

1

Wednesday, 27 August 2025

2

(10.07 am)

3

LADY SMITH: Good morning.

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Welcome back to our hearings in Phase 9 in which we're looking into the provision of residential care for children in this section, children who had disabilities, in particular hearing impairments and visual impairments, and as you'll remember, we're in the section looking at children with visual impairment at the moment.

Now, Ms Innes, where do we go next?

MS INNES: My Lady, we have a witness who has the pseudonym 'Diana'. 'Diana' attended the Royal Blind School from about 1980 until 1991. She was a complainer on the indictment against David Penman, but the charge in respect of her was withdrawn by the Crown during the course of the trial.

Perhaps if we could look at JUS-000000224, page 2 and charge 8, which, as your Ladyship has -- deleted. That is the charge in respect of 'Diana'.

LADY SMITH: Yes. Thank you.

MS INNES: Thank you.

'Diana' (affirmed)

LADY SMITH: 'Diana', it's Lady Smith speaking again.

I chair the Scottish Child Abuse Inquiry and I'm sitting

1           at the front of the room, as I think you've already had  
2           indicated to you.

3   A.   Yeah.   Yes.

4   LADY SMITH:   That's a little bit to your left and front from  
5           you.

6           And Ms Innes, who will be asking you most of the  
7           questions this morning, is about directly across from  
8           you, if you can -- I don't know if you can make much of  
9           her out where you are.   I do appreciate that there are  
10          some shapes that you can see --

11   A.   Yes.

12   LADY SMITH:   -- but it's not great for you.   So if you've  
13          got any questions to do with your sighting who is  
14          speaking or whatever, please don't hesitate to tell me.

15   A.   Thank you.

16   LADY SMITH:   You'll essentially just hear our two voices.  
17          It's possible that the stenographers may have to ask  
18          a question from time to time.   Now, they're directly to  
19          your left.   There are two women there.   So that's who is  
20          speaking if you hear a voice coming from there.   It  
21          could be to ask you to go into a different position on  
22          the microphone or ask us to stop speaking so quickly, or  
23          anything like that, really to help them with their job.

24   A.   Yeah, okay.

25   LADY SMITH:   As you know also, there are other people in the

1 room today. There are people far over to your right,  
2 some distance away from you, but you won't hear anything  
3 from them. They are just sitting quietly and listening.

4 My plan is to carry on hearing your evidence for  
5 about three quarters of an hour or so and check with you  
6 then how you're feeling, as to whether you'd like  
7 a break at that point. If you want a break before then  
8 of course it's okay, but I can break in about three  
9 quarters of an hour. And I break anyway in about  
10 an hour and 20 minutes in any event, but we can deal  
11 with that as we go along.

12 A. Yeah, that's fine.

13 LADY SMITH: I just want you to be as comfortable as you can  
14 giving your evidence.

15 Thank you for providing the statement that I've got  
16 already. It's been really helpful to be able to read  
17 that in advance and study it and it means there's quite  
18 a lot that we won't need to ask you or ask you in any  
19 detail this morning, because we've already got it.

20 But that's not to say that if you want to tell me  
21 today something that you think we're skipping over that  
22 matters to you or something we've missed out, do please  
23 just say. It's important that I know that.

24 A. Okay.

25 LADY SMITH: If you're ready, I'll hand over to Ms Innes and

1 she'll take it from there. Ms Innes.

2 Questions by Ms Innes

3 MS INNES: Thank you, my Lady.

4 'Diana', it's Ruth Innes speaking. As you know,  
5 I'm going to be asking you most of the questions this  
6 morning and first of all, I'm going to just give the  
7 reference to your statement which is at WIT-1-000001406.

8 Now, at the end of your statement, there's  
9 a paragraph that says that you have no objection to your  
10 witness statement being published as part of the  
11 evidence to the Inquiry. You believe the facts stated  
12 in this witness statement are true.

13 And there's a signature on your statement and it's  
14 dated 27 March 2024.

15 Now, I understand that you met members of the  
16 Inquiry team on two occasions in 2024 for the purposes  
17 of giving and reviewing your statement?

18 A. Yeah.

19 Q. Is that right?

20 A. Yes, that's right.

21 Q. And on the second occasion, so that was 27 March 2024,  
22 the statement was read over to you and you then approved  
23 and signed it?

24 A. Yes.

25 Q. And I think it was indicated to you by the team where to

1 sign?

2 A. Yes.

3 Q. Thank you.

4 Now, you tell us that you were born in 1973; is that

5 right?

6 A. Yes, yes.

7 Q. And at paragraph 5 of your statement, you tell us that

8 you started school in Wick?

