

1 Wednesday, 23 August 2023

2 (10.00 am)

3 LADY SMITH: Good morning.

4 I know when we finished last night I told everybody  
5 that we were expecting to have three in-person witnesses  
6 today. I'm afraid there's going to have to be  
7 a last-minute change to that, because of unexpected  
8 developments.

9 I'll invite Mr Brown to explain what the plan that  
10 I think we've now arrived at is for today.

11 MR BROWN: My Lady, I think in fact there were meant to be  
12 two live witnesses today and read ins in the afternoon.

13 The difficulty has arisen with the first witness,  
14 who was expected this morning at 10 o'clock. She is no  
15 longer able to attend because of family illness and the  
16 hope is that she can be heard later in the week, on  
17 Friday perhaps.

18 In the circumstances, with a little bit of jiggling,  
19 we're just going to do more read-ins first. Have the  
20 live witness, as expected, at 12.00 pm, or thereabouts,  
21 perhaps 11.45 pm, and then have further read-ins today,  
22 but that will bring forward evidence that we had  
23 expected to hear on Friday, which can then slot in  
24 hopefully the live witness.

25 LADY SMITH: Hopefully.

1           I should perhaps add that the witness has clearly  
2           indicated that she will do all she can to be here and  
3           she's very sorry that she's not able to be here at  
4           10 o'clock this morning. I know the reasons and I do  
5           understand her position.

6   MR BROWN: Thank you, my Lady.

7           In the circumstances, I'll leave Ms Bennie to read  
8           and I'll vacate.

9   LADY SMITH: Thank you very much.

10           Ms Bennie, whenever you're ready, if you would like  
11           to take us to the first statement.

12                        'Arthur' (read)

13   MS BENNIE: Thank you, my Lady.

14           The first statement bears the reference  
15           WIT-1-000001177.

16           My Lady, this witness wishes to remain anonymous and  
17           he's adopted the pseudonym of 'Arthur'.

18           My name is 'Arthur'. My year of birth is 1969.

19           I was born in Edinburgh and both my parents are from  
20           Edinburgh. I have one sister who is four years younger  
21           than me. My father was a soldier, so after my first few  
22           years we moved around until I went to boarding school.  
23           I believe our lifestyle was actually one of the reasons  
24           I ended up in boarding school.

25           As a family we moved house every ten months to two



1        years and I would end up at a different school every  
2        time we moved. In West Germany those schools were  
3        British Forces schools and they could be patchy in  
4        standard. I think at a certain point my mother thought  
5        my education was going down the tubes.

6            Both my parents had mothers living in Edinburgh and  
7        my mother thought their best option was to send me to  
8        school in Edinburgh, where at least there were other  
9        members of the family around. The Army would also  
10       subsidise the school fees. For my parents it seemed  
11       like the best option and a way to get me a good  
12       education and possibly some advantages in life.

13           There was no discussion with me. I was never asked  
14       for my thoughts on being sent to boarding school in  
15       Edinburgh.

16           Edinburgh Academy, Dundas boarding house.

17           I arrived in Dundas House a few weeks before my  
18       ninth birthday. I have no memory of having visited the  
19       boarding house or the school prior to starting.

20       I imagine my mother must have done so. The housemaster  
21       in Dundas House was Mr Brownlee. Back then he would  
22       have been in his 40s. I can recall him as a big  
23       powerful man, however some years later  
24       an ex-Edinburgh Academy pupil told me that he'd seen  
25       Brownlee in a rugby club and he was tiny. I think my

1 estimation of what Brownlee looked like is probably  
2 incredibly inaccurate. To me he seemed huge, strong and  
3 terrifying.

4 Routine at Edinburgh Academy Dundas boarding house.

5 I'm sure if you spoke to anyone about being  
6 deposited at boarding school they would say it feels  
7 like an abandonment. At eight- or nine-years old you  
8 have no idea why you are being sent away and left there.  
9 I have a very clear memory of this. My parents were  
10 living in West Germany at the time.

11 We were at my grandmother's and my parents drove me  
12 over to Dundas House. I remember it was night-time and  
13 they dropped me off with a trunk and my school kit and  
14 I waved them goodbye from there.

15 I have been back to Dundas House so do have  
16 a perspective on this, but at that age it seemed to me  
17 like a gothic mansion. Dundas House is a large detached  
18 stone-built Georgian Victorian villa. Perhaps because  
19 it was night-time it just looked like a big scary house  
20 from a horror film.

21 I think after waving goodbye to my parents I went  
22 and got settled in. There were enormous high ceiling  
23 rooms and I think there was eight beds in the dormitory  
24 I was going into. I remember it was freezing. I'm not  
25 even sure they had heating turned on. My overwhelming

1       memory is of always being freezing. There were  
2       municipal iron beds with horsehair mattresses with large  
3       sumps in them. Those mattresses had been on those beds  
4       for 30 or 40 years. You got in them and you would sink  
5       to the bottom.

6           I don't have a detailed memory of it but I would  
7       have been introduced to some of the other boys, everyone  
8       blinking into their new reality. It was all boys in two  
9       school year groups, so there would have been around 20  
10      boys boarding there in total. The age range of Dundas  
11      House was between eight and ten.

12          I think there were four dormitories in Dundas House.  
13      There were bigger rooms on the first floor for the  
14      younger boys and I think eight boys in each of these  
15      rooms. Upstairs had smaller rooms. I remember there  
16      were five of us in the room I eventually moved into.  
17      I remember I had a wardrobe to hang some clothes in.

18          Mr Brownlee lived in a private part of Dundas House  
19      with his wife and two boys.

20          Mackenzie House was the boarding house I moved into  
21      after Dundas. The older boys' houses were Scott and  
22      Jeffrey House, but I wasn't boarding by the time  
23      I reached the age to go to these houses.

24          Dundas House boys all attended the preparatory  
25      school nearby. There would have been around 300 boys at

1 the preparatory school.

2 Mornings and bedtime.

3 Dundas House was very regimented. We got out of bed  
4 around 7.00 am and washed in a communal shower area.  
5 After getting washed we would go downstairs and assemble  
6 in a line to be inspected by the housemaster,  
7 Mr Brownlee. That was similar to a military inspection.  
8 He made sure you were smart, your tie was tied, hair was  
9 combed.

10 We would then go across to the dining hall, which  
11 was actually part of the preparatory school complex and  
12 only a few metres away on the other side of  
13 Arboretum Road. We would have our breakfast and then go  
14 back to the house to pick up our books and things before  
15 going to school.

16 We would do the school day and have lunch in the  
17 dining hall at school. After school, we would go back  
18 to the house and they would send us out to do games.  
19 There were playing fields in front of Dundas House and  
20 a changing block there, so we would be sent there for  
21 an hour or so. That was generally all right, although  
22 not so good in the winter because it was all open plan  
23 and became very unpleasant. We would do that and then  
24 go across to the dining hall in the school where we  
25 would have dinner. We then went back to the house and

1 had prep for an hour-and-a-half. We then had some free  
2 time to watch television before bedtime, which was  
3 around 8.00 pm.

4 There was also a matron in Dundas House. She didn't  
5 reside there, but she was responsible for the day-to-day  
6 running of the place. Brownlee was there as the manager  
7 and he deployed discipline.

8 Meal times/food.

9 All meals were served in the dining hall within the  
10 preparatory school on Arboretum Road. The food was  
11 really poor, lowest common denominator stuff like spam  
12 fritters and corned beef stovies. There wasn't any  
13 option if you didn't like what was served. In fact, you  
14 had to eat what you were given or you would get lines as  
15 a punishment. Brownlee was occasionally there and he  
16 would punish you if you misbehaved, if you weren't  
17 eating your food or were caught talking.

18 I do recall being hungry, not starved, but hungry.  
19 I would just eat what they gave me."

20 My Lady, I now move on to paragraph 33 on page 7:

21 "Schooling.

22 I had quite a bit of experience with education  
23 because I had been to eight or ten primary schools  
24 across the UK and Germany. Edinburgh Academy was very  
25 different from the education I'd had before. My

1 education in Germany was not great according to my  
2 mother's estimation of what Forces schools were like.  
3 I don't remember it being bad and it was fundamentally  
4 compassionate in comparison to the education at the  
5 Academy. I do however think the education at the  
6 Academy was good.

7 I particularly remember Mr IBL was a very good  
8 teacher. He had been all over the world and he turned  
9 his own journeys into lessons. He was quite an old man,  
10 even back then, and an unusual character to say the very  
11 least. He had spent time on a sheep farm in New Zealand  
12 and constructed his lesson plans from all of this and  
13 built the curriculum around really engaging material  
14 that he had self created.

15 It was a very formal education which I wasn't used  
16 to, but it was reasonably good and I felt quite tested.  
17 Mr Ramsay was the mathematics teacher. He would put you  
18 under quite a lot of pressure but you would rise to the  
19 pressure. My education definitely got better. I felt  
20 like I had to raise my game when I arrived there.

21 I recall some of the teachers at the preparatory  
22 school. Mr IBL, Mr IDP and Mr De Jong. I can  
23 see some of the others but can't remember their names.  
24 I don't recall the name of the headmaster of the  
25 preparatory school, however Mr Ellis was the headmaster

1 of the whole school, preparatory and upper schools.

2 After school we had to do prep work. That was  
3 an hour or an hour-and-a-half of silent homework.  
4 Brownlee or the tutor they employed, Mr IDQ, would  
5 sit in Dundas House with us. You had to sit quietly and  
6 do your homework. Once it was done, you would be  
7 released. I suspect Mr IDQ was in his 20s. We were  
8 all terrified of him. I think they got graduate  
9 students from Heriot Watt to come and do the tutor role.  
10 Much like being a housemaster there were a lot of  
11 advantages to doing it, such as free accommodation,  
12 a salary and free heating."

13 My Lady, I now move on to paragraph 47 on page 9:

14 "Bed wetting:

15 "I didn't have issues with bed wetting but there  
16 were some other boys who did. If a boy wet the bed  
17 during the night he would have perhaps have informed  
18 Mr IDQ or Mr Brownlee about it, but neither would  
19 have involved themselves in cleaning that up. The boy  
20 would have been made do it himself.

21 Boys would be told to remove their bedsheets and  
22 sleep on the bare mattress until the morning. The  
23 matron would deal with the sheets when she arrived. We  
24 would have been at school by then so I'm not exactly  
25 sure what happened.

1           Many times the boys didn't inform IDQ or Brownlee  
2           because they feared them and also felt ashamed of having  
3           wet the bed.

4           External inspections.

5           I don't recall there ever being any visitors  
6           carrying out formal inspections at the school.

7           Family contact.

8           During the school holidays I would go home to  
9           Germany. That was great. We were all desperate to get  
10          away. I've looked at some photographs of the time and  
11          I'm skinny, pale and not well. I often went home with  
12          a chest infection or with problems with my feet, often  
13          I wasn't in a great shape. I was really keen for some  
14          comfort, not just physical comfort, but the comfort from  
15          being around people who actually cared about you rather  
16          than think everything you did is fundamentally wrong and  
17          something to be punished for. Just a nuisance.

18          I remember every Sunday we had letter writing. We  
19          could write to family and friends. The exercise was  
20          educational. I specifically recall Brownlee looking  
21          over our shoulders and telling us that we were not to  
22          write anything negative about him or the boarding house.  
23          I remember he spoke about a negative letter he had  
24          received from a parent. He had taken that as a personal  
25          insult and clearly didn't want any of us writing



1       negatively about him or his boarding house. I don't  
2       remember putting my letter into an envelope and sealing  
3       it, so I'm not sure if Brownlee read over the letters  
4       once we had finished writing them.

5             Discipline.

6       I do remember on one occasion as a punishment we had  
7       to do Mr Brownlee's garden. If you didn't eat your food  
8       in the dining hall you would get lines, as in writing  
9       the same sentence over and over. Other than that,  
10      I don't really remember.

11            Abuse at Edinburgh Academy.

12      Mr Brownlee would occasionally be in the dining hall  
13      at meal times. We would wear our shirts which were  
14      buttoned up along with a tie. If he caught you  
15      misbehaving, talking or not eating your food he had  
16      a thing which he would do very commonly. He would get  
17      the knuckle of his forefinger and hook it into the back  
18      of your collar and grind his knuckle against your top  
19      vertebrae. He used to do that all the time and not just  
20      in the dining room, he would do it anywhere, even in the  
21      boarding house. Anybody in the house would remember  
22      that because he was at it all the time. If your uniform  
23      or appearance wasn't right when lining up for Brownlee  
24      in the morning, you might have got a bit of knuckling in  
25      the back of your neck before being sent back to sort

1       whatever it was, comb your hair, brush your shoes or  
2       whatever.

3           Brownlee had an isolation room at the top of the  
4       boarding house, in the converted roof area. If you were  
5       caught talking after lights out he would put you in this  
6       room at the top of the house. We had been told this  
7       very weird story that this room had belonged to  
8       an African boy who had had a terrible skin disease and  
9       that nobody had ever changed the sheets up there. To  
10      what extent that story had been embellished in the  
11      telling, I can't say, but this was the received story we  
12      had. I was up there twice. Brownlee would take you out  
13      of your room and take you upstairs. The bed had sheets  
14      and a blanket and he would tuck you in very tightly and  
15      say that he would know if you had been out of bed  
16      because the sheets would be disturbed. Then you would  
17      have to spend the night in there.

18           I didn't think about this for years, but looking  
19      back on it now as an adult it's easy to think that it  
20      wasn't that bad, until I remind myself that I was only  
21      nine-years old at the time. I remember being scared  
22      about that, really terrified. If anyone had ever done  
23      that to one of my kids when they were nine, there would  
24      have been hell to pay.

25           Brownlee once discovered that some of the pages

1       within his collection of the Encyclopaedia Britannica,  
2       which he kept in a bookcase in Dundas House, had been  
3       torn. Brownlee instituted an investigation into what  
4       had happened. I was told by another boy that they had  
5       seen one of Brownlee's own children tearing these pages  
6       from the book. Brownlee held individual interviews with  
7       all of us to try and find out what had happened. I was  
8       in one of these interviews with Brownlee and said that  
9       it could have been anyone. I told him that I had heard  
10      that it was one of his boys. He was absolutely incensed  
11      that I had made that suggestion and said these books  
12      would be passed down to his boys.

13           He beat me in front of everyone with the clacken,  
14      which was a weapon used by the teachers within the  
15      Academy. The clacken was an inch-thick oak paddle.  
16      I remember I was with another boy and I don't think  
17      either of us had anything to do with it, but we were  
18      beaten together in front of everybody in the boarding  
19      house. The beating consisted of bending over and  
20      getting hit six times on the bottom. I wasn't  
21      particularly injured but you could feel it for a couple  
22      of days after. I remember being particularly confused  
23      by that.

24           Mr IDQ       the tutor in Dundas House, was  
25      frightening because he drank. I think sherry was his

1        thing. He would rage sometimes in the night and we  
2        would hear him shouting. There was a boy in the  
3        boarding house, the boy used to wear a bootlace  
4        necklace. There was a means of surviving in places like  
5        Dundas House without getting a beating and without  
6        getting disciplined. It was to keep your head down, to  
7        hide in plain sight. This boy didn't do that and if he  
8        saw something that he didn't like he would say so and  
9        that would get some of the teachers' backs up.

10        On one occasion, IDQ took hold of the bootlace  
11        round the boy's neck and twisted it until he was  
12        strangling the boy and almost lifting him off his feet  
13        by it. We were there and I remember that clearly.  
14        I think I remember that he then hung the boy from a hook  
15        by his underpants or jacket in an area where we all hung  
16        our coats. The trouble with that memory is that this  
17        act was common practice among the older boys against the  
18        younger boys. It was like the Lord of the Flies in  
19        there. Any management was actually quite light  
20        management. The interventions were severe, but not  
21        consistent. I wonder whether the hanging up part of  
22        that memory comes from that happening with older boys.  
23        I do know that IDQ throttled the boy with the  
24        bootlace and then seemed to try and lift him up by it.  
25        We were all then shooed out. Shortly afterwards, IDQ

1 disappeared and apparently went to a school in  
2 New Zealand. I think the boy left the school shortly  
3 after this. There was a big problem about it. This was  
4 probably the most shocking thing I saw at the school.

5 In fact, what was mainly going on was older boys  
6 abusing younger boys. Some of the practices they used  
7 were bog washing, where the older boys would get  
8 whomever they decided to get and stick their head down  
9 the toilet and then flush the toilet.

10 I do recall seeing an older boy bog washing  
11 a younger boy in Dundas House. I can see the young  
12 boy's face, but I'm not certain of his name.

13 There was the famous wedgie, where you would get  
14 your pants pulled up the back of your trousers. You  
15 would get hung up on the hook by the back of your pants  
16 or by the collar of your jacket.

17 I couldn't name any of the boys carrying out these  
18 acts with any certainty. The boys doing this would have  
19 been 10 and 11 years old. In a way, I don't think they  
20 bear any responsibility for what happened. I think the  
21 duty of care fell to the school to ensure that that sort  
22 of thing didn't happen under their roof.

23 Some of the older boys were rough and some of them  
24 were fine. The environment itself was like that. It  
25 was quite brutal and you had to develop certain tools to

1       be able to survive within it. Those tools were either  
2       those of keeping your head down or becoming strong  
3       enough that you couldn't be harmed by that situation.  
4       It was quite a binary thing. Some of the boys would  
5       become bullies and the others would keep their heads  
6       down. Some would go along to get along but I lay all of  
7       that at the door of the school and not at the individual  
8       boys.

9               These acts didn't happen daily, but there was  
10       a drumbeat of that happening, a constant threat of it  
11       happening. I got bog washed a couple of times and hung  
12       up a couple of times. I definitely did see this happen  
13       to another boy. You spent so much time imagining it  
14       when young that it's difficult to separate your  
15       imagination from your actual memories.

16              We did get the occasional bashing from the teachers  
17       at Edinburgh Academy. You would get skelped and caned.  
18       Skelping was a cuff around the neck. I didn't get too  
19       much of that. I was quite good at keeping my head down.  
20       I did see others getting caned. You wouldn't always see  
21       it, because people would be held back from class or  
22       would have to go to somewhere specific in order to be  
23       caned. Others would do it in the class and the boarding  
24       houses would do it publicly as a kind of deterrent to  
25       other boys from doing anything wrong. It was just

1 a very physical environment.

2 There was one teacher called Mr IDP, he was the  
3 gym teacher and was a difficult guy. At the time he  
4 seemed to me an old man, perhaps in his early 60s.

5 IDP was very tough. He would humiliate boys who  
6 were weak or boys who were overweight. He used to make  
7 us do something called 'milling'. I've only ever seen  
8 that take place in the Parachute Regiment. We would  
9 form a circle and one boy had to wear these heavy boxing  
10 gloves. You had to punch another boy until you either  
11 knocked them down or knocked them out of the circle.  
12 I would describe these gloves as 1930's old-fashioned  
13 boxing gloves and weighing 13 ounces.

14 Mr IDP would use these heavy gloves to  
15 discipline the boys as well. If you weren't going fast  
16 enough, you couldn't climb the ropes or weren't climbing  
17 the bars, he would come after you and hit you with the  
18 13-ounce glove. Nobody looked forward to the PE  
19 classes.

20 It's difficult to remember because some of the  
21 teachers would get you to take your trousers down to  
22 beat you and with others they would stay up. I would  
23 have to be completely certain to say who wanted trousers  
24 down and I'm not certain. I never understood why the  
25 trousers had to come down. Maybe it is to increase the

1 blow, but I can't be certain if my trousers were up or  
2 down when being beaten.

3 There was no camaraderie in the punishment. You  
4 would feel ashamed, especially if you had been upset.  
5 The only honourable way to take punishment was  
6 stoically.

7 I recall one night I heard one of the boys in the  
8 dorm being sick in the floor next to the bed.  
9 I remember that either Brownlee or IDQ came into the  
10 room and switched the lights on. The boy was made to  
11 clean it up himself. He was handed a bucket and a mop  
12 and told to clean it up. The lights stayed on until he  
13 was finished. I don't remember if the boy said  
14 anything. I doubt it.

15 Reporting of abuse at Dundas House.

16 I would get halfway through my holidays from school  
17 and the clock would start ticking. The few days before  
18 going back were hell. The night before I left to go  
19 back I always remember being in a terrible state. That  
20 drives a terrible wedge into families. I can never  
21 understand why a parent would ever abdicate  
22 responsibility for their children to strangers in any  
23 setting. Maybe that's cultural. Maybe that's about the  
24 deference of the time that you thought that these  
25 private schools, which were expensive, with a smart



1 neo-classical headquarters were going to look after your  
2 kids, but they didn't.

3 The most difficult thing is because you have that  
4 relentless moment in these holidays, where you're  
5 expressing how awful it is, you're in tears and you  
6 don't want to be sent back, but you do keep being sent  
7 back. I never managed to get to the bottom of why my  
8 parents kept sending me back. I did try to tell them  
9 how awful it was, but I didn't really have the  
10 vocabulary for it, certainly when I was very young.

11 You were told you were privileged to be there and it  
12 was making a man of you, character building. You felt  
13 like you were supposed to suck it up. If you were  
14 a strong, wee man you were supposed to get in there and  
15 deal with it and not complain.

16 Edinburgh Academy Mackenzie House.

17 Mackenzie House was really big. In fact, three of  
18 the older houses were big mansion houses. I think there  
19 were more of us in Mackenzie House. There must have  
20 been 30 or 40 kids. Mackenzie House had big  
21 dormitories. As you got older you would go into smaller  
22 dormitories. In my first year in Mackenzie I was in  
23 a big dormitory with eight to ten boys. In my second  
24 year, I remember I was in a dormitory with only three  
25 other boys, which was a relief, because you felt as if

1       you had a bit more privacy.

2           I remember we were all quite scared moving up to  
3       Mackenzie House because of all the stories. It was  
4       a scary place because it was so unmanaged and because  
5       the older boys ruled the place. There was  
6       an ineffectual matron and a pretty ineffectual tutor,  
7       whose name I can't recall, but I do think they were in  
8       a relationship.

9           There was a housemaster who we never saw, who  
10      presided over complete chaos. I don't remember his name  
11      but he did beat with a cane. I don't remember how many  
12      times he beat me, although it was often three strikes.  
13      He moved on towards the end of my first year in  
14      Mackenzie House. Mr IDX took over from him and  
15      began to improve things for us.

16          There was lots of fighting between the older boys.  
17      They had their own common room where they had gin stills  
18      and there were all sorts of things going on.

19          The youngest in that house was the lowest of the  
20      low. We had started going to the upper school as well.  
21      We were called the Geits, which was the school name for  
22      the first year pupils of the upper school.

23          Mackenzie House held boys between the ages of 11 to  
24      15. It was that period where in some cases you were  
25      physically very capable and in other cases not morally

1 evolved. It was completely unmanaged, a true Lord of  
2 the Flies environment. Because we were a bit older in  
3 Mackenzie House, we had some more resources to be able  
4 to cope with it. Some of the incidents that happened in  
5 Mackenzie House were quite alarming. What was most  
6 formative and difficult for me however was what happened  
7 in Dundas House, because we were so young, powerless,  
8 frightened and the fact you had been left there against  
9 your will.

10 What became apparent was that there was a two-tier  
11 system in the Academy. If you were a day pupil then you  
12 were probably part of the Edinburgh set, New Town  
13 lawyers/accountants, with their kids coming down to the  
14 smart school. The boarders were treated differently  
15 because we were a different kind of people. There were  
16 Forces kids, oil executive kids, international students  
17 and I think the school regarded boarders as second-class  
18 citizens. There was just a bit of contempt around  
19 boarders. We probably did look a bit like that. We got  
20 a bit tattier as time went on and less well fed. That  
21 became more apparent in the upper school.

22 I don't know why, but most of the boarders were put  
23 in the same class in first year, which was 1D,  
24 Hamish Dawson's class."

25 My Lady, I now move on to paragraph 97 on page 19:

1           "Abuse at Edinburgh Academy upper school.

2           One of the teachers in the upper school was  
3           Hamish Dawson. He would have been in his mid to late  
4           50s. He was quite a weird guy. He had what he called  
5           his instruments of flagellation. He had a group of  
6           things which I've only seen in fiction. They were S&M  
7           toys basically, switches, riding crops, paddles or bats,  
8           with which he would discipline the boys in his class.  
9           He would generally get the boys to bend over and he  
10          would hit us on the backside. I think he had these  
11          instruments hanging on the classroom wall. I remember  
12          he had a miniature cat o'nine tails he was very proud  
13          of.

14          Dawson had a very strange energy about him, which  
15          I recognise in images of Jimmy Savile, because what he  
16          would do was make a joke about everything. In making  
17          a joke about things he makes everyone complicit in what  
18          he's doing. You couldn't be serious about it, because  
19          you would be being a bad sport. He would use his  
20          switches and crops for discipline but also sometimes for  
21          almost a funny game. He would take the opportunity to  
22          have a good feel of your bottom or your genitals whilst  
23          he was doing that. That would be over your clothes.  
24          None of this was hidden. It was done in front of the  
25          whole class. They all knew what Dawson was like.

1           I would be very surprised if the school didn't know  
2           because it was so talked about between the boys. Boys  
3           must have talked to other boys who must have talked to  
4           their parents. I always found it very curious why they  
5           put most boarders in there with this very strange  
6           teacher.

7           That happened to me on two or three occasions with  
8           Dawson during the first year in the upper school.  
9           Everybody in that class was probably subjected to that  
10          treatment and all in that weird joking way, although  
11          sometimes he would turn the table. It would be a joke  
12          and then suddenly it would become extremely serious,  
13          like you were being punished before it became a joke  
14          again. We were very off balance with him, I think he  
15          was a very strange man. I wouldn't be surprised if  
16          there was more to him as an individual as he was as  
17          controlled as he could be in the school setting.

18          I was in that class for my first year in the upper  
19          school and we were called the Geits. There was another  
20          teacher there called Mr IBP [REDACTED]. He would also have  
21          been in his mid-50s or maybe younger. He was known to  
22          us as IBP [REDACTED] and he was the [REDACTED] teacher. He was  
23          very famous for guddling around in boys trousers. He  
24          didn't do that to me, but he did keep me back after  
25          school.

1           This happened to me on a couple of occasions. He  
2           would hold you back if you had passed a note or had been  
3           talking in class. He would get very close to you so his  
4           body was rubbing up against you and his face was in  
5           front of yours. It was very clear that he was getting  
6           some kind of strange satisfaction from what he was doing  
7           that wasn't related to the punishment. It felt like  
8           an abstract experience because it didn't seem associated  
9           with what had happened. You didn't feel as if you were  
10          being disciplined but that something else was going on  
11          entirely. Now I can extrapolate what that was, while he  
12          was rubbing himself against me. That was in the first  
13          and second year of the upper school at the Academy.

