

Tuesday, 9 January 2024

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

(10.00 am)

LADY SMITH: Good morning. A good new year to you all and welcome to our second chapter of Phase 8 of this case study, looking into the provision of residential accommodation for young offenders and children and young people in need of secure care and protection.

I welcome back Mr MacAulay and I'll invite Mr MacAulay to introduce what happens next.

MR MACAULAY: Yes, good morning, my Lady.

Yes, as your Ladyship has said, this is the second chapter of this case study and the intention is to look at five establishments with which the De La Salle congregation had some involvement.

The main focus will be on St Ninian's Gartmore and St Joseph's Tranent. One of the other schools for example, like St Mungo's in Mauchline, closed in the late 1950s so a very limited number of applicants have come forward.

Kenmure St Mary's, one of the other establishments, the De La Salle Order left the 1960s, as they did from St John's Springboig, so the main focus will be on St Ninian's and St Joseph's.

As with previous evidence, there will be oral evidence and read-ins by counsel.

1 LADY SMITH: Thank you.

2 MR MACAULAY: I understand that John Thomson, advocate,
3 appears for the congregation. He's not here today and
4 perhaps my learned friend Mr Hughes will explain the
5 situation.

6 LADY SMITH: Thank you.
7 Mr Hughes.

8 MR MACAULAY: Just before that, can I also say that
9 Edinburgh and Lothian Council are represented by Ms Ross
10 and the Crown Office and Procurator Fiscal Service are
11 represented by Mr Clark.

12 LADY SMITH: Is it Edinburgh or East Lothian?

13 MR MACAULAY: East Lothian, did I say 'Edinburgh'?

14 LADY SMITH: Yes, East Lothian Council, thank you.
15 Mr Hughes.

16 Submissions by MR HUGHES

17 MR HUGHES: Yes, good morning, my Lady, my name is Hughes.
18 I represent the De La Salle Brothers. It is correct
19 that Mr Thomson and I intend to be here, one or other or
20 both of us, throughout and as do the office bearers of
21 the De La Salle Brothers, the provincial is present in
22 court this morning, along with the safeguarding lead.
23 I trust that assists my Lady?

24 LADY SMITH: Absolutely, thank you. I'm glad there is
25 representation and it's up to you how you divide it

1 between you. I'm sure you'll liaise appropriately.

2 Thank you very much.

3 Mr MacAulay, are we ready with the first witness?

4 MR MACAULAY: We are, my Lady.

5 The first witness wants to remain anonymous and he

6 wants to use the pseudonym 'David'.

7 LADY SMITH: Thank you.

8 'David' (sworn)

9 LADY SMITH: The microphone really helps us to hear you and

10 particularly the stenographers listen to you through the

11 sound system, so we need you to use it.

12 A. I can't hear you.

13 LADY SMITH: You can't hear me?

14 A. I could hear you now.

15 LADY SMITH: Can you hear me now?

16 I should give myself a lecture about using the sound

17 system correctly.

18 The microphone's important, so if you can use it,

19 that would be really helpful.

20 A. I've got difficulty of hearing you.

21 LADY SMITH: Okay.

22 MR MACAULAY: My Lady.

23 I think it is the case that you have a little

24 difficulty with your hearing?

25 A. I've got difficulty hearing yourself.

1 MR MACAULAY: Have you got difficulty at the moment?

2 A. It's gone. I just heard your last bit there, but it's
3 gone for some reason.

4 LADY SMITH: Right.

5 MR MACAULAY: I'll keep my voice up as loud as possible, is
6 that better?

7 A. That's better.

8 LADY SMITH: All right. You don't need to tell me if you
9 don't want to, but 'David' do you use hearing aids?

10 A. No, no, my hearing's very good.

11 LADY SMITH: Okay. I'm just checking in case there was
12 something we needed to do technologically for that.
13 Mr MacAulay and I will do our best to keep our
14 voices up.

15 A. Yes.

16 LADY SMITH: But now you've warned me about your problem,
17 please say if you haven't heard us.

18 A. Right.

19 LADY SMITH: Don't just guess.

20 A. Yes.

21 LADY SMITH: Okay.
22 You see that red folder?

23 A. Yes.

24 LADY SMITH: That's for you to use if you want. It has your
25 statement in it. You'll also see on the screen that

1 we'll bring your statement up on the screen.

2 A. Yes.

3 LADY SMITH: If at any time you don't understand what we're
4 asking, you don't understand what we're asking, or you
5 have a question please speak up.

6 If you need a break at any time do tell me, I will
7 take a break anyway at 11.30 am but if you want a break
8 before then please just say, okay?

9 A. Yes.

10 LADY SMITH: If you're ready, 'David', I'll hand over to
11 Mr MacAulay.

12 A. Yes, I'm ready.

13 LADY SMITH: Thank you.

14 Mr MacAulay.

15 Questions from Mr MacAulay

16 MR MACAULAY: My Lady.

17 'David', the first thing I want you to do is to look
18 at the red folder and turn to the last page of the
19 folder.

20 A. The last page?

21 Q. The last page. Can you look at the last page and can
22 you confirm that you have signed the statement?

23 You need not read the page --

24 A. Oh, right, yes, yes.

25 Q. The other thing I want to ask you at this point is that

1 as you say in paragraph 76 on that page, do you say:

2 'I have no objection to my witness statement being
3 published as part of the evidence to the Inquiry.

4 I believe the facts stated in this witness statement are
5 true.'

6 A. Yes, they're true. They're very true.

7 Q. I want to give the reference of the statement for the
8 transcript. You needn't be concerned with this. The
9 reference is WIT-1-000000418.

10 As her Ladyship said, the statement is before you
11 and it will also be on the screen. You understand that?

12 A. Yes.

13 Q. If you want to turn back to the front of the statement.

14 A. Yes.

15 Q. Thank you. I don't want your date of birth, I just want
16 you to confirm that you were born in 1944?

17 A. That is correct.

18 Q. As we look at the first part of your statement, do you
19 tell us that you came from a large family?

20 A. That's correct.

21 Q. As far as you were concerned, you had a happy childhood?

22 A. Very happy childhood, yes.

23 Q. Indeed, one of the things you say there is:

24 'life at home was absolutely brilliant and

25 I couldn't complain.'

1 A. That's correct.

2 Q. You go on to tell us that your father was in the army;
3 is that right?

4 A. That's correct.

5 Q. I think he was about to be demobbed when the Second
6 World War began, is that --

7 A. That's correct, he had --

8 Q. What happened?

9 A. Well, what had happened was it still goes on today, you
10 put all your military material, i.e., boots, uniforms,
11 et cetera, and everything else that you've signed for,
12 all on your bed and the quartermaster comes in and he
13 checks everything off. If you've got any deficiencies
14 then you have to account for them, i.e., pay for them.

15 So my father had been there and was standing beside
16 his bed waiting to get rid of his stuff and get away
17 back up home and the quartermaster come in and says,
18 'Just put your uniform and that back away that's war
19 declared'.

20 Q. You tell us in your statement that your father was
21 involved in the war and indeed was at Dunkirk?

22 A. Yes, that's correct.

23 Q. Did he have a rather bad time --

24 A. He had a -- he had a bad time. He had been captured and
25 he had escaped but by this time he's got back and joined

1 the rest of them and he's ended up in the water, but he
2 was in the water for a considerable time and it was
3 devastating for him in that he had picked up all the
4 different coffins and whatever and they kept him in the
5 army for the duration of the war, but he was just at
6 home. He couldn't go abroad or anything like that. He
7 was a shell of his actual self after that.

8 Q. That's what you tell us, that he really never recovered
9 from that experience?

10 A. He never recovered, he used to -- I remember when I was
11 a boy I used to go through to a military hospital --
12 it's -- it's through Edinburgh somewhere, Musselburgh,
13 that's right, the military hospital was in Musselburgh,
14 because we used to go down and watch the horses race and
15 that's when you went in to visit him. But he used to go
16 there quite frequently for whatever treatment he was
17 getting, but he never ever worked again or anything like
18 that.

19 Q. Clearly, that had an impact on your family, so much so,
20 I think, that you on one occasion went into a field to
21 pick up some potatoes for your mother, to give to your
22 mother?

23 A. That's correct.

24 Q. Did that lead to you developing a criminal record for
25 stealing the potatoes?

1 A. That's right. The farmer caught me and I got -- I
2 didn't -- I got -- ironic, I was fined ten shillings,
3 you know, but I must have been eight or something.
4 I can't remember, something in that range but I was
5 fined ten shillings, which obviously I couldn't pay, but
6 had to come from somewhere, so my parents paid obviously
7 for that.

8 Q. You are only eight years old at the time, I think?

9 A. That's right.

10 Q. One point you make in your statement at paragraph 8 is
11 that having regard to that, what you have been telling
12 us about the potatoes, society was broken when a child
13 stole some potatoes and end up in court?

14 A. That's correct, yes, that is -- so, it's something that
15 we should all be ashamed of, you know, this kind of
16 thing going on. Where was the logic? Where was -- what
17 judge in his right mind could possibly, you know, fine
18 someone like an eight-year-old child for going into
19 a field and taking some potatoes. You know, you would
20 have thought they'd have learnt from what happened, you
21 know, with the famine and whatnot in Ireland, you know,
22 people are hungry and people will eat. And I still
23 can't get my head roundabout this kind of thing.

24 Q. You got into trouble again I think later on, when you
25 were involved with an incident with I think some of your

1 cousins; is that right?

2 A. Yes, that's right.

3 Q. That was to do with taking money out of a purse?

4 A. Yes.

5 Q. Was it against that background that you again appeared

6 in court?

7 A. That's correct.

8 Q. Did your mother go to court with you?

9 A. My mother accompanied me to court and her little sister

10 accompanied her three children.

11 Q. I think you tell us in your statement in fact that

12 during the court hearing your mother fainted?

13 A. That's correct.

14 Q. Was that because of the stress?

15 A. Just because of the situation and the environment that

16 she was in. Obviously it was too much for her and

17 I think knowing that I was going to go to this school,

18 she had been told by the probation officer.

19 Q. The school you went to in fact was St Ninian's in

20 Gartmore?

21 A. That was the place.

22 Q. You mentioned the probation officer. Was it the

23 probation officer that took you to the school?

24 A. I mentioned the probation officer, what?

25 Q. Was it the probation officer who took you to

1 St Ninian's?

2 A. Yes, that's right.

3 Q. You tell us in your statement that the building itself

4 was a magnificent building?

5 A. The building?

6 Q. Yes.

7 A. Oh, it was something that you used to see in the

8 pictures.

9 Q. When you arrived at St Ninian's how many boys do you

10 think were there at that time?

11 A. At that time -- you lined up in your school, you had,

12 St Andrew, De La Salle, St Patrick, so there must have

13 been about 20-odd in each school, each class or

14 whatever, so therefore -- 'houses', they were called

15 'houses'.

16 Q. Yes. I think the school was divided into four separate

17 houses.

18 A. There were houses.

19 Q. You were allocated into a particular house?

20 A. You were allocated into a house, yes, and this was for

21 keeping everyone -- rather than moving about and all the

22 rest, 'regimentation' is a good word for it.

23 Q. Yes.

24 A. And that was -- I remember there was St Patrick,

25 St George, St Andrew, De La Salle.

1 Q. Are you happy to look at a photograph for me? I'll put
2 it on the screen. You are happy to look at
3 a photograph?
4 A. Yes.
5 Q. Could we have DLS.001.001.0151 on the screen.
6 A. I can't see anything on the screen.
7 LADY SMITH: Hang on, it will be coming.
8 MR MACAULAY: Okay, I thought that one was included in the
9 documents. Let's look at another photograph.
10 WIT-3-0000005605.
11 It's on the list. Okay, we may come back to that.
12 LADY SMITH: Sorry about this. The photographs aren't ready
13 to go on screen at the moment, but we'll try and come
14 back to them.
15 Mr MacAulay, these are photographs of the building,
16 I take it?
17 MR MACAULAY: They are and I'll maybe just see if there is
18 another one that might be available. WIT -- I see,
19 you'll need the page number. You don't have the
20 document.
21 Sorry about that. I will come back to that. I was
22 hoping to show you a photograph of St Ninian's, but
23 we'll leave that aside for the moment.
24 I think what you're telling us nevertheless it was
25 a magnificent building?

1 A. Yes, it was -- yes, it was ...

2 Q. When you arrived at St Ninian's, who did you meet?

3 A. Brother MJO . He had come to the -- the probation

4 officer had rung this bell, you know you could hear it

5 ringing away inside the building and it was

6 Brother MJO that came to the door.

7 Q. Was Brother MJO a Brother you had dealings with

8 during your time at St Ninian's?

9 A. He was the source of all my misery in that place.

10 Q. What was his role?

11 A. Pardon?

12 Q. What was his job?

13 A. His job was to look after the children when they weren't

14 in their classes and elsewhere, but if they were in the

15 building or anything like that, he was responsible for

16 them. He was the person who you heard first thing in

17 the morning. He was the person who you heard last thing

18 at night and it was always with a prayer. As soon as

19 you heard him coming in in the morning he would clap his

20 hands, then he would say, 'In the name of the Father

21 ...' and everyone had to jump out of their beds and

22 kneel at the side of their beds and say their morning

23 prayers before they went to wash or anything like that.

24 It was the same at night. He'd come into the room

25 where you were probably having a little chat and that

1 with your friends, then he would come in, put the lights
2 out and it was the same again and then, 'In the name of
3 the Father ...' and so you were out your bed and
4 kneeling at the side of your bed for your evening
5 prayers.

6 Q. Can I ask you this: when you went to St Ninian's, did
7 you go there with your cousins?

8 A. Yes.

9 Q. Your age when you went to St Ninian's, can you tell me?

10 A. Pardon?

11 Q. What age were you.

12 A. What age was I? I must -- I've never even gave it --
13 I must have been ten. Wait a minute, I was born in
14 1944, so this was 1955. So it speaks for itself.

15 Q. You would be about ten and you I think you were there
16 until 1958; is that right?

17 A. Yes, that's correct.

18 Q. Your cousins, I think one cousin was younger than you
19 and another cousin was a bit older than you?

20 A. Two cousins younger and one older by about eight months
21 or something like that.

22 Q. You were telling us about Brother MJO and his role
23 in getting you out of bed and effectively putting you to
24 bed; is that correct?

25 A. Yes.

1 Q. So far as the bedrooms were concerned, where were they?
2 Were they in the main building?

3 A. They were in the main building. They were up the
4 stairs. They took up the stairs and there was always
5 these rooms that accommodated -- there was no
6 dormitories as such. The rooms were what you had when
7 it was in private hands.

8 Q. What about the Brothers? Where were the Brothers
9 accommodated?

10 A. They were accommodated there too, but we never ever knew
11 what rooms they stayed in or whether they shared a room
12 or anything like that. That was none of our business or
13 anything like that. We were just -- we had enough to
14 contend with by surviving ourselves.

15 Q. You have mentioned Brother MJO, are you able to tell
16 us the names of any other Brothers that you can remember
17 from then?

18 A. Yes. SNR was GEC.

19 Q. Yes.

20 A. SNR was MCA.

21 Q. Brother MCA?

22 A. Brother MCA. The other teacher was
23 Brother Michael, then they had a teacher -- a Brother
24 who came maybe about seven or eight months -- the first
25 seven or eight months that I was there, he was

1 Brother MBU and he was in charge of a class for
2 children who were struggling with education. One of my
3 cousins, the oldest one, he was in that class. They
4 were all -- the three of them were in MCK
5 class, that was the juniors.

6 Q. Was MCK, was he a lay teacher?

7 A. Who?

8 Q. Was MCK a lay teacher?

9 A. I don't know -- what do you mean by 'lay'?

10 Q. He wasn't a Brother?

11 A. No, no, no, no, no, he wasn't a Brother, no, no.

12 Q. Were there any other teachers who were not Brothers at
13 this time?

14 A. Yes, the woodwork teacher, Charlie ...

15 Q. McKenna?

16 A. McKenna.

17 Q. Was it just the two then who were teachers who were not
18 Brothers, at this time?

19 A. That's right, that's right.

20 Q. Can I just look at some aspects of the routine. You
21 have already told us what would happen in the morning
22 and what would happen at night.

23 So far as what you wore in bed was concerned, what
24 did you have to wear in bed?

25 A. A nightshirt. It was akin to something that you saw in

1 old films or whatnot, you know people running about with
2 a lamp and a nightshirt and things like that. The
3 nightshirts took you right down to more or less your
4 ankles.

5 Q. When you got up in the morning and had a wash and had
6 breakfast, were you then allocated some work to do?

7 A. Well, the first thing you got up in the morning, it was
8 Brother MJO that you heard and he would always come
9 in clapping his hands together and praying and
10 immediately you heard that you were out of the bed like
11 a shot. And you were kneeling at the side of the bed
12 while Brother MJO said the prayers and that's what
13 he done to every room, each room held about four or five
14 people.

15 Q. But after that part of the routine, after your
16 breakfast, did you then have to do some work?

17 A. Well, first of all, once you've got yourself washed,
18 then you are marched down the stairs and you go straight
19 into chapel. You get morning mass. After morning mass,
20 you go and get your breakfast and you did the housework.

21 Q. Apart from the boys, was there anybody else involved in
22 the housework?

23 A. Just MJO. Just MJO. No, he supervised
24 everything. That was from the main hall to everywhere,
25 down the stairs to the showers, the wash hand basins,

1 everything had to be cleaned. In the main hall, that
2 was all used with beeswax where you were using big
3 bumpers and whatnot to work with that, that was one of
4 my first jobs was that and the floor you obviously, you
5 know, you could see your face in it. There was all big
6 tins of beeswax and everything that you put on -- these
7 bumpers weighed an absolute tonne that you were
8 polishing it with.

9 Q. Was it after you had done the work that you would have
10 some schooling?

11 A. Yes.

12 Q. Can I ask you about the set-up with showers. Would
13 a number of boys shower together?

14 A. Yes, yes.

15 Q. Was any Brother involved in that process?

16 A. MJO .

17 Q. You also make some mention of Brother GEC ?

18 A. The only other Brother that took an interest in the
19 showers and that was SNR , GEC . He only
20 done that on a Sunday. Sunday you were going out for
21 your walk, everybody had to have a shower and then put
22 their Sunday clothes on and it was always someone like
23 MCK or something like that who would supervise
24 us. You would go a way out the building, up into
25 Gartmore itself, then down the bottom road and along the

1 main road and you were doing more or less a circuit of
2 the school grounds.

3 Q. So far as the shower arrangements were concerned, what
4 then happened? Was Brother GEC involved in that?

5 A. Well, when you went to any -- it didn't matter whether
6 it was GEC or MJO, but he would stand in the
7 shower and he would officiate at the routine. You would
8 start at the top of your head and you would wash away
9 and wash away and they would decide, you know, if that's
10 been sufficient.

11 Then they go on to the upper body and whatnot, all
12 the way right the way down to your feet. Everything was
13 regimented.

14 But on saying that SNR, GEC, he
15 took -- well, that was an awful interest with him. He
16 wanted to see everyone showering, then he had this thing
17 where he would tell you to put -- switch the showers
18 off, then he would tell you -- everyone to turn round
19 and he would come up and look at everyone and what he
20 was looking for I haven't a clue, but he did this on --
21 this was like a monthly, whatever turned him on. Well,
22 that's -- I don't know if that was the right words to
23 say there, but whenever it took his fancy to do it he
24 was there checking on everyone and now and again he
25 would take notes.

1 Q. Do you have any idea what he was noting?

2 A. I haven't a clue. I haven't a clue what he was -- but
3 then again you didn't have a clue what any of them were
4 thinking. They were odd.

5 Q. You do tell us that paragraph 28 in the statement --

6 A. Sorry?

7 Q. You tell us at paragraph 28 in the statement that
8 Brother GEC was SNR ?

9 A. He was SNR, yes.

10 Q. What you have said in the statement was:
11 '... he was an animal.'
12 I just want to know what did you mean by that?

13 A. He was -- he wasn't attached to reality. He was --
14 everything, everything that you said, you know,
15 whatever, if you approached him, you know, it was always
16 'cleanliness is next to Godliness' and that. He was --
17 he had this thing about him, you know, with being clean,
18 cleanliness, as I say, if it was left to him at play
19 time you could just go and stand just in case you stood
20 in a puddle and got yourself dirty or something like
21 that. He was ... he didn't -- then he had the thing
22 to -- he used to -- every Sunday in life down there that
23 was the day that after your breakfast you got marched
24 down to the lounge, as it was called then, and you were
25 all sitting there. He'd come in with his book, then he

1 looked up the book and he would go round every name and
2 what it was that you had earned that week and it was
3 an A for excellence. Only now and again did anyone get
4 an A. So therefore it was a B, a B plus, a C and a C
5 minus. I think that was the lot.

6 If you got a B -- A was two shillings you got for
7 your work. That is what it was. A was two shillings, B
8 plus was one and sixpence, B was a shilling and C
9 obviously down and that's when people had to account for
10 themselves for having a C or a C minus because they got
11 the belt for that.

12 Q. It's a marking system --

13 A. Yes.

14 Q. -- which allowed those who did better to get more money
15 than others?

16 A. Yes, yes.

17 Q. Was that to allow them to buy more sweets?

18 A. Yes, but an A was two shillings. A B plus was one and
19 six, a B was a shilling, but, as I say, although when
20 you went to a C you are talking about sixpence or
21 something like that, but the sixpence wasn't the thing
22 to worry about. It was Brother GEC reaction to
23 you getting that, where you got the pants off it for
24 that.

25 Q. You got what, sorry?

1 A. Take your pants down and --

2 Q. Can you tell me about that?

3 A. Eh?

4 Q. Can you tell me about that?

5 A. He would just take your pants down and just bloody -- he

6 had his belt and just whacked you over the backside with

7 it, but that was it. That was par for the course with

8 that man. The very same as he would -- when he was

9 there -- you know, he was a terrible man for cleanliness

10 and hygiene.

11 Q. You do tell us about a process involving him examining

12 underpants. Can --

13 A. That happened about once a month. Every third or fourth

14 Sunday or something like that he would just go, 'You,

15 you, you, you and you', so there was maybe six or seven

16 boys next to him and everyone had to take their

17 underpants off and then show him the base of the thingy

18 and lo -- you know, help anybody that had any stains or

19 anything like that.

20 Q. What happened if that was the case?

21 A. Pardon?

22 Q. What happened if there were --

23 A. You got whacked over the backside maybe five or six

24 times for that, but at that particular time it's a hard

25 thing to say to people, but at that time wherever he was

1 getting his toilet rolls it was oil based, you know, the
2 paper, it was oil based and --

3 LADY SMITH: 'David', was it the hard paper that's a bit
4 like tracing paper?

5 A. Yes, but that was -- as I say, that was the toilet paper
6 then. Now people -- you can go in and you've got
7 an array of what you want, you know. But then --

8 LADY SMITH: I can remember it.

9 A. Well, it was difficult to clean yourself and accidents
10 would happen, which is understandable, the only person
11 that couldn't understand it was Brother GEC and as
12 I say, lo -- and even if he seen the signs where it had
13 been stained and cleaned a previous day or something
14 like that, where one of the boys had had an accident,
15 and he's tried to clean it himself, you still got the
16 belt for it. So that was the kind of thing that you
17 were up against.

18 MR MACAULAY: Did that happen to you? Did you get --

19 A. Well, you know, funny enough, never, never. No. Didn't
20 happen to me. He never called me out for anything like
21 that.

22 Q. You just saw this happening to other boys?

23 A. Oh, you'd -- you were there. It was -- the whole school
24 was there except for -- it was just -- well, just one
25 Brother, SNR, but every child in that school,

1 that's in that lounge at that particular time.

2 Q. Can I ask you a little bit about the education you
3 received at St Ninian's?

4 A. Yes.

5 Q. How would you describe the education?

6 A. Very poor. Akin to nothing. I didn't -- I wasn't -- my
7 education stopped when I went in there.

8 Q. Indeed you tell us that rather than being in
9 a classroom, you were made to work at about the age of
10 13?

11 A. 13, yeah.

12 Q. What sort of work was that?

13 A. That was Brother Michael's idea that the tennis court
14 was in a very rundown state. The wiring which
15 encompassed it was all fading away. This must have been
16 put on the previous century and there was starting to be
17 holes and whatnot where people are running up and down
18 and whatnot, so there are starting to be little holes
19 and whatnot in the surface. So apparently he had took
20 it upon himself that he was going to concrete the tennis
21 court.

22 So his bright idea was up at the other end of the
23 stables there had been concrete bases and I recognised
24 that many years later when I was in the forces myself
25 that they were the concrete bases for Nissan Huts, you

1 know, for the accommodation for the squaddies, because
2 we used to get bullets and everything in the grounds
3 when we were walking and playing in the grounds. There
4 was a lot of bullets and what have you in the ground.

5 So his idea was to break up the concrete bases and
6 take it down to the tennis court where it was all going
7 to get levelled out and then concrete as a mixture kind
8 of just spread over the top of it and you had the
9 concrete base.

