forward is because this is the first burden I could no longer carry and ignore."

A. Yes.
Q. Thank you for coming forward. Thank you for telling us about your experience. I hope the burden is becoming less.

I have no further questions for you. Is there anything you would like to say?

A. No, it's okay.
MR BROWN: Thank you very much.
LADY SMITH: 'Grahame', you said "okay" as if you were hesitating; is there anything else you wanted to say?
A. I don't think so. It's kind of -- I'm sure there will be stuff that comes through my brain as it did on the train coming up here. It was a long journey.
LADY SMITH: If there is anything you want to add, you know how to contact us, please feel free to do that.

Meanwhile, 'Grahame', as you leave today you go with my thanks for being prepared to put yourself through what has obviously been a very difficult experience. But what you've achieved by doing it is you have added enormous value to my learning, for which I'm very grateful.

To echo what Mr Brown has just said, and you said in your statement, I hope this does turn out to be an opportunity for you to put down the burden of what you have been carrying for so many years and come to

peace with it.

Leave that burden with us, if you possibly can. Please go and have a more restful day than you have had a morning.

A. Thank you.

(The witness withdrew)

LADY SMITH: We'll take the morning break now and I'll sit again at 11.45, Mr Brown.

(11.30 am)

(A short break)

(11.45 am)

LADY SMITH: We move now to the second witness of the day. I think he's ready?

MR BROWN: Yes, 'Andrew' is ready.

LADY SMITH: Thank you.

'Andrew' (affirmed)

LADY SMITH: You'll see the red folder contains your statement, 'Andrew', feel free to use it, if you find it helpful, as we go through your evidence. But you don't have to, it's there if you need it.

Otherwise, I know that talking about your private life, particularly your life as a child, in public, is a big ask, a difficult thing to do. Especially where, as in your case, there are difficulties and stresses and bad things that happened that we're going to ask you

about.

That may be difficult in a way that takes you by surprise. If it does, and you want a break or just a pause where you are, or there is anything else we can do to make things more comfortable for you, please speak up. Don't hesitate to do so.

A. Fine. Thank you.

LADY SMITH: If you're ready, I'll hand over to Mr Brown and he'll take it from there; is that okay?

A. Fine.

LADY SMITH: Mr Brown.

Questions from Mr Brown

MR BROWN: My Lady, thank you.

'Andrew', hello again. The statement is in front of you. It has a reference number, WIT-1-000001196. Looking to the final page, we see that you signed your statement some months ago and ended the statement by concluding:

"I have no objection to this statement being published as part of the evidence to the Inquiry ..."

And you believe the facts stated in it are true; that is correct?

A. That is correct, yes.

Q. Great. You were a day boy at the Academy?

A. Yes.

Q. And I think did a full term, if I can put it that way, starting --

A. (Overspeaking) then going up to seventh, yes.

Q. So you were there, I think, for 13 years?

A. 196[redacted] until 197[redacted], yes.

Q. So starting at Denham Green, moving to the prep and then on to the senior?

A. Yes.

MR BROWN: You had the full experience?

LADY SMITH: So you wouldn't have been more than barely five years old or just coming up to five years old when you began?

A. Yes, I would just be four years old when I went.

LADY SMITH: Then right through to 18?

A. Yes, yes.

MR BROWN: We would understand that you have older siblings.

A. Yes.

Q. And your elder brother went to the Academy ahead of you?

A. Yes, three years ahead.

Q. I think at one particular point, we can probably just touch on now, sport was not your thing?

A. It certainly wasn't.

Q. But your brother helpfully said: there is a day where they'll ask if anyone wants to swim and, whatever you do, say, "Yes".

A. Oh, yes, that was part of the -- it's part of the structure of a place. It was sort of quite police statey.

And, yes, so there was an alternative to having to play rugby, which was, to me, just one of the most (inaudible) games in the world. I still can't handle it.

But -- and it sort of was -- someone would sort of pop their head in the classroom door and say: does anyone want to do swimming?

And no one knew this was going to happen, but my brother, who is very good at working out systems, and -- "When that happens, just say, 'Yes'", and sure enough you didn't have to do rugby. That was up to when I was about 14, so that was very good, yes.

LADY SMITH: I think that also meant, because the school didn't have its own swimming pool, you got to go away from school?

A. Absolutely. Yes, you weren't freezing on Newfield and lit by sodium lights borrowed from Kinnear Road and things, to whatever time of the evening that it would be.

You actually -- because it was just down the road in Glenogle, they only had from 3.30 to 4.30, or 3.00 to 4.00, I can't remember what it was now.

LADY SMITH: So that was at the Glenogle swimming baths?
A. Yes. You actually did get away, when -- well, I thought when one should. Yes.
MR BROWN: Sport, we understand, was quite a big part, so you were happy to avoid the rugby side.
Academically, it's a school with a reputation and that, I think from what you say, was one of the reasons you and your brother were sent there?
A. Yes. I think so, yes.
Q. From your parents' point of view, it was a school with an academic reputation?
A. And it wasn't boarding. It had boarders, but it wasn't boarding. Because although my father wanted us to go to boarding school, my mother didn't approve of them. She'd had a bad experience in South Africa, as a teenager during the war, in a boarding school.
Q. The other thing you say about boarding is: that was the ultimate threat?
A. Yes, that was an ultimate threat. You didn't know -- as a child, you are never quite sure when your parents threaten that you could be -- send you -- because that happened to people, they were sent for a term's boarding. And I had a friend who, actually, his brother was sent as a boarder because he behaved so badly at home and so he was sent off to be a boarder, even though

it was just down the road, as a sort of punishment.

Q. Did you actually know what boarding was like?

A. Only through the reports of people who boarded and, some of them -- the police state carried on all the time. What we didn't -- what was very rarely reported was what's coming out now, which people didn't really talk about. That got mentioned later on, when we were about 17, that sort of age. Then people started talking about what happened to them in the boarding houses.

Q. Thank you.

In terms of schooling at the Academy, we can read details about the routine, if you like, and uniform and such things in your statement.

In terms of education, you do make the point Denham Green, the infant school, if I can describe it that way, is for very young children and is not a pressure environment; is that fair?

A. Pardon?

Q. It's for very young children, so there's no pressure, academically?

A. When I was at the pre-prep school; Denham Green?

Q. Yes.

A. Yes. It wasn't as pressured as it became later on. I don't remember much in the way of the sort of brutality of a prep school. There were people who did

sort of tap you over the knuckles with a ruler-type stuff, but I don't remember anyone being given corporal punishment in that sort of formalised way that went on in the prep school.

I don't remember it being particularly academically problematic, but maybe that's because at that time I didn't have any academic problems.

I don't know what would have happened if I'd had a difficulty in reading or writing, or something like that.

Q. The point I'm coming to is: by the prep school and certainly into the senior school, marks become --

A. Yes, yes. We weren't -- from what I remember. I can't remember -- you got gold stars for things, like being able to do something or whatever. That was probably the most that you really got. I can't remember it being league tables in the way that it was at prep school.

Prep school, it was like everyone knew what number they were in the class, and I seem to remember one class it was -- one class, but it was actually ordered you had a desk. So first in the class sat right up the front and then your second and third --

Q. It followed the position?

A. Yes, yes, yes, yes.

Q. That, as you say in your statement, created a pecking

order?

A. Yes, clearly. Pecking order among both the boys and the staff.

Q. You make the point generally, looking at the school as a whole, that -- this is paragraph 30, page 8:

"Edinburgh Academy was the kind of institution where there were very few people who actually showed themselves to be kind."

That is the teachers?

A. Yes, that is the staff. I wouldn't -- you know, eldest boys.

But, yes, I don't think of it as a very kind place. I think of it as a quite brutal place, actually.

Q. But, in the sense of those who are teaching you -- and we'll come on to specific teachers, but the ethos of the school was academic position mattered?

A. Academic position and sport are the two things and, yes, quite brutally so.

Q. Little warmth?

A. Little warmth, yes.

Q. Although in your case --

A. There were people who were notably kind and, of course, they looked even more kind in relation to the ones who weren't.

Q. Because they stood out as being rare?

A. They stood out as being relatively exceptional.
Q. Discipline I think you talk about briefly. Before we talk on what might be described as excessive discipline or abuse, it was a disciplined school overall?
A. Yes.
Q. You first really saw discipline in the prep school?
A. Yes, at that level. There is a sea change between the pre-prep at Denham Green and the prep school. Although it was still -- there was a sort of gender business going on here. Pre-prep school was entirely staffed by women, and there were mistresses of the third and the fourth form, which would be the first two years of the prep school and then it was all masculine, with the exception of art.

So there was a sort of sea change particularly between -- it didn't stop the mistresses being fairly vicious, but there was definitely a sea change between the fourth form of the preps and the fifth form of the preps in terms of sort of laying on of discipline. But it was a disciplined place, yes. This was a place that was -- you took your life in your hands if your socks were down your legs or your shirt tail was out.
Q. What would happen?
A. Often -- later on it would end up with corporal punishment and it would certainly end up with a good

talking to, and so it was very, very strictly organised. They were very keen on minor uniform regulations and things like that. I suppose, looking back on it, there was a lot of petty regulation and that was -- allowed for a lot of petty discipline.

Q. You could be beaten for a clothes infringement?

A. Yeah, people could be --

Q. Okay. You make point that the first example you saw, rather than experienced, was in your first year in the prep school?

A. Yes, yes. In the first year of prep school, one of the other boys, who was much bigger than the rest of us -- so he looked -- all I can say is that this person was very tall in comparison to all of us. He looked like he might have been maybe -- we would be seven and eight and he looked like he was probably a 12 or 13 because he's one of those people who is very big, he still might be only seven or eight. And obviously the mistress wanted to show power in the class, that is what I would have said, and for some arbitrary reason, which I cannot remember, she pulled him out and gave him a couple of strokes with a clacken. And everyone was like -- the usual sort of -- and no one knew (a) why he had been pulled out, but (b) for this business of having this type of corporal punishment meted out in front of the

class was certainly nothing I had seen in Denham Green that I ever remember.

Q. Your jaw was dropping?

A. Yeah.

Q. Where was the clacken?

We have seen a clacken; where was it used on this boy?

A. Backside.

Q. Clothed or --

A. Clothed. You just bent down, touched your toes -- touched your toes meant actually grabbing the ends of your shoes or sandals, as they were, with your hands -- and then there would be a wait, usually of some time if it was administered for full effect. There would be a wee bit of a time when you had a lot of bending down and contemplating and then it would be laid on in the time-honoured manner of beats, one, and then a wait of maybe a couple of seconds. Obviously endless, but it is whenever the pain had come and then you get the next stroke, and so on and so forth. So it was administered for maximum pain.

Q. And your recollection is the boy who was beaten for no apparent reason cried?

A. Yes. Everyone did cry to begin with, but then no one cried because the classes became complicit in this sort

of performative act. So I suppose it would be like the sort of public humiliation in a police state again.

You know, like, everyone's fascinated. So someone would be called out to be beaten. I don't doubt -- I doubt this was any different in any other school where corporal punishment was administered -- and the whole class would be looking and it would be horribly fascinating.

I can imagine it would be the same as a public execution. Everyone was staring in a sort of way, and then they were all looking for the reaction and because we were all being taught to be boys to lead the Empire the idea that you would show any emotion at the end was seen to be a terrible weakness.

So, at seven-years old you would cry, but then you would start getting all the sort of, "Oh, cry baby", or, "He's turning the water works on", all that sort of stuff. There was a whole sort of litany of insults to someone who was seen to cry after being beaten.

So you then have this sort of image of this person going back to their desk, desperately trying to show no emotion and blubbering: oh look, he's blubbering.

And they'd all go round the class and they'd all be looking in a horrible way, and it was psychologically quite frightening when I look back on it.

Q. I think you say in the statement that vis-à-vis your first prep school class it had the desired effect because --

A. Yes, everyone was immensely scared. And so actually I don't remember that person ever laying on a clacken again. It was done for effect. I think possibly more than -- so it was like a sort of (French spoken).

Q. In terms of discipline as you went up the school, we will hear about beatings that you remember in the junior school as you got older and the teachers became male?

A. Yes.

Q. Then moving on into the senior school; did beatings diminish?

A. They diminished, yes. Very -- far fewer and really after the second form.

So if you think of it, if you applied the Scottish Academy system, I suppose the prep school ended a bit early in relation to an English prep school, because English prep schools you went on to about 13.

So I suppose the first and second form of the upper school was sort of seen to be almost like an extension of a prep in terms of the people who were there. So it effectively stopped when people entered puberty.

LADY SMITH: Yes, 'Andrew', I have also heard evidence about Fettes where the senior school started for 13-year-olds,

but you are talking about the Academy system putting boys into the senior school, albeit as a Geit, at about 11.

A. 11, that is right. That is exactly it. Fettes runs the English prep school system.

MR BROWN: Then there are prefects and punishment by ephors?