14          There wasn't much discipline from the initial  
15          housemaster at Mackenzie House. The housemaster was  
16          remote. I think I was caned by him once. A lot of the  
17          discipline was meted out by the older boys. That was  
18          the same sort of thing, you might get bog washed, or  
19          wedgied, that sort of thing. I remember just being  
20          really frightened of the older boys. I think that would  
21          be common for every generation of boys going through  
22          that system.

23          Anyone who is being honest about this experience  
24          would see that there was a fine line between being  
25          a victim and being involved in situations in which you

1       could be regarded as a bully. I always thought I had  
2       been a victim throughout the whole process. However,  
3       when I was about 20 years old I bumped into a boy in  
4       a pub in the New Town. He told me that he had been  
5       terrified of me at school. I couldn't believe what he  
6       was saying. He said that he had been afraid of me.  
7       I couldn't work that out. I must have been presenting  
8       that strong, tough, don't mess with me and being  
9       forceful as well. Within that system, that's what you  
10      do, how you are. That's not how I felt back then and it  
11      isn't how I feel about that situation. That was one of  
12      those tools that people developed.

13           The ante of the violence was upped because of the  
14      strength of the boys was much greater in Mackenzie  
15      House. You could get badly hurt. There would be blood  
16      involved. You had to develop tools to avoid getting in  
17      the way of that. To hide in plain sight, to keep your  
18      head down, stay beneath the parapet and don't get  
19      noticed one way or another. Don't be cheeky,  
20      opinionated, just be one of the quiet grey ones that  
21      nobody notices and therefore doesn't come in for a  
22      kicking.

23           If you did find yourself in a corner and couldn't  
24      get out, then you had to hit hard and fast and get away  
25      as soon as possible. I do remember a slim boy, he

1       wasn't a violent lad at all, but he had learned that.  
2       He punched his aggressor so hard that he shattered his  
3       nose. There was blood everywhere. I remember the boy  
4       was taken away in the ambulance but I don't remember  
5       there being any punishment, possibly because he had been  
6       the aggressor. I think it would have started over  
7       nothing, name calling or something equally meaningless.

8               Once you got a bit older, inappropriate behaviour  
9       largely stopped. I think because you became more  
10      physically capable of defending yourself. Likely to be  
11      more aware of what was happening, more likely to say  
12      something so it dwindled off then. Then I was taken out  
13      of the boarding house.

14             Reporting abuse at Edinburgh Academy, Mackenzie  
15      House.

16             The sexual abuse wasn't happening in Dundas House.  
17      That was in the upper school. It was like a joke  
18      between the boys. People would say you better watch out  
19      for Dawson as he would feel you up or watch out for **IBP**.  
20      Don't get kept behind with him. It was normalised. It  
21      was part of school for us all.

22             Leaving Edinburgh Academy.

23             When I was 13 I was taken out of the boarding  
24      school.

25             Day pupil Edinburgh Academy.



1           Being a day pupil was very interesting to me. Maybe  
2           it was about the fact I was a bit older but as soon as  
3           you were a day pupil there was a different attitude  
4           towards you. That speaks to what I regard as a two-tier  
5           system in the school and a bit of contention towards  
6           boarders and the boarding houses. It was assumed as  
7           a day pupil you were part of the proper school community  
8           and therefore maybe a part of the privileged set that  
9           sent their kids to that school.

10           That wasn't the case for me. My dad had left the  
11           Army and moved to Edinburgh, which is why I was taken  
12           out. I don't think anything of note happened after  
13           that. In fact, it was peculiarly benign and I tried to  
14           slot back into family life.

15           By that time, I had changed quite profoundly. When  
16           I went into the boarding school system I know I was  
17           a very sensitive wee boy, almost like a mummy's boy, not  
18           big into sports. I just wasn't that kind of boy.

19           Some of the boys who survived well or got through  
20           that experience were less emotionally sensitive and more  
21           physical. The school fostered that individual, someone  
22           who was robust physically, academically good, but not  
23           necessarily creative, artistic or sensitive in that sort  
24           of way.

25           A lot of that had been repressed in me by the time

1 I was done. I had developed all these tools of  
2 survival. I have described it in the past as having  
3 your emotions cauterised. If you were upset in the  
4 boarding house there was no means of resolving that  
5 situation. What you had to do was to find a way to  
6 suppress all of those emotions.

7 Coming back into family life was quite difficult  
8 because you were supposed to be an emotional member of  
9 the family unit, but you were no longer a member of the  
10 family unit. I didn't really accept any kind of  
11 authority over me and had become simultaneously anti  
12 authoritarian, because authority in the boarding houses  
13 meant brutality. I had become withdrawn and abnormally  
14 independent.

15 I think the most lasting emotional impact of that  
16 experience and something that probably took me 40 years  
17 to begin to unpick is that cauterisation. You had  
18 armoured yourself by the time you were 13 years old.  
19 It's not that difficult to get a child to armour  
20 themselves, but really difficult to remove that  
21 afterwards. It needs chipping away and that's taken me  
22 a very long time to understand and begin to do.

23 When I'm asked what it was like being in a boarding  
24 school back then, I always say it was like being in  
25 a Victorian children's prison. It really was what

1 I would imagine that would be like, very regimented,  
2 cold, poor food, no time to yourself, no privacy and  
3 systemised punishment.

4 Life after school.

5 This process is interesting to me because after  
6 I left school I put it all behind me in the rear view  
7 mirror. I didn't contact anybody from school ever  
8 again. In the last couple of weeks all the boys' faces  
9 have come back to me along with their names, which  
10 I thought I'd completely forgotten.

11 In more prosaic terms I went to university."

12 My Lady, I now move on to paragraph 126 on page 25:

13 "Impact.

14 I went to university in Glasgow but I was in  
15 a terrible state. I think what had happened was that  
16 I had accumulated trauma in school, along with a couple  
17 of things which happened to me afterwards which are not  
18 related. I wasn't really in a fit state to do  
19 university. I didn't have the tools. I fell apart,  
20 then trundled through a few things."

21 My Lady, I now move on to paragraph 130:

22 "People maybe think that after speaking to the  
23 Inquiry I can put my experiences behind me, but I don't  
24 think that's the way it works. It's more: can you  
25 confront it, integrate it and then move forward as

1       someone who has come to terms with that experience?

2       That's what I'm currently doing.

3           I know there is interest in the physical and sexual  
4       abuse side of this, but actually the more long-lasting  
5       effects of it are the isolation, abandonment and fear,  
6       being aware of how dark and alone one can be in life.  
7       I think if you do that to a child so young, it's like  
8       shooting them with a harpoon, wounding them. What I did  
9       was run away as fast as I could from what had happened.  
10      Then I had nothing to do with the school and didn't ever  
11      talk to anyone from the school environment again.  
12      I went as far away as I could, but there is only so far  
13      you can run with the line before it pulls you up short.

14           I see this process as a means of detaching that and  
15      maybe ending up with a scar and not an open wound."

16           My Lady, I move on to paragraph 137:

17           "Reporting of abuse.

18           I spoke to people after my school experience. It  
19      never really occurred to me to go back and seek some  
20      sort of redress, because first of all we were  
21      continually told we were privileged and privileged boys  
22      who had a bit of a bad time at school really had nothing  
23      to complain about. It was also normalised and just part  
24      of life. The things you read about in the newspaper,  
25      the more severe forms of child abuse, make you think you

1 just don't qualify. The things that happened to me were  
2 just so normalised, just a private school in the 1970s.

3 I never spoke to the police because I never thought  
4 it was prosecutable.

5 Lessons to be learned.

6 I remember the Academy released a statement after  
7 the Nicky Campbell publicity saying that they were sorry  
8 about the difficulties that boys had encountered, but  
9 that things had changed since the 1970s. As if there  
10 was a commonly accepted culture in the 1970s which was  
11 across the board. I have reflected on that statement  
12 because it's easy to think that everything was the same  
13 everywhere. What gives the lie to that is that most of  
14 the teachers were not beaters and didn't use those  
15 instruments. There were lots of great teachers at the  
16 Academy who weren't violent. Some of the teachers were  
17 just violent people and used that as a tool of control.  
18 There was a tiny minority who were either sadistic or  
19 borderline paedophiles.

20 Most teachers at the Academy were early 50s to  
21 mid-60s. I've reflected on that and thought these were  
22 people who came through a very different system. Some  
23 of those men would have served in the war or certainly  
24 lived through the war years and maybe some think there  
25 is some sort of excuse for their behaviour. The trouble

1 is that not all of them were like that. One guy who  
2 I knew came through the war was a chemistry teacher Mr  
3 Cass Evans, who was a great guy. He lead the  
4 mountaineering club and he used to take us  
5 mountaineering. He was a great teacher, a fantastic  
6 man.

7 "There was a younger generation at the school who  
8 were completely different. There was a great pottery  
9 teacher and a fantastic couple who ran the art block for  
10 a couple of years called the Chevartons who brought  
11 a complete breath of fresh air into the school.

12 There were just a few of these dangerous guys who  
13 were themselves hiding in plain sight. I just wouldn't  
14 believe the other teachers at the time if they said they  
15 had no idea what was going on.

16 That generic statement from the Academy means  
17 nothing at all. Not all teachers were difficult and  
18 everything was visible. I think they should be held  
19 accountable for a system they presided over and within  
20 which they enriched themselves.

21 The lessons are obvious. If children are going to  
22 be in any care setting, then it has to do what it says  
23 on the tin. It has to care and that care is physical  
24 and psychological. If it's the opposite of that, then  
25 beware of what you're doing to a child.

1           If there is a lesson to be learned, don't put  
2           children in a place like that, because the outcome is  
3           never good for anyone. Personally I'm trying to  
4           confront and therefore integrate that experience so that  
5           it becomes front of mind. It becomes conscious and  
6           I stop suppressing it and do remember the other boys'  
7           faces, their names and the place I was at for five years  
8           and I come to terms with it.

9           Hopes for the Inquiry.

10          I think the lack of regulation around private school  
11          is really dangerous, I hope that nothing like that is  
12          going on any more, that anybody who finds themselves in  
13          those situations again is properly looked after under  
14          the care I would hope to see in any care setting.

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

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

18          My Lady, the statement is signed and it's dated  
19          26 January 2023.

20   LADY SMITH: Thank you.

21                       Barbara Robertson (read)

22   MS BENNIE: My Lady, the next statements bears the reference  
23               WIT-1-000001304.

24               My Lady this is the witness statement of  
25               Barbara Robertson.

1           "My full name is Barbara Gunn Gray Roberson, my  
2           birth year is 1958.

3           In 1975 I started at the College of Education in  
4           Dundee on their primary school teaching course. That  
5           was a three-year course. However, after my first year  
6           my grades were good enough for me to move onto their  
7           degree course. I completed a further prelim year and  
8           then year three and four of the degree course.  
9           I graduated with a Bachelor of Education.

10          I started teaching at Edinburgh Academy in 1994.  
11          I applied for a job at Edinburgh Academy in 1994. The  
12          job was advertised in the Scotsman newspaper and was for  
13          teaching primary 1 to 3 in the junior school. I didn't  
14          know much about the Edinburgh Academy at that time.  
15          I knew it was an all-boys' school, which I wasn't sure  
16          about, but I did know I wanted a change.

17          When I first visited the Academy and walked around  
18          the upper school I wasn't sure I could work there. It  
19          was very formal. Old, wooden single desks in rows and  
20          I hadn't worked like that before. Then I went down to  
21          the infant department at Denham Green, which was the  
22          nursery and primary 1 and 2. Primary 3 was over in the  
23          main building, although all the buildings were linked by  
24          corridors.

25          Denham Green was in a new building and was very well



1       resourced. I was sure I would enjoy working there.  
2       I liked the headmaster and I liked the head of  
3       department, who was Mrs Elizabeth Stewart. She was  
4       a competent and knowledgeable leader who was trying to  
5       bring about change in the infant department, which she  
6       led. I liked working for her, felt appreciated and  
7       learned new skills.

8               When I saw the job advertised in the Scotsman  
9       newspaper I submitted a written application and was  
10      invited for interview. I was asked for references and  
11      I know the Academy contacted the references. To be  
12      considered for the job, I had to be registered with the  
13      GTC. There was no probationary period for me.

14             I can't remember if there was any appraisal or  
15      monitoring of my performance at that time.  
16      Caroline Bashford certainly brought in a form of  
17      appraisal when she started at the school a few years  
18      later. We were appraised every second year after that.

19             Campbell Paterson started as headmaster at the  
20      junior school in 1995. I was 36 years old when  
21      I started at the Academy in 1994 and I stayed there  
22      until I retired in 2018.

23             Quite early on I was sent on personal and social  
24      development courses. It would have been a SCIS course,  
25      Scottish Council for Independent Schools.

1           Following this course, I introduced a programme into  
2           the Academy for personal and social development. I ran  
3           an in-service day to introduce it to all the teachers.  
4           That was in 1995 or 1996. Parts of this programme were  
5           still being used when I retired in 2018.

6           The programme was based over six years and was split  
7           between classes from primary 1 to primary 6, with every  
8           class doing the introductory programme.

9           Everyone had to do the introduction at the beginning  
10          of the term. The children would be asked to come up  
11          with rules for the year. That would generally be things  
12          like you have to listen to one another, try to work  
13          quietly, to be polite to everyone, work hard and things  
14          like that. The children set the rules. They would  
15          perhaps come up with too many so you would have to lay  
16          them out. The children would put them in order and then  
17          choose the six most important ones.

18          At Edinburgh Academy junior school in 1994 there was  
19          a head of nursery, head of primary 1 and 2 and a head of  
20          primary 3 to 6. Whenever these heads of department left  
21          the tradition was that the longest serving member of the  
22          teaching staff became the next head of department.  
23          Elizabeth Stewart's appointment changed that. She came  
24          from outside the school.

25          When John Brownlee left as head of department,

1       IDO       took over as he had been the longest serving.  
2       When IDO       , Warwick Wilson was given the  
3       role. Any member of staff could have applied for the  
4       post. When Caroline Bashford was headteacher we had  
5       another inspection. The report said there were problems  
6       with leadership. Staff in the upper primary department  
7       had felt aggrieved about the leadership of the  
8       department and spoke of it to the inspector.

9               When Caroline Bashford became the head of the junior  
10       school I was looking after probationers and had  
11       a responsibility for child protection.  
12       Caroline Bashford took over the child protection role.  
13       Caroline made Andrew Dickinson her deputy head of junior  
14       school, which was a new role she created. Andrew had  
15       been head of curriculum and had made significant  
16       improvements

17              I was asked to take over the upper primary, which  
18       was classes 4 to 6. I was initially sharing the role  
19       with the incumbent. He carried out administrative tasks  
20       and I did pastoral work, liaised with staff and chaired  
21       staff meetings. At the end of that year, the incumbent  
22       left the school and I took over the full running of the  
23       department. I did everything you do as a head of  
24       department other than curriculum, which Andrew Dickinson  
25       was doing. I was also still teaching.

1 I continued to teach primary 6 for two years until  
2 I was given two days out of class, which I appreciated.  
3 For the next two years, I shared my teaching role with  
4 another teacher who was looking to reduce her hours at  
5 the junior school and that worked well.

6 The head then made changes to the management  
7 structure. It was separated into nursery, primary 1 and  
8 2, primary 3 and 4 and primary 5 and 6. I was given the  
9 role of looking after primary 3 and 4 and one of the  
10 other teachers given the role of primary 5 and 6. These  
11 were managerial roles and I was part of the management  
12 team and had regular meetings with the head, deputy head  
13 and other heads of department. My title was 'Head of  
14 Middle Years'. I moved into that role in 2009 and  
15 stayed in that role until I retired in 2018. My line  
16 managers were the headteacher and the deputy headteacher  
17 of the junior school.

18 I was still teaching three days a week and sharing  
19 it with my job-share partner who taught the days  
20 I didn't. That worked well and my partner was flexible  
21 and happy to change her days to suit my commitments in  
22 school.

23 LADY SMITH: Pausing there for the moment, we have some  
24 useful dates. This is a teacher who started at the  
25 Academy in 1994, finished in 2018 and so her evidence

1 spans quite a long period of the operation of the junior  
2 school and Denham Green. That's 24 years she is able to  
3 help us with. Thank you.

4 MS BENNIE: "When Caroline Bashford moved to a new  
5 appointment, Gavin Calder was appointed to head of  
6 junior school. He's the present headteacher of the  
7 junior school. Gavin Calder set up a system whereby the  
8 children gained points for working hard or doing caring  
9 things. And doing other online tasks at home or other  
10 achievements out of school. We were praising the  
11 children for whatever they were doing.

12 My relationship with the headmaster and the depute  
13 was good and I could talk to them about anything I was  
14 worried about. We had a management meeting one  
15 afternoon a week and met in the head's office. We  
16 tended to bring up any concerns then. It had been  
17 called the management meeting, but was renamed senior  
18 teaching group. If you had something private to say and  
19 didn't want to say it at the meeting you could speak to  
20 the head about it privately.

21 Attending these meetings would be the headmaster and  
22 the depute, the head of early years, myself, the head of  
23 upper years and the head of support for learning.  
24 Occasionally someone else would be invited if it was  
25 felt they needed to speak to us all.

1 Policy.

2 We did have policies for everything in the school.  
3 We were given a whole file of all the policies. If any  
4 policy was changed, you had to take out the old policy  
5 from your file and put in the new one or someone took it  
6 out of your file and did it for you.

7 I don't remember but I'm sure there were policies  
8 for staff training and suchlike.

9 In terms of residential care policy, I didn't have  
10 anything to do with that side of things."

11 LADY SMITH: Of course, by the time she began there was very  
12 little boarding still taking place at the  
13 Edinburgh Academy, wasn't there?

14 MS BENNIE: Yes, my Lady:

15 "Strategic planning.

16 We would meet as a management team and the depute  
17 would provide an input as to where we were going as  
18 a school. We always had an input as to what our own  
19 departments could do to help take these things forward.  
20 That's what I remember about strategic planning, that  
21 would be for my time as a head of middle years, but also  
22 before that when I was head of the upper years,  
23 primary 4 to 6, we would be included in what was the  
24 future planning.

25 I don't know if the abuse of children ever came up

1 in those meetings. That's not to say it didn't. I just  
2 don't remember. I think that was all covered in child  
3 protection meetings we had. These meetings were taken  
4 as part of the whole junior school and it was always  
5 a visiting specialist who took the meetings. It was  
6 usually Dr Sue Hamilton who gave the training. These  
7 would often involve a workshop on child protection and  
8 it had to be done every two years. Workshops would be  
9 about discussing scenarios and how we should deal with  
10 them. The scenarios were based on the safeguarding of  
11 children. The workshop was initially a one-day course  
12 and then it was for an afternoon every second year.

13 The school's strategic approach to abuse was  
14 vigilance. It was about being vigilant and if you had  
15 any concerns reporting it to the headteacher. If  
16 a teacher had any worries they would probably go to the  
17 head of department first. As a head of department you  
18 dealt with all pastoral roles, but the headteacher was  
19 the child protection lead so it would immediately go to  
20 them. By doing the courses you knew that was the  
21 process and you knew the signs to look out for."

22 My Lady, I move to paragraph 40:

23 "Recruitment of staff.

24 People who applied for jobs would be invited for  
25 interview. Background checks were always done but

1 I don't know if they were done before the interview.  
2 They were probably done before they were appointed and  
3 started at the school. As part of the recruitment  
4 process, they would all have to teach a lesson and  
5 I would be involved in observing that. Sometimes I was  
6 in the interviews but not always. If it was a role for  
7 my department, I was generally in the interview.

8 I know that references were taken and I believe  
9 followed up. I don't know what the references were  
10 supposed to cover, because I was never involved in that  
11 process."

12 My Lady, I move to paragraph 45:

13 "Supervision, staff appraisal and staff evaluation.

14 I appraised my staff every other year, it would be  
15 about any area of development that they wanted, how  
16 I felt they were doing. If I had any concerns about  
17 staff I would have spoken to them long before the  
18 appraisal. I was appraising at lots of other times, but  
19 the appraisal was a formal way of doing it. If I felt  
20 there were areas of child development that I wanted them  
21 to concentrate on, perhaps spelling for instance,  
22 I would raise that at staff meetings. I would always  
23 ask if there was a development the teacher wanted and  
24 would put something in place if a teacher wanted to  
25 expand their knowledge or skills.



1           It may have been that I thought they would have to  
2           move out of the department to expand their experience.

3           We worked across departments as well. As part of my  
4           development, I wanted to set up a visual timetable for  
5           children on the autistic spectrum. One of the teachers  
6           in another department had great knowledge in this area.  
7           I was able to work with her on that and she was a good  
8           support. There was lots of cross-departmental working  
9           to help teachers gain experience in things that  
10          interested them.

11          Every Tuesday when I was there, there would be  
12          a staff meeting. That might be departmental, the whole  
13          of the staff together or it might just be a general  
14          catching up with what was happening in the junior  
15          school. The depute might take that or the headteacher  
16          or they would take it between them. It might be a CPD,  
17          continuing professional development, session where we  
18          had a visiting specialist. We did a few weeks on ADHD,  
19          attention deficit hyperactivity disorder, and dyslexia,  
20          which was a whole programme that we were all doing and  
21          I can remember that vividly."

22          My Lady, I move on to paragraph 59:

23          "Culture within Edinburgh Academy:

24          "I wasn't in the upper primary until

25          Caroline Bashford became head. The school had changed

1 a lot by then. As I said earlier, my first impression  
2 of the upper junior school was that it was very formal  
3 but when I eventually moved into the primary 6 class it  
4 wasn't. When I started in primary 6 the children in  
5 primary 5 and 6 were only set for maths, which meant  
6 they were not all taught the subjects by their classroom  
7 teacher.

8 When I started in Denham Green, all the staff had  
9 coffee together in the mornings. At lunchtime, all the  
10 teachers in the junior school ate with the children.  
11 I ate at a table with some of my children and one of the  
12 other teachers would sit at a table with the other  
13 children. We all did playground duties two days per  
14 week.

15 I really wasn't aware of an atmosphere within the  
16 school when I started. One of my friends who had been  
17 there longer than me told me that there used to be a  
18 male staffroom and a separate female staffroom. My  
19 friend said she never mixed with the male staff members.

20 I think the culture when I started was good.  
21 Everyone got on well together. I wasn't aware of any  
22 factions or anything like that. I wasn't aware of any  
23 fagging going on which involved any of the children in  
24 the junior school.

25 Discipline and punishment.

1           We used a system of golden time, which was carried  
2           out on a Friday afternoon. That was like a free play  
3           session. When Andrew Dickinson became the depute of the  
4           junior school he set up a new behavioural programme, so  
5           the children got a verbal warning in class if they were  
6           shouting out. If they continued to do it, they got  
7           issued with a card called "stop and think". We had  
8           a little card with a hand and you would lay it down in  
9           front of them and just say to them that was a "Stop and  
10          think". If they continued to misbehave it was five  
11          minutes off their golden time. On a Friday, if they had  
12          lost golden time they would have to sit out of the  
13          activity. That might be for five minutes or ten minutes  
14          depending on their behaviour during the week. There was  
15          a policy for this, but I don't think we recorded the  
16          misbehaviour beyond a week.

17          When the latest headteacher arrived, he brought in  
18          a new system with the children earning points. They had  
19          a personal sheet on which stamps were placed. These  
20          were for work, exceptional behaviour or for going over  
21          and above what was expected and all achievements. Once  
22          they had 20 stamps they got their bronze award. This  
23          went on to silver and gold.

24          A prefect system started when I went into primary 6.  
25          The students had to apply to be a prefect and give

1 a reason why they thought they should be considered for  
2 the role. Prefects helped in the playground, but  
3 I can't remember what other roles they were given. It  
4 was a helping role only and they didn't discipline  
5 children. But that system was stopped. Some of the  
6 primary 6 children still came and asked to help in the  
7 playground. They didn't have to do it. It was just if  
8 they wanted to.

9 Day-to-day running of the school.

10 I think any abuse of children in the junior school  
11 would have come to light if it was happening. We didn't  
12 have big classes. The biggest class was 24, often 22.  
13 We were having lunch with the children, went on camps  
14 around Scotland with primary 4, 5 and 6 and then  
15 primary 6 started going to Holland. We were in the  
16 playground with the children twice a week and I was  
17 often in more. I don't think you could have not noticed  
18 there was something amiss with a child. There was never  
19 a child I thought was being abused.

20 I think any ill-treatment of the children in the  
21 classroom would have come to light. We had people  
22 working alongside teachers in the classroom. We didn't  
23 have learning assistants in the classrooms full time,  
24 but I was teaching in class every day and would take  
25 groups of children out of the classroom. I would always

1       leave the door open when I did that. You would have  
2       a reading helper and a learning assistant from support  
3       for learning in the classroom at least once a week as  
4       well. There were lots of adults going in and out.  
5       There were also specialist teachers perhaps coming to  
6       the door and taking children away.

7           Had I ever been worried about a teacher, I would  
8       have done something about it. I don't know how abuse  
9       could have occurred in the junior school and gone  
10      undetected. I wasn't seeing any teachers like that.  
11      I wasn't working with them and I wasn't in their  
12      classroom. It wasn't happening where I worked.

13           Concerns about the school.

14           I'm not aware of any concerns ever being raised  
15      about a child in the school.

16           Reporting of complaints/concerns.

17           I don't remember a complaints procedure, but I do  
18      know that a parent or a child would know that they could  
19      go to the headteacher and they would be seen at any  
20      time. The headteachers were approachable and the door  
21      would be always open.

22           We always had circle time. That was part of our  
23      culture. Children could talk about anything and say if  
24      they didn't like something that was happening. It was  
25      generally things in the playground, someone being

1       annoying or children not being allowed to play a game.

2           I feel the junior school was a very caring school.  
3       The children had committees for charity, pupil council  
4       and eco. The children could choose to be considered for  
5       each committee and would give little talks to their  
6       classmates about why they should be chosen to represent  
7       their class. Their classmates then voted for the  
8       various roles. Children would give regular information  
9       to their class about what was happening on the  
10      committees and would ask for ideas to take back to their  
11      committee.

12          I think children raising issues would be done in  
13      a general circle time. The children would be told if  
14      they had any worries they were best to talk about them.  
15      I can't remember what parents with concerns or  
16      complaints were told, but I do know parents did come to  
17      school to discuss concerns.