10 He got me to -- obviously he must have discussed it
11 with Brother MCA, whose class I was in at school.
12 To -- my job was not to go to school anymore, but to go
13 up to the stables and I had a sledgehammer and a shovel
14 and I used to break the concrete, put it into the
15 barrel, then walk it right down the front of the school
16 and down the back and empty it into the tennis court.

17 Q. Was this effectively then really the end of your
18 schooling?

19 A. That's right. That was it. That was it. I was
20 finished.

21 LADY SMITH: You mentioned that this came from what seemed
22 to be the base of Nissan Huts and I think that what
23 became the school buildings had been army barracks
24 during the war; is that right?

25 A. I think they had been used -- I don't know whether it

1 was a school or whether it was the stables and whatnot,
2 but I believe it was the school too and I think it was
3 for -- I spent nine years in the forces and I know how
4 they work, but I should imagine it may well have been
5 for a fifth column or something like that, that they
6 were training, I don't know, but obviously it's gone and
7 everything like that. But the shell casings and
8 everything like that were quite profuse and whatnot in
9 the grounds.

10 LADY SMITH: Thank you.

11 MR MACAULAY: I think we can now get to look at the
12 photographs that I tried to look at earlier, 'David'.
13 I'll put this first photograph on the screen. It is
14 DLS.001.001.0151.

15 That should come up on the screen for you in
16 a moment.

17 A. I see it now.

18 Q. At least if you are looking at the main building, is
19 that St Ninian's?

20 A. Yes.

21 Q. What about the buildings to the rear, were they there
22 when you were there?

23 A. That was the stables, and those other buildings, they
24 weren't there. They weren't there.

25 Q. If I can take you to another photograph then, this is at

1 WIT-3-0000005605.

2 LADY SMITH: That's St Mary's Kenmure.

3 MR MACAULAY: Sorry. It's page 13 I want to look at.

4 That looks like a sort of an aerial view, again are
5 we looking at the main building? There are no buildings
6 at the rear as we look at this photograph.

7 A. I can't --

8 LADY SMITH: Unless, Mr MacAulay, what we can see through
9 the trees are the buildings we saw in the other
10 photograph perhaps after the trees had been cut down.

11 A. There was a small graveyard over there, but I can't --
12 there shouldn't have been any buildings there.

13 MR MACAULAY: The stable block, is the stable block partly
14 covered by the trees?

15 A. Well, that stable block must have been built then.

16 Q. I think what we may have here are photographs taken at
17 different points in time, but in any event you recognise
18 the main building?

19 A. Oh yes.

20 Q. That's where you were accommodated?

21 A. That's right.

22 Q. As well as the Brothers?

23 A. Yes.

24 Q. Can I ask you now about visits and inspections.

25 Could parents come to visit you?

1 A. Sorry, say that again?

2 Q. I'm asking about visits. Could your parents come to
3 visit you?

4 A. Oh, yes, you could, aye, aye, aye.

5 Q. Were you aware of any official inspections?

6 A. That's a hard one. Now and again, now and again, maybe
7 once or twice in a year, there was people going round,
8 but there was no introduction or anything like that.
9 You would have thought if there were -- if there was
10 people looking at the state of the building or whatnot
11 you would have thought they would have had an interest
12 in the well-being of the children, but to the best of my
13 knowledge, nobody was ever approached.

14 On saying that, it wouldn't put me past -- if there
15 was anything like that going on where there were
16 questions asked, I think Brother MJO would have been
17 hovering round about, you know, just his very presence
18 would have been enough for someone not to have anything
19 bad to say about the school.

20 Q. So far as the social worker coming to see you, did
21 a social worker ever come to visit you when you were
22 there?

23 A. No, no.

24 Q. You tell us that you never ran away, but you do mention
25 a boy that did run away and took a horse with him?

1 A. Aye.

2 Q. We don't want to know the name --

3 A. I know him well, aye, I know him well.

4 Q. What happened to him when he came back?

5 A. The horses didn't belong to the school. They belonged
6 to MCK . They were his horses. They were
7 ponies. And if I remember rightly, the very first one
8 that he got was Queenie. He got ... Queenie had a foal
9 and he called that Prince. He got -- his next horse --
10 pony again, and it was brown and white and he called
11 that -- what the hell did he call it -- Gypsy.

12 I think they had another one after that. He had the
13 boys and that learning to ride them, but the guy,
14 --

15 Q. We don't know his name, we'll call him ' '.
16 A. Yes, I know his name.

17 Q. He ran away and took a horse?

18 A. He ran away. It wasn't -- well, it was unusual but you
19 got three or four or five runaways and it was futile
20 because you were in such a place where you were in the
21 countryside and there was only one road, you could
22 either go north or go west and west was Glasgow and
23 Stirling and whatnot, you know, so you knew anybody
24 that's running away was -- it was just a case of jumping
25 in a car and driving along that road you would get them.

1 But with the case of what's his name, Billy, he
2 had -- his run away was quite unique. He took a pony
3 with him and we used to call him '██████' after that,
4 but he got stopped by the police and that, him and the
5 horse, but once he had been chastised, ie by SNR ██████
6 SNR ██████, but MCK ██████ took after that, when he
7 got him and he attacked him with the bridle of the horse
8 and made a hell of a mess of him, but the Brothers knew
9 about it and there was nothing said about it. The poor
10 laddie was black and blue from everywhere with the
11 bridle attacking him.

12 Q. Did you witness that attack?

13 A. No, I didn't, but it was the talk of the place and you
14 could see the state of ██████.

15 Q. You also mention bed wetting. What you tell us about
16 that is that bed wetting was quite common?

17 A. Yes, it was.

18 Q. But there was no punishment or humiliation associated
19 with it, so far as you can remember?

20 A. No, not to my knowledge, no, no. Once it became
21 apparent that someone was wetting the bed they used to
22 put down an oilskin sort of thing, but invariably they
23 had a night watchman who looked after the place while
24 everyone was sleeping and the night watchman had a time
25 when he would wake them up. Sometimes he woke them up

1 too late, but ...

2 Q. Do I understand the arrangement to be then for those who

3 were at risk of wetting the bed, the person you have

4 described as the night watchman would be there during

5 the night and at a point in time would wake the bed

6 wetter up in the hope of --

7 A. In the hope of.

8 Q. -- stopping it?

9 A. Yes.

10 Q. The night watchman, you say there were two night

11 watchmen, who were they?

12 A. I can't --

13 Q. I don't want names.

14 A. They were just local men from the village or at the very

15 most Aberfoyle, but I would have just assumed they come

16 from Gartmore itself, which was just a walk. But

17 I remember two of them, but as of now, you know, I can't

18 remember their names, but the two of them treated us

19 with respect, you know. They would have a wee bit of

20 laughter and that with you. Nice people, but that was

21 that.

22 Q. I now want to move on to focus on other abuse that you

23 suffered at St Ninian's.

24 Can I just ask you to look at paragraph 44, which is

25 on the screen and it's in your thing, but you begin by

1 saying there at 44:

2 'Brother MJO was unhinged.'

3 A. Unhinged. That man -- obviously I don't have any
4 medical degree, but you didn't need a medical degree.
5 That guy was unhinged. That guy should never have ever
6 been in the area of children. Adults as well. He was
7 just -- the fits of rage that that man took at anything.
8 If he clapped his hands for the classes, you know, to
9 get into their houses or anything like that while they
10 done a count or whatever and if there were still people
11 still playing, that was enough for him to go over, you
12 know into such a state that you didn't know whether he
13 was going to faint or whatever. You just had to hope
14 that when he started -- came running about or walking
15 about, that you weren't in his eyes, that -- you know,
16 that you hadn't been caught for some reason in his eyes
17 and he just made a go for you.

18 But invariably if it was for me --

19 Q. What would happen if he made a go for you?

20 A. Well, everywhere you went you always had the towels that
21 had been sewn together and they just went round about
22 a roller, which was a piece of wood, maybe two feet or
23 maybe 18 inches or something like that and so it would
24 be maybe an inch-and-a-half in diameter, maybe, maybe
25 not as much as two inches, but he would take them off

1 and he would batter it on the side -- because the
2 windows had -- you had a portion of brick, you know,
3 where the window was further along the brick and he used
4 to hit that, you know, to -- to get your attention and
5 things like that.

6 I've seen -- the amount of -- you couldn't count the
7 amount of times that he broke these bloody rollers and
8 it was always Charlie McKenna, the woodwork teacher,
9 that would make another --

10 Q. But why was he breaking the rollers?

11 A. Uh?

12 Q. Why was he breaking the rollers?

13 A. Why?

14 Q. Yes.

15 A. Because this is -- when he went into his stages, for
16 whatever reason, if somebody was doing something or
17 that, this was his -- you know, like if a child is
18 crying or something like that and you put a dummy in
19 their mouth, well, when he got into his stages he had to
20 have something and that something was a roller and his
21 exaggerated running, you know, and he's looking about
22 for ... and I was on his radar too many times. I don't
23 know what he had against me.

24 Q. Can I ask you about what you tell us about your second
25 day there, where you had an encounter with

1 Brother MJO ?

2 A. Yes, well the second day that we were there, I was -- my
3 three cousins were in the one classroom and I was in
4 another classroom and when it was play time and we come
5 down the stairs and we're at the side of the lockers and
6 we're in the basement, as I say, and there was a window
7 just at my right-hand side. We were as far as we could
8 go. And Brother MJO come in and he's frothing at
9 the mouth and he's looking at me and I am 'what the
10 bloody hell have I done?'

11 But the next thing he's grabbed me and he's walked
12 me from about here to where that lady is sitting there
13 away was the window. As I say we were in the basement
14 so he's thrown up the window, which he does -- or he did
15 do on a regular, anyway, and he's grabbed me and he's
16 forced me -- he's got me over the window and he's -- you
17 could see that he was in a rage, that he wasn't compos
18 mentis. This guy was in a rage and he's frothing and
19 he's saying, 'Go on, run, run, run', and I'm looking at
20 him like, 'What the hell's ... what is he doing?' And
21 he's battering away from me and saying, 'Run, run'.
22 I didn't know at the time but my -- one of my cousins
23 had run away. Obviously the other two cousins, because
24 the three of them were in the one class, the other two
25 knew about it, but I didn't know about it and nobody had

1 told me, but that was ... I didn't even know then what
2 had happened. Somebody had to tell me after it, you
3 know, that the youngest cousin had run away but they'd
4 caught him, but stands to reason there is only one way
5 you can go is along that road.

6 Q. When you say he was battering you, can I just understand
7 what he was doing to you. Can you just describe to me
8 what that meant?

9 A. Well, well he had -- he seemed to have a fetish, you
10 know when -- he hit the back of your legs and right up
11 your thigh and when he sat on you he was mumbling about
12 the colour of your leg, how it had went pink or sort of
13 red. He would mumble away about, you know, your thigh
14 being just a big lump of cheese. Why did he say that?
15 This guy was -- needed care and attention and children
16 shouldn't have been within a half-a-mile radius of this
17 guy. This guy was a danger to the public, especially
18 young children.

19 Q. You tell us in your statement under reference to this
20 second day that that was the first time that he battered
21 you, but it wasn't to be the last?

22 A. No, no, no.

23 Q. How often were you battered by Brother MJO ?

24 A. Well, it got so bad over the years it just got really
25 bad and there were two boys who came from Edinburgh,

1 right out the blue they were transferred to St Joseph's,
2 which was in Tranent. And I remember going up to
3 GEC, who was SNR, this was in Dundee at
4 the berry picking and I said to him:
5 'Brother, can I have your attention?'
6 'What is it?'.
7 I says:
8 'Could I get a transfer to St Joseph's?'
9 Because I had met the two boys up there, they were
10 berry picking too. And he says:
11 'Why do you want to go?'.
12 So I told him about MJO, you know, that
13 I couldn't take any more of him. He was -- this guy was
14 out of control and it was me that was -- you know, I was
15 in his sights at every opportunity.
16 He says:
17 'Right, come in. Tell me about what MJO and
18 that does to you and like.'
19 You know. So I told him.
20 And he says:
21 'Right go away.'
22 And about an hour after it MJO come and got me
23 and gave me another bloody big hiding. MJO -- you
24 know, SNR had told MJO. Oh, well,
25 I suppose he went up and says:

1 'I've got a boy here who is complaining or
2 whatnot.'

3 I don't know. I don't know. But I got battered by
4 that man for that and I mean really battered.

5 Q. Again, if you could just give us some sense as to what
6 he was doing to you.

7 A. It was invariably -- he never ever hit your face or your
8 front or your chest or anything like that. It was
9 always your thighs and your legs for whatever reason.
10 I don't know. Probably not to leave a mark on the face
11 or whatever, I don't know.

12 Q. How many blows would there be generally?

13 A. Pardon?

14 Q. How many blows would there be?

15 A. Oh, until he had come back into planet earth or
16 whatever. It was when he had decided that enough was
17 enough or when he had calmed down or whatever, but this
18 guy was -- you didn't need to have a medical diploma or
19 anything like that to know that this guy should be, you
20 know, in a closed accommodation.

21 Q. Are you talking about six blows or a dozen blows?

22 A. Oh you just couldn't count. The guy was just -- he
23 would hit you and hit you and hit you until he got tired
24 or whatever.

25 Q. You would be wearing shorts?

1 A. That's correct, we all wore short trousers.

2 Q. Would you be crying because of this?

3 A. I never cried. I cursed to myself, but I never cried.

4 Maybe that's what gave him the incentive to keep on

5 hitting, I don't know.

6 Q. Was this treatment you have been described by

7 Brother MJO, did this continue to you throughout

8 your time at St Ninian's?

9 A. Yeah.

10 Q. You also mention, this is at paragraph 46, Mr MCK, who

11 you have already told us was one of the teachers and

12 that you had learned that your cousin had been

13 battered by Mr MCK, is that right?

14 A. I was never battered by the man.

15 Q. No, not you, but was your cousin battered?

16 A. Oh, aye, my cousin, aye.

17 Q. What happened?

18 A. Aye. Well, when I was at my work in the morning

19 cleaning the house, my job, I was working with a little

20 lad, a young boy, and when we are cleaning away he says

21 to me your cousin, and he mentioned the name, he says he

22 got a battering off of MCK for whatever it was and

23 you've got to remember we were really infants and

24 I says, 'What a dirty dog'. Any child would have said

25 ... it was just a phrase that children said, and adults.

1 I thought no more about it. That must have been
2 mid-week anyway. Whatever day it was mid-week, and
3 anyway as time went by it come the weekend and then on
4 Sunday night you got your treat. You went to the
5 pictures. The pictures was on a screen in the main
6 hall.

7 Q. Was that a treat?

8 A. That was a treat. Everybody used to go and sit on the
9 floor and everything like that while the screen was
10 getting unravelled and what have you. We're sitting
11 there and we're having -- whatever we had, sweets or
12 something like that, because of the occasion.

13 Just when they're getting it ready and they're just
14 ready to start the film, then I got the tap on my
15 shoulder. It was MCK . He's just pulled me
16 away and he's -- there was a classroom from about here
17 to where these two people here are sitting --

18 Q. A few yards away?

19 A. Aye. So he's opened the door and took me in. It was
20 the intermediate class, obviously there is just me and
21 him in there, and he sat me down at a desk and he says:

22 'Right, you, this is -- I want 200 lines, "I shall
23 not speak ill of my teacher".'

24 And that is verbatim to this day, I remember it
25 vividly.

1 Q. Was the effect of that that you didn't see the pictures?

2 A. Pardon?

3 Q. What the effect --

4 A. The pictures was out the window. That was it. No, but

5 the thing was that he was -- obviously I don't blame the

6 poor boy who had went to MCK [REDACTED] and said, you know

7 what he had said, he had called you a dirty dog for

8 hitting, whatever. I don't blame that boy for that.

9 I didn't blame him now. I knew what -- there was -- the

10 situation.

11 I blame that MCK [REDACTED] for the way that he'd, you

12 know, to really sink the boot in is just when the film

13 is going to start. He had waited two or three days

14 until it was -- he could really sort me out and that

15 was --

16 Q. I want to go back to Brother MJO [REDACTED] for a few moments.

17 In paragraph 48 of your statement, which will come on

18 the screen, you tell us about a boy and we don't know

19 his name, but his nickname became '[REDACTED]'.

20 A. That's right, aye.

21 Q. You give us an explanation as to why that happened. Can

22 you tell us about that?

23 A. MJO [REDACTED] wouldn't tolerate waste in food. If you went

24 into that school you better get used to porridge,

25 because that was it. Porridge for six days, cornflakes

1 on a Sunday.

2 The reason why you got cornflakes on a Sunday, not
3 just was it convenient, but it was cheap, i.e. they
4 didn't need to get, you know, any of the girls to work
5 in the kitchen or anything like that, there was no
6 washing up to do, other than some plates for the
7 cornflakes.

8 So what was it you were saying?

9 Q. I was asking you about an incident when the boy who was
10 nicknamed '████' ... he couldn't eat porridge?

11 A. He couldn't eat porridge. He was retching, but MJO █████
12 wouldn't tolerate it, that porridge had to get taken and
13 he had vomited up and you know the porridge had went on
14 the table, but that was scraped up with a knife and
15 whatnot and put back into the bowl and he did have to
16 eat that porridge and he was called █████ after that,
17 because █████ what have you, so children will
18 be children like.

19 Q. Did that just happen the once or did it happen more than
20 once?

21 A. No, that was the only time I seen anything like that.
22 I used to see people who did retch at porridge, for no
23 other reason that they just retched at it, but they
24 better get used to the idea that you can retch if you
25 want but you're going to eat that porridge.

1 Q. You mention in paragraph 51 the person you described as
2 the woodwork teacher, Charlie McKenna, and you had some
3 involvement with him, is that right?

4 A. I had a few run-ins with him. I had a few.

5 Q. Were you ever punished by Charlie McKenna?

6 A. Oh, everybody was punished with Charlie McKenna.
7 Everybody.

8 Q. Can you just tell me what would happen?

9 A. If you did any little thing at all in his woodwork,
10 everyone, you know, you had maybe you had maybe about
11 ten benches, probably just about the same as this desk
12 here and you had vices at either side, so you had two
13 people doing woodwork, one at that side and you at this
14 side or whatnot, you know. And if you had done
15 something wrong with your woodwork, if you had cut too
16 much off or whatever, he would -- he'd a great saying
17 where if you have done something wrong like that and he
18 always used to say:
19 'Adopt the position.'

20 The idea was that you stood, as I've got with this
21 desk, and you would reach over and you would grab the
22 other side of the desk and you would get your knees up
23 and he would say:
24 'Adopt the position.'

25 You had to push your backside back as far as you

1 could go for him to have a smack at it, but it was
2 evident, you know, that it was much more than that, you
3 know. It was evident. But that was his -- that was par
4 for the course for that man, for doing that.

5 Q. What you say in paragraph 52, which is on the screen:

6 'It was obvious that he was perverted.'

7 A. Yes.

8 Q. Why do you say that?

9 A. By this time -- by this time, you grow up quick in
10 a place like that. And on a weekend when we always done
11 walks, whether it was snow or whether it was summer, you
12 know you used to get the gardener or something like that
13 coming and accompanying you when you are doing your walk
14 and whatnot, that was obviously the gardener getting
15 double time or whatever like, you know, but MCK
16 used to do a lot of it, accompanying us. But the only
17 time that Charlie McKenna ever done any weekend work was
18 when -- in the summer time you used to walk down to the
19 River Forth and then you put on your shorts, your trunks
20 or what have you, and jump into the water and that was
21 the only time you ever seen Charlie McKenna out at any
22 time and that stands to reason.

23 He was in there swimming and that too and obviously
24 but it was very -- if you had -- if you stood back and
25 thought about it, not a lot of people -- obviously never

1 thought about it, but it certainly crossed my mind.
2 That was the only time you seen him working on
3 a weekend.

4 Q. What inference are you drawing from that?

5 A. Pardon?

6 Q. What inference are you drawing?

7 A. Well, obviously, he was there, you know, to see the --
8 you know, being naked and putting on their trunks and he
9 had his trunks on and he was in swimming in the river
10 and whatnot.

11 Q. Can I ask you this, 'David': did you ever tell your
12 parents what was happening to you at St Ninian's?

13 A. No, no, no. How could you? How could anyone? You
14 know, even if they did believe you what would it have
15 achieved? You know, imagine your mother or your father
16 going down there and knocking on the door or something
17 like that and saying:
18 'I'm taking my children out of here.'

19 No, no, no. No. I think mainly -- I don't think no
20 adult would believe a word that you were saying, you
21 know. You were just giving your mind a treat and that
22 was it. And I can well understand no one ever told.

23 Q. You tell us in your statement that you left St Ninian's
24 when you were 14. That would be 1958, I think?

25 A. Yes.

1 Q. You went back to school, but you considered being in
2 school was a waste of time because you had had no
3 education?
4 A. That's right.
5 Q. You also went to St John's Boys' School in Springboig
6 when you were 16?
7 A. Yes.
8 Q. I think that was also run by the De La Salle Brothers?
9 A. Yes, that's right.
10 Q. Am I right in thinking you have no real criticism to
11 make of St John's?
12 A. Pardon?
13 Q. Am I right in saying you have no real criticism to make
14 of St John's?
15 A. My criticism?
16 Q. I'll take you to the statement, what you say is:
17 'I attended St John's school in Springboig when
18 I was 16. I don't know why I was sent.'
19 You go on to say it was an Approved School, and boys
20 there were aged 15 to 17:
21 'it was dysfunctional but I could look after myself
22 at this stage.'
23 A. Yes.
24 Q. So you were an older boy then?
25 A. Yes, that's right, that's right.

1 Q. You go on to tell us that because you had no education,
2 you had difficulty in getting a job?

3 A. That's correct.

4 Q. You then eventually joined the army; is that right?

5 A. That's correct.

6 Q. How long did you spend in the army?

7 A. Altogether, just under eight years.

8 Q. I think in particular you were a member of the medical
9 corps, is that right?

10 A. No. I started off in the medical corps. Then
11 I transferred to the army commando.

12 Q. You tell us a little bit about your personal life and
13 you go on to talk about what impact being in care had on
14 you and can I just touch upon that for a moment or two.
15 Again, you say at paragraph 64 that you had no
16 education?

17 A. No.

18 Q. The one thing you do say at the end of that paragraph
19 is, and I'll quote this:
20 'St Ninian's took away my childhood and took away my
21 youth.'

22 A. That is correct.

23 Q. Is that your position?

24 A. Yes.

25 Q. At paragraph 67, perhaps it's a similar thought, you say

1 your childhood just goes in a place like St Ninian's and
2 you lose your innocence?

3 A. Correct.

4 Q. Is that what you feel?

5 A. Correct.

6 Q. Did you ever report the abuse to the police?

7 A. Never. Who would believe you? The police certainly
8 wouldn't believe you. They had no bloody time for you
9 at the best of time, unless they were charging you. No.
10 No. It was just something that you lived with. You
11 couldn't possibly tell your parents, no.

12 Q. The last section of your statement, 'David', deals with
13 what lessons you consider should be learned from your
14 experience?

15 A. Aye.

16 Q. You set out those lessons beginning at paragraph 71.
17 Can I just read this paragraph to you, because it's
18 quite important:

19 'The Brothers were supposed to be teaching us right
20 from wrong. I don't know how these Brothers got
21 permission to look after somebody else's children.'

22 A. Correct.

23 Q. I think one of the concerns you have is that your
24 cousins no longer have a voice?

25 A. That's correct.

1 Q. Can you just develop that for me?

2 A. Well, the three are dead, the three are dead, and
3 I could -- with two of the boys being sent to that
4 school certainly affected them, all the way right
5 through. The youngest who was there for no reason than
6 whatever, whoever had the bright idea to send them there
7 in the first place, but that probation officer,
8 I have -- I am thinking of the three of them.

9 I ended up with the third boy, he was with me in the
10 military but obviously he's dead now. I would rather
11 just leave that, but --

12 Q. So you're here really as their voice also?

13 A. Sorry?

14 Q. You are here also as their voice?

15 A. I'm here on behalf of them. Well, on behalf of myself,
16 on behalf of them and on behalf of every other poor
17 person that went into these schools with -- how could
18 I put it -- in a childish condition and just being
19 warped by surrounded by these De La Salle Brothers and
20 their corrupt way of looking at life.

21 I believe their motto is 'Give me the child and
22 I will give you the man'. Well, how right they were.
23 They've certainly come up with that one, but they should
24 not -- the whole organisation should be not allowed to
25 look after any child in any circumstances. They can't

1 be trusted.

2 Q. One point you make is that if powerful people do send
3 children to these places they need to ensure the places
4 are operating in a humane and dignified way?

5 A. Well, how can you -- it's all very well to go and do
6 a tour of a school, of a prison, of any institution,
7 where you go in and you're going for a walk around.
8 Well, you would be deluding yourself if that we walk
9 around and you're back out the gate and you're back in
10 your car, if you satisfied yourself that you've just
11 been in there and had an education, then you would be
12 deluding yourself.

13 That little walk around is of no purpose. The only
14 purpose it's there for is for the governor or whatever,
15 or the powers that be.

