

Friday, 18 July 2025

(10.00 am)

LADY SMITH: Good morning, and welcome back to our evidential hearings on the last day of this section of our hearings looking into the provision of residential care for children with healthcare, additional support needs and disability needs.

Now, we turn to a witness in person, who is here this morning and ready I think; is that right?

MS INNES: Yes, we do, my Lady.

This witness has the pseudonym 'Oliver'. 'Oliver' was initially an assistant biology teacher at Lendrick Muir School from May 197█ until 198█ when he was promoted to SNR █.

At the end of 198█, he became SNR █ in which role he remained until 199█, so he was at Lendrick Muir School from May 197█ until 199█.

LADY SMITH: Thank you very much.

'Oliver' (affirmed)

LADY SMITH: 'Oliver', thank you for coming along this morning to help us here at the Inquiry with your oral evidence in relation to your time at Lendrick Muir.

I also, of course, already have your written evidence and that's been really helpful to be able to study it in advance. Thank you for that.

1 It's on the desk there in that red folder in front
2 of you. So that will be available if you want to refer
3 to it at all and we'll also bring sections of it up on
4 screen as we go through it.

5 A. Right.

6 LADY SMITH: You can use either or both or neither, as you
7 please.

8 The plan is that I'll hear evidence from you, from
9 now right through until 11.30, when I normally have
10 a break, but if you would like a break before then,
11 please just tell me. That's not a problem. Because my
12 mission is to do what I can to make what I know is
13 a difficult thing to do as comfortable as I reasonably
14 can for you.

15 A. Okay.

16 LADY SMITH: When I say I know it's difficult, I do
17 appreciate that we've brought you into a public forum to
18 talk about matters that happened quite a long time ago
19 and in some of them in some detail and you'll be aware
20 that some of the questions that we have for you may be
21 a bit difficult. So I do understand that and we'll do
22 our best to help you to get through it as comfortably as
23 you can, as I say.

24 It is possible that you may be asked questions, the
25 answers to which could incriminate you. You have --

1 it's really important that you understand, you have all
2 the rights here that you would have in a court. This
3 isn't a court it's a public inquiry, but you have the
4 same protections and that means if you are asked
5 a question the answer to which could incriminate you,
6 you don't have to answer it. It's your choice. But if
7 you do choose to answer it, I, of course, expect you to
8 provide a full answer. Does that make sense?

9 A. Yeah, yeah.

10 LADY SMITH: If you've got any doubts at any time about
11 that, and any doubts as to whether we're straying into
12 that territory or not, please just check rather than sit
13 worrying about it. All right?

14 A. Okay, yeah.

15 LADY SMITH: If you're ready, I'll hand over to Ms Innes and
16 she'll take it from there. Thank you.

17 Questions by Ms Innes

18 MS INNES: Thank you, my Lady.

19 'Oliver' can we begin by looking at your statement,
20 please, which has the reference WIT-1-000001628 and if
21 we can look on to the final page of it, first of all --
22 well, sorry, the second-last page, page 33, at
23 paragraph 143, you say there:

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

1 I believe the facts stated in this witness statement are
2 true.'

3 And over the page, I think, we can see that you
4 signed the statement on 1 July 2025; is that correct?

5 A. Yes.

6 Q. Now, if we go back to the beginning of your statement
7 now, at paragraph 1, you tell us that you were born in
8 1948; is that correct?

9 A. Correct, yes.

10 Q. Then at paragraph 2, you go on to set out your
11 qualifications and you refer to your degree and then
12 undertaking a postgraduate certificate in education.
13 Was that in respect of a certain age group of children
14 or --

15 A. Secondary.

16 Q. Secondary?

17 A. Secondary age, yeah.

18 Q. And then, after undertaking that qualification, you then
19 taught in a girls' school in Nottinghamshire for
20 two years, from 1970 to 1972?

21 A. Yes.

22 Q. And then between 1973 and March 197█, you worked in
23 a boys' boarding school in Nigeria; is that right?

24 A. Yes.

25 Q. Again, that was with the equivalent of secondary-aged

1 children?

2 A. Yes.

3 Q. And then at paragraph 4, you say that you came back to
4 the United Kingdom and you saw a job advertisement for
5 Lendrick Muir School and I think we know that you --
6 well, you say that you were interviewed in May 197█ for
7 that job?

8 A. Correct, yeah.

9 Q. Why did you decide to apply for a job at Lendrick Muir
10 School?

11 A. Well, having been in a very interesting job in Nigeria,
12 with a very different kind of educational experience,
13 I was looking for something again a bit more of
14 a challenge and when I saw that this school was a kind
15 of special school, to help children with emotional
16 difficulties, as I say in my evidence there, they were
17 called 'maladjusted' at that time and I thought that
18 would be an interesting opportunity.

19 Q. And if we go on over the page to page 2 and paragraph 7,
20 as you've just said, you noted that Lendrick Muir was
21 advertised as 'a school for maladjusted children', and
22 what did you understand by that at the time?

23 A. Just that they were difficult children with
24 behavioural -- perhaps disruptive, perhaps they might
25 have been excluded from school, children, yes, basically

1 had behavioural problems.

2 Q. And you go on in paragraph 7 to say that there wasn't

3 the awareness of specific learning difficulties that we

4 have now, such as autism, Asperger's, dyslexia and

5 dyscalculia?

6 A. Yeah.

7 Q. Were some of the children at the school -- would you

8 have said that, if they were now being considered, they

9 might obtain a diagnosis of autism?

10 A. I think it's very likely, yes, yes.

11 Q. And you say that essentially the bottom line was, at the

12 end of paragraph 7, that they weren't able to cope in

13 mainstream school?

14 A. For whatever reason, or the schools couldn't cope with

15 them, yes.

16 Q. At paragraph 9, you say that you think there were over

17 100 children when you went to the school?

18 A. Yes, I think so, yeah, I think just over 100, yeah.

19 Q. Mainly boys with a small groups of girls?

20 A. Yeah, I would say probably 80 per cent boys, yeah.

21 Q. How did that affect the dynamic within the school?

22 A. Well, I mean, the girls were housed, as I say,

23 separately. They came into the school and they were

24 just treated as part of the school population. There

25 wasn't any -- I mean, they had -- they did have their

1 own room, which they could go to at break time separate
2 if they wanted to be away from the boys. Er, they did
3 have some provision from some of the lady members of
4 staff who would take particular interest in the girls,
5 but apart from that, they were just part of the school
6 really.

7 Q. Were there specific activities organised for the girls
8 or ...

9 A. Not -- I wouldn't say so, no. They just -- if they
10 wanted to take part in whatever activities there were.
11 I mean, the housemothers, the houseparents, the girls
12 liked to go and have a chat with them. They would have
13 that opportunity if they wanted to be away from the
14 hurly-burly; yeah.

15 Q. And were all of the children secondary school age?

16 A. Yes.

17 Q. And was that the same over the whole period of time that
18 you were at Lendrick Muir School?

19 A. Yes.

20 Q. Now, at paragraph 10, you refer to the care staff?

21 A. Yes.

22 Q. And -- so there were a number of teachers and a number
23 of care staff?

24 A. Yeah.

25 Q. When you arrived, can you remember roughly how many

1 teachers there were?

2 A. Roughly 12, I would say. About 10 or 12. I can't

3 remember exactly, but something like that.

4 Q. And in terms of care staff, roughly how many were there?

5 A. I think there were -- there was the matron, there were

6 a couple of more senior houseparents, housemothers.

7 There was Mr Bissett, who was a houseparent and then

8 I seem to remember there were some younger -- I think

9 may have been kind of doing work experience as

10 houseparents in the school, I think. But I wouldn't be

11 able to verify that.

12 Q. So that was at the start --

13 A. So there were about half a dozen, I would say, probably,

14 altogether, doing various duties.

15 Q. Now, at paragraph 11, you were -- you're addressing

16 a question, I think, about your first impressions of the

17 school?

18 A. Yes.

19 Q. What were your first impressions?

20 A. Well, basically, as I say there, it was a very

21 attractive place to work, it was very rural. Erm, we

22 had a young daughter and another daughter was on her

23 way, the following -- the first year when I was there,

24 and the whole kind of environment of the place was very

25 attractive. My first impressions, when I was introduced

1 to the members of staff, was that they were all very
2 conscientious and very professional, caring people.

3 Q. You say at paragraph 12, after you mention your first
4 impressions of the staff, that you've just referred to
5 there, you say:
6 'It was a school. We didn't really see ourselves as
7 a care home.'

8 A. No.

9 Q. Can you explain that, please?

10 A. Yeah. Well, a care home would have been, I think, much
11 more emphasis on care staff rather than the educational
12 side. It was much more -- we were there to try and give
13 the children a good education, to try and get them
14 through external examinations like O-Grades and for
15 some, staying on to the sixth form studies, up to Higher
16 Grade.

17 We were only open for the school term year. We
18 weren't open over holidays, so we couldn't really call
19 ourselves a care home anyway. So that's what I would
20 say, very much the emphasis was on education.

21 LADY SMITH: Can you remember how long the terms were?

22 A. The normal school terms, just as for ordinary secondary
23 schools.

24 LADY SMITH: Well, it all depends what particular type of
25 boarding school -- residential school you're at in

1 Scotland. You don't remember the specific number of
2 weeks for each term?

3 A. All I remember is that we had just about the same
4 holidays as any other teachers in secondary schools in
5 Scotland.

6 LADY SMITH: In the state secondary schools?

7 A. In the state, yes.

8 LADY SMITH: Thank you.

9 MS INNES: At the end of this paragraph, you say:

10 'I think ... an important part of ...'.

11 I think that's SNR philosophy, so

12 SNR that you came in -- under as it were.

13 A. Yes.

14 Q. 'I think ... an important part of [his] philosophy [was]
15 that we treated them as far as possible as
16 schoolchildren, and not to treat them differently to how
17 we would treat children in a mainstream school.'

18 A. Mm-hmm.

19 Q. Can you explain that philosophy a bit further, please?

20 A. Er, it's a bit difficult. I would say that we wanted
21 them to follow a curriculum which was broad, as I say,
22 leading to examinations. We weren't -- we weren't
23 trying in a sense to specifically offer any kind of
24 therapy, erm, or any specific kind of care for looking
25 at the behavioural problems which they had experienced

1 before they came to the school.

2 So we were trying to say: 'This is a school. We
3 will give you every opportunity to be able to perform to
4 your potential', and try to ignore, perhaps, the
5 background that they'd come with to the school. That's
6 what I'm trying to get at. To not -- not to think of
7 ourselves as some kind of therapeutic institution.

8 Q. So the children had come to the school, as you've said,
9 because they couldn't cope in mainstream schools?

10 A. Mm.

11 Q. So why would you then --

12 A. Well, then the reason -- one of the principal reasons
13 they wouldn't be able to cope was because classes were
14 perhaps -- contained 30/35 children, whereas our classes
15 were a maximum of about 10 children. So that was --
16 that helped them to get that degree of attention to be
17 able to cope, we hoped.

18 Q. So was there no focus on trying to address the
19 underlying special educational needs of the children?

20 A. I wouldn't say there was any particular focus on that,
21 but, having said that, I think because the members of
22 staff, all the members of staff realised that obviously
23 the backgrounds of the children, they were offering them
24 things to, as I say later I think, offering them very
25 large range of opportunities to help them overcome those

1 problems.

2 Q. Okay. At paragraph 13, you refer to the teacher/pupil
3 relationship and then you say -- but you would say it
4 was enhanced by the fact that many of the teachers had
5 interests to involve and challenge the children outside
6 of the classroom?

7 A. Yeah.

8 Q. So was that sort of extracurricular activities?

9 A. Yes.

10 Q. And you mention some of the types of things that people
11 did. For example, if we go on over the page, at
12 paragraph 14, you say that you yourself did quite a lot
13 of sport?

14 A. Yes.

15 Q. And you -- that was one of the activities, perhaps, you
16 did with the children?

17 A. Yes, yeah. One of them. There was a very wide range.
18 I mean, there was -- in the evenings, teachers were
19 involved very much in evening activities after classes.
20 There was a whole range of things from art room,
21 pottery, crafts, music, chess, all sorts of things which
22 they could -- and at weekends, most of them stayed for
23 weekends, taking them out canoeing or sailing in the
24 summer, skiing in Glenshee. A whole range of activities
25 and I think the involvement of the teachers in those

1 activities was a very, very important aspect of what we
2 were doing.

3 Q. Why was it important that it was the teachers that were
4 doing?

5 A. Because they were able to establish good relationships
6 with them, which would help foster good learning in the
7 classroom.

8 Q. You mentioned pupils undertaking activities in the
9 evening or at the weekends. Was there a system, perhaps
10 maybe in the early days that you were there, where
11 children would have to say, after prep time, where they
12 were going to be going for the evening --

13 A. Yes, yeah.

14 Q. Right.

15 A. There was a kind of -- we all -- the whole school --
16 well, the members of staff on duty and all the pupils,
17 would meet in the snooker room at 6 o'clock and there
18 would be the register taken and then they would be asked
19 to say which activity or whereabouts in the school they
20 were likely to be, so that they -- we would know what
21 they were doing and members of staff would know which
22 groups of children they could expect to be, er, helping
23 with in the evening.

24 Q. Now, if we look down to the bottom of page 4, at
25 paragraph 16, you say that when you were interviewed, it

1 was just by SNR [REDACTED]; is that right?

2 A. Yes, yeah.

3 Q. And at paragraph 17, you say that there was also

4 a deputy head --

5 A. Yes.

6 Q. -- who was also the Head of Science?

7 A. Mm-hmm.

8 Q. Did -- so did you report to Jim Haig, who you mention

9 here, or were you reporting directly to SNR [REDACTED]?

10 A. Both really. I mean, Jim Haig obviously -- had a lot of

11 contact with him because we worked in the same lab and

12 he was my direct manager, but also I'd have a lot of

13 contact with SNR [REDACTED], Mr KVV [REDACTED].

14 Q. Now, if we go on over the page to page 5, and

15 paragraph 18, you say that you weren't aware of any

16 training or appraisals when you were a teacher at the

17 school, so breaking that down in terms of training, you

18 go on to say:

19 'There was no induction training. I just went

20 straight in and you were expected to cope, get to know

21 the kids and help them achieve.'

22 A. Yes.

23 Q. So nobody gave you any guidance or training as to what

24 you should be --

25 A. No, we didn't have any training for that, no.

1 Q. Did you have experience in teaching children with
2 additional support needs at the time that you went
3 there?

4 A. No.

5 Q. Did you feel that you were sufficiently experienced to
6 be able to teach the children?

7 A. To teach them, I thought my experience at boarding
8 school in Nigeria had given me quite a good background,
9 but, no, I think now, looking back, I think it would
10 have been helpful to perhaps have had more in the way of
11 some kind of formal training or perhaps informal
12 training, but, no, it was largely a matter of just
13 learning on the job, with the help and the advice from
14 the senior members of staff there.

15 Q. Okay, and in terms of appraisals, there was no formal
16 system of appraisal?

17 A. No.

18 Q. You mention in this paragraph informal discussions
19 between Jim Haig and yourself?

20 A. Yes.

21 Q. And that was in relation to the children. Was he also
22 a person that you would speak to if you were having any
23 issues in the class?

24 A. Yeah, oh, yes, definitely.

25 Q. At paragraph 19, you say:

1 'Nothing changed in relation to training and
2 appraisals when [you] became SNR and then
3 SNR.'

4 So as you were promoted through the school. So the
5 position in respect of training remained the same?

6 A. Yes, I would say. Yes, it did, yes.

7 Q. And there was no system of appraisal of teachers put in
8 place over the time you were there?

9 A. No.

10 Q. You go on to mention the accommodation at the time that
11 you joined, when they were in quite large dormitories?

12 A. Yes, there would be about -- as it says there, they were
13 in bunk beds and there might be, as I say, quite a large
14 school population when I first started, so the bedrooms
15 had perhaps eight children in, you know, something like
16 that, in bunk beds.

17 Q. And you took steps to change that when you became --

18 A. Yes, I did, yes. Well, together with KVV, we
19 talked about it and we thought it would be -- we thought
20 it was quite a -- would benefit the children if they had
21 more privacy and so we tried to break up the bedrooms
22 into smaller units.

23 Q. Okay, and --

24 A. And give them single beds rather than bunk beds, yeah.

25 Q. Then at paragraph 21 at the bottom of this page you

1 refer to the fact that when you became SNR you
2 then became accountable to the governing body?

3 A. Yes.

4 Q. So was it at that stage that you had more interaction
5 with the governing body?

6 A. Oh, yes, yes. Previously I'd had no interaction with
7 them really, yeah.

8 Q. And then once you became SNR , you say that there
9 would be a meeting with the board of governors, going on
10 over to the next page, around a couple of times a term?

11 A. Yeah -- yes.

12 Q. And would those meetings be at the school or were they
13 in Edinburgh?

14 A. They were in Edinburgh, yeah, in Ms Lowe's office.

15 Q. Yes, you mention Ms Lowe. She was secretary to the
16 board?

17 A. Yes.

18 Q. And you mention at the top of page 6, that you had to
19 report on various issues to the board?

20 A. Yeah, mm-hmm.

21 Q. You say that over time the number of children fell?

22 A. Yeah.

23 Q. And finances became quite tight?

24 A. Yes.

25 Q. And there was a particular -- there was a particularly

1 difficult time around just before you became
2 SNR I think?
3 A. Yes.
4 Q. So about 198█ or 198█?
5 A. Yeah.
6 Q. And what happened around that time? What were the
7 difficulties?
8 A. Well, I think as I say there, there was staff who had
9 been working there for a long time. Mr █, who
10 was SNR who replaced KVV , he was
11 required really by the governors that we had to reduce
12 the staffing, reduce the number of teachers in the
13 school, and that obviously created quite a lot of
14 difficulty for him and for the unfortunate members of
15 staff who were made redundant.
16 Q. Okay, and he didn't remain as SNR for very long?
17 A. I think it was probably about 18 months, yeah, something
18 like that: I think he left Christmas '8█, Christmas '8█,
19 something like that.
20 Q. Okay, and you mention Ms Lowe, and I think you say in
21 your statement that she was very influential in relation
22 to spending?
23 A. Yes.
24 Q. When you became SNR , did you have control of
25 your own budget or were you having to -- or was Ms Lowe

1 in control of the budget, for example?

2 A. I had to submit everything to the governors and that

3 through Ms Lowe really, yes. I was never given

4 a specific budget.

5 Q. Okay. So if you wanted to recruit another teacher or if

6 you wanted to do work in the accommodation that you've

7 mentioned, you would need to ask the board of governors

8 if you could do that?

9 A. Yes, yeah.

10 Q. And were they responsive to those requests?

11 A. Er, well, I think -- I think I realised the difficulties

12 that the school was going, so I tried to temper my

13 requests so that they would be responsive.

14 Q. At paragraph 22, you say that when you were SNR

15 you had a great deal involvement in day-to-day things at

16 the school and you were still teaching a full timetable?

17 A. Yeah.

18 Q. Did that remain the case for the whole time that you

19 were SNR ?

20 A. Yes.

21 Q. So we know that was from 198 to 199 and so you were

22 doing essentially a dual role of being SNR

23 and also teaching a full timetable?

24 A. Yes.

25 Q. Was that challenging?

1 A. Yes, very tiring, yes. But I felt I had to do it
2 because I was the only science teacher there in the
3 school, so if we were going to offer that, I had to
4 given the -- I had do the teaching job, duties. As
5 I say, it was very full on, yeah.

6 Q. And you also say there that you were still doing the
7 duties that teachers shared with the care staff,
8 including getting the kids up in the morning,
9 supervising meal times and getting them settled at
10 night?

11 A. Yeah.

12 Q. So it sounds like teachers had a dual role?

13 A. Yeah, they always had, right from when I first went to
14 the school. And that continued, yes.

15 Q. And even when you were SNR [REDACTED], you were still doing
16 that?

17 A. Yes.

18 Q. As well as teaching the full timetable and [REDACTED]
19 SNR [REDACTED]?

20 A. Yes. One thing did change, because I was -- when I was
21 SNR [REDACTED] I was residential in the school. When
22 I became SNR [REDACTED], I was able to move out of the
23 school into SNR [REDACTED] accommodation and another
24 member of staff became residential in the school. So
25 that overnight living in the school, that was taken off

1 me, so that was some kind of relief, if you like.

2 Q. So when you were a teacher to begin with, so 197█ to

3 198█, when you were teaching and before you became

4 SNR █, were you living in the school or living in

5 a separate house?

6 A. Sorry, I lost the track there. Could you repeat that,

7 sorry?

8 Q. So when you started, so 197█ to 198█ --

9 A. Yes.

10 Q. -- before you became SNR █ were you living in the

11 school at the time --

12 A. No, I was living in a bungalow on the school grounds.

13 Q. So when you became SNR █ then, you and your family

14 moved into the school?

15 A. Yeah, Mr KVV █, who was SNR █ who had been

16 resident, he moved out. They'd just had a new

17 SNR █ accommodation built. He moved out into

18 that and I took over his flat in the school.

19 Q. And you connected, I think, that a moment ago in your

20 evidence to being on duty overnight. So if you were

21 living in the school, did you have nights off or were

22 you always on duty?

23 A. I would have weekends. There would be another member of

24 staff who would be in charge for that weekend, so

25 I would alternate with them. But during the school

1 week, I would be -- it's a sleeping duty. There would
2 be several -- there would be a houseparent, perhaps
3 another teacher, who would also be sleeping in the
4 school, it was kind of shared between us.

5 Q. Okay. Now, at paragraph 23 of your statement, you talk
6 about educational psychologists coming in and reviewing
7 the children or you would take children to reviews?

8 A. Yes.

9 Q. To what extent did you have interaction with the
10 educational psychologist? Did they give you a report on
11 how the child was doing and then you might use that?

12 A. Yeah, we would discuss -- the review would involve the
13 parents and educational psychologist, myself, sometimes
14 a medical person would be there, erm, and, yes, they
15 would submit a report and we would try to implement the
16 recommendations, yes.

17 Q. And did that sort of thing happen over the whole time
18 that you were at the school or did it come in at a later
19 stage?

20 A. That became -- well, my -- I -- I'm not sure to what
21 extent that happened with Mr KVV, but it certainly
22 became an important part of my role, yes.

23 Q. When you became SNR?

24 A. Yeah.

25 Q. And you say that parents weren't involved very much

1 unless there was a formal review?

2 A. Mm-hmm.

3 Q. You didn't see much of the parents and is that --

4 A. Ah, that's going back to when it was -- when the

5 children were emotionally and behaviourally disturbed

6 children, that's -- those parents didn't -- were not

7 really very interested or involved in their children's

8 progress.

