

Thursday, 25 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 and welcome back to our hearings in Chapter 2 of Phase 8 of this case study.

Mr MacAulay, I think we're beginning with a read-in today, is that right?

MR MACAULAY: Yes, good morning, my Lady. We are beginning with a read-in. This is an applicant who wants to remain anonymous and use the pseudonym 'Thomas' in his evidence.

'Gordon' (read)

MR MACAULAY: The statement reference is WIT-1-000001194.

'Thomas' was born in 1962. He begins by telling us about his life before going into care and in particular that his mother left when he was aged two, with the result that his father was left to bring up six children and that apparently was something of a struggle for him.

Against a background of truancy and crime, led him to being in an assessment centre as a precursor to going to Larchgrove Remand Home, probably aged six or seven, in 1968/1969.

At paragraphs 24 onwards he describes the routine at Larchgrove.

In paragraph 43 and onwards he mentions that there was abuse at Larchgrove.

1 Then he went from Larchgrove to
2 St John Bosco School, he talks about that from
3 paragraph 51 onwards.

4 That led him ultimately to going to St Joseph's
5 Tranent --

6 LADY SMITH: Mr MacAulay, can I just check the chosen
7 pseudonym of this witness?

8 This is WIT-1-000001194 that we are following,
9 isn't it?

10 MR MACAULAY: Yes.

11 LADY SMITH: Originally I thought he'd chosen a different
12 pseudonym, the pseudonym 'Gordon'. But maybe it
13 changed. Just to check it ties up correctly for our
14 records.

15 (Pause)

16 Certainly the witness above him in my list had
17 chosen 'Thomas', I just wonder if it got transposed
18 somewhere.

19 MR MACAULAY: I'm told it should be 'Gordon'.

20 LADY SMITH: It should be Gordon, yes, I thought so, thank
21 you.

22 MR MACAULAY: My Lady, I was then going to look at his time
23 at St Joseph's, Tranent and he begins talking about that
24 at paragraph 81:

25 'There were quite a few dormitories in St Joseph's

1 called Savoy, Bonaldis, Sinclair and Augustus House.
2 There were staff houses, a games area and a TV viewing
3 room. Apart from the bad stuff, it was an okay place.
4 I was at St Joseph's for about two-and-a-half years,
5 from the age of 8 until 10 or 11.'

6 That would mean he was there perhaps from 1970 to
7 about 1972 or 1973.

8 He goes on in the next few paragraphs about the
9 routine.

10 Then at paragraph 91 he says:

11 'I ran away from St Joseph's as well. It wasn't all
12 bad, but I ran away because there was bad stuff
13 happening. I was breaking into cars and buildings when
14 running away and when I was home at weekends. There was
15 hardly any premises in the centre of Glasgow that
16 I hadn't broken into. It's not something I'm proud of.

17 My story is very similar to other boys who have been
18 to court over this man, Brother Benedict was just
19 a predator. We would call what he did "ribbers",
20 because he would dig his knuckles into your ribcage. He
21 would grab you by the scruff of the neck. He had this
22 workshop where he played with wee train sets and
23 magnetic coils that would give you an electric shock.
24 He would put coils onto tobacco tins, electrocute them
25 and leave them lying so people would pick them up.

1 People weren't allowed to smoke in there, but he would
2 smuggle tobacco in and steal the tobacco tins. He
3 didn't get me because I didn't smoke at the time.

4 He also bugged the rooms. He would listen to folk.
5 He was a bit of a boffin kind of person. People used to
6 wonder how they got caught smoking. He would be
7 listening to their conversations. He had these speakers
8 in each dormitory in Savoy House, where he was at the
9 time, I was in Bonaldis House. He used to play the top
10 40 songs through the speakers on a Sunday morning.
11 I think the listening devices were in the speakers.
12 That's what was said anyway and he was into those
13 things.

14 Brother Benedict had a workshop where he had train
15 sets and lots of electrical stuff. There were also
16 booths in there. He would get you in and masturbate in
17 front of you and get you to sit on his knee and touch
18 him. You could sit with headphones on and listen to the
19 top 40 if you wanted. He was at it constantly. When
20 I think back, his workshop was just a place to groom
21 kids.

22 I had a friend who was in his 70s. He passed away
23 recently. He was dying and opened up to me about
24 Brother Benedict and what he did to him. I realised he
25 was talking about the same person that did things to me.

1 He had a free rein to do what he wanted there.

2 Brother Benedict had already been sentenced to
3 two years in prison for physically abusing kids in
4 St Ninian's. Why was he reemployed? The
5 Catholic Church send them away to do penance and get
6 them back again. He had control over these children
7 over the years.'

8 There is some confusion there, because clearly the
9 conviction was in 2003.

10 LADY SMITH: Yes.

11 MR MACAULAY: 'There was an adventure playground in
12 St Joseph's as well. There were lots of concrete and
13 some structures underground for the water, you were
14 hidden from view in quite a few places. He would come
15 in and do things to you. I'm not saying it was petty,
16 but it wasn't as bad as the things he would do to you if
17 he had you in a confined space. He was just a bad
18 person. These things happened to me quite regularly,
19 but I think he was doing it to a few boys. He didn't
20 seem to be playing with a full deck, although he was
21 clever with all these gadgets and things he made.

22 I remember going to Bon Accord Swimming Pool one
23 time. Brother Benedict took me and another boy. He was
24 with another male and we did some things with them.
25 I don't know who the other male was, but he wasn't

1 a staff member.

2 It was summer and I remember we were staying in this
3 school. The school was closed due to it being the
4 summer holidays. We used to have what they call siesta
5 in the afternoon, when we would go for a nap.
6 Brother Benedict came in and took me and this other boy
7 away on the pretence we were going to the cash and
8 carry.

9 It ended up we went to this other male's house and
10 me and this other boy were made to do things to them.
11 I wasn't aware this other boy was getting things done to
12 him with this other guy. We were separated.

13 I don't know how Brother Benedict got away with it.
14 We were selected out of a group of kids. It's like
15 paedophile rings. They seem to know who to target.

16 There was a guy called MJK as well, He was
17 an older guy and he used to throw hammers and other
18 tools about the place. He'd hit people at times,
19 although no one ever needed to go to hospital. He was
20 a blacksmith and was full of alcohol all the time. He
21 was a really cheeky man and had ideas above his station
22 speaking to kids the way he did.

23 I did report the abuse at St Joseph's and got caned
24 for it. I said that it wasn't right. It wasn't normal
25 but it was just hopeless speaking to anybody about it.

1 I spoke to Brother MJG about Brother Benedict.
2 MJG was SNR at the time. I had to take my
3 trousers down and he caned me for what I said about
4 Brother Benedict and told me not to mention it again.
5 Nothing was done about it. Brother Benedict had already
6 served a two-year sentence for historical things he had
7 done and yet he was back in the same position.'

8 Again, there is some confusion there.

9 LADY SMITH: Yes.

10 MR MACAULAY: 'I think I got released from St Joseph's and
11 went back home for a period of time. It felt good
12 getting home with my dad. My criminality continued and
13 I was still sleeping rough.'

14 He goes on to say that he was supposed to be going
15 to a primary school, so that would mean he would be 11
16 or 12, about 1972 or 1973.

17 He then goes on to say that he's back at Larchgrove
18 Remand Home and he provides some information about his
19 time there.

20 Then at paragraph 125 he mentions his time at
21 St Andrew's School in Shandon and provides some
22 information about his time there.

23 At paragraph 143 he spent a little time in
24 Barlinnie, before moving on to Polmont.

25 He talks about that at paragraph 145.

1 Then he moves on to paragraph 152, where he talks
2 about life after care.

3 If I move on to paragraph 153:

4 'All the people I associated with were career
5 criminals. It's when drugs came along that I went awry
6 and started spiralling out of control. Other than that,
7 I would have remained a career criminal and made
8 a decent living out of it. I went to a bad place with
9 the drugs.'

10 Then at 156:

11 'I was in and out of prison until I had my youngest
12 son 27 years ago. Even then I was sent to prison in his
13 younger years. His mum would bring him through to me,
14 visit me in prison. It can't be good for your kids to
15 see that.

16 I was back and forward to Children's Panels for nine
17 years bringing up my son. I was a single parent by
18 then. He's 23 now. I put him through the ringer for
19 years with my substance abuse. I was taking methadone,
20 Valium and smoking weed. After 27 years, I've made
21 a conscious decision to stop it.'

22 Then looking at impact, at 158:

23 'We were never told that we could be what we wanted
24 to be in life. We only knew one route. The
25 institutions I went to were colleges for crime. It's

1 only years later that you have regrets.

2 Some of the boys I was in care with I've known all
3 my life. They are doing life sentences for rioting and
4 cutting people up. That's what the care system seems to
5 produce. I don't know many people through my
6 experiences that have come out and benefited from it.

7 A lot of people I remember from these places are
8 dead now. They became drug addicts, criminals or
9 gangsters. Locking people up in institutions or care
10 homes just fuels criminal minds. I know it's got to be
11 done in some cases, but with children at an early age
12 there needs to be more intervention because it isn't
13 working.

14 I went into the care system knowing how to break
15 into a car and came out knowing how to break into
16 a safe. All these things you learn in these places.

17 Kids need to be taught from a every early age that
18 they can be anything they want to be in life. I never
19 had that said to me. All these people kept us down,
20 society's kept us down.'

21 Then at 165:

22 'I think bringing my eldest son and his kids up kept
23 me out of prison. I've now been out for 27 years.
24 Before that I couldn't say I was out of prison any
25 longer than a year.'

1 Then at 169 he says:

2 'It seems mad that I've reached the age of 60 and
3 woken up smelling the coffee. It has taken me so long
4 to realise what I've been doing is so wrong. Not good
5 for me and not good for my kids. Not good for my life.'

6 Then if I move on to the section headed 'Lessons to
7 be learned'. At paragraph 181:

8 'Someone needs to find a solution to care homes.
9 There's so many children in care, what is the solution?
10 I'm not sure what it is. It's for people in positions
11 of authority to sort this out.

12 Lifting your hands to kids serves no purpose. It
13 certainly served me no purpose: my dad hit us. It has
14 a detrimental effect on your mind, it made me
15 rebellious. I have four kids and I've never lifted my
16 hands. I'd rather sit them down and speak to them.'

17 At 184:

18 'There are all those kids out there that are going
19 to go through the exact same thing I did because there
20 is no future for them. They only know one thing in
21 life. They either end up doing one life sentence or
22 they do a life sentence in instalments.'

23 At 186:

24 'I want to say to children in care or about to go
25 into care not to dwindle their life away on criminality.

1 Unless you're really clever you're not going to get away
2 with it. It will catch up with you one way or another
3 and somewhere along the line you'll get roped into
4 drugs. It's not a pleasant lifestyle and I wouldn't
5 advocate it to anyone.

6 I'm 60 years of age now. I just want to enjoy my
7 life and look after my kids, I have never been abroad
8 and I would love to go on holiday.

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

13 'Gordon' has signed the statement on
14 8 February 2023.

15 LADY SMITH: Thank you.

16 Ms MacLeod, when you're ready.

17 'Graham' (read)

18 MS MACLEOD: My Lady, I'll read in the statement of
19 an applicant who wishes to remain anonymous and to use
20 the pseudonym 'Graham'.

21 The statement is at WIT.001.001.0108:

22 'My name is 'Graham'. I was born in 1971.

23 From birth I lived on my own with my parents. My
24 family were not Catholic. We didn't have any religion
25 at home.

1 I got bullied a lot at school. However, when I was
2 in primary 5 I'd had enough of being bullied and
3 I battered the bullies. I got into trouble because of
4 this. I stopped going to school when I was in
5 primary 6. I got into trouble at night hanging about
6 with the older boys.

7 However, I wasn't really that badly behaved in
8 primary school. I did the whole of the first year at
9 high school and a couple of months in second year. When
10 I was 13 or 14 I was sent to St Joseph's in Tranent.

11 I was sent to St Joseph's, a Catholic school,
12 Tranent in second year and I stayed there until I left
13 school in 1986. I boarded from my first day. I thought
14 I would be a day boy because it was close to where
15 I lived but I was residential.

16 There were no school years at St Joseph's. You just
17 went to class 1, 2, 3, 4, 5 and 6 before leaving. We
18 were all put into 1 or 2 at the beginning. It was an
19 all-boys' school, with about 300 to 400 boys in it.
20 There were about 90 boys boarding, 30 to each cottage.

21 The cottages had names Ogilvie, Sinclair and
22 Benauld's. I stayed in Ogilvie cottage the whole time,
23 but went to Sinclair cottage for the last few months
24 before I left school. At Sinclair cottage they taught
25 you the different things for leaving, like life skills.

1 There was more freedom in there and you could go and
2 make a sandwich when you wanted.

3 The main school building was just across the road
4 from Ogilvie cottage.

5 My bedroom was upstairs at Ogilvie cottage. There
6 were no bedrooms downstairs except for Mrs [REDACTED].
7 Mrs [REDACTED] was the cooking lady. She was downstairs.
8 She never came upstairs, she had a house at the side.
9 There was also a TV room, computer room, dining room,
10 boot room and a toilet and upstairs were the bedrooms
11 and showers and toilets.

12 At the start I thought the routine was all right in
13 Ogilvie. You got woke up for your breakfast, you went
14 away and got showered, brushed your teeth, then went
15 downstairs and sat for about 20 minutes, then you had
16 your breakfast, then went to registration for school.

17 There were four beds in my bedroom when I first went
18 and it was just me and another boy.

19 Brother Ben was in charge of Ogilvie cottage.
20 I didn't know where the Brothers lived, but they always
21 woke us up. Brother IVB came to Ogilvie cottage too as
22 I was getting a wee bit older. Everybody in my cottage
23 looked up to me to help them because I was biggest out
24 of us all. I tried to see if Brother IVB was like
25 Brother Ben. You weren't allowed to make chip butties

1 up, so I thought I would make up a chip piece to see if
2 Brother IVB would do anything. He would say stop
3 making chip pieces and would send me to the boot room to
4 eat my dinner, I tried hundreds of time to argue with
5 him. I don't know if that's when Brother Ben started
6 hitting me a couple more times for doing that to
7 Brother IVB. Brother IVB never did anything to me.
8 Brother IVB jacked it in after I left.

9 Brother Ben was there the whole time I was in
10 Ogilvie cottage. I would see him about, but he didn't
11 come into Sinclair cottage at all when I was there.

12 I got on with a few of the teachers. I liked
13 Mrs [REDACTED]. She didn't know what was going on. When she
14 was there I knew nothing would happen to me, but she was
15 never upstairs.

16 I had my own room in Sinclair cottage when I moved
17 there. Sinclair was okay. It was brilliant.

18 There was a nurse, a woman in the old building at
19 the school. You only went to if you had something
20 wrong. I had to go when I had tonsillitis, I never had
21 to get any treatment for any injuries that I got.

22 I used to fall asleep about 3 am or 4 am in the
23 morning and I would hear Brother Ben coming upstairs the
24 following morning and I was awake for him coming.
25 I used to lay under the duvet waiting, sometimes he

1 would chuck the duvet up. He used a cane and whacked my
2 feet a couple of times. He didn't always lift the duvet
3 up, he just whacked the bed with the cane. I don't know
4 what he did with the cane, I think he chucked it out the
5 window but when I got up he would punch me in the ribs
6 and called me the Antichrist and a fucking bastard.

7 Brother Ben wore a dog collar, a black jacket, blue
8 jersey, black trousers and boots.

9 Brother Ben woke me up every morning practically.
10 Once in a blue moon, maybe twice a week if I was lucky,
11 he would just waker me up, most of the time he would
12 say, "little bastard" and punch me and say, "get up, get
13 through there, washed and teeth cleaned, get back and
14 get your breakfast, don't be doing anything bad today or
15 you will be getting it worse tomorrow".

16 The abuse mainly happened in the morning time, but
17 if I passed Brother Ben in the hall I would get a punch
18 in the ribs. Sometimes if I was upstairs he would come
19 up and punch me and say something. It started getting
20 more when the other boy in my room moved out. Every
21 morning punch, punch, punch, you're the Antichrist and
22 hit with the cane, whatever he decided that morning. It
23 was a cane you put in the ground to hold plants. I have
24 scars on my back which were caused by the cane. Nothing
25 happened to me when the other boy was in the room.

1 The other boy and I didn't share a room the whole
2 time I was in Ogilvie. After he left I was the only
3 person in that bedroom. There were rooms with four beds
4 in it, but there were two or three folk in those rooms
5 but I never got anybody else in my room. It was in
6 Ogilvie cottage where everything happened.

7 I had a shower at night so no one would have to see
8 my injuries. It was up to you when you showered, as
9 long as it was before bedtime.

10 When Brother Ben used to lift the duvet up and slap
11 the soles of my feet with a cane I would wear socks with
12 cut-out cardboard so it wouldn't sting so much. After
13 getting hit I would have to sit in my room for five
14 minutes to try and stop crying. I would then have to
15 walk through to get washed and I was in agony. Then
16 I would go back and get dressed, go downstairs, get our
17 breakfast and walk across and it was stinging all the
18 time. He did that a few times more than I like to
19 remember.

20 Sometimes when I put the cardboard in, it wasn't so
21 bad. He would say I was a useless piece of scum and
22 I shouldn't have been [REDACTED] and I was
23 the Antichrist and an evil little bastard.

24 I got into a few fights with other boys and it
25 seemed to be worse then. A boy in my cottage was going

1 to hit a smaller boy and he tried to punch me, so
2 I punched him and burst his nose and lip. I got kicked
3 out of the room for doing it. The following morning
4 Brother Ben gave me a couple of digs to the ribs and hit
5 me with the cane on my back three or four times.

6 He used to come straight to my room first to get me
7 up. I knew how many steps there were until he got to my
8 door. I was sick of getting hit all the time. I was
9 even trying to get kicked out of school.

10 I tried to kill myself once when I was 17 or 18 and
11 still at St Joe's. I was going [REDACTED]
12 [REDACTED] I had been sniffing glue and had enough of it.
13 I had a bottle of whisky with me, which I had brought
14 from home. I drunk it and did a bunk from St Joseph's.

15 [REDACTED]
16 [REDACTED]
17 [REDACTED] and it was raining. [REDACTED]
18 [REDACTED] and I didn't do it. But
19 I wanted to do myself in that day. I was about 15 then
20 and I'd had eight or nine months of being battered.

21 I saw other folk crying in front of Brother Ben but
22 never caught him doing anything to them. I heard people
23 shouting and screaming, but he said they were trying to
24 do a bunk and escape.

25 I was off school ill once for two weeks with swollen

1 glands. I was playing the computer and two boys came in
2 for their dinner and asked for some time on the
3 computer. I asked them to wait a few minutes until
4 I got to the end of the game. The door was ajar and
5 Brother Ben heard it and came storming in and he grabbed
6 me. He grabbed my hand whilst I was still playing the
7 computer and pulled me and my head cracked the corner of
8 the door. I had a big swollen egg on my head. I wasn't
9 seen by a doctor.

10 I don't know why he did that to me, just like
11 I don't know why he punched me in the ribs and called me
12 all the evil bastards. I don't know if he was in a bad
13 mood at that time. He didn't say anything. I was
14 allowed to play the computer as I was off ill. He
15 didn't seem bothered about what happened. The nurse
16 only came in during school hours, so outwith that it
17 would have been Mrs [REDACTED] we went to see if we got hurt.
18 She asked if I was all right and if I felt dizzy.
19 Mrs [REDACTED] put ice on to bring the swelling down.

20 When I went to St Joe's everybody was smoking and
21 I said, "Ma, can I smoke?" And my mother said, "Yes, he
22 smokes" and that is why I was allowed to smoke in
23 St Joe's. I thought the guys in the boiler room were
24 all right, but it was them that were getting the wee
25 laddies to hold the hot magnets.

1 You could get up to 30 folk in the boiler room.
2 I was in the boiler room with younger boys when they
3 were asked to hold the magnets. There were six or seven
4 boys. The magnets were like bolts and you had to take
5 them off the hot boiler and put them on the palm of your
6 hands. I had no feeling in the tips of my fingers so it
7 didn't bother me. If they didn't do it then they didn't
8 get a cigarette. When I saw a tear coming from a boy's
9 eye I realised it wasn't a game.

10 When I was in St Joseph's I was friends with another
11 boy who was in Ogilvie cottage. He was a very small
12 lad. I was there before him and I kept my eye out for
13 him. When I was getting battered in Ogilvie, I was
14 trying to keep it away from everybody else.

15 One day Brother Ben came through to the kitchen and
16 I was ready to stab him with the knife, because he said,
17 "what's taking your time with the dishes?" I was drying
18 them. I was just taking my time until Mrs [REDACTED] came
19 and I could go through and watch the telly. He came
20 through and I had a big sharp knife and I was going to
21 get him with that, but Mrs [REDACTED] came out the door and
22 he went away.

23 Brother Ben had an electricity game. He said it was
24 a game. It was a machine that you had to wind up.
25 A wind-up machine that made electricity. Your hands

1 held on to brass handles and once it was wound up you
2 get a shock and you can't let go because your muscles
3 were contracting. You had to hold hands with other
4 boys. Every time we were going away he would say, "Have
5 a shot of this before you go". It wasn't a punishment
6 for boys who were in trouble. He would just do it and
7 then wouldn't stop when it was down to one person until
8 he was knackered. I think the boys thought it was
9 a game at first. But after that, I don't think a lot of
10 them tried it again.