16 But if you think, you know, that you're forensically
17 looking into anything then you're kidding yourself.

18 MR MACAULAY: Okay, 'David', that is all I propose to ask
19 you today. Would you like to add anything else that
20 might assist the Inquiry?

21 A. Yes, I'm compelled to say I've lost my three cousins who
22 were with me on that journey and they've never had the
23 chance to sit where I'm sitting. They're deceased. But
24 can I say that not only am I here for my own cobwebs in
25 my brain and everything about everything that's happened

1 to me at that particular time in my life, it took away
2 my infancy and what have you, but I'm here for my three
3 cousins as well. They can't speak for themselves or
4 anything like that. They're no longer about.

5 So if any of these people behind me or in the front
6 of me or whatever can take anything from this, then
7 I hope that they will take something from it and realise
8 that when people are telling them something that is
9 probably against the establishment or something like
10 that, don't just hoo ha it away and go on with your
11 life, you know, there is a lot of bad institutions and
12 that out there, believe me. I've seen it, I've lived it
13 and at times I'm still living it.

14 So that's all I've got to say on that matter.

15 MR MACAULAY: My Lady, I understand no questions have been
16 submitted from other sources for 'David'.

17 Thank you, 'David', very much indeed for your
18 evidence.

19 A. Right. Thank you.

20 LADY SMITH: 'David', can I add my thanks.

21 A. Yes, you can.

22 LADY SMITH: My thanks to you for engaging with us so
23 helpfully in the way you have done and can I say you
24 have a remarkable recall of detail from events so long
25 ago and that's tremendously valuable to me in helping me

1 with my learning about the 1950s at St Ninian's. Thank
2 you for that.

3 A. Can I say, ma'am, I've heard that much about you from
4 various workers and that. At first I -- I didn't want
5 to go through where I'm sitting now, but the girls that
6 I was dealing with, you know, they spoke highly of you
7 and they convinced me to come here today and I'm glad
8 I did. I'm glad I've -- I've got a lot off my chest,
9 you know that society is accepting now that we've all
10 been wronged, all been wronged and it's nice, you know,
11 for you to be sitting there and to realise that that is
12 the case, because really I think you're the only judge
13 that I've ever been in tandem with and I thank you for
14 being there and I thank you for listening to what
15 I've had to say and I'll leave it at that.

16 Thank you.

17 LADY SMITH: 'David', thank you very much.

18 You go and leave your problems with us. That's what
19 we're here for and go and find some peace. I hope you
20 do. Thank you.

21 A. Right. Thank you very much, ma'am.

22 (The witness withdrew)

23 LADY SMITH: Just before I rise for the morning break, we've
24 heard a number of names who are, for various reasons,
25 protected by my General Restriction Order and entitled

1 to anonymity. But it is easier to use the names as ever
2 within the hearing room. Brother MJO, Mr MCK
3 Brother MCA, Brother Michael, Brother MBU,
4 Brother GEC and Mr McKenna. We will no doubt hear
5 these names again and again over the next little while,
6 but I just want to remind everyone freedom to use them
7 here inside this room but they're not to be identified
8 outside the room. Thank you.

9 Break?

10 MR MACAULAY: Good timing, my Lady.

11 LADY SMITH: Excellent.

12 Let's take the morning break and I'll sit again in
13 about a quarter of an hour or so.

14 (11.30 am)

15 (A short break)

16 (11.45 am).

17 LADY SMITH: I'd now like to turn next witness, who I'm told
18 is here and ready, Mr MacAulay?

19 MR MACAULAY: Yes, my Lady, he's an applicant, he wants to
20 remain anonymous and he has taken the pseudonym
21 'Andrew'.

22 LADY SMITH: Thank you.

23 'Andrew' (sworn)

24 LADY SMITH: 'Andrew', that red folder beside you has your
25 statement in it and you'll be taken to that in a moment.

1 It might be helpful while you're giving your
2 evidence to have that for reference but we'll also bring
3 the text of your statement up on that screen on the
4 desk, if you also want to look at it there. But you
5 don't have to use either if you don't want to.

6 Otherwise, 'Andrew', can I just make sure you
7 understand that my overriding wish is to do what I can
8 to make the process of giving evidence as comfortable
9 for you as possible, because I do know this is
10 difficult.

11 If you want a break at any time or you want us to
12 explain something because we haven't put questions to
13 you clearly enough, just ask. Will do you that?

14 The plan normally is from now to go on until about
15 1 o'clock, but if you need a break before then that's
16 absolutely fine by me. Whatever works for you will work
17 for me. That's the rule, okay.

18 If you're ready, I'll hand over to Mr MacAulay and
19 he'll take it from there.

20 Mr MacAulay.

21 Questions from Mr MacAulay

22 MR MACAULAY: My Lady.

23 'Andrew', the first thing I want you to do is to
24 turn to the final page of your statement which you find
25 in front of you. Can I ask you to confirm that you have

1 signed the statement?

2 A. Yes.

3 Q. Can I ask you also to confirm that you have no objection
4 to your witness statement being published as part of the
5 evidence to the Inquiry?

6 A. No.

7 Q. Can you also confirm that you believe that the facts
8 stated in the witness statement are true?

9 A. Yes.

10 Q. 'Andrew', I don't want your date of birth, but to have
11 some context, can you confirm that you were born in the
12 year 1948?

13 A. Yes.

14 Q. You provide us at the beginning of your statement --
15 before I do that, I'll just give a reference for the
16 statement for the transcript. You needn't be concerned
17 about this. It is WIT.001.001.5797.

18 I was about to go on to look at that part of your
19 statement where you talk about your background. One
20 thing you do tell us is that your father died when you
21 were young, five years old?

22 A. Yes.

23 Q. I think you had three brothers and two sisters; is that
24 correct?

25 A. That's correct, yes.

1 Q. You described your family as being a good family, can
2 you just elaborate upon that for me?

3 A. We were poor in material things but we were close,
4 a loving family. We lived in an old shop, it was the
5 only premises we could get during the war, my father.
6 He was invalided out of the army and he spent some time
7 in the Erskine Hospital and he died of cancer when he
8 was 44 years of age, roughly when I was five-and-a-half.

9 So we were put up in this old shop, the front end
10 was like a dormitory style, all the beds in it, and we
11 cooked in the back end. There were still bars on the
12 window at the back end. It was really, really, really
13 a nostalgic place for the whole family. When anybody
14 died in the family or anything like that the hearse used
15 to go by there while the building was still standing and
16 it was in close proximity to a cemetery and even now
17 it's just like a wee garden, they have not built on it
18 because it is next to the cemetery.

19 Q. You have happy memories of your childhood?

20 A. Very happy memories.

21 Q. What you tell us moving on in your statement is that you
22 were getting on well at school until you were about
23 seven and then you started to take seizures?

24 A. That was the very first one I remember. The reason
25 I remember it because it was my Holy Communion day and

1 I saw things differently in the chapel. I remember
2 going home to my mother and saying I saw God because
3 I saw things different. I saw the things on the altar
4 all bigger and I don't think she took much cognisance of
5 that, but on and off I started to take these wee sort of
6 spells.

7 Q. Did you have to wait for quite a number of years before
8 there was a diagnosis made?

9 A. I was 24 before it was officially diagnosed.

10 Q. What was the diagnosis?

11 A. Temporal lobe epilepsy.

12 Q. Was the fact that you were having these seizures, was
13 the result of that that you were missing school?

14 A. Most of the time I was missing school was because I had
15 bronchitis, because we were poor and because we didn't
16 have food, things like that, clothing, things like that,
17 there was a lot of reasons but I was off quite a lot
18 mostly because I was ill. I never ever played truant.

19 Q. Did your mother have to go to court to explain why you
20 were missing school?

21 A. She went a couple of times prior to me going for last
22 time and she was fined. I think she was fined -- twice
23 she was fined £5.

24 Q. But I think the upshot was that with that background you
25 were sent to St Ninian's Approved School in Gartmore?

1 A. That is correct, yes.

2 Q. Is that right?

3 I think you even remember the date that you went to

4 that school first of all?

5 A. That was [REDACTED] . [REDACTED] 1959.

6 Q. I think the two times you were there might blend

7 together but you were there twice. You were there first

8 time you left and then you went back?

9 A. I was there the first time for a year and three months,

10 I got out on licence but about six or seven months later

11 my licence was revoked and I was sent back.

12 Q. When you went in [REDACTED] 1959, you were still only ten

13 when you actually went there?

14 A. It was a month before my 11th birthday.

15 Q. Yes. Were you taken there by a social worker?

16 A. I didn't recognise them as a social worker, it was

17 called a school welfare officer.

18 Q. Who did you first meet when you got to the school?

19 A. It was Brother MCA [REDACTED] opened the door. The welfare

20 officer pressed the bell. I was standing outside and

21 Brother MCA [REDACTED] came to the door and opened it.

22 Q. That's Brother MCA [REDACTED] ?

23 A. He was SNR [REDACTED] .

24 Q. I think you tell us that there was a SNR [REDACTED] ,

25 Brother HFU [REDACTED] ?

1 A. Brother HFU .

2 Q. I think one of the first thing you were asked to do

3 actually was write a letter to your mother?

4 A. That's correct.

5 Q. You set out in your statement what you were to tell her

6 and that was essentially that your mother could come and

7 visit and could write?

8 A. That's correct. Also said I think I'm going to like it

9 here.

10 Q. Was that true?

11 A. No.

12 Q. You tell us a little bit about the set-up and we've

13 heard a little about this already, that there were four

14 houses in the school, it was divided into houses, and

15 each boy would be put into a particular house?

16 A. That's correct, yes.

17 Q. So far as the houses were concerned, how many boys do

18 you think would be in each house at that time when you

19 were there?

20 A. About 21 boys in each house. Some had 22, some had 21.

21 Q. Would there be somebody in charge of each house?

22 A. There was a housemaster. It was a Brother, that was

23 Brother MJO at the time when I first went in. He

24 was in charge overall of all of the houses and when you

25 weren't at school or in bed he was in charge.

1 Q. I'll perhaps ask you to look at a photograph, if you
2 don't mind. Are you quite happy to look at
3 a photograph?
4 A. Yes, yes.
5 Q. The first photograph I want you to look at is at
6 WIT-3-0000005605. That should come on the screen for
7 you, 'Andrew'.
8 A. Page 13.
9 Q. Do you recognise the building?
10 A. I recognise the building, it is quite an old photograph.
11 Q. We have heard there was a stable block. Where was the
12 stable block?
13 A. Just over to the left of it.
14 Q. Would you mind standing up -- there is a photograph on
15 the screen behind you -- and if you could just point to
16 where.
17 A. Just over here.
18 Q. Pointing to the top left of the photograph. It's partly
19 covered by trees I think in the photograph.
20 A. That is correct, yes.
21 Q. The other photograph that I would ask you to look at
22 perhaps is DLS.001.001.0151.
23 You'll see here that there are changes to the area
24 and in particular to what looks like the rear of the
25 premises?

1 A. That's correct.

2 Q. There are buildings there. Were these buildings there
3 when you were there?

4 A. This building here wasn't there. That was there. While
5 I was there that was the gymnasium. They built that
6 there. These buildings here weren't there. Just that
7 and that there.

8 Q. Essentially the two buildings towards the centre were
9 not there. The lengthy building, but the buildings to
10 the right were there?

11 A. No. That was the gymnasium.

12 Q. That was all that was there?

13 LADY SMITH: The buildings in the centre look like a series
14 of Portakabins and then a building that's more modern
15 than the original building, the Gartmore House, which
16 I think was early 19th century.

17 MR MACAULAY: Yes. Thank you for that.

18 You have mentioned Brother MJO . Can you
19 remember the names of the other Brothers who were there.
20 You have mentioned Brother MCA as well, I think.

21 A. Brother MJO , Brother HFU , Brother MBU ,
22 Brother MCT , Brother Anthony. He was an old
23 Brother. He dealt mostly with office work, you hardly
24 ever saw him.

25 Q. I think we also have heard names like Charlie McKenna --

1 A. He was the woodwork teacher.

2 Q. -- and a Mr MCK ?

3 A. Mr MCK

4 Q. Was he a teacher?

5 A. He was the junior class.

6 Q. Were there any other lay teachers, by that, I mean

7 non-Brothers?

8 A. There were others, but it came later on, with

9 Mr GZM and Mr Morrison.

10 Q. Were you still there then when they came?

11 A. Yes.

12 Q. As far as people like Mr MCK and Mr McKenna and the

13 others were concerned, were they accommodated in the

14 main building or somewhere else?

15 A. Mr MCK and Mr McKenna stayed in the stable block.

16 Some members of the domestic staff stayed there as well.

17 Q. So far as you're concerned then, were you accommodated

18 in the main building?

19 A. Main building, yes.

20 Q. In a dormitory of some sort?

21 A. Yes.

22 Q. Was that the position with all the boys, they were in

23 the main building?

24 A. Yes.

25 Q. What about the Brothers?

1 A. They were in the main building as well.

2 Q. Were there any lay staff in the main building?

3 A. No.

4 Q. There's been suggestion of a post known as the night
5 watchman?

6 A. That's correct.

7 Q. Was there a night watchman post during your time?

8 A. Yes.

9 Q. Did the night watchman, was he accommodated in the main
10 building or did he come in?

11 A. He came in -- he had a caravan in the grounds, where he
12 spent -- he slept during the day, things like that.

13 Q. Can we just look at Mr McKenna, who you said was the
14 woodwork teacher?

15 A. That's correct, yes.

16 Q. Did he teach you woodwork?

17 A. Yes.

18 Q. In paragraph 28 of your statement, you describe I think
19 your first encounter with Mr McKenna. Can you tell us
20 what happened?

21 A. Everything was going okay during the day, until we had
22 supper. We come out of supper into the basement and he
23 would be standing at the far end and I didn't pay too
24 much attention, but I remember asking a boy who he was
25 and he says, 'Shush' and he whispered under his breath,

1 'Mr McKenna', so I just stood there.

2 I just stood there, I was standing during the rest
3 of the day, just standing in line, the house captain was
4 going up and down the lines, he was counting the boys
5 and giving them the numbers, '21 present, all correct,
6 sir', and then I saw him moving away.

7 Next thing I remember he's standing at my side. I
8 could see his brown shoes and without warning I just
9 felt a bang on the top of my head.

10 I remember looking up thinking something had fell
11 from the ceiling and then another bang, then another
12 bang. At this time my eyes started to well up with
13 tears and I started to look about me and I saw the boy
14 across from me and he was standing doing this to me.

15 Q. So he was standing very straight?

16 A. He was trying to give me an indication that --

17 Q. You should stand very straight?

18 A. Then another bang, so I did that. That seemed to please
19 him and he walked off. We were taken out into the
20 toilet area for the toilet.

21 Q. When he was banging the top of your head was he doing it
22 with his hand?

23 A. No, he was using an iron referee's whistle.

24 Q. Was that painful?

25 A. Very painful.

1 Q. Did you enquire from other boys as to what this
2 situation was?

3 A. Well, one boy came over and asked me -- said to me:
4 'Do you want to know why you got clonked?'.
5 That's what they called it.
6 I said ... he says, 'For not standing up correctly'.
7 I said:
8 'Nobody told me how to stand up correctly, nobody
9 showed me.'.

10 I had been standing up as I thought correctly since
11 I went in and nobody said anything to me, none the
12 Brothers, so basically I felt I'd been assaulted for
13 nothing.

14 Q. This was your first day?

15 A. My very first day.

16 Q. That first night, were you a bit homesick when you were
17 there?

18 A. I was a bit, yes.

19 Q. Did other boys speak to you to try and give you some
20 help as to what the regime was like?

21 A. Well, during the day, prior to McKenna assaulting me,
22 boys were telling me things, who to be wary of, this and
23 that, and they were saying:
24 'You'll be okay as long as you don't go into
25 Mr MCK class because that's the worst class in the

1 school, he's a strict disciplinarian, you have got to do
2 everything exactly right for him.'

3 They never mentioned Mr McKenna or anything like
4 that, but they called Mr MCK ██████████ 'MCK ██████████' and I said:

5 'Why do you call him "MCK ██████████", is that his real
6 name?'

7 Q. What is that?

8 A. 'MCK ██████████', as in 'MCK ██████████'.

9 I said:

10 'Is that his real name?'

11 And they said:

12 'No, that's what we call him because he acts like
13 ██████████.'

14 Q. On the second day, then, as you have been telling us,
15 you have been getting information from other boys and
16 from whom to stay away from. And they used words like,
17 if you turn to paragraph 33, on to page 8, you have
18 provided some quotes, 'Watch out chick's bum boys' or
19 'MCK ██████████'s bum boys' or 'MCA ██████████'s bum boys' and they
20 called McKenna 'Big Chick', did you understand at that
21 time as to what was being said to you?

22 A. No.

23 Q. Did you ask for any explanation as to what --

24 A. No.

25 Q. You do mention this boy, we won't name him, we will just

1 call him 'Alex' at paragraph 34, but he became something
2 of a mentor to you?

3 A. Well, he was the top boy in the top class at the time
4 and when I was first inducted, after I got my lunch,
5 I was actually taken to the senior class and that is
6 where I wrote my first letter and he was the top boy and
7 I was listening to him reading out his essays and things
8 like that and I thought to myself he's really clever.
9 I would love to be like him.

10 I don't know if I can say that, he was half Chinese.
11 He was tall and quite sallow skinned, his brother was
12 also there with him, his brother was white and after
13 I had been clonked up in the yard it was 'Alex' that
14 came over and says to me, 'That shouldn't have happened
15 to you'. And he told me a few things, he told me to be
16 wary of him, you know.

17 Q. He was someone obviously you looked up to --

18 A. Yes.

19 Q. -- in your time there.

20 You mention at paragraph 41 that there was a wet bed
21 dormitory, were you a bed wetter?

22 A. No.

23 Q. How were bed wetters dealt with, do you know?

24 A. Well, they got up two or three times during the night
25 for the toilet with the night watchman and in the

1 morning if they wet the bed they had to come down with
2 a nightshirt under their arm with their sheets, and
3 usually (indistinguishable).

4 Q. Was it the job of the night watchman to try and wake
5 them up before they might wet the bed during the night?

6 A. That's correct, yes.

7 Q. Let's just look at some aspects of the routine, starting
8 with the morning.

9 How were you woken up in the morning?

10 A. Clapped hands.

11 Q. Who clapped the hands?

12 A. The Brother.

13 Q. Which Brother?

14 A. The first time I was there it would be Brother **MJO**.

15 Q. At bedtime, how was bedtime supervised?

16 A. After you had your cocoa, groups one and -- you were
17 split into -- depending on your age you were split into
18 groups, there was groups one and two and groups three
19 and four. Groups one and two occupied the first floor,
20 groups three and four occupied the top floor.

21 So groups one and two went roughly about 20 minutes
22 earlier than groups three and four. So you went down to
23 get your cocoa, then you went up, changed into your
24 pyjamas, brush your teeth and then you were allowed to
25 read comics for a short time and then night watchman

1 came and turned out the main light and put on the night
2 light.

3 Q. When you say the night watchman, he put the lights out.
4 What about organising you to go to bed, who did that?

5 A. That was Brother MJO .

6 Q. When the lights went out that was the night watchman who
7 did it?

8 A. That is correct.

9 Q. You say the food was okay for you?

10 A. As far as I was concerned, it was okay.

11 Q. So far as the education was concerned, can you just
12 describe that? How did you find the education?

13 A. I found it great, you know. They were attentive. They
14 were understanding. They were patient. If you didn't
15 know something they took the time to explain it to you.

16 Q. Who were the teachers that you were more directly
17 involved with?

18 A. Well, the first class was Brother MBU .

19 Then I moved up quite quickly to Brother MCT 's
20 class, intermediate 2.

21 Then -- into intermediate 2, I was 12 the first
22 year, the first term, then I was six the second term and
23 then I went up to the senior class.

24 Q. You tell us in your statement that, this is paragraph 56
25 and I'll read this out for the transcript:

1 'The one saving grace about that place was that
2 I got a good education.'

3 A. Yes, I did.

4 Q. Did you have housework to do?

5 A. Yes. You had housework every morning.

6 Q. What sort of chores did you have to do?

7 A. Well, you were split up. Some cleaned dormitories, some
8 cleaned the main hall, toilets, the basement --
9 everybody had a job -- the chapel, some boys cleaned the
10 Brothers' toilets.

11 Q. Were there any other cleaning staff?

12 A. No. The domestic staff mostly dealt with the kitchen
13 area.

14 Q. As far as the domestic staff were concerned, were these
15 people who came in from outside, so to speak?

16 A. Yes.

17 Q. Do you know where they came from?

18 A. Well, some of them were from Ireland.

19 Q. Where were they accommodated?

20 A. Some of them were in the actual house itself.

21 Q. In the main house?

22 A. Yes, and some were in the stable block.

23 Q. When you say the islands, you mean the Hebrides or
24 Ireland?

25 A. Ireland.

1 Q. Can I ask you about discipline. Can you just describe
2 to me if you are to be disciplined who would do it and
3 what would happen?

4 A. Whoever was in charge at the time. You either got
5 a belt or something like that then you would get your
6 name put in a notebook, which meant you would get marks
7 off.

8 Q. Was there a system -- you talk about this at
9 paragraph 61 -- that involved grey pants and --

10 A. That is for people who have absconded.

11 Q. What did that involve?

12 A. Well, if you absconded --

13 Q. Which you did, I think?

14 A. Oh, I did, quite a few times.

15 Q. We'll come to that.

16 A. If you absconded you either got the grey pants or the
17 black pants. If you only absconded the first time you
18 got the grey pants. You were made to take your own
19 pants, your underpants off, put the grey pants on and
20 bend over and the first time that happened to me I got
21 four strokes.

22 Q. Of what?

23 A. The tawse.

24 Q. The tawse.

25 A. It's a really heavy leather belt.

1 Q. Did there come an occasion where you got more than that?

2 A. There was one occasion when I got eight across the
3 backside and one across my legs.

4 Q. Can I just understand, from the person receiving the
5 punishment's concerned, was it better to have the grey
6 pants or the black pants?

7 A. I think it was better to have the grey pants, in the
8 sense that you got less if you had the grey pants.

9 Q. You had more protection from the grey pants than --

10 A. They had a lining in them for a start, the black pants
11 were actually just like gym shorts, very thin.

12 Q. The point system you touched upon there, was that based
13 upon your performances at the school?

14 A. Basically you got ten points a week, every boy had ten
15 points to start with at the beginning of the week, which
16 started on a Friday. Then if you didn't do anything
17 wrong or if you didn't do anything extraordinarily good
18 to get extra marks you had ten points, which means you
19 got a shilling a week for sweets and things. Plus they
20 also put a sixpence into your bank account, this is for
21 outings and things like that.

22 If you got extra points -- marks, each five marks
23 was worth a point, so if you got ten extra marks for
24 good housework that means you had 12 points that week.
25 You got a wee bit extra money, so that means extra

1 sweets.

2 Q. You have a good memory of the system?

3 A. Definitely, aye.

4 Q. Can I take you to a section in your report where you

5 talk about Mr McKenna's class. At 66 you say that the

6 intermediate 1 class only got one woodwork and metalwork

7 on a Wednesday.

8 A. That's me --

9 Q. That was for you, was it?

10 A. Yes.

11 Q. How did Mr McKenna behave in class?

12 A. Quite volatile, quite hot tempered. He was always

13 shouting and bawling.

14 Q. Would he hit children?

15 A. Definitely, aye.

16 Q. How would he hit children?

17 A. If you didn't know the name of a tool or whatever you

18 were using to -- he would ask, 'Will I spell it out for

19 you?' And you felt compelled to say, 'Yes, sir' and he

20 would say bend -- first of all he would say, 'Go over to

21 the waste wood pile and get me a paddle'.

22 The first time that happened I didn't know what he

23 meant. You had to get a piece of wood roughly about

24 18 inches, whatever is the biggest piece and bend over

25 the desk and he would say, 'Remove the padding', so you

1 had to pull your shirt out your trousers and he would
2 pull your trousers up, exposing your buttocks and he
3 would say, for instance one time I asked for varnish and
4 he said, 'I don't have varnish, do you want me to spell
5 it out for you?' And it was shellac, so he hit me with
6 this stick, a stroke for each letter of 'shellac', S --
7 while he was doing this he was pulling your pants really
8 tight into your groin.

9 Q. Would that be exposing your bottom?

10 A. Yes, and he would be fondling you at the same time.

11 Q. How often did that happen to you?

12 A. Quite often. In fact, more often than not. I mean,
13 I was in fear of him from day one, you know, and I just
14 couldn't go on the woodwork class.

15 Q. The clonking system that you have already mentioned, did
16 that go on in his classroom?

17 A. He didn't clonk you in the classroom.

18 Q. Did he clonk elsewhere?

19 A. Side of the head with the side of his fist.

20 Q. With a fist.

21 So far as clonking would be concerned, apart from
22 the time you've mentioned on your first day, were you
23 ever clonked again?