9 Q. So was that up until about 1987/1988?

10 A. Yeah, when we changed to dyslexic children, it changed

11 markedly, yes.

12 Q. Okay.

13 A. To much -- I think it was much more encouraging that

14 they were taking an interest in their children.

15 Q. Now, if we look down to paragraph 24, you say that rules

16 weren't written down. There weren't written rules and

17 regulations. You say:

18 'I thought the children were so variable that

19 specific rules wouldn't be appropriate for that group of

20 children. I felt they needed individual responses. We

21 preferred to have a loose structure without any specific

22 rules.'

23 A. Yes.

24 Q. And are you talking there about rules for the children?

25 A. Yes.

1 Q. Did you have rules or processes for the staff and how
2 they were supposed to undertake their work?

3 A. No. I would say we didn't have any particular rules,
4 no. I think we respected each other as professionally
5 qualified teachers and the house -- the caring
6 houseparents. I don't feel there's any need for any
7 specific rules, no.

8 Q. If we go on over the page, to page 7, and paragraph 25,
9 you say you weren't aware of any specific regulations
10 for the school itself.

11 A. Mm-hmm.

12 Q. But you think that the governing body would have been
13 very familiar with what you should be doing?

14 A. Yes.

15 Q. And you think that if there were any issue, they would
16 have raised it with you?

17 A. Yes.

18 Q. So if the school had to comply with certain --

19 A. Oh, yes.

20 Q. -- legislation, it's the governing body that would tell
21 you that?

22 A. Yeah, I mean the governing -- as I think I say a bit
23 later on, the governing body had some fairly influential
24 and important members of education committees, social
25 work departments, so they would be well aware of those

1 regulations.

2 Q. And then you mention that discipline and punishment were
3 individualised?

4 A. Yes.

5 Q. Can you explain that, please?

6 A. Well, you're trying to respond to an individual child,
7 you're trying to see how your discipline would fit with
8 his particular personality. So -- it's difficult to
9 explain. You're just trying to respond, as I say, to
10 their particular needs, individually. I can't really
11 say much clearer than that.

12 LADY SMITH: 'Oliver', just going back to what you said
13 about there being no rules, a loose system was what you
14 thought worked best, how would a child know when they
15 were running the risk of being disciplined if the school
16 hadn't made clear to them what the rules were?

17 (Pause)

18 A. Well, I think there are -- I think there are certain
19 kind of standard expectations on anybody in a group
20 situation to behave in a respectful manner,
21 an understanding manner, towards staff and towards other
22 children and that's anybody who was, I would say,
23 misbehaving would be spoken to or if there was --
24 misbehaving in a way we thought was dangerous, they
25 would be separated from the other children. I think we

1 just operated on that kind of basis.

2 LADY SMITH: Thank you.

3 Ms Innes.

4 MS INNES: Thank you, my Lady.

5 If we can look down to the next paragraph,

6 paragraph 26, you say that you thought it was pretty

7 important that children needed to speak to somebody who

8 was not a teacher and they had that opportunity with the

9 matron or the housemother?

10 A. Yeah.

11 Q. And we've also heard some evidence that there was

12 a social worker at the school?

13 A. Yes.

14 Q. Is he somebody that the children would have spoken to on

15 a one-to-one basis?

16 A. Oh, yes, definitely.

17 Q. What was his role, can you tell us a bit more about

18 that?

19 A. Erm, he was a kind of go-between, between the school and

20 the home. So he would be going out and seeing parents.

21 He would be involved in reviews with the local

22 authorities who had recommended the children or referred

23 the children. That was his role really and he was

24 a very easy person, a -- very easy going for the

25 children to be able to talk to.

1 Q. At paragraph 27, you say that you were as visible as
2 possible when you were SNR and you say that
3 children would speak to you and come and complain about
4 things to you. So did they make complaints to you?
5 A. Children are always -- something to moan about, er, yes.
6 They would come and say that so-and-so had done so and
7 so, or they didn't like this or all sorts of things that
8 they would complain about, moan about.
9 Q. And say it was a complaint of bullying, for example,
10 what action would you take in relation to that?
11 A. Right, well, if there was a specific complaint about
12 another child, then I would speak to the one that they
13 were complaining about, to try to establish -- I would
14 also speak to other members of staff to see if they had
15 noticed any of that interaction between them, and we
16 would try to get to the bottom of it.
17 Q. If we go on over the page, please, to page 8 and
18 paragraph 29, you say:
19 'Any policies for the school were really the
20 responsibility of the board of governors.'
21 Can you remember drafting any policies when you were
22 at the school?
23 A. No.
24 Q. Can you remember the board of governors drafting any
25 policies?

1 A. I can't remember actually seeing any policies, no.

2 Q. For example, maybe in the later years in relation to

3 child protection?

4 A. Er, no, I can't remember seeing anything, no.

5 Q. Then at paragraph 30, you say that when you met with the

6 governing body, so this is when you were SNR --

7 A. Yes.

8 Q. -- you say that you were just trying to manage decline?

9 A. Yes.

10 Q. And --

11 A. I was fully expecting, because the numbers were going

12 down, that the school was going to close fairly shortly.

13 So that was -- I thought I was just made kind of

14 temporary SNR to oversee that.

15 Q. And then you say, at paragraph 31, that the school did

16 close --

17 A. Yes.

18 Q. In 1987 and re-opened?

19 A. Yes.

20 Q. So first of all, why did it close?

21 A. Simply the numbers. It was just unviable.

22 Q. And what was the basis upon which it re-opened?

23 A. Well, as I say there, we were looking to see whether

24 there's any possibility, because we had all these

25 facilities at the school, whether we'd be able to

1 continue. Perhaps we could change direction, have
2 a different specialism, and dyslexia was something
3 that -- when discussing this with the governing body,
4 they thought that this might be an area we could move
5 into and so we decided to see if we could provide
6 anything for dyslexic children, which was a condition at
7 the time was felt to be ignored or not really very well
8 understood at all, and so we thought that might be
9 something we could do.

10 Q. And when you opened again, were you essentially starting
11 from scratch with completely new staff or not?

12 A. Oh, no. We retained -- I mean, Mr KDG, er, he
13 was -- he'd been with the school a number of years,
14 longer than I had, and Mr Simmons and I think we had
15 a new social worker, Mr Lamb, I think. I don't know
16 when he was appointed really. I don't know whether he
17 might have been appointed under Mr [REDACTED] but he was
18 fairly new to the school but part of the old school,
19 erm, and then the care staff were -- two of them were
20 just the same. So it was the staff that had been there,
21 but once we realised we were getting -- children were
22 being referred to us, er, then we had to recruit --
23 well, because we did have -- I think I said earlier it
24 was secondary school throughout but I've just remembered
25 that we did have -- when we opened the dyslexic unit, we

1 did have some primary students so we had to recruit
2 a primary schoolteacher to look after them.

3 Q. Okay.

4 A. And then, as the numbers grew, so we expanded the staff.

5 Q. Now, I suppose one might not immediately think of
6 dyslexia as being something that would require
7 residential education?

8 A. No. No.

9 Q. But was that the way it was thought of at the time or
10 did the children have other needs as well as dyslexia?

11 A. We thought that children who have learning difficulties
12 would have some -- some of them would have more complex
13 needs and we could provide, if the parents would prefer
14 their child to be at a boarding school and the local
15 authority was in support of it, then we could offer
16 that. So we had a mixture of day and boarding pupils
17 for that reason, yes.

18 Q. Okay. And you mention the specialised teaching that
19 you -- you recruited an English teacher --

20 A. Yes.

21 Q. -- who had some background in dyslexia, you say?

22 A. Yes.

23 Q. And you yourself undertook a training course?

24 A. Yes, with Dr Collins, yes. She was -- as I say there,
25 she was wanting the problems of dyslexia to be addressed

1 by more schools. It was increasing -- as I say, it was
2 increasingly being recognised.

3 Q. Okay. And you also say that you did some modules on the
4 Open University for special education?

5 A. Yeah, that was more kind of management modules.

6 Q. So managing a school --

7 A. Just kind of school organisation.

8 Q. Right. And at paragraph 33, you say that you re-opened
9 with about half a dozen children in 1988 and then
10 ultimately, over the page, you say that you got up to
11 about 25 pupils?

12 A. Yeah. Yep.

13 Q. And were they all living in the Lendrick Muir School
14 building?

15 A. No, no, there was -- as I say, there were day pupils
16 that came in from the local area, but all the others --
17 I mean, we had quite a few from Aberdeenshire and Perth
18 and they would -- oh, no, some of the Perth children
19 went home as well, had a taxi bringing them into the
20 school, so it was quite a diverse mixture.

21 Q. Okay, and those who did live in the school, were they
22 living in the main building or --

23 A. Yes, yeah.

24 Q. Was the -- what had happened to Craigard House where the
25 girls had lived?

1 A. Ah, so when we were discussing this future course for
2 the school, Mr PDV, who had been teacher of English at
3 the school, and in charge of Craigard House, he came to
4 see me with the idea of setting up a unit for primary
5 schoolchildren at Craigard, and he changed the name.
6 Decided it would be a good idea to change the name to
7 Seamab and that's what they did and they've been very
8 successful. They've now retired, but the school,
9 I think, Seamab, is still being run along those lines.

10 Q. Okay. So this separate school was set up and did you
11 have many dealings with Seamab once it was up and
12 running?

13 A. Not formally, no. I mean, they could come and share our
14 games halls, come and share some of our facilities, but
15 no formal arrangement, no.

16 Q. Okay, so although you had the same governing body, you
17 were sort of two separate entities?

18 A. Yeah, yes.

19 Q. Now, if we look down on page 9, you talk about
20 Mr KVV, who was SNR, as you said, when
21 you began. You describe him as being hands-off?

22 A. Yes.

23 Q. Why do you say he was hands-off?

24 A. Well, as opposed to me. He didn't take part --
25 occasionally he would teach a class, but he would be --

1 and that's why I called him hands-off, if you like,
2 whereas I was in the classroom with the kids pretty well
3 all the time. So that's just a kind of casual remark.

4 Q. Okay. You say at paragraph 35 that he was a kind of
5 father figure?

6 A. Yeah.

7 Q. Why do you describe him as such?

8 A. Well, he was quite a lot older than me and he would --
9 he would just be able to take a longer perspective of
10 things. Erm, he would have seen it all before, if you
11 like, and would take a more relaxed kind of management
12 style.

13 Q. You say that he essentially trusted the people that he
14 had appointed and there was quite a lot of autonomy?

15 A. In the sense that -- yeah, the teachers would be able to
16 teach the subjects as they felt they wanted teach them,
17 yeah. Autonomy in that sense, yeah.

18 Q. Would they be able to manage their classes as they
19 wished to do?

20 A. Largely, I think so, yes.

21 LADY SMITH: I see you say it wasn't a kind of management
22 style -- that's SNR management style, that would
23 be appropriate today. Why do you say that?

24 A. I think today, given all the changes in society, given
25 the greater awareness of vulnerability of children to

1 abuse today, than we had 30 or 40 years ago, that there
2 -- I think now, in order to protect the children and to
3 protect the staff, we need much more in the way of
4 policies, like you were mentioning before about rules
5 for children to know what they were expected to do, and
6 that staff would have more guidelines, more guidance and
7 policies on the way in which they treated the children.
8 And if you look at, say, the way education itself has
9 changed in the last 30 years or so, with much more
10 specific goals and objectives for each, what they call
11 key stages, this requires much more kind of oversight
12 and regulation.

13 LADY SMITH: And that maybe also helps staff themselves to
14 develop their professional skills?

15 A. Well, that is very much what is happening now, yes.

16 LADY SMITH: Thank you.

17 Ms Innes.

18 MS INNES: Thank you, my Lady.

19 If we move on to page 11 of your statement and
20 paragraph 41, you mention, as you said before, that
21 there was never any formal training, other than the
22 things that you've mentioned in relation to when you
23 specialised in dyslexia.

24 Can you remember if later on in the years there were
25 in-service days where staff would perhaps undertake

1 training?

2 A. I don't think in-service days were introduced or at

3 least they weren't expected -- they weren't expected in

4 special schools, as far as I remember, at the time.

5 They were called 'Baker Days' when they were first

6 introduced. I think they were just at the time for day

7 schools. I might be wrong about that, but, no, there

8 wasn't.

9 Q. Okay. If we look down on this page, please, to

10 paragraph 44, you say that you remember that there would

11 be a staff meeting when a child was to be admitted to

12 the school?

13 A. Yeah.

14 Q. So first of all, was there a sort of regular staff

15 meeting when Mr KVV was SNR ?

16 A. Yes, there was a staff meeting every week.

17 Q. Okay, and so it would be at that meeting that he would

18 tell you if a new child was coming to the school?

19 A. Yes.

20 Q. What information would he give you at the meeting --

21 A. Basically, as I say there, the school records that --

22 the school reports from their previous school, reports

23 from psychologists or social workers, er, some

24 discussion of any particular problems that -- in their

25 home background, so there was that kind of general

1 information.

2 Q. And was it only given orally or did you also have access

3 to documentary information?

4 A. We didn't have any documentary -- it was just an oral

5 information, we'd just take notes in the staff meeting.

6 Q. Okay, and how did that information impact on your

7 teaching of the particular child?

8 A. Well, again, that goes back to what I'm saying about

9 being aware of their background, you could tailor your

10 approach. So, I mean, for myself, if I was teaching

11 a class in science, I would try to find out from the

12 child particular interests he may have, especially if he

13 was in first or second year of the secondary school.

14 Obviously when they're going up to the higher age

15 groups, they would be following exam curricular. But

16 I would try to be flexible in my teaching so that -- to

17 get a child who'd been very reluctant to learn to see

18 that there were -- a teacher was interested in his or

19 her interests.

20 Q. In terms of children attending class, if a pupil didn't

21 turn up to class, was that an issue that was dealt with

22 to make them attend class or not?

23 A. Yes, they would be expected to attend class, yes, so if

24 a child didn't turn up, I would send -- well, in my

25 case, there was a lab assistant. I might ask her just

1 to pop down and tell the office or tell Mr KWV that
2 he or she was missing and hopefully somebody would find
3 him or her and bring her along.

4 Q. Okay. So it would be reported to SNR
5 essentially and then it would be for him --

6 A. Yeah.

7 Q. -- to take action?

8 A. Yeah.

9 Q. Now, if we move on, please, to page 12, and
10 paragraph 46, you say that some of the children came to
11 Lendrick Muir at the start of high school age and stayed
12 there for the rest -- the whole of their secondary
13 school education?

14 A. Yeah.

15 Q. But most didn't?

16 A. Mm-hmm.

17 Q. So why did they leave?

18 A. Well, this was a result of if they reached a certain
19 level and they seemed to have settled and perhaps --
20 there might be reports that their home background was
21 a lot more stable, erm, then they would be returned to
22 mainstream school, if that was felt appropriate. So
23 a lot of children would go through a year or two in the
24 school but then go back to mainstream education.

25 Q. And was there an impetus to get them back to mainstream

1 education?

2 A. No, I don't think there was a particular drive to do it,
3 but if a child was wanting to go back and the
4 authorities thought it was appropriate, then that's what
5 would happen.

6 Q. If we move on, please, to page 13, and paragraph 50, you
7 talk there about the showers on the junior corridor that
8 were on each floor of the main building?

9 A. Yes.

10 Q. And you say that they were all communal showers?

11 A. Yes.

12 Q. And I assume from you saying that they were communal
13 that there was no privacy within the shower room?

14 A. No.

15 Q. And is that something that you had any concern about or
16 tried to change?

17 A. At first I wasn't particularly, but I thought, as time
18 went on, I thought it would be very -- if we could
19 afford to do it, we were -- I just couldn't see how we
20 could possibly afford it, given that the numbers were
21 going down, so I couldn't really do anything about that.
22 I regret that, that we couldn't do anything about it.

23 Q. And did staff members supervise children in the showers?

24 A. Oh, yes, yeah.

25 Q. And if a staff member was passing, could they see right

1 into the shower, even if they weren't supervising them?

2 A. Not really, no. It wasn't that open.

3 Q. At paragraph 52, you're talking there about some staff

4 members taking children on camping trips or you talk

5 about taking some children to the cinema?

6 A. Mm-hmm.

7 Q. And you say it was also common practice that members of

8 staff would take children to their own accommodation?

9 A. Yes.

10 Q. And all of these things that you're referring to there,

11 were they always groups of children or were they ever

12 individual children being taken away by a staff member?

13 A. It could be individual children. I took individual

14 children up to my bungalow to -- for piano lessons.

15 Erm, it could be a group of children. More often two or

16 three children would be invited up to a member of

17 staff's house, just to have a time away from the school

18 building itself and to have a bit of relaxed time with

19 a member of staff's family, because most of the members

20 of staff had young children of their own.

21 Q. And how did members of staff ensure that that was fair,

22 you know, that everybody got the opportunity to do that?

23 A. I don't know whether there was any formal thing about

24 that. It was just members of staff would try to take

25 different -- I know that I did anyway and I'm sure

1 others did, to take different children, give them an
2 experience of just a kind of relaxed family evening.

3 Q. Did you have any concerns about children being taken
4 away by -- as an individual by a staff member?

5 A. Not at the time, no.

6 Q. On reflection -- you say 'not at the time' -- on
7 reflection, do you think that's an issue?

8 A. Well, having read some of the witness statements, I see
9 that perhaps I should have had concerns.

10 Q. At paragraph 53, you note that the matron was in charge
11 of administering medication?

12 A. Yeah.

13 Q. And you can't remember any children requiring any
14 particularly serious medication. Can you remember any
15 children being given medication to sedate or calm them
16 down?

17 A. No.

18 Q. No, okay. Now, if we look down --

19 A. Well --

20 Q. Sorry.

21 A. Sorry, sorry, that was with the EBD children. But some
22 of the dyslexic children already had been prescribed
23 Ritalin and they were -- I think Mrs Bissett would give
24 Ritalin to some of the children at times recommended by
25 the doctor, yeah. Sorry, yeah.

1 Q. And if we look on to page 14, and paragraph 56, you say
2 that the only chores that children had to do at the
3 school were ones that they were given as a punishment?
4 A. Yes.
5 Q. And one of the punishments was sweeping the games hall?
6 A. Yeah.
7 Q. And why -- what kind of behaviour would result in them
8 having to sweep the games hall?
9 A. I would think it would be something like, you mentioned
10 about bullying, if that was thought to be sufficiently
11 serious and something we were concerned about, then that
12 would be a punishment or a serious disruption in class,
13 causing any kind of damage around the school might
14 result in that, that kind of thing.
15 Q. And --
16 A. -- or perhaps disturbing other children at night, that
17 kind of thing.
18 Q. So if they were disturbing other children at night,
19 would they be taken to the games hall and --
20 A. Yes.
21 Q. And what were they asked to do at the games hall?
22 A. Well, sweeping the -- or perhaps running around it,
23 perhaps sweeping it.
24 Q. So if they were sweeping it, for example, would they be
25 there on their own or would they be there in a group?

1 A. It would be very rare that there would be a group, but
2 it could be on their own.

3 Q. Okay. And if they were disruptive in the -- at
4 nighttime and they were taken to the games hall and
5 I think asked to run around, as you've mentioned, would
6 that be again as an individual or in a group?

7 A. Both it could be, yeah, could be both.

8 Q. And how long would they be told to run around for?

9 A. Well, when I took them down, it would be just five/ten
10 minutes perhaps. You know, I doubt if it would be very
11 much longer than that. It was just really to show them
12 that what they were doing, disturbing other children,
13 was unacceptable and then I would take them back up and
14 I would be there in the games hall with them if they
15 were a group or on their own.

16 Q. And what do you think of that now as a practice? Do you
17 think it was --

18 A. Well, again, as I was saying a few minutes ago, I think
19 now we would have to have more specific policies. It
20 would be more regulated now.

21 Q. Okay. If we move on please --

22 A. In fact, it might not even happen now.

23 Q. If we can move on, please, to page 15 and paragraph 59,
24 you talk again about frequent reviews with educational
25 psychologists and you say:

1 'The school became much more open when it became
2 a dyslexia unit.'

3 So I wondered if you could explain how it became
4 more open? What was the contrast with the earlier
5 period?

6 A. Open in the sense that educational psychologists and
7 other professionals, perhaps medical professionals,
8 would come into the school and attend the reviews with
9 parents. I mean, this very rarely happened, when you
10 are dealing with the emotionally behaved EBD children,
11 and the parents, as I said, they were much more
12 interested in their children's progress, their
13 education, and they would pop in to the school just to
14 have a look around or have a chat with me. It was just
15 much more open in that sense.

16 Q. Okay. Now, if we move on, please, to page 16, and
17 paragraph 64, as you've already mentioned, discipline
18 and punishment was carried out by individual teachers,
19 so would it be up to the individual teacher to decide
20 what punishment they were going to --

21 A. Yes.

22 Q. And you say that an example would be that perhaps
23 a child might be kept in at break time?

24 A. Yes.

25 Q. Or, as you've been saying, asked to do some chore?

1 A. Yes.

2 Q. And you say if it was something more serious then they
3 might be told that they couldn't take part in the
4 activities?

5 A. Yes, they might be restricted in that sense, yeah.
6 Might have to just spend the time in their dorm, away
7 from the other children and not take part in some
8 activity they wanted to do, yeah.

9 Q. And would that be on the day that the incident had
10 occurred or could that be for a number of days?

11 A. Oh, it would be -- it rarely extend beyond the day that
12 they were -- you know, I can't think of anybody being
13 detained for days on end.

14 Q. Okay, and how would you share the information with other
15 members of staff? So say another member of staff is
16 supervising football or something after school, and you
17 have decided that this child should not go to football,
18 how did you pass that message on?

19 A. Well, as I've explained, we all had a meeting at
20 6 o'clock and it would be made clear there that child X
21 is not taking part in the activities this evening.

22 Q. Then you mentioned that they would go to their room and
23 spend the evening in their room?

24 A. Yes, probably. I mean, there was a small quiet room,
25 which -- some members of staff used that instead of the

1 bedroom.

2 LADY SMITH: Going back to your child X example, would
3 everybody at the meeting be told why child X was not
4 being allowed to go on an activity?

5 A. Yes, I think so, yes. It would be made clear that some
6 kind of misbehaviour had occurred, which was not
7 acceptable, yeah.

8 LADY SMITH: And that's something that everybody would be
9 told?

10 A. Yes, I think -- well, all the staff would have met
11 before 6 o'clock and they would be told, not necessarily
12 broadcast in front of the whole school of children.

