

1 Wednesday, 8 January 2025

2 (10.00 am)

3 LADY SMITH: Good morning, and welcome back to Chapter 12 of  
4 Phase 8 of our case study hearings. As I confirmed  
5 yesterday, this is the last chapter in this phase.

6 We move to further evidence from witnesses in person  
7 this morning and I think the next witness is ready, is  
8 that correct, Mr Peoples?

9 MR PEOPLES: Yes, my Lady. We had some evidence yesterday  
10 about Wellington. Today we'll be hearing some evidence  
11 about two of the other establishments for this chapter,  
12 Howdenhall and Rossie.

13 The first witness this morning is an applicant who  
14 has chosen the pseudonym 'Murphy'.

15 LADY SMITH: Thank you.

16 'Murphy' (affirmed)

17 LADY SMITH: 'Murphy', thank you for coming along this  
18 morning and thank you also for having provided a very  
19 detailed written statement in advance, that you've  
20 signed. It's been so helpful to me to be able to have  
21 that evidence in advance. Don't worry, we're not going  
22 to go through it word by word, page by page this  
23 morning. As I think will have been explained to you,  
24 the reason for bringing you here is we'd like to explore  
25 some particular aspects of it in a little more detail

1           and hear from you yourself, which does make  
2           a difference, if I can get that.

3   A.   Yeah.

4   LADY SMITH:  Let me also say this:  I know it's a big ask  
5           doing what you're doing, coming into a public place, to  
6           talk about your own life, your private life, your early  
7           life as a child and a young person, a teenager, and  
8           I know from your statement that there are aspects of  
9           that that might be quite difficult to talk about.  Don't  
10          worry, if you need a break, that's absolutely fine.  If  
11          you get to a stage that you just can't talk about it,  
12          I have your written statement and if it's too much to  
13          talk about it, that's all right.

14                People sometimes need those tissues and there's no  
15                shame in that.  And there's water there too for you.

16                Your written statement is in that red folder that's  
17                in front of you and we'll bring the parts of it that  
18                we're looking at up on screen, if that's okay with you,  
19                if you're worried by that, just tell us.

20   A.   Yeah.  No, that's fine.  That's fine.

21   LADY SMITH:  We sometimes ask witnesses to look at the odd  
22           photograph and if we ask you to do that and you're not  
23           comfortable with it, just say.

24   A.   That's fine.

25   LADY SMITH:  The key is if it works for you, it will



1           probably work for me. The reason is to try and help you  
2           give as good evidence as you can. Okay?

3   A. Yeah.

4   LADY SMITH: I'll hand over to Mr Peoples now and he'll take  
5           it from there.

6   A. Thank you.

7                               Questions from Mr Peoples

8   MR PEOPLES: Good morning, 'Murphy'.

9   A. Morning.

10   Q. As her Ladyship has said, there is this red folder in  
11       front of you and could I perhaps ask you to open the  
12       folder at this stage. If you could turn to the last  
13       page, but before I ask you a question, I'll just give,  
14       for our purposes, the reference for your statement. You  
15       don't need to worry about this, but it's  
16       WIT-1-000001069.

17           You've provided a statement to the Inquiry in  
18       advance and if you could turn to the final page of your  
19       statement, on page 50, and can you confirm that you have  
20       signed and dated your statement?

21   A. Yes, yes.

22   Q. That you say at paragraph 290:

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

25       I believe the facts stated in this witness statement are

1 true.'

2 Is that your position? It remains true, what you  
3 say?

4 A. Yes. Yeah.

5 Q. Now, as her Ladyship said, what I propose do is to take  
6 you largely through your statement, but I won't deal  
7 with every aspect and I think you are aware we are  
8 focusing at this hearing on certain places, some of  
9 which you have a connection with. My questions will  
10 mainly, I suppose, concern those today, but your  
11 evidence on all other matters is evidence and will be  
12 considered as part of the whole evidence to the Inquiry.

13 Now, if I can go back to the start of your  
14 statement, 'Murphy'. You tell us that you were born in  
15 1965?

16 A. Yeah.

17 Q. We don't need anything more than that for your year of  
18 birth.

19 From paragraphs 2 through to 14, you tell us a bit  
20 about your life before care. Again, I'm not going to go  
21 through all of that detail. We've all read it and we  
22 can read it again, but I'll just pick out some things so  
23 that we have an understanding of the context of your  
24 care experience.

25 You tell us, at paragraph 2, that your parents split

1 up when you were quite a young boy?

2 A. Yeah, I was, yeah.

3 Q. You have a younger brother?

4 A. Yeah.

5 Q. You tell us that in your early life, before care, you

6 were brought up for a time, I think, after your parents

7 split, by your maternal grandparents, is that right?

8 A. Yeah, my mum's mum and dad, yeah. Well, we all stayed

9 there, but my mum was always working.

10 Q. I think there came a time when your mum married your

11 step-dad; is that right?

12 A. Yeah, aye, yeah.

13 Q. That you and your younger brother went to stay with them

14 when you were maybe 8 or 9 years of age?

15 A. Yeah, around about that, yeah.

16 Q. I think we see from your statement, and I won't take you

17 through the detail, but the effect of all these changes

18 were that you did attend a number of primary schools --

19 A. I did, yeah.

20 Q. -- when you were younger, is that right?

21 A. Yeah.

22 Q. I think when we look at your statement, I think you

23 identify a sort of significant point in time in

24 paragraph 4. You say that when your mum did get married

25 to your step-dad and you went to live with them, that's

1           really when things started, so far as you were  
2           concerned, to go wrong?

3   A.   Yeah.

4   Q.   I think you explain in the following paragraph,  
5           paragraph 5, really the reason for that. It was that  
6           you had an abusive step-dad. It comes to that, doesn't  
7           it?

8   A.   Yeah. Aye.

9   Q.   You tell us that he was a big drinker, a gambler?

10  A.   Yeah.

11  Q.   Was always losing money. The family didn't have any  
12       money because of that?

13  A.   Yeah.

14  Q.   And he was also physically abusive?

15  A.   Yeah.

16  Q.   You say that he would beat up you, your brother and,  
17       indeed, your mum?

18  A.   Yeah.

19  Q.   And you would be present when your mum would get  
20       beatings from your step-dad, is that --

21  A.   That's true, yeah.

22  Q.   Now, you say that you started when you were younger to  
23       skip school a lot and I think you say that was due to  
24       being bullied at school as well, that was another  
25       problem you had to face?

1 A. Yeah, it was, aye.

2 Q. I don't want to go into the detail of this, but at  
3 paragraphs 8 to 10, you tell us that there was also  
4 an experience of being abused by a priest in the  
5 community when you were about 9 years of age, is that  
6 right?

7 A. Yeah, St Columba's, yeah.

8 Q. As far as your care experience is concerned, before I go  
9 into any detail on that, perhaps I can just be clear  
10 that before the age of 18, you were in a range of  
11 institutions. I'll just give you a list of them.  
12 I won't go into detail yet, but you were in children's  
13 homes?

14 A. Yeah.

15 Q. You were in an assessment centre, Howdenhall --

16 A. Yeah.

17 Q. -- in Liberton? You were in a hostel in Edinburgh?

18 A. Yeah.

19 Q. You were in a special residential school called Rossie?

20 A. Yeah.

21 Q. Which was a former List D and approved school?

22 A. Yeah.

23 Q. You were in an adult prison, I think, at one stage?

24 A. Yeah.

25 Q. I think you also spent time in a young offenders

1 institution before you were the age of 18, is that  
2 right, Glenochil?

3 A. Yeah, Glenochil and Polmont Borstal as well.

4 Q. Polmont. So you've been through a lot of different  
5 settings, if I could put it that way, both care and  
6 prison?

7 A. Yeah.

8 Q. I think, again we'll go through this, but I think  
9 particularly the Howdenhall and Rossie experiences, but  
10 you tell us in your statement that you did suffer abuse  
11 in most of these institutions?

12 A. Yeah.

13 Q. That took the form both of sexual abuse --

14 A. Yeah.

15 Q. -- physical abuse and emotional abuse?

16 A. Yeah.

17 Q. Psychological abuse?

18 A. Yeah.

19 Q. Also -- and we'll come to this -- you also had  
20 experience of being abused in the community whilst in  
21 care and we've mentioned the abuse by the priest?

22 A. Yeah.

23 Q. But you were also abused by older men?

24 A. Yeah.

25 Q. Also, as we see from your statement, you've also

1       suffered domestic abuse as a child at the hands of your  
2       step-dad and you witnessed your mother being the victim  
3       of domestic abuse?

4   A.   Yeah.

5   Q.   You tell us from paragraph 15 to 16 about your first  
6       care experience and I'm not going to ask you about that  
7       today, but I think that experience was when you were  
8       relatively young. It was in a children's home in West  
9       Lothian?

10  A.   Yeah.

11  Q.   You were there a few times and I think usually because  
12       you had been beaten up by your step-dad?

13  A.   Yeah.

14  Q.   You were taken to effectively a place of safety?

15  A.   Yeah.

16  Q.   But I think you have no bad memories of that particular  
17       home. Well, maybe you do?

18  A.   Well, just -- I'm sorry, I'm smiling because when we  
19       spoke before it was back -- sorry, Lady Smith, but --

20  LADY SMITH: Don't apologise.

21  A.   -- back in the day it was called the cruelty man and the  
22       dogger man, I don't know if people (Inaudible) will  
23       remember it, but, you know, he was always -- although he  
24       was called the cruelty man, he was always nice and ...

25  MR PEOPLES: Yes, he worked for the Scottish Society for the

1           Prevention of Cruelty to Children.

2   A.   That's it, aye.

3   Q.   -- and he was known colloquially as the cruelty man --

4   A.   And the dogger man, yeah.

5   Q.   -- because he would go to houses and deal with problems

6           and take children away from situations of violence and

7           take them to a place of safety?

8   A.   Yeah.

9   LADY SMITH:  People would talk about threatening to tell

10           'the cruelty'.  They referred to them as 'the cruelty',

11           when actually they were people who helped.

12  A.   Aye, they were actually.  When you look back now, aye,

13           yeah.

14  MR PEOPLES:  You were there for short periods, and that was

15           the start of your journey --

16  A.   Usually weekends --

17  Q.   Into the care system, if you like.

18           I think though really your -- it was only when you

19           got to secondary school age that you went into care

20           again for longer periods of time in various places, is

21           that right?

22  A.   Yeah, that's it.  Well ...

23  Q.   I'll take you through them, but is that --

24  A.   Yeah, yeah.

25  Q.   You appreciate, I think, that the focus today will be on



1 two places, Howdenhall Assessment Centre and Rossie  
2 School, but before you got there, I'll just try and get  
3 the context.

4 Before your first stay in Howdenhall, because  
5 I think you were there twice?

6 A. Yeah.

7 Q. After a particularly severe beating from your step-dad,  
8 which you tell us about at paragraphs 18 to 22 of your  
9 statement, you were taken to a children's home in  
10 Edinburgh?

11 A. Yeah.

12 Q. I think you think you were around about 13 years of age?

13 A. Yeah, Calder Grove, yeah.

14 Q. You tell us about that particular place between  
15 paragraphs 24 and 84 of your statement, and you reckon  
16 you were there maybe for about a year?

17 A. Roughly, aye.

18 Q. Roughly. It's not important to get the precise -- and

19 Secondary Institutions - to be published later  
20  
21  
22  
23  
24  
25

1 Secondary Institutions - to be published later

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7 Q. I think it was also a period that, while you were at  
8 this children's home, you became separated from your  
9 younger brother?

10 A. Yeah.

11 Q. Who initially went back home and then subsequently went  
12 to other childcare institutions?

13 A. Yeah.

14 Q. From that moment on, your care journey separated, is  
15 that right?

16 A. Yeah, roughly, yeah.

17 Secondary Institutions - to be published later

18

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1 Secondary Institutions - to be published later

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7 Q. Then you were moved to another children's home in West  
8 Lothian for a short time?

9 A. In Bathgate, yeah, it was only for a day, well  
10 overnight, I think it was.

11 Q. I perhaps just can summarise it. You tell us at  
12 paragraphs 85 to 91 that you think you were maybe around  
13 14 when you went there, roughly?

14 A. Aye, probably round about that, aye.

15 Q. And it meant a change of school?

16 A. Uh-huh.

17 Q. But you were expelled on the first day of school. Not  
18 a good start perhaps?

19 A. Not a good start.

20 Secondary Institutions - to be published later

21

22

23

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5 Q. So from there you were taken on to Howdenhall

6 Assessment Centre --

7 A. Yeah.

8 Q. -- in the Liberton area of Edinburgh? The records we

9 have say that you went there when you were aged 14?

10 A. I was round about that, yeah.

11 Q. Again, just from records that we have seen, although you

12 say you thought you were there perhaps a bit longer, the

13 dates we have indicate you were maybe there for seven

14 weeks?

15 A. Aye.

16 Q. I think you thought it was longer, but it may have

17 seemed longer at the time --

18 A. Aye, (Inaudible) obviously.

19 Q. And so --

20 LADY SMITH: Do we have the dates for that, Mr Peoples?

21 MR PEOPLES: Yes, I'll just give those, if I may.

22 The first admission was on -- according to the

23 records -- [REDACTED] 1980, through to [REDACTED] 1980.

24 I reckon that's just under six weeks. If I've done my

25 arithmetic right.

1 I would just like to ask you about that period, if  
2 I may. You tell us between paragraphs 92 and 127 about  
3 life at Howdenhall --  
4 A. Yeah.  
5 Q. -- for you. I think that you tell us it was a locked  
6 institution?  
7 A. It was, yeah.  
8 Q. That's at paragraph 94. You have a memory of some  
9 members of staff and I'll come back to some of the ones  
10 you've mentioned. You mention some members of staff at  
11 paragraph 98.  
12 I'll just mention one at this stage. Someone that's  
13 referred to as MTM ?  
14 A. Aye, MTM, aye.  
15 Q. He wasn't a priest?  
16 A. No.  
17 Q. It was just a nickname?  
18 A. It was just a name he had, yeah.  
19 LADY SMITH: Of course, Mr Peoples, when you say Howdenhall,  
20 you will have noticed that the heading on this section  
21 is Liberton Assessment Centre, but it's the same place.  
22 MR PEOPLES: Yes, I think at that stage it was a regional  
23 assessment centre called Howdenhall, but it often gets  
24 called different names, but it was the regional  
25 assessment centre. I think officially called

1           Howdenhall, but I think it was called many other things.

2   A.   I think there was a place next to it called St Kat's.

3   LADY SMITH:   St Katharine's.

4           And it was in Liberton?

5   A.   Aye, aye.

6   MR PEOPLES:   They were quite close by.

7   A.   Across from a -- I think it's a cemetery or something.

8           I think there's a police station on the left.

9   MR PEOPLES:   I think you were in what would be known as

10          Howdenhall Assessment Centre --

11   A.   Howdenhall Assessment Centre, yeah.

12   Q.   -- officially, but don't worry about the names.   We know

13          where you were.

14   A.   Aye.

15   Q.   You tell us about your time there and at paragraph 100

16          I think you tell us that most of the staff would give

17          you what you call a slap?

18   A.   Aye, just --

19   Q.   That was quite common?

20   A.   Aye, quite common, aye.

21   Q.   When you say 'a slap', was it the open hand?

22   A.   It was a punch, back of the hand or a slap of the head.

23   Q.   Did you say a punch as well?

24   A.   (Inaudible).

25   Q.   You are gesturing that it could be a backhand with

1           a closed, clenched fist?

2   A.   Aye.

3   Q.   But it could also be just a slap with an open hand?

4   A.   Aye.

5   LADY SMITH:   And on your head?

6   A.   Just wherever, aye.   The head, aye, whatever.

7   MR PEOPLES:   Was it mainly the head or?

8   A.   Sorry, what was that?

9   Q.   Was it mainly your head that got the slap or other parts

10       of your body, your legs?

11   A.   Just whatever, just usually the head or the back or just

12       wherever they hit you, just ...

13   Q.   Can you give us an idea why you were getting slaps like

14       this?

15   A.   Just what the staff done: just move your ...

16   Q.   Had you done anything wrong?

17   A.   Ah, just if you didnae move quick enough for them or

18       didn't do what they told you.   Just common.   It was

19       just --

20   Q.   Did this happen to other boys?

21   A.   Aye, aye, not just me, aye.

22   Q.   I think at that time you were in a shared room?

23   A.   Yeah.

24   Q.   You tell us at paragraph 105 that while you were there,

25       you didn't receive any education?

1 A. No. Well --

2 Q. Well, maybe you should tell us what you mean by that?

3 A. Well, you sat in the room and they gave you bits and

4 bobs and staff sat and smoked their fags and telt you to

5 shut up and you just drew or ... that was supposed to be

6 your education, you know what I mean, it's ...

7 Q. You were not getting a proper mainstream education?

8 A. No, no.

9 Q. But you were of school age?

10 A. Aye.

11 Q. I'm not going to deal with the detail of this, but just

12 to get an idea of what the place was like, you say, so

13 far as the toilet and shower areas were concerned, there

14 were no doors and so there was no privacy?

15 A. No.

16 Q. That's at 108 I think you tell us.

17 A. Yeah.

18 Q. I think that as far as your social worker was concerned,

19 you would have had a social worker, I take it?

20 A. Yeah.

21 Q. But you say you didn't see your social worker often.

22 Did you see that person at all?

23 A. It was a standing joke in there, in the

24 assessment centre. Anybody that's been in the

25 assessment, it was a standing joke. You know, the



1       social worker would always tell you, 'I'll see you in  
2       two weeks', and it would be weeks and weeks and weeks  
3       until you see a social worker. It wasn't just my social  
4       worker, you know, it was just, er, you got put in there  
5       and abandoned until they were ready to deal wi' you and  
6       that's -- I can remember as a young laddie, you know,  
7       that's what it was. And people that came in would  
8       always say, 'I'm only in for a coupla weeks', and that's  
9       what it was, it was just ...

10    Q. You were there, we reckon the first time from records,  
11       for about six weeks, so it was more than a couple of  
12       weeks you were there, but had other people been there  
13       for that length or longer periods of time?

14    A. Oh, aye, they would have been, aye. Boys would have  
15       been in longer than that.

16    Q. Just to put it in a nutshell, the reason you were there  
17       was that there had been what would be called in the  
18       records a breakdown placement in your previous  
19       children's home and that they were looking for somewhere  
20       else to put you?

21    A. Well, they gave you a quick -- basically I was in  
22       Calder Grove. They tried me to move to Bathgate because  
23       I didnae know my dad -- my actual real dad was alive and  
24       he turned up suddenly at Calder Grove, with a social  
25       worker who I thought was a new social worker I was

1 getting, it wasnae, it was my dad, and I just met the  
2 guy and suddenly I went into this part of my life with  
3 my mum and dad and they hated each other and they just  
4 bunged me in Bathgate, which was right in the middle of  
5 the two of them and I didnae want to be there.

6 They put me in Bathgate Academy and I stayed not  
7 even half a day, ended up fighting my teacher, 'cause  
8 I was just so stressed. I was like -- you know, I just  
9 met this guy. I didnae really know him that well and  
10 that's why I ran out, I just said, 'I'm not having  
11 this'.

12 I can remember and then I ended up in the  
13 assessment centre and that's why I was put in the  
14 assessment centre.

15 Q. You have explained why it didn't last for very long, the  
16 arrangement of sending you to the home. So the reason  
17 you -- you went to an assessment centre while they  
18 worked out where they could put you?

19 A. What they were going to do with me, aye.

20 Q. Because you weren't going to go back to the Bathgate  
21 home?

22 A. Bathgate home.

23 Q. It ended up, and I'll just come to this, but  
24 I'll continue, but that ended up that you were placed in  
25 a hostel in Edinburgh, I don't need the name at the

1           moment --

2   A.   Yeah.

3   Q.   -- but that was where they put you --

4   A.   Yeah.

5   Q.   -- after the six-week period?

6           I think the records suggest that really they were

7           looking for a place for you and that they had no

8           alternative, that seemed to be the only place that

9           they --

10   A.   So they said, aye.

11   Q.   -- could get you in?

12   A.   They took me up to, erm, Welly Farm. I was a coupla

13           hours up there and back down again, which was strange.

14           Dragged us up to Guthrie's, erm, but I was in there for

15           about overnight and back in the assessment centre.

16           I don't know what was going on, to be honest with you.

17   Q.   So they were looking for a placement and you went to two

18           places you've just mentioned, which are names familiar

19           to us --

20   A.   I've got to admit, by that time I was starting to get

21           a bit kinda violent and sticking up for myself and maybe

22           there could have been a bit o' that (several inaudible

23           words) you know, but, you know ...

24   Q.   The records suggest that we have seen that really

25           basically the only place they could find for you at that

1 stage was the hostel?

2 A. Was the hostel, yeah.

3 Q. I'll come to that. That's the sort of background to it.

4 It maybe wasn't the ideal placement for you. You

5 certainly didn't think so probably at the time?

6 A. I thought it was great. 'Cause I was -- well, I was

7 getting all this freedom and I was getting -- you know

8 what I mean, had been locked up and all that stuff and

9 at first I was kinda, 'What's this place?', and ...

10 But, you know, I was a young boy, you're like that.

11 Q. I'll come back to that. But before you went there --

12 A. 'Til I got there.

13 Q. Until you got there, did you have any views of your own

14 what you wanted to happen next when you were in

15 Howdenhall?

16 A. I'll be honest with you, when I think back, I didnae

17 know what to do. I was only a stupid wee lad, eh, that

18 was starting to get bullied and fight back -- well,

19 started to fight back and get angry and does naebody

20 want me? By this time I'd been told that my mum and

21 that wasnae wanting nothing to do with me. Erm, naebody

22 was wanting nothing to do with me.

23 Q. I think in those days it was sometimes labelled 'beyond

24 parental control' or 'uncontrollable' or things of that

25 description, but you're suggesting that maybe you were,

1           at times, difficult to control and handle and you did  
2           have anger issues.

3   A.   I was confused.   I was confused.

4   LADY SMITH:   'Murphy', how did you feel when you were told  
5           your mum didn't want you and nobody else wanted you?

6   A.   Horrendous, bad.

7   MR PEOPLES:   You tell us at paragraph 113 that you did try  
8           to run away from Howdenhall --

9   A.   Yeah.

10   Q.   -- on one occasion and you got punished by being put in,  
11           you call it the cells, and got a kicking for your  
12           troubles?

13   A.   Aye, got stripped down -- stripped down to your  
14           underpants and beat up.

15   Q.   You used the term 'cell', was that what it is like?

16   A.   Yeah, it's a cell, yeah.   It was like a concrete ... wi'  
17           a tiny wee window at the top and a cell door, it was  
18           a proper cell.   A cell.

19   Q.   Obviously you have had experience of being in a prison  
20           environment?

21   A.   Yeah.

22   Q.   Did it seem a bit like that?

23   A.   When I was a boy, yeah.

24   Q.   Now, you have a section in your statement, 'Murphy',  
25           starting at 114, running through, I think, to about 125,

1       which is headed 'Abuse'. I want to ask you a little bit  
2       about that part of your statement at this stage, if  
3       I may.

4             You told us earlier, this is at 115, about what the  
5       staff were doing and you tell us staff sat around all  
6       day smoking, while shouting and bawling at the young  
7       people. Was that the general way that they behaved?

8   A. Aye, when you seen them, yes.

9   Q. You're not aware that any proper assessment was taking  
10     place, is that --

11  A. Not that I know anything of. When I think back, not  
12     that I know anything of.

13  Q. At 116, you tell us that staff would abuse you  
14     physically, sexually and mentally?

15  A. Aye.

16  Q. And were really violent. I think you tell us that at  
17     117?

18  A. Some of the staff were, yeah.

19  Q. Some. So it wasn't everyone?

20  A. Oh, there were one or two that if they were on, you knew  
21     it was going to be a wee bit quieter. I mean, staff  
22     wouldnae think twice about touching your bum or patting  
23     you on the bum or watching you in the shower or if you  
24     complained to one, you'd get told to shut up or, I mean,  
25     and (several inaudible words).

1 Q. Well, I'll take you -- just some of the things you have  
2 said, you have said this to us in your statement that --  
3 if I just take some of the points you make and you can  
4 tell me if this is the way it was, that children were  
5 told they were there because nobody wanted them, was  
6 that things that were being said to you and others?

7 A. Regularly, yeah.

8 Q. Was this by staff?

9 A. Staff, yeah, regularly.

10 Q. You say that most of the time the staff would take you  
11 to what you call the rec room to, as you put it, to  
12 'kick the shit out of you', so basically to give you  
13 a kicking?

14 A. Kicking, yeah.

15 Q. I think you perhaps capture your true feelings then,  
16 because you say to us at 118:

17 'The harder the staff were with me, the harder  
18 I tried to be, but the truth was that I was just  
19 a frightened kid pretending to be hard.'

20 It was an act?

21 A. Aye, it would be, aye, yeah.

22 Q. You were frightened underneath?

23 A. Aye.

24 Q. But you tried not to show it?

25 A. You cannae show it.

1 Q. Why not?

2 A. Or you would get kicked. I mean, other kids would jump  
3 onto yer, pack mentality, and you would suffer, you know  
4 what I mean.

5 Q. Of course, the more you try to be hard, presumably you  
6 suffer at the hands of the staff?

7 A. Oh, aye, so you're stuck --

8 Q. You're in a no-win situation?

9 A. Aye, aye. So I mean -- it's a situation, eh, it's not  
10 quite kill or be killed, but you understand what I mean,  
11 you know, you don't want to be looked on as soft or you  
12 would -- people would gang up on you and beat you up.  
13 If you acted too hard, the staff would notice you and  
14 start beat ... so you're trying to get yourself --

15 Q. You'll have heard the expression fear, fight or flight?

16 A. Yeah.

17 Q. I suppose in this situation you only had two options?

18 A. Fight.

19 Q. Or fear?

20 A. Aye.

21 Q. Unless you absconded successfully, you couldn't fly, no?

22 A. You couldnae show fear.

23 Q. Because you were in a locked environment?

24 A. Yeah.

25 Q. If I go back to MTM [REDACTED], who we mentioned earlier,



1       at 119. You describe him as one of the better members  
2       of staff but you did say that he could be really rough  
3       at times and you give an example, he could drag you  
4       around?

