

1 Wednesday 9 October 2019

2 (10.00 am)

3 LADY SMITH: Good morning. We return this morning to
4 further oral evidence in relation to our case study
5 in relation to the Marist Brothers' provision of
6 residential care. I think we have a witness ready;
7 is that right, Mr MacAulay?

8 MR MacAULAY: We do. The next witness is an applicant. He
9 wants to remain anonymous and to use the pseudonym
10 "Nigel" when giving evidence.

11 "NIGEL" (affirmed)

12 LADY SMITH: Please sit down and make yourself comfortable,
13 Nigel.

14 You'll see in front of you there's a microphone with
15 a red light on it. It's switched on to help us hear
16 you. It's very important that we hear you through the
17 sound system, so can you try and stay in a good position
18 for that, please? If you're ready, I'll hand over to
19 Mr MacAulay. I have no other questions for you so if
20 you're ready to start, we can get going. Is that all
21 right?

22 A. Thank you.

23 Questions from MR MacAULAY

24 MR MacAULAY: Good morning, Nigel.

25 A. Good morning.

1 Q. In the red folder in front of you, you'll find your
2 statement. Could I ask you to look at the last page of
3 the statement? Can you confirm that you have signed the
4 statement?

5 A. Yes.

6 Q. Do you tell us in the final paragraph:

7 "I have no objection to my witness statement being
8 published as part of the evidence to the inquiry"?

9 Is that correct?

10 A. Yes.

11 Q. Do you also say:

12 "I believe the facts stated in this witness
13 statement are true"?

14 A. Yes.

15 Q. Nigel, because you're wanting to be anonymous, I don't
16 want your date of birth, but can you confirm for me, so
17 I can get a time frame, that you were born in 1956?

18 A. Yes.

19 Q. In the early part of your statement, you provide us with
20 some information about your life and your family
21 relationships before you went to St Joseph's College,
22 Dumfries. In particular, you tell us that you were the
23 oldest of four siblings; is that correct?

24 A. Yes.

25 Q. Can I say, Nigel, you're looking at your statement in

1 hard copy, which is fine if that's what you want to do.
2 On the other hand, you may find it more convenient to
3 look on the screen because it'll come on to the screen
4 at relevant points in time.

5 A. Yes.

6 Q. I think there came a point in time when you went to
7 St Joseph's College in Dumfries, and I think you thought
8 that was in 1968; is that right?

9 A. Yes.

10 Q. By then you'd be aged about 12?

11 A. Yes.

12 Q. What was the background to your family's thinking of
13 sending you to St Joseph's?

14 A. It was a Catholic boarding school, which was --
15 supposedly had a good reputation for teaching and
16 education. It was 30 miles away from where we lived and
17 if anybody lived in the catchment area of the school,
18 they were funded by the local authority to go there if
19 they were Catholic and so my parents had moved to live
20 in the catchment area, amongst other reasons, to live
21 in the catchment area of the school so that their sons
22 could be boarded at that school.

23 Q. And you went there as a boarder; is that correct?

24 A. Yes.

25 Q. You've set out the background and I think what you tell

1 us in your statement is that there were really two types
2 of boarders. There was the category, in which you fell
3 into, that were being funded by the local authority?

4 A. Yes he.

5 Q. And the other category were privately funded?

6 A. They were fee paying, yes.

7 Q. And they were there from further afield in the main --

8 A. Yes.

9 Q. -- in comparison to yourself?

10 A. Yes.

11 Q. I think I'm right in saying that two of your brothers
12 also went to St Joseph's.

13 A. Yes.

14 Q. And they were younger brothers, so they came after you?

15 A. Yes.

16 Q. You were a boarder, but when you went there in 1968 were
17 there day pupils?

18 A. Yes.

19 Q. Were there many at that time?

20 A. I think the ratio would be about 1 or 2 day pupils maybe
21 a bit more. I think the percentage was probably about
22 10% to 15% day pupils to boarders. It could have been
23 a bit higher.

24 Q. Did you form any impression in your time at the school
25 as to how many boys were there altogether?

1 A. There were about 500. Somewhere between 450, 500,
2 because as well as being a secondary school, there were
3 two preparatory classes, the equivalent of Primary Six
4 and Primary Seven at that time.

5 Q. You're going in at a secondary level at the age of 12?

6 A. Into first year.

7 Q. Below you, you're saying there was in fact a primary
8 section?

9 A. There was a primary section, which was being phased out
10 when I arrived. When I arrived, there was a few pupils
11 in the equivalent of Primary Six, and it disappeared
12 a year later, and then I think the pupils who were
13 in the equivalent of Primary Seven, I think they stopped
14 that by the time I went into second year as well. But
15 I don't know the mixture of them being boarders and day
16 pupils because they were kept separate, their
17 dormitories were in a separate building and their
18 classrooms were in a separate building, so there was no
19 interaction with them.

20 LADY SMITH: We've heard evidence of these primary classes,
21 certainly at an earlier stage, being called control 1
22 and control 2.

23 A. That's right.

24 LADY SMITH: Were they called that when you were there?

25 A. Yes.

1 LADY SMITH: Have you any idea what the background to
2 calling them control was?

3 A. No, no. I think I did have at the time, because it is
4 an unusual word ... I think I had an idea at the time,
5 but off the top of my head just now ...

6 MR MacAULAY: If it ever comes back to you at any point in
7 time, perhaps you can solve the mystery for us.

8 LADY SMITH: Yes, it does remain an unresolved puzzle,
9 thank you.

10 MR MacAULAY: You provide us with some helpful information
11 in your statement about the layout and what I would like
12 to do, Nigel, if you have no objection to this, is to
13 put some photographs on the screen. Are you happy with
14 that?

15 A. Yes.

16 Q. The first photograph I want you to look at is at
17 INQ.001.004.2710.

18 We don't know the date of the photograph, but it's
19 providing what might be described as a bird's-eye view
20 of the St Joseph's environment. I think we know the
21 main building, for example, is to the forefront; is that
22 correct?

23 A. Yes.

24 Q. To the back of that, to the left, I think we see the
25 church.

1 A. Yes.

2 Q. And to the right of that can we see another fairly
3 substantial building?

4 A. Yes.

5 Q. Did that building have a name in your time?

6 A. It may have been ... There was a building at the
7 top ... The building to the right of that, the white
8 building, I think may have been called the Mount or that
9 main large building between the church and the white
10 building may have been called the Mount.

11 LADY SMITH: Was it St Michael's Mount?

12 A. It would be St Michael's Mount, yes.

13 MR MacAULAY: There may be some suggestion there was an
14 Old Mount and a New Mount; does that ring any bells with
15 you?

16 A. Yes.

17 Q. Can we then just focus on the main building? If I can
18 put another photograph on the screen for that purpose.
19 If we look at INQ.001.004.2711.

20 (Pause)

21 While we're waiting for the photograph, as you can
22 see, it's also on the screen behind you and sometimes
23 it's helpful simply to stand up and point to particular
24 locations. The photograph I want is not there yet, but
25 it'll come.

1 (Pause)

2 So we're getting a front door view of the main
3 building with the clock tower in the centre. Can we
4 just focus on the dormitory area first of all, Nigel?
5 Are you able to identify for us the dormitory areas and
6 who would be housed in these dormitories?

7 A. Looking at the photograph, on the top right-hand side
8 was what we called the wee-rec, which was I think --
9 I think "rec" was for reception, I'm not sure. Between
10 the clock and going along to the right-hand side was the
11 dormitory for the first years.

12 Q. That's the wee-rec?

13 A. The wee-rec, yes.

14 Q. Is that where you would go then when you first went
15 there?

16 A. When you first went there, you'd go there.

17 Q. Can you describe the area to us?

18 A. If you imagine being behind the clock and facing right,
19 you'd go in through double doors and there was quite
20 a wide passageway with beds, lockers, and between some
21 of the bed and lockers there were doors leading into
22 small rooms. Those small rooms were behind the windows
23 and they had four beds and four lockers in each of them.
24 That was on both sides, so there were beds out in an
25 open dormitory and there were beds in the rooms.

1 At the far end facing you, were wash-hand basins,
2 and when you turned to the left, you went into another
3 area where there were wash-hand basins and a large foot
4 basin, a triangular thing that you could sit on the edge
5 of and wash your feet in.

6 LADY SMITH: Was there a room for each one of the windows?

7 A. The windows were only in the small rooms where there
8 were four beds and four lockers. But in the centre of
9 the dormitory where there were beds and lockers, between
10 the doors into the rooms there was no windows.

11 LADY SMITH: Was there any daylight at all? Any skylights?

12 A. No. The only daylight would be from the open doors to
13 the rooms when those doors were open.

14 MR MacAULAY: And was it just pot luck whether or not you
15 were allocated into one of the smaller rooms or in the
16 open dormitory area?

17 A. Yes. There was some perception that -- oh, I forgot to
18 say: as you went into the main passageway of the
19 dormitory, the first room on the left was for the
20 religious brother.

21 Q. Was he known as the dorm master?

22 A. He was the dorm master. So his room was on the left --
23 sorry, what was your question?

24 Q. I think the question was whether there was any rhyme or
25 reason as to whether you were allocated to a --

1 A. The rhyme or reason ... I think the further away from
2 the dorm master's room were the better behaved pupils.
3 Some people, if there were boys in the same room that
4 formed a lot of friendships and got up to mischief
5 together or were seen to be not polishing their shoes
6 and so on, they would be moved out into the open
7 section, close to the dorm master's room.

8 Q. You've explained to us what the area to the right of the
9 clock is there at the top. How about the area to the
10 left of the clock at the top?

11 A. It was known as the inters, which was the intermediate
12 dormitory, and that was for pupils who were in second
13 year, and some of them in third year. But it was the
14 same size as the other dormitory, but it was completely
15 open, so there were on each side three rows of beds and
16 lockers in this large open space, although as you went
17 in the door on each side, on the left and right-hand
18 side, where I suppose the first window would be on the
19 left-hand side of the clock, on both sides of the
20 dormitory there was a built-in area for the dorm masters
21 for the intermediate dormitory. But most of the time,
22 only one of them was used and the other one would be
23 locked and kept for storage.

24 Q. Is that because only one dorm master would be there?

25 A. Only one dorm master would be there, yes.

1 Q. That's then inters, intermediate, and you say that was
2 second year in the main, but perhaps some third years as
3 well.

4 A. Some third years, yes.

5 Q. Was there also a section or division known as the mids?

6 A. Yes.

7 Q. And I think we're moving ahead, is that third and fourth
8 years?

9 A. Yes.

10 Q. Before we move to that then, do I take it from your
11 evidence that you were, first of all, in the wee-rec
12 dormitory, which was to the right of the clock? Did you
13 then move at a point in time to the other dormitory for
14 the inters and the mids?

15 A. When I went in second year, I was into the inters
16 dormitory. And then when I went into third year, I went
17 into the mids dormitory.

18 Q. And where was that then? Can I ask you about that?

19 A. When you are looking at the building, below the clock
20 there's a statue, and on the left-hand side of the
21 statue is the mids dormitory. But also on the
22 right-hand side of the statue, that part of the building
23 was split into two and when you went into it, there were
24 cubicles, which was wooden partitions with curtains in
25 front of them, where some of the mids went.

1 Q. And clearly then that arrangement would provide greater
2 privacy to the boys?

3 A. To a certain extent. In the same way as a toilet
4 cubicle, which doesn't reach the floor and roof and had
5 a curtain in front of it would give you privacy.

6 Q. How many beds would be in the cubicle?

7 A. I think there were about eight on the right-hand side
8 and about six on the left-hand side because on the
9 left-hand side was another room for a dormitory master.

10 Q. And at a given time when you moved into the mids, did
11 you move into that area as well?

12 A. Yes.

13 Q. So far as the rest of the main building is concerned,
14 then, that's the first floor and the ground floor,
15 can you just provide us with an overview as to what was
16 housed in there?

17 A. On the first floor were classrooms on each side of
18 a corridor. In the main, these classrooms -- on each
19 side of the corridor there were three classrooms and
20 each of these classrooms were only separated from each
21 other by a sliding door which could be opened up. The
22 classes had about 30 pupils in each, but each of those
23 could be opened up.

24 Q. And made larger?

25 A. And made larger, yes.

1 Q. Was that on both sides, then, of the clock on the first
2 floor?

3 A. I can remember mostly being taught on the right-hand
4 side, but I think on the left-hand side, looking at it,
5 I think there was a teachers' staff room and there were
6 classrooms there. Also, on the same floor, on the floor
7 below the statue, in between the right-hand side and the
8 left-hand side, was the headmaster's office on the
9 opposite side of the building -- no, on the same side of
10 the building from where this has been taken.

11 Q. So on the front side of the building?

12 A. Yes.

13 Q. Can I perhaps put this photograph up for you and I'll
14 come back to the ground floor area in a moment.

15 This is INQ.001.004.2714. We're looking at
16 a photograph, again it looks like quite an old
17 photograph, I don't know the date, but the caption
18 at the bottom is:

19 "St Joseph's College, Dumfries. Classroom
20 corridor."

21 A. Yes.

22 Q. Do you recognise this?

23 A. Yes, that looks like the first floor corridor.

24 Q. And are we then to look at this corridor and to see that
25 classrooms come off?

1 A. Sorry to interrupt, but I also think there were other
2 similar corridors, I think there was a similar corridor
3 on the ground floor, which looked the same.

4 Q. For classrooms?

5 A. For classrooms. But this does look like the corridor of
6 the classrooms.

7 Q. If you look to the immediate right, I think we can just
8 see what looks like the handle of a door --

9 A. Yes.

10 Q. -- leading into one of the classrooms. The partitions
11 you mentioned then, would that be between each classroom
12 as you were going along the corridor?

13 A. No, if you imagine going into -- if you go through that
14 door and look to your left, the classroom would have
15 about 30 desks and behind it was a partition, so the
16 partition is at right angles to --

17 Q. The door?

18 A. -- the door.

19 Q. The wall?

20 A. When you're looking along the corridor.

21 Q. And the panels that we see above the wooden area, are
22 they glass, opaque, or could you see through them?

23 A. I think they were opaque, but I'm not sure if in my time
24 that at least one of the panes of glass at the door was
25 clear. I can't remember, but I do have the impression

1 that it was clear because if you opened the door and
2 looked straight ahead, it was where the teacher's desk
3 was and I think the teacher was able to look out and see
4 who was outside, and I think you were also able to look
5 into the classroom as well to see from the corridor.

6 Q. Rather than opening the door and interrupting the class?

7 A. Yes.

8 Q. Can I then go back to the previous photograph,
9 INQ.001.004.2711.

10 If you could complete your guided tour of the
11 building and take us to the ground floor area. You've
12 already mentioned there may have been a classroom
13 section; where's that?

14 A. Looking at the building on the ground floor, hidden by
15 the trees, to the right-hand side, when you went into
16 the corridor there on the left-hand side there was
17 a classroom area. I think there was one area that was
18 thought of as a language laboratory and then there was
19 a biology lab on the left-hand side.

20 On the right-hand side there was office areas.
21 I can't remember what was immediately to the right, but
22 I remember further along the corridor there was office
23 areas and also where laundry was put and kept.

24 Q. To the left of the door as you came into the building,
25 what was there?

1 A. Looking at the building on the left-hand side, on the
2 ground floor, was the refectory areas.

3 Q. Just on that, were there different refectory areas for
4 different recs?

5 A. Yes.

6 Q. So the wee-rec had its own refectory area?

7 A. The wee-rec and the inter-rec shared at the very end on
8 the left-hand side -- I think it probably took up half
9 of that area. It was an open area and, looking at the
10 building as well, part of it was a kitchen behind where
11 we're looking at. There was a large open area of tables
12 of six with a raised area for whoever was monitoring the
13 refectory to look over.

14 That was a large open area, but at the very end of
15 the building, but before you got to the end of the
16 building, on each side were smaller panelled-off rooms
17 with less tables for ... There was the senior rec there
18 and I think some of the mids were in those -- yes, the
19 mids were in those smaller rooms.

20 Q. And the raised area for someone to be supervising the
21 area, would it be a brother who would perform that
22 function?

23 A. It was always a religious brother, yes.

24 Q. If we can go back to the previous photograph, the
25 bird's-eye view photograph, INQ.001.004.2710, you've

1 already mentioned the Primary Six and Seven groups. If
2 I can ask you, first of all, so far as dormitory areas
3 would be concerned, are you able to identify where they
4 were being housed?

5 A. When I became familiar with that building, I was much
6 older, and the preparatory pupils had gone from there.

7 Q. Is that the Old Mount?

8 A. I think it was the Old Mount, yes.

9 Q. The building next to the church?

10 A. The building next to the church. But when I was in
11 first year, and I'm pretty sure in second year, the
12 preparatory school area was on the bottom two floors of
13 that building, somewhere in the bottom two floors. But
14 if you weren't part of the preparatory school, there
15 would never be any reason why you would ever go in
16 there. In fact, I would imagine if anybody did go in
17 there they would be asked to go back out again.

18 Q. And the seniors' sleeping arrangements, can you tell us
19 what these were?

20 A. They were on the top floor of that building.

21 Q. And what were the arrangements?

22 A. The very top floor of the building was actually slightly
23 like the wee-rec where you had quite a wide corridor and
24 you had a bed and a locker outside of individual rooms.
25 But the individual rooms only had one bed and they also

1 had a sink as well as a locker.

2 Q. So the sixth formers would have their own room,
3 effectively?

4 A. Some of them, yes. Fifth and sixth formers.

5 Q. Did you ever graduate into that situation where you had
6 your own room during your time there?

7 A. Yes, I did. My room was on ... Looking at the
8 building, it was the top floor, second from the right
9 window.

10 Q. So each of the rooms had a window as well; is that
11 correct?

12 A. Each of the rooms had a window, but inside, where there
13 were beds and lockers -- there was a window at the end
14 of the building but not anywhere else because there were
15 rooms behind the beds.

16 Q. And the rest of that building, the Old Mount, let's just
17 give it that label for the moment so we can identify it,
18 what was that used for in your time?

19 A. The top left-hand side was again a dormitory area. The
20 two floors below it, I can't really remember what they
21 were used for.

22 Q. But the dormitory areas you mentioned to the left then,
23 who would use that?

24 A. The same pupils as on the right.

25 Q. The senior boys?

1 A. Mm-hm, yes.

2 Q. And I think we've heard that the New Mount, the whitish
3 building to the right of that building, really was
4 accommodation for the brothers themselves?

5 A. For the brothers themselves.

6 Q. Was that off limits?

7 A. Sometimes. But to go back to the Mount, I seem to be
8 aware that I think some of the brothers may have had
9 rooms in there on floors or on a floor that we didn't go
10 into.

11 Q. So that would be the third floor, possibly?

12 A. The accommodation in the white building, it was off
13 limits, apart from by invitation. You sometimes heard
14 of pupils being taken in there by some of the brothers
15 for whatever reason the brothers might give.

16 Q. Were you ever taken into that building?

17 A. No, no.

18 Q. Perhaps the last photograph I would want to you look at
19 for the moment is INQ.001.004.2715.

20 (Pause)

21 Again, we've got an aerial view, but you'll see,
22 really straightaway, that it's a much more modern
23 photograph and we have a view in particular of the rear
24 area of the main building, and we now see there are
25 changes there.

1 A. Yes.

2 Q. If we look to the left, for example, there appears to be
3 a fairly substantial structure added to that side; was
4 that there in your day?

5 A. It was. It was recently built.

6 Q. Can you give us a summary of what that contained?

7 A. The ground floor, where you can see the long windows,
8 was the school assembly area. And looking at it, inside
9 the building on the left-hand side was a stage with
10 a lectern on it, and in the middle there was a floor
11 area and I think at the back of it was a balcony area,
12 which would be on the right-hand side. I'm not too sure
13 about that, but I seem to remember there being a balcony
14 area at the back. So as well as being like an assembly
15 area, it was slightly like a theatre.

16 Q. And the other areas, were there classrooms there?

17 A. The areas upstairs where you can see the moss on the
18 roof, there were ... I know that on the part of it
19 facing the road there were quite small rooms, which at
20 one time held an overflow of pupils from ... Let me
21 think. It would be from the mids, as far as I remember.

22 Q. That was for sleeping accommodation?

23 A. It was sleeping accommodation, and in these rooms --
24 there were either two or three -- and I think they had
25 six or eight beds and lockers in them. I was there for

1 one term as far as I remember. The dormitory master had
2 a room there as well; that's on the side facing the
3 road.

4 On the other side, where you can see the two small
5 windows above a flat roof, there were two very small
6 rooms with a bench area in them, and I think if you were
7 squeezing people in those, you would get about six
8 people in them.

9 I think the area on the very left-hand side --
10 I think the back of the stage area from the assembly
11 room below may have gone right to the top of the
12 building.

13 Q. Then if we look to the structure on the right that
14 clearly has been erected since the previous photographs,
15 was that there during your time?

16 A. No.

17 Q. Can I then, having looked at the layout -- and thank you
18 for guiding us through that -- focus on the brothers who
19 were there during your time. Let's look, first of all,
20 at the SNR [REDACTED] or SNR [REDACTED]. Who was the
21 SNR [REDACTED] when you went to St Joseph's?

22 A. When I went there, it was Brother MYZ [REDACTED] who was
23 the SNR [REDACTED]

24 Q. Did that change?

25 A. I think halfway through, when I was in fourth year, it

1 [REDACTED] Brother MMK [REDACTED]

2 Q. Did he remain the SNR [REDACTED] during the rest of your
3 time at St Joseph's?

4 A. He did, yes, and for about another six years or so
5 afterwards, because he was still the SNR [REDACTED] when my
6 younger siblings were there.

7 Q. You've already mentioned the dorm masters. Let's focus
8 on the dorm masters that you had any dealings with
9 during your time at St Joseph's. In your first year who
10 was your dorm master?

11 A. He was called Brother CIPHER WITH [REDACTED]

12 Q. Can you give us a description of him? What was he like?

13 A. He was fairly straightforward. He wasn't at all
14 personable or approachable, and I also believe he was an
15 alcoholic.

16 Q. Did you see him under the influence of alcohol?

17 A. Yes. Yes, we would see his behaviour would be different
18 on different days, and also if you looked into his room,
19 you would see beside his bed there was a bottle of
20 whisky and there was a glass and it would often have
21 whisky in it.