24 A. Clonked all the time. He clonked me -- I went in on the
25 Friday and he clonked me that night.

1 On the Saturday I took a seizure in the line-up and
2 I know from the boys I shouted for ██████ at the time
3 and I actually walked out of my line, and shouted come
4 out the ██████ and the boys told me he clonked me
5 while I was still shaking.

6 Q. Did he refer to then after as ██████?

7 A. Aye, correct. That was my nickname in the school,
8 █████.

9 Q. That was really to demean you, was it?

10 A. At the time I thought they were demeaning ██████, do
11 you know what I mean, at the same time.

12 Q. You also explain at paragraph 70 that one of the first
13 things you had to learn was how to measure?

14 A. That's correct.

15 Q. Can you just explain what you mean by that?

16 A. Well, there was a wee box with all these blocks in them,
17 A, B, C, roughly about 12 blocks with the letters of the
18 alphabet and all different sizes. You had to measure
19 the length, the width and the depth of them. He asked
20 me could I measure them and I had never measured before
21 and he asked a boy to show me how to measure them. He
22 gave me a piece of paper and I had to write, A, B, C and
23 write down the different measurements.

24 When I had finished that I had to take it over to
25 him and I remember I got most of them or all of them

1 wrong, and he says, 'Come round here and I'll show you
2 how to measure properly'.

3 He says, this is a rule, I thought it was a ruler,
4 but he says you must call it a rule and he sat me on
5 his -- between his legs and I was up against the thing
6 and he was showing me, leaning over me, showing me how
7 to thingy and at the same time he was pushing into me
8 and I was getting further and further that, I felt
9 really uncomfortable. And I could tell he had -- he was
10 aroused.

11 Q. Did this happen more than once?

12 A. This happened more than once.

13 Q. How often did this happen?

14 A. I think it happened at least about four times.

15 Q. You say at paragraph 74 that you had this underlying
16 fear of Mr McKenna?

17 A. That's correct, yes.

18 Q. Was that down to the way that he was treating you?

19 A. That was from day one, for assaulting me for no reason.
20 I mean, why couldn't he have said, 'Some boy tell the
21 new boy how to line up'? Because that would have
22 happened under Brother MJO, do you know what I mean?

23 Q. I think you tell us at paragraph 76 that he called you
24 a sloth?

25 A. That is correct.

1 Q. What was the basis of that?

2 A. He said I was the laziest boy he had ever had the
3 misfortune to teach. He wrote on the top of the
4 blackboard, 'The devil thrives where idle ladies and
5 slothful boys live', and he told me to write it out 75
6 times for him and I remember when I was looking for
7 pieces of paper to write it on I started to write it and
8 Brother MCT said to me, 'What are you doing?' I
9 said to him, 'I have got lines to write'. 'What are you
10 writing?', I told him and he says, 'As far as
11 I'm concerned you are the least laziest boy I know', in
12 the school ... because I was good in his class, you
13 know?

14 Q. Did anything happen? You told Brother MCT why you
15 were doing what you were doing, but did anything --

16 A. Nothing, nothing came of it, no.

17 Q. What you're telling us I think is that you were
18 regularly ridiculed by Mr McKenna?

19 A. That is correct.

20 Q. What about other boys, how did he treat other boys?

21 A. The exact same. He was always down on other boys.
22 There were some boys who were quite good at woodwork and
23 they didn't really get any bother of him but most of the
24 boys were kind of -- he wasn't a very good teacher. He
25 would show you something once and that was you, you know

1 what I mean? You couldn't approach him and say, 'Sir,
2 I don't know how to do this'.

3 Q. You tell us at paragraph 80 that on occasion Mr McKenna
4 would take over from the housemaster?

5 A. That's correct.

6 Q. Would that be Brother MJO ?

7 A. That's correct.

8 Q. Presumably Brother MJO might have been away?

9 A. Sometimes he went on leave or whatever, you know.

10 Q. When he then was in charge can you just explain how he
11 dealt with children in the toilets?

12 A. Everything was regimented, you know. In those days we
13 had toothpaste and it was Gibbs, it was in a wee block,
14 in a wee tin and the original was really strong tasting.
15 You couldn't keep it long in your mouth, you had to wash
16 it out.

17 He made you keep it -- he was -- there was a toilet
18 each end of the corridor and he was going between the
19 two toilets so he would tell you what to do, take the
20 four boys in at a time, brush your teeth, go along and
21 take another four boys in the other end and you had to
22 keep it in your mouth until he came back and told you to
23 rinse your mouth out and your tongue and your mouth was
24 really on fire.

25 He would peer in on you when you were doing the

1 toilet as well.

2 Q. Did he have some sort of procedure in relation to what
3 category you were, namely if you were a sit down or not?

4 A. That's correct.

5 Q. Can you explain that?

6 A. If you were in getting your lunch and you were coming
7 out, that's the time you were using the toilets.
8 Usually when Brother MJO or anybody else was in
9 charge you just went out, used the toilets and then
10 everybody lined up. No, he put you in lines and he
11 would indicate with his hands, sit down, widdles,
12 widdles was urinating, sit down was to go to the
13 cubicles, WCs and he would send the house captain to
14 collect toilet paper and he would dole out the boys that
15 were using the cubicles, he would dole out two sheets of
16 toilet paper to the boys, it was the old San Izal type
17 stuff, you know you could use it as tracing paper.

18 Then he would go back and forth checking, hurry up,
19 you are less than two minutes in the cubicle. He would
20 look over -- very low cubicles, they had spaces at the
21 bottom and spaces at the top, they were barely five feet
22 and he would peer over at you and he stare for ages at
23 you.

24 Q. Was there also a process, procedure whereby your
25 underwear would be examined?

1 A. That was on a Thursday night, when you got clean
2 clothing and clean sheets and all that. The Abbeycraig
3 laundry used to do our laundry in Abbeycraig in
4 Stirling, and so apparently they had been told that
5 there were a lot of soiled underwear going into the wash
6 and some of the people who were doing the wash were
7 disgusted with it.

8 So the Brothers told everybody prior to putting your
9 underwear in -- if you had soiled them you were to clean
10 them, go and wash them and then put them in, but he used
11 to inspect them before you even washed them and even
12 after you washed them, before you put them in.

13 Q. When you say he, is that Mr McKenna?

14 A. He was the only one who did that.

15 Q. Would he in any way humiliate the boy or boys that may
16 have had to go and wash their underpants?

17 A. There were quite a few boys. There were boys there who
18 had problems with their bowels, quite a few of them.

19 Q. Did they find this humiliating so far as you could work
20 out?

21 A. Everybody found it humiliating.

22 Q. You also have a section in your statement, 'Andrew',
23 dealing with Mr McKenna and the showers. Did he have
24 some involvement in the showering of children?

25 A. Sometimes, yes, aye. And he used to stand with the

1 nailbrush in his hand and it was quite harrowing in the
2 shower for him, because he would say, right -- two under
3 the shower. Water on, he would only keep it on for
4 10 seconds and then he would say soap up and you soap up
5 and it was ... and it was drying into you and your towel
6 was actually on the towel rack in the middle of the
7 floor with showers going at all angles, so your towel
8 was always wet and after you soaped up and it was drying
9 into you, he would say, right, shower back on, first boy
10 in, second boy in, and you are still dripping with soap
11 and then he would say, right first boy in, cold water
12 on, keep in for ages, second boy in, cold water on, keep
13 you in for ages, both at the same time, keep you in for
14 ages.

15 Then on your way out of the shower after you have
16 dried with a soaking towel he would run his hand down
17 your back, apparently to see if you had dried yourself.
18 You weren't dry.

19 Q. He did make physical contact with the boys?

20 A. Yes.

21 Q. I think you tell us at paragraph 85 that Mr McKenna may
22 have become aroused during the showering process. Did
23 you see any evidence of that?

24 A. Well, when I was first made of aware of it boys would
25 whisper it. I was always scared to turn round, but as

1 I got older and some boy would say it, I would just turn
2 round. Sometimes you would see him going off adjusting
3 himself.

4 Q. Looking at meal times and again at Mr McKenna's
5 involvement in that, you tell us about an occasion where
6 you gathered gulls' eggs?

7 A. That's correct.

8 Q. They were cooked?

9 A. That's correct.

10 Q. There was a problem?

11 A. That's right.

12 Q. What was the problem?

13 A. Some were black inside. Some even still had the embryos
14 in them, cooked embryos in them, as soon as the Brother
15 in charge at the time, Brother MJO, saw what was
16 happening he says, 'Don't eat them'. One boy did
17 actually eat one and he was sick.

18 And Brother MCA who had collected the gulls'
19 eggs with the boys, me included, he had come down it see
20 how they'd went because he had said people on the
21 Western Isles and that eat these kind of things, so he
22 said, right, gather them up.

23 We still got the normal breakfast that day, do you
24 know what I mean, but it kind of put me off eggs.

25 Q. What happened then subsequently?

1 A. Well, one time McKenna was in charge and it was
2 scrambled egg on toast but it wasn't really scrambled,
3 it was baked and it was more like a jelly, sitting on
4 top of your fried bread and I remember getting it and
5 I had ate eggs after that occasion, we had had eggs
6 before, but this time somebody had said at next table,
7 'I hope it's not the gulls' eggs' and that kind of set
8 me off, you know what I mean. And I said to the friend
9 next to me, 'I can't eat them' and he said, 'I'll eat
10 them for you'. But McKenna saw me spooning some them
11 onto his plate and he came over and he says to me, 'Get
12 them eggs back' and I took some back and he took his
13 plate and he put more than I'd put on it over to me,
14 'Eat it'.

15 I was trying to eat it and I was nauseous and I was
16 actually retching and he says -- he got hold of the fork
17 and put a portion up and he was going to my mouth and
18 then he was forcing it into my mouth and I was actually
19 starting to taste blood as well and so I had to end up
20 saying to him, 'I'll eat it myself, I'll eat it myself',
21 and I had to actually eat it, but after the supper time
22 is finished when I got outside I brought it all up and
23 I was made to clean it.

24 Q. The tasting of the blood, how had the blood arrived?

25 A. The blood was mixed with the egg. I felt as if -- there

1 was kind a taste of it.

2 Q. Did you see Mr McKenna spoon feeding anybody other boys?

3 A. Yes, yes. I don't know if I can name them --

4 Q. We don't need the names, just tell us what you saw.

5 A. We used to take over St Joseph's in Tranent for a period
6 during the summer. We went on holiday there. The first
7 time we went for a month and then we went for
8 a fortnight after in subsequent years. There was a boy
9 who lived in Edinburgh and he came in, actually
10 I remember his father came actually with him and
11 apparently his father told the Brothers certain things
12 he didn't eat. So when we went back to St Ninian's this
13 particular day, I think it was sago we were eating, the
14 boys called it 'frogspawn', you know, a lot of boys
15 didn't like it.

16 And he wasn't eating it and McKenna told him to eat
17 it and he refused to do it. He said, 'I don't have to
18 eat it' and McKenna got hold of his spoon and he was
19 pulling his hair back and he started putting it into ...
20 and he was thrashing about and it was going everywhere
21 and he started hitting the boy on the top of the head
22 with a spoon and Mrs Telfer, who was a seamstress but
23 she also helped at lunchtimes and things like that in
24 the kitchen, I can remember very well she said, she
25 said, 'I think the boy's had enough', and that's when he

1 stopped.

2 Q. You also have a section in your statement, 'Andrew',
3 dealing with Mr McKenna and housework. You tell us
4 about an incident when he was in charge one Saturday and
5 you --

6 A. I was to clean the top landing, dust it, brush it out,
7 dust it, dust doorways. There was a kind of balustrade
8 there and it was quite ornamental and you had to dust
9 all that. He came and he observed what I was doing and
10 roughly about ten minutes before we were due to finish
11 up, he says:

12 'That floor's a mess, polish it.'

13 So we had to get this polish, this kind of polish,
14 the day before he had made me kneel on the gravel in the
15 yard and so I still had sores on my leg and I had to
16 kneel down on the polished floor and it was nipping into
17 my leg and put polish in and I had to get a deck
18 scrubber, rub it all in and then you got what we called
19 a squeegee, it was a large square of heavy metal plate
20 with a pad on the bottom of it and the handle could move
21 up and down, if you know what I mean. You had to polish
22 it with that and when anybody else was in charge for
23 doing housework like that, if the other boys had
24 finished their job like the dormitories or whatever they
25 would muck in and help you.

1 You would put the polish down, one would do the deck
2 scrubbing and other one follow him up to shine it all
3 up, but he did that to me and I was -- ten minutes to do
4 all that and I was sweating. I was a right state.
5 LADY SMITH: Why did you have to kneel on gravel the day
6 before?
7 A. He was in charge. That's what he did. He made you
8 kneel on the gravel what he called the sin bin. A few
9 yards from him. If you had done something that he
10 thought was a misdemeanour.
11 LADY SMITH: If you were told by him you had to kneel on the
12 gravel did you then have to stay there for some period
13 before he told you you could get up?
14 A. For 15/20 minutes, depending on the length of -- if it
15 was a short play it would be 15/20 minutes. If it was
16 a longer play you could be there longer. I remember
17 I used to get my handkerchief and fold it up a wee bit
18 and put it under one knee and try and put most of my
19 weight on my one knee and then shift to the other. If
20 they saw me doing that again, that was it, he would come
21 over and clonk you.
22 LADY SMITH: Were you wearing shorts?
23 A. We always wore shorts.
24 LADY SMITH: You had bare knees on the gravel?
25 A. Bare knees.

1 MR MACAULAY: Do I take it from what you said that you would
2 have marks of injury on your knees because of the
3 gravel?
4 A. That's correct.
5 Q. Were other boys subjected to this form --
6 A. Yes, I've seen other boys have that same.
7 Q. Can we look at your involvement with Mr MCK, who you
8 have told us was one of the other lay teachers.
9 Did he also participate on occasions in the
10 showering process?
11 A. Yes. If he was taken boys on a walk or anything like
12 that, sometimes when he came back he gave them a shower,
13 to save them -- the brother giving them a shower, do you
14 know.
15 Q. Did that happen to you, were you in the showers?
16 A. Yes.
17 Q. Would he be present in the showers?
18 A. He would stand at the door. The showers had no
19 cubicles. They were just all round the walls, roughly
20 about two-and-a-half feet apart.
21 Q. Did he ever teach you?
22 A. Well, the only thing I got from him was craftwork, it
23 was called doodahs, we called it, it was craftwork, it
24 was an activity.
25 Q. You describe him as a strict disciplinarian?

1 A. Definitely, yes.

2 Q. You also say that he would take you for long walks?

3 A. That's correct.

4 Q. And he would take a stick with him?

5 A. He always had a stick up his sleeve.

6 Q. What did he do with the stick?

7 A. He would hit you on the hand, he would hold your hand
8 and hit you very hard.

9 Q. For what?

10 A. Anything he thought was a misdemeanour, talking in the
11 line, not lining up properly.

12 Q. Brother MCA [REDACTED], who you have already mentioned, was he
13 SNR [REDACTED] at the time?

14 A. He was SNR [REDACTED].

15 Q. How did you get on with him?

16 A. The very first year I was in I had no problem with him.
17 I seen him doing a lot of things. He couldn't come into
18 a class or anywhere were you were gathered -- he would
19 pick on somebody, he always had someone to pick on. He
20 never seemed to be satisfied until he had a boy crying.
21 He had these long, bony hands and we used to call him
22 'MCA [REDACTED]' at times, because he used to have his cassock
23 unbuttoned one button and his hand in like that. He
24 walked about like that all the time. And if you did
25 anything he would come over to you and he would just dig

1 you.

2 Q. You are indicating with your hand a forward motion,

3 would that be into the --

4 A. Into the ribs.

5 Q. Did he do that to you?

6 A. He did that me, yes.

7 Q. You go on to say that because you had performed well he

8 gave you a watch?

9 A. Just before the Christmas. I was 17 points above, which

10 means I had got 85 good marks. I shared the top boy

11 with another boy, I'll not mention the name, he also had

12 85 good marks, so he came to give us a Timex watch, he

13 said, 'Take it home with you, don't bring it back

14 because I don't want it getting broken here'.

15 Q. That was an act of kindness on his part?

16 A. That was good, yes, that was the first year I was in, as

17 I say, I was really learning. I was trusted, I was

18 a post boy, I was making good progress on a lot of

19 fronts. The only place I wasn't doing well was the

20 woodwork class.

21 Q. Coming back to Mr McKenna, he would also take you for

22 walks and there was a particular incident when your

23 mother was due to come and he knew about that?

24 A. That's correct.

25 Q. He took you out nevertheless?

1 A. That's correct. And a boy was sent after him, we were
2 halfway down the South Avenue when a boy ran after him
3 and apparently -- I learnt about this afterwards -- told
4 him I had a visit and he just carried on. When we got
5 back to the school the Brother came down and said,
6 'You've got a visit, you've roughly 15 minutes before
7 your ma has to leave for the bus', and later on I found
8 the boy that had actually come after me telling me I had
9 visit, he said, 'I told him I had a visit and expected
10 me to return then', but I never saw -- that was a really
11 distressing visit because not only did I only get
12 15 minutes with my mother, my mother actually missed her
13 bus because she was trying to console me and just as she
14 got to the main gates the bus was leaving the village
15 and a local villager, she thought he was farmer, he
16 said, 'You have just missed that bus' and he took her in
17 his car and drove ahead of it to Drymen and dropped her
18 off in Drymen, and she got out at Drymen because it
19 usually stopped in Drymen for five minutes.

20 Q. There is a section in your statement where you discuss
21 other boys and clearly you have a good recollection of
22 the other boys that were with you at St Ninian's, we
23 needn't spend time on that.

24 You tell us about an incident where you would go
25 swimming, and you can tell me, did you almost drown?

1 A. I almost drowned -- I attempted to drown myself. I
2 almost drowned and it was the boy -- the aforementioned
3 boy, 'Alex', the top boy in the school, he was asked to
4 supervise the non-swimmers while Brother MBU went
5 into the woods to change out of his swimwear, because we
6 were getting ready to leave to go back, and when I just
7 took a brainstorm and decided I'm out of here.
8 I've nothing to live for. I just want it all to end for
9 me.

10 Q. You say in your statement at 113:

11 'I just wanted to end my life. It was because of
12 McKenna just constantly on my back and the class work.'

13 A. That is correct.

14 Q. Was there any more to it than that?

15 A. Say that again?

16 Q. Was there any more behind your desire at that point to
17 end your life?

18 A. Well, a few days before I remember it was the end of the
19 school term, I was playing in the top field and McKenna
20 came and asked for two boys by name to wash his car,
21 which he usually did every couple of weeks. He would
22 give them a Mars bar and make them eat it before they
23 reported back. This particular day he asked for me and
24 I was quite apprehensive about it, because I never --
25 I always thought because he thought I was lazy that I

1 wouldn't get that kind of job.

2 So he sometimes took other boys anyway and there
3 were always rumours about what he was doing. Anyway
4 this particular day he took me to the wood store, we
5 gathered up some wood to take back to the woodwork class
6 and he made me put them in different sizes in the corner
7 and made me tidy up round about and he made me clean out
8 between the machines, which I thought was unusual
9 because after every woodwork session boys did it
10 themselves anyway. So it wasn't really very dirty.

11 Then he says to me -- he says to me, 'Stand at your
12 bench'. I stood and faced the wall and I stood there
13 and as I stood there he just pushed me over the bench
14 and yanked down my pants, my underpants, my snake belt
15 was still locked at the time and my trousers were still
16 buttoned and he had his hand on my back and I tried to
17 move about. The bench was digging into my ribs and into
18 my stomach and I was really uncomfortable and I felt
19 painful and then I felt his hand going down to my
20 backside and fondling it.

21 That is when I felt compelled to try and turn round
22 and in just one fell swoop I turned round and I could
23 see him -- as I turned round I pulled my trousers up and
24 I could see his trousers were unbuttoned and I could see
25 his white underwear and his hands were down his white

1 underwear.

2 I made a bolt for the door. The door was locked.
3 I managed to get it opened and I ran outside. The boys
4 that were washing the car were only yards away and as
5 I got there I stopped and one of the boys looked at me
6 and he says to me, 'Did Chick try it on with you?'
7 Because my jumper and my shirt and that was still
8 outside my trousers and I just couldn't answer him. To
9 be quite honest I didn't know what it meant, 'try it on
10 with me', at the time. And just at that McKenna came
11 behind, he shouted at the boys, 'Finish up washing that
12 car', and he says to me, 'You, report back to
13 Brother MJO'.

14 I reported back to Brother MJO. On the way
15 I tried to fix myself up a bit. When I got there,
16 Brother MJO says, 'Off you go, play'. He must have
17 seen I was in a state. Anyway, I went up to the five
18 trees where the boys were playing about, my friends, and
19 I went there and I was standing, I was shaking, I was
20 crying and one of the boys came over and he says to me,
21 'What's wrong with you?' And I told him. The only
22 thing I could say was what the previous boy had said to
23 me, I said 'Chick tried it on with me' and he says -- he
24 was quite -- his eyes started to welled up and he said,
25 'He'll get his comeuppance some day, that's not the

1 first time he's done it'.

2 Those were his words. So that was the catalyst for
3 me trying to drown myself.

4 Q. You tell us how years later you were able to make
5 contact with 'Alex' --

6 A. On Care Leavers Reunited.

7 Q. I think 'Alex' had died by the time you made contact
8 with his wife?

9 A. Her name is [REDACTED] and she had actually put an advert in
10 this Care Leavers Reunited asking for people who had
11 been in St Ninian's round about that time and so
12 I replied and she said in her -- she never gave his
13 surname, just saying his name was 'Alex' and he was half
14 Chinese and I wrote -- I was -- done by email, I emailed
15 back to her and I says, 'Was his surname ...' and I gave
16 his surname, and she says -- she got back to me and
17 said, 'Yes' and I said I knew him and then I started to
18 tell her some of the things, he was top boy, he actually
19 saved my life and things like that.

20 Q. Did she say anything to you about what he had told her?

21 A. She said he went back to St Ninian's in 1977 and met
22 Brother HFU [REDACTED], who was SNR [REDACTED] at the time and
23 she said he said -- he had treated quite fairly with
24 some of the things that had happened to him had a lot to
25 be, you know, believed, perhaps because he was a pretty

1 boy and she said he lived in emotional pain most of his
2 life and he had done everything he could and he died of
3 cancer when he was quite young.

4 Q. You did run away during this first time at St Ninian's
5 on one occasion; is that right?

6 A. This was almost a year after I had went in. I was in
7 the woodwork class, I had made a pot stand and took it
8 over and said I'd finished it. He had a look at it and
9 was showing it to the other boys and he was asking their
10 opinion. Most were saying quite good for a first
11 attempt. He was saying you only get one attempt. You
12 should only get one attempt and so he threw it in the
13 waste wood pile and said, 'Start that again'.

14 So I got the drawing -- I asked for a piece of wood
15 I needed and I started to cut it into the sizes that
16 I needed. Anyway, instead of throwing it in the waste
17 wood side of the pencil line I sawed it because I was
18 highly anxious and nervous and I said to one of the
19 boys, 'I've sawed that wrong, it's not going to fit
20 right'. He said you better tell him. So I went over
21 and told him and he went ballistic.

22 He says, 'You'll have to be reminded not to waste
23 school resources'. He says, 'Go behind the bench',
24 there was a bench right at the door that was not used,
25 the usual, gave me -- this particular time instead of

1 saying 'Get me a paddle', he went over and got one
2 himself and he says, 'Remove the padding' and he started
3 hitting me on the backside, a stroke for each word,
4 'I must not use school resources'.

5 While he was doing this he was putting his finger
6 into my -- he was penetrating me with his fingers this
7 time and I thought to myself I got a flashback to when
8 he exposed me on my bottom half and he was fondling me,
9 I got a flashback as I thought he was escalating things
10 again and I wasn't having it.

11 So at the end of the session we were lining up to go
12 out the door and he says to me, 'You wait behind,
13 I want to have a word with you'. But as the boys were
14 going out the open door I just bolted and I ran down to
15 Brother MJO and I remember him saying to me,
16 'What's wrong with you, you look awful agitated?'
17 I expected him to follow up and come back down and say
18 he's disobedient and refused to carry out an order, but
19 he never did so.

20 Then the following day my name was called for
21 a weekend and I got home for the Friday to the Sunday.
22 I came back on the Sunday all right but I remember that
23 weekend I never left the house. I took a really bad
24 seizure and I was reluctant to go back but I went back
25 and on the Monday morning, because I was the post boy,

1 I went to the post in Gartmore village to get the
2 papers, stamps whatever else they needed, they gave you
3 a wee list and I got everything, and when I got outside
4 I just bolted.

5 Q. You went home I think?

6 A. I got home.

7 Q. But you were caught?

8 A. I was caught because I went to the house and the police
9 came.

10 Q. You do tell us in your statement, 'Andrew', that you did
11 tell a policeman what was happening to you?

12 A. That's correct, yes.

13 Q. Was anything done about that?

14 A. Nothing. He just said:
15 'I think they've got your best interests at heart.'

16 Q. Was that one of these occasions then when you did get
17 disciplined in the way you've described?

18 A. Yes, that is when I first got -- the first time
19 I actually got the belt.

20 Q. That was with the grey pants on?

21 A. The grey pants.

22 Q. You got out on licence in about [REDACTED] 1960 after over
23 a year at St Ninian's?

24 A. That's correct, yes.

25 Q. As before, I think you were missing a lot of school, is

1 that correct?