18          There would be complaints about things that had  
19      happened in school and of the teaching. The parent  
20      might come into the school and tell you about the  
21      difficulty their child was having at school, something  
22      we were not aware of. Part of my role was helping  
23      children resolve playground disputes. I would try to  
24      help them negotiate with one another by explaining how  
25      they were feeling and try to resolve it that way.

1 Any complaint from a parent would always be  
2 recorded. Records of these were kept online but in  
3 a folder for management only. If the child's teacher  
4 changed the following year, they would always be  
5 informed of a complaint or anything they needed to know  
6 about the child. You always met with a class teacher  
7 when you were passing on a class and you would go over  
8 everything. Tell them any concerns and things that they  
9 would need to know. If a family had separated or were  
10 in an acrimonious divorce, things like that would all be  
11 passed on.

12 Article in the Scotsman newspaper, 'Teacher at top  
13 school accused of bullying colleagues and pupils'.

14 I have been handed a copy of an article which was  
15 published in the Scotsman newspaper on 29 March 2022.  
16 I'm aware of the contents of the article, which is as  
17 follows:

18 "Teachers at a leading Edinburgh private school have  
19 been accused by fellow staff members of verbally abusing  
20 colleagues and pupils. 14 female members of staff at  
21 the Edinburgh Academy's junior school signed a letter to  
22 the headmaster, Campbell Paterson, outlining a climate  
23 of low morale and distrust. The leaked letter referred  
24 to serious instances of verbal harassment, both of  
25 colleagues and boys, by certain members of the

1 management team and suggested the situation was even  
2 dissuading parents from enrolling their children at the  
3 exclusive school. The letter also referred to  
4 an offensive and intimidating tone taken towards female  
5 members of staff. Mr Paterson said the document was  
6 a private document directed to me, expressing some  
7 concerns from a group of teachers in the school. It was  
8 never meant to be made public. Both sides feel bruised  
9 that someone has decided for their own reasons to make  
10 this public and I think it is mischief making. Many of  
11 the issues have been discussed and staff are happy with  
12 the progress that has been made. Regarding the serious  
13 accusation of verbal harassment Mr Paterson said, 'What  
14 we are talking about is a different approach by some  
15 teachers when they are addressing the boys. In school  
16 you have some teachers who shout, some who growl and  
17 some who are nice to the boys'. He said there had been  
18 no specific claimant about harassment by colleagues.  
19 The spokesman for the group, Barbara Robertson,  
20 a teacher who had been the school for eight years said,  
21 'I'm an extremely happy member of staff, I've never  
22 achieved the level of satisfaction that I have here'.  
23 She said that she stood by the letter but wished that it  
24 hadn't become public.

25 At the time this article was published my role at



1 the junior school was mentoring probationary teachers.  
2 I didn't have a title and I was still a classroom  
3 teacher.

4 I was not the spokesperson for this group.  
5 Campbell Paterson asked me to make a statement.  
6 I wasn't given prior warning about having to do so.  
7 I wasn't the person that instigated the letter. I was  
8 happy to sign it, but it definitely wasn't meant to be  
9 public and it was mischief making.

10 I wasn't hearing the offensive and intimidating  
11 tone. It wasn't happening where I was working. I was  
12 still teaching in Denham Green at the time. My concern,  
13 which was also part of it, was that I had a probationary  
14 teacher who had just started and was having to teach  
15 three classes of history per week as well as teaching  
16 her own class. She was teaching the primary 5 class  
17 history lessons and then having to write three sets of  
18 reports, about 72 reports at the end of the term, whilst  
19 the boys' class teachers were taking them for games and  
20 didn't have any reports to write.

21 I felt that was unfair and had broached it with  
22 Mr Campbell Paterson to say that it was too much work  
23 for the probationer. Teachers were asking me if I could  
24 do anything about it and I told them that I had tried,  
25 that I had raised it. I met regularly with the

1 probationer. She was doing a really good job, but  
2 I felt this was just too onerous for her. I felt that  
3 there was an unfair balance of what people were being  
4 asked to do. That is why I signed the letter, but  
5 I wasn't the spokesperson and I didn't instigate the  
6 letter.

7 I think staff felt things weren't right, although  
8 not where I was working. Primary 4 to 6 wasn't being  
9 run particularly well and teachers were concerned about  
10 it.

11 I'm not sure if anyone had gone to the head of upper  
12 years about the way things were being run or whether  
13 they felt they couldn't speak to him about it. I don't  
14 know.

15 I knew what the teachers were telling me at the  
16 meeting was happening, they weren't making it up.

17 I see that there was a suggestion of staff being  
18 verbally harassed. I was never harassed and I can't  
19 remember what that was about. I really don't know. The  
20 letter says that the harassment was by more than one  
21 member of the management team, but I can't think who  
22 that would have been. The management team at the time  
23 would have been: Campbell Paterson; Warwick Wilson;  
24 Leslie Becher, who had taken over as head of primary 1  
25 to 3; Andrew Dickinson, head of curriculum; and probably

1 the head of the nursery, Eleanor Denholm.

2 We were all invited to a meeting, which was held in  
3 someone's house. Not everyone went but most did, 14 of  
4 us, which was almost all the female members of staff.  
5 I don't think the probationer teacher was there as she  
6 hadn't passed her probation at that stage. I know of  
7 one other member of staff who wasn't there, but I can't  
8 remember who else. The problems that some were raising  
9 at the meeting just couldn't be denied. Everyone  
10 agreed.

11 We decided to draft and sign a letter from everyone  
12 at the meeting and to send it to Campbell Paterson. It  
13 was only meant for him but someone in our group had to  
14 have given the letter to someone else, who took it to  
15 the press. I can't name who that was because I don't  
16 know for sure. Campbell Paterson took the letter to the  
17 school rector, John Light.

18 The rector met with us. He was unhappy about the  
19 letter. We stressed that it had only been intended for  
20 the headmaster and we had concerns that they weren't  
21 being addressed.

22 Things did change after the letter. I don't know if  
23 that was the next year, but they stopped splitting the  
24 classes and teaching certain subjects separately.

25 In terms of Campbell Paterson's comments about some

1 teachers shouting, some growling and others being nice,  
2 I can only say that teachers have their own  
3 personalities, some are always joking, some have loud  
4 voices, but I wouldn't have teachers shouting at  
5 children. I really can't think of any teacher falling  
6 into the categories mentioned by Campbell Paterson.  
7 Teachers certainly weren't shouting at children in the  
8 middle primary when I was head.

9 In the article, Campbell Paterson says that things  
10 had been discussed and staff were happy with the  
11 progress. Things did change, not immediately, because  
12 changes to the curriculum would have been difficult at  
13 the time of the term, but they did change. I don't  
14 remember having a meeting with Campbell Paterson about  
15 it. I can only remember having the meeting with  
16 John Light, the rector.

17 I don't think I was completely happy about the way  
18 they dealt with it. We had staff who were raising  
19 issues by letter because they felt they couldn't raise  
20 them verbally or if they did raise them verbally, they  
21 didn't feel that they were getting anywhere.

22 I remembered the letter was about unfair sharing of  
23 workload and perhaps the leadership of the department  
24 not being good enough, but I didn't remember about  
25 harassment and teachers shouting at children.

1           I think the staff in the upper primary weren't happy  
2           about how they were being led. In terms of concerns  
3           about how staff were being spoken to, I really don't  
4           know about that. It's taken me by surprise, although we  
5           must have spoken about it at the time. I can't really  
6           add anything to that. Things must have become  
7           unacceptable to the staff in the upper primary,  
8           otherwise they wouldn't have arranged to meet and write  
9           the letter.

10          I wasn't the spokesperson for the group. It wasn't  
11          my idea to have the meeting or write the letter. I was  
12          just asked to go to the meeting. I willingly went and  
13          agreed with what was said at the meeting. We all had to  
14          sign the letter and we did that in alphabetical order  
15          because we thought that was the safest for everyone, so  
16          that they couldn't see who had instigated it. I don't  
17          know how it was instigated but it certainly wasn't me.

18          I was just asked to go to Campbell Paterson's office  
19          one day. When I went in, he had his phone in his hand.  
20          The press had called him and he asked me to make  
21          a comment. I don't know if he had asked someone else  
22          before me. I was handed the phone and told I had to say  
23          something. He didn't know what I was going to say.  
24          I didn't know what I was going to say, because I hadn't  
25          been warned about it or certainly don't remember being

1 warned about it.

2 I don't recall any official policy to enable parents  
3 or children to complain about teachers or staff.

4 Trusted adult/confidante.

5 I don't remember any child being told who they could  
6 speak to if they had any worries. Maybe they were told  
7 they could speak to their teacher, I don't remember that  
8 ever changing during the time I was at the school.  
9 I'm not aware of any concerns ever being raised relating  
10 to the school or the schooling.

11 Abuse.

12 I think any definition of abuse would have been in  
13 the Child Protection Policy document which was being  
14 taught to the staff by an outside agency and being  
15 incorporated in the school policy. I would think that  
16 abuse recognised by the school would have been sexual  
17 abuse or any physical harm to the children. The  
18 definition of abuse would be explained to anyone before  
19 they started at the school. They would go through  
20 a series of inductions and part of that would be child  
21 abuse.

22 If someone started in the August, which most people  
23 do, then they would immediately go into child protection  
24 meetings prior to the start of term. I can't remember  
25 exactly when that was introduced, but I know it was all

1       logged because you would be notified if you were to  
2       attend. You had to attend every other year. The depute  
3       would keep a note of who had been to the meetings and in  
4       which years.

5             Child protection arrangements.

6             When I worked in Denham Green there was a teacher  
7       who oversaw child protection. That was something I was  
8       interested in, so when that person moved on I asked the  
9       headmaster if I could take on the role. I didn't write  
10      the policy, so can't remember how long that had been in  
11      place.

12            In the role I had to present to all primary 6  
13      parents the feeling yes, feeling no programme, which was  
14      being taught to primary 6 children. It was a Canadian  
15      programme and was groundbreaking at the time, that would  
16      have been around 1996.

17            Following that, Edinburgh Council then devised their  
18      own programme. I can't remember what it was called, but  
19      Dr Hamilton was in Lothian Region and she was in charge  
20      of their child protection. I think she had written the  
21      programme, which was for primary 1 and primary 6  
22      children. For children in primary 1 it was about them  
23      knowing their name and their address and what they  
24      should do in a shop if they lost their mum and dad.

25            I seem to remember presenting that programme to the

1 parents before we started the programme. We stopped  
2 doing that after a few years. I was told it was known  
3 in the school and I didn't need to keep doing it.

4 Child protection work was kept in a file by me  
5 initially and then by the headteacher, so everything was  
6 recorded by hand. These records were of any concerns  
7 that you had. The records wouldn't be kept in the  
8 classroom, they were kept separately. No one ever came  
9 to me with child abuse concerns, but these forms would  
10 cover these.

11 Child protection wasn't part of staff training when  
12 I started at the school, it was something that came in  
13 quite soon after, maybe 1995. The year before I started  
14 at Edinburgh Academy I remember going to a meeting at  
15 Holyrood High School on the east side of Edinburgh,  
16 there were clinical psychologists and a reporter from  
17 the Children's Panel there. It was all quite new at the  
18 time. Not long after I started at the Academy I went on  
19 a course, it was not a child protection course, it was  
20 a personal social development, but it was about child  
21 protection.

22 Child protection would provide guidance on how to  
23 handle and respond to reports of abuse or ill treatment  
24 of children by other staff or adults. I would say that  
25 before child protection came in most teachers would just



1 know you had to pass something like that on to either  
2 the headteacher or your line manager.

3 I think the child protection policies which were to  
4 reduce the likelihood of abuse or ill-treatment or other  
5 inappropriate behaviour of staff would be open culture,  
6 doors open, staff moving in and out of classrooms and  
7 all staff having to go through police checks.

8 When we were at camp and I was the teacher in charge  
9 I would be in and out of the bedrooms making a big thing  
10 about being tidy. You were there if the children wanted  
11 to talk to you. Even just popping in to see how your  
12 staff were interacting with the children, an overseeing  
13 role by the head of department."

14 My Lady, I move on to paragraph 124, page 23:

15 "Record keeping.

16 I always kept a file on child protection and  
17 anything that came to me. When the head took that over  
18 I passed on my file. Any concerns were always logged on  
19 the computer, but not on a shared area but in an area  
20 where only management could look at them. Every  
21 classroom had a policy folder and the teachers would be  
22 told to take their folder to meetings with them. Any  
23 new policy would be given to everyone to put into their  
24 policy folder at the same time, the policy folders were  
25 kept in the classrooms.

1 I know that you would always hand on any record that  
2 you had to the next teacher. Sometimes a teacher would  
3 tell you something about a child that wasn't written  
4 down. If a parent came to visit you, you always had to  
5 record the meeting. This was always done. There was  
6 tight record keeping for those sort of things. No child  
7 ever reported to me anything that I thought was abuse,  
8 ill-treatment or inappropriate conduct, not to me  
9 personally or in my role as child protection."

10 My Lady, I now move on to paragraph 132:

11 "Knowledge of specific named alleged abusers.

12 The following names are of staff members from  
13 Edinburgh Academy who have been named as alleged abusers  
14 of children. I have been asked if I know these people  
15 and if so what I know about them.

16 John Brownlee.

17 I never saw John Brownlee with the boys and knew  
18 nothing about him. He was only there for my first two  
19 years before he left. I remember hearing he was fierce,  
20 but I don't know if I heard that at the time or since.  
21 It must be since, because I didn't know anything about  
22 him and never asked. I don't think I ever spoke to him.

23 IDO [REDACTED].

24 IDO [REDACTED] taught both my sons at the school and  
25 I never had any inkling about him being abusive to

1 children. He was at the school a long time and maybe  
2 left after five years of me being there. I would speak  
3 to him and knew him more than I knew Brownlee. I never  
4 had any suspicions. IDO [REDACTED] had been a French teacher  
5 and was made head of upper years after John Brownlee  
6 left. He was a primary 5 teacher. I wouldn't have  
7 thought he was a shouter. Maybe quite firm with  
8 children. I never saw him discipline children, abuse  
9 children, I never heard of him doing so. This is the  
10 first time I have heard that said.

11 ICA [REDACTED].

12 There isn't a hope that ICA [REDACTED] ever abused anyone.  
13 He was the gentlest soul going. I would never believe  
14 that of ICA [REDACTED]. He was at the school for six years  
15 after I started and then he took ill. I can't believe  
16 he harmed pupils and I am quite shocked at this name  
17 being mentioned. I just remember ICA [REDACTED] as a gentle  
18 person. I didn't know ICA [REDACTED] really well, but would  
19 chat to him. I never actually worked with ICA [REDACTED] and  
20 wasn't in the same department. After ICA [REDACTED] left he  
21 would come to prize givings and I would chat to him.  
22 I never saw ICA [REDACTED] with children or discipline children.  
23 I can't imagine ICA [REDACTED] shouting. I never saw ICA [REDACTED]  
24 abusing children nor did I hear of him abusing children.

25 IFN [REDACTED].

1           Around 1997 or 1998 there was a teacher in the  
2           junior school with the surname IFN . I can vaguely  
3           remember what he looked like. He was young, maybe late  
4           20s and he had dark hair. I remember he was solid and  
5           of average height. He was in the upper primary, either  
6           primary 5 or 6. One day I was summoned to the  
7           headmaster's room, that was Campbell Paterson at the  
8           time. Mr Paterson told me that Mr IFN , who also  
9           worked in one of the boarding houses, had had friends in  
10          the boarding house over that weekend. He told me that  
11          one of the friends had looked at Mr IFN 's computer  
12          and found sexual images on it.

13                I can't recall exactly what Mr Paterson told me, but  
14                I think the sexual images were of children.  
15                I'm 99 per cent sure that's what I was told. I asked  
16                Mr Paterson if he wanted me to do anything, but he said  
17                no, I wasn't to do anything with the information. He  
18                didn't say what he was going to do, but Mr IFN  
19                didn't return to school. I never heard any more about  
20                it. I don't know who the friends were that had seen the  
21                images and have no further information on the matter.

22                Mr Paterson told me this because I was the child  
23                protection officer at the time. I don't think  
24                Campbell Paterson would have dealt with this matter  
25                alone. I think it would have been John Light, who was

1 the rector at the time, along with the court. I think  
2 it would have been too serious not to have included  
3 these people. The court was like the school board and  
4 had six or so people on it. The court was made up of  
5 people like lawyers and accountants and sometimes  
6 ex-pupils. The court would have various support  
7 meetings and help to guide the school in various matters  
8 like governance, safeguarding, education and policy,  
9 finance, audit and risk. I think the matter with  
10 Mr IFN would have gone to the court or individuals  
11 on the court."

12 My Lady, I then move to paragraph 153:

13 "Working at Edinburgh Academy.

14 I had a very happy time at Edinburgh Academy. More  
15 so with the last headmaster, who was still there. That  
16 was the best of my years, the happiest. By the time  
17 I left I think the school was in a very good place.  
18 Children were having an interesting education with many  
19 opportunities. Both schools were outward looking.  
20 There was a new management structure in the senior  
21 school.

22 Helping the Inquiry.

23 I think children must be told if they have any  
24 concerns there is a person to go to. Maybe there needs  
25 to be two people that they can consult, because the

1 person they are told to go to may be the person carrying  
2 out the abuse. So maybe they should be told they can go  
3 to any adult and that they will be listened to. Perhaps  
4 it needs to be written down and the child gets a copy of  
5 what was said. The staff members should sign it so they  
6 can't not do something with it. The parents would have  
7 to be involved, unless it's about the parent. If it's  
8 criminal, then it goes immediately to the police. I do  
9 think the child should have a signed copy of what is  
10 said.

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

15 My Lady, the statement is signed and it is dated  
16 31 July 2023.

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

18 MS BENNIE: My Lady, I'm noticing the time. There are  
19 further read-ins. I can continue.

20 LADY SMITH: I think we should pause now for the morning  
21 break.

22 MS BENNIE: We do have one that would be very short.

23 LADY SMITH: How short?

24 MS BENNIE: Probably no more than five minutes.

25 LADY SMITH: I think we should still save it, Ms Bennie.



1 and give evidence in relation to that report today.

2 I'm sure you know what giving evidence is all about,  
3 but just one or two special details that we have.

4 That red folder will have a copy of your report in  
5 it and otherwise, microphone, please make sure you use  
6 it because we have stenographers listening to you  
7 through the microphone system and if you have any  
8 questions, don't hesitate to ask.

9 If you're ready, I'll hand over to Mr Brown. He'll  
10 take it from there.

11 Thank you.

12 Questions from Mr Brown

13 MR BROWN: My Lady, doctor, good morning.

14 A. Morning.

15 Q. You have a copy of the report. It has a reference  
16 number which is NHS-000000011.

17 This is a report which I think, as we see on the  
18 penultimate page, you produced and signed in August this  
19 year?

20 A. Indeed, yeah.

21 Q. Having been asked a number of questions by the Inquiry.

22 How old are you?

23 A. I'm 42.

24 Q. I think you are Associate Medical Director for  
25 psychiatry in NHS Lothian?



1 A. I am indeed.

2 Q. More simply, you are a psychiatrist?

3 A. Yeah.

4 Q. What are your medical qualifications?

5 A. I hold an MBBS from the University of Newcastle and  
6 a Doctorate of Medicine from the University of  
7 Edinburgh.

8 Q. In terms of your practice as a psychiatrist, can you  
9 give us a brief pen picture?

10 A. Sure. I'm a trained adult psychiatrist, with  
11 a subspecialty endorsement in rehabilitation psychiatry.  
12 I've been a consultant for over ten years now,  
13 predominantly working in inpatient and care for people  
14 with chronic and severe mental illness.

15 Q. Right, but in relation to being the Associate Medical  
16 Director for psychiatry in NHS Lothian, what does that  
17 involve?

18 A. That's the senior professional medical management role  
19 for all psychiatrists in Lothian. So it encompasses all  
20 the specialties of psychiatry, including child  
21 adolescence psychiatry, older people, psychotherapy,  
22 forensics, et cetera.

23 Q. I think in the context of what I'm going to be talking  
24 to you about, psychotherapy is something you had  
25 experience with as part of your training, I take it?

1 A. Indeed, yes, all psychiatrists get training in  
2 psychotherapy as trainees. Some move on and take formal  
3 accreditation in specific types of psychotherapy, but  
4 that's a small number these days.

5 Q. In context, in relation to records that you have looked  
6 at and we'll talk about, psychotherapy was a significant  
7 aspect, is that fair?

8 A. Indeed, yeah. It was a much greater part of mainstream  
9 psychiatric practice in the period we're covering here  
10 in contrast to today.

11 Q. We are talking about the 1960s and 1970s?

12 A. Indeed, yeah.

13 Q. A significant part of psychiatry then, less so now?

14 A. Yes, absolutely, yeah.

15 Q. Why so?

16 A. I think the models of intervention that are covered here  
17 have struggled to provide the evidence base that meets  
18 modern standards in terms of effectiveness and cost  
19 effectiveness in modern NHS practice, so are no longer  
20 prioritised to the same extent.

21 Q. All right. But are you, in effect, given your role as  
22 associate medical director, overseeing the practice and  
23 conduct of psychiatrists in NHS Lothian?

24 A. I am, yes.

25 Q. Just thinking back, when did such oversight begin? The

1 point I refer to, we have heard in the context of the  
2 Royal Edinburgh Hospital there would be a line manager,  
3 to use today's language, a superintendent in other  
4 words, but who would perhaps not oversee in the way we  
5 do now?

6 A. Yeah. I touch in my record the ideas of clinical  
7 governance, which are an idea that the organisation has  
8 a responsibility to ensure a level of practice of  
9 doctors, or senior doctors in particular, something  
10 that's emerged relatively recently, kind of in the  
11 1990s, particularly on the back of the Bristol Heart  
12 Surgery Inquiry that led to these ideas that there is  
13 an organisational responsibility to govern doctors'  
14 practice over and above their professional  
15 responsibilities to govern their own practice.

16 Q. This approach that is now current really started only in  
17 the last 30 years?

18 A. Indeed.

19 Q. And, from what you are saying, because of bad  
20 experiences which led to inquiries about happenings in  
21 hospitals?

22 A. Yeah, yeah.

23 Q. So in the 1960s and 1970s it was a different world, and  
24 we'll come on to that?

25 A. Indeed, yeah.

1 Q. All right.

2           You were asked to look at the medical records of

3           a man called Iain Wares and you were provided with the

4           records that the Inquiry has been able to look at?

5 A. Yeah.

6 Q. Just before we go into the terms of your report where

7           you answer the various questions that you were asked,

8           could we just run through some of the documents so it's

9           understood the context --

10 A. Of course, yeah.

11 Q. -- of the documents you were looking at. Because this

12           was a patient who we know was first admitted in 1967 as

13           an inpatient.

14           There was then subsequent outpatient care, until

15           a second period of inpatient treatment in 1975.

16           Then he continues as an outpatient until 1979 when

17           he's discharged?

18 A. Yeah.

19 Q. Is that a correct summary?

20 A. Yeah.

21 Q. Looking at the first document which is PSS-000025893,

22           these are the inpatient notes for the patient in 1967.

23           If we could look, please, at page 2, and just keep it

24           there. The reference we see is to a Dr Walton, who we

25           understand is Professor Walton?

1 A. Indeed, yes.

2 Q. One of the two professors who were in the professorial  
3 unit. I'll come back to that --

4 A. Yes.

5 Q. -- by a Dr McGregor, who is a Cape Town neurologist and  
6 family friend of the patient?

7 A. Yes, that's my understanding.

8 Q. And we would understand Dr Walton was also from South  
9 Africa and Cape Town?

10 A. Yeah.

11 Q. So it would appear that there is a medical connection,  
12 and it's because of who you know?

13 A. Yeah.

14 Q. I appreciate you weren't around in 1967 to talk about  
15 referrals of patients, but in your experience, would  
16 such a reference be able to take place now?

17 A. No, it would not be able to take place. In terms of  
18 someone who is not a Lothian resident, who is coming  
19 from abroad to receive treatment in NHS care, that would  
20 not occur in this way, no.

21 Q. Presumably it could happen if it came through a GP or  
22 whatever, it might be recommended that a GP ask of  
23 a patient who is connected to make contact with?

24 A. Yes.

25 Q. So it could be triggered, but it wouldn't just happen as

1 directly as it appears to have happened here?

2 A. No, it would not, no.

3 Q. No. And in terms of, if we go down just to the recent  
4 history paragraph:

5 "The patient is a 27 year old South African school  
6 master, who resigned from his post in mid-April of this  
7 year on account of 'a couple of incidents at school'.  
8 He is reluctant to talk about these. He says that in  
9 school parlance it would be described as 'playing around  
10 with small boys'. He would describe it as homosexual  
11 tendencies and he says that these come about 'because  
12 the situation is easy. It's an easy outlet for someone  
13 quiet like me, an outlet for sexual urges which  
14 I suppose everyone has'."

15 Then there is reference to shyness.

16 I think you have read the records as we have. The  
17 couple of incidents we would understand is eight  
18 incidents?

19 A. That's my understanding as well, yeah.

20 Q. In the previous year?

21 A. Mm hmm.

22 Q. If we go down to the bottom paragraph we see, and this  
23 is information from the patient:

24 "The boys talked to each other and the headmaster  
25 was told. Headmaster came to see patient and asked him

1       if he had been interfering. The patient said he  
2       admitted after short hesitation and resigned on the  
3       spot."

4             That is the background?

5   A. Yeah.

6   Q. Okay.

7             I think, if we go over the page, we see he consulted  
8       a family friend, who referred him to Dr Walton?

9   A. Yeah.

10   Q. If we go to page 7 of this document, and this is  
11       something we'll return to, if we go down to the bottom  
12       and this is the initial diagnosis, at that stage it is:

13             "Homosexuality (liking for young boys)."

14             Which I think, as we'll discuss, through today's  
15       eyes seems very odd indeed?

16   A. Indeed.

17   Q. But it does make the point, whatever the label, the  
18       liking for young boys is apparent?

19   A. I mean, the information here is clear to start with in  
20       terms of what he was doing at the time.

21   Q. Yeah. If we go to PSS-000025936. These are the  
22       outpatient notes from 1967 to 1969.

23             Bear with me. I'll catch up on the paper form, it's  
24       an age thing.

25             I think the first page says and this is I think

1       13 October 1967:

2       "He has started college and enjoys it."

3       You understand that this is teaching training

4       college?

5   A. That is my understanding, yeah.

6   Q. Yes. If we go to page 24, please, and go down to the

7       bottom half at this stage, March 1968, having started

8       the previous year, discussed his practical teaching, the

9       rough school, he told me about the job he has for next

10      year at Edinburgh Academy and then:

11      "... through family connections."