22 Another memorable thing about the top, where there
23 was a glass, was CIPHER WITH [REDACTED] had a [REDACTED] which, to
24 first year pupils, you know, could be a bit amusing.
25 But I can remember looking into his room and seeing that

1 [REDACTED] in the glass of water.

2 Q. Was he regularly under the influence of alcohol?

3 A. Yes.

4 Q. How did that affect his behaviour?

5 A. He would sound a bit more ridiculous when he was saying
6 prayers. He would get a bit more shouty when he was
7 telling us when we could go to the toilet or when
8 we were getting a locker inspection to see if the
9 lockers were tidy and our shoes were polished. I think
10 he was a bit stumbly as well when he was under the
11 influence.

12 I also had the experience of him later at school,
13 when I was nothing to do with the dormitory that he was
14 master of, because he was also the driver of the school
15 minibus, despite being under the influence and not
16 having [REDACTED]. And I can remember being
17 in the minibus a few times with him when it was
18 completely uncertain whether he was entirely sober or
19 under the influence.

20 Q. What was that like?

21 A. A bit alarming, but for a child it could be adventurous
22 and also out of the norm and out of the routine, you
23 know, to be out in a minibus rather than confined to
24 barracks in school sort of thing.

25 Q. When you moved into your second year, your dorm master

1 would change?

2 A. Yes.

3 Q. And who was your dorm master in the second year?

4 A. In second year there was a dorm master who was
5 Brother Damien, and we also had a dorm master called
6 Brother **MLX** who had the nickname of **MLX**

7 Q. I'll come back to Brother Damien later on. I think you
8 also said apart from being a dorm master he was also
9 a teacher.

10 A. Brother Damien?

11 Q. Damien.

12 A. Yes, he was French teacher. I think he arrived at the
13 school when I was in the middle of first year or round
14 about then.

15 Q. Then just moving on looking at the other dormitory
16 areas, the mids dorm that you mentioned, I think you
17 tell us in your statement in fact that it was a
18 Brother **MNV** who was dorm master at least for
19 a short period of time.

20 A. He was for a short period of time, yes.

21 Q. And you provide us with information about other
22 brothers. For example, Brother **MFT** you say at
23 paragraph 33, was your dorm master in your third and
24 fourth years.

25 A. Yes.

1 Q. You also mention at paragraph 35 a Brother AKV. And
2 I think that's a reference to a man by the name of
3 AKV is that right?

4 A. Yes.

5 Q. Was he there at St Joseph's when you arrived there?

6 A. No, not as far as I know, because I only knew him by
7 people saying, that's brother so-and-so, but I never had
8 any personal encounters with him. He was at the school
9 when I was there.

10 Q. I think you tell us in your statement that the position
11 was quite different for one of your brothers --

12 A. Yes.

13 Q. -- who did have dealings with him.

14 A. Yes.

15 Q. The other brothers you mention, you mention a
16 Brother MFI who was a teacher. Did you have
17 very much to do with him?

18 A. My personal experience of him was only during
19 classes. He was quite an unusual figure
20 because he was -- he seemed to be permanently drunk, but
21 I also think that he had severe heart problems because
22 he was extremely and when he was going from
23 the main school building to the Mount, if he was going
24 back to his accommodation, it was a slight slope, so it
25 took him all his time to walk from one building up to

1 the other. And we would -- you know, it was a bit of
2 a sport amongst the pupils, saying how long is it going
3 to take for him to get up to that part.

4 But in the classroom, he was very mumbly and
5 difficult to make out a lot of the time --

6 Q. Are you saying --

7 A. -- as far as I remember.

8 Q. Are you saying that he also had an alcohol problem?

9 A. I am sure he had an alcohol problem. I think we smelled
10 alcohol from him.

11 Q. You also touch upon a number of brothers who were just
12 teachers and one you mention is Brother CIPHER W who you
13 also say was a [REDACTED] teacher in fourth year; is that
14 correct?

15 A. Yes.

16 Q. Although you think he might have also been a dormitory
17 master for the preparatory section?

18 A. I got that impression, particularly because the pupils
19 who came through from the preparatory school side were
20 more familiar with him and he knew who they were and
21 they knew who he was.

22 But one of the things about Brother CIPHER W was he
23 did know those pupils that came up through the
24 preparatory school, but he famously didn't retain the
25 names of any other pupils that he dealt with in his

1 classrooms.

2 Q. I should have asked you this: when you went to
3 St Joseph's, were you given a number?

4 A. Yes.

5 Q. Would you be referred to by your number by any of the
6 brothers or teachers?

7 A. Yes, very often. If there were any administration
8 issues to do with the school, you were referred to by
9 your number. Your number was also your laundry number,
10 so each item of clothing was supposed to have your
11 number stitched onto it. When you started a new term
12 at the school, you would find out which classroom you
13 were going to by your number. You would find out where
14 your bed was going to be in which dormitory by your
15 number.

16 If you got any post, you had to insist that anybody
17 who was going to be in contact with you, that your
18 number had to be on that. Pupils who were receiving
19 pocket money for the tuck shop at the school, when they
20 went to the office, where their pocket money would be
21 given out weekly or whatever, you gave your number.

22 Q. I suppose these are ways of identifying particular
23 individuals, but were you actually called by your number
24 by a particular brother? Would he say, rather than
25 using your name, would he say, number so-and-so?

1 A. I can remember it happening, yes.

2 Q. And how did you refer to the brothers? If you were to
3 speak to a brother, how would you --

4 A. You had to call them Brother so-and-so.

5 Q. And generally speaking, so far as dress was concerned,
6 how were the brothers dressed?

7 A. They had a long cassock, which went right down to the
8 ground. They had a white square of cardboard at their
9 throat, which was split in the middle, but it only came
10 down to about 4 or 5 inches. And they had a rope round
11 their waists, which was doubled up and the tasselled end
12 of the ropes would be put through the middle of the rope
13 where it's doubled up and the tassels dangled at the
14 side of their cassock.

15 LADY SMITH: What colour was the cassock?

16 A. Black.

17 MR MacAULAY: You also mentioned some members of the lay
18 staff and I'll look at one or two of these later. But
19 generally speaking, during your time, were there many
20 lay staff teaching at the school?

21 A. There were quite a lot. I think the proportion of lay
22 staff to religious brother staff was nearly 50/50.

23 Q. Were these people who didn't live on the premises but
24 came in from other places?

25 A. They didn't live on the premises at all. They were

1 there basically from the start of the school until --
2 once the classes had finished in the evenings, they were
3 gone. Some of them -- they were mostly male, the lay
4 teachers. Some of the male lay teachers became involved
5 with the sport. One of the unusual things about the
6 timetable at that school was that the class time was 9
7 until 12.30 or 12.00, and the classes didn't start back
8 until 2.30 and finished at 5.00. So instead of the
9 usual 4 o'clock finish, which was greatly to the
10 annoyance of the day pupils, because pupils in other
11 schools were getting away at 4.00 -- so at lunchtime --
12 the lunchtime was extended compared to other schools to
13 give the boarders time to have their lunch, but then
14 there was sport.

15 Some of the lay teachers, the male lay teachers,
16 became involved in the sport. If it was a football
17 term, they would referee football matches. If it was
18 a rugby term, they would referee rugby matches.

19 Another aspect of the timetable at the school was,
20 again to the annoyance of the day pupils as well as the
21 boarders who lived nearby, is that the classes finished
22 at lunchtime on Wednesday and to make up for that there
23 were classes on Saturday mornings.

24 Q. Was Wednesday afternoon devoted to sports?

25 A. Wednesday afternoon was devoted to sport and Saturday

1 afternoon was devoted to sport. The day pupils were not
2 really encouraged to take part. I tend to think that
3 the ones -- there was something about the atmosphere of
4 the split between boarders and day pupils, how they were
5 kept apart, and I think that sport was one of the areas
6 where the day pupils were encouraged to go home for
7 lunch and they were not encouraged really to be part of
8 any of the teams, the sport teams, particularly on the
9 Wednesday and Saturday afternoons.

10 Q. You also mentioned the matron and you say it was the
11 same matron who was there throughout your time --

12 A. Yes.

13 Q. -- at St Joseph's. Before I ask you about her
14 specifically, did she have a place in the building where
15 she would be based?

16 A. She was on the floor where the cubicles were. The
17 cubicles were on the left-hand side, and on the
18 right-hand side of that building -- I don't know if you
19 want to go back.

20 Q. Is this the main building?

21 A. Yes.

22 Q. We'll go back to that. This is INQ.001.004.2711.

23 (Pause)

24 So we're back to the photograph we looked at before.

25 Which level are you looking at now?

1 A. Looking at the building on the right-hand side, third
2 floor from the ground, to the right of the statue,
3 at the very end on the right-hand side those two windows
4 are part of the sickbay. The third window along was
5 also a small area of the sickbay as far as I remember.
6 But the three windows nearest the statue to the right of
7 the statue was a shower area.

8 Q. So the matron's domain would be --

9 A. The end of that corridor.

10 Q. Did you yourself ever have to be in the sickbay during
11 your time there?

12 A. Not actually in the sickbay. The sickbay itself --
13 there was a main area that had the matron's desk in it,
14 and then I think there were two or three beds curtained
15 off. I do seem to remember that on the right-hand side
16 was maybe another area with a bed in it as well.

17 I did have to go to see the matron.

18 Q. But you didn't use one of the beds?

19 A. I didn't have to ever be detained in the sickbay.

20 Q. A comment you make in this particular -- if we go back
21 to the statement at paragraph 43, you describe the
22 matron as being "small and fierce-looking".

23 A. Yes.

24 Q. That's your description and then you go on to say:

25 "She despised us all."

1 And you repeat that later on in your statement.

2 A. Yes.

3 Q. And I just wonder if you could elaborate on why you came
4 to that view.

5 A. She always dealt with us as if, at best, we were
6 a nuisance, but she never dealt with us as if we were
7 human beings. When we had to see the matron, really no
8 matter how ill you were, unless you were completely
9 collapsed, first of all you had to go and see -- after
10 breakfast you had to go and see the religious brother
11 that was supposed to be for your dormitory, and if you
12 couldn't find him, another religious brother, to get
13 permission to go to see the matron.

14 When you went to see the matron, there was a rush
15 amongst the boys because you had to queue to see the
16 matron, and when you went up along the corridor you had
17 to stand with your back to a wall on a sort of
18 mosaic-ish stone floor facing her room, and the anxiety
19 was always how many boys were in that queue, because
20 then, apart from anything else, if you weren't too ill,
21 you would be late for your first class or for assembly.

22 But if there were a lot there, it was an unpleasant
23 wait. Part of the wait is that she would frequently ask
24 everybody to take off their shoes and socks, and if she
25 thought anybody's feet were dirty -- I can remember her

1 slapping pupils for having dirty feet, and what you had
2 to do was go away and wash your feet and stand at the
3 end of the queue and wait for her to check your feet
4 again before you would be seen by her.

5 When you were actually for whatever reason with her,
6 say for example if you had a tooth abscess or something
7 and you were waiting for arrangements for dental
8 treatment, she was very unpleasant and curt and
9 unsympathetic, as if there was something wrong with you
10 for being ill.

11 Q. The thing you want to say in that part of your
12 statement -- and I think you do repeat this later --
13 is that -- and I'll quote:

14 "I think she didn't like the boys because she knew
15 that some of them were being abused."

16 A. Yes.

17 Q. I would just like you to help me with that and explain
18 what you mean and how you're able to say that.

19 A. There was abuse at the school --

20 Q. And I'm going to look at that in a moment.

21 A. I did have experience and knowledge of one pupil who was
22 detained in the sickbay when we thought he shouldn't
23 have been detained in the sickbay, but this was at the
24 request of one of the religious brothers.

25 When the matron went away, I think about 11.30, and

1 this boy was still in the sickbay, he was visited and
2 abused by the brother. So I think the matron was in on
3 it, you know, to a certain extent, knowing that that --
4 because if you could walk, the matron wouldn't keep you
5 in the sickbay.

6 Q. And you do --

7 A. She wouldn't want you there.

8 Q. And you do describe that later on in your statement, in
9 fact, Nigel, so we'll come back to that.

10 One thing you did say there in passing is that at
11 11.30, the matron had effectively left the premises.

12 A. Yes.

13 Q. So what were her hours of duty then so far as you can
14 tell us?

15 A. I think if there were pupils needing to be in the
16 sickbay, she would be -- I think she was supposed to be
17 there until they could leave the sickbay because your
18 exit from the sickbay is either you were well enough to
19 go back into your classes or you were so ill that you
20 would need to go to the hospital. And that would have
21 been assessed by the time -- by midday. Because I think
22 as well, if there were a lot of pupils needing medical
23 treatment from a doctor, I think they got a doctor in,
24 but it would depend on when the doctor was available and
25 the matron would obviously have to be there for the

1 doctor coming in. Her duties were pretty much in the
2 morning, but I think if there were ill pupils who
3 weren't discharged from the sickbay, she would have to
4 stay on sometimes to monitor them. But sometimes they
5 were left and they'd be left for their dormitory master
6 or somebody to come and get them at lunchtime and say,
7 "Right, that's it".

8 Q. Are you suggesting if you have a pupil who's said to be
9 ill that it was part of her duties to be there to care
10 for that particular pupil?

11 A. Yes.

12 Q. If we move on to your statement, Nigel, you provide us
13 with some information about the routine at St Joseph's,
14 beginning at paragraph 52. You provide a lot of detail
15 about routine and what I'll do is I'll pick up on
16 a number of points. You can take it the rest will be
17 read because it is part of your evidence.

18 A. Yes.

19 Q. One thing you say at paragraph 57 is that, as you put
20 it:

21 "[You] went everywhere in herds."

22 That is how you've expressed it. Can you explain
23 that?

24 A. Well, when we got up in the morning, we weren't supposed
25 to be down at breakfast too early, but we had to be

1 there on time. So we would move as a herd from the
2 dormitory down to the breakfast area. Then we were all
3 expected to finish breakfast at the same time, so
4 we would move, perhaps for 15 minutes or so, to
5 a recreation area, all in the same huge bunch. And then
6 everybody at the same time would be trying to get into
7 assembly. Then we would all leave assembly at the same
8 time and there would be a crush to get to your
9 classroom, especially if your classroom was far away
10 from the assembly area.

11 Then at the break time, which was exactly the same
12 time for every classroom, the quiet corridors of the
13 school would turn into this mass of bodies trying to get
14 outside as quickly as possible, and then there would be
15 the same to get back into the rooms, 20 minutes later,
16 and then the same when we were going down to lunch.
17 There was always a bit of a crush on the stairs.

18 Q. So that's what you're capturing in that sentence, this
19 notion of groups, large groups, of pupils having to move
20 from A to B?

21 A. Yes. Because if you were ever not in a group of pupils
22 anywhere, you would be challenged: who are you and what
23 are you doing and where are you going and where have you
24 been?

25 Q. Who would challenge you?

1 A. A religious brother.

2 Q. Do you know why that was the case? Why did it matter if
3 you were somewhere on your own or not?

4 A. Well, you may have been somewhere that you weren't
5 supposed to be. I mean, you were supposed to be with
6 everybody else. It was choreographed and timetabled,
7 and if you weren't in that group, you were up to no
8 good. Unless you were returning from the matron, for
9 example, or if you'd been sent on an errand or something
10 like that, or if the headmaster had sent somebody to
11 fetch a pupil from a classroom. If you were in the
12 middle of that, you may expect to be challenged. You
13 always had to have a good reason for where you were at
14 any time.

15 Q. And if you didn't?

16 A. You'd be punished.

17 Q. I'll move on to punishment shortly. You're not
18 particularly complimentary about the food during your
19 time. In paragraph 61, you make some comments about the
20 food.

21 A. Yes, it was pretty horrendous. The food really was
22 horrendous, the standard of it, but for the experience
23 that we were having, surviving in that environment, it
24 wasn't a big issue for us. The big issue was what had
25 just happened to us or what was happening next, you

1 know. But we did have to find ways to try and make the
2 food palatable, such as we would put instant coffee
3 in the cups of tea that we had or we would try and get
4 extra bread to be able to eat bread.

5 There was an area where we could stash sauce and
6 tins of beans and things, so you could make yourself
7 a chip sandwich to make the chips a bit more edible.
8 That sort of thing.

9 Q. You've already told us that there would be a brother on
10 refectory duty.

11 A. Yes.

12 Q. And you make mention of a particular brother in
13 paragraph 64, Brother MLX

14 A. Yes.

15 Q. If a boy misbehaved then he would have to be dealt with
16 by Brother MLX is that right?

17 A. Yes.

18 Q. What sort of misbehaviour would result in some form of
19 punishment?

20 A. Well, you had a refectory full of lively boys and, as
21 boys do, they would try and find out where their
22 boundaries were. So there would be behaviour at the
23 table such as if they thought nobody was looking,
24 somebody would throw food at somebody else or if you had
25 a hot cup of tea, you'd put your spoon in it and they

1 would put it on the back of somebody's hand and give
2 them a fright, you know. The sort of carrying-on that
3 would probably be considered normal amongst lively boys,
4 all in a room. But we had to keep the noise level down
5 and we had to be reasonably quiet and well-behaved while
6 we were eating our food.

7 Q. So if Brother MLX saw behaviour that he wasn't happy
8 with, then what happened?

9 A. He would ask you to go up after breakfast to the
10 dormitory and you would get the belt.

11 Q. Could there be more than one boy there on a given
12 occasion?

13 A. Sometimes. I only remember pretty much somewhere
14 between -- there may have been times when there was
15 none, but I can remember times when there could have
16 been four or five. But quite often one or two would be
17 called up to a dormitory afterwards.

18 Q. And did that happen to you?

19 A. Yes.

20 Q. So far as getting the belt would be concerned, how would
21 that take place?

22 A. You pushed your cuffs back and you put one hand on top
23 of the other and held it out. I think the recommended
24 technique at that time for delivering violence on young
25 people was that when you were holding your hands out,

1 you were supposed to be belted from the side so that the
2 belt would go across the top of your hands. But
3 Brother MLX technique often was that he would do it
4 from in front of you so that the end of the belt, which
5 slapped down, would slap down on your wrists or even up
6 your arm, and it seemed to be a mood thing with him as
7 to how far up your arm he would belt you; that was where
8 it was more likely to draw blood.

9 Q. Did it draw blood?

10 A. With me, yes.

11 Q. And what about other boys? Did you see if they'd
12 suffered some sort of injury?

13 A. Well, I mean, boys would be putting a brave face on it
14 and saying, "Oh, look at that", you know. Nothing
15 happened to you when you got -- you know, boys going
16 downstairs together, "Oh, you're all right. Look at
17 this". There would be some sort of bravado with it.

18 Q. How many strokes then would you normally get?

19 A. Between four and six.

20 Q. How often do you think this happened to you from
21 something that had happened in the refectory?

22 A. To me?

23 Q. Yes.

24 A. I can only remember twice. I don't really remember it
25 that much. The strange thing is I can't remember why.

1 That's one of the strange things about it.

2 Q. Do you consider that you were generally well-behaved
3 when you were at St Joseph's?

4 A. Yes. Yes, particularly in my first three years.
5 I tried to be an absolutely model pupil to stay out of
6 problems.

7 LADY SMITH: Nigel, just before we leave the dining room,
8 I see at paragraph 63 you refer to a brother who was
9 nicknamed MOC

10 A. Yes.

11 LADY SMITH: Tell me about what he did with these spoons.

12 A. There was a raised area, probably about 18 inches high,
13 and he had his table and he would be slightly higher
14 than yourself and all the tables in the refectory were
15 in front of him. If he saw what he thought -- you know,
16 if boys were pushing each other or pinching each other
17 or giggling and it got too much for him, so it drew
18 attention to him, he had a row of spoons on the table.

19 LADY SMITH: Were these metal spoons?

20 A. Metal teaspoons. He would throw these at whoever he
21 thought he deemed necessary to have these thrown at
22 them. He was known to be remarkably accurate because we
23 didn't worry too much that if he missed his target that
24 we would be hit.

25 MR MacAULAY: When you say "remarkably accurate", are you

1 saying normally he would hit the target?

2 A. Oh yes, yes.

3 Q. It would be a boy?

4 A. Yes, it would be your head.

5 Q. And of course --

6 A. It would be extremely -- because the boys were either
7 facing him or had their backs to him, because of the
8 layout of the tables, it was very frightening for
9 whoever got hit on the back of the head because they
10 would never have seen it coming.

11 Q. But was the head the target?

12 A. Oh yes, yes.

13 Q. On the face of it, it looks like quite a dangerous
14 practice because a spoon could take out an eye, for
15 example.

16 A. Well, I think, you know, given the overall danger of
17 being a pupil in that school, it wasn't high on the list
18 of our fears at the time. I can understand now why it
19 could seem quite alarming, but compared to the other
20 dangers of what could happen to you and what was
21 happening.

22 LADY SMITH: And also thinking of an injury being
23 exacerbated if a boy wore glasses and the spoon hit the
24 glasses.

25 A. Yes, although at that time there were very, very few

1 young people wore glasses. It was unusual. It was so
2 unusual that they would gain a nickname for wearing
3 glasses.

4 MR MacAULAY: Were you ever hit by a spoon thrown by MOC

5 A. No, no.

6 Q. Was this a regular practice?

7 A. Fairly, yes.

8 Q. And which group would he be overseeing when he was
9 indulging in this practice?

10 A. The wee-rec and the inters --

11 Q. The younger boys?

12 A. -- in the very large refectory.

13 Q. We've looked at Brother MLX Again, who would he be
14 looking after for refectory duty?

15 A. When I went into second year, MOC had been the
16 dormitory master for the inters and he left, he stopped
17 being the dormitory master when I went into the inters,
18 and he was only at the school for about another three or
19 four months. I think the school term had started in
20 September and he was gone before Christmas, but he
21 didn't have any dormitory master duties when I was in
22 second year; it was Damien and MLX

23 Q. And so far as refectory duty was concerned then, what
24 group would Brother MLX be overseeing?

25 A. The same as MOC the wee-rec and --

1 Q. So he inherited MOC duties?

2 A. When I was in first year even though I wasn't in MOC
3 dormitory, he was mostly in charge of the refectory.

4 Q. Can I ask you a little bit now, Nigel, about schooling.
5 You start talking about that in your statement at
6 paragraph 78 onwards. You're critical of the quality of
7 the education at St Joseph's, at least from your
8 perspective. Can you just elaborate upon that for me?