2 A. Before I went into St Ninian's, yes.

3 Q. Were you then sent back to St Ninian's for the second

4 time?

5 A. That's correct, yes. The welfare officer, Mr Wilson, he

6 used to come every two or three weeks to see me when

7 I was out on licence. I got punished for something

8 I never done in school. I just told my ma, 'I'm not

9 going back, I'm not going back to get brutalised', to

10 the mainstream school and so I never went to school for

11 weeks and weeks and just out of the blue he came one day

12 and said you'll have to return.

13 Q. You did return?

14 A. I did return.

15 Q. Was there a name or a label given to someone in your

16 position --

17 A. 'Returned empty'.

18 Q. Returned empty.

19 Thereafter, did the treatment that you had been

20 receiving previously continue on your return?

21 A. Through McKenna and also MCA .

22 Q. Was the effect of all that that you kept running away

23 basically?

24 A. That's correct, yes.

25 Q. One incident I do want to ask you about is what you

1 describe in paragraph 169, page 41, this is one where
2 a boy had managed to attach a razor blade to fashion
3 a spear?

4 A. He had actually stole a razor blade from the Brothers --
5 he cleaned the Brothers' toilet.

6 Q. No doubt by accident it got stuck in your leg, you were
7 in pain and crying and yet Mr McKenna, who was in
8 charge, refused to do anything about it?

9 A. He saw the boy throwing it at other boys and sticking it
10 next to their feet, he was doing it from a distance.

11 I was in the sin bin at the time, standing a few feet
12 from McKenna and he actually threw it, he shouted my
13 name, he shouted 'HFS', and as I half turned to see
14 who was shouting me, it thudded into the back of my
15 calf. It was sharpened to almost a point, if you know
16 what I mean? The diameter at the tip was very, very
17 small so it didn't make a big hole, but it went very
18 deep.

19 Q. It caused a significant injury?

20 A. Aye. So my leg just buckled up under me. It was almost
21 like when you get cramp in your leg and McKenna said
22 I was shamming, one of the boys asked him to pull it out
23 and he pulled it out and the blood just spurted
24 everywhere, so he told the boy to get my handkerchief
25 and -- we were near a steamer at the time, dip it into

1 the steam and tie it round my leg.

2 It didn't stop the blood, it was still running down
3 into my sock and he asked him to put his handkerchief
4 over it as well and tie it round my leg. Then we set
5 off back for the school, but because I couldn't keep up
6 he told the boy who had thrown the spear into my leg and
7 another whose nickname was '██████', he was built like
8 a sumo wrestler, a big heavy-duty boy, he piggybacked me
9 almost two mile overland to the school.

10 Q. I think the upshot was you were required to get
11 a tetanus jab --

12 A. I had to go the next day to Dr McDougall and have a
13 tetanus jab.

14 Q. He also used to make you run and run round the yard
15 because you ran away; is that correct?

16 A. We had stools, small stools, maybe about 15 inches or so
17 high, he would put them at intervals so you could jump
18 over them and so you had to double round all during play
19 time, whatever length it was and this wee clique of boys
20 that was always hanging over him and they were his eyes
21 and ears. So sometimes you were getting exhausted,
22 instead of jumping over you would put your leg over it,
23 if you know what I mean, and they would tell him, so he
24 would make you run faster.

25 Q. I can take this quite shortly, but you have another

1 suicide attempt when you [REDACTED] to try and hang
2 yourself [REDACTED] and you fell to the ground?

3 A. I always -- especially during my second time I always
4 had this idea that I just wanted to end it all. I just
5 wanted to end myself. I thought of all different ways
6 of doing it, even tried to hold my breath in the
7 dormitory one night and just let out a gasp and
8 frightened the boys and woke them up. I thought about
9 jumping out the top window, and things like that.

10 I thought about all different ways. If we were out
11 on a walk I would just see a car coming and just throw
12 myself under it, but one day [REDACTED]

13
14
15
16
17
18
19
20
21
22
23
24
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25



So that is what I had in mind if I was ever going to attempt suicide the next time I would hang myself.

Q. That is what you attempted but fortunately it didn't work?

A. It happened after I was picked for a weekend to go home, after not being home for months and months and months and lining up outside his office to go in for my fares home, when I got there he said, 'What are you doing here?' This is MCA. I says, 'My name's down for a weekend'.

'it's not down on my list.'

And then he started lecturing me:

'You think you're going to get home? You'll not come back. You think you're going to get home and you're running away all the time, this and that. No, just go down and get your school clothes on.'

Q. I want to ask you about this section in your statement, at paragraph 200, because you have a description there of a visit by a school board of governors that came to inspect the place?

1 A. That is correct, yes.

2 Q. Had there been any other visits by governors during your
3 time, apart from this visit?

4 A. Yes. We were told there would be school visitors
5 coming.

6 Q. On this occasion, but had there been any previous
7 occasions?

8 A. Yes, they tell you there will be school visitors coming
9 some time this week and they will probably pop into the
10 classroom. That was all. This particular occasion I
11 remember Brother HFU, who was good at telling you
12 things and telling you what your rights were and things
13 like that. He says:

14 'We're getting a school inspection and you can put
15 your name down to speak to this person and you can ask
16 them anything, you can tell them anything and they won't
17 disclose it to us unless you give permission.'

18 He went on to tell us about the punishment book and
19 how he's coming to inspect the punishment book and this
20 and are things like that.

21 He says -- I remember we had a discussion on
22 corporal punishment and I remember speaking to him,
23 because in his class you could be quite open with him,
24 you know what I mean. And I remember saying to him is
25 the tawse, the leather belt, the only form of corporal

1 punishment you are allowed to have in here? He says,
2 yes. He says down south they have caning sometimes and
3 that.

4 I says:

5 'What if they hit you with a piece of wood?'

6 He says:

7 'No, they're not allowed to do that and I would be
8 very surprised if it was happening in Scotland and
9 I would be really surprised and I would like to know and
10 Brother MJO would like to know if it was happening
11 in this school.'

12 And so I had been getting this quite often through
13 McKenna, so there was a Glasgow Bailie, I found out
14 later his name was Jeremiah O'Sullivan, but I always
15 thought his name was 'Baillie O'Sullivan'.

16 So he came on the day and I went to see him and
17 I says to him:

18 'I would like to see if you can help to get me home
19 for a weekend.'

20 He says:

21 'Why are you not getting home?'

22 I said:

23 'Well, sometimes when I've got home I fail to return
24 in time and I've ran away quite a few times.'

25 And he said:

1 'Why are you running away?'

2 I said:

3 'I don't like it here.'

4 He said:

5 'A lot of boys probably don't like it here but

6 they're not running away.'

7 I said:

8 'A lot of boys are not getting what I'm getting.'

9 And he says:

10 'what do you mean by that?'

11 And I told him most of the stuff.

12 Q. Did you give him a full account of the way you were

13 being treated?

14 A. The only thing I didn't tell him was about the sexual

15 stuff, because I was quite ashamed of that.

16 Q. Having met with this Bailie Sullivan, or O'Sullivan, in

17 fact you were allowed home subsequently?

18 A. But that night in the basement Brother MCA called

19 me over and he says to me, despite the fact we were told

20 no matter what we said we wouldn't get into trouble, he

21 says to me, 'I understand you've asked to get home. Did

22 you tell them if you get home you don't return in time?

23 Did you tell them you were a constant absconder?'

24 He says:

25 'You also alleged a valued member of staff abused

1 you.'

2 And he said:

3 'You're a liar and you've not heard the last of
4 this.'

5 While he was doing this he was digging me in the
6 ribs and there were lockers where we put our boots and
7 shoes and things like that, they were about 15 inches
8 high and he was pushing me back towards that and as
9 I got to that I lost my balance and he just pushed my
10 head straight against a wall, bang and I thought that's
11 it, I can't tell anybody anything now. But a fortnight
12 later I did get home and I did go back in time and
13 I think a few months later that same Baillie came into
14 the class and he singled me out and says to me:

15 'I understand you got home and you came back on
16 time. Well, I had faith in you and it was justified.'

17 Can I also say that when McKenna had me over the
18 bench fondling me I told the priest in confession the
19 week after that, the week after I had tried to commit
20 suicide. I told the priest, it was Father Molloy, he
21 was a relief priest, he came once a month to try
22 sometimes to give relief the old priest, who was the
23 main priest in the school. And I told him I says -- in
24 confession I told him that I felt unclean because
25 somebody had tried to involve me in an impure act and

1 I remember he says to me:
2 'was it a boy from the school or someone else?'
3 I said it was someone else and he didn't question me
4 further on it.
5 I said and I also had suicidal thoughts and I tried
6 to kill myself and he went on at length about the fact
7 that I had tried to kill myself was -- whereas I had
8 extracted myself from being abused and I was blameless
9 for that, I wasn't complicit in it, that trying to kill
10 myself was a greater sin because I could have consigned
11 my soul to hell for all eternity. So I did tell
12 somebody, but he couldn't -- because the sacrament of
13 confession he's not allowed to divulge.
14 Q. Perhaps towards the latter part of your time at
15 St Ninian's you did see a psychologist?
16 A. Yes.
17 Q. I think you saw the psychologist on a few occasions?
18 A. That's correct, yes.
19 Q. I think you told the psychologist, this is at 212, about
20 McKenna, MCA, MCK and indeed other boys bullying
21 you?
22 A. That is correct.
23 Q. Did you tell them about the treatment you have been
24 telling us in evidence today?
25 A. I told him some of the things -- the only things I left

1 out were the sexual things.

2 Q. Did anything ever come from of what --

3 A. No.

4 Prior to seeing the psychologist I ran away and
5 I got home and my mother sent me down to my brother's
6 house and she says ask your -- my sister-in-law to give
7 you something to eat and I'll be down later. When I got
8 there my sister said, 'Play on the swings and I'll call
9 you, I'll get my nephew to come and get me when the food
10 was ready'. He came round and got me and as I walked in
11 Brother HFU was there. Apparently he had been to
12 the house, my mother told him where I was, and so I went
13 ballistic. I really went -- and everything -- I started
14 talking about my father dying and everything I had been
15 told until I was eight or nine and a lot of things and
16 I -- I lifted a knife, tried to stab myself, battered my
17 head off the thing, and he was trying to drag me out the
18 door and my sister said, 'I'm not letting you take him
19 out that door, wait for his brother'. He was due
20 imminently.

21 So my brother came in and my brother asked him to
22 accompany me in the back of the car to my mother's
23 house, and we got to my mother's house he went again to
24 tell me he had got me and taking me back. He wouldn't
25 allow my mother to come in the car and my brother is

1 sitting in the back. I kept asking my brother to let me
2 go and later on, years later, he said it was the hardest
3 thing he had to do, but he said, 'I would have gone to
4 jail for letting you go'.

5 On the way back I was sitting in the front seat and
6 in those days you didn't have seat belts and I tried to
7 open the door and throw myself out the car and he had to
8 catch me and he gave me a real rollocking for it.

9 It was just after that I started to see
10 a psychologist.

11 Q. Can I take you to the time when you leave St Ninian's
12 then, and this is at 219. You tell us, confirm that you
13 went in in [REDACTED] when you were aged ten and you left
14 just after you were 15 [REDACTED]?

15 A. That's correct, yes.

16 MR MACAULAY: My Lady, I'm almost finished. I've just to go
17 the last section but probably better to do --

18 LADY SMITH: I think at 2 o'clock.

19 MR MACAULAY: It will perhaps take about ten minutes.

20 LADY SMITH: Very well.

21 We've detained you for a long time just now and
22 I think we should all have a break, but come back at
23 2 o'clock and just finish off your evidence if that
24 would work for you. Is that okay?

25 A. That would be fine.

1 LADY SMITH: Thank you very much.

2 I'll do that now and we'll see you after lunchtime.

3 Thank you.

4 (1.05 pm)

5 (The luncheon adjournment)

6 (2.00 pm)

7 LADY SMITH: Welcome back. I hope the break was of some
8 help to you and, if you're ready, we'll get back to your
9 evidence now. Is that okay?

10 Thank you, 'Andrew'.

11 Mr MacAulay.

12 MR MACAULAY: My Lady.

13 I was moving on to look at life after you left care
14 'Andrew'.

15 You begin telling us about that at paragraph 221 and
16 the first thing that comes out there is that clearly
17 from the point of view of getting employment there was
18 a stigma attached to having been in care; is that right?

19 A. That's correct, yes.

20 Q. You had difficulty in getting jobs?

21 A. That's correct, yes.

22 Q. One thing you tell us also on paragraph 223 is that
23 because of the way you were treated by Mr McKenna you
24 decided you would confront him?

25 A. That's correct, yes.

1 Q. As you set out in that paragraph, you went armed with
2 a knife in the direction of St Ninian's?

3 A. That's correct, yes.

4 Q. Did you actually see Mr McKenna?

5 A. Yes.

6 Q. And what happened?

7 A. I hid in the woods. I knew -- it wasn't long after
8 I'd been in, so I knew the routine and things like that.
9 And so I hid in the woods and I was going to have it out
10 with him and my intention was to stab him in the leg,
11 believe it or not. Not a deep stab, just so the police
12 would be called and I would be arrested and everything
13 would come out.

14 That was my intention. And I saw him and I made
15 a run. I saw him coming out of the main door of the
16 house and going along, and I made a run to waylay him --
17 I would go round the stable block and catch him as he
18 was coming in the archway to go to his classroom, but
19 when I saw him the fear just overtook me and basically
20 I just didn't go. I took the knife and stuck it into
21 the ground and stamped it in with my feet.

22 Q. And went home?

23 A. Well, I went to the bus -- the bus wasn't until a couple
24 of hours so I hung about, I was in quite a bad way.
25 I remember one of the people from the village seen me

1 and asked me what was wrong with me and I couldn't tell
2 her. But in saying that, that was my intention.
3 I don't think I would have done it because it's never
4 been in my nature to be violent, you know.

5 Q. I think, taking this shortly, you went downhill for
6 a while after that?

7 A. That's correct, yes.

8 Q. There came a point in time when you were able to pull
9 yourself together to such an extent that your mother had
10 said that she had got her son back?

11 A. That is correct, yes.

12 Q. You then talk about the jobs you had and your personal
13 life and again because of what happened in your personal
14 life initially your life went downhill again I think?

15 A. Yes.

16 Q. I do want to ask you about this, because you had
17 a discussion with your mother about letter writing and
18 what letters had been written to you and you had written
19 to her and you talk about that at paragraph 229, into
20 page 58.

21 I just want to go back to what you say earlier in
22 your statement. This is perhaps the point to take this.
23 This is at paragraph 176, I can read out what you say:

24 'I was running away every six weeks to two months.

25 If you ran away you couldn't go home the rest of that

1 term and probably the next term. So I wasn't allowed to
2 go home. I hadn't been home in well over three months.
3 I hadn't had letters for weeks and weeks. I was still
4 writing letters once a week. My mother said my letters
5 to her were coming intermittently but she had most of
6 them. In later years I found out the school had written
7 to my mother telling her not to write to me or visit me
8 because it caused me distress. I would cry when she
9 would leave. She showed me the letter. It said "Please
10 do not write or visit [you] until further notice. We
11 have found that your visits are obviously distressing
12 him".'

13 Was this something you found out later on?

14 A. That's correct.

15 Q. You talk about that in paragraph 229.

16 A. That's correct. When I left there I had started writing
17 diaries and writing about all my abuse on old jotters
18 and I kept them and put them in a tin. Then when I got
19 married and I got my first house I came back to get them
20 and my mother said she had burnt them. She had read
21 part of the first one and then she burnt them. That's
22 when every piece of pent-up emotion in me came out and
23 I accused my mother of abandoning me.

24 She had told me the brother had told her not to
25 write or visit me and then she says, hang on a minute

1 and she went away and actually brought the letter and
2 showed me it. I felt really guilty about that, because
3 while I was in care, unbeknown to me they had sent that
4 letter and the Brother MCA told me my mother had
5 abandoned me, she didn't want me and if she never saw me
6 again it would be too soon, and she wasn't visiting me
7 or writing to me again because I was bringing trouble to
8 her door, the police and whatever.

9 Q. Did you find that hurtful?

10 A. I found that really hurtful. I wrote -- me and my
11 mother had a reasonably good relationship. I lost that
12 emotional bond I had with her prior to going in, because
13 I was a mammy's boy prior to going in and it wasn't
14 until about two year before she died, aged 90, we were
15 sitting and having a wee discussion and she -- that is
16 the first time she asked me, 'Did you really have a bad
17 time in there?' And I says 'aye' and that's when she
18 told me she had kept all my letters and I said:

19 'Go and show me one.'

20 And she said:

21 'which one? I've got them all.'

22 I said:

23 'Show me one at random.'

24 And she showed me one and I remember reading it and
25 I read between the lines. I could almost feel myself

1 back when I wrote that, and so that was the first time
2 I actually cuddled my mother since I left that home.

3 Q. You had a full reconciliation, I think is what you are
4 saying?

5 A. Exactly, yes.

6 Q. After you actually had a job as a welfare rights
7 officer, which meant you had to prepare appeal tribunals
8 which was clearly a very responsible job?

9 A. Yes.

10 Q. You talk about your personal life again and in
11 particular you talk about your daughter who was
12 diagnosed with the worst epileptic syndrome possible and
13 that triggered an emotive response in you --

14 A. Yes.

15 Q. -- and you became very, very protective of her?

16 A. When I found out that she was going to be dependent on
17 me and my wife for the rest of her life. I put all my
18 troubles aside and I said her needs are greater than
19 mine, her pain is greater than mine, and so that was
20 a catalyst for me getting on in life a bit, plus I had
21 a good wife and a good marriage and I had adopted -- my
22 wife had three boys from a previous relationship, so
23 I was starting to get on a bit.

24 Q. Sadly, as you tell us, your daughter died young, aged
25 26, but nevertheless it was a catalyst for you to get on

1 with your life?

2 A. Yes. Plus I got good help from In Care Survivors and
3 they've been my mainstay since then.

4 Q. You also set out the lessons that could be learned. At
5 254, for example, what you say there is:

6 'There needs to be systems in place in care to let
7 people know if something is happening to them without
8 being abused for speaking up.'

9 You are very firm about that?

10 A. That's correct, yes.

11 Q. At 225, you say:

12 'These places need to be overseen on a regular
13 basis, with unexpected visits. People need to visit
14 them without warning that they are coming.'

15 A. That is correct, yes.

16 Q. Thank you for that, 'Andrew'. I always give witnesses
17 the opportunity to say anything they wish to add at the
18 end of their evidence. Is there anything you would wish
19 to add to assist the Inquiry?

20 A. Well, the motto of the De La Salle Order was to touch
21 the hearts of your pupils is the greatest miracle you
22 can perform. They certainly touched my heart, they
23 broke my heart, they broke my mother's heart, they broke
24 my family's heart. That place could have been the best
25 of places. It had everything going for it. A beautiful

1 old building, history, everything, ponies, bikes,
2 everything you could have ... instead for me and I think
3 for many boys round about my time when I was there it
4 was the worst of places.

5 There were some good points in it and I always made
6 those good points. There were good Brothers who I felt
7 had our interests at heart but they had to toe the line
8 because of SNR dogmatic approach to how he
9 administered. This is with hindsight I've thought about
10 all of this, I'm grateful for some aspects of my time
11 there. It gave me a discipline that helped me when
12 I was looking after my daughter. I was able to look
13 after myself and look after her and so in many respects
14 I have some sort of nostalgic feelings for the place and
15 I went back now and again.

16 It wasn't the building or the area that abused me.
17 It was certain individuals and some were jailed. One in
18 particular was jailed. He got two years and he only did
19 six months but that six months he was subject to other
20 people's will, other people's rules, other people's --
21 so I thought he's getting some sort of comeuppance, you
22 know what I mean.

23 So basically I don't harbour any vengeance --
24 I've actually forgiven them all, because I actually --
25 a lady did a PhD from Strathclyde University on

1 forgiveness and whether survivors could forgive and
2 I've actually forgiven them all. This is for me, not
3 for them, I couldn't live my life resenting them and
4 wanting vengeance against them or anything like that.

5 Justice was the word I wanted. The thing I wanted,
6 and I'm grateful for this opportunity to come here today
7 and give my statement. Ever since I gave my actual
8 witness statement I've wanted to come here. This is
9 what I've been leading up to. This is the final chapter
10 I think in my struggle for survival.

11 With the help of Wellbeing Scotland and In Care
12 Survivors I'm able to carry on and function as a normal
13 human being because of that, and I thank you, Lady Smith
14 and I thank this Inquiry for everything they've done for
15 survivors since its inception.

16 Thank you.

17 MR MACAULAY: Thank you for that important contribution,
18 'Andrew'.

19 My Lady, no questions have been submitted to me to
20 be put to 'Andrew'.

21 LADY SMITH: 'Andrew', let me add my thanks to you for not
22 only engaging with us, providing the detailed evidence
23 that you did in writing for your statement and today,
24 but for being so patient in waiting years since you gave
25 us your written statement until today arrived.

1 I hope you appreciate it's all to do with the
2 scheduling of different case studies that we've been
3 hearing, because we're investigating so much evidence of
4 the abuse of children in care and it's not until this
5 year that we've been able to get to the stage of the
6 De La Salle Order. That doesn't in any way mean your
7 evidence is any less valuable. It's extremely valuable
8 and I'm so grateful to you for the insight you've given
9 me into how things were at St Ninian's in the late 1950s
10 and early 1960s.

11 Thank you for that.

12 You are free to go and I hope things feel just
13 a little bit better for you now you've given this
14 enormous contribution.

15 A. Okay. Thank you very much. Thank you.

16 (The witness withdrew)

17 MR MACAULAY: Perhaps a five-minute break would be helpful?

18 LADY SMITH: Just before I do that, reminder of names of
19 those who are not to be identified elsewhere. The
20 Brothers, MCA, HFU, MJO, MCT and
21 Anthony and also Charlie McKenna and Mr MCK.

22 Thank you very much.

23 (2.15 pm)

24 (A short break)

25 (2.20 pm)

1 LADY SMITH: Ms MacLeod, can we now move on next witness?

2 MS MACLEOD: Yes, my Lady.

3 The next witness is an applicant who will give
4 evidence using the name 'Jim'.

5 LADY SMITH: Thank you.

6 'Jim' (affirmed).

7 LADY SMITH: 'Jim', one or two things before I hand you over
8 to Ms MacLeod.

9 In that red folder, you'll find a copy of your
10 statement, your written statement, and we'll also bring
11 your statement up on the screen. If you find it helpful
12 to use them as we go through your evidence, feel free to
13 do that. You don't have to, but they'll be there if you
14 want to look at them.

15 A. Okay.

16 LADY SMITH: Otherwise, 'Jim', please bear in mind I want to
17 do anything I can to help the whole process of you
18 giving evidence be as comfortable as possible. I know
19 it's not easy and I know we're asking you to talk about
20 difficult subject matter and distressing events.

21 If you want a break at any time please speak up.
22 Let me know. I will in any event break at about
23 3 o'clock or just after 3 o'clock, so you can bear that
24 in mind. We'll get a breather then.

25 If you have any questions or you think we're asking

1 questions that are not making sense, please tell us.

2 It's our fault not yours.

3 A. I certainly will.

4 LADY SMITH: Okay. If you're ready I'll hand over to

5 Ms MacLeod and she will take it from there.

6 Questions from Ms MacLeod

7 MS MACLEOD: Good afternoon, 'Jim'.

8 A. Good afternoon.

9 Q. I don't need your full date of birth, but could you
10 confirm that you were born in 1953?

11 A. Yes.

12 Q. [REDACTED]?

13 A. [REDACTED] I'll be 71.

14 Q. You've provided a statement for the Inquiry and there is
15 a copy in the folder in front of you. I'm just going to
16 give the reference for the transcript.

17 WIT.001.001.0586.

18 'Jim', could you please turn to the final page of
19 the statement for me and just to confirm that you have
20 signed that statement?

21 A. I did sign it.

22 Q. It's page 22, I think it's the page just before the pink
23 tab.

24 A. Oh, right. Yeah, that's my signature.

25 Q. In the final paragraph do you say:

1 'I have no objection to my witness statement being
2 published as part of the evidence to the Inquiry.'

3 A. No objection whatsoever.

4 Q. As well as this statement that you provided to the
5 Inquiry, 'Jim', you have also produced a written
6 account --

7 A. I have.

8 Q. -- of your time at St Ninian's, is that right?

9 A. Correct.

10 Q. I'll just give the reference for that document
11 WIT-3-000001325, and that is also in that folder and
12 that's after the pink tab?