5   A. Aye, my personal memories of MTM was he was  
6       rough round the edges. He was like the old uncle that  
7       would gi' you a slap and a shout and that, but you knew  
8       he was -- in my view, he was there for you, you know  
9       what I mean. He was -- any time --like, later on --

10  Q. We'll come to the later on, but I know why you're  
11       telling me this --

12  A. Aye, I mean, he'd gi' you a slap and drag you up, 'Get  
13       up there, you', and, you know, he was strict, but in my  
14       view I would say strict but fair, if you know what  
15       I mean, he treated you all the same. He never -- you  
16       know, if he had a problem, he would probably be the one  
17       oot of them all that he would say -- and he would gi' it  
18       straight.

19  Q. Can I ask you this, 'Murphy', and I'm not asking you to  
20       look at it from today's eyes, but if you go back to the  
21       time that you were in Howdenhall. You seem to me to  
22       some extent to distinguish between a slap and a kicking,  
23       that you put them in very different categories. One is  
24       obviously you tolerated at the time, but obviously the  
25       kicking was --

1 A. See when you get it every day, it's -- it's -- it's  
2 normal. I mean, I got it fae a young kid, you know what  
3 I mean. I speak to people sometimes and I look at them  
4 and like to me, you know, I was just used to getting  
5 slapped.  
6 Q. And kicked?  
7 A. Aye. It's just --  
8 Q. So a slap and a kick were normal to you?  
9 A. It's just what happened.  
10 Q. At the time?  
11 A. Aye.  
12 Q. It was normal?  
13 A. Aye.  
14 Q. It was normal at home as well, was it?  
15 A. Yeah, oh, at home, yeah.  
16 Q. You had nothing else to judge it by --  
17 A. No.  
18 Q. -- at that time?  
19 A. No.  
20 Q. Is that --  
21 A. Aye, when I think back, I mean my nana's and that  
22 I never got -- I got shouted at, something like that,  
23 or, you know what I mean, but I cannae explain it. It's  
24 just -- it's life, innit?  
25 Q. You weren't in a position to say, from your experience

1           of home life, 'This is wrong'?

2    A.   Uh-huh.   Aye.

3    Q.   This is normal would have been your thinking?

4    A.   Aye.   It kinda confuses me a wee bit sometimes when

5           people say to me, 'That's no normal', or, like, 'cause

6           it's -- it's just normal, innit, it's just?

7    Q.   You go on to tell us about another member of staff --

8           I don't need the name -- it's a woodwork teacher, at

9           120, who you say was a particularly violent individual

10          who would punch, kick and slam boys against walls and

11          you describe him basically as an animal?

12   A.   Aye, it was an animal.   The guy was just -- he hated his

13          job obviously when you think back now.   He obviously

14          hated his job.   He hated us.   I mean, he smoked fag

15          after fag after fag and he would just -- he'd attack you

16          at the slightest thing.

17   Q.   What sort of age was this person?

18   A.   I don't really know.   Probably in his 50s, maybe, I

19          don't know, 40s, 50s, I don't know.

20   Q.   Do you think he'd been there a long time?

21   A.   I think he had been, aye.   Probably seen enough of us.

22   Q.   Well, you tell us a little bit more about what you

23          describe as punishment cells at 121 of your statement

24          and the following paragraph, 122.

25          You say that you would be chunked in the cell.   You

1        would get punched and kicked and left there, and you  
2        could be there for anything between one and maybe three  
3        nights, is that --  
4    A.   Uh-huh.  
5    Q.   Is that something that you recall happening to you?  
6    A.   Yeah.  
7    Q.   Did it happen to other boys and girls?  
8    A.   Yeah.  
9    Q.   Girls, were there girls?  
10   A.   I think the girls had a separate --  
11   Q.   Section?  
12   A.   Uh-huh.  
13   Q.   You wouldn't know what was going on with them?  
14   A.   No.  
15   Q.   Okay.  
16   A.   You had the girls' section and then you had the hall and  
17        the boys' section so it was like -- I think it was like  
18        laundry and things like that in the mix.  
19   Q.   Did you meet together at any stage?  
20   A.   During, like, meals, things like that.  
21   Q.   Were you allowed to go to the girls' section?  
22   A.   You werenae supposed to, but ...  
23   Q.   Right, yes.   So, yes, the policy was you weren't  
24        supposed but no doubt young people find ways?  
25   A.   Aye, one or two probably.

1 Q. Right. Do you have any idea of the mix, were there more  
2 boys than girls or was it pretty much the same numbers?  
3 A. I dinnae know.  
4 Q. It's a long time ago, it's not easy.  
5 A. Probably the same numbers, maybe roughly.  
6 Q. Okay. You tell us about punishment, that you say well  
7 you could get put in a cell for several days and you  
8 could also get a punch and a kick and then after that  
9 you were then taken to the person in charge to get  
10 another punishment, is that right?  
11 A. Yeah.  
12 Q. You were getting multiple punishments?  
13 A. Yeah, you would, yeah.  
14 Q. For whatever misdemeanour you had done to get you into  
15 the cells?  
16 A. Mm-hmm.  
17 Q. You say the sort of punishments you might get from the  
18 man in charge, well, one typically was to scrub the  
19 stairs with a toothbrush?  
20 A. Yeah.  
21 Q. Or you weren't allowed any time in the rec room for  
22 leisure?  
23 A. Yeah.  
24 Q. What was the point in getting you to scrub the stairs  
25 with a toothbrush?

1 A. It was just a punishment.

2 Q. It wouldn't be the normal implement you would use to  
3 clean stairs, would it?

4 A. No, no. But it seems to be normal because Rossie had  
5 the same.

6 Q. We can come to that.

7 At 123, you do tell us a little about another member  
8 of staff, who I think we now know is deceased, and his  
9 nickname was 'EWA', was it?

10 A. Aye, EWA.

11 Q. You describe him at 123 as he was just a pervert?

12 A. Aye, he was obviously, aye, he was ...

13 Q. Why do you say that?

14 A. 'Cause he was always touching you. He was always --  
15 especially the Wombles, what we called the Wombles.

16 Q. Who were the Wombles?

17 A. The Wombles were younger kids, you know, I cannae  
18 remember their ages, and that.

19 Q. You were 14 roughly, but what age would they be in  
20 comparison?

21 A. They would be probably 9, 10, something like that.

22 Q. They were the Wombles?

23 A. Well, we called them -- well, it was called the Wombles,  
24 aye.

25 Q. He would be touching these --

1 A. All the time, aye, and us too, but he would have got  
2 away wi' it but ...

3 Q. You describe that this EWA would be groping boys and  
4 saying things about their private parts, the size of  
5 their penis and so forth, is that the sort of things he  
6 would be doing?

7 A. Yeah, all the time. But if you said to another staff  
8 member, 'Oh, it's just him being him', and ...

9 Q. Did he expose himself?

10 A. All the time.

11 Q. In your presence?

12 A. Aye. In front of everybody, aye.

13 Q. When these things were happening, when EWA was doing  
14 these things, exposing and also touching or groping,  
15 were there other members of staff present --

16 A. They'd just laugh it off. Most of the time, most of the  
17 time, to be honest, no. It would be usually when he's  
18 hisself, but he would do it in front of other staff  
19 members, certain ones, and they would just laugh it off  
20 and think it was hilarious.

21 Q. At paragraph 123, you do say that everyone knew what  
22 EWA was like, including the staff?

23 A. Yeah. Yeah.

24 Q. Is that based on they would have seen it at times, but  
25 also it was common knowledge --

1 A. Common knowledge (Inaudible).

2 Q. You tell us about the Wombles at paragraph 124. You say  
3 you knew he was sexually abusing younger boys. I just  
4 want to be clear what your knowledge was. Was it  
5 knowledge that he was --

6 A. It would be through other boys saying it, you know,  
7 things and you could see he was touching them and ...

8 Q. Did it go beyond touching? Was there gossip about it  
9 going beyond that --

10 A. Yes, gossip about it, yeah.

11 Q. Then you do say at 125 that when you tried to tell  
12 people what was going on, what he was doing, the  
13 response was, you would get a slap?

14 A. Either get a slap or get told to shut up, it was a laugh  
15 or ... I mean, there was one stage he had an erection  
16 in the showers and showing the boys it and when we went  
17 to one of the staff members, I can't remember -- it was  
18 one of the staff members anyway and we were told that's  
19 a normal man thing that happens, you know, guys cannae  
20 help that. Just things like that. Just ...

21 Q. He had one though?

22 A. It was him, aye. You know, showing the boys it and we  
23 were told that was, you know -- we complained about it  
24 and we were told, you know, it's a normal man thing,  
25 ken, shut up and ...



1 Q. Why do you think he was doing the things he was doing,  
2 was he getting some sort of gratification from it?  
3 A. Obviously, aye, obviously he would be.  
4 Q. I would like to move on. I think when you were still  
5 14, you -- I think you put it at 127, that out of the  
6 blue basically you were told that you were getting moved  
7 to this hostel in Edinburgh which I'm going to ask you  
8 about --  
9 A. Yeah.  
10 Q. -- your time or at least some things that happened then.  
11 I think the background, as we have already  
12 discussed, was that you were in the assessment centre  
13 waiting a placement somewhere?  
14 A. Yeah.  
15 Q. They found a place in a hostel, in Edinburgh?  
16 A. Mm-hmm.  
17 Q. Then, when the place was ready, you were taken there; is  
18 that right?  
19 A. Yeah.  
20 Q. I think we know from records that you went there on  
21 [REDACTED] 1980 and you were there until [REDACTED] 1980,  
22 when you were aged 14 and 15?  
23 A. Mm-hmm.  
24 Q. So you were there nearly six months?  
25 A. Roughly, I think.

1 Q. Roughly. Yes. Don't worry about the exact time.  
2 So you were there and you tell us about your time  
3 there and I'm not going to deal with this in detail  
4 today --  
5 A. Aye, aye.  
6 Q. -- but you tell us about your time there at 128 to 152  
7 of your written statement.  
8 One of the points you bring out, 'Murphy', was that  
9 you were either the youngest or one of the youngest  
10 residents in the hostel --  
11 A. Yes, yes.  
12 Q. -- you were aged 14 when you went in?  
13 A. I was the youngest, yeah.  
14 Q. I think you turned 15 while you were still in there?  
15 A. Aye, er --  
16 Q. You would have done, I think, from the dates I have  
17 given you, don't give me your dates.  
18 A. Aye, aye, aye.  
19 Q. As I think I explained to you before, we are focusing  
20 today on other places, not this hostel, but there are  
21 Secondary Institutions - to be published later  
22 Second, some things that happened in the community  
23 I'm going to ask you about and I'm going to turn to that  
24 now.  
25 You tell us in your statement that you ended up when

1           you were in that hostel going to Tam Paton's house in  
2           Gogar Burn. I think you can take it we know who  
3           Tam Paton is, he's a former manager of the Bay City  
4           Rollers?  
5   A. Mm-hmm.  
6   Q. He's a person who has had considerable publicity over  
7           the years, and so he's well-known.  
8           Just if I can ask you, you tell us in your statement  
9           that men from outside the hostel would hang around the  
10          hostel at times --  
11  A. Aye.  
12  Q. -- and that they took you to Mr Paton's house, is that  
13          how it started?  
14  A. Yeah. Basically, yeah.  
15  Q. I just want to be clear, did they take other boys from  
16          the hostel to the house?  
17  A. The older guys, I would go wi' them and ...  
18  Q. Were they in the hostel?  
19  A. Yeah.  
20  Q. You would go with other boys from the hostel, but some  
21          were older?  
22  A. Aye, they were older than me.  
23  Q. Were they under 18?  
24  A. One or two of them would be, yeah.  
25  Q. What were the age of the men that were taking you there,

1           what age were they, the ones that were hanging about?

2   A.   A lot older.

3   Q.   A lot older?

4   A.   40s, 50s.

5   Q.   Was one of these men a man called John Wilson?

6   A.   Yeah.

7   Q.   Did he have a nickname?

8   A.   Mm-hmm.

9   Q.   What was it called?

10  A.   Sticky.

11  Q.   Was that the first time you had come across him?

12  A.   Mm-hmm.

13  Q.   Yes?  I think the way you put it in your statement is

14           that at paragraph 139 you put it this way, that that was

15           'the start of my shit life.'

16  A.   Mm-hmm.

17  Q.   I'm going to ask you a bit about this.  You tell us

18           a bit about the occasions that you would go to

19           Tam Paton's house.  You tell us in your statement that

20           while you were still in this hostel, you say at 140,

21           I think, you went there a few times when you were still

22           in this hostel, is that right?

23  A.   Yeah.

24  Q.   You say at paragraph 140 that Paton would try and cuddle

25           and kiss you when you were there --

1 A. Yes.

2 Q. -- is that right?

3 A. Aye.

4 Q. Was that on more than one occasion?

5 A. Aye.

6 Q. You tell us about one particular occasion when you went  
7 to Tam Paton's house at paragraph 141 and I would just  
8 like to ask you about that.

9 Before I do so, can you confirm that what you tell  
10 us about there, which happened at the house, is  
11 something that resulted in a conviction in 2022 of a man  
12 called John 'Sticky' Wilson?

13 A. Yeah.

14 Q. So we're dealing with an incident that resulted in  
15 Wilson's conviction in 2022?

16 A. Yeah.

17 Q. What you tell us -- I think this is reflected in the  
18 conviction in 2022 -- is that that night you were  
19 drugged?

20 A. Yeah.

21 Q. You tell us you weren't taking drugs at that time, but  
22 you did like a drink?

23 A. Aye.

24 Q. So you assume that the drugs were given through the  
25 alcohol that you were taking?

1 A. Yeah.

2 Q. We are talking about alcohol?

3 A. Aye.

4 Q. What sort of alcohol?

5 A. It would be beer.

6 Q. Beer?

7 A. Beer.

8 Q. Was there other alcohol?

9 A. There'd be vodka, beer, whatever you wanted.

10 Q. That night, were there other people in the house apart

11 from you --

12 A. Aye, yeah.

13 Q. -- and Mr Wilson and Mr Paton?

14 A. Yeah.

15 Q. Can you just tell us what sort of people were there,

16 what age?

17 A. Older guys, professional guys. Claiming to be like

18 judges and lawyers or claiming, I don't know ...

19 I mean --

20 Q. There is a group of older men?

21 A. Aye.

22 Q. But there were also other younger males?

23 A. Yeah, yeah, a lot younger.

24 Q. Were there women?

25 A. Er, sticky's wife was there.

1 Q. Was there?

2 A. Sticky's wife was there.

3 Q. Was there anyone else that was of the opposite sex?

4 A. Not that I can remember, not that I can remember.

5 Q. So it was predominantly men?

6 A. Yes.

7 LADY SMITH: 'Murphy', could I ask you just to get a little

8 bit closer to the microphone? Sometimes I'm losing the

9 end of your answers.

10 A. Sorry.

11 LADY SMITH: It's important. Don't apologise, it's fine,

12 you are not to know. Mr Peoples.

13 MR PEOPLES: Some were a good deal older than you were,

14 obviously?

15 A. Oh, aye.

16 Q. But there were other younger people?

17 A. Aye.

18 Q. Were some of them from a care background?

19 A. Aye, one or two, yeah.

20 Q. Did you recognise them?

21 A. I recognised one or two of them, yeah.

22 Q. So there were young males, but some were from care

23 backgrounds?

24 A. Yeah.

25 Q. Who were in care at that time?

1 A. Yeah.

2 Q. You describe what happened in paragraph 141, and do you  
3 want me to read this for you?

4 A. Aye.

5 Q. You say that were drugged, you woke up in a bed, naked  
6 on top, with your trousers round your ankles:

7 '... with Tam Paton and another guy abusing me. One  
8 of them was trying to put his willy in my mouth and the  
9 other was trying to have sex with me. I was out of my  
10 face on drugs and was coming and going out of  
11 consciousness while they were abusing me and trying to  
12 get me to do things to them. I remember shouting out  
13 something like, "I'm only 14, leave me alone".'

14 A. Mm-hmm.

15 Q. That's what you have said in your statement, was it  
16 along those lines that that is what happened?

17 A. Aye.

18 Q. You didn't name the other man in that paragraph, but who  
19 was it?

20 A. Sticky.

21 Q. Because Sticky was convicted of what you've described,  
22 was he not, in 2022?

23 A. Yeah, he was, yeah.

24 Q. By which time Tam Paton was deceased?

25 A. Yeah.



1 Q. But he was there, he was the other guy that was doing  
2 this?

3 A. Yeah.

4 Q. Okay. Just to be clear, you were born in 1965, you  
5 would be something around 14 or 15. We know that  
6 Tam Paton was born in 1938. He died in 2009. We know  
7 that John Wilson was born in 1941 and he is currently  
8 alive, but serving a lengthy sentence for sexual  
9 offences against a number of young persons, male and  
10 female?

11 A. Yeah.

12 Q. He was convicted in 2022?

13 A. Mm-hmm.

14 Q. These are things I think that you're obviously aware of?

15 A. Aye, aye, sorry, I'm just ...

16 LADY SMITH: Just to be clear about their ages when this  
17 occurred, it must have been about 1979 or so, so you are  
18 talking about a man who was born in 1938, yes, so he's  
19 40-odd, 40s at that time?

20 A. Yeah, yeah.

21 LADY SMITH: John Wilson, just a little bit younger than  
22 that?

23 A. Yeah.

24 MR PEOPLES: A man around early 40s --

25 A. To me at that age, old. Now, young.

1 Q. If you were at the hostel when this happened, which  
2 I think is what the conviction established, Paton would  
3 be around about 40, early 40s, and Wilson late 30s?  
4 A. Uh-huh, mm-hmm.  
5 LADY SMITH: Very much an older generation so far as you  
6 were concerned?  
7 A. Oh, aye, yeah.  
8 MR PEOPLES: The other older predominantly male persons that  
9 were there at the house, were they of a similar age or  
10 older?  
11 A. They'd be probably about the same age, yeah.  
12 Q. Same age. Okay. This may be as good a time as any just  
13 to be clear that this was 1980 and that shortly  
14 afterwards, in 1982, you'll be aware, I think, that  
15 Tam Paton was convicted of a number of offences in the  
16 High Court?  
17 A. Yeah.  
18 Q. And received a number of sentences, the biggest of which  
19 was three years for shameless indecency, but all the  
20 sentences were to run concurrently. I think he was  
21 convicted in relation ... between ... on various  
22 occasions between 1978 and the end of 1980 of  
23 shamelessly indecent conduct towards ten named  
24 complainers and others whose identity was to the  
25 prosecutor unknown. The youngest of whom, I think, was

1       aged 15 at the date of conviction.

2           Just taking this short -- again I think this is  
3       something you'll be aware of -- the conduct in question  
4       that he was found guilty of was exhibiting films of  
5       an indecent nature at his house, touching one young  
6       person on the legs, buttocks and private parts and  
7       making indecent suggestions to him and, thirdly,  
8       supplying complainers and others unknown with  
9       intoxicating liquor and stupefying drugs.

10           He was also convicted of an act of gross indecency  
11       towards a young male aged 14 in 1980, involving  
12       masturbation of that young male?

13   A.   Mm-hmm.

14   Q.   He was also convicted of, on various occasions, between  
15       January 1978 and October 1979, of another act of gross  
16       indecency, in this case masturbating a young male then  
17       aged 14 and 15.

18           He was also convicted in 1982 of, in 1980, a further  
19       act of gross indecency, this time masturbating a young  
20       male aged 14.

21           So this conduct was all taking place at or around  
22       the time that you were going to Paton's house and some  
23       time before that as well?

24   A.   Yeah.

25   Q.   I think you remember the trial?

1 A. Yeah.

2 Q. Because you were interviewed by the police?

3 A. Yeah.

4 Q. And I think you were potentially going to be giving  
5 evidence at that trial, but you didn't do so?

6 A. No.

7 Q. Because I think we're aware from the documents or the  
8 proceedings that Tam Paton faced, I think, something  
9 like 11 charges and he pled guilty to five charges -- he  
10 pled not guilty, but on Day 4 he changed his plea to  
11 guilty, after the Crown withdrew six charges?

12 A. Mm-hmm.

13 Q. Including three of -- basically sodomy of young persons  
14 at his house and in other places in the Edinburgh area?

15 A. Yeah.

16 Q. Having withdrawn these, he pled guilty to the remaining  
17 charges and I think the charge of shameless indecent  
18 conduct as originally framed was considerably amended  
19 before he pled to take out indeed some names of  
20 complainers, but also to take out some of the alleged  
21 activities. Does that ring a bell?

22 A. Oh, aye. That rings a bell, aye.

23 Q. For the offences to which he pled guilty, which were  
24 statutory and common law offences, he received three  
25 years for the shameless indecency. For the acts of

1 gross indecency, he received sentences of six months in  
2 two cases and two years in another and he was also  
3 convicted of a drugs charge, of possession, for which he  
4 was admonished?

5 A. Aye.

6 Q. That's all familiar to you, is it?

7 A. Yeah, that's all familiar, yeah.

8 Q. Now, just going back to your statement, 'Murphy', if  
9 I may, I'm not going to ask you about, as I said, the  
10 hostel, although there was another matter which you tell  
11 us about, but that's for another day perhaps.

12 A. Aye.

13 Q. What I do want to ask is that following this indecent  
14 assault that you've told us about in paragraph 141, you  
15 tell us at 146 of your statement, that a few days later,  
16 Sticky, as you put it, John Wilson, told you that  
17 Tam Paton wanted to see you?

18 A. Yeah.

19 Q. You tell us in your statement that you said you weren't  
20 wanting to go anywhere near him?

21 A. I wasnae wanting to go anywhere near him, no.

22 Q. But then you tell us that there were threats?

23 A. Yeah, there was threats that they had photos and they  
24 were, erm, going to take the photos to my parents and  
25 social workers, so I decided to go.

1 Q. So because of the threats of what they were proposing to  
2 do, you went?

3 A. Mm-hmm.

4 Q. You were taken there, I think you say, by Wilson in his  
5 car?

6 A. Yeah.

7 Q. What happened when you went there, can you remember?

8 A. I was told, er, that they were going to take the photos  
9 to my mum and my parents and the social workers and, er,  
10 that I would do what I was told. I would get other boys  
11 fae homes to go out. If I didnae, erm, I'd be dealt  
12 with in other ways as well.

13 Erm, sorry, can I get a minute?

14 Q. Do you want a break?

15 A. Aye.

16 LADY SMITH: Let's do that. We'll take a break now.  
17 You just let us know when you can resume.

18 A. Sorry.

19 (11.04 am)

20 (A short break)

21 (11.26 am)

22 LADY SMITH: 'Murphy', welcome back.

23 A. Sorry about that.

24 LADY SMITH: No, please don't apologise. I'm so glad you  
25 told me. As I said at the beginning, just speak up if

1           there's anything I can do to help. I know this isn't  
2           easy.

3   A.   Right.

4   LADY SMITH: Can we carry on, is that all right?

5   A.   Yeah, fine, yeah, sorry.

6   LADY SMITH: Mr Peoples.

7   MR PEOPLES: 'Murphy', perhaps I can just ask you a few more  
8           questions --

9   A.   Aye.

10   Q.   -- about the period when you were at the hostel but were  
11       going to Mr Paton's house, just a few questions, if  
12       I may.

13   A.   Yeah.

14   Q.   When you were in the hostel, in that period, we know the  
15       dates, apart from the incident you told us about at  
16       paragraph 141, did anything similar happen to you on the  
17       other occasions that you went to Mr Paton's house,  
18       anything of a similar nature?

19   A.   Yeah.

20   Q.   Yes?

21   A.   A few times, yeah.

22   Q.   Was it the same people involved?

23   A.   There was different people. Erm, he would -- he got me  
24       to bring boys -- er, to get boys -- I was to get boys to  
25       go. That was part of the threat. If I didnae do that

1 obviously photos were going to get taken to people and  
2 my mum and that, so I just -- I had to get some boys to  
3 go to parties, they called them 'parties'. Erm, and  
4 there would be drink. By that time I knew there was  
5 drugs. Erm, and I told the staff at the hostel, erm,  
6 but I was just told that I obviously wanted it.

7 Q. That you wanted it?

8 A. Aye.

9 Q. When you told them?

10 A. Aye.

11 Q. Okay. So boys from care settings were going to the  
12 house?

13 A. Yeah.

14 Q. And drink and drugs?

15 A. Yeah.

16 Q. Did anything similar happen to you to the occasion that  
17 you have described in 141, to you personally?

18 A. I was abused a few times.

19 Q. Was it by the two individuals that you've spoken about  
20 or others?

21 A. Different people.

22 Q. Different people.

23 These so-called parties, were they similar in  
24 composition to the one that you told us earlier about,  
25 older men, mainly --



1 A. Yeah.

2 Q. -- and younger boys?

3 A. Yeah, yeah.

4 Q. Some of whom were in care?

5 A. Yeah. I mean, Tam told me that, you know, these were

6 all -- you know, I needed to be careful and that these

7 were all like judges -- I mean, whether they were or

8 not, I don't know. I knew one of them was -- two of

9 them, actually.

10 Erm, high policemen and lawyers and things like

11 that. Erm, there was one or two fae the TV, and

12 I suppose in a way I was kinda, you know, these are

13 important people and I just took drugs to get through

14 it, to be honest wi' you. And then when I fought back,

15 once I lifted a knife to somebody.