11 I took part a few times when I saw folk doing it.
12 I would join in too and hold on and I would go the
13 longest I could, even though I knew that he wouldn't
14 stop when I told him to stop. He kept doing it. Some
15 of the boys weren't very tall. Once the game was
16 finished you were allowed to go to the cottage, but you
17 had to wait on the last person

18 I saw a boy holding onto the brass handles. The
19 redness in Brother Ben's face, it was that red and he
20 was trying to go that fast that the sweat was dripping
21 off him and the wee laddie's arm was jumping about
22 because he was getting shocks. When they were telling
23 him, Brother Ben, to stop, he wouldn't.

24 He kept going faster, faster and faster. I don't
25 know what the machine was actually used for but that's

1 what it was used for. He wouldn't stop. He just kept
2 smiling and I called him a bastard. He told everybody
3 to go out and he kicked me on the shins and punched me
4 on the ribs and said, "Don't you ever call me that
5 again" and, "You shouldn't even be here". He would say,
6 "You Antichrist little bastard", [REDACTED]

7 [REDACTED] I don't know why he picked on me [REDACTED]
8 [REDACTED].

9 This happened in his workhouse where the computers
10 were, air hockey table and that. He didn't live there.
11 He lived beside all the other Brothers. They all had
12 their own room.

13 A couple times my pals would ask to go to
14 Brother Ben's to play air hockey. This was 6.30 pm to
15 8.30 pm Monday to Thursday, after you went to school.
16 You got your dinner and played football or go to the
17 swimming and watch the telly if you wanted to stay in,
18 but everyone went out to different things. Sometimes
19 there wasn't enough room to go to the football or
20 swimming pool and all that was left was to go to
21 Brother Ben's. So you had to go to Brother Ben's, even
22 if you didn't want to.

23 I never once let Brother Ben see me cry. Never once
24 let him see anything. I thought that would be a sign of
25 weakness to him. I hated him and didn't want to satisfy

1 him. I thought I was protecting everybody, and I was
2 only a young lad, because I know what it is like getting
3 bullied. I thought I was doing the right thing making
4 sure everybody else was safe, everything else starting
5 getting worse.

6 **GFJ** was the outdoor pursuits teacher at
7 St Joseph's and he was at the school every day. We did
8 canoeing and sailing and things like that. He used to
9 bet children to jump a gorge up to 20 feet deep. He
10 would bet you to see who could go and do the furthest
11 jump or see who could swing out the furthest on the
12 rope. He would put on bets to see boys doing things
13 that were quite dangerous. At first I got on with him,
14 but then I didn't want to do the stuff he wanted us to
15 do. I loved canoeing and sailing, but a lot of the
16 times he was betting you a fag or ten fags to do things
17 that weren't so good. Sometimes I did the things to get
18 fags. Sometimes I didn't. It depended if there were
19 other folk there older than me, I didn't see anyone get
20 injured.

21 I remember we went on a run across a harbour wall
22 and the waves were coming. Another pupil got caught by
23 a wave and landed on the ground which could have put him
24 on the other side of the harbour. He had a box of
25 matches in his pocket and when he landed the matches

1 went off and there was a big burn mark on his leg.

2 I never discussed what happened at St Joe's with
3 anyone whilst I was there. I just kept it all to
4 myself, who could I go to?

5 The social worker lady came to see me and check if
6 everything was all right. She seemed more interested in
7 getting a cup of tea or coffee and a biscuit from
8 whoever was in. She would ask how I was, but I couldn't
9 get to say anything most of the time

10 I went to tell her one day but she said, "I'm in
11 a hurry, you can tell me next time I come back".
12 I never told her next time she came back as she came
13 back the same and sat there and was more interested in
14 a cup of tea and a biscuit and a break. Her name was
15 Angela Shade. She came once in a blue moon to see me,
16 but I think it was meant to be every two to three weeks.

17 When she came to see me we never spoke in private.
18 It was usually in the living room where everybody sat
19 and watched the telly. She was my social worker the
20 whole time I was there. Nobody would believe me. They
21 would say I was just a trouble-making little bastard.

22 I used to go home at the weekends unless I got kept
23 in for doing something wrong. My parents' house was
24 just up the road from the school. I couldn't tell my
25 father what was going on, my father would have killed

1 Brother Ben. Who was going to believe me though?

2 I know my father would have believed me.

3 I have never spoken to anyone else who has said they
4 were abused by Brother Ben.'

5 In paragraphs 54 to 61 the witness speaks about his
6 life after being at St Joseph's.

7 I'll move to paragraph 62 where he discusses the
8 impact it's had on his life:

9 'I do not keep good health or sleep well. I take
10 Valium, sleeping tablets and methadone. I am under the
11 care of a psychiatrist and psychologist, I'm also
12 an alcoholic and former heroin user. Before I went to
13 St Joseph's I didn't drink and I never wanted to drink
14 or smoke. Sniffing glue never came into my mind. I saw
15 people in Tranent sniffing glue and they asked if
16 I wanted a shot before I went to Joe's, but I said no.
17 I was happy go lucky, but when I went to Joe's it was
18 all downhill, drink, drugs and glue.

19 My psychiatrist has known what happened to me for
20 about 11 years. I had stopped drinking and I couldn't
21 sleep. I tried cannabis and heroin to help me sleep,
22 but got hooked, addicted. I went to see a doctor about
23 my problems and I just burst out and told her. She set
24 me up with a psychiatrist. I hadn't told anyone before
25 this, not even my former partner. I kept it all to

1 myself.

2 When I was in St Joseph's I hated the police.
3 I just couldn't stand any authority. I couldn't stand
4 being told what to do because of what was happening to
5 me. I did the opposite of what they told me to do and
6 thought: what was the point in keeping to the rules?
7 I was getting battered anyway and I took my anger out on
8 the police and other people.

9 I don't trust many people now and it's because of
10 St Joe's and what happened to me.

11 I have had sleeping problems since I was at
12 St Joseph's. I can close my eyes for only a short time
13 during the day, sometimes I fall asleep and I see
14 Brother Ben's face and I waken up or I can smell
15 aftershave. I've walked down the street and
16 I've smelled an aftershave and I have stopped and looked
17 across the road. I think about it a lot and I can't get
18 it to stop. I'm scared to go to sleep.

19 I started drinking to help me sleep. I went to the
20 doctor about my drinking and he gave me tablets and
21 I took them and stopped drinking for a bit, but
22 everything started coming back and I started drinking
23 again. I had to stop.

24 As a result of coming here today I would like to see
25 no children getting abused. If they do the crime, they

1 should do the time and it should be a good bit of time,
2 more than a couple of years.

3 My aim at present is just to tell the Inquiry about
4 my abuse, not the police. I did go once to tell them
5 but there were no police officers available to speak to
6 me.

7 I heard that my friend from St Joseph's killed
8 himself. I heard he'd been looking for me. He wanted
9 to see me about something to do with St Joseph's. I had
10 only seen him a couple of times after leaving school.
11 He never mentioned anything about St Joe's to me, but we
12 were always with people. But then I found out eight or
13 nine years ago that he was looking for me and it was
14 something about St Joe's. Then I found out he had
15 killed himself.

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

20 'Graham' signed the statement on 29 September 2016.

21 LADY SMITH: Thank you.

22 'Charles' (read)

23 MR MACAULAY: My Lady, this is another applicant, who wants
24 to remain anonymous and to use the pseudonym 'Charles'
25 in his evidence.

1 LADY SMITH: Thank you.

2 MR MACAULAY: I will give the statement reference, it's
3 WIT-1-000000803.

4 LADY SMITH: Thank you.

5 MR MACAULAY: 'Charles' was born in 1968. In the section
6 dealing with his life before care, he paints a very
7 troubled family background, including non-attendance at
8 school, and that's what led to him going to St Joseph's.
9 He starts talking about St Joseph's at paragraph 16.
10 He probably went there in 1982 when he was aged 14.
11 In paragraph 18 he describes the set-up with the
12 main building and the four cottages.
13 He goes on to say at 21:
14 'The school was run by the monks who were called
15 Brothers, but there was also civilian staff who were
16 mainly teachers. The teaching staff normally taught at
17 Ross High school, but the ones who were too handy with
18 the belt or got into trouble were transferred to
19 St Joseph's to teach. They were a violent bunch of
20 teachers.
21 I was still sniffing glue when I went to St Joseph's
22 and I am sure that the staff knew but they didn't give
23 me any help to stop. I was eventually moved to the
24 seniors boys' cottage as I was getting up early in the
25 morning to go to work. I was doing a job in a local

1 dairy to gain work experience and after six months when
2 I turned 16 I was offered a permanent position at the
3 dairy.'

4 Then at paragraph 25 he goes on to say:

5 ' [REDACTED] One of
6 them was LVI [REDACTED] and worked in the boiler room, while
7 the LVH [REDACTED] one was a social worker attached to
8 St Joseph's.

9 Brother Benedict was also on the teaching staff.
10 There was a Brother MJG [REDACTED], who I think was SNR [REDACTED]
11 SNR [REDACTED]. Brother MBU [REDACTED], who was quite a nice man.
12 They had been at St Joseph's for a long time.

13 Most of the Brothers were middle aged when they were
14 there and they spoke with Irish accents. I seem to
15 remember another Brother, who was in his 20s, I can't
16 remember his name but he had been a pupil at St Joseph's
17 when he was a young boy. I think that he was a novice
18 or trainee monk.'

19 At paragraph 29 he talks about his first day:

20 'The first day I arrived I was dropped off by my
21 mother and my social worker, Maisie Inglis. I was
22 standing at the top of the steps when the door was shut.
23 I was hit on the head with a pool ball. I don't know
24 who threw it at me, the priest who was there told me in
25 an Irish accent that they had me now and to say "goodbye

1 to my mummy and wet nurse". It was Brother Benedict
2 that said that.

3 I spent most of the day terrified of what was
4 happening. One of the other boys told me to keep my
5 mouth shut and don't be cheeky and I would be all right.
6 I was shown to a room in one of the cottages and shown
7 where my bed was. I was in a cottage in the grounds
8 which was fairly new and was called Ben Aldiss. There
9 were four cottages in all and I think that two of the
10 cottages were called Savio and Ogilvie, but I can't
11 recall the name of the other.'

12 Moving on, he talks about the routine.

13 Moving on to paragraph 37:

14 'There was no privacy for washing and showering. It
15 was communal. I was very self-conscious of my body and
16 so it was very awkward for me. The Brothers would
17 occasionally stick their head round the door when you
18 were showering.'

19 At 40:

20 'I only attended school for about five months when
21 I was at St Joseph's, as I was working in a local
22 dairy.'

23 Then he provides some information about trips,
24 holidays and leisure activities.

25 At 44:

1 'I did go to East Linton on one occasion when I was
2 given some neat Bacardi by one of the boys and I got
3 drunk. I remember that I had thrown up on the bus home.
4 I recall lying behind the road sign for East Linton when
5 LVH the social worker, and LVI the
6 boiler man who owned a kit car, drove past me. I "gave
7 the finger" to LVI and he wasn't happy.
8 I was taken back to the Brothers who had put me into
9 a shower with all my clothes on. It was the first time
10 that I'd ever been drunk.'

11 At 46:

12 'I didn't receive any visits at St Joseph's. My
13 mother had phoned St Joseph's and told the staff that
14 she didn't want me home at the weekends and that I was
15 dead to her. The staff had to tell me this and so
16 I never got to go home at the weekends. I remember when
17 I first arrived at St Joseph's that if you didn't attend
18 a mass then you were not allowed to go home at the
19 weekends.

20 I may have had two visits from my social worker,
21 Maisie Inglis, but there was always a member of staff
22 nearby, so you couldn't tell her about what was
23 happening. I don't think that I trusted Maisie Inglis
24 anyway, so I didn't tell her anything. There was also
25 a social worker, called LVH and I found him to

1 be very pleasant and I was able to talk to him. He was
2 working at St Joseph's.'

3 Moving on to paragraph 52:

4 'I did wet the bed when I was at St Joseph's. I was
5 told that when I reached puberty it would stop. I think
6 that is why I was given a single room quicker. The
7 housemother would wash the sheets and I wasn't punished
8 for wetting the bed. I managed to keep it from the
9 other boys, which would have caused me problems and
10 I would have been humiliated. The bed wetting did stop
11 when I went through puberty.'

12 Running away he looks at in the next part of his
13 statement:

14 'There were some occasions when I ran away. There
15 was one occasion when me and another boy ran away
16 because we knew we were going to be leathered by one of
17 the Brothers. We got onto the beach at Portobello,
18 having walked there from Prestonpans. At one stage we
19 had to come on to the beach and on to the road because
20 the tide was in. We spotted the minibus from
21 St Joseph's, so when we walked past it we bolted and
22 they couldn't catch us.

23 My mate and I were on the run for three days.
24 I decided to go back because I didn't want to get
25 involved in crime. When I got back I was leathered and

1 locked into a small room. It was the staff who were on
2 duty at the weekend when I ran away who leathered me.
3 They always hit you where it wouldn't show, like on your
4 legs.'

5 At 56:

6 'You could still get the belt or the cane from the
7 Brothers or the teachers. I remember that one of the
8 teachers was able to belt a 50 pence piece into one of
9 the desks where it would stick. He was a very big man
10 at six feet four inches with a glass eye, but I can't
11 recall his name.

12 I would always prefer the belt to the cane. You
13 would be belted for stealing, telling lies or mucking
14 the Brothers about. You would get either one or two
15 strokes with the cane across the backside and it was
16 unbelievably painful.

17 Mr MHC [REDACTED] who was one of the teachers and known
18 as MHC [REDACTED], used to throw blackboard dusters at you and
19 if they hit you it was very painful and also dangerous.
20 He had two dusters of different sizes and called them
21 "Big Eck" and "Wee Eck". Wee Eck you could swat away,
22 but not Big Eck. He could have taken someone's eye out
23 or fractured somebody's skull.

24 Mr MHC [REDACTED] would also get you to smell the coffee.
25 He had a bottle which he would take the lid off and make

1 you smell the coffee. Instead of coffee there was some
2 sort of ammonia, so when you smelled it your eyes felt
3 like they were popping out of your head. He could only
4 do it once until you caught on. I used to warn the new
5 boys about him, but nobody warned me.

6 There was a metalwork teacher, whose name I can't
7 recall, but they had the nickname MJK. He
8 would pick up any tools that were lying around and throw
9 them at you. He was an older man and did throw some
10 tools at me, which I was able to duck. Although on the
11 odd occasion he did hit me, but I did not need medical
12 help.

13 GFJ backhanded me in the mouth. It was the
14 weekend and I was sitting watching television when he
15 asked what age I thought he was. He was probably late
16 20s, but I guessed he was about 45 because he had
17 a beard and glasses and looked old to me. He backhanded
18 me and caused a tear, which I still have to this day,
19 where the lip meets the side of my mouth. It was very
20 painful at the time when he hit me and it was really for
21 no reason. It was swollen for days afterwards. I had
22 to go to see the nurse for treatment, but I couldn't
23 tell her how it happened.

24 Brother Benedict had a speaker case which had
25 a dynamo in it. He would get five or six of the boys to

1 hold hands and two of them would make contact with the
2 anode and the cathode. He would then crank it up by
3 turning a handle, which sent a shock through everyone.
4 On one occasion he made me grab it and I couldn't let go
5 because of the speed he was powering the dynamo. I was
6 terrified and getting a severe shock. He thought that
7 it was funny, but I certainly did not. I was tricked
8 into doing it and when I had to do it on my own it was
9 very painful and I couldn't let go.

10 You had to watch out for the staff that were on at
11 the weekend as they were worst for hitting you.

12 GFJ [REDACTED], LVI [REDACTED] the boiler man and a man
13 called LUZ [REDACTED] were the worst offenders. They would
14 leather you the thick end of the pool cue. They also
15 had a leather belt that they used. I still have the
16 scars on my head when I was hit.

17 The one time when I got drunk at East Linton and was
18 put into the shower with my clothes on, all the Brothers
19 came and looked at me in the shower, I think they were
20 perverting after me. I am sure there was sexual abuse
21 going on, but the boys wouldn't talk about it. There
22 was a room near the headmaster's office and if you saw
23 a boy coming out of it, you knew that he had been
24 punished, as the punishment from the Brothers was never
25 carried out in front of anyone. I did see other boys

1 receiving physical violence which was going on all the
2 times. Sometimes the other staff would make you bend
3 over the pool table and you would get the cane on your
4 back.

5 I don't really want to discuss the abuse that
6 happened to me at St Joseph's. I want you to make your
7 own minds up, but if you're to imagine the worst thing
8 possible, that is what happened to me. I need to think
9 about it more as it's still locked in my head.

10 I turned 16 and it was time for me to leave care at
11 St Joseph's.'

12 That would be about 1984:

13 'I was told by my boss at the dairy where I was
14 working that I would be moving on to full-time work and
15 would be paid, as opposed to the six-month probation
16 I had been on. I was told that St Joseph's had
17 organised an advertisement in the papers for someone who
18 could provide digs for me in Tranent. It was to cost me
19 GBP 25 a week to be treated like a dog.'

20 He goes on to talk about his experience in lodgings
21 in Tranent.

22 He then moved on to a children's home and then on to
23 what was an adolescent unit in Edinburgh.

24 Moving on to paragraph 92:

25 'I also told my mother what was happening to me, but

1 she didn't want to know. I could not understand why my
2 mother hated me so much and I couldn't get her to talk
3 about it. I have learned in later life that I was born
4 as a result of my father raping my mother. It was
5 because of this that my mother resented me.'

6 Then he goes on to talk about life after being in
7 care and he says at 94:

8 'I made my way to London when I was about 19.
9 I made a lot of money down there but lost it all, so
10 I returned to Scotland. I eventually went to live with
11 community carers who were based in Tranent, who were
12 a very important part of my life.

13 They should have been my parents. I stayed with
14 them for three years and I really loved them. I was
15 using drugs and I didn't want to put them through this
16 so I had to make my excuses and leave and pretend to be
17 nasty to them. They have both since passed away.

18 Between age 25 and 49 I have very little memories of
19 my life. I was a drug addict and spent most of my time
20 out of my face. These years are just a blur on my
21 memory. In 2017 I became clean of drugs as a result of
22 being given a test drug which got me clean in five
23 days.'

24 Moving on to impact at paragraph 101:

25 'My mental health has been badly affected by my time

1 in care. I have been diagnosed with complex
2 post-traumatic stress disorder. I don't think that
3 I will ever be normal again.'

4 Moving on to lessons to be learned at 108:

5 'They could have listened to me and also they could
6 have taken account of the problems I already had before
7 I went into care. The social work never did anything
8 for me and I didn't even get a clothing grant when
9 everyone else did.

10 If children nowadays go into care the environment
11 should be made safe and secure for them. The staff
12 should be properly trained and vetted to look after
13 children. They should be able to identify children with
14 issues. There were not things like ChildLine in my day.
15 I tried to tell my social worker what was happening and
16 the response was to mark me down as a troublemaker. Let
17 the trained people deal with children without
18 interference from government or other authorities.

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

23 'Charles' signed his statement on 10 September 2021.

24 LADY SMITH: Thank you.

25 Ms MacLeod.

1 'Andrew' (read)

2 MS MACLEOD: My Lady, the next statement is that of
3 an applicant who will use the pseudonym 'Andrew'. The
4 statement can be found at WIT-1-000000710:

5 'My name is 'Andrew'. I was born in 1972. I was
6 born in Kelso. My mum and dad split up when I was
7 around 18 months old. My sister and I then stayed with
8 our dad. My dad regularly had different women coming to
9 live with us. He often worked 12-hour shifts and
10 I think part of the reason he wanted a woman living with
11 us was so they could look after us when he was working.

12 We had a social worker who at the time I think was
13 Tom Welsh from Kelso Social Work Office. I think we had
14 a social worker because one of the women who stayed with
15 my dad was mental.

16 I was taken to a Children's Hearing when I was still
17 staying with my dad because I was getting involved in
18 breaking into things for money. Nothing happened at
19 these hearings apart from me being told to behave.

20 I kept running away from home because I wasn't happy
21 and I was usually caught and taken home by the police.
22 One time the police came to see me at home and I jumped
23 out of a second-floor window and ran away. The last
24 time I ran away the police caught me and told me that
25 they were fed up with me running away and asked me what

1 I wanted to do.

2 I told them that I didn't want to go home so they
3 took me to The Priory Children's Home in Selkirk. There
4 wasn't a Children's Hearing or anything, I was 11 at the
5 time.'

6 Between paragraphs 8 and 30 the witness describes
7 his experiences at The Priory Children's Home in
8 Selkirk.

9 Between paragraph 31 and 52 he describes his
10 recollections of his time at Howdenhall
11 Assessment Centre in Edinburgh.

12 I will turn to paragraph 53:

13 'I more or less knew that the only way I would be
14 leaving Howdenhall would be to go to either Wellington
15 List D school or St Joseph's in Tranent. I hoped that
16 it was going to go to St Joseph's, because I had heard
17 some not very nice stories about some other places.

18 I can't actually remember going from Howdenhall to
19 St Joseph's or what the circumstances were of me
20 leaving. I can't even remember who told me I was
21 leaving. There wasn't a Children's Panel or anything
22 like that. I would have been 12 when I left Howdenhall.