9 A. I don't think anybody felt particularly encouraged in
10 any of the subjects they were in, in the main, you know.
11 I think everybody arrived at the school and found their
12 way themselves without -- as far as the educational side
13 of it was concerned, without any individual
14 encouragement or support or what have you.

15 I think the classes were delivered in the way that
16 they were delivered, your homework was delivered, your
17 examinations were delivered, and you found your own way
18 within that.

19 So to a certain extent -- it was patchy, the way we
20 felt we were taught in different subjects by different
21 teachers. But I think in the main we felt that -- we
22 found our own way and probably in other schools where
23 you've got people who are getting higher marks than
24 other pupils, in the main I think pupils would fall into
25 those areas anyway -- but as I say, there wasn't any --

1 you know, it was delivered as a package, the education,
2 to the classes and to the pupils, and that was it, at
3 best actually.

4 Q. You say in your statement that you did really well in
5 your first and second years in the school.

6 A. Yes.

7 Q. But then things seemed to tail off?

8 A. Uh-huh, yes.

9 Q. Why the change?

10 A. Two things. I think one thing is what was going on
11 in the school in terms of behind the scenes, the abusive
12 behaviour and the abusive nature of the environment on
13 a lot of levels, I think I was finally beginning to
14 understand what was going on and it was quite
15 frightening.

16 And also, because I wasn't -- I think I was ...
17 I was almost put ... When you go into third year,
18 you have to choose between arts subjects and science
19 subjects. I was very good at arts subjects, but I felt
20 as if I was forced into doing science subjects. So
21 I think, you know, that didn't give me any feeling of
22 having any choice of what was happening there. It was
23 the opposite.

24 Also, I think just becoming slightly older and wiser
25 than I had been when I started at the school. It became

1 alarming to me what was going on, and frightening, and
2 it became -- as time was going on, it became more and
3 more a matter of surviving the environment rather than
4 gaining anything out of it.

5 Q. What was alarming and frightening for you?

6 A. Becoming more aware of what was happening.

7 Q. And what was happening?

8 A. Pupils had been abused, sexually, and looking back on it
9 now, psychologically. The environment seemed corrupt.
10 The teachers, including some of the lay teachers, seemed
11 to be able to indulge in their foibles, for example,
12 alcohol.

13 Q. You do mention the female maths teacher at paragraph 84
14 who would get so drunk at lunchtime that she would fall
15 asleep during classes.

16 A. Yes, she was famous for this, yes.

17 Q. Was that allowed to happen?

18 A. By the pupils?

19 Q. No, by the people in charge.

20 A. The people in charge didn't know because if somebody had
21 looked in the classroom, they would have only seen her
22 at the desk with a quiet class. I presume she would
23 have woken up. I can't remember her sleep ever being
24 interrupted from outside the classroom, but inside of
25 the classroom it was a matter of great interest to us

1 that we were supposed to be being taught, but if we sat
2 there quietly nothing would happen.

3 LADY SMITH: How did you know she'd been drinking at
4 lunchtime?

5 A. Apart from anything else, her behaviour was different.
6 She would be slurring her voice and so on, compared to
7 the way in the morning. And of course, in the
8 playground, behaviour like this is -- what's your maths
9 teacher like? And so on and so forth. And this
10 teacher ... she was known to be just okay but grumpy
11 in the mornings and then placid and tired in the
12 afternoons.

13 MR MacAULAY: And falling asleep --

14 A. Yes.

15 Q. -- in the classroom?

16 A. In the classroom, yes. She would give us something to
17 do and then we would know that if we all kept completely
18 quiet, she would fall asleep.

19 Q. As you say in your statement --

20 A. And we would stop doing anything, we'd just sit there.

21 Q. You say in your statement that she seemed to know she
22 could get away with it.

23 A. Well, I think because the environment was so corrupt,
24 when you get an environment that's corrupt like that,
25 pretty much anybody who's got some parts of their

1 character that are not entirely sociable, they can get
2 away with behaviour because they know that other people
3 are getting away with what they're getting away with.

4 Q. And you've mentioned again already -- made reference to
5 the environment being corrupt. I'm going to look at
6 abuse very shortly, but when you talk about the
7 environment being corrupt, can you just elaborate on
8 what you mean by that?

9 A. I think, as we became aware of people doing things that
10 they shouldn't be doing, you also became aware that it
11 wasn't just one person that was doing it. Part of
12 a corrupt atmosphere like that would be the randomness
13 of being punished for things that you didn't do or not
14 being punished for things that you did do. I think part
15 of it was as well that cigarette smoking was tolerated
16 by the third year pupils as long as you weren't out in
17 the open. There was a toilet that was outside that was
18 used by third and fourth years for smoking, not so much
19 third years, but pretty much fourth years, and they
20 would be 15 years old. As I say, that was kind of
21 tolerated.

22 So you never knew what was going to be tolerated and
23 what wasn't, or indeed if you were going to be pulled
24 out of a group of boys by a particular teacher and
25 belted for smoking when the rest of them are left alone.

1 Individually, that felt like part of a corrupt
2 environment, the randomness of the way that things
3 happened and could happen. It's actually quite
4 a threatening environment to be in and I think that's
5 what happened to me when I went into second year, but
6 particularly third year. That threat became more
7 oppressive.

8 Q. One thing you tell us, Nigel, in paragraph 86 -- it's
9 there on the screen -- is you never really got any
10 proper sex education at the school; is that correct?

11 A. You didn't get any proper sex education. Of course,
12 there was biology classes. To give some sort of
13 background to it, at that time it wasn't the days of
14 social media or whatever. Sex education, when I was in
15 second year, came from Carry On films and there was
16 a general ignorance of sex.

17 So if a pupil was being sexually abused, he wouldn't
18 understand whether this was a background to it, whether
19 it was a homosexual activity or a control activity or
20 even if it was sex or whatever. There wasn't, with the
21 younger pupils, any understanding of that, but there was
22 always talk through the school of when you were going to
23 get the biology lesson that was about reproduction, and
24 the biology lesson was basically about water and what
25 uses does water have, and there was a list, and then

1 at the bottom of the list was reproduction.

2 But there was no great physical descriptions or
3 anything of reproduction. It was mentioned. And
4 I think there were some diagrams in a biology textbook
5 of reproductive organs, but as I say, we were fairly
6 ignorant. In first year, we were looking up the word
7 "bum" in the dictionary to laugh, you know. We were
8 always naive about things like that.

9 But when we were in second year, we were all
10 individually, in the evening, called into Brother MYZ
11 MYZ office to be told the facts of life. And the
12 facts of life -- you know, this was our sex education --
13 was basically that it comes from the Bible and it is
14 about Joseph and Mary, and Joseph and Mary had a union
15 and that union was of God and that is how children were
16 made, and it is pure. And that was it.

17 By that time, most of us knew that there must have
18 been -- as well as divine contact, there must have been
19 some human contact as well.

20 MR MacAULAY: My Lady, it's 11.30. We tend to have a break
21 at this point.

22 LADY SMITH: Nigel, we normally take a break at this point
23 in the morning and if that suits you, we can do that
24 now.

25 A. Yes.

1 LADY SMITH: I think it suits you.

2 A. Yes, please.

3 LADY SMITH: We'll take a break.

4 (11.30 am)

5 (A short break)

6 (11.54 am)

7 LADY SMITH: Mr MacAulay.

8 MR MacAULAY: Going back to aspects of the routine at

9 St Joseph's, I think it's right to say that you'd have

10 the usual school holidays when you were there.

11 A. We did, yes.

12 Q. So Easter, Christmas and summer?

13 A. Easter, Christmas and summer, yes.

14 Q. You also tell us a little bit about trips that you had,

15 and in particular a school trip to San Sebastian, and

16 you mention this at paragraph 103. I think you tell us

17 something happened during that particular trip and

18 I want to ask you about that.

19 You say this was in about 1970. Is that your

20 recollection?

21 A. Yes.

22 Q. So you'd be possibly 14 --

23 A. Yes.

24 Q. -- at that time?

25 A. Yes.

1 Q. And was this a school trip then to San Sebastian?

2 A. It was organised by the school.

3 Q. Was it for that age group or different age groups?

4 A. It was the same age group. I think about 12 of us went
5 on kind of a package to San Sebastian for a fortnight or
6 ten days.

7 Q. Was it during a holiday period or --

8 A. It was during the holiday period. I'm pretty sure it
9 was somewhere between a few days and a week after the
10 end of the spring term.

11 Q. How many brothers went with you on the trip?

12 A. I think there were two that went with us on the trip,
13 but I only remember one because it's such a long time
14 ago now, especially, and because of the involvement that
15 I had with that particular brother.

16 Q. Where were the boys on the trip being accommodated?

17 A. On the outskirts of San Sebastian there was a place that
18 was like a youth hostel, where people from different
19 places were staying, different parts of Europe, in fact.
20 There were dormitories in this youth hostel.

21 Q. Was your group accommodated together?

22 A. Together, yes.

23 Q. What then happened? You describe it as being a "strange
24 incident" on this trip.

25 A. There were a few memorable strange things happened.

1 This is actually part of the background to what I'm
2 going to say later, even though it might not sound like
3 it. Myself and another boy made friends with some local
4 boys and girls that we'd met outside of this youth
5 hostel, it was kind of a club atmosphere as well, it was
6 for young people.

7 At that time, General Franco was still in charge in
8 Spain and we were very aware that we were going to
9 a country where we had to be careful how we behaved and
10 not take photographs of anything that could have been
11 vaguely to do with the government and so on.

12 It was apparent that these people -- San Sebastian
13 was part of a centre of the separatist organisation in
14 Spain and we were aware of that. At that time we were
15 semi-politically aware because we were at a Catholic
16 school at a time when there was tremendous trouble
17 between Catholics and Protestants in the UK, so we were
18 aware of the same sort of divisions in Spain and we were
19 aware that these people of about our own age were
20 supporters of the separatists there.

21 They weren't allowed in this sort of compound, but
22 there was a hill on the side where you could overlook
23 the compound and, just as an aside, one of the memorable
24 things I can remember is sitting -- we were all sitting
25 with our legs dangling looking down at the compound, it

1 was a nice view, and there were a load of red ants
2 crawling over me. I asked one of the local people, "Are
3 these red ants dangerous?" He said no, but I felt
4 stinging from the ants and I said, "Yes they are, yes
5 they are", and he said, "But we've never seen them
6 before".

7 Anyway, to move on, after two days, my passport went
8 missing from my locker, so I went to Brother MFT and
9 said, "My passport's missing, what can we do about it?"
10 and he seemed quite unconcerned. He said, "Maybe the
11 cleaners took it or whatever", but it was mysterious to
12 me: why should my passport go missing?

13 So then I got the chance later on that day to ask
14 the local people, "Do you know why my passport would go
15 missing? Would any of your mob take it?" that sort of
16 thing. And they were like, "No, no, no, but we'll ask
17 around for you". So the next day, Brother MFT said,
18 "We'll have to go down to the British Consulate and try
19 and get you registered for documents to get back home".

20 It seemed a bit strange that we went down in siesta
21 time. I wasn't that familiar with siesta, but if you
22 got to Spain, there's a lot of it when you would expect,
23 coming from other parts of Europe, for everything to be
24 bustling and busy around about lunchtime and it's the
25 opposite, everything's closed.

1 But I do remember, just before we went into where
2 the consulate was, we went to a tapas bar and for some
3 reason MFT allowed me to buy a drink. This is
4 another thing about the place that we were staying in,
5 it actually had a bar, which was kind of unusual for
6 people that young. But anyway, I had tried martinis and
7 lemonade there so I had a martini with some lemonade
8 with MFT and some tapas, which was quite an
9 adventure, and we went to the consulate and he seemed to
10 be surprised that it was closed, but he must have known
11 it would be closed.

12 Then we went back to the place where we were staying
13 and he said, "Oh, we'll just have to go another time
14 then", and it was left at that. But the next day, I was
15 saying, "Can we sort this out, can we sort this out?"
16 because by that time I was beginning to think that
17 nobody cared and was I going to be stuck there and what
18 were the implications of being without a passport going
19 to be.

20 But after a few days, I was looking in my locker and
21 my passport was back, and it just seemed a bit
22 disturbing. It wasn't the fact that my passport had
23 gone missing and had returned, it was the fact that
24 I didn't know why it would go missing and why it would
25 be returned and where it would have been in the

1 meantime. To me, at that time, that was the most
2 disturbing thing about that.

3 Q. I think later -- and you tell us about this in your
4 statement -- you had another encounter with
5 Brother MFT at the school; is that right?

6 A. Yes.

7 Q. Perhaps we can just look at that now, what happened on
8 that occasion. It's at paragraph 155 if we want to get
9 that on the screen.

10 A. Well, it was when I came back from that holiday, I went
11 into third year. Brother MFT was the dormitory
12 master in the mids dorm. I don't know what I was
13 supposed to have done wrong or whatever, but he was
14 going to take me into his room to punish me.

15 What I had to do was go into his room. His bed was
16 on the left-hand side, and I had to -- I was in
17 a dressing gown and pyjamas.

18 Q. Is this before bedtime?

19 A. Before bedtime, yes. I had to lean over the bed and he
20 pulled the dressing gown up over the top of my head and
21 he was pulling my pyjama trousers down and he was
22 saying, "I'm going to belt your backside", but I knew
23 I was there for a spurious reason.

24 Q. Had you ever heard of a person's bare backside being
25 belted before at the school?

1 A. I was aware that it had happened, but I couldn't say now
2 who and when. So I didn't think it was unusual that
3 he was going to belt my bare backside; what was unusual
4 is that -- I know now I can't remember why I had been
5 called in and I think at the time I was aware --
6 I hadn't been aware of why I'd been called in.

7 But also, Brother MFT belted people on the hands
8 and I got some sort of impression that this was
9 a follow-up from what had happened in Spain. I don't
10 know why I linked it.

11 Q. What happened then? He's taken your pyjama bottoms
12 down.

13 A. I can remember struggling to pull them back up and
14 saying, "This isn't happening". I can't remember the
15 exact words that I used, but I can remember how
16 determined I was that no matter what he was trying to do
17 with me in that room at that time, I wasn't going to
18 passively resist, because I had seen what happened to
19 boys passively resisting. One brother in particular --
20 passively, not resisting, a brother when they were in
21 a situation that they felt threatening and indeed it was
22 for them. So whatever was going to happen there,
23 I didn't know, but I was determined not to be there.
24 Despite everything, I'd thrown caution to the wind and
25 I didn't care what the consequences were, but I wasn't

1 staying in there.

2 Q. Would you be aged about 14 at this time?

3 A. About 14, yes.

4 Q. What you say in your statement is:

5 "He got his belt out and told [you] to lean over his
6 bed."

7 A. Yes.

8 Q. "He then lifted my dressing gown and pulled my pyjama
9 bottoms down. He then put his belt away."

10 A. Yes. He must have put his belt away because he was
11 struggling with both hands with my pyjama trousers when
12 I was struggling to get my dressing gown and pyjamas
13 assembled again.

14 Q. You mention there that you were aware of something
15 happening to somebody else who had been more passive.

16 A. Yes. Well, I think there were a lot of occasions when
17 that type of thing happened and we were aware of them,
18 but one of them that I was extremely aware of was when
19 I was in the inter dormitory. This is in another part
20 of the statement and it's to do with Brother Damien when
21 he was the dormitory master.

22 Q. I'll come to that. That's a different brother?

23 A. It's a different brother, but it's somebody who was
24 unable to resist what was happening.

25 Q. We'd moved to that paragraph from Spain where we were

1 looking before. Can I just go back to routine again to
2 try and round that off? You talk at paragraph 110 about
3 inspections. What you tell us there is that you'd be
4 prepped in advance of the inspections that were to be
5 made by the Education Authority; is that correct?

6 A. Yes. It wasn't something that we were aware of was
7 going to be happening, but I'm pretty sure it happened
8 at least in each of four years that I was at the school,
9 where we were told that people were coming in from the
10 outside and they were going to see how the class was
11 being taught and we obviously had to be on our best
12 behaviour.

13 What would happen is during the beginning of the
14 class, two or three people would come in and we'd be
15 aware that they were something to do with education, and
16 they would be sat at the back of the class and we would
17 be on our best behaviour and the way the class was
18 taught would have been pretty exemplary.

19 Q. What about the non-educational side of the school then?
20 Were you aware of any inspections on that side of the
21 school?

22 A. Absolutely none. If we'd had an idea that it could have
23 happened, I think we would have welcomed it because of
24 the food and the activities outside of the classrooms.
25 But there was a kind of a split personality, a Jekyll

1 and Hyde thing, where the atmosphere and the environment
2 of the school from when the classes started and the day
3 pupils were involved and the lay teachers were
4 involved -- there was almost a palpable transition
5 between breakfast and the class starting in the
6 environment and atmosphere of the school until
7 5 o'clock, when everybody who was local went away and we
8 went back to another environment where it was under the
9 control of the religious brothers.

10 As I say, it just felt very different. For us, that
11 was normal, but if we'd had any idea at that time that
12 there could have been any oversight over what would have
13 been happening between 5 at night and half 8 in the
14 morning, as opposed to people coming in to make sure
15 that a teacher was actually teaching a class and then
16 going away, I think things could have been quite
17 different.

18 Q. What was the palpable difference in the atmosphere
19 between, let's say, the normal school time and the time
20 when only the brothers were there?

21 A. I think in general there was an awareness amongst the
22 day pupils who -- I've given the example of the sport
23 side of things. They were kept separate, but that had
24 a ripple effect through all the relationships between
25 day pupils and boarders. I think it was encouraged by

1 the brothers that there was a difference and they were
2 part of something that we weren't and we were part of
3 something they weren't.

4 I think there was also an awareness that some of the
5 day pupils would have picked up on things, even the
6 atmosphere of the boarders and what things were like for
7 a boarder as opposed to a day pupil, and I'm sure it was
8 much more -- I'm sure the lay teachers had much more
9 conscious awareness of the difference between the
10 Marist Brothers and the lay teachers and I'm sure that
11 they had an idea or ideas or suspicions of what was
12 going on at the school because, as I say, part of it was
13 that a teacher could get away with falling asleep in the
14 class. There were various things that you just knew
15 that weren't right for lay teachers to be doing and they
16 were doing this in an environment where there were other
17 things going on. So I think there was a sort of
18 awareness and suspicions and so on.

19 Q. You have a section in your statement dealing with
20 running away and you say you never ran away because you
21 had nowhere to run.

22 A. Yes.

23 Q. But there were boys who did run away from the school?

24 A. Very, very occasionally -- but they wouldn't go far.

25 I think if push had come to shove and the encounter that

1 I had in Brother MFT room, if that had escalated,
2 I would have been away. I wouldn't have had any thought
3 about where I was going, what I was going to do or
4 anything like that, because you're dealing with the
5 immediate threat.

6 I think a couple of pupils, when they ran away, it
7 was because it was a safety valve exploding, it wasn't
8 a planned thing. If they thought X was going to happen,
9 then they were going to go and buy a train ticket and
10 get a train back to their parents or to a certain
11 destination or something.

12 I think that the running away was, "Oh God,
13 somebody's gone out of the grounds", you know, but the
14 thought was that they would be back.

15 Q. You do tell us that one particular boy, who was French,
16 who ran away back to France.

17 A. Yes.

18 Q. And you were friendly with that particular boy?

19 A. Yes.

20 Q. Did he come back?

21 A. He did come back for a very short time.

22 Q. Did you speak to him in particular about why he had run
23 away?

24 A. Well, he ran away -- I can't remember the details, but
25 he ran away because of what had been happening to him

1 in the school. When he arrived at the school -- this is
2 another part of this environment. Whether a pupil is
3 being abused or bullied or anything like this, it
4 creates loners, and this particular boy was a loner when
5 he came and he remained that way. He had one friend,
6 who was an art teacher, we were aware of, but he was
7 a bit wild, he was kind of reckless.

8 Part of the recklessness seemed to be that he ran
9 away and when he came back -- this is at a time when
10 we were all trying to push the boundaries with hair
11 length -- you know, it was a way to rebel against our
12 environment, to grow our hair long. The rule was that
13 you could have collar-length hair at the school. His
14 hair had been slightly longer than collar length, but it
15 hadn't been picked up on, but it was shocking when he
16 came back because he'd shaved his head as part of his
17 response to running away. These days it wouldn't seem
18 unusual.

19 Q. Did you yourself speak to him about why he had run away
20 when he did?

21 A. Well, I can remember talking to him about his return.
22 He didn't really want to talk about running away. There
23 was an awful lot of things going on that you kind of
24 knew were going on and you wouldn't want to know were
25 going on and you wouldn't want to talk to each other

1 about, but there were certain things you just knew that
2 a lot of the loners -- you didn't talk to them about
3 what made them lonely. Even nowadays, you know, people
4 at school are in an environment where they might meet
5 each other and ask how each other is and be concerned
6 about each other, you know. But there wasn't any --
7 that wasn't the way the environment was at that school.
8 We were surviving and so ... I can't remember being
9 aware that it was because of what was happening at the
10 school and being a bit shocked when he came back and
11 being a bit shocked because he'd shaved his head, and he
12 was -- he thought it was a lark when he was on a train
13 somewhere and coming back.

14 Q. In your statement at paragraph 122, you say that:

15 "He was abused --"

16 A. Yes.

17 Q. "-- but I don't know the circumstances around what was
18 happening".

19 How are you able to say he was abused?

20 A. Well, we were hyperalert to each other and what was
21 happening to each other without a lot of things being
22 said. Because, apart from anything else, we had to
23 protect ourselves against what would be happening to us
24 individually. It was obvious that he wasn't running
25 away because he didn't like the food or because

1 he wasn't getting on well in class.

2 Q. But did you witness any abuse?

3 A. I didn't witness any abuse.

4 Q. Did he tell you about any abuse?

5 A. Well, I would have been aware if he hadn't been, if you
6 know what I mean. Because we were aware of what was --
7 we were hyperalert to what was going on around about us,
8 as I say.