A. Ephors, yes. They were well named, I always think, but not in the way it was spelt.

Q. Indeed. By the time you go, they are no longer allowed to punish, physically?

A. Yes. That ended -- he was called ICH ICH. He was rector, and I think he was made rector in [redacted] the 60s. And the sort of -- and before that much corporal punishment had been administered by boys on boys, but he wasn't exactly a moderniser, but that was certainly something he modernised and that stopped.

Q. I think you mentioned that you saw --

A. The beats book.

Q. -- the beats book?

A. Well, in the ephors' room there was the last copy. The others were all there because I understand that you have to record when you give corporal punishment by law. So every prefects' room had the beats book waiting for the next entry, which ceased about 1964 or whenever it was,

and the descriptions in that were quite lurid.

Q. If we look at a document, which will appear, it's EDA856 and if we go down --

A. You have one there.

Q. -- if you focus down on the bottom there, there is a quote from Hebrews, but then there is a Greek quote, which is helpfully translated, "He who has not been beaten is not educated", is the translation.

A. Yes. I'm amazed -- seeing that again it all comes back to me.

They used to put on the margins, there was marginalia, usually, of the one I remember, and they used to put a red diamond when the person had the clacken broken over their backside. And then that person would then be given extra beats for having broken the clacken and sent down to woodwork department to get a new one.

Q. I think if we look over the page, at page 2, you'll see this is session 1954/1955, winter term, and it details who the ephors are.

Then if we go forward two pages, to the fourth page, and look at the bottom half, it reads:

"Here follows a session which surely be one of the most remarkable in the whole history (recorded or otherwise) of the ephorate."

It goes on to detail 29 boys were summoned, two arrived uninvited, one was caught outside, but fled before he could be apprehended.

Over the page, and up to the top:

"21 were beaten, three were given lines, four were severely censured, 36 beats were delivered, thus entirely eclipsing the previous record, spread over two days of 34 on 22 January 1948. The head ephor was absent for the third successive session. Five clackens were broken. Previous best, three in one session all on one boy, 8 November 1934."

A. Yes, okay, that is -- yes.

Q. So there is a remarkable amount of detail being recorded?

A. They were obviously enjoying it.

LADY SMITH: With pride being taken in the ability to beat a boy in a manner that broke the wooden clacken?

A. Yeah.

LADY SMITH: Plain, isn't it?

A. I always thought the clacken was a very good one for a day school because it didn't leave much of a mark, because it was a big, flat-ended thing. So it's not like a cane that leaves stripes. It just left a very red backside, and so it wouldn't be so easily seen at home.

I've always thought: what made this implement so desirable as a use for corporal punishment?

I always think maybe it was because it was just half a day school and half a boarding school, so the boarders obviously went back home and they didn't go back home where their injuries might be on display. But, certainly, day boys did. Five clackens broken.

I don't know if anyone in this Inquiry has actually looked at a clacken?

Q. We have seen one.

A. It's made of a fairly hefty lump of hard wood. To break that over the back of anything, to break it on a wall would be difficult.

Q. If we look at the last page, one sees a breakdown from 1933 to 1962, with the total number of beats. If we go down to the bottom half, it would appear in the 1930s --

A. 1933 was the Great Depression, as you might say, and then it start getting better again. Then it starts increasing rapidly during post-war era, except for 1949 to 1950.

Q. I think we see, 1953 to 1954, 305, a record?

A. A record. We-hey!

Q. Thank you.

A. That's the sporting bit coming out: that is a record, we-hey, good stuff.

LADY SMITH: That is fine if it's a cricket score, but this is a score for beating little boys on their back sides, isn't it?

A. Well, interesting. Fascinating to see that again.

MR BROWN: I think, though, turning to the rather darker side of teacher beating, you make point in the statement that really the worst part, from your experience, was the senior years of the prep school; there were a number of individuals who were known for their beatings?

A. Three in particular.

Q. And those are Mr Brownlee, Mr Wares and Mr IDO ?

A. Yeah. They were the ones we all feared.

Q. You feared them. Thinking of that time of your schooling; how much was fear part of it?

A. A lot. You spent your time in fear that you were going to be brought out and given beats. It was quite a -- because it wasn't -- there were one or two people, I seem to remember, getting quite a lot of attention and being beaten fairly regularly. For most of us, it was a relatively irregular, but you were sat there being just very frightened it was going to happen.

And it could be very arbitrary, that was the thing. It was -- again, it gets back to the sort of police state bit.

On one day, something could pass without anything

being an issue. Next day, you'd get five beats for it. And it was that type of -- quite arbitrary.

Plenty of rules and regulations, but it was more usual behavioural things. You know, somebody not paying attention or not doing this, or being perceived to talk in class or whatever, which one day was fine, next day was not. And it was that sort of level of uncertainty, I think, that was --

LADY SMITH: Yes. Would there be things that from one of these men you would get a beating, but, with another one, you wouldn't?

A. Yes. That was quite a -- some staff -- those three of them -- there were others. Some staff threatened a lot. There was a [redacted] master who called his clacken -- and it's only in recent years I've really thought about why he called it this name, Satchmo, but of course Armstrong. I had never really thought about it. I don't know how many ten-year-olds really got that joke.

But he treated it as a big joke and he flashed this thing around and waved it about quite regularly. I don't actually remember him ever using it.

So what would go on in his lessons would obviously be punished in other ways, what I would call more benign ways, as opposed to if you were with somebody like

Brownlee or Wares or [redacted], who would be much more keen to mete out corporal punishment.

Again -- so that's why you knew -- people who had these masters knew they were going to get beaten. Whereas you might find other people who you just thought: that is fairly safe.

There was one called [redacted]. He was an elderly -- he seemed far older than the others, and he didn't seem to ever inflict corporal punishment on anyone. There were also -- tales went round about how he used to do it, but he was told not to because he was so vicious. So, yeah ...

Q. But he didn't in your experience?

A. Not in my experience, he didn't.

That would be, in my book, [redacted]'s classes were fairly benign.

Q. I suppose in a prep school there is a great deal of rumour and --

A. Huge amounts of rumour. You couldn't really trust what was going on at all, but, there again, as time goes on you realise that most of it seems to be true.

Q. Just talking about rules, and you have been saying it was all very arbitrary, one day you would be beaten for something and the next day you wouldn't; were rules published? Were there school rules that you understood?

A. Well, in a prep school, I don't remember the rules being published, but they must have been there somewhere, certainly in the upper school. You got an annual rulebook, a little book for all the people in the school, with their names and their classes and everything.

Then, a back was given over to the school rules and dress regulations, and the school rules were relatively short and the dress regulations were massive.

So sometimes some members of staff would give you a punishment of writing out the school rules and, if they really didn't like you, they would make you write out the rules and dress regulations. Dress regulations were writing out a large Government Act, so --

Q. Just to be clear, this annual document would give --

A. Oh, give you everything you needed to know about what day -- and, of course, any set of rules, there has been accumulation over the years and so there were all sorts of ones that might be seen as rather obsolete, like -- and, effectively, they were phrased in such a way, you know, you could be got on something. It was like a breach of a peace, something could get you.

Anyway, no one would argue. You would not -- if you tried to argue -- I've never heard of anyone arguing with a member of staff, but I think they had started to

get a bit more bolshy when people were sort of 14 and 15, that sort of age. But, certainly, at ten or 11 I don't remember anyone arguing. If they were told they were going to get punishment, they took it, and then there might be a little discussion afterwards about how unfair that was, among the boys, nothing to do with staff.

Q. Going back to the prep school, I think we read from the statement that one of the forms of discipline for ill-behaviour or some transgression was you would be sent out of the class, when you'd stand in the corridor.

A. That was the worst of all. That was the one I dreaded more than anything else.

Q. Why?

A. Maybe it was just because I'm prone to be a victim of that type of psychology.

Well, you were then -- this was in fifth and sixth form. There was a sort of pact, as far as I could see, between the staff, that effectively if you were found outside -- so if you were in art and you got sent out -- I was quite art orientated -- so if you got sent out for misbehaviour or whatever -- art was taught by a mistress, so corporal punishment less usual. So sent out, but then that was complicit because the system was that any passing male member of staff could conduct

summary punishment.

So you were sent out the room and it was -- the back of the school was a very long corridor. I suppose it wouldn't seem so long now, but to a ten-year old it looked like miles, and the every footstep you could hear was one of dread because you were just waiting: is it going to be Wares, IDO or Brownlee? Or is it going to be the janitor? Or is it going to be another member of staff who is going to snitch on me? That type of stuff.

So you would just spend your time in this sort of agony of suspense.

And then if the worst happened, the bogs were across the corridor, so virtually everyone -- it was like -- start to -- virtually everyone would go and try to pretend to be in the toilet. And then, of course, they would come back out again and whoever it is waiting, Brownlee maybe, he was the usual one, in his sort of, "Ha, ha, ha, ha", and you just knew you were just laying on the worst, but you would try to get out of it.

Q. I think you say that --

A. Then you would be whipped off to some empty classroom and given summary justice.

Q. I think you say you would spend your time trying to think of excuses for why you were there?

A. Yes.

Q. You remember on one occasion when you were 11 you were sent out of art for talking?
A. Yeah. I was sent out for talking, and I think I was taken out -- I was sent at least once or twice. Once I was beaten by Brownlee, definitely. He was my class master. There was another time I was beaten by Wares.
Q. Thinking of the time of Wares, because that is the one that -- it's your first recollection, and it was Wares who came and found you?
A. Yeah.
Q. What happened?
A. He dragged you off to the -- summary -- for justice on -- a classroom. But, from my point of view, like most of them -- well, they all did, other than him -- aimed for buttocks, but he aimed for thighs, and it was bloody agony -- sorry.

And so -- and you got to think, if you are into -- if you know your history of school uniforms, in the late 1960s and early 1970s, one's shorts had moved from knee length right up to high thigh length. And so that was on bare flesh or on the hem, should one say. And that was seriously sore.

Q. How many blows?
A. Six.
Q. Was that the standard?

A. Yeah. For a really bad offence, six.
Q. Did he ask what your offence was for being out in the corridor?
A. No, it happened just because I was out the door.
Q. There was no investigation?
A. No investigation. No, no, that is why it was so frightening, and you knew you were guaranteed to get six because that was a whipping offence.
Q. You say, invariably, that it was harder -- it was a harder beating if you were on your own; why do you say that?
A. Gosh, I don't know. Because it always seemed to be. I suppose you were on your own. I suppose for performative act -- meant people didn't beat so hard. I don't know. I can't tell you about psychology of beating. It's not something I do.

But I suspect the performative act in front of the class was -- tended that they weren't quite so vicious if they were -- on your own.

Anything that was sort of "see me" or "come to me after class", you knew you were really going to get it because this was something that was not going to be seen and it was in private. So it sort of meant that you really knew you were in trouble, and I think they meted out because they really knew you were in trouble.

Q. Okay. You mentioned --
A. And that waiting -- I said about the corridor -- that was a part of the whole thing. It's not unusual, I think, in public schools, this business of you get -- you get accused and then you have to wait. And you know what's going to happen, but the waiting is just appalling.
Q. How long could you wait? Could you be sent out at the beginning of a lesson for the entire lesson?
A. Could be sent out until the end of the day. End of the day, that would be serious.
Q. Your fear was -- one of the three you have named would be --
A. Yes, because they were the hardest and most likely to lay on summary punishment.
Q. Would they not be teaching their own classes or was there an element that they were patrolling for --
A. Patrolling. Sort of wandering around. It might just be by chance.

Teachers have free periods. They're not teaching all the time.

And I think when we were in the art class, obviously Brownlee, he was our class master, and he would, if he could get a chance, be on patrol.

He had a particular way of walking which was quite

interesting, which also was quite frightening. He seemed to walk without actually moving, one of these people who could just sort of slide -- "glide" along, I think is the word I would use.

Q. He was your class master in P6?

A. Yes.

Q. You describe him as very free with the clacken?

A. Yeah.

Q. That is in the day-to-day experience of the class?

A. Yes.

Q. In the class context, he would presumably beat in front of the rest of you?

A. Yes, yes, invariably -- well, not invariably because it could happen in private, but that would get no beaut.

Q. You have talked about being beaten for all manner of things?

A. Fairly arbitrarily. Yes, there are all sorts of things. The one I always remember, because it was just guaranteed to be awful because I was never any good at it, he set some test that we had to get all the answers right for at the end of the next day and, of course, I was no good at it, so I think I ended up getting five beats. Every question you got wrong -- it must have been a bit like the ephors were.

So everyone had to get so many beats, unless they

were very good and got all six questions right. If you got one question wrong, you got one beat; if you got two questions wrong, you got two beats; if you got three questions wrong ...

It must have been a field day of flogging, when I think of it. All 20 children, presumably ten of them -- probably about 60 beats.

Q. How often would he beat?

A. Fairly regularly. Once or twice a week we would see that going on.

Q. I think, going back to the corridor scenario, you remember being beaten by him three or four times?

A. Yeah. That was by far the most frightening part of that school, standing in that corridor.

Q. You make point that his beatings were so painful "you would need to have the constitution of steel to be able to pretend they didn't hurt"?

A. Yes, you would. I just don't believe -- there were people who were remarkably good at hiding up the fact they were in immense pain, but I just don't believe they weren't in immense pain.