16 Q. At his house?

17 A. Aye.

18 Q. Because they tried to do something to you?

19 A. Aye.

20 Q. What happened?

21 A. Erm, I was -- I wouldnae go back for a wee while and

22 I was told again, you know, you'll be able to come here

23 and get a sign made and I was then used as a -- er -- to

24 threaten people, you know what I mean, and just later on

25 in life, you know --

1 Q. I don't want to go into your later life, I just want to  
2 know what happened then. By that stage he's giving you  
3 all the threats and he's got a bit of a hold on you and  
4 you were going back and things were happening to you?  
5 A. Uh-huh.  
6 Q. Sometimes obviously you were reacting and did you  
7 actually, when you were there though, see other young  
8 people being sexually abused?  
9 A. Taken down to rooms, yeah.  
10 Q. Taken to rooms?  
11 A. Taken to rooms, yeah.  
12 Q. You assume that something similar happened to them as  
13 happened to you?  
14 A. Yeah, well, I know, aye, they told us -- one or two told  
15 us.  
16 Q. Okay.  
17 LADY SMITH: And you, 'Murphy', at this time, were still  
18 a child.  
19 A. Yeah.  
20 LADY SMITH: You're barely 15 years old.  
21 Mr Peoples.  
22 MR PEOPLES: Now, if I can just almost conclude this,  
23 because I'm going to go to your second spell at  
24 Howdenhall, but just before I leave your time at the  
25 hostel and what was going on when you were in the

1 community while in care, you say at 151, 'Murphy', you  
2 put it this way:  
3 'My experiences with Tam Paton and his men changed  
4 me into something I didn't want to be. I became  
5 a violent boy, when I had never been before.'  
6 A. Yeah.  
7 Q. Is that really --  
8 A. Yeah, I done armed robberies --  
9 Q. I don't need the detail.  
10 A. Sorry, sorry.  
11 Q. But that was a turning point that you almost turned to  
12 doing things -- you will tell us later on you did get  
13 involved as an adult in violence and drugs and so forth?  
14 A. Yeah. At that age, the other side of **Secondary Institution** was  
15 -- it was all older guys, who then took me out to do  
16 things and I had to become something that I wasn't.  
17 LADY SMITH: When you say it was older guys, that's because  
18 it was a hostel for adult men as well?  
19 A. Yeah, yeah and, you know, I mean, violent crimes,  
20 violent robberies and it was the guys in there that  
21 would take me.  
22 MR PEOPLES: I think the record suggests that it was  
23 supposed to be a place for young people between the ages  
24 of 14 and 18, but you think there were people older than  
25 that?

1 A. Oh, there was people older than that.

2 Q. That were staying?

3 A. Yeah.

4 Q. I won't go into that too much today --

5 A. Aye, aye, aye.

6 Q. -- but you have told us the position and I think we can  
7 get the picture from that and this was a consequence,  
8 I think, of what you've told us earlier today, and this  
9 all flowed from that?

10 A. Yeah.

11 Q. You were taken around [REDACTED], after your spell in  
12 the hostel, you were returned to Howdenhall  
13 Assessment Centre and you tell us about that from 153 to  
14 157 of your statement.

15 I can give you the dates we have from records, which  
16 is [REDACTED] 1980 through to [REDACTED] 1981, which  
17 suggests you were there just over ten weeks. So you  
18 were back in an assessment place, presumably to decide  
19 where you went next?

20 A. Yeah.

21 Q. I'll just ask you a few questions about your time there.  
22 This was a time when you got more threats, because you  
23 tell us at 153 that while you were in the  
24 assessment centre, you had two visits from persons you  
25 describe as Tam Paton's men?

1 A. Yeah.

2 Q. You say you knew one of them from being at Tam Paton's  
3 house --

4 A. Yeah.

5 Q. -- but you didn't know the other one?

6 A. I didn't know who the other one was, no.

7 Q. Can you remember what they said to you?

8 A. Well, what happened -- well, took up to the  
9 assessment centre by the police, erm, and it was about  
10 a week later, the police came in to see me fae Bathgate  
11 and Livingston, I knew the police and that's when my mum  
12 and step-dad suddenly appeared, going on about Tam's and  
13 that. And then I was a bit confused. I was, like, but  
14 prior to that, I'd got a visit fae two guys of Tam's  
15 warning me to shut my mouth. I was to say nothing about  
16 anything that had went on at Tam's. To deny anything  
17 that happened at Tam's. Erm, when I think now, I don't  
18 know even how they got in to visit me, 'cause it was  
19 a locked unit.

20 Q. In fact, you say though, apart from these two men, your  
21 recollection is that a member of staff, male, at the  
22 assessment centre also said something similar, is that  
23 right?

24 A. Yeah, he told me I was getting a visit.

25 Q. You don't know his name -- you can't recall his name,

1 but --

2 A. He was a long member, he was there a while. I just  
3 cannot remember his name for the life of me.

4 Q. You do say also, at 153, that the individual EWA, that  
5 we have already spoken about this morning, mentioned the  
6 name of Tam, but just -- you say so they all knew him or  
7 knew about him?

8 A. Yeah.

9 Q. You're saying that staff at the assessment centre were  
10 well aware of Mr Paton?

11 A. Yeah, yeah.

12 Q. Because his name came up in conversation?

13 A. Yeah, yeah.

14 Q. Then you've told us, and I think you deal with this at  
15 154, that you did get seen by the police when you were  
16 at Howdenhall the second time and I think you were  
17 questioned about what had happened at Mr Paton's house?

18 A. Mm-hmm.

19 Q. You say you didn't really tell them anything because you  
20 had been warned by Tam's men.

21 Can I put it this way: I think you may not have told  
22 them everything, but I think you told them something,  
23 because you did, I think, subsequently you were lined up  
24 to be a potential witness at the High Court trial of  
25 Mr Paton?

1 A. Aye, there were a lot of us, aye.

2 Q. You may not have said what you have told us today --

3 A. Aye, aye, aye.

4 Q. -- but you may well have said something --

5 A. I've obviously said --

6 Q. Said something that was sufficiently important to them

7 for the purposes of a criminal trial to call you as

8 a witness.

9 A. I don't know whether it was just because they knew I was

10 there or I said something. I don't know.

11 Q. It's likely to be more than that --

12 LADY SMITH: I think, 'Murphy', they would probably have had

13 a statement from you that said something that was

14 relevant --

15 A. Aye, I've obviously said something, aye, 'cause after

16 I got the visit fae the police, it was a few days later

17 I then got another visit fae Tam's, you know, folk, just

18 to say -- just deny I'd said anything and ...

19 MR PEOPLES: I think by that stage, whether you knew it or

20 not, there was an investigation --

21 A. Yeah, I didn't understand.

22 Q. -- that had been launched and I think he was being

23 investigated and no doubt the upshot was the trial in

24 1982 that we have spoken about earlier today.

25 A. Yeah, mm-hmm.

1 Q. Clearly you were spoken to as part of that  
2 investigation.

3 A. Yeah.

4 Q. After your spell at Howdenhall a second time, a place  
5 was found for you, this time at Rossie Farm?

6 A. Aye.

7 Q. You tell us about your time there, and we can move on to  
8 that, at paragraphs 158 to paragraph 240 or thereabouts.

9 From the dates that we have, from records, it would  
10 appear that you went to Rossie around about  
11 [REDACTED] 1981 and you were there until  
12 [REDACTED] 1981, which would be a period of nearly  
13 eight months when you were aged 15 and 16. I think you  
14 maybe thought it was a bit longer?

15 A. I thought it was longer.

16 Q. It's understandable.

17 A. Aye.

18 Q. But you were there an appreciable time and you tell us  
19 about your experiences while at Rossie. I'll just ask  
20 you a bit about that, please.

21 Now, you went there when you were aged 15, I think,  
22 if I've done my sums right. You say that when you were  
23 there boys were sleeping in dorms and you reckon there  
24 were about eight in each dorm, that's at paragraph 160?

25 A. Eight to ten.



1 Q. It's just to get an idea.

2 A. Roughly that.

3 Q. You think you were in a place called Kintyre?

4 A. Kintyre, yeah.

5 Q. What you --

6 A. Each room had different --

7 Q. The dorms would have different names?

8 A. Aye.

9 Q. You recall your one was Kintyre?

10 A. Aye.

11 Q. Then you say that when you got there, at paragraph 164,

12 you were shown something that you had never come across

13 before, bed blocks?

14 A. Yeah.

15 Q. Making bed blocks?

16 A. Yeah.

17 Q. You say you were told that if you didn't do things

18 properly after having two or three days at doing the bed

19 blocks, that the whole room or dorm would receive

20 a punishment?

21 A. Yeah.

22 Q. Who told you that; do you remember?

23 A. Just staff, just staff members, any staff member would

24 tell you the same.

25 Q. You don't recall the name of SNR [REDACTED], you say,

1 but describe him as a big guy, kind of balding with  
2 brown hair, ex-military and you think that all the staff  
3 in there certainly seemed of that background or type?  
4 A. Yeah.  
5 Q. In the way they behaved, anyway?  
6 A. Yeah.  
7 Q. You refer to someone who seems to have had a nickname  
8 called 'HGO', is it?  
9 A. HGO, yeah.  
10 Q. Who you think was maybe SNR? That's at  
11 165.  
12 A. I think so, aye.  
13 Q. You also mentioned a person who was in charge of your  
14 particular dorm, who your recollection is that he was  
15 stern and wore tweed?  
16 A. Yeah, that's ...  
17 Q. That's your memory of it, 166, you say this.  
18 I don't need his name at this stage, but you mention  
19 there was a PE instructor and we'll come back to him,  
20 but you can remember his name, you think, his surname.  
21 You also mention a guy --  
22 A. I'm sure he was HZV, the PE instructor.  
23 Q. Yes, that is what you say.  
24 Then there was someone that was known by the  
25 nickname 'zGBI'?

1 A. zGBI [REDACTED], yes.

2 Q. There was also another member of I think was it the

3 night staff who was called 'HZW [REDACTED]'?

4 A. Aye.

5 LADY SMITH: It seems obvious where the 'HZW [REDACTED]'

6 nickname would have come from, but what about

7 'zGBI [REDACTED]'?

8 A. Because he would try and beat you up and if you went

9 back to him, he would back off 'til there was another

10 staff there and then he would deal with you, so that's

11 why zGBI [REDACTED].

12 LADY SMITH: [REDACTED].

13 A. Yeah.

14 MR PEOPLES: That would always be the nickname the boys

15 would use?

16 A. Aye, just nicknames, just ...

17 Q. In fact, you say, as far as your recollection is, is

18 that the only decent staff there in your estimation were

19 the gardener and his wife, you felt they were okay?

20 A. They were more than okay, actually.

21 Q. Okay, well, in what way?

22 A. I'm kind of going off subject here, but it was years

23 later that I went back up to do a delivery wi' a lorry

24 and he just appeared and he was in tears. He recognised

25 me right away. Er, just he couldn't believe that

1 I'd made it and blah, blah, blah, that kind of stuff.

2 He was always sorta there to say, 'You all right?',

3 ken, and his wife, you know, it never mattered what

4 happened, they would all get you to the side and, 'Just

5 keep your head, they want you to kick off, 'cause I

6 would -- you know, not just me, but, you know, you'd

7 kick off with somebody and ...

8 Q. Were you still at that stage prone to kicking off and

9 getting angry at times?

10 A. Well, when somebody's beating -- excuse the language,

11 when somebody is beating the shit out of you, you do,

12 aye. Sorry for the language.

13 Q. We'll come to that, obviously, so, yes, but were you

14 kicking off because you were getting beaten up or were

15 you kicking off and being beaten up, or both?

16 A. When you were getting beaten up or somebody was

17 threatening you or -- you've got to remember you're in

18 a place where it's all young guys. You've gotta be --

19 sorta, ken, you've got to be, but they're also getting

20 beat up as well, the staff and that, so everybody's

21 playing the hard man in there, 'Sorry, I can take this',

22 sorta thing. You couldnae really, but, you know,

23 everybody's the same.

24 Q. I suppose in an environment of hard men and boys,

25 there's still a hierarchy?

1 A. Aye, aye.

2 Q. Whether you like it or not, that's the reality?

3 A. Aye, that's the reality.

4 Q. Particularly if they're different ages, the boys?

5 A. Mm, mm.

6 Q. Tam Paton's name came up again, you tell us, because at

7 167 you have a recollection that there was staff member

8 at Rossie who mentioned his name when you first

9 arrived --

10 A. Yeah.

11 Q. -- and said something along the lines that he knew you

12 were one of Tam's boys?

13 A. Aye.

14 Q. And says reminded you what you were there for and to

15 keep your mouth shut, is that what you recall being

16 told?

17 A. Yeah.

18 Q. Because --

19 A. See, the thing about that, I think he was kitchen, so

20 I didnae really know what to do in a kitchen, but

21 I'm not 100 per cent. I dinnae want to say, 'Oh, it was

22 him'. You know, I dinnae want to lie. There's no point

23 lying.

24 Q. The reason I was just asking about that remark as well

25 is that we have seen some records of yours and one of

1       them was a report by the then headmaster on  
2       16 July 1981. I'll just give the reference, I'm not  
3       going to take you to it, but it's WLC-000000184.

4             It was a report that was prepared in July 1981, but  
5       it does refer to -- there's references -- and you've  
6       seen these I suspect -- there's references to suspected  
7       homosexual relationships and friendships in the record.  
8       So it suggests that the staff at Rossie were being told  
9       something about your prior history or experience and it  
10      was being put in those terms. So I'm just trying to  
11      look at why someone would mention Tam's boys to you when  
12      you arrive, but it looks as if there's some record or  
13      information has been passed through to them?

14   A. Aye, it's been a threat. It was like a threat to me.

15   Q. Sorry, maybe I'm not putting this very well, 'Murphy',  
16      but I'm just saying that to explain why someone might  
17      mention the name. I'm just trying to see whether  
18      information had been passed to Rossie and it looks like  
19      there's something in the records that would suggest that  
20      they must have been made aware --

21   A. Right.

22   Q. -- either through your social worker or otherwise --

23   A. Well, this guy -- he claimed to know Tam and he said to  
24      me, that you know. 'You watch what you're saying',  
25      kinda thing.

1 Q. Okay.

2 A. The police and all that were still ongoing with Tam.

3 I mean, it took a long time to get him to court.

4 Q. This was 1981 --

5 A. Which we were told because Tam knew the judges and all

6 that kind of stuff, and we believed -- I mean, listen,

7 this is only hearsay, you know, I'm just saying, you

8 know, this is what we were told with Tam later on.

9 Q. This is the friends in high places point?

10 A. Yeah.

11 Q. He knew --

12 A. Oh, he definitely had friends in high places, aye.

13 LADY SMITH: Mr Peoples, that report had a July date on it,

14 so that's some months after 'Murphy' had gone to Rossie,

15 because he went to Rossie in the [REDACTED].

16 A. Aye.

17 LADY SMITH: Who was the report directed to?

18 MR PEOPLES: I think it was a background report for whether

19 he should be discharged, because there would have been

20 a hearing and the headmaster would be asked to report on

21 his progress at Rossie and whether he should remain or

22 be discharged and he was discharged, but not in July.

23 He was discharged, according to records --

24 LADY SMITH: In [REDACTED].

25 MR PEOPLES: -- in [REDACTED]. I think that's the way it was

1       working, there would be regular review meetings, there  
2       would be reports by the headmaster, the social worker,  
3       his own social worker and possibly others. These would  
4       be put to the panel and they would then decide whether  
5       to continue the supervision order and the residential  
6       requirement or whether they would vary it and allow the  
7       person to leave. I think that's the context.

8   LADY SMITH: At some point, and we don't know when, the  
9       headmaster has been provided with information to the  
10      effect that there was a suspicion of you, 'Murphy',  
11      having homosexual relationships and friendships. We  
12      just don't know when the headmaster first got that  
13      information. It could date back to when you were  
14      transferred to Rossie in [REDACTED] or come between the  
15      [REDACTED] and July.

16   A. I was put in Rossie without a panel.

17   LADY SMITH: Without?

18   A. Without a panel.

19   LADY SMITH: Without a panel.

20   A. I was taken straight from Liberton Hall, straight to  
21      Rossie.

22   MR PEOPLES: I think it would have been earlier than July,  
23      because there is another record, WLC-000000185, which  
24      I have just reminded of that 'Murphy' did fail to return  
25      from leave or ran away prior to July on occasions and



1       certainly there is an entry in one of the records from  
2       the social worker, his social worker, external one, to  
3       Rossie, in May 1981, expressing concern over 'Murphy's'  
4       contact with Mr Paton while on leave and saying that the  
5       relationship had been discouraged when he was living in  
6       Edinburgh. And she was given to understand from  
7       'Murphy' that he wished ... he would no longer contact  
8       Mr Paton and says:

9               'Mr Paton has recently been the subject of a police  
10       investigation with regard to allegations of indecent  
11       sexual activity with adolescent boys.'

12              So I think there is more of a history than just that  
13       entry, and clearly the social worker would be in  
14       contact, perhaps just by correspondence?

15   A.   She should have contacted me.

16   Q.   Like you say, there wasn't much direct contact with you,  
17       but it looks like she's been in contact, particularly at  
18       times when I think -- there was an occasion -- I'll ask  
19       you about that -- when you did leave Rossie and you did  
20       go to Mr Paton's house?

21   A.   Yeah.

22   Q.   I'll ask you a little bit about that shortly, so clearly  
23       that may have triggered at least some of these records,  
24       because the social worker would be giving information to  
25       the school, but it may be information that already had

1           some prior knowledge of, why you went to Rossie for  
2           example.

3    A.   Right.

4    Q.   So if I could revert back to your statement about what  
5           you tell us about Rossie.

6           You tell us about routine and I'm not going to go  
7           through that in any detail today. We can read it for  
8           ourselves, but one thing you do say, and this is picking  
9           up from the bed blocks, is that you had morning  
10          inspections of the dorm?

11   A.   Yeah.

12   Q.   You were expected to have made the bed blocks properly?

13   A.   Yeah.

14   Q.   I think you tell us at 168 what would happen if you  
15          didn't do so, that the whole dorm would have to stay  
16          back and do it all over again?

17   A.   Yeah.

18   Q.   In some cases, that would cause resentment and some of  
19          them would end up going to the cells as a punishment?

20   A.   Oh, aye, yeah.

21   Q.   I don't suppose the boy who didn't do it properly would  
22          be very popular --

23   A.   He wasnae, no.

24   Q.   -- with his fellow residents?

25   A.   No.

1 Q. What you also tell us, and again I think we can read for  
2 ourselves, at that time -- you say this at 169 and  
3 175 -- that it was quite a military-like regime, it was  
4 regimented. You had to march everywhere, line up?  
5 A. Yeah.  
6 Q. Inspections, morning inspections?  
7 A. Aye.  
8 Q. It was that type of regime?  
9 A. Yeah.  
10 Q. Indeed you think the staff, to some extent, acted as if  
11 they were in the army?  
12 A. Oh, aye, they acted like they were lording above you.  
13 Q. We've heard from other places that people sometimes  
14 seemed like sergeant majors rather than carers?  
15 A. Aye.  
16 Q. Now, as far as what happened during the day is  
17 concerned, you tell us at 170 that basically boys were  
18 allocated jobs to do in various areas of the Rossie site  
19 and they were put into work parties such as painting  
20 gangs, forestry gangs, working in the kitchens and so  
21 forth?  
22 A. Yeah.  
23 Q. You say that at 170. I think basically you tell us as  
24 far as classroom education is concerned, there wasn't  
25 very much of that at that time?

1 A. No, there wasnae a lot to it.

2 Q. Indeed, I think you say at 174 that there was one  
3 classroom with boys of all ages?

4 A. Yeah. It was just -- aye. The same in the  
5 assessment centre. It was just all ages that were put  
6 in there.

7 Q. I'll use your words, you say:  
8 'The schooling was a joke and it was obvious the  
9 teacher didn't care ... There was no curriculum ... We  
10 weren't actually taught anything.'

11 Whenever you were in class, that is how you remember  
12 it?

13 A. Yeah.

14 Q. You tell us a bit about the work done in these various  
15 gangs -- I'm using 'gangs' in the sense of groups?

16 A. That's what we called them, gangs.

17 Q. I don't want --

18 A. Not as in gangs as in fighting gangs.

19 Q. No.

20 A. It's just a term that was used.

21 Q. You mention a group of boys who seem to have been --  
22 were they actually called 'the pets'?

23 A. Oh, aye, they were called the pets, aye. To the rest o'  
24 us it was the pets.

25 Q. What you were saying they got to do certain types of

1 work, because they were the pets of the staff?

2 A. Aye, yeah.

3 Q. Can you just help us a big more about why they were

4 called the pets?

5 A. If the rest of us get locked up, they wouldnae be

6 getting locked up. Er, a couple of them actually got to

7 go to high school, which, you know, we were sitting in

8 a classroom, which was great to start with, but then you

9 realise we're no doing anything here. I think one of

10 them actually got an O-Level or something. Erm, they

11 got the pool before us and things like that, and they

12 got taken trips and ...

13 Q. It was a difference of treatment?

14 A. Oh, aye.

15 Q. Marked?

16 A. Aye.

17 Q. Do you know whether there was any reason why they should

18 be treated more favourably? What was the talk?

19 A. The talk was it was abuse.

20 Q. That they were doing things --

21 A. Yeah.

22 Q. -- for staff?

23 A. Yeah.

24 Q. Did you ever see anything that would confirm the talk?

25 A. We had a guy who used to come to us and tell us, you

1        know, things and he'd just sit and play wi' his hair,  
2        but he disappeared.

3    Q.    Was he a pet?

4    A.    He was one of the pets.

5    Q.    He told you things?

6    A.    Aye.

7    Q.    What was the gist?

8    A.    That staff would touch him and kiss him and cuddle him  
9        and visit him in the room, I mean, take one or two of  
10       them away from the room.

11   Q.    In return presumably ... for the other boys it appeared  
12        as if they were getting privileges you were denied?

13   A.    Aye, we didnae know. Thinking back now, you know,  
14        obviously a young boy, you dinnae sorta think that way.

15   Q.    In another place you talked about 'the Wombles', the  
16        younger group, but the pets, were they of a particular  
17        age, were they older or were they younger than you?

18   A.    Probably about the same age-ish.

19   Q.    Same age, okay.

20   A.    'Cause Rossie was mostly older boys. Rossie was a place  
21        that you were threatened, like instead of the bogeyman,  
22        you know what I mean, you were threatened you were sent  
23        to Rossie and sorta the reputation and it was all sorta,  
24        you know, older guys, teenage, you know. There was nae  
25        I would say under teenage age.

1 Q. Presumably by the stage that you were in Rossie and  
2 other boys -- a lot of these boys had been in the care  
3 system for some time --  
4 A. Aye, all over the place.  
5 Q. -- and had been to the sort of places you had been to?  
6 A. Yeah, yeah.  
7 Q. They were very much part of the system?  
8 A. Yeah, yeah.  
9 Q. Did you know any of the others when you were there?  
10 A. One or two.  
11 Q. From --  
12 A. One or two, yeah.  
13 Q. -- previous settings?  
14 A. Yeah, one or two.  
15 Q. You tell us a bit more about zGBI at 173. You  
16 say he was a member of staff who would make boys do  
17 random things like digging trenches and then getting  
18 them to fill them back in again, which you describe as  
19 pointless and daft.  
20 Just looking back, why do you think he would be  
21 seeing the value in making you do that? Did they ever  
22 explain the purpose of this?  
23 A. No, they explained anything, purpose or nothing. I  
24 mean, you just done what you were told, erm ...  
25 Q. It doesn't sound like education or training to me?

1 A. There was no education.

2 Q. Unless, of course, they wanted to teach you how to dig  
3 a trench and fill it back in again?

4 A. Aye, there was no education. There was no -- you were  
5 just -- even like the painting, it if was painting the  
6 bars, maintenance around about the building. It was  
7 all, you know -- we would, you know -- there was no  
8 maintenance men. We were the maintenance men.  
9 I suppose it makes a bit of sense, I suppose --

10 Q. Can I ask you about that, 'Murphy'. Because I think  
11 from records, we probably see that certainly in your  
12 time and perhaps before, there probably weren't that  
13 many maintenance staff as such, but there were what were  
14 called instructors who were there to train in practical  
15 skills, but in practice, as I understand from the  
16 records, very often for financial or other reasons, they  
17 were tasked with maintaining Rossie and getting boys to  
18 help?

19 A. Yeah.

20 Q. In some cases, getting them --

21 A. The boys done it all.

22 Q. -- to get involved in building things even?

23 A. Erm, I never seen them building --

24 Q. No, I'm not saying you did.

25 A. No, no, I know, but I cannae mind.



1 Q. You can understand that that --

2 A. Oh, aye.

3 Q. If they couldn't really afford the external tradesmen,

4 get an instructor and get some boys to help --

5 A. That's it, aye.

6 Q. -- and patch up something or build something?

7 A. Mm-hmm.

8 Q. But did that appear to be the sort of regime?

9 A. When you think back now, yeah, it would have been.

10 Q. You weren't in a workshop learning a skill in

11 a structured way?

12 A. No.

13 Q. You were told to go out and paint a fence or something?

14 A. Aye, you were taken out in groups and, 'Paint that

15 fence, paint the bars on the cells', and that.

16 Q. You tell us that when you were in these work parties,

17 that if you needed to go to the toilet you had to shout

18 and ask for permission, but some of the times staff

19 would tell you 'no'?

20 A. Tell you no, aye.

21 Q. I think --

22 A. You'd pee outside, basically.

23 Q. You say that at Rossie in your time there, at 181, it

24 was a place where there was no privacy when using the

25 toilet or having a shower?

1 A. No, there was no doors on the toilets. The showers were  
2 all one -- you know, it was like a trough, a tray, a big  
3 huge thingmy with showers above it and the water would  
4 run fae one end down to the drain at the other end.

5 Q. You talk at 183 about -- it seems there was another  
6 threat, this time from staff, that you say you maybe had  
7 three visits from a social worker when you were there,  
8 but before she came to visit, staff would tell you not  
9 to say a word to her about what was going on in Rossie  
10 or else you would never leave the place?

11 A. Mm-hmm. It was common wi' a lot of guys, you know, you  
12 were pulled out -- well, they obviously knew when the  
13 social worker was coming, but, you know, we didnae. We  
14 would get taken the day before, or that morning, and  
15 told, you know: shut up.

16 Q. You tell us that despite them telling you that --

17 A. Aye.

18 Q. -- at 184, you did try to get across to your social  
19 worker what staff were doing to boys at Rossie and the  
20 regular beatings that you say they were getting?

21 A. Mm-hmm.

22 Q. You say she didn't seem to care or at least do anything  
23 about it?

24 A. No matter -- in my eyes she just didnae seem to bother  
25 her backside about it. That wisnae --

1 Q. Did she even suggest to you when you said this that she  
2 might do something?

3 A. No. She just -- my social worker just sorta looked at  
4 you.

5 Q. Can I turn to the more specific subject of abuse. You  
6 have a section in your statement from 189 through to  
7 about 231 about abuse at Rossie. I'll just ask you  
8 something about that, if I may.

9 You really start off with something you've said  
10 about an earlier place. You couldn't show any weakness  
11 in there, because the other boys would bully you if you  
12 did.