23 St Joseph's was a massive building with a massive
24 playing field and an enormous climbing frame. There
25 were other outbuildings. When I went there it was all

1 boys. The age range was from 11 up to 16 and there were
2 about 50 boys altogether. The boys were split up into
3 houses. The older boys were in Sinclair House, I was in
4 a house with the younger boys and I can't remember the
5 name of it.

6 I was in a dorm with about ten boys. We were all
7 about the same age. All that was in there was a bed and
8 a set of drawers beside it.

9 The home was run by the De La Salle Brothers. There
10 was a Brother MBU, Brother zMBP and
11 a Brother MJG. The staff I remember were
12 Mrs Mulgrew, who was in charge. Other staff were LUZ
13 and Mr McKinnon. A Mr zGBD came at some point and his
14 friend, a Mr McCormack. There was a LVI and
15 an LVH, I think they were related, and a night
16 watchman called Bob.

17 I remember my first impressions when I got to
18 St Joseph's. It was a scary place. I was in the
19 building and I was given clothes that I was to wear by
20 the matron and I saw the in-house doctor. I met
21 LUZ and he took me to the room upstairs where
22 I was going to be sleeping. He told me to change into
23 the clothes. I started to get undressed and I was
24 feeling uncomfortable by the way he was looking at me.
25 I got down to my Y-fronts and I asked him to look away,

1 he refused and he came over and slapped my bare leg on
2 my thigh once. I was shocked and it made me wonder what
3 I had come to. I quickly got dressed.

4 After that, I went to see Mrs Wellwood, a teacher.
5 I sat down and she did an aptitude test with me. I was
6 told that I was quite clever but to be honest there were
7 boys in there that couldn't even write their own name.'

8 Between paragraphs 60 and 70 the witness describes
9 various aspects of the routine at St Joseph's.

10 I'll read paragraph 71:

11 'The Brothers walked about wearing their cloaks and
12 we had to say grace before meals. That was about it.
13 There was a chapel there but you were never forced to
14 go. It was your choice if you went. I don't know what
15 the religion was of any of the boys. I was in
16 St Joseph's when my grandmother died. Brother MJG
17 told me. She had been in hospital after a stroke so
18 I knew she was seriously ill. He took me aside and he
19 told me the news in a compassionate way. He
20 subsequently took me to the funeral service at the
21 crematorium.'

22 Between paragraphs 72 and 75 again the witness
23 describes his recollections of various aspects of the
24 routine.

25 I'll read from paragraph 76:

1 'I went home most weekends, so I never got any
2 visitors at any time when I was at St Joseph's. I never
3 got any visits from any social worker or anyone else who
4 came to check on how I was or to tell me what was
5 happening. I knew from fairly early on that I was going
6 to be there until it was time for me to leave care.
7 I'm not aware of any official inspection into the actual
8 way St Joseph's was being run.

9 At the weekends I got the bus from Tranent to
10 Edinburgh and then the bus from Edinburgh to Kelso. It
11 took about three hours. I travelled on my own. A lot
12 of the time when I got home my dad wasn't even there
13 because he was staying at his girlfriend's. He left
14 food for me, but often I never saw him. Sometimes my
15 sister was there. I never told them at St Joseph's that
16 my dad wasn't there so they wouldn't have known I was
17 going home to an empty house.

18 I ran away a couple of times. I got in with a bad
19 crowd and went with them. I did it to get away from the
20 place for a while. Both times four or five of us ran
21 away and we went to Edinburgh. By two or three o'clock
22 in the morning it was getting too cold so we handed
23 ourselves into the police and got taken back to
24 St Joseph's. We weren't punished, apart from I probably
25 didn't get to home that weekend. No one asked us why we

1 had run away.

2 The main punishment you would get as a form of
3 discipline would be not allowing you to go home for the
4 weekend. Running away or fighting might result in not
5 going home. I don't remember there being any corporal
6 punishment.

7 At St Joseph's they would bend your fingers back or
8 punch you on the arm or leg to give you a dead arm or
9 dead leg. Most of the staff would do this to you but
10 the ones I particularly remember were LVI
11 and Mr HKN. The LVH would pull the hair
12 at the side of your ears. They would do these sort of
13 things if you were too loud or laughing or running away
14 from them if they were trying to get a hold of you for
15 some reason. It might not even be something bad but
16 something that annoyed them.

17 If you had done something and were running away
18 Mr zGBD he would kick his wooden clog off his foot
19 and try to hit you with it. Others would throw their
20 sets of keys at you. It was sore for a wee while if the
21 keys hit you. Several members of staff told you that
22 you weren't allowed to wear underwear in bed. They said
23 it made your testicles sweat and stop you from
24 ejaculating when you were older.

25 The staff who told us this were LUY, who taught us

1 gym, Mr LUZ and the night watchman. Some evenings
2 Brother Ben would hold a music class which you could
3 choose to go to. He used to put five or six boys in
4 a circle holding each other's hands, then he wound up
5 this machine and it would slowly give you an electric
6 shock. The faster he wound the handle the more of the
7 shock you got. It was sore along your arms and you
8 couldn't let go. He wouldn't let you out of his class
9 until you had held hands and got the electric treatment.
10 These classes probably happened once every week. After
11 the electric shock your arms felt strange.

12 When I was 15 I got the job of helping in the boiler
13 house. I was looking after water tanks. The LVI
14 LVI and Mr HKN worked in there. One day they
15 grabbed me and tied my arms up, then put a pipe inside
16 my clothing and poured some liquid in. It was like cold
17 oil or something like that. They kept saying that they
18 were just having a laugh and it was an initiation to the
19 boiler house. This went on for a couple of hours. LVH
20 LVH came in and he went daft at them and told them
21 to untie me.

22 I went in and had a shower, but it was impossible to
23 get this stuff off. It was waterproof and it was like
24 oil. I had several showers then baths and you could see
25 the oil sitting on top of the water. Brother MBU

1 used to give the boys that came back on Sunday night
2 chewy sweets to eat, but he also handed out tobacco and
3 cigarettes. Boys were as young as 14 and he was giving
4 it to them. That is when I was introduced to smoking.
5 When I was in hospital with anaemia, Brother MJG used
6 to bring me cigarettes. Looking back it is just so
7 wrong.

8 I never told anyone what was going on at
9 St Joseph's. To be honest, there was no one I could
10 have reported it to. I thought it was all just part of
11 it being in there. I assumed Mr LVH may have done
12 something about the boiler house incident because he saw
13 what happened, but I don't think he did.

14 I was at St Joseph's for about two-and-a-half years
15 and I left ██████████ 1987 when I was 15. Because my
16 birthday ██████████ I knew that I would be
17 a ██████████ leaver. I was still 15 when I left.

18 No one ever sat down with me and talked about my
19 career choices. It was very much a case of, "That's it,
20 you're old enough to leave, see you later". I knew for
21 a long time that I would be leaving ██████████. There
22 was no preparation for me leaving.'

23 In paragraphs 88 and 89 the witness speaks about his
24 life after care.

25 From paragraph 90 onwards he speaks about impact and

1 I will read some paragraphs of that section:

2 'I lost out on a proper education because no one was
3 interested in teaching me. I have doubts that I would
4 have been a different person, had different jobs and
5 been more successful if I had a better education.
6 I wasn't prepared for life after care either. No one
7 taught me how to properly live and care for myself.
8 I've always felt and still feel different from everybody
9 else.

10 Because I was in care homes and had very little
11 contact with girls, this affected my ability to relate
12 to them when I was older. In general, I always want to
13 be overnice to people and sometimes this puts people
14 off. I know now that there has to be a balance between
15 giving and taking in a relationship. When I have been
16 in some relationships it has put women off because
17 I have obsessively cleaned things and I'm too tidy.
18 I still have difficulty relating to women.

19 I can no longer work beside others because of my
20 cleanliness and tidiness and that is the reason I'm now
21 self-employed. No one can handle working closely with
22 me. I put this down to my time in care in St Joseph's
23 and another institution when I was made to do lots of
24 cleaning.

25 When I was in St Joseph's I got involved in illegal

1 drugs. It happened by chance when I was on a bus when
2 I was home for the weekend. I got speaking to some boys
3 on a bus and it just happened. I started taking drugs.
4 I still take drugs to this day, but not as much as
5 I used to. I saw it a bit like I was self harming
6 myself.

7 I was diagnosed with anxiety and depression about
8 four years ago. There wasn't anything in particular
9 that was happening at the time. I had been going to the
10 doctors on and off for years after I left St Joseph's
11 and things were just building up. I don't really think
12 about my time in care very much now. It does come into
13 my mind sometimes but I try and push it away and get on
14 with my life.

15 I have never reported anything that happened to me
16 in care to anybody. I have never discussed it with my
17 community psychiatric nurse either. I just thought it
18 was all part of growing up.

19 After I left St Joseph's no one from the Social Work
20 Department ever contacted me to ask how I was getting on
21 or even to let me know that I was no longer under their
22 care.

23 I have never tried to get my records from my time in
24 care. I am not sure if I want to see what has been
25 written about me and I don't know what this would prove.

1 Children are not treated as individuals or young
2 people when they are put into care. They don't have
3 a voice and just have to tread water there until their
4 time is up and they're put out. Children must be given
5 a proper education and encouraged by whatever means to
6 get what they want or be what they want to be. They
7 should be better prepared for life after care.

8 I hope that it never goes back to the way it was
9 when I was in care. There should be more checks on the
10 children to make sure they are being treated properly
11 and that they are happy.

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

16 'Andrew' signed the statement on 2 June 2021.

17 LADY SMITH: Thank you very much.

18 MR MACAULAY: My Lady, this is another applicant who wants
19 to remain anonymous and to use the pseudonym 'Donald' in
20 giving his evidence.

21 LADY SMITH: Thank you.

22 'Donald' (read)

23 MR MACAULAY: His statement is at WIT-1-000000856.

24 'Donald' was born in 1970.

25 My Lady, parts of this statement were read in, in

1 Chapter 1, on 8 December 2023.

2 LADY SMITH: Thank you.

3 MR MACAULAY: He begins by describing between paragraphs 5
4 and 7 a troubled family background. He was part of
5 a large family. Social work involvement resulted in him
6 being placed initially in Nazareth House, and he deals
7 with that from paragraphs 11 through to paragraph 73.

8 He then tells us a little bit about life when he was
9 back at home, but it's not long before he goes in to
10 other establishments.

11 He's in the Newfield Assessment Centre and he talks
12 about that between paragraphs 80 and 93.

13 It's then at paragraph 98 that he talks about his
14 time at St Ninian's. He begins by saying:

15 'I was nine or ten when I went into St Ninian's in
16 1979.'

17 He goes on to describe the building.

18 At 100 he says:

19 'De La Salle monks ran St Ninian's and
20 Brother HFU and Brother HJS were SNR of
21 the whole place. There were other monks about but you
22 hardly ever saw them. The only other monk who was about
23 was Brother MJO who was called "MJO". He
24 looked after the horses.'

25 He then provides information about the routine.

1 At paragraph 104:

2 'I wet the bed because I was scared to go to sleep.
3 I would pee out the windows. I actually wet the bed on
4 purpose because I was so scared to get up and go to the
5 toilet. I was scared because of the screams I heard at
6 night.'

7 Towards the bottom of that page he talks about trips
8 on holidays:

9 'We went hillwalking with rucksacks that were bigger
10 than me. They were really heavy. I have been up a lot
11 Bens, we had walking boots and gaiters. I would get big
12 blisters from the boots, even by the time we reached the
13 bottom of the hill. The blisters would burst and the
14 boots would rub into my skin. I remember going up
15 Ben Lomond. I made a comment at the top about who might
16 be the first person to see the Loch Ness Monster. It
17 was just a joke but Greg Dougal gave me a slap for
18 that.'

19 He goes on to discuss other aspects of the routine.

20 Then at paragraph 118:

21 'The headmaster, Greg Dougal, was good at throwing
22 his weight about and bullying people. He bullied me.
23 On one occasion I went back to St Ninian's after having
24 been home for the weekend. I had taken the train to
25 Paisley Gilmour Street and the school minibus picked me

1 up there. That Sunday, one boy didn't turn up at my
2 pick-up point and I didn't know that he had been in jail
3 and was already back at the school. By the time the
4 minibus came I was thinking there was no danger I was
5 being kept in for him. I came back and was showered and
6 deloused and then we went straight to the chapel. The
7 boy who had been missing at the pick-up was there. He
8 was making faces at me through the service and I got the
9 giggles and I was laughing.

10 Greg Dougal stayed in Gartmore and he used to come
11 to chapel with his wife and his boys. He was there that
12 day and he took my laughter as me trying to embarrass
13 him in front of his family. I went into assembly on
14 Monday morning and we were lined up while he was walking
15 up and down us all. He said that some of us thought we
16 were at church for a laugh or a joke. I knew that he
17 was talking about me. He came up my line and stopped in
18 front of me. He told me to lift my head up and then he
19 punched me full force in the face. He hit me with
20 a clenched fist in the eye. It lifted me right off my
21 feet.

22 I have a scar going up my eyebrow now because he
23 burst my eye right open. I was kept in two weekends in
24 a row for that. Greg Dougal took me to matron and said
25 I had been fighting. She held a cotton bud against it.

1 There were a few incidents with Greg Dougal and he
2 was always throwing his weight about. If two boys were
3 fighting, without asking them, then we would be punished
4 for it. We asked the staff if it was okay to fight and
5 then they would say that we could. If we told them we
6 had something to sort out with a punch-up, then they
7 said that was okay. **HIG** the housemaster would take
8 the whole house over to the gym and get the boxing
9 gloves out. If we were punished for fighting without
10 asking them, then we were leathered and that was by any
11 member of staff

12 Mrs **GJD** was the housemother. She might have
13 married the , Mr , but if there had
14 been a wedding then it was a quick one. If she smelled
15 smoke on any of the boys she would give you a right good
16 slap. She did it to me on more than one occasion.
17 I saw her do it to others too.

18 Brother **MJO** was one for pornographic magazines and
19 certain boys would steal them for him at the weekend.
20 We came back from weekends on the minibus. The minibus
21 would go through the gates and there was a big, long
22 drive as you came up. It was half a mile up the
23 grounds. We passed the stables before we reached the
24 house. We would be driving past the stables in the
25 minibus and the magazines would be thrown out the back

1 window. He would be standing outside waiting for the
2 bus to go past because he could hear the bus coming.
3 The bus would slow down because the horses were there.

4 Different boys would steal them. He told boys to
5 steal magazines and he would bribe boys with cigarettes.
6 He asked me and I stole them for him a few times. When
7 we came back in the minibus we would pass the magazines
8 back to whoever was on the back seat. There was
9 a window at the back seat and whoever was there could
10 chuck it out the back.

11 Brother MJO was good for a smoke, but I don't know
12 if he was involved in abuse of boys or if it was just
13 the magazines. I was always at front of the bus because
14 I was picked up first. One of the members of staff
15 would be driving the bus but he didn't know about the
16 magazine. It was put back on the sly with a Beano or
17 something.

18 Boys that went home at the weekends were never
19 touched. It was boys that had nowhere to go at
20 weekends. Sexual abuse was rife. Boys that didn't wet
21 the bed, wet the bed in there because they were too
22 scared to go to the toilet. St Ninian's was that rife
23 with sexual abuse and boys weren't taking a chance.
24 I had two encounters.

25 A murder had happened and I had witnessed it when

1 I was on home leave. I said I was in my bed because
2 otherwise it would have meant saying that I had snuck
3 out of my bed at home. After that, I was kept in
4 St Ninian's for about six weekends in a row and the CID
5 were coming up. I was kept in because there was trouble
6 in the scheme. They said that I had witnessed a murder.
7 I was kept in because it was all over the news at the
8 time and there were headlines about gang fights in
9 Greenock. They said they were keeping me in for my own
10 safety. One of those weekends, I heard screaming.

11 The boys had pillow fights but the boots went into
12 the pillows as well. I heard this screaming and thought
13 this isn't somebody getting a kicking. I said to the
14 other boys to come with me because there was only one
15 night watchman. I ran into this other bedroom, thinking
16 a couple of boys were behind me. There were four monks
17 round a boy and they were about to abuse him. The boy
18 was lying there and there were three of them holding
19 him. If you were a bed wetter then you had to wear
20 a nightie, like Wee Willie Winkie. They had that pulled
21 up over his back. One of them was standing behind him.
22 From the scream that I heard through the wall, I think
23 he was having sex with him.

24 I just ran in and said "Fucking leave him alone".
25 I was carrying a steel-toed capped boots in a bag and

1 I ran in with that. I ran over shouting at them to get
2 off him. They got me down and the next thing they were
3 putting the boot into me. They were shouting "Fucking
4 wee bastard" and "Get him out". I rolled up in a ball,
5 in a defensive position to take the boots. They dragged
6 me out and shouted "You're fucking lucky it's not
7 fucking you". They dragged me out by the hair and back
8 to my own dorm. They told me to get in my bed and stay
9 there. I don't know where they went after that and
10 I didn't go back to find out.

11 The next day I asked the guy if they had gone back
12 in and he said that they hadn't. He asked me not to say
13 anything. I don't want to name the boy. I think this
14 happened when I had been at St Ninian's for about six or
15 seven months. I had been in for a while and I was
16 confident. They were in big brown clothes with a rope
17 tied at the waist and a hood. They were spooky looking.
18 I didn't see their faces. I think it was an organised
19 paedophile ring, because there was only the one
20 watchman.

21 I was given a right good kicking into my face.
22 I thought that the monks all wore sandals. It was
23 proper shoes that were going into me, so I now think
24 that they were people dressed as monks. I don't think
25 they were monks at all, because the monks wore sandals

1 without socks on and these were leather shoes. I know
2 that because I saw and felt them booting into me.

3 I have a good idea who two of the men were. I think
4 one was the woodwork teacher, Charlie McKenna, there was
5 a case going on against him. One of them is dead,
6 Jim McKinstry.

7 It was winter and I was clearing snow with a big
8 snow plough outside the woodwork shop, up above the
9 woodwork shop there were staff quarters. Jim McKinstry
10 was one of the workers and he had a wee black dog called
11 "Sweep". The dog was out and Jim McKinstry asked me to
12 bring his dog up for him. I went out and caught the dog
13 and took him upstairs. The next thing I was whacked on
14 the back of the head. It ended up that McKinstry was
15 trying to get his penis in my mouth. I told him that he
16 might get it in, but it wouldn't come back out again, so
17 it didn't happen. I told him "I'll fucking bite it off
18 you". I got a beating and I didn't know that the other
19 one, McKenna was masturbating behind me. The next thing
20 I felt something sticky and then I got another couple of
21 kicks. After they felt gratified it stopped.

22 They told me that if I opened my mouth about what
23 had happened then I would be kept in at the weekend and
24 "I would know all about it". Both of them stayed in
25 staff quarters and both of them were there. That was

1 the worst harm that I ever came to. The boys that had
2 nowhere to go at the weekends were the ones who
3 suffered. No one talked about that, but I ran in and
4 witnessed it and I took a hiding for it. Over the years
5 it has been the same boys that I have seen in
6 Approved Schools and then in jail.

7 Around 1981 or 1982 Greg Dougal came and told us it
8 was our last week. He said that St Ninian's was being
9 shut down on Friday. I was primary 7, so about 11 or
10 12. He said that some of us would go home and some of
11 us would go to another institution. I got out. We all
12 had emergency reviews and I got back home again.'

13 And he went to primary 7 in a primary school.

14 1982 would certainly chime with when St Ninian's
15 closed down.

16 LADY SMITH: Yes.

17 MR MACAULAY: From paragraph 141 right through to
18 paragraph 223 he talks about other institutions that he
19 went to, including Glenochil and Polmont.

20 At paragraph 223 he starts looking at his life after
21 care.

22 At 225 he says:

23 'I have never worked. I have never been out of
24 prison long enough to get a job. My life after leaving
25 care was chaos. It was crime and drugs. There were

1 times when I knew that I needed to get a sentence before
2 something crazy happened. I would feel things building
3 up inside me.

4 I started taking heroin when I was 17 and in
5 Polmont. That went on for years and years. My life was
6 crime and drugs. I wasn't able to get a job because
7 I was never out of prison long enough. This is the
8 longest I've been out of any institution in my life.
9 I haven't been in prison for four years.'

10 At 228:

11 'I always used to have bad dreams. I would wake up
12 at night screaming. It was because of the time when
13 I ran in and caught them raping a boy at St Ninian's.
14 It was an animalistic scream. It is a sound that has
15 stayed with me and I hope to God I never hear it again.
16 It still disturbs my sleep. I wake up with a bolt
17 screaming and with sweat pouring out of me.'

18 At 232:

19 'I am a product of the 1970s' care system. They
20 basically stole not just my childhood but my whole life.
21 Luckily I'm still here and I survived. A lot of people
22 I was in care with are no longer here. I was diagnosed
23 with post-traumatic stress disorder a couple of years
24 ago. I don't know whether counselling would work for
25 me. My partner is my counsellor. She is my support

1 system. I have also told my drugs worker what happened
2 to me. She is a psychiatric nurse and she diagnosed me
3 with PTSD. She has been great. The man that runs my
4 chemist has been a big help to me as well.'

5 At 233:

6 'Nobody ever asked me why I was wetting the bed or
7 why I was glue sniffing. I don't think I would be able
8 to come out with it and talk about the abuse. I didn't
9 see the beatings as abuse. When I was in care I didn't
10 tell my social worker or the Children's Panels about any
11 of the abuse. I didn't tell the police either.
12 I didn't see the point. I just saw them all as the
13 same. Who were they going to believe, them or me?
14 I still don't have any trust in the system.'