LADY SMITH: Just going back to the Brownlee beatings you were talking about, these, you say, were likely to be because you weren't very good at doing a test that he'd set?

A. Yes, that's it. This was a school that was academic in an old-fashioned exam academic sense. And so obviously it's a school that they needed to get everyone to get good O-Levels and A-Levels and Highers, and so it was a real pressure to perform well in tests.

LADY SMITH: How was that breaking a school rule?

A. It wasn't, as far as I know. There were no school rules saying you couldn't fail a test. It was effectively to punish you for not actually doing the work, I think.

But if you're not the sort of person who's -- and I certainly am not the sort of person who is any good in that type of exam context, you really were likely to -- that was likely to give you -- I don't think there was much understanding. In fact, I would have said, at the prep school, there was absolutely no understanding of any form of what now would be called divergent learning, and there certainly wasn't an understanding of the idea that someone -- at least we weren't given any idea of it -- could be extremely intelligent and yet not be able to pass exams.

LADY SMITH: A child can work hard for a test, but have such difficulty with the subject, they can't do it.

A. You don't need to tell me.

LADY SMITH: They could have such --

A. It's a sort of education which --

LADY SMITH: Or such difficulty with the whole pressure of being tested that they fall apart and don't do it very well.

A. Also, in that situation, you were told that if you got a question wrong you would get beaten for it. You could get up to six beats, six questions and six beats, and so of course it made it even more frightening. And those people who were the sort of people who are not particularly performative and not into answering questions in front of an entire class, they were guaranteed to do badly.

I would say it's just one of these -- it sticks in my mind, that policy, as one of the worst ones, because it was just against any form of educational --

LADY SMITH: I don't suppose, in these circumstances, the teacher in question was saying to themselves that they maybe had to review their own teaching style because it didn't seem to be being effective and enabling the children to learn what they were supposed to be helping them to learn?

A. That would be nice if they had. I can't say that there was any evidence of it, but then we were only ten and eleven years old, so we wouldn't know.

From what I understand, these practices continued well after my time. So, presumably, there was no --

educational development, I don't know.

I was a child, obviously, but I would have said that once you got a job there, there would be no professional development whatsoever, I'd guess. I would make that as a guess.

But I'm just sort of thinking about when I first got a job teaching in higher education. Once you got the job, you effectively just launched into teaching. There wasn't much in the way of professional development or update courses, or anything else. That's very much a thing of the last generation.

And so as somebody getting a job as a school teacher in a public school, you actually didn't have to have a teaching qualification or anything. It was -- you just had to -- as a friend of mine once pointed out, a lot of them were not very academically bright, but they were very good at hitting things. Great at cricket and catching balls and ...

LADY SMITH: Thank you, 'Andrew'.

Mr Brown.

MR BROWN: You mention another couple of teachers in the junior school, just touching on one: this PE teacher you mention was using a table tennis bat?

A. That was in prep school as well. That was a gym master, Mr [redacted]. You wore these -- having looked at the

evidence from Loretto, I think probably the same sort of structure. So they seemed to have a very, very weird approach to corporal punishment.

But you wore these very, very skimpy little thin shorts. So my gran used to beat you with a table tennis racquet, one of the old wooden ones, and it was more a matter of sort of machine gun-like practice, because obviously you couldn't get much pain out of one, so like: da-da-da-da-da-da.

So, yeah, that was -- he would do that when you were halfway up something, like climbing bars or something like that, not being fast enough or not dodging him.

That was another one. I'm not into team sports and that type of overt physicality, so not surprisingly I felt the table tennis bat a fair number of times.

Q. You mentioned going back -- or staying with the prep school just for one last moment, the fact there were three teachers you feared meeting in the corridor.

A. Yeah.

Q. You mentioned two of them. IDO never taught you?

A. He never taught me. I don't remember him. He was just a name.

Q. It was a name?

A. Yes. I remember him very well.

Q. Yes, indeed.

A. But I don't remember actually being taught by him. He might have taken one lesson in lieu of somebody else or something like that.

Q. Nothing specific sticks in your mind?

A. No. So I can't say any more about that. Other than he was the third of this sort of triumvirate that everyone feared.

Q. That reputation carried forward?

A. Yeah. Reputations, when you are -- there's something like that, I'm assuming are probably quite right.

Q. Yes. You then progress to the senior school; and the problems in the senior school are not physical punishment in that sense?

A. No, that sort of ended with the exception that you had one or two beatings. It was always staff, obviously, but it was rare, very rare.

I can't remember -- I remember there was one member of staff who is now so well known that this Inquiry must have heard his name a million times, called Dawson, and he was into either -- both playful, if you could call it that, playful beatings and serious ones. He gave people all sorts of funny corporal punishment of different types.

Q. We'll come back to him. Just for a moment, the one teacher you do mention purely for physicality -- because

with Dawson there is overlap into sexuality -- you mention the [redacted] teacher?

A. A big man called -- we all called him IBP, Mr IBP. I think he might have had some issues.

He used to hug people as a punishment, a sort of bear hug. But it wasn't nice.

Q. If you just bear with me, 'Andrew'. There is a [redacted] teacher who you remember for physicality by throwing dusters?

A. Oh, that was Mr IDT, into throwing --

Q. When were you in his class?

A. I was in his class when -- the third and fourth of the upper school.

Q. Do you ever remember -- you describe -- was it loss of temper?

A. He lost his temper very heavily. He was like a ticking time bomb of angst, is the word I would use for him.

When he lost his temper, he lost his temper in a big way and would get very cross indeed, a lot of screaming and shouting.

And, again, for those people who only know white boards, if anyone knows a board rubber when it's thrown at you, it's effectively like throwing a clothes brush at you, big wooden thing and heavy weight felt, and it could easily take you out.

Q. Do you ever remember he would throw those?
A. Yeah. And, like all the others, he was good at hitting and throwing things. He would throw it so it sort of brushed your ear. It was like a circus act almost.
I don't ever remember anyone being actually hit. You know, really accurate throwing, and he knew what to do when he was throwing a board rubber.
Q. Do you think that was deliberate; not hitting, but coming close?
A. To be hit -- when I think of it now, if you were actually hit square on the whole head with that, you could be out, quite easily be out and you would get --
Q. Let's go back to the two teachers you have already mentioned. Starting with Dawson, when you went into the senior school, were you aware of Dawson?
A. Yes, from my brother.
Q. What did you understand from your brother?
A. That he had all these different implements for punishing people and that he used to reward people with Jelly Babies and that he was very funny. My brother liked him.
Q. Was the reputation a positive one, if you like?
A. Yes, I would have said so. From my experience, yes, but the only person who is going to inform me about what to expect was my brother and he was a lot more school

friendly than I was.

Q. And then you actually experienced Dawson?

A. Yes. It wasn't so friendly, that I would argue.

Q. Why not?

A. Well, he was the one who so overtly, in my own experience, was doing this for more than just because you needed to be punished for something. I think the others all got off on the sadistic power of it, but -- and obviously as time goes on Wares is shown to be a bit more dodgy than that by quite a long way, but Dawson was -- he was --

What would happen is he would call you out in front of the class -- again this big performative act -- and have you over his knee, take your shirt off and roll it up and writing things on your back in biro, "I am a very naughty boy", sort of -- "I need to be disciplined", things like this in red biro, at such a point it is difficult to get biro off, but always in the small of your back so you couldn't get it off.

When you had to go to gym you had some inscription on your back. Then he would set about you, and while all this is going on his fingers groping all over the place. And then there would be a little bit of -- there might be a bit of -- he had all the sort of ridiculous bits of wood and some of them weren't quite so

ridiculous, length by -- about a yard long of three by two which was called the "Bad Prep Bonker" and the same line that Brownlee used bad prep, three questions wrong and so -- then you might have little ones that he would give things like 42 taps with.

Again, like the table tennis bat, one tap wouldn't be an issue, two issues would be no issue, forty-two taps starts to get extremely painful and at the end of it he might reward you with a jelly baby. So it's I -- and then all the class would be laughing at you and it would just become -- and in that case he was actually inviting a class to sort of get into it and make ribald comments and laugh.

Q. A couple of questions. Did you have the experience of being written on?

A. On, oh, yes. I had "I am very naughty boy" written on my back for quite a long time and other ones --

Q. And in terms of the hands going over your body?

A. You are over somebody's knee and they're writing with one hand and they're groping with the other.

Q. Where was he groping?

A. Groping down towards your crotch, and sometimes round -- underneath.

Q. Was he going under the clothes?

A. That's an interesting one. I can't remember.

I couldn't say if he was under or over. I suspect under, because he always pulled your shirt up. But he might not be under your underpants.

Q. But he was touching?

A. Yeah, yeah, yeah, yeah. Invariably the shirt lifting bit -- sorry about that term -- and then the red biro and then this sort -- and then there would be a lot -- he was one to say, "I'm going to tickle you". It's obviously people who had -- people would be wriggling.

LADY SMITH: 'Andrew', at the end of each day, you were going home, because you were a day boy, did you go home ever with these things written on your back such as: I am a very naughty boy?

A. Yes, you did and that was seen -- you played that as a bit of a joke. You couldn't get it off. You went back with it and you couldn't get it off until you had a bath really.

MR BROWN: Your brother had gone through this process already?

A. Yes.

Q. Did your parents know?

A. No, because neither of us really talked about school at home and -- these institutions, however vicious they were, they institute a sort of system of loyalty. School is school and what you do at home is home and

that's it. When you're off at home, then school doesn't come into it. You don't -- you are sort of taught never really to mention things. You don't. I can't work out why now I look back on it. I should have just been right upfront, but I think loads of people just don't say anything.

There is obviously -- sometimes -- because the writing on the back and the little punishments and all the rest there is a sort of: that's good enough for us, it's good enough for you. That sort of stuff, but I think the more outrageous things always seem to be dismissed as that didn't happen. So I think -- so there was always, in the main most people thought they wouldn't be believed or if they were believed, just a : get on with it. I think there is quite a lot of that.

I had a really hard time when I was that age and I spent my time having temper tantrums and my mother always wondered why I was having it. I hated school but I really couldn't say much about it.

Q. Why did you hate school?

A. I think I've expressed that so far.

Q. Because of the beatings?

A. Because of the whole hypocrisy of the place. I didn't like the whole structure of the place. This is an institution that was effectively, I would have said,

fairly unchanged since the 1930s. Other than getting rid of the ephors beating people, it was more or less, I think, probably people wouldn't see much of a change in the curriculum except for what public exams they were sitting and the attitudes clearly probably -- when you look at the beats book, seem to have got worse over time.

And so -- and yet they were, we were products -- I was born in 1960 so a product of the 1960s and early '70s and even then as a child and by the time I was a young teenager had become quite interested in history and you would sort of think we are being brought up to run an empire, where the empire isn't there. You were just sort of realising that the education was for some world that really didn't exist any more but you were going through all the hoops and hurdles all the same.

The attitudes were things out -- that sounded like something out of Tom Brown's school days rather than what might be expected in the mid-1970s.

Q. Were you an oddity by having such views? Did most of the boys just go along with things?

A. Maybe I was. I don't know. I was particularly hacked off by it all. I don't know whether -- I'm sure plenty of others were. Obviously, if you were the sort who was compliant, didn't mind rules, quite happy to put up with

sort of bizarre regulation and really enjoyed team sports, you would get on like a house on fire.

And also if you were the sort of person who was able to hop through exams as if they were just little hurdles on a racecourse, that would be fine. If you weren't somebody, and I wasn't exam conscious and I've never been particularly in to my exams, and I'm certainly not into team sports and never was, even if I had had any interest in them I would never be into them after that.

The whole of the rugby thing was ghastly, utterly ghastly. You started at prep school and it was just organised violence. Kicked into scrums by masters like Brownlee again, this sort of stuff.

Q. Going back briefly to Dawson, you make mention there was a broken stick which could hurt if he hit you with it, it would nip?

A. I can't remember what it was called. I can't remember all the names, but they all had names. That was administered on the hand and it was like -- it wasn't a ruler, I don't think. It was more like a length of flat two or three inches wide and maybe an eighth or a quarter deep and it had a nice little crack running down it so when he took it over your hand it would make a nice little nip and line down it.

Q. Did he hit comparative to your experiences in the junior

school hard?

A. Not as hard, but you don't need to hit very hard when you've got a split ruler.

Q. No. But thinking of all the other implements?

A. No, no, no, he was never up to the level of the prep school. It was much more performative. There was one time when he decided that the whole class needed to be punished. This was not unusual in the prep school, and so you could either opt to be beaten. Lots of people opt to be beaten to get away quickly or you had to spend time in detention after school. People like me obviously opted to be in detention, not necessarily because they really wanted -- the beating option was probably the easier of the two in that case because he wasn't known for being particularly vicious in that way.

But actually what you did know was the man would have to sit there in a classroom full of two or three recalcitrant schoolboys until the task was done well after 4 o'clock. So you knew that by taking the extra detention, this is the way my mind worked, someone was going to be sitting in that room against their will having to supervise it. So that's why I opted to do that.