13 A. Mm-hmm.

14 Q. 'I acted the hard man a bit in there because I had to  
15 and there were regular fights between the boys.'

16 There was bullying there, I take it?

17 A. Oh, loads of bullying, aye.

18 Q. Was it targeted at boys who showed weakness?

19 A. Yeah. Erm, myself, I protected a couple of boys.  
20 I still speak to one of them now, erm, but myself,  
21 I hate bullying, 'cause I've been bullied all my life  
22 and there was a lot o' bullying.

23 Q. From --

24 A. From staff and boys.

25 Q. Staff and boys?

1 A. And boys, yeah.

2 Q. I think you do say --

3 A. You've nobody to turn to, because the staff would

4 just -- they'd beat you up for grassing, or, you know,

5 that was just a common, you know, nobody grasses.

6 Q. Would staff know bullying was going on?

7 A. Oh, aye. They'd see it. They'd see it and ignore it

8 when they wanted to. When they wanted to ignore it,

9 they ignored it, when they wanted to do something about

10 it, they done something about it.

11 Q. What would they do when they decided they wanted to --

12 A. Just take you in the cell if they caught you hitting

13 somebody and then beat the shite out of you. Sorry.

14 Q. There wasn't any consistency?

15 A. No, there was no consistency.

16 Q. I think you do say in fact that a lot of the issues you

17 had, you say this at 190, were really more about the

18 treatment of boys by staff. They were perhaps worse

19 than the boys themselves?

20 A. Aye, the staff were worse.

21 Q. There was bullying, but you felt the staff were the

22 big --

23 A. It was worse, because they're supposed to be there to

24 protect you and us and they were the ones that were

25 doing the bullying as much as --

1 Q. Just to ask you this: you tell us a bit about  
2 punishments when you were there. You say at 192 that  
3 one of the punishments was to polish everybody's shoes  
4 until you could see your face in them.  
5 Another was to clean the big marble staircase with  
6 a toothbrush.  
7 A. With a toothbrush.  
8 Q. So that's the toothbrush --  
9 A. Back again, aye.  
10 Q. You say when this was happening, there would be times  
11 when the staff would kick and hit you as they walked  
12 past when you were cleaning?  
13 A. Oh, aye, regularly.  
14 Q. You say another punishment would be to run around the  
15 football pitch and keep running until you collapsed?  
16 A. Aye.  
17 Q. Did you see that happen?  
18 A. I got it done to me. I got it done to me.  
19 Q. Did you collapse at times?  
20 A. Aye, just that tired you couldn't -- they'd just laugh  
21 at you and walk away and leave you.  
22 Q. Then can I ask you about this. We've mentioned the PE  
23 teacher before.  
24 A. Mm-hmm.  
25 Q. You described him I think in general terms as a bully.

1 I just want to pick up something that you use as an  
2 example of what you have in mind at 193 of your  
3 statement.

4 Can you remember this occasion? It was to do with  
5 something happening at the swimming pool?

6 A. Aye.

7 Q. Can you just tell us about that?

8 A. Erm, we were took into the swimming pool and somebody  
9 tried -- one of the boys [REDACTED]  
10 and the ... HZV [REDACTED] made us go in and take the boy out,  
11 but wee Norrie couldnae swim, so he chucked him in and  
12 I had to get the two o' them. Erm, of course at the  
13 time we thought he was dead, 'cause [REDACTED]  
14 [REDACTED], erm, but -- I thought Norrie was going to die  
15 as well.

16 Q. I think you tell us that the reason that --

17 A. The pool was deep, you know what I mean? It wasnae  
18 a shallow pool. It was a deep pool.

19 Q. You tell us the reason that was given at the time for  
20 the PE teacher himself not to do anything was that he  
21 'wasn't going in to get the wee bastard'?

22 A. Aye.

23 Q. Is that what was said?

24 A. Yeah.

25 Q. He wasn't going to get his clothes wet?

1 A. 'I'm not going to get wet to get that wee bastard.'

2 Q. Was it obvious the boy was in distress?

3 A. Oh, aye. The boy was [REDACTED].

4 Q. But was it a deliberate attempt by the boy to take his

5 own life?

6 A. To take his own life.

7 Q. Have you any idea why he got to that point?

8 A. 'Cause he was being bullied, 'cause the wee boy was

9 getting bullied.

10 Q. While he was in Rossie?

11 A. Aye. He was getting -- he was one of the boys that --

12 well, that the night staff was sexually abusing.

13 Q. Then you give us another example of something that

14 happened when you were in the kitchens doing kitchen

15 duties, that you say that you and another boy dropped

16 some tins and zGBI [REDACTED], who was in the kitchen,

17 saw something happening and asked who the other boy had

18 been who had been involved in dropping the pans, and

19 I think you refused to tell him?

20 A. Yeah.

21 Q. He was wanting his name, was he?

22 A. Yeah.

23 Q. What did he do?

24 A. He made me hold out like a large size of beans and hold

25 that out in front of me for as long as I could and just

1           keep it there until I couldnae hold it any longer.

2   LADY SMITH:  When you say large, was that a big catering

3           size of beans?

4   A.  A catering size tin of beans, yeah.

5   MR PEOPLES:  So it's not the sort you just pick up in the

6           supermarket?

7   A.  No.

8   Q.  You basically generally say at 195:

9           'Rossie Farm was a hellhole of a place and the abuse

10          started as soon as [you] went in.  We got marched

11          everywhere, had to ask permission for everything,

12          including going to the toilet, made to clean and tidy

13          constantly ...'

14          With a toothbrush at times, I think you've told us:

15          '... and [we were] hit all the time.  I was kicked,

16          punched and battered daily.  You weren't even allowed to

17          look at the staff in there or you got a slap and they

18          would tell you not to look at them because we were not

19          the same as them, because they considered us to be like

20          shit on their shoes.'

21          Was that the way you perceived their attitude

22          towards you?

23   A.  That's what you were told, it was how you were treated.

24          So even today I struggle to look -- somebody like --

25          somebody will say, 'Look me in the eyes', and I struggle



1 to ... you know, it's like people say, 'Oh, if you  
2 cannae look me in the eyes, you're lying', a lot of  
3 times I cannae look you in the eyes because ... just ...  
4 it's just, you know, it's still in there, eh.

5 Q. I think you say that at 196 that there was an occasion  
6 when you saw, you recall a wee laddie getting battered  
7 so badly you had to jump on top of him to give him  
8 a break from the battering. You stepped in, did you?

9 LADY SMITH: Is that the boy you referred to earlier as one  
10 of the ones you protected?

11 A. No, that was -- what kicked this off was that guy in  
12 particular is now in Carstairs, and it was -- just  
13 a quick background. What happened was I ended up in  
14 court and I had to get assessed with a thingmy and the  
15 guy that assessed me had been looking for me, erm,  
16 because he'd a patient in Carstairs and I've obviously  
17 kept my nickname HWD (several inaudible words) and it  
18 turns out that's who that boy was.

19 LADY SMITH: When you say Carstairs, you are referring to  
20 the state hospital?

21 A. Yeah, now. At, yeah, now. Yeah, he's in there now.  
22 But it's just that what started this kinda full thing  
23 off and, aye, they were jumping on him and everything.

24 MR PEOPLES: You say he was a wee laddie, was he one of the  
25 pets?

1 A. He was younger than me.

2 Q. Was he one of the pets or was he just small?

3 A. He was just small.

4 Q. You have another matter that you tell us about that at

5 that time you say that boys would regularly get injected

6 in the bum if staff thought they needed calming down and

7 it was something that made you feel instantly woozy and

8 then you'd be put in some sort of cuffs on ankles and

9 wrists and taken to the cells, dragged to the cells. Is

10 that something you recall happening?

11 A. Yeah, it happened to me a coupla times, yeah. Well, if

12 you fight back or fight wi' each other or ... they would

13 jump in and you'd feel the needle and that's when you

14 knew that that was that.

15 Q. Turning to another subject, bed wetting, at 198. It

16 appears that -- well, you did occasionally wet the bed,

17 is that right?

18 A. I did, yeah, a coupla times.

19 Q. You say that was because you were constantly in fear?

20 A. You were in fear to ask for the toilet.

21 Q. You were in a dorm. You needed the toilet, you were

22 afraid to ask to go?

23 A. Because you had to leave the dorm.

24 Q. Was the dorm locked?

25 A. You had to chap the door to get out the door, yeah.

1 Q. Was the door locked?

2 A. Yeah.

3 Q. To get to the toilet you had to ask for permission?

4 A. From HZW.

5 Q. Okay, so presumably you couldn't always hold on all

6 night?

7 A. You had to pee out the window.

8 Q. Out the window?

9 A. Aye.

10 Q. If you actually wet the bed itself?

11 A. Oh, they would --

12 Q. What happened?

13 A. Just humiliate you and the staff would dub you

14 'pissy bed' for the full day and everybody was to call

15 you 'pissy bed'. It was humiliating.

16 Q. You say at 199 that in fact your recollection is that

17 the staff themselves were encouraging boys to make

18 fun --

19 A. Oh, aye, staff encouraged boys to bully all the time,

20 wi' different things and -- in fact the staff were more

21 immature than us, I think.

22 Q. You also have a section starting at 201, which tells us

23 a little bit about what you describe as the cells at

24 Rossie. You have a recollection of there being padded

25 and unpadded cells?

1 A. There was a padded cell at the back and the main cells  
2 were just normal cells, police cells, style.  
3 LADY SMITH: Did they have bare walls?  
4 A. Yeah. It was -- I'm positive it was just a -- it was  
5 like a concrete -- not a bed, it was like a concrete --  
6 LADY SMITH: A concrete structure built into the room?  
7 A. Aye.  
8 MR PEOPLES: Raised from the floor though?  
9 A. Yeah.  
10 Q. It was a concrete base?  
11 A. Aye.  
12 Q. Would there be a mattress on that?  
13 A. There was supposed to.  
14 Q. Not always?  
15 A. No always, no.  
16 Q. Did you have blankets?  
17 A. Occasionally you got a blanket. You were stripped down  
18 to your pants and occasionally got a blanket.  
19 Q. If you were in the cell -- while you were there, were  
20 you always stripped?  
21 A. Yeah.  
22 Q. What happened during the day? What were you doing?  
23 A. Just left.  
24 Q. Left?  
25 A. Just left.

1 Q. If you wanted to go to the toilet?

2 A. You could bang the door and if they came, they came. If

3 they didnae, you had to pee in the corner or do toilet

4 in the corner and then they would beat the shit out of

5 you for doing that and fling buckets of cold water over

6 you.

7 Q. Okay, how long could you end up spending in the cells?

8 A. Days.

9 Q. Days. You say that you saw that as a punishment

10 clearly, is that what it was as far as --

11 A. It was part of your punishment.

12 Q. Sorry, I was going to say, you saw that bit as a

13 punishment, but then there was more punishment to come,

14 was there?

15 A. Oh, aye.

16 Q. Because you say, I think at 204, that when you got out

17 of the cell, you were then taken to SNR [REDACTED]

18 and got a further punishment?

19 A. Yes.

20 Q. You describe what would happen on these occasions, that

21 you'd be held face down to a table --

22 A. You'd be held down at a table wi' your arms, one staff's

23 there, one staff's there, push your head down and you

24 had to put your ear on a knot on the wood, on the table,

25 and they would go and get the belt.

1 Q. I think you say that trousers and pants would be pulled  
2 down?  
3 A. If you had -- if they got you -- sorry, you had to put  
4 them on to go and see him and they would be pulled down.  
5 Q. When you saw him?  
6 A. When, you know, you were told how many -- well, we  
7 called it stripes, you know, four stripes.  
8 Q. Stripes?  
9 A. Because that's what you were left with on the back of  
10 your bum.  
11 Q. Not strikes, stripes.  
12 A. Stripes.  
13 Q. This was on the bare backside?  
14 A. The backside, the legs and the back.  
15 Q. On the legs. I think you say that sometimes it was more  
16 than six?  
17 A. Aye.  
18 Q. You probably know now, maybe you don't, but the  
19 regulations said six at most?  
20 A. No.  
21 Q. You didn't know that?  
22 A. No, I didn't.  
23 Q. Did you know that it was supposed to be over ordinary  
24 cloth trousers?  
25 A. No.

1 Q. No?

2 A. No.

3 Q. Didn't know that either?

4 A. No.

5 Q. I don't suppose you were told you had various rights and

6 there were various rules?

7 A. No, we had no rights.

8 Q. There were no rights as far as you were concerned?

9 A. No.

10 Q. Were these the days when everything was a privilege that

11 you had to earn and could be taken away?

12 A. Oh, aye, aye.

13 Q. Okay.

14 A. I mean, even playing a game of football it was

15 a privilege.

16 Q. I want you to tell me now, and I'm sure this isn't easy

17 to say, but you tell us a bit about something that

18 happened on the death of your sister, an anniversary of

19 the death of your sister. You say you were quite down

20 on that occasion. I think it involved something that

21 was said by zGBI [REDACTED]. Are you able to tell or do

22 you want me to read it out?

23 A. Aye. No, it's all right.

24 Q. Can you tell us what happened?

25 A. Er, he just said that she died, you know, even she

1        didnae care about you and, ken, you're that bad and she  
2        died to get away fae you. Er, and of course I lost the  
3        head.

4    Q. You reacted, because you struck him with a shovel?

5    A. Aye.

6    Q. You say that the upshot was that you got a kicking for  
7        that?

8    A. I didnae half, aye.

9    Q. From staff?

10   A. Mm-hmm.

11   Q. You say, I think, one of the other boys tried to help,  
12        but it didn't make any difference?

13   A. No.

14   Q. You heard something along the lines of staff saying,  
15        'Calm him down', and you said that meant you were going  
16        to get an injection?

17   A. Aye.

18   Q. If we go on about this particular occasion, at  
19        paragraph 206, you tell us that you were injected and  
20        you remember feeling woozy and then you were taken to  
21        the cells, stripped and left there and you think it was  
22        for a period of days?

23   A. Yeah.

24   Q. Then you say you were taken to the office to get  
25        a punishment from SNR [REDACTED] ?



1 A. Mm-hmm.

2 Q. You think you got quite a lot of stripes that day; is  
3 that right?

4 A. I did, aye.

5 Q. You tell us you still have faint scars on your lower  
6 back from that?

7 A. I have, yeah.

8 LADY SMITH: Don't worry, I don't need to go into the  
9 details, but am I right thinking that the sister who  
10 died was quite a bit younger than you, she was quite  
11 a young child.

12 A. She was only months.

13 MR PEOPLES: That wasn't the end of the matter, was it?  
14 Because you tell us at 207 that after you had got the  
15 punishment from SNR [REDACTED], you got a further  
16 kicking from other members of staff, is that right?

17 A. Yeah.

18 Q. And that involved punching, kicking, stamping to the  
19 point that you had blood coming from your mouth, face  
20 and you say you had a broken arm?

21 A. Yeah.

22 Q. And that you were taken to hospital?

23 A. Mm-hmm.

24 Q. How did the staff explain your injuries?

25 A. They said I'd been jumped by the other boys.

1 Q. At hospital you say your arm was -- was it confirmed to  
2 be broken?  
3 A. Aye, I had it in a cast, yeah.  
4 Q. You certainly say it was bandaged or tied up at least,  
5 so something --  
6 A. You know the -- I cannae remember what you call it. No  
7 like a proper --  
8 Q. Was it in a sling or bandage?  
9 A. I cannae remember what you call it. You know how you  
10 get the plaster cast, it wasnae one of them, it was a --  
11 I cannae remember --  
12 LADY SMITH: Perhaps similar to the material you use for  
13 tubigrip on ankles?  
14 A. Something like that. It was like a -- they wouldnae  
15 allow me to go for to get the plaster on it.  
16 MR PEOPLES: You were about 15 at that stage.  
17 A. Aye, roughly, aye.  
18 Q. I think you tell us there is maybe another time that you  
19 were in hospital after some beating, but you can't  
20 remember where, whether it's the same place or not?  
21 A. Aye.  
22 Q. I'll come back to this occasion, because -- just before  
23 I leave it, we'll come back to this because it's later  
24 in your statement, but I think following that episode  
25 and incident, you ran away, didn't you?

1 A. Yeah.

2 Q. You went to Tam Paton's house?

3 A. Yeah.

4 Q. I'll come back to that. If I can stop there and just  
5 move on with your statement at this stage, because you  
6 tell us about sexual abuse at Rossie.

7 A. Mm-hmm.

8 Q. You have a section from 209 to 216 about that abuse.  
9 You tell us what staff would do when boys were showering  
10 or using the toilet. Can you tell us what happened?

11 A. I mean, regularly pee at the top of the trough, you're  
12 in the shower --

13 Q. The staff member?

14 A. The staff, yeah, and laugh, 'Dodge that' or they would  
15 make comments about the size of the boys' penises and  
16 bums and pat you on the bum. They would watch you in  
17 the toilet --

18 Q. You mention kicking in your statement, did that ever  
19 happen?

20 A. Aye, they'd kick you and punch you and slap you in the  
21 shower or in the toilet or kinda if you were too long in  
22 the toilet. There was no doors, so they would just tell  
23 you to get out. Drag you out. They would drag you out.

24 Q. What you say there, to sum it up:

25 'It was horrible and degrading.'

1 A. Oh, it was, aye.

2 Q. Then you also tell us a bit about what went on during

3 the night time, when the night staff were on duty. Can

4 I just take you to that, starting at paragraph 211, you

5 say there would be occasions when all the boys in the

6 dorm would be woken up in the early hours, 2.00 or 3.00

7 in the morning, with the lights being put on and told to

8 stand at the bottom of their beds?

9 A. Yeah.

10 Q. What was the point of that?

11 A. Because if you had an erection, they would hit it wi'

12 a wooden spoon. They thought it was hilarious.

13 Q. Was this for staff entertainment?

14 A. It was night staff, aye.

15 Q. What was the purpose of it?

16 A. You tell me. I've nae idea.

17 Q. Did they seem to get some entertainment out it?

18 A. They seemed to, aye.

19 Q. Then you tell us a bit about the night watchman that was

20 nicknamed HZW and, indeed, another night

21 watchman that was on duty. You say that they would

22 sometimes pull boys out of bed at night and take them

23 downstairs to a room, where they would touch, feel and

24 grope them.

25 You say you saw these night staff take boys from

1           their beds at night?

2   A.   Yeah.

3   Q.   That is something you saw?

4   A.   I saw it, yeah.

5   Q.   When you say everybody knew this was happening, how

6           would the day staff or the headmaster or someone else

7           know that the night staff were doing this, you don't

8           know? Do you know?

9   A.   I don't know. I don't know, how they didn't know it,

10          but everybody knew it, we all knew it.

11  Q.   You knew it. Obviously the boys knew it?

12  A.   Mm.

13  Q.   And obviously -- you tell us at 213 that there was

14          actually a particular boy from the Fife area that told

15          you, is it, that the night staff tried to have sex with

16          him?

17  A.   Yeah.

18  Q.   That was something he disclosed to you?

19  A.   Told us, aye.

20  Q.   That's what you were told, but you also heard something,

21          you say, because you said that there was one boy --

22  A.   Screaming.

23  Q.   -- who was regularly abused and you could hear him

24          screaming from the room?

25  A.   That's the boy that played with his hair.

1 Q. The boy that?

2 A. The boy that played with his hair. The boy that used to

3 play with his hair all the time.

4 Q. I see, sorry, yes, you are describing that you can

5 remember that was one of his characteristics?

6 A. Aye.

7 Q. And you could hear screams?

8 A. Aye.

9 Q. You say that you actually were removed from your bed

10 a few times?

11 A. They tried it with me a handful of times.

12 Q. Where were you taken to?

13 A. Taken along the hall to the room down --

14 Q. You describe that you were stripped down, touched and

15 groped between the legs?

16 A. Yeah.

17 Q. But they didn't have sex with you?

18 A. No.

19 Q. But tried to humiliate you?

20 A. Yeah.

21 Q. And tried to get you to touch yourself?

22 A. Aye.

23 Q. They were laughing and said you could do better; is that

24 how it was?

25 A. That's the kinda things they done to me.

1 Q. Indeed you say though that one of them would be touching  
2 himself at the same time, so I think we can infer that  
3 there was some degree of sexual gratification going on  
4 by the staff member concerned, that's obvious, is it  
5 not?

6 A. Obviously, yeah.

7 Q. You say that you fought back on one occasion, or at  
8 least you mention one night where you did fight back and  
9 protest, at 214 of your statement. When the matter was  
10 looked into, staff's position was you had attacked them?

11 A. Aye.

12 Q. You say that you were pinned to the floor by staff  
13 members, dragged to the cells face first, and by the  
14 time you got to the cells, you were covered in blood and  
15 you were left there a couple of days and then taken to  
16 SNR. This is the way it seems to be --

17 A. Yeah.

18 Q. -- that these things would play out. You say you did  
19 actually tell him what had gone on, is that right?

20 A. Yeah, tried to tell him. I was called a liar.

21 Q. He called you a liar?

22 A. Aye.

23 Q. Then you got the belt?

24 A. The belt again, aye, back to the cells that time.

25 Q. You have told us about staff pets -- I'm not going back

1 over that ground again -- at 216.

2 If I go to 217, we link this with the occasion of  
3 the anniversary of your sister's death and what happened  
4 then. You had been taken to hospital and you think your  
5 arm was broken. It was certainly put in some sort of  
6 bandage or cast.

7 You say you ran away and you went to Tam Paton's  
8 house?

9 A. Aye.

10 Q. Why did you go there?

11 A. I had nowhere else to go. I'd managed to get down to  
12 Edinburgh. Well, one of the boys came fae down there  
13 and I had nowhere else to go. I didn't know what to do.  
14 I didn't know where to go. I didn't know -- I knew  
15 I couldn't go home. Well, home, it wasn't my home  
16 really. I had nobody.

17 Q. I was going to ask you, home would have been where your  
18 mum and your step-dad were?

19 A. Uh-huh.

20 Q. Why would it not have been an idea to go home? What do  
21 you think would have happened?

22 A. They'd just put me back in. You have to remember at  
23 that time I'm thinking that it's them that's done this  
24 to me. Erm, well, I didn't know what to think  
25 obviously, but that would be one of the things I'd



1 think, that it was them that done it to me and I had  
2 naewhere else to go, I had nobody else. No family.  
3 I had no real mates, because all my mates would be away.  
4 I didnae know anybody any more.

5 Q. When you went there, and this could have been  
6 [REDACTED] 1981, because of records, but we'll not worry  
7 whether it was or wasn't, because that was then  
8 an occasion, I think, when you ran away, you tell us  
9 I think that you end up being someone who went there  
10 with presumably some sort of bandage or cast, some  
11 bruising, and basically the upshot was that you saw  
12 Tam Paton but he told you to leave?

13 A. Aye, and --

14 Q. Did he have company that evening?

15 A. I cannae remember. I cannae remember, to be honest.

16 Q. So, you did that --

17 A. I ended up back in the assessment centre.

18 Q. You did that, you were picked up by the police and taken  
19 to Howdenhall --

20 A. Aye.

21 Q. -- Assessment Centre?

22 A. Yeah.

23 Q. I think that's what happens, when people run away to  
24 their home area which is distant from their care  
25 setting, if they're picked up by the police, they might

1           have to be taken to a local place and Howdenhall was the  
2           obvious place?

3   A.   Yeah.

4   Q.   You went there. I would just like to ask you just what  
5           happened there, because I think you tell us a bit about  
6           that in your statement from 220 onwards.

7           I think, when you got to Howdenhall, you were put in  
8           a cell?

9   A.   Yeah.

10   Q.   When you were there, you saw MTM ?

11   A.   Aye.

12   Q.   Initially?

13   A.   Aye.

14   Q.   From what I understand, and correct me if I'm wrong, you  
15           tell us that he saw the bruises and he saw your arm was  
16           bandaged up and you at that stage were lying in the  
17           floor of the cell in a ball shaking, that's, I think,  
18           how you remember it?

19   A.   I remember him -- I remember hearing his voice, because  
20           the cells in the assessment centre was -- it was a metal  
21           door, but it wasnae like a big thick metal door thing.  
22           I could hear like -- I could hear footprints, I could  
23           hear his voice coming and, er, I think I felt kinda glad  
24           it was him.

25           And then he shouted my name, you know, 'You wee

1        shite', ken, you know, his usual, MTM [REDACTED] loud and  
2        blah, blah, blah, but when he opened the door and he  
3        looked at me ... and I thought it must be bad, er, and  
4        I was all covered in bruises and I was obviously  
5        thingmy-ed up.

6    Q.    You disclosed to him, because he did ask you, how did  
7        you come by these, didn't he, and you say in your  
8        statement that you told him how you got them and you  
9        also told him about the injections that you've told us  
10       about?

11   A.    Yes.

12   Q.    You say:

13        'I told him and he couldn't believe it.'

14   A.    Aye, he couldn't believe it. He was raging obviously.  
15        I heard a lot of shouting. I don't know what was going  
16        on.

17   Q.    Just slow down, just so I can get the sequence.

18   A.    Sorry, sorry.

19   Q.    You've had this discussion, you've disclosed to him and  
20        then at some point, I think, if I understand what  
21        happened next, is that at some point staff from Rossie  
22        came to Howdenhall to get you, to take you back?

23   A.    Aye. They came to Howdenhall to get me back, yeah.

24   Q.    You say that they -- did they come to the cell and you  
25        say that they were shouting, screaming and started to

1       batter you?

2   A.  They were punching and kicking me and they were trying

3       to get the shack -- they injected me to calm me down,

4       they said.  They tried to put ... it's like

5       shackles-style things on me to hold me down and take me

6       and MTM       went off his head, er, and ...

7   Q.  You are describing a sort of confrontation between

8       MTM       and the staff?

9   A.  Aye, it was.

10  Q.  It was outside the cell about what was going on?

11  A.  No, it was inside, inside the cell.

12  Q.  Or inside, sorry.  Then you say something was said along

13       the lines by MTM       that there were three grown

14       men and that you were just a 15-year-old laddie, was

15       something like that said?

16  A.  Aye, it was, yeah.

17  Q.  So MTM       was really angry at that point,

18       confronted them about both injuries and injections,

19       that's your memory?