9 A. Yeah.

10 Q. And you were initially at a mainstream school?

11 A. I was, yes.

12 Q. And how did you find that school?

13 A. Erm, it was fine. Obviously I had just another child's

14 parent as a helper for me in school. Erm, I personally,

15 at that point, didn't think there were any issues, but

16 it was decided by the educational psychologist that the

17 school wouldn't be able to meet my needs and that it

18 would be better if I went to a more specialist school.

19 So the Blind School was identified.

20 Q. Okay, and at paragraph 7 of your statement, on page 2,

21 you tell us that that was decided just before you were

22 due to go into primary 3?

23 A. Yes, that's right.

24 Q. And it was decided that you were going to go to the

25 Royal Blind School?

1 A. Yes.

2 Q. And that's in Edinburgh --

3 A. Yes, it is.

4 Q. -- obviously. And you tell us in your statement about

5 coming down to the school. You talk about your family.

6 There was your mum and dad and your brother?

7 A. Mm-hmm. Yeah, yeah.

8 Q. And you were to board at school?

9 A. Yes.

10 Q. And when you came down to the school first of all, did

11 you know that that was the plan, that you were going to

12 be staying there?

13 A. I knew that I would stay there, hopefully for just

14 a short period of time and then get to go home, but that

15 wasn't the way that things panned out.

16 Q. Okay. Now, when you went to the school, you tell us

17 a bit about the layout and where you were staying.

18 A. Mm-hmm.

19 Q. And at paragraph 14 of your statement, you tell us that

20 there was a house called Drever House?

21 A. Yes, that's right.

22 Q. And what was that?

23 A. Erm, that was a boarding house for younger -- primary

24 school age children. It was still in the grounds of the

25 Blind School and we just went there after school and

1 obviously if you were staying in at weekends, you stayed  
2 there as well.

3 Q. And how many children were in Drever House?

4 A. Probably 10 or 12.

5 Q. And you told us that when you went there, I think you  
6 were the youngest --

7 A. Yes.

8 Q. -- child there?

9 A. Yeah.

10 Q. And what sort of ages were the other children, can you  
11 remember?

12 A. Sort of 9, 10, 11.

13 Q. And were there boys and girls?

14 A. Yes.

15 Q. And you say that there was a girls' bedroom and a boys'  
16 bedroom?

17 A. Yes.

18 Q. How many girls were in the bedroom with you?

19 A. Two, two other girls.

20 Q. Okay. And over the time, did you stay at Drever House  
21 for the whole time that you were in primary school?

22 A. No. I then, when I was about 11, moved up and stayed in  
23 the girls' floor of the Blind School, actually in the  
24 main building.

25 Q. Okay, and did that floor have -- or area have a specific

1 name or not?

2 A. It was just called 'the girls' floor' and it had what  
3 they called a 'big end' and a 'wee end', and in the 'wee  
4 end' was where the younger pupils stayed.

5 Q. Okay, and just staying with Drever House, moving on to  
6 page 4 of your statement and paragraph 19, you say that  
7 you'd never visited the school before you went there to  
8 stay?

9 A. No, no, no, never.

10 Q. Okay. And how did you find the staff in Drever House  
11 when you arrived?

12 A. Very cold.

13 Q. How many staff were there at Drever House?

14 A. Four -- there was four staff.

15 Q. And did they take turns of being on duty?

16 A. Yeah, they worked in twos and then we had a lady who  
17 came in that helped with the breakfast and lunch and  
18 tea.

19 Q. Were there staff there overnight?

20 A. Yes.

21 Q. And were they sleeping overnight?

22 A. They were sleeping, yes.

23 Q. And you tell us about the routine and things that  
24 happened when you were staying at Drever House.

25 A. Mm-hmm.

1 Q. And you say at paragraph 28, on page 5, that, for  
2 example, you'd have to say your prayers before you went  
3 to bed, whether you wanted to or not?  
4 A. Yeah.  
5 Q. And was that something that you did at home or --  
6 A. No, no, not at all.  
7 Q. And do you know what the consequence of not doing that  
8 would have been?  
9 A. No, I think you just didn't get an option, you just had  
10 to do it.  
11 Q. And you say in the next paragraph of your statement:  
12 'After that, it was lights out.'  
13 A. Yes.  
14 Q. And you went upstairs?  
15 A. Yes.  
16 Q. 'If you were caught doing anything, you got into  
17 trouble.'  
18 A. Yes.  
19 Q. 'You were sent to bed early the next night or you would  
20 miss an activity the next day.'  
21 A. Yes. Yes.  
22 Q. And did these sorts of things happen to you or --  
23 A. It happened a couple of times.  
24 Q. Okay. And how did you feel about being sent to bed  
25 early, for example?