12      So at that stage, whilst still undergoing teacher

13      training, he knows he has a job to start in 1969 --

14   A. Yeah.

15   Q. -- or later that year perhaps.

16      If we go to page 34, please, and this is moving on

17      to October 1968, the patient was seen two weeks ago

18      after his return, he had just started teaching, so

19      I think this is the job we're talking about and this --

20      you may be able to read it better:

21      "This [something] ..."

22      Does that mean anything to you?

23   A. No, it's quite hard to make sense of that "and no", it's

24      not an acronym I'm familiar with in terms of medical --

25   Q. But I think whatever it is, it had the next words are



1 "recurrence of sex fantasies re boys".

2 A. Indeed.

3 LADY SMITH: A recurrence or a recrudescence, not a modern

4 word, I think meant -- recurrence must be what was

5 meant.

6 MR BROWN: I think so. What is plain is there is sexual

7 fantasy about boys.

8 LADY SMITH: Sex fantasies.

9 MR BROWN: Sorry, sex fantasies, but "sex." so presumably

10 "sexual", and he had found it depressing.

11 If we go on to page 42, and I think in context we

12 should understand this is March 1969 he says, if we go

13 to the bottom two paragraphs:

14 "But I always compare the physical feelings of the

15 two competitors [which is a quote] boys and woman. Just

16 can't change or don't want to."

17 This is from the patient?

18 A. Indeed, yeah.

19 Q. He goes on:

20 "Both don't want to change them not 100 per cent of

21 the time. At parties never any sexual desire at all.

22 Just tried to touch [if we go over the page] a boy's

23 shoulder and there is a change. Too basic. Can't be

24 changed. Seems physical to me. Or have become that

25 way. That's where inevitability comes into it."

1           Again, that's the patient telling who was treating  
2           him what he's thinking?  
3   A.   Indeed, yeah.  
4   Q.   Then he goes on:  
5           "The only time that there has ... that feelings have  
6           been equal was time in here.  Non-contact with boys.  
7           Never alone."  
8           Do you understand that's him referring to the  
9           inpatient treatment in the Royal Edinburgh?  
10  A.   Yeah.  
11  Q.   Where there was no access to children?  
12  A.   Indeed, yeah.  
13  LADY SMITH:  That comment, "Feelings have been equal", what  
14           is that in relation to, do you think?  The only time  
15           that feelings have been equal?  
16  A.   I think that's referring back to the debate between  
17           sexual attraction to women and to boys.  
18  LADY SMITH:  I wondered if that is what it was.  There is no  
19           other explanation for that in the records?  
20  A.   No.  I guess the content of the therapy he was offered  
21           was very much focused on a contrast between the two.  
22  LADY SMITH:  Yes.  
23  MR BROWN:  Then finally in this document, if we go to  
24           page 48, and there was an entry from 25 May 1969:  
25           "Felt disgruntled, correcting papers.  I hate the

1 academic side of the job. Take it out of the boys."  
2 Then, going down a page to June 1969:  
3 "Very active week, tennis et cetera. Talked about  
4 angry feelings [I think is that] on hockey pitch today,  
5 a boy disagreed with everything that the patient decided  
6 as umpire and the patient sent the boy off and later  
7 threatened class IC ..."  
8 What do you understand that to mean?  
9 A. "With".  
10 Q. Medical shorthand for "with"?  
11 A. Indeed, yes.  
12 Q. "... the strap. He could have hit him."  
13 Presumably referring to the boy?  
14 A. Mm hmm.  
15 Q. So the picture we have is in teaching he is having  
16 fantasies and he's also having anger?  
17 A. Indeed.  
18 Q. Could we move to document PSS-000025924.  
19 These are letters between 1969 and 1975. If we go  
20 please to page 4. This is a letter in context from  
21 May 1973, and the second paragraph is:  
22 "You may be interested to know that I'm leaving  
23 Edinburgh Academy at the end of this term and then  
24 moving to the new Fettes junior school in September.  
25 The job has gone well at the Academy and the move to

1 Fettes is partly a financial one, in that we are getting  
2 a schoolhouse and partly the fact that the boys will be  
3 a couple of years older. It is also exciting to be in  
4 on the ground floor of a new venture."

5 The reference to the age difference of the boys, did  
6 that strike you in any way as significant?

7 A. There are repeated references about the age range of the  
8 children that he was potentially attracted -- or was  
9 attracted to, although I wouldn't say there is  
10 consistency in the records about that age range. It  
11 seems to vary across into older children as well as  
12 younger children, but that's the reference I would agree  
13 with you, that's the interpretation of that reference.

14 Q. But I think talking about that age range across the  
15 records, are we starting perhaps at eight and moving up  
16 to 13?

17 A. Mm hmm, indeed.

18 Q. So the range is actually quite wide?

19 A. Indeed.

20 Q. Just since we're on this and it's something I'll talk  
21 briefly about or we can talk about now. If we go to  
22 page 5, this is a letter from Professor Walton, who is  
23 the consultant in charge of the patient's case  
24 throughout and is the family connection?

25 A. Indeed, yeah.

1 Q. This is in the context of the patient adopting a child,  
2 but it's the tone of the letter I'm more interested in.  
3 As we see it begins:

4 "It's a pleasure to write about the patient, who  
5 I have seen over a number of years and of whom I have  
6 a high opinion."

7 Then there is background about his family  
8 background, but then second paragraph:

9 "Rather fortunately for him, although not for his  
10 pupils, he got into trouble in South Africa for making  
11 a sexual pass at a boy."

12 Would you agree that that's minimising what was  
13 known?

14 A. Significantly, yes.

15 Q. Significantly:

16 "He naturally had to leave the school in Cape Town  
17 at which he was teaching and a psychiatrist friend of  
18 mine asked me whether I could treat him in Edinburgh.  
19 He was admitted to my inpatient unit and was very  
20 vigorously treated, the goals being to make him more  
21 responsive to other people and to correct his arrested  
22 sexual development.

23 "A man of the highest principles and very  
24 considerable constructiveness in outlook, both these  
25 goals were quite satisfactorily achieved. He is much

1 warmer and more sympathetic and sensitive."

2 Then reference to making associations with girls and  
3 at length, to marry.

4 Any comments about that sort of language by  
5 a psychiatrist?

6 A. I don't think it would be consistent with current  
7 psychiatric practice to be writing in that way in this  
8 context. I think overall the records do seem to suggest  
9 that the high opinion or the relationship that  
10 Professor Walton had with the family led to an over  
11 reliance on the patient's good character as a way to  
12 manage any potential risk et cetera.

13 Q. Yes. Because is it fair to say over the totality of the  
14 records, consistent throughout the entirety of them is  
15 an ongoing interest in children?

16 A. Yes.

17 Q. And not just thought, but reference to act?

18 A. Yeah.

19 Q. Throughout the period?

20 A. There is, yes.

21 Q. And yet this picture, as painted, seems to minimise, as  
22 you have said, but also ignore?

23 A. Indeed and very little questioning or challenge whether  
24 his account was a full account of his actions,  
25 additionally to them minimising what they did know.

1 Q. Yes. If we go now to PSS-000025851. These are the  
2 inpatient notes from 1975, the second inpatient. If we  
3 could go to page 3, please. In the middle of that page  
4 we have a progress note and the patient has apparently  
5 spoken a lot in the groups. This is back to  
6 psychotherapy; is that correct?

7 A. Indeed, yeah.

8 Q. "He's surprisingly open and expressive but his main  
9 themes have been anger with parents, his sexual problem  
10 with small boys, though he has not given the group the  
11 details of what he has physically done, whenever the  
12 question of sex comes up he asks questions rigorously."  
13 So detail is not being given and perhaps not being  
14 asked for?

15 A. I guess it's clear that this is one of the only  
16 suggestions that perhaps there was a question in  
17 attitude to his account of what had happened here, but,  
18 yes, there is not a detailed account or discussion with  
19 him about his behaviours here.

20 Q. In context, there is no effort to cross-check?

21 A. Indeed.

22 Q. No.

23 LADY SMITH: I see, Dr Watson, the note goes on to record  
24 a discussion, presumably with the patient, about his  
25 goals of treatment, continue drinking but less, improve

1       the marriage and get rid of the feelings for young boys.  
2       And Richard Gillett, who has written this note, says:  
3             "These are his ideal goals, he appreciates they may  
4       have to be modified."  
5             What do you make of that?  
6   A.   It probably would be part of practice to ask somebody  
7       what their own goals were and acknowledge, but over  
8       therapy or change those goals might change in the  
9       context of the therapeutic intervention being offered.  
10   LADY SMITH: Would that generally come from the person, the  
11       therapist, psychiatrist, this is a registrar, the  
12       registrar who is talking to him in suggesting that his  
13       goals may be a reach too far, a reach beyond his grasp?  
14   A.   That's the suggestion, yeah. I would agree with that.  
15   LADY SMITH: Thank you.  
16             Mr Brown.  
17   MR BROWN: Thank you, my Lady, I was coming on to that but  
18       for a slightly different reason.  
19             The order of the goals, do you find that  
20       significant?  
21   A.   It's reflective of the focus of this period of care or  
22       treatment for him, which was on alcohol use, perhaps his  
23       relationship difficulties and the paedophilic behaviour  
24       is not so prominent in the therapy.  
25   Q.   The focus is on drink and relationship and I think,



1 reading short, is that because it would appear that  
2 Professor Walton believed that if he could essentially  
3 distract him with the first two or resolve those issues  
4 the third wouldn't happen, or was less likely to happen?

5 A. I think that would be an interpretation. It's not clear  
6 in the records that that is clearly linked in their  
7 formulation of what they were doing, but perhaps one  
8 could interpret it in that way.

9 Q. All right.

10 Then over the page, on page 4, he talks about his  
11 sexual feelings had been well controlled during the year  
12 he was at Moray House and after leaving hospital he  
13 feels it may well have been a good idea to do another  
14 year's course so he might be able to do personnel work  
15 with adults and thereby avoid temptations in the future:

16 "He had intended to do personnel work and only  
17 changed to teaching when he happened to take on  
18 a temporary teaching job and found himself attracted to  
19 the boys."

20 So there is recognition by the patient at least that  
21 he suffers these temptations and alternatives might have  
22 been better?

23 A. Indeed, but also evidence he's choosing to be in  
24 a setting where perhaps those tendencies could be  
25 enacted.

1 Q. So his motivation is clear?

2 A. Indeed.

3 Q. Thank you.

4 If we go to page 5 in the discharge note, if we go  
5 two-thirds of the way down and begin with the sentence:

6 "By the time of discharge his sexual fantasies about  
7 boys were greatly diminished. He had had several  
8 weekends home and finally attended as a day patient."

9 That is obviously coming from the patient?

10 A. It's his account, yeah.

11 Q. Yes. The general tone is, looking to the bottom:

12 "In addition to the specific treatment focus on this  
13 observation it was also observed how much warmer and  
14 more articulate he was in comparison with the previous  
15 admission. It seemed he could no longer be classified  
16 as suffering from a schizoid personality disorder."

17 So it is upbeat in tone?

18 A. Indeed.

19 Q. Then if we go over the page to page 6, where there is  
20 a summary, looking at the first paragraph in the second  
21 half:

22 "As well as marital problems and excessive alcohol  
23 intake Iain is still attracted to young boys and has  
24 acted this out at school."

25 So it's known that he's been doing things?

1 A. Indeed.

2 Q. "He also has fantasies about boys during intercourse.  
3 Iain has great shame about this and has treated his  
4 shame with alcohol."

5 I think if we move on to the next document, please,  
6 which is PSS-000025905. This is around the same period,  
7 mid-1975, after the inpatient --

8 A. Yes, this is the discharge summary, isn't it?

9 Q. Yes. It's again, just reading paragraph 1, which is  
10 giving a history:

11 "Was admitted to Ward 1 in June 1967 on account of  
12 homosexual inclinations for and incidents with small  
13 boys. For a year after his three-month treatment with  
14 group therapy he remained well and was not troubled with  
15 sexual thoughts. However, during this time he was at  
16 Moray House and had little opportunity for closer  
17 contact. When he started work as a schoolteacher at the  
18 Academy his problems began again with eight- to  
19 nine-year-olds. Usually he kept his thoughts to himself  
20 but on occasions he would put his hands on a boy's knee  
21 and for a brief time fondle his penis, which would give  
22 him particular pleasure if it was erect. He never  
23 masturbated a boy and only attempted touching those he  
24 knew very well. On one occasion he was threatened by  
25 one of the boy's fathers and he wrote to say it would

1 not happen again. As the incidents and his fantasies  
2 continued, his self-esteem dwindled."

3 Would you agree that that demonstrates yet again  
4 an account from the patient, which does not appear to  
5 have been challenged but simply accepted?

6 A. Indeed, yeah.

7 Q. It also reveals that within the school context at the  
8 Academy his conduct was by his own account known?

9 A. Indeed, yeah.

10 Q. He talks about the intervention of a boy's father and  
11 saying it wouldn't happen again, but then goes on, "As  
12 the incidents and his fantasies continued", which might  
13 suggest that the intervention had no effect?

14 A. I think that's a repeated pattern in the records, that  
15 accounts of diminishing or improvement aren't matched  
16 with later accounts of actual behaviour.

17 Q. Yeah. But even on such accounts as he gave, which went  
18 unchallenged, it was clear he was continuing to contact  
19 with children physically?

20 A. Absolutely.

21 Q. And yet, and we'll come to this, the response of the  
22 doctors did not really seem to take that into account?

23 A. No, and as we'll come to, actually some of the doctors  
24 actually contacted the school to support him to continue  
25 to teach.

1 Q. Let's look at that. Could we go to PSS-0000025879.  
2 That was the summer of 1975, after the admission. These  
3 are the outpatient notes from 1975 to 1978. If we look  
4 at page 2, which is 10 December 1975, so four or five  
5 months after the inpatient treatment, and this is  
6 a doctor recording prior to the visit on  
7 10 December 1975 by the patient:  
8 "I had two phone calls. One from Dr Sellars ..."  
9 Who we understand was the patient's GP?  
10 A. Yeah.  
11 Q. Who is reported as:  
12 "... thinks we are being utterly irresponsible  
13 allowing the patient to teach. Feels he is a hopeless  
14 case, a liar, et cetera, bound to be trouble. Quite  
15 angry."  
16 That is the GP, I take it?  
17 A. Yes.  
18 Q. "He has not actually spoken to the patient, but the  
19 patient's wife visits him and the GP supports her view."  
20 Then her view is set out below. She is also angry  
21 and makes the point that in her view psychiatry has done  
22 nothing:  
23 "He is drinking again. He must give up teaching  
24 (sounds like the GP)."  
25 Then we move on to the interview with the patient.

1           So the context at that stage is those perhaps most  
2           close to the patient and the GP are flagging up  
3           concerns?

4   A.   Yes, clearly, yeah.

5   Q.   This is within six months of inpatient treatment.

6           The patient then confirms that he has started  
7           drinking, but says it's not excessive. Complains about  
8           his wife and says more boy fantasies, no acting out,  
9           which it would appear is simply just written down.  
10          School atmosphere difficult.

11          Professor Walton then comes into the notes, who  
12          tells the patient he must stop drinking, acknowledges  
13          this is difficult, also firmly told him he should not  
14          give up teaching unless he is thrown out. Alcohol  
15          described as a removal of inhibition. High risk of  
16          trouble if the patient is drinking.

17          So in the knowledge that people are doubting his  
18          accounts, those close to him, the focus of  
19          Professor Walton, the family friend or connection, is:  
20          you must keep teaching?

21   A.   Yeah, and whilst it's right that the use of alcohol may  
22          increase the risk, the risk seems to be present through  
23          the whole records, despite changes in alcohol use  
24          through that period.

25   Q.   Yeah. I think if we go over the page, to page 3 and go

1       halfway down, and this is a continuation of the meeting.

2       This is the patient speaking:

3               "No teaching might be the answer. Not difficult to  
4       control the behaviour, just the fantasies. Might be  
5       better to move as suggested."

6               I think that is reference to the headmaster of the  
7       school, but the patient feels this is hard.

8               That said, even the patient is acknowledging at that  
9       stage the best thing might be to stop, but those  
10      treating him, as we have seen, Professor Walton, saying  
11      you mustn't stop?

12   A.   As I touched on, you know, as part of a MAPPA-like  
13       arrangement in modern terms, supporting someone to have  
14       a work role may reduce the potential risk, a work role  
15       in this context would never be endorsed.

16   LADY SMITH: We should probably get MAPPA into the notes,  
17       Multi Agency Public Protection Arrangements?

18   MR BROWN: Thank you, my Lady.

19               If we go to page 5, and this is an interview with  
20       the wife on 15 December, if we go halfway down. By this  
21       stage she is very distraught and angry, at the end of  
22       her tether. The patient is minimising the drinking, no  
23       commitment and then further down, reference to a number  
24       of people who all seem to be thinking that teaching  
25       should stop.

1 A. Indeed.

2 Q. Then the bottom paragraph:

3 "Stated our feeling re teaching loss of self-respect

4 and unemployment."

5 In other words, this is emphasising the treating

6 doctor's view that he mustn't stop, even though it's

7 being flagged up loudly?

8 A. Yeah.

9 Q. December 1975 seems to be a difficult month. If we go

10 to page 6, which is a meeting with the patient on

11 22 December, if we go down:

12 "Job: they want me to go at the end of the summer,

13 because of two complaints. 1, losing his temper. 2,

14 being over affectionate. The headmaster suggested to

15 teach in a technical college or a borstal with

16 a different age group. Will not get a state job because

17 of his hotch-potch South African degree."

18 Then:

19 "Headmaster has similar problems, alcoholism and

20 suggestions of paedophilia. Complicated

21 interrelationships."

22 The patient is then miserable and then relieved.

23 You won't know whom he is referring to in terms of those

24 headmasters, and we understand there are two. This is

25 Fettes?



1 A. Yes.

2 Q. One headmaster of the junior school, but then there is  
3 a headmaster of the whole school?

4 A. I think there is a more detailed reference elsewhere,  
5 isn't there?

6 Q. Yes. Then we have a transfer, going over the page, to  
7 page 7, which is from January 1976. If we go to the  
8 second half of the page where the current emphasis  
9 should be on his present life situation, in particular  
10 his marriage. They talk about that, going further down,  
11 to the bottom:

12 "When last seen on 22 December Iain announced that  
13 his headmaster had asked him to leave at the end of the  
14 school year."

15 It re-emphasises the reasons he's given. So there  
16 is no doubt this is in the treating doctors' minds, that  
17 he's being angry and again he's touching?

18 A. Indeed.

19 Q. And this is after the inpatient treatment, which on one  
20 view the doctors seemed to have believed had had  
21 beneficial effect?

22 A. That was clearly their view. I guess modern  
23 understanding of the evidence base would be that there  
24 is no evidence to say that an intervention like this  
25 would be effective.

1 Q. Yes. But irrespective of modern understanding, what is  
2 clear is there had been intervention in the mid-1970s,  
3 but by the end of 1975 it's demonstrable that it's had  
4 no effect, because he's doing exactly the same thing  
5 again?

6 A. Absolutely, yeah.

7 Q. Could we go over to the bottom of page 8, which is  
8 a handwritten note from the same date, 21 January 1976.  
9 This is a joint meeting involving, I think, the social  
10 worker, the wife and Professor Walton, who tells the  
11 patient he must continue teaching:

12 "A very good teacher, alcohol treated so no cause  
13 for concern re behaviour. Must get a good reference.  
14 No reason to terminate his contact or to stipulate the  
15 age range he must work with."

16 That's despite the patient the previous month  
17 acknowledging anger and being overaffectionate with  
18 a pupil.

19 A. I have to say I find it hard from a professional  
20 perspective to justify this approach in terms of  
21 Professor Walton's views on his employment and  
22 personality.

23 Q. I think if we go over the page, on to page 9, we see on  
24 28 January reference:

25 "I was phoned by headmaster ..."

1           This is the junior school headmaster we would  
2       understand:

3           "... handed over as Iain's GP seemed to be wanting  
4       us to suggest that Iain left. No discussion of  
5       details."

6           So the staff or the headmaster of the junior school  
7       was wanting him to stop teaching:

8           "I am to see headmaster of whole school and talked  
9       re continuing teaching. Mentioned alcohol. Told would  
10      back him for a teaching job. Realised would have to say  
11      he had been in hospital."?

12   LADY SMITH: I think this is a report after Iain has been to  
13      see the headmaster, "He went to see ..."

14   MR BROWN: It's the patient who went to see the headmaster.  
15      Sorry, I do beg your pardon.

16   LADY SMITH: It's all right, the handwriting is not always  
17      clear.

18   MR BROWN: Yes.

19           It would appear from the subsequent notes that the  
20      headmaster of the junior school really is uncertain as  
21      to what should happen.

22           But if we go down to the bottom half, the patient  
23      seems to advise that the Academy is advertising now, so  
24      it would seem he is contemplating going back to the  
25      school that he came from?

1 A. Yes.

2 Q. The matter is discussed with Professor Walton and  
3 I think we would understand he is to talk to the  
4 headmaster of the senior school to be certain of a good  
5 reference, that alcohol treated means no loss of  
6 control, is that the arrow, the belief, "If so, could  
7 apply to Academy" and, "Contacted by phone over these  
8 points".

9 I think we would understand that this is  
10 Professor Walton who is making the call?

11 A. Yes.

12 Q. Over the page, page 10, there is a file note,  
13 11 February:

14 "Staying on at Fettes. Attributed to  
15 Professor Walton talking to Chenevix-Trench."

16 A reference to a medical report saying on his  
17 attending "up here" and on his medical report perhaps?

18 A. Yes, although I'm not aware -- I don't think I've seen  
19 that report in the records actually, but it's referenced  
20 here.

21 Q. I think we know from other sources that a call was made.

22 A. Yes.

23 Q. Then going down from the same meeting on 11 February, if  
24 we stop there, the last three lines above 13 April:

25 "A lot of thought on sexual things and boys now."

1           So nothing has changed?

2   A.   Indeed.

3   Q.   Thank you. I think we can put the records away.

4           Putting things short, outpatient involvement

5           continued until 1979 and then, as I think you know,

6           there was a further episode of contact, I think

7           late 1978, which is reported in early 1979 and as we

8           know ultimately at the end of that year the patient left

9           employment and left the country and returned to South

10          Africa?

11   A.   Yes.

12   Q.   That, doctor, is the context in which you produced your

13          report on the way things had been done in the 1960s and

14          1970s, fair?

15   A.   Yeah.

16   Q.   If we just go through your report and go back to

17          NHS-000000011, diagnoses in the 1960s and 1970s depended

18          on the World Health Organisation's International

19          Classifications Of diseases, ICD, and we should

20          understand that there have been repeated iterations of

21          that document with the number climbing higher. What one

22          are we on now?

23   A.   ICD-11, and that was accepted as the current

24          classification in Scotland at the turn of this year.

25   Q.   That changes because understanding presumably develops

1           and social change also plays a part perhaps of how  
2           things are labelled?

3   A.   Absolutely, yeah.

4   Q.   The most striking one being in 1967 we have a diagnosis  
5           of homosexuality, albeit with the parenthesis explaining  
6           that it's about interest in children. When did that  
7           change, the idea of homosexuality as a label?

8   A.   So later to this period and it was -- the World Health  
9           Organisation changed at a different speed to the  
10          American classification. I touch on the dates in my  
11          report.

12   Q.   Yes, I think it may be --

13   A.   Partially removed in 1973 and fully in 1987 in America  
14          and not until 1995 in the World Health Organisation.

15   Q.   Yes.

16                I think you make the point that there was  
17          a potential diagnosis in 1967 that might have fitted the  
18          then ICD codes?

19   A.   Yeah.

20   Q.   But to be fair we have seen however they were labelling  
21          it, there was no doubt what they were dealing with?

22   A.   Indeed.

23   Q.   As we referred to.

24   A.   I touch on here that the more detailed guidance on how  
25          to make these diagnoses only emerged after this period.

1       They were very much one-line statements in the  
2       classification, so it was left to the treating doctor to  
3       do the more detailed diagnostic work.

4   Q.   Right.

5       We then have the second diagnosis of alcoholism and  
6       sexual deviation, which is from the inpatient treatment  
7       in June 1967. You touch on that in page 2 of your  
8       report. That is obviously indicating a change in view.

9       So far as the alcoholism, has that changed much from  
10      then until now?

11  A.   Yes, alcoholism is no longer a term we would use to make  
12      a diagnosis. It would be "harmful use" or "dependency"  
13      would be the two constructs we use now. Again, with  
14      more detailed guidance on it, but it's closer to modern  
15      understanding of what we would be talking about here.  
16      So use of alcohol that has an impact on your  
17      functioning.

18  Q.   Yes. Again from the records, if one reads the records  
19      it's apparent what they're dealing with?

20  A.   Indeed.

21  Q.   Again irrespective of label?

22  A.   Yeah.

23  Q.   Then we come perhaps to the second question, where you  
24      were asked: what are your views on the clinical  
25      assessment and approach taken by the Royal Edinburgh

1 Hospital to the patient over the course of his  
2 treatment?

3 There are different parts to this, because one  
4 I suppose initially is the way the treatment offered by  
5 the doctors at the outset. I think that relates to, in  
6 his case, trying medication. What are your views on  
7 that?

8 A. Yeah, I mean as I touched on here, I wasn't aware of the  
9 use of psychedelic-assisted psychotherapy for these  
10 indications prior to reading these records, although on  
11 research there was a community of practice that was  
12 trialing these approaches in the 1960s. There was  
13 a sense that LSD in particular may support the  
14 development of heterosexual attraction in people who had  
15 homosexual attractions. That doesn't match our modern  
16 understanding.

17 Q. No, indeed. But it can be said at the time that may  
18 reflect some thinking in the world of psychiatry?

19 A. Yeah.

20 Q. But perhaps looking at the paragraph halfway down, you  
21 go on:

22 "There seems to have been very little consideration  
23 that he may not have given a full report of his  
24 activities and that any improvements may not have been  
25 as fulsome as he reported at the time."



1 I take it that concerned you?

2 A. Indeed, yeah.

3 Q. You make the point, as we have just seen, that is  
4 irrespective of intervention by third parties, who are  
5 flagging up what might be seen as actually pretty  
6 obvious?

7 A. Yeah, and key people, his wife and his GP.

8 Q. Yes.

9 Because I think you make the point that at one  
10 stage, and this is December 1978, he's described or his  
11 ability to use help is way above average. The treating  
12 doctors, led by Professor Walton, and thinking back to  
13 his letter, seem to hold him in remarkably high esteem?