20  A.  Yeah, yeah.

21  Q.  He was basically saying something along the lines of:

22       there's no need to do what you're doing just now, you

23       don't need shackles or chains or whatever it is --

24  A.  Three grown men and they're putting shackles on a wee

25       boy.

1 Q. He also said you needed something to eat?

2 A. Aye, it was before I went --

3 Q. He insisted that you were taken from the cell to get

4 something to eat before you left?

5 A. Yeah.

6 Q. Then I think you say that you were taken back to Rossie

7 in cuffs by the staff, Rossie staff?

8 A. I was taken downstairs and the staff was -- had me down

9 and, like, when you went into the hall of the assessment

10 centre, er, everybody was there, all the boys and

11 girls -- sorry.

12 Er, as you went into that hall, it was like three

13 steps down to where the tables were and everybody went

14 quiet. Erm, and I could hear the whispers and

15 I couldnae get down the stairs properly, so they just

16 lifted me down. They just grabbed me and chucked me

17 down and MTM made them take the cuffs off me so

18 I could eat and everybody was just -- the place was so

19 quiet, so like everybody was just looking at me and

20 I was trying to eat and I was like, 'What am I going to

21 do here?', and I heard people mentioning my name and who

22 I was and in fact I think it was the first time my wife

23 saw me, because my wife was in care as well.

24 Q. I take it normally that particular dining hall wouldn't

25 have been a silent place?

1 A. No, no, 'cause it was for -- like the boys and girls  
2 were all together.

3 Q. Then you say on the way back to Rossie you got more of  
4 a battering?

5 A. Aye, I got battered.

6 Q. Then you went to the cells, as you've described before,  
7 for a period and then you were battered when you were  
8 there, when the staff came in and you also got the belt  
9 from SNR . Very much along the lines of  
10 what you said happened on other occasions?

11 A. Aye.

12 Q. Is that right?

13 A. Yeah.

14 Q. You tell us at paragraph 228, 'Murphy', that there were  
15 other times when you ran away after this, with some  
16 other boys, but you were invariably caught by the police  
17 and taken back. Now, you tell us that -- you have  
18 already told us about you have tried in various places  
19 on the various occasions to report things to people.  
20 You say that you did tell the police what staff at  
21 Rossie were doing, but they did nothing?

22 A. They didnae do anything, no. I'll be honest with you,  
23 I said they seemed to be interested, but nothing ever  
24 happened. There was local police that we spoke to.

25 Q. Strangely, as you tell us in your statement, there came

1 a point, you say quite some months after you had been at  
2 Rossie, that maybe rather unexpectedly things changed  
3 for the better one day, just out of the blue. That's at  
4 232?

5 A. Yeah.

6 Q. You say that staff -- their attitude changed and they  
7 made more of an effort and the regular beatings stopped  
8 and you say the place went from being totally regimented  
9 to being a bit more relaxed?

10 A. It was weird, aye.

11 Q. You say it was weird. Did you ever work out why that  
12 might have been the case?

13 A. It was after what happened to me down in the thingmy, so  
14 I assumed personally that it was something to do with  
15 MTM, but I don't know. 'Cause obviously he had  
16 to put a report in or something in to say, you know,  
17 what had happened. I mean, they couldn't hide it. The  
18 other kids were in the room when I came down in  
19 shackles. I was dozy. I was ... trying to eat, trying  
20 to do everything and the bruises on me, so -- and  
21 everybody saw me.

22 Q. Your belief is, or at least --

23 A. I don't know.

24 Q. You don't know for certain, but you think that it's  
25 possible an explanation might be that MTM,

1 after what you've told us about, had said something --  
2 A. Surely there would have been some kind of reporting at  
3 some point. I do know -- I mean, going back to that  
4 time in the court with the psychiatric report, I can't  
5 remember what you call them --  
6 LADY SMITH: This was the psychiatrist that came from  
7 Carstairs?  
8 A. Yeah, he told me that he drew up a report on Rossie Farm  
9 and, you know, he had a long connection with  
10 Rossie Farm.  
11 MR PEOPLES: The psychologist?  
12 A. Psychologist, psychiatrist.  
13 Q. Psychiatrist, sorry.  
14 A. I don't know. It was just when I saw him when I was  
15 going to court for something else years later, and he'd  
16 been trying -- he was an all right old guy (Inaudible),  
17 he said, 'Well, look, I've been ... you know, your  
18 name's come up so many times with these two guys', and  
19 one of the guys in special is the guy I jumped on top  
20 of, erm, and he said that he had wrote a report on  
21 Rossie Farm. So I don't know. I don't know. So many  
22 things I don't know. That and MTM . And that's  
23 what I put it down to, I don't know.  
24 Q. Whatever happened, there was a change?  
25 A. There was a total change.



1 Q. I know you say that you still got the odd slap --  
2 A. There was one or two things that happened, like, you  
3 know, a guy disappearing and saying that they killed  
4 him. We don't know that but ... We dinnae know, we  
5 dinnae know what -- you know, that's what they tell you,  
6 so that, you know ...  
7 Q. What also happened was that you say a few weeks after  
8 this change you were back, I think, for a short time at  
9 the assessment centre again?  
10 A. Aye. It was ... aye, my social worker brought my mum  
11 out the blue, just out the blue, 'cause my mum said --  
12 well, seemingly ... it was years later I found out they  
13 were telling my mum I didnae want to see her, but they  
14 were telling me that nae of them wanted to see me and  
15 they wouldnae tell me where she was. My uncle, who was  
16 a councillor or something, he was a councillor or ... he  
17 wasn't an MP, but, you know, a councillor, he tried to  
18 get -- pick me up and eventually they came to see me and  
19 I agreed to eventually to go back to my mum and dad's,  
20 but I ended up -- I had to go to the assessment centre  
21 before on --  
22 Q. I think the upshot was that maybe not too long after all  
23 of this had happened, well, it was in May, but you were  
24 released from Rossie by the [REDACTED], as we know from  
25 dates, I think?

1 A. Yeah. I was only in the assessment centre a few days  
2 though, it wasnae like, you know, it wasnae like --  
3 Q. But you could end up there for all sorts of reasons,  
4 because sometimes when you ran away, you would be there  
5 for a short time?  
6 A. Aye.  
7 Q. I'm going to leave Rossie now. You have a section  
8 dealing with life back at home and life after the care  
9 settings and there's a lot there and we can read it and  
10 I'm not wanting to go through it all in detail today  
11 with you.  
12 I think we can get a picture that there were ups and  
13 downs, from what you tell us?  
14 A. Yeah.  
15 Q. But can I just say this: I think you recognise that you  
16 owe a lot to your wife, who you married when you were  
17 a teenager. She's stuck with you in difficult periods  
18 when you've had all sorts of health issues, mental  
19 health issues and so forth, is that correct?  
20 A. Yeah, yeah.  
21 Q. And indeed, it hasn't been plain sailing, because  
22 I think you did have a lengthy spell in prison for  
23 a drugs offence --  
24 A. Uh-huh. Ten year it were.  
25 Q. Ten years ago or thereabouts and you served a spell

1           there but can I say, you did make some use of your time,  
2           because you worked for the Samaritans when you were  
3           there, was that a turning point?

4   A.   Yeah, a big turning point, yeah. It took me years to,  
5           when Tam died, to -- I don't know, how you would  
6           describe it, (Inaudible), it sounds stupid, but realised  
7           he's no there, he's no got control of you any more, he's  
8           not -- I mean --

9   Q.   You still felt until he died he had some form of  
10          control?

11   A.   Even after he died, aye.

12   Q.   I'm not wanting to go into the detail today, but you  
13          quite freely admit -- and indeed you served a sentence  
14          -- that you were involved in both drugs and in violence  
15          at times and I don't want the detail today --

16   A.   Yeah. Yeah, I was, yeah.

17   Q.   -- but perhaps there's a brighter note now, that you say  
18          that in recent years you feel as if in speaking about  
19          things that happened to you, that that has helped  
20          considerably, is that correct?

21   A.   Loads.

22   Q.   Indeed, you are currently, I think, receiving ongoing  
23          support from Future Pathways, which I think you have  
24          found very beneficial?

25   A.   They are absolutely brilliant, aye.

1           I think -- see when you're in care, I've had a few  
2           opportunities, when you look back and you think,  
3           I should have took that or done that, but you no trust  
4           -- you don't trust people. You know, you're always  
5           looking for an angle. You're always looking for what  
6           they're wanting off of you. But Future Pathways,  
7           they're not like that. They're really nice. They talk  
8           to you. You know, and I think my Samaritans training in  
9           jail, erm, helped a lot as well and realising, you know,  
10          other -- you know, there's loads of us out there. There  
11          obviously is a lot of us out there.

12          And the police come to me, asked me about  
13          John Wilson, Sticky --

14   Q.   You were able to do something about that. You helped  
15          put him behind bars, if you like?

16   A.   Aye, aye, but you've got to remember, I lied to my kids  
17          and my wife for years. I was living a double life, you  
18          know what I mean. Like, Tam was a great guy. Tam was  
19          this thingmy guy. Tam used to phone the house every  
20          Sunday to speak to her, but that wasnae to speak to her,  
21          that was to let me know, 'I've got control of you', you  
22          know what I mean so, aye, and then opening up on the  
23          people the Inquiry, [REDACTED], you know, sorry to mention  
24          their names but they've all been brilliant.

25   Q.   One thing you feel very strongly about, as I understand,

1 is that while you've had that support from  
2 Future Pathways, you feel strongly that government  
3 should be providing more support and resources for adult  
4 survivors of abuse?

5 A. I don't know if you know, but I've spoke, well, in  
6 letters and emails --

7 Q. Don't go into too much detail, I think we can work it  
8 out --

9 A. To deputy ministers and said, you know: you have opened  
10 a can of worms. I'm passionate about places like  
11 Future Pathways and that, getting funding and getting  
12 help, because there's a whole lot of us out there that  
13 need it, and the waiting list is getting bigger and  
14 bigger and bigger and bigger. My wife was in care, and  
15 she's now started to think, 'I need to get my story  
16 over', you know, so ... I'm proud of me and my wife.  
17 We've done -- I mean, for two us being in care and that,  
18 none of our kids have been in trouble. Never once, not  
19 once, our kids (Inaudible), know what I mean --

20 LADY SMITH: I see that from your statement. You've worked  
21 hard yourself and your wife has worked hard as well,  
22 isn't that right?

23 A. Mostly her.

24 LADY SMITH: Mostly.

25 A. It's 40 years married [REDACTED], so it's mostly her, aye.

1           We were married young, and I mean, [REDACTED] it's my  
2           40th anniversary.

3   MR PEOPLES: Can I say that these are all the questions that  
4           I have for you today and I do hope you have a very happy  
5           anniversary when it comes [REDACTED] and I wish you well  
6           for the future, but thank you so much for coming today  
7           to give your story in person and in your own words.

8   A. Thank you.

9   LADY SMITH: 'Murphy', let me add my thanks. Let me tell  
10          you, I do not underestimate what it has taken for you to  
11          be able to give us your written statement, and then come  
12          here today and talk about what happened to you. That is  
13          an enormous hurdle that you have overcome.

14          So you deserve a really happy wedding anniversary  
15          [REDACTED]. I hope you realise that 40 years is a ruby  
16          wedding anniversary?

17   A. I know. I know how much rubies cost. I've been saving.

18   LADY SMITH: At the very least I think your wife deserves  
19          a perfect red rose, if not more.

20   A. Yeah, definitely.

21   LADY SMITH: Thank you so much. Away you go and have  
22          a restful time for the rest of today.

23   A. Thank you, thank you for listening.

24                               (The witness withdrew)

25   LADY SMITH: I will rise for the lunch break now, but before

1 I do so, some names of people whose identities are  
2 protected by my General Restriction Order, so they're  
3 not to be identified as referred to in our evidence  
4 outside this room.

5 There's EWA [REDACTED], HGO [REDACTED], somebody HZV [REDACTED],  
6 zGBI [REDACTED], that's possibly GBI [REDACTED],  
7 HZW [REDACTED], HZV [REDACTED] and a boy, or he was a boy at  
8 the time, called [REDACTED] who was in care alongside  
9 'Murphy'.

10 MR PEOPLES: I think there may also have been occasional  
11 mention of a nickname for the applicant. I think he  
12 mentioned it once and also I think he may have mentioned  
13 his own name once.

14 I'm just reminding your Ladyship just to reemphasise  
15 the point that you have made. I'm not sure whether  
16 there were any other young people -- yes, he did mention  
17 some boys by name that he --

18 LADY SMITH: The only one I picked up was [REDACTED].

19 MR PEOPLES: I think he certainly mentioned that. It is  
20 just to remind that there were other names that would  
21 obviously be protected as well, just so that if people  
22 are in any doubt.

23 LADY SMITH: Anyone who was in care has their identity  
24 protected in this case study and also this applicant can  
25 only be referred to as 'Murphy' outside this room.

1           Thank you very much.

2           I'll sit again at 2 o'clock, when we'll have another  
3       witness to ready to give evidence.

4       (12.49 pm)

5                       (The luncheon adjournment)

6       (2.00 pm)

7       LADY SMITH:   Good afternoon.

8           Mr Peoples.

9       MR PEOPLES:   My Lady, there is another oral witness today  
10       who is going to speak about Rossie this afternoon.   His  
11       pseudonym is 'Lindsay', but before I call him, I just  
12       point out that some of his evidence was read in during  
13       the SPS chapter on 15 November 2023, on Day 390.   That  
14       is TRN-12-000000022, I think.

15           It's just to say that obviously he does have  
16       evidence about some places and I can be brief on that,  
17       I think, today, because we will focus, I think, on  
18       Rossie.

19       LADY SMITH:   Thank you.

20       MR PEOPLES:   Thank you.

21                       'Lindsay' (sworn)

22       LADY SMITH:   'Lindsay', thank you so much for coming along  
23       this afternoon to help us with oral evidence from you.  
24       As you know, I think, some of your evidence about places  
25       other than Rossie has already been read in and we'll be



1 focusing particularly on Rossie today.

2 I do already have your written statement and it's  
3 been really helpful to be able to read that in advance.  
4 But that's not to say you shouldn't feel you can talk  
5 about things that you know are there. It's important  
6 that you let me do what I can to help you give the best  
7 evidence that you can.

8 A. Yes, my Lady.

9 LADY SMITH: So feel free to explain things in your own way.

10 Your red folder there has your written statement in  
11 it and so it will be available for you if you want to  
12 use it. You don't have to. We'll also be able to bring  
13 parts of your statement up on the screen as we look at  
14 it, if that's all right?

15 A. Yes.

16 LADY SMITH: Sometimes people decide they don't like that,  
17 and that's fine. If you're okay with it, that's fine,  
18 but if you decide you don't like it, we can take it  
19 down.

20 If at any time, for example, you feel you need  
21 a break, please just let me know or if there's anything  
22 else that we can do to make the process of something  
23 that isn't easy to do a little bit more comfortable,  
24 will you speak up?

25 A. Thank you.

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

3 Questions from Mr Peoples

4 MR PEOPLES: Good afternoon, 'Lindsay'.

5 A. Good afternoon.

6 Q. Can I begin by asking you just to have the folder open  
7 in front of you and before I ask you any questions,  
8 I'll just give the reference that we use for your  
9 statement. You don't need to worry about this, it's  
10 just for the record. The reference is WIT-1-000001062.

11 With that introduction, can I take you to the final  
12 page of the written statement in front of you in the red  
13 folder and can you confirm for me that you have signed  
14 and dated the statement that you have provided to the  
15 Inquiry?

16 A. Yes, that's correct.

17 Q. You also say at paragraph 182:

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 A. That's correct.

23 Q. I'll maybe get you to go to the beginning, if you're  
24 going to use the statement, and I'll take you through  
25 some parts of the statement today.

1           You have a section about life before going into  
2           care, starting at paragraph 2 and running through to  
3           paragraph 28. I'll ask you some questions about that,  
4           if I may.

5           First of all, you tell us you were born in 1954.  
6           I don't need any dates, specific dates, but you were  
7           born in 1954. Then you were brought up in the  
8           Northfield area of Aberdeen, I think, as a child?

9   A.   Correct.

10  Q.   You were one of six children?

11  A.   Yes.

12  Q.   We will come back to this, but you had four brothers and  
13       a sister; is that right?

14  A.   That's correct.

15  Q.   One of your older brothers was killed in an accident  
16       when he was 20, in 1970, is that correct?

17  A.   Yes.

18  Q.   Now, so far as the situation at home was concerned, you  
19       tell us about that and we've read it and we can read it  
20       again for ourselves, but if we go to paragraph 8,  
21       I think you tell us there that your dad was involved in  
22       what you describe as a horrendous vehicle accident when  
23       you were in your first year at primary school and was in  
24       hospital for around nine months?

25  A.   It was actually the first year in secondary school.

1 Q. Sorry. I think the statement is saying primary, but it  
2 is secondary?  
3 A. Yes.  
4 Q. Oh, sorry.  
5 I was trying to work out dates for that.  
6 LADY SMITH: You would be about 11 years old, would that be  
7 right?  
8 MR PEOPLES: 1965/1966?  
9 A. Yes.  
10 Q. Can I use my -- there was a World Cup in England in  
11 1966, was it before then or after, if you are a football  
12 fan?  
13 A. I'm absolutely not a football fan.  
14 Q. Oh, well, sorry, bad question.  
15 I'm just trying to see if I could link it to  
16 something, but it doesn't matter, you have told us?  
17 A. I'm sure I was 11 years old.  
18 Q. 11, well, that's fine. That will do for our purposes.  
19 You say that unfortunately he was permanently disabled  
20 after that?  
21 A. Yes.  
22 Q. I think you say your mum, as you describe it, became  
23 a wreck after that to some extent?  
24 A. My mum was a wreck well before that.  
25 Q. I'll come to that as well, but that probably didn't help

1           the situation?

2   A.   It was very difficult financially because of his --

3   Q.   Accident?

4   A.   Not only because of his accident, but because he didn't

5        pay his insurance stamps. He was self-employed,

6        therefore there were no benefits forthcoming.

7   Q.   Right. I think you do tell us about that?

8   A.   Yes.

9   Q.   I think you say that although there were good times and

10       times when there was perhaps food on the table and

11       money, there were also a lot of times when there wasn't?

12   A.   Yes.

13   Q.   At paragraph 10, I think you tell us that things became

14       absolutely terrible, your words:

15       'There was no food, my dad was disabled, my mum had

16       to go out and work ...'

17       The only food that you were getting was school

18       lunches at one point?

19   A.   Yeah.

20   Q.   What you're saying, I think, and describing, in this

21       section of your statement, is a situation where really

22       you were in dire poverty?

23   A.   Yes.

24   Q.   At paragraph 11 you make that point, that you were in

25       a situation of dire poverty --

1 A. Hand to mouth, yes.

2 Q. -- and it was extremely different for you and other  
3 members of your family?

4 A. Yes.

5 Q. Then you tell us a bit more about particular members of  
6 your family. If I can just pick up at paragraph 20,  
7 that you tell us that when your father was in hospital  
8 for around nine months, you had an uncle -- I don't need  
9 his name -- who was, is it your mum's --

10 A. Yeah, my mum's brother.

11 Q. Who came to stay with you for a time?

12 A. Yes.

13 Q. I don't think it was a very pleasant time for you with  
14 him, is that --

15 A. No, not at all. Previously to that, my father had  
16 forced the sale of my grandfather's house, that was half  
17 owned by my uncle and my mother, and this is why he  
18 ended up coming to stay with us and there was animosity  
19 between my father and him because he forced the sale of  
20 the house.

21 Q. That didn't help matters?

22 A. No, not at all.

23 Q. You do say, and I take it this was when your uncle was  
24 staying with you when your father was in hospital, at  
25 least you say he was an abuser and he would hit you from

1           time to time?

2   A.   Yes.   This happened my whole life with him.   That's what

3           he was, he was like another father, you know.

4   Q.   But you also say, and I think you mentioned this

5           earlier, that your mum was also an abuser?

6   A.   Yes.

7   Q.   But from an early age?

8   A.   Yes.

9   Q.   And not just after your father's accident?

10  A.   No, no.

11  Q.   You tell us that you would get regular beatings from

12           her?

13  A.   Yes.

14  Q.   Indeed, it wasn't just with the hand.   You say she would

15           hit you with implements such as pokers?

16  A.   Yeah, pokers for the fire, yeah.   Coat hangers and

17           things -- coat hangers and things.

18  Q.   Right, so it sort of became that was a normality for

19           you?

20  A.   Yes.

21  Q.   And I think you put it quite in a nutshell at

22           paragraph 21, your mother really was a horribly violent

23           person and just liked to inflict pain, was that the way

24           it was?

25  A.   Yeah, she was ill.

1 Q. Do you think it was due to some form of mental illness?  
2 A. Of course it was, after having a deformed child and  
3 being left with a young family, struggling.  
4 Q. Yes, she was struggling to make ends meet with a large  
5 family, one of whom I think you said had a cleft palate  
6 and she had all this to cope with?  
7 A. Yes.  
8 Q. Then your father had his accident obviously, which maybe  
9 added to the problems, but you say this may have caused  
10 her to -- this whole situation --  
11 A. My father was a bit of a philanderer, you know, he was  
12 -- he was never at home.  
13 Q. Okay, so she was really left to deal with running the  
14 home?  
15 A. Dumped with the kids, as they would say.  
16 Q. And tried to find money to put food on the table --  
17 A. Yes.  
18 Q. -- and to deal with all the day-to-day problems?  
19 A. Yes.  
20 Q. That took its toll, it would appear?  
21 A. I would imagine it did, yes.  
22 Q. I take it, when you say she was violent at times and  
23 beatings, that was not just you, but other members of  
24 your --  
25 A. Oh, yes, she dished it out, yeah.



1 Q. Okay. You tell us that really the situation that --  
2 particularly the poverty and the consequence of it as  
3 the years went by, you say at paragraph 23, things were  
4 getting worse at home and you were finding it more of  
5 a struggle at school as well, is that right?

6 A. Yes, yes.

7 Q. When you went to the local secondary school, you  
8 describe that as a terrible time and I think part of it,  
9 do you say, is because some of your older brothers had  
10 been there before you and had perhaps created  
11 a reputation for the family?

12 A. That's correct, yes.

13 Q. So it wasn't very easy for you?

14 A. Not at all, no.

15 Q. Indeed, you tell us, I think, at paragraph 24 that when  
16 you were 15, you just stopped going to school?

17 A. Yes. I mean, they actually moved the school age forward  
18 by one year, which I thought was quite pointless,  
19 especially in my case, so as far as I was concerned,  
20 I had left school.

21 Q. But because of the raising of the school leaving age,  
22 should you have been at school legally?

23 A. I should have been at school.

24 Q. So you took the decision to stick with the old age --

25 A. Yes.

1 Q. -- and stop?

2 LADY SMITH: So the age had been lifted from 14 to 15.

3 MR PEOPLES: No, 15 --

4 A. It was 15 --

5 LADY SMITH: It was 15 and it previously had been 14?

6 A. No --

7 MR PEOPLES: No, 15 to 16.

8 LADY SMITH: From 15 to 16 at that stage?

9 A. From 15 to 16, yes.

10 MR PEOPLES: That would have been in the 1970s, I think 14

11 to 15 was an earlier --

12 A. I stand corrected if that's the case.

13 LADY SMITH: No, no. I'll check.

14 Anyway, you were going by the old leaving age in

15 your head?

16 A. I got rid of the extra year, yes.

17 MR PEOPLES: I think it's 16, because I'm just judging by

18 your date of birth and what age you would be, but we can

19 check that. Let's not worry about it.

20 The fact is you stopped going to school?

21 A. Yes.

22 Q. Also there was something that we touched on earlier,

23 that your older brother was killed in 1970, when you

24 were aged 15?

25 A. Yes.

1 Q. You say that after that, apart from the general problems  
2 you've described, you started to get into problems and  
3 trouble with the police?  
4 A. Yes.  
5 Q. You mention the type of trouble you were in, it was  
6 minor theft and joyriding?  
7 A. Yes, that's correct.  
8 Q. You tell us that at some point around 1970 or  
9 thereabouts, that you ended up in court, this would be  
10 the Juvenile Court I take it then?  
11 A. Yes.  
12 Q. And you were given probation?  
13 A. That's correct.  
14 Q. You tell us at paragraph 25 that that was -- was that  
15 the first time you had an allocated social worker?  
16 A. Yeah, that's correct.  
17 LADY SMITH: 'Lindsay', could I ask you to just move a bit  
18 closer to the microphone so that everybody can hear you  
19 clearly.  
20 Thank you very much.  
21 MR PEOPLES: As far as you can recall, was there much social  
22 work involvement with the family before then?  
23 A. None at all.  
24 Q. None at all?  
25 A. None. Apart from my brother, who was in a little bit of

1           trouble, had a social worker but --

2   Q.   Yes, but the family -- it wasn't -- you weren't --

3   A.   There was no family involvement, no.

4   Q.   Okay. Now, if we go on in this section of life before

5           care, as well as probation, you tell us at paragraph 26

6           you were told that you would have to go for psychiatric

7           reports, but you didn't go?

8   A.   Correct.

9   Q.   That got you back in court and the upshot was that you

10          were remanded to a remand home in the Aberdeen area?

11   A.   Correct.

12   Q.   You suspect that the reason they wanted to do reports

13          was to assess whether you should be sent to an approved

14          school?

15   A.   That's correct.

16   Q.   I think you're correct in saying it was probably

17          standard practice then for a court to obtain some sort

18          of background report before deciding on disposals --

19   A.   Certainly.

20   Q.   -- in cases like your own.

21            You also tell us at paragraph 28 that you tried to

22          take your own life when you were 15; is that right?

23   A.   Yes.

24   Q.   Was this following your older brother's death?

25   A.   Just the combination of that and things happening at

1       home, yes. Before my brother's death, my father had  
2       sort of chased both brothers out of the house and they  
3       were both living away from home and it was an extremely  
4       rough time for me as well, you know.

5   Q. Was this around the time your father had his accident?

6   A. It was after he had his accident.

7   Q. But not long after?

8   A. Not long. He was still in recovery.

9   Q. You tell us in the next section of your statement about  
10       your time at the remand home, around 1970?

11   A. Yes.

12   Q. You tell us about that between paragraphs 29 and 55 of  
13       your statement. I'm not going to ask you about that  
14       today, because we're focusing on other places, but you  
15       can take it there is evidence, and we're aware of what  
16       you have told us about it, Secondary Institutions - to be published later

17   Secondary Institutions - to be published later

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1 Secondary Institutions - to be published later

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15 Q. I think in those days -- you moved from the remand home  
16 to Craiginches Prison?