13 LADY SMITH: Might it be on a particular occasion?

14 A. I doubt it, unless we were trying to make a particular
15 point.

16 LADY SMITH: Okay. Thank you.

17 MS INNES: And why would you be wanting to make a particular
18 point?

19 A. Well, as a demonstration that certain aspects of
20 behaviour are unacceptable.

21 Q. Okay. Do you know if children's home leave was ever
22 cancelled --

23 A. Home leave?

24 Q. -- as a punishment? So if they were going home -- they
25 would be due to perhaps go home at the weekend, was that

1 cancelled because of bad behaviour?

2 A. I can't remember any instance of that. It is a long
3 time ago now, but I can't remember any of that.

4 Q. If that was happening, perhaps it was maybe a decision
5 taken by SNR --

6 A. It would have to be. It would have to be, yes.

7 Q. And during the time you were SNR, you can't
8 remember that being done?

9 A. No, definitely not.

10 Q. At paragraph 65, you talk about disruptive behaviour and
11 I think you were asked about senior pupils being
12 involved in meting out punishment or discipline, were
13 you --

14 A. Yes, there was a query about that, yes.

15 Q. As far as you were aware, were they involved in such
16 things?

17 A. No.

18 Q. So, for example, if the children were being disruptive
19 during the night, when you were present, were there
20 senior pupils brought down to take them to the games
21 hall and --

22 A. No, definitely not when I was there. It may have
23 happened -- I was only on the late duties once a week,
24 but as far as I'm aware, that's -- if there was a child
25 needing to be punished in any way, that would be my

1 responsibility.

2 Q. So when you were doing it, you dealt with it, but

3 obviously you can't speak to what might have happened at

4 other times?

5 A. As far as I know, yeah, well -- yeah, that's correct,

6 I would deal with it if I was on duty, yes.

7 Q. Okay. You mention, I think, meal times. You say that

8 the extent of their responsibility would be being the

9 head of the table in the dining room?

10 A. Mm-hmm.

11 Q. I think you'll again be aware from the statements that

12 you've seen that this has been raised as an issue, that

13 the senior boy in charge of the table could decide how

14 much, for example, a child at the table got to eat and

15 that caused issues?

16 A. Well, there may be something to that, but there were at

17 least two members of staff and sometimes more who would

18 be eating with the children at the tables and I'm fairly

19 sure that if that was some unfair treatment of

20 individuals, which would kind of amount to bullying

21 really, that that would be dealt with.

22 LADY SMITH: Can you remember how many tables there were in

23 the dining room?

24 A. When we started, when there were about 100 children, and

25 you would have about eight children at each table, so

1 there'd be about 12/13 tables, something like that. And
2 then as the numbers went down, so fewer tables, and
3 easier to supervise.

4 LADY SMITH: Thank you.

5 MS INNES: You say in this paragraph that the dining room
6 could be a source of confrontation occasionally.

7 A. Yes.

8 Q. What sort of things would happen?

9 A. I do remember one incident, where a child was very upset
10 about something, I don't know what he was upset about,
11 but it ended up in him throwing a teapot, which is quite
12 a nasty incident. So it would have been over somebody
13 saying something. I mean, some children were very, very
14 easily upset. Er, so that would be a particularly bad
15 example, but there would be other examples, I suppose,
16 of minor disagreements between children who had
17 behavioural difficulties. But you had a lot of staff,
18 as I said, at least two members of staff, and quite
19 often more, who would intervene very quickly.

20 Q. At paragraph 66 you say that there was no corporal
21 punishment?

22 A. Yeah, that's-- there was no corporal punishment, no.
23 There was no caning or use of the tawse, no.

24 Q. Do you recall any of the teachers giving any of the
25 children what might be called a 'cuff' or a 'clip' round

1 the ear?

2 A. I can't remember any specific examples, but it might

3 well have happened.

4 Q. Is it something that you did when you were there?

5 A. No, I never did that.

6 Q. At paragraph 67, you talk about a child being removed

7 from a room or perhaps other children, would they be

8 taken to their own dorm or would they be taken to this

9 other room that you've referred to?

10 A. They could be taken to SNR study. They

11 could be taken to this other room. They might be taken

12 to the dorm, yes.

13 Q. Okay, and how long would they have to stay in their dorm

14 or the other room?

15 A. It could be the rest of that evening, erm, but rarely

16 longer than that.

17 Q. Would this happen during the school day as well?

18 A. It could, yes, if the teacher felt a child was seriously

19 disruptive, might be taken down to SNR

20 study, yes.

21 Q. And if they were taken, perhaps not to SNR

22 study, but to the other room or their dorm during the

23 day --

24 A. That would be very unusual. I don't think that

25 happened. It was -- either the teacher looked after it

1 or they took them to KVV [REDACTED].

2 Q. Okay. So sending them to their dorm or this other room

3 was maybe more in the evenings then?

4 A. Yeah.

5 Q. Outwith the school day?

6 A. Yeah.

7 Q. And you say at paragraph 68 that there was a daybook at

8 the school?

9 A. Yes.

10 Q. And punishments were recorded in it?

11 A. Yes.

12 Q. So where was this was it a --

13 A. In the staffroom.

14 Q. In the staffroom?

15 A. In the staffroom, yeah.

16 Q. And it was a single book?

17 A. Yes.

18 Q. And it says if anything significant happened in class or

19 at meal times, it went in the daybook?

20 A. Yes.

21 Q. So presumably you would write things in the daybook and

22 then you would read what was written in the daybook by

23 other staff?

24 A. Oh, yes, yeah, yeah. It was a very good way of

25 communicating between the staff, yeah.

1 Q. And you say that this continued -- if we go on to
2 paragraph 69, over the page, you say, at the end of that
3 paragraph, that when you were SNR things were
4 still recorded in the daybook at that time?

5 A. Yes, yes.

6 Q. At page 17 and paragraph 71, you talk about restraint.
7 Can you remember having to physically intervene with
8 children?

9 A. Yes.

10 Q. And what form would that take? Would you do that on
11 your own or would other staff members be involved with
12 you?

13 A. I might sometimes just do it on my own, but quite often
14 in the evenings there would be other members of staff
15 around and if necessary, they might help me, but it was
16 very rare that it was as violent as that.

17 Q. So when you say that you would, what sort of physical
18 intervention would you do? Would it be guiding a child
19 away from a situation or would it be --

20 A. Hopefully guiding a child away would be sufficient. But
21 if there was -- they were having a real fight, then you
22 might have to, as I say here, just try and restrain them
23 by holding them, keeping them, separating them, yeah.

24 Q. Would they be held on the ground, for example?

25 A. Not to my knowledge. I just usually put my arm around

1 their kind of body and just moved them away.

2 Q. Okay, and at paragraph 73 you say that there was never

3 any training in relation to this. You know now that

4 there should have been?

5 A. Mm.

6 Q. Do you know if such training was available at the time

7 or was it something that was being discussed?

8 A. I don't know.

9 Q. Now, if we go on to page 18, you say that you were not

10 aware of Lendrick Muir being the subject of any concern

11 because of the way in which children were treated while

12 you were there?

13 A. That's correct, yes.

14 Q. Then at paragraph 75, you note that there were -- you

15 were aware that there were issues with the

16 accommodation?

17 A. Yes.

18 Q. As you've already highlighted. And you say essentially

19 the building was becoming outdated?

20 A. Yes, it was a very big, old building and it was quite --

21 on so many floors, it just was becoming inappropriate

22 really.

23 Q. Okay, and then at paragraph 77, you talk about

24 complaints. Again, you say there was no formal

25 procedure for making a complaint, but you had

1 essentially an open-door policy?

2 A. Yes. Yes.

3 Q. And you mentioned -- you mention again Mrs Bissett or

4 houseparents as being the way in which complaints might

5 be dealt with?

6 A. The ways in which they might be reported, yeah.

7 Q. Then you say at the bottom of the page:

8 'If the member of staff thought that any complaint

9 was genuine, they would take it Mr KVV or [you].'

10 A. Yes.

11 Q. So it was up to the member of staff to decide whether --

12 A. Yeah, they used their judgment, yeah.

13 Q. Then, if we go on over the page, to page 19, you say at

14 paragraph 78 that you can't recall any complaint being

15 made against a staff member while you were there?

16 A. I can't remember any particular complaint, no.

17 Q. At paragraph 80, you refer to inspections and I think

18 you only remember two inspections taking place at the

19 time that you were there; is that right?

20 A. Yeah, yeah.

21 Q. So one in the early days?

22 A. Yes.

23 Q. And you remember inspectors being in the school at the

24 time for a couple of days?

25 A. Yes.

1 Q. And then you said that you don't remember any other
2 inspection until there was a lengthy inspection towards
3 the end of your time at the school; is that right?
4 A. That's right, yes, in the last year I was there, yes.
5 Q. Okay, and if we could look at the report of that
6 inspection, please, it's at SGV-001032018.
7 A. Mm-hmm.
8 Q. You can see that this is an extended inspection of
9 Lendrick Muir School and we can see at the bottom of the
10 page that it's dated 4 November 199█.
11 A. Mm-hmm.
12 Q. And if we look on to page 2 first of all, under, 'The
13 inspection', it says:
14 'The inspection of Lendrick Muir School took place
15 in May and June of 199█ as part of a national sample of
16 educational residential provision for pupils with
17 special educational needs.'
18 So that seems to have been the context of the
19 inspection at that time?
20 A. Mm-hmm.
21 Q. And then it notes what they undertook and I think, if we
22 look on to page 8, and the top of page 13 on the
23 right-hand side, it says:
24 'SNR █ had resigned his post shortly
25 before notification of the inspection, with effect from

1 the end of session 199█/199█.'

2 A. Yes.

3 Q. So in terms of the timing of this report, this came, as

4 you've said, right at the end of your time at the

5 school?

6 A. Yes.

7 Q. And I think we see there that it goes on to say that you

8 had good personal relations with staff, pupils and

9 parents, but then it says:

10 'Overall leadership at the school was

11 unsatisfactory.'

12 A. Yes.

13 Q. 'A framework necessary to support effective strategic

14 management, including the involvement of staff or

15 a team, was lacking.'

16 So I think they seem to be critical of a lack of

17 structure in terms of the leadership?

18 A. Yeah, yeah.

19 Q. Do you think that's a fair --

20 A. Yes, yeah.

21 Q. -- assessment? And then, if we look down, the next

22 paragraph says:

23 'Useful guidelines on child protection, drug abuse

24 and anti-bullying had been provided. However, clear

25 policies and procedures were lacking on discipline, the

1 curriculum, learning and teaching, including homework,
2 personal and social development, assessment and
3 recording, and on many aspects of the welfare of
4 residential pupils.'

5 And it notes that a health and safety policy was
6 required?

7 A. Yeah.

8 Q. Again, do you think that's a fair criticism at the time?

9 A. Yes.

10 Q. And then the next paragraph says:

11 'The arrangements to identify and meet staff
12 development needs were unsatisfactory.'

13 Then it refers to:

14 'Future in-service training should include regular
15 opportunities for updating subject specialist teaching
16 and addressing the wider range of specific needs for
17 which the school now caters.'

18 Then it goes on to refer to various things:

19 'Training should include counselling, managing
20 challenging behaviour and using technology.'

21 Then it also says:

22 'No member of staff had been appraised and plans to
23 introduce staff appraisal were limited. The
24 arrangements to identify and meet staff development
25 should be linked closely to a carefully considered

1 school development plan.'

2 And again, do you think that these --

3 A. Yeah, I think they're all fair criticisms, yes.

4 Q. And if we look back to page 3 of the report, if we look
5 on to the right-hand side of the page, page 3, below the
6 bullet points, it says:

7 'Links between the school and the board of governors
8 were only fair. The board had recently developed a new
9 and detailed remit for its work. In exercising its new
10 remit, the board should ensure that it develops a more
11 active relationship with the school, for example to
12 support the headteacher in implementing policies and
13 monitoring their impact on the school.'

14 Do you think that criticism is fair?

15 A. Yes, yes, yeah. I think it's interesting, yeah.

16 Q. Why do you say it's interesting?

17 A. (Pause) Well, I don't know how they would implement
18 that, but I think it's something that I would feel would
19 have been helpful if they had been a bit more involved,
20 as you say, more active, yes.

21 Q. And just finally in this document, on page 4, on the
22 left-hand side, there's a paragraph beginning, 'Many
23 parents':

24 'Many parents, however, had a wide range of concerns
25 about provision. Nearly half were unhappy with the

1 quality of information they received about their child's
2 progress, the interest and challenge of learning,
3 resources for learning and with how well teachers dealt
4 with misbehaviour. They also had concerns about the
5 reputation of the school in its community. A majority
6 of parents were dissatisfied with the way in which the
7 school were led and how well the school responded when
8 they raised matters of concern. They were concerned
9 about the level of partnership the school had forged
10 with parents, how well they were informed about the work
11 of the school and homework. They were unhappy with the
12 quality of the residential facilities.'

13 So various issues raised by parents there, some of
14 which you've already mentioned?

15 A. Mm-hmm. Yeah.

16 Q. Do you -- what's your view on their comment about they
17 were unhappy about the information that they were
18 receiving about the child's progress and the interest --

19 A. I'm quite surprised at that because, as I said earlier,
20 they were very much involved in reviews and they had
21 a lot of -- I thought they had a lot of information. So
22 that does surprise me, yes.

23 LADY SMITH: When you use the word 'review', are you talking
24 about formal Children's Hearing reviews?

25 A. Yes.

1 LADY SMITH: Thank you.

2 MS INNES: My Lady, that might be an appropriate time to
3 break.

4 LADY SMITH: Would that be a good point to break? You may
5 remember, 'Oliver', I said that I normally take a break
6 about this point in the morning. If it works for you,
7 we'll do that now and I'll sit again in about a quarter
8 of an hour?

9 A. Okay. Yep, that's fine.

10 LADY SMITH: Thank you.

11 (11.32 am)

12 (A short break)

13 (11.47 am)

14 LADY SMITH: 'Oliver', welcome back. Are you ready for us
15 to carry on?

16 A. Yes.

17 LADY SMITH: Thank you very much.

18 Ms Innes.

19 MS INNES: Thank you, my Lady.

20 If we can look back to your statement, please, and
21 paragraph 84 on page 20.

22 You say there:

23 'As far as I know there was not a definition of
24 abuse when I was at Lendrick Muir.'

25 What sort of behaviour would you have considered to

1 constitute abuse?

2 A. Well, any physical abuse, any physical manhandling of
3 a child, any kind of mental cruelty in the form of
4 sarcasm. I mean, quite severe sarcasm, demeaning --
5 behaviour which would demean a child, any refusal of
6 personal care, if there -- that was -- anything along
7 those lines would be abusive behaviour.

8 Q. And how did you ensure that staff were essentially on
9 the same page as you were in terms of their
10 understanding of --

11 A. Because we were very close to each other. We were
12 talking to each other. We were working together. It
13 was a very close relationship. As the inspection report
14 said, one of the things was that I had very good
15 relationships with the staff.

16 Q. At paragraph 85, I think you refer to these close
17 relationships as being the basis upon which you say that
18 you can be fairly confident that if a child was being
19 abused or ill-treated, it would have come to light at
20 the time?

21 A. Yes, yes.

22 Q. Is it possible that the close relationships between
23 staff might blind people to issues?

24 A. I wouldn't have thought so, really. I mean, I had
25 worked with these people for 20 years, or most of them

1 for 20 years, and I think we were very open and honest
2 with each other.

3 Q. And then you say at paragraph 86 that from one of the
4 Inquiry witness statements that has been shared with
5 you, it does appear that abuse did occur and went
6 undetected and you didn't recognise it at the time.

7 And I think this was at a time when you were
8 a classroom teacher?

9 A. Yes.

10 Q. And you say that you must accept some responsibility for
11 not being aware of that?

12 A. Mm-hmm.

13 Q. And then you go on to say:

14 'From what I've read in that witness statement,
15 abuse didn't actually occur in the room, it occurred
16 when he took the child out of school.'

17 So I think we've heard evidence that the abuse was
18 occurring both in the teacher's room in the school and
19 also out of school?

20 A. Oh, well, I wasn't aware of that. I didn't know.

21 Q. Does it surprise you to think that abuse was taking
22 place in the teacher's room?

23 A. Yes, it does.

24 Q. And you say that the headteacher might have had
25 suspicions. You don't know?

1 A. No, that's all I -- possibly he might have had
2 suspicions. I didn't know.

3 Q. We have seen an extract from a report written by the
4 headteacher indicating that the child appeared
5 overdependent on one teacher. Is that something that
6 you think would highlight a concern, a child being
7 overdependent on a teacher?

8 A. Could raise concerns, yes.

9 Q. And then, at the conclusion of that paragraph, you say:
10 'Perhaps I was rather naive.'

11 A. Which paragraph? Oh, yes.

12 Q. At the end of this.

13 A. Yeah, sorry. Well, as I say, at that time I wouldn't
14 have expected a professional teacher to be behaving like
15 that. So, yes, naive, if you like, yeah.

16 Q. And then on page 21, at the top of the page there,
17 paragraph 87, you note again that there were no
18 particular instructions on child protection arrangements
19 and as you've said, 'I don't think there were any rules
20 on a child being in a room or in the house with
21 a teacher on their own' --

22 A. Yeah.

23 Q. -- for example.

24 And at paragraph 90, you say:
25 'Looking back, [you are] sure things could have been

1 improved. There should have been more guidance and ...
2 training given to improve awareness of the possibility
3 of abuse.'

4 A. Yes.

5 Q. From -- because from --

6 A. With hindsight, yes.

7 Q. Because from what you're saying, it appears that the
8 possibility of abuse wasn't even contemplated?

9 A. Not by me, no.

10 Q. And then going on to the next paragraph, you say that
11 whilst you were at Lendrick Muir, you were never the
12 subject of an allegation of abuse, however, you were
13 questioned by the police in relation to an allegation
14 made by a former pupil?

15 A. Yes.

16 Q. And you say that his allegation was that you persecuted
17 him?

18 A. Yes.

19 Q. And did you accept what was being put to you by the
20 police or not?

21 A. No, I didn't accept it and I know now that the -- it's
22 been discontinued. I only found that out a couple of
23 weeks ago.

24 Q. So have you been told by the police that they're not
25 pursuing the --

1 A. I haven't been told by the police, I was told by
2 solicitors who were acting for the school when I phoned
3 them up and they said that that particular allegation
4 had been discontinued.

5 Q. Okay, so yes, over the page, if we look at paragraph 93,
6 you say that you had asked the school's solicitor, Clyde
7 & Co --

8 A. That's the company, yes.

9 Q. Yes.

10 A. Those are the solicitors, yeah.

11 Q. You asked them some time ago and you asked them again
12 more recently about this allegation and you were told
13 that it wasn't being pursued?

14 A. Yes, but, six months after the interview, they didn't
15 give me any information and they said that they would
16 keep me informed of any developments, but I only found
17 out when I phoned them up a couple of weeks ago that it
18 had been discontinued. So I've been worrying about that
19 for two years probably unnecessarily.

20 Q. And then if we go on, over the page, to page 23, you
21 refer to other staff members. You were asked about
22 certain other staff members and the first person
23 referred to on this page at paragraph 98 is a teacher
24 called **KIT**, who I think we know taught
25 French?

1 A. Yes.

2 Q. What was he like?

3 A. Well, he was -- I don't know quite how to describe
4 him -- he was very honest, a very straight guy, very
5 physically fit. He used to run up Easter Down Hill
6 every morning before breakfast. Erm, I thought he was
7 well respected by the pupils and taught French very --
8 as far as I was aware, he was a very good teacher.

9 Q. And you say that you didn't see him disciplining
10 children or abusing children or hear of him abusing any
11 children. Did you have any concerns at all about his
12 interactions with children?

13 A. I suppose he was -- I think he was strict but he was
14 fair. But he -- perhaps he wouldn't -- I wouldn't have
15 been quite as firm as he was.

16 Q. And then the next person referred to is MKF .

17 A. Mm-hmm.

18 Q. And what was he like?

19 A. Very much a loner. I didn't really know him, get to
20 know him very well. He kept himself much to himself in
21 his room in the school. Erm, as I say, at assemblies he
22 would be very good at playing the hymns, which we sang,
23 he was a very good pianist. But other than that,
24 I didn't really have very much contact with him.

25 Q. Then you say at paragraph 102 that you did hear him

1 disciplining children, I think, because his room was
2 next to your room?

3 A. Yeah.

4 Q. And what sort of things did you hear?

5 A. Well, he was raising his voice and shouting at them, but
6 that was all I heard, just -- that was it really.

7 Q. Okay, and you didn't see him disciplining any children?

8 A. No, I didn't -- well, other than, as I say, telling them
9 to behave, trying to get them quiet in his class,
10 I think he did have some problems in helping -- in
11 discipline -- keeping his class under control.

12 Q. And did you have any other concerns about his
13 interactions with children at the time?

14 A. I didn't, no.

15 Q. And then, if we go on over the page to page 24 and
16 paragraph 103, you refer to Mr KVV, who you've
17 already mentioned, and you talk about him as being very
18 open, everybody respected and liked him?

19 A. Yes.

20 Q. You describe him as charismatic?

21 A. Yes.

22 Q. Are you able to tell us a bit more about that? How was
23 he -- what kind of leader was he?

24 A. Well, I think charismatic is the word I would use. He's
25 just a -- very individual, had a very strong

1 personality. He lived in the school with his family,
2 with three children there. Erm, he was just part of the
3 furniture really, he was just a very nice guy. Well,
4 still is a very nice guy. Well into his 90s now.

5 Q. And at paragraph 104, you mention again you heard him --
6 you only heard him raise his voice to a child once?

7 A. Yes.

8 Q. And you say that was because they weren't listening to
9 him?

10 A. Yeah.

11 Q. And other than that --

12 A. It was very unusual for him to raise his voice to
13 anybody.

14 Q. And did you have any concerns about his interactions
15 with children?

16 A. No, not at all.

17 Q. We've heard some evidence that when he would lose his
18 temper, it was like an explosion?

19 A. Mr KVV ?

20 Q. Yeah.

21 A. That's news to me.

22 Q. Okay. If we look down to the next section at
23 paragraph 106, you're referring there to Mr KDG .
24 I think you say that he had come -- you think they had
25 come together, Mr KVV and Mr KDG ?

1 A. I think so. I don't know that, but I think they were
2 very old colleagues, yeah.

3 Q. And he -- as you've said, he was responsible for the
4 girls' house?

5 A. Yes.

6 Q. With his wife?

7 A. Yes, uh-huh.

8 Q. And you say that you knew him very well and, as I think
9 you've said, you continued to work with him in the sort
10 of post-1988 school?