14 A. It's very surprising in the records, given what he was  
15 describing.

16 Q. Is that what you would do now ever?

17 A. No.

18 Q. Why not?

19 A. I mean, given what he's describing and what he was  
20 doing, I think there would be -- I might suggest this  
21 was at best naive in terms of how one might understand  
22 people who are engaged in this behaviour might describe  
23 their own actions. I think today we now understand that  
24 people who have these -- who engage in these behaviours  
25 are likely to conceal and not give an account of what

1           they're doing in depth to professionals in this context.

2   Q.   Going on to page 4 of your report and the bottom, you  
3       make the point that what we're dealing with -- we have  
4       mentioned this before -- is he was being treated by the  
5       professorial unit at the Royal Edinburgh?

6   A.   Yes.

7   Q.   We have heard evidence and will hear evidence that that  
8       was a hierarchical establishment, where professors were  
9       the top of the tree, if you like. There was potentially  
10      a superintendent, who was not involved, so there was no  
11      oversight. Have you worked in such environments?

12  A.   Not directly. The professor unit had ended by the  
13      time -- by the time I graduated from medical school,  
14      well before I worked in Edinburgh, but, yeah, I'm aware  
15      of similar units and hierarchies that have occurred in  
16      different parts of medicine.

17  Q.   Yes. You say, the bottom of page 4:

18           "The patients admitted and the model of care  
19      provided there changed significantly, based on the  
20      interests of the university department and the lead  
21      professor."

22           We have heard in the context of schools the word  
23      "fiefdom" used, from what you know, and if you don't  
24      please say so, is that a word that might equally apply  
25      to professorial units at time we're speaking of?

1 A. I think that would be a fair description, yeah.

2 Q. Because you go on:

3 "The unit was integrated into mainstream provision

4 only in 2001."

5 I take it your work experience goes back that far,

6 just?

7 A. I graduated in 2004.

8 Q. But if you graduated, you are a medical student --

9 A. Yes.

10 Q. -- prior to 2001. Have you seen from your experience

11 a change from the hierarchical control that presumably

12 an academic doctor or a head of department could dictate

13 over his particular world?

14 A. Yeah, I think there has been a significant change.

15 Talking about the Royal Edinburgh Hospital and

16 psychiatric care today, that isn't something that

17 happens now. I think there probably are still pockets

18 of practice like that across wider medicine, if you look

19 across the UK context, but talking about practice of

20 psychiatry in Lothian, it's not the case.

21 Q. No.

22 One thing you do talk about though, and this is very

23 much the difference between then and now, is the

24 importance of child protection. Currently where does

25 child protection stand if you are a psychiatrist in NHS

1           Lothian?

2   A.   Well, hugely important.  It's something that we all have  
3       to maintain our mandatory training around and we have  
4       a role in ensuring that child protection proceedings are  
5       followed in a reliable and robust manner.

6   Q.   How often does a psychiatrist have training in child  
7       protection?

8   A.   I think I touch on later there is online updates that we  
9       need to maintain our being current through the learning  
10      modules.  That would be the core focus in ensuring that  
11      people are up to date with the procedures.

12           If there is significant changes, then additional  
13      training would come in.

14   Q.   All right.

15   LADY SMITH:  Are you trained to be aware of the sorts of  
16      situations in which a child protection issue might arise  
17      in your practice?

18   A.   Indeed, yes.

19   LADY SMITH:  Can you give me examples?

20   A.   So quite detailed guidance on the types of abuse and the  
21      types of presentations that people might have if they  
22      are experiencing abuse.

23   LADY SMITH:  Are you trained to be aware of when your  
24      patient may be putting children at risk?

25   A.   Yes.

1 LADY SMITH: Thank you.

2 Mr Brown.

3 MR BROWN: Thank you, my Lady.

4 In terms of, just thinking of now, were a patient

5 such as this one to present saying the things that he

6 was saying, we know him saying, forgetting about

7 reporting to others, because we'll come to that

8 directly, what sort of conversations would be happening

9 between treating medical staff?

10 A. My view would be predominantly around the circumstances

11 of disclosure to -- predominantly whether it would be

12 a police matter or through IRD, interagency referral

13 discussions, through our health -- as two of the three

14 main core participants in IRD pathways, yes.

15 Q. I think what I was trying unsuccessfully to allude to

16 is: you would be talking about risk?

17 A. Yes.

18 Q. It would be in large, bright letters. It would stand

19 out as the most obvious thing to talk about?

20 A. Indeed.

21 Q. Yet, from the records you've seen in the 1960 and 1970s,

22 was the risk the patient posed ever discussed?

23 A. I don't think -- I may be wrong, but I'm not sure I saw

24 the word "risk" at all really in the records.

25 LADY SMITH: Or any note that could be interpreted as

1       an assessment of risk or an awareness of the risk the  
2       patient was posing, even just an awareness of that.

3   A. To be honest with you, it probably looks the opposite  
4       actually. It's probably an underplaying of the  
5       potential risk rather than an acknowledgement that the  
6       risk was there. I mean we would expect a risk  
7       assessment to take place for anyone in contact with  
8       psychiatric or Mental Health Services, be it with  
9       a doctor or with another professional. As part of that  
10      template, one of the specific questions is risk to  
11      children.

12   LADY SMITH: Thank you, that is very helpful.

13   MR BROWN: Thank you.

14           We're a world away now, but we then come back to the  
15      issue of reporting and thinking of the world in the  
16      1960s and 1970s and the idea of patient confidentiality.

17           From your report it would seem that that was  
18      a significant driver for those practising in those  
19      decades; is that a fair comment?

20   A. Yeah, I think it had greater -- a greater part of  
21      people's thinking than it may do now.

22   Q. Had that been a constant prior to the 1960s and 1970s,  
23      the idea that what a patient told his doctor would  
24      remain confidential?

25   A. Yeah.

1 Q. I think you make reference and you have looked at the  
2 various guidances, they make the point about the BMA  
3 guidance in 1958 albeit it might not reflect every  
4 doctor since they might not all be members of the BMA,  
5 but it's reflective perhaps of the time. It reads:  
6 "It's a practitioner's obligation to observe the  
7 rule of professional secrecy by refraining from  
8 describing voluntarily, without the consent of the  
9 patient (save with statutory sanction), to any third  
10 party information which he has learned in his  
11 professional relationship with the patient. The  
12 complications of modern life sometimes create  
13 difficulties for the doctor in the application of this  
14 principle and on certain occasions it may be necessary  
15 to acquiesce in some modification. Always, however, the  
16 overriding consideration must be adoption of a line of  
17 conduct that will benefit the patient or protect his  
18 interests."  
19 So the emphasis, albeit there is recognition that  
20 there could be a scenario that you would break  
21 confidentiality, the thrust is you never do?  
22 A. Yeah, that's my reading of it as well.  
23 Q. There is a little bit of wriggle room but looking at the  
24 culture of the time it doesn't give examples of when for  
25 example you might acquiesce?

1 A. No, or what the only indications of modern life might  
2 be, yes.

3 Q. No.

4 In the context of Professor Walton, that is the  
5 world he and his team would be operating in?

6 A. Indeed.

7 Q. Certainly in the 1960s?

8 A. I think Professor Walton was heavily involved in more  
9 world associations of medicine as well and I touch on  
10 the World Medical Association's Declaration in 1948,  
11 which is even clearer that there is an obligation around  
12 full secrecy.

13 Q. Globally there is a mindset that confidentiality is  
14 sacrosanct, and that may have informed the way this  
15 patient was looked at?

16 A. I think it will have done, yes.

17 Q. Because again you go on, and this is just emphasising  
18 the point:

19 "Disclosure without consent would be exceptional or  
20 rare or in serious cases."

21 Would you agree that from the documents it would  
22 appear that from what Professor Walton is saying and  
23 writing in notes and in letter, the offending is not  
24 taken seriously?

25 A. Yes, there are repeated references to minor or



1       downplaying the incidents that are reported to him.

2   Q.   Yes.  That I think perhaps is most obviously seen,  
3       remembering the context of repeated physical abuse of  
4       children in South Africa, which is why he's been sent to  
5       see Dr Walton and yet the patient starts teaching  
6       training here in 1968.  Do you agree that that would  
7       have been an obvious time to say: perhaps teaching isn't  
8       the best thing for you?

9   A.   Indeed, yeah.

10  Q.   And had that been followed out, no children would have  
11       been harmed?

12  A.   Well, in the context -- given his proclivities I guess  
13       one cannot give a guarantee of that, but yes in this  
14       context --

15  Q.   In the school context that we are hearing of?

16  A.   Yes.

17  Q.   And that the treating doctors were aware of, albeit  
18       minimised it would appear?

19  A.   Indeed, yes.

20  Q.   But in terms of the responsibility for giving that  
21       guidance, are we back to a mentality amongst doctors,  
22       thinking of Professor Walton and what he's saying --  
23       would he have believed that was his role, do you think?

24  A.   I think the interpretation I would draw from the records  
25       would be that the focus was on, as in the BMA guidance

1       in 1958, the benefit of the patient and to protect his  
2       interests, ie that continuing to work would be of  
3       benefit to his health, ie his alcoholism, and his  
4       relationships and that would be the focus of what his  
5       interventions were -- Professor Walton's interventions  
6       were.

7   Q.   Yes, and as we see in 1976, phoning up the headmaster,  
8       Chenevix-Trench, of Fettes and saying: do not sack him?

9   A.   Yeah, but that is, in my view, a different step to  
10       deciding to disclose information without consent based  
11       on a risk assessment. That is a proactive discussion in  
12       order to encourage ongoing employment.

13   Q.   Again, there is no consideration it would appear to be  
14       made of risk?

15   A.   Indeed.

16   Q.   No.

17       Everything is patient centric, by today's standard  
18       do you have comment on that approach?

19   A.   I mean, we wouldn't have got anywhere near that, because  
20       the start would have been entirely different here. So  
21       there wouldn't have been an opportunity for a treating  
22       doctor to be in the position to be making those phone  
23       calls, because the treatment wouldn't have been offered  
24       and the referral to the appropriate agency would have  
25       been made at the start.

1 Q. Yes. And just thinking about someone who has abused  
2 children in a school setting who then says, 'I've got  
3 a place at Moray House next year', what would be said?

4 A. There would be a very high level of concern about that,  
5 because I guess a modern interpretation would be that  
6 somebody who you've got known proclivities is looking to  
7 access children through employment in a way that would  
8 offer that opportunity.

9 LADY SMITH: Dr Watson, even in the context of patient  
10 confidentiality, if the circumstances surrounding the  
11 making of that phone call were such as it looked pretty  
12 clear that not only did the patient know that the  
13 professor was making this call to his employer, but he  
14 wanted him to.

15 A. Yeah.

16 LADY SMITH: Then you really wouldn't be needing to worry  
17 about patient confidentiality at all, would you?

18 A. No, I agree with that. It's that two things, it's  
19 disclosure without consent is a slightly different  
20 question to these phone calls and letters that were  
21 made.

22 LADY SMITH: The simple analysis is it looks like consent  
23 had either been expressly or impliedly given?

24 A. Yes.

25 LADY SMITH: Mr Brown.

1 MR BROWN: So we are into the second area. You have  
2 overcome that hurdle, but then we come back to that it's  
3 a patient-centric approach which simply pays no regard  
4 whatsoever to the risks of children?  
5 A. Yeah.  
6 Q. We're back to that line in the letter, "Fortunately for  
7 him but unfortunately for children" throwaway, he was  
8 found out so we can treat him?  
9 A. Yeah.  
10 Q. There is just denial, it seems, of the actual risks that  
11 were posed to children in his care?  
12 A. Yes, and a sort of naive therapeutic optimism that the  
13 intervention that they were offering or would offer  
14 would work.  
15 Q. Naive because demonstrably -- given what is being  
16 reported, even in the limited way it was reported -- it  
17 wasn't having impact?  
18 A. Indeed.  
19 Q. We saw yesterday a doctor saying this is what is  
20 happening but I think it's ingrained and that would be  
21 correct?  
22 A. Correct.  
23 Q. A couple of discrete issues, just for completeness.  
24 The letter in support of adoption, would a letter  
25 like that ever be countenanced today?

1 A. No.

2 Q. The world is just a very different place?

3 A. Indeed.

4 Q. Presumably a letter like that would cause alarm bells to  
5 ring with those involved in adoption, as much as  
6 anything else?

7 A. Indeed.

8 In general we would not be seeing ourselves as the  
9 lead agency in assessing suitability for fostering or  
10 parenting. That would sit with social work services  
11 et cetera to do that assessment.

12 Q. Is that perhaps a good reflection of, going back to the  
13 fiefdom world, the power of a professor of psychiatry at  
14 the Royal Edinburgh?

15 A. Yeah.

16 Q. He thought he could just write about anything?

17 A. Indeed.

18 Q. The other aspect is the criticism, actual or implied, of  
19 those who we have seen are raising flags and saying:  
20 this is daft.

21 Were you surprised by that and the tone of the  
22 medical records?

23 A. As I say in my report, unfortunately many records from  
24 that period are very -- use very critical language of  
25 patients and relatives around them. There is probably

1 a gendered expectation around this as well, that women  
2 were felt to have a greater role in controlling the  
3 behaviour of their men in this and that ran through  
4 a lot of debates and discussions around kind of a range  
5 of mental disorders in that period.

6 Q. Not now?

7 A. Not now.

8 Q. Finally, we know there was a letter, because at the end  
9 of the outpatient care in the 1970s, and this is  
10 connected with the drinking, there was a prosecution and  
11 a letter was written on the patient's behalf. You have  
12 seen that letter. It is positive in encouraging the  
13 court to do things.

14 Would a letter like that be written today?

15 A. No. If a court report was written there would be  
16 a range of options put, but no recommendation to the  
17 courts as to what would be a more suitable one.

18 Q. Perhaps, putting it very simply, would it be  
19 an objective report talking about the patient's  
20 condition and possible treatments, rather than  
21 subjective encouraging a particular direction?

22 A. Yes.

23 I think it is probably reflective of what we have  
24 touched on in terms of the primary attitude of the  
25 treating doctors was about their impression of his good

1 character and insight.

2 Q. Objectivity about the patient flew off at the very  
3 start?

4 A. Indeed.

5 Q. And was never recovered?

6 Doctor, I have no further questions. You obviously  
7 talk about modern practice and modern diagnosis. We can  
8 read that. Is there anything else that you would wish  
9 to add?

10 A. I mean, only to summarise my surprise at the content of  
11 these records and, yes, it's very sad to read and the  
12 impact this behaviour will have had on many, many people  
13 and I guess I'm glad to be reassured that I don't think  
14 this would happen now.

15 Q. I think it's fair to quote you from the first and second  
16 pages:

17 "Overall reading these records has provided  
18 an account of many issues that do not match current  
19 practice. The profound impact on the victims and  
20 survivors that the patient's persistent paedophilia has  
21 had across a range of settings is deeply moving."

22 A. Indeed.

23 MR BROWN: "It is clear there will be important learning to  
24 be made from the vital work the Inquiry is doing to  
25 prevent similar issues occurring again in the future."

1           Thank you.

2   LADY SMITH: A final question from me, Dr Watson, for your  
3           own learning what do you take from having had to go  
4           through what we have asked you to go through?

5   A. It's a good question.

6           I think continuing to make sure that we have child  
7           protection and public protection as a core part of our  
8           work. That is a key principle. I think the learning  
9           around the change in attitude towards confidentiality  
10          I think has been an interesting piece of work and  
11          definitely something I'll reflect on more as I go on.

12   LADY SMITH: Thank you very much.

13          Thank you again for the way in which you have helped  
14          us so professionally and so carefully. I'm really  
15          grateful to you, Dr Watson.

16          I'm now able to let you go and get back to the rest  
17          of your day.

18   A. Thank you.

19                               (The witness withdrew)

20   LADY SMITH: I'll rise now for the lunch break, Mr Brown and  
21          the plan remains read ins this afternoon, is that  
22          correct?

23   MR BROWN: Yes, that is exactly right.

24   LADY SMITH: Thank you very much.

25   (1.05 pm)



1 (The luncheon adjournment)

2 (2.00 pm)

3 LADY SMITH: Good afternoon. We turn now to reading in  
4 another statement.

5 I think, Ms Bennie, you are all ready to go, are  
6 you?

7 Angus Dunn (read)

8 MS BENNIE: My Lady, the first read in bears the reference  
9 WIT-1-000000515.

10 My Lady this is a statement of

11 Angus Louis Mackay Dunn:

12 "My name is Angus Mackay, my year of birth is 1965.  
13 From 1992 to 2000 I worked in Keil School, Dumbarton.  
14 During my time working at Keil School, Dumbarton I was  
15 head of modern languages from 1992 to 2000. I was the  
16 housemaster of Mason House from 1996 to 2000, which  
17 involved the pastoral care of a day house of perhaps 40  
18 boys and girls."

19 My Lady, I now move to paragraph 67 on page 13:

20 "Police investigations.

21 I received a telephone call from a male police  
22 officer from Police Scotland asking if he could talk to  
23 me about allegations of abuse at [REDACTED] School. I was  
24 interviewed in [REDACTED] by officers from Clydebank  
25 Police Station who told me that they were investigating

1        'Graham'."

2            My Lady, I now move to paragraph 90 on page 16:

3            "I was interviewed for a position at  
4        Edinburgh Academy, I asked to look at the boarding  
5        tutor's flat. The housemaster's wife told her husband  
6        to show me 'Graham's' flat. As it happened, I knew  
7        a surgeon of the same name in Glasgow and I said so,  
8        'Oh, not this 'Graham', he had to leave."

9            My Lady, I move to paragraph 108:

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

13           My Lady, this statement is signed and it's dated  
14        16 November 2020.

15        LADY SMITH: Thank you very much, thank you.

16                                'James' (read)

17        MS BENNIE: My Lady, the next statement bears the reference  
18        WIT-1-000001291.

19           My Lady, this witness wishes to remain anonymous and  
20        he's adopted the pseudonym of 'James':

21           "My name is 'James'. My year of birth is 1961.  
22        I was born in England. My father's work brought him to  
23        Scotland and we moved when I was a baby. My good  
24        childhood memories are all in the place where we lived.  
25        We lived in a nice area with a large garden and a forest

1 nearby. I was friends with my neighbour next door and  
2 spent my time climbing trees and playing in burns.  
3 I was a happy soul and I have fond memories of living in  
4 that house. My father had a good job and typically left  
5 home at 8.00 am in the morning and came back late in the  
6 evening. He was academic and intelligent. My father  
7 was an intense guy and not very communicative. He  
8 passed away in 2015. My mother came from  
9 a working-class background and didn't go to university.  
10 She was a jovial character and the life and soul of the  
11 house. Later on, she had health problems and she has  
12 now passed away. My mother worked briefly when we first  
13 came to Scotland, but after that we lived off our  
14 father's income.

15 At the age of seven or eight I started at the  
16 Edinburgh Academy prep school in Arboretum Road. The  
17 prep school is also known as the junior school. I don't  
18 remember any conversations with my parents discussing  
19 that change. It seemed a logical change and a natural  
20 transition, because my sister was going to school in  
21 Edinburgh.

22 There was an interview, but I don't remember  
23 an exam. There was a general sense of bullying in the  
24 school. Not just from the staff but from older pupils  
25 called ephors. It's a Greek word that means the same as

1 prefect. Ephors were given the extra capacity to  
2 control. There was a day-in-day-out sense of trying to  
3 fly under the radar as much as possible and not be seen.  
4 Looking back, it was a shitty, miserable and harsh  
5 environment all around.

6 In my junior school class there were about 25 of us.  
7 At the senior school that changed as you specialised in  
8 arts and sciences and the numbers reduced. There was  
9 a sensation that we were a lot of kids, but I don't know  
10 how many.

11 The junior school was located at Arboretum and the  
12 senior school at Henderson Row. I was in the junior  
13 school for three or four years and then I became  
14 a boarder.

15 Edinburgh Academy junior school.

16 As a young child Edinburgh Academy seemed to be  
17 a school on a bigger scale. I joined a class where most  
18 of the pupils had already been there for a couple of  
19 years before I arrived. I didn't have any problems in  
20 settling in within the class and my new pupils. I was  
21 a friendly type of young boy and I was eager to make new  
22 friends. I didn't have any issues with that and I made  
23 new friends within the class quickly. I was initially  
24 a happy young boy there.

25 It was a biggish school and there were lots of new

1 opportunities that I hadn't had at my old primary  
2 school. I was sports orientated and loved all my  
3 sports.

4 Abuse at Edinburgh Academy junior school.

5 The junior school and subsequently the senior school  
6 turned out to be hell in different degrees, both for me  
7 and for other boys. That was because of things we were  
8 exposed to and the treatment that we received. Abuse is  
9 both what was received and what we were exposed to.  
10 Things you shouldn't have to see.

11 There were a number of teachers at that junior  
12 school that I received abuse from. We lived in  
13 an environment where we felt very fearful of our  
14 teaching staff. Not all of them, but certain figures  
15 were considered to be torturers and nasty people.

16 I use the word 'nasty' because it's the kind of word  
17 you would use as a young child.

18 John Brownlee.

19 John Brownlee was a radical case in terms of  
20 physical abuse. By that I mean extreme punishment  
21 delivered by what was called the clacken. It was an old  
22 Scottish heavy wooden spoon. It was about 40cm long  
23 with a thin handle and thick spoon shape at the end. We  
24 referred to Brownlee as sadistic, which means weird  
25 because I don't think of it as a word that we would have

1 at our fingertips in our child's vocabulary. It points  
2 to the fact that he was so extreme in his punishment  
3 that we went beyond the vocabulary that was normal to  
4 us.

5 One case that sticks terribly in my mind is when he  
6 punished one of the members of our class. One of my  
7 classmate's head was stuck into one of the lockers in  
8 the classroom and he was severely walloped by Brownlee  
9 with the clacken. Every time he got hit his head went  
10 up against the top of the locker. Even now it seems  
11 unbelievably monstrous behaviour.

12 Mr Brownlee's class was above us. I have  
13 recollections of when other boys were punished by him  
14 hearing screams from above. It was a fearful  
15 environment to be brought up in.

16 I was living in permanent fear almost every day.  
17 I had the idea that I had to get through the day without  
18 being punished. It was in the back of my mind that  
19 I didn't want to be hit with the clacken or have my  
20 hands whacked with a belt.

21 Iain Wares.

22 There was one major figure at that school and that  
23 was Iain Wares. He had a group of pupils that he  
24 endeared himself to and others who he took an immediate  
25 dislike to. He was definitely a weird character. I was

1       physically and sexually abused by him. He had a very  
2       short temper and seemed to explode exponentially in  
3       a short time. He was a nasty guy.

4           There were innumerable times when he pinned students  
5       to the board or to the wall, holding them with his arms  
6       across their chest. The treatment was out of all  
7       proportion and bore no relation to their misbehaviour.  
8       It was done to boys who arrived late to class or were  
9       making too much noise in the corridor or who didn't have  
10      their tie straight.

11          Sexual abuse was predominant in the class to most of  
12      us. Wares would often call us up to his desk. It was  
13      a high desk. We'd have to hold our jotters in both  
14      hands. He used this as an opportunity to put his hands  
15      up our shorts and to fondle our private parts. This  
16      happened to me and I saw it happen to others. Wares was  
17      often involved in a few different sports and one of them  
18      was rugby.

19          My worst experience with him was in the changing  
20      rooms at Arboretum after rugby training. It happened at  
21      the end of my time at junior school, just before I went  
22      to senior school. I was about 11 years old.

23          I was one of the last ones there and the last one to  
24      go into the showers. Wares was there, as he often was.  
25      He got undressed and came into the showers. He stood

1 behind me and rubbed soap over my back, my legs and my  
2 bum. I could hear a heavy breathing noise behind me.  
3 I ran out of the shower. I don't know what would have  
4 happened if I'd stayed. I put my clothes on quickly and  
5 ran. I then made the journey home as if it had just  
6 been another day. There was no sharing of what happened  
7 with my parents. The process of denial and  
8 communication channels falling down went on and on.

9 In my case, and in many others, Wares had this  
10 horrible punishment where he picked you up by your  
11 sideburns. He took your sideburns and pulled them up to  
12 levels that were extremely painful. After the incident  
13 in the showers, that punishment seemed to go on the rise  
14 and I was generally a well-behaved kid. There were  
15 others that got up to more tricks.

16 In the changing rooms some of the stronger students  
17 did what they call towel flicking. It was the typical  
18 kind of thing that young kids get up. Wares witnessed  
19 this and did very little to stop it happening.

20 Mr IDP :

21 "We had a gym kit that was blue shorts and a white  
22 top. IDP was adamant that we weren't allowed to  
23 wear any underpants. As a way of checking we weren't  
24 doing that IDP would often tell other boys to take  
25 down someone's trousers to check. It sounds horrendous



1       now. I don't know if we thought it was weird at the  
2       time or if we thought it was part of being at the  
3       Edinburgh Academy. It was humiliating.

4       IDP had a big boxing glove that he called  
5       'Jemima'. If you were misbehaving in his gym class then  
6       he got another boy to put the boxing glove on. The boy  
7       was responsible for hitting you as a punishment. Again,  
8       it was a humiliating process.

9       Reporting of abuse at the junior school.

10       I don't know why none of us questioned what was  
11       happening. We were a collective group of young,  
12       innocent little boys, many of whom were experiencing or  
13       witnessing abuse of one kind or another. Why we didn't  
14       question it is an unanswerable question. No one seemed  
15       to share what was happening outside of the school walls  
16       with anyone.

17       There was one exception and one boy in my class that  
18       did share what was happening with his parents. His  
19       parents immediately contacted the junior school. They  
20       turned up at the school and I believe the police turned  
21       up. This was a family who had a certain position in  
22       Edinburgh, professionally speaking, and who carried  
23       a certain amount of weight within Edinburgh society.  
24       I believe it was only a few months later that Iain Wares  
25       was conveniently sent from Edinburgh Academy to Fettes.

1           Edinburgh Academy senior school.

2           My father's employers moved him to England.

3           I didn't have any power in the decision to board and  
4           I don't remember having any active discussion with my  
5           parents. I don't think my mum wanted me to stay. That  
6           was more than evident later on. I think it was driven  
7           by my father. I began boarding when I was nearly  
8           13 years old and in the senior school. My parents moved  
9           south.