17 A. Yes.

18 Q. I think in those days there was a legislation that  
19 allowed the courts to issue an unruly certificate, which  
20 would permit a young person under 16 to be sent to  
21 an adult prison?

22 A. Yes.

23 Q. That's what happened to you?

24 A. Yes. It was through the court, I was taken to Juvenile  
25 Court, back to the court and then taken to Craiginches,

1           (Inaudible) taken directly to Craiginches.

2   Q.   You went to Craiginches Prison in Aberdeen and you tell  
3       us about that from paragraphs 56 to 75.

4           'Lindsay', I can tell you, we have read this  
5       evidence in, so we know about this and it's on our  
6       published website, I think.

7           Basically, technically at that stage, you were still  
8       on remand, you were on remand but on remand in an adult  
9       prison?

10   A.   Yes.

11   Q.   Because you were categorised as unruly?

12   A.   Yes.

13   Q.   As I say, I'm not going through this, because we've been  
14       through it before, but obviously you have a section  
15       about abuse and this concerned the fact that you were  
16       placed in an area where there were also adult prisoners,  
17       including a lifer?

18   A.   Including convicted prisoners, yes.

19   Q.   I think that that person certainly approached you --

20   A.   Yeah.

21   Q.   -- with a view to perhaps some form of sexually  
22       inappropriate behaviour basically?

23   A.   Yes.   Yes.

24   Q.   I think you did get moved within the prison for a short  
25       time?

1 A. We got segregated. We didn't get moved so we stopped  
2 associating with the adult prisoners.

3 Q. You had a spell there. Do you remember how long you  
4 were there, in all?

5 A. I think it was almost two weeks.

6 Q. Okay, and then I think that shortly after you were  
7 released from the prison, you were back in court, in the  
8 Juvenile Court, and you were sent to Rossie Farm?

9 A. That's correct.

10 Q. We have spoken about dates and, can I just be clear,  
11 I think there are certainly records, and you have  
12 a record yourself, that shows you were in Rossie on  
13 [REDACTED] 1971?

14 A. Yes.

15 Q. I think you have told us, in your statement, that you  
16 were released around [REDACTED] 1972, so a year on?

17 A. Like I say, that was a bit -- during the statement was  
18 a little bit fuzzy, that time.

19 Q. But you think it would be around then?

20 A. Yes.

21 Q. Can I just ask you, the reason I'm -- I think I had  
22 taken from the records that we've seen that you were  
23 committed to Rossie and admitted around [REDACTED] 1971  
24 but you say in your statement you have a punishment  
25 record that shows on that date you received a punishment



1           from the school?

2   A.   Yes, I did.

3   Q.   Now, can I just check with you, does that mean you were

4           punished on your first day of school or do we have the

5           date of admission wrong?

6           Do you see the point I'm asking? Was that the first

7           day at school --

8   A.   I don't know if it's the date of admission or the entry

9           in the book.

10   Q.   I think the book entry maybe suggests that that was the

11           time you came in, but you have a punishment record that

12           shows you had a punishment on that day?

13   A.   Yes, yes, definitely.

14   Q.   We will talk about that maybe in due course, but

15           basically what you are telling us is you were in Rossie

16           for quite an appreciable period?

17   A.   I was in Rossie for about a year.

18   Q.   Well, that maybe does coincide.

19   A.   As it transpires.

20   Q.   You were there long enough and it was in the early

21           1970s?

22   A.   When I first went in there was a graded system and it

23           looked like I was going to be doing about three years so

24           ... by the time things changed and got sorted out and

25           I advanced through the grading system and the

1 Children's Panel system came in, they accelerated it,  
2 because the grade system was removed and this led to  
3 a bit of date confusion.

4 Q. No, I get that. Just so that we're clear, let's not  
5 worry too much about the dates. You think you were  
6 there about a year?

7 A. Yes.

8 Q. You were put there by the Juvenile Court --

9 A. Correct.

10 Q. -- before the introduction of the Children's Panel  
11 hearing system?

12 A. Yes.

13 Q. But you were released under the children's hearing  
14 system when they made an order --

15 A. Yes, all cases were reviewed, all juvenile cases were  
16 reviewed by the Children's Panel and a fresh decision  
17 was made.

18 Q. I have the picture.

19 Also, as you say, when you initially went in, at  
20 least in theory, you could be there for as much as three  
21 years but it was up to the school to decide if you were  
22 able to be released earlier on a form of licence?

23 A. Yes. Yes.

24 Q. Typically I think a lot of boys were released maybe  
25 after a year or 18 months --

1 A. Yes.

2 Q. -- at that time?

3 A. Yes. A lot of people were released earlier than they

4 had anticipated under the Children's Panel.

5 Q. Okay. Maybe at this point I could just conveniently

6 turn to some photographs. I want to show you four

7 photographs. I'm not sure that they relate to your time

8 at Rossie, so forgive me if you can't recognise them.

9 But if you do, you can let me know if they're familiar.

10 Can we start with INQ-0000001014, which should come

11 up on the screens.

12 You'll see that that's an internal photograph of --

13 A. That's closed block.

14 Q. I'm sorry?

15 A. That's the closed block.

16 Q. That's a dormitory?

17 A. Yes, of the closed block. That's not the training

18 centre.

19 Q. Okay, well, pause there, and I'll just check then. You

20 were sent to Rossie, but you were in what was called

21 then the training school?

22 A. Yes.

23 Q. Which was an open unit?

24 A. Yes.

25 Q. At the time there was a place called the MacDonald wing,

1           which was opened in 1962, which was a secure  
2           accommodation?

3   A.   Yes, and this is it.

4   Q.   You recognise that as being a secure accommodation  
5           dormitory?

6   A.   Yes, yes.

7   Q.   Was your dormitory anything like that?

8   A.   No.

9   Q.   What was it like?

10  A.   Same beds, but it was like a primary school --  
11           old-fashioned primary school, where all the classrooms  
12           are in a row and it's all glass windows, but it's  
13           a two-storey building. Underneath was the dining room  
14           and on the top there were four dormitories each side of  
15           a staircase and huge open windows, picture windows.

16  LADY SMITH:   What about the inside of the dormitories?

17  A.   The inside of the dormitories were painted and the  
18           painter, that was a local artist, and he had murals that  
19           he painted full size on the walls.

20  MR PEOPLES:   In your time there were murals on the walls?

21  A.   It was a very nice atmosphere, yes.

22  Q.   Murals in the communal areas and in the bedrooms?

23  A.   In the bedrooms. One wall was a complete mural of  
24           Tayside, of the River Tay.

25  Q.   I think you tell us in your own statement, just keeping

1           the photograph there, that there were dormitories with  
2           about ten boys in each dorm in the training school.

3   A.   Yes, that's correct.   Correct.

4   Q.   I think you were indicating that there were perhaps --  
5           was it four dormitories in all?

6   A.   Yes.

7   Q.   For boys?

8   A.   Each side.

9   Q.   Four on each side?

10  A.   As far as I can remember.

11  Q.   So that would be eight?

12  A.   I'm trying to think how many was in there, if there were  
13           four or five.   I can't really remember.

14  Q.   We're talking a sizeable number of boys and a number of  
15           dormitories?

16  A.   Yes.

17  Q.   But they had more decoration than the photograph?

18  A.   Absolutely, yes, yes.

19  Q.   Than the dormitory we see in this photograph?

20  A.   That's definitely the closed block.

21  Q.   That's the MacDonald wing we are seeing?

22  A.   The MacDonald wing, yes.

23  Q.   You will know about this, because you were in the  
24           MacDonald wing at the time.

25  A.   Yes, I know by the windows and the bars.   There were no

1 bars in the windows in the open unit.

2 Q. Open unit. Or the training school, as it was called?

3 A. Yes.

4 Q. That would look, if you were in the secure unit at that

5 time, that's how a dormitory would like.

6 A. Yes, it was more prison-like structure with the decor,

7 yes. But the beds were very comfortable, because they

8 came from an ocean liner that had been decommissioned.

9 Q. Well, I suppose that's a small consolation, I suppose.

10 If I can take you to another photograph, if I may.

11 It's INQ-0000001008. Now, I'm not sure whether this

12 looks familiar or unfamiliar?

13 A. Yeah, it's where the swimming pool was on the bottom

14 floor.

15 Q. The bottom floor is the swimming pool in this

16 photograph?

17 A. Yeah, yeah.

18 Q. In the building in the foreground?

19 A. Yes.

20 Q. What's above it, there are two floors above?

21 A. Those were an administration purposes and classroom.

22 There was a classroom there and there was

23 an accommodation unit for a member of staff, who stayed

24 there --

25 Q. Oh right, an in-house --

1 A. A flat-type area.

2 Q. And ...

3 A. But that wasn't the area where we --

4 Q. No, so we can't really see any accommodation in that

5 photograph?

6 A. No, no.

7 Q. That's the swimming pool and administrative buildings

8 and sleeping quarters for staff sleeping in?

9 A. Yes.

10 Q. I don't know if it was happening in your time, but

11 obviously overnight there would be night staff on duty?

12 A. Yes.

13 Q. But they were expected to be awake, presumably?

14 A. He had a flat here as well. He had somewhere he could

15 rest, a little area, a room.

16 Q. Was the person that was on night duty in your time

17 expected to be awake all the time?

18 A. Yes.

19 Q. But they had --

20 A. He had an accommodation unit.

21 Q. -- quarters that they could --

22 A. Yes.

23 Q. Okay. How many night staff were in the training school?

24 A. One.

25 Q. One at the time?

1 A. Yes.

2 Q. Was there any support staff on call --

3 A. None, no, nothing.

4 Q. -- or anything like that? No, no, just one person?

5 A. One person.

6 Q. For the whole school?

7 A. Yes, for the whole school.

8 Q. The whole training school?

9 A. Before I went there, the night watchman had been clubbed

10 by one of the inmates and there was a big court case and

11 all the rest of it.

12 Q. But this is a training school?

13 A. Yes, this is a training school.

14 Q. What was the situation in the MacDonald wing? Was there

15 one --

16 A. Those were all locked. You were locked in your room at

17 night.

18 Q. Yes, but was there night staff?

19 A. I think it was GQE, sorry, it was the same man

20 that came --

21 Q. He was covering both?

22 A. Yeah. They just had a peek in, you know. If there was

23 any trouble they obviously had a number to phone and

24 someone would come in with a second key --

25 Q. If there was a --



1 A. -- there was an emergency key that they could use, but  
2 had to show why they'd accessed it. You know, they  
3 couldn't just open the door and come in --  
4 Q. Was there an alarm bell or a panic button?  
5 A. In the room I think there might have been a button, in  
6 the closed block, but not in the open unit. In the open  
7 unit your door was open and you could go to the toilet  
8 at night.  
9 Q. In the training school?  
10 A. Yes.  
11 Q. But not in the MacDonald wing?  
12 A. But not in the MacDonald wing.  
13 Q. If the night watchman --  
14 A. If he wanted to access your bedroom, he could. You  
15 know, and if he wanted to take you out of the room at  
16 night, he could.  
17 Q. But if there was any sign of trouble, what the night  
18 watchman would have to do is pick up a phone?  
19 A. Yes.  
20 Q. There was no other way to communicate --  
21 A. No, no.  
22 Q. -- at that time?  
23 A. No, but the staff houses were very close.  
24 Q. Yes, and I'm not suggesting they can't get the help or  
25 that there wasn't an arrangement?

1 A. He wasn't left on his own and someone had to come from  
2 Montrose, there was plenty on site available --  
3 Q. Yes, because there were staff houses on the grounds --  
4 A. Yes, yes.  
5 Q. That's two photographs, I'll maybe show you a couple  
6 more before we pass back to your statement.  
7 INQ-0000001009.  
8 A. That's the accommodation unit now. One row of windows  
9 at the top.  
10 Q. The row of windows at the top --  
11 A. Yes, those, yes, all those. Those are all dormitories.  
12 Q. From the left-hand side towards the top right-hand side  
13 of the picture, the photograph?  
14 A. I think it's five dormitories, if I can count.  
15 Q. On the top floor. And then what's below?  
16 A. Two windows per dormitory, I would say.  
17 Q. Okay. What's below?  
18 A. Below, that's the dining room.  
19 Q. On the left-hand side --  
20 A. That's the office, where your pointer is now. The front  
21 door and the office. That is the office of the welfare  
22 officer and behind that is the dining room.  
23 Q. Then what's this building in the foreground --  
24 A. That's the swimming pool.  
25 Q. -- like a rotunda?

1 A. That's the swimming pool.

2 Q. That's what we saw earlier?

3 A. It's the round bit. We saw the flat side in the first

4 photograph and if you continued round to the left,

5 that's the way it would go and then right up to the

6 drive there. That's the main drive to the school.

7 Q. Can you help us with what that looks like an older

8 building on the left-hand side of the photograph?

9 A. That's the MacDonald wing.

10 Q. That's the MacDonald wing?

11 A. Yes. It still exists today.

12 Q. What separation is there between the MacDonald wing --

13 A. There's a connecting tunnel and there's an outside door

14 with a combination lock on it. That's how they got in.

15 You see the angular building in front of the MacDonald

16 wing, there's a tunnel there that goes underneath.

17 Q. To get you from MacDonald to the --

18 A. It leads you to the back door of the MacDonald wing.

19 Obviously the school was built on after MacDonald

20 wing was built and they converted -- the wing used to be

21 the approved school, and then when they built the

22 approved school, it became the secure unit.

23 Q. Because the MacDonald wing existed from 1857.

24 A. Yes, because it was the MacDonald's house.

25 Q. I think in fairness if anyone wanted to pursue this, the

1       Rossie website has a pictorial chronology showing the  
2       development from the MacDonald wing in 1857 through to  
3       modern day.

4   A.   Yes.

5   Q.   Just to be clear, the MacDonald wing was built first as  
6       a reformatory school or whatever --

7   A.   Yeah.

8   Q.   -- and then at this part we see in the photograph was  
9       added later?

10  A.   Yes.

11  Q.   Before 1933 or around then, when it became an approved  
12       school?

13  A.   I don't know the dates, but I would imagine looking at  
14       the building, yeah.

15  Q.   They were connected, but was there any fencing or wall  
16       between MacDonald and the school?

17  A.   What you're seeing is the actual building behind the  
18       building at the -- looking at the right-hand side, you  
19       see a sloping roof. There was a courtyard, a secure  
20       courtyard, with a 20-foot barbed wire fence.

21  Q.   That's where, if you're in the locked MacDonald wing, as  
22       it became --

23  A.   That's where you had recreation.

24  Q.   You had your recreation, but this compound was open but  
25       enclosed by a high fence?

1 A. Yes. Yes. You couldn't see through it either, there  
2 was a wooden fence in front of that. It was a locked  
3 fence with a wooden fence, so if inmates were passing  
4 past outside, you couldn't communicate.

5 Q. Was there anything on the top of the fence, like barbed  
6 wire?

7 A. Barbed wire.

8 Q. There was barbed wire?

9 A. As I remember, it was barbed wire.

10 Q. You think the wall might have been about 20 feet?

11 A. 20 feet.

12 Q. Was there any compound wall enclosing the MacDonald in  
13 your day, a wall?

14 A. I can't remember a brick wall, no. I can only remember  
15 the fence.

16 Q. No, no, I'm just saying that, because I think there were  
17 plans, at least at some stage, to build a wall as well.  
18 It wasn't there in your day?

19 A. Not in my day, no.

20 Q. No, no, that's fine.

21 The last photograph I can maybe show you is  
22 INQ-0000001007.

23 That's a sort of aerial view. That's very much what  
24 we have been looking at, is it?

25 A. Yes, that's it.

1 Q. Maybe that gives us a better idea. This is the part we  
2 have just looked at, but this is more front on. We see  
3 the MacDonald wing to the left?

4 A. Yes.

5 Q. Is that all the compound that's enclosed by buildings?

6 A. The compound's behind it. The small building with the  
7 chimney there must have been demolished before I went  
8 there. That seems to be a very early photograph.

9 Q. I think you can take it as is.

10 A. Because there are engineering huts and things that are  
11 not even up yet, so that's very early.

12 Q. But --

13 A. That small house had been demolished and the compound  
14 was definitely put in there, where the pointer is now.

15 Q. We can get the general --

16 A. Yeah.

17 Q. It's not that dissimilar to your time?

18 A. No, no. That was the back entrance to the wing as well.

19 Q. Because it's very different now?

20 A. Yes, yes. All that -- it's all been removed. The only  
21 thing that remains is the MacDonald wing.

22 Q. They built --

23 A. All new buildings.

24 Q. -- new buildings, yes.

25 But that's very much the way it looked?

1 A. That's exactly how it was, yes.

2 Q. Well, I think we can leave the photographs now and move  
3 back to your statement, 'Lindsay'.

4 You have told us about the sleeping accommodation  
5 and I think you estimate in your statement there were  
6 maybe about ten boys in a dorm in the training school?

7 A. Yes.

8 Q. When you arrived, you say that there was a regime which  
9 involved you progressing through various stages, is that  
10 right?

11 A. Yes.

12 Q. And that each stage could last up to four months?

13 A. Yes.

14 Q. The idea was that you would progress to the best stage?

15 A. Correct, grade 1, yes.

16 Q. You received more privileges --

17 A. Correct.

18 Q. -- if you were in the highest stage?

19 A. Yes.

20 Q. You say that there was a grading system of 4 to 1. Can  
21 you just tell me which was the best stage and which was  
22 the worst, 1 or 4? Which did you start with?

23 A. You started in grade 4 and you did the first of grade 4,  
24 second of grade 4, third of grade 4 and fourth of 4, so  
25 you were either first, second, third or fourth of 4 and

1           then it was 3, 2, 1.

2   Q.   Right.  So when you arrive, you're in grade 4?

3   A.   Yes.

4   Q.   You progress up grade 4, there's a four-point scale?

5   A.   Yes, I progressed the other way, I was grade 5,

6           punishment grade.

7   Q.   Yes, but you tell us in the statement there was

8           a punishment grade, grade 5.

9   A.   Yes, yes.

10  Q.   But if you were in grade 4, did that mean the people in

11       grade 3, 2 and 1 had more privileges?

12  A.   Yes.

13  Q.   So you had to earn your privilege?

14  A.   You had to earn your privileges.

15  Q.   Was that basically based on good behaviour and progress

16       at school?

17  A.   Yes.  You had to earn everything, on a daily basis there

18       were what they called default points.  If you did

19       something wrong and a member of staff saw, he would give

20       you minus two points.  If you had so many minus points,

21       it would stop you from town leave, extra privileges like

22       your canteen, what you could buy and things.

23  Q.   So each week you would be earning or losing points?

24  A.   Yes.

25  Q.   You either might stay in the same --



1 A. Correct.

2 Q. -- grade or point on the grade or you could move up or  
3 down?

4 A. That was just your weekly sort of -- you got to the end  
5 of the week without getting in trouble, you could get  
6 out on Saturday. If you messed it up, you wouldn't get  
7 out until the next Saturday, unless you were bad again,  
8 you know.

9 Actual -- to go through the grades they had  
10 a meeting every month and everybody was on tenterhooks  
11 waiting to see if they had moved forward in their grade  
12 at the end of the month.

13 Q. Almost like a two-tier system about whether you moved  
14 from one grade to another was reviewed every so often?

15 A. It was every month.

16 Q. But separately every week they would look at your  
17 points --

18 A. At the end of the week, yes.

19 Q. -- and depending on your score, you might have  
20 privileges like going on a trip to Montrose on  
21 a Saturday or something else?

22 A. Yes. Yes.

23 Q. Or you might be denied it?

24 A. Yes.

25 Q. SNR [REDACTED] in your time was Mr LLY [REDACTED],

1       LLY [REDACTED] ?  
2       A. Yes, that's correct, yeah.  
3       Q. Did he have a nickname?  
4       A. Er, LLY [REDACTED]. LLY [REDACTED], that's what we used to  
5       call him, you know.  
6       Q. Okay, and he'd been [REDACTED] SNR [REDACTED], I  
7       think, by then?  
8       A. Yes.  
9       Q. You also tell us that [REDACTED] SNR [REDACTED] was known by the boys  
10      as 'LLZ' ?  
11      A. LLZ [REDACTED]. LLZ [REDACTED], yes.  
12      Q. Who you describe as being big, in his 50s, quite smartly  
13      dressed, military-like. You think he was ex-RAF?  
14      A. Yeah, big man, yes.  
15      Q. Smoked a pipe?  
16      A. Yes.  
17      Q. I think you add, I think, is that he was mad, did you  
18      say?  
19      A. He was a vindictive man, yes.  
20      Q. And do you know why he got the name LLZ [REDACTED] ?  
21      A. Because that's what he did. He'd give you a good old  
22      [REDACTED]. [REDACTED], I think, was a character from  
23      back in the day.  
24      Q. Then you tell us that there was another member of staff  
25      who was a handyman, driver, and was his nickname

1           LMV'?

2   A. LMV, yeah.

3   Q. You say he was a big bully?

4   A. Yeah, he was a bully, yeah. He kept in with the

5       big-built guys, you know, and he sorta used them to do

6       his little bit of bullying and control. He was very

7       immature.

8   Q. He was?

9   A. Yes, in his attitude, yeah.

10   Q. Because I think the way you put it in paragraph 82 is

11       that he used to get the older boys to beat up the

12       younger ones?

13   A. Yes.

14   Q. He used them as a sort of --

15   A. Yeah, a little gang --

16   Q. A gang to keep control and --

17   A. It was all cliques in there, between the staff and the

18       pupils.

19   Q. You also mention a night watchman, at paragraph 82, who

20       you describe as a pervert. We'll maybe come to him

21       a bit more, but that was GQE?

22   A. Yeah.

23   Q. Did he have any nickname other than --

24   A. GQE, that's what we all called him.

25   Q. Did he have a hearing problem?

1 A. No, he had a funny accent. He had a very local accent,  
2 old accent and he spoke like he -- they say he had  
3 marbles in his mouth (noise made).

4 Q. You tell us about routine and, 'Lindsay', I'm not going  
5 to go through all of that today. We have read it and it  
6 gives us an idea about what a typical day would be, but  
7 you do say as part of your evidence that all the boys  
8 would, I think, certainly during the school week or --  
9 sorry, the working week maybe is a better term, the boys  
10 from Monday to Friday would meet in what you call  
11 a cloakroom area, where there would be a headcount and  
12 then they would be told to go off to what you call the  
13 boot room to collect gear to go off to a work party, was  
14 that the way it works?

15 A. Yes.

16 Q. What you tell us about this area, where boys congregated  
17 in the morning before going off to some form of work,  
18 you say at 85:

19 'It was all very territorial ... with the boys all  
20 standing in groups, one corner was the Glaswegian boys,  
21 one was the Aberdonians, one was Edinburgh [boys] and  
22 one [group] was [from] Inverness.'

23 Is that the way it was?

24 A. That's correct, yes.

25 Q. They grouped together?

1 A. Yes. It was a huge like cloakroom-type marble area with  
2 sinks and the only heating were in the corners, big  
3 radiators in the corners, and this is where the gangs  
4 would -- you had your territory, you know, Aberdeen,  
5 Glasgow.

6 Q. Was this quite an established situation --

7 A. Oh, yes, that was normal. That was known.

8 Q. Obviously you were from the Aberdeen area?

9 A. Yeah.

10 Q. You'll tell us and I'll just ask you, but before I do  
11 so, was the fact that, say, all the boys in Rossie from  
12 Glasgow were grouping together in a particular part of  
13 the cloakroom, was that because of any prior association  
14 as a gang member or was it just because they were from  
15 Glasgow?

16 A. Areas, definitely areas.

17 Q. Areas?

18 A. Yeah.

19 Q. We know Glasgow in the 1960s and 1970s would have had  
20 areas where there were gangs of different --

21 A. Yeah, they'd had gangs in there. Like, we had gangs in  
22 Aberdeen at the time, at the same time, you had the  
23 skinhead era and they were prevalent in Scotland,  
24 especially Glasgow, and there was the skinhead gang from  
25 Aberdeen and all the skinheads from Glasgow were in the

1           other corner.

2   Q.   Say I was from Glasgow and I was from a gang from

3           a particular part --

4   A.   There was rivalry, yes.

5   Q.   Within the groups?

6   A.   Yes, within the groups.

7   Q.   Themselves.

8   A.   There was often a run towards each other and a little

9           fluff of hands, you know, but nothing I would call

10          serious that would need police involvement or anything.

11          Some guy would end up getting carted away and get some

12          slaps on the bottom for it.

13   Q.   Just to take an example, if there were two different

14          gangs from Glasgow, members of them, in Rossie, they

15          would be in the same group but they might have a bit of

16          fisticuffs with each other or --

17   A.   Yeah, but they sorta put their own fighting aside -- to

18          be Glaswegian or Aberdonian was more important than to

19          be from this gang or from that gang.

20   Q.   Okay, I get the picture.

21                You tell us that so far as this arrangement or this

22          situation was concerned, that you were introduced to the

23          Aberdonian corner?

24   A.   Yes.

25   Q.   Who were all skinheads at that time?

1 A. Yeah.

2 Q. You then say:

3 'I was just meat in there and I was horrendously

4 abused by the other boys from Aberdeen ...'

5 A. Yeah.

6 Q. 'It was even backed up by certain members of staff.'

7 A. Yes.

8 Q. You have already told us that basically the territories

9 would separate, but your problem wasn't with other

10 groups, it was with your Aberdeen group?

11 A. The only friends I had were in other groups, 'cause my

12 brother was in a bike gang in Aberdeen and he led it and

13 there was constant street battles between my brother and

14 his friends and these actual individuals and their

15 friends, their close friends. So anything that was

16 being dealt out outside was taken out on me inside.

17 Q. So was that the reason you were targeted?

18 A. Yes.

19 Q. Because of gang rivalry outside of Aberdeen?

20 A. Yes.

21 Q. In the Aberdeen area?

22 A. Yes.

23 Q. Your brothers were associated with one particular

24 group --

25 A. Yes.

1 Q. -- and you paid the price?

2 A. I paid the price, yeah.

3 Q. Was part of the problem a difference in age between you

4 and other members of the Aberdeen group?