13 A. Yeah.

14 Q. 'Jim', are you happy for that also to be treated as part
15 of your evidence to the Inquiry?

16 A. That is my evidence to the Inquiry.

17 Q. To give a timeframe, this document isn't signed, and
18 that's absolutely fine, but just to give a timeframe --

19 A. I will sign it if you wish.

20 Q. Okay. We don't need it to be signed but just to give
21 a timeframe as to when you wrote it, I think you mention
22 in here that you were aged 50 when you wrote this?

23 A. I was around about that age, yes.

24 Q. Would that mean it was written roughly 20 years ago?

25 A. Yeah.

1 Q. Could you tell me, 'Jim', how you came to write this?
2 What caused you to write this account at that time?

3 A. Well, I kept getting interviewed by the police and these
4 different agencies and the thing is they took you into
5 a wee room and there was strangers sitting in that room,
6 three or four of them and they were asking the wrong
7 questions, you know. But you couldn't really tell them
8 what happened. All you could do was answer the question
9 that they asked you.

10 I went home and I thought about it and I thought
11 about it and I said, this is a waste of time. So I sat
12 down at my computer and I just wrote it, wrote it
13 myself.

14 LADY SMITH: 'Jim', did you also find you were being asked
15 the same questions repeatedly by different people --

16 A. Over and over.

17 LADY SMITH: -- who didn't seem to have taken any trouble to
18 find out what you had told the person before?

19 A. No, that's correct.

20 LADY SMITH: Just before we go on to something else, do you
21 want to sign this other statement?

22 A. If you need me or require that, I'll sign it. It's not
23 a problem.

24 LADY SMITH: It's your choice, before you leave today if you
25 would like to sign it I am sure we can arrange that.

1 A. Yes, I will sign that. I mean I stand by every word
2 I wrote in that.

3 LADY SMITH: I appreciate that. Thank you.
4 Ms MacLeod.

5 MS MACLEOD: My Lady, using that account that you have
6 written yourself then 'Jim' as the basis for your
7 evidence today I'm just going to ask you some questions.
8 First of all, I'm going to ask you a little about
9 your life before you went into care.

10 A. My life?

11 Q. You tell us you were born in Dundee, is that right?

12 A. Correct.

13 Q. You went to a number of local schools initially?

14 A. I went to one local school when I was a kid, I went to
15 St Mary's in Forebank Road in Dundee.

16 Q. Was that a positive experience for you?

17 A. No, I was getting taught by nuns.

18 Q. Did you run away from school?

19 A. Yeah, probably the first day I went.

20 Q. Did that become something that you did a number of
21 times?

22 A. I just didn't go to school. My mother would take me
23 down to the school. I'd go in one door and walk out the
24 other door.

25 Q. After some time did this become a concern, for example

1 did the school board become involved?

2 A. The school board were involved, yes.

3 Q. Was there somebody called a truant officer who also

4 became involved?

5 A. There was.

6 Q. At a point in time were you and your mother asked to

7 attend at the Sheriff Court?

8 A. We were.

9 Q. In Dundee?

10 A. Yes.

11 Q. I'm going to put a document on the screen now, 'Jim'.

12 I think you have seen this document before, it's at

13 DUN-000001171. This is again just to give a timeframe.

14 A. I see it.

15 Q. If we can turn to page 2, please, of this document. It

16 appears that this is a petition under the Children and

17 Young Persons Act 1937, the petitioner, the Corporation

18 of the City of Dundee, asking the court to enquire into

19 certain facts and a report which was produced by the

20 chief school attendance officer.

21 If we look to the third and fourth page of this

22 document we'll see that there is a list of dates and

23 comments made about your not attending school or running

24 away from school?

25 A. Yeah.

1 Q. These are all dates in 1960, 'Jim'?

2 A. Yeah.

3 Q. And at that time in 1960 you would have been around
4 seven years old; is that right?

5 A. Yeah.

6 Q. We'll see at the foot of page 2 of the document,
7 I think, that the date the case called in court was
8 [REDACTED] 1960?

9 A. That's correct.

10 Q. Do you recall that day, 'Jim'?

11 A. Oh, I recall it okay.

12 Q. At the foot of the page it says that on that day
13 a one-year supervision was imposed?

14 A. Yeah.

15 Q. Did you then have a probation officer allocated to you?

16 A. I did.

17 Q. What was the probation officer's name?

18 A. Fitzpatrick -- Fitzwater, I apologise.

19 Q. At that time, 'Jim', you were seven years old?

20 A. I was.

21 Q. As a result of that, 'Jim', what happened? Did the
22 probation officer take you somewhere on that day?

23 A. Yeah, he took me somewhere where all right. He took me
24 to St Ninian's. There is one document missing there.
25 There is document before that, where they were going to

1 put me on a boat to Australia.

2 Q. Is that right?

3 A. They were sending me to Australia. It was my sister

4 that managed to get that stopped.

5 LADY SMITH: Did that date back to when you were with the

6 nuns?

7 A. That dates back -- it was just after I started school

8 and there were all sorts of trouble and I had a big

9 family, I lived in a two-room tenement with an outside

10 toilet. I mean, it was impossible, so they thought they

11 were doing me a favour. They were going to send me to

12 Australia to some foster people, but that never came to

13 pass. Pity.

14 Q. How did you feel at that time, 'Jim', about going --

15 I appreciate you didn't know much about St Ninian's, but

16 how did you feel about leaving your family at that time?

17 A. I was trying to remember the way home all the way there.

18 That's all I thought about. All the way there, it's the

19 furthest I've ever been in my life at the time and I was

20 going through places I'd never heard of, Perth,

21 Stirling. I never knew any of these places existed.

22 And on to St Ninian's. I stayed there three days before

23 I ran away.

24 Q. Was that in the car on the way there, you are talking

25 about with your probation officer?

1 A. Yeah.

2 Q. I want to ask you about arriving at St Ninian's. What
3 is your first memory of arriving at St Ninian's when you
4 saw the building?

5 A. Just going into this really scary looking place, it had
6 these two large lions at the door, on a huge front door,
7 a big oak thing. When you went in it was olde worlde,
8 you know, antique building and you looked around and
9 went, 'What the hell is this?' I mean I had never been
10 in a place as posh as that in my life.

11 Q. I'm going to put a photograph on the screen, at
12 DLS.001.001.0151.

13 A. That's it.

14 Q. Is that the building there at the front of the
15 photograph?

16 A. That is the building at the front.
17 That's the stables up the back.
18 That's the gymnasium place that they had right
19 behind the building.
20 That's a bike shed.
21 That's a chapel.
22 That's MCK classroom.
23 That's my dormitory. I mean, I can't forget that
24 place.

25 Q. When you were there, were those buildings at the back of

1 the main house there as well?

2 A. Some of them were.

3 Q. Who SNR [REDACTED] of St Ninian's --

4 A. MCA [REDACTED].

5 Q. -- when you arrived there?

6 A. MCA [REDACTED].

7 Q. Is that Brother MCA [REDACTED]?

8 A. Brother MCA [REDACTED].

9 Q. Which other Brothers do you remember being there at the

10 time?

11 A. Well, the first one to abuse me, I remember him, because

12 that happened the day I got there, his name was zMJO [REDACTED].

13 Brother zMJO [REDACTED].

14 Q. What was his role in the school?

15 A. He was just -- he was one of the teachers. He took

16 classes, took the kids for walks at the weekends, all

17 over the mountains and all around, just general duties.

18 Q. Was there a Brother zMJO [REDACTED]?

19 A. There was a Brother zMJO [REDACTED], yes.

20 Q. What was his role in the school?

21 A. Getting you to fight other boys basically, because

22 that's all he done. After the showers, with no clothes

23 on.

24 Q. Brother MBU [REDACTED]?

25 A. MBU [REDACTED], he was okay.

1 Q. What was his role?
2 A. He was a teacher.
3 Q. Brother HFU ?
4 A. Brother HFU, he could be a bit cruel at times.
5 Q. What was his role in the school?
6 A. He was a teacher as well.
7 Q. Brother zMJO ?
8 A. zMJO, he was just a weirdo.
9 Q. What was his role?
10 A. Raping kids.
11 Q. What was his role in relation to the running of the
12 school, did he have a particular job?
13 A. They all sort of mucked in with each other and done the
14 same jobs. One would teach one day, one would teach
15 another day. The only teacher I ever had the whole time
16 I was there was MCK, an Irishman, and he was
17 the worst, the absolute worst person in that building.
18 Q. Was there a Brother Benedict?
19 A. There was.
20 Q. What was his role?
21 A. I would say torture, because all he done was beat you up
22 or rape you.
23 Q. You have mentioned MCK, was he a lay teacher?
24 He wasn't a Brother?
25 A. No, he wasn't a Brother.

1 Q. Were there other lay teachers?

2 A. Yeah, there was. A technical teacher. What was his
3 name?

4 Q. Is that Mr McKenna?

5 A. Aye, McKenna.

6 Q. Was there a matron?

7 A. There was a matron and you got to call her 'mum'.

8 Q. Were there other domestic staff?

9 A. Yeah. There was kitchen staff and stuff like that,
10 that's about it, and gardeners.

11 Q. You have explained that Brother MCA was SNR
12 SNR. Who was in charge of, for example, the boys
13 in the evening and getting them up in the morning and
14 that kind of thing?

15 A. Just the same Brothers. I mean, you were put into
16 a house. I was in De La Salle and it was my
17 fortunate -- well, unfortunate that it was
18 Brother Bernard that ran that. He was in charge -- he
19 was the housemaster. And lots of jobs are done at
20 night, took you into rooms, some would take you to watch
21 a TV, if you had binoculars. That was basically it and
22 knitting classes, oh, aye, they teach you to knit.

23 Q. Thank you for giving that overview of the Brothers and
24 the staff who were there.

25 I'm going to take you through your own experiences

1 as you've set them out in your written account.

2 When you arrived at St Ninian's on your first day,

3 did you meet Brother MCA ?

4 A. Yes, I did.

5 Q. Did another Brother then become involved and show you

6 around part of the school?

7 A. Brother HFU .

8 Q. Where did Brother HFU take you?

9 A. He took me -- showed me the classrooms. He got my older

10 brother out to speak to me for two minutes.

11 Q. You had an older brother who was at St Ninian's at the

12 time?

13 A. I did.

14 Q. Did a particular Brother become involved in taking you

15 to the shower room?

16 A. Oh, yeah.

17 Q. Was that shortly after you arrived?

18 A. That was before I seen MCA , or anybody else.

19 I just seen this guy.

20 Q. This was just after you had arrived?

21 A. Yeah. They took me --

22 Q. Which Brother was that?

23 A. That was Brother zMJO , I think it was him anyway.

24 Q. What happened then? Where did Brother zMJO take you?

25 A. He took me down to the ablutions which is a room with

1 a communal shower and lots of sinks and toilets and
2 whatnot.

3 He told me to undress, you have to go in and have
4 a shower. So I took my clothes off. I'd never been in
5 a shower in my life. I went in and he started to wash
6 me, because, as I say, I had never been in a bath or
7 a shower in my life and that was pretty interesting.

8 Q. What did he do?

9 A. He basically masturbated over the top of me and tried to
10 rape me at the same. You know, he was trying to rape me
11 and I fought back and fought back and that was basically
12 it. Then he got me dressed in the school uniform type
13 thing and took me up to MCA .

14 Q. When you say that he tried to rape you, did he take his
15 own clothes off?

16 A. No, no, he just pulled his dress up, the things they
17 wore, the habit things.

18 Q. What did he do?

19 A. He had an erection and he tried to insert it into me,
20 that's what he done. I was seven years of age.
21 Terrified. I don't think you know what terrified means.

22 Q. What were you doing, were you crying at the time?

23 A. Crying, screaming, everything.

24 Q. How did the situation come to an end?

25 A. It just come to an end when he -- he gave me a few

1 clouts and told me to put these clothes on.

2 Q. Then did he take you to see Brother MCA ?

3 A. He took me to see MCA .

4 Q. Did you go in Brother MCA 's office?

5 A. I did.

6 Q. Did Brother zMJO go into the office as well?

7 A. Brother zMJO just showed me in and left.

8 Q. What then did you and Brother MCA discuss at that

9 point?

10 A. I told MCA what happened to me, what they'd done to

11 me.

12 Q. Did you tell him everything --

13 A. I told him everything that happened to me. Then he

14 proceeded to actually beat the hell out of me, because

15 I was a liar.

16 Q. When you say he beat the hell out of you, what did he

17 do?

18 A. He had this leather strap and he just set about me. The

19 guy was a nutter. A drunken nutter.

20 Q. Was he saying anything to you while he was doing this?

21 A. Not really, just unintelligible slagging, troublemaker

22 ...

23 Q. This was all still obviously your first day, your first

24 few hours?

25 A. This was about two hours after I'd got there.

1 Q. That evening, did you go for a meal at St Ninian's?

2 A. Yes.

3 Q. Can you tell me if anything happened in the dining hall?

4 A. Yeah. I got -- that was Brother Bernard, he was in

5 charge of the dining hall that evening, so I got a few

6 slaps from him because I didn't know how to use a fork

7 and knife. Nobody had ever shown me. I ate with

8 a spoon and I was eating my tea with a spoon and he

9 says, 'What are you doing?' And I said, 'I'm eating my

10 tea', naturally that's not what you're allowed to do, so

11 he beat me up and my brother was in the dining hall at

12 the time and he got up and told him to get his hands off

13 me, stop beating me up, so MCA [REDACTED] went over and

14 stopped beating -- Bernard went over, stopped beating

15 me, and battered him instead. And I started shouting at

16 Bernard about beating up my brother.

17 Q. I think you tell us, 'Jim', on page 11 of your own

18 written statement:

19 'I felt completely lost. Miles from home and the

20 only thing person I knew was [your brother] had just

21 watched him taking a beating for sticking up for me.'

22 A. Yeah.

23 Q. Did you meet Brother MBU [REDACTED] on your first day?

24 A. No. I never seen him.

25 Q. Can you remember which Brothers or Brother was involved

1 at that time in getting the boys ready for bed at night?

2 A. Yeah, whoever the housemaster was.

3 Q. Do you remember who your housemaster was?

4 A. Yes, Brother Bernard.

5 Q. Did anything happen to you during your first night at

6 St Ninian's?

7 A. Yeah. Bernard came in, it was after lights out,

8 everybody was sort of semi-asleep. He come in and says,

9 'I'm just checking to see if you've wet the bed' and put

10 his hand under the covers and started fondling me and

11 fondling himself at the same time.

12 LADY SMITH: Are you saying, 'Jim', this was a matter of

13 hours after the incident you had suffered with

14 Brother zMJO ?

15 A. Yes.

16 LADY SMITH: Thank you.

17 A. This place -- you've got to understand, this place was

18 evil. I don't care what anybody else says about it.

19 I don't care what any other witness says about it. If

20 anybody says different from me, then they were in

21 a different place or their head is completely screwed,

22 one of the two.

23 I mean, I know what happened in that place. They

24 done it for years. They just beat you and raped you.

25 I mean, that Bernard, he come up to the room, I was ill

1 in bed, couldn't get up, I was really ill, and he come
2 up with my lunch -- lunch. He put it to the side,
3 pulled my sheet up, the bed sheet up and pulled my
4 nightshirt up and he raped me, plain and simple raped
5 me, in the middle of the afternoon, dinner time, about
6 1 o'clock.

7 And then when he was finished he started crying, and
8 started beating me with a whip, leather laces and
9 calling me Satan because I had been tempting him. The
10 guy's a nutter. He shouldn't be in a jail, he should be
11 in a loony bin.

12 You tell people this and they look at you and say.
13 'You're off your head, that can't happen', oh, well, yes
14 it can happen and it did happen.

15 The only difference between this place and the
16 courts I've been to is nobody's called me a liar yet.

17 LADY SMITH: 'Jim', let me say this at this stage, I have
18 heard so many accounts from some people who have been in
19 similar places run by Catholic Brothers who have had
20 dreadful experiences. I don't dismiss them.

21 A. Good.

22 LADY SMITH: Does that assure you?

23 A. Yes, it does.

24 LADY SMITH: I have read both the statement you provided to
25 us through our statement takers and witness support and

1 the one you wrote in the 1970s, so please don't think
2 you have to start from an assumption that I don't
3 believe it.

4 A. Oh, no, I'm not saying that. It's just --

5 LADY SMITH: It's dreadful.

6 A. -- that this has been going on for so long.

7 The first time I went to the police was in 1990. It
8 took them nine years to get back to me or eight years or
9 something, when they found somebody else who
10 corroborated what I said. And then it took years again
11 to get it into the courts.

12 I mean, I just give up. I have tried everything.
13 They gave me a few quid, oh, brilliant. That went on
14 solicitors. That went on paying guys to come and help
15 me get after De La Salle, and they can't get the
16 records. They've got records of me going in there, no
17 records of me coming out, so they time-bar it. How can
18 you time-bar something like that? It's impossible.

19 LADY SMITH: Can you bear with us to carry on giving
20 evidence here today?

21 A. Yes, I can.

22 LADY SMITH: It really is helpful --

23 A. Okay.

24 LADY SMITH: -- and I hear all you say about the troubled
25 history of your life, as an adult, in trying to get the

1 message across about what happened to you. I promise
2 you, I'm listening.

3 A. Good. Thank you.

4 LADY SMITH: Ms MacLeod.

5 MS MACLEOD: My Lady.

6 'Jim', the next morning, I think you tell us that
7 you went to your class for the first time at
8 St Ninian's?

9 A. Yes.

10 Q. Who was your teacher?

11 A. MCK

12 Q. Did there come a point during that first class that he
13 asked you to take an IQ test?

14 A. He did, yes.

15 Q. Did you take that test in the classroom or somewhere
16 else?

17 A. No. There's a little room next to this that's got
18 a toilet and an office in it and that's -- I don't know
19 what they used it for, but that's where he took me in to
20 do this test. It was putting coloured blocks on bits of
21 string and fixing puzzles, dead simple. There was
22 nothing complicated about it.

23 Q. You were doing the test and at a certain point in time
24 did you notice Mr MCK engaging in something?

25 A. Yeah. He went to the toilet.

1 Q. Was the toilet just off the room?

2 A. Directly -- the room was that shape, that's the office,
3 that's the toilet.

4 Q. When he was in the toilet, did something happen?

5 A. Yeah.

6 Q. What happened?

7 A. He masturbated himself.

8 Q. Could you see this happening?

9 A. Yeah, the door was wide open. And he told me to watch
10 him and when he was finished, he come over, he rubbed
11 himself over my face and says, the next time you can do
12 it.

13 Q. I think you tell us that after this you were then taken
14 back into the classroom?

15 A. Yes.

16 Q. You say that your mind was numb?

17 A. Oh, I was just -- I didn't know what to do.

18 Q. You say that you didn't know why Mr MCK and the
19 Brothers were doing things to you?

20 A. I didn't have a clue. I thought, you know -- see after
21 about six months I started to think this must be normal.
22 This must be what these places are for.

23 Q. Because this is only your second day at St Ninian's and
24 you've told us that this is the third person who has
25 sexually abused you?

1 A. Yeah.

2 Q. Did you tell your brother about what Mr MCK had done
3 to you?

4 A. I told my brother what happened from the minute I went
5 in the place and he says, 'Keep your mouth shut, 'Jim'.
6 He says:
7 'You go around shouting about that you'll get it
8 even worse.'

9 Q. Did Mr MCK go on to sexually abuse you later that day?

10 A. He did.

11 Q. What did he do?

12 A. He raped me.

13 Q. Where did that happen?

14 A. That happened in the classroom.

15 Q. Can you tell me about the circumstances? Was it after
16 class?

17 A. It was after class. It was after he had sent other kids
18 out to go down to the bootroom and put their soft shoes
19 on and he kept me behind and that was it. He had
20 a great big desk, big table that he used as his master's
21 desk thing and he just bent me over that and raped me.

22 Q. Was he saying anything to you while he was doing that?

23 A. No, he wasn't really saying much. Just oohs and ahs
24 and, 'Are you having fun?'

25 Q. Can you remember how you were responding to this at the

1 time?

2 A. I was screaming.

3 Q. Were you injured?

4 A. I was injured very badly.

5 Q. In what way were you injured?

6 A. I was bleeding profusely.

7 Q. From your back passage?

8 A. Yes.

9 Q. After that had happened, 'Jim', did you do anything at
10 that point? That is the afternoon of your second day,
11 can you remember what you did at that point?

12 A. What I did? Anything that he told me.

13 Q. Did there come a point where you ran away from
14 St Ninian's?

15 A. Yeah, the third day.

16 Q. What were the particular circumstances that led to you
17 running away at that specific time?

18 A. Well, I found myself alone in the ablutions and there is
19 a side door at the ablutions and it wasn't locked, it
20 was open. So I just walked out there and took off down
21 past the cages, the flat bit you got locked into when
22 they were having their dinner and there is a wee road
23 that leads you down, takes you down on to the main road.
24 I got down onto there. Didn't have a clue where I was,
25 and I just started walking along the road.

1 But they came after me in their motor and they got
2 me within an hour.

3 Q. Who was it that picked you up?

4 A. MCA and HFU , HFU , sorry.

5 Q. Did they take you back to St Ninian's?

6 A. They did.

7 Q. What happened on your return to St Ninian's?

8 A. MCA beat me up.

9 Q. Where in St Ninian's did that happen?

10 A. In his office.

11 Q. Was Brother HFU present?

12 A. No, Brother HFU wasn't present.

13 Q. Was it just yourself and MCA in the office?

14 A. Just myself and MCA .

15 Q. In what way did he beat you up? What did he do to you?

16 A. He just gave me a hiding for running away and wasting
17 his time.

18 Q. Which parts of his body he use or did he use any
19 implements?

20 A. Yeah, he did try to rape me, but he couldn't. I was
21 still bleeding a bit and he couldn't do that. He tried
22 to put himself into my mouth. I wasn't having that.
23 I resisted as much as I could and he just beat us up.

24 Then he gave me cream to rub on myself and says that
25 will help the bleeding, but I went to my bed that night

1 and the bed was covered in blood, then what is his name,
2 Bernard, he come in and he seen the blood and he says,
3 'What is wrong with you? What are you bleeding for?'
4 And I said, 'I don't know what I'm bleeding for'.
5 Q. Is this Brother Bernard coming in during the night?
6 A. During the night, yeah, checking to see if you had wet
7 the bed and --
8 Q. He saw the blood?
9 A. Oh, yes, he had seen the blood. You couldn't miss it.
10 Q. What did he do?
11 A. He took me down the stair.
12 Firstly, made me strip the bed, and go down the
13 stair with him to the locker room more or less, the
14 bootroom place where everything seemed to happen, and --
15 he got me into a bath, told me to wash, come out the
16 bath, gave me a towel and gave me a clean nightshirt and
17 a couple of clean sheets and took me back up the stair.
18 Q. Did he ask you what had caused the bleeding?
19 A. No. What's his name, Brother zMCA came in at this time
20 and he said it was bleeding piles, whatever that is. At
21 that time I had never heard the word 'piles', I didn't
22 ken what they were talking about.
23 Q. So Brother Bernard knew you were bleeding and
24 Brother zMCA ?
25 A. Yeah.

1 Q. You told me a few moments ago that when you were in
2 Brother MCA's office that he tried to rape you?
3 A. Yeah.
4 Q. Were there further occasions where Brother MCA
5 sexually abused you?
6 A. Yeah, numerous, in his own room. He would get me out my
7 bed, take me along to his room and I would be there for
8 most of the night.
9 Q. When you say his own room, is that his bedroom?
10 A. Yeah.
11 Q. Can you remember approximately how long you had been at
12 St Ninian's when you were first abused in that way by
13 Brother MCA?
14 A. I must have been about a week.
15 Q. Apart from the times you were taken to his bedroom, did
16 he sexually abuse you in his office?
17 A. Yes, he did.
18 Q. How would those occasions come about?
19 A. Well, at the least bit of trouble you got sent to see
20 SNR, so I was basically in trouble if I so
21 much as spoke or kept breathing, so I was up there quite
22 often and he would just -- any time it fancied him or at
23 night-time if you were in the -- lucky enough to get put
24 to the television room, you would sit down the back, he
25 would sit down the back with, what's his name, McKenna

1 and they had their favourites and they would bring them
2 down, sit them on their knee, pop sweeties in their
3 mouth, be very nice to them, take them away for
4 20 minutes or so and come back with them. I mean --
5 Q. Is that something that happened to you then?
6 A. That happened to me on numerous occasions.
7 Q. Was that Brother MCA's knee that you would be
8 sitting on?
9 A. Yes.
10 Q. In the television room would you be asked to go and sit
11 on Brother MCA's knee?
12 A. Yeah, he would shout me down the back saying he wanted
13 to speak to me.
14 Q. Once you were sitting on his knee what would happen?
15 A. He would get an erection then, five minutes later he
16 would take me up to his office or his bedroom and have
17 sex.
18 Q. You mentioned Mr McKenna?
19 A. Oh, McKenna.
20 Q. Was he in the television room as well?
21 A. Yes, he was there.
22 Q. Did you say that children would sit on his knee?
23 A. Yes.
24 Q. Did you sit on his knee?
25 A. No, I did not.