10          The transition was hard. I guess it is for most  
11          young people left in boarding school when they've been  
12          used to living at home and have a close relationship  
13          with their mum and dad. I was left in a fairly large  
14          school with some people I knew and some people I didn't.  
15          I was sad and confused. I felt abandoned a little bit.  
16          The nights were long and I cried a lot. It wasn't easy.  
17          When I was left as a boarder, I was already in  
18          a semi-closed down modus operandi. My communication  
19          with my parents was unconsciously becoming restricted,  
20          because I wasn't sharing what was happening at school.  
21          My safe haven was my garden and my parents' house. It  
22          was all I had. Being left at school as a boarder was  
23          traumatic.

24          Staff at Edinburgh Academy senior school.

25          The headmasters were Mr ICH and Mr Ellis, while

1 I was at the senior school. Mr ICH was the first of  
2 the two. Mr Ellis was elderly and his features were  
3 sharp. Mr ICH was younger. I don't remember any  
4 female teaching staff in the senior school.

5 Hamish Dawson was the boarding housemaster at  
6 Mackenzie House. Mr Evans was a science teacher and was  
7 a boarding housemaster at Jeffrey House. Both houses  
8 had deputy housemasters. BXK and Mr IFR were  
9 deputy housemasters for a while. The boarding houses  
10 had matrons, but I can't remember names. They were the  
11 person you'd go to when you fell ill.

12 The boarding houses.

13 The boarding houses were on the same road as the  
14 junior school. Dundas House was the boarding house for  
15 the lower ages, but I'm not sure what the starting age  
16 was. I was a boarder at Mackenzie House and then at  
17 Jeffrey House until the age of 17, when I left the  
18 boarding house system. In Mackenzie House we slept in  
19 dorms and in Jeffrey House you had the option of having  
20 your own study. Scott House was another boarding house  
21 for older pupils. You could basically choose between  
22 Jeffrey House and Scott House.

23 Edinburgh Academy was not predominantly a boarding  
24 school. The numbers of pupils who were boarders was  
25 relatively small compared to day pupils. The facilities

1 in the boarding houses were sufficient to give all the  
2 boys their own room when they were older. There weren't  
3 that many of us. In the boarding houses, there was a TV  
4 room, a small music room and a games room. The games  
5 room had table tennis and chess. You could listen to  
6 music.

7 Ephors.

8 There were school prefects called ephors, who were  
9 identified by a special tie. Their prefecture  
10 overlapped with their capacity as a boarder. I was one  
11 of them in my last year and a half. God knows why.  
12 They were chosen by the staff, including the headmaster.  
13 Like the rest of the pupils in the senior school, some  
14 were bullies and some of them weren't. I don't remember  
15 fagging being officially organised and structured."

16 My Lady, I move to paragraph 47 on page 11:

17 "Sports.

18 It was a 20-minute walk from the senior school to  
19 the sports ground. There were two days when we all had  
20 to do sports. We'd finish classes at 3.15 pm and walk  
21 up to Arboretum and do our sports practice in the late  
22 afternoon. The sports facilities being offsite made it  
23 feel the numbers in the school were dispersed in some  
24 way. The changing rooms were a mess. They were cold  
25 and had splinters in the wooden floors. In today's

1       society they wouldn't be acceptable, but I understand  
2       those were different times.

3           Eventually I was able to dedicate my time to one  
4       sport, which I chose. My prospects as a sportsperson  
5       were good and I enjoyed sport. I got on well with the  
6       other players but as a result of everything that  
7       happened, I lost my way.

8           School.

9           We had a break in the middle of the morning for 10  
10       or 15 minutes, as the years went by and things got worse  
11       I tried to find a way of getting through the breaks and  
12       being as less visible as possible. The classes were  
13       where I took refuge, because I felt safe. Classes were  
14       an area that were supervised by a teacher and  
15       a controlled environment.

16          The schooling seemed demanding at the time but  
17       doable. The demands of the academic syllabus didn't  
18       seem overwhelming. Everything was geared around exams  
19       at the end of the year. There was no continual  
20       assessment. We had term reports and end-of-year reports  
21       for our parents and ourselves. It was a guideline of  
22       our performance that year, but didn't have any weight.  
23       It was all about doing as well as you could in your  
24       end-of-year exams. I don't feel there were gaps from  
25       an academic point of view. I did the Cambridge exam,

1 but I didn't get in. Some of us tried to truant as much  
2 as possible and not go to school."

3 My Lady, I move on to paragraph 55.

4 LADY SMITH: Thank you.

5 MS BENNIE: "As a result of physical and sexual abuse from  
6 peers and from teachers, I went into my own little  
7 world. I was a good all rounder. I was considered  
8 a promising sportsperson and I was involved in a lot of  
9 other school activities. I had been a sociable young  
10 kid who made a lot of friends and had a lot of friends.  
11 As a result of what was happening to me, my ability to  
12 have any focus disappeared and I fell off a cliff. My  
13 performance went downhill and I saw people around me  
14 whose performance was still good. I never understood  
15 what was happening and why when I was there. That made  
16 it worse. There are some things I remember and some  
17 things I don't. I wonder if it's because my mind closed  
18 down as a way of protecting myself.

19 Discipline.

20 We grew up and lived in an environment where there  
21 was discipline. We lived in fear of corporal punishment  
22 which, in many cases, went beyond what could be  
23 considered remotely proportionally correct. We were led  
24 to understand that we went to a school with a long  
25 tradition and a culture that was considered in good

1 esteem. We were brought up to understand that we were  
2 the beacons of that school and represented the school.  
3 We were expected to come up to the image of the school,  
4 whether that be in the way we behaved in the school or  
5 outside of the school in school uniform. I don't know  
6 of a written code of conduct, but there was a sensation  
7 of being expected to keep up school standards.

8 Any teacher could administer corporal punishment.  
9 John Brownlee used the clacken. Mr Davidson used the  
10 belt. You had to open your hands and he would belt you.  
11 Corporal punishment was considered to be the culture of  
12 the school. The behaviour that merited corporal  
13 punishment was purely subjective and completely at the  
14 teacher's discretion. I didn't receive the clacken or  
15 the belt, but I saw others receive it. I don't know how  
16 to quantify it. Corporal punishment happened twice  
17 a week and then it might not happen for two weeks.

18 There was detention where people were held back from  
19 class and were told to write out the same sentence  
20 hundreds of times. In terms of other forms of  
21 punishment, we were sometimes deprived of participating  
22 in an event. Ephors were not allowed to physically  
23 punish pupils but abuse of their position did happen.  
24 For example, physical abuse to others, younger pupils.

25 Abuse at Edinburgh Academy, senior school.

1           Hamish Dawson.

2           Hamish Dawson was a source of weird activity for  
3           myself and others. Within the classroom he had this  
4           thing with jelly babies. He would offer you jelly  
5           babies as a way of appearing to be kind. In a similar  
6           way to what Wares did, he called you up to his desk and  
7           offered you a jelly baby. You ended up with hands up  
8           your shorts as well, fondling your bum and that type of  
9           stuff.

10          Within Mackenzie House, where he was housemaster, it  
11          was all under an umbrella of appearing to be witty or  
12          funny. Most of what he did was done with a smile on his  
13          face and he covered it up with a masquerade of it being  
14          a game. Hamish Dawson spent a lot of time in the  
15          boarding house as opposed to his own house. His house  
16          was separated by a door and his family lived there.

17          We shared dorms in Mackenzie House. When we were in  
18          bed, Hamish Dawson had our hands loosely tied to the  
19          frame of the metal bed. Our pajama bottoms would be  
20          pulled down and his hands wandered over our genitals and  
21          our stomachs. This was visible to the people in the  
22          dorm. There was no attempt to do this behind closed  
23          doors. It was done freely, openly and publicly.

24          There were changing rooms in the downstairs of the  
25          boarding house where we had coat pegs and kept our rugby



1 boots. Hamish Dawson made us have cold showers when we  
2 behaved badly and that could be leaving your dirty rugby  
3 boots on the floor. He watched you in the shower.  
4 After you had your shower, he made a mark on your  
5 forearm or your bum as a way of indicating you were  
6 a misbehaver.

7 [REDACTED].

8 [REDACTED] was weird, he was a gym teacher and  
9 [REDACTED] He had a habit of  
10 watching us all have showers after gym.

11 Peer abuse.

12 To make matters worse I got sexually and physically  
13 abused by my peer group in the boarding house. The  
14 bullying and abuse were extreme, I was sodomised by my  
15 peer group boarders, I was penetrated on three or four  
16 occasions and I was forced to masturbate others. I was  
17 a boarder in Jeffrey House when this happened. There  
18 were a couple of brothers at the school. The elder was  
19 an ephor and the younger one was an ephor as well. The  
20 younger one physically abused me when they were both  
21 boarders. I have a horrendous memory in Jeffrey House.  
22 The younger brother was a strong lad and he crunched me  
23 up into a ball one evening. I had a feeling of complete  
24 paralysed fear where I thought my back was about to be  
25 broken. This is all I wish to say about peer abuse.

1           Abuse of others.

2           A lot of the bullying took place between the senior  
3 and younger pupils. Some might have been unofficial  
4 fagging. Some horrendous things happened and there were  
5 cases of extreme violence. A classmate of mine was  
6 physically abused by a boy above us. The boy was  
7 physically a much more developed child. He virtually  
8 pulled the scalp off my classmate. It seemed like one  
9 more case of everything else that was going on on  
10 a day-to-day basis. It didn't stand out like it might  
11 now.

12          Abuse in Scott House.

13          I didn't experience it, but I believe that in  
14 Scott House there were two ephors who were put in charge  
15 of the boarding house. They were particularly bullish  
16 in the way they behaved and controlled the younger  
17 members of that boarding house.

18          The decision to cease boarding at Edinburgh Academy.

19          I was so sad at school and I didn't know what to do.  
20 As a way of trying to call for help I self-harmed. The  
21 scars and marks were visible. I didn't understand why  
22 I did it. I was confused. In hindsight it was my way  
23 of trying to tell the world something was wrong. What  
24 made it worse was that I was asked how it happened and  
25 I didn't have the balls to say why I'd done it.

1 I pretended and said I'd fallen. It didn't add up and  
2 I guess no one believed it.

3 I then felt even worse because I didn't have the  
4 courage to take the necessary step forward and use that  
5 as a springboard to tell people what was happening.  
6 Instead, I used it as a springboard to take a further  
7 step back and return into my shell. I had to live with  
8 the scars for however long it took.

9 I realised at that time that I wasn't able to  
10 communicate with girls because of what was happening.  
11 There weren't any girls at school, but there might be  
12 a party in the boarding house with a sister girls'  
13 school. I was losing confidence in myself as a person  
14 day by day. I couldn't even communicate with boys, let  
15 alone girls.

16 I saw others, including those who abused me, looking  
17 and feeling so confident and having their groups of  
18 friends. I felt isolated and miserable. That doesn't  
19 help if you want to start a conversation with someone  
20 from the other sex. I felt I was totally lacking in  
21 skills to communicate with girls but needing to  
22 communicate with the other sex. The sum of that was  
23 that I couldn't stand the thought of staying in the  
24 boarding house for another year.

25 My sister stayed in Edinburgh and I eventually asked

1 my mum and dad if I could live with her for the last  
2 year and a half. I didn't tell them the reason why.  
3 That made things worse, because although I wasn't lying  
4 I wasn't sharing the truth with my mum and dad. I was  
5 in a mess. I needed to get out of the boarding school.

6 I did go to live with my sister and her husband.  
7 I did the Cambridge exam, which meant I did an extra  
8 term rather than leaving in the summer of 197█. My  
9 involvement in extracurricular activity was the only  
10 thing that kept me vaguely in touch with the other  
11 classmates. The friendships I'd had at the ages of 12  
12 to 14 all disappeared.

13 I left Edinburgh Academy in December 197█.

14 Life after boarding.

15 I briefly lived with my mum and dad and then went to  
16 university. I didn't know what to do. I ended up at  
17 university because it was what my parents expected me to  
18 do and I ended up doing what my sister had done.

19 I wasted most of my time there, which I'm eternally  
20 sorry about. There was a huge sense of freedom for me  
21 during my time at university, due to being away from the  
22 hideous school environment. It was new people and new  
23 faces and a new start. I didn't have any focus on why  
24 I was there or what I wanted to do. I had no interest  
25 in studying. A lot of it is due to leaving school with

1       very little energy."

2             My Lady, I now move to paragraph 78 on page 19:

3             "Impact.

4             I want to make it absolutely clear that the sexual  
5       and physical abuse received directly and indirectly at  
6       Edinburgh Academy, both as a day boy and a boarder, had  
7       an enormous negative effect on personal development at  
8       school and in my subsequent professional life as well.  
9       My development at school was stifled and held back due  
10      to anxiety, solitude, sense of blame, denial and  
11      functional strategies that I had to use as a key part to  
12      just surviving. I left school completely unprepared for  
13      any subsequent further education and professional  
14      careers. Above all, the denial aspect of things that  
15      closed down communication with my closest and dearest  
16      family and friends, and the survival mode characteristic  
17      of burying my head in the sand, hoping that the storm  
18      would blow over, has had huge negative effects on my  
19      personal relationships as well in my professional life.

20            There was a time before going to the junior school  
21      that I was a happy lad. I had lots of friends and I had  
22      no issues with communication. Then there was a point  
23      after. I struggled there as a consequence of what  
24      happened and I've struggled ever since. At the end of  
25      the day we are all responsible for our own decisions,

1 but I can't help feeling that things would have been  
2 different if I hadn't gone through what I did at school.

3 The thing that really messed us all up so much was  
4 this process of denial that lived with us for the whole  
5 time at school and became embedded in us. We were all  
6 lucky kids because we were sent to a well-established  
7 private school. Within the means we had as young  
8 children we understood that we had been sent to the  
9 school by parents who thought that school offered us  
10 a good education and would give us opportunities in  
11 life. Some of my classmates' parents were even friends  
12 of the teaching staff who, ironically, were mistreating  
13 my classmates. As young kids we couldn't understand how  
14 these two things could be put together. We were in  
15 a good school, where we were supposed to be looked  
16 after, and here we were being mistreated at horrendous  
17 levels.

18 There was a confusion in our minds. It was a total  
19 contradiction. We grew to think this is what school was  
20 like. When your confidence and self-esteem fall, then  
21 your capability to question things that happen to you  
22 also falls exponentially. For the ages we were to talk  
23 about and share those experiences with other people,  
24 required a huge amount of confidence beyond what you'd  
25 expect from a child of 10 to 12 years old. We lived in

1 an environment where you weren't expected to clype on  
2 your peers and even less so on the teaching staff.  
3 Having been called up to Iain Wares's desk and having my  
4 balls fondled and having seen other classmates  
5 experience the same thing I then went back home at the  
6 end of the day to my mum and dad. When I was a boarder  
7 I went back to see my parents twice a year. Time after  
8 time I didn't say anything to them. As a young child  
9 I didn't have the relationship with my mum and dad to go  
10 to them and share that type of experience with them.  
11 I don't know what I felt, but I felt ashamed. That shit  
12 was becoming all bottled up inside. I think of all the  
13 times I shared with my father and my mother as an adult  
14 and I never spoke to them about my difficulties at work  
15 and in my marriage.

16 Even when I lived with my sister later on, because  
17 I was going crazy and couldn't bear the boarding house  
18 any more, I didn't share it with her or her husband.  
19 From a cognitive point of view, I was at an age where  
20 I was much more aware of life in a broader context.  
21 I was living under the same roof as them, but I was  
22 incapable of sharing what had happened to me with my  
23 sister. That process of denial and bottling stuff up  
24 built up for so many years and has become an embedded  
25 pathology for me all my life. It's caused me problems

1       in my professional life and in my personal life.

2           Someone told me human beings are capable of putting  
3       up with high levels of stress. The only real way of  
4       knowing what you're capable of is by pushing yourself.  
5       You discover you are able and capable of much more than  
6       you thought you would be. We were exposed to all that  
7       shit, but I don't think we ever thought of it as shit.  
8       That's the only way I can reconcile this process of  
9       denial.

10          I feel violent towards those individual members of  
11       staff that treated us like that. My biggest claim is  
12       against the school as an institution. It was there as  
13       an institution to provide us with an education, but also  
14       to look after us mentally and physically and to provide  
15       an environment in which we could thrive. So many of us  
16       didn't thrive at that school. So many of us left not  
17       wanting to go back. It was a horrendous place that none  
18       of us wanted to have anything to do with ever again.

19          It's sad to think so many kids left having become  
20       individual islands at the age of 15 or 16. On  
21       a day-to-day basis from the time they walked in the  
22       gates until the time they left they were trying to  
23       protect themselves. Friendships that had prospered when  
24       we were 10, 11 and 12 disappeared by the time we were  
25       18. We were virtually strangers. We were trying to get



1 from one day to the next in the best way we could.

2 We left school hardly knowing each other. As more  
3 stuff has come out, the sad and wonderful thing about  
4 all this is that some of us have reconnected with people  
5 who we haven't spoken to for 45 years and who we were  
6 very friendly with at school. I've reconnected with  
7 someone who was a very close friend at school. We asked  
8 why we didn't contact each other, I don't have  
9 an answer, maybe it's the idea of going back to those  
10 times by yourself.

11 I left school not knowing what I wanted to be, not  
12 knowing what I was good at and having lost two or three  
13 years of developing my sports. I left that school  
14 underdeveloped and unprepared for anything. My mind was  
15 so absorbed with trying to get through the day without  
16 being bullied by ephors or abused by teachers. How  
17 could you thrive in that environment? How could you  
18 think about things bigger than school like life in  
19 general or what you wanted to be, when all you're trying  
20 to do is just to survive? I hold that deeply against  
21 the school. The abuse at school has caused me and  
22 others a lot of shit at different levels.

23 I haven't mentioned the names of my peer group  
24 abusers because I firmly believe that violence breeds  
25 violence. A lot of the abuse that happened, whether it

1 be bullying, sexual abuse or physical abuse, to some  
2 extent is a knock-on effect from what we lived through  
3 every day. We lived through brutal and violent  
4 behaviour from teachers, who we were supposed to look up  
5 to as a reference and who were supposed to be teaching  
6 us what was good and bad.

7 I would never have dreamt of sending my kids to  
8 a boarding school. I'm partial in that decision because  
9 of what happened to me. If I extract that element out  
10 of the equation then I can't understand why parents  
11 would want to park their children into a boarding  
12 school. It seems so unnatural, but I'm aware of the  
13 boarding school culture in the United Kingdom. I wish  
14 my family could have communicated better. I wish my  
15 father could have communicated better with the family.

16 When I left university the job I did was not exactly  
17 what my parents would have been expecting or what could  
18 be seen a logical step forward. It was more a step  
19 backward. I worked in badly paid jobs. I close up and  
20 close down. I find it hard to challenge things and that  
21 has had a knock-on effect in different aspects of my  
22 life. Failure at both levels in my personal  
23 relationships and in my personal life have led to  
24 conscious thoughts of suicide on a number of occasions  
25 during the last 13 years. It's sad.

1           Edinburgh Academy's response to allegations.

2           The school dishes out these hollow statements saying  
3           they're sorry, they deeply regret what happened, are  
4           working in the best interests and are working with the  
5           Scottish police. From what I see, what I've read and  
6           what I know, the school colluded at all kinds of levels  
7           with staff behaviour that was totally unacceptable. The  
8           collusion has been between schools and within the school  
9           itself. It's a long-established school that's going to  
10          celebrate 200 years of history next year. The school  
11          preferred to put their image and reputation before the  
12          health and well-being of the pupils who were inside its  
13          walls for decades. It's sick. A school headmaster or  
14          teachers who are at a school for 10 or 15 years does not  
15          go through that time not knowing what is going on in the  
16          school. It's the duty of a headmaster to know.

17          The concept of safeguarding which we have now was  
18          not so formatted and understood in those years, but you  
19          don't need to have that type of training to be aware of  
20          safeguarding concepts. What was happening in that  
21          school in my time, beyond my time and probably before,  
22          was intense paedophile activity and abuse. When staff  
23          were able to behave in that manner so openly, it means  
24          they felt comfortable that they were not going to be  
25          clyped on, either by my peer group or other teachers who

1       would hear of what was happening.

2       Reporting of abuse.

3       For decades I didn't share what was happening at  
4       school with my parents or anyone. I shared for the  
5       first time with my sister in 2011. She was the first  
6       person to know what had happened. I never had the  
7       chance to speak to my father about it because he has  
8       passed away. My sister drew my attention to an article  
9       in The Times newspaper which spoke about the school,  
10      Nicky Campbell, the Scottish broadcaster, and the  
11      scandalous number of teachers who had been identified as  
12      possible abusers over a 20-year period at the school.  
13      Reading that encouraged me to follow up. I contacted  
14      the journalist, Alex Renton, and through him  
15      Nicky Campbell. I was aware the actor Iain Glen also  
16      publicly trying to make a statement. He suffered abuse  
17      and was in Nicky Campbell's year. Apart from that,  
18      I hadn't found the energy to go back.

19      The Times article encouraged people who thought of  
20      themselves as victims to contact the Scottish police.  
21      I got in touch with the police and I saw them in  
22      January 2023. That was the first time I reported what  
23      happened. I was concerned about what I should do in  
24      terms of naming people and I asked the police. I named  
25      teachers but I haven't mentioned peers."

1           My Lady, I now move on to paragraph 101, page 25:

2           "Lessons to be learned.

3           There must be some objective control on how the  
4           school looks after its pupils in its care, for example  
5           pastoral care. That was non-existent in the 1960s and  
6           1970s. There needs to be transparency. People need to  
7           be held to account regularly.

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

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

11          My Lady, the statement is signed and it's dated  
12          14 July 2023.

13       LADY SMITH: Ms Bennie, thank you very much for reading that  
14          statement, which covers such a wide range of evidence  
15          that's relevant to our investigations here.

16          Just before we move on from that statement, there  
17          are a few names there of people whose identities are  
18          protected by the terms of my General Restriction Order.  
19          Mr IDP [REDACTED], IBU [REDACTED] and Iain Glen's identity is also  
20          protected. So our evidence in relation to these people  
21          cannot be repeated outside this room in any way that  
22          identifies them.

23          Now, Ms Bennie.

24                               'Bill' (read)

25       MS BENNIE: Thank you, my Lady.

1           The next statement bears the reference

2           WIT-1-000001281.

3           My Lady, this witness wishes to remain anonymous and  
4           he has adopted the pseudonym of 'Bill':

5           "My name is 'Bill'. My year of birth is 1933.

6           I was born in Duns, Berwickshire and went to various  
7           primary schools in Dumfriesshire. Then, instead of  
8           going to Peebles High School, my father dispatched me to  
9           Heriot's. When I left school I went to Jordanhill  
10          College to do a diploma in physical education. The  
11          diploma was three years but because I had slight  
12          problems with injuries, which might have threatened my  
13          career in PE teaching, I did an extra year doing what we  
14          called chapter 3. That permitted me to teach general  
15          subjects in primary school and was in fact very handy,  
16          because that's what I did for my first teaching job.

17          I was registered with the Teaching Council of  
18          Scotland. I went to Edinburgh Academy in January 196█.

19          The post I applied for at the Edinburgh Academy was  
20          head of physical education in the senior school. I knew  
21          the previous guy who was leaving the PE post and he told  
22          me about the job opening. I applied and was interviewed  
23          by the rector, who was ICH█ at the time. It was  
24          only years later that I discovered the job was offered  
25          to someone else before me.

1           I don't remember providing any references as such  
2           and I don't know if the rector was in contact with  
3           Melville College, my previous employer. I do remember  
4           that new teachers to the Academy had to do  
5           a probationary year. The Academy had a different  
6           system, because it was being run as an English school.  
7           They had somebody in charge of rugby, somebody in charge  
8           of cricket and I was in charge of athletics, which came  
9           as a little interlude between rugby and cricket to allow  
10          the pitches to recover.

11          However, at one stage the head of rugby left and he  
12          suggested to the rector that I would be in a better  
13          position to do all the fixtures instead of having  
14          various people in charge. I was then put in charge of  
15          all aspects of games.

16          I was officially supposed to oversee the PE teacher  
17          at the Academy prep school, but the prep school was  
18          a law unto themselves. If I tried to stick my nose in,  
19          it would not have been welcome. I was also talked into  
20          teaching geography in the senior school for a short time  
21          and I was used as a school nurse because I had  
22          a certificate in first aid. I had a medical station  
23          with a bed in my changing room. The school paid for me  
24          to go on a refresher first aid course

25          I was answerable to the rector only. That was

1        ICH        until 197        or 197        and then Laurence Ellis  
2        came in. I can't say the years with ICH        as the rector  
3        were enjoyable. If he hadn't had left I would have had  
4        to go elsewhere or move out of teaching altogether. He  
5        was man who very seldom confronted you. It was  
6        a running joke that you would get a little brown  
7        envelope with a note in it saying things like: this  
8        boy's shirt was outside his trousers, or this boy's hair  
9        is too long. Can you see to it? That was all you got  
10       and I had very little interaction with him.

11       One of the few interactions I recall was shortly  
12       before he left the school. My father, who had a bad  
13       heart, collapsed mid-way through games. I told ICH         
14       I had to go and see my father and he said, you'll have  
15       to be here tomorrow for the games. When I returned  
16       later that day ICH        never even asked after my father.  
17       Ellis was at the game as he had already been appointed  
18       to take over from ICH        as the new rector. Ellis sent  
19       for me next day and asked after my father and made sure  
20       to ask if my mother was coping at home.

21       What a difference there was between them. I think  
22       Ellis remained rector until I left my employment with  
23       the Academy, but I can't be sure of that.

24       I had never seen anything like Edinburgh Academy  
25       before. My life experiences and my teaching practice



1        didn't prepare me for it at all. I felt like a fish out  
2        of water, because the Academy was run as an English  
3        public school. It was a completely alien environment.  
4        The first ten years teaching at the Academy were the  
5        worst. If it had been my first teaching job I would  
6        never have completed it.

7            I did actually try to move but other schools that  
8        I applied to said I had no experience teaching girls and  
9        they said that the pupils in their school were not like  
10       the kids at the Academy, so I was stuck there.

11           I didn't have any involvement in making or  
12       implementing policy at the school. I was quite good at  
13       organising, but I could never have coped with the  
14       timetable if I was also doing the admin side of things.  
15       I was good at organising the games and getting the right  
16       people to the right place at the right time for sports.

17           I didn't have any involvement in strategic planning  
18       at the school.

19           My Lady, I move on to paragraph 17, on page 5:

20           "As far as I'm aware, there was no induction  
21       training specific to the Academy or continual appraisal  
22       of how I was performing. I was responsible for training  
23       academic staff to an extent when they were involved in  
24       games. I think when staff were appointed they were  
25       expected to help with other things such as sports, not

1       just teach their subject. Initially I had a say in who  
2       helped out, but ultimately I just accepted whoever came  
3       along.