Q. You were winning?

A. Yes. About three of us opted not to be beaten because

we thought it's actually better to just let him have to supervise us for God knows however long.

The other thing, you could be detained after school and no one questioned that at all. Now I think back on it, it's a different world of course and you could be there until any time and no one -- your parents never asked. It was just a different world.

Q. Although, I think as you have noted, there could be upsides to that lack of control?

A. Yes, lack of control. It was a very strange -- in a way -- yes, I said -- you were saying or just mentioned, at the same time you got remarkable freedom to do really good things, which you would never now have if you were 14, 15, 16 years old.

Q. You said earlier on that it was only really later on in the school, the higher end of the senior school, that people began to talk about things that had happened in the past?

A. Yes, I can't see why that was not the case when we were younger, but when -- young people are young people and they've got all sorts of angst and things to carry around with them, they don't want to talk about. When things have moved into being more historic, people are more willing to talk about them.

Q. Is it at that stage that you are learning about --

A. Yes, everyone obviously knows the sort of subtexts more. So the subtext of Dawson was very clear by the time you are 16, 15/16, whereas not nearly so clear when you are 11 or 12.

Q. Was anyone thinking: we really ought to say something to the school about that?

A. I don't remember anyone saying that. I remember it being often discussed and then -- I think it's a system that is a replicative system. So it's almost like people just expect this is going to happen. It's sort of like the jokes that used to circulate about Scout masters: well, this is always going to attract people like this. It's always going to be -- we have all survived and we're not dead yet.

And so I remember it being mentioned back then as a sort of horrific joke.

That doesn't surprise me, because what was -- what that type of education is very good at is rather like not showing any emotion when you have been flogged, it trains you to have no emotions. And the way that many people, including myself, can show emotion, is through humour. So I spent -- when I'm recalling it, as you'll have noticed, I spend a lot of time laughing about it, because it's the only way I can respond to it, is by effectively making a big joke out of it.

I make a big joke out of all sorts of things which are quite horrific, and if you are in a group of people who went through the same sort of education it's all a big joke, but other people will be terrifically offended by it.

But I think -- so we had all been taught in a -- I would have said -- if I was going to say the one thing that predominated in the sort of ethos of the school was sarcasm. The whole place was highly sarcastic, from very simple very sarcasm when you were at prep school, you know, members of staff asking you a question and you got it wrong and they would say, "Oh, do you really believe that?", and invite the rest of the class to go (noise made) and all this sort of stuff and everyone then makes a big joke about it, "You really are gormless, and that sort of stuff.

There was a ritual humiliation through sarcasm. We got to know sarcasm really well. And with sarcasm comes cynicism, so you become cynical through the sarcasm.

So, by the time -- certainly by the time you are 16 and 17 you are right up there with hard sarcasm and cynicism, and so that puts you up there with that sort of idea: plus ca change; well, who cares? This is going to be always the same.

It just goes on like that and it's something to make

a joke about to ameliorate it.

Q. It became normal?

A. Yes, it was normalised.

Q. Thinking as boys in the senior years, you are beginning to talk, albeit with a cynicism; what about engaging with masters?

Presumably, you have talked about some masters you rated, thinking of art, for example.

A. You would never mention other masters' behaviours, you just wouldn't.

The only time, once, was -- and that was when I was just about to leave the school. They had found that I was -- about three days before I left, they found out that I was the centre of this sort of subversive literature group at school and, to do this, a master had rifled through all my possessions to find evidence against me. And I had been working on a school model railway -- I was always into model railways -- and a knife had double backed on me and sliced off a bit of my finger, so I'd had to take myself off to A&E.

When I got back from A&E, with my finger stitched up, this man, IJX, who was [redacted] of this railway society, IJX [redacted], he was standing at the entrance to the school and this was 4.00 or 5 o'clock in the afternoon and he said, "IDL [redacted], I've got really

worrying news", and I said, "What?" He said, "Mr Blair's found one of your files", and I said, "Oh really?" and he said, "Yes". The only thing he said, he said, "I don't know why he should be looking for your files and I'm a bit worried that he did", and so -- and I was thinking: well ...

But it fitted the place. But, as far as I was concerned, that was an act of kindness and he did question whether this person should be rifling through your personal possessions, whatever the reason would be, without your knowledge.

Q. But you wouldn't have gone to him?

A. I would never have gone to him about anything. No, you would never talk to anybody.

No one talked to anyone. When you -- when we were talking as children together, you would be -- it would come up, usually, in conversation out of school, and you would be moaning about school and people would say: I remember when ... blah, blah, blah, blah.

Q. You left school, and we can see what you did after school from the statement.

A. I left school and went to Edinburgh College of Art.

Q. Yes, we can read all that. But, in terms of the impact of being at Edinburgh Academy; has that been with you since you left school or is it something you just forgot

about?

A. I was saying -- no, it's never out of my mind. Because I disliked it so much -- I would say there are certain things it has done. It's given me a remarkable tolerance, which it certainly wouldn't in many other people's cases, and it has taught me that -- it taught me quite well that type of brutal education just wasn't very good for people.

And I've always hated secrecy ever since, and all these sort of things. All these sort of things which were all completely part of the ethos of that place, for me, it acts as what not to do. You don't spend your time bad mouthing somebody because they're not very good at what they're doing, if you are trying to teach them how to do it. You might be better off telling them why they're not very good at doing it and maybe how they could do better, which was never how it was done there.

This was a school where you would get all -- the marking was "feedback". There was no feedback. You were told you would get a comment at the end of an essay, submit an essay, and marked badly, and it would say something like: a very poor piece of work.

Q. So it was negative, rather than trying to encourage?

A. They would never say why it was a poor piece of work, you had to guess. Everything had to be done by

guesswork. I don't know how we all learnt so much.

And they all say -- certainly true in my case, but I didn't realise how good the education was until I was nearly in my postgraduate years. I suddenly thought: that's why so and so said that. Now I realise what he was trying to get at.

But because he never was able to explain it properly and you never understood it when you were writing for him, and you sort of picked it up by some sort of osmosis.

Really weird. Funny, years later, in the 1990s, one of my own students -- I was faced with marking an essay, and I marked the essay and gave feedback, and one of the comments I said was: this is a very old-fashioned essay, and were you not female I would have said you went to the same school I went to, because this is a type of writing that some people would really admire, but other people would find incredibly old-fashioned and quite problematic.

And sure enough, when we were in conversation, she said, "What do you mean by that?" and I said, "It's the sort of thing, I -- you could have been at my school, except you're a girl", and she says, "What school did you go to?" I said, "Edinburgh Academy", "Oh, I went there", but of course they were far more co-educational

by then.

You realised that -- magnificent essay, but an essay that belonged in the 1930s some time. And you were sort of taught this sort of discourse, but very, very old fashioned.

I don't know if I admire it or not, but it certainly has informed me every since. But the teaching practice has informed me hugely, because I do everything that I didn't get at the Academy, and very full feedback is one of them. You just had to guess. It was just this sort of tongues, you know?

MR BROWN: 'Andrew', thank you very much indeed. Is there anything you would wish to add?

A. I don't think so.

It's interesting going through this, again. 50 years is a long time to -- all they say, it's the writer here is -- I'm trying to remember 50 years ago, so my dates and times might be a bit muddled.

LADY SMITH: As one gets older the decades do fly.

'Andrew', thank you so much for sharing everything you have with us today and although, as Mr Brown pointed out right at the beginning, you were a day boy and not a boarder, and it's boarding that's within my specific remit, what you've done is explain to me the whole regime and the ethos from the view of a day boy, that is

really valuable for what we are doing here.

So thank you so much for being prepared to do that, not just in writing. I have all the detail in your written statement, but coming along here today to talk about it.

A. Thank you.

LADY SMITH: I'm now glad to be able to let you go and hopefully enjoy your afternoon.

A. Thank you.

(The witness withdrew)

LADY SMITH: I would just like to mention before I rise for the lunch break, at one point 'Andrew' did use his own first name. He's not to be identified outside this room, so please remember that. He's 'Andrew' and just 'Andrew'.

I'll rise now for the lunch break and sit again at 2 o'clock.

(1.00 pm)

(The luncheon adjournment)

(2.00 pm)

LADY SMITH: Good afternoon. Is our next witness ready to give evidence, Mr Brown?

MR BROWN: He is, my Lady. The next witness is David Standley.

LADY SMITH: Thank you.

David Standley (sworn)

LADY SMITH: David, you'll see the red folder has the typed version of your statement in it. You might find it helpful to refer to it as you go along. So feel free to do so, if you want to do that.

Otherwise, can I say the at the outset that I do appreciate this is difficult. We're asking you to do something quite challenging in speaking about things that happened in the past, in public, at a stage in your life that I think you are retired and maybe felt events at the school were in the past and not going to come to the fore again.

But I hope you appreciate why that's happened and why it is so important for us to do what we're doing here in this public inquiry, in the wider public interest, which does involve us looking into what happened at the Edinburgh Academy.

Please let us know if there's anything that would help you to give your evidence more comfortably, whether it's a break, a pause or anything else, or we're not making sense in what we're saying or how we're asking the questions. If that happens, it's our fault, not yours, so do speak up.

If you're ready, I'll hand over to Mr Brown and he'll take it from there; is that all right?

A. Thank you very much.

Questions from Mr Brown

MR BROWN: My Lady, thank you. David hello.

A. Hello.

Q. Statement first of all, it has a reference number, WIT-1-000001307, and it runs to 37 pages. We see on the last page that you signed it recently and confirm you have no objection to your witness statement being published as part of the evidence and that you believe that the facts in it are true; correct?

A. That is correct.

Q. Thank you.

You are someone who spent essentially his entire teaching career at the Edinburgh Academy?

A. Correct.

Q. To give it the full name.

A. Yes.

Q. And you are now 75. We see by way of background, having graduated in 1970, in physics, you started work the same year at the Edinburgh Academy?

A. Yes.

Q. As a physics teacher.

Had teaching been something that you had wanted to do or is it something that you fell into?

A. I came from an academic family. My mother was a primary

school teacher, my father was a university professor and, since the age of 11, I wanted to do nothing other than teach physics.

Q. I think, as you very candidly say, you also quite liked the idea of teaching because it would allow you to play cricket?

A. That is certainly true, and that is -- was -- the ability to do both was one of the criteria in my applications to various jobs, in 1970.

Q. Okay. As well as getting a degree at university, you also gained a certificate in education, essentially a teaching qualification?

A. Yeah.

Q. But you make point that to get a job as a teacher in a school, like the Edinburgh Academy, that later part wasn't necessary?

A. My understanding is that in the independent sector no teaching qualification was ever a prior requirement to being appointed to teach, and it is certainly true that the Academy did not insist on a teaching qualification for some years after that.

I couldn't be quite precise when, but there was a policy decision taken that all teachers should in future have a teacher qualification.

Q. I think you make the point, interestingly, that in that

early stage if it looked as if you were going to fail the teaching qualification you shouldn't take it because that -- the failure would be a bar to teaching?

A. That was -- that is anecdotal. I don't know that as direct evidence, but the -- within the Department of Education at the university it was said that one or two people had been advised to withdraw from the course, because that way they would not -- they had not failed.

Q. So they could carry on and get a job?

A. Correct.

Q. But having failed, they might not?

A. Correct.

LADY SMITH: I suppose then they would run the risk of being asked whether they had studied for the teaching qualification and having to say, "Yes, but I didn't get it"?

A. That is, I'm afraid, speculation that I could do no more -- but, as I must stress, that was anecdotal evidence, chatter within the students.

MR BROWN: But you did have the teaching qualification; and the other thing you did on arrival in Scotland was to register with GTCS?

A. Immediately registered with GTCS, yes.

Q. Was that something that you were required to do or something that you individually wanted to do?

A. It was something that I individually wanted to do.

I got a piece of paper from the university that said I was qualified teacher and, if you have -- if you are a qualified teacher, you wished to record that with the authorities that were running things.

So, yes, it was straightforward, as far as I was concerned.

Q. Do you know -- because we know that it was only relatively recently that it became obligatory for teachers in private schools to register; do you know what proportion of teachers at the Edinburgh Academy did register?

A. No. But what I do know is that there was a push to registration. And I know several of my colleagues who had not got any teaching qualification had an accelerated course provided by Moray House -- I'm guessing that would have been in the early 1980s, but certainly not in the 1970s -- which allowed them to gain full teaching qualification and DTS, GTCS registration. Rather than spending two full years or a full year away from their job, it was done as distance learning.

Q. Can we talk briefly about the employment process you underwent to get the job at Edinburgh Academy, but also some of your views about employing teachers?

A. Mm-hmm.
Q. From what you say, you have applied to the Academy, I take it?
A. Yes.
Q. Was it a response to an advert?
A. No, no. In those days the -- well, I was at the University of Oxford. In those days, the principal source of employment opportunities was the University Careers Service and I had registered with the University Careers Service. I wanted to teach physics, and be at a school where I could do plenty of sport, and I was sent eventually three -- a list of three schools and went to all three for interviews.
Q. In relation to the Edinburgh Academy, we see you spent night with the then rector and had an interview of sorts, which doesn't really seem to focus on teaching?
A. No. ICH [redacted] was much more interested in: how do you fit in?