9 It's difficult to recreate the whole environment
10 that we were in, but we knew and I knew and he knew as
11 well. We just ... Different things would happen to
12 people and they would respond in different ways, like
13 people becoming loners or like people that you knew that
14 had their own personalities or something and their
15 personality would change and they would withdraw, they
16 would go wild. We were all aware. This was just one
17 example of somebody who we saw the change in and he
18 would have been aware of the change.

19 Q. Was he the same age as yourself?

20 A. The same age, yes.

21 Q. And the running away incident, in what year were you, do
22 you think, when that happened?

23 A. That was third year. I'm pretty sure it was third year.

24 Q. So you're talking about age 14 or 15?

25 A. Yes, I think 15. One thing that I can remember about

1 the school is that when I was streamed into the sciences
2 rather than the arts -- when I was in second year I was
3 really good at art and I was round about top of the
4 class, and I had a great relationship with the art
5 teacher, who seemed like a normal person. She had only
6 been there for about a year or so and she had come in --
7 she was different from the other teachers and, as I say,
8 she seemed like a normal person rather than part of
9 a regime.

10 I remember meeting her in the corridor when I was
11 streamed into the sciences and said to her, "Can I come
12 up to the art room some time and see you?" and she said,
13 "No, you've made your decision and that's it", and she
14 ignored me after that, which I found a bit hurtful, but
15 anyway, that was an unusual personal situation to be in
16 with a teacher at the school, to have actually almost
17 had a relationship with them and then ...

18 So I remember the impact because I was jealous of
19 this boy because he was doing art and he had
20 a relationship with the art teacher and both of us were
21 separate because he could have that and I couldn't.

22 Q. Can I move on to that section of your statement where
23 you deal with discipline and punishment. It begins at
24 paragraph 127. Some of this you've already covered, but
25 you begin by telling us that:

1 "Really it was all very arbitrary and that brothers
2 could change from one moment to the next."

3 Can you just tell me how this manifested itself?

4 A. I think generally we never knew who was going to be
5 punished for what. There wasn't a list of rules.
6 I would say that there was a general atmosphere of
7 a lack of a list of rules in order that you could be
8 arbitrarily punished for something that you didn't do
9 and you wouldn't know was wrong. But there was loads of
10 instances where people would be behaving in a way that
11 you knew other people had been punished for and they
12 wouldn't be punished.

13 Q. And the smoking incident, you gave earlier, is that --

14 A. Yes. Smoking was a funny area because it was tolerated
15 but -- I mean, there would be other behaviour that boys
16 would do at that age that you wouldn't know whether
17 you'd got punished for or not. The smoking issue seemed
18 to be a separate one, but it was an area where you knew
19 that at any time, whether you'd been smoking or not, you
20 could be -- if you were known to have been a smoker then
21 you could be punished at any time for it without being
22 caught with a cigarette in your hands.

23 Q. And insofar as corporal punishment was concerned, was it
24 the belt that was used?

25 A. It was the belt, yes.

1 Q. What you tell us in your statement at paragraph 134
2 is that if what you did wrong was in the classroom,
3 you'd receive the belt there and then; is that how it
4 worked?

5 A. Mostly. Mostly if you were in the classroom and you
6 threw a paper aeroplane and got caught, you'd be called
7 to the front of the class and belted. Sometimes you'd
8 be told that you'd be seen later, but most of the
9 time ... But you know, there was a habit of leaving you
10 to stew for a bit, never knowing when it was going to
11 happen, depending on who the teacher was and who the
12 pupil was.

13 Q. You also mention in the context of discipline the role
14 played by prefects and indeed boys who had some
15 disciplinary functions. Can you help me with that?
16 What function did the prefects play?

17 A. The prefects were kind of chosen as allies of particular
18 religious brothers. They would have a very limited role
19 in enforcing their rule. We never knew really what the
20 structure was for discipline because -- for example,
21 we were all aware that there was a disciplinary master
22 for the school and this was a lay teacher who was the
23 gym teacher. But he really only seemed to deal with day
24 pupils and he had nothing to do with, anything to do
25 with the discipline of the boarding pupils. But he was

1 nominally the discipline master of the school.

2 So this is part of the strange split between day
3 pupils and boarding pupils -- and of course if he's
4 a lay teacher he can't possibly know what's going on at
5 midnight in a dormitory.

6 Q. But so far as --

7 A. And so he nominally was the discipline master, but
8 I don't know if it was to tick a box or something like
9 that because he would deal with day pupils. But I seem
10 to be aware that he might have had a word with day
11 pupils who were maybe -- needed to come back into line
12 a bit or something but he never really had anything to
13 do with any of the boarders.

14 Q. In relation to the boarders then, as far as the prefects
15 were concerned, how did they fit into the picture?

16 A. The prefects would be given, from certain brothers, and
17 certain pupils would be given a sort of carte blanche to
18 discipline them in any way that they thought necessary.
19 That would be physically, you know.

20 Q. Can you give us an example or examples of what
21 physically a prefect could do to another boy?

22 A. They could punch or kick you and not be punished for it.
23 Whereas another boy who was caught punching or kicking
24 or fighting would be punished, prefects wouldn't be.

25 Q. Was the punching and kicking by the prefects sanctioned

1 by the brothers?

2 A. It was understood to be sanctioned. You knew the
3 brothers were aware of it.

4 Q. But was it by way of punishment for something that the
5 boy may have done?

6 A. Well, I don't know. I mean, in a corrupt environment
7 like that -- if you go back to what happened with myself
8 and MFT in San Sebastian, and then following up that,
9 I'm pretty sure I was in that room because of how I'd
10 behaved in Spain, that I was distant and I was
11 challenging the environment I went in, mostly about the
12 passport and so on, but I was challenging that
13 environment and I wasn't passive at all with his
14 behaviour. I'm sure that being called into his room was
15 as a response to that.

16 I think everybody would have their own ways of
17 making it personal. One person -- you know, one pupil
18 being punished for something and one not. That seemed
19 to make it personal. And with the prefects who were
20 pretty much chosen for their knowledge of being bullies,
21 they would be given carte blanche to physically
22 discipline and bully certain pupils. You know, it'd be
23 indicated.

24 There was one -- I think it's in my statement, but
25 there was one incident where somebody who I had quite an

1 acquaintanceship with, who was a bit wild and
2 challenging to the regime there -- and this was in fifth
3 year. This was in the building, St Michael's Mount,
4 where -- I wasn't in that dormitory at that time, but
5 the prefects were on one side of the top floor of that
6 dormitory and we kind of knew what was going to happen
7 next to my friend, that he was going to be -- they were
8 going to set the bullies on him.

9 What did happen to him was that he was taken into
10 one of the prefect's rooms on the top floor and the
11 window was opened and he was pushed out of the window
12 and held by his ankles outside the window for enough
13 time to terrify him. But we just -- it was part of the
14 atmosphere of the place. You knew that sometimes -- it
15 wasn't like a religious brother would come up and paint
16 a mark on your forehead and the bullies had to do
17 something specific. It was more what was unsaid and you
18 just knew when certain people were in danger.

19 Q. Do you know as a matter of fact that the people who held
20 the boy out of the window were told to do that?

21 A. Yes, yes.

22 Q. How do you know that?

23 A. Because they were also told to do it to me.

24 Q. And who told the prefects to do that to you?

25 A. The same as to the other pupil.

1 Q. Who was that?

2 A. It was Brother MLZ

3 Q. Did he have a reason? Did he have something he wanted
4 to punish you for?

5 A. I suppose by that time I didn't have a great attitude to
6 the environment. MLZ had a strange persona. He
7 liked to think he was in control and he could control
8 the environment by any means possible. We all knew that
9 when things happened from the prefects that it was
10 sanctioned by him and that nothing would happen to
11 pupils from the prefects where it wasn't sanctioned by
12 him. We were all aware, you know, we lived through that
13 day to day.

14 Q. Are these the incidents you set out at paragraphs 159
15 through to 163?

16 A. Yes.

17 Q. Were you hung out of the window in the same way as the
18 other boy had been?

19 A. No. No, I found a way to persuade them not to.

20 Q. I think you tell us at 162 that one of the boys who was
21 engaged in this exercise had told you:

22 "We have been told to fill you in and hang you out
23 the window."

24 A. Yes.

25 Q. That's what he said to you?

1 A. Yes.

2 Q. But in fact, it didn't happen to you?

3 A. It didn't, no. As I say, I found a way to persuade them
4 not to.

5 Q. At that time you were in fifth year. Are we looking
6 here at boys who were in sixth year?

7 A. Yes.

8 Q. So at that time, you'd be, what, 15 or 16?

9 A. 16.

10 Q. And they'd be perhaps 17 or 18?

11 A. And they would be 17 or 18, yes.

12 Q. Nigel, I now want to look at other aspects of abuse that
13 you talk about in your statement, beginning at
14 paragraph 138.

15 The first brother that you identify in the next
16 number of paragraphs is Brother CIPHER W What you tell
17 us is that in your first year you had a teacher
18 called Brother CIPHER WIT is that right?

19 A. Yes.

20 Q. Can you tell us what would happen during his class?

21 A. He would set us -- he would give us examples of
22 problems -- it's a bit simplistic, but or
23 or And then
24 he would set a test for us. I think the lesson, if it
25 was an hour long, after 15 minutes of showing us

1 examples, then he would set a test for us that we had to
2 do in our jotters, exercise books. Then he would call
3 us out to his desk to check our work.

4 The easiest way for me to describe it would be to
5 describe the environment here, but I don't want to be
6 critical of anybody in this environment.

7 LADY SMITH: If it helps you, go ahead, Nigel.

8 A. If you imagine that all the teachers -- they had
9 a sloping desk that was like your desk (indicating), but
10 they sat in front of the class on a chair. There was
11 a gap under the desk where there were legs, not very
12 high, but it was always on a raised platform.

13 What CIPHER WITH trick was was to take you behind the
14 desk so that he would be facing into the class, you'd be
15 standing beside him, always on his left-hand side, and
16 he would have one hand looking at your book and talking
17 to you, and his left hand would be down the back of your
18 trousers and pants. This was quite a frequent
19 occurrence.

20 MR MacAULAY: What was he doing with his left hand?

21 A. Trying to fondle our backsides.

22 Q. And so far as you're concerned, just focusing on your
23 own position -- and I'll look at the position of others
24 in a moment -- was this a regular occurrence for you?

25 A. Yes. This was -- actually the unusual thing about this

1 is it was something that we openly talked about because
2 it was happening to everybody, or virtually everybody.
3 I couldn't say who it happened to and who it didn't, but
4 I'd say it was frequent enough that, you know, "We're
5 going to get our backsides felt now, it's maths".

6 LADY SMITH: When you were standing beside Brother CIPHER W
7 when he was seated at his desk, which way were you
8 facing?

9 A. Facing the pupils in the classroom.

10 MR MacAULAY: So you're both facing the pupils?

11 A. Yes.

12 Q. And you say he's putting his left hand down your
13 trousers?

14 A. Yes.

15 Q. And fondling your bottom?

16 A. Yes.

17 Q. Just at that time, in first year, you'd be aged 12;
18 is that correct?

19 A. 12, yes.

20 Q. And what was your understanding at that time as to what
21 was happening to you?

22 A. For me, it was slightly different from the rest of
23 the -- or other pupils because I had actually had this
24 experience in Primary Six, two years earlier, with
25 a teacher, so it wasn't something that was completely

1 new in my experience.

2 What was completely new was that with all the things
3 that were going on between individuals at the school
4 that wasn't talked about but was known about, this was
5 something that was quite open. The pupils would all be
6 talking to each other about it. And while you were up
7 at the desk you'd be wondering if it was going to happen
8 to you, because it didn't always happen, and also while
9 you were sitting in the classroom, you would wonder if
10 it would happen to the pupil in front of you.

11 We had jokes about it, you know, but it did continue
12 for the whole of first year.

13 Q. So far as he was concerned, was that as far as he went,
14 that's the touching of the bottom?

15 A. Well, you know, there was some talk amongst us about
16 whether it had been inside your underpants or outside
17 your underpants or how far round he'd tried to probe and
18 so on. But that was pretty much it with CIPHER WIT

19 Q. What you've been saying is this particular behaviour of
20 CIPHER WIT was common knowledge amongst the boys.

21 A. Yes.

22 Q. What about other members of staff? Do you have any
23 knowledge as to what extent this behaviour was known to
24 others?

25 A. It's hard to imagine it was unknown.

1 Q. Why is that?

2 A. Well, from the perspective that I had at that time,
3 I think there was a kind of knowledge of what was going
4 on, you know. It's really hard to describe, it just
5 seems impossible that it couldn't have been known about.

6 Q. Did you tell your parents about this behaviour, let's
7 say at holiday times, for example?

8 A. Well, I did. I had told my parents about the teacher in
9 Primary Six and I did tell them --

10 Q. That was at a different school?

11 A. That was at a different school. I did tell them that it
12 had happened again, but they didn't seem to take it
13 seriously or give any -- I'm not saying ... They
14 believed me, they did believe me, but they didn't think
15 that they would take any action or they didn't say to me
16 anything about, "That's it, that's what happens to you,
17 carry on".

18 And as well, you know, what we are looking at is
19 a very different time when the attitudes to abuse
20 were -- certainly at the school -- that if anything
21 happened to you, you brought it on your own head, it was
22 your fault, it was you that invited this, it was
23 something about you that was wrong or ... And also,
24 occasionally when people complained, they would be told
25 that no one would believe them, so you'd be discouraged

1 from telling your parents. I'm sorry, I'm wandering
2 away from the classroom experience with CIPHER WI

3 Probably it's important, you know, for the
4 atmosphere. At that time, attitudes to, I suppose,
5 domestic abuse, child abuse -- there were all sorts of
6 things going on that weren't dealt with in the same way
7 as they're being dealt with today, but part of it
8 certainly at that time was that an easy way to keep
9 people under control with it is just to say, "No one
10 will believe you", or, "You're making it up", or,
11 "You're sick", or whatever. There was an atmosphere of
12 that. And I know people -- that did happen with people.

13 But it was a whole atmosphere of it -- one of the
14 difficult things to try and make clear here is that
15 there was an awful lot going on and there was an awful
16 lot known about, but it wasn't as directly as somebody
17 would walk out of a room and say, "Oh, I've just had sex
18 with that brother". You know, it wasn't like that at
19 all. It was all what's unsaid, but there's a growing
20 knowledge of what was happening round about you and from
21 what happened to yourself and the way people were
22 reacting and also the consequences of raising what had
23 happened to you.

24 Q. Can I move on to look at another brother and that's
25 Brother Damien. You mentioned earlier that

1 Brother Damien was not at the school when you first
2 arrived but that he did come certainly by the time of
3 your second year; is that right?

4 A. Yes.

5 Q. Did you say earlier that he was your dorm master in the
6 second year?

7 A. In the interim dormitory, yes.

8 Q. You tell us some things about Brother Damien beginning
9 at paragraph 142. Can you just explain what happened
10 in relation to Brother Damien?

11 A. He had the same technique.

12 Q. First of all --

13 A. As CIPHER WIT

14 Q. Was he one of your teachers?

15 A. Yes. Brother Damien was the French teacher. He had the
16 same technique basically as CIPHER WI where he would
17 create a reason that you had to come out with either
18 your classwork during that day, but often with Damien it
19 was your homework. There was a difference between
20 CIPHER W and Damien, that with CIPHER W it was -- you had to
21 go out with a book, what was going on in the class,
22 whereas with Damien it would be, "Bring your homework up
23 to the desk". But he would do the same thing as CIPHER WIT
24 with the hand down the back of your trousers.

25 Q. So is it the same sort of set-up with a desk similar to

1 what I'm standing at?

2 A. He was behind a desk, so you could see from his shins to
3 his feet and the pupil as well, but he would be pretty
4 much hidden from the upper chest up behind the desk.

5 Q. So what did he do then? Let's assume he's taken you out
6 to speak to you about your homework. What happened?

7 A. Well, the similarity with CIPHER V is that he would have
8 his hand down the back of your trousers, but the
9 difference with Damien is that with -- his other hand he
10 would have inside the pocket of his cassock. Even
11 though I think at that age we were all basically coming
12 into the age of awareness of masturbation, but that's
13 what he was doing underneath his cassock because his
14 erection would be clearly outlined, the movement of his
15 hands would be clearly outlined.

16 He would do this underneath his cassock, but I don't
17 know how he did it, whether it was the size of a pocket
18 or something like that, but he was also known to do it
19 outside of his cassock.

20 Q. If I take you to the desk episodes, would you see his
21 penis during these episodes?

22 A. Well, part of his behaviour I'll describe in a moment,
23 but when we were behind his desk -- I mean, he didn't
24 always do this. We would be aware that he had an
25 erection because of the shape of his cassock and we'd be

1 aware of his hand inside his cassock. But I do remember
2 seeing his penis somehow outside of his cassock.

3 I don't know if he'd modified it or if it was the part
4 of the design of it or the way he'd pulled round ...
5 Because I'd imagine in their cassocks they must have had
6 access to their trouser pockets or whatever.

7 Q. Would they wear trousers under their cassock?

8 A. They wore trousers under the cassock, I do remember and
9 I remember talking to other pupils about this. In some
10 ways, it didn't look like other penises. It was usually
11 pretty crusty and smelly, whereas us boys didn't seem to
12 have that situation.

13 Q. But coming back then to the behaviour behind the desk,
14 you've told us about his right hand and his masturbation
15 practices; what about his left hand then?

16 A. Sorry, his left hand. Very occasionally it would be
17 down the back of your pants or, if it wasn't, he would
18 be looking at the book or pointing at something and
19 pretending -- well, actually, you know, looking at your
20 homework while this activity was going on at the same
21 time. But he didn't always put his left hand down your
22 pants and his right hand down his cassock. Sometimes
23 you'd go out and nothing would happen.

24 Q. The occasions when he put his left hand down your pants,
25 how far would he go with that?

1 A. He'd be probing between your buttocks or trying to feel
2 round your testicles.

3 Q. So he was going further than Brother CIPHER W would?

4 A. Well, not really, because CIPHER W would sometimes try to
5 probe quite far but I think it was physically difficult
6 for him to do that. But I think Damien took things
7 a step further than CIPHER W did or he behaved in a way
8 that was more outrageous and unusual for us at that age
9 than CIPHER W

10 Q. And this time you were in second year, so you'd be
11 probably 13 years of age?

12 A. Yes.

13 Q. You're telling us about your own experience; did other
14 boys have this experience so far as you could see?

15 A. Yes, but with Damien -- because there were other aspects
16 of Damien's behaviour. There were some that were more
17 public and some that were more private.

18 Q. If I look at the desk behaviour, did other boys go out
19 to the desk in the way that you had done?

20 A. Yes. Pretty much everybody was called out to the desk.

21 Q. And did you discuss amongst the other boys what was
22 going on?

23 A. Not so much. Apart from anything else, it was a bit
24 more shocking and a bit more shaming. I think even
25 though we didn't really understand, even by that time,

1 what was going on, there's a whole element and an
2 atmosphere of shame round about it, of there being
3 something wrong with you to witness something like this
4 or to be part of something like this.

5 Q. I think you were about to go on to tell us about
6 something else that Brother Damien would do during the
7 class time.

8 A. In the classroom, this was something that we all
9 discussed, it was a strange habit that he would have.
10 He would come out from behind his desk and you could see
11 that underneath his cassock that he had an erection and
12 what he would do is he would -- the rope that they
13 had -- round their waist, there was a double rope, and
14 where it passed his penis, he would double the rope
15 round, but outside of the cassock.

16 Q. So is the penis then visible, is it?

17 A. Well, the erection is obvious, it's sticking out of the
18 cassock. And he would --

19 Q. Just to be clear, the erection is apparent because of
20 the bulge in the cassock?

21 A. Yes.

22 Q. And is it round that that the cassock and the bulge --

23 A. What he would do is as the rope passed the erection, he
24 would wind the rope round the erection, and sometimes he
25 would pull it backwards and forwards. And this was

1 visible to everybody.

2 Q. How often did this happen?

3 A. Not very often, as far as I remember, but often enough
4 that we would know it wasn't the only time and it was
5 likely to happen. There was awareness. But oddly
6 enough, it seems that the more outrageous the abuse was,
7 the less would be said about it.

8 With CIPHER W everybody laughed and joked. With
9 Damien, we were all a bit serious and scared and shamed.
10 In an environment where -- the activity with the cassock
11 that I've described to you, none of us could ever
12 imagine that we would ever describe that to an adult
13 because of the environment and the atmosphere we were
14 in. It would have been the last thing we would have
15 ever been able to do would be go, "Mum, guess what
16 happened", or go to one of the other teachers and say,
17 "What do you think about this?"

18 The whole atmosphere and environment was that -- as
19 I said earlier, you wouldn't be believed, you'd be
20 a liar, you'd be sick, or you'd done something to
21 deserve it.

22 Q. But did you discuss this particular practice amongst
23 yourselves or not?

24 A. It was very obvious that it was going on, so there was
25 nothing really that we could say to each other. But we

1 did -- it was just like, "can you believe that?" It was
2 a thing that was -- at that age and with our ...
3 compared to nowadays, with our naivety, it was hard to
4 believe that this was going on.

5 Q. So do I take from what you said a little while ago that
6 this was not a practice that you spoke to your parents
7 about during a school holiday?

8 A. No. Absolutely not, no. No, no.

9 Q. Did you consider raising it with your parents?

10 A. No, no. I don't think any of us ever did, as I say,
11 because of the environment, our awareness of what was
12 going on. Of course, now, I think differently about
13 what was going on compared to what was happening when
14 I was sitting there watching it in a roomful of pupils.
15 But we all saw what was going on.

16 LADY SMITH: Did any of the boys react? For example, did
17 they laugh?

18 A. No, no, you wouldn't laugh because you'd be punished for
19 something else, some other time.

20 MR MacAULAY: And the size of the class, generally, for
21 Damien's class when he was teaching French, how many
22 boys would be --

23 A. About 30.

24 Q. So they'd all be aware of what was going on?

25 A. Yes, he sometimes -- I'm not saying this was a regular,

1 frequent occurrence and I'm not saying that every time
2 everybody went up with homework, either Damien or
3 [REDACTED] CIPHER WI that these things which didn't seem part of the
4 curriculum happened, but he would walk down between
5 a row of desks to the back of the class while he was
6 doing this with the ropes and turn round and walk back
7 again. So it wasn't as if he was trying to hide it.