5 A. I was quite senior age-wise, you know.

6 Q. So it wasn't a younger/older boy problem?

7 A. No, some of them were maybe a year younger than me. But

8 not too young. All roughly the same age, but physical

9 development-wise, you know, they were like 14-year-old

10 men, you know. I was like a boy. I was slightly built.

11 Q. We have heard evidence that in institutions like this

12 that you have to try to appear hard all the time and not

13 show weakness?

14 A. Yeah.

15 Q. And if you are thought to be showing signs of weakness,

16 you're going to get targeted?

17 A. Absolutely.

18 Q. Was that the situation here or was it a rather different

19 reason that you got targeted?

20 A. It was a different reason. It was definitely because of

21 the gang rivalry and who I was, you know, and I was --

22 you know, I took the punishment. They couldn't get to

23 my brother, so they got to me.

24 Q. Was there also an element --

25 A. There was bullying in there. If you were weak in there,



1           you got bullied.

2   Q.   If you were younger rather than older, was there a risk

3           that you would be bullied by the older people?

4   A.   Of course, yes.

5   Q.   Was that happening?

6   A.   Yes, it was happening, yes.

7   Q.   Did the staff do anything about this?

8   A.   No.

9   Q.   They must have realised every day they walked out into

10          this compound that there were groups in a particular

11          place that were from a particular area. Did that not

12          cause them any concern?

13   A.   No, any personal beefs, they went through to the toilet

14          block and sorted it out there, you know, man to man,

15          that type of thing.

16   Q.   What would the staff do about this?

17   A.   They would take action then. When they heard the

18          rumbling of the fight and the cheering of the others,

19          you know, they would sort of go in. Just like any

20          normal school I would imagine. Fighting in the

21          playground type thing. The teachers would go and break

22          it up.

23   Q.   Okay. But what do you mean when you say at 86 that you

24          were abused by these other boys for the reasons you've

25          given, but you said it was even backed up by certain

1           members of staff. What did you have in mind?

2   A. They turned a blind eye on it. They would see it

3           happening and they would let it happen. Depends who was

4           on, you know.

5   Q. But there would be staff that would know what was

6           happening to you?

7   A. Yeah, yeah.

8   Q. They didn't step in or do anything?

9   A. They did nothing about it. The discipline was very much

10          left to the boys to do between themselves. There wasn't

11          so much intervention from the staff when it came down to

12          how the boys interacted with each other.

13   Q. You say that the boys that you sat with at the table at

14          meal times, you got on well with?

15   A. Yes.

16   Q. There was three boys. Were they from different areas to

17          you?

18   A. Yeah, Dundee and Glasgow, yes.

19   Q. So that was one of the better times?

20   A. That was a respite. Meal times and bed times were the

21          respite.

22   Q. Did you have any problems in the dorm at night?

23   A. No, not at all.

24   Q. It was just because of the -- it was during the daytime

25          when you were exposed --

1 A. There was no Aberdonians in my dorm, so I was very  
2 lucky.

3 Q. So the abuse that you were suffering at their hands was  
4 when you were outwith the dorm and not at meal times, it  
5 was at some other time?

6 A. Only in this area, you know. When I was at work, no  
7 problem.

8 Q. Was this area used for recreation?

9 A. It's where you went all the time. You got up in the  
10 morning, that's where you went and you congregated. You  
11 all stood in the corners, then, just before lunch,  
12 before meal time, they would call roll, we'd all get on  
13 parade, names would be taken and counts would be done,  
14 any information you would be told. Then you would march  
15 off in rows to your work.

16 Q. Would staff not see that then if it was done --

17 A. Pardon?

18 Q. If you were getting beaten or hit or whatever, would  
19 they not see that then if it was in this area?

20 A. Yes, they could see -- like, I've still got -- I've got  
21 an actual physical mark on my neck where I was cut with  
22 a blade, you know, and asked what had happened, 'Oh,  
23 I fell', you know. They know it's not true, but the  
24 thing is if you're an informant inside a place like  
25 this, it's like senior -- in fact, it's even probably

1           even worse than senior prisons because the minds of the  
2           children, you know.

3   Q.   I get that, you don't grass?

4   A.   You don't grass.

5   Q.   Now, you tell us a little bit at paragraph 95 in your  
6           statement that there was an education block with one or  
7           two small classrooms at that time?

8   A.   Yes.

9   Q.   You say most of the boys worked, so few were going to  
10          the school?

11  A.   Only if you were of school age did you go to the  
12          education block.  If you were of working age, you went  
13          out and worked in the fields or in one of the workshops.

14  Q.   I suppose by [REDACTED] 1971, you'd be 16?

15  A.   Yes, I was 16.

16  Q.   You wouldn't be -- whatever your --

17  A.   I was a worker.

18  Q.   Whatever your views about the school leaving age, you  
19          had reached an age then when there was no requirement  
20          for you to be in school?

21  A.   No.

22  Q.   So you were just a worker then?

23  A.   Yes.

24  Q.   In these work parties?

25  A.   Yes.

1 Q. Those that were supposed to get an education at Rossie,  
2 did you get any sense whether they were getting a proper  
3 education when they were in the class?

4 A. I had no experience of going to the education myself, so  
5 I couldn't comment on that. They did go there, but from  
6 what I can remember, they did crafts and things, because  
7 there was a lot -- there's a lot of special people in  
8 there, you know, I mean special, they needed specialised  
9 education 'cause they'd had problems earlier, you know.  
10 There wasn't much young school-age people in at that  
11 time.

12 Q. No, and we know that places like Rossie would have  
13 an intake over the years of people who were judged to be  
14 regular absconders --

15 A. Yeah.

16 Q. -- or truanting from school and they might go to  
17 somewhere like Rossie as part of their care journey, but  
18 there were also people who would get there from the  
19 court route?

20 A. Yes.

21 Q. Not because of absconding, but because they had  
22 committed a serious offence?

23 A. Yes.

24 Q. So would they have been in the MacDonald wing?

25 A. The MacDonald wing was predominantly for persistent

1       absconders.

2     Q.   What about someone that, say, had committed a serious

3       criminal offence and was aged 15 or 16. They could end

4       up in Rossie, could they not?

5     A.   Yes. They would go through the normal process and

6       unless they did something wrong, to be put to the wing,

7       it was always people from other approved schools. It

8       was -- Rossie was one of the only senior

9       approved schools.

10    Q.   So it didn't follow that, for example, if you had

11       committed a serious criminal offence and were sent to

12       Rossie, that you would automatically end up in the

13       MacDonald wing?

14    A.   No.

15    Q.   But you could do?

16    A.   I don't know of anyone who was actually sentenced to the

17       MacDonald wing. They were only given an order for

18       Rossie and that would be the ordinary school, and if

19       they ended up in the wing, they'd had problems in the

20       system already.

21    Q.   I suppose this were the days before there was particular

22       regulations for secure accommodation and I think it was

23       also before some of the criminal procedure legislation

24       in the mid-1970s, so it may be that that's the way it

25       was done then.

1           I just wondered, because I take it there would be  
2           a mix of boys? Some would have come through the courts,  
3           some would have committed serious offences?

4   A. There were boys there just from the care system, from  
5           Nazareth House and things, who had been in care and they  
6           were still under care and protection orders and they had  
7           to leave Nazareth House and they were put in approved  
8           schools.

9   Q. There does seem to have been a trend that if you got the  
10          reputation of being a serial absconder from other  
11          places, even other approved schools --

12   A. You would end up --

13   Q. You would end up in Rossie?

14   A. Yeah, yeah, it was the senior approved school and a lot  
15          of guys taken from the junior approved schools went on,  
16          but as they got older they put them up -- took them away  
17          from the junior schools, as you have primary schools and  
18          secondary schools.

19   Q. I know that different schools had different  
20          intermediate, junior and senior, but you could end up  
21          going to a particular senior school and --

22   A. You could be put to Rossie for being bad somewhere else,  
23          as would be the norm. But for me that was just where  
24          the local authority had decided I was going to be  
25          placed.

1 Q. Now, you tell us that there were various shops,  
2 workshops, and we can read that for ourselves.

3 One of the positive things I think you tell us about  
4 your time at Rossie was that you did have a spell in the  
5 painter shop and it was run by a particular member of  
6 staff and you describe him as a really good guy --

7 A. Yeah.

8 Q. -- and you say that you learnt a lot from him, so it  
9 wasn't all bad?

10 A. Yes, absolutely.

11 Q. That's at paragraph 97, I think, we've got in your  
12 statement?

13 A. Yeah.

14 Q. Then you say that you also did some work in the gardens  
15 at Rossie and also there were boys working for local  
16 farmers, in seasonal work --

17 A. Yeah.

18 Q. -- in winter and perhaps in summer?

19 A. Carrot topping and potato picking.

20 Q. Fruit picking in summer?

21 A. Fruit picking, er, flower picking, daffodils.

22 Q. In your time was it also the custom to use boys to  
23 assist with the general maintenance of Rossie?

24 A. Yes, yes. When you first went in, before you were  
25 allocated to a work party, you would work with the



1       janitor and you would be centralised in this cloakroom  
2       area and then they would give you jobs to do round the  
3       school and --

4   Q.  It was a training school, but the impression I get is  
5       that's not really what the training school was intended  
6       to do --

7   A.  I didn't have much training, I don't know --

8   Q.  It wasn't a structured training to learn a skill --

9   A.  It was never identified to me as a training school.  
10       I was there to be punished, it was an approved school.

11  Q.  That's what you saw it as?

12  A.  Yes, it was -- I never, ever heard of it called as  
13       a training school until you mentioned it to myself.

14  Q.  I think records call it a training school at times and  
15       I think that the courts when they send people thought  
16       that they were going to get some form of training as  
17       part of their time --

18  A.  After that I was sent to borstal, and it's definitely  
19       called borstal training and that's on official  
20       documents.

21  Q.  I suppose the other thing is forget about the adjective  
22       'training', but it was a school, whether you -- and  
23       normally at school you get an education or a training  
24       and it's structured?

25  A.  School by name.

1 Q. Well, yes. That's what you're telling us. It was  
2 a school by name, but not in reality?

3 A. It wasn't an educational facility, no. It was  
4 a detention centre. That's all it was. There were no  
5 trades or skills learned per se.

6 Q. You weren't getting qualifications?

7 A. No, no, no.

8 Q. You didn't sit exams?

9 A. No. No SVQs and things like that in those days.

10 Q. Just before we maybe have a short break, can I just  
11 finish off on this about leisure time, because I think  
12 you tell us at 99 that there was recreation or rec in  
13 the rec room at night from about 4.30 pm, after  
14 finishing work. You tell us boys read magazines and the  
15 daily paper. There was a television, but not much to  
16 do, is that --

17 A. Yeah, that's correct, yeah. People just used to sit and  
18 maybe read magazines and sit in groups.

19 Q. Was there not any organised activities or?

20 A. No, it wasn't organised.

21 Q. In your time?

22 A. No, not at all.

23 Q. Were there outings?

24 A. No, not at all. A walk on a Sunday.

25 Q. Right, but nothing more than that?

1 A. Nothing more than that. There was maybe the odd --  
2 during the day, not in leisure time, there was PT, you  
3 were given a day where you went into the gym and you did  
4 PT and he was a very good instructor and a very  
5 structured thing, but it was actual part of your day,  
6 that day, you know, you went once a week and you had PT.  
7 It wasn't like you went into the gym at night and kicked  
8 a ball about and did what you wanted.

9 Q. In broad terms --

10 A. You were in this cloakroom, that was you, and then you  
11 went through to the recreation area, which was just  
12 a row of tables, couple of magazines, darts, maybe  
13 a billiard table.

14 Q. In broad terms --

15 A. Very boring.

16 Q. -- the training, as it were, for practical subjects  
17 wasn't structured, the leisure time wasn't structured  
18 either?

19 A. No.

20 Q. That was it.

21 Maybe it's a good enough time to have a short break.

22 LADY SMITH: I normally take a break at this time in the  
23 afternoon, 'Lindsay'. Is that okay for you if we do?

24 A. Aye, you've got my permission, yes, my Lady.

25 LADY SMITH: Get a breather, get a cup of tea.

1           Then I'll sit again in about ten minutes.

2   A.   Thank you.

3   (3.03 pm)

4                               (A short break)

5   (3.13 pm)

6   LADY SMITH:  Welcome back, 'Lindsay'.

7           Are you ready for us to carry on with your evidence?

8   A.   Yes.

9   LADY SMITH:  Thank you very much.

10           Mr Peoples.

11  MR PEOPLES:  'Lindsay', before the break I was just asking

12           some questions about the routine and you had told me

13           about the leisure time situation.  You also deal in this

14           section of your statement with -- I think what would be

15           described in those days as privileges, based on this

16           system that you have told us about and you tell us at

17           paragraph 101 that boys would sometimes go into

18           Montrose, which was the nearby town.  You say:

19           'We didn't drink, but I sometimes sniffed shoe

20           conditioner.'

21           So we're in the early days of using substances?

22  A.   Yes, yes.

23  Q.   But not maybe the sort of drugs situation that was

24           a problem --

25  A.   Quite prevalent in the west coast areas of Glasgow and

1 things, that boys would be sniffing glue and things. It  
2 was the early days then. First I heard of it, I got  
3 pulled into it, it was Lady Esquire shoe conditioner.  
4 Q. Did you learn about that in Rossie?  
5 A. Yes.  
6 Q. Was it other boys that introduced you to it?  
7 A. Yes.  
8 Q. Because that was something they perhaps had done in  
9 their areas?  
10 A. Yeah. There was a lot of guys punished for it as well,  
11 you know.  
12 Q. You do say that if -- if you were caught presumably  
13 doing that or, indeed, fighting that you would be put to  
14 grade 5, which you have told us about was the punishment  
15 grade?  
16 A. Yes.  
17 Q. You would have a ban for a time from --  
18 A. All privileges, yes.  
19 Q. Including going to the town?  
20 A. Yes.  
21 Q. Just on the question of going to town, Montrose is --  
22 A. Six miles.  
23 Q. From Rossie?  
24 A. Yes.  
25 Q. How would you get to town?

1 A. You had to walk.

2 Q. Would you normally go in a group?

3 A. You would -- like I say, I think I've said it in there,  
4 you'd have a mucker, so you would share things with, you  
5 know, like if you got a parcel, you would share it with  
6 him, he would share his, and that's the kind of person  
7 you would go into town with and meet, you know. You  
8 would leave together or come back together or meet in  
9 there, you know.

10 Q. You generally wouldn't go on your own?

11 A. You could do if you wanted.

12 Q. You could do but you wouldn't?

13 A. No, you would normally go with one of the other boys,  
14 arrange to both go out on Saturday, yeah.

15 Q. I suppose if there was a prospect of a fight with the  
16 locals, you might want to have a bit of reinforcement?

17 A. Once you all got into the middle of the town, Montrose  
18 is a very small place and we all congregated around the  
19 same area, you know. It was a bit like an extension of  
20 the approved school, the area of fighting, you know, and  
21 the local Montrose skinheads.

22 LADY SMITH: That would be in the open area near the church,  
23 would it?

24 A. That's correct, yes.

25 MR PEOPLES: You have a section that's headed generally

1       'Healthcare/medication', I am not going to again go  
2       through the detail of that, but there is one point  
3       I would like to pick up at 103 which is -- I think you  
4       are essentially giving a recollection or a memory of  
5       a boy who you tell us was very depressed from Rossie,  
6       you put it he lost his mind and started hearing voices  
7       and things, I'm not going to give his number, but you  
8       tell us what it was, because I think everyone had  
9       a number for identification purposes.

10    A.   Yes.

11    Q.   It wasn't used to address you, but it was --

12    A.   That was his nickname anyway --

13    Q.   He was given that --

14    A.   It was his number and that was his nickname.

15    Q.   By staff and --

16    A.   That's just what we called him, you know. For some  
17       reason perhaps one of the staff had come in and shouted  
18       out (noise made) and shouted him by number and after  
19       that he became known as that, you know.

20    Q.   Did staff call him that?

21    A.   Some staff would have called him that, yeah.

22    Q.   You say that obviously he started hearing voices and you  
23       say you can remember him in the boot room screaming,  
24       kicking walls and speaking to himself and you say he was  
25       like that for a few days before he was taken away to be

1           seen?

2   A.   Yes.

3   Q.   You then say that you really don't think he should have

4       been in there and once he was taken away, you didn't see

5       him again?

6   A.   Correct.  I believe by what was generally being said --

7       I don't know if it's true or no -- that he had had

8       previous mental health problems.

9   Q.   I suppose the point you're making is that on the face of

10      things, this didn't seem to be an appropriate placement

11      for a boy --

12  A.   I would say so.

13  Q.   Especially if he had mystery of mental health problems?

14  A.   Correct.

15  Q.   Because it wasn't meant to be a place to deal with

16      people with specialised mental health problems?

17  A.   Not at all, no.  It was a place to give you mental

18      health problems.

19  Q.   I suppose in those days if there was nowhere else, boys

20      might end up going to a place like Rossie, if there were

21      no specialist facilities elsewhere?

22  A.   Well, I would argue that there were, but they didn't --

23  Q.   I think we've maybe heard some evidence that while there

24      should have been, there were maybe too few specialist

25      resources and there was a demand that couldn't be met,



1           so sometimes boys might end up in a List D or approved  
2           school, when they might have been better off in  
3           a special residential school for complex needs?  
4    A.   As far as I'm aware, there was no facility in Aberdeen  
5           for those kind of children.  
6    Q.   Now, you tell us, just in passing, at 105 that birthdays  
7           were really just another day?  
8    A.   Yeah.  
9    Q.   Smoking, you tell us at 107 that if you were 16, you  
10           were allowed to smoke?  
11   A.   Yes.  
12   Q.   So does that mean if you were under 16, you weren't  
13           allowed to smoke, at least as a matter of policy?  
14   A.   Correct.  
15   Q.   I take it that didn't deter under 16s smoking?  
16   A.   Correct. You could buy tobacco at the end of the week  
17           at the canteen or you could buy bars of toffee and the  
18           younger ones were only allowed to buy toffee, so  
19           obviously they would swap --  
20   Q.   Swap --  
21   A.   -- their toffee --  
22   Q.   For cigarettes --  
23   A.   -- for cigarettes and tobacco.  
24           The staff didn't enforce the no smoking, they just  
25           didn't encourage it, didn't sell cigarettes to the

1 younger boys.

2 Q. I take it it wouldn't be beyond the bounds that if you  
3 are out on home leave or in Montrose or something, you  
4 would bring back cigarettes?

5 A. Oh, yes.

6 Q. Were there searches?

7 A. No, there was no restriction on it. You could have any  
8 amount within reason, you know.

9 Q. You say that obviously boys -- assuming you weren't on  
10 grade 5, presumably -- would be allowed out on  
11 a Saturday but you recall that that was perhaps after  
12 they'd been at Rossie for a period of time?

13 A. Yes, you had to be over grade 2 before you started to be  
14 able to go there.

15 Q. So you really had to earn that privilege, if you like?

16 A. Yes, yes.

17 Q. As far as bed wetting is concerned, you tell us a little  
18 bit about that at 109/110. You say that boys who wet  
19 the bed were treated well enough by staff, but would be  
20 ridiculed by other boys, is that --

21 A. Yeah, a little bit of teasing but there was a dormitory  
22 for those. They were all kept in one dormitory and they  
23 were prompted to get up at certain periods during the  
24 night by Mr GQE .

25 Q. Right, but you still remember ridicule of boys?

1 A. Yes, like normal -- what I would call normal child  
2 bullying, you know.

3 Q. But you do appreciate, looking back, that while it might  
4 have seemed --

5 A. Yes, it's a cruel thing.

6 Q. If you are the sufferer and you are being ridiculed,  
7 lots of people remember this?

8 A. It's a form of abuse, yes, of course it is. But like  
9 I say, along with all the other abuse that was being  
10 dished out, you know.

11 Q. It was just another example of that?

12 A. Yes, yes.

13 Q. But this time by the boys rather than the staff?

14 A. Yes.

15 Q. You say you had visits from family and as you ran away  
16 less, you would be allowed to go out with them on  
17 visits?

18 A. Yes.

19 Q. You say that was towards the end when the regime  
20 improved?

21 A. Yes.

22 Q. When you say that, do you mean the regime itself  
23 improved rather than your behaviour improved?

24 A. The regime improved.

25 Q. Do you know why that was?

1 A. The introduction of the Children's Panel. Everyone was  
2 given -- their case was reviewed under the  
3 Children's Panel, no matter how they'd ended up in  
4 there. They had to go to the Children's Panel and they  
5 decided to go over your care and as soon as we all were  
6 informed that we were given a letter that we would be  
7 appearing in the Children's Panel, things started to  
8 lighten up considerably.

9 Q. Was that because the boys thought there was a prospect  
10 of early release?

11 A. I think it's because staff knew what was coming.

12 Q. Yes, but obviously the boys would presumably have some  
13 idea that they were going to be reviewed and no doubt  
14 they wanted to get out?

15 A. Yes.

16 Q. Do you think that improved their behaviour?

17 A. Of course, yes.

18 Q. Of course if their behaviour's better, presumably the  
19 staff are happy?

20 A. Yes, of course.

21 Q. That might have meant that everything was a bit more  
22 settled at that time for those reasons?

23 A. I remember that the administration staff were becoming  
24 much more amenable, you know, punishments became less.

25 Q. You tell us that boys were expected to write letters

1           home on a weekly basis?

2   A.   Yes.

3   Q.   You were given paper and an envelope.  What you do say

4           is, at paragraph 113, if I could pick this up:

5           'We couldn't write anything about what was happening

6           at Rossie, because the staff read the letters and they

7           were censored.'

8           You say when you wrote in one letter that you were

9           getting a hard time from a particular boy, that was

10          scored out and nothing was ever done about it?

11  A.   Correct.

12  Q.   Just putting it this way: it appears that the staff

13          didn't want the outside world to know what was happening

14          inside Rossie?

15  A.   Correct.

16  Q.   But, having seen what you were writing, they knew what

17          was going on?

18  A.   Yes.

19  Q.   Because you were telling them --

20  A.   Yes.

21  Q.   -- that this was the way it was, for you, at least?

22  A.   Yes.

23  Q.   It wasn't just a case -- presumably, why should it be

24          censored, that if you say someone is giving you a hard

25          time, did you understand that, why you shouldn't be able

1           to say that to your parents?

2   A.   I can't answer for them, but I would ask the same

3           question, why censor the mail of a child to his parents?

4   Q.   I mean, it's one thing to say, 'I'll read it in case

5           it's got some sort of content that might be

6           objectionable', but why should that be objectionable?

7   A.   Look at my statement here.  There's exactly what the

8           letters looked like that my mother received.  Redacted,

9           blacked out.

10  Q.   So your mother wouldn't get to read that?

11  A.   No.

12  Q.   Now, I suppose it might be said, well, I suppose when

13           you got a visit you could tell her?

14  A.   Yeah.

15  Q.   Did you?

16  A.   Yeah.

17  Q.   Did she do anything?

18  A.   They just thought it's part of my punishment.  That's

19           what it's like -- my father was very much on the side of

20           authority.  If you did wrong, you deserved to be

21           punished.  These were good people in his mind.  They

22           were doing a service for the country.

23  Q.   He assumed they were doing good public service in the

24           right way?

25  A.   Yes, yes, yes.

1 Q. And it's inconceivable they'd do anything wrong?  
2 A. As in the police don't tell lies, that's what he  
3 believed.  
4 Q. You tell us that in the period you were there, you don't  
5 recall any visits from social workers, is that right?  
6 A. No, I didn't have any social work.  
7 Q. You have a memory at least of going to a  
8 panel, Children's Panel, in [REDACTED] 1971?  
9 A. Yes, correct.  
10 Q. Indeed you remember that your release date was put back  
11 three months?  
12 A. Correct.  
13 Q. But then three months later when it was reviewed, you  
14 were released?  
15 A. Yes, that's correct.  
16 Q. That's the way it was?  
17 A. Yes.  
18 Q. You tell us about inspections. You don't know if there  
19 were inspections going on at the time. If there were,  
20 you weren't aware of them?  
21 A. In Rossie, no.  
22 Q. No. No one came to speak to you?  
23 A. No.  
24 Q. There might have been an inspector?  
25 A. As far as I know, there was an substantial inquiry by

1           a government minister and he put a report in and this is  
2           what prompted the Children and Young Persons Act of  
3           1969, with all these changes that were brought in.  
4   LADY SMITH: Are you talking about the panel changes?  
5   A. The actual justice system.  
6   LADY SMITH: Okay, in 1968 --  
7   A. Like an inspector of prisons, the inspector went round  
8           the approved schools and he put a report into the  
9           government and then they implemented the Children and  
10          Young Persons Act of 1969.  
11   MR PEOPLES: That might have been UK legislation, but don't  
12          worry about that, because we can see how that fits in  
13          with your recollection.  
14                Because there were inspection regimes over the years  
15          and it was a school. So it was subject to inspection  
16          from time to time. But what you're saying is --  
17   A. Not while I was there.  
18   Q. You didn't see any evidence of it. If they were  
19          speaking to someone, they weren't speaking to you?  
20   A. Correct.  
21   Q. Indeed you say you were aware there were board meetings  
22          at Rossie?  
23   A. Monthly, yes.  
24   Q. And that managers or governors -- managers I think they  
25          would be called then, would attend the school on



1           a monthly basis?

2   A.   Yeah.

3   Q.   There may well have been a system where a particular

4           manager visited separately just to have a look round the

5           place, but if they did, you say no one came to speak to

6           you?

7   A.   Nobody at all. As far as they got was the boardroom,

8           with the nice oak table and the served dinner.

9   Q.   You can't ever recall having a conversation --

10   A.   Never.

11   Q.   -- with a manager?

12   A.   I don't know anyone who spoke to any of these visitors.

13   Q.   Now, you tell us that in your first few months at Rossie

14           you were running away, at least a couple of times, at

15           117. You say you told your father why you were running

16           away. Did he believe what you said? You've just given

17           me the answer, but just confirm that -- I presume he

18           didn't?

19   A.   He took me to the local psychiatrist and asked for

20           an emergency appointment and asked him to have a word

21           with me and explain what was going on, but nothing was

22           ever done.