1 A. Well, it was something that had never, ever happened to  
2 me before, erm, so, you know, I felt quite -- probably  
3 quite ashamed and it was something that I probably  
4 wouldn't want to share with my parents, because I didn't  
5 really get into a lot of trouble at home. Erm, so to  
6 me, it was quite a big, shocking thing.

7 Q. Okay, and can you remember what it was that had resulted  
8 in that?

9 A. Erm, it was -- one day I had -- my mum had given a list  
10 of foods that I liked and didn't like and cooked  
11 tomatoes was one of the things I didn't like and they  
12 were put on my plate and I'd asked to be excused from  
13 the table to go to the toilet and I was actually going  
14 to the toilet to spit the tomatoes out, but you weren't  
15 allowed to flush the toilet after you'd used it because  
16 the staff had to check it. So I was given more tomatoes  
17 and made to sit at the table and eat the tomatoes and  
18 then the next day, I was sent to bed early.

19 Q. And you're connecting that to the fact that you hadn't  
20 eaten the tomatoes in the first instance?

21 A. Yes. Yeah.

22 Q. And you also say that potentially missing an activity  
23 would be a consequence?

24 A. Yes, yeah.

25 Q. Can you remember that happening to you?

1 A. I think it only happened once and the activity they  
2 always used to pick, because it was probably the most  
3 exciting one that happened during the week, was on  
4 a Thursday night, we were allowed to have fizzy juice  
5 and crisps for supper and we were allowed to have it in  
6 the living room instead of sitting at our tables in the  
7 dining room and it was because Top of the Pops was on.  
8 Erm, so that was your treat night so quite often that  
9 was the night that you would miss out on.

10 Q. At paragraph 31 of your statement, you say that if you  
11 woke up during the night, then you had to go and knock  
12 on one of the staff's door?

13 A. Yes.

14 Q. You go on to say:

15 'You'd obviously be waking them up and they would  
16 just ask what it was and send us back to bed.'

17 A. Yes.

18 Q. 'There was no comfort or reassurance offered.'

19 A. No.

20 Q. 'I didn't ever do it as I'd seen other people going to  
21 them and being sent back and realised it would be of no  
22 benefit to me.'

23 A. Yes.

24 Q. So did you see other girls --

25 A. Yes.

1 Q. -- in your room going?

2 A. Yes, yeah.

3 Q. Now, moving on to page 6 of your statement, and

4 paragraph 37, you talk about the bath or shower?

5 A. Yeah.

6 Q. The arrangements for that.

7 A. Mm-hmm.

8 Q. And you say that there was a bath and a free-standing

9 shower --

10 A. Yes.

11 Q. -- in each of the two children's bathrooms?

12 A. Yeah.

13 Q. 'So if I was in the bath, one of the boys would be in

14 the shower or vice versa.'

15 A. Yes, yeah.

16 Q. And how do you feel about that -- how did you feel about

17 that at the time, can you remember?

18 A. I wasn't -- I don't remember being very happy about it,

19 but, you know, I don't remember sort of doing very much

20 about it. Obviously, I had a brother and when, you

21 know, we were much younger, we would maybe go in the

22 bath together, but, you know, that was my brother and,

23 you know, I certainly, you know, looking back on it now,

24 it was wrong on so many levels. You know, just -- you

25 know, these boys might have maybe had better eyesight

1           than the girls that they were going to have a bath or  
2           a shower in at the same time and I just don't think  
3           privacy and boundaries or anything like that were  
4           respected.

5   Q.   Then you go on at paragraph 38 to talk about clothing.

6   A.   Mm-hmm.

7   Q.   And there was a school uniform and separate play  
8           clothes?

9   A.   Yes.

10  Q.   So were these play clothes provided by the school?

11  A.   Yes.

12  Q.   And you say:

13           'We were only allowed to wear our own clothes at the  
14           weekends or when we were going home.'

15  A.   Yes.

16  Q.   So in the evenings, you had to wear the --

17  A.   The school's clothes.

18  Q.   -- the school's clothes.

19  A.   Yeah.

20  Q.   Okay. And how did you feel about that at the time?

21  A.   Well, again, you know, because they weren't your  
22           clothes, they didn't necessarily fit the best, erm, and  
23           some of the clothes were quite worn because, you know,  
24           they were more than secondhand. I couldn't tell you how  
25           many people had worn them before, you know, and if you

1        had a hole in something and you asked for something new,  
2        you were just told no, you know, they would -- they  
3        would sew the hole and, you know, I knew that my mum and  
4        dad wouldn't have wanted me wearing ill-fitting clothes,  
5        as much as my mum and dad didn't have very much money  
6        when I was growing up, you know, my clothes were always  
7        my own and had been bought for me. Erm, so I knew that  
8        that was something that my parents wouldn't have been  
9        very happy about either.