8 Q. Would there have been day boys in this class?

9 A. Yes.

10 Q. So the day boys would also be aware of this behaviour?

11 A. Yes, yes. Goodness knows what they thought. I mean,
12 for us, who -- we were more in an environment where
13 unacceptable behaviour was happening. For them it must
14 have been completely shocking because they didn't have
15 the experience that we had of what went on once they
16 went home.

17 Q. And this behaviour by Damien in this class, I think you
18 said it was in your second year. Did you have Damien
19 again in your third year or was it just simply for the
20 second year you had him?

21 A. I think it was just the second year. I may have had him
22 in third year. I did French in third year.

23 Q. And going back to [REDACTED] CIPHER WI who you mentioned in
24 connection with [REDACTED], did you have [REDACTED] CIPHER W in your
25 second year or was it just simply for your first year?

1 A. Simply for my first year. The reason why I think
2 that is is because I think CIPHER V had been connected
3 with the younger pupils, such as the preparatory school
4 pupils, and that would be the reason why -- I don't
5 think it was because he wouldn't have been able to teach
6 [REDACTED] to a class at Higher level because ... Well, at
7 that time, if there wasn't a [REDACTED] teacher there,
8 a [REDACTED] teacher could do it from a [REDACTED] teacher's
9 notes, badly, but CIPHER W always seemed to have the young
10 classes.

11 I also think as well that he was teaching other
12 subjects over in the preparatory school, but I don't
13 know. I'm unsure about it, but I've got the impression
14 that he was.

15 Q. CIPHER W just for the one year, but Damien you're not very
16 clear?

17 A. He went into second and third year and I think he took
18 other classes at fourth year.

19 One of the things about the classes from first year
20 up to fifth year is that for each year there were three
21 classes, A, B and C, and in the first year the classes
22 were alphabetical. The second year, it was according to
23 your marks, overall marks in the first year, so the
24 people at the top would go into A --

25 Q. Yes.

1 A. -- and so on down through B and C. But one of the
2 things that could happen is that at least two of the A,
3 B and C could be having the same lesson at the same
4 time, but it would be by different teachers. So if you
5 happened never to be in Damien's class, you wouldn't
6 have known this was going on -- well, you would have
7 known but you wouldn't have seen that this was going on.

8 MR MacAULAY: It's now after 1 o'clock.

9 LADY SMITH: We normally have the lunch break at this stage,
10 Nigel, so I'll rise now and sit again at 2 o'clock.

11 (1.02 pm)

12 (The lunch adjournment)

13

14

15

16

17

18

19

20

21

1 (2.00 pm)

2 LADY SMITH: Good afternoon.

3 Nigel, are you ready for us to carry on?

4 A. Yes.

5 LADY SMITH: Mr MacAulay, when you're ready.

6 MR MacAULAY: Before lunch we had been looking at the

7 behaviour of Brother Damien in particular in the

8 classroom. I now want to go to the dormitory area and

9 you told us earlier in your evidence that he was the

10 dorm master when you were in the inters division;

11 is that right?

12 A. Yes.

13 Q. So that's in your second year in particular; is that

14 correct?

15 A. Yes.

16 Q. You begin discussing this at paragraph 147 of your

17 statement and in particular what you tell us, and

18 I think you may have mentioned this before, is that

19 he had a room in the area of the dormitory that was

20 connected to the dormitory; is that correct?

21 A. Yes.

22 Q. You tell us that, in particular, he targeted a French

23 boy. Can we just refer to this boy as [REDACTED] just to

24 give him a name?

25 A. Yes. This was a different French boy.

1 Q. From the other one?

2 A. Yes.

3 Q. And can you tell us what happened insofar as
4 Brother Damien and [REDACTED] was concerned?

5 A. Part of the routine in the dormitory -- this was a large
6 dormitory with the three rows of beds on each side and
7 probably, I don't know, up to a dozen beds in each row.
8 The routine when we went to bed at night was at
9 a certain time we would all get into bed. Then the dorm
10 master would come out in the middle of the room and say
11 a goodnight prayer because part of the school was that
12 they did have a nod to religion.

13 Then he would go back to his room and about
14 20 minutes later, he would come out of his room -- and
15 he'd arranged for [REDACTED] bed to be close to his
16 room -- and he would tap him on the shoulder or whisper
17 something or lean over. I was probably about the
18 distance of about eight beds away, but it was across, so
19 I could see -- I was in the front row, so I could see
20 Damien's room and I could see pretty much a big view of
21 the dormitory.

22 He would take [REDACTED] out of his bed and take him
23 into his room, close the door, and after some time,
24 [REDACTED] would come out again.

25 Q. How long?

1 A. It could be up to about 20 minutes, half an hour.

2 Q. And would [REDACTED] just simply go back to his bed?

3 A. [REDACTED] would simply go back to his bed.

4 Q. How often did this happen? Was it a regular occurrence?

5 A. It was fairly regular, yes.

6 Q. Were any other boys taken by Damien to his room in this
7 sort of way?

8 A. Not as part of that routine at that time of day as far
9 as I could remember, but I think he did a couple of
10 times go to different boys' beds about the same time and
11 either say something to them or nudge them or what have
12 you.

13 Q. And did you see other boys going into Damien's room?

14 A. Well, I didn't see any other boys going into Damien's
15 room, but part of the reaction to the situation was not
16 witnessing what was going on because it was disturbing
17 and so on. I'm not saying that I didn't watch [REDACTED]
18 going into -- because it happened so often, so if you
19 were looking that way, you'd see it. But we all heard
20 Damien's door and so on.

21 Q. Just looking at the position of other boys, did you
22 actually see other boys being taken by Damien into his
23 room?

24 A. No.

25 Q. Were you aware of other boys going into his room?

1 A. I think there was a kind of awareness that other boys
2 had been in Damien's room at other times --

3 Q. Did any boys mention --

4 A. -- but not at night.

5 Q. Did any boys mention being in his room to you?

6 A. No, no. This wasn't a thing we were open about with
7 each other.

8 Q. And what about [REDACTED], the French boy? Did he mention
9 to you or to anybody what had happened in the room?

10 A. No, not as far as I know. He may have, but he was one
11 of the loners who didn't have any friends and he didn't
12 open up. He kept himself very, very self-contained.

13 Q. Were you yourself ever taken to Damien's room?

14 A. No.

15 Q. In paragraph 152 you say that the tension in the
16 dormitory was high because of Brother Damien. Are you
17 relating this to the fact that he would come and take
18 [REDACTED] into his room?

19 A. Yes. We weren't allowed to talk to each other once the
20 lights had gone out, but there was quite a lot of -- you
21 could feel the tension, you could feel the way that
22 everybody was lying in their beds. There wasn't the
23 usual rolling over or whatever. There was just ... It
24 was just tense until he went into the room and then
25 it would be tense until he came back out, and then

1 we would all -- I can't speak for 90 or 100-odd boys,
2 but we could feel that it was time to go to sleep once
3 it had finished.

4 Q. Did there come a time then when Damien stopped being the
5 dorm master?

6 A. Yes.

7 Q. Was that in that year, in the course of that year?

8 A. It was in that year, yes.

9 Q. Are you able to say when within the course of the year
10 that happened?

11 A. I'm not entirely sure. I'm trying to remember if it was
12 before or after the end of the longest term, which was
13 from September to December. But I am aware that after
14 Christmas, at some point, Brother MLX was the dorm
15 master.

16 Q. And do you know how it came to be that Brother Damien
17 was no longer the dorm master?

18 A. No. One of the aspects of the whole of the school life
19 was that teachers or religious brothers would appear and
20 then disappear. There wouldn't be any -- I can't
21 remember any instances of people being told that
22 a brother would be moving on somewhere else or another
23 brother might be coming in. There wasn't any awareness.
24 It wasn't the sort of thing that was announced in
25 assembly, for example.

1 Q. Although you tell us that Brother Damien ceased being
2 the dorm master, he remained a class teacher?

3 A. He did, yes.

4 Q. Can I just ask you a little bit about what you talk
5 about in paragraphs 165 through to 167 in particular?
6 It's a section in your statement where you talk about
7 verbal abuse --

8 A. Yes.

9 Q. -- and verbal bullying by the staff; is that right?

10 A. Yes.

11 Q. You refer to this as the "poof culture". What was the
12 nature of the verbal abuse by the staff?

13 A. Well, they would say within earshot of a group of
14 pupils, maybe not directly to them, that, "So-and-so is
15 a poof".

16 Q. Were they referring to a man or a boy?

17 A. A particular boy.

18 Q. When you say "they", are you including brothers and lay
19 teachers?

20 A. Well, no, the lay teachers weren't part of this culture,
21 but the religious brothers would say, "So-and-so is".

22 Q. And they would identify a particular boy?

23 A. Yes.

24 Q. And what was the consequence of that?

25 A. The effect that it was supposed to create was that other

1 boys would start calling that particular boy a poof.

2 Q. And did that happen?

3 A. Yes. I think it happened for various reasons. It's not
4 a case of every boy called -- you know, your friends
5 wouldn't call you a poof, but it was a strange word to
6 use because that word was in the popular culture at the
7 time, but initially most of us, you know, particularly
8 in first and second year, we didn't know what a poof
9 was, we didn't know what homosexuality was, so that word
10 had different obscure, ambiguous connotations. We
11 didn't know what it was, but we knew -- we were supposed
12 to think it was something bad.

13 Q. And did this happen to you then, Nigel?

14 A. Yes.

15 Q. What was your reaction to it?

16 A. I was terrified.

17 Q. And was there a particular brother that instigated this
18 particular name-calling to you?

19 A. Well, I'm pretty sure it must have been, because the boy
20 who called me this was -- he was in a year above me or
21 two years above me, I'm pretty sure it was a year above
22 me, so he wouldn't have known who I was. There were so
23 many of us in each year that if there was 30 in each
24 class and then three classes, you got to know your own
25 class, you got to know the people round about you in the

1 dormitory, and then you got the wider picture as time
2 went on.

3 Q. But --

4 A. But you didn't know much about the people in the year
5 above you and this boy had absolutely no connection to
6 me at all.

7 Q. But how do you know that it was a brother that
8 instructed him to call you this name?

9 A. Because this is usually where these things were
10 instigated from.

11 Q. Did you actually --

12 A. But I didn't hear a religious brother say it to him.

13 Q. Did you ever hear a religious brother saying to any boy,
14 "Call that other boy a poof"?

15 A. Not, "Call that other boy a poof", but saying, "Oh,
16 so-and-so is a poof", would be more like the tone.

17 Q. What brothers do you have in mind?

18 A. I know that **MLX** did and I know that **MFT** did.

19 Q. So you heard them mentioning that?

20 A. I heard them mentioning it because they would wander
21 into a group of boys in the playground and there might
22 be some interaction about what class was going to be
23 next for who or something like that and this remark
24 would come out. That was the type of environment where
25 it would happen.

1 Q. You go on to tell us in your statement as well about
2 your brother, a younger brother, and in particular an
3 incident when money went missing and there were three
4 boys, I think, who you make mention of, whose money it
5 might have been, or one of the boys' money.

6 A. Yes.

7 Q. And something happened to your brother in that he,
8 I think, was blamed for having taken the money; is that
9 what happened?

10 A. Well, what happened when the money went missing -- my
11 brother was actually friendly with these boys, and these
12 boys, because of where [REDACTED] -- [REDACTED]
13 [REDACTED] -- so they were kind of a clique.

14 Q. And there were three of them?

15 A. There were three of them. They kept themselves to
16 themselves, pretty much, which they would have done
17 coming into such a strange environment, but they were
18 quite tight-knit.

19 There was one time when my brother -- I think he had
20 been caught with a can of beer in his school blazer.

21 MFT [REDACTED], rather than taking my brother to task for this,
22 he went to the [REDACTED] boys who -- my brother was probably
23 one of the people who was most friendly with them -- and
24 told them that my brother had taken the money from them
25 and that they could deal with it how they wished.

1 Q. And did that involve them attacking your brother and
2 beating him quite badly?

3 A. Well, it was in the area where the cubicles were, and
4 MFT at that time was the dorm master in the cubicles.
5 What MFT did, he spoke to my brother out in the open
6 between the cubicles and he said, "Right, I'll go and
7 leave you with this", or something like that to my
8 brother. The boys then came out from behind the
9 curtains of one of the cubicles and they gave my brother
10 a very severe beating, which put him in hospital.

11 Q. And was this information that you learned from your
12 brother at some point in time?

13 A. Yes.

14 Q. Was that later in life or --

15 A. It was -- I had just left school. I was still living at
16 home at the time. Funnily enough, I never got to the
17 bottom of -- my parents never told me that my brother
18 had been in hospital, but when I saw him at the weekend
19 when he came home, obviously something terrible had
20 happened and I asked him what had happened and he told
21 me about it.

22 Q. So was that when he told you about Brother MFT and
23 these three boys' involvement?

24 A. Yes, and separately my other brother, who was older than
25 him but at the school at the same time, he said to me

1 "Isn't that awful what happened to ..."

2 Q. To your other brother?

3 A. To my other brother.

4 Q. Focusing on your other brother, was he a brother who was
5 younger than you but older than the brother who was
6 beaten up?

7 A. He was younger, yes.

8 Q. He was the youngest then?

9 A. He was the youngest, yes.

10 Q. And I think in relation to him, you tell us that he was
11 abused by a brother, Brother AKV ; is that right?

12 A. Not the brother who was beaten.

13 Q. No, this is the --

14 A. The other brother, yes.

15 Q. And I think you know that's AKV

16 A. Yes.

17 Q. And that involved sexual abuse by AKV on your
18 younger brother?

19 A. Yes.

20 Q.

21

22

23

24

25 A.

1

2

3 Q.

4

5 A.

6 Q. When you were at St Joseph's, you've already told us

7 that it wasn't really the environment where you would

8 report something. But you did -- and you talk about

9 this at paragraphs 180 and 181 -- you did mention some

10 things to two of the teachers that you were involved

11 with; is that right?

12 A. Yes.

13 Q. If you look at paragraph 180, for example, you mention

14 teachers there and you mentioned something to that

15 particular teacher about Brother Damien's behaviour.

16 A. Yes.

17 Q. Was that when you were perhaps 15 or 16 years old?

18 A. It was at the end of the term in fourth year and I would

19 have been 16.

20 Q. What did you say to the teacher about Brother Damien?

21 A. Well, there were four of us. It was after the end of

22 fourth year at the end of the O levels, we still had --

23 because the O levels were staggered for different people

24 doing different subjects. So the end of term was about

25 a week after the end of the O levels and the teaching

1 had relaxed a bit in the classroom.

2 This particular teacher, what he would do in the
3 classroom for that last week at the end of fourth year
4 is he would get people to play bridge and he taught us
5 how to play bridge. So myself and two friends were
6 actually at his table and we were playing bridge and
7 we were talking about how all of the school was in
8 certain aspects. We didn't confront the teacher, it
9 just came up in conversation, Damien's behaviour.

10 Q. But what was said about Damien's behaviour?

11 A. Basically, what I described before, that he was playing
12 with himself and playing with others.

13 Q. So you made that known to the teacher?

14 A. Oh yes.

15 Q. And what was the teacher's reaction?

16 A. Well, it couldn't be happening, you know. His whole
17 thing -- it wasn't like impertinent outrage or something
18 like that, but his whole demeanour was, "I'm part of
19 this establishment and it's not happening where I am".

20 Q. And the other teacher I think you also approached
21 because you thought he might be approachable, again
22 I think you said that was in your fourth year.

23 A. Yes.

24 Q. And you mentioned to this other teacher things about
25 Brother Damien. What did you say about Brother Damien

1 again to this teacher?

2 A. Again, I can't remember exactly how it happened, but
3 I was with other boys -- and one of the things about
4 saying, just to go back to the teacher who we were
5 playing bridge with when and we said to ... He styled
6 himself as a trendy teacher, long hair, he made
7 a pretence that the literature he was teaching us was
8 dangerous or out on some sort of edge, but it wasn't
9 really.

10 This other teacher, Rinaldi, he was a history
11 teacher, and he was young. He'd been a day pupil at the
12 college himself. He again -- at that time there was
13 great social change. They were talking about things
14 like having guitars in Masses and things like that that
15 we thought was pretty cutting edge because when I went
16 into first year they'd only just stopped teaching Greek
17 and Latin. So we were in a period of transformation and
18 again Rinaldi styled himself as some kind of trendy
19 teacher, that he was socially and politically aware and
20 all the rest of it.

21 So we decided to say to him about what Damien was
22 like, but we didn't even have to say anything because he
23 said that the way he behaved was because of some sort of
24 mysterious disease or whatever that he'd picked up while
25 he was in Africa.

1 Q. So that was his explanation for the behaviour you've
2 already described in evidence; is that right?

3 A. Yes. Part of the background to that, and where Africa
4 comes in, is that the Marist Brothers had schools -- as
5 well as in Scotland they had schools in Nigeria, up
6 until the Biafran War and they had schools in Africa, in
7 Chad, at that time, and we knew there was some traffic
8 of brothers going backwards and forwards between Chad
9 and the college.

10 Q. And did you understand that Brother Damien had been --

11 A. And we understood that Damien had been -- had come to
12 the college from Africa.

13 Q. We've already touched upon what you may or may not have
14 reported to your parents. But your younger brother, who
15 we've mentioned already -- and this is the brother who
16 was abused by Brother AKV -- did he say anything to
17 your parents so far as you were aware about what was
18 happening to him?

19 A. What I'm aware of happening is that when ... Let me
20 think. When he was at the beginning -- I think it was
21 the beginning of fifth year -- I think he was in fourth
22 year -- I was in sixth year at the time, sorry, so he
23 would have been in third year. It's difficult to place
24 him because he was always a year ahead of what he should
25 have been in due to his age, but anyway, I'll stop

1 waffling.

2 What I was aware of is that he was deeply unhappy
3 at the school. My mother's brother lived in Dumfries
4 and he'd gone out of the school when it was the sports
5 period to go over to our uncle's house. This was sort
6 of unusual but he didn't want to talk about it. And not
7 long after that, he ... There was a day when I saw, by
8 accident, my parents in the car park at the back of the
9 main building of the school. I went down to speak to
10 them and asked them what they were doing there and they
11 said they just had to speak to the headmaster, but they
12 didn't say what for.

13 But what happened was that my brother had found
14 things so bad that he left and went home and said that
15 he couldn't go back.

16 Q. Did he tell your parents why he couldn't go back so far
17 as you're aware?

18 A. I presume that he told my parents some of why.

19 Q. But do you know of anything that he may have said to
20 your parents about the abuse?

21 A. No. One of his reactions to what was happening to him
22 at the school was to be closed off with anybody that may
23 be close to him about it, which I think is a fairly
24 standard reaction amongst a lot of people. He was like
25 that with me. We would talk about anything apart

1 from -- he just wouldn't talk about anything to do with
2 people at the school.

3 Q. What you tell us in your statement, Nigel, is that your
4 parents came to the school, as you've mentioned, and met
5 with the SNR [REDACTED] who was Brother MMK [REDACTED] and that
6 they were persuaded to leave your brother at the school,
7 which they did, and your brother was subsequently abused
8 at the school; is that the essence of what happened to
9 him?

10 A. Yes.

11 Q. Can I then move on to when you left St Joseph's.
12 I think you tell us in your statement that although you
13 went back for your final year in the term beginning,
14 I think, [REDACTED] 1973, you decided in [REDACTED] 1973 to
15 leave.

16 A. Yes.

17 Q. And you just told your parents you weren't going back.

18 A. Well, I came home one weekend and said, "I'm not going
19 back, I've got everything with me". I was concerned
20 that they would think that I'd left stuff in the school.
21 They just seemed to accept it without question.

22 Q. And at that time, I think you were unhappy in particular
23 about the education that you were getting at the school.
24 Is that part of the reason why you wanted to leave?

25 A. Well, when I started at the school, for at least the

1 first two years, I was doing very well educationally,
2 but one of the measures of results would be examinations
3 and so on, and by the time I got to O level stage, I was
4 doing enough that I knew I had to do to pass the
5 O levels, and by the time I got to the Higher level,
6 I didn't care.

7 I was lucky that I passed some. I was supposed to
8 be going back to sixth year to resit some, but when
9 I went back to sixth year, the only response -- you
10 know, there was no sort of care or encouragement or
11 individual coaching of pupils or whatever, particularly
12 because I'd gone from the top three in the class down to
13 the bottom three sort of over the space of two years.

14 But when I went back to sixth year I felt as if
15 I was being actively discouraged from going into the
16 classes because the teachers were querying why I was
17 there and what I was doing there.

18 Q. Your life after St Joseph's. You tell us in particular
19 about some of your personal circumstances and also your
20 work history from paragraph 187 through to 190. In
21 particular, you've ended up, if I can put it broadly,
22 successful in the medical field; is that right?

23 A. Eventually, yes.

24 Q. Eventually, yes, and you have set out how that path was
25 trodden.

1 You then talk about the impact that you say
2 St Joseph's had on you. Can I pick this up? You've
3 told us about things that happened to you, but at
4 paragraph 194 what you do seem to be saying is that you
5 came through it all pretty much unscathed.

6 A. Compared to others, yes.

7 Q. What you go on to say is:

8 "[You know] there are a lot of former pupils who are
9 either dead, damaged or doing damage"; is that right?

10 A. Yes.

11 Q. That's some knowledge you've gleaned from various
12 sources?

13 A. Yes.

14 Q. You also talk about the impact of what happened to your
15 brother, and this is the brother who was beaten, and
16 I think you do say that the beating that he had did
17 impact upon his life.

18 A. Well, he changed after it. This is something that -- it
19 was kind of like a phenomenon at the school. One of the
20 boys would have a particular experience and it was as if
21 their personality changed after it. I did describe it
22 while giving the witness statement that at the time my
23 impression was that they went feral. It's maybe not
24 a good description, but they would become, in various
25 ways, reckless, careless. They wouldn't have any

1 concern for themselves or others and they just changed,
2 you know, basically, within a space of days. So-and-so
3 would be different from what they had been like at the
4 start of term or the week before or whatever.

5 Q. And --

6 A. You would see that in their behaviour on the sports
7 field or in the playground and in the classroom and the
8 way they responded, the way we all responded with each
9 other, you'd see that happening.