So he was concentrating on me and my response to all sorts of general situations. He was leaving -- to his head of department to find out whether I could actually do any physics or not.
Q. So the departmental was the practical side of things; are you able to teach the subject?
A. Yes.

Q. So far as he's concerned, the description is it was all rather informal?

A. It was extremely informal, but that's not to say it wasn't thorough. He was a very, very clever man.

Q. All right. It ends with the conversation you relate, that he wants -- you asked: is there room for a physics teacher?

A. Well, having been through this sort of stylised dance almost, there was no offer of a job or even mention of it. So I felt I ought to possibly enquire.

[ICH] said that physicists are in such short supply that he had a standing order with the University Appointments Board and if they ever got anybody interested he wanted them to send them up so he could view. There was no job, but he offered me one.

And, of course, he was a genius, because one of the then physicists moved on to be a head of department at another school post my appointment, but prior to my taking up the post. So it worked perfectly for him.

Q. Was that chance or design, do you think?

A. I suspect it was neither. It wasn't chance, because I suspect he knew what was in the wind, and it was not design because I do not believe he would have in any sense connived at the situation.

Q. All right.

We know that you then teach physics for 15 years.

A. Mm-hmm.

Q. You are then appointed head of science?

A. Yeah.

Q. And you are responsible for science teachers and technicians?

A. Yeah.

Q. And then you are appointed director of studies in 1992 and you are appointed deputy rector in 1994?

A. Yes.

Q. That level of responsibility is day-to-day running of the senior school, budgets, academic budgets, IT, marketing initiatives. So it's really -- it's the day-to-day running of the school, not really being particularly pupil focused?

A. No. I was appointed by INU, the late INU, who sadly just recently died, and his model of SNR SNR was that the head of the junior school and the deputy in the senior school were in fact the people who ran their two prospective parts of the school, and that he was SNR SNR.

Q. No. I think we also know you became the child protection co-ordinator, and we'll come back to that.

But, sticking with appointments, you detail -- and

we can read it in the statement -- processes where in the earlier part of your career it would be routine to ask for references, you gave two references for the appointment to the job?

A. Mm-hmm.

Q. Which were taken up from school and, presumably, your university. It would be usual to take up references of all candidates, before interview?

A. Not quite, but nearly.

Q. Tell me.

A. So the processes, I was involved with it, would be that rector and whoever, generally the head of department and no one else, would trawl through the applicants and decide who they liked. There may be one or two who you might term frivolous applicants, but, that apart, every single person had their references taken up.

Q. Why was that done?

A. It was done because you would get a flavour from the reference as to whether the person involved was a team player, whether they were confident in front of children. You would get to know a little bit about their family situation and so on. You would get a rounded picture, which I believe getting a reference -- and I firmly believe, getting a reference from that many people helped in the selection process.

So, if you want me to be contentious, I regret the current trend, which only seeks references from the person you are about to appoint.

Q. When did that change?

A. That changed -- I think there was a -- if we might say a journey, but it changed to that latter situation that I described with the appointment of Mr Longmore as rector.

Q. That's 2007?

A. Yes.

LADY SMITH: David, we're talking about an era when written references were the norm, I think, are we?

A. Yes.

LADY SMITH: At that time -- I say "that time", it's obviously covering a broad span -- did you ever, or the rector ever, pick up the phone and speak to the author of the reference?

A. Yes.

LADY SMITH: At what stage?

A. So if you had -- I'm not sure what stage. There would be a telephone conversation at some stage if there were things that were unusual, and by that I mean -- it could be nothing sinister unusual, but there were just things that were unusual.

I can't honestly -- and I realise this is extremely

unsatisfactory, but I can't give you a particular example from the receiving end.

I can give you an example on the transmitting end, where I made a phone call to somebody. It was because that person was about to interview two of my colleagues and I had given a fair reference to both and told them, to their face, that I will be speaking to the rector.

If I'm giving an honest reference, then I must, in fairness to the receiving school, say which would have been my preferred candidate.

LADY SMITH: Yes, I follow that.

And just one other detail, your posts were all in the senior school; did you get involved in looking at applications for the junior school or was that all done at the junior school end?

A. At no stage in the early days. Latterly, for example -- and it was only one case -- the junior school latterly had a science specialist appointed and, at that time, I was invited -- and this is when I was deputy -- to sit on the interview process.

MR BROWN: I take it that's because you were essentially the senior science teacher of the school?

A. Post-appointment as deputy rector I was less to do with science. But, in terms of seniority and knowledge of science things, yes.

Q. Educational science, you are the longest serving in the school?
A. Yes.
Q. But that's very particular?
A. Yes. I had no other involvement that I can recollect and rising 76 recollection is not always secure.
Q. We'll come back to the relationship from your perspective as a senior school teacher to the junior school and the boarding houses in a little while.
A. Fine.
Q. But, sticking to the appointment process, references, thinking back to the earlier stages, where taking up references of the shortlist was common and, taking on Lady Smith's question: was the idea of phoning or being phoned more common than it became? Did people commonly phone about --
A. I can't answer that, and that's not obfuscation or anything. I was involved with -- you have to understand that up to 1985, and indeed not much after that, I was really only ever involved in the science department things, and the nature of the school is that the staff didn't turn over very quickly. If we had four or five new staff each year, across the whole of the senior school, that would be really about it. So the number of times I would be involved in the process would be very

small.

Q. That's another discrete issue, the fact that so many staff at the Edinburgh Academy spent very long periods there. You are a prime example of that. Again, we may mention that.

One thing that is striking, you say you never used panel interviews?

A. Yes.

Q. Did that change?

A. That changed. And, again, it would have come with Rector Longmore, but it wasn't always panel interviews. It's quite interesting. I'm trying -- sorry, you have made me pause and think.

There were panel interviews. There were very few before him, but there were some. And I'm pretty sure that in the early 1990s, when the school was embarking on producing -- appointing the first year heads, those may have been panel, in that the then rector and deputy would have interviewed together. But that's a really -- I was not involved. That's a really uncertain memory.

Q. Do you have a view -- is one better than the other, the individual interviews you experienced?

A. I have experienced both as an applicant. I find panel interviews very stereotyped. It's as though -- well, everyone is agreed: these are our -- this is my

question, this is yours.

And it's not like a conversation. And I like -- I think you find out most about a candidate by having a conversation, something that can roam where the conversation takes.

Q. I think you acknowledge at the very end, your hopes for the Inquiry. One of the things you recognise is the need to appoint, to put it simplistically, good people, who can do the job properly?

A. There is absolutely no question that you would get -- the better you can select, and the better you can train and continue training the people who are in charge and the people who do the day-to-day work, the better the outcomes will be for everyone.

Q. Thinking back to the Edinburgh Academy, we were understanding, in a sense, what we are hearing about is three things: the senior school, which you know. That is where you have worked; the junior school; and then up until the early 2000s the boarding houses?

A. Mm-hmm.

Q. Again, just to be clear, you, as a teacher, had no connection with the boarding houses?

A. None whatsoever.

Q. No. In terms of the junior school: physically, separate places? And was there a day-to-day separation between

senior staff and junior staff?

A. Very, very latterly there was a little movement of subject specialist senior school staff to the junior school. I'm thinking in particular in the area of modern foreign languages. But, that apart, each was a self-contained entity of its own.

Q. The senior school has a rector --

A. Yeah.

Q. -- who has, I think, overall control of everything?

A. Yeah.

Q. Then the junior school has a headmaster or a headmistress, headteacher?

A. Yeah.

Q. Presumably, the headteacher would report to the rector?

A. I can't speculate of what was before 1992, because I haven't the slightest knowledge of change of commands and reporting and so on and so forth.

Post-INU [redacted] or from [redacted] onwards, there was a group of five people -- six, sorry -- five. Rector, deputy, junior school rector, deputy, bursar, school senior management team, which met, if not weekly, fortnightly.

Q. But, prior to that, from your perspective, as a science teacher, head of science, the junior school was --

A. A different school.

Q. Yet would you have a sense of what was going on in the junior school?
A. Well, yes, because you would bump into people at social events and that sort of thing. So you would know, but you wouldn't know on any sense on the day-to-day basis of what had been decided. It was just part of the school which you took a passing interest in, but detailed interest, no.
Q. Day-to-day management issues of problems, successes, would be down to, prior to this senior management team, the headteacher of the junior school and their team?
A. And whatever contact the rector of the day had put in place, and I can't speculate as to what that might have been.
Q. All right. Boarding houses.
A. Mm-hmm.
Q. Not something that really you were -- you knew of them, but you didn't know about them?
A. Well, I knew enough about them to be not be interested in them. Sorry, that seems extremely dismissive. Not to be interested in wanting to be a housemaster.
Q. Why was that?
A. Because, by that stage, I had become actively involved with the professional organisation for science teachers. I regarded myself as a science teacher and felt that

I had something to offer in that direction and, being a housemaster, while it would have been financially extremely rewarding, would not have allowed me that amount of freedom to follow that particular interest.

Q. When did you start that particular interest?

A. I probably went to my -- well, this organisation was called the Association for Science Education. It would be the science teachers' equivalent to the Royal Society of Chemistry or Institute of Physics, it was the professional body. And we were all, at the university, student teachers, enrolled as student teacher members of ASE as we joined the training course. My membership never lapsed.

Q. When did you become actively involved?

A. Actively -- well, I started going to conferences in the late 1970s and, by 1985, I was serving on Scottish ASE committees.

LADY SMITH: David, tell me about how it was that becoming a boarding housemaster would have been financially extremely rewarding, as you put it.

A. My understanding -- and this is hearsay, it's not fact --

LADY SMITH: It's okay, I can listen to hearsay.

A. My understanding was that you, as a housemaster, lived free of rent and keep. So not only were your meals on

duty found, but I believe there was assistance towards the general housekeeping that was provided. Your salary was not quite pocket money, but not more.

LADY SMITH: I see. So that would mean it wouldn't just be free of rent, but free of the sort of bills that people who are running their own homes have to pay, whether it's energy or repairs, or whatever?

A. I don't believe there were any payments for electricity, gas, rates, rents, whatever.

Quite how that was subsequently squared with the Revenue, it's possibly -- well, I don't know. But I think at some stage there was a question asked.

LADY SMITH: Thank you. That explains it.

MR BROWN: Thank you, my Lady.

In terms of the appointment of housemasters; do you know how that was achieved?

A. It was a rectorial appointment. It was an appointment. There was no process that I knew of. So and so was asked to be a housemaster. Generally speaking, if you will pardon the vernacular, it was Buggins' turn. The next senior member of staff who was not or had not been a housemaster was offered.

That wasn't always the case, because there might be jolly good grounds for skipping. But, generally speaking, you would not be -- as a junior member of

staff, I was not surprised when Mr X became a housemaster because he was next in the batting order.

Q. That's what I was going to ask you about.

So -- and I think until the 1990s there is a layer of management, the senior master, in the senior school, rector, senior master?

A. Yes, the senior master -- I think the senior master, to describe him as managerial, he was more like a shop steward for the teachers.

Q. All right. Was that appointment also Buggins' turn?

A. Oh, yes, absolutely. There was never any deviation from that. The senior master was the senior master.

Q. I think, putting things simply, it's only in the 1990s that approach changes?

A. The approach changed in the mid-1980s, when there was a second appointment. There was the senior master and then there was a new appointment created called the second master, and the second master had a specific remit for discipline.

Q. I think, as we would understand -- and we have documents about that -- that's because of particular concerns about discipline in that era?

A. The latter part of Ellis's rectorship.

Q. Yes, but the senior master, until the 1990s, is still Buggins' turn?

A. The Buggins' turn stopped in 1992, when the school advertised for its first-ever deputy rector.
Q. Again, we'll come back to the decades and the different approaches of rectors in a moment.

But, looking at the boarding houses, it's Buggins' turn and, if someone was willing and they were next on the list, they would just be given it?
A. That's my understanding, yes.
Q. You did say, however, if there were reasons not to, you might leapfrog; what sort of reasons were you thinking of?
A. Well, my own case. Ellis asked me if I was interested in the boarding house, and my answer was "no". So I would have been leapfrogged -- whatever is the past participle.
Q. That's because you don't want it?
A. Yes.
Q. Had you said: absolutely?
A. Then it would have been mine, as I understood it.
LADY SMITH: David, thus explained, what's missing is any assessment of whether the individual has any particular aptitude for, or talent for, working as a housemaster; am I right?
A. You might wish to draw that conclusion. I have no knowledge of the thought processes of rectors, who were

making appointments to housemasters.

But it was also true to say -- and I think it would be fair to make it clear that this was not out of the ordinary.

Certainly [redacted], who I regarded as -- very, very highly, was of the view that, "If I have appointed you to the staff, you are capable of doing all jobs" and therefore there was Buggins' turn when it came to be heads of departments, that's how it worked. Somebody retired, the head of maths retired, the next senior mathematician became head of department.