15 Then in the section headed 'Lessons to be learned',
16 he says at 240:

17 'The staff should have been vetted. I know that
18 gets done now, but they should have been thoroughly
19 vetted. I don't think nuns and people who aren't
20 maternal should be allowed to look after children. They
21 didn't have a clue about children. They had made a vow
22 not to have any. I can't remember any inspections of
23 any of the places that I was in.'

24 At 242:

25 'They need to try and get out of children why

1 'Robert' (affirmed).

2 LADY SMITH: 'Robert', before we begin your evidence just
3 a couple of things I want to say.

4 First of all, the red folder has your statement in
5 it, so it's there for you to refer to if you find that
6 helpful. We'll also bring parts of it up on the screen
7 as we go through your evidence. Again, that might be of
8 some assistance to you. You don't have to use them but
9 they're there in any event.

10 Separately, 'Robert', I know what we have asked you
11 to do here isn't easy, it isn't straightforward and
12 you'll probably be somewhere else if you had the choice,
13 not here. We're asking you to talk in public about
14 events that took place some time ago now and some of the
15 things we're going to ask you about might be a bit
16 tricky.

17 Let me know if there's anything I can do to make it
18 more comfortable for you and help you give your evidence
19 as well as you possibly can. If you want a break at any
20 time, that's absolutely fine by me. Whether by sitting
21 where you are or leaving the room for a little while.

22 If you have any queries, please speak up. If you
23 don't understand what we're asking you or why we're
24 asking you are allowed to say and we'll try and help.

25 Otherwise, 'Robert', in the course of your evidence

1 there are some questions that you may be asked, the
2 answers to which could incriminate you. This is
3 a public inquiry. It is not a court. It is not a place
4 where findings of guilt or innocence are made.

5 However, there is a transcript being made of the
6 evidence and what you say would be available in that
7 transcript at a later date if efforts were made to rely
8 on it.

9 If such questions are asked you have exactly the
10 same rights as you would have in a court and that is you
11 don't have to answer them if you don't want to. It's
12 a matter for you.

13 If you have any doubt as to whether any of the
14 questions we're asking you are those sort of questions,
15 please just check. It's not a problem.

16 A. I understand.

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

19 A. Thank you.

20 Questions from Mr MacAulay

21 MR MACAULAY: My Lady.

22 Good morning, 'Robert'.

23 A. Good morning.

24 Q. The first thing I want you to do is to take the red
25 folder, you'll find in there your statement. If you

1 could turn to the last page.

2 I just want you to confirm that you have signed the
3 statement.

4 A. Yes.

5 Q. Do you say in the final paragraph:

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

8 I believe the facts stated in this witness statement are
9 true.'

10 A. Correct.

11 Q. Just for the benefit of the transcript I'll provide the
12 reference of the statement. That is WIT-1-000001365.

13 'Robert', because you are to be anonymous I don't
14 want your date of birth, but to get context to what
15 I want to ask you about, can you confirm that the year
16 of your birth is 1957?

17 A. That is correct.

18 Q. You begin by telling us that after you left school you
19 went to work as a bricklayer, is that right?

20 A. That's correct.

21 Q. I think you made your way from there to working at
22 St Joseph's in Trarent?

23 A. Eventually, yes.

24 Q. When did you start working at St Joseph's?

25 A. I'm getting at that age that things are difficult to

1 recall, but I think it was 1983, [REDACTED] 1983.

2 Q. When you first went to St Joseph's, you tell us in your
3 statement you went there as handyman?

4 A. Yes.

5 Q. Did that change?

6 A. Yes, that changed after six or seven years and I went on
7 to the care side.

8 Q. When we talk about you being a handyman, were you
9 essentially a boiler handyman but you did other jobs as
10 well?

11 A. Yes, we did all the maintenance around the school,
12 broken windows, painting and decorating, suchlike, so we
13 were kept rather busy.

14 Q. When you were interviewed for that job, was that by the
15 board of managers?

16 A. That was the board of managers, yes.

17 Q. You tell us that for example SNR [REDACTED] was involved
18 in the interview and also I think you mentioned
19 Lady Douglas-Hamilton who was on the board?

20 A. That is correct.

21 Q. Was it explained to you at that time that apart from
22 being the boiler handyman, there may be also other
23 duties allocated to you?

24 A. No, it was never mentioned at that particular time.

25 Q. Did it then develop that there were care-type duties

1 allocated to you?

2 A. Yes. It grew into learning that you were expected to
3 take activities with the young people weekly and you
4 would be paid an extra amount for taking those
5 activities.

6 Q. How much time would be allocated to these activities?

7 A. I would do every Tuesday evening from between 5 pm and
8 6 pm until 10 pm at night and one day at a weekend every
9 second weekend.

10 Q. What would the activities involve?

11 A. Oh, it could be football, swimming, pictures, taking
12 them walks, orienteering, any activities that the young
13 people wanted to get involved in.

14 Q. Was it that introduction to looking after or being
15 involved with children, that you got you interested in
16 the care system?

17 A. Yes, without a doubt. It was -- I was very young at the
18 time as well, I suppose, quite immature for my age, but
19 I found that I was getting paid to go and play and I was
20 playing football twice a week, three times a week.
21 I was taking kids to activities that I'd never had as
22 a child or I was taking them to things that I had
23 enjoyed as a child and I loved it.

24 LADY SMITH: 'Robert', if you were right about starting
25 there in about 1983 you'd have been just about 26 at the

1 time, would that be right?

2 A. Yeah.

3 LADY SMITH: Thank you.

4 MR MACAULAY: You tell us that when you started, your main
5 role as we have indicated was to maintain the heating
6 system for the school and I think you are involved with
7 that with another person called LVI [REDACTED], is that
8 right?

9 A. That is correct.

10 Q. Insofar as line management would be concerned, did you
11 have any formal line management at that time?

12 A. I don't think that was even thought about at the time.
13 I mean LVI [REDACTED] was there for a number of years before
14 I started. So mainly I followed his lead initially to
15 get into the role, but if we had any line management --
16 as you say, it was SNR [REDACTED] who would come and
17 speak to us.

18 Q. Who was SNR [REDACTED] at the time?

19 A. It was Brother MJG [REDACTED].

20 Q. Did that change during your time at St Joseph's?

21 A. Yes, Brother MJG [REDACTED] retired and Brother MBU [REDACTED] took
22 over and then when he retired a Jim Taig took over as
23 SNR [REDACTED].

24 Q. Did there come a time when you were still at St Joseph's
25 that the Brothers really were off the scene?

1 A. Yes, yes.

2 Q. You say at paragraph 14 in your statement that after
3 your first week or two at St Joseph's you were thinking,
4 'Oh, my God', and it was a shock to your system. Can
5 you explain that?

6 A. It was -- I had been brought up in a very loving, caring
7 family. I suppose I was lucky to many of the young
8 people that we had in the school. They behaved in
9 a manner which I'd never experienced, F-ing and blinding
10 to adults, assaulting one another. Assaulting staff and
11 I thought, 'Oh, my God, is this for me?' You've to walk
12 about worrying about what you're saying to kids in case
13 you are going to get assaulted.

14 It took me quite some time to learn, from
15 experience, that these young people had come from
16 backgrounds where they had actually -- it was part and
17 parcel of their upbringing. They'd never had the
18 parental loving care that I'd had and they couldn't
19 understand that to change their behaviour would benefit
20 them in the long term.

21 Q. You say they were abusive, they were threatening, were
22 you threatened?

23 A. I was threatened and assaulted on a number of occasions.
24 On one occasion I ended up in hospital with a broken
25 collarbone and three broken ribs.

1 Q. I think you talk about that in your statement.

2 You also say that some boys would be going around

3 causing wilful damage to the property?

4 A. That was a daily occurrence.

5 Q. What sort of damage?

6 A. Oh, they would break windows. They would punch walls,

7 punch holes in walls, graffiti was daily. They would

8 steal the magic markers out of the classrooms and

9 graffiti on the walls or put pictures of cannabis. And

10 I was that naive I had to ask what cannabis was. I saw

11 this big picture of like a leaf on the wall and I didn't

12 know what it was until it was explained to me.

13 Q. Notwithstanding that experience, I think you did decide

14 to go into the care system?

15 A. Yes.

16 Q. What did you do?

17 A. I started by working on the residential unit, which led

18 me to go on to college to get an HNC and SVQ in social

19 care and later on, which led on to going for the

20 diploma.

21 Q. When you went to college for these qualifications, were

22 these be full-time courses or would it be part time?

23 A. It was part-time courses, it was two days a week at

24 Moray House College, three days a week at your

25 workplace.

1 Q. When then do you think you were qualified, in a sense
2 when did you have your diploma that would qualify you to
3 be in the care system?

4 A. It was early 1990 I gained the HNC/SVQ and a few years
5 later, probably 1996/1997, I gained the diploma.

6 Q. I think by then the Brothers had left St Joseph's?

7 A. They had left St Joseph's and retired.

8 Q. In that period before the Brother left, did the
9 atmosphere remain the same as you've just described,
10 namely the violent behaviour and the abuse and
11 threatening behaviour?

12 A. It was -- it just depended on the day. If something had
13 upset a child or he had been forced into a class that he
14 didn't want to go to, because each day started like
15 every other school, you had an assembly in the morning,
16 classes were allocated to each group, of which it was
17 a maximum of six that went to each class and some kids
18 would just create merry hell because they did not want
19 to go to maths or English or whatever.

20 There was always allowances made and it wasn't until
21 later in my career that I realised that these kids
22 probably created hell because they didn't know what to
23 do at the time. They weren't very well educated and
24 this was a way that they knew they could avoid having to
25 go into a classroom setting, was if they created hell

1 they'd go back to their units.

2 Q. When you went into the care side of things full-time,

3 were you based in a particular unit?

4 A. Yes.

5 Q. What unit were you based in?

6 A. I was based in Benildus Unit.

7 Q. Did that remain the position throughout your time in

8 St Joseph's?

9 A. Well, we varied units. We tried to -- staff would try

10 and move around to give them experience of all the

11 groups, because it was -- the three units that were open

12 at the time, you had Ogilvie, Benildus and Sinclair, it

13 was like an age and stage of development. So the

14 youngest kids would go into Ogilvie, the older would go

15 into Benildus and those that were getting ready to leave

16 mainly would be in the Sinclair block.

17 Q. You do tell us a little bit about the routine. Looking

18 at washing and bathing for example at paragraph 41. You

19 say that there were communal showers for the young

20 people?

21 A. Yes.

22 Q. You regarded that as a failing for the place?

23 A. I regarded it as what, sorry?

24 Q. You I think talk about that was one failing of the place

25 at paragraph 41. Can I just understand your thinking

1 there?

2 A. Well, the lack of privacy really. To me, you're
3 entitled to privacy when you go in to have a shower.

4 Now, in Benildus and Sinclair mainly you had a row
5 of three showers and then a bath at the end of it and
6 there was only a small curtain covering you if you were
7 going naked into those showers.

8 Now, staff would always stand on the outside of the
9 shower room door and normally you would only have two,
10 possibly three, kids in getting a shower at the same
11 time, but I could see that as a failing and it was quite
12 embarrassing for young people having to have a shower in
13 front of others.

14 Q. Would there be occasions that you would have to go into
15 the shower area if something was happening?

16 A. If something happened we'd knock on the door and say we
17 were going in. It was usually because there was
18 either -- they were fighting or they were mucking about
19 or on some occasions somebody had put something in
20 somebody's toothpaste or soap that was going to upset
21 one of the other kids.

22 Q. When you started working in the unit, how many children
23 would be in each individual unit by the time you were
24 doing that?

25 A. By the time I was doing it it was a maximum of ten.

1 Q. Three units, that means about 30-odd pupils by then?

2 A. Roughly 30 residents, yes.

3 Q. Did you have any connection with the teaching side of

4 things?

5 A. Only if we were called into the classes because there

6 was trouble or because we had -- do you mean when I was

7 on the care side completely?

8 Q. Yes. I'm focusing on that.

9 A. Only if there was trouble in the class and a kid was to

10 be taken back to the unit because he was failing to

11 comply with the teacher's requests.

12 Q. You mention bed wetting. Was that something you came

13 across?

14 A. On a number of occasions I came across bed wetting and

15 I could empathise with that completely. I know young --

16 one young person who had quite a serious issue with bed

17 wetting, but I would make a point of saying to all the

18 staff that [REDACTED] is woken first in the morning, you give

19 him the opportunity to go and get a shower and staff

20 will change his bed and support him in every way we can.

21 We didn't want him being ridiculed by any of the other

22 kids or bullied, which was a regular occurrence there,

23 because he smelt of urine.

24 Q. Were you able to manage that situation then?

25 A. That kid still visits me to this day and is so

1 appreciative of the support he was given.

2 Q. In your previous answer you mentioned bullying. Perhaps
3 I can just ask you a little about that. Was there
4 bullying going on?

5 A. There was a lot of bullying went on until young people
6 learnt to respect each other and that was quite
7 difficult, getting kids to respect each other and the
8 staff, because they came from backgrounds where there
9 was no respect. There was no boundaries and they had,
10 not all, and I must admit not all, but the majority
11 had -- were out of parental control.

12 Q. You mention this boy that would still visit you today,
13 were there other boys that you cared for that kept in
14 contact with you after they left St Joseph's?

15 A. I get dozens of -- I still live where I lived and those
16 young people know where I live. They visit me to this
17 day. They bring their own kids out. Some of them have
18 even got grandchildren that they bring out and they'll
19 sit with me in the summer in the garden having an ice
20 lolly with me and my wife and they reel out their
21 experiences of St Joe's.

22 Some of them positive, some of them negative, but
23 the majority are positive. So much so that one of the
24 young people had a website for St Joseph's and he ran
25 that website and who could put information up on it or

1 recall anything on it. Unfortunately, and I can say his
2 name because he's dead, [REDACTED] died and I was at his
3 bedside when he died.

4 Q. You tell us at paragraph 57 that when the young people
5 reached the age of 15-and-a-half some of them would go
6 out to work experience?

7 A. Correct.

8 Q. Were you involved in managing that?

9 A. Yes, in the early days, when I was in the boiler house,
10 when the young people reached
11 15-and-a-half/15-and-three-quarters they could come
12 along with LVI [REDACTED] and myself and we would teach them some
13 hands-on stuff, what to expect to go out in the real
14 world when you're to do what you're told and how to
15 repair windows or fit a plug or do a bit of painting and
16 decorating, and a lot of the kids actually thrived on
17 that and really enjoyed the experience of that.

18 But it wasn't only LVI [REDACTED] and myself. There was many
19 local employers, builders, painters and decorators, that
20 would take young people on a few weeks' work experience
21 prior to leaving St Joseph's.

22 Q. Would this be done then instead of going to school?

23 A. Yes.

24 Q. Was that attractive to the boys then --

25 A. More attractive than school.

1 Q. You also talk about family visits. Were families
2 allowed to visit children?

3 A. St Joseph's always had open doors. Family could visit
4 at any time. So much so that when we had one member of
5 the family in their brothers or siblings would often
6 request to come to St Joseph's School, and that was the
7 case.

8 Q. Social workers, did they attend?

9 A. Yeah, social workers. Social workers were in just about
10 weekly within St Joseph's. They had regular meetings
11 with the young people, social worker and the head of
12 house.

13 Q. I think generally speaking children would go home at
14 weekends, is that correct, unless there was a reason why
15 they shouldn't go?

16 A. Yes, the majority of the time all young people went home
17 at weekends.

18 Q. Were there some children who did not for one reason or
19 another?

20 A. On occasions young people would be kept back, if they
21 had no safe family home to go to, or if they had been
22 behaving in a manner when they were on their previous
23 weekend leave which made it unavoidable that they
24 weren't allowed to go home, if they'd been returned for
25 getting involved in criminality or been returned by the

1 police or the social worker would request that they
2 weren't given home leave.

3 Q. Could members of staff take a child out alone, take one
4 child out?

5 A. Yes.

6 Q. Did that happen?

7 A. Yes, that happened.

8 Q. Would that be to take the child to the staff member's
9 home or for another reason?

10 A. On occasion, yes. I did. Prior to living to where I do
11 now, I took young men home to my house, they met my
12 wife, they met my daughters. They sat and had dinner
13 with us and we could go on to do an activity. Not with
14 my own daughters, but I would take that young person
15 away for an activity and I would explain to my wife
16 where we were going.

17 Q. Could a young person stay overnight with you?

18 A. No, under no circumstances.

19 Q. Were you conscious of other young persons staying
20 overnight with others?

21 A. Definitely not.

22 Q. You say under no circumstances, why are you so positive
23 about that?

24 A. Oh, no. The residential placement, that's where they
25 lived. They would not leave St Joseph's and spend

1 a night at anybody's house.

2 Q. You see there is a borderline there?

3 A. Without a doubt.

4 LADY SMITH: Boys would stay away overnight only at their
5 family homes, is that it?

6 A. Yes, Lady Smith, unless they had absconded and were
7 staying with friends elsewhere that we didn't know
8 about, but they --

9 LADY SMITH: As far as what St Joseph's allowed was
10 concerned, that was it?

11 A. Exactly.

12 LADY SMITH: What about boys who couldn't get home because
13 the families didn't want them at home, for example?

14 A. Each -- there were so few boys that that happened to
15 that we only kept one unit open at the weekends. The
16 other two buildings would be closed. So if there was
17 the unfortunate position where these young people never
18 had a home to go to at weekend or it was unsafe, there
19 may be two or three in that unit for the weekend and
20 staff would endeavour to make it as comfortable as they
21 could. They would make sure there was lots of
22 activities going on for them, to encourage them to be
23 involved in activities so that they didn't feel left
24 out.

25 We always attempted to build as positive

1 a relationship as we could with the young people so that
2 they could enjoy their time at St Joe's, but knowing
3 that we weren't their parents.

4 LADY SMITH: Do you remember there being some boys who never
5 received any family visits?

6 A. Yes. There was a number of young people that didn't get
7 family visits, even when we had open days. They felt
8 quite let down by their parents that they wouldn't come
9 and these other young kids had their parents there
10 watching them have the activities on the sports field or
11 whatever else.

12 On occasion it would turn young people into a wee
13 bit of a recluse. They didn't want to take part in the
14 activities because there was nobody there to watch them.

15 LADY SMITH: Of course. Were you aware of, on occasion,
16 families not coming to visit because they may for
17 instance have lived in the west of Scotland and they
18 couldn't afford it?

19 A. Yes. When I first started at St Joseph's there were
20 a number of young people from through the west, so
21 travel was made difficult. However, I am aware that the
22 Brothers at the time, MJG would make the offer of
23 transport available to all parents who had problems in
24 getting there, either a train ticket or if it was more
25 local, a lift from the school bus to bring parents in.

1 LADY SMITH: That would be the same bus as would take boys
2 through to Buchanan Street and drop them there at the
3 beginning of the weekend and collect them at the end?
4 A. Yes, it was the same bus.
5 LADY SMITH: Thank you.
6 MR MACAULAY: Coming back to boys being there at the
7 weekends. On weekends you could also be there yourself;
8 is that right?
9 A. Yes, I could be.
10 Q. Not every weekend?
11 A. No, one day every second weekend.
12 Q. Just to be absolutely clear, as far as you're concerned,
13 there is no way that a boy could be taken out at such
14 a weekend with another person and stay overnight with
15 that person?
16 A. No, not at home. I'm not saying that couldn't happen on
17 the case of an activity, but he'd be with two staff and
18 they could go away a camping trip or something like
19 that, but not to a family home.
20 Q. I think you were conscious of the fact there were social
21 work reviews of children?
22 A. Yes.
23 Q. How was that managed?
24 A. Well, as I said in my early days I knew they took place,
25 but I wasn't part of them.

1 Q. Later on, when you were a carer?

2 A. Yeah, there was six weekly reviews when a young person
3 first came into St Joseph's and then it went to six
4 monthly. However, there was an expectation on all
5 social workers that they must visit the school and their
6 young person every four weeks. That gave the young
7 person an opportunity to speak to the social worker on
8 a basis where they could have it one to one. Although
9 all young people knew that they could phone their
10 social worker at any time because that facility was
11 always made available.

12 Q. I want to ask you about what you say in paragraph 67
13 when you are talking about how children came to leave
14 St Joseph's, particularly in the late 1980s and early
15 1990s when you were really into the social work side of
16 things:

17 'I hated the thought of a kid just heading for their
18 16th birthday just being put out.'

19 Can you explain your thinking there?

20 A. My thinking goes back to my own childhood and my parents
21 would never have dreamt of putting me out at 16.
22 Although we weren't the young people's parents at
23 St Joseph's, some of these young people had nothing, and
24 I mean nothing. When their education finished that was
25 them finished at St Joseph's.

1 I was a great believer that we should have went on
2 to another resource that supported these young people
3 until their 18th or 19th birthday, when they were more
4 mature and ready for the big, bad world.

5 Q. You say that some of these young people would have been
6 institutionalised?

7 A. Yes.

8 Q. Having been in a number of institutions?

9 A. Yes. I mean, I don't think that I can recall of any
10 young people coming directly into St Joseph's without
11 being in other institutions that had either failed or
12 that they weren't willing to participate in and
13 St Joseph's was the sort of last resort for
14 an education. But along with education came the
15 residential side.