11 A. Yes, yes, for a few years until he became ill, yes.

12 Q. And did you have any concerns about his interactions
13 with children?

14 A. No, not at all.

15 Q. Now, I would like to take you to a document, which is
16 WIT.003.002.2027, and it will come up on the screen.

17 A. Oh, yes.

18 Q. So this, it says on the first page, is a souvenir --
19 Lendrick Muir School Final Souvenir Edition?

20 A. Yes.

21 Q. And then, if we look on to the next page, there is
22 an introduction by [REDACTED] and [REDACTED] say that [REDACTED] think:
23 'Anyone who has experience of Lendrick Muir will
24 enjoy this collection of reminiscences from the various
25 contributors. Its variety reflects the very different

1 personalities of the staff who at different times have
2 lived and worked at Lendrick Muir. Despite their
3 variety, the articles are characterised by their humour,
4 the writers' readiness to laugh at themselves, an
5 ability so necessary for weathering the frequently
6 stormy life at Lendrick.'

7 Why would [REDACTED] say that it was frequently stormy?
8 What made it stormy?

9 A. Occasionally the children would be very difficult, as
10 you'd expect, and would erupt and there would be
11 confrontations, which would arise out of that, so that's
12 what [REDACTED] talking about there. Nothing particularly
13 exceptional when you're dealing with very challenging
14 children.

15 Q. And then, just to put this in time, if we look at
16 page 3, this is an entry written by David Simmons, who
17 I think was maybe the person who collated all of the
18 material?

19 A. Yes, yes.

20 Q. And he says:

21 'From August 1988, Lendrick Muir will try to survive
22 in the private sector ...'

23 So it was a group of recollections put together in
24 about 1987 when the school closed?

25 A. Yes.

1 Q. And who was it -- who were the audience for this? Was
2 this to go to staff members and board members and the
3 public or --

4 A. I think it was mainly just for other staff members to
5 share and just keep as a memento of their experiences in
6 Lendrick Muir. I think that was the main audience. And
7 pupils.

8 LADY SMITH: Also for pupils?

9 A. Also for pupils, yes, yeah.

10 MS INNES: Then if we move on, please, to page 18, this is
11 an entry I think that you had provided yourself.

12 A. Yes.

13 Q. And you say:

14 'At this time of worldwide concern about the rate of
15 extinction of plants and animals, it is sad to report
16 the fast disappearance of a unique species found in only
17 one habitat in Central Scotland.'

18 Then you go on to describe this species. I assume
19 this is from your background as a biology teacher?

20 A. Yes. It's very tongue-in-cheek.

21 Q. And if we read the first paragraph, you refer to the
22 species and you say:

23 ' [It] has shown an amazing variety of behavioural
24 patterns but space will only permit a brief review of
25 its eating habits, its response to training and its

1 migratory instincts to illustrate how these have led him
2 into an evolutionary blind alley.'

3 Do you know what you mean by referring to this
4 species, so the children at Lendrick Muir going into a
5 evolutionary blind alley?

6 A. Well, the evolutionary blind alley is because the school
7 has closed so that's -- or was closing, so that was
8 therefore the -- there would no longer be any Homo
9 Lendrickanthropus.

10 Q. And then you say:

11 'The need to be first in the meal queue ...'

12 So this is where you're talking about meal times --

13 A. Yes.

14 Q. -- '... is a noticeable and dominant aspect. Having
15 obtained more than sufficient food to satisfy his needs,
16 he will then make sure that other members of the group
17 ... [and then you say] 1, gets substantially less, 2,
18 are not allowed to settle to their food, 3, use every
19 opportunity to spoil their food, and 4, distribute any
20 excess around the communal eating area (sometimes called
21 the dining hall).

22 'Thus, by his efforts, meal times are made as
23 unpleasant as possible. As he attempts to consume vast
24 quantities, he is seen periodically to raise his head
25 and shout out his disgust, presumably to make others eat

1 less. The energy expended in these diversion activities
2 necessarily means that feeding is very inefficient and
3 has probably been a major factor in the decline of the
4 species.'

5 So just in terms of the picture that you're painting
6 of what the dining hall was like, this might be
7 suggested to be -- it looks like quite a chaotic
8 experience?

9 A. From that it would, yes. It was a gross exaggeration.
10 It was just -- I'm just trying to paint a very humorous,
11 entertaining picture of what didn't happen, but other
12 members of staff and pupils would be able to share in
13 the humour. It's not meant to be taken literally.

14 LADY SMITH: 'Oliver', you say it's an exaggeration. So at
15 meal times, were there children that behaved in a way
16 that tried to make sure that other children got
17 substantially less food than them?

18 A. There were, and that's why I have said earlier that
19 members of staff were there to make sure that didn't
20 happen, but there were children who would try to get
21 more than their fair share.

22 LADY SMITH: And other children spoiling their food, did
23 that happen? The third point:

24 'Use every opportunity to spoil their ...'

25 A. I don't think that actually -- well, I can't remember

1 an instance of it happening. I've just put it in there
2 for a joke. As I say, this is meant to be just a joke.

3 LADY SMITH: Well, you said it was an exaggeration, 'Oliver'
4 --

5 A. Oh, I see.

6 LADY SMITH: -- and I just wondered what the factual basis,
7 on which the exaggeration was built, had been?

8 A. I think members of staff who had been at Lendrick and
9 were in the dining room will recognise to a certain
10 extent, very minor extent, some of these attributes.

11 LADY SMITH: Thank you.

12 MS INNES: If we go on to the next section where you talk
13 about training, you say:

14 'Attempts have been made over many years to train
15 the species. Although he does have remarkable imitative
16 powers, experience has shown that there is little
17 prospect of establishing tolerance and co-operation over
18 the longer term (especially the Spring Term). Training
19 sessions are often marked by his inattentiveness and he
20 has been known on occasion to turn on his trainers.'

21 So again, just pausing there, that seems to suggest
22 that although you were teaching the children, there was
23 little hope of them learning anything?

24 A. I'm saying 'often marked by his inattentiveness'. In
25 other words, these children, as I've said earlier, were

1 very challenging and would often be -- would not
2 concentrate as much as perhaps the teachers would expect
3 and 'on occasion he's been known to turn on his
4 trainers' when he could perhaps have been abusive
5 towards a member of staff, which happened very
6 occasionally.

7 Q. And then you say --

8 A. But this is all just a joke. This is not meant to be
9 taken seriously at all.

10 Q. In terms of inattentiveness, I suppose that could arise
11 from the underlying additional support need that the
12 child might have?

13 A. Yes, uh-huh.

14 Q. The --

15 A. And we didn't have, at that time, the kind of learning
16 support staff that they have in special units today.
17 I would recognise that in that respect we were
18 understaffed. We needed more support.

19 Q. It goes on:

20 'The use of tools has been regularly observed but
21 usually to attack others or destroy his living area.'

22 So that would suggest that the children were
23 sometimes using weapons to attack others?

24 A. No, 'destroy his living area', that's just sometimes
25 they tipped beds -- oh, this is just a rather stupid

1 joke.

2 Q. Well, as Lady Smith said a moment ago, we're trying to

3 understand the factual basis of this, so --

4 A. Well, the --

5 Q. -- were there times when children were using --

6 A. I never saw children attacking each other with weapons,

7 no.

8 Q. And then you say that:

9 'There's little evidence of this species having made

10 that cultural leap to an appreciation that tools can be

11 used creatively. They have considerable ability to

12 express themselves artistically and examples can be seen

13 over all the walls, somewhat primitive when compared to

14 cave paintings, but equally energetic.'

15 A. Well, that's some of the graffiti that occasionally

16 appeared on the walls.

17 Q. Ad then at the next paragraph you go on to talk about

18 the impulse to migrate. So I'm assuming you're meaning

19 running away and you refer to 'doing a bunk'?

20 A. Yes, yeah.

21 Q. And you say that these occur at different times of the

22 year, depending on the weather, I think.

23 Then at the bottom of the page, you say:

24 'I personally have been involved in working with

25 this particularly interesting [going on over the page]

1 species for 13 years and feel a deep sense of loss that
2 its extinction feels inevitable. It's often bizarre,
3 usually self-destructive behaviour has provided much of
4 value and has made life in this unique community
5 a valuable ethological experience.'

6 So --

7 A. Well, they could be self-destructive. They could be --
8 tear up their work. They could damage their clothes.
9 So there was a kind of self-destructive behaviour there
10 and I'm just making it -- trying to make a humorous
11 reference to it.

12 Q. When you say the 'usually self-destructive behaviour'?

13 A. 'Usually' is probably the wrong word. I didn't take
14 a long time to write this. Perhaps I should have said
15 'occasional self-destructive behaviour', that would have
16 been perhaps a bit more accurate.

17 Q. Do you see how it might be taken to --

18 A. Yes, I can see how it was a very unfortunate -- I should
19 never have tried to make a joke about the life there.

20 Q. I suppose pupils who were at the school, who formed part
21 of this species, might see this as quite offensive; do
22 you see that?

23 A. I would hope not, but, yes, possibly they might take
24 offence. I would hope not. I would hope that they
25 would be able to laugh at themselves like we laugh at

1 ourselves.

2 Q. Okay, can we please go back to your statement and can we
3 look, please, at page 25, and paragraph 108 where you
4 start referring to a statement given to the Inquiry by
5 an applicant who has the pseudonym 'Alex' and there is
6 a key at the start of your folder there, which will tell
7 you who that applicant is.

8 A. Mm-hmm, yeah.

9 Q. So 'Alex' has given a statement to the Inquiry and he
10 first of all says at paragraph 108 that the games hall
11 treatment was quite famous. It was done at the request
12 of staff members so it legitimised other interventions
13 that the older boys chose, and then he refers to staff
14 getting older boys to take a whole dormitory down to the
15 room -- the games hall for punishment. But I think, as
16 you've already said, that wasn't something that happened
17 on your watch?

18 A. Mm-hmm.

19 Q. He says that some people were injured in the sense that
20 they had bruises and minor cuts; can you recall that
21 happening?

22 A. No. I can't remember anything like that. Never taken
23 to hospital, no.

24 Q. And then if we go on, please, to paragraph 111, he's
25 saying there that it was his understanding -- he talks

1 about various staff members and he says they were all
2 qualified teachers:
3 'I was aware of that because I think that that had
4 not long happened. Before, I think, some of the other
5 teachers were unqualified.'
6 And you say there's no justification for saying that
7 at all?
8 A. No.
9 Q. I mean, he's saying that before his time, he understood
10 that some staff had been unqualified, so --
11 A. Not my recollection, all the teaching staff were fully
12 qualified.
13 LADY SMITH: What do you mean when you say 'qualified'?
14 A. Have a teaching qualification.
15 LADY SMITH: What about registration with GTCS?
16 A. And would be registered with the GTC, yes.
17 LADY SMITH: There are two aspects to what's maybe being
18 referred to here: one is having done teacher training,
19 but then the other is separately being accepted for
20 registration by GTCS.
21 A. Well, as far as I know, they were all accepted to the
22 GTC.
23 LADY SMITH: Can you be sure about it?
24 A. I can't be sure about it because I didn't personally ask
25 them.

1 LADY SMITH: Okay, thank you.

2 A. I don't know, but as far as I was aware, they were all
3 qualified.

4 MS INNES: Then at paragraph 113, he goes on to refer to
5 something that he recalls happening in the science lab
6 when you were teaching him.

7 A. Mm-hmm.

8 Q. And he says that you grabbed him by the hair and pulled
9 him across the bench that he was sitting at and across
10 the classroom, and he was upset about it and asked for
11 the police to be called?

12 A. Mm-hmm.

13 Q. And I think that you then took him to SNR
14 office. Can you recall this happening?

15 A. Not at all, no. I don't have any recollection of this
16 event at all, as I say in the next paragraph.

17 Q. Is it possible that it happened and you've forgotten
18 about it?

19 A. No, because if it was as serious as that, I would
20 remember it. My memory's quite good.

21 Q. And he says that he went to SNR
22 office and
23 I think ultimately his recollection is that you
24 apologised to him, if we go on to the next page?

24 A. No, I don't remember that at all either.

25 Q. And then at the top of page 28, you say, at

1 paragraph 118, that you think he plays down what he did?

2 A. I'm just trying to interpret his version of the
3 incident. As I say, I can't really comment because
4 I don't remember it at all.

5 Q. Okay.

6 A. He's saying that he -- I think he used the word
7 'truculent'. I don't know what that would mean really,
8 truculent; awkward, abusive, I don't know. But I don't
9 know. As I say, I have no recollection of this
10 incident, alleged incident.

11 Q. And you will also know that 'Alex' says in his statement
12 that he was sexually abused by MKF during
13 his time at the school?

14 A. Yes.

15 Q. What was your reaction to reading that?

16 A. I was very upset. Until a couple of months ago, I had
17 absolutely no awareness of this at all, until I read
18 this witness statement that was sent to me in April and
19 I found it very distressing.

20 Q. So you can't recollect any member of staff or pupil
21 mentioning that there was -- what appeared to be
22 an inappropriate relationship?

23 A. No.

24 Q. Or --

25 A. No.

1 Q. Then, if we go on in your statement at paragraph 119,
2 you refer to allegations that were made against you by
3 an applicant who has the pseudonym 'Jason'?

4 A. Yes.

5 Q. And he says that he was bullied at the school and he
6 recalls you coming to take him back to school and being
7 physically dragged away from his house, I think
8 a combination of you and his father, dragging him out of
9 the house.

10 Do you remember that happening?

11 A. Yes.

12 Q. What can you tell us about that?

13 A. (Pause) I remember that I was on duty doing lates and
14 Mr KVV [REDACTED] came to me and said that -- sorry --

15 Q. 'Jason'.

16 A. 'Jason' -- his parents had phoned the school to say that
17 'Jason' was at home with them, could I go and bring him
18 back to school.

19 So I took the school minibus, this was -- probably
20 I started off from the school somewhere between 9.00 and
21 10.00 in the evening. I'd been teaching and I'd been on
22 duty, as I say, putting the kids to bed. So I took the
23 minibus and drove down to Edinburgh and to his home
24 which, I read somewhere recently in his witness
25 statement, that was at Hawthornvale, which it took me

1 quite a long time to find, we didn't have satnav in
2 those days.

3 So it would have probably been after 10 o'clock
4 anyway when I arrived at his home. When I went in, the
5 situation was absolutely chaotic. Both his parents were
6 shouting at 'Jason' and 'Jason' was shouting back at
7 them. Eventually things calmed down a bit and I sat
8 down with them. I think there was a brother there as
9 well.

10 And as you say, 'Jason' was refusing to come back
11 because he said that he was being bullied, but his
12 parents were adamant that he had to come back to school.

13 After a very lengthy argument and discussion about
14 this, which was fairly circuitous, his father finally
15 decided he'd had enough and he grabbed hold of 'Jason'.
16 'Jason' then held on to some pole -- and I can't for the
17 life of me think what this pole was for in the house --
18 but anyway he clung onto it, refusing to leave.

19 His father peeled his hands off the pole and pushed
20 him out. I helped to get him out of the house. The
21 door was slammed shut behind us and I think there was
22 some shouting still going on and 'Jason' then quietened
23 down and just seemed to completely change, as if the --
24 I don't know, but he just became very quiet, he went
25 down to the minibus and I took him back to school.

1 It was a very traumatic, difficult evening.

2 Q. And what was your reaction to 'Jason' saying that he was
3 being bullied; can you remember?

4 A. At that time I didn't really pay too much -- I was
5 completely drained by everything that had been going on
6 and I just wanted to get him back to school. There was
7 no alternative. His parents didn't -- obviously were
8 determined that he was not going to stay there.

9 Q. Was there any mention of the fact that he might be
10 subject, for example, to a supervision requirement or
11 some legal measure which meant that the parents were
12 concerned that if they didn't send him back to school,
13 they would be in trouble?

14 A. I wouldn't know about that.

15 Q. So if 'Jason' has said that your reaction to him saying
16 that he was being bullied, that you were saying he
17 wasn't telling the truth about that, is that something
18 you might have said?

19 A. I might have said that. I don't know.

20 Q. Why would you --

21 A. As far as I can remember, he hardly said anything at all
22 to me on the way back. He was very quiet. I can't
23 remember him saying that, but at the time, as I say,
24 I just wanted to get him back to school. It was very
25 late.

1 Q. Was there any further discussion with him about, you
2 know, why he had run away and this issue of bullying;
3 can you remember?

4 A. No, I don't. I'm sure that Mr KVV would have seen
5 him probably the next day. I mean, I think I must have
6 put him to bed and then told Mr KVV he was safely
7 back in his bed and I would think Mr KVV would see
8 him the next morning.

9 Q. And if we go on over the page, at paragraph 122, he
10 refers to some of his clothing being taken away from him
11 to stop him running away. Was that something that would
12 have been done? Was that a practice?

13 A. I may have -- I can't honestly remember taking his
14 jacket and shoes, but I may have taken them for his own
15 protection, because I didn't want him exposing himself
16 to all the risk of hitchhiking away from the school five
17 minutes after I put him in bed. So just for his own
18 safety, I may have taken his jacket and shoes away, but
19 I don't remember doing it.

20 Q. And then at paragraph 125, you say that you don't
21 remember him wanting to report being bullied?

22 A. No, I don't, no.

23 Q. If we've heard evidence from 'Jason' that the attitude
24 from yourself and SNR was that he had to
25 basically toughen up, is that a likely reaction?

1 A. Well, I don't know what he's based that on, because
2 I would hope that I was fairly understanding that he
3 was -- I would hope that I was fairly sympathetic.
4 I had no -- in fact, I got on quite well with 'Jason',
5 I thought.

6 Q. And then you say at the end of paragraph 125 that you
7 don't think what he's saying is very credible. Why
8 don't you think it's very credible?

9 A. Which part of it do I --

10 Q. So the end of paragraph 125.

11 A. Yeah:

12 'I don't think it's very credible ... '
13 I'm just trying to work out which part he's --
14 I'm referring to there.

15 Q. It begins by saying:

16 'I don't remember him wanting to report being
17 bullied. It was an unusual event.'

18 So the unusual event is removing him from the house?

19 A. No, I think -- the previous paragraph, what does it say?

20 Q. If we go back up --

21 A. Yes, just go up --

22 Q. Maybe to paragraph 123.

23 A. Yeah.

24 Q. So he says there that he complained to you about a boy
25 stamping on his foot and him complaining about that and

1 you --

2 A. Well, bullying -- in my time at Lendrick Muir School I
3 dealt with quite a lot of bullying of different degrees
4 of bullying, from just calling somebody names to
5 actually getting into fights and on each occasion
6 I tried, first of all, to kind of diffuse the situation
7 and then to try to deal with both the bully and the
8 bullied in as fair a manner as I could.

9 So if we go back to what he's saying on 125 again:

10 'I don't remember him wanting to report him being
11 bullied.'

12 It was very unusual, that event. I'm not quite sure
13 what I'm referring to, not making things up. No,
14 I think he's exaggerating -- I can't remember what he's
15 exaggerating, but I just felt in that statement there
16 that I was -- I found some of the things that he was
17 saying were not very credible. That's all I can
18 remember.

19 Q. Okay. Then if we go on over the page, to paragraph 129,
20 on page 30 -- sorry, it's 128 it starts, where 'Jason'
21 talks about being essentially attacked by other pupils
22 in the hall and he was punched in the face. He says:

23 'I got away with sore shins and a stomach.'

24 He says that he saw you. You saw the state he was
25 in. You stopped him, and he told you what had happened

1 to him. He says he was forced back to where the bullies
2 were and you asked them essentially in front of him 'if
3 they did what I had said'. They all denied it and you
4 asked him if he was making things up again?

5 A. Well, I think this is a bit abbreviated about what was
6 actually happening. I mean, I take exception to the
7 fact that he was forced back. I would have taken him
8 back, because I wanted to see them both, the bullies and
9 KIS, to discuss what on earth was going on. They
10 denied it. I said, 'Well, what do you say?', something
11 like that, so I was just trying to investigate what was
12 happening with a view to writing something in the day
13 book, so that I could report it perhaps to a senior
14 member of staff, Mr Haig or Mr KVV, and they would
15 take what action they thought was necessary.

16 So it's a little bit more complicated, I think, than
17 'Jason' is saying there.

18 Q. But are you saying that you think it's possible that you
19 would have spoken to 'Jason' and the bullies at the same
20 time to get to the bottom of what was going on?

21 A. I would have -- initially, I would have been talking to
22 them both. Obviously, they denied it. I probably
23 didn't believe their denial, but I just wanted to make
24 sure that 'Jason' was telling the truth and probably
25 I would then try and find out who were the ringleaders

1 of this incident. But in the first instance, I would
2 have been trying to just calm everything down and try to
3 treat all sides fairly until we got to the bottom of
4 what was going on.

5 Q. And then at the bottom of the page at paragraph 131, you
6 talk about bed wetting and you contrast what's said in
7 the statements that you've seen and you talk about
8 'Alex' saying that there was a walk of shame for bed
9 wetters, that they had to take their wet bedding up to
10 the laundry.

11 Is that something that children who wet the bed had
12 to do? Did they have --

13 A. Absolutely not.

14 Q. So they didn't have to --

15 A. The houseparents took their wet bedding up to the
16 laundry.

17 Q. Would you be there in the morning, seeing what was going
18 on?

19 A. On the days that I was doing the riser, yes.

20 LADY SMITH: How often did do you that duty?

21 A. Once a week. I'd only do that once a week. But
22 I never, in my time at Lendrick, saw pupils being forced
23 to take up their wet bedding to the laundry and I can't
24 remember anybody else saying such a thing. And I agree
25 with 'Jason', that there was no walk of shame.

1 I remember Mrs Bissett, who was one of the
2 housemothers, was very concerned about possible shaming
3 of children who were bed wetting. It was something that
4 she wanted to try and help them with, not criticise them
5 or shame them for.

6 MS INNES: And then, if we go on in your statement, you deal
7 with the matter that you were questioned about in
8 relation to the police and you respond to that.

9 A. Sorry?

10 Q. You go on in the next part of the statement to respond
11 to the allegations that were made against you to the
12 police by another person.

13 A. Oh, yes.

14 Q. And then, if we go on to page 32 and paragraph 137, you
15 say that -- you're talking about the time that you left
16 Lendrick Muir. Why was it that you left in 199█?