LADY SMITH: My query could apply equally to that, couldn't it? Because some people can be great teachers at their subject, but when it comes to leading a group of teachers, they don't have it, they don't have the skill?

A. And we moved on from that 30-odd years ago.

I think it was always fair to say, however, that the person who was most senior was always invited on to the shortlist --

LADY SMITH: Right.

A. -- to ensure that they had -- were given a full and fair chance. And it was around about that time that the school took upon itself to advertise head of departments' posts -- advertise externally, which had never happened before.

LADY SMITH: I thought that was what you were saying. Not just internal trawl, but allowing outsiders to apply for those specific roles that had a leadership element in them and an ability to administer.

A. Yeah.

LADY SMITH: Mr Brown.

MR BROWN: Thank you.

Again, from what you are saying, and what you said in the statement, the 1990s is a time of change?

A. Yes.

Q. Prior to that, the previous 22 years, 25 years, thinking of 1992, and one date in 1995 as the other, Buggins' turn has primacy; might that explain why so few teachers leave Edinburgh Academy? Because they know they are on an escalator that will take them to better salary because they can become a housemaster or a senior position as people die off?

A. The answer is yes. But I wouldn't want you to be too fixated about the financial reward.

The housemasters did very well out of it. Being a head of department at the Academy did not produce any serious -- it did produce an increase in salary, but it wasn't one which gave you a foreign holiday.

Q. No. But the point is: if you want to progress as a teacher, to higher levels, it will happen if you stay

put?

A. May I just -- because I can see what you are trying to say, but can I just throw a counterpoint at you?

Q. Please. Yes.

A. The argument being that if this sort of natural progression encouraged teachers to stay, to -- my response to that is: then why did so many of our support staff and technicians stay at the school for years and years and years without any -- there was no promotion structure for a laboratory technician. There was no promotion structure for somebody in the front office.

These people worked because they loved the school.

Q. And because, presumably, there was very little change for decades; it just was as it always had been?

A. But these people worked incredibly hard and they weren't over-well rewarded and that's because of the atmosphere in the school.

Q. Yes, okay. I don't take issue with that.

One thing, though, in terms of appointing the right people, you went through teacher training in 1970. We are obviously concerned about the welfare of children in residential care. I think you acknowledge that in your training, back then, the idea of child protection simply didn't really exist?

A. I have no recollection of any lecture on the subject.

Q. Was there just assumption that if you are going into teaching you would look after children instinctively, as it were?
A. It was never even articulated. So speculation, but I guess so.
Q. Likewise, so far as you are aware, was any consideration, allowing for Buggins' turn, in the appointment of housemasters and house staff; do you remember there being any active consideration of child welfare or ability to look after children in a residential setting as part of the appointment process?
A. I can't answer that question because it was beyond my sort of pay grade. I simply don't know.
Q. But, certainly with the rector who appointed you, who was of a generation before you, if not two, child protection would not have been part and parcel of his training either?
A. No.
Q. No. And it wasn't a factor that was discussed at your interview, for example?
A. No.
Q. No.
LADY SMITH: I suppose, David, you can at least go as far as saying that if it was part of the thinking -- child

protect, I mean -- it was kept hidden because you didn't know about it. You didn't know that was part of the thinking, if it was.

A. You are inviting me to speculate and I really don't know.

LADY SMITH: You are not telling me that anybody made it clear to you in -- and we're talking about the 1970s, that was regarded as an important or significant factor?

A. The phrase "child protection" was not used.

LADY SMITH: Or even whether people have the ability and knowledge to put children's best interests at the top of the list of priorities, or even have regard to them at all.

A. Having spent a year -- many, many years in education, if I did not think that children were not the be all and end all and the whole central point of my life's work, I wouldn't have been there.

LADY SMITH: I wasn't suggesting that. It wasn't being expressly articulated, I don't think, in the teacher training that was going on in the 1970s, or in the criteria listed for job appointments.

A. No, but I do believe that -- it's obviously clearly naively, but it was implicit not explicit.

LADY SMITH: Yes. Thank you.

Mr Brown.

MR BROWN: Thank you, my Lady.

Just thinking about the structure of the school, and the role the rectors played over the time you were there, you have governance, oversight by the court of directors?

A. Mm-hmm.

Q. You would have engaged with them, I imagine, when you were in the management roles, but am I right in saying that the level of activity and the role they played changed over the time you were at the school?

A. Yes. But then you have to recall that I'm -- I've no direct knowledge of what their role was pre the 1990s, but my impression was that the rector was in charge.

The governing body, the directors, were certainly involved in the sense of general oversight, financial matters, provision of facilities. But, in terms of the day-to-day running of the school and the nuances of policy and so on, insofar as it affected that day-to-day running, I was not aware of them being directly involved.

Q. When did that change?

A. The first time I can remember it changing was some time in the 1990s, when a group of senior court people, senior directors, and four/five senior staff spent two or three days away together at the start of the academic

year, to discuss all matters of policy and so on. That was the first time I had any direct involvement in things with the court.

LADY SMITH: David, if I can just interject, for the clarification of those who aren't familiar with Academy governance, when you say "court", you are talking about the governing body, which is known as the "court of directors"; is that right?

A. The governing body is known as the court of directors and its principal is called the chairman, or the chair nowadays.

MR BROWN: Yes, indeed. From what you are saying, is this a fair pin picture: up until that period, in 1992, when you have appointment of, I think, Mr Trotman as deputy director, there is a second master who is responsible for discipline; that is the first change I think in 1987.

But really until 1992, when you have -- and we'll come on to this briefly -- the introduction of policies and change of approach; prior to that, really the rector is the keystone of the whole organisation?

A. I would have certainly said that up until the mid-1980s. There was clear evidence with the ground swell, which eventually ended with the appointment of the second master, that the governing body had decided to take

a more hands-on approach to the running of the school.

Q. Let's agree from 1987. From 1987 backwards, to 1970, when you started, really it was the man who appointed you and his successor who would have decided what happened in the school?

A. There is certainly an anecdote about ICH who when asked to do something, two days later the answer came back: the court haven't allowed me to do that.

And it was generally presumed to mean: I don't want to do it.

Q. Right. Thinking particularly of the boarding houses, he would appoint, as would his successor, the housemasters, following Buggins' turn with no real consideration from what you would understand of the processes with child welfare in mind?

A. Again, you are asking me to speculate. He appointed the housemasters.

What was the basis of that appointment and what were the discussions, I couldn't possibly begin to comment.

Q. What you can say, though, is child welfare and child protection were not as current in the language of the time?

A. They were not current in the language of the time for any teacher.

Q. To repeat your own words, if you'd been appointed, then

you were fit to do anything?

A. There was a presumption.

Q. Presumption, yes.

We have heard evidence, from those who were in the boarding houses in the 1970s and the 1980s, that there was no obvious oversight from the pupils' point of view from the school of the boarding houses. In other words, people coming to see how it ran, check on it; does that surprise you?

A. (Pause)

I don't think it does. I'm trying to think.

During my teacher training I spent time at one of the very significant boarding schools down south, and a lot of time in the boarding house of one particular member of staff, and I don't recall any conversation about oversight of boarding.

The boarding in that school was delegated to the housemaster, and the housemaster was responsible for the welfare of the boys -- because it was a boys' school -- in his charge.

So that there was no oversight at the Academy would have been replicated in the length and the breadth of the country, in my opinion.

Q. Yes.

LADY SMITH: That would fit, David, with what I've heard

about other Scottish boarding schools in this case study, where the boarding houses have been referred to, for example, as "individual fiefdoms" and there could be huge variation between them, with each of them doing their own thing.

A. And the particular place where I did my teacher training, that would be exactly so.

There was one of the houses where the housemaster employed a butler, and there was another where the common approach was much more normal.

LADY SMITH: Mr Brown.

MR BROWN: My Lady.

Your knowledge of the Academy is obviously considerable because of the extent of time you spent there, and we should understand that although you retired I think 2008/2009 --

A. 2009.

Q. -- thank you -- you then stayed on in other roles even longer; have you stopped being involved in the Academy?

A. Oh, yes. In any way -- sense of having any responsibility for anything. I now enjoy the company of many of my former pupils, both socially and on the golf course, and I draw a distinction between the two.

Q. The point I was coming to is, you were asked, I think in the early 2000s or the first decade of the 2000s, to

write a user-friendly history of the Academy and its traditions, and a book was published, The Academy Lore?

A. Yes, the then rector thought there might be something, and I went away and there is a very great book written by Magnus Magnusson, The Clacken and The Slate, which is the proper history of the school, and one could not, in any way -- replicate or indeed attempt to, but what was missing was all the whys: why is that colour of blue there? Why do we use this?

So it was an attempt to answer those sorts of questions. So, when I was asked to write, I hijacked the request and said: what I want to write is a series of, if you like, independent coffee table articles.

Q. And one of those independent articles is headed:

"1962 to 2009, A Familiar Cycle."

A. Yes.

Q. With the subhead:

"Confidence, Complacency, Crisis, Consequences, Co-education."

Is that reflecting, really, the different rectorships of individuals, with a bit of overlap at the end for co-ed?

A. That's probably fair, yes.

Q. I think you start with confidence, which is HH Mills 1962 to 1977, and from what you've been saying, and

again keeping things short, those, from your perspective, within the Academy were good years, successful years, sport, educationally. Mills was in charge, a man you clearly rate, and it ran as it had always run; is that fair?

A. Well, I don't know how it all was run, but it ran well.

Q. From the period you were there, 1970 to 1977, nothing really changed? There were buildings --

A. No. As far as I was concerned, it ran smoothly and I was sorry he left.

Q. I think you were asked as part of the process: was the school insular and introspective?

That was in mind when the question was asked. It was running smoothly, you wouldn't look out to see if people were doing things differently, because the Academy way worked?

A. The Academy way worked. But that wasn't quite what I was asked. I was asked whether it was elitist, and I rejected that.

Q. Would you agree it wasn't particularly outward looking; it was successful and, therefore, you didn't think to look out?

A. Yes, that's fair.

Q. Then you have the rectorship of Ellis, 1977 to 1992, which you describe as "from confidence to complacency";

and was it in a sense more of the same?

A. I don't think so, because the school, academically, was pretty good throughout the 1970s and early 1980s. It was not good moving into the 1980s and latterly, and I had some responsibility for academic analysis, if you like, so not just within the science department.

And it was quite clear that if you applied thorough statistical methods you could not say all our departments are good, which is what Ellis claimed publicly.

Q. I think that's one of the things that you mention in Academy Lore. When asked, he would just say, essentially: it's all good news, it's fabulous.

A. And that is the complacency.

Q. And it wasn't?

A. In my opinion, it was not. It wasn't far off. It needed challenging.

Q. But there was no pressure to challenge, except from people like you?

A. Not that I was aware of.

Q. It's simply that in your statement you talk about a number of -- and this is moving on to the next head, from 1992 on, where things begin to change.

There is a recognition under John Rees; how would you describe -- in the book you describe it as "crisis";

why was it crisis?

A. Well, I can recall in the early days of -- latterly, I did very little teaching. But, in the early days of the senior appointment, I was still doing a lot of teaching, and I can recall getting a telephone call, internal call, from John Rees, saying: I've just been told I've got to lose a number of staff. What are you going to do about it?

That meant, of course, being director of studies, then I had do some modelling to see what was necessary.

In fact, we did not lose staff. What we did was appoint younger staff, who were not quite so expensive.

Q. And, presumably, might have a slightly different outlook to those who had been there for decades?

A. Mm-hmm.

Q. And who had become complacent?

A. Yes, but there weren't people -- I'm not aware of significant departures. In other words, it was natural wastage.

Q. Yes. But it was an opportunity --

A. Absolutely.

Q. -- to refresh?

A. Very much so.

Q. Because one of the things that you say in the book is, first of all: if he'd known what he was coming into, he

wouldn't have taken the job?

A. No.

Q. And that's going back to the complacency. It was sold as something that was very good, when it wasn't.

But, you say, history will certainly judge his three-year rectorship as essential in the evolution of the Academy.

A. Yes. I stand by that.

Q. Firstly, he insisted on a culture of praise, challenging the staff to encourage the positive, rather than discourage the negative in pupils. Are you surprised to hear that this morning we were hearing from someone who was at school in the 1970s that it was very much a negative environment.

What you did wrong was commented on, rather than trying to encourage you to get it right?

A. Mm hmm. Well, John Rees -- let me give you an example. John Rees would get up at round about 5.30 each morning and would hand write notes of congratulation or thanks until it was breakfast time, and then these were circulated to pupils and staff.

Q. You go on: he scrapped the star prize system, replacing it by effort prizes?

A. Yes.

Q. So everyone had a chance to win?

A. Absolutely.
Q. He also encouraged the idea of charitable works?
A. Yes.
Q. And he changed, as you say, the mindset of the Academy; how so?
A. The scientific word is a "catalyst". Without -- a catalyst -- John was pretty well unchanged, but by his very presence and his attitudes, he changed what was around him, and so he gave those of us who wanted to have more rigorous policies and so on -- he gave us our heads. But he didn't just give us our heads, he took it to the next stage.