10 Q. What you tell us about your brother is that you think he
11 responded in a particular way, and indeed you tell us
12 that he ended up having an early death.

13 A. Yes.

14 Q. You tell us also in your statement that you have been
15 contacted by the police in connection with your
16 experiences at St Joseph's and, in particular, you start
17 talking about that in paragraph 199 onwards.

18 A. Yes.

19 Q. Can you summarise for me how that has developed?

20 A. Just an overview of it. When the police arrived to take
21 my statement, I was expecting them at some point.

22 Q. Was this in connection with Brother Damien?

23 A. It was in connection with Brother Damien and it was in
24 connection with other pupils at the school who'd
25 reported abuse and they'd got in touch with other

1 pupils. I agreed with a former pupil, who actually
2 hadn't been in my year at school, I agreed that I would
3 give a statement to the police as well.

4 There was a policeman and a policewoman came to the
5 house not long after I'd come back from work and said
6 that they were there to take a statement about abuse at
7 the school in Dumfries. The whole tone that they had
8 was that they didn't know anything about any abuse at
9 this school in Dumfries and they didn't really know why
10 they had been chosen or what they were doing there to
11 take the statement, but if I was happy to tell them
12 about what happened there, they would just take the
13 statement and that would be it.

14 So I started to tell them -- for myself at that time
15 the most obvious person to speak to them about that
16 could be corroborated, the behaviour, was Damien, so
17 I thought, I'll tell them about Damien's behaviour.
18 I asked them if they wanted a cup of tea or something,
19 but they said, no, they had a long way to go back --
20 this was in Glasgow, they were up from Dumfries, they
21 were just happy to take the statement and go away.

22 When I was telling them about things that were
23 happening at the school, they seemed surprised and a bit
24 shocked, but the questioning -- the way that they
25 questioned me was as if I was a suspect and that was the

1 way that I was made to feel and I actually felt really
2 ashamed. I felt as if I was dirty in some way because
3 of the tone of the questioning, so I became
4 extraordinarily careful about anything that perhaps --
5 any personal abuse or whatever, and I would give
6 a general statement to them.

7 And I gave -- the reason why Damien stands out in
8 this statement is because they had arrived not knowing
9 anything about any abuse at that school and I had
10 mentioned Damien, and just about -- almost at the end of
11 the -- when I was feeling as if I was one of the scum of
12 the earth that they were dealing with, from their
13 attitude, one of them said, "This behaviour from
14 Thomas McCann, could this have been due to some disease
15 that he picked up in Africa?" which absolutely floored
16 me, (a) because the only thing about that question that
17 I'd ever heard before was of somebody being asked -- was
18 something about somebody's predatory sexual behaviour
19 being due to a strange disease they picked up in Africa,
20 and I'd only heard that once before.

21 Q. That was from the teacher, of course.

22 A. That was from the teacher when I was at school.

23 The other thing that shocked me as well was that
24 I didn't know Damien's real name. I was so stunned that
25 I couldn't even really think, that here they were

1 arriving at the house, knowing nothing about what
2 happened at the school, when in fact they did know the
3 person, they knew his name, and they knew that he'd been
4 carrying out behaviour.

5 Q. But did you complete the statement at that time with the
6 police?

7 A. Well, I really couldn't answer any more questions from
8 them properly.

9 Q. Were you ever asked to sign a statement?

10 A. No.

11 Q. I want to look at the section of your statement where
12 you talk about the lessons to be learned. You give us
13 quite a bit of information about that. Can I take you
14 to paragraph 211? I think you've mentioned this
15 already, but it's this point you make about nobody
16 wanting to say what had happened to them:

17 "We were all aware that we were in an abusive
18 environment, albeit we didn't understand the abuse
19 at the time."

20 Are you looking there at the boys themselves, you
21 knew what the environment was but you didn't want to
22 talk about it?

23 A. Yes.

24 Q. The point you make at paragraph 215 -- and this is under
25 the headings "Views on why people abused" and "Opinion

1 of those who covered up abuse". One of the points you
2 make is:

3 "People like Brother Damien were driven, no matter
4 what, to do the damage he did. Those sorts of people
5 are probably born like that."

6 That's the view you've expressed there; is that
7 correct?

8 A. It's a casual view because I'm not a specialist in this
9 area, I'm not trained and qualified --

10 Q. I'm not suggesting you are, but it's --

11 A. That's my impression, that there's all sorts of
12 behaviour, this is one form of behaviour, people are
13 born with these. I imagine that Damien might have been
14 driven from an early age in the way that he is.

15 Q. But I think the point you make here, Nigel, is that
16 that's all very well, but those who cover up the
17 behaviour really have to be held to account.

18 A. Absolutely, yes, because they're the only people -- when
19 you look at it, if Damien was driven to be like this --
20 to take a broader view, no matter what damage he's done,
21 he was dangerous to society himself, he needed help, and
22 he could have needed that, depending on how somebody's
23 driven, you know, their behaviour, whether it's criminal
24 behaviour, abusive behaviour or addictive behaviour or
25 whatever, at whatever age that it can be identified that

1 somebody may be displaying that behaviour, it doesn't do
2 anything to either collude with it by knowing about it
3 or to say that they should be punished, or whatever, for
4 it. They need help.

5 That's the only way that we can even stem the tide
6 of people coming because they're going to keep coming.

7 Q. Can I take you to your final thoughts in your statement,
8 Nigel, at paragraph 218. I'll read out to you what you
9 say there, and this is:

10 "I have spoken to the inquiry in the hope that
11 I have spoken up for some people who aren't able to
12 speak for themselves for one reason or another."

13 And I think, as I understand the position, Nigel,
14 one of the driving forces behind your coming to the
15 inquiry, is precisely that; is that right?

16 A. Yes. Apart from anything else, there are people who are
17 dead who can't come to the inquiry. There are people
18 who are so damaged by what happened that they wouldn't
19 be able to come to the inquiry. The environment that
20 we were in can be so damaging that people could come to
21 the inquiry and not be able to be any kind of credible
22 witness. This is something that you will know. You're
23 seeing people over the years who are sitting in the same
24 place where I'm sitting and the effect of what has
25 happened to them had on them. I'm sure there's an

1 incredible range of behaviours that happen to people.

2 But I don't think that there's many people who would
3 be able to sit where I'm sitting to try and do what I'm
4 doing.

5 Q. The other thing, Nigel, is this: I think you do want to
6 express some views to the inquiry about certain aspects
7 of the processes that you want to ventilate. Can you
8 tell me about that?

9 A. Yes. If I could just summarise, the experience that
10 I described with the police closed me off a bit from my
11 own personal experience because the attitude that they
12 had to me was that -- well, it prevented me from
13 disclosing any personal abuse that I suffered and the
14 only way that I could deal with the shock that I got
15 about the way they behaved with me was to just try and
16 deal with it in the best way that I could, thinking that
17 the police would be part of agencies that are supposed
18 to be helping you and so on. And if this is what
19 happens, it's the same as when you leave the school,
20 you're on your own. You know, those people are trying
21 to do something about this, you're on your own.

22 Part of my personal experience of being involved in
23 this inquiry -- my sort of anger about it has simmered
24 down now, but I would hope that the machinery of this
25 inquiry can examine itself enough, individually and

1 corporately, to not inadvertently become abusive in
2 itself. Because part of the experience that I've had
3 is that I was contacted early in the summer by the
4 police and asked if I'd be willing to talk to them and
5 give them a statement about what had happened in
6 connection with this inquiry.

7 I said, yes, I'd be willing to do so, and I was
8 asked if some names could be put to me that I'd be
9 willing to talk about in connection with the abuse
10 at the college. They said several names and I said,
11 yes, yes, yes, and then one name that they brought up as
12 a suspect was my brother, who's dead. They were naming
13 him as one of the religious brothers. Now, he was as
14 far away from that as possible before he died.

15 Q. So that was clearly a mistake on their part.

16 A. It was clearly a mistake. I pointed out that it was
17 a mistake and there should be probably better
18 fact-checking and I was very anxious to know why this
19 had happened because that throws into light my trust in
20 the inquiry process.

21 I was told that I would have further contact with
22 this police person to let me know how this had happened
23 and why, and the other names that ... You know, so that
24 inadvertently -- I felt that was as abusive as anything
25 where I've been involved in abuse.

1 The policewoman also said that, possibly by the end
2 of July or the beginning of August, she would be back in
3 contact again to ask for further information for
4 a statement about people that she'd named and who might
5 still be alive, and I've heard nothing. I've heard
6 nothing. She said it'd be the beginning of August at
7 the beginning --

8 Q. But can I ask you, before you go on, have you been given
9 any explanation for the mistake as yet?

10 A. No.

11 Q. And have you heard again at all from the police?

12 A. No, no. So -- this was kind of shocking when -- I feel
13 sorry for one of your Witness Support workers because
14 when I was here on Monday for a familiarisation
15 experience with the inquiry, I was asked if I thought
16 that this inquiry would bring any closure at all to my
17 experience.

18 My involvement with the inquiry, because of the
19 experience with the police -- and I don't know where the
20 police got the information that my brother was somebody
21 worthy of investigation. I don't know how that got to
22 them. But ever since the beginning of August --
23 of course, a week goes by, I don't hear, so then it's
24 a sword hanging over my head that I've got to, as well
25 as come to the inquiry, out of the blue at some point,

1 I've got to prepare myself to deal with the police and
2 try and remember things that I put behind me after the
3 initial contact with the police in the 1990s, so it's
4 a pressure building.

5 So to think that there can be any closure when this
6 has actually exacerbated the impact of the experience
7 that I had rather than drawing it down to any kind of
8 closure ...

9 MR MacAULAY: Well, Nigel, thank you for raising that with
10 the inquiry and clearly it's something that requires to
11 be looked at. Thank you for coming to give your
12 evidence and engaging with the inquiry to the extent
13 that you have and for answering my questions.

14 My Lady, I can say that no other questions have been
15 submitted to me to put to Nigel.

16 LADY SMITH: Are there any outstanding applications for
17 questions? No.

18 Nigel, that completes all the questions that we have
19 for you today. Could I just say one thing in case it's
20 an underlying concern you have: the inquiry is entirely
21 independent. We are not part of the police, the police
22 are not part of us, we are not part of government,
23 we are not part of the prosecuting services.

24 A. Right.

25 LADY SMITH: So please let me do all I can to assure you we

1 operate quite separately and independently; that's the
2 whole point of a public inquiry.

3 But now can I please thank you for engaging with the
4 inquiry. You've given us so much detail about not just
5 your experience but all your perceptions about what was
6 happening over quite a period of years that you were in
7 St Joseph's, which adds considerably to the work that
8 I'm doing here. I'm very grateful to you for doing
9 that, not just by engaging with those who have attended
10 to take your written statement, but by coming here today
11 to talk about it. Thank you very much indeed.

12 I'm sure you're weary now, it has been a long day
13 for you and I'm now able to let you go --

14 A. I would like to know, as I said, if the situation where
15 I'm in just now, still waiting, waiting for anything,
16 can that even calm down?

17 LADY SMITH: You mean with the police?

18 A. Well, no, not necessarily with the police. It's
19 because, as a result of this inquiry, I was put in that
20 situation by the police, and how did the police come to
21 have a name that they made a false accusation about that
22 happened to be my brother?

23 LADY SMITH: Nigel, you'll need to take that up with the
24 police. As I say, we operate quite independently of
25 each other.

1 A. But I think the police got the information that they
2 came to me with from the inquiry.

3 LADY SMITH: Talk to the police, Nigel.

4 A. Okay.

5 LADY SMITH: Thank you.

6 (The witness withdrew)

7 MR MacAULAY: My Lady, there is another witness lined up for
8 this afternoon.

9 LADY SMITH: We'll take the five-minute break now and then
10 get started. Thank you.

11 (2.57 pm)

12 (A short break)

13 (3.07 pm)

14 MS MACLEOD: My Lady, the next witness is ready. He is
15 a witness who wants to remain anonymous and to use the
16 pseudonym "Gerry" in giving evidence.

17 "GERRY" (affirmed)

18 LADY SMITH: Gerry, please sit down and make yourself
19 comfortable.

20 Could I begin by apologising. We're running
21 a little late as compared to the schedule we hoped we'd
22 be able to keep to today. I know you've been patiently
23 waiting, so thank you for that.

24 We are now ready to start your evidence today, if
25 you're ready, and all I would ask is that you stay in

1 a good position for the microphone to pick up everything
2 you have to tell us.

3 Ms MacLeod, when you're ready.

4 Questions from MS MacLEOD

5 MS MACLEOD: My Lady.

6 Good afternoon, Gerry.

7 A. Good afternoon.

8 Q. You have provided a statement for the inquiry and there
9 is a copy of it in the red file in front of you and also
10 parts of it will come up on the screen as we go through
11 it.

12 I'll give the reference of that statement for the
13 transcript: WIT.001.002.4727.

14 If I can ask you to have a look at the very last
15 page of the statement, have you signed the statement?

16 A. I have.

17 Q. In the very last paragraph do you say:

18 "I have no objection to my witness statement being
19 published as part of the evidence to the inquiry"?

20 Is that correct?

21 A. It is.

22 Q. Do you go on to say:

23 "I believe the facts stated in this witness
24 statement are true"?

25 A. I do.

1 Q. Thank you.

2 I don't need your date of birth, Gerry, but can you
3 confirm that you were born in 1960?

4 A. I was.

5 Q. And are you now 59?

6 A. I am.

7 Q. You begin in your statement by telling us some
8 information about your family background before you went
9 to boarding school and I think one of the first things
10 you tell us about is that, when you were born, your
11 parents were living in Africa.

12 A. Yes.

13 Q. Was your father working out there at the time?

14 A. He was, yes.

15 Q. And you also tell us that you have an older brother.

16 A. Yes.

17 Q. Is he around three years older than yourself?

18 A. Approximately, yes.

19 Q. Having been in Africa for the first part of your life,
20 did your family return to Scotland when you were about
21 7 years old?

22 A. For approximately a year, yes.

23 Q. And did you go to a primary school in Scotland for that
24 period?

25 A. I did.

1 Q. I think you tell us that your parents returned to Africa
2 after that year and that you lived there for the next
3 few years of your childhood.

4 A. Yes.

5 Q. In fact, did they remain there until you were about 13
6 or so?

7 A. Indeed, yes.

8 Q. Did there come a time when a decision was taken that you
9 and your brother would go to boarding school?

10 A. Yes.

11 Q. How old were you at that time?

12 A. I was 8 when I went to boarding school.

13 Q. Can you remember much about the decision-making process
14 and how that was arrived at?

15 A. Not at all. I was just -- that was -- obviously as
16 a child, I did what my parents told me and what they
17 thought was best for me.

18 Q. And in relation to yourself, was the decision taken that
19 you would attend St Columba's College in Largs?

20 A. Yes.

21 Q. And your brother, I think you tell us, went to
22 a different boarding school in Scotland but joined you
23 at St Joseph's?

24 A. He did. He actually went to boarding school when he was
25 6 and to about three different boarding schools,

1 I think, and finally, as you say, in the last couple of
2 years he joined me.

3 Q. So looking at St Columba's then, you tell us that
4 you were 8, I think, when you arrived there?

5 A. Yes.

6 Q. So would that have been in around 1968?

7 A. Yes.

8 Q. In relation to the building itself, I think you say that
9 it was an Edwardian style house?

10 A. Indeed.

11 Q. And did the building contain the classrooms and
12 dormitory areas for the boys?

13 A. Yes.

14 Q. Was there a separate area where the brothers lived?

15 A. There was. From memory, there was a kind of mews or
16 stable type buildings, with a kind of courtyard between
17 the main building and those buildings, and my memory is
18 that's where most of the Marist Brothers had their
19 rooms.

20 Q. As you looked at the main building, was that
21 accommodation to the left-hand side?

22 A. I think it was to the left.

23 Q. Did any brothers live in the main building with the
24 boys?

25 A. I can't remember. There may have been. I imagine there

1 would have been somebody sleeping in the main building
2 with obviously lots of children in there, but I have no
3 clear memory of it.

4 Q. In relation to the age group of boys that were catered
5 for at St Columba's, what's your memory of that?

6 A. So that was Primary Four through to Primary Seven.

7 Q. Is that perhaps roughly age 8 to 11?

8 A. Yes, thereabouts.

9 Q. What about the number of boys, what's your recollection
10 of that?

11 A. I can't remember. But probably -- I mean, 100, 200,
12 I can't remember exactly.

13 Q. Who was the headmaster at St Columba's when you were
14 there?

15 A. At the time it was Brother Nigel.

16 Q. Did that change or did that remain the position?

17 A. I can't remember. I think there was a change of
18 headmaster towards the end, but I don't recall clearly.

19 Q. You mention a number of other brothers in your statement
20 that you recall. One of those is Brother MFN was
21 he a teacher?

22 A. Yes, all of them. It's a teaching order, so all of them
23 were either teachers or retired teachers.

24 Q. You mention a Brother MFN, a Brother MLA --

25 A. Yes.

1 Q. -- a Brother Daniel Joseph, and a Brother Damien.

2 A. Yes.

3 Q. Were they there all at the same time?

4 A. I think so, yes.

5 LADY SMITH: You said there it was a teaching order. But

6 I see in your statement, you refer to there being just

7 three knots on the ropes that the brothers had tied

8 round their cassocks, which were the usual poverty,

9 chastity and obedience; they didn't take a fourth vow of

10 education then, did they?

11 A. They may have done, but I don't have any recollection of

12 that.

13 LADY SMITH: Thank you. I'm not suggesting they did; I was

14 just interested because I think some orders who were

15 teaching orders took a fourth vow.

16 A. Possibly, but I seem to recall it was three, as far as

17 I remember.

18 MS MACLEOD: Was there a Brother Germanus at the school

19 while you were there?

20 A. The name sounds familiar.

21 Q. You give us some information about the daily routine and

22 the dormitory routine at St Columba's. In particular,

23 in relation to the evening, you mention that you have

24 a memory of something happening at 10 to 9 in the

25 evening.

1 A. 10 to 9 is "Toilets, please!" That's kind of seared in
2 my memory. That was the kind of instruction basically
3 to tell all the boys to go to the toilet before bedtime.

4 Q. And do you remember if a brother was available through
5 the night if you required anything?

6 A. I think there was a brother in the dormitories, but
7 again, I haven't got a clear memory of it.

8 Q. In relation to seeing your family, Gerry, your parents
9 were in Africa --

10 A. Yes.

11 Q. -- at this time. Did you go to Africa during the
12 holiday periods?

13 A. Yes. Normally, I think the company my father worked for
14 paid for flights for dependants, but I think it was only
15 two a year, so the main summer holiday and Christmas
16 holiday were the two that I used to fly back to Nigeria
17 for; Easter was normally spent with a relative in
18 Scotland.

19 Q. Did your parents also on occasion visit you at the
20 school?

21 A. If my mother was in the UK for any reason, then on
22 a couple of occasions she did come to the school and
23 take me out for the day on a Sunday, I think.

24 Q. And I think you touch on in your statement that those
25 could be quite difficult times emotionally for you.

1 A. Yes. I didn't enjoy my experience at school -- well,
2 certainly at boarding school -- so I was sort of
3 homesick on and off. So when my mother came, it was
4 quite disruptive because there would be a sense of
5 elation that I'd been out of with my mother when
6 I hadn't seen her for a while, but of course then there
7 was the impending doom of having to return back to the
8 boarding school again. So it was a kind of disruptive
9 experience.

10 Q. And was there anybody within the school that you can
11 remember who you could share your experiences of
12 homesickness with and confide in?

13 A. Well, only kind of friends. There wasn't a culture to
14 kind of confide in any of the Marist Brothers. There
15 wasn't any feeling of compassion or anything like that.
16 So I don't ever recall going and confiding in any of the
17 Marist Brothers about my feelings. I think there was
18 a general kind of acceptance that the boys kind of just
19 dealt with it, and after a period of time I suppose
20 I became a bit inured and accepting of my situation.

21 Q. You mention that letter writing was another way you were
22 able to communicate with your parents.

23 A. Yes.

24 Q. Can you tell me about the process involved in it?

25 A. The process was that you were encouraged to write to

1 your parents and there was a weekly letter writing
2 session, but you had to leave the letters unsealed and
3 they would be censored, and likewise when you received
4 letters, they were opened. That's something latterly as
5 an adult I've actually found quite disturbing and it's
6 made me quite angry.

7 Q. I think you say that you can't see any justification for
8 why that was done.

9 A. Well, I think my perception or thoughts on that is that
10 as a young child, away from home and your loved ones,
11 and your mother particularly, if the only communication
12 system you have -- and this is bearing in mind, this is
13 the late 1960s, before electronic communications like
14 Skype and things that they have nowadays -- if the only
15 communication you have is a weekly letter, that's
16 obviously a very kind of almost sacrosanct kind of
17 process to be able to communicate with your mother. If
18 others are interfering, scrutinising and potentially
19 censoring that process, personally I think that's just
20 outrageous, an outrageous imposition to somebody's
21 personal family life.

22 Q. You touched on there in passing that you didn't enjoy
23 your time at the school. We'll look at certain aspects
24 of that, but I wonder if you could describe for me what
25 the atmosphere was like at St Columba's while you were

1 there.

2 A. It was an authoritarian sort of regime. I think I'd
3 describe it as an almost stereotypical Victorian view of
4 children: obey the rules and do what they're told.
5 Whilst that was probably the culture in most schools in
6 Scotland in the late 1960s, the problem being that if
7 you're there 24/7, then that's a completely
8 all-encompassing and pervasive atmosphere, it is
9 impossible to escape from.

10 So it was really a case of "Obey the rules; if you
11 don't there'll be punishment", and much of that was
12 physical.

13 There was also a lack of privacy, so there wasn't --
14 there was no opportunity for having your own space
15 anywhere. It was a shared dormitory, kind of shared
16 refectories, classrooms. There was very little
17 opportunity to kind of have your own space, which didn't
18 sit well with me because my personality is such that
19 I prefer some sort of opportunity for my own company now
20 and again. The only kind of escape I got to kind of
21 experience that was that there was a beach across the
22 road from the playing fields and quite often you were
23 allowed on occasion to go beachcombing and I used to do
24 that to really be with my own thoughts. That idea that
25 everything was exposed and impersonal is part of the

1 experience.