16 Q. You do tell us that you have seen young people coming
17 back upset because they had nowhere to stay?

18 A. Yes.

19 Q. That happened, did it?

20 A. Yes, that happened quite often.

21 Q. How would you manage that?

22 A. You mean when they were still residents at St Joseph's?

23 Q. No, when they had left and come back.

24 A. Well, the boy that I mentioned unfortunately that died,
25 he would come back at weekends and we would give him

1 a spare room in one of the empty cottages until we could
2 get a hold of the department and get him somewhere to
3 stay where he felt safe and wanted. That happened on
4 a number of occasions, where young people felt it was
5 safe to return to St Joseph's because they knew that
6 they were clothed, fed and well looked after and, to be
7 honest, some of them loved. We did love our kids.
8 People frown away from using that word because they
9 think it's abuse. Why is it abuse to say you loved the
10 kids that you looked after?

11 Q. Can I ask you about discipline and punishment then,
12 'Robert'.

13 Was there corporal punishment there when you were
14 there?

15 A. None whatsoever.

16 Q. How was discipline maintained?

17 A. Discipline was just through respect. Through mutual
18 respect you could gain discipline. Kids were not in any
19 way physically punished at St Joseph's that I'm aware
20 of.

21 The only abuse that I ever seen physically was among
22 themselves through bullying, which staff really
23 endeavoured to make the best effort possible to stop
24 bullying, to gain the confidence and respect for young
25 people and explain to young people that if you give

1 respect you'll get more respect back, which was a big
2 thing for us.

3 Q. Did you ever witness a young person being struck by
4 either a Brother or a member of staff?

5 A. No, I did not.

6 Q. If there was bullying then, and you say you had quite
7 a lot of that, you would have to deal with that clearly?

8 A. Yes, we would deal with it. If it was a fight -- well,
9 I was injured in trying to break up a fight one evening.
10 However, if there was other fights, which was quite
11 regular, you would try and separate the young people as
12 safely as you could, not on your own unless you were
13 left in that situation when you were on your own, but
14 usually a number of staff, you would try and separate
15 them and you would try and sit down with the young
16 people to overcome their difficulties, to discuss why
17 they were doing this, or what gave them the right to
18 lift their hands to one another or anybody else.

19 Q. You do talk about restraint in your statement, in the
20 sense that there were times when young people had to be
21 restrained in some way?

22 A. Yeah, on occasions restraint had to be used. I can
23 recall a situation where a young man broke a window and
24 tore a bit of glass from that window to go for a member
25 of staff and he had to be restrained for a period of

1 time until he calmed down to get to really the crux of
2 the issue, why he was behaving in this way and why he
3 thought he had a right to assault somebody.

4 Q. When you say restrained, how was that managed in that
5 particular instance?

6 A. In that particular instance we were fortunate that there
7 was three staff there, one able to hold each arm and the
8 other one to hold the legs that were kicking out until
9 we called for more assistance and it actually took
10 an awful lot of staff to get that young person calmed
11 down. On that occasion police were called, due to the
12 fact that he was still going to use this bit of glass.

13 Q. What happened eventually?

14 A. Eventually he did calm. He was taken away by the
15 police, returned to the school after a few hours and
16 apologised for his behaviour and said, 'Can I give you
17 a hand to repair the damage?'

18 Q. You have told us already about the time where you
19 suffered some injuries. Can you just tell me about how
20 that came about?

21 A. We were in Benildus and there was a group of kids
22 playing pool. One was accused of cheating, that is all
23 I can remember, and merry hell broke out. One was going
24 to hit another one with a pool cue, so I immediately
25 jumped in between them and three kids who wanted to see

1 this fight go ahead jumped on my back, knocking me to
2 the ground, where I landed on my right shoulder and
3 I heard it immediately -- I heard this almighty crack,
4 and everything went quiet.

5 The young people knew they had hurt me and one of
6 them was saying, 'Oh, we're sorry, Mr ...' I'll not say
7 my name, 'We are sorry, we'll get help'.

8 And the housemother was there, Jean. She
9 immediately ran down and lifted the phone and I was
10 helped to the chair and taken into hospital where x-rays
11 were showing that I had broken the collarbone and ribs.

12 Q. I think you also had some broken ribs.

13 A. Three broken ribs as well.

14 I don't know if I added, but at the time that they'd
15 actually stole my keys and emptied the tuck shop.

16 Q. You had keys that would give access to the tuck shop?

17 A. Each member of staff had a master key to the building
18 for doors that had to be locked.

19 Q. I think you do mention that, because I think when you
20 went back you say that two of the young people that were
21 responsible came up to you and apologised?

22 A. They did.

23 Q. And they said they didn't mean to hurt you, they just
24 wanted to steal your keys?

25 A. That's correct.

1 Q. They did hurt you and they stole your keys?

2 A. They did steal my keys. They got away with the tuck
3 shop, yeah.

4 Q. On the occasion you've been telling us, I take it then
5 that the young people that attacked you, they didn't
6 require to be restrained, they just stopped?

7 A. Yeah, they just stopped. When they realised I was hurt,
8 they stopped. I remember Jean raising her voice at
9 them, telling them to behave Mr ... is hurt and one of
10 them actually ran out to get another member of staff to
11 come and help.

12 Q. Did you ever see any abuse from staff towards children?

13 A. I did not.

14 Q. Did you hear of any abuse?

15 A. I did not.

16 Q. I think you are aware now, 'Robert', that there have
17 been allegations of abuse of different kinds made by
18 certain people, who are now adults, but were young
19 people at St Joseph's?

20 A. Yes, I'm well aware of that.

21 Q. One of the Brothers who has featured is
22 Brother Benedict. Did you know Brother Benedict at your
23 time in St Joseph's?

24 A. I knew Brother Benedict very well from my time in
25 St Joseph's, where he worked in Ogilvie and after his

1 retirement when the Brothers left St Joseph's and went
2 to a private residence in Tranent. My wife actually
3 took up the post of being their cook when they moved to
4 that house and I visited nearly daily, either taking my
5 wife to her work or picking her up, or just helping the
6 Brothers around their own house, cutting their grass,
7 doing a bit of decorating for them. Yes, I knew the
8 Brothers very well.

9 Q. Let's stay with Brother Ben, did you see him
10 disciplining or doing anything untoward towards
11 children?

12 A. Never. I never seen anything but respect for the young
13 people from Brother Ben. He had a workshop club that
14 was one of the given activities during the week and at
15 the activity time you would have these 30 young people
16 together in a room and they would be given a choice of
17 which activity they wanted and a number chose football,
18 to go with me or swimming or pictures, but a number of
19 them chose Ben's workshop. They had music there, they
20 had air hockey, a pool table and a number of games that
21 they played, a fun place to be.

22 Q. Were you aware of a device that has been referred to in
23 evidence by some people as The Tickler?

24 A. Yes, I'm aware of that. I know it as a Van de Graaff,
25 which every secondary school in the country had when

1 I was at secondary school, and his was on a table about
2 this size (indicating), screwed down to that table and
3 the young people would volunteer to wind it up and touch
4 one another so they'd get a little shock.

5 LADY SMITH: 'Robert', when you are referring to schools,
6 that's where this machine would have been used in
7 physics lessons?

8 A. Correct.

9 LADY SMITH: As directed and supervised by a physics
10 teacher?

11 A. Yes.

12 LADY SMITH: Brother Ben wasn't a teacher?

13 A. No, he wasn't.

14 LADY SMITH: No.
15 Mr MacAulay.

16 MR MACAULAY: As far as record keeping is concerned, did you
17 keep records of the young people in your care?

18 A. Yes, we called them 'DRs', there was a DR kept daily on
19 every young person.

20 Q. What does that mean?

21 A. 'Detailed record', so it would be a detailed record of
22 the day's events, went to school, didn't go school,
23 difficulties at school or the evening activities that
24 they were on, 'Bobby went swimming with Mr Who or
25 whoever' and that is how it would be recorded. Any

1 issues, if there was any phone calls made, they would
2 phone parents, spoke to Brother, spoke to sister.
3 That's what was in a DR.

4 Q. If you take one particular young person, by the time
5 that person had come to leave St Joseph's would there be
6 quite a volume of material?

7 A. Yes. When the young person was leaving there we called
8 it their file, their file was made up and returned to
9 the social worker who was responsible for them being in
10 St Joseph's or the Social Work Department.

11 Yes, some of them could fill an A4 box.

12 Q. The file then wouldn't stay at St Joseph's?

13 A. No, it wouldn't, no. No files were kept at St Joseph's.

14 Q. They were there when they were being made up?

15 A. Yes.

16 Q. Once the child had gone, the file went as well?

17 A. Yes.

18 Q. You tell us about something that happened 15 years ago
19 or so, where you went through court system?

20 A. Yes, I did.

21 Q. What was that about?

22 A. There was three allegations came out the blue made
23 against me for supposedly assaulting young people when
24 they were at St Joseph's, by holding their hands on the
25 boiler when they were in the boiler room and doing them

1 damage.

2 Eventually, when it got to court, it was proven that
3 these could not have taken place. There was no
4 injuries. There was virtually no truth behind anything
5 that these young people were saying and on the day of my
6 trial the first young person that came in, well he
7 wasn't young then, he was in his 40s, stood up and said
8 to the Sheriff:

9 'What's Mr HKN doing here? I never said
10 anything about Mr HKN?'

11 Sorry ...

12 Q. I wouldn't worry about that, because no one outside this
13 room will --

14 LADY SMITH: If I could just remind everybody, this witness
15 is entitled to anonymity and that has to be respected.
16 Within the hearing room we have a pseudonym for him, but
17 he's not to be identified outside here.

18 A. 'He was a good guy when I was at St Joe's. If ever
19 I wanted anything I could go to him and he would help
20 me.'

21 The Sheriff immediately stopped it there and asked
22 to speak to the PF. Well, I wasn't party to that at the
23 time.

24 The second young person that had made a complaint
25 never even lived at St Joseph's and it then came to bear

1 that these three complainants were all in the same
2 prison cell and all approached by the same solicitor and
3 statements were shared among these three young people.
4 Q. Did the Sheriff take a dim view of it?
5 A. He took a very dim view of this and advised me to take
6 legal action against the system and I was immediately
7 advised that that would cost GBP 50,000 to get a QC to
8 take this case forward.
9 Q. I understand you didn't --
10 A. I couldn't afford that type of money.
11 LADY SMITH: Who told you that?
12 A. The Sheriff, the lawyer, my personal lawyer told me
13 that. That you would need to put this money upfront for
14 a QC, because you are taking on a system here.
15 LADY SMITH: Thank you.
16 MR MACAULAY: You were asked when you gave your statement
17 about certain people. I have already asked you about
18 Brother Ben and you've told me about him.
19 Brother LVH, who I think was a social
20 worker --
21 A. Who? LVH?
22 Q. LVH, how did you get on with him?
23 A. I got on with LVH very well, he was very diligent in
24 his work. He was the manager of the Sinclair block,
25 building, House, whatever you want to call it, and he

1 was very supportive in me gaining my qualification and
2 going forward to be a full-time care worker.

3 Q. I think he had [REDACTED] who worked with
4 you?

5 A. That's correct, LVI [REDACTED], that was [REDACTED].

6 Q. Mr MHC [REDACTED], did you come across him?

7 A. Yes. Mr MHC [REDACTED] was a teacher at the school. I worked
8 on occasion with Mr MHC [REDACTED]. Not a lot. But it was
9 only ever if he was on duty on a weekend shift, where
10 I was on that he would be around. I didn't work with
11 him in an educational setting.

12 Q. You wouldn't see how he was in his classroom?

13 A. No, no.

14 Q. Brother MBU [REDACTED] as you have already mentioned, was SNR [REDACTED]
15 SNR [REDACTED] for part of your time at St Joseph's. How
16 did you regard him?

17 A. I regarded him as I did all the Brothers, he was one of
18 the most caring, loving people I'd ever met, who would
19 go above and beyond to make St Joseph's as comfortable
20 as he could for the young people that were placed there.
21 So much so that each evening when he was SNR [REDACTED] he
22 would come round with a big bag of sweets just before
23 bedtime. He'd go round each unit and giving each kid
24 a sweet and asking them to settle down and have a nice
25 quiet evening. And just usual, 'And I'll see you

1 tomorrow'.

2 Q. Brother MJG, [REDACTED] as SNR [REDACTED], did you
3 have some dealings with him?

4 A. Lots of dealings with Brother MJG [REDACTED] as well, the
5 Brothers, they were -- I had no time really for either
6 religion or football, and they were Celtic daft and they
7 would encourage the young people to go to football
8 matches, to support it in a fun way, because there were
9 lots of things about young teams and fights with Hibs
10 and Hearts and Celtic and Rangers and they wanted them
11 to see a different side to it than that. They
12 encouraged that throughout all their time there. More
13 so MJG [REDACTED] than anybody.

14 Q. 'Robert', I want to put to you a number of allegations
15 that have been made against you by former young people
16 at St Joseph's.

17 In the front of the red folder you will find what we
18 refer to as a cipher key. Could you move to that. You
19 will see your own name and your pseudonym and then you
20 will see another name and that person's pseudonym, which
21 is 'Paul', do you see that?

22 A. Uh-huh.

23 Q. You will see another name and that person's pseudonym,
24 which is 'Andrew'?

25 A. Yeah.

1 Q. This is all to make sure that these people's anonymity
2 is protected, just like your own.

3 A. Okay.

4 Q. You address this in your statement, beginning at
5 paragraph 173, where you say:

6 'Paul' has given a statement to the Inquiry which
7 includes allegations about me.'

8 I'll just quote what is said in the statement:

9 'I ran away a lot, in the first two months I must
10 have run away five or six times.'

11 First of all, can I ask you perhaps before I
12 proceed, do you recognise the name?

13 A. That first one, I don't. I thought I had a reasonably
14 good memory and I've tried and tried since that first
15 came up and I cannot recall that young person.

16 Q. I'll just read the rest:

17 'It was either or both LVI and
18 'Robert' that came to pick you up. You'd be taken back
19 to St Joseph's and they would batter you relentlessly in
20 the boiler room. I was often picked up by the police
21 and I did tell them about what was happening. They just
22 said they'd heard it all before and that they were still
23 going to return me to St Joseph's. It was because of
24 the abuse that I was running away in the first place.'

25 The allegation there against you and also

1 LVI is this battering relentlessly in the
2 boiler room, did that ever happen?

3 A. That never happened. The bit about running away and
4 always being picked up by myself and LVI --

5 LADY SMITH: Hang on a minute, 'Robert', it says either you
6 or LVI or both.

7 A. Yes.

8 LADY SMITH: So it could be one of you alone or both of you
9 together.

10 A. There would never ever be anybody sent out alone to pick
11 up a young person, to start with.

12 Secondly, it would -- it could have been on the odd
13 occasion myself and LVI if we were working the same
14 shift. We would never be sent out during the day to
15 pick up young people. They were either returned by the
16 police or by some of the social workers that were on
17 duty within St Joseph's itself, the care staff, but
18 there would always be two sent out to pick up any
19 absconder.

20 As for returning to the boiler house. The boiler
21 house was never open after 4.00 pm and it was never open
22 at weekends.

23 Q. You say in paragraph 178:

24 'I can only suppose that he's saying this to gain
25 some kind of financial compensation for being at

1 St Joseph's.'

2 That is something you are speculating upon, is it?

3 A. Well, I'm speculating about it because I know about it
4 and being born and brought up in East Lothian myself
5 I know a lot of young people or ex-young people in
6 St Joseph's and I know that people have gained funds
7 through, not particularly this Inquiry, but by making
8 complaints of abuse, and they have quoted, not
9 personally to me, to others who I know, that they got
10 funds because they said they were abused at St Joseph's.

11 Q. I think this particular person, 'Paul', he repeats that
12 sort of allegation and you set that out in
13 paragraphs 180 to 181, is that right? Namely being
14 dragged into boiler room and being battered, it's the
15 same sort of allegation?

16 A. Same allegation.

17 Q. Your position is it just never happened?

18 A. No, the boiler room, it sat in the middle of the yard of
19 the actual school. The doors, if it was during working
20 hours, were always wide open for everybody to see.
21 There was a laundry room, about two paces away from the
22 boiler room, where we had two ladies obviously doing
23 laundry on a daily basis, who saw everything that came
24 and went in the boiler room.

25 It was a hive of activity, the boiler room. LVI

1 and I would be building go-karts or sorting motorbikes
2 or things that gave kids a joy to be there in the
3 evenings for activities. They'd be looking in the door
4 seeing what we were doing. Now, it certainly wasn't to
5 abuse young people.

6 Q. At paragraph 185 'Paul' goes on to say that you, you
7 were a small guy with an attitude.

8 A. Okay.

9 Q. Then he tries to assess what age you and LVI
10 were. Indeed, he draws a connection between
11 and LVI.

12 Would you describe yourself as a guy with
13 an attitude?

14 A. No. I certainly never had an attitude when I was
15 younger. I was never even trouble at my own school.
16 I always avoided confrontation by either being jovial or
17 being honest or turning things into fun. I certainly
18 never had an attitude.

19 Q. The other person who has made an allegation against you
20 is 'Andrew', and that's at paragraph 191. Do you
21 recognise the name?

22 A. I do.

23 Q. Was he in your unit when you came to be in a unit?

24 A. Yes, he was in Benildus Unit for a period of time, prior
25 to moving to Sinclair, I think, prior to leaving. He --

1 I found 'Andrew' a lovely guy. He had struggled through
2 from the Borders with quite difficult family
3 circumstances. He struggled with education, but thrived
4 with hands-on work and he jumped at the chance to get
5 work experience in the boiler house, to go around and
6 learn to do hands-on stuff and he really enjoyed it.

7 Q. Did you know anything about his family life?

8 A. I knew that only his father was around, that later on
9 I found out that most weeks when he was going home he
10 was encouraging other young people not to go to their
11 family visit or family home for the weekend, 'Come
12 through to my house because my house is empty, we can
13 get up to whatever we want there'.

14 At some point I think my colleague LVI reported it
15 to [REDACTED] that 'Andrew' was going home to an empty
16 house and contacted the department to do something about
17 that.

18 Q. If we look to see what is said at paragraph 191,
19 I'll read that out:

20 'At St Joseph's they would bend your fingers back or
21 punch you on the arm or leg or give you a dead arm or
22 dead leg. Most of the staff would do this to you, but
23 the ones I particularly remember were LVI
24 and 'Robert'. The LVH [REDACTED] would pull the hair to
25 the side of your ears. They would do these things, sort

1 of things, if you are too loud or laughing or running
2 away.'

3 What do you make of that? Is there any truth in any
4 of that?

5 A. None that I can recall. The only assaults I remember
6 were young people going along punching staff on the arm,
7 trying to give them a dead arm.

8 And I can recall a number of occasions where I would
9 be either repairing a window or decorating and you
10 get -- some of the young people towered over the top of
11 me and they would punch you on the arm and say, 'How you
12 doing today Mr ... Are you okay?'

13 And I'd say, 'Stop doing that. Nobody treats you
14 like that, so don't do it to other people'. And that
15 was quite a regular occurrence.

16 Q. 'Andrew' goes on to say at paragraph 199:

17 'When I was 15, I got the job of helping in the
18 boiler house. I was looking after the water tanks. The
19 LVI [REDACTED] and 'Robert' worked in there. One day
20 they grabbed me and tied my arms up then put a pipe
21 inside my clothing and poured some liquid in. It was
22 like cold oil or something like that. They kept saying
23 that they were just having a laugh and it was
24 an initiation to the boiler house. This went on for
25 a couple of hours. LVH [REDACTED] came in and he went

1 daft at them and told them to untie me. I went in and
2 had a shower but it was impossible to get this stuff
3 off.'

4 What is your reaction to that?

5 A. That's just totally unbelievable, farcical to be honest.
6 As I have already stated the boiler house doors were
7 wide open. We at no point ever tied any young person up
8 or poured liquid over them. Yes, 'Andrew' did come into
9 the boiler house for work experience, but to understand
10 the boiler house it's one of the dirtiest, most
11 unpleasant places to be at times with certain jobs,
12 where you would get filthy and some of the young people
13 that worked with us would have got filthy and got
14 covered in oil and tar and suchlike, but it wouldn't
15 have been thrown at them or pushed at them or poured at
16 them by either LVI or myself. We would all be in the
17 same state.

18 LADY SMITH: 'Robert', at paragraph 201, just the beginning
19 of paragraph 201, you say you had fun with the young
20 people?

21 A. Yeah.

22 LADY SMITH: This was in the boiler house, I think, because
23 you are following on the discussion of the boiler house.

24 A. Yeah.

25 LADY SMITH: What did you do for fun with the young people

1 in the boiler house?

2 A. What did we do for fun?

3 LADY SMITH: For fun.

4 A. We'd be building go-karts. We had a -- the boiler house
5 had large double doors where we had a ramp and the ramp
6 had a little go-kart on it and we'd be building that or
7 making things for them to take to their homes.

8 LADY SMITH: What was fun about what you were doing? You
9 could build a go-kart very seriously. I was just
10 interested to know what you remembered you did for fun
11 with them there.

12 A. It was just a place of work, where you interacted with
13 young people and had fun. Building things for young
14 people can be fun.