17 A. Because I was burnt out, as I say there. I was
18 exhausted.

19 Q. And at paragraph 139, you are addressing the question of
20 why allegations of abuse have been made and your
21 explanation is that some pupils that came were seriously
22 disturbed and you say:

23 '... and that they have made allegations to perhaps
24 excuse themselves that the school must have been so
25 terrible that they apparently gained so little. So,

1 they have a resentment [against] the school and have
2 made ... allegations, particularly against [you].'

3 I wonder if you can just explain a bit further your
4 thoughts on why they might be making allegations to
5 excuse themselves?

6 A. I'm not sure what I meant there myself. Perhaps
7 because, as a result of their attitude to the school,
8 that they were not prepared to take part in any of the
9 activities which were offered to them, they are saying
10 that there was nothing for them to do.

11 They were trying to say the school was useless
12 because there was nothing that interested them and so
13 they could perhaps make allegations again, as I say in
14 the last sentence there, as an excuse for their
15 rejecting the school.

16 Q. And then you go on over the page, that, at
17 paragraph 140, over the years you've had contact with
18 pupils who tell you how much they appreciated the time
19 that they had when you were working with them?

20 A. Yes.

21 Q. And then at paragraph 141, you say, it's not just their
22 time at Lendrick Muir, it's potentially their whole
23 background. Then you go on to refer to 'Alex' and say,
24 as you said in your evidence earlier, that you think
25 that you were probably rather naive in not noticing that

1 he was being groomed?

2 A. Mm-hmm.

3 Q. You didn't know the word at the time, you were a junior

4 member of the staff, you were only in the school during

5 evenings once or twice a week:

6 'So I had little idea.'

7 Then you say obviously you think that it's very

8 regrettable --

9 A. Mm-hmm.

10 Q. -- that 'Alex' was sexually abused?

11 A. Yes. As I say, when I first found out about this, three

12 months ago, I was very angry and very upset about it.

13 Q. And then you say at paragraph 142 that you think lessons

14 have been learned from all those schools where really

15 significant abuse took place and that a lot of lessons

16 have been learned and you mention that there needs to be

17 policies in place and people -- things being dealt with

18 in a much more definite and well-defined way?

19 A. Yes.

20 Q. With regular inspections and the like?

21 A. Yes.

22 Q. Okay.

23 A. I hope so, anyway. But as we've seen, there are --

24 schools which have the policies, but they haven't really

25 been enforcing those policies. You can't just have

1 policies. You've got to have people who are willing to
2 implement them, and that's the difficult bit.

3 MS INNES: Well, thank you very much for your evidence,
4 'Oliver'. I have no more questions for you.

5 LADY SMITH: 'Oliver', can I add my thanks to you again for
6 coming here this morning and bearing with us. I know
7 it's been a long session and, as I said at the outset,
8 I knew that what we had to ask you could be difficult to
9 handle. But I'm really grateful to you for doing so in
10 the way you have so patiently and assisting us as well
11 as you have done.

12 A. I've tried to answer all the questions as honestly as
13 I can.

14 LADY SMITH: I know. I know. I'm grateful to you for doing
15 that.

16 A. Thank you.

17 LADY SMITH: I'm now able to let you go and wish you a safe
18 journey back home and a quieter afternoon than you have
19 had morning.

20 A. Thank you. Thank you very much.

21 (The witness withdrew)

22 LADY SMITH: Ms Innes, what's the plan?

23 MS INNES: My Lady, we have a brief read-in. I don't know
24 whether your Ladyship wishes to mention any of the names
25 that were referred to?

1 LADY SMITH: I certainly will get to that once I know what's
2 happening next.

3 MS INNES: Yes, there is a brief read-in which we can do in
4 the time remaining before lunch.

5 LADY SMITH: Very well. And the names I need to mention
6 from that witness, you've all heard of already, but they
7 bear repeating as people whose identities are protected
8 by my General Restriction Order. That was
9 KVV [REDACTED] KIT [REDACTED], KDG [REDACTED], Mr PDV [REDACTED],
10 MKF [REDACTED] and a Mr KDF [REDACTED] briefly at one point
11 and none of them are to be identified as referred to in
12 our evidence outside this room.

13 MS INNES: My Lady, I think very briefly the witness did
14 refer to 'Jason's' real name at one point.

15 LADY SMITH: Oh, he began to, you're quite right, and that
16 was KIS [REDACTED] or just KIS [REDACTED], but that witness is
17 'Jason' so far as the Inquiry is concerned. Thank you.
18 Now, to the read-in.
19 Yes, Ms McMillan.

20 MS MCMILLAN: Yes, thank you, my Lady.

21 This is the read-in again for an applicant who is
22 anonymous. He is known as 'Tommy'.
23 And the reference for 'Tommy's' statement is
24 WIT-1-000000642.
25

1 'Tommy' (read)

2 MS MCMILLAN: 'Tommy' previously gave oral evidence to the
3 Inquiry on Day 456, on 2 July 2024, as part of the
4 Phase 8 case study.

5 On that day, he spoke about his experience at
6 Bellfield and today, as my Lady will know, we are
7 focusing on the elements of his statement that relate to
8 Lendrick Muir.

9 In his statement he says he attended Lendrick Muir
10 when he was about 12 in the [REDACTED] and [REDACTED] of his
11 first year at high school and then remained there until
12 the end of his fourth year. And unfortunately we don't
13 have any records for 'Tommy'.

14 In his statement, 'Tommy' tells us that he was born
15 in 1964. The Inquiry has already heard evidence from
16 'Tommy' about his life before going into care. He talks
17 about that from paragraphs 2 to 11 of his statement.

18 To summarise that briefly, he says he was placed in
19 Quarriers Village when he was six months old. He was
20 adopted when he was 2 and he says he had a happy
21 childhood until he went to Bellfield.

22 He went to Abronhill Primary in Cumbernauld and then
23 started Cumbernauld High School where he remained before
24 he went to Lendrick Muir.

25 His parents, his adoptive parents, separated around

1 the age of 10 and ultimately divorced when he was 13 or
2 14 which he says had a negative impact on him. The
3 schoolwork was affected by the divorce and as a result
4 his parents decided that he would be better off in
5 a boarding school.

6 'Tommy' then tells us about his time at
7 Lendrick Muir from paragraph 12 of his statement on
8 page 3. He says:

9 'I'm not sure I like the terminology being used to
10 describe the school's purpose. It was described as
11 a school for highly intelligent and maladjusted
12 children. I was sent there around [REDACTED] or [REDACTED]
13 in my first year at high school, when I was about 12 and
14 remained until the end of fourth year.

15 'When I was about 13 or 14 and home during the
16 holidays, I was not happy and I did not want to return
17 to the boarding school. This was affecting my mood when
18 I was home. Again there was consultation with the
19 Social Work Department and again, with the agreement of
20 my mother, it was decided I would reside at Bellfield
21 Assessment Centre during holiday periods. I am not sure
22 who funded my time in the school but presume it was the
23 council.

24 'When I arrived at Lendrick Muir School, I saw it
25 was an old creaky building but I have no memory of my

1 first day there. The school was 30 to 40 miles away
2 from our home and I would travel there by bus. There
3 was a long driveway from the entrance gates to the large
4 ornate front entrance and in the grounds there were many
5 rhododendron bushes.

6 'As you entered the front door of the building,
7 there was a large staircase facing you. We were not
8 allowed to use those stairs. There was another set of
9 stairs leading upstairs to the dormitories at the back
10 of the building, which we were told to use. On the
11 ground floor to the left was the office and then the
12 assembly room. To the right, there was a games room
13 with a snooker table in it, the dining room and kitchen.
14 There was a sports field and lots of land to the rear
15 with a football pitch there. To the rear of the main
16 building was a sports hall and the classrooms.

17 'In the driveway was an outbuilding. This was where
18 we met for army cadets and other outdoor activities.
19 One of those activities that I enjoyed was rock
20 climbing.

21 'SNR [REDACTED] during my time there was
22 KVV [REDACTED]. He was SNR [REDACTED] of probably 40 to 50
23 boys and 12 to 14 girls. The girls lived in a separate
24 building over the Rumbling Bridge. They were only ever
25 in the school during the day for classwork. I would say

1 the age of the children ranged between 11 and either 17
2 or 18.

3 'The staff at the school were all residential. They
4 had a separate area for the residences. The teachers
5 who were single stayed in this separate wing in the main
6 building and married teachers lived in the grounds on
7 individual houses. The staff consisted of
8 a housemother, matron, laundry and cleaning, kitchen
9 staff and office staff.

10 'The housemother had the responsibility for all the
11 children from supper time or for smaller medical issues.
12 They might also help if you maybe had a tear in your
13 uniform. The teachers were only involved in classwork
14 or outdoor activities but nothing to do with the house
15 duties.

16 'As far as the pupils were concerned, there was
17 a pecking order and you had to find where you fitted in.
18 The junior corridor had the 12-year-olds, the
19 intermediates had 13 and 14-year-olds and the seniors
20 were 15 to 18 year-olds. Seniors sometimes helped out
21 looking out for new arrivals.

22 'As you moved up in the school, the sleeping
23 arrangements got better. You were able to stay up late
24 and in general privileges got better. There were
25 between eight and ten in each dormitory. The beds were

1 all single beds of the old metal variety. There was
2 a small cupboard at the side of each bed. For the
3 intermediates, the room held four to six beds and the
4 seniors were two to four per room and you had your own
5 wardrobe.

6 'Being in the school took me way from the atmosphere
7 at home. That was a good thing for me at the time.

8 'In the mornings, the teachers, who also covered as
9 housemasters, woke you around 7 o'clock. They just
10 shouted to get up or switched the lights on. We then
11 showered and put our uniform on in time for breakfast.
12 Breakfast finished around 8.45 in time for classes at
13 9 o'clock. There might be a couple of hours after
14 classes which finished about 3 o'clock. Sports were
15 between 3.30 and 4.30. If we were doing any outside
16 activities, we would be allowed to have another shower
17 because you would be filthy. Dinner was between 5.30
18 and 6 o'clock. After our evening meal, it was prep,
19 which we did in the classrooms.

20 'The couple of hours we may have spare in the
21 afternoon/evening we may have army cadets once or twice
22 a week. There was a snooker table in the games room.
23 Some may have played five-a-side football in the sports
24 hall, which would be supervised by senior boys. There
25 was also a youth club. If any of the activities

1 involved girls then they would be allowed to come up
2 before supper at 8.30. We would then have some hot
3 chocolate before going to bed around 9.00 for juniors
4 and gradually later with age group until about 10
5 o'clock when it was lights out.

6 'All the boys ate our meals together in the dining
7 room. We sat in our different age groups but I cannot
8 recall there being any supervision by staff. Breakfast
9 usually consisted of cereals or porridge along with tea
10 and toast and there would be some bacon, sausage or eggs
11 on different days. I don't remember ever being hungry
12 after any meals. If there was something being served
13 and you did not like it, you just did without until your
14 next meal. There was never any force feeding or
15 anything like that.

16 'There were showers available and one bath, should
17 someone have an injury and be unable to use the shower,
18 perhaps you were in crutches and not allowed to get your
19 leg wet. The showers had partitions between them for
20 some privacy.

21 'We had a uniform which was worn for schoolwork,
22 which consisted of grey trousers and shirt, black shoes
23 and a grass green blazer. For sports we wore t-shirts
24 and there was a knitted grass green sweater for
25 inclement weather. If we were on away days, we would

1 dress in our day clothes.

2 'At the rear of the building there was a sports
3 field and plenty of land where we would go for country
4 runs. We also took part in various sports like
5 canoeing, skiing, sailing, rugby and hockey. I really
6 enjoyed my rugby and I'm still passionate to this day.
7 It was quite common for our school to have
8 representation for the Scotland hockey team. I really
9 enjoyed the canoeing, went on to coach and also competed
10 for Scotland. I think I got more out of this school
11 than I might have achieved at a local comprehensive
12 school. Probably the only thing we lacked when we left
13 was social skills.

14 'Once a week we would go to Cardenden for canoeing
15 at the local swimming pool. At the weekend we would go
16 to Stanley again for canoeing. PDV was the
17 geography teacher and he was also our instructor for the
18 canoeing. In summer, if we were competing in a big
19 canoeing competition, we would attend there and camp
20 nearby. We also did camping if we were away on skiing
21 trips. This made us stronger, but it was interesting to
22 try and pitch tents in snow.

23 'The school had the normal curriculum and teachers
24 were good. I knew what subjects I was needing to get
25 results in so I could go to college. I did quite well

1 and although I knew I only needed four O-Grades, the
2 school made me sit seven or eight. I passed well on the
3 college subjects and not so well on the others.

4 'Matron was the person responsible for medical care
5 in the school. She had her own room for treating
6 ailments or injuries. There was a housemother for each
7 junior, intermediate and senior levels.

8 'I did have one serious injury when I was at the
9 school. I slipped on the stairs and tore my ankle
10 ligaments. An ambulance was called and I was taken to
11 hospital.

12 'When we all returned to the school on each Sunday
13 night, the matron would use a nit comb on our heads to
14 check for lice.

15 'Any dental treatment was dealt with when you were
16 home but there was an availability for emergency
17 appointments if it was needed.

18 'Each Sunday we all had to attend at the local
19 church, whether or not we wanted to. Each child had to
20 walk to the church in our uniforms. The Catholic
21 children attended Catholic Church and Protestants
22 attended the Church of Scotland.

23 'We were sent home for the Christmas holidays. In
24 the build-up to Christmas, the school did make efforts
25 and there were decorations put up. I can't remember

1 what happened during any of my birthdays.

2 'When I was allowed to return home at the weekends,
3 I would take the bus back and forth to school. If it
4 was holiday time, my dad sometimes picked me up in the
5 car. I would spend the week at his house in Falkirk.
6 That did not work out for long as his new partner was
7 not happy and told my father to choose between seeing
8 his new kids or to see me. He chose his own kids. He
9 later met another woman and they're still together.
10 Because of the atmosphere at both mum and dad's, I
11 preferred to stay in the school and do whatever
12 activities were available.

13 'Mum and dad did send parcels of comics and food.
14 I would sometimes go down to the local town to use the
15 phone to call my mum. I felt it was okay but the staff
16 were concerned as it was pitch black walking there. It
17 was so dark I often hoped for a car to pass so I could
18 see where I was walking.

19 'I don't remember any inspections being carried out.
20 No one ever came into the classrooms to sit with us to
21 check what was happening.

22 'The only real time for visits was on Parents' Day
23 just before the summer break. It was never a regular
24 thing because there was nowhere for them to sit with us.
25 On Parents' Day, some of the senior boys would also show

1 new entrants around the school to show them what was
2 available.

3 'In my first year at school I was being bullied and
4 one boy would take my pocket money. This was the main
5 reason for me running away. I would just turn up at my
6 mum's door. Mum would telephone the school and a friend
7 of hers would drive me back.

8 'I tried telling staff about the bullying but no one
9 would listen to me. I ended up squaring up to the boy
10 to put a stop to it. It took a couple of teachers to
11 pull me off him. I couldn't take any more of his
12 bullying. The teachers then paid a little more
13 attention to his bullying. Despite this, and my mum and
14 dad going to the school to complain about the bullying,
15 they said it was just boys being boys. It was only when
16 the boy was moved on to intermediate level, earlier than
17 he should have, the bullying stopped because the groups
18 rarely mixed.

19 'Any other times I was running away, I chose to
20 leave around the lunch hour and it gave me an hour
21 before anyone realised I was not in school. Hopefully
22 in that time I was able to hitchhike to Cumbernauld.
23 I ran away on two or three different occasions.

24 'One form of punishment, especially if I ran away,
25 was I had to move the piles of logs from one end of the

1 building to the other end and then back again.

2 'Some other duties handed out as punishments were to
3 sweep the long driveway, which was around 500 to
4 600 yards in length. We would also be tasked with
5 mopping floors, gym hall. Sometimes we were part of the
6 working parties and we would cut the grass or move the
7 piles of leaves in autumn.

8 'Any punishments were only administered from staff
9 although they may have had senior boys supervise some of
10 the activities.

11 'I did not suffer from bed wetting but others did.
12 Some of them were issued with special mattresses. They
13 just took their sheets to the laundry and picked up
14 a fresh set. There were no issues from the staff or
15 anyone else.

16 'As I aged through the school, I was staying more
17 weekends and holidays with my dad. Things at that time
18 were not right with my mum as she had some health
19 issues. Dad decided I would be better off with him. It
20 was also easier being in Falkirk with dad and not
21 getting involved with some of the locals in Cumbernauld.

22 'Things went bad during the summer holidays. The
23 Social Work Department became involved and as it was not
24 working out with dad and mum was not able to look me,
25 they decided I would placed on a part-time basis at

1 Bellfield Remand Centre. This was the first time I went
2 there -- the first time I went there the social worker
3 picked me up from my mum's house and took me to
4 Bellfield.'

5 'Tommy' then talks about his experiences after care.
6 He left Lendrick Muir in 1981 to study at Cumbernauld
7 College. At this time, he got involved in outdoor
8 coaching activities. He went on to work in the hotel
9 industry, obtaining a senior post within that industry,
10 before he left to start his own business.

11 He has a partner and a daughter who he is now very
12 protective of. The Inquiry has previously heard oral
13 evidence about the impact of his time in care.

14 At paragraph 82, he says that he enjoyed
15 Lendrick Muir and it was good for him in so many ways.

16 At paragraph 95, 'Tommy' says:

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

21 And he has signed his statement and it's dated 24
22 March 2021.

23 LADY SMITH: Thank you very much.

24 Another couple of names again of people whose
25 identities are protected by my General Restriction

1 Order: KVV of course, and a PDV ,
2 Mr PDV , and they're not to be identified outside this
3 room as referred to in our evidence.
4 I'll stop now for the lunch break and sit again at
5 2 o'clock, when hopefully we'll have a Webex link
6 ongoing. Thank you.
7 (1.00 pm)
8 (The luncheon adjournment)
9 (2.00 pm)
10 LADY SMITH: Good afternoon.
11 Now, Ms Innes.
12 MS INNES: Thank you, my Lady.
13 The witness ready to give evidence on Webex is
14 'Francis'. He taught at Lendrick Muir School from 1978
15 until about 1981. 'Francis' previously gave evidence to
16 the Inquiry on Day 139, 2 July 2019, in relation to
17 St Ninian's School in Falkland.
18 LADY SMITH: Thank you very much.
19 'Francis', good afternoon.
20 A. Good afternoon, Lady Smith.
21 LADY SMITH: Can you see me and can you hear me all right?
22 A. Yes, I can, thank you.
23 LADY SMITH: As you know, I chair the Scottish Child Abuse
24 Inquiry here in Edinburgh. Thank you for joining us
25 over the link this afternoon to enable us to explore

1 your evidence in person.

2 'Francis' (sworn)

3 (Evidence via videolink)

4 LADY SMITH: Thank you.

5 Now, as you know, I've already got your written
6 evidence in your written statement and I'm very grateful
7 to you for providing so much detail in that, because
8 I've been able to study it in advance, and we're not
9 going to go through it line by line, but there are some
10 particular features of it that we'd like to explore with
11 you.

12 Now, you've got a copy of your statement, I think,
13 there in front of you; am I right?

14 A. Yes, I do.

15 LADY SMITH: Do feel free to refer to it if you find that
16 helpful at any time.

17 Also, 'Francis', I know that what we're going to be
18 asking you may be tiring and stressful and we're asking
19 you to take your mind back decades in your working life.
20 If you need a break at any time, please do say because
21 that's not a problem. Don't worry about it being
22 a Webex link and making it more complicated. It's not.
23 I can easily call for a break if you need that.

24 If, at any time, you've got any questions, do speak
25 up, do tell us if you've got any questions or concerns.

1 And then, finally, I want to make it clear that, as
2 you know, this is a public inquiry, but that doesn't
3 mean you don't have the same rights that you would have
4 if you were in a court and that includes the right not
5 to incriminate yourself.

6 So if you're asked any question, the answer to which
7 could incriminate you, you don't have to answer it.
8 It's your choice.

9 A. Okay.

10 LADY SMITH: But if you do answer it, I do, of course,
11 expect you to answer it fully. Does that make sense; do
12 you understand what I'm saying?

13 A. It does. Thank you.

14 LADY SMITH: Thank you.

15 If you're in any doubt as to whether we're getting
16 into that territory or not at any time, do check, that's
17 not a problem. We can tell you where we are.

18 Now, unless you've got any questions at the moment,
19 I'd like to hand over to Ms Innes and she'll take it
20 from there. Is that all right?

21 A. Okay, that's fine. Thank you very much.

22 LADY SMITH: Thank you. Ms Innes.

23 Questions by Ms Innes

24 MS INNES: Thank you, my Lady.

25 'Francis', I wonder if I can begin by taking you to

1 your statement, which has the reference WIT-1-000001608.

2 And if we could look on to the final page of that
3 statement, please, which is page 47 and paragraph 203,
4 you say there:

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

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

9 I think you signed your statement on 28 May of this
10 year; is that correct?

11 A. That's correct.

12 Q. Now, going back to the start of your statement, you tell
13 us that you were born in 1949; is that right?

14 A. Correct.

15 Q. Then you go on to tell us about your qualifications and
16 in particular, your qualification as a teacher. You say
17 that you did an initial degree and you have a diploma in
18 education. Did you do the diploma straight after your
19 first degree?

20 A. Yes, uh-huh.

21 Q. And then you say at paragraph 3, that, after you
22 qualified as a teacher, you started teaching in Perth
23 Academy?

24 A. Correct.

25 Q. And was it English that you were teaching in Perth

1 Academy?

2 A. English and remedial subjects.

3 Q. And in terms of remedial subjects, did you have

4 a particular qualification to teach that? Was that

5 a particular area that you specialised in?

6 A. Yes, uh-huh. Yes.

7 Q. So in terms of being qualified to teach those subjects,

8 had you done that as part of your diploma in education?

9 A. It was over two summer courses.

10 Q. Right, so you did courses during the summer holidays --

11 A. Correct.

12 Q. -- in teaching remedial subjects?

13 A. Yes.

14 Q. Was that when you were at Perth Academy?

15 A. Yes.

16 Q. And then you say you went on to Rosehall High School in

17 Coatbridge?

18 A. Correct.

19 Q. And what did you teach there?

20 A. The same.

21 Q. So English and also remedial subjects?

22 A. Yes, and mathematics.

23 Q. And mathematics?

24 A. As well.

25 Q. Okay, and what qualification did you have in teaching

1 mathematics?

2 A. No, the same one as we've described, because the

3 qualification included general subjects which was

4 English and maths.

5 Q. I see. So was that in respect of remedial teaching?

6 A. Well, they called it remedial teaching at that time.

7 Q. And that was a particular qualification then in general

8 subjects, as you say, including both English and maths?