2 Q. Looking then at the dormitory set-up, do you remember if
3 you were in the same dorm or if you moved between
4 different dorms during your years at the school?

5 A. The dormitories, from my memory, were dependant on age,
6 so you would move -- you know, boys of similar ages
7 would be in different dormitories and then you would
8 move through the different dormitories as you moved up
9 the school.

10 Q. Do you recall if boys in your dormitory wet the bed?

11 A. I think there were a couple of boys that wet the bed.
12 I seem to recall that there was -- one of the boys used
13 to have a rubber sheet on the top of his mattress
14 because he was a persistent bed-wetter. There was at
15 least a couple of boys, I think, that were in that
16 circumstance.

17 Q. Do you recall if discipline was ever administered in the
18 dormitory side of things? We'll look at the classroom
19 set-up, but was discipline administered in the
20 dormitories?

21 A. Do you mean punishment?

22 Q. Punishment.

23 A. I don't recall there being punishment in the
24 dormitories.

25 Q. Looking at the schooling or educational side of things,

1 were you with the one teacher for your whole day, your
2 whole week, as opposed to moving between classes; do you
3 recall?

4 A. Yes. Most of the time there was a kind of form teacher
5 who did -- certainly at the early stage, Primary Four
6 and Five. It was a main form teacher that did most of
7 the classes.

8 Q. And Brother MFN is somebody that you speak about
9 in relation to teaching.

10 A. Yes.

11 Q. Was he somebody who taught you when you first arrived
12 at the school?

13 A. He taught the younger boys, yes.

14 Q. And as a teacher, what was he like?

15 A. He was quite popular with the boys because he used to --
16 you know, he kind of used to -- you know, whether you
17 consider it appropriate, I suppose, he could try and be
18 kind of quite fun and he used to deliberately use silly
19 turns of phrase and things in order to be funny, so
20 he was quite popular. But he had a bit of a kind of --
21 dual personality might be a strong word but he had
22 a temper he would occasionally exhibit. So on the one
23 hand he could be quite popular but all the boys were
24 aware that he could turn if something didn't please him.

25 Q. And if something didn't please him in class, what would

1 happen?

2 A. It would depend on the severity of the crime, as it
3 were. If there were sort of minor misdemeanours, he
4 would dispense punishment with maybe a ruler to kind
5 of -- you used to get a smack on the hand with a ruler.

6 Q. Did that happen to you?

7 A. Yes. I was generally fairly well-behaved except that
8 I did talk a lot in class. I've always unfortunately
9 been afflicted by talking quite a lot in places when
10 I shouldn't and that problem followed me through my
11 schooling. So usually if I was being punished it was
12 probably for talking when I shouldn't have been.

13 Generally speaking, I was -- that was the minor end
14 of punishment, so a smack on the hand with a ruler.
15 More severe kind of offences would be dealt with with
16 a belt, by the tawse, not so often.

17 Q. And if the tawse was used, can you explain to me how
18 that was used? Was that on the hands?

19 A. Yes.

20 Q. And how many strokes would be administered?

21 A. I don't remember anybody getting more than about one or
22 two strokes from Brother MFN

23 Q. Do you recall if you were belted by Brother MFN

24 A. I can't remember.

25 Q. Were there other forms of punishment?

1 A. Well, the strangest form of punishment that he dispensed
2 was to take boys into what we called the parlour, which
3 was a small room which had a piano in it and they used
4 to have piano lessons in there, to nip boys on the
5 bottom.

6 Q. So the parlour that you mentioned there, was that
7 outwith the classroom?

8 A. Yes.

9 Q. If a boy or boys were to be taken to the parlour, would
10 that happen during class time?

11 A. Yes.

12 Q. So would you be taken out of the class by
13 Brother MFN to the parlour?

14 A. Yes.

15 Q. And did that happen to you?

16 A. It happened to me on one occasion, yes.

17 Q. Were you on your own with Brother MFN or was there
18 any other boys there?

19 A. I have a recollection that there was another boy but
20 I can't clearly remember.

21 Q. You were taken to the parlour?

22 A. Mm-hm.

23 Q. And what happened once you were there?

24 A. And then Brother MFN nipped me on the bottom, one
25 nip on each side.

1 Q. Was that over your clothing?

2 A. Over my clothing.

3 Q. And what did he use to nip you?

4 A. His fingernails.

5 Q. Was that painful?

6 A. It was.

7 LADY SMITH: Was this in addition to or instead of him using
8 the belt?

9 A. In addition to -- sorry, on that occasion, I don't think
10 I was belted, so it would be instead of. Sorry.

11 LADY SMITH: But do you know if he ever used both the belt
12 punishment and nipping on a boy?

13 A. I have no recollection of that. I suspect not.

14 LADY SMITH: Thank you.

15 MS MACLEOD: I think in your statement you describe it as
16 a sliding scale from using the ruler to the belt --

17 A. Yes.

18 Q. -- and then that the nipping, I think you say, was his
19 last measure.

20 A. Yes.

21 Q. Do you know if other boys were taken to the parlour?

22 A. Yes.

23 Q. Did you see boys being taken out of the class?

24 A. Yes.

25 Q. Are you able to give me any idea of how often that

1 happened?

2 A. No, I can't really kind of ... It wasn't something that
3 happened on a daily basis or possibly not even a weekly
4 basis, but probably in my time there, four or five
5 times, something like that.

6 Q. Do you know if those other boys were nipped in the way
7 you were?

8 A. They reported back that they were and, as boys, we knew
9 that that was a kind of -- it was going on, you know,
10 boys obviously talked to boys and we told each other
11 what happened to each other. So it was kind of common
12 knowledge that that was a potential punishment.

13 Q. And do you know if it was usually two nips, one on each
14 side or --

15 A. I think so. There's obviously, paradoxically, a certain
16 amount of bravado amongst school boys, getting the belt,
17 you know, if you had more of the belt, there was some
18 kind of kudos in it. So that kind of idea of being
19 nipped was, paradoxically, something that you'd think,
20 well, I'm tough because it's happened to me, that sort
21 of idea. It's a strange kind of interpretation that
22 kids sometimes have.

23 Q. You tell us about an occasion or a particular occasion
24 when Brother MFN lost his temper with another boy in
25 the class. Could you tell us about that?

1 A. I recall a situation where he lost his temper and
2 slapped a child across the face and --

3 Q. How old was the child?

4 A. He'd be probably 8 or 9.

5 Q. Do you recall what kind of force appeared to be used?

6 A. Well, it was a full-handed slap.

7 Q. How did the boy react?

8 A. I don't recall. He probably just accepted it.

9 Q. Do you recall what led up to this slap?

10 A. I don't recall the circumstances, no.

11 Q. What was your response or your feelings about that
12 at the time?

13 A. I don't really recall specifically, but the regime was
14 such that you kind of accepted when these things
15 happened. As an adult now, if that happened to one of
16 my children now, I'd of course be marching into the
17 school and phoning the police. But in the late 1960s,
18 as an 8 or 9-year-old child, you just accepted that
19 these people are authority figures and that was
20 a punishment that they dealt out. You didn't really
21 question the rights and wrongs of it.

22 Q. Did you see him use an implement other than the ruler to
23 discipline or punish a child?

24 A. I recall one occasion he used a cane, which I think was
25 just a garden cane rather than a punishment cane. The

1 child's hand was cut as a consequence of that. In
2 discussing it with a group of boys, you concluded that
3 there had been something sharp in the cane like a nail
4 or a staple or something which had gone into the boy's
5 hand and cut him. I don't think necessarily it was put
6 there purposefully, it may have been a consequence of
7 the fact that it was previously used in a garden rather
8 than designed for punishment.

9 Q. Did you see the cane being used on that occasion?

10 A. Yes.

11 Q. And did you see the boy's hand cut?

12 A. Yes.

13 Q. After Brother MFN class, you tell us that you then
14 moved to Brother MLA class; is that right?

15 A. I can't remember if it was directly from there, but
16 I think Brother MLA taught the older classes from
17 memory. So it may well have been in my third year at
18 school, which would be Primary Six, I think probably.

19 Q. What was Brother MLA like as a teacher?

20 A. He was -- he had a very domineering personality. Most
21 of the boys were scared of him. He also had a temper
22 and was quite kind of violent towards children.

23 Q. In terms of violence, can you give me some examples of
24 what he did?

25 A. Yes. So he, again, he could lose his temper and he

1 certainly would throw bits of chalk and blackboard
2 dusters at kids across the room. I saw him once pull
3 a child across a desk, lean over and pull him out of his
4 chair over the desk. And I also remember seeing him
5 push a child, slam a child into the wall, push him into
6 the wall. That sort of thing. These would be flashes
7 of temper that he would exhibit.

8 Q. Were you scared of Brother MLA ?

9 A. Sure.

10 Q. I think in your statement at paragraph 34 you describe
11 him as, "A big, tough, angry guy".

12 A. Mm.

13 Q. You've touched on this aspect already, but you say that:

14 "There was never any compassion shown when [you
15 were] at St Columba's."

16 You also say that:

17 "Neither was wilful cruelty evident."

18 Can you elaborate upon that for me?

19 A. Well, I didn't get the impression that the
20 Marist Brothers were kind of deliberately trying to hurt
21 children or were kind of cruel, cruelly devising ways to
22 hurt children. I think it was more just the fact that
23 their idea of authority and punishment was overly severe
24 and violent. So the consequence was that it was
25 a scary, violent experience. But I don't think they

1 sort of schemed about ways to hurt children per se.

2 Q. You tell us about an occasion when you had a nightmare
3 at the school and what you did following that.

4 A. Yes.

5 Q. Can you perhaps describe that?

6 A. I had a nightmare, and I didn't suffer from nightmares
7 that often, but occasionally I did, and when I was much
8 younger before I went to boarding school, I was quite
9 bothered with nightmares, and what I would have done as
10 a younger child would have been to go into my parents'
11 room and got into bed with my mum or whatever. So on
12 this occasion, when I was at boarding school, I had
13 a nightmare, which terrified me, and I couldn't go back
14 to sleep again. So I ended up going and finding
15 a friend, another boy I was friendly with, and just kind
16 of asked if I could just lie down on the bed beside him,
17 just for some comfort. I didn't get under the covers,
18 just lay beside him, really just to make me feel
19 a little bit better, and he was good enough to allow me
20 to do that.

21 After I'd calmed down a bit and got my composure
22 back together again, I went back to bed.

23 Q. I think, reflecting upon that, you say that you think it
24 shows that you couldn't go to the Marist Brothers
25 themselves for comfort or support.

1 A. Yes, exactly. So the fact that I -- the obvious person
2 to go to would have been the teacher or the person in
3 charge, but I didn't obviously feel that I could do
4 that, so I had to pick another boy instead. It was
5 quite a high-risk strategy. In a boys' boarding school
6 there's a latent fear of homosexuality that's always
7 there in the background, so to be accused of being
8 homosexual would be something that most boys would want
9 to avoid and doing something like that could be
10 misinterpreted in that way.

11 Q. The way the teachers were treating the boys, you've told
12 me about Brother MFN and Brother MLA and that
13 you were generally unhappy. Did you ever tell anybody
14 about what was going on in the school?

15 A. No, not really. Again, it's just an acceptance that if
16 your parents send you to a boarding school, you go to
17 the boarding school. I suppose I internalised my
18 unhappiness.

19 Q. Did there come a time when you left St Columba's,
20 I think when you were around 11, and you went on to
21 St Joseph's?

22 A. Yes.

23 Q. Is that right?

24 A. Correct.

25 Q. Did you go to St Joseph's for Primary Seven?

1 A. Indeed.

2 Q. At St Joseph's, which we know was a secondary school,
3 were there also Primary Six and Seven classes?

4 A. Primary Six and Seven and then first year to sixth year,
5 yes.

6 Q. Do you recall if the Primary Six and Seven classes were
7 called control 1 and control 2?

8 A. I can't remember.

9 Q. St Joseph's, that would have been a bigger school,
10 a larger school than St Columba's?

11 A. Significantly, yes.

12 Q. Was there a main building which was the school building
13 with classrooms?

14 A. Yes.

15 Q. And did that accommodate the dormitories excluding the
16 senior dormitories?

17 A. Yes. The upper floors of the building -- I think it was
18 a three or four-storey building, and maybe higher. So
19 the upper floors were the dormitories and the lower
20 floors -- I think the ground floor and the first floor
21 were classrooms.

22 Q. Was there a separate house that accommodated the
23 Marist Brothers?

24 A. There was. There was kind of several buildings on the
25 site, so there was a main building, there was another

1 house, another building called the Mount, which was
2 where most of the Marist Brothers lived, and I think
3 there was also a cemetery, its own cemetery attached to
4 that. And then there was another building at the back
5 which also had the classrooms for the younger -- the
6 Primary Six, Primary Seven, and dormitories for the
7 older boys.

8 There was a gym, the sort of PE gym block. There
9 was a building called the Ranch, which was like a sort
10 of common room for fifth and sixth year, I think. And
11 there was some kind of Portakabin prefab type buildings,
12 which had a -- which we'd use for things like
13 recreation. And the priests' house, of course,

14 [REDACTED] House as it was referred to.

15 Q. When you went in to the boarding side of St Joseph's, do
16 you remember if the division had a particular name or
17 anything like that? Does the name the wee-rec ring any
18 bells?

19 A. Yes, it does. The wee-rec was the juniors and then
20 there was inters, I think, intermediates, and then mids,
21 middles, and seniors. I can't remember the exact
22 terminology. But I think kind of four main divisions.

23 Q. Who was the SNR [REDACTED] when you started at St Joseph's?

24 A. I can't remember his name, but we used to call him

25 MYZ [REDACTED] He was a quite short person.

1 Q. [REDACTED]

2 A. [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 Q. Looking to your first period at St Joseph's when you

6 were living in the wee-rec, was there a particular

7 brother allocated to looking after your dormitory?

8 A. There was Brother CIPHER WITH [REDACTED]

9 Q. What was his role then in relation to the wee-rec?

10 A. I think he was a retired teacher, he didn't teach

11 anymore, and he was kind of the dorm master.

12 Q. Can you describe for me what he was like?

13 A. So he was an elderly sort of gentleman. I recall he had

14 a [REDACTED] and quite a short temper. Not friendly,

15 really, not a friendly character. A bizarre choice for

16 the younger children, I thought in latter life, but

17 nevertheless.

18 He had a room in the dormitory where he had -- he

19 used to smoke a lot and drink alcohol. If you went to

20 his room, you only ever really went into his room either

21 to be punished or if you had a radio or something and

22 you were allowed to keep it in his room and use it and

23 then put it back again at night. I remember the smell

24 of the room was always the stale smell of tobacco and

25 occasionally alcohol -- and off his breath you could

1 smell alcohol.

2 Q. If you were to be punished by Brother CIPHER WIT in his
3 room, what would that entail?

4 A. Mostly belting with the tawse.

5 Q. Did that happen to you?

6 A. It happened on a couple of occasions, yes.

7 Q. Was that on your hands?

8 A. Yes.

9 Q. Do you recall how many strokes he would administer?

10 A. I don't ever remember getting more than probably four,
11 maybe two on each hand.

12 Q. And aside from belting on the hands, do you recall any
13 other physical punishment administered by him?

14 A. I didn't witness it, but boys had talked about the fact
15 that he could lose his temper, he could kind of hit boys
16 across the body with the belt, just lash out at them.
17 I didn't witness that, but that's certainly what was
18 talked about among other boys.

19 Q. You mention in paragraph 48 of your statement that the
20 dorm master occasionally did a dorm patrol.

21 A. Mm.

22 Q. Is that a reference to Brother CIPHER WIT or more
23 generally?

24 A. Mostly -- the patrols were -- well, so certainly in the
25 younger -- for younger boys, I think, in the wee-rec and

1 also in the intermediates, they were open dormitories
2 with lots of beds in rows. So the dorm masters used to
3 patrol occasionally.

4 The mids had sort of cubicles, I think I recall,
5 with curtains. So they may well have patrolled up and
6 down the corridor between the curtains, but you wouldn't
7 necessarily have seen them if you had the curtain
8 closed.

9 Q. Jumping forward slightly to paragraph 74 of your
10 statement, where you give us some further information
11 about Brother CIPHER WIT, you say that he was a notorious
12 drinker.

13 A. Mm.

14 Q. Can you just tell me about that?

15 A. There was just this kind of smell of alcohol on his
16 breath. There were definitely occasions when he was
17 drunk on duty, as it were.

18 Q. How did that manifest itself?

19 A. He would be unsteady on his feet. His temper would
20 flare more if he was drunk than if he was sober. Boys
21 were kind of more wary of him and scared of him if
22 he was obviously drinking.

23 LADY SMITH: Did you see what it was that he drank?

24 A. No.

25 MS MACLEOD: Was there a particular rule in relation to boys

1 not being allowed to go to the toilet?

2 A. Yes.

3 Q. Can you explain that?

4 A. After lights out, you weren't allowed to go to the
5 toilet for half an hour after lights out.

6 Q. Do you know why that was?

7 A. Well, I suppose the rationale was that everybody was
8 supposed to go to the toilet before lights out and you
9 had opportunity to do that and then if you had gone
10 within -- if you needed to go to the toilet within the
11 first 30 minutes, clearly you hadn't taken the
12 opportunity to go before lights out, I presume. That's
13 the only rationale I can think of.

14 Q. Did boys sometimes go to the toilet during that half
15 hour?

16 A. Occasionally. Myself included, yes.

17 Q. And did anything happen as a result?

18 A. If you were caught. So, yes, the object was to sneak
19 past -- his room was at the entrance to the dormitory,
20 so you had to go past Brother CIPHER WITH room in order to
21 exit to get to the toilet. So you went out the door and
22 then the toilets were on a kind of landing and he used
23 to leave his door ajar. I think he had a TV in the
24 room, I seem to recall.

25 So if you needed to go to the toilet in the first

1 30 minutes it was a case of sneaking past his door,
2 checking to make sure you didn't make any floorboards
3 squeak, all of that stuff, trying to get out the door
4 without the door squawking, and then, worse still,
5 having to come back in again and sometimes find him
6 waiting for you when you were coming back in again.

7 Q. And were there occasions when he was waiting for you?

8 A. Yes.

9 Q. What happened on those occasions?

10 A. So I think on the occasion -- the once or twice that
11 I was caught, it would be into his room to get the belt.

12 Q. You have mentioned already that Brother CIPHER WIT had
13 a [REDACTED] One thing you say in relation to the belt
14 is that sometimes he would miss boys' hands with the
15 belt.

16 A. Yes. I suspect it was because he was drunk --

17 Q. I see.

18 A. -- which is why he missed, because one would expect that
19 somebody with such great experience and skill at belting
20 boys for years and years and years, he would know how to
21 do the job properly. But occasionally he would miss and
22 the belt would hit his soutane, his robe, and he would
23 say, "Did I get you? Did I get you?" and of course
24 you'd always say yes, naturally.

25 Q. Turning to the schooling side of things, in relation to

1 the standard of the education, I think you say that
2 brothers did the teaching in the main.

3 A. Yes.

4 Q. Something you say -- this is at paragraph 56 -- is that
5 for yourself, none of the teachers inspired you.

6 A. No.

7 Q. You mention again that they were an authoritarian
8 regime.

9 A. Mm.

10 Q. You go on to say that you don't recall any praise or
11 recognition for good work.

12 A. I don't.

13 Q. So in relation to your own education at the school then,
14 how would you comment on that?

15 A. Well, I don't think my parents got value for money, or
16 my father's employer got value for money, shall we say,
17 because I didn't consider the education to be
18 particularly good. Subsequently, in my life, I've
19 embraced the concept of education and have really become
20 a lifelong learner and have achieved a number of
21 qualifications and postgraduate qualifications, but
22 at the time I wasn't inspired at all to do well at
23 school.

24 It was really -- I think a lot of it was really
25 about just kind of surviving the experience, so there

1 wasn't any particular incentive to do well at school.
2 Maybe the reason I didn't get any praise is because
3 I wasn't worthy of praise in their eyes perhaps. It's
4 kind of a vicious cycle, I suppose.

5 When I then left St Joseph's and went to
6 a comprehensive school in Edinburgh for fifth and sixth
7 year, it was kind of really a revelation to me about the
8 standard of education in the state sector, which was far
9 superior, and the kind of equipment and the facilities
10 that Craigmount High School in Edinburgh had compared to
11 St Joseph's College in Dumfries. I found it quite
12 eye-opening.

13 Q. The matron is somebody that you tell us about at
14 paragraph 57.

15 A. Yes.

16 Q. What was she like?

17 A. She was kind of the stereotypical matron that some
18 people think about. I think she was an ex-nurse. She
19 was a large kind of middle-aged, kind of domineering
20 woman. A no-nonsense kind of attitude.

21 Q. Do you recall having to go and see the matron?

22 A. Yes. At one point I got chickenpox, so there was
23 a sickbay that I was quarantined in for a few days.

24 The fear that we all had was this kind of check that
25 the matron did when boys were about 12 or 13 to see

1 whether their testes had dropped, and we were all
2 terrified of having to line up and have this matron ask
3 you to cough, that kind of idea. So that's something
4 that we all were terrified about.

5 Q. And is that something that was arranged in a queue, as
6 it were?

7 A. You had to wait in line and then she would get a few of
8 you and take you in one at a time, I think.

9 Q. You mention that your brother joined St Joseph's while
10 you were there and something you touch on is that you
11 didn't feel you were encouraged to mix with your brother
12 in any way. Can you elaborate on that?

13 A. There was an active policy of discouraging boys of
14 different ages socialising with each other. So the
15 wee-rec wouldn't socialise with the inters and the
16 inters wouldn't socialise with the mids and so on.

17 Q. How was that put in place? Were you told that you
18 shouldn't socialise with boys of different ages?

19 A. Well, apparently -- I think it was because there wasn't
20 the opportunity to do it as you were in different
21 dormitories and so on, so you were physically separated.
22 Also, the refectory where you had your meals was
23 separated by age.

24 So the system was set up in order to physically
25 separate different age groups from each other. But the

1 culture was such that it wasn't encouraged. I don't
2 recall there was any instruction saying: you must not
3 talk to your brother, as such. But the atmosphere --
4 the kind of regime was set up in such a way that there
5 wasn't the opportunity to have that inter-age
6 socialising.