1 Q. You mention that at holiday times, Christmas and summer
2 holidays, many of the boys would go home.

3 A. Yeah.

4 Q. Would you go home for the holidays?

5 A. No, I would not go home.

6 Q. Did you go home during your whole time at St Ninian's?

7 A. I did not.

8 Q. How long were you at St Ninian's?

9 A. Four years at least.

10 Q. During holiday times then how many of the boys would be
11 left?

12 A. There would only be about half a dozen.

13 Q. Would the Brothers remain at St Ninian's?

14 A. The Brothers, they stayed or some of them would go on
15 vacation to another home and a Brother would come from
16 another home to there. Having swapped us about
17 basically.

18 Q. In relation to the treatment you were receiving in
19 St Ninian's, that you have told us about some of it, how
20 was that affected by holidays and the other boys being
21 away?

22 A. Oh, that was fun for them. I mean, they had -- there
23 was no school to go to or anything like that, no, you
24 just went out for walks all the time or kicking a ball
25 about and then any time they fancied a boy, they just

1 took him away and that was it. The only good thing
2 about it was you got to eat the same as what they were
3 eating. And the food was always a lot better what they
4 had than what we had, I can assure you. No sago
5 pudding.

6 Q. During holiday time then did the abuse that you've
7 described from Brother MCA continue?

8 A. It was ten times worse during the holidays.

9 Q. When you say it was ten times worse, was it happening
10 more often?

11 A. Yes, yes. It was a daily occurrence.

12 MS MACLEOD: My Lady, I'm going to move on to a slightly
13 different part.

14 LADY SMITH: That would be a good point to break.

15 You remember I indicated that we would probably have
16 a break in the middle of the afternoon. Now would seem
17 to be a good time. Would that work for you?

18 A. That's okay.

19 LADY SMITH: Let's do that. We'll have a short break.

20 Thank you.

21 (3.05 pm)

22 (A short break)

23 (3.15 pm)

24 LADY SMITH: 'Jim', I hope the break's given you some
25 respite. Is it all right if we carry on now?

1 A. Yeah, thank you.

2 LADY SMITH: Thanks.

3 Ms MacLeod.

4 MS MACLEOD: My Lady.

5 'Jim', in your statement you tell us that as well as
6 being your teacher, that Mr MCK decided that you would
7 learn how to ride ponies, is that right?

8 A. Oh, yes.

9 Q. I think you tell us that that happened first of all
10 during a summer holiday --

11 A. Yes.

12 Q. -- while you were there.

13 Can you think back to the first occasion that you
14 went pony riding with Mr MCK and what happened? You
15 tell us about this on page 41 of the account that you've
16 provided for us. I think you tell us that Mr MCK went
17 away to have a shower and get changed --

18 A. Oh that --

19 Q. -- and then came back?

20 A. That wasn't the first time. That was not the first
21 time. That was -- the first time he took me on the
22 ponies that was in the cage. I think it used to be
23 tennis courts, I'm not sure. It's got two or three
24 benches round the side. He took me -- he was on the
25 pony and he took it down into this cage place and he got

1 off and he put me on.

2 Q. Is this behind the St Ninian's building?

3 A. In front, down to the side. And he put me in there and
4 he got me up on this thing and started walking round
5 with it. Then he let it go and it was going itself and
6 then he put these benches out and he started making the
7 horse go quicker and to jump over these and I just fell
8 off it.

9 So he says, 'We can sort that, you are just not
10 holding tight enough'. So he tied me on to it. He put
11 a rope under the horse's belly to my feet and tied me
12 on. I couldn't fall off it then, but I could fall down
13 to the side, right. That was my first experience of
14 horse riding.

15 But I'll say this for MCK, he did teach me how to
16 ride a horse. I was a very accomplished horseman by the
17 time I left there. I was very good on the back of
18 a horse.

19 Q. On these occasions, would it just be yourself and
20 Mr MCK or would there be other boys?

21 A. No, it was just me. Just me.

22 Q. Did there come a time during the pony riding sessions
23 that Mr MCK started to sexually abused you?

24 A. He started sexually abusing me before that, but he used
25 to take me up to the stables with the horses and we'd

1 need to rub the horses down and give them some hay and
2 whatnot and put them into the stalls and shut the door
3 and then you went to the -- I'm sure he had a flat up
4 there, up above there -- up above the stables and there
5 was a snooker table in it, a full-size snooker table.
6 It was torn, it was knackered, and he had this room
7 there, I think, and obviously had a shower and that was
8 his place and he took me up there and told me to wait in
9 the billiard room while he was away getting tidied up.

10 When he come back he had a towel wrapped round him
11 and he abused me.

12 Q. What did he do?

13 A. He tried to get me to give him oral sex and then he
14 raped me.

15 Then, after he'd raped me, he asked me who
16 I preferred, him or MCA . That's what he said to
17 me. He said, 'You are MCA 's favourite, but I like
18 you too'. That was his words.

19 Q. Did you infer from that then that he knew what was
20 happening with MCA ?

21 A. Oh, he knew what was -- they all knew what was going on,
22 even Brother MBU , though I must admit I never seen
23 Brother MBU hit a kid in any way or manner or abuse
24 anybody and he certainly never abused me. Brother
25 MBU was okay. But I went to him and told him what

1 was happening and he says:

2 'Look, just behave yourself. You'll be getting sent
3 home to your mum soon.'

4 But that soon never ever happened.

5 Q. Did you tell Brother MBU you were being sexually
6 abused?

7 A. I did tell him that.

8 Q. Did you tell him that you were being sexually abused by
9 Brother MCA?

10 A. I told him I was being sexually abused by quite a few of
11 them.

12 Q. Just coming back to what you have told me just there
13 about being abused by Mr MCK when he came out of the
14 shower, while you were riding the ponies, how often did
15 that happen? How regularly did that happen to you while
16 you were at St Ninian's?

17 A. Oh, well, see on a Saturday you more or less had the day
18 to yourself once you'd done the cleaning of the building
19 and some guys go and play football, the older kids, they
20 had a football team and they'd go away and play
21 football. Some of the kids would go to other classes to
22 do drawing and painting and knitting and whatnot, but
23 MCK, he took riding classes but he only ever took
24 riding classes when I was there. It was only ever me
25 that he took on these rides and we would go miles away

1 from the school on the back of the ponies.

2 Q. Would this be on a Saturday?

3 A. Usually on a Saturday, yeah.

4 Q. On these occasions -- did he sexually abuse you on some
5 or all --

6 A. Every single time we went out on those horses. As soon
7 as he said, 'We're going out for a ride today', I knew
8 what was going to happen. There was no arguing about
9 it.

10 Q. On page 45 of your own statement, 'Jim', you tell us
11 about a Brother who had an interest in electricity?

12 A. Yeah, that's -- I've been calling him Bernard, but
13 really the only name I knew him by after he got there
14 was 'Bootsie', we used to call him Bootsie, he used to
15 wear these great big boots.

16 Q. When you are talking about Brother Bernard, is that the
17 Brother who was called Bootsie?

18 A. Yeah, but Bootsie -- I was there for quite a while
19 before he showed up, you know what I mean. He wasn't
20 even in the school when I came.

21 Q. I think you tell us that he may have arrived around six
22 months after you arrived or something like that?

23 A. I think it was about 1961 or 1962 or something that he
24 arrived at the school, straight out of an Irish bog.
25 You could barely understand a word he said, though his

1 English has improved vastly now.

2 Q. When he arrived at St Ninian's you were already there?

3 A. Yeah, I was there, yeah.

4 Q. You tell us that one of the roles that was allocated to

5 him was looking after the dining hall; is that right?

6 A. Yeah.

7 Q. How did he manage that? What was his manner in managing

8 the dining hall?

9 A. He just walked roundabout the tables making sure

10 everybody was -- you're not allowed to leave anything.

11 You had to eat everything that was on the plate,

12 everything.

13 Q. What would happen if you didn't eat it?

14 A. He would ram it down your throat, and tell you how

15 ungrateful you were.

16 Q. When you say he would ram it down your throat, what

17 would he do?

18 A. He would just hold -- take it up in his hand and rub it

19 into your mouth.

20 Q. Did he do that to you?

21 A. Yes, loads of times.

22 Q. Did you see him do that to other boys?

23 A. Yes, I did. I see him do a lot worse to other boys, but

24 that's not the point. If the other boys want to tell

25 you they can come here and tell you.

1 Q. You tell us then that he had an interest in electricity?

2 A. Yeah. He would show you magnets moving -- metal filings

3 moving about and he had this wee hand-hand generator

4 thing.

5 Q. Was this part of your schooling, part of the school day?

6 A. No, this is a night class.

7 Q. A night class?

8 A. Yeah, this was a night class.

9 Q. How did it come that boys were allocated to night

10 classes? Did you choose a class --

11 A. No, you were chosen.

12 Q. You were told?

13 A. You were told who you were going with.

14 Q. One of the night classes was to go to Bootsie, as you

15 knew him, and learn about electricity?

16 A. Well, learn about all sorts of daft things.

17 Q. You tell us that he had a fascination with electricity?

18 A. He did.

19 Q. And that he had built a small generator?

20 A. I don't know if he built it or he bought it. I don't

21 know where it came from, but he had one.

22 Q. Can you just describe that generator?

23 A. It was a square box, a wooden box, and it had a handle

24 on the side that you turned, the quicker you turned it

25 the more current you got out. The slower you turned it,

1 the current just disappeared.

2 Q. Were there rods or something?

3 A. There were wires attached to it and he always had
4 a basin of water. He would put one of the wires into
5 the water and tell you to hold the other one, and then
6 he would start turning the handle and when he turned
7 that handle you just froze. You couldn't move. You
8 were paralysed. Your arm was getting twisted up your
9 back and he would just do it. You could see he was
10 enjoying it. You could see that he was excited,
11 sexually excited, while he was doing this.

12 I can't describe how bad this guy is. I don't know
13 the words for it. I was sent there to learn to read and
14 write and become a child. When I left there I still
15 couldn't read and write. They put me into an ordinary
16 school and I was in classes with bairns that size, you
17 know what I mean, when I should have been in going up to
18 secondary school. I couldn't read and write.

19 Q. You do tell us that in your statement, that you don't
20 feel you learnt anything educationally?

21 A. I didn't learn a thing. I learnt all about sex, put it
22 that way.

23 Q. Going back to the generator, if one end was in water and
24 somebody was asked to hold the other end, would that be
25 a boy in the class?

1 A. A boy in the class. He didn't just do it to me. He
2 done it to quite a few boys and then he would get us all
3 to stand in a line and hold hands and he would give the
4 wire to a guy on one side at the end of the line and the
5 guy at the other end of the line and we would all be
6 holding hands and then he would start turning the handle
7 and we'd all be in trouble then, you know. It went
8 through everybody.

9 Q. When you say you would be in trouble, was it painful?

10 A. It was very painful.

11 Q. Would he be saying anything while he was doing this?

12 A. No, he would just say, 'How will I go boys? How high
13 will I go?' He just kept turning it.

14 Q. What brought that to an end?

15 A. When he stopped turning it. As soon as he stopped
16 turning it, it was gone.

17 Q. How often would you say that you were in this evening
18 class? Was it a regular thing or --

19 A. At least once, twice, maybe three times a week.

20 Q. Did he ever ask you to stay behind ever after the class?

21 A. He did, yeah, and the tidying up. Putting stuff away in
22 the cupboard.

23 Q. Was that something that happened on a few occasions, one
24 occasion, often?

25 A. Very often.

1 Q. And --

2 A. It wasn't just me he done that to. He sometimes kept
3 another boy behind with him and got him to help him tidy
4 up, but whoever he kept he abused.

5 Q. When you say whoever he kept he abused, how do you know
6 that?

7 A. You could just tell. I mean, when he was finished with
8 you by the end of the night you could see he had
9 an erection, you could see he was aroused and he was
10 keeping somebody.

11 Q. This was at the end of the class?

12 A. At the end of the class, yeah.

13 Q. On the occasions that he kept you behind, if we can
14 start -- do you remember the first time that happened?

15 A. I remember the first time.

16 Q. Could you tell me what happened when you were kept
17 behind?

18 A. He tried to get me to perform oral sex on him.
19 I wouldn't do it. I wouldn't open my mouth.

20 Then he tried to rape me and I fought back and the
21 whole time he was masturbating and then he obviously
22 finished masturbating and it went all over me. All over
23 my face. And just as I was coming out the room he told
24 me to, 'Go out, get back up the stair'. It was supper
25 time.

1 And MCA came into the classroom and Benedict,
2 he come out, starting screaming at him, Bootsie, and
3 MCA looked at me and he took a hanky out his sleeve
4 and gave it to me and said:
5 'Wipe your face, boy.'
6 And that was it.

7 Q. Why was he giving you a hanky to wipe your face?
8 A. Because it was covered in his sperm.

9 Q. Are you inferring from that that Brother MCA knew
10 you'd been sexually abused by Bootsie?
11 A. Yeah, he did, without doubt.

12 Q. You have told me that you were kept behind on a number
13 of occasions after the class?
14 A. Yeah.

15 Q. Were you sexually abused on all these occasions?
16 A. Yeah. In the end I gave up. I couldn't fight any more.
17 I couldn't take any more. I couldn't take any more
18 violence.

19 Q. On the occasion you spoke about a few moments ago, you
20 told me that he tried to rape you and you fought him
21 off?
22 A. Yeah.

23 Q. He then masturbated and the semen went on you?
24 A. Yeah.

25 Q. You are saying that there came a point where you stopped

1 being able to fight off, am I understanding that
2 correctly?

3 A. Yeah. You can only fight so much.

4 Q. What happened on those occasions?

5 A. He would just do what he wanted.

6 Q. What did he do?

7 A. Oral sex, anal sex, anything he wanted, that was it. If
8 he stuck it in your mouth at least it didn't hurt, put
9 it that way. Right, you know how horrible it is to say
10 that? You don't.

11 Q. Did this happen in the classroom, 'Jim'?

12 A. Classroom, dormitories, rooms, anywhere he fancied.

13 Q. Would he sometimes come into your dormitory?

14 A. He came in every night. He was the housemaster. This
15 is over 60 years ago. You know, things get jumbled up
16 and mixed up. I mean, they can't remember anything.
17 They didn't even have records of me. They got records
18 of me going in the place, no records of me coming out.
19 As far as they're concerned, I'm still in there.

20 So how hard can it be to -- it's not easy to
21 remember exactly every single detail and every single
22 day, which order and which day happened in which thing,
23 but at the end of the day the whole thing happened.

24 I mean, my very last night was spent with MCA .

25 He took me along to his room, right, he was sitting

1 there, he had a bottle of malt whisky and a glass and
2 a glass of ice and water and he was pissed, he was
3 drunk, right. He kept me in his bed that night and he
4 raped me twice, and that was my last night there.

5 LADY SMITH: You were raped on your first night and your
6 last night?

7 A. Yeah.

8 LADY SMITH: And in the period between -- I think were you
9 about five when you first went in to St Ninian's?

10 A. I was about six or seven, round about that age.

11 LADY SMITH: Between then and emerging at about 12 --

12 A. I was about 11.

13 LADY SMITH: It kept happening?

14 A. It happened.

15 LADY SMITH: I don't expect you to remember exactly when,
16 exactly where, exactly how every time. Don't worry
17 about that, 'Jim'.

18 A. But there are bits though that do stick in your mind and
19 you just can't get rid of them.

20 LADY SMITH: I can understand that.

21 A. Nothing you can do about it.

22 LADY SMITH: Yes.

23 A. I really have a lot more to say, honest, it's there in
24 black and white and I'm not even reading it.

25 I'm recalling Bernard for ages and it's not Bernard, it

1 was Benedict, although there was a Bernard there. You
2 know, it's -- it's hard to remember all these things.

3 LADY SMITH: Do you remember somebody called Benedict?

4 A. I remember -- that's Bootsie. Benedict is Bootsie.

5 LADY SMITH: Yes.

6 A. And the order that things happened. I mean, zMJO was
7 my original housemaster, right in De La Salle, but when
8 Benedict come, he got made the housemaster and things
9 change and zMJO went away for a wee while and came
10 back. They supposedly went on courses or whatever it is
11 they do and that was just day to day. You got up in the
12 morning, you knew something was going to happen. You
13 didn't know who was going to do it but you knew somebody
14 was going to do something. You knew you would not be
15 going back to bed without being battered at least. It's
16 as simple as that. A daily occurrence and not just me.
17 Not just me.

18 I was not a hero.

19 MS MACLEOD: 'Jim', in relation to this Brother, you also
20 tell us that he would use laces --

21 A. Yeah.

22 Q. -- on you. Can you just explain that to me and when
23 that would happen?

24 A. Well, all the boys had these big leather boots, they
25 hurt like hell and they had leather laces in them, very

1 difficult to tie, very difficult to keep on and he had
2 a bunch of them, about seven or eight, it was put
3 through a wee bit of stick or something, I don't know,
4 tied in a knot, so they were all together like
5 a cat o' nine tails and he'd put knots in the end of
6 them, tied knots in the end of them, and it was
7 basically a whip and he would whip the hell out of you
8 with this thing, especially the backs of the legs. On
9 occasion, when he was in a good mood, across the face.

10 He used this all the time. He was as bad as the
11 nuns in my first school. Oh, the nuns were brilliant.
12 They had a great big leather belt hanging down one side
13 and a great big rosary hanging down the other side.
14 Never touched that rosary but that leather belt was
15 never out their bloody hands.

16 Q. When you are talking about Brother Bernard,
17 Brother Benedict and Bootsie, that is the same person
18 you are talking about?

19 A. No, there was a Brother Bernard, but what I've said he
20 done, it wasn't him that done it, it was Benedict.
21 I get them mixed up.

22 Q. I understand. So when you were telling us earlier about
23 being in bed, unwell and a Brother coming up to your
24 bed, was that Brother Benedict?

25 A. That was Benedict with his whip.

1 Q. I think what you are telling us, 'Jim', is that during
2 your four years at St Ninian's you were regularly
3 physically and sexually abused by a number of Brothers
4 and by Mr MCK ?

5 A. Yes.

6 Q. And that this was happening at the same time, you were
7 being sexually abused by Mr MCK , Brother MCA ,
8 Brother Benedict, in the same period?

9 A. Yeah. And they all knew what was happening. I mean,
10 MCK told me and said, 'You're MCA 's favourite, he
11 likes you'. I said, 'Oh, does he?'

12 Q. You have told us that your evidence is -- we're not
13 going into the detail of it -- that this was happening
14 to other children as well?

15 A. I'm sure it was. I seen it happen once to another boy
16 and it was MCK that was abusing him. I was -- MCK
17 used to have a sweetie shop in his classroom, a little
18 room and it was full of jars of sweeties and all sorts
19 of stuff and he had me in there one day cleaning it up,
20 you know, tidying it up, dusting the shelves and
21 cleaning the jars and whatnot and he must have forgot
22 I was in there, because this was just when the class had
23 finished and he had a wee boy with him and he made the
24 wee boy perform oral sex on him. And I seen him when
25 I was in the sweetie shop. But MCK spotted me and he

1 told me to come out and he told the boy to stop doing
2 what he was doing and sent him on his way and he told me
3 to finish.

4 That was the only time I actually seen another boy
5 being abused, but then, I mean, they knew how to do it.
6 They wouldn't do it with witnesses about. They would
7 take you away on your own and do it.

8 Q. Moving on to a few specific other things I would like to
9 ask you about. We have already mentioned the matron at
10 St Ninian's. Did there come a time when you went on
11 a trip with the matron?

12 A. No, I went to an eye clinic. I had a really squint eye
13 and they took me to an eye clinic to get me a pair of
14 specs. What a joke that was. I went and I got an eye
15 test and we come out and the bus wasn't for another two
16 or three hours or something.

17 Q. Was this in Glasgow?

18 A. This was in Glasgow, some place in Glasgow, I don't know
19 where. And she says I'll take you to a friend of mine's
20 house and she took me up to this flat and there were
21 three guys there, three men, and she buggered off, she
22 went away and I was left in this flat with these three
23 guys.

24 Now, I've never found out, although I've looked for
25 it, these guys were taking films of me being abused on

1 a little cine type camera thing. They were actually
2 making movies of this, of me getting abused.

3 Q. How many men were there?

4 A. Three.

5 Q. How many of the men were abusing you?

6 A. The three of them abused me.

7 Q. Sexually abused you?

8 A. Sexually abused me. They had shots of me.

9 Q. They had a camera?

10 A. They had a camera, they were filming this.

11 Q. Where was the matron while this was happening?

12 A. I don't know.

13 Q. After a period of time did the matron come back?

14 A. Yes, she came back.

15 Q. And took you back to St Ninian's?

16 A. Yes, when they had finished having their fun, they gave
17 me a bottle of lemonade and a packet of crisps, real
18 luxury, and I was sitting drinking this lemonade and
19 eating the crisps when the matron came back.

20 Q. Do you know how old you were at that time?

21 A. I must have been about eight, nine maybe, I don't know.

22 Q. Did you ever see these men again?

23 A. Never, never seen them again.

24 Q. Had you ever seen them before?

25 A. I'd never seen them before either.

1 Q. Were you ever taken on trips to houses outwith
2 St Ninian's?

3 A. Only supposedly to do gardening. You were taken out --
4 I remember one house, I mean I've been back to
5 St Ninian's. I went back with a photographer to get
6 photographs of it, and I actually passed the house that
7 I was taken to.

8 Q. Who took you to the house?

9 A. One of the Brothers, it would either be Benedict or
10 zMJO .

11 Q. Who was in the house?

12 A. I have no idea who the guy in the house was.

13 Q. Was it one guy?

14 A. Usually one guy, yeah. No women about. No women. Just
15 a guy and you would go out and weed a wee flowerbed and
16 he would say come on, come in and we'll get some supper
17 before you go back to school and he'd take you back into
18 the house and that was it, you got abused.

19 Q. When you say you got abused, what happened?

20 A. You just got raped. By this time you were accepting it.
21 You know what I mean, there was no point fighting any
22 more.

23 Q. Was it the same person/the same you were taken back to?

24 A. Yeah.

25 Q. How many times, roughly, do you think you were taken to

1 that house?

2 A. Maybe four or five times. I can take you to the house

3 and show you it.

4 LADY SMITH: Did you, on every occasion get this luxury of

5 a bottle of lemonade and a packet of crisps?

6 A. Yeah, usually, usually you got a wee reward.

7 MS MACLEOD: Did you go to another school run by the

8 De La Salle Brothers.

9 A. St Joseph's, just up the road there.

10 Q. Was it on one time you were taken there?

11 A. I was there twice. Taken there twice.

12 Q. On the first occasion how long roughly were you there

13 for?

14 A. You went for two weeks.

15 Q. Each time?

16 A. In the summer holidays when most of the kids had been

17 sent home and you didn't have anywhere to go to on the

18 summer holidays, so you'd go with maybe a couple of

19 Brothers to St Joseph's and that would be your holiday.

20 Really what it was was just a swap. That's all, because

21 the brothers there were the same as the Brothers in

22 St Ninian's. There was no difference. I ran away from

23 the place every time I went to it because I knew how bad

24 it was.

25 I got caught just up round the corner there in

1 Princes Street. The police arrested me there. Took me
2 to the police station and they knew I had run away from
3 St Joseph's. And I actually told the police why I ran
4 away, I actually told them what was happening.

5 Q. What did you say? What did you tell the police?

6 A. I told them that I was being abused, I was being beaten
7 up regularly and being raped. Just battered in general
8 and nobody believed you.

9 Q. Were you taken back to St Joseph's?

10 A. Taken right back. No, two Brothers came down and picked
11 me up.

12 Q. You tell us about this on page 50 of your own statement,
13 'Jim', and what happened when you were taken back to
14 St Joseph's?

15 A. They took me back, I got the belt, then I got raped.

16 Q. Who gave you the belt?

17 A. I have no idea, I don't know the Brother.

18 Q. Who raped you?

19 A. That I don't know him either. It was the same Brother
20 that belted us.

21 Q. Was this a Brother that you understood was at
22 St Joseph's?

23 A. Yes, he worked in St Joseph's.

24 Q. Do you know was it a De La Salle Brother?

25 A. He was definitely a De La Salle Brother.

1 Q. Did you spend some time in a room when you were at
2 St Joseph's?

3 A. A room?

4 Q. Were you put into a room at any time?

5 A. Yeah, they had a wee reception room right at the front
6 door type thing, but it was a lockable room. When you
7 were in there you were locked in and you couldn't get
8 out.

9 Q. Were you locked in?

10 A. I was locked in, yes, quite a few times.

11 Q. Did anything happen to you while you were locked in?

12 A. Yeah, you were abused in there as well.

13 Q. Who abused you while you were in the room?

14 A. Benedict done it once, and two Brothers that I don't
15 know.

16 Q. Is that sexual abuse?

17 A. Yeah.

18 Q. On the two occasions that you were at St Joseph's, were
19 you abused?

20 A. Both times, both times I ran away.

21 The second time I was away for, oh, a good four
22 days. I was hiding in the foot of the castle in the
23 rocks there.

24 Q. You have mentioned Brother Benedict, was
25 Brother MCA at St Joseph's with you on any of the

1 times?