15 LADY SMITH: Right, I'll try for a last time.

16 Using the word 'fun' suggests something would be
17 done that was a bit of a lark, that would make people
18 laugh, what is it you remember about that that prompted
19 you to say that in your statement that you had fun with
20 them?

21 A. Well, the reason I said it in my statement was purely
22 because we would be engaging with them, building
23 relationships, having fun, having banter, having carry
24 on, 'What was your weekend up to? What did you do?'
25 What did I do, 'I did this with my daughters, what did

1 you do with your dad?' Just engaging, to me is fun.

2 LADY SMITH: Okay. Thank you.

3 MR MACAULAY: You go on to tell us when you left

4 St Joseph's, 'Robert', and as you say at paragraph 206,

5 St Joseph's began to close down between 1998 and 1999

6 and were you there until it closed down?

7 A. I was there until it closed, yes.

8 Q. You go on to tell us what you did after that.

9 Under the heading 'Helping the Inquiry', you begin
10 by saying:

11 'What makes me angry is I've put 40 years into my
12 work at St Joseph's and I loved my work, doing the best
13 I could.'

14 What makes you angry?

15 A. It makes me angry and upset, as much as being angry,
16 that it's taken somebody 35 to 40 years to say that in
17 some of these statements 'battered and abused'. Any
18 young person that was in St Joseph's in my time was
19 given every opportunity, daily, to speak to an adult
20 that they felt comfortable with or safe or they could
21 contact their family or they could contact their social
22 worker.

23 Now, because of not particularly this Inquiry, but
24 because the way the legal system works, it's allowing
25 young people to look for compensation for things that

1 never happened.

2 Q. Of course we know that -- when you say 'now', we know
3 that way back in 2003 there was a criminal trial
4 involving, not from St Joseph's, but involving a Brother
5 who ended up in St Joseph's, Brother Benedict.

6 A. Yeah.

7 Q. I think you are aware there was a criminal trial in 2016
8 that had a focus on St Joseph's?

9 A. Yes.

10 Q. Again, Brother Benedict was convicted?

11 A. Yes, correct.

12 Q. That may have been before your time of course, the
13 period covered?

14 A. It may have been before my time, because I can sit here
15 and, as I say, I'm not religious, I could -- I swore to
16 tell the truth, the whole truth and nothing but the
17 truth, Brother Ben did not commit these crimes.

18 Q. At paragraph 213 you say:
19 'I think there are many lessons to be learned.'
20 You say one is that you don't put 30 or 40 young
21 people together in the same environment who have all
22 been within the same criminality?

23 A. Yeah.

24 Q. That is one of the lessons you think we should take away
25 from this?

1 A. Yes. It's a system that was seen to be best at the
2 time, but as time goes on we learn from mistakes and
3 putting a lot of young people together who had the same
4 difficulties, the same traumas that they've been brought
5 up with, the same lack of parental skills or those that
6 saw what they could get away with in the community by
7 sharing it with others, it just bred contempt for the
8 whole system.

9 Q. You do say at 216 that one positive thing that has been
10 done is the increase in age that young people can be
11 kept in care?

12 A. Yes.

13 Q. This goes back to your previous point about children
14 being left out to the world at the age of 16, you didn't
15 agree with that?

16 A. I totally agree with that.

17 Q. You tell us there at 217 that you did show the Inquiry
18 team a photograph, and I think what you were seeking to
19 show in the photograph was that the boys in the
20 photograph and yourself, how big the boys were --

21 A. Yes.

22 Q. -- in comparison to yourself?

23 A. Unfortunately, that is the only picture that was left,
24 because we had quite a serious fire at St Joseph's where
25 they were all burnt and that was one that I had

1 personally. It was to show that these weren't 9-, 10-,
2 11-year-old young kids that were in St Joseph's. Some
3 of them were young men, every bit as big as myself, who
4 went on activities, because I think one of the
5 complainants said they never got activities, they never
6 got any holidays. Activities were a daily basis and
7 holidays were taken annually for all units, the three
8 units were all taken away on holiday, either abroad or
9 in this country.

10 Q. 'Robert', these are all the questions I have for you
11 today. Is there anything else that would you like to
12 say to assist the Inquiry?

13 A. I would just like to say that I hope the Inquiry gets to
14 the truth to end this whole scenario, that the truth
15 will prevail hopefully and that false allegations
16 against a system that was only trying to do its best
17 will stop.

18 MR MACAULAY: Thank you for that, 'Robert'. Thank you for
19 coming along to give your evidence.

20 My Lady, I can confirm that no applications for
21 questions to 'Robert' have been submitted.

22 LADY SMITH: Thank you very much indeed.

23 'Robert', could I add my thanks to you, both for
24 providing us with the detailed written statement you
25 have done, and you have obviously taken a lot of trouble

1 with looking into your memories to help us with that,

2 and for coming here today and bearing with us --

3 A. No, you're welcome.

4 LADY SMITH: -- as we have asked you the questions we needed

5 to ask today.

6 I'm grateful to you for your patience and your help

7 and I'm now glad to be able to let you go. I'm sure you

8 would rather leave here as soon as you can and do other

9 things with your day.

10 A. Weather permitting.

11 LADY SMITH: I think it's going to get better.

12 Thank you very much, 'Robert'.

13 A. Thank you.

14 (The witness withdrew)

15 MR MACAULAY: It's 12.50 pm, my Lady. Probably a good time

16 to stop.

17 LADY SMITH: I think we'll stop now for the lunch break and

18 we will resume at 2 o'clock with some more read-ins, as

19 we have the videolink lined up to start at about 3 pm,

20 I think.

21 Thank you.

22 (12.50 pm)

23 (The luncheon adjournment)

24 (2.00 pm)

25 LADY SMITH: Ms MacLeod.

1 'Gary' (read)

2 MS MACLEOD: Good afternoon, my Lady.

3 We'll begin by reading in a statement of
4 an applicant who wishes to remain anonymous and he'll
5 use the pseudonym 'Gary'.

6 The witness statement can be found at
7 WIT-1-000000581:

8 'My name is 'Gary'. I was born in 1972. My mum
9 went through a hard time. She was abused a lot by my
10 real father. He was nothing but a drunk. My mum had to
11 try and bring up five children whilst he was out
12 gallivanting.

13 My stepfather came into our lives when I was at
14 a very young age. I would have been at primary school,
15 but I can't remember exactly what age I was. My mum was
16 beaten up a lot by my stepfather too.

17 The police were around a lot because my stepfather
18 would beat her up and smash up the house. I ended up in
19 care, after going to a Children's Hearing. It was
20 around about the time that our stepfather came into our
21 lives that we started getting put into homes.

22 It was one of the panels that sent me to St Helen's.
23 I don't know why I was sent there, but it could have
24 been because I was getting into trouble or something.
25 I can't remember why I ended up there the two times

1 I went.'

2 Between paragraphs 5 and 15 the witness speaks about
3 his recollections of his experience at St Helen's in
4 Roseburn in Edinburgh.

5 In paragraph 16 he speaks about his life after
6 St Helen's and before going to St Joseph's, Tranent.

7 I'll go to paragraph 17 of the statement:

8 'I can't remember what happened in the lead-up to me
9 going to St Joseph's. I got into trouble and was
10 attending children's hearings. I really can't remember
11 exactly what happened. It would have been a panel that
12 put me into St Joseph's, but I can't remember why they
13 put me there.

14 When I first started going to St Joseph's I was
15 a day pupil. That would have been when I was either
16 nine- or ten-years old, in either 1981 or 1982. I could
17 have been younger. I can't remember how long I was
18 a day pupil there before that turned into me being
19 a residential pupil.

20 There were three separate bits to St Joseph's. It
21 was like different blocks in a prison. The front of the
22 building was a care sort of home, which also held some
23 classrooms. It was where the school was. The Brothers
24 had their own residence in that middle bit of
25 St Joseph's too.

1 There were then two buildings to each side of that.
2 I can't remember the names of those bits, but one of
3 them was called something like Benelders, that was the
4 part I was in. I don't remember what the headmaster of
5 St Joseph's's name was, but he was an old man. He was
6 a Brother rather than a civilian. As far as I was aware
7 he was the head of the Brothers too, that is what
8 I thought when I was at St Joseph's. He never assaulted
9 me.

10 I can't remember the name of the man who was in
11 charge of the Benelders part of St Joseph's, but he had
12 a beard and glasses. Brother Benedict was in charge of
13 one of the bits of St Joseph's, but not the part that
14 I was in. I don't know what his proper name is, but we
15 called him Brother Ben.

16 There was a man in there who taught joinery.
17 I don't remember his name. He had a beard and
18 moustache. He had black hair. For some reason
19 I remember him building a boat in one of the sheds in
20 St Joseph's.

21 There were two brothers, in the sense they were
22 siblings, who did the mechanics. They were basically
23 handymen. I think their surname was zHKN. One of
24 those brothers was all right. He looked out for me. As
25 far as I can remember he was a nice guy. I don't really

1 remember the other brother much, because I didn't really
2 speak to him. There was a matron who lived in
3 Benelders, she stayed at the top, I don't remember her
4 name. She had a boyfriend who was also a staff member.
5 He stayed with her in her part of the building. I can't
6 remember his name. He had a beard and was a different
7 person to the person who was in charge of Benelders.

8 There was a woman who cooked the meals, she was the
9 only person in there who was really all right. I don't
10 remember her name, she was just a nice lady

11 I'm sure the Inquiry has the routine from other
12 people they have spoken to, so it is not something
13 I really want to go into in this statement.

14 I remember my first day at St Joseph's. I was shown
15 about -- I think I was shown around Benelders that day.
16 That was the part of St Joseph's that was the furthest
17 away from the entrance. We used to go to classes during
18 the day, if we didn't go to classes we would do things
19 like joinery. There was a hall that we used to go to at
20 the start of the day where they told you what you were
21 doing and what classes you would be going to. That was
22 an assembly. I think we were told at the top of the
23 gym.

24 There were pool tables in that part of St Joseph's.
25 We used to go home for weekends sometimes. That was

1 taken away a lot from me as a punishment. I remember
2 weekend leave home being taken off me when I tried to
3 report things. They never made an effort to speak to
4 me, either in a one to one or at any time. I never saw
5 any of that crap. All I experienced was bullying and
6 hurt.

7 I used to run away a lot of the time. There must be
8 loads of police reports, because I was either caught by
9 them or they were informed each time I ran away. The
10 police assaulted me each time they caught me after I ran
11 away. They always battered me. The only time I wasn't
12 assaulted by the police was the occasion where the
13 matron's boyfriend came to pick me up at Wester Hailes
14 Police Station and physically assaulted me in front of
15 them. Those police officers were actually all right on
16 that one occasion.

17 I just wish that I had never been at St Joseph's.
18 I was in fear of my life all the time I was in there.
19 The staff were physical and violent with all the
20 children a lot. That's the way that they kept
21 discipline. Doing that wasn't the answer and it didn't
22 work. Violence isn't the answer for anything when you
23 can talk to somebody instead.

24 I was punched a few times by staff. When I say
25 punched, I mean full-blown punches to the head. I was

1 slapped, grabbed, shoved and put in headlocks. A lot of
2 the staff did that sort of thing in there. They never
3 tried to hide what they did. They did it in front of
4 everyone, including staff members. I would find it hard
5 to believe that other staff members if they were spoken
6 to by the Inquiry could say that they hadn't seen stuff
7 going on.

8 The man who was in the Benelders part of
9 St Joseph's, who had a beard and wore glasses, was very
10 hands on all the time. He was just a horrible bastard.
11 He never spoke to us. He just used his hands.
12 I remember him punching me in the head and giving me
13 full-force slaps.

14 The man who taught joinery was a horrible, violent
15 bastard. For some strange reason he used to bully me
16 all the time. I don't know why he did that. He used to
17 punch me and other children. He would kick the shit out
18 of us. I remember him punching me in the head. He gave
19 me full-force slaps. I don't think I would have been
20 the only one he bullied. He must have done the same
21 sort of things to other boys in there.

22 I remember that he once took us out somewhere. It
23 was either a visit or we were out camping. I can't
24 remember where it was, but there was a big park there.
25 They had a zipline. Just as a joke I climbed onto the

1 front of the van and pressed a button that stopped the
2 engine from starting. What a doing I got for that. He
3 gave me full punches in the van.

4 I remember that one of the zHKN brothers, who
5 was one of the handymen, looked out for me. He was
6 aware that the man who taught joinery was out to get me.
7 For some reason he looked out for me because of that.

8 The matron's boyfriend was just a horrible bastard,
9 he was a bully. He physically assaulted me all the
10 time. I can't remember specific things he did, when he
11 physically assaulted me or where that happened in
12 St Joseph's. All I remember is him doing it all the
13 time.

14 I remember an occasion when I ran away. I was
15 caught by the police and they took me back to the police
16 station in Wester Hailes. The matron's boyfriend tried
17 to assault me in front of the police at Wester Hailes
18 Police Station when he came to get me. I think he
19 called me a scumbag, then grabbed me and put me into
20 a headlock. I remember that the police officers were
21 all right. They said to the matron's boyfriend, "He's
22 only a wee laddie" when they saw what he was doing and
23 asked me whether I wanted them to press charges.
24 However I said no.

25 I don't know whether the police made a record of

1 what happened. I remember that when the matron's
2 boyfriend got me back to St Joseph's he made me clean
3 the yard. I remember him making me do it at 2 am with
4 a brush. That happened more than one time. I remember
5 doing that in the rain, sleet and snow after times I had
6 run away. I remember being exhausted and just wanting
7 to go to bed.

8 Brother Benedict would do horrible things to me. He
9 was just a horrible weirdo. He started doing things he
10 did to me after the time the matron's boyfriend
11 assaulted me in the police station in Wester Hailes.
12 I think I said to the police that I was scared of
13 Brother Benedict after the first time I was handed back
14 to him after running away. The police didn't listen to
15 me and just put me into Brother Benedict's hands.

16 After that first time I was brought back to
17 Brother Benedict, he made me do the same sort of thing
18 as when I was brought back by the matron's boyfriend.
19 I was made to sweep the yard and so on.

20 Later on, after running away, Brother Benedict would
21 take me out of the Benelders part and into the school
22 part of St Joseph's. I can't remember exactly where he
23 took me, but I remember being taken down a corridor.
24 I don't know whether where we ended up was his chambers,
25 the back of a classroom or whatever. Whatever it was,

1 it was at front of the home and it would only be me and
2 him in the room. When I got into the room he would make
3 me stand in the corner of the room. He would hit me
4 with a stick. I don't know whether it was a bamboo
5 stick or some sort of cane. Whatever it was, it was
6 fucking sore when he hit me.

7 He would then tell me to strip down to my Y-fronts.
8 The first few times I didn't know what he was doing
9 behind me, because I was facing the wall. I later
10 discovered that he was fondling himself behind my back.
11 I know that because I turned round and could see his
12 semen on the floor.

13 I have this picture in my mind of me in the corner
14 crying and that bastard standing behind me. For some
15 reason he used to get more excited when I was crying.
16 I don't know why, but for some reason it seemed to turn
17 him on. I remember him saying after he did what he did
18 that if I said anything then my family would go to hell.

19 I ended up not saying anything for a long time
20 because of that. All this happened numerous times after
21 the time I ran away. As soon as he took me out of
22 Benelders and took me down to the corridor to that room
23 I just knew that was going to happen. It was the same
24 every time. I found out later on after leaving
25 St Joseph's that he used to do the same thing to other

1 boys. I've heard that he also did things with boxes
2 that gave kids electric shocks. I never experienced
3 that sort of thing. If that did happen then I don't
4 remember it. I think it was the police who told me this
5 was happening. The police have told me in adult life
6 that Brother Benedict was done for abuse in the 1960s,
7 but that he had been reemployed.

8 I was told that after I was told he wasn't getting
9 prosecuted by the Procurator Fiscal in 2014. Apparently
10 it was the same sort of thing he was doing with me that
11 he was doing with other kids. I think he was with one
12 church then moved to another church. He was allowed to
13 do this, that and the other and it was all just brushed
14 under the carpet. If Brother Benedict has been doing
15 things since the 1960s, then it's hard to think just how
16 many lives he ruined.

17 LADY SMITH: This is another witness who seems to have
18 a misunderstanding and it will probably be to do with
19 the lapse of time between the events for which Benedict
20 was prosecuted and the trials that took place.

21 MS MACLEOD: It could be that, my Lady.

22 LADY SMITH: Thank you.

23 MS MACLEOD: 'I would see my mum, my brothers and my sisters
24 when I went home at weekend. I never told them about
25 anything that was happening. That would be just insane.

1 It would have been too much for them. We didn't talk
2 about these kind of things among ourselves while we were
3 in care. I certainly didn't.

4 I can't remember sitting down and saying to someone
5 else who was in these homes with me. It's not something
6 that you would brag about.

7 Outside of my family and the other children who were
8 in care with me I used to go on all the time about what
9 was happening with Brother Benedict. I would talk about
10 it to anyone I could speak to. I spoke to the police,
11 care workers and social workers whilst I was at
12 St Joseph's. No one I reported things to believed me.

13 I remember the occasions when I reported it to the
14 police. I told them on numerous occasions that the
15 reasons I was running away was because I was terrified
16 of Brother Benedict. I was always on my own when
17 I reported what was happening, they would just batter me
18 when I told them that and say I was lying. I received
19 punches to the head for reporting those things.
20 Sometimes I was hit with a stick. My head is covered in
21 scars. It's like a roadmap from the number of times
22 I was hit by truncheons as a child.

23 I remember a couple of times when the police took me
24 straight back to St Joseph's. They handed me back to
25 Brother Benedict and said "enjoy". That didn't happen

1 every time, but did a couple of times. The police
2 allowed these things to happen back then. They're the
3 ones who are most at fault. It was like they encouraged
4 it.

5 I remember speaking to people who came into
6 St Joseph's. I assume that they were social workers but
7 I don't know. I spoke to a couple of the workers in
8 St Joseph's too. I know I said to whoever it was a few
9 times about Brother Benedict, what Brother Benedict was
10 doing. Every time I ended up being hurt at the end of
11 it. Nobody believed me. That led to me just thinking
12 it was part of my life and that was just the path I had
13 to go down. It then became my whole life. I think
14 I then stopped trying to report what was happening for
15 a while.

16 Towards the end of my time at St Joseph's I spoke to
17 the headmaster of St Joseph's in his office about what
18 was happening. I was alone with him when I first
19 reported what Brother Benedict was doing. I told him
20 that was the reason I was running away. The headmaster
21 then brought Brother Benedict into the office.
22 I remember wetting myself because I was so scared.

23 The headmaster must have seen the fear in me. After
24 that meeting happened Brother Benedict stopped doing
25 what he was doing for about a week. He then started

1 doing what he was doing again. I think I then started
2 trying to report what was happening to anyone I could
3 again. It wasn't long after that that I was moved to
4 St Mary's. It could have been about three months later.

5 I remember that just before I was moved they woke me
6 up in the early hours of the morning and made me sign
7 something. I didn't know what it was I signed then and
8 I still don't know to this day. I don't want to talk
9 about St Mary's. Speaking to the Inquiry about that
10 place as well as the other places I have been would be
11 too much for me at this time in my life. All I want to
12 say is I was placed in the secure block there.

13 What happened ruined my life. The impact all of
14 this has had on me has been disgraceful. I have not had
15 a life at all because of this. I don't think anybody
16 can move on from the things that happened. I've never
17 escaped it. It has always been on my mind and always
18 will be. I do have flashbacks. They're horrible.
19 I've been trying to get this out since I was a kid. My
20 life has been fucked up ever since. I've never been
21 steered to the right place in my life. I have always
22 been surrounded by people who I don't know whether
23 they're genuine or not. I definitely wouldn't have hung
24 around with the sort of people I hung around with in
25 care if I hadn't been put there. I was actually a nice

1 kid before I was put in these homes. These homes
2 changed me in a lot of different ways.

3 After I left care I started hanging around with some
4 of the kids I was in the homes with. I ended up on
5 drugs. I used drugs to block it all out and try to
6 forget about it. That led me to getting involved in
7 crime. That led me to getting involved with
8 undesirables. The drugs never worked. It was always
9 there at the back of my mind.

10 I have been in and out of prison ever since I left
11 care. I have spent over 26 years of my life in prison.
12 I was a problem prisoner about 20 years ago because of
13 the shit that happened in my life. I mistrust
14 everybody. When I say everybody I really do mean
15 everybody. The only person I fully trust in this world
16 is my mum. Even then I think there have been times when
17 I haven't trusted her, because of all shit that has
18 happened to me.

19 What happened a million per cent has affected my
20 relationship with my family. I don't have
21 a relationship with my family any more. That's both
22 from what happened to me but also how I acted
23 afterwards. I know right from wrong, but I've made too
24 many bad decisions.

25 These places affect the way you think when you get

1 older in a big way. It makes you more depressed, sad,
2 suspicious and alert. It has broken me and fucked my
3 life right up. The only thing I have got going in my
4 life is I am fit and nothing else. I've grown up in
5 life to believe that I was always on my own.
6 I shouldn't believe that.

7 I tried to report what Brother Benedict did to
8 a sheriff called Sheriff Crowe in 2014. He asked me why
9 I was in and out of trouble because he couldn't
10 understand it. I ended up telling him what happened.
11 He then spoke to me to say that he saw it was a cry for
12 help and asked why I hadn't told the police. I told him
13 that I couldn't tell the police what had happened
14 because every time I had tried in the past they had
15 kicked the shit out of me. I said that every time
16 I came forward with something like that I was told I was
17 lying. Sheriff Crowe then told me that the police
18 I would be speaking to would be a different type of
19 police. Speaking to Sheriff Crowe was the first time in
20 all the times I told people what happened to me that
21 anyone seemed to believe me.