So when we realised that Scottish Office and all the powers that be said the school needs a development plan, then the development plan, the embryonic development plan was knocked together by senior staff, but then it went to pupils to some extent, parents completely, the governing body, the teachers.

And so what finally ended up in the development plan was a distillation of the thoughts of everybody, and something with which we could all buy into, to move forward. That all happened in John's time, and it was complete, the first development plan, prior to the inspection that arrived in 1994, late 1994/early 1995.
Q. Which we can read and you make reference to in the

statement. Part and parcel of that, since I've mentioned his name, there was appointed Andrew Trotman?

A. Yes.

Q. And his role was to do what?

A. Well, he came in as deputy rector and, therefore, responsible for the day-to-day running of the school. And that was a decision that the governing body had taken. They had decided -- sorry, it appeared that they had decided -- because I wouldn't presume to be inside the minds of the governing body. But it appeared they'd taken the decision that a more coherent and structured approach to the organisation and management of the school was essential.

Q. All right.

Policies were introduced and we have copies. I could show you them, but it would, I think, be unnecessary.

A. I may have written some of them.

Q. You may have written some of them.

One word that strikes is the role and responsibility of tutors and their role in pastoral care; was pastoral care, as a concept, something that came in around that time?

A. As an explicit concept, yes.

Q. That is my point.
A. As an explicit concept. Look, pastoral care was always something that teachers were conscious of. You wouldn't have squads and squads -- and I do mean squads and squads of teachers taking people away on trips and outdoor education and clinging on to the edge of a rock without some feeling of pastoral care for those pupils.

But, in terms of formalising the structures by which issues could be addressed, that's when it started.

Q. That might include -- and I'm not being flippant -- some consideration of health and safety; whereas in the past the view of looking after children might have been rather more casual?

I don't mean that necessarily critically. Because they would be allowed to do things that nowadays would be absolutely frowned upon.

A. But that's of its time. I wouldn't wish to judge people just because of its time.
Q. No, no. But it's a sign of things becoming more regulated, if you like?
A. Yeah. I don't think -- I think child protection and those sorts of issues were more close to our minds than health and safety. Sorry, it's a phrase that I'm --
Q. It jars?
A. Well, it jars because too many things have been done in

the name of health and safety which aren't necessary. I don't mean within education, I mean in society at large.

MR BROWN: All right.

LADY SMITH: I'm sure we can all accept that many people use the term "health and safety" as something rude and something not desirable at all, because of their perception of how it works and how it prevents what they perceive as being perfectly safe from taking place.

A. It's quite tricky in the education context, because the nature of children is to take risks, and the nature of learning is to learn from the consequences of those risks.

LADY SMITH: And we have to teach children to manage risk for themselves and to assess it for themselves.

A. Yes.

LADY SMITH: Mr Brown.

MR BROWN: Thank you.

One other aspect of your statement is interesting and, again, this period of 1992 onwards. Appraisal and staff development becomes a concept?

A. Yes.

Q. Prior to that, from what you've been saying about the Academy, you were interested in the science side, for example. That's why you wouldn't become a housemaster

because you wanted to pursue the science side?

A. Yes.

Q. That, I suppose, is a form of development. But the formality of appraisal of individual teachers wouldn't have taken place before that?

A. To the best of my knowledge, no. I do recall I and several others of my colleagues would go and have one-to-one conversations with the then rector and those were often very positive and helpful. So, in a sense, it was -- if you've got the confidence to ask, there is an appraisal scheme in-built there, within the wisdom of the rector, but there was nothing formal until the 1990s.

Q. No. In other words, if you didn't have the confidence or the inclination, you could just sail on --

A. Absolutely.

Q. -- unnoticed?

A. Yes.

Q. Can I talk you to a little bit about discipline?

A. Mm-hmm.

Q. We have been hearing a lot of evidence about discipline; you beat how many times?

A. Once.

Q. In 40 years?

A. Well, less than that because it wouldn't have been legal

for the latter part of my career.

Q. You are quite right. I fell into my own trap.

Were you disappointed when that happened?

A. Very. I failed.

Q. That's your view?

A. My view is that -- I have a very strange view, which is not shared by the current colleges of education and indeed many in the past, but teaching is a performing art. You have the greatest gift of all. You have a group of attentive young minds and it is your job to inspire them.

If you ask any great person, the chances are the reason why they are great in doing what they want is not a worksheet or anything else, it's a person, and the chances are that person is a teacher. And that is -- I've lost the thread because I've climbed on to the soap box.

Q. So do you think corporal punishment should be necessary as a teacher?

A. Not now, no. Society's moved on.

Q. But you didn't want to use it. So, in your view, presumably, it wasn't necessary. You shouldn't need to use it.

A. But there were some -- it was very different times. You go back to the 1960s and 1970s, and in all rafts of

society, not just schools, but in the military, in the police, in lots and lots of organisations, physical chastisement was more regular than many would have wanted.

LADY SMITH: David, can I just take you back to what Mr Brown was asking you before?

You were asked how many times in your career you beat a child and you said once.

A. Once.

LADY SMITH: Although it wasn't possible for the full 40 years you were engaged in a teaching job, for many of those years it was legal to do so. You said that, certainly in your written statement and I think earlier on, you felt you had failed.

A. Yes.

LADY SMITH: When on one occasion you beat one child. That, I think, is what we were just interested in exploring a little and I fully see what you're saying about teaching being a gift and a performance art. But why, looking back, did you think, as you tell us you did: I failed?

A. Because I'd not been able to communicate with that one individual to get that individual to see that the way he was behaving was not appropriate.

Now, the trouble is, although it was a one-off and

it should have been seared into my mind, I couldn't begin to tell you why. I couldn't begin to tell you why.

LADY SMITH: Let me ask you this: if a teacher was beating a child because that child had failed to do well in a test, to apply your explanation: do you think that teacher actually should have been saying to themselves, "I have failed in some way. I thought that child in my teaching should have done better than that. Now, what's the problem here? Because principally it lies with me".

A. I would -- if what you are suggesting -- and I may have this wrong, so please forgive me -- there is a difference in my mind between the chastisement of children for bad behaviour and bad work.

Bad work does not necessarily -- is not necessarily the fault of the child. Bad behaviour is more likely to be the fault of the child.

LADY SMITH: But, as you say, it could be the teacher failing to engage the child and the teacher needs to address that.

The child needs to address the child's behaviour, but the teacher needs to address their own, as you put it, performance.

A. One of the great skills of a teacher is to be able to say the same thing in four different ways, not in four

ways getting louder and louder as you do it.

LADY SMITH: Of course.

Mr Brown.

MR BROWN: Thank you, my Lady.

You know how you responded so far as corporal punishment is concerned, but you were in the school from 1970 and we would understand that corporal punishment stopped in the second half, perhaps, of the 1980s.

I think in 1984 we have documents which confirm it was still in use. By 1988, there is document provided by SCIS which shows it stopped, but it still potentially exists?

A. Mm-hmm.

Q. Were you conscious of how your fellow teachers used corporal punishment?

A. I was aware that a number would use corporal punishment more regularly than others, and I was aware that was always because of bad behaviour.

Q. Is that because that's what they told you?

A. That's what I learned by whatever process. I can't tell you.

Q. Was there a sense in the staffroom of those, perhaps like you, who viewed corporal punishment, if used, a failure, but there were some teachers who used it too much?

A. I don't know that that is correct. There was a correlation between those classes where children misbehaved more regularly and those classes where some form of corporal punishment was eventually used.
Q. Given your perception of the use of corporal punishment; do you sense that is because they were less effective teachers?
A. No. I'm not -- I would prefer not to go into chapter and verse. But as you are -- as this conversation develops, I can think of one highly regarded, highly competent teacher, who was reduced to corporal punishment by the excessive theatrical misbehaviour of a single pupil.
Q. Was that discussed because it was viewed as a failure?
A. The context for the discussion of that is relatively recent, given the great tsunami of press and other interest in the school at a meeting I had, a social meeting with former colleagues. That is where it emerged.
Q. But, to go back to my question, when corporal punishment was permissible, you would be aware that there were some teachers who used it more often than others; did that cause you any concern?
A. I think it didn't cause me concern because it was allowed and I was doing my own -- I was in my own little

world at the time. I was teaching my physics and cricket and getting on well with pupils and so on. There were classes in which boys behaved seriously badly.

Q. Was any effort made by the school or by fellow teachers to discuss whether or not a different tack might be tried?

A. I was not aware of any conversations.

Q. No. But you became the child protection co-ordinator in about 1994, you think?

A. Yeah. Andrew Trotman moved to be acting head of the junior school in September 1994. I became deputy and the CPC post went with that.

Q. We can read that in fact day-to-day it was more, from what you say, dealing with issues between children and parents, rather than children and teachers; what training did you have?

A. Nothing initially. Here is the job, get on to it. But SCIS -- for the record Scottish Council for Independent Schools -- throughout my time as senior teacher, was extremely good at providing training courses, and given the imperative for child protection that was always part of it. So, relatively quickly, I would have had some training.

Q. I think you had input from a lady, Sue Hamilton --

A. Yes.
Q. -- who we have heard about from other schools.
Were you surprised at what you were learning through SCIS and Sue Hamilton?
A. Was I surprised? I found -- yes, I was surprised. I was surprised because there seemed to be a presumption of problems, which, in my own personal opinion, not translated into any action, seemed to exaggerate before examining other options. I feared that there was a danger of escalation.
Q. What was wrong with escalation?
A. There is nothing wrong with escalation, if it's appropriate. But do you not need to examine the evidence to see whether escalation is appropriate? I've been there recently.
Q. But looking at paragraph 88, on page 26; you recognise the right approach is not to brush anything under the carpet --
A. Correct.
Q. -- but to investigate. Then you go on to say:
"The right approach is to thank the child for letting me know and I would apologise if they had been made to feel uncomfortable. I would speak to the named party. I would then tell the child after I'd spoken to the person who made them feel uncomfortable. I wouldn't

investigate."

A. Well --

Q. I was puzzled by the last line, "I wouldn't investigate".

A. One of the things that was stressed in all my child protection training was that you should not investigate; that you should listen, record, refer.

Q. And let someone else investigate?

A. Somebody who is at least distant from your own organisation. So, for example, we never had to use it, but within the SCIS schools it was always understood that if you had an issue you would contact one of the other child protection co-ordinators from a sister school to come and take the next steps.

Q. I follow.

Were you surprised, though -- and I say this not critically, but one -- we'll come back to your opening remarks in the statement, where you express, in a sense, surprise and sadness that no one came forward to tell you of problems.

When you were being trained as CPC; was part of the training that children really are unwilling to speak?

A. That was not the main emphasis. The main training was in recognising where a child wanted to speak, not in recognising that a child was unwilling to speak.

The main training was to say that there are myriad contexts where you, and you alone, are uniquely placed to be the confidante of that child.

Q. But, indeed, going back to the first 25 years, 24 years, before you have the CPC training; would you accept there may have been signs, but you, having not been trained, wouldn't have noticed them?

A. Well, I certainly would have to accept that. I mean, that's a simple statement of fact.

But, as I understand, the majority of issues with which this Inquiry appears to be involved, insofar as I know anything, appears to be with younger children and I haven't the slightest doubt that a younger child going through some of the experiences that you have had to listen to wouldn't have remotely the skills to be able to articulate what was happening to anybody.

It doesn't surprise me one little bit.

The bit that surprises me is that seven, eight-year old were still not saying something to their peers when they were a 15 and 16-year olds and that something had emerged then. That is the bit that saddens me.

Q. I think the problem is we have heard evidence that is what they were doing. Where the block was, they wouldn't think of talking to a teacher and that, on the evidence, seems to be because of the culture of the

school.

A. But my frustration with that is that -- I'm not referring to the, to use your language, the applicant, but the applicant's contact or even the applicant's contact's contact.

The ripples -- that is my frustration -- the ripples got nowhere.

LADY SMITH: No. But, David, this is not just unique to the Edinburgh Academy. I've heard time and again that children were in cultures, in schools, boarding schools, in Scotland, where no clyping was the order of the day. You didn't clype.

For two reasons, that was simply just the culture, and the other was there were children who could work out, like a cost benefit exercise: things are just going to get worse. And I know what I've got to live with. I can live with this, and I'm going to have to deal with being attacked from other ends as well, if I do anything.

And furthermore, in the case of the independent fee paying school, some people saying: I knew the sacrifices my parents were making to send me to the school. I was not going to say anything.

A. And I totally understand that. But it doesn't mean that I can stop being sad that nobody told me.

LADY SMITH: No, absolutely. I get that. It's a very sad fact. This is aired at the moment by me not by way of criticism, but by way of recognising a reality that I can't ignore; I've heard it so many times now.

Mr Brown.

MR BROWN: Thank you. You were asked about a number of individuals at the school. If I can briefly focus on three. Names are not important.

We know that there was --

LADY SMITH: Mr Brown and David, I'm sorry to interrupt. I have two hard-working stenographers here, who would probably welcome a break around now. Since, as you said, there are three teachers you want to talk about, rather than rush anybody on that, I wonder if we should take a five-minute break or so, to give everybody a breather. Maybe you would like a breather, David, would that be all right?