4             Living arrangements.

5             The housemasters were appointed by seniority. When  
6       you reached the top of the tree you got to go to  
7       a boarding house. I never had any intention of going to  
8       a boarding house. There did come a time when myself and  
9       another guy who started teaching at the school at the  
10      same time as me were given the opportunity to go to  
11      a boarding house. I made it known that I didn't want to  
12      do that.

13            Culture within Edinburgh Academy.

14            There were ephors in the Academy and at one time  
15      they were permitted to beat younger pupils. I have  
16      a feeling that that was stopped by the time I went  
17      there. It is a thing I find appalling, but something  
18      that was acceptable in an English-run public school.  
19      I don't think ephors were in a position to judge their  
20      peers. Report them, yes, but not beat them. As far as  
21      I'm aware, it didn't happen during my time at the school  
22      and I don't believe any fagging took place.

23            I didn't witness anything that I considered to be  
24      bullying. I did have some odd boys who I suspected were  
25      victims of bullying. They were boys who didn't

1 necessarily fit in, which I could relate to. I also had  
2 some boys who could be bullies. I'm aware from the  
3 statements that I have been provided with that 'Andrew',  
4 'Josh', Neil Douglas and Philip [REDACTED] all say they are  
5 victim of bullying. That is not something that I am  
6 aware of or witnessed. While I'm not aware of any  
7 specific acts of bullying, I was aware that some boys  
8 had the propensity to be bullied. By that I mean  
9 I think some boys are more likely to be bullied than  
10 others. That's no excuse but I do think it's a factor.

11 I don't know how a school can deal with people who  
12 don't fit in. The Academy took the easy way out. They  
13 got rid of them. The Academy was under a lot of  
14 pressure from other parents saying they didn't want  
15 certain boys who behaved badly at the school, so they  
16 really had to do something about it. If you're running  
17 a private organisation, the people that are paying you  
18 expect to get what they want. The school had to guard  
19 their own interests. There was quite a sense of elitism  
20 in the school. I think if you are a paying customer you  
21 should get the respect you deserve. I'm not necessarily  
22 saying the school thought it was a good idea to deal  
23 with things that way, but would you rather lose six  
24 parents or the parents of one child.

25 Discipline and punishment.

1           I don't believe there was any formal policy for the  
2       discipline of pupils at the Academy. Any of the  
3       teachers could give detention, lines or use corporal  
4       punishment. I had no direct experience of other  
5       teachers or ephors using the tawse or clacken to  
6       discipline pupils. I couldn't say whether that was  
7       something that happened at the school. I never owned  
8       a tawse or a clacken while I taught at the Academy. But  
9       I've seen me getting cross and doing one whack with  
10      a trainer or a slipper.

11          Detention tended to be on a Saturday morning, which  
12      is when rugby and cricket practice was. I always felt  
13      that was unfair. It meant that boys who played rugby or  
14      cricket were punished more than others, because they  
15      missed out on their practice or games.

16          I really don't know to what extent senior pupils or  
17      ephors were allowed to discipline their peers. It would  
18      have been a lot more than in a state school and I don't  
19      think anybody supervised that behaviour. The head ephor  
20      was in charge, as far as I know.

21          'Josh' says in his statement that he has given to  
22      the Inquiry that there is a book of rules. I don't know  
23      anything about a book of rules. That is a mystery to  
24      me. 'Josh' goes on to say that there was also  
25      a punishment called hard labour which consisted of

1 things like picking up litter. That is not a punishment  
2 I'm familiar with or used.

3 I have been read the following quotation from the  
4 statement of 'Colin', I have no recollection of that at  
5 all. I don't think I would ever have left a prefect in  
6 charge of physical education. It goes against my ideas  
7 altogether. I was always astounded at just how much  
8 power the senior boys had at the Academy and I didn't  
9 necessarily agree with it. As far as I was concerned,  
10 when it came to PE, ephors didn't exist. They were just  
11 the same as the other boys.

12 I have been read the following quotation from  
13 statement of 'David' that he has given to the Inquiry.  
14 That didn't happen as far as I'm concerned. I was never  
15 beaten up by boys. Of course some teachers at the  
16 school were vulnerable, but I think that was based more  
17 on their personality than the circumstances they found  
18 themselves in.

19 Reporting of complaints and concerns, paragraph 34:

20 "There was no complaint or reporting process that  
21 I was made aware of at the Academy. Although complaints  
22 were obviously taken seriously by the school. There was  
23 an American boy at the school who was a pain. He  
24 thought that nothing at the Academy was as good as it  
25 was in America. I once gave him a cuff across the back

1 of the head. Immediately afterwards I apologised to  
2 him, but he and his parent made a complaint to the  
3 school. I was spoken to by the rector and the chairman  
4 of the board of directors as to my future behaviour.

5 In the ICH's regime I wouldn't have even  
6 considered making a complaint to him because of the way  
7 he operated. When he was in charge you were one of the  
8 minions and you just had to bloody get on with it.  
9 Ellis was a completely different kettle of fish. He was  
10 someone you could approach with a complaint, but I never  
11 had the need to.

12 Trusted adult.

13 I don't believe there was anyone officially  
14 appointed to be a trusted adult or confidante.  
15 Reverend Haslett, the school chaplain, was someone who  
16 was in a trusted position. But I don't think he was  
17 someone the boys would have approached if they had any  
18 concerns. I recall one boy described him as a fat  
19 hypocrite. I would tend to agree with that statement.  
20 I have mixed feelings about Howard. If it wasn't for me  
21 he wouldn't have been at the Academy, as it was me who  
22 told him of the job opening. He had quite a frivolous  
23 side, which might have made pupils think they couldn't  
24 approach him with anything serious. During my time at  
25 the Academy I never knew of a single boy who went to

1 him.

2 I have been told that Neil Douglas said in his  
3 statement that he's given to the Inquiry that the school  
4 wasn't a nurturing environment. I have been asked if  
5 I agree with that statement. That depends. I have  
6 nurtured plenty of athletes. When it came to the school  
7 in general, I think if you were clever it was very good  
8 and nurturing. But if you were struggling, it wasn't  
9 great. There would never be any thought of introducing  
10 subjects more suited to the less intellectual pupils.

11 I have been asked about pastoral care within the  
12 Academy and referred to 'Josh's' statement in which he  
13 says there wasn't anything formal in place when it came  
14 to pastoral care. I can't pass comment on that because  
15 I wasn't involved in that side of things. If I had  
16 concerns about a pupil I would have spoken to them about  
17 it in confidence. If I needed, I would have taken those  
18 concerns to the relevant person.

19 For example, there was a guy struggling with maths  
20 who spoke to me about it. I went to the head of the  
21 maths department to make him aware, but the teacher  
22 wasn't very receptive.

23 Abuse at Edinburgh Academy.

24 I don't think during my period the school had  
25 a definition of abuse as applied to children. If it

1        did, I wasn't aware of it. I was personally aware that  
2        PE was riddled with traps and pitfalls that could get  
3        you into trouble by allowing things to be misread. It  
4        could leave teachers vulnerable. We were warned about  
5        these things at Jordanhill and how to keep ourselves  
6        right when it came to the kids. We were told to  
7        demonstrate things to kids but not to physically help  
8        them or touch them at all.

9            Teaching shot put for example, you would be taking  
10        a terrible gamble if you started lifting a kid's arm up  
11        to show them how to throw. If a pupil injured himself  
12        and had to come to the medical station to lie down,  
13        I made sure I kept the door open if I needed to be in  
14        the room to make calls or something.

15           Child protection arrangements.

16           I don't believe there were any formal child  
17        protection arrangements in place at the Academy. There  
18        were certainly no guidance given to staff on how to  
19        handle or respond to reports of abuse. I really can't  
20        think of anything the school did to help that sort of  
21        thing.

22           My subject was more likely to need guidance than  
23        others. As I've said, PE was full of pitfalls which  
24        I was aware of. I managed mainly to avoid them, but  
25        obviously not entirely. Showers have always been



1 a bloody menace. The showers were there for boys to  
2 use, but I just stopped making them. I remember when we  
3 got a new groundsman he commented that on a Saturday  
4 after a game the showers were always dry.

5 Even when going on overnight trips with the pupils,  
6 there were no child protection arrangements put in  
7 place. I went on various day trips with the kids and  
8 I once went on an overnight trip with Hamish Dawson. We  
9 went to Coldingham and stayed in a youth hostel. My  
10 eldest daughter actually came with us at Hamish's  
11 suggestion. She was the only girl there. She thought  
12 Hamish was hilarious with his jelly bean rewards for  
13 completing tasks. I don't remember the sleeping  
14 arrangements on that trip, but I think we were quite  
15 well separated.

16 Record keeping.

17 I don't know how the school generally dealt with  
18 record keeping as I wasn't involved in that. I kept my  
19 own records for PE, as I was a meticulous keeper of  
20 records, but I did that off my own back. I recorded  
21 every detail of the fixtures and I also set up an injury  
22 book in which I recorded any incidents or accidents.  
23 I don't think anyone paid any attention to it or looked  
24 at it. When my successor came in 199█ he nearly threw  
25 all of my record books out, but I rescued them and

1 I believe they are now in the Academy archives. If  
2 I hadn't intervened I think they would have ended up  
3 being thrown out. In terms of recording of punishments  
4 given to kids, I don't remember there being any  
5 expectation that you would record such things.  
6 I certainly didn't."

7 My Lady, I move on to paragraph 53, specific alleged  
8 abusers:

9 "ICA [REDACTED].

10 I remember ICA [REDACTED] as another odd fellow. He  
11 looked a bit odd and seemed to scuttle along with his  
12 head slightly tilted to one side. He was one of the few  
13 teachers from the prep school who took part in things in  
14 the upper school like CCF. He had considerable  
15 difficulty with discipline. I used to go up to the prep  
16 school to take squash. The squash courts look out onto  
17 the playground of the primary school. If ICA [REDACTED]  
18 came out the boys would beat on the windows and the next  
19 thing he would come bursting in. I never actually saw  
20 ICA [REDACTED] discipline the children, but from what I know  
21 they would play up and he reached a stage where he got  
22 very angry. I never witnessed how he dealt with that,  
23 but I can see he was getting to the point of boiling  
24 over.

25 I have read the following quotation from the

1 statement of 'James' that he has given to the Inquiry.  
2 I have been asked if I agree with that statement and  
3 I would say, yes, that is probably how ICA dealt with  
4 things. That said, I never heard or knew of ICA  
5 abusing children.

6 Iain Wares.

7 I was aware of Iain Wares during my time at the  
8 Academy. He had very light, fair hair. I didn't really  
9 know him at all or have any involvement with him.  
10 I'm not aware of him abusing children at the school.

11 Hamish Dawson.

12 Hamish Dawson was a teacher at the school when  
13 I arrived. I'm not sure if he was still there when  
14 I left. He was a history teacher in the upper school  
15 and he was a great character. Hamish had a difficult  
16 upbringing which he told me about. Nobody really takes  
17 that into account. His father was an outstanding  
18 sculptor. His father was also an alcoholic. Hamish's  
19 relationship with the boys at the Academy always seemed  
20 jocular and he would give out jelly beans as treats. He  
21 also ran the Cairngorm club, which took pupils up to the  
22 Cairngorms

23 When I joined the Academy 'William', a teacher at  
24 the school who I had a bit of respect for, gave me a bit  
25 of advice. He told me if I was ever asked to go to the

1 Cairngorm club, don't, he never said any more than that,  
2 but if a guy like 'IDT [REDACTED]' says that you listen.

3 What he said did raise alarms a little bit. Reading  
4 the statements that were sent to me, it's not the first  
5 time I've heard allegations against Hamish but I wasn't  
6 aware of anything whilst I was employed at the school.

7 'William'.

8 I knew William quite well. I had a lot of respect  
9 for him because he was a very good teacher and he had  
10 a general demeanour of kindness about him. He didn't  
11 push his beliefs down your throat, he didn't take any  
12 nonsense as a teacher, but he was always fair. I never  
13 saw him discipline or abuse any children."

14 My Lady, I move to paragraph 64:

15 "John Brownlee.

16 I never got on with John Brownlee. He was full of  
17 his own importance. He was a primary teacher and always  
18 tried to give the impression that he was very much in  
19 charge. He was not of a public school background at  
20 all, but he tried to make out that he was.

21 I never saw Brownlee discipline any of the boys and  
22 I never heard of him abusing anyone.

23 IDP [REDACTED].

24 IDP [REDACTED] was at one time in the upper school. Then  
25 they decided to appoint him as the primary school [REDACTED]

1 teacher. He had a military background and was quite  
2 brusque. I don't think his relationship with the  
3 children came easy. I never witnessed him disciplining  
4 the children and I didn't hear of him abusing anyone.

5 IBP [REDACTED].

6 I knew IBP [REDACTED] quite well, I only saw what he was  
7 like as a teacher when I accompanied him on outings. He  
8 was very matter of fact and he was a bit of a disaster  
9 as a teacher. My God, he could not deal with a class,  
10 you would hear a ruckus and the shouting in his  
11 classroom. That said, he was a very knowledgeable  
12 person.

13 Mr IFN [REDACTED].

14 IFN [REDACTED] was a [REDACTED] teacher and he was  
15 a lovely guy. He might have had something to do with  
16 the shooting range at the school too, but I'm not sure  
17 about that. IFN [REDACTED] could be a bit of a snob, but he was  
18 also a desperately kind man, devoted teacher and I think  
19 a very good teacher. I don't have any knowledge of how  
20 he disciplined children at the school. I think his  
21 words would have been enough because of the way he would  
22 talk to the children, like they were very small adults.

23 Leaving the school.

24 I retired from the Academy in 199[REDACTED]. You had to give  
25 a term's notice but I told them the year before that it

1       was my intention to retire.

2       Allegations made to the Inquiry in relation to me.

3       'James'.

4       I have read the following quotation from the  
5       statement of 'James' that he has given to the Inquiry.

6       I think I might remember 'James', his name is familiar,  
7       but I never abused him. The reason for making boys  
8       shower was because they were sweaty after being in the  
9       gym. The reason for me going into the showers was  
10      because the boys would be playing in it to be late for  
11      their next class. I always made me being in there as  
12      brief as I could and there was certainly never any  
13      flicking of towels or anything like that on my part.  
14      I went in, switched the showers off and said the bell is  
15      going any minute, get yourself moving. After that,  
16      I would retire back to my room. I might have had to go  
17      back in again and say come on, you're going to be late.  
18      I don't know why they would say these things. If he was  
19      treated in the way he describes, of course it would be  
20      abuse.

21      From years of teaching PE, I know where the  
22      boundaries are and where you can get away with being  
23      more informal with boys, but the shower area was  
24      certainly not one of them.

25      'Andrew'.

1           I have been read the following quotation from the  
2           statement of 'Andrew' that he has given to the Inquiry.  
3           I did use a megaphone at games, but there must have been  
4           a whole load of other people about if it was at the  
5           playing field. What he describes is certainly abusive  
6           behaviour. If it happened, I would apologise  
7           unreservedly, but as soon as you apologise you accept it  
8           and I really can't accept it. I can't imagine doing  
9           a thing like that. It's disturbing it should even be  
10          considered. I could get edgy at times when the games  
11          were on, but I can't admit to doing something I have no  
12          recollection of. It's something that is just so out of  
13          character for me. If it happened, I'd remember it.

14          I find the whole thing disturbing. No too long ago  
15          I had an encounter that almost prepared me for this.  
16          I bumped into a guy in the street. He stopped me and he  
17          said he was a pupil at the Academy and I bullied him at  
18          the boxing, I didn't do boxing at the Academy. One of  
19          the first things I did when I arrived was to get rid of  
20          the boxing equipment. I gave it away to a boys' club in  
21          the Grassmarket. I thought to myself, how the hell  
22          a guy could say that when it couldn't have happened?  
23          This guy had it in his head that it happened and there  
24          was no use in trying to convince him otherwise.

25          Neil Douglas.

1           I have read the following quotation from the  
2           statement of Neil Douglas that he has given to the  
3           Inquiry. The issue of not wearing anything under rugby  
4           shorts was never a thing for me, but I can't speak for  
5           IDP . I don't believe it was something the  
6           school insisted on and it certainly wasn't something  
7           I insisted on. I wouldn't think it was terribly  
8           hygienic. I did insist that they didn't wear tops in  
9           the gym. The reason for that was we were trained at  
10          Jordanhill College to look for any possible physical  
11          defects, such as a spine being bent out of alignment  
12          which I found once or twice.

13          'Fred'.

14          I have been read the following quotation from the  
15          statement of 'Fred' that he has given to the Inquiry.  
16          I have no idea why he said that. I can't remember  
17          punching anyone since National Service. I wasn't even  
18          a fighter when I was a youngster because I was too wee.  
19          It didn't happen and I can't imagine a more heinous  
20          thing to do.

21          'Robert'.

22          I have read the following quotation from the  
23          statement of 'Robert' that he's given to the Inquiry.  
24          I certainly didn't watch boys in the showers. I can't  
25          imagine doing that. I've never had any inclination for



1 boys in that way at all. I simply couldn't help passing  
2 the showers and going in on occasion, so maybe that has  
3 been misconstrued.

4 Philip [REDACTED].

5 I have read the following quotation from the  
6 statement of Philip that he's given to the Inquiry.  
7 I can't really give any response to that. It alarms me  
8 that either my memory is going or why he would say these  
9 things if they're not true. I cannot for the life of me  
10 accept that it is true.

11 'Josh'.

12 I have read the following quotation from the  
13 statement of 'Josh' that he's given to the Inquiry. All  
14 I can say is that I've never gone into anybody's class  
15 to get a boy. If I was to choose one person to do that  
16 with it would not be Annie Kennedy the French teacher,  
17 she would have sent me packing. She was someone who  
18 protected her territory like an old hen. As for the  
19 rest of it, I've never been a puncher. It's not  
20 something that's ever been in my armoury. I do accept  
21 what he describes, if it happened, is abusive behaviour.

22 'James'.

23 I have read the following quotation from the  
24 statement of 'James' that he's given to the Inquiry.  
25 I don't particularly remember 'James'. I really don't

1 remember the first thing about boxer shorts. I can't  
2 see any reasoning behind why I would even suggest that.  
3 As I said, I thought it was important for boys to have  
4 a shower after playing sports, but ultimately I stopped  
5 insisting on it. I made the showers available but if  
6 they didn't want to I didn't make them. Kids would find  
7 ways to get you into trouble and they would mess about  
8 and turn up late to their next class. I got a fly in my  
9 ear about it a few times. I tried to avoid going into  
10 the showers, but it wasn't always possible. If I did  
11 have to go in, I tried to make it quick, but  
12 I've obviously failed in my attempts to get around the  
13 hurdles of PE teaching. I find that pretty sad really.

14 'Sam'.

15 I have read the following quotation from the  
16 statement of 'Sam' that he has given to the Inquiry.  
17 I didn't insist on showers up at the field because  
18 I felt that the boys were going home afterwards. When  
19 they were with me for games and going to class  
20 afterwards I felt they should shower. As I've said,  
21 I did sometimes go into the shower area to encourage  
22 them to hurry along because they were going to be late  
23 for their next class. To suggest I got any pleasure out  
24 of it I can't understand. There was nothing in it, but  
25 I suppose that's just what youngsters say. I never

1 sanctioned or abused 'Sam'. If someone had behaved in  
2 the way 'Sam' says I would agree it was abuse. The mere  
3 thought of it is appalling.

4 Helping the Inquiry.

5 Why the Inquiry would have to look at someone who  
6 has been retired for 30 years, I don't know. What the  
7 Inquiry should be doing is looking at what's happening  
8 today to see how it can improve on it for the years to  
9 come. I don't see the relevance of things that happened  
10 20 to 30 years ago, especially when you're relying on  
11 the memory of both the accusers and the accused.

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 statement are true."

15 My Lady, the statement is signed and it is dated  
16 3 July 2023.

17 LADY SMITH: Thank you very much.

18 That's shortly after 3 o'clock now, so I'll take  
19 a break and then we'll resume statement reads in,  
20 certainly one, maybe two. We'll see how it goes, shall  
21 we?

22 MS BENNIE: We have one to read today.

23 LADY SMITH: Just one left for today. That's right, sorry,  
24 yes.

25 Very well, I'll rise now for the afternoon break.

1 (3.08 pm)

2 (A short break)

3 (3.17 pm)

4 LADY SMITH: Ms Bennie.

5 MS BENNIE: Thank you.

6 'Terry' (read)

7 MS BENNIE: My Lady, the next read in bears the reference

8 WIT-1-000001308.

9 LADY SMITH: Thank you.

10 MS BENNIE: My Lady, this witness wishes to remain anonymous

11 and he's adopted the pseudonym of 'Terry':

12 "My name is 'Terry', my year of birth is 1940. In

13 1964 I got my MA at St Andrews University. In 1965

14 I got my diploma in education from Edinburgh University

15 and my teacher's special certificate at Moray House

16 College.

17 My first teaching role was in 196█ as an assistant

18 prep schoolteacher at Edinburgh Academy and I carried

19 out that role until I retired in the year 200█.

20 When I was at St Andrews University the rector of

21 Edinburgh Academy wrote to me and invited me to go to

22 teach at the Academy, and that was it.

23 I was an assistant teacher, so an ordinary teacher

24 of █. The subjects I taught were █,

25 █, █, █ and █

1       ██████████. I also took rugby and cricket coaching. The  
2       age group I taught was nine-, ten- and 11-year-olds, all  
3       prep school.

4           My line manager when I was teaching at  
5       Edinburgh Academy was the headmaster of the prep school.  
6       To start with that was Mr James Britton, which was  
7       followed by Mr James Burnet, then Lawrence Smith and  
8       finally Mr Campbell Paterson. They were the four prep  
9       school headmasters during my time.

10          One role I had at Edinburgh Academy was the  
11       organising or assisting in the organising of the many  
12       trips that the boys would go on. There were many  
13       after-school activities in which I took part. I didn't  
14       have any responsibility for any of the school policies,  
15       but I did contribute in that I was asked to give my  
16       opinion about some things.

17          I would think that would come from the deputy  
18       headmaster, who was John Brownlee. I'm sure there were  
19       written policies latterly, but I cannot recall them all.  
20       There was one for forward planning in relation to  
21       lessons, so by such and such a time we had to get the  
22       classes to such and such a stage for example.

23          I don't recall much about policy documents.  
24       I didn't really have a great deal of involvement in  
25       anything like that. I wasn't involved in the

1 recruitment or training of any staff at  
2 Edinburgh Academy. I attended a large number of  
3 training courses throughout my time at Edinburgh  
4 Academy, some were once a month, some were a bit further  
5 apart, some would last for a week. Some would be  
6 a single day and I attended some during the actual  
7 school holidays.

8 I went to different places for training courses and  
9 they were offered to me by the Academy.

10 Living arrangements.

11 The boarding houses included senior schoolboys and  
12 as well as prep schoolboys. It was really the rector  
13 who was in charge of the boarding houses. There was  
14 also a matron and sometimes an assistant matron for  
15 every boarding house.

16 I was involved in residential care at  
17 Edinburgh Academy as I was a resident there for about  
18 five years. I was an assistant houstutor and resided  
19 in Mackenzie House. That would have been from 1966  
20 until 1971. The teacher in charge of the house was  
21 Mr ICG [REDACTED]. My role as an assistant houstutor was  
22 to take the children out at weekends and supervise them.  
23 I would take them out for games, supervise homework,  
24 take them to swimming and other events, take them on  
25 walks, anything really.

1           When I was actually on duty I would help the matron  
2           in the evenings and I would be responsible for making  
3           sure children were ready for bed and not making any kind  
4           of noise or disturbance. That was the same age group, 9  
5           to 11, that I was responsible for.

6           I bought my own house and moved out of Mackenzie  
7           House in 1971.

8           Culture within Edinburgh Academy.

9           The idea at Edinburgh Academy was that the boys were  
10          to be stretched as far as possible. This very much  
11          applied to boys at all levels, both the intelligent and  
12          the not so intelligent. Bearing in mind that parents  
13          were paying vast sums of money and they, quite rightly  
14          so, wanted value for money.

15          I think being stretched was good. When children are  
16          made to work hard, provided it's something they can do,  
17          in my and everyone else's experiences they are much  
18          happier, provided there is not undue pressure causing  
19          stress. Children are much happier working hard rather  
20          than not doing very much in class.

21          A very important part of the school was the emphasis  
22          on outdoor activities. That was very much for all the  
23          boys. Rugby and cricket were taught twice a week and  
24          teams were organised to play other schools on Saturdays.  
25          The competition to be included in those teams was always

1       very keen.

2           I don't believe that there was any preferential  
3       treatment for any children that were better at sports  
4       than others. I was in charge of the children who were  
5       not so good at sport, but we still had teams and  
6       training for them and matches on Saturdays. Many were  
7       very poor physically, but they would still join the  
8       teams and play after school. I would hope that they got  
9       as much satisfaction from it as the very clever and very  
10      able boys.

11          Another important part of the schooling were the  
12      school trips, both locally and further afield. We went  
13      to the Highlands and to Hadrian's Wall and outside the  
14      UK. Boys would take part in school cruises and ski  
15      trips to the Alps.

16          Drama was also important at Edinburgh Academy and  
17      plays and musicals were regularly produced, as were  
18      orchestral performances.

19          I do think the role of women within the school was  
20      important. When I started at the prep school all the  
21      teachers there were women. It was myself and three  
22      others that were the first male teachers in the prep  
23      school. All the other prep school teachers were women,  
24      which included the art teacher, the music teacher and  
25      the drama teacher.



1           As the school went on, there were younger and more  
2           women appointed, not just in the prep school, but also  
3           in the senior school. Everybody thought that was quite  
4           acceptable.

5           Another important part for Edinburgh Academy was the  
6           full co-ordination between the prep and upper schools  
7           and we held regular meetings between the two schools and  
8           the senior staff to discuss how things were going. That  
9           included works, subjects, what we should do, when we  
10          should start and stop, games, all that came into it.

11          The upper school ranged from the ages of 11 to 17 or  
12          18. It was quite a different culture altogether. They  
13          had all sorts of different activities as well, more than  
14          the prep school.

15          I didn't have any concerns about any fellow teachers  
16          and their treatment of pupils. Staff didn't perhaps  
17          talk about things quite as openly as they should have.

18          By and large the ordinary staff associated quite  
19          well, but there was a kind of separation between the  
20          deputy head and other members of staff.