22 When I did speak to the police after that it took me
23 four hours to go through my statement. They were from
24 a police station in Dalkeith in Edinburgh. They came to
25 my house to interview me. I told them what I have said

1 in this statement, but I went into more detail. I then
2 had to sign the statement.

3 There was a big rigmarole trying to get what
4 I reported to court. I ended up under eight stones of
5 weight because of it all. I remember that during
6 a later hearing in Edinburgh Sheriff Court Sheriff Crowe
7 said he couldn't understand how it was all taking so
8 long. In the end I was told by the police and the
9 Procurator Fiscal that the things I was reporting had
10 taken too long to get to court. I was told that there
11 was time failings. Brother Benedict got let off with
12 everything.

13 I have tried over my life to report things until
14 I've been both black and blue in my face. I'm the
15 victim and I have had to go over the things that
16 happened to me umpteen times. I'm sick of talking about
17 what happened to people and nothing getting done.
18 Speaking to the Inquiry is the last time I'm going to
19 try to formally report what happened. The next thing
20 I want to do is write a book about how I've been let
21 down by the system.

22 I just don't understand why I have been put through
23 what I have been put through. I'm not a horrible
24 person. I am a kind person, but for some reason life
25 keeps flinging bad things in my direction. A lot of it

1 has to have been because of that fucking horrible
2 bastard. The system is a joke and has let me down.
3 It's like the system likes certain people who have been
4 abused and not others. They will only try to prosecute
5 abusers when they like the person who has been abused.
6 It feels like the system is set up to say well let it
7 happen to these people and just make it look like we're
8 really doing something. That is what happened to me.
9 If I was rich or famous things could have been
10 different.

11 There was nothing good about St Joseph's at all.
12 St Joseph's wasn't a place that benefited anybody.
13 Nobody there helped me in a way or allowed me to get on
14 with my life. My time there was one fucking big
15 nightmare. It was hell. I wish I could take that
16 nightmare away from that part of my brain. Putting all
17 these kids together in big homes didn't work. The
18 system worked like a car engine that produced
19 criminality. These homes were just a stepping stone for
20 people to go into crime. I don't know anyone who went
21 to that place who went on to have a good life.

22 I don't understand why that abuse was allowed to
23 happen at St Joseph's. People shouldn't have done what
24 they did to me. They shouldn't have been allowed around
25 children.

1 I really don't think anything is going to come of me
2 speaking to the Inquiry. I don't think it's going to do
3 any good. The only way things would happen is if I was
4 rich or famous or something. I don't think the things
5 I have said will go anywhere or anything will happen.
6 I don't think things will change in the future for
7 children in care. I don't think people like the police
8 will ever change.

9 I was only a child at the time I was at St Joseph's.
10 It doesn't matter what age you are, abuse is abuse. The
11 reason I want my name out there is so that people,
12 especially my mum, can find out why I've turned out the
13 way I have turned out. I want people to know why I have
14 become the person I am. People don't just turn out the
15 way they turn out. What happened in my teenage years
16 had a bad effect and made me do what happened in my
17 adult years. I would never have done what I went on to
18 do if I hadn't experienced what I did in those homes.

19 I want people to see the things I experienced and
20 what happened afterwards so that younger generations can
21 learn about these things.

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

1 'Gary' signed the statement on 13 December 2020.

2 LADY SMITH: Thank you very much.

3 MS MACLEOD: My Lady, I don't think we have a statement
4 available that could be read in in the time we have
5 before the link comes in for next witness.

6 LADY SMITH: I think that's right, because it's not just
7 a matter of stopping at 3 pm. We would need to stop
8 before then to do the checks with the link to see that
9 it's working.

10 Very well. I'll rise now and no doubt somebody will
11 keep me informed as to whether everything has been set
12 up correctly.

13 Thank you.

14 (2.25 pm)

15 (A short break)

16 (3.00 pm)

17 LADY SMITH: Good afternoon again.

18 Ms MacLeod.

19 MS MACLEOD: My Lady, the next witness will use the
20 pseudonym 'MacDavid' when giving his evidence, and this
21 is a witness who requires to be warned.

22 LADY SMITH: Thank you very much, indeed.

23 'MacDavid', good afternoon. I say good afternoon
24 here but I suspect it's still morning with you, is that
25 right?

1 THE WITNESS: Yes, it is. It's dark and snowy.

2 LADY SMITH: Oh, dear, I'm sorry to hear that.

3 Let me introduce myself. I'm Lady Smith. I chair
4 the Scottish Child Abuse Inquiry that is based here in
5 Edinburgh and I am very grateful to you for engaging
6 with so as to give oral evidence over the link today.

7 Before we move to your evidence, I would like to ask
8 you to take an oath to tell the truth.

9 'MacDavid' (sworn)

10 LADY SMITH: 'MacDavid', before we start your evidence, just
11 a couple of things that I'd like to say.

12 One of my tasks is to do anything I can to make the
13 whole process of giving oral evidence as comfortable for
14 you as I can. That means if, for example, you want
15 a break, please say. If you want to get up and move
16 around, that's fine, just ask. It's not a problem so
17 far as I'm concerned -- if it works for you, it works
18 for me -- or if there's anything that we're asking you
19 about that you don't understand, just say. If our
20 questions don't make sense, that's our fault not yours.

21 Finally, 'MacDavid', in the course of your evidence,
22 you may be asked questions, the answers to which could
23 incriminate you. This is not a courtroom. I'm not here
24 to make findings of guilt or innocence, but a transcript
25 is being made of all the evidence and so the transcript

1 of the evidence would be available at a later date if
2 anyone sought to rely on it for other purposes.

3 That means that you have all the protections you
4 would have if this was a court and it means that you do
5 not have to answer any question that the answer to which
6 could incriminate you. Please bear that in mind.

7 If you've any doubt as to whether or not a question
8 that we're asking you is that sort of question do check
9 with us. That's not a problem.

10 Does that make sense to you?

11 A. Yes, it does, my Lady. Thank you.

12 LADY SMITH: Good.

13 If you're ready, I'll hand over to Ms MacLeod and
14 she'll take it from there, is that okay?

15 A. That's fine, my Lady, yes.

16 LADY SMITH: Ms MacLeod.

17 Questions from Ms MacLeod

18 MS MACLEOD: My Lady.

19 Hello, 'MacDavid'.

20 A. Good afternoon again, Ceit.

21 Q. You have provided a statement for the Inquiry and I'm
22 just to give the reference of that for the transcript.
23 WIT-1-000001377.

24 Can I begin, 'MacDavid', by asking you to turn to
25 the final page of the statement, have you signed the

1 statement?

2 A. Yes, I have signed the statement.

3 Q. In the last paragraph do you say:

4 'I have no objection to my witness statement being

5 published as part of the evidence to the Inquiry.

6 I believe the facts stated in this witness statement are

7 true.'

8 A. That's correct.

9 Q. Thank you.

10 I don't need your date of birth, but to give

11 a context and a timeframe could you confirm, were you

12 born in 1938?

13 A. Yes, I was.

14 Q. Today, as you know, 'MacDavid', the focus of the

15 evidence is going to be on the time that you spent in

16 two schools in Scotland, those being St Ninian's in

17 Gartmore and St Joseph's in Tranent?

18 A. That's correct, okay.

19 Q. This was at a time when you were a Brother with the

20 De La Salle Order?

21 A. Okay. Yes.

22 Q. By way of background, 'MacDavid', can we just look at

23 what you tell us in your statement about when you joined

24 the De La Salle Order.

25 I think you tell us that initially you left home and

1 went to a school that was run by the De La Salle Order,
2 when you were aged 13?

3 A. That's correct.

4 Q. I think you tell us that that came about at that time
5 that the ethos was that members of religious orders or
6 priests would cultivate young boys to join the order?

7 A. That's correct as well. That would not happen nowadays.

8 Q. In your statement, 'MacDavid', you tell us that
9 something happened to you at that school that had
10 an impact on your life for the rest of your life?

11 A. That's correct.

12 Q. What happened?

13 A. Bread was delivered every week by a baker from the local
14 village -- I'm trying to think of the name, Kintbury,
15 I am not quite sure of the name. It was quite common
16 for two or three of us to unload the baker's van and
17 bring the bread into the school.

18 This particular day there was -- he didn't bring
19 enough bread and I was asked to go with him and help him
20 load up his van, which I found a little strange, but
21 anyway we went into Kintbury, into the village, where
22 his baker shop was, and while I was there he raped me.

23 Q. We may come back to that, 'MacDavid', during your
24 evidence.

25 After you left that school, did you then go to

1 another school run by the De La Salle Order?

2 A. I am -- I'm still trying to catch my breath. That last
3 statement impacts me greatly, so just give me a second,
4 please.

5 LADY SMITH: 'MacDavid', just take your time. I know it
6 must be very difficult to revisit what happened all
7 these decades ago that may yet be vivid in your memory.
8 You let me know when you're ready to carry on.
9 (Pause)

10 A. Thank you, my Lady.

11 LADY SMITH: Ms MacLeod.

12 MS MACLEOD: My Lady.

13 A. The question was, Ceit?

14 Q. After spending some years in that school, did you then
15 go on to another school to engage in I think you
16 describe it as spiritual learning?

17 A. Yes.
18 For one year.

19 Q. You tell us that you took your vows?

20 A. That's correct as well.

21 Q. Your vows in poverty, chastity and obedience?

22 A. That's correct.

23 Q. Did you then spend the following three years doing
24 A-Levels?

25 A. That's correct, yeah.

1 Q. From there I think you tell us that you went to
2 a teacher training college?

3 A. That's also correct.

4 Q. When did you become a Brother in the order?

5 A. When I took my vows. I was then Brother MBZ .

6 Q. Indeed, you tell us in your statement, 'MacDavid', the
7 background to you taking that particular name?

8 A. That's also correct.

9 Q. Is that something you want to tell me about at the
10 moment or --

11 A. When you become a member of a religious order you are
12 allowed to keep one Christian name, so I kept MBZ and
13 then you had to choose another one and I chose MBZ
14 because he was a saint [REDACTED]
15 and I thought that was, after what had happened, that
16 was a choice that I thought was good. So I became
17 Brother MBZ .

18 Q. Did you teach in a school in Cardiff, 'MacDavid', for
19 a number of years?

20 A. For three years.

21 Q. Was it from there that you were transferred to
22 St Ninian's in Gartmore?

23 A. No, I spent a year in teacher training college and then
24 the order decided that they needed another teacher in --
25 I can't remember the name of the school, in Cardiff. So

1 after my first year at teacher training college
2 I received some good merit from the government people,
3 so they sent me to this school for three years and then
4 I went back to complete or to get my teacher training
5 certificate. It was after that that I was sent to
6 Market Weighton, which was an Approved School for
7 intermediate boys from 11 to 14.

8 Q. Was it after your time there that you were sent to
9 St Ninian's in Scotland?

10 A. That's correct.

11 Q. Who made the decision about where you would go, for
12 example, which schools you would be going to and in
13 particular that you would be going to St Ninian's, who
14 made those decisions?

15 A. In the United Kingdom that was -- the hierarchy was the
16 principals of our schools were called Brother Superiors
17 and above them was one Brother, I can't think of their
18 name, Brother Visitor, a strange name, but anyway, he
19 was the one in consultation with the staff, the
20 Brother Superior at the school I was leaving and the
21 school I was going to, St Ninian's, that was the
22 decision by them to send me there. I had nothing to do
23 with it.

24 You have nothing to do with any movements at all.

25 Q. In terms of dates that you spent at St Ninian's and

1 St Joseph's, I think perhaps you indicate that you may
2 have been in St Ninian's between around 1966 and 1969,
3 for around three years?

4 A. That's correct.

5 Q. Then you spent a year in Cambridge, studying?

6 A. That's correct.

7 Q. That from there that you went to St Joseph's in Tranent,
8 from 1970 to 1972, and spent two years there?

9 A. That's correct as well.

10 Q. If I can just look first of all at your arrival at
11 St Ninian's.

12 Did you have an understanding of what your role was
13 going to be at St Ninian's?

14 A. Beyond being a teacher of a particular group of
15 students, no. That may not seem the best answer, but
16 that's the answer I can only think of. I was sent there
17 under my vow of obedience and given a class of boys by
18 the Brother Superior, or headmaster, when I arrived at
19 Gartmore.

20 Q. Can you remember arriving at Gartmore?

21 A. To be honest, no. I can remember turning in at the
22 driveway and coming to a circular driveway and a big
23 brick building. There was a massive tree there, which
24 one year I climbed, but that doesn't matter. And I can
25 remember entering the building and it was a vast entry

1 room. Beautiful ceilings, but beyond that I'm sorry,
2 I just --

3 LADY SMITH: 'MacDavid', there is no need to apologise. We
4 are asking you about something that took place nearly
5 60 years ago and I'm sure those of us who are more
6 senior, shall I say, can think of specific events that
7 we know were around that time, but don't remember the
8 detail at all. You are talking about a period of when
9 I recall changing schools, but I couldn't tell you what
10 it was like the first day I went to the next school. So
11 don't worry.

12 A. Thank you, my Lady.

13 MS MACLEOD: When you arrived at St Ninian's, were there
14 a number of Brothers of the community there?

15 A. Yes, there were.

16 Q. Do you remember any of their names?

17 A. No, I don't. I'm sorry, I just -- I don't.

18 Q. Was there a particular Brother who was in charge?

19 A. Yes, there was a Brother Superior, a headmaster, but
20 again I don't -- I can't see him, I can't see any of
21 them.

22 Q. I think just looking at dates, you having been born in
23 1938 and this being around 1966, you would have been in
24 your mid to late 20s at the time?

25 A. That's correct.

1 Q. I think you tell us in your statement that you were the
2 youngest of the Brothers at St Ninian's?

3 A. I was. The next in closest age to me was in his late
4 30s and most of the Brothers were between 40 and 50.
5 And there was an elder Brother there who had retired to
6 the community.

7 Q. As well as Brothers, were there any civilian staff at
8 St Ninian's?

9 A. Oh, yes. The school was a 24-hour establishment so,
10 yes, you needed a lot of civilian staff.

11 Q. Do you remember any of their names?

12 A. I'm sorry, no, I don't. I shouldn't apologise, no,
13 I don't.

14 Q. That's fine.

15 In terms of the children at St Ninian's, was it all
16 boys?

17 A. Yes, it was.

18 Q. How many boys were there?

19 A. About 110 and they were aged five to -- gosh, I think
20 this is right, five to eight. At that time I think the
21 criminal age in Scotland was five, and I know I was
22 amazed at the number of young boys that came -- or
23 youngsters, that came in shortly after their eighth
24 birthday. It says something about the justice system in
25 Scotland at that time.

1 Q. What was your understanding at the time of how boys came
2 to be in St Ninian's?

3 A. Mostly they had broken the law, what I would call simple
4 ways, breaking into a shop, breaking into cars. Those
5 are the two main ones I'm thinking about. I mean,
6 I'm sure there were others, but I don't recall any of
7 the others.

8 LADY SMITH: 'MacDavid', I have heard from many people who
9 got into trouble simply by absconding from school, they
10 kept running away from school, and that could take them
11 into St Ninian's. Do you remember that?

12 A. Yes, I do, my Lady.

13 LADY SMITH: And others who may have, for example, been
14 stealing purses to take the money home to their mothers
15 so that she could buy food.

16 A. That is also correct, my Lady.

17 LADY SMITH: Ms MacLeod.

18 MS MACLEOD: My Lady.

19 In relation to St Joseph's, 'MacDavid', were the
20 boys there a little bit older?

21 A. Yes, they were. This would have been regarded as
22 an intermediate school, 11 to 14.

23 Have we lost each other?

24 Q. No, no.

25 A. Sorry.

1 Q. Do you recall there being inspections at St Ninian's
2 when you were there?

3 A. What do you mean by 'inspections'?

4 Q. External people coming to the school, such as people
5 from a Local Authority or a board of managers, anything
6 like that?

7 A. I don't recall any incidents like that at all.

8 Q. You told me about the information you had about what
9 your role was going to be, teaching a group of children?

10 A. That's correct.

11 Q. What was your role in fact when you got to St Ninian's.

12 A. I was given a group of boys. When you have a group of
13 people, 100 people, their ability is from top to bottom,
14 the best are at the top and the 100th one is the rather
15 weak and so unfortunately for myself, I didn't realise
16 at the time, this is the group of kids that I had. They
17 were very, very weak in both reading, spelling, maths,
18 tables. I'm going back to the way I was brought up and
19 that was the educational system still at that time,
20 where maths and language, arts, English, were broken
21 down into smaller components, as opposed to the modern
22 day -- I had nearly forgotten how to teach in 2024.

23 Q. Were you teaching then a particular group of boys who
24 had been divided up in terms of ability, for want of
25 a better word, or perceived ability?

1 A. Age also came into it, but very little age. It was
2 mostly ability. How this was arrived at, how I arrived
3 with the class of boys in the low end of their ability
4 in maths and language, arts, or English, I don't know to
5 be honest, whether there were records in the principal's
6 office about these students. I honestly don't know.

7 In answer to your question, I don't know how it was
8 arrived at that I ended up with this particular group of
9 boys.

10 Q. In relation to records, 'MacDavid', you tell us in your
11 statement:

12 'If there was record keeping, I would know nothing
13 about it.'

14 A. That's correct.

15 Q. As well as teaching a group of children, were you also
16 involved in supervision within the school as a whole?

17 A. Yes. Everybody had to do a certain amount of classroom
18 supervision and indoor supervision for example in the
19 dining room, or the refectory as it was called. To
20 a certain extent -- not to a certain extent, but to
21 prepare for going to bed. I can't remember the time.
22 I think it was 8 o'clock that lights were out in the
23 bedrooms, but I honestly can't remember.

24 Q. Something I think you're keen to point out in your
25 statement, 'MacDavid', is you were not involved in

1 supervising the showers?

2 A. That's correct. It was -- the first school I was in, in
3 Market Weighton, I made it quite clear to the principal,
4 the Brother Superior, that under no circumstances would
5 I witness boys showering and I never told him the reason
6 why. It was a very difficult conversation, because
7 everybody else had to take their turn supervising, but
8 I just -- I was reported -- I told you ... I think
9 I told you earlier that there was the hierarchy, there
10 was another Brother, I think I called him
11 Brother Visitor, and I had to be -- yes, I had to be
12 sent to him -- I can't remember -- Gartmore is near what
13 city?

14 LADY SMITH: Yes, Gartmore is St Ninian's.

15 A. St Ninian's, what would be close to, what city?

16 LADY SMITH: Stirling.

17 A. So from there I was -- and Glasgow is the one for
18 Tranent? No, Tranent would be Edinburgh ...

19 LADY SMITH: No. St Joseph's is near here, it's near
20 Edinburgh and -- hang on a minute, let me help you with
21 this, 'MacDavid'. Glasgow is actually not that far from
22 Gartmore. Stirling is the nearest city, but it's not
23 too far from Glasgow.

24 A. I remember having to go to, I think it was the Glasgow
25 one, where I was told before Brother Visitor and given

1 a dressing down, because I wasn't obeying my vow of
2 obedience and I said -- well, there wasn't a lot to say
3 really. I got a dressing down and that stayed with me
4 for the next two schools that I was in. I just --
5 everybody knew ... the Brother Superior knew that
6 I would not be -- I would not supervise the boys when
7 they were taking showers. I think you can guess why.

8 MS MACLEOD: I think what you're saying is that in
9 St Ninian's and St Joseph's you didn't supervise the
10 showers?

11 A. That's correct.

12 Q. Did you have any kind of induction from the order on
13 arrival at St Ninian's about how to care for boys from
14 the kinds of backgrounds and circumstances that were at
15 St Ninian's?

16 A. No, absolutely none.

17 Q. Did you have any training in child protection or how to
18 keep children safe, that sort of thing?

19 A. No. That wouldn't be -- may I make an observation?

20 Q. Please.

21 A. That wouldn't be part of the penal system. In a sense
22 it wasn't even part of the educational system. When
23 I look back on my own education, I can remember in
24 elementary school the headmaster -- I was a regular
25 visitor to the headmaster and I would get either the

1 strap or the cane. So in the educational system this
2 was the ethos at the time and certainly in the Approved
3 Schools it was there as well.

4 Q. In relation to the ethos in the schools, I think both
5 schools, St Ninian's and St Joseph's, you were asked
6 about this when you gave your statement in the inquiry.

7 You speak about this in [REDACTED] your
8 statement. What you say is:

9 'The boys were young prisoners and that was the
10 ethos of all the staff.'

11 A. That's correct.

12 Q. You say:

13 'That was the guiding principle.'

14 I just wondered if you could develop that for me.
15 What did that mean then in terms of the ethos of the
16 schools?

17 A. Everybody knew that they were young prisoners and
18 prisoners had no rights and therefore if they were seen
19 to be, in the eyes of the adult who was in charge or
20 supervising them, if they were seen to be out of order,
21 a clip across the head or a thump with your fist was
22 acceptable. Because it was, as I said, these young boys
23 had no rights. I don't know if I've answered your
24 question fully, but ...