9 A. Yes, uh-huh.

10 Q. And then you went to teach at Lendrick Muir and we know,

11 I think, that you worked there from about 1978 to 1981;

12 is that right?

13 A. Correct.

14 Q. And then after that, you went to St Ninian's in Falkland

15 and you say you didn't spend too long there, before it

16 closed --

17 A. It closed down.

18 Q. And then you went on to teach in Dundee and then finally

19 at Dundee University?

20 A. Yes.

21 Q. Now, if we move on, please, to page 2 of your statement,

22 and paragraph 5, you talk about Lendrick Muir.

23 A. Mm-hmm, yes.

24 Q. And you say that:

25 'It's purpose in relation to children was to be

1 a residential school for very clever, maladjusted
2 children with a high IQ. The maladjustment wasn't
3 specified'.

4 Then you go on to say there were various reasons why
5 children were there. Are you able to tell us a bit more
6 about the reasons that children were at Lendrick Muir?

7 A. Well, I think it depended on their backgrounds and their
8 history of school refusing.

9 Q. And were most of the children there school refusers?

10 A. Some of them were, but I really don't know. I mean,
11 they were just there and that was it. We were never
12 told anything about their backgrounds unless it came up
13 in conversation. I know in St Ninian's, for example,
14 the social worker had a filing cabinet with reasons why
15 children were there, but in Lendrick Muir there wasn't
16 any such thing at all. There was a social worker but
17 there was no access to past histories or anything like
18 that.

19 Q. Now, at paragraph 6 you talk about applying for the job
20 at Lendrick Muir. Why was it that you decided to apply
21 for a job there?

22 A. It was advertised and it was nearer to where my parents
23 lived and, erm, it was nearer to where some friends of
24 mine stayed in Brechin as well.

25 Q. And you say there were big differences from the school

1 you'd worked at before Lendrick Muir?

2 A. Yes, that's correct. I've always worked in day schools
3 and the ethos in day schools is different in a way to
4 what happened at Lendrick Muir.

5 Q. Okay, so what is different about the ethos?

6 A. Well, there was more freedoms at Lendrick Muir than you
7 would have in a day school and you were called by your
8 first name and you were expected to relate and build
9 relationships with pupils, if they were interested in
10 yourself in doing so, and I think behaviour of children
11 at Lendrick Muir was totally different to that in the
12 day school, because you had certain sanctions in the day
13 school which you could use, if necessary, which you
14 couldn't use at Lendrick Muir.

15 Q. Okay, just going over a few of those points then.

16 You say that there were more freedoms. In what way
17 were there more freedoms?

18 A. Well, they were -- they were subject to classroom
19 periods and that sort of thing, but, I mean, they were
20 more vocal, for example, in -- in -- their behaviour was
21 different and you were expected put up with certain
22 things that you wouldn't have put up with in day school,
23 because it was a special school and ...

24 Q. Okay, so when you're saying there were more --

25 A. Does that make sense?

1 Q. Well, when you're saying there were more freedoms, are
2 you saying there were more freedoms for the pupils or
3 more freedoms for the staff or both?

4 A. Well, probably slightly more for both, within certain
5 parameters.

6 Q. And you describe there the additional freedoms for the
7 pupils. What were the additional freedoms for the
8 staff?

9 A. Well, they had choices, that they probably wouldn't have
10 had in a day school, but more so with the
11 extracurricular activities. There was more choices.
12 And staff had the freedom to choose what they wanted or
13 what they felt they could give to the school and the
14 pupils.

15 Q. Okay, so in -- going back to paragraph 6, you say that
16 you didn't have a qualification for teaching in
17 a special school, which some people had and they were --

18 A. Correct.

19 Q. -- maybe more au fait with things. But I think, as
20 you've told us, you had some qualification in teaching
21 remedial subjects, but are you saying there was
22 a different qualification in special education that some
23 people had?

24 A. Well, since I never had it, I wouldn't know, but
25 I believe there must have been if they ran courses for

1 people in this area of education, I would hope.

2 Q. And you say in the final sentence of this paragraph that

3 when you started, it was a case of sink or swim as far

4 as you were concerned. Why do you say it was sink or

5 swim?

6 A. Well, you either liked it or you didn't like it, or you

7 either survived or you didn't survive, because

8 I remember on one occasion, a lady from the Education

9 Department in Fife came to experience Lendrick Muir, or

10 the philosophy of education in Lendrick Muir. And

11 I remember her telling -- she was there for a while and

12 she shadowed me with certain classes and she said -- she

13 told a senior pupil, er, when he gave her -- when he

14 went -- well, she gave him a lift, sorry, back to

15 Kirkcaldy and she said that, had it not been for me,

16 that she would have left long ago, because she just

17 couldn't cope with the standards of behaviour.

18 Now, I'm not allowed to tell you, I believe, her

19 name, but I can tell you who it was, but I don't know if

20 she's still there. It was a long time ago.

21 LADY SMITH: 'Francis', don't worry, I don't need her name.

22 A. Okay.

23 MS INNES: Now, if we go on over the page to page 3 and

24 paragraph 11, you say that you weren't there very long

25 when one boy referred to you as a megalomaniac because

1 you were quite strict but fair with the children, and
2 then you say that it was a very different ball game and
3 what you had done before didn't seem to work anymore?
4 A. Yes, that's true. I mean, you know when you expect a
5 certain order and discipline in your classes and in the
6 school, it wasn't the same as a day school. I mean, you
7 know, that's the main thing I can think about, at the
8 moment.
9 Q. And then you --
10 A. And it's -- sorry, it's quite a culture shock moving
11 from one area to another and it takes time to
12 acclimatise.
13 Q. And were you offered any support from other staff
14 members in acclimatising?
15 A. Not really, just maybe in conversation they would advise
16 this or advise that, but there was nothing formal.
17 Q. Do you think that would have been helpful, to have been
18 offered more support?
19 A. I would have thought so.
20 Q. Now, at the end of paragraph 12, you mention something
21 you alluded to in your evidence a moment ago, where you
22 say you were expected to forge relationships with
23 children and help them that way, rather than simply be
24 the teacher?
25 A. Okay.

1 Q. Who told you that this was the expectation?

2 A. Well, you just learn it by being there and, erm, that

3 was the ethos or the philosophy of teaching in that kind

4 of school. You picked that up pretty quickly.

5 Q. And then if we go down to paragraph 14, you say that you

6 were a teacher at Lendrick Muir School and you taught in

7 general subjects to begin with.

8 So you mention teaching mainly English, but then

9 perhaps some other subjects and you mention having to

10 take O-Grade maths one time which you found stressful.

11 So it looks like you were teaching a variety of

12 different subjects to the pupils?

13 A. True.

14 Q. And were you teaching different year groups or was it

15 always the same -- did you have the same class with you

16 for the whole day, for example?

17 A. It tended to be the younger pupils.

18 Q. Okay, and --

19 A. But the maths was a fourth year class and, I mean,

20 I have higher maths but that's about it. I don't have

21 any knowledge of teaching mathematics per se. I was

22 never trained at that level.

23 Q. Did, say, the junior pupils that you are referring to,

24 did they stay with you for the whole day to be taught

25 different subjects or did they go to different

1 classrooms to different subject teachers?

2 A. They went to different classrooms.

3 Q. Now, if we go on over the page to page 4 and

4 paragraph 15, you say that you were interviewed by the

5 headteacher at Lendrick Muir and there was nobody else

6 at your interview that --

7 A. No.

8 Q. And you had to provide -- or you think that you had to

9 provide references for the job; is that right?

10 A. Well, I would have thought so.

11 Q. Okay, and once you were employed at Lendrick Muir, if we

12 look down to paragraph 18, you say there wasn't

13 a probationary period and then you refer to [REDACTED]

14 SNR [REDACTED] being SNR [REDACTED] of the teaching staff

15 and then there was SNR [REDACTED].

16 Were you reporting directly to Mr KVV [REDACTED] as [REDACTED]

17 SNR [REDACTED] or was there somebody else that was your

18 line manager?

19 A. Depends on who was around, I suppose. It's -- I would

20 have thought either or, but ...

21 Q. Okay. And you say there was nobody there assessing you

22 or checking you out or anything like that?

23 A. No.

24 Q. There wasn't any monitoring or appraisal of your

25 performance?

1 A. No, I never -- I didn't know -- what went on behind my
2 back. Maybe they thought I was a horrible teacher or
3 something like that. Maybe people had drawn their own
4 conclusions and SNR and SNR would have
5 their own ideas about things and, erm -- but there was
6 nothing formal. I wasn't asked to come to a meeting or
7 on a course to discuss feelings or anything like that.
8 Q. And senior management weren't, for example, coming in to
9 observe a lesson that you were doing or anything like
10 that?
11 A. No. The only time I was observed was by an inspector
12 who came to the school on one occasion and he sat in my
13 class.
14 Q. And then at paragraph 19, you say you had your own
15 living quarters in the school?
16 A. That's right.
17 Q. Was that in the main building?
18 A. Yes, uh-huh.
19 Q. And you say that you used your room all the time apart
20 from when you went home, when you weren't on duty?
21 A. Yes.
22 Q. So would you go home at evenings or weekends?
23 A. No, I think -- probably weekends. When you worked one
24 weekend on and one weekend off.
25 Q. Okay.

1 A. So I would go home when, erm, it was my turn to have
2 a weekend off.

3 Q. Okay. But during the school week, you would be staying
4 in your room at the school?

5 A. Yes, uh-huh.

6 Q. And you say in this paragraph that you were given
7 duties, not just teaching, but there were other duties
8 as well and, as you've mentioned, you might be on duty
9 over a weekend. What would that duty involve?

10 A. Yes, uh-huh. Well, it would involve being there for
11 a start, a presence and secondly, it would be lunchtime
12 supervision, which I can remember, and there would be
13 other extraneous duties, like swimming groups, taking
14 a group swimming or something like that.

15 Q. Okay.

16 A. That's as much as I remember.

17 I had a stroke two years ago and my memory is not
18 just quite as good as it was. So maybe you'll excuse me
19 for not remembering certain things, but, er, I've no
20 control over that.

21 LADY SMITH: Don't worry about that, 'Francis'. As I said
22 in any event, I know we're asking you about things that
23 took place quite a long time ago.

24 A. Okay.

25 LADY SMITH: Can you remember where it was you took the

1 children swimming when you went swimming?

2 A. Stirling.

3 LADY SMITH: Thank you.

4 A. The swimming baths in Stirling.

5 LADY SMITH: Thank you.

6 A. The school had a double-decker bus which they used for

7 events like that, I can remember that, or they had

8 a minibus as well for transportation of pupils,

9 depending on the numbers. But swimming, I remember, it

10 was a double-decker bus.

11 MS INNES: And when you were on at the weekends, would you

12 be involved in getting children up in the morning,

13 getting them to breakfast, that sort of thing?

14 A. Yes, there was a rota of people who were on early

15 risers, as they called them, or bedtime showers and that

16 kind of thing and making sure they went to bed.

17 Q. So did you take part in that rota?

18 A. Yes, uh-huh.

19 Q. Would there be -- again just thinking about the

20 weekends -- other staff on with you overseeing getting

21 up and breakfast, for example?

22 A. There was one member of staff, I think, like myself, who

23 was a teacher, but there was also care staff on duty as

24 well, housemothers and people like that.

25 Q. What responsibilities did the housemothers have,

1 broadly?

2 A. Mm, well, they were there and if any child needed
3 attention from them, it was given, I hope, and, erm,
4 I think they made sure their clothes were correct and
5 they were well presented or presented under the terms of
6 the -- or conditions of the -- what the school wanted.

7 Q. And --

8 A. Made sure they were -- sorry, made sure they were --
9 their personal hygiene was okay and, erm -- I can't
10 remember much, but I remember that's what happened more
11 or less.

12 Q. Were the housemothers ever on duty overnight?

13 A. Well, I can't -- I don't know. I don't -- it didn't
14 involve me, but I don't know. I don't think so, but
15 I may be wrong with that, it's ...

16 Q. Okay. If we can move on in your statement, please, to
17 page 6 and paragraph 29 --

18 A. Mm-hmm.

19 Q. I think you say there that there were maybe about five
20 teachers in the school at the time?

21 A. That's correct, uh-huh.

22 Q. And then, as you note, there were care staff who were on
23 duty from time to time?

24 A. Yes, uh-huh. Throughout the course of the day.

25 Q. And if we can look on, please, to page 7 and

1 paragraph 33, you were asked there about
2 KVV's leadership style. And you --
3 A. Well, he had his -- sorry -- go on, sorry.
4 Q. Well, what was his leadership style?
5 A. Erm, well, he was SNR and I suppose he had
6 the responsibility SNR the school and making sure
7 that people were doing what they were asked to do and
8 I think he taught French. He taught a French class,
9 because his wife was French and he had the French class,
10 of which I can remember a second year French class.
11 Q. You say here that you didn't see a lot of him?
12 A. Not really, no. He tended to be in his study all the
13 time, and, erm, you would see him from time to time, but
14 not -- I mean, he wasn't somebody who was always there,
15 you know?
16 Q. You say that you saw him sometimes in the evening when
17 the pupils had their options and he would be --
18 A. That's right.
19 Q. -- there to take some of those classes. So are these
20 things that the pupils selected to do following prep
21 time, for example?
22 A. They were, uh-huh. I mean, I put it, for example --
23 I was interested in music and had a music qualification,
24 so I was keen for children to experience music but --
25 and there weren't many of them, unfortunately.

1 Q. If we can move on, please, to page 9, and paragraph 43,
2 you say there -- you're talking about training or
3 personal development when you were at the school. You
4 say that you weren't encouraged to go on any courses
5 when you were there?

6 A. No.

7 Q. Can you remember if there was any training provided when
8 you were there?

9 A. I can't remember that, to be quite honest. I mean, I
10 wasn't aware of it, let's put it that way. I know
11 a couple of the teachers had done a diploma in special
12 education or special educational needs, but that was
13 done in their own time under their own volition. But
14 nobody ever came to me and said, 'Would you like to --
15 would you be interested in doing a course?', or, 'We're
16 running a course', or a -- or anything like that.

17 You just got on with it and that was it.

18 Q. Looking down at the next paragraph, you say that things
19 were decided further up the tree than you, but you then
20 go on to say there was a staff meeting from time to time
21 and anything relevant was discussed or suggested at that
22 meeting.

23 Can you remember if --

24 A. Yes, it was -- sorry, on you go, I beg your pardon.

25 Q. So the staff meetings, how frequent were they?

1 A. I think there was a staff meeting every week, but there
2 wasn't always something to be discussed and the meeting
3 was held in the staffroom every day. I mean, there
4 was -- people went to the staffroom every day, but there
5 was a scheduled meeting once a week and if there was
6 anything discussed, the headmaster would tell us and
7 anybody else who had anything to discuss would bring it
8 up.

9 Q. And would that include passing information to you about,
10 for example, a new pupil starting in the school?

11 A. Yes. It would be announced that so-and-so was coming
12 and that was about it. There wasn't any reference to
13 why they were coming or how they should be treated or
14 anything like that at all. They just appeared in your
15 class or in situ and that was it, you just got on with
16 it.

17 Q. Moving on to page 10 and paragraph 46, you talk about
18 the dormitories --

19 A. Uh-huh.

20 Q. -- and you say that the school was run like an
21 old-fashioned boarding school in terms of how the
22 children were housed. They were comfortable in the
23 dormitories, you think. You say there were about six --

24 A. I was never in -- sorry, I was never in the dormitories,
25 so I don't know. I mean, I just saw that there was

1 an array of beds and that was it.

2 Q. You say here that you think there were six or seven boys
3 to a dorm?

4 A. I think so, uh-huh.

5 Q. And you say it was a very basic kind of thing, rather
6 spartan?

7 A. It seemed to be, and there was a lot of damage in the
8 building itself, which I noticed was not the case in
9 St Ninian's, that they were well supervised and didn't
10 have the same movement and freedoms that they had in
11 Lendrick Muir to do these kind of things and there was
12 a fair bit of graffiti and things like that in
13 Lendrick Muir.

14 Q. Okay. If you were on duty at night and an issue arose,
15 would you not have to go into the dormitory?

16 A. Well, not really. I mean, I can't remember any issue
17 arising. There was a system by if the children were
18 noisy or vocal, they would be taken out by a senior
19 pupil and paraded round the gym to get rid of their
20 energies and then sent back to bed. And they obviously
21 didn't like that, because there were those that maybe
22 didn't make a noise and maybe thought it a bit unfair,
23 I don't know. But a member of staff usually went there
24 as well with them, just to make sure, and I remember
25 a couple of occasions when I had to go down and they

1 were run -- they were run round the gym for so long and
2 then said, 'Right, that's it, you can go back to sleep
3 now'.
4 Q. How long would they be running around the gym for, do
5 you know?
6 A. Maybe about half an hour, maybe slightly less.
7 Q. And you mentioned that a senior pupil would take them
8 down to the gym hall. How did the senior pupils become
9 involved in this?
10 A. No idea. They just were.
11 Q. If we look down to the next part of your statement, you
12 say that it was a mixed sex school but it was
13 predominantly boys who were placed there and --
14 A. Correct.
15 Q. -- then you say at paragraph 49 there were maybe about
16 40 boys at the school and they were all secondary school
17 aged; is that right?
18 A. Yes, that's correct.
19 Q. And you say, in the final line of this page, that they
20 were all problematic children?
21 A. Well, that's why they were there presumably.
22 Q. Problematic in what way?
23 A. Well, they were either school refusers or they were
24 non-learners or something like that, maybe their
25 behaviour wasn't good, I don't know. It certainly

1 wasn't good in the school, but, I mean, I don't know why
2 they were referred. It was the social worker that they
3 were referred to by their own field social worker and
4 parents would -- the whole team would have discussed and
5 they reckoned that Lendrick Muir would have been
6 a suitable place for them.

7 Q. If we go on over the page to page 11 and paragraph 50,
8 as you say there, you have no idea of assessments being
9 carried out and you mentioned a moment ago that you
10 might be told if a child was coming, but am I right in
11 taking from what you've said that you weren't given much
12 information about the special educational needs of the
13 particular child?

14 A. Not particularly, no.

15 Q. Were you given access to any documentary information
16 about the child?

17 A. No, none.

18 Q. So it was only -- such information as you would get
19 would only be oral information?

20 A. Yes.

21 Q. And did that always come from Mr KVV or did it come
22 from other sources?

23 A. No, it didn't. Erm, I can't remember now if there was
24 an element of hearsay about so-and-so, but I wouldn't
25 say that was, you know, official, so to speak.

1 Q. At paragraph 51, you talk about there being a parents'
2 day and then you say:

3 'The children who were at the school when I worked
4 there mainly lasted the course but I'm sure one or two
5 left the school.'

6 So when you say 'lasted the course', what do you
7 mean?

8 A. Well, they were there for the time I was there.

9 Q. Okay, was there --

10 A. They didn't leave -- no, they didn't leave, I mean in
11 droves, or anything like that. The odd one would leave,
12 if I remember rightly, for whatever reason. They were
13 there and then they weren't there. I can remember one
14 boy that I taught whose name I remember as well, but I
15 won't say it, his -- and he was a headache in the school
16 because he was challenging in every conceivable way and
17 disruptive and the staff had mentioned to the headmaster
18 that he just wasn't fitting in and that he was
19 troublesome and he was a very challenging person and
20 they found it uncomfortable to teach him and would
21 recommend that maybe he be put in another school where
22 that would be probably more understood and tolerated but
23 the headmaster was not keen to do so.

24 But he always kept saying, 'Well, this is the
25 eleventh hour, let's wait and see', and he eventually

1 did go. I don't know who organised it or why, but I can
2 imagine why, that he -- one day he wasn't there and that
3 was it. Where he was placed, I've no idea.

4 Q. Were you conscious if there was any aim that the
5 children there would return to mainstream education?

6 A. Well, it was never discussed. Well, you never know, but
7 it was never discussed.

8 Q. Then at the bottom of this page, page 11, and
9 paragraph 54, you talk about meal times. Do you recall
10 senior boys serving meals at tables?

11 A. Yes.

12 Q. How did that work?

13 A. I've a funny feeling now, I may be wrong, but I've
14 a funny feeling that the meals were served by a hatch
15 and the children, table by table, went up and got what
16 they -- I think it was when I was at school myself
17 I remember the head -- the senior pupils were
18 responsible for dishing out the food, but I think in
19 terms of Lendrick Muir, when I remember now, that I've
20 a funny feeling that they went up table by table and got
21 their meals served through what they called 'the hatch'
22 and sat down with their plate of food and ate it, or
23 not, as the case may be.

24 Q. And then at page 12, and paragraph 57, you talk about
25 showering, that there was showering at a set time in the

1 evening of every day, you think, and the showers were
2 communal showers; is that correct?

3 A. That's correct.

4 Q. And was there any privacy in the showers?

5 A. Not really.

6 Q. And you say that -- you mention supervision, so
7 sometimes you would undertake supervision of shower
8 time?

9 A. Well, because I was told to, but, I mean, you had
10 a responsibility to see that the group showered and
11 didn't skip it. And personal hygiene and body hygiene
12 was important as well. That's why it was necessary to
13 be -- for the boys to be supervised, although it's not
14 the most pleasant of tasks, but, er, it had to be done
15 and we as teachers had a responsibility to make sure
16 that they all went into the shower.

17 Q. Then if we move on to page 13, and paragraph 61, you say
18 that sometimes children went away on trips in small
19 groups?

20 A. Correct.

21 Q. There were usually two or three children and then there
22 were also 'at-homes' and would that be groups of
23 children going to an 'at-home'?

24 A. Well, for example, the social worker, he had an
25 'at-home' every week and the boys would have been asked

1 if anybody wanted to go to the social worker's house
2 because the social worker's house was not near the
3 school, it was down in the village, in -- well, what
4 I would call [REDACTED] or [REDACTED] was the village
5 and -- I don't know what they did down there, but they
6 would go down with Richard -- or, sorry, they would go
7 down with whoever it was and his wife was there as well
8 and usually there were several boys there and partook of
9 what happened and they would be given a cup of tea and
10 maybe a discussion or watch television or some would
11 play a game or something like that.

12 Q. If we move on now to page 14, please, and paragraph 66,
13 you say there -- you're talking about education and you
14 say there wasn't a curriculum as such. Some pupils did
15 take Highers and O-Grades, but you can't remember if it
16 was just some pupils or all of them.