21          Discipline and punishment.

22          I can say that discipline at Edinburgh Academy was  
23          very good, whether it was in the class, the art room,  
24          the music room, the gym or games fields and the  
25          standards were high in the trips and project work.

1           In a staff meeting in October 1971 the then  
2           headmaster, Mr James Britton, wished to abolish corporal  
3           punishment in the school. He then rescinded that when  
4           all the staff rejected that proposal.

5           If corporal punishment was to be used it would  
6           usually be a gym shoe across the backside. It would  
7           generally be a single hard whack on a clothed backside  
8           and it would perhaps be because a pupil was being  
9           particularly disruptive or continually disruptive in  
10          class.

11          They would be given a warning, but if they were not  
12          heeding it then they would be given a punishment of some  
13          sort. It was down to the teacher to administer the  
14          punishment but occasionally the pupil could be sent to  
15          the headmaster to receive their punishment.

16          Corporal punishment was allowed and not forbidden,  
17          but during my time at the school it became used less and  
18          less and before it was officially abolished it just  
19          wasn't being used at all.

20          My normal punishment would be extra writing or extra  
21          homework. Writing would be copying something out of  
22          a book, perhaps one of the books that were being used in  
23          class, a [REDACTED] book, something like that.

24          The more severe punishment was exclusion from  
25          a school team, because there was great competition to

1       get into the teams, or perhaps from a much anticipated  
2       school trip. Looking at it from the other side, stars  
3       were awarded for good work throughout the school.

4   LADY SMITH: Just going back a moment, Ms Bennie, and it's  
5       picking up the line that you have just touched on there.  
6       It's to be noted that in paragraph 35, I think, this  
7       witness draws a distinction between the head's approach  
8       to dealing with boys misbehaving on one of the Edinburgh  
9       buses, which was to whack them with a slipper, whereas  
10      **INU** actually travelled on the bus himself to make  
11      sure boys were behaving.

12         That chimes with what we heard from David Standley  
13       last Friday about the approach in attitude of **INU**  
14       being quite different and more modern and flipping from  
15       criticism to building on success and building on praise,  
16       doesn't it?

17   MS BENNIE: Yes.

18         My Lady, reading on at paragraph 39:

19         "No senior pupils were involved in any form of  
20       punishment or discipline and there was no fagging at  
21       Edinburgh Academy during my time. There were ephors in  
22       the senior school, but there was nothing like that in  
23       the prep school. There was a cross-over and sharing of  
24       information between the prep school and the senior  
25       school and there was never anything raised that gave me

1 any cause for concern about the upper school.

2 There was a policy on the use of corporal punishment  
3 and discipline for the teachers. I think it changed and  
4 developed over time and all the staff and children would  
5 have had an awareness of that policy. Any incident of  
6 corporal punishment was entered in a register at the  
7 senior school. At the prep school the headmaster gave  
8 directions as to its use."

9 My Lady, I move on to paragraph 44 on page 8:

10 "The boys who were boarding at Edinburgh Academy  
11 were all treated exactly the same as the boys who were  
12 not boarders. When I was residential at the school  
13 I was never told of any concerns about any of the  
14 boarders and had I any concerns I would have shared that  
15 information.

16 Trusted adult/confidante.

17 As far as members of staff themselves were concerned  
18 the headmaster was a trusted confidante. The class  
19 teacher would fulfil the rule of trusted confidante to  
20 the pupils in his or her class. Personally I made it  
21 a practice to give my home telephone number to parents  
22 at the beginning of each school session. This was  
23 because I was keen to hear first hand of any concerns or  
24 worries relating to my pupils. Sometimes you don't hear  
25 it in the school during the school day and I liked to

1 think that parents were able to talk to me during  
2 an evening, as they did, to speak about any concerns  
3 they might have had.

4 I was contacted by parents and it was mainly about  
5 concerns the parents had over the progress of their  
6 children. Parents were very keen that their children  
7 should make progress and if they didn't, then the  
8 parents would obviously have concerns.

9 It could also be if parents had concerns about their  
10 child perhaps being a bit of a loner or wasn't happy in  
11 some way or another. I wanted to know that and I think  
12 the parents wanted me to know and to know if there was  
13 anything that I could do. It could also be a parent  
14 wanting to know why a child wasn't playing in a team or  
15 something like that. The children could get very  
16 disappointed if they didn't get into a team.

17 If a child was a loner or was struggling in some way  
18 I would firstly try to speak with them. Not too much,  
19 as that might put them off, but I would try and involve  
20 them in activities. I would suggest activities that  
21 they hadn't perhaps been involved in before or encourage  
22 them to join a new activity. That usually worked quite  
23 well. But I must say something like that didn't happen  
24 very often, as by and large the children were very good  
25 at looking after themselves.

1           My wife and I did have a few boarders to our home.  
2           Not very often, but some of the younger ones would  
3           sometimes come for tea on a Sunday. That would have  
4           been primary 5 boys aged about nine. They would be boys  
5           who hadn't gone home for the weekend or their parents  
6           were perhaps abroad and so I would speak to the  
7           housemaster and arrange for them to come to my house for  
8           tea.

9           Reporting of complaints and concerns.

10          If parents wanted to make a complaint then they  
11          would go to the headmaster. If it was because their  
12          child wasn't doing well or wasn't being pushed hard  
13          enough then the headmaster would refer that to the  
14          staff. Parents could phone me up at home, as I have  
15          mentioned, but we also had parents' evenings every so  
16          often and that would be at a time when parents would  
17          raise issues or complaints with me as the class teacher  
18          or they could go and see the headmaster.

19          As far as the children were concerned, I did have  
20          children come to me and tell me about bullying or  
21          something like that, so that I would have heard about  
22          it. Apart from some occasional unkind teasing, which  
23          happened, I never witnessed physical bullying.

24          The children would come and speak to me in my  
25          classroom in the morning. I was always there and

1 I would have a chat with them. I wasn't a guidance  
2 teacher -- there was no such thing then -- I was  
3 an ordinary teacher. I was their teacher. I got to  
4 know them very well and they would come and speak to me  
5 very informally.

6 Children complaining to me about other teachers is  
7 not the sort of thing I would like to talk about.  
8 Children would occasionally refer to another teacher,  
9 but I don't think it's fair on my colleagues for me to  
10 talk about that.

11 On no occasion did I have cause to be concerned  
12 about any serious allegation. More often it would maybe  
13 be that a certain teacher didn't teach a subject in  
14 a particular way and the child couldn't perhaps  
15 understand it.

16 I have been asked about the rector's response to  
17 a parent's complaint about Iain Wares, alleging abusing  
18 their child. I am told the parent was told by the then  
19 rector, [REDACTED], that it would be unhelpful to complain  
20 and that the child must have an overfertile imagination.

21 I have been asked if that response from the rector  
22 was something that was common. To me this was  
23 an absolutely shocking response. I don't think any  
24 headmaster in the prep school would have responded in  
25 that way. But I don't know if such a complaint was ever

1       made to the prep school headmaster.

2           If a parent complained the prep headmaster I feel  
3       certain he would have gone to see the parents and the  
4       boy to establish exactly what had happened. And then  
5       take the appropriate action, at the time and if it ever  
6       happened again. I'm just guessing here though, as  
7       I just don't know.

8           What I should say is that when Mr Wares did leave  
9       Edinburgh Academy the deputy head at the time,  
10      Mr John Brownlee, spoke to all the staff to explain what  
11      the situation had been. That abuse had taken place.  
12      That was after Mr Wares had left and it all came out  
13      after he left. I'm sure that would all have been  
14      recorded by the school, but I don't recall there being  
15      any change in policy at the school.

16          I don't recall there being any written guidance or  
17      instruction given to staff in relation to the action  
18      that should be taken if a child came to us and  
19      complained about any kind of ill-treatment. I suppose  
20      if a child was punished too severely or something like  
21      that, that would be termed ill-treatment.

22          There could be a child who was desperate to take  
23      part in a play or something like that. But because of  
24      them misbehaving they were not allowed to take part.  
25      That was a severe punishment and the child could be very



1       upset. Although I'm not sure it could be termed  
2       ill-treatment.

3             Bullying, peer abuse.

4             In relation to bullying and peer abuse there would  
5       be staff meetings from time to time where the headmaster  
6       or deputy head would make everyone aware of the dangers  
7       of bullying. But I just don't think it happened very  
8       often. Apart from unkind teasing, as I've said I can't  
9       remember any actual physical bullying at the school at  
10      all. I just don't remember that. I think I can be  
11      quite sure about that. I don't even remember any  
12      serious fighting between any of the boys.

13            There was always a member of staff on duty outside  
14      during all breaks, so that would have prevented any  
15      fighting and the member of staff would have seen any  
16      fighting or bullying.

17            Child protection arrangements.

18            I do believe that if a child was being abused or  
19      ill-treated at Edinburgh Academy prep school it would  
20      have come to light at or about the time it was  
21      occurring. There was communication between staff about  
22      the children, but not about abuse or anything like that.  
23      I don't recall there being any official guidance or  
24      instruction for teachers or staff on how children in  
25      their care at the school or in a boarding house should

1       be treated or cared for and protected.

2           We were all aware that there must be a certain  
3       amount of affection and a certain amount of  
4       encouragement for children. That was the main thing.

5           If there was a boy who was particularly homesick or  
6       something like that, the answer was ordinary affection.  
7       That's what I felt and I did what I could to get to know  
8       the boys better. I would see them at meal times and we  
9       would have meals together. I would encourage them to  
10      take part in things and encourage them with their work,  
11      which could sometimes be a cause of unhappiness if they  
12      didn't understand something, that kind of thing. There  
13      was not any official guidance, but that was just how  
14      I engaged with the boys.

15          With things like hugs and physical contact, the  
16      guidance was generally not to do that, unless you were  
17      a woman, and everybody knew that. If you were a man,  
18      you didn't hug a child. It wasn't written down, but you  
19      just didn't do it. That was it. It just didn't happen.  
20      No man would take it upon themselves to hug a child.  
21      I do think some of the women teachers did very good work  
22      in that way.

23          I do think the systems in place at Edinburgh Academy  
24      prep school were adequate to protect the children."

25          My Lady, I move on to paragraph 69, page 14:

1           "Record keeping.

2           Records were held on each child on each subject at  
3           the end of each term. These reports were then sent to  
4           parents, but records were kept and forwarded to the  
5           senior school when a boy left prep at the end of the  
6           school year. Inspections were also carried out and  
7           records would be kept from those inspections. I don't  
8           know if records were kept in relation to allegations of  
9           abuse, ill treatment or inappropriate conduct. Nothing  
10          that I know of.

11          Reports of abuse.

12          During my time at Edinburgh Academy I'm not aware of  
13          the school ever having any official definition as to  
14          what constituted abuse.

15          It never occurred to me that any member of staff was  
16          ever abusive towards any of the children. I couldn't  
17          say it didn't happen definitely, it just didn't occur to  
18          me.

19          If I heard any reports of excessive corporal  
20          punishment within the prep school when I was teaching  
21          there, I'm sure I would have discussed it with my deputy  
22          head.

23          I can say that I myself didn't hear any allegations  
24          of abuse, ill-treatment or inappropriate behaviour.

25          One conversation I overheard was about Mr Wares,

1       nobody else. It was before he left Edinburgh Academy,  
2       possibly 1977, during his last year. He was still  
3       teaching at the prep school. I didn't do anything with  
4       that information and I know I should have done, but  
5       I didn't. I overheard a conversation and that was all.

6       I overheard junior boys from the pre school, who  
7       were aged about 10, talking about Mr Wares, who they  
8       named. They said he put his hands under the trousers of  
9       boys. I did hear that. They were talking about it  
10      among themselves and I got the impression they were  
11      talking about him doing that to other boys, not to them.  
12      It was a group of young boys who were talking to one  
13      another outside my class. I felt it was inappropriate  
14      for me to intervene and discuss it further with them, as  
15      they were not making a report to me. You did hear the  
16      boys talking about things in class or outside the class  
17      or in the yard. Boys talked about sex and relationship  
18      and things like homosexuality all the time, and I didn't  
19      know then what I know now about Mr Wares. With  
20      hindsight I know I should have gone to the deputy head  
21      with that information, but at the time I just didn't  
22      pursue it.

23      I do feel that had there been a formal procedure or  
24      written policy instructing teachers what action should  
25      have been taken under such circumstances I would have

1 followed those instructions and done something. I feel  
2 myself I didn't know or think enough about it, quite  
3 honestly.

4 Police investigations.

5 I have been informed that a Philip [REDACTED] and another  
6 boy have submitted civil claims against  
7 Edinburgh Academy, which includes a claim of physical  
8 abuse against me. I have never been approached by the  
9 school about this or any other civil claim. The first  
10 I knew about either claim was when you informed me of  
11 this at my interview. I do remember a boy who was  
12 repeatedly misbehaving in an art class and the teacher,  
13 who was very annoyed, sent the boy to me to be punished.  
14 I'm afraid to say I walloped him with a short stick  
15 during a break in the classroom. It was a broken  
16 pointer stick and I whacked him on the backside over his  
17 clothes. He was about ten years old and that would have  
18 been around 1971.

19 It was as a result of that incident that the then  
20 headmaster, James Britton, held a staff meeting about  
21 corporal punishment. I believe that boy told his  
22 parents and they made a complaint to the headmaster.  
23 Mr Britton didn't want corporal punishment, but most of  
24 the staff did so it remained at that time, but  
25 Mr Britton did tell staff not to use wooden sticks to

1 administer corporal punishment. There was nothing else  
2 done at that time.

3 It was many years later, I think it was  
4 February 2020, that I was interviewed about that by the  
5 police. The police told me that the complaint was that  
6 I had hit a boy repeatedly with a billiard cue. I was  
7 interviewed by the police and I had my lawyer represent  
8 me. The answer to it all was that I was released  
9 without any charge."

10 My Lady, I move on to paragraph 98, page 17:

11 "Iain Wares. Knowledge of specific named alleged  
12 abusers Iain Wares.

13 Recently I've been thinking about Iain Wares.  
14 I worked with Iain and I can say that I have been on  
15 different trips with him and never suspected anything at  
16 all. You have to imagine the situation. For example,  
17 he accompanied me on several school trips and stayed in  
18 youth hostels. The situation there is that everyone  
19 sleeps together in one big room and there is a warden  
20 who is in charge of the hostel. If there had been  
21 anything going on the warden would certainly have raised  
22 it and reported it to the school.

23 On those trips there were quite a number of boys and  
24 two or three staff. I was also in Paris with Iain Wares  
25 and a group of about 10 or 11 boys from the school.

1       That was the same sort of situation. We were in  
2       a hostel for ten days. The only teachers were Mr Wares  
3       and myself, and if he had been doing anything that he  
4       shouldn't have been doing then that would have been  
5       noticed. You couldn't have avoided noticing something  
6       and the person in charge of the hostel would also have  
7       noticed.

8       We also went on a steamer to the Western Isles and  
9       also from Leith to Aberdeen, where we were close  
10      together and there was nothing suspicious whatsoever  
11      that I saw.

12      Those trips would have been in the 1970s, but there  
13      were other occasions. I didn't perceive there to be  
14      anything different about the children when in the  
15      company of Iain Wares, not at all."

16      My Lady, I move to paragraph 110, page 19:

17      "John Brownlee.

18      John was the assistant deputy headmaster. He was  
19      there for the whole of my time and retired when I was  
20      still at Edinburgh Academy. He was fine on the whole,  
21      but he got annoyed sometimes. Sometimes more annoyed  
22      than he needed to have done. He did organise trips,  
23      mainly the cruises, and I went on some of those with him  
24      and the boys. I didn't see John administer any  
25      discipline, but I did hear that so and so had been

1       whacked by him, something like that. He was known to be  
2       a bit more severe than some teachers.

3           I did know Brownlee quite well and he was strict in  
4       many ways with the boys. I never saw it, but I heard he  
5       did administer corporal punishment and other forms of  
6       punishment. He would exclude boys from taking part in  
7       teams, that sort of thing.

8           I believe the corporal punishment he administered  
9       was sometimes excessive. That's from speaking to him  
10      and it was an accepted thing that you could be more  
11      severe if you wanted to be.

12           Hamish Dawson.

13           I hardly knew Hamish Dawson at all. He was in the  
14      boarding house more senior to mine. It was called  
15      Dundas House. He then moved to Mackenzie House later  
16      on. He also retired when I was still teaching at  
17      Edinburgh Academy.

18           He had some rather strange ideas of teaching. He  
19      would have funny things up on the wall and so on.  
20      I just can't remember some of the things I've heard and  
21      I didn't really know the man very well. I just met him  
22      from time to time. I have just heard things from other  
23      members of staff that he was a bit strange. He told  
24      strange jokes and things, but it wasn't something the  
25      boys disliked him for. I really can't remember what was



1       said about him other than that."

2             My Lady, I now move to paragraph 130, page 22:

3             "IDP [REDACTED].

4             IDP [REDACTED] was the gym teacher at the prep school. He  
5       had quite a hard job, as for a time he taught gym at  
6       both prep school and the senior school.

7             ICG [REDACTED].

8             ICG [REDACTED] was the only teacher I ever saw  
9       administer corporal punishment. He was a housemaster at  
10      Mackenzie House and was whacking a boy for misbehaviour  
11      in the boarding house. I'm sure the boy had damaged  
12      something. ICG [REDACTED] whacked him once quite hard with a gym  
13      shoe. It felt quite appropriate.

14            ICG [REDACTED] did a good job as a housemaster. He was always  
15      keen to organise activities, but he didn't have quite  
16      the same attitude as I had. We weren't quite the same.  
17      He would sometimes punish the boys and wasn't always  
18      a very kindly sort of man. He would quite severely tell  
19      boys off when I wouldn't have thought it was really  
20      necessary."

21            My Lady, I move to paragraph 149 on page 25:

22            "IBU [REDACTED].

23            I remember IBU [REDACTED], he was the head of games until  
24      I retired, he had a reputation for being a little bit  
25      handy with his hands, as regards corporal punishment.

1           Allegations from named applicants.

2           I would firstly like to say that I have estimated  
3           that out of approximately 2,800 pupils that I taught at  
4           Edinburgh Academy, four have made these allegations and  
5           that these allegations are completely untrue.

6           'James'.

7           I have been read the following quotation from the  
8           statement of 'James' that he has given to the Inquiry.  
9           I cannot remember anything like that at all. It's  
10          completely untrue. I very vaguely remember 'James'.  
11          I think he may have been in my class. The statement  
12          that I had a reputation for being a bit of a bully is  
13          completely untrue. Pupils and parents generally  
14          describe me as being firm, but kind. If I had been  
15          a bully I would have had people phoning me up to talk to  
16          me about it. That assertion that I administered  
17          punishment with a belt is completely untrue, I never  
18          possessed a belt.

19          At this point I must state that I always regarded it  
20          as a failure, in my teaching ability, to have to  
21          administer any type of punishment at all. I was of the  
22          view that all teachers should be skilled enough to  
23          maintain discipline without that sort of resort.

24          I should say that although corporal punishment was  
25          allowed, I did not like to administer it and I was upset

1       if I had to do so. On the rare occasion I did  
2       administer corporal punishment, it was in my class and  
3       I used a slipper on the backside. As I have said, I did  
4       not use or even possess a belt and I do think that  
5       excessive or continual punishment with a belt would be  
6       abuse.

7           Continual misbehaviour or continual disruption of  
8       the class is the sort of thing I would administer  
9       corporal punishment for, but it had to be continuous and  
10      excessive before I would resort to that sort of  
11      punishment. I always gave a warning. I would often get  
12      them to go and sit and write something out.

13           'Fred'.

14           I have been read the following quotation from the  
15      statement of 'Fred' that he has given to the Inquiry.  
16      I remember the room that he describes. The very  
17      suggestion that I would touch a boy's genitals is  
18      absolutely abhorrent to me, I just completely reject  
19      that. I think it's awful to make that kind of  
20      allegation. I totally reject the allegation. Totally  
21      reject it. I could not leave my class to take a pupil  
22      some distance away to smack him. I couldn't do that as  
23      there would have been chaos in the classroom and  
24      colleagues in adjoining classes would have been  
25      disturbed and would have wanted know where I was.

1           I certainly could not have concealed anything. Any  
2           corporal punishment I administered would always have  
3           been given in my classroom. The room that is mentioned  
4           was a store room immediately underneath the headmaster's  
5           study and secretary's office. The secretary was there  
6           all the time, even though the headmaster was perhaps  
7           sometimes absent. As well as that, people would walk  
8           through the main hall throughout the day, including  
9           other teachers, other staff, parents, helpers and the  
10          janitor and his assistant and cleaners. The headmaster  
11          and the secretary could not have avoided hearing the  
12          loud noise of somebody crying in the store room and  
13          would want to investigate.

14          I agree that if I did that or anyone did that it  
15          would most certainly have been abusive. I couldn't have  
16          done anything like that without the headmaster knowing.  
17          It would have been under the headmaster's nose. A boy  
18          coming out of that store room in tears crying would have  
19          been seen and heard. I don't know what would have  
20          happened to me if I'd done something like that. It  
21          would have been addressed and this touching of genitals  
22          is just terrible. If that had been happening I would  
23          have been called to account by the headmaster  
24          definitely. I'd be called up to his office and told  
25          I'd be out of the school if I did anything like that

1       again.

2           Giles Moffatt.

3           I have read the following quotation from the  
4       statement of Giles Moffatt. Once again I categorically  
5       deny this incident. I have no recollection of any such  
6       incident on any bus. Over the years I organised or  
7       assisted on countless trips involving coaches, but the  
8       incidents described by this pupil would be completely  
9       alien to me. You couldn't do it. Bus drivers on school  
10      trips always remained at the coach entrance or in the  
11      coach itself. An incident like that would certainly  
12      have been reported by him to the school.

13          The pupil states that the boy was the son of a staff  
14      member. In the event that did happen, I could not have  
15      done anything other than contact my colleague whom  
16      I knew well to explain my action. I have no idea why  
17      this is being said. Had it happened it would have  
18      constituted abuse, but I would never have contemplated  
19      doing anything like that.

20          My memory hasn't been affected by the passage of  
21      time for this or any of the allegations that are being  
22      made.

23          Philip [REDACTED].

24          I have read the following quotation from the  
25      statement of Philip [REDACTED]. I don't recall any such

1 incident. I never hit a boy in the head in such a way  
2 that he hit his head on the desk causing him to fall to  
3 the floor. I reject that. If I had caused a boy to be  
4 knocked out by banging his head on a desk he would have  
5 had to go to the hospital. At the A&E they would want  
6 full details of exactly what had happened, so my actions  
7 would have been reported.

8 In addition, an incident like this would have  
9 totally disrupted the exam, which would be the last  
10 thing I would have ever wanted to do. I don't remember  
11 the pupil at all and I've never hit anyone in that way  
12 in any class ever. I totally reject this allegation.

13 'Max'.

14 I have read the following quotation from the  
15 statement of 'Max'. I do remember 'Max' and I actually  
16 went to visit him in hospital when he was admitted for  
17 an illness when at Edinburgh Academy. He stayed in  
18 Mackenzie House and he was a very nice boy. The  
19 housemaster at the time was ICG [REDACTED], and he was very  
20 strict. After lights out we were very strict about the  
21 boys' behaviour. I had very strict views about not  
22 talking and boys mucking about after lights out, because  
23 I myself was at a boarding school where that wasn't  
24 properly enforced. It could effect my sleep and the  
25 other boys' sleep and that was an unnecessary

1 disturbance. I would give a verbal warning first and if  
2 that was ignored I would give the person or persons  
3 responsible a smack. That was with a slipper, usually  
4 over their pajamas, but very occasionally it was on  
5 a bare bottom, using my hand. In that situation I was  
6 standing in for parents and this form of punishment was  
7 accepted at that time.

8 I would usually take them to my room in the boarding  
9 house and it was only ever one or very rarely two  
10 smacks. The boys all knew that was the punishment and  
11 fortunately it didn't happen very often. I cannot  
12 remember the names of any of the boys I smacked.

13 I know Mr [ICG] punished boys with a slipper, when  
14 he was on duty he would decide what to do about corporal  
15 punishment and if I was on duty I would make the  
16 decision.

17 I didn't ever hear any boy complain officially about  
18 [ICG]. I heard boys talking about it, but I am  
19 not aware of any formal complaints being made.

20 Neil Douglas.

21 I have been read the following quotation from the  
22 statement of Neil Douglas. I don't think I remember  
23 that boy. I think that's a strong statement to call the  
24 school a violent environment, it was strict environment.  
25 If you were teaching a class it was strict, not violent.

1 I maintain that a good teacher is a teacher who can  
2 control a class without resorting to some form of  
3 punishment. It's a sign of competence to be able to  
4 control a class without any kind of punishment.  
5 I didn't witness any kind of violence at  
6 Edinburgh Academy and I completely disagree with that  
7 statement."

8 My Lady, I now move to paragraph 187, page 33:

9 "Closing comments and other information.

10 Over the course of 35 years of teaching at  
11 Edinburgh Academy, I gave complete loyalty to the  
12 school. I gave well beyond normal classroom hours in  
13 teaching and outside the classroom. My greatest reward  
14 was always to receive appreciation from parents and  
15 pupils alike, for seeing their development and progress  
16 as well as the enjoyment of an academic year under my  
17 care.

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

20 I believe the facts stated in this witness statement are  
21 true."

22 My Lady, the statement is signed and it's dated  
23 2 August 2023.

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

25 That completes what we are reading in today, is that



1 correct?

2 MS BENNIE: Yes, my Lady, it is.

3 LADY SMITH: That leaves us with a plan of three in-person

4 witnesses tomorrow, isn't it?

5 MS BENNIE: That's correct, my Lady, yes.

6 LADY SMITH: We'll see what Friday brings when Friday

7 arrives, but it will probably be a mixture of in-person

8 and does that leave one short statement to be read in or

9 have we done them all now?

10 MS BENNIE: It leaves one statement to be read in, yes.

11 LADY SMITH: Very well.

12 I'll rise now for today and sit again at 10 o'clock

13 tomorrow morning. Thank you.

14 (3.55 pm)

15 (The hearing adjourned until 10.00 am on

16 Thursday, 24 August 2023)

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1	I N D E X	
2		PAGE
3	'Arthur' (read) .....	2
4	Barbara Robertson (read) .....	33
5	Dr Andrew Watson (affirmed) .....	65
6	Questions from Mr Brown .....	66
7	Angus Dunn (read) .....	115
8	'James' (read) .....	116
9	'Bill' (read) .....	143
10	'Terry' (read) .....	166
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