7 Q. And indeed, you say that for all intents and purposes,
8 he may as well not have been my brother.

9 A. Exactly. And part of the problem as well is because my
10 brother was sent to a different boarding school when
11 we were younger, I've never had a close relationship
12 with my brother throughout my life as a consequence of
13 that.

14 Q. We've looked at punishment in the dormitory area at
15 least in relation to the wee-rec and I now want to ask
16 you about something you refer to as mass punishment;
17 I think this is at paragraph 65 --

18 A. Yes.

19 Q. -- of your statement.

20 If discipline was to be administered in the school
21 setting or throughout the day, was there a particular
22 brother who was in charge of that or could it really
23 depend?

24 A. It was whoever was in charge of the activity at the
25 time. So in terms of a mass punishment, they may occur

1 in class, so if somebody had done something in class and
2 nobody was owning up, then the class teacher would
3 administer the punishment.

4 Q. What would that involve?

5 A. That could be belting everybody in the class. Or if it
6 was in a recreational setting, it would be whoever was
7 in charge of overseeing the recreation activity at the
8 time.

9 Q. I think you tell us about a time that you recall in the
10 recreation hall when something happened and a brother
11 came in. Can you remember which brother that was?

12 A. No, I can't remember his name. I remember he was
13 a tall, thin brother, with kind of fair hair, but
14 I can't remember his name.

15 Q. Do you remember how old you were at that time?

16 A. Not specifically. Probably 13, 14, something like that.

17 Q. And what happened on that occasion?

18 A. I think in that recreation hall, there were table tennis
19 tables and something happened with the table, I can't
20 remember exactly what, but somebody broke something or
21 threw something across the room, whatever it was. So he
22 basically just asked for somebody to own up for whatever
23 it was and nobody would own up. There were a number of
24 boys in that area at the time, so he basically just
25 said, "Right, everybody line up", and if nobody was

1 going to come forward, then he was going to belt
2 everybody and so he just lined everybody up and he
3 started working his way through everybody, giving them
4 one or two of the belt each, then out the door, next,
5 next, next, just like that there.

6 Q. Did something happen when he came to you?

7 A. He came to me and for some reason I refused. I wouldn't
8 normally have refused in those situations, and I had
9 been punished before in mass punishments and accepted
10 it, but whatever was going through my mind in that day,
11 the sense of injustice or whatever it happened to be,
12 I decided to make a stand and refused to accept the belt
13 because I hadn't done anything wrong and he didn't
14 pursue it.

15 Q. You refer there to there having been a number of
16 occasions of mass punishments that you recall; do you
17 remember how often that kind of thing happened?

18 A. Well, I think it happened quite often throughout the
19 school, but obviously I wasn't party to -- as I have
20 said, because there was little mixing between different
21 age groups, so if something was happening off in the
22 mids or whatever, I wouldn't necessarily know about it.
23 But I certainly can recall seeing it happen at least
24 four or five times in the time I was there.

25 I remember it happened in the refectory once, not

1 with the group that I was in, but the older group.
2 I remember there was somebody had done something,
3 I don't know what it was, and basically at the end of
4 the meal the Marist Brother in charge said, everybody
5 out except for this section here, and everybody in that
6 section had to stay behind, and they all got belted for
7 whatever it was that happened.

8 Q. You tell us about a particular occasion -- I think this
9 is when you were in the Primary Seven classroom
10 setting -- when you were to be belted and I think you
11 describe this as something that was quite humiliating
12 and embarrassing for you.

13 A. Oh yes.

14 Q. Can you recall what happened on that occasion?

15 A. Yes. The Primary Seven teacher didn't have a belt;
16 however, the Primary Six teacher did, Mrs Sweeney.
17 I can't remember the name of the Primary Seven teacher.
18 She was normally quite a congenial sort of woman as far
19 as I recall, but for whatever reason, probably because
20 I had been told to stop talking and I'd carried on,
21 I imagine, she told me she was going to belt me. So
22 because she didn't have a belt, she told me to go along
23 to the Primary Six classroom and get the belt off
24 Ms Sweeney and bring it back. Having to go and ask for
25 punishment, as it were.

1 What has remained with me is the sort of attempt of
2 the Primary Six teacher to kind of humiliate me at the
3 time. So I went into the classroom, I remember, and had
4 to go and ask her for the belt and of course she
5 answered, "Didn't quite hear you, speak up". So there
6 was an obvious attempt to humiliate me in front of the
7 other kids and, worse still, because these kids were the
8 year below, so it was doubly humiliating because I was
9 being humiliated in front of younger children and then
10 to get the belt, take it back to Primary Seven, and she
11 dispensed the punishment, and then I'd have to take the
12 belt back again to Mrs Sweeney and give it back to her
13 again.

14 So it was just that whole idea of the kind of ritual
15 humiliation. It's difficult enough to be punished but
16 when you're going to be humiliated as well, that's even
17 worse than the pain of the physical punishment.

18 Q. You mentioned the gym teacher in relation to punishment;
19 what was his name?

20 A. Mr Craig. He was a lay teacher.

21 Q. And what was his role in relation to punishment?

22 A. He was a PE teacher, but he seemed to be the chosen one
23 to dispense justice when it was a serious misdemeanour.
24 So we were let out sort of at weekends and things into
25 the town and if somebody occasionally -- maybe one of

1 the boys were caught shoplifting, and if that were to
2 happen, if the police brought the boy back to the
3 school, then that would be considered to be a major
4 misdemeanour, and quite often it would be him nominated
5 to dispense the belt rather than the headmaster or
6 whatever.

7 Q. And who would nominate him?

8 A. Presumably the headmaster.

9 Q. Were you ever given corporal punishment by the gym
10 teacher?

11 A. Not by Mr Craig.

12 Q. Did you see other people?

13 A. I didn't witness it, no. I am aware of the fact that it
14 happened and obviously I was told about it and so on.
15 But I didn't witness it.

16 Q. I think in relation to him, you say that he would give
17 six of the belt on the hand and you would definitely
18 know you'd been belted?

19 A. Yes. That was the kind of reports back from the boys
20 that had been belted. If it's such a major
21 misdemeanour, you wouldn't get one or two of the belt,
22 it would be six anyway.

23 Q. Did the SNR [REDACTED] himself, Brother MMK [REDACTED], administer
24 corporal punishment?

25 A. Occasionally, yes.

1 Q. Did you experience that?

2 A. On one occasion, yes.

3 Q. What was the process if that was to happen?

4 A. The process would be you'd have to go to his office and
5 he had a kind of -- when you went into the SNR
6 office, from memory there was kind of an outer office
7 where his secretary worked, who was a layperson. He had
8 an office, an inner office, and there was a kind of
9 traffic light system, a kind of red, green and amber
10 light system, and you had to wait until the light went
11 to red before you went in the office. So you'd have to
12 sit and wait until called into the office.

13 Q. Would that be another brother or teacher who would refer
14 you to the SNR ?

15 A. Yes, I would think so. I don't recall the circumstances
16 or why I was sent.

17 Q. And again, would that be the belt on the hand?

18 A. Yes.

19 Q. And do you recall how many strokes?

20 A. One or two, I think.

21 Q. Was there bullying at St Joseph's while you were there?

22 A. Yes, there was some bullying. I recall on a couple of
23 occasions fights. There were a couple of prefects --
24 they had a prefect system and I remember on one
25 occasion -- at least one of the prefects was a known

1 bully and sometimes the prefects would take the homework
2 session in the evening. I remember on one occasion,
3 again one of my rare moments of defiance, I was in
4 a homework session and wanted to go to the toilet. You
5 had to ask permission to go to the toilet in homework
6 sessions and the prefect who was on duty at that time
7 refused me permission.

8 I defied him and went anyway. I was expecting to be
9 beaten up as a consequence of that, but it didn't
10 happen. But I remember the fear of facing down this
11 guy, who was significantly bigger than me physically as
12 well, and as an adult thinking back to that occasion
13 I thought it's really -- I don't know if it was just
14 lack of insight or what, but the idea of a teacher
15 making a bully a prefect and then giving him control
16 over other children just seems bizarre to me. I don't
17 know why you'd do that.

18 Q. You've mentioned in passing cassette players before;
19 is that something that you were permitted to have when
20 you were a bit older?

21 A. Yes.

22 Q. I think you tell us that there was an arrangement that
23 you were to leave them with the dorm master for
24 safekeeping.

25 A. Well, not so much for safekeeping, but to prevent you

1 using them after lights out.

2 Q. I see. So did there come a point in the evening when
3 you would have to hand them in?

4 A. They lived in the dorm master's room in effect, and so
5 you could have access to them in the evening, sort of
6 after homework time and before lights out. You could go
7 and get them, listen to your music or whatever, and then
8 you had to take them back to the dorm master's room
9 before lights out.

10 Q. So do you remember which division of the school --

11 A. I think that was in the inters.

12 Q. So would you have been perhaps around 14?

13 A. Thereabouts.

14 Q. You tell us in your statement at paragraph 76 of
15 a particular occasion, I think, when there was
16 a stand-in brother in charge of your dormitory?

17 A. Yes.

18 Q. Who was the brother who would usually be in charge of
19 that dormitory; do you recall?

20 A. I can't remember his name.

21 Q. Do you recall the name of this stand-in brother?

22 A. I think it was Brother Damien.

23 Q. Can you tell me then -- first of all, you say that this
24 brother had a bit of a reputation.

25 A. Mm.

1 Q. Can you tell me about that: what was his reputation?

2 A. His reputation was that -- I think he taught French from
3 memory. But he had this kind of habit, when boys were
4 in the classroom, of walking up and down between the
5 desks when boys were working on whatever they were
6 supposed to be working on, and fumbling in the front of
7 his trousers as if he was playing with himself. The
8 boys used to call him "the Wanker", that was the kind of
9 nickname that he had.

10 Q. And did you see him walking up and down, playing with
11 himself?

12 A. I did.

13 Q. And would he be doing that on top of his clothing or
14 underneath?

15 A. Underneath his soutane and his cassock. I think they
16 had these cassocks which they wore over trousers and
17 a shirt.

18 Q. On this occasion when he was the stand-in dorm master,
19 can you tell me what happened?

20 A. On this particular circumstance I went into his room to
21 get a radio or a cassette and at that -- in the dorm
22 master's room, he had a locker, a wooden locker, and he
23 had kind of -- which was kind of in the corner of the
24 room. He had repositioned this locker facing the door
25 so he could lean on it and look out over the dormitory

1 to watch the boys, look over them.

2 So I went behind him to where the radios and
3 cassettes were stored to get this particular cassette.
4 He was kind of half sort of backside-on to me, and when
5 I stood up, I noticed his hand was in his pocket -- they
6 had these large pockets -- and his penis was in his hand
7 and he appeared to be masturbating.

8 Q. Did you see his penis?

9 A. Yes.

10 Q. Did he see you?

11 A. Well, he didn't -- obviously he made eye contact as
12 I came into the room and went out of the room again. So
13 whether -- I can't remember clearly whether he was
14 deliberately masturbating and looking at me or he was
15 side on to me. I was kind of shocked by the sight of
16 his penis in his hand and his pocket, so that was what
17 took my attention and then I kind of hastily left the
18 room.

19 Q. Just going back to what you said a few moments ago
20 in relation to this brother and his behaviour in the
21 classroom, I think you mentioned he had the nickname of
22 Wanker?

23 A. Mm.

24 Q. Did boys discuss between themselves what they were
25 seeing him doing in the classroom?

1 A. Yes.

2 Q. So was it discussed then that he would be playing with
3 himself?

4 A. Yes. I recall there used to be jokes about --

5 I remember because of this cord, this cord, girdle thing
6 that they had, quite often the Marist Brothers would put
7 it in their pocket to stop it catching in doorways and
8 things like that, and I remember a discussion between
9 boys about the fact that he was maybe using this cord as
10 an aid to masturbation, and boys were kind of daring
11 each other to grab his cord and pull it out of his
12 pocket to hurt his penis. Nobody ever did it to my
13 knowledge, but that was the kind of banter, as it were,
14 amongst the boys, so it was well-known.

15 Also I seem to recall that there was discussions
16 about the fact that -- he was quite a tactile sort of
17 person, so he would quite often put his hand on the
18 shoulder of a boy over the desk and of course we would
19 all be horrified at the prospect of doing that, having
20 thought where his hand had just been prior to putting it
21 on your shoulder. So that was the general kind of
22 discussion that boys had amongst them.

23 Q. I see. You tell us at paragraph 78 that you were never
24 aware of any boy being groomed by a Marist Brother
25 during your time.

1 A. Yes.

2 Q. You say that you yourself weren't shown any form of
3 favouritism.

4 A. I wasn't, no. I'm aware of the fact that subsequently
5 there have been public disclosures of the fact that some
6 boys have been groomed and were sexually assaulted
7 at the school. But I myself didn't witness it or wasn't
8 party to it or aware of it at the time.

9 Q. We've touched on this in relation to St Columba's, but
10 you say in relation to St Joseph's that there wasn't
11 really anybody that you could have gone to to tell that
12 you weren't happy.

13 A. Yes.

14 Q. And what you do say is that nominally it should have
15 been the dorm master --

16 A. Mm.

17 Q. -- or the housemaster.

18 A. Yes.

19 Q. I take it that that wasn't somebody that you felt you
20 could speak to?

21 A. No. They were all part of the authority establishment,
22 so there was a them-and-us kind of atmosphere and
23 consequently you wouldn't go and confide in the
24 authority figure.

25 Q. And I think you say the same in relation to the priest,

1 you say that you saw him as part of the establishment?

2 A. Indeed, yes.

3 Q. There came a time, Gerry, when you left the school,
4 I think you tell us you did your O levels, and then,
5 when you were 16, you left in 1976.

6 A. Yes.

7 Q. You've already told us in fact that you went to
8 Craigmount High School in Edinburgh.

9 A. Yes.

10 Q. You tell us in paragraph 81 that it was a revelation for
11 you to go there.

12 A. Yes.

13 Q. Was that a positive experience for you at that school?

14 A. It was, yes.

15 Q. From there, did you go on to college?

16 A. I did.

17 Q. And I think you tell us that you dropped out of college
18 after your first year.

19 A. Yes.

20 Q. Then you spent time in various jobs and then you went
21 back to education and to college?

22 A. Yes.

23 Q. And I think you tell us that you have since gone on and
24 you have a degree and several postgraduate
25 qualifications and you're a lifelong learner and are

1 still studying now?

2 A. Indeed.

3 Q. In terms of work, I think you tell us that you work for
4 a local authority, and you're also training to be
5 a counsellor.

6 A. Indeed, yes.

7 Q. And you're married with children?

8 A. Yes, I am.

9 Q. In terms of the impact that your experiences at the
10 schools have had on you, you talk about this in
11 paragraphs 84, 85 and onwards. You say that your own
12 family hadn't been a particularly affectionate family,
13 but that you had come from a loving family, and you
14 comment on the change of going to the austere,
15 authoritative regime --

16 A. Mm.

17 Q. -- at such a young age.

18 A. Yes.

19 Q. Is that something that you feel has had an impact on
20 you?

21 A. It has indeed. When I say my family wasn't
22 affectionate, I think more -- what I really mean is sort
23 of tactilely so. But I never doubted for a minute my
24 parents loved me. My father particularly told me many
25 times he did, so that was never a doubt to me. But

1 I think at the age of 8 any child needs a kind of
2 loving, nurturing environment, and that wasn't the case
3 at boarding school.

4 So subsequently, I've undergone counselling. I've
5 had difficulty with my intimate relationships with the
6 two marriages that I've had. It's become apparent both
7 by what my wives have told me and what has been revealed
8 in my therapy and counselling that I've developed coping
9 mechanisms, which, whilst they served me well perhaps at
10 boarding school to protect me from the environment, have
11 had a very negative impact on me subsequently to that.

12 Q. And I think in that regard you tell us that you feel
13 you've put a hard shell around yourself and that that
14 can prevent people from getting close to you.

15 A. Yes. There's an obvious kind of, I suppose, reaction to
16 not wishing to be vulnerable because vulnerability can
17 lead to being hurt. I've always been -- I used to think
18 of myself as being kind of fortunate that I was never
19 particularly bullied. I think it's more because I was
20 careful to find a way to avoid being bullied rather than
21 the fact that I was just lucky. Because I did see other
22 boys that were bullied and I cultivated a kind of
23 persona which trod a fine line between avoiding being
24 vulnerable and having enough street cred to be accepted
25 as not to be picked on, but not going too far to get

1 myself into too much trouble.

2 So walking that line is a difficult thing to do
3 through your life and is not conducive to loving,
4 intimate relationships later on in life.

5 Q. Something you say is that you don't believe the
6 particular incidents of having your bottom nipped or
7 seeing the brother masturbate, you don't think that
8 those have necessarily had a contributory factor to the
9 impact on you. I think you feel it's the authoritarian
10 experience of boarding school as a whole that has
11 impacted you; is that right?

12 A. I think so. It's difficult to be able to say.
13 Certainly, when I've confided in counsellors that those
14 events occurred to me, the counsellors have been almost
15 more outraged on my behalf than I am myself. And
16 I don't really feel a lot of -- I don't feel anger
17 particularly towards these people; I feel sorry for
18 them, paradoxically. I think they're people who had
19 their own problems, their own demons, and clearly were
20 unable to make rational, compassionate decisions.

21 Those were two kind of isolated incidents, as it
22 were, whereas I had eight years of a coercive, corrosive
23 authoritarian regime at a young stage of my life and
24 that, I believe, has really had more of an impact on me
25 than itself.

1 Q. In terms of formal reporting, you say that you haven't
2 ever formally reported what happened during your period
3 in school.

4 A. Yes.

5 Q. In the final paragraphs of your statement, you set out
6 some lessons which you think could be learned. At
7 paragraph 97 you say:

8 "[You] hope the inquiry exposes the level of abuse
9 that took place. Only by exposing it can it be
10 addressed."

11 A. Yes.

12 Q. And you go on to say, picking up on what you have just
13 been describing that:

14 "[You] would like some analysis done in relation to
15 bringing children up in an authoritarian regime" --

16 A. Yes.

17 Q. -- "and the impact that has on them."

18 A. Indeed. I think there is an obvious tendency to focus
19 on the more extreme incidents of abuse to children, and
20 I can understand that, such as sexual exploitation,
21 sexual assault, severe physical violence, severe
22 psychological abuse. I can understand why that would be
23 the case and rightly so. These things cannot be
24 tolerated in our society.

25 But I think there is perhaps an underestimated level

1 of impact about a long-term authoritarian experience,
2 such as an experience in a boarding school in the 1960s
3 and 1970s, which, whilst it may not result in people
4 falling into severe mental ill-health, nevertheless --
5 as in my case, on the surface, I'm apparently
6 a successful person, I'm married, I've got children,
7 I've got a reasonably well paid job, I've got
8 postgraduate qualifications, et cetera, et cetera, so on
9 paper, I'm a successful person, but underneath that is
10 my inability to form long-lasting relationships and my
11 own problems with having a fulfilled and happy life,
12 which is kind of under the radar. If that's happened to
13 me, I'm sure it's happened to many, many other people.

14 Q. You say that you would like public acknowledgement from
15 the authorities that they failed and I think you include
16 in that the Catholic Church and the government
17 departments responsible for education.

18 A. Yes. I'm kind of keen not to demonise one particular
19 regime or one particular organisation. I know that,
20 again, there's perhaps a tendency to try and find fault
21 and blame. But for me, this inquiry is not really about
22 that. Clearly, if people have broken the law, then they
23 should be held to account, unquestionably. But
24 nevertheless, I think there should be a collective
25 agreement that many, many different organisations, and

1 society in general, have a responsibility to bear here.

2 Holistically, all of the interconnecting parts that
3 resulted in this regime need to acknowledge their
4 responsibility and, more importantly, learn lessons so
5 that such events aren't repeated.

6 Q. Another point you make is that if there are people who
7 really need compensation or counselling, you would hope
8 that they would get that.

9 A. Yes.

10 Q. The final point I'll touch on is you say there is
11 a problem with religious ideology.

12 A. There can be a problem with religious ideology, I think,
13 insofar as it's difficult to challenge it and my own
14 personal view is that education should be secular,
15 that's my own personal view, and that there shouldn't be
16 faith-based schools because there's always a risk in
17 those circumstances that they may develop a dogmatic
18 approach, which is difficult to challenge. That's my
19 issue.

20 Q. I think something you say is that it may be that it's
21 a set of agreed rules rather than a continuous rational
22 appraisal approach.

23 A. Well, the whole issue of religious faith is faith rather
24 than it is a kind of iterative, logical, evolving
25 process, philosophy. You can't prove or disprove the

1 existence of God, you either accept it or you don't.
2 But if you have that as a starting point for the
3 development of a dogma or philosophy, then it's
4 difficult to argue against it.

5 MS MACLEOD: Thank you, Gerry. That's all the questions
6 I have for you today. Thank you very much for coming to
7 give your evidence. I'm sorry for the delay you had
8 earlier.

9 My Lady, I'm not aware of any questions having been
10 submitted for Gerry.

11 LADY SMITH: Are there any outstanding applications for
12 questions? No.

13 Gerry, that does complete all the questions we have
14 for you. Thank you so much for engaging with the
15 inquiry, both by providing your very valuable statement
16 and for coming here today to talk about your
17 experiences, and in particular engage in the sort of
18 insight and thoughtful reflection that you have done,
19 which is of enormous value to me. I really thank you
20 for that, quite separately from the picture that you've
21 helped to paint of what St Columba's and St Joseph's
22 were like for you.

23 So thank you very much and I'm now able to let you
24 go.

25 A. Thank you.

1 (The witness withdrew)

2 LADY SMITH: I take it that completes our evidence for
3 today, Ms MacLeod?

4 MS MACLEOD: It does, my Lady. We have three witnesses
5 lined up to give evidence tomorrow.

6 LADY SMITH: Starting at 10.00?

7 MS MACLEOD: Yes.

8 LADY SMITH: Very well. I'll rise now until 10.00 tomorrow
9 morning.

10 (4.23 pm)

11 (The inquiry adjourned until 10.00 am on

12 Thursday, 10 October 2019)

13

14 I N D E X

15

16 "NIGEL" (affirmed)1

17

18 Questions from MR MacAULAY1

19

20 "GERRY" (affirmed)119

21

22 Questions from MS MacLEOD119

23

24

25