23   Q.   But do you think he disbelieved you or did he just

24           think, well, if it's going on, you deserve it?

25   A.   A bit of both, yeah.

1 Q. You say on one of the occasions you ran away, [REDACTED], as  
2 he was known, asked you why. You say you told him and  
3 did that mean you told him what was going on, what was  
4 happening to you?  
5 A. I can't take it any more, I've had it.  
6 Q. But you say he took no action as far as you were aware?  
7 A. No, not at all.  
8 Q. But you say, I think, on that occasion -- because we'll  
9 come to another occasion -- that he listened, he didn't  
10 give you any punishment --  
11 A. The first time I ran away, he didn't punish me, correct,  
12 'cause my father took me back, so I had basically went  
13 back under my own volition. I wasn't caught by the  
14 police.  
15 If you were caught by the police then you would end  
16 up in Juvenile Court and then be taken back. But if you  
17 went back of your own volition or if they had caught  
18 you, because you were under their custody, that was  
19 fine. But if the police caught you, then they had to  
20 put you to court before they could put you back.  
21 Q. I suppose that was an administrative nuisance for the  
22 school, was it?  
23 A. Mm-hmm.  
24 Q. Just another problem for them?  
25 A. Yeah.

1 Q. You say that on that occasion, but it was rather  
2 different the next time you ran away, was it not,  
3 because you tell us about that at paragraph 119, I think  
4 it is, that LLZ and SNR did punish you on  
5 that occasion?

6 A. Yes, yes.

7 Q. They didn't do it just once, they gave you four  
8 punishments?

9 A. Yeah.

10 Q. We'll just go through them.

11 I think the first one was you say you were given the  
12 Lochgelly strap or tawse?

13 A. Yeah.

14 Q. You were also locked in a cell?

15 A. Yes.

16 Q. You were also given one month in the MacDonald wing,  
17 because you were in the training school so you were  
18 moved to the secure wing?

19 A. Yes.

20 Q. Fourthly, you were put on grade 5, punishment grade?

21 A. Yes.

22 Q. I think your point is you got four punishments for  
23 running away, one offence?

24 A. Yes.

25 Q. Whereas I think your understanding of the rules is that

1       it was that you should be punished only once --

2   A.   That's correct, yes.

3   Q.   -- for a single offence?

4   A.   Yes.

5   Q.   Now, as far as corporal punishment is concerned, you

6       tell us that I think it's this occasion when you ran

7       away a second time, was it?

8   A.   Correct.

9   Q.   That you were taken -- is it to the office?

10  A.   The cells.

11  Q.   To the cells. Sorry. Is that where you got belted?

12  A.   Yes.

13  Q.   You say that on this occasion, it was SNR [REDACTED],

14       LLZ [REDACTED], that belted you, is that right?

15  A.   LLZ [REDACTED] always dealt out the belt. LLY [REDACTED] stood and

16       watched.

17  Q.   He was the witness?

18  A.   Well, he was [REDACTED] who should have been

19       administering it, 'cause that's something else that was

20       taken into law. It was [REDACTED] SNR [REDACTED] who should

21       deal out corporal punishment.

22  Q.   But on this occasion there were two of them, SNR [REDACTED]

23       and SNR [REDACTED]?

24  A.   SNR [REDACTED] is not SNR [REDACTED] --

25  Q.   No, I take your point.

1 A. -- but he's the biggest and strongest of the two.

2 Q. Well, I just wanted to establish what happened. I'm not  
3 suggesting that it met the rules, but just to find out,  
4 he did the belting and you say that what he did was to  
5 belt you, you said in your statement at 120, it was on  
6 the bare backside, do you mean bare backside?

7 A. No, I had underpants on.

8 Q. But it was without trousers --

9 A. No jeans, no shirt.

10 Q. So it was without ordinary cloth trousers, if I could  
11 put that expression into play?

12 A. Yes, yes, yes.

13 Q. Because I think at least I can tell you that much,  
14 I think the regulations said that that was what should  
15 be the situation, you shouldn't be put into thin shorts  
16 or pants or given it on the bare bum.

17 A. Yeah.

18 Q. I think that accords with probably what you're saying.  
19 You make another point that you say that you were  
20 given a copy of an entry for a punishment for  
21 [REDACTED] 1971, which I think you maybe think is this  
22 occasion?

23 A. That's the occasion.

24 Q. You say that it was recorded in that entry that you  
25 received six?

1 A. On the buttocks.  
2 Q. On the buttocks?  
3 A. Yeah, yeah.  
4 Q. But you say that it was more than six on that occasion?  
5 A. Yes.  
6 Q. So it wasn't just without trousers. You got more than  
7 six strokes?  
8 A. He didn't like a moving target, put it that way.  
9 Q. So each time you moved, he would take a swipe at you?  
10 A. If he didn't get a good hit at you, then that one didn't  
11 count.  
12 Q. I see. So he felt unless he hit the target, the  
13 bullseye, that didn't count?  
14 A. Correct.  
15 Q. And you were moving about?  
16 A. Well, I wasn't going to sit there and take it.  
17 Q. No, I get that.  
18 A. Knock the hell out of me with a huge leather -- when  
19 they say Lochgellys, Lochgellys range from something  
20 that looks like a grandma's slipper to a huge piece of  
21 leather about this thick, you know.  
22 Q. Was it a thick one, a big one?  
23 A. A big one. He could wrap it round his hand three times.  
24 Q. It wasn't a light tawse then?  
25 A. Oh, goodness, no.

1 LADY SMITH: Did it have tails?  
2 A. Just the two.  
3 LADY SMITH: It had tails.  
4 MR PEOPLES: I think you are effectively saying that this  
5 was an example of excessive corporal punishment as well  
6 in the way it was administered, because you tell us  
7 I think that as a result of this punishment, you say  
8 your backside and thighs were swollen and that you were  
9 locked up in the cells for a few days until the swelling  
10 went down?  
11 A. Correct.  
12 Q. Was that the reason why you were there?  
13 A. I would imagine so, yes.  
14 Q. You say that while you were there, you had your meals  
15 there, you had what you call a piss pot?  
16 A. Yeah.  
17 Q. And you weren't allowed exercise?  
18 A. That's correct.  
19 Q. Was it on this occasion that you were put to the  
20 MacDonald wing, I think you've said?  
21 A. Yes, yes.  
22 Q. Now, you tell us a little bit about that, at  
23 paragraphs 123 to 124. You actually say that Mr LOH ,  
24 who was in charge of the MacDonald wing, you got on  
25 extremely well with him?

1 A. Very fair man, yeah.

2 Q. You felt he was very fair, but you tell us that he could  
3 see what was going on at Rossie. I take it you mean in  
4 the training school, as I call it?

5 A. He didn't spend -- his days were in the block. He  
6 administered the block. You would see him pass through.  
7 He didn't actually spend any time with the boys in the  
8 open unit.

9 Q. No, but you think he had a good idea what was happening  
10 in the open unit?

11 A. I don't know.

12 Q. Don't know. But you say that when you went back to the  
13 open unit, things started to change for you at least and  
14 the sort of abuse --

15 A. Mr LOH took me to his office and told me, he said,  
16 'Good news, you're going back to the open unit'.  
17 I immediately asked him if I could stay in the closed  
18 block, because for me it was a safer place and he  
19 couldn't understand it. He asked me a few things, why  
20 I wanted to stay and I told him that it was safer for me  
21 to be there than to go over there.

22 LADY SMITH: Did you explain why it was safer?

23 A. Not in exact words, but I just said I didn't get on very  
24 well with the boys, it's much safer and, of course,  
25 while I was there, I had perfect reports. I never had



1       any discipline in any workplace on the open side or in  
2       there and my behaviour was exceptional in the block, and  
3       I did respond to the staff in there as well and I did  
4       enjoy my time in there.

5   MR PEOPLES: I think what your best theory on this is that  
6       having said this to him, even if you didn't go as  
7       explicit as you are today, that you went back and  
8       something you feel must have been said and something  
9       must have been done.

10   A. Yes.

11   Q. Because the situation improved?

12   A. Yes, absolutely.

13   Q. Although you do say that some of the staff ignored you,  
14       I think the way you put it?

15   A. The ones who had previously needled me.

16   Q. Needled you, stopped doing it?

17   A. Stopped, stopped.

18   Q. What about the Aberdonian boys; what was the situation  
19       with them?

20   A. They backed off, they backed off as well.

21   Q. They backed off?

22   A. Yeah.

23   Q. It must have been that someone worked out what they were  
24       doing?

25   A. What's not in my statement is that my cousin was

1        actually taken to Rossie Farm at the same time as me and  
2        when I ran away the second time, we both ran away  
3        together. He got away. I got caught before I got out  
4        of the grounds and I got my punishment and put in the  
5        MacDonald wing. He was away for a little while and got  
6        caught and I don't know what he had told them, his  
7        reasons for running away. The man's now dead, so  
8        I can't get him to come and give evidence here.

9    Q. But there was a change?

10   A. There was a change, yes.

11   Q. It wasn't just the staff, it was also --

12   A. Everything changed. When I came back from the block,  
13        everything changed.

14   Q. The other boys didn't --

15   A. Before I went in the block, if someone stood near me and  
16        lifted their hand to do this (indicating), I had  
17        a startled response. I was an absolute nervous wreck  
18        and I was a totally different person after a month in  
19        the block. I'd calmed down. So I could see things  
20        a lot clearer.

21   Q. But also it was better once you went back?

22   A. Yes, yes.

23   Q. Now, you have a specific section called 'Abuse at  
24        Rossie Farm', and to some extent we have covered this,  
25        but I would like just to take you to it just to make

1       sure that we have all the points that I would like to  
2       ask you about.

3       It's a section at 127 to 138, 'Lindsay'.

4       At 127, you have already told us about the abuse you  
5       suffered at the hands of the Aberdeen boys. You tell us  
6       I think more specifically you were constantly being hit  
7       or kicked or slapped by them?

8   A. Yes.

9   Q. Indeed, it got to the point where, after two months or  
10     so, you ran away?

11  A. Yes.

12  Q. Indeed, you have just explained that before you went to  
13     MacDonald wing, you say in 127 you were so nervous you  
14     would flinch whenever anyone raised a hand near you?

15  A. Yes.

16  Q. Because that was the way that had caused that?

17  A. Yes.

18  Q. You give us an example of one occasion I think at 129  
19     and you remember an occasion when, if I can just call  
20     them the Aberdeen boys, I think, I know you identify  
21     some, but I'd rather just describe them more  
22     generally --

23  A. Yes, sure.

24  Q. -- that you got dragged into the boot room by the boys  
25     and were given a beating, but you say that there were

1 a couple of staff at the entrance watching all and did  
2 nothing to stop it?

3 A. Yes.

4 Q. Would they have been able to see what was going on?

5 A. Yeah.

6 Q. Then you say:

7 'Most of the staff were like that, they would just  
8 turn away when boys were bullying other boys or beating  
9 them up.'

10 Was that your experience?

11 A. Yeah. If it was a physical fight they would intervene,  
12 but if someone was sorta cornered and being -- well,  
13 their trade plied on them, it would be sorta ignored,  
14 you know. It was just put down to how the boys behaved,  
15 you know. Like I said, discipline was much -- a lot of  
16 discipline was left down to the boys.

17 Q. You talk about injuries that you received from, I think,  
18 essentially the abuse by the Aberdeen boys, was it?

19 A. Yes.

20 Q. You have talked about the injuries caused by the  
21 belting, but this is more directed towards the abuse by  
22 the Aberdeen group?

23 A. Yeah, sure.

24 Q. At 129 you tell us that you had marks, clothes were  
25 torn, and you had a scar caused by a razor blade?

1 A. Yeah.

2 Q. Because you were attacked, you say, by another boy about

3 I think you say eight weeks after you got to Rossie?

4 A. Yeah.

5 Q. You say that the group would do things like spitting on

6 you, kicking you, punching you?

7 A. Yeah.

8 Q. Destroying your belongings?

9 A. Yeah.

10 Q. Stealing your cigarettes and generally trying to get you

11 into trouble. You say:

12 'My only escape was when I got to my bed at night.'

13 A. Yeah. I had the clothes that we wore, these battle

14 dress, if you tore it, if you caught on something, you

15 would have a three-cornered tear by nature. I had these

16 razor marks and when the staff asked me what they were,

17 I said, 'Oh, I caught it on there', and one went, 'You

18 can't do that by catching on there. That was cut, who

19 did it?', and I refused to tell them, but there was

20 never anything ever done.

21 Q. But you were in a bit of a catch-22, if you said

22 something there would be the reprisals --

23 A. Absolutely.

24 Q. -- but if you didn't say anything --

25 A. Yes, and if you said something to the wrong person, then

1           they would pass it on to the boys.

2   Q. Now, you say that LLZ and SNR treated some

3       of the boys horrifically at paragraph 133. You have

4       told us about the excessive corporal punishment occasion

5       that you experienced when you ran away the second time.

6           Apart from that, why do you say that? What sort of

7       treatment are we talking about here?

8   A. Boys told me they were physically beaten up by him.

9   Q. By who?

10   A. By LLZ.

11   Q. What about Mr LLY?

12   A. He was stood by, he was always a watcher.

13   Q. He wasn't really a doer in that sense, was he, then from

14       what you have been told?

15   A. LLZ was the main disher outer. He was like the heavy

16       and LLY was .

17   Q. Did you ever experience this? I know you told us of the

18       belting but did you ever have --

19   A. Just verbally, you know, just bringing the school down,

20       running away and getting --

21   Q. Were you ever punched or kicked or slapped by LLZ or

22       anyone?

23   A. Not by him. I was hit by the Lochgelly, I was never --

24   Q. Okay, but you were told by other boys that LLZ was

25       kicking or slapping or punching?

1 A. When I was in MacDonald wing, the school used to go  
2 every year to Loch -- Glenprosen, Glenmarkie Lodge, and  
3 they had a camp, a big house there, and they used to go  
4 walking and while they were there, the Aberdeen boys,  
5 some of them, broke into the local shooting lodge and  
6 caused a big stramash, police involved and all the rest  
7 of it. And they were -- they were -- had the shit  
8 kicked out of them, beg my pardon.

9 Q. By whom?

10 A. By LLY [REDACTED] and by --

11 Q. Because they caused a major incident?

12 A. Yeah, the police were involved. It caused a big  
13 disruption up there. They were taken back and locked up  
14 in the cells. We didn't see them for days and days,  
15 until they'd healed. And they said they'd been given  
16 severe beatings, physical beatings.

17 Q. From --

18 A. Yes.

19 Q. Mr --

20 A. From LLZ [REDACTED], from LLY [REDACTED], and a couple of the other  
21 staff.

22 Q. So you are telling us that what you heard, and you have  
23 referred to this particular instance as well, that there  
24 was a situation where at least Mr LLY [REDACTED], Mr LLZ [REDACTED]  
25 and some other members of staff, at least at times would

1           be hitting, slapping, beating boys?

2    A.   Yeah.

3    Q.   You gave a situation where you heard about where that

4           had happened, where a group of Aberdeen boys were at

5           a camp at Glenmarkie Lodge?

6    A.   Yes.

7    Q.   Was that part of Rossie's estate?

8    A.   It belonged to the estate, yes.

9    Q.   How far away was that from the lodge -- from the wing

10           and the training school?

11   A.   It's in Glenprosen.

12   Q.   What's the distance?

13   A.   It's probably 20 or 30 miles.

14   Q.   Okay, okay, and they were at camp and there was

15           an incident and they broke into somewhere, they took

16           things --

17   A.   A shooting lodge next door. Glenmarkie Lodge, it's

18           a huge Victorian house. It was an old shooting lodge

19           next to it, like a small village area.

20   Q.   If it was a shooting lodge, did they take weapons?

21   A.   I don't know if there was weapons in it, but they

22           certainly went in and got themselves pissed.

23   Q.   Okay, yes, I think I've got the idea.

24           That's why you make that statement, but that's the

25           sort of thing that you had in mind?



1 A. Yes.

2 Q. I mean, did you have any reason to think that what you  
3 were being told was just boys making up stories?

4 A. No, because I've heard it many, many times.

5 Q. You didn't think --

6 A. Not just from the Aberdeen boys, you know.

7 Q. Yes. You tell us that the grade 5 boys, and you were  
8 a grade 5 boy at times, after coming out of the toilet  
9 block at bedtime would have to stand in a row while  
10 everyone else went to bed and then you tell us that the  
11 night watchman would tell them to fetch a bucket filled  
12 with cold water and a scrubbing brush and they would  
13 have to scrub the corridor on their hands and knees and  
14 it could take quite a long time --

15 A. Yeah.

16 Q. -- and there was other cleaning duties they might be  
17 expected to perform?

18 A. Yes.

19 Q. Now, you talk about a scrubbing brush, was there ever  
20 any question of using a toothbrush, have you ever heard  
21 that?

22 A. I've heard a guy having to clean toilets with  
23 toothbrushes. I think that was -- although it's a cruel  
24 thing, it was meant more as a joke to start with, you  
25 know.

1 Q. To use a toothbrush?

2 A. To use a toothbrush, and when the person went to use the  
3 toothbrush, they would be stopped from using it, if  
4 I remember correctly.

5 Q. I suppose if you are using a toothbrush, it's maybe not  
6 so much of a joke if you're the user?

7 A. No, but like I say --

8 Q. Now, you tell us a little bit more about the night  
9 watchman, GQE, who I think was described as  
10 a pervert by you in an earlier part of the statement and  
11 you tell us that he would stand and stare at boys with  
12 his hands in his pockets?

13 A. Yes.

14 Q. You say ingratiating himself while watching the boys in  
15 the showers. I think we can work out he was getting  
16 some sexual gratification from watching, some sort of  
17 voyeurism?

18 A. Yeah, very intimidating man.

19 Q. You also say at 136, I think, that he went further than  
20 that, that he would rub up against boys as well?

21 A. Yeah, stand behind you.

22 Q. You said he did that to you?

23 A. Yeah, yeah.

24 Q. You saw him doing it to other boys?

25 A. Yeah. He would ask boys if they masturbated and things.

1 Q. So you have direct experience of him rubbing up and  
2 saying things and inappropriate comments like that?

3 A. Yes, yes.

4 Q. You also tell us that there were rumours going around  
5 Rossie at the time that boys would be taken, presumably  
6 by the night staff, from their rooms and that you say  
7 you didn't see that happen and it didn't happen to you?

8 A. Correct.

9 Q. So what did you make of the rumours? Did you have any  
10 difficulty?

11 A. Well, it was all innuendo of the institution, you know.  
12 You hear these stories, but if you don't have experience  
13 of it and you don't witness it, how can you say if it's  
14 true?

15 Q. So you weren't removed from your dorm at any time by  
16 night staff and no one in your dorm in your time was  
17 removed?

18 A. No.

19 Q. But you were hearing stories to that effect?

20 A. Yes, that's correct.

21 Q. Now, you've told us about reporting, so I'm not going to  
22 labour that. You've told us you told your father and  
23 nothing got done about it and really it didn't seem to  
24 matter if you told it to anyone, nothing ever came of  
25 it?

1 A. Nothing ever changed, no.

2 Q. The way you put it is this way at 138, that you were  
3 never asked why you were running away, for example, or  
4 how you were getting on at Rossie or how you were being  
5 treated and you say that so far as you were concerned,  
6 there was nothing like that, because nobody cared,  
7 that's the way you saw it?

8 A. All they wanted you to do was to buckle down and get on  
9 with it.

10 Q. You still see it that way, that was how it was? That  
11 they didn't care.

12 A. Yeah. That was the norm. That's what they were used to  
13 doing.

14 Q. I'm just going to move on very briefly, I'm conscious of  
15 the time, that after care you tell us a bit about your  
16 life and we can read the detail for ourselves, but you  
17 were in and out of trouble as an adult, and I'm not  
18 going to go into all the detail.

19 You did have spells in prison at times?

20 A. Yeah.

21 Q. But the last time you were in prison, I think, you tell  
22 us was in 1998 and you got out in 2001?

23 A. Correct.

24 Q. And that since then you haven't had any problems?

25 A. No (Inaudible).

1 Q. In fact you were working after that until you had  
2 a serious accident in 2007?

3 A. Yes.

4 Q. You have had some health problems since then as well  
5 that you tell us about.

6 You tell us on impact, starting at 162 and 163, that  
7 you think about what happened to you in care, and,  
8 indeed, I suspect out of care in your own home, every  
9 day and you feel that it's affected marriage and your  
10 relationships?

11 A. Yes.

12 Q. I think you do tell us that really you don't have much  
13 of a relationship with your family?

14 A. I have no relationship with any of my family at all.

15 Q. You tell us that your experience as a child has had  
16 an adverse impact on your mental health --

17 A. Yes.

18 Q. -- and, indeed, your physical health and you have told  
19 us about some of the physical injuries you had, but  
20 obviously the mental damage has obviously been profound,  
21 as far as you're concerned?

22 A. Yeah.

23 Q. To make matters worse, I think you feel that you got no  
24 real education, because of the way that --

25 A. Only the education that I picked up in prison, which is

1           ironic.

2   Q.   Maybe the wrong sort of education?

3   A.   Let's say it wasn't all bad.

4   Q.   Well, okay, but some of it was?

5   A.   Yeah, yeah, absolutely.

6   Q.   You learnt there things --

7   A.   Not all people in these institutions were bad.

8   Q.   No, no. Well, I think you make that point, that not all

9           the staff, not all the people in any of the places are

10          bad.

11           Now, you say it's just affected your whole life and

12          continues to do so?

13   A.   Yes.

14   Q.   Perhaps on a better note, you did get some benefit,

15          I think, not for treatment for your childhood problems,

16          but you had your accident, your serious accident and

17          I think you had various treatments, including EMDR, and

18          you feel that that helped you and you learned something

19          from it, and that's maybe helped you cope?

20   A.   It has helped, yes.

21   Q.   Indeed, I think you have more recently tried to contact

22          the police -- you tried to contact them to tell them

23          a bit about your time, but as I understand it from what

24          you say, and I don't know if it's changed since, you

25          haven't had much response?

1 A. Since my statement was read into evidence, I was visited  
2 by the police --

3 Q. All right. Okay.

4 A. -- and investigations were done, but most people  
5 involved in the investigations are no longer with us.

6 Q. So there has been some action taken?

7 A. Yes, yes.

8 Q. Then you talk about records, and I'm not going to dwell  
9 on that, other than that you've tried to get records but you  
10 received limited records from Rossie, but Aberdeen, the  
11 local authority, say that they don't have any records or  
12 they can't find any?

13 A. Correct, they've been destroyed.

14 Q. Just finally just looking at a section, 'Lessons to be  
15 learned', 'Lindsay', clearly a point that really  
16 concerns you and you said was a disgrace locking  
17 children up in an adult prison?

18 A. Absolutely.

19 Q. That you shouldn't have been in a prison at all and  
20 certainly not in the part of the prison that you were  
21 put in?

22 A. Correct.

23 Q. You make the point you were misguided, but you were  
24 young, you were off the rails a bit, but you should have  
25 received help and shouldn't have been just stuck in

1           a prison?

2   A.   Yes.

3   Q.   Then you also feel that there was -- and this is more

4           not so much about care, but more about I think the

5           social work side of things -- that perhaps there should

6           have been a greater acknowledgment of the treatment you

7           were getting at home?

8   A.   Absolutely.

9   Q.   That that wasn't really being recognised and acted on,

10          that things were happening at home to you?

11  A.   I was definitely a scapegoat at home.

12  Q.   Then the other point that you make about lessons is that

13          the people that were looking after you, in the places

14          that we have spoken about and other places, that they

15          could do what they like, as could some of the boys, as

16          in Rossie --

17  A.   Yes.

18  Q.   -- and that they weren't answerable to anybody. I think

19          that is something that you have raised as something that

20          should have been addressed and should be addressed if it

21          still happens. Although I think you recognise today

22          things may very well be different?

23  A.   Yeah, well, we've got cameras and things, haven't we?

24  Q.   Well, not just cameras. I think you do say that

25          perhaps -- at 178 you say nowadays they have to help



1 people. They have to identify problems and help them,  
2 rather than punish them. So I think you must feel at  
3 least there has been quite a lot of progress since your  
4 days in care?

5 A. Absolutely, yeah.

6 Q. But what you do say is that every place you ever went  
7 to, you were told categorically that you had no rights,  
8 having a bed was a privilege?

9 A. Yes.

10 Q. You say to live is a right, to be a human being, to  
11 exist and be treated with respect and dignity and that  
12 just didn't happen in your case?

13 A. Absolutely.

14 MR PEOPLES: Okay, well, 'Lindsay', these are all the  
15 matters I want to raise with you today. I would just  
16 like to thank you for coming and I wish you a safe  
17 journey home and all the best for the future.

18 A. Thank you very much.

19 LADY SMITH: 'Lindsay', can I add my thanks. You have  
20 enriched the information I already had from you  
21 considerably by being prepared to let us trouble you  
22 with all the questions we have put to you this  
23 afternoon.

24 I'm really grateful to you for the way you have  
25 dealt with the questions, as well as just tolerating

1       them all. So you now must be exhausted and I hope you  
2       are able to have a restful evening and you get home  
3       safely. I think the weather is okay outside at the  
4       moment, despite the cold.

5   A. Thank you very much, my Lady.

6   LADY SMITH: Thank you.

7                               (The witness withdrew)

8   LADY SMITH: Before I rise, some names again of people whose  
9       identities mustn't be disclosed as referred to in our  
10      evidence outside this room.

11         A man known as LLY or LLY ,  
12      LLZ , LMV , who I think was LMV , and  
13      GQE , also referred to as GQE . I think that  
14      was all.

15   MR PEOPLES: I think it was. But obviously if any young  
16      person's names were mentioned --

17   LADY SMITH: I don't think they were, but if they were, they  
18      must be --

19   MR PEOPLES: -- or the person's real name. I don't think it  
20      was, but just as a warning to those listening.

21   LADY SMITH: And that is us until tomorrow morning, when we  
22      start with a witness in person again, I think, don't we?

23   MR PEOPLES: Yes, I think you'll have a different person on  
24      the lectern but -- fortunately!

25   LADY SMITH: Thank you for today, Mr Peoples.

1 I'll rise now until the morning.

2 (3.59 pm)

3 (The Inquiry adjourned until 10.00 am on

4 Thursday, 9 January 2025)

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