17 Did anybody give you any guidance or direction as to
18 what you were to be teaching the children?

19 A. No, none.

20 Q. So did you just have to make it up for yourself?

21 A. Well, as a teacher, I suppose you should know, but,
22 I mean, in the case of myself teaching mathematics,
23 I didn't know what the curriculum was or what was
24 expected of me really. I was just told that's -- you
25 teach O-Grade maths or O-Grade arithmetic, or whatever

1 it was, and that was it. But there was no guidance
2 given or no suggestion about what you should be
3 teaching. There was no plan or anything like that. You
4 just -- you were expected to know these things.

5 Q. And then at paragraph 69, at the bottom of the page, you
6 say you don't remember the children having to do any
7 manual work. Can you remember --

8 A. Not really. Sorry.

9 Q. On you go.

10 A. I remember the thing I did notice was when I went to
11 St Ninian's, the children there -- they all had chores
12 to do and there was a rota of chores that they had to do
13 like washing up and sweeping the floor and all that sort
14 of thing, but at Lendrick Muir there was nothing like
15 that at all.

16 Q. Can you remember them having to do things like, for
17 example, sweep the games hall as a punishment?

18 A. No.

19 Q. If we move on, please, to page 15, and paragraph 70, you
20 say:

21 'The boys went home at weekends if they'd earned the
22 privilege.'

23 A. Well, if they weren't involved in anything troublesome
24 or their behaviour was reasonable, they would be allowed
25 to go home. But sometimes they were kept back, because

1 they were involved in nefarious pursuits or something
2 they shouldn't have been doing. Like I remember once,
3 for example, a couple of them put clingfilm on the
4 ladies' toilet seat and put the lid down and, well, you
5 can imagine what happened, but things like that or they
6 would put -- I remember they put a bucket of water above
7 the door so when the house staff came in, it fell on
8 their head and soaked them. Practical jokes, but they
9 weren't really treated as jokes sometimes, either.

10 Q. And if they did some of these things, are you saying
11 that their home leave would be taken away?

12 A. Yes, uh-huh. I mean, I had a garage which was a lock-up
13 in the stable block and a boy broke into it and he
14 wasn't allowed to go home as a punishment in a way.

15 Q. Okay. And were there always children there then at the
16 weekends during the school term?

17 A. Well, I've a funny feeling that the first day -- first
18 weekend they were all in school and the last weekend of
19 the school term they were all in school, but during the
20 school term, so to speak, if they earned the privilege,
21 they could go home and most of them were allowed home,
22 but there were the odd miscreants who, er, were
23 disallowed.

24 Q. And what would they be doing at the weekends if they'd
25 not been allowed home? Who would be looking after them?

1 What would they be doing?

2 A. Well, whoever was on duty that weekend, whichever member
3 of staff was on duty. I mean, I remember once there was
4 a boy from Glasgow who missed the bus and he stole a car
5 and drove back in a car. I mean, he was only so high,
6 he was a small child. I don't know how he did it, but
7 his weekend was forfeited as well. But what happened to
8 him after that, I don't know. I mean, the social worker
9 would have been involved, I would have thought.

10 Q. Now, you mention social workers at paragraph 73 just
11 further down this page --

12 A. Right, okay.

13 Q. -- and you say that social workers came in to the school
14 to see the children and you think that --

15 A. I believe so.

16 Q. So did some children go out of your class to see the
17 social worker; can you remember that happening?

18 A. Yes, yes, uh-huh, I remember that now you mention it.

19 Q. You say you were never there when social workers were
20 seeing children?

21 A. I vaguely remember that somebody would say, 'Oh,
22 so-and-so's not here because their social worker's in',
23 or something like that, but nobody told me officially.

24 Q. And you say the school social worker was probably there
25 was well?

1 A. I would have thought so. It was a team effort. Because
2 the school social worker had to give a report, because
3 I remember there was a lady came in from Dollar and she
4 was a typist, I think, and she typed up the reports.
5 She worked with the social worker.

6 Q. Okay. If we move on --

7 A. She's now dead. She's now dead, by the way. Her
8 husband was Head of Art at Dollar Academy. That's what
9 I remember about her.

10 Q. If we can move on, please, to page 17 of your statement,
11 and paragraph 80, you say essentially that there was no
12 corporal punishment in the sense of a tawse being used
13 or anything like that; is that correct?

14 A. Well, it was assumed that one never used corporal
15 punishment in a special school.

16 Q. You say it was assumed?

17 A. Well, it was assumed. I mean, there was no directive or
18 dictum from above to say that you don't use corporal
19 punishment. It was just assumed that that was the case.

20 Q. You then say sometimes the kids were so cheeky and
21 challenging that they would get a cuff or something?

22 A. Well, they were very challenging and very cheeky and
23 very rude and very personal, but they may have got
24 a cuff or -- you know, but -- they weren't beaten up or
25 -- they weren't beaten up.

1 LADY SMITH: Sorry, 'Francis' --
2 A. Oh sorry.
3 LADY SMITH: What do you mean 'a cuff'?
4 A. Well, they could have been given a punch or a push or
5 something, you know.
6 LADY SMITH: Thank you.
7 Ms Innes.
8 MS INNES: Did you -- you say -- you go on:
9 'A cuff would be what a reasonable parent would do.
10 I've heard rumours of a slap or a hit but it was just
11 rumours.'
12 A. Well, it was hearsay, but, erm, I mean it wasn't --
13 these things weren't discussed. I mean, they were maybe
14 just done. For example, the technical teacher [REDACTED]
15 [REDACTED] so I don't know whether he was
16 pressured into that. Erm, there was another allegation
17 by -- further on, where somebody said that their hair
18 had been pulled by a science teacher, which I can't
19 imagine him doing, but then I don't know him, or
20 I didn't know him, and I told the boy, 'Well, the best
21 thing for you to do is get your hair cut', because it
22 was like that of a girl, it was long, and he did and
23 that was it.
24 But the allegation was not made to me. It was made
25 -- well, it was made to me, but I mean, it was just

1 conversation rather than a complaint.

2 Q. You say, at the bottom of this page at paragraph 83 --

3 A. Okay.

4 Q. -- that, as you've mentioned:

5 'Children might be sanctioned and have their home

6 leave taken away for a couple of weekends. I think each

7 teacher had their own way of disciplining children.'

8 A. True. Some were more tolerant than others, possibly.

9 Q. And then, if we go on to page 18 and paragraph 88, what

10 was your method of disciplining children?

11 A. Well, there's different methods of disciplining

12 children. I mean, you can be firm with them, strict

13 with them, you can withhold their privileges. But

14 I didn't beat them up or do anything like that.

15 Q. There was a slight glitch in the connection there, so I

16 just want to be sure that we've got all of your

17 evidence. So you said you could be firm with them,

18 strict with them, withhold their privileges and then you

19 went on to say --

20 A. Be fair with them and with -- sorry, and be fair with

21 them as well, but they weren't easy to discipline, these

22 people, at all, and they could disrupt your class

23 teaching. They could disrupt the general feel in the

24 class and that sort of thing, and sometimes they would

25 do anything but formal work.

1 It was a case of their behaviour was bad. I mean,
2 many of them were delinquents, as I would have put it,
3 and they, er, weren't easy to teach and it was
4 a challenge.

5 LADY SMITH: 'Francis', did that make you feel that you were
6 in need of specialist training as to how to be a good
7 teacher to children who behaved in this difficult way?

8 A. Yes, now.

9 LADY SMITH: And you didn't have any specialist training?

10 A. We didn't have any.

11 LADY SMITH: Could you have asked for it?

12 A. Well, I suppose we could have.

13 LADY SMITH: What would have happened if you had?

14 A. Well, it would be up to the headteacher to put you
15 forward or your name forward for a course.

16 LADY SMITH: Now, you were quite young at the time, I think,
17 'Francis', late 20s into early 30s, when you were at
18 Lendrick Muir; have I got that right?

19 A. Yes.

20 LADY SMITH: And this job had appealed to you because it was
21 better located geographically for you than your previous
22 job; did I pick you up correctly about that?

23 A. Yes, if you want to put it that way, yes.

24 LADY SMITH: Well, I think the way you explained it, it
25 sounded like that.

1 A. Uh-huh.

2 LADY SMITH: I suppose the last thing you would have wanted
3 would be to say to the headteacher you needed specialist
4 training to enable you to cope with these children and
5 his reaction being: well, I can't give you that, so
6 you'd better leave? Would that have been a problem that
7 worried you?

8 A. No, that never occurred really. I mean, I admit I never
9 asked. I did make enquiries about doing a course and
10 I read a couple of thesis that two members of staff had
11 done on the course, but that was as far as it went.

12 LADY SMITH: Thank you.

13 Ms Innes.

14 MS INNES: Thank you, my Lady.

15 At the bottom of page 18 and paragraph 89, you say
16 that no record or punishment book was kept to your
17 knowledge.

18 A. No, there wasn't. I remember in day school I had
19 a punishment book, where you would enter the date and
20 the name of the pupil and if there was any punishment
21 given, what it was. But there was nothing like that in
22 Lendrick Muir at all.

23 Q. Can you remember there being a daybook in the staffroom
24 that people might note down what was happening during
25 the day?

1 A. Well, there was a daybook in the staffroom, I remember
2 that when you mention it, but I don't think there was
3 anything entered of worth, to be quite honest. I mean,
4 people would enter maybe their observations which we
5 would consult from time to time, but that was about it.

6 Q. Do you know what the purpose of the daybook was then?

7 A. No, I think it was more or less to keep staff informed
8 of what was going on.

9 Q. If we look on to page 19, please, and paragraph 91, you
10 talk there -- I think you were being asked
11 about physical interventions or restraint and you say
12 that you remember being in the dining room and one of
13 the teachers being on the floor tussling with a pupil?

14 A. Correct.

15 Q. And then another occasion where a teacher was sitting on
16 a child who was on the floor?

17 A. She was. She was straddling him and I wondered why.
18 Whether there had been something, and she said she was
19 restraining him, but it wasn't my place to interfere.
20 I mean, it wasn't my pupil.

21 Q. Was there any particular advice or guidance given about
22 restraint or physical intervention?

23 A. Just somebody told me once that there was a cooling room
24 in the school way back before my time and if pupils
25 misbehaved, they were put into this padded room, but

1 I think that had stopped by the time I went there.

2 Q. In terms of having to physically intervene, for example,
3 if there was a fight going on, were you given any
4 guidance or training as to what to do?

5 A. No, no.

6 Q. Going on over the page, to page 20, you talk about a boy
7 attacking you and a member of staff restraining the boy.
8 You say that you never physically restrained anybody
9 while you were there; is that right?

10 A. That's correct. I'm not a physical person. I mean,
11 many of the staff were -- the male staff were quite big
12 and powerful people and I think the pupils thought twice
13 about challenging them or fighting with them or anything
14 like that. But I mean, I was only five feet six and not
15 terribly well -- I mean, I'm not as fat as I am now -- I
16 wasn't fat then, but I think it was different, you know.
17 They wouldn't have the same fear about attacking
18 somebody like me, who wasn't a physical person, than
19 maybe another member of staff who was over six feet and
20 built like a house end, you know?

21 Q. Now, if we go on over the page, to page 21, and
22 paragraph 100, you say that there was no definition of
23 abuse. You were just expected to know what it was and
24 what it wasn't?

25 A. Correct.

1 Q. And --

2 A. What's abuse to one person might not seem abuse to
3 another, you know, and that's what I meant by saying
4 that there was nothing formally given or dictated about
5 that, you know?

6 Q. Are you able to give an example of what you mean that
7 abuse might -- somebody might say something's abusive
8 and somebody else might view it differently?

9 A. Well, I remember going back -- going forward, I should
10 say, into the school situation, I remember in one
11 interval and a teacher said to me that this pupil had
12 told her to 'fuck off'. 'Well, what are you going to do
13 about it?' And I said, 'Well, I'm not going to do
14 anything about it because he didn't tell me to fuck
15 off', I said, 'But if he did, he would know about it'.
16 So it's the same thing. I mean, what's chalk to one
17 person's cheese to another and what some people are
18 willing to tolerate and others are not.

19 Q. And then in the next paragraph you go on to say at
20 paragraph 101 that looking back, you would have thought
21 that abuse of any kind would have come to light at the
22 time. Why is it that you think that?

23 A. Well, it would be gossip, I suppose, in the staffroom,
24 I don't know, or between people.

25 Q. And you say that you never heard any rumours of abuse

1 when you were at the school?

2 A. Well, again, it depends what abuse -- what's construed
3 as abuse and what isn't. I remember on one occasion
4 there was one teacher there, it was arranged that he
5 should have a boxing match with a senior pupil, it was
6 all talk, it didn't transpire. So, I mean, is that
7 abuse or is it not? I don't know.

8 Q. You tell us about that in your statement. A proposed
9 boxing match, I think, between a French teacher --

10 A. Uh-huh.

11 Q. -- and a member of -- a pupil?

12 A. That's correct, uh-huh.

13 LADY SMITH: Just before we stop for the afternoon break,
14 can we have the paragraph number for that, Ms Innes,
15 because the audio may have been having some trouble in
16 picking things up there. That's the reference to the
17 boxing match arranged.

18 If you can't find it just now, I can get it after
19 the break.

20 MS INNES: Yes, it's later in the statement. It must be
21 after paragraph 123.

22 LADY SMITH: Well, leave it until after the break.

23 'Francis', I normally take a break at this point in
24 the afternoon. Would it suit you if we have a short
25 break just now and then we'll get back to your evidence

1 after that?

2 A. Yes. Yes, that's fine.

3 LADY SMITH: Thank you. We'll do that.

4 (3.03 pm)

5 (A short break)

6 (3.13 pm)

7 LADY SMITH: 'Francis', welcome back. Are you ready to

8 carry on?

9 A. Carry on.

10 LADY SMITH: Thank you very much.

11 A. Thank you.

12 LADY SMITH: Did you find the reference, Ms Innes?

13 MS INNES: The reference to the boxing match just referred

14 to before the break's at paragraph 125 of the statement.

15 LADY SMITH: Oh, yes, thank you.

16 MS INNES: So that's at page 26.

17 Going back to page 21 of the statement, please,

18 'Francis' and at paragraph 102, you say there that you

19 weren't aware of any guidance or instruction given to

20 staff in relation to child protection; is that right?

21 A. That's correct.

22 Q. Now, moving on to page 22 and paragraph 106, you say, as

23 you've already mentioned, that there was one inspection

24 at the time that you were at Lendrick Muir?

25 A. Yes, that's all I can remember.

1 Q. And you remember an inspector coming in and sitting in
2 your class for a period and beyond that, you can't
3 really remember him speaking to you or speaking to the
4 children?

5 A. No, apart from the usual pleasantries and platitudes of,
6 'Good morning', or, 'Good afternoon', or whatever, and,
7 'Thank you very much', and there was no feedback on the
8 report.

9 Q. Okay. Now, if we can move on, please, to page 24 of
10 your statement, where you were asked about some other
11 staff members.

12 The first staff member or the second staff member
13 mentioned there, at paragraph 118, is KDG [REDACTED], and
14 can I just ask you if you ever had any concerns about
15 him in relation to his interaction with children?

16 A. I remember he was strict, but not overstrict, but he ran
17 the girls' side of things in a separate establishment in
18 Rumbling Bridge, I think it was, village, and he and his
19 wife ran the girls and they were quite firm that they
20 should do this and do that and not do this and not do
21 that. But, erm, there was nothing untoward. I mean,
22 the girls used to call him KDG [REDACTED]. I don't know if it
23 was a derogatory thing, but he had a healthy respect,
24 I think.

25 He's dead too, by the way. Took some kind of

1 illness latterly, not dementia, what was the other
2 word --

3 LADY SMITH: Alzheimer's?

4 A. I forget. It was Alzheimer's, that's right, that's
5 right. Because I visited him after I'd left at that
6 time he -- started to develop Alzheimer's and he wasn't
7 quite compos mentis and that was the last thing I ever
8 saw of him.

9 MS INNES: Now, if we move on, please, to page 26 and
10 paragraph 126, where you're referring to Mr KVV ,
11 who you have already spoken about, the final sentence
12 there, you say many of the staff thought he was great
13 and I just wondered whether you shared that view of him
14 or not.

15 A. Half and half, really because, I mean, I felt he could
16 have done a lot more and, as we've already discussed,
17 but a lot of the staff thought, I suppose, because he
18 was SNR as well that he was doing a good job
19 under the circumstances, I don't know.

20 Q. When you say --

21 A. I mean, he used to have -- he was another -- sorry, I'll
22 digress a bit -- but he was another one who used to --
23 not so much have an 'at home', but if you were on duty
24 at night, after you'd finished your duty, he would
25 invite you up to share some food with his wife and his

1 family, although I was never invited, but there were
2 those, and such of those, that seemed to be up there
3 quite often.

4 Q. And you say that he could have done a lot more. In what
5 respect could he have done a lot more, do you think?

6 A. Well, he could have possibly been more involved in the
7 day-to-day [REDACTED] the school and tightened up on
8 certain disciplines which he should have done in terms
9 of supervision and, erm, that kind of thing, but he
10 didn't.

11 Q. And then at paragraph 129 on page 27, you refer to
12 a staff member called KMN [REDACTED].

13 Did you have any concerns in relation to his
14 interactions with children?

15 A. I remember him, but he wasn't a very sociable person.
16 That's all I remember, that -- I mean, I didn't interact
17 with him much at all, apart from the usual pleasantries
18 and platitudes in passing, something like that. But,
19 erm, I mentioned him already as regards another matter,
20 but we'll come to that no doubt.

21 He was English, I think. I don't know whether he
22 had been trained down in England or not, but he was
23 a science teacher to boot, or at least I believe he was.
24 But I didn't find him very interactive or sociable, to
25 be quite honest.

1 Q. And you alluded to an issue that you say you have
2 already mentioned in your evidence, and was that in
3 relation to him pulling the hair of a boy?

4 A. Yes, uh-huh.

5 Q. And --

6 A. That's the only thing I remember.

7 Q. Okay.

8 Now, moving on to paragraph 130 of your statement,
9 you start referring to a statement given to the Inquiry
10 by a witness who has the pseudonym 'Jason'?

11 A. Right.

12 Q. Okay? And if we move on over the page, to page 28, he
13 says that you threw a bunch of keys at him in the
14 classroom and that you then went over and screamed in
15 his ears, and this happened more than once.

16 Did you behave in the manner that 'Jason' has
17 described?

18 A. I can't recall that at all. See, if I threw a bunch of
19 keys at somebody, it wasn't to hit them, it was to grab
20 their attention, because they were quite a difficult
21 class and they were inattentive, and I know in my time
22 at school, where if a teacher threw chalk or a duster or
23 something at somebody, it was not to hit them, it was to
24 get their attention.

25 Q. And if we look at paragraph 133, I think you say there

1 that the teacher would sometimes throw chalk or a duster
2 or keys, and was that something that was -- that you
3 did?

4 A. No, I didn't say I did that. I'm saying if I did that,
5 that's the reason I would have done it. Not to hurt it
6 or to hurt anybody. I mean, I don't know if other
7 teachers did the same thing or whether they ignored --
8 they were maybe more tolerant about these things than
9 I was, I don't know.

10 Q. And I think we have also heard evidence from 'Jason'
11 that you slapped him on the back of his head. Did do
12 you that?

13 A. No, I didn't. I certainly didn't.

14 Q. And then if we move on, please, to page 29, and
15 paragraph 134 --

16 A. Uh-huh.

17 Q. -- he refers there to seeing you slap another boy on the
18 head and he talks about the boy having to take his
19 glasses off before you slapped him. Did you do that?

20 A. No, I can't remember that at all.

21 Can I say that I think there's a certain collusion
22 or collaboration between this and the next statement.
23 Now, I don't know if they've been in cahoots or in
24 collusion or anything like that, but it seems rather
25 funny that these things all happened at the same time,

1 after 40-odd years. And one thing really seems to go
2 through the whole thing, which is -- it's not true.
3 It's just -- I think it's -- this particular person had
4 obviously made a complaint to the police and I was
5 questioned in Dundee fairly recently about this and the
6 police took no action and it was just left at that,
7 whether they thought it wasn't serious enough or what,
8 I don't know.

9 Q. Now, at paragraph --

10 A. I just --

11 Q. Sorry?

12 A. No, sorry, sorry, go on.

13 Q. At paragraph 136 of your statement, still on page 29,
14 you will see that 'Jason' says there that when you were
15 on late shift, as it were, you would pace up and down
16 the junior corridor and you would check the boys to see
17 if they were wearing underwear beneath their pyjama
18 bottoms; did you do that?

19 A. I can't recall that at all, but I wouldn't have thought
20 it something wrong to do, because, I mean, boys, if they
21 got away with it, some of them would wear their
22 underwear under their pyjamas, which is not hygienic and
23 not healthy, and to check to see if they were still
24 wearing their underwear, it doesn't mean you were
25 looking at their sexual organs or bits like that.

1 I mean, that's -- the implication of that is radical and
2 unfair, because I know if I had ever checked anybody, it
3 would just be to see if they were wearing underpants
4 under their pyjamas.

5 Q. If we move on, please, to page 30, and paragraph 140,
6 you will see there that 'Jason' says that you were
7 making wine in your room. Is that something --

8 A. I can't remember that. Sorry, I can't remember that at
9 all and even if I was, I don't drink, and never have
10 been a drinker, I'm teetotal, so it would have been
11 an experiment or something, just to see if it could be
12 done.

13 Q. Then in the next -- well, sorry, just continuing with
14 what 'Jason' says at paragraph 140, he refers to you and
15 another boy, who has the pseudonym 'Alex' --

16 A. Mm-hmm.

17 Q. -- he says that talk was rife with the other boys that
18 something was going on.

19 Were you aware of talk being rife that something was
20 going on between you and 'Alex'?

21 A. No, no, I wasn't. I mean, they would hardly say
22 anything to me anyway. It was probably just hearsay and
23 pupils do talk, people talk, it's just like gossip,
24 I suppose.

25 Q. And then 'Jason' goes on at the bottom of page 30 to

1 page -- to paragraph 142, and going on to the next page,
2 he essentially talks about being involved in a group
3 punishment where he says that he was made to do the same
4 punishments even although he hadn't been involved.
5 What's your response to that? Did that happen?

6 A. I can't remember. I'm not being funny, but I can't
7 remember, but, I mean, if you fly with the crows, you're
8 shot with the crows, it's as simple as that, and if he
9 was part of the group, then he would be there and know
10 what was happening presumably. And from what he said in
11 his report, I mean, his own experiences in the past have
12 been far worse than any of this. I mean, he's made
13 accusations against many other people, so I believe.