25 I just want to try and get across to you that that

1 was the atmosphere under which the young boys were
2 brought up in. It wasn't cruel or anything, but it was
3 acceptable.

4 Q. Is that something that was explained to you or discussed
5 with you when you arrived, that boys could be treated
6 like that or was it something you saw and picked up
7 along the way?

8 A. Your last part is correct. It was something I saw and
9 picked up. No, it was never talked about. There were
10 never any staff meetings with the civilians and the
11 Brothers. So, you know, when I come to think of it:
12 where did the civilian people get their training? As
13 far as I can see, it must have been on the job. I don't
14 know how even they were hired. I mean, they were all
15 local people from the village or the area.

16 There was -- I don't know how they were hired,
17 I'm sorry.

18 Q. In the next paragraph of your statement, [REDACTED]
19 you tell us that there were a couple of Brothers, one in
20 particular, and you say you can't remember his name:

21 'I didn't like the way he dealt with the kids.
22 I don't think he had any respect for the youngsters.'

23 You go on to say:

24 'I stayed out of his way.'

25 I just wondered if you can tell me a little bit more

1 about that and this particular Brother that you are
2 mentioning here. Can you just describe for me what your
3 recollections are of him and what your feelings were?

4 A. I think I explained that the use of ... 'force' is too
5 strong a word, but the use of your hands or fists to
6 punish youngsters was okay. But in this particular case
7 this member of the order, this -- one of my colleagues,
8 I felt was, I have to say 'brutal', because I did not
9 like what he did and I would turn away or -- I didn't
10 interfere and for that I feel guilty now, that's for
11 sure.

12 Q. What did he do, 'MacDavid', this Brother?

13 A. Mostly he would use the youngsters as a punching bag,
14 for want of a better way of describing it. He seemed to
15 lose control and despite the cries of the young person
16 it stopped when he felt it was time to stop.

17 Q. In terms of using a youngster, as you said, as
18 a punching bag, is that a particular instance you are
19 talking about or is that behaviour you saw this Brother
20 engage in more than once?

21 A. Certainly more than once.

22 Q. Was it a particular boy who was being targeted or
23 different boys?

24 A. It was different boys.

25 Q. Did you have any indication of what sort of things would

1 lead the Brother to do this to a boy?

2 A. If he had given him an assignment, a job to sweep a room
3 or, I'm trying to think of things, or if they were in
4 a line going somewhere and this particular boy was out
5 of line, then these were -- this is where he would
6 decide that he was going to punish this boy in the way
7 he usually did, which was use his fists on them.
8 I can't think of any -- anything that he thought was not
9 the way that he wanted things to be done. It could be
10 a very minor thing, but I can't, walking in line and
11 you're out of line and to get beaten for it doesn't seem
12 a fair thing.

13 Q. When you saw the Brother treat a boy in this way and
14 beat him as you say, what was he doing? What part of
15 the boy's body was he making contact with, for example?

16 A. Quite often the head. Sometimes the stomach. I think,
17 to be honest, any part of his body was game.

18 Q. Would other Brothers witness-- sorry, carry on.

19 A. I wouldn't be the only person witnessing this. There
20 were many more lay people or civilian people and they
21 would also see these happenings but would, like me, turn
22 away, walk away. We didn't want to be involved.

23 Q. Would other Brothers witness this?

24 A. Occasionally -- remember, we were small in number, maybe
25 eight, compared to the lay staff, who would be at least

1 double that. So the likelihood of another Brother
2 seeing it, you know, would happen but not as much as the
3 lay people.

4 Q. In terms of the position of this Brother in the school,
5 do you have any recollection of what his role was in the
6 school?

7 A. He was just a member of the community in that particular
8 school. No, he didn't have any other -- he was
9 a teacher, that was it.

10 Can I just stand a minute, please?

11 LADY SMITH: Please do. Take a moment and let me know when
12 you're ready to carry on.

13 (Pause)

14 A. Thank you.

15 LADY SMITH: It's no problem.

16 Ms MacLeod.

17 MS MACLEOD: My Lady.

18 Did you ever consider reporting what you saw this
19 Brother do to somebody, for example the Brother Superior
20 or anybody else?

21 A. No, that would have been against the atmosphere of how
22 you acted in an Approved School.

23 Q. What was that atmosphere?

24 A. You just would not report anybody. You kept quiet about
25 everything that you saw.

1 LADY SMITH: 'MacDavid', I know it's a long time ago and you
2 may not have heard this expression when you were working
3 in Scotland, but we have an expression called 'no
4 clyping' here and it means you don't tell tales, you
5 don't want to be a clype, somebody who tells tales. Is
6 that what you are talking about?

7 A. Yes, my Lady.

8 LADY SMITH: Ms MacLeod.

9 MS MACLEOD: My Lady.

10 How was bed wetting dealt with at St Ninian's when
11 you were there?

12 Before I move on, 'MacDavid', my apologies, this
13 Brother you are talking about, was he at St Ninian's or
14 St Joseph's?

15 A. Somehow or other I thought he was at both places when
16 I was working there -- no --

17 LADY SMITH: That is possible. Some Brothers moved between
18 the two schools.

19 A. Oh, yes, yes. I mean, I was moved from St Ninian's to
20 Gartmore. There was no reason as such. It was --
21 honestly, I don't know the rationale for being moved,
22 except in my case, as I say in my statement, I reported
23 sexual abuse of some of the little boys and shortly
24 after I was moved. Nobody said anything to me, so
25 I made the assumption that I was moved because

1 I reported misconduct, for want of a better phrase.

2 MS MACLEOD: We will come on to look at that shortly,

3 'MacDavid'.

4 LADY SMITH: 'MacDavid', I think you said you were moved

5 'from St Ninian's to Gartmore', but you must have meant

6 'from St Ninian's to St Joseph's'. St Ninian's was at

7 Gartmore.

8 A. Yes, I'm sorry.

9 LADY SMITH: No need to apologise. Just to get the

10 transcript right.

11 MS MACLEOD: If I can ask you about bed wetting, 'MacDavid'.

12 First of all, focusing on St Ninian's. Were there

13 boys at St Ninian's who wet the bed?

14 A. Yes.

15 Q. I think you tell us in your statement that this is

16 something that the headmaster was not happy about?

17 A. That's correct.

18 Q. How did you know that?

19 A. Whoever was on duty had to report the number of

20 youngsters who had wet the bed. My memory is a little

21 blunt here, but I think I can remember six or seven

22 youngsters having to strip their beds and take their

23 clothes downstairs to be washed.

24 SNR he knew this, and was not pleased

25 and would remonstrate with them.

1 Q. You tell us in your statement, 'MacDavid', that bed
2 wetters were certainly mentally punished for wetting the
3 bed?

4 A. Yes.

5 Q. Are you describing that they were made to be embarrassed
6 for having wet the bed?

7 A. Very much so.

8 Q. What you say is:
9 'That that was alien to me. I didn't think it was
10 the right way to treat them.'

11 A. No, because then the other boys could make fun of them,
12 which made things -- the situation even worse.

13 Q. You go on to say:
14 'I couldn't intervene. I would have been
15 remonstrated by SNR [REDACTED] if I did.'

16 A. That's correct.

17 Q. What gave you that impression, that that is what would
18 happen?

19 A. Just his attitude to these little boys who for whatever
20 reason wet their beds. I mean, I learned afterwards why
21 this happened and then I understood it, but -- and so to
22 treat them the way they were treated, to be made fun of,
23 when I look back, that wasn't the right thing to do.

24 But in answer to your question, I could tell from
25 SNR [REDACTED], the SNR [REDACTED] demeanour, his

1 face, that he was angry that these boys were still
2 wetting the bed night after night. No, you didn't
3 [REDACTED] Remember I had a vow of obedience,
4 so that was always in the back of your -- in my mind
5 anyway.

6 You didn't interfere with SNR [REDACTED]

7 Q. Thank you.

8 In terms of formal discipline of the boys, was there
9 any code or instruction given to you about how boys
10 should be disciplined?

11 A. No, absolutely none.

12 Q. Was a belt or a strap used at St Ninian's?

13 A. Yes, it was.

14 Q. Who used that?

15 A. I think we should come back to the fact that we're in
16 Approved Schools. They're sent there by the courts.
17 They have no standing, they have no rights and so
18 punishment was okay, for want of a better phrase.

19 I'm sorry, I interrupted your question.

20 Q. Was that the case at both St Ninian's and St Joseph's?

21 A. And my first school, Market Weighton, as well. To me it
22 was the code in all three schools.

23 Q. How did you discipline boys at the school, at
24 St Ninian's and St Joseph's?

25 A. Unfortunately, as I look back now, I followed the code

1 and thumped boys for -- I have no recollection of who
2 I did -- no, I shouldn't say that.

3 I would prefer not to answer your question.

4 Q. Did children make any complaints to you about how they
5 were treated by other Brothers or staff, at either
6 school, St Ninian's or St Joseph's?

7 A. Would you repeat that, Ceit-Anna?

8 Q. Did children come to you with complaints to tell you
9 about things that had happened to them in connection
10 with other staff or Brothers?

11 A. There was just the one incident where two or three boys
12 had the courage to come and tell me how at nighttime
13 this particular Brother invited a couple of the boys to
14 join him in his bed.

15 I remember asking them why. I mean, I left home
16 when I was 13. I joined this order, so I had no worldly
17 experience of sexual matters beyond the fact that I had
18 been raped. So when they told me I asked them and they
19 weren't sure, oh, maybe they were just fondling their
20 penis or whatever, but I said, 'Why have you told me?'
21 And they said, 'Because it's the wrong thing to do'.

22 That I reported to the Brother Superior, the
23 headmaster, and as I said within the week I had been
24 moved from one school to the other. I can only assume
25 that was the reason.

1 Q. Just in terms of the dates there, might you have been
2 moved to do a course in Cambridge and then on to
3 St Joseph's? Or were you moved from one school to the
4 other?

5 A. I made it quite plain that I was dealing with special
6 needs or -- I can't think of the -- but it was the --
7 the programme was a programme in special education and
8 I decided that, I was very bold about it, but I wanted
9 to have this course to increase my understanding of how
10 to interact and how to teach children who were not up to
11 their standard, or class standard, in whatever language
12 or in maths.

13 Q. When you reported what you have told me to the
14 Brother Superior about what the boys said to you was
15 happening to them, were you moved to St Joseph's or did
16 you go to Cambridge at that time?

17 A. I went to Cambridge. They decided it -- it was
18 decided -- I don't know, I mean I'm sorry, I got -- let
19 me back up a little.

20 We also had a residence, a house, in Cambridge, some
21 of the other Brothers around the country were there to
22 get a degree or mostly to get a degree, very few of them
23 would be there to get the one-year certificate in
24 special education that I went for.

25 So when I got to Cambridge I was in a house with

1 I think -- I think there were five of us there. The
2 other four were also studying and so we saw very little
3 of each other. In the mornings we had breakfast and we
4 took off to our various places of education.

5 I'm not sure if I've answered correctly your
6 question.

7 Q. In any event, 'MacDavid', after you reported to the
8 Brother Superior at St Ninian's you were then moved away
9 from St Ninian's very quickly?

10 A. Yes.

11 Q. You have told me about that occasion when a group of
12 boys came to speak to you about a Brother being in his
13 bed. Was that the first time you became aware of
14 inappropriate sexual behaviour at St Ninian's or did you
15 know that already, that that was happening?

16 A. Good question. There was a rumour that this was
17 happening. I didn't follow it up and I -- to be honest
18 you know -- since I was not as worldly in these things,
19 I didn't pay that much attention to it in the sense that
20 I felt I should do something about it. The only time
21 I felt I did something about it when these -- I think
22 they were four little boys came and told me about their
23 friend or some other friend being taken to Brother so
24 and so's room to spend a night in his bed. Beyond that,
25 Ceit-Anna, that's as much as I can answer your question.

1 Q. Okay. Thank you.

2 Did boys ever make complaints of physical abuse to

3 you?

4 A. No, no.

5 Q. In your statement you mention that boys may have come to

6 you who were more often than not in tears. Can you

7 recall what that was in relation to?

8 A. I'm sorry, no, I can't.

9 Q. Was there a person at either school, so far as you're

10 aware, that boys could speak to? Was there an allocated

11 person that boys could report things to if they wanted?

12 A. No, that wasn't the ambience of how these schools were

13 run, Ceit-Anna. As I said, these young people had no

14 rights. So for somebody to be appointed so that they

15 could go and make complaints, that would never happen.

16 At least I don't recall it ever happening.

17 Q. In [REDACTED] your statement, 'MacDavid', you say:

18 'If a child had been abused at St Ninian's or

19 St Joseph's it would go unnoticed.'

20 You say:

21 'It would be so alien to try and do any good about

22 it. Nowadays you would, but back then, no. You

23 wouldn't try to set things right. What's the point?'

24 A. I think that statement sums up how my behaviour was in

25 those days. That's the way things were.

1 Q. Would reporting things externally, either to
2 a social worker or to the police, would that have been
3 something that would have been considered?

4 A. No. That's a strange question in the sense of
5 social workers. I don't think -- I don't know, I may be
6 wrong, but I don't think there were social workers in
7 those days.

8 Q. You have told me about the circumstances of your being
9 moved on from St Ninian's.

10 Did a similar thing happen at St Joseph's, which
11 caused you to be moved on from there? In [REDACTED]
12 [REDACTED] your statement I think you tell us that at
13 St Ninian's, in the final sentence:

14 'I did the same thing again.'

15 It says:

16 'About two years later a similar incident happened
17 in the playground or somewhere. I overheard a couple of
18 students talking about somebody sleeping in so and so's
19 bed.'

20 A. There was a difference -- a different relationship with
21 the boys, because they were older. I played more soccer
22 with the older boys, so I became -- I don't know if
23 'friend' is the correct term, but I certainly was more
24 respected, if that's the correct word to say. I don't
25 know.

1 Anyway, yes, I heard these two boys and they came
2 and, actually I thought there were three of them, but
3 never mind, and talked about how one of their friends
4 had to spend the night in, I can't remember the
5 Brother's name, in his bedroom and I said did this
6 happen a lot and they said, 'Yeah, once or twice
7 a week', and I said, 'You never reported it?'.
8

8 'No.'

9 I said, 'Thank you', and I reported it.

10 Now, we're talking about a different group of
11 Brothers. I can't remember -- again, maybe seven or
12 eight, so a different Superior. Did he know why I was
13 transferred? Oh, I'm pretty sure he did. So when
14 I went to tell him about the incident happening he was
15 very angry and told me to get out of the office. Later
16 I understood that I was going to be moved to -- I think
17 there was a school in Glasgow, a senior school in
18 Glasgow. I honestly can't remember its name, but I just
19 said to myself: that's not going to happen.

20 In the meantime, I think I mentioned that I had
21 begun to question the whole idea that I had left home,
22 why I left home, because it was -- it was the atmosphere
23 in the Catholic Church for the best way to get recruits,
24 for want of a better word, was to get kids early, boys
25 or girls. The girls did the same thing for getting into

1 their convents.

2 So I began to review all this in my mind and
3 wondered why I was staying here. There was no point.
4 I had a teaching certificate, so I could teach anywhere.
5 And so I just told the Brother Superior, 'I'm leaving
6 tomorrow, I'll take my clothes with me', and that was
7 it. He gave me fifty pounds and I left the order.

8 I never looked back. I never had contact with
9 anybody.

10 MS MACLEOD: My Lady, we are moving on to a slightly
11 different part of the statement. I don't know if we
12 should have a short break or carry on.

13 LADY SMITH: 'MacDavid', we have been pummelling you with
14 questions for an hour. Would you like a short break at
15 this point?

16 A. The only breaks -- I've got my water bottle here. If
17 I can stand up when I ask, because my leg is very
18 painful and it needs a rest, or it needs to kick out now
19 and again.

20 No, I am quite prepared to keep on.

21 LADY SMITH: Let me add this, I usually don't ask our
22 stenographers in the afternoon to keep going for more
23 than about an hour, shall we just take -- not very long,
24 five or ten minutes and everybody can have a breather.

25 A. My Lady, take as long as you like.

1 I didn't really realise the work of the
2 stenographers. Thank you.

3 LADY SMITH: We'll do that. It won't be very long. Then
4 we'll regroup after that.

5 (4.06 pm)

6 (A short break)

7 (4.13 pm)

8 LADY SMITH: 'MacDavid', welcome back. Are you okay if we
9 carry on now?

10 A. Thank you, my Lady.

11 MS MACLEOD: My Lady.

12 'MacDavid', I asked you earlier about how you
13 disciplined children and I think you said that you
14 thumped boys, but then you said you didn't want to
15 answer any further questions about that and that's
16 absolutely fine.

17 I just want to check, am I to take it from that that
18 you don't want to answer any questions about that?

19 A. I was warned not to incriminate myself, so that's my
20 reason for not answering your questions.

21 Q. That is fine.

22 Can I then go on to that part of your statement
23 where certain allegations have been made against you by
24 people who have come forward to the Inquiry, and those
25 are set out in your statement.

1 I now come on to part of your evidence where I wish
2 to ask you some questions about that.

3 First of all, there are a number of applicants who
4 have made allegations of physical abuse against you and
5 I want to begin by asking you about that.

6 Are those questions that you are willing to answer?

7 A. No, I'm not.

8 Q. A number of applicants have also made allegations to the
9 Inquiry of sexual abuse by you and those are also set
10 out in your statement. Do you wish to answer questions
11 in relation to that?

12 A. I think the answer to that question is in my statement:
13 I absolutely deny any sexual abuse.

14 As an afterthought, having suffered sexual abuse
15 I would then do it? It doesn't make sense.

16 Q. Can I then move on, 'MacDavid', to the part of your
17 statement where you set out lessons that you think could
18 be learnt.

19 I think you tell us in [REDACTED] your
20 statement that in your view there needs to be policies
21 at government level or at least at some local level
22 about the way children are to be treated.

23 A. Is there a question there?

24 Q. [REDACTED], I just wonder whether you wish to
25 elaborate on that in any way?

1 A. Oh, I see.

2 Is it fair to make a comparison to what I know
3 nowadays --

4 Q. Of course.

5 A. -- compared to what I didn't know in my time in
6 St Ninian's or St Joseph's?

7 LADY SMITH: 'MacDavid', that's really helpful, because we
8 must learn all the time and one of the key features of
9 a public inquiry is to work out what we can learn from
10 what happened in the past and how we can make things
11 better for the future. So please feel free.

12 A. Thank you, my Lady.

13 One thing that is very common nowadays are
14 social workers. I don't think the concept of
15 social workers obtained back in the days I was teaching
16 at those two schools.

17 Nowadays we have social workers who can intervene in
18 any aspect of the educational establishments and even of
19 the family establishment, so that, you know, from the
20 highest government down, in other words from the
21 Scottish Parliament, there needs to be laws passed down
22 to the next level of local government and then down to
23 the education department and the social welfare
24 departments of the rules for dealing with children in
25 any situation.

1 And so that the idea that they can be physically
2 abused by staff in any situation cannot obtain. There
3 has to be ways of dealing with children in
4 a non-punitive -- sorry, non-physical punitive manner.

5 There has to be some guidelines as to interviewing
6 students or family members and talking to them or
7 listening to them first of all and talking to them about
8 how to overcome their feelings, how to -- the rules for
9 working in different situations with people you don't
10 like. Just general common sense rules for interacting
11 with other people.

12 I don't know if that answers your question?

13 LADY SMITH: 'MacDavid', it's very interesting and of course
14 when you were working at St Ninian's and St Joseph's
15 social work in Scotland was in its infancy, that's
16 probably why you don't remember there being a clear
17 confident system of social work at that time.

18 I think we've come a long way since then, but you
19 are absolutely right to point out the need to keep
20 working at getting it right for children. We can't
21 afford not to.

22 A. Thank you, my Lady.

23 LADY SMITH: Ms MacLeod.

24 MS MACLEOD: 'MacDavid', that completes all the questions

25 I have to ask you today. I just want to give you the

1 opportunity to add anything that you would like to,
2 before your evidence is completed?

3 A. I don't think, Ceit-Anna -- from my statement and from
4 my interview with you and my Lady I feel satisfied for
5 the time that we have spent together.

6 MS MACLEOD: Thank you and thank you very much for coming
7 here today to give your evidence.

8 My Lady, I can confirm that I have no applications
9 for questions.

10 LADY SMITH: Thank you very much.

11 'MacDavid', could add my thanks to you, both for the
12 work and effort you have put in to providing a statement
13 to us and engaging with us today. It's of enormous
14 assistance to me in the work that we're doing here.
15 I'm sure it's not what would have been your first choice
16 as to how to spend your morning today.

17 I hope the day gets better once you're able to
18 switch off this link.

19 Thank you.

20 A. You're welcome, my Lady.

21 (Pause)

22 LADY SMITH: Ms MacLeod, I think that's it for today.

23 MS MACLEOD: That's it for today.

24 Tomorrow we begin with some read-ins and then the
25 final oral witness of this chapter.

1 LADY SMITH: Thank you very much indeed.

2 (4.25 pm)

3 (The Inquiry adjourned until 10.00 am on

4 Friday, 26 January 2024)

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
'Gordon' (read)	1
'Graham' (read)	11
'Charles' (read)	26
'Andrew' (read)	38
'Donald' (read)	48
'Robert' (affirmed)	61
Questions from Mr MacAulay	62
'Gary' (read)	107
'MacDavid' (sworn)	126
Questions from Ms MacLeod	127
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	