2 A. He occasionally came. He would show up while we were
3 there.

4 Q. The Brothers you mentioned who you don't know their
5 names who abused you at St Joseph's, did you ever see
6 those Brothers at St Ninian's?

7 A. No, I did not.

8 Q. Towards the end of your time at St Ninian's, 'Jim', you
9 tell us there were some occasions where you thought you
10 were going to get home but then maybe realised at quite
11 short notice that you weren't going to get home quite
12 yet?

13 A. Yeah.

14 Q. You describe the period up to your actually getting home
15 as the worst part of your time?

16 A. It was. It was dreadful. That is when they really went
17 to town, because they knew they couldn't keep us any
18 longer. They had a lot of us go home. They had to let
19 me out of that place.

20 Q. On page 58 of your statement you say:
21 'This was probably the worst period of time I spent
22 at St Ninian's. Every night raped by Brother MCA .
23 During the day either Brother Benedict or Mr MCK doing
24 the same to me.'

25 A. Yeah.

1 Q. You describe being so terrified of Brother Benedict that
2 you would ask Mr MCK if you could help him with the
3 ponies?

4 A. Yeah, that's how bad it was, because I knew he would
5 abuse me as well, but not as badly as MCA. No, he
6 wouldn't beat me with a leather whip.

7 Q. Eventually, 'Jim', the time did come when you finally
8 got to go home from St Ninian's?

9 A. Yeah.

10 Q. You give us some evidence in relation to the run-up to
11 that, including the abuse that you suffered during those
12 last few days from each of Brother Benedict, Mr MCK
13 and Brother MCA on your final night at St Ninian's.
14 You have already told us about that.

15 A. Yes.

16 Q. On your final day, 'Jim', I think you say that you were
17 in the class and then called out to go to
18 Brother MCA's office, is that right?

19 A. Yeah.

20 Q. That you were told your family had moved house while you
21 were in St Ninian's --

22 A. Yeah.

23 Q. -- and that you would be met off the bus by your mother?

24 A. Yeah.

25 Q. Can I just ask you, 'Jim', were there any visits made to

1 St Ninian's while you were there from inspectors or
2 anybody who seemed to be looking at the place?

3 A. Yeah. That happened once while I was there. Before it,
4 before this inspector guy came, we had to get the place
5 looking spick and span, so MCK had us all on our hands
6 and knees in the classroom, polishing the floors with
7 wax. It had to shine like a mirror before he was happy.
8 He would go round with a handful of coppers, 'You're
9 doing a good job' and he would throw down a tuppenny
10 piece or a penny or something like that and you got to
11 spend it in his shop. It was great fun.

12 And then we were all given new clothes, brand new,
13 right, new trousers, new wee shirt and a jumper, a new
14 jumper and then the boy would come, he'd look around and
15 everybody was smiling and looking smart and the place
16 was really tidy. It looked lovely. Great.

17 As soon as he went away, you got the new clothes off
18 and gave them back and put your old clothes back on and
19 you never seen them again.

20 Q. Do you know who the inspectors were, where they came
21 from?

22 A. I have no idea who they were.

23 Q. Do you know if they spoke to any of the boys?

24 A. I seen them speaking to some boys, they never spoke to
25 me.

1 Q. Did you have any visits from your probation officer
2 while you were there?

3 A. No.

4 Q. Any social workers come to see you?

5 A. No.

6 Q. Did you have visits from family?

7 A. No.

8 Q. You're aware, 'Jim', that Brother Benedict appears to
9 continue to deny allegations of abuse that are being
10 made against him?

11 A. Yeah.

12 Q. Do you have any response or anything you want to say
13 about that?

14 A. He can say what he wants. I really don't care. I mean,
15 he's in the jail not just by what I said in court. He's
16 in the jail because of what a lot of other people said
17 about him as well, and it's all exactly the same as what
18 I said.

19 I mean, the guy lives in fantasy land. I'm telling
20 you, he's mentally unstable. It's as simple as that.
21 He shouldn't be in prison. He should be in a hospital.

22 Q. You tell us, 'Jim', at the end of your own statement on
23 page 62 that not a day goes by without you remembering
24 another detail of what happened to you?

25 A. Yeah. It keeps happening and happening. I mean, ever

1 since what's his name, [REDACTED] got in touch with me,
2 I've been having nightmares and thoughts coming back and
3 just barely eating a thing and it just brings it all
4 back, you know, and for a while I managed to get over
5 it.

6 I mean, I started a couple of businesses, a computer
7 business, but then the big boys came in and so
8 I couldn't compete with them. I had to give that up.
9 So I bought a public house. Made a great success of
10 that. Took the takings up nearly 200 per cent in the
11 first month. Then the police found out that I had
12 a public house and that went, bang, took my licence off
13 me and says:

14 'No, you're not a fit and proper person, you can't
15 run a public house, give it here.'

16 And they shut me down. It cost me over £100,000,
17 not a penny back.

18 Then this -- that, I don't know who it was, somebody
19 awarded me £100,000, they took criminal injuries off it,
20 they took an advance of it and then they took, what was
21 it, cost of living of it, whatever cost of living was,
22 it must have been my board money for when I was in these
23 places and that was it. Most of that my own personal
24 money went on solicitors. The money I got in this
25 compensation scheme thing, that went on solicitors.

1 I've been spending thousands of pounds on
2 solicitors, trying to take a private prosecution against
3 the De La Salle Order and just banging my head against
4 a wall. They can't get any records. De La Salle have
5 destroyed them. End of story.

6 Q. The focus today, 'Jim', is of course on the De La Salle
7 schools as we have been discussing, but I want to also
8 ask you a little bit about some other institutions that
9 you went to after St Ninian's.

10 Once you were home with your family, after
11 St Ninian's, did there then come a time you went to
12 another institution?

13 A. Yes.

14 Q. Which was the next one that you went into?

15 A. The next one I went into was Balgowan, that's in Dundee.

16 Q. While you were waiting to go to Balgowan, did you go to
17 a remand home?

18 A. Yes, I did.

19 Q. Was that also in Dundee?

20 A. That was in Dundee. That was in --

21 Q. Was that Harestane?

22 A. No, that was a new remand home in Harestane. I went to
23 the old one that used to be in the town and then I went
24 to Harestane, because they closed that one down and
25 turned it into a private house.

1 Q. While you were at Harestane did somebody come to see
2 you?

3 A. Lots of people.

4 Q. We're now on your Inquiry statement, paragraph 39.

5 A. Lots of people came to see me when I was on remand,
6 taking reports.

7 Q. Did somebody called LOF [REDACTED] come to see you?

8 A. Bailie LOF, yes, he did.

9 Q. Who is that?

10 A. He used to be a [REDACTED] in Dundee and
11 a very wealthy man, very wealthy man. I have been to
12 his house. I've been out in his yacht, taken out in his
13 yacht and I done a painting of his yacht for him --

14 Q. You were in Harestane were you waiting for a place to
15 come up at Balgowan?

16 A. Yes.

17 Q. And LOF [REDACTED] came to see you?

18 A. Yeah.

19 Q. Did anything happen when he came to see you?

20 A. He abused me every time he came to see me.

21 Q. When you say he abused you, what did he do to you?

22 A. He raped me, he masturbated over me.

23 Q. How many times did he come and see you in Harestane?

24 A. I would say I was in Harestane for about three weeks,
25 four weeks, I would say least twice, three times a week.

1 Q. Did he sexually abuse you on every occasion?

2 A. Every occasion. He would like to take me for a bath.

3 He liked to bath the boys in the remand centre.

4 Q. What was his connection to the institution?

5 A. He was a trustee or something like that, you know,

6 a member of the board, something like that. He sat in

7 courts. He hanged himself eventually because they were

8 coming to get him.

9 Q. Did you tell anybody what was happening to you?

10 A. What is the point? What's the point? I told the

11 police. I told every person in every home that I had

12 been in what had happened to me. Nobody believes you.

13 Police certainly didn't believe me. The sheriff, I told

14 Cox --

15 LADY SMITH: That's the sheriff in Dundee?

16 A. Yeah. I told Sheriff Cox I said.

17 'What are you going to do, send me back to one of

18 these places to be raped again?'

19 'What are you talking about? Things like that don't

20 happen.'

21 That's what he said to me, this sheriff.

22 MS MACLEOD: You tell us in your statement that Sheriff Cox

23 was involved in your placements a number of times when

24 you moved between different places.

25 A. Every time I went in front of him. I never went into

1 open court. It was always in his chambers, right, with
2 the clerk of the court ... and the Procurator Fiscal, me
3 and, I don't know, somebody from the council or the
4 probation service.

5 Q. Was it in that situation that you told him?

6 A. Yes, I told him in front of all of these people, every
7 single one of them and all they would do is: no, no,
8 recommitted and sent away for another four years.
9 Nobody would believe me.

10 Q. Did you go to court when you were being moved from one
11 place to another?

12 A. Yeah, just went and seen him. Every crime under the sun
13 put on to me. Police just lobbed them on, lobbed them
14 on, because I was too young to be sent to prison. So
15 I thought, until they took me in there I was 13, 14.

16 Q. When you were in the remand home, did a place come up at
17 Balgowan and you were moved to Balgowan?

18 A. I ran away from the remand home first, I bailed it.
19 I was away for two or three days. They took me back in
20 front of Cox. And he gave me an unruly certificate.
21 I was 14 at the time. So the remand home was no good.
22 That couldn't hold me. So he had a better idea. He
23 sent me to Perth Prison and he locked me up in the jail.

24 Q. Did you go to Balgowan before that?

25 A. No, I went from Perth jail to Balgowan.

1 Q. You went to Perth Prison first?

2 A. Yeah.

3 Q. How long were you there for?

4 A. Three weeks nearly.

5 Q. Was it from there that you went to Balgowan?

6 A. Yeah. Appeared in court first. I was taken from the
7 jail to the court and the court sent me to Balgowan,
8 because they had a space for me.

9 Q. There is the record that suggested that might have been
10 around [REDACTED] 1965 that you went to Balgowan, would
11 that be about right, would you be about --

12 A. I was -- it was in the 1960s, some time. I don't know
13 which --

14 Q. Did you encounter LOF [REDACTED] again at Balgowan?

15 A. Yes, he was on the board of that school as well. And he
16 would take me out for the weekends and thing like that,
17 because that is what happened in these days, they were
18 trying to teach these kids what real life was about.
19 Oh, yes, they taught you okay. He used to take you away
20 for the weekend, maybe take you out on his boat, but he
21 was only taking you away so he could abuse you.

22 Q. On the occasions you were taken away from Balgowan by
23 LOF [REDACTED], did he abuse you?

24 A. Yeah, he did.

25 Q. Sexually abuse you?

1 A. Yes, he did.

2 Q. Did he also come into the school to visit you?

3 A. He came in the school any time he felt like coming in
4 the school and that was always, always at night-time.
5 Usually at bath time.

6 Q. Did [LOF] take you out on his yacht while you were
7 at Balgowan?

8 A. He did, yes.

9 Q. Were there other people on the yacht?

10 A. Another two guys.

11 Q. Did anything happen on the yacht?

12 A. I was abused on the yacht by [LOF] and one of the
13 other guys.

14 Q. Sexually abused?

15 A. Sexually abused. And there were photographs taken of
16 that.

17 Q. Was there a teacher at Balgowan called Mr [zLX] ?

18 A. There was, he was a woodwork teacher.

19 Q. Did he take you to church?

20 A. He took me to church quite often.

21 Q. Did anything happen when he took you to church?

22 A. Only ever happened once and it was -- funnily enough
23 [REDACTED],
24 it's a Mormon church and I was making up tickets for
25 them because they were having a charity thing and it was

1 ticket entrance only and because I was a bit of
2 an artist he got me to make the tickets for him and yes
3 I got abused in there by him and that was the only time
4 it happened there with him.

5 Q. On one occasion Mr zILX took you to church and abused
6 you?

7 A. Yeah.

8 Q. Did he sexually abuse you?

9 A. Yes, in his car.

10 Q. What did he do?

11 A. He made me masturbate him.

12 Q. While you were at Balgowan did you report the abuse by
13 LOF or by Mr zILX to anybody?

14 A. I gave up reporting by then. It was just a waste of
15 time. If you went and made a complaint all you got was
16 battered. It was as simple as that, so it was just as
17 well to keep your mouth shut.

18 Q. Did you spend a period of time at Thornly Park List D
19 school?

20 A. I did, in Paisley.

21 Q. You tell us you were there about ten days?

22 A. Aye, that was too easy, that place.

23 Q. What do you mean by that?

24 A. You could just walk in and out the place any time you
25 felt like it.

1 Q. While you were there you tell us you were told you were
2 going for a bath?

3 A. Yes.

4 Q. How did you react to that?

5 A. I wasn't very happy. I says, no, no, this is not
6 happening any more. I'm too old for this carry on now.

7 Q. Why was that?

8 A. Because I knew I would be abused. If I went into that
9 room and stripped off I was getting abused. There was
10 no way I was doing that so I really -- I was quite
11 a hardy guy by then, take my word for it.

12 Q. Did you go into the room?

13 A. I went into the room and this guy came in and I beat the
14 shit out of him.

15 Q. You tell us that you ran away from there?

16 A. Oh, yeah.

17 Q. From there were you caught and did you go to
18 Rossie Farm --

19 A. Aye.

20 Q. -- List D school?

21 A. MacDonald wing.

22 Q. You tell us that the MacDonald wing was a lockdown
23 facility, very secure?

24 A. Very, very -- I never managed to run away from there.
25 There was no way out of there.

1 Q. Who SNR [REDACTED] Rossie Farm at the time?

2 A. It was SNR [REDACTED] of the main school, he was SNR [REDACTED]

3 SNR [REDACTED] of that as well.

4 Q. You mention a LLY [REDACTED]?

5 A. That's it. LLY [REDACTED].

6 Q. You tell us that you spent three years in that secure

7 environment?

8 A. I did.

9 Q. Were you seen by a psychologist while you were at

10 Rossie Farm?

11 A. That is what he told me he was.

12 Q. Did something happen when you were seen by the

13 psychologist?

14 A. Yeah, I told him what had been happening to me and he

15 says, 'Oh, really', and then he says, 'Show me what they

16 done to you. Show me what they'd done to you'. That's

17 what he said and then he abused me in there.

18 Q. Were you referring to the sexual abuse that you'd

19 experienced in the different institutions you'd been in?

20 A. Yeah.

21 Q. Did he abuse you?

22 A. He did.

23 Q. What did he do to you?

24 A. He raped me.

25 Q. How did you respond to this at the time?

1 A. I fought back at the time, but he was a wee bit tougher
2 than me.

3 Q. I think you tell us that as a result of fighting back
4 that you were then placed in what you call a concrete
5 room?

6 A. I was in that the day I went in there. I was in that
7 room for six months. I ate and slept in that room on
8 a concrete block.

9 Q. You tell us that you didn't see many people other than
10 to bring you food or if somebody came --

11 A. Came to the door, the cell door. There was a hatch in
12 that and they put it through there. That was it.
13 I never seen any of the other inmates of the place.
14 I seen two on the way in.

15 Q. Did LLY [REDACTED] come to see you in the concrete room?

16 A. Yeah, he's a weirdo.

17 Q. Did anything happen when LLY [REDACTED] --

18 A. Yes, he abused me as well.

19 Q. He abused you?

20 A. Yeah.

21 Q. In the concrete room?

22 A. In the concrete room, as did LOH [REDACTED].

23 Q. With LLY [REDACTED], what did he do to you in the
24 concrete room?

25 A. He just masturbated in front of me. He tried to rape me

1 but I wouldn't let him.

2 Q. Was that on one occasion he did that or more than one
3 occasion?

4 A. Three times.

5 Q. Three times?

6 A. Yeah.

7 Q. You mentioned LOH, was he a mention of staff?

8 A. Yeah, he ran the MacDonald wing. SNR

9 Q. Did he come into the concrete box?

10 A. Yes.

11 Q. What happened when he came into the concrete box?

12 A. He beat the living hell out of me, then he raped me.
13 I couldn't fight him. He was too big.

14 Q. Was that something that happened once or more than once?

15 A. That happened on numerous occasions, which I have
16 reported to the police. The police investigated and
17 they say, 'Well, there's nothing we can do, he's got
18 dementia, so let's forget about that shall we?'

19 Q. You tell us at paragraph 49 of your statement that
20 LOH asked you on one occasion or told you on one
21 occasion that LOF had been on the phone?

22 A. Yeah.

23 Q. Wondering if you'd said anything?

24 A. Yeah.

25 Q. Did you tell LOH anything about LOF?

1 A. Oh, he knew. He knew all about him. I told everybody
2 by now. It didn't matter who you told. I told the
3 sheriff that sent me there, but didn't make the
4 slightest bit of difference.

5 Q. Did there come a time when you got out of the concrete
6 box?

7 A. Oh, yeah, yeah.

8 Q. Was there an occasion where you were asked to go and see
9 a female member of staff?

10 A. Yeah.

11 Q. At her cottage?

12 A. Yeah.

13 Q. To do some gardening?

14 A. To do some gardening. That was her favourite excuse.

15 Q. Do you remember her name?

16 A. I don't, I'm sorry, I really cannot remember.

17 Q. You say she was a teacher at Rossie Farm?

18 A. She was a teacher.

19 Q. Did something happen when you went to her house?

20 A. Yeah. She come in and says, 'Sit down, there's a bottle
21 of Coke, drink that, I'm away to get my gardening
22 clothes on, I'll be out in a minute'.
23 And she went away into her room and come out naked.
24 And I thought, 'What's going on now?'

25 Q. What did you do?

1 A. I didn't do anything. I didn't know what to do.

2 Q. Did you leave?

3 A. Eventually I did. I couldn't understand what was going
4 on, this dame took her clothes off.

5 Q. You say in your statement:

6 'It was quite clear what she wanted. I didn't know
7 what to do. This absolutely blew my mind.'

8 A. Yeah. I knew what she wanted.

9 Q. You said:

10 'I had never been with a woman before. I opened the
11 door and ran away.'

12 A. I've never been out long enough to go away with a woman.

13 Q. After Rossie Farm you tell us you were sent to Glenochil
14 Detention Centre?

15 A. Yeah, I had a wee sojourn there, that was a good place.

16 Q. Then when you were 17 that you were sent to
17 Polmont Young Offenders institution?

18 A. No, it was a borstal then, it was not a young offenders.

19 Q. Did you spend two years there?

20 A. I certainly did.

21 Q. You tell us you were out of there for about six weeks
22 and you were then back before Sheriff Cox, who sent you
23 to the Young Offenders Unit at Saughton Prison?

24 A. That's right.

25 Q. Then you tell us that you were out of Saughton in your

1 early 20s, that you were then back in a young offenders
2 institution called Friarton Young Offenders in Perth?

3 A. Yeah.

4 Q. And that on your 21st birthday you were transferred to
5 Barlinnie Prison?

6 A. That's correct. A great life, I've been locked up since
7 I was seven.

8 Q. At the age of 22 were you then in Perth Prison for
9 a while?

10 A. I was.

11 Q. Then you say that you got out and realised it was
12 getting beyond a joke?

13 A. Yeah.

14 Q. That you were going to learn to read and write and get
15 yourself a job?

16 A. Well, I tried. I learnt to read and write, but
17 I couldn't work for anybody. I just couldn't do it.
18 I couldn't take discipline. I couldn't do what I was
19 told. It didn't work for me.

20 Q. You tell us then 'Jim' that in the mid-1970s you met
21 your wife, who you have been married to for over
22 40 years, and that you have a great relationship?

23 A. Yeah.

24 Q. You have told us already a little bit about your career
25 and the pub you mentioned. And that you then went on to

1 work with computers and had your own business?

2 A. Yeah, well I had a computer business first. I did try.

3 Q. You set that out in detail in your statement. I'm not
4 taking you through the detail but we do have all of
5 that.

6 You tell us now that you are looking after your wife
7 and you've got children and grandchildren?

8 A. Yes, it was when I had kids that I decided to talk about
9 this, even the slightest off chance one of my kiddies
10 might have been sent there, to one of these places, and
11 that wasn't happening.

12 Q. You spoke to the police in the 1990s --

13 A. Yeah.

14 Q. -- about your experiences at St Ninian's?

15 A. Yeah.

16 Q. You have spoken to the police since then about your
17 experiences at some of the other institutions --

18 A. Yeah.

19 Q. -- that we have spoken about today?

20 A. Yeah.

21 Q. You provided evidence in the High Court in relation to
22 the trial --

23 A. Three times.

24 Q. In relation to Brother Benedict?

25 A. Yeah. I've grown old with them.

1 Q. At the end of your statement, 'Jim', you set out some of
2 your views and hopes for this Inquiry and that's at
3 paragraph 90 of your statement. You say that the only
4 way to stop abuse is to stop children getting involved
5 in religious establishments?

6 A. That's correct.

7 Q. You say that it's not natural for a man to be celibate
8 and walking around dressed in a gown?

9 A. No, it's not.

10 Q. And you think more should be done to ensure that the
11 staff who work at Local Authority places are fit and
12 suitable to work with children?

13 A. Certainly.

14 Q. And you hope that this will help protect children and
15 that the Inquiry will help keep weirdos away from
16 children?

17 A. Well, I hope it does, but I have my doubts.

18 Q. 'Jim', I've been asking you a lot of questions today.
19 I just want to ask you if you have anything you want to
20 add or you want to say at this point?

21 A. I just want to say that all due respect to you, I mean
22 this has been going on for years and at the end of it,
23 and this is still with the utmost respect for yourself,
24 I don't think a single thing will change. As long as
25 kiddies are being sent to these residential places, they

1 are going to be abused.

2 It doesn't matter how good you vet the members of
3 staff, they always get through, always get through. You
4 can do all the background checks you want on them.
5 They're always clean as snow, but there will be abuse.
6 It will not stop.

7 It is not going to stop until sending kiddies away
8 stops.

9 MS MACLEOD: Thank you, 'Jim'.

10 My Lady, I haven't received any applications for
11 questions.

12 LADY SMITH: Thank you.

13 'Jim', I just want to thank you for bearing with us
14 so patiently as you have done and providing as much
15 evidence as you have done. Really grateful to you.

16 You'll probably go away exhausted tonight after all
17 you have given us. But I hope you appreciate that we
18 will put what you have told us to as good use as we can.
19 We have to try. I hear everything you say, but we have
20 to try to make things better.

21 A. Well, I hope you're successful.

22 LADY SMITH: Thank you.

23 A. I have my doubts, I'm sorry. No personal doubts about
24 you. I'm sure you'll do your job --

25 LADY SMITH: I always liked a challenge, 'Jim'.

1 A. -- but I can't see this changing.

2 LADY SMITH: It's hard. I understand that.

3 But we need to make people understand what happened

4 in the past -- we have made great headway in doing

5 that -- and then move on to challenging those who can

6 make changes to make changes for the future to protect

7 children better than in the past.

8 I'm not promising we can eliminate it.

9 A. But the thing is you can't give these people their lives

10 back.

11 LADY SMITH: I know. I do know that.

12 A. They're gone. And all their childhood. I never played

13 with bairns and toys and things like that. There was

14 none of that. I was used as a sexual ornament

15 basically, right. I was there just to be abused.

16 LADY SMITH: I get that.

17 A. There was no teaching me anything.

18 LADY SMITH: For the price of a bottle of lemonade and

19 a packet of crisps, I get that.

20 A. Yes, basically. That's what you were worth. A bottle

21 of pop and a packet of crisps.

22 LADY SMITH: Well, I see a woman sitting quite close to you

23 who I think values you rather more than that and

24 I'm delighted that she is here to support you as you

25 leave us today.

1 I wish you all the best as you go home.

2 A. Thanks very much.

3 LADY SMITH: Thank you.

4 (The witness withdrew)

5 LADY SMITH: Names again, some of them are repetition of

6 earlier, Brothers MCA, zMJO, MBU,

7 HFU, MJO, Benedict, Mr MCK, Mr McKenna,

8 Mr zILX, LOF and LLY.

9 If anyone is in any doubt as to whether they can
10 identify them outside this room please check before they
11 do so.

12 I think that's the end of today.

13 MS MACLEOD: Yes, my Lady, that is the end of today.

14 We have an early start tomorrow morning with
15 a videolink coming in at 8.00 am.

16 LADY SMITH: Yes.

17 My apologies in advance to the fact that this is
18 happening in the depths of winter, but we're linking
19 with somebody in a place that is not winter and there is
20 a time lag and 8 o'clock is the most social time, if
21 I can put it that way, we could arrive at.

22 I look forward to any of you who are going to be
23 here tomorrow being here in time for the 8 o'clock link.

24 I will be here, as will the team.

25 That's all for today. Thank you.

1 (4.25 pm)

2 (The Inquiry adjourned until 8.00 am on

3 Wednesday, 10 January 2024)

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

I N D E X

	PAGE
Submissions by MR HUGHES.....	2
'David' (sworn)	3
Questions from Mr MacAulay	5
'Andrew' (sworn)	52
Questions from Mr MacAulay	53
'Jim' (affirmed).	119
Questions from Ms MacLeod	120