A. I'm in full flow, but I recognise the needs of others.

LADY SMITH: I have tried to take account of everyone's interests. We won't be long. Just to pause.

(3.25 pm)

(A short break)

(3.33 pm)

LADY SMITH: David, is it all right if we carry on?

A. Please do.

LADY SMITH: Thank you. Mr Brown.

MR BROWN: David, I was coming to talk about some particular teachers that you were asked about and commented upon.

I think in 2008 you received a letter from one of your former pupils advising of abuse by a teacher in the junior school?

A. Yes.

Q. You responded to that letter, expressing your horror and advising potential courses of action, principally the police.

The pupil then replied to you, and I think we can see this, EDA223, page 4. If you go to the bottom first. It's been blacked out, but you can see the pupil replies, saying:

"Thank you for your email. I agree with you that this issue is an old one, and I have no wish to pursue it further. I merely needed to draw someone's attention to a story which has, in the past, been dismissed as rumour, or in some way unverifiable ..."

Then a comment about the Large Hadron Collider, recognising you are a physics teacher. Then you pass that on to the rector, then rector. If we go up to the top of the email, please, saying:

"No further action needed, but suggest that we file the whole thing somewhere in case anything resurfaces."

Did you have any expectation that anything would follow from that? I think this is just before you retire.

A. Yes, it was just before -- from this particular incident or this particular correspondent, or what, I'm not clear what you are asking.

Q. Thank you. You have passed it on to the rector. Here's the correspondence, he knows what it's about. He sees the response from the pupil and you suggest: no further action needed, but suggest you file the whole thing somewhere in case anything resurfaces.

A. Yes, and I suppose the resurface is my shorthand for saying, in case the pupil concerned or former pupil concerned has changed his mind. And it's absolutely important, if that were the case, that this previous correspondence should be there, so that both the complainant and the school would have a clear record of what has happened earlier.

LADY SMITH: I suppose, David, the other possibility is, you having pointed him in the direction of the police, that the police may come to make investigations at the school and you need to have records of that exchange.

A. Absolutely. I have to be brutally honest. I have no recollection of what happened, other than having received the original letter and replying to it. That

I had even passed it on, I could not -- so I'm really quite pleased that I did.

MR BROWN: Because it's important that a record is kept.

A. Absolutely.

Q. Would you agree that record keeping prior to the 1990s was not something that was perhaps the subject of policy?

A. It certainly wasn't the subject of policy, no.

Q. Was it rather more haphazard than that?

A. I can't speak because it was not part of my day-to-day existence. I would keep copies of my own correspondence with parents. But what the school did, I couldn't possibly comment.

Q. But I think -- and you will have been aware of this from the recent press -- that the school has, over the period, received a number of complaints about the same teacher. You are aware that an actor complained to the school?

A. I was told during my -- the taking of my witness statement that there was a complaint to the school in 2001. I was not aware of the source of that complaint.

Q. Perhaps better put: a complaint about the school. I don't think it was to the school, but it was one the school was aware of?

A. Right. I was not. So okay, I had a senior

responsibility in 2001. I was not aware of any complaint about the individual that we have just been discussing, in 2001.

Q. If the school was aware of it, it wasn't something shared with you?

A. It was not shared with me. And you have to understand that in my time as deputy, which I think is no longer the case, I was not a member of any of the court committees.

Q. No. The other complaint relates to a former chemistry teacher, who I think you discovered the police were investigating after he had been at the school and had retired?

A. We had a visit from the police after he had retired and they -- they wanted to know about the history of him and -- at the school, and explained that he had been caught up -- embroiled in an enquiry they were conducting to inappropriate images on computers.

Q. That is learning about a fellow teacher after he's left, but about something troubling; you would agree?

A. Certainly troubling.

Q. You were in a management role and it may be you give the same answer as the last one.

Was there any discussion that you recall about this teacher; perhaps we should look back and see what he did

at the school or perhaps ask his former pupils if there's anything they know?

A. Right. So the second part of your question, there was no discussion of that. Full stop. There was a discussion within the school, because I was party to that discussion, in the aftermath of the police visit. What do we know about that individual? What evidence was there?

I know that that individual, for a large extent, had a very positive relationship with many pupils and a rather more abrasive one with others. He was a sharp disciplinarian is probably the right way of describing things.

But we could not find any evidence of any complaint about his behaviour which we would have deemed inappropriate at the time of his employment.

Q. I follow that. But then going back to the second part, should we do something other than looking at the records we have, and the answer is, as you have given: we didn't discuss that?

A. We didn't discuss that. But the context of the particular issues that were involving this individual, appeared to suggest that children were not at risk, on the advice of the police.

The police were only concentrating on inappropriate

images and, as was reported to us, there was never any suggestion of inappropriate behaviour to individuals of whatever age.

Q. A follow that. But if you have a teacher who has an interest in indecent images; would you agree that might suggest he has an interest in children? Whether he puts it into practice, you don't know?

A. Hypothetically, yes, of course. The one interest is not a causal effect for a different interest. So you could have one which is entirely inappropriate, but is contained.

All the evidence we had at the school -- now, I have no record and I'm quite sure that somebody will have looked very carefully. But we were in close co-operation with the police during this and there was not a hint of the police suggesting that we should go back and look for inappropriate behaviour with individuals.

Q. You seem to be relying very much on what the police tell you. I'm just interested, thinking now: do you think the school should have done more of its own volition, rather than relying on what the police did or didn't say.

A. You have to trust somebody. I'm sorry, but if I am reassured, and police are an authority, then I don't see

that I have reason to disabuse their authority.

LADY SMITH: David, what if the teacher had still been in the employment of the school when this came to light?

A. If the teacher had been in employment -- but, again, with the greatest of respect, we are hypothetical again. I don't know. But I do know that in those circumstances we would have involved the GTCS and that teacher would not be allowed to teach.

LADY SMITH: What about the school's own learning from the discovery?

I'm allowed to indulge in hypotheses because I'm interested in them.

Do you think the school would have wanted to look back, to check whether there was anything they had missed, whether there are things they might do differently in the future?

A. I don't know. All I can say is that I thought we acted appropriately at the time. You are implying that was not the case.

LADY SMITH: No, I'm sorry to interrupt, David. Don't read that into what I'm saying.

I'm trying to understand how the Edinburgh Academy would have handled this if the circumstances had been different, that this was discovered at a time that a person was actually employed by them as a teacher;

would the reaction have been different? Getting rid of him and telling GTCS apart.

A. Well, yes, because you would want to find out, obviously, the extent to which there are problems. But managing that without causing an inferno of which you lose control is something that I don't know how to do.

So how I, as a relatively senior person, would take these circumstances that you're suggesting and say: fine, I know how we would deal with it at one stage.

Can we change your hypothetical circumstances to say that the police hadn't been involved initially and that we had discovered the inappropriate images. So then our response would have been to look down computers, so that there could have been no erasure and to involve the police, because those images would have been within the school precinct. It would have been to contact the GTCS and it then would have been to discuss with all of those agencies and possibly even SCIS because we are talking about something that was out of normal control, as to what the appropriate steps are. But I repeat, what you do not want to do in those circumstances is create an inferno.

LADY SMITH: Thank you. Mr Brown.

MR BROWN: I think, for completeness, the very scenario you are imagining happened with another teacher and were all

those steps taken?

A. Well, in that teacher -- in that, that teacher was an employee at the junior school. I can't answer. What I can tell you is that (a) the police were involved, (b) the computer was confiscated and (c) the GTCS was involved. What else happened is -- I was not party to.

Q. He was also a boarding house tutor?

A. Yes.

Q. Again, and I'm just asking you for your thoughts, thinking about things now, were you deal with that scenario, would you be wanting to contact the parents of children or the children who had been in that boarding house, given this is someone who clearly has an interest in children sexually?

A. I'm sorry, I don't know what the images were. So they were inappropriate images, but quite what they were, yes, you have to involve the parents and I will happily concede that, but I don't know how to do it. This business of starting what I call the tsunami in a different context, it's how people work and you can often do more damage than good by inadvertently setting fire to the barn.

Q. I think you know though, because you were asked or made reference to it in 2001, Loretto were faced with exactly this issue and contacted former pupils?

A. I am told that. I don't know that.
Q. You weren't aware of that?
A. No.
Q. Knowing that they did, and you can take it from me that is what happened, do you think that since they didn't seem to burn down the barn that is an appropriate step a school might take?
A. Yes, but how to do it, I don't understand.
Q. All right.

Final teacher was a [redacted] teacher who was at the Edinburgh Academy in the 1970s for, I think, three years --

A. Yes.
Q. -- max. Young graduate, who came from university, and I think by your account was a hopeless teacher, because he couldn't control; is that a fair summary?
A. The summary, yes. But I think it's too dramatic. He was not a good teacher, but he was not a hopeless teacher. He was sidetracked, so children in those days, and probably all through history, are very good at finding weakness. Children with him discovered that if two or three got him sidetracked into a particular [redacted] there could be total mayhem in the rest of the class and he would not do anything about it.

So we became aware of this relatively early on and

despite trying to suggest ways of improving his technique, it did not improve.

Q. But we should understand that there came a time, and do you remember at what stage of the school year it was?

A. I do not know when, in the school year, it was, but there came a time when I realised that there was no progress and so went to speak to then rector, who was Ellis and say that in my opinion he's an able enough [redacted], but the perception of him as a teacher in the school is such that he will never retrieve his sense of authority.

Q. I'm sorry to press, what stage of the school year? You have had him for a couple of years, I think?

A. At some stage it was in the third year, but as to when, I really couldn't say. Anything would be speculation.

Q. All right.

A. At some stage in the third year.

Q. As you make point, there was no school hierarchy so you went to the rector? And he then told you to give him the news.

A. We discussed it and we agreed, because there were what appeared to be very good other signs of somebody who knew his [redacted] and somebody who could contribute in other senses, that he needed a fresh start and, yes, I was told. That's stuck in my mind. I did not think

it was appropriate that it was my job.

Q. Do you remember whether that teacher left the school before the end of the school year?

A. No, sorry. I do not recall when he left.

Q. Thank you.

We've heard evidence that complaints were made about that teacher touching a pupil and a complaint was made by the pupil and his mother. You have no knowledge of that?

A. That is the first time I have heard that allegation made in my life.

Q. So far as you're concerned, the rector was asking you to seek him to leave and find a fresh start purely because of the concerns about his teaching ability?

A. And it followed logically from my going to see him, so there was no sense in me being summoned and any contrivance. As far as I was concerned, I had a problem with a colleague who wasn't teaching properly. I saw the rector. I was told to advise him to apply for another job.

Q. All right.

What the rector did or didn't know, you simply have no idea. Thank you.

You have said in your statement that you never investigated actual complaints of abuse in your various

roles. But you do say, and it is going back to the very beginning, that you want to put on record your profound apologies to any former pupil who was the subject of abuse during his time at the Academy?

A. Absolutely. It wouldn't have taken this Inquiry to have that sentiment. If any child suffers then those who were there, whether they have responsibility or not, have to apologise.

Q. And you go further, because you are, I think, just as you were disappointed when you had to beat on that one occasion, you were saddened because you would have hoped that you would have learnt of these things?

A. I would indeed, yes.

Q. But you're not in any way denying that abuse was going on?

A. I cannot deny when I read that email that you have just shown me there would be no reason to make anything up like that. And in that case, then if one, then there may be others.

Q. David, is there anything else you would wish to add?

A. No, I think I've been given a fair hearing. Thank you.

Q. Thank you very much indeed.

LADY SMITH: David, thank you for engaging with us as you have done, both in providing your detailed written statement, which is evidence before me, and coming along

today to talk about the matters that we wanted to explore with you.

As I said at the outset, I know this can't have been an easy prospect, but I'm really grateful to you for dealing with it in the way you have done as openly and frankly as you have done.

I'm now able to let you go, but please be aware that you go with my grateful thanks.

A. Thank you.

(The witness withdrew).

LADY SMITH: Mr Brown.

MR BROWN: My Lady, it is five to four on a Friday. We could do a 20-minute read-in --

LADY SMITH: Alternatively we could leave it until next week. No, we have worked very hard this week and I know we have expected everybody concentrating and listening to the evidence to take a lot on board in addition to the evidence that people were following from last week, so I'm going to rise now.

I will be sitting on Monday when we won't have in-person witnesses but a number of statements are going to be read in.

As I said at the outset, this is important evidence and the fact that a statement is being read in will be for a variety of reasons and it doesn't make the

evidence that that person has provided of any less significance or any less value to me and the work we're doing here so that's what is happening on Monday and on Tuesday we'll be back to in-person evidence.

MR BROWN: I think the plan on Monday, my Lady, is seven read-ins, which will perhaps take us into Monday afternoon.

LADY SMITH: I think they're varying in length and probably will take that time. Thank you. I wish you all a good weekend.

(3.47 pm)

(The hearing adjourned until 10.00 am on Monday, 21 August 2023)

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