14 Q. At paragraph 144, on page 31, you say:

15 'He makes himself out to be a goody-two-shoes and he
16 was too timid to be involved in anything and he was
17 this, that and the other. In a school like that, you've
18 got to try to fit in and be the same as anybody else.
19 They've all got issues. I don't think he can bring his
20 personal issues as far as that.'

21 Now, why are you saying there that you think that he
22 is making himself out to be a goody-two-shoes and your
23 attitude is well, he should just have fitted in?

24 A. Well, that was stated previously, that I think [REDACTED]
25 SNR [REDACTED] had told him, quote, 'to toughen up' and

1 that's what it was about in Lendrick Muir. It was
2 survival of the fittest as well. These children had
3 various issues and he had been -- before, in his report,
4 he had been making allegations against people, a social
5 worker or somebody else, going to his house and taking
6 him back to school and he was screaming and shouting
7 that he didn't want to go and all this sort of thing.
8 Well, he just has to toughen up, really, or -- or they
9 should be -- if the school knew that, they should seek
10 to do something about it. However they deal with these
11 things, I don't know, whether it's through counselling
12 or moving him somewhere else, you know?

13 Q. Now, moving on to another statement that you've looked
14 at and considered in your statement, this is the
15 statement of a person with the pseudonym, 'Alex'.

16 A. Mm-hmm.

17 Q. And first of all, at paragraph 145, you refer to him
18 speaking about the showers and how they were communal
19 showers and he says there, referring to you:

20 'One teacher who went on to sexually abuse me used
21 to hang around the shower area quite a bit, the other
22 boys would mention it.'

23 Did you hang about the shower area quite a bit?

24 A. I was only in the shower area when it was my duty to be
25 there and to make sure that all the boys showered and

1 that was it. And there was no sexual abuse or anything.

2 Q. Now, you then move on in your statement to set out what

3 'Alex' has said in relation to your behaviour and if we

4 could look, please, at page 37, and paragraph 150, you

5 talk about a trip to France and -- so at paragraph 150,

6 it appears that you -- it suggests there that you were

7 going to France and that he suggested that he go along

8 with you?

9 A. He wanted to go along as well, because he was very

10 interested in French and attended the Higher French

11 class, and, erm, I said he could come, as long as he got

12 permission from his parents, from the headmaster and his

13 social worker, which he did.

14 Q. Is it not you that instigated it, that you invited him

15 along?

16 A. No, I told him I was going.

17 Q. Then -- and you didn't approach the headteacher for

18 permission?

19 A. No, I can't remember. I mean, I told him that he had to

20 get the -- headteacher's permission and the social

21 worker's permission and the school social worker's

22 permission as well.

23 Q. Can you recall speaking to anyone within the school

24 about this trip and getting consent in advance of going?

25 A. Yes, I think I did. I think I did.

1 Q. Who would it have been that you spoke to?

2 A. I think the school social worker, that I can recall.

3 Q. Can you remember about what his reaction was to your

4 suggestion?

5 A. No, I can't. He would just be careful or -- that was

6 about it.

7 Q. Then if we go on to page 38 and paragraph 151, you're

8 addressing there an issue that 'Alex' raises in his

9 statement which is that when you got to the hotel that

10 you were going to be saying in, it was a room with

11 a double bed, as opposed to, for example, separate rooms

12 or separate beds. Is that correct, that when you got

13 there it was --

14 A. That's correct.

15 Q. And did you speak to the hotel about arranging separate

16 rooms?

17 A. No.

18 Q. Why not?

19 A. Why not? Well, why should I really, because I mean

20 there was nothing going on. There was no impropriety or

21 anything going on.

22 LADY SMITH: 'Francis', was it you who booked this trip in

23 the first place?

24 A. I booked it for myself, yes.

25 LADY SMITH: Before you left, you must have known that this

1 boy was going with you, didn't you?

2 A. Before I left, yes.

3 LADY SMITH: Did you contact the hotel at that point and

4 book a second room for the boy?

5 A. No. No.

6 LADY SMITH: Why not?

7 A. Why should I? I wasn't guilty of anything.

8 LADY SMITH: Where was the boy going to sleep?

9 A. He could have slept on the bed.

10 LADY SMITH: No -- just think, wait, 'Francis', hang on,

11 still when you're back in Scotland and you haven't left

12 for this trip yet, you're going, you know you're taking

13 a child with you, and you tell me you didn't contact the

14 hotel to tell them that and to find out if you could get

15 a separate room for him?

16 A. Well, I never thought about it. I mean, you know, I was

17 keen to get there and to see the place and for him to

18 see the place, because he was very interested in the

19 French way of life and French customs. I know what

20 you're saying. It doesn't look good.

21 LADY SMITH: Where did you think he was going to sleep,

22 'Francis'?

23 A. Well, he could sleep on the bed because I wasn't going

24 to touch him or do anything, but he didn't. He slept on

25 the floor and I said, 'Well, you can lie on the bed',

1 because there's a big difference between sleeping on
2 a bed and on the floor and he did eventually lie on the
3 bed and I ascertained later why he wasn't keen, and he
4 ...

5 LADY SMITH: Ms Innes.

6 MS INNES: Thank you, my Lady.

7 So you say that you didn't speak to the hotel about
8 getting separate rooms. Did you speak to the hotel
9 about getting twin beds in the room?

10 A. I didn't speak to the hotel at all. We just went there
11 on a trip to France and that was it. There was no
12 ulterior motive.

13 Q. You then say that he was lying on the floor and
14 presumably you were going to use the bed; is that right?

15 A. Yes, I used the bed.

16 Q. And is it correct that he was -- he did not want to
17 share the bed with you and he made that clear to you?

18 A. No, he didn't make it clear to me at all. He made it
19 clear afterwards why he wasn't keen to share the bed.
20 Because -- I suppose it's confidential, but I could tell
21 you that, since you're delving into all these things,
22 erm --

23 Q. Well, you have covered this in your statement, so we do
24 have your explanation there.

25 A. Right, okay.

1 Q. Thank you.

2 If we can move on, please, to paragraph 154, you're

3 addressing there where 'Alex' says that you went to

4 a B&B and he thought it was Blantyre. You say you've

5 never been to Blantyre. Did you ever go to a B&B with

6 'Alex'?

7 A. No, not really.

8 LADY SMITH: Sorry, 'Francis' what do you mean 'not really'?

9 You either went to a B&B with him or you didn't, which

10 was it?

11 A. Well, I didn't go to a B&B with him at all.

12 LADY SMITH: Was there a bed and breakfast place somewhere

13 in Scotland that you knew from -- previously that you

14 knew the people there who were quite comfortable with

15 it? Was there somewhere?

16 A. Yes, I knew -- in Brechin I knew people, because

17 I'd stayed there before.

18 LADY SMITH: Okay. So there was a B&B in Brechin that you

19 were familiar with?

20 A. Well, it wasn't a B&B, it was just people I knew.

21 LADY SMITH: Oh, I see. Had you stayed there?

22 A. Yes.

23 LADY SMITH: Okay. Thank you.

24 MS INNES: Did you ever go to stay over somewhere in the

25 vicinity of Blantyre, potentially with a view to going

1 into Glasgow to the theatre at night, for example?

2 A. No. I never went to the theatre in Glasgow at all, and

3 along with this, he said I bought him a pair of trousers

4 and measured his inside leg. Now, why would I carry

5 a tape measure with me to measure anybody's inside leg?

6 Q. Did you measure him for a pair of trousers?

7 A. Certainly not.

8 Q. Now, as you know, 'Alex' goes on to say that after this

9 initial measuring of him, you later masturbated him and

10 yourself. Did you do that?

11 A. Certainly not. No, I didn't.

12 Q. And that you then tried to persuade him that this sexual

13 contact was normal; did you do that?

14 A. No.

15 Q. That, for example, it was normal for people to have

16 sexual attraction if they had a close relationship?

17 A. Well, of course it is, if they have a close

18 relationship.

19 Q. At paragraph 155, you address there the issue of

20 drinking wine in your room at Lendrick Muir?

21 A. I don't drink. I was teetotal, but I had a cask of wine

22 or at least sherry hidden in my wardrobe for visitors,

23 if any members of staff or visitors who drank could come

24 in after their duties and have a meal or have

25 a get-together.

1 Q. And did you give some of that to 'Alex'?

2 A. No, he stole it, and I didn't know that until later on,
3 that he had helped himself to the sherry.

4 Q. And what did you do then?

5 A. What did I do?

6 Q. Mm-hmm.

7 A. Well, I didn't do anything. I was just aware of it.

8 Q. You say, I think, in this paragraph that he had a key to
9 your room?

10 A. Well, let's put it straight, he used my room because
11 when I met him first, it was one of the carers who
12 brought him to my room when I was going away and he was
13 crying and he was listening to music. So I said to him
14 afterwards, I said: well if you're -- because I knew he
15 didn't like sport and he didn't like this and he didn't
16 like that but -- and he hated the school, but he also
17 was interested in things I was interested in, like the
18 theatre and like music and other things, which I offered
19 to the pupils, and he partook of these things. So
20 I gave him a key that he could go into my room any time
21 and sit and watch television or read or do anything like
22 that.

23 Q. Did you give a key to any other pupil?

24 A. No, I didn't, no.

25 Q. And did senior staff know that 'Alex' had a key to your

1 room?

2 A. Well, they must have done because they could see him
3 going in and out.

4 Q. And sometimes when -- we understand that there would be
5 a meeting at 6 o'clock where children would have to say
6 where they were going for the evening?

7 A. Uh-huh.

8 Q. Are you aware that 'Alex' would give your room number
9 when he was saying what he was going to do for the
10 evening?

11 A. Well, he must have done, because nobody questioned it.

12 Q. Now, I'm just going to ask you a series of questions
13 about your interactions with 'Alex'.

14 Did you treat him differently to other pupils?

15 A. Yes, in one way, because, I mean, he seemed to be --
16 well, first of all, he was a very bright person and
17 secondly, he seemed to be quite mature in his way of
18 thinking, and he was interested in the things I was
19 interested in, so I included him in theatre visits and
20 things like that.

21 Q. Did you take him away on his own for the weekend?

22 A. Not that I can think of. I mean, he was part of
23 a group. I remember going camping once in -- just
24 Stracathro and he was part of the group and we went to
25 places like Ben Lawers and Fearnan, places like that,

1 and he was part of a group.

2 Q. Other than that, did you take him away on his own for

3 weekends when he was at the school?

4 A. I don't think so.

5 Q. Did you spend time with him during --

6 A. I did take him to -- I did take him to Brechin and

7 offered him a job, because I had a summertime job at

8 the raspberry picking at Stracathro, and I asked him if

9 he wanted to come, which he was keen to do and he was

10 there and having the responsibility of selling the fruit

11 and from the money he earned, he -- I think he bought

12 a bicycle, if I can remember, I'm not sure, it's --

13 I think he did.

14 Q. And were you both staying in the same accommodation when

15 you were berry picking over the summer?

16 A. Yes, his sister was here as well with her husband and

17 they stayed in a tent, beside the field, and I had

18 a caravan. And we didn't sleep in a double bed, we

19 slept in single beds to give him accommodation obviously

20 when he was there, because there was no way he could

21 afford or had accommodation of his own.

22 Q. Okay, so he was in the caravan with you?

23 A. He was there and next door to us, a friend of mine.

24 Q. Did you meet his parents?

25 A. Yes.

1 Q. Did you instigate contact with his family in order to
2 give you greater access to him?

3 A. Why would I do that? No, I didn't. He was the one who
4 wanted me to meet his family, although there was
5 a certain reluctance at the -- initially, but it wasn't
6 a long time. It was just on a couple of occasions,
7 I think. I mean, his parents were both alcoholics and
8 I don't think he had a very good life there at home with
9 them. I don't know. But he had a sister who worked in
10 a shoe shop in Kirkcaldy and he introduced me to her and
11 she seemed a very nice person and she had a -- it was
12 either a husband or a boyfriend, I can't remember, but
13 she seemed okay.

14 Q. While 'Alex' was at school, did you isolate him from other
15 children?

16 A. I certainly did not, I was just -- I just wanted him to
17 have standards because a lot of the kids were delinquent
18 and wrongdoers and involved themselves in nefarious
19 practices and I-- because eventually, when I got to know
20 him, I trusted him as a friend and -- but I never
21 stopped him doing anything he wanted to do, because he
22 had a mind of his own.

23 LADY SMITH: 'Francis', you mentioned a caravan and that you
24 used it at the raspberry picking holiday.

25 A. Yes, uh-huh.

1 LADY SMITH: Did you take 'Alex' anywhere else in your
2 caravan?
3 A. Not that I can -- no, I didn't pull the caravan. It was
4 a stationary caravan. It was stationary.
5 LADY SMITH: Ah, right. Did you take him to that caravan at
6 any time other than the berry picking?
7 A. Not that I can remember, no.
8 LADY SMITH: Okay, thank you.
9 MS INNES: Whilst 'Alex' was at school, did you tell him
10 that other staff members were speaking negatively of
11 him?
12 A. No, I told him on three occasions, I did tell him. The
13 first was that the social worker's wife was taking part
14 in a Higher French class in the school, obviously she
15 got permission from the headmaster to do that, and she
16 had complained to me that he was unhygienic and he was
17 smelling of BO and maybe I should have a word with him,
18 which I did, and I said to him that hygiene was
19 important and he should have a shower and so on, because
20 at that time he was living with another boy in a room.
21 So whether he showered or where he showered, I don't
22 know, but that was the first time.
23 The second time -- or the first time, I can't
24 remember which order it was -- but he said that
25 [REDACTED] KMN, that we mentioned, had, for some reason,

1 pulled his hair and I told him, I said, 'Well, obviously
2 it wasn't for some reason, that he wouldn't have done
3 that for nothing, and you must have been cheeky to him
4 or insulted him in some way'. And I said if you
5 think -- if you want to remedy that one, then what
6 I would advise you to do is cut your hair, which he did
7 cut his hair. I said there would be nothing to grab
8 then, but that was the last I heard of that.

9 And the third time was when it was mentioned at
10 a staff meeting that somebody had felt that he should
11 broaden his social horizons by mixing with other pupils,
12 either to the bad or the good, that that would help his,
13 I suppose, his standing, I don't know.

14 But -- so I told him. I said, you know, 'It was
15 felt that you should fraternise and mix with other
16 people in the school', and I said, 'Well, don't come to
17 my room at night', just -- and evening, I should say,
18 not night, but he ended up that the first night he did
19 come, but later on, he knocked at my door and wanted to
20 get in and I said, 'No, you've got to stay out and
21 socialise with other people'.

22 But the next night he was back in again, because he
23 didn't particularly like the type of people that was
24 there.

25 Q. Did you --

1 A. I didn't want -- sorry, I didn't want him to be mixing
2 with people that he didn't want to mix with.

3 I mean, he learned to confide in me at one time that
4 he was gay and I said, 'Well, there's nothing wrong with
5 that'. I said, 'I mean, some people are, some people
6 are not', I said, 'It's maybe a phase that you're going
7 through', and I said, 'You just have to accept that and
8 deal with it'. But then he told me later that he had
9 been --

10 LADY SMITH: Hang on a minute, 'Francis', can we keep on
11 track. I think Ms Innes is following a particular line
12 of questions here.

13 Can you just listen to what she has to ask you next?
14 Ms Innes.

15 MS INNES: My Lady, yes.

16 'Francis', I've just got some more questions to ask
17 you in relation to 'Alex'.

18 Did you have any sexual contact with him at all?

19 A. No, no. Other people may have wondered, but, I mean,
20 you know, that's a natural thing that people think.

21 Q. Why would they think that?

22 A. Pardon?

23 Q. Why would they think that?

24 A. Well, think about it, I mean, you know yourself that --
25 I mean, I don't have to explain it why, but, I mean, if

1 they saw that I favoured MWK or -- in any way or that
2 he got special privileges or anything like that, they're
3 bound to think, 'Oh, there's something going on'.
4 That's hearsay and it's not necessarily the truth, but
5 they would say it anyway.

6 Q. If we look at page 40 and paragraph 162 of your
7 statement, you say that what happened:

8 'It was nothing as bad as he paints in his
9 statement. Anything that was done was done with the
10 best of intentions and for his benefit.'

11 So is that your position in relation to your
12 interactions with 'Alex'?

13 A. Yes, it was and, I mean, I did a heck of a lot for him
14 and gave him many privileges that some other pupils
15 didn't have and I was shocked and annoyed and, erm, let
16 down by the things -- and that he'd alleged. I mean
17 why, after 40 years, would he allege that? And, I mean,
18 he never had anything -- any good to say about what I'd
19 done for him.

20 I mean, for example, I remember one occasion at
21 Christmas when he -- I took him back to Kirkcaldy to his
22 home and he said that he had no food and there was
23 nothing to celebrate Christmas, so I bought him some
24 food and some bits and pieces for their Christmas for
25 him and his family. Was that not being kind?

1 As a Christian, I would have thought it was. You
2 know, I mean, you do what you can to try and help people
3 and yet when they throw it back in your face, it's not
4 very nice and it's not a good feeling. I've always
5 tried to help people and do things for people if they
6 wanted that. But it's the old story, you know, you're
7 never appreciated.

8 Q. And you're also aware that he says that you took nude
9 photographs of him; did you do that?

10 A. I certainly did not. I certainly did not.

11 Q. And then, if we look on to page 45 and paragraph 192,
12 you say there -- you talk about the issue of grooming
13 and you say:

14 'My actions could possibly have been misconstrued by
15 someone else as grooming.'

16 A. I certainly wasn't grooming. I mean, with grooming you
17 would think you had an intention for some ulterior
18 motive, but there was no ulterior motive in that
19 I wanted the best for him and I wanted him to do well
20 because he was clever.

21 LADY SMITH: But do you accept that your actions, as
22 observed by somebody else, could have been construed as
23 grooming? That's what you say here in the statement.
24 Do you see that, at 192? (Pause)

25 A. Is Lady Smith talking to me?

1 LADY SMITH: Yes, yes.

2 A. Oh, sorry, I didn't see you. I thought you were --

3 LADY SMITH: Sorry, it's your statement I'm talking about.

4 192, and the point that Ms Innes was putting to you that

5 you've said in your statement that you accept that your

6 actions could possibly have been misconstrued by

7 somebody else as grooming.

8 That's your position, is it?

9 A. That word was never used in those days, grooming.

10 LADY SMITH: I get that. But this is your statement.

11 That's what you've said.

12 A. Yes, well, I never intentionally groomed him at all.

13 I did what I felt was the best for him and gave him

14 every opportunity to partake of these things and do

15 these things and I remember on one occasion -- I mean,

16 he asked me if I could give him some medication because

17 he had cracked lips and the thing they used for cracked

18 lips was Blisteaze and, I mean, he said to me, 'I need

19 Blisteaze, can you get me some?' You know, I mean, that

20 was hardly grooming. That was helping him in some way

21 and I think -- I believe that by helping people it's not

22 grooming. That's the wrong word and it's out of context

23 altogether, you know.

24 That's just my belief, anyway. But obviously other

25 people may have thought, 'Mm-hmm this', and, 'Mm-hmm

1 that', I don't know.

2 LADY SMITH: Just take your cracked lips example, 'Francis'.

3 If that had been another boy, would you have suggested

4 that he speak to the housemother or to the matron and

5 see what they could give him for his cracked lips?

6 A. Because I didn't have that kind of relationship with

7 the -- really any of the other boys. I don't know what

8 I would have done because they didn't.

9 LADY SMITH: Okay, but is your answer to my question 'yes'?

10 If another boy had said something about his cracked

11 lips, you would have sent him to the appropriate person,

12 the housemother or the matron? Have I got that right?

13 A. Yes, but --

14 LADY SMITH: 'Francis', hang on, and you wouldn't have gone

15 and bought Blisteze for him yourself?

16 A. Probably true.

17 LADY SMITH: Right.

18 A. Probably true.

19 LADY SMITH: Okay, thank you.

20 Ms Innes.

21 MS INNES: Thank you, my Lady.

22 Just finally, 'Francis', on page 46 in paragraph 201

23 of your statement, you say you weren't aware of any

24 abuse happening at Lendrick Muir. You say:

25 'If people who were pupils have been affected by

1 their experience there, so be it, but I wasn't aware of
2 it. Sometimes people make a big deal out of things that
3 weren't genuine at all.'

4 Is that your position in relation to people who say
5 that they were detrimentally affected by their
6 experience at Lendrick Muir?

7 A. Nobody ever told me that they -- apart from MWK, that
8 there was anything like that at Lendrick Muir and
9 I never heard of anything happening between pupils and
10 staff or anything like that.

11 Q. Okay --

12 A. But hearsay is an awful thing, you know. I mean, people
13 make up stories and say things about people that are not
14 quite true, you know.

15 It seems to be human nature, they either gossip or
16 they make up stories, for what end I don't know.

17 MS INNES: Well, I think, my Lady, that brings me to the end
18 of my questions for 'Francis'. Obviously, we have your
19 statement as well, which is all part of your evidence to
20 the Inquiry, 'Francis', thank you.

21 A. Okay, thank you.

22 LADY SMITH: 'Francis', let me add my thanks. We have kept
23 you being questioned all afternoon and I'm sure it's
24 been very tiring for you, but I'm grateful to you for
25 bearing with us and our questions, as you have done.

1 A. Well, thank you so much.

2 LADY SMITH: We are now going to be able to switch off the
3 link and I hope you can relax for the rest of the day.
4 Thank you.

5 A. Thank you very much.

6 (The witness withdrew)

7 LADY SMITH: A few names I want to mention of people whose
8 identities are protected by my General Restriction
9 Order. They're not to be mentioned outside this room as
10 referred to in our evidence and there was KDG ,
11 KMN , KVV and MWK . None of these
12 are to be repeated or identified elsewhere. Now.

13 MS INNES: So, my Lady, that concludes the evidence for this
14 block of hearings.

15 Hearings will re-commence on 14 August, at which
16 time we will turn our attention to Harmeny, St Vincent's
17 and the Royal Blind School.

18 LADY SMITH: Yes, thank you very much.

19 So I'll rise now and, as Ms Innes has just said,
20 we'll be sitting again in August, halfway through
21 August, with the next section of evidence, and I hope in
22 the meantime there is some more summer weather for you
23 all to enjoy and have a little bit more freedom rather
24 than be detained in these premises. Thank you.

25 (4.02 pm)

1 (The Inquiry adjourned until
2 10.00 am on Thursday, 14 August 2025)
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25

I N D E X

'Oliver' (affirmed)1
 Questions by Ms Innes3
'Tommy' (read)94
'Francis' (sworn)107
 Questions by Ms Innes108