10    Q. And in the bedroom that you were sharing with the other  
11        girls --

12    A. Uh-huh.

13    Q. -- did you have some of your personal possessions with  
14        you, can you remember?

15    A. No, not very many. If you had -- you had a teddy and  
16        maybe like your own toiletries, but that was probably  
17        about all. If you brought sweets back to school, erm,  
18        they were taken from you and put in a tin in the  
19        cupboard and then after lunch, erm, you were allowed  
20        some sweeties but you had to share them with everybody.  
21        You weren't just allowed to eat your own sweeties.

22    Q. Okay. Then going on to page 7, at paragraph 40, you  
23        talk a bit more about the weekends. You say:

24        'Some children went home at the weekends, but there  
25        were some of us who stayed there.'

1 A. Yeah.

2 Q. And did you stay at the school over the weekends?

3 A. Yes. To begin with, erm, it was eight to ten weeks

4 before I was allowed to go home at all and then, after

5 that, it was once a month and then it very quickly,

6 I think after my parents saying that, you know, once

7 a month they didn't find was very acceptable, it went to

8 once a fortnight.

9 Q. Okay, and when did it change from once every, sort of,

10 eight to ten weeks to once a month?

11 A. Not long after I -- maybe I had two spells of that in

12 Drever and then it went to once a month.

13 Q. Okay, and then when did it change to once a fortnight?

14 A. Just when I was further up in primary school, my mum and

15 dad had said that, you know, they weren't happy just me

16 coming home once a month, erm, and they would prefer it

17 if I could come home more regularly so it was then once

18 a fortnight.

19 Q. And when you had these weekends at home once a month and

20 then once a fortnight --

21 A. Yeah, yeah.

22 Q. -- were you able to go back home to Wick?

23 A. Yes.

24 Q. And obviously that's quite a long journey?

25 A. Yes.

1 Q. So would you leave on the -- when would you leave, on  
2 the Friday?

3 A. I would leave school maybe about 10.00, 10.30, because  
4 my flight to Wick was always usually about ten to 11.

5 Q. Right. So you would fly back and forward to Wick?

6 A. Yes, yeah.

7 Q. But you would have to leave earlier on a Friday?

8 A. Yeah, and then, when I was in secondary school, because  
9 the flight was early on Friday and the school deemed  
10 I was missing too much education, I then was only  
11 allowed to go home on a Saturday and come back on  
12 a Monday.

13 Q. And so when you came back on a Monday, were you able to  
14 get back in time for the school day?

15 A. Not for the school day starting. I usually got back for  
16 about 1.30/2 o'clock.

17 Q. Okay. When you were there at the weekends, so thinking  
18 about when you were at Drever --

19 A. Mm-hmm.

20 Q. -- how many other children roughly would have been  
21 staying in Drever?

22 A. Three or four of us.

23 Q. Okay, and what sort of things would you do at the  
24 weekends?

25 A. We would just go out for walks really or just play in

1           the garden. There wasn't really very many organised  
2           activities that took place.

3   Q. Now, in terms of the classes, again in primary school,  
4           at paragraph 43, on page 7, you say that there were  
5           small classes, maybe six or so in each class?

6   A. Yes.

7   Q. And you had a teacher and a classroom assistant?

8   A. Yes.

9   Q. And you say that that was good?

10   A. Yes.

11   Q. And why was that good?

12   A. Because the teachers and classroom assistants were  
13           actually very nice. They were probably the only people  
14           that showed you any bit of emotion, erm, and, you know,  
15           obviously you got to do things as part of class projects  
16           like go to the zoo or go to the museum. So I felt they  
17           did more with you during the school day than they did at  
18           weekends and evenings and I was very fortunate that, you  
19           know, I had really nice teachers.

20   Q. And you say that you learned how to read braille?

21   A. Yes.

22   Q. And practised handwriting and things?

23   A. Yes.

24   Q. Okay. Now, at paragraph 44 of your statement, you talk  
25           about being unwell?

1 A. Mm-hmm.

2 Q. And you say:

3 'If you were unwell, their answer was to go to bed

4 with only water for 24 hours. It didn't matter what was

5 wrong with you. Water, paracetamol and no food, no

6 matter what was wrong.'

7 A. Yeah. Yeah.

8 Q. Did that happen when you were in primary school?

9 A. Yes.

10 Q. And did any of the staff -- can you remember staff

11 members at Drever popping in to look after you when you

12 were --

13 A. No, they would only pop in when it was time to get

14 paracetamols.

15 Q. And how did you feel about that?

16 A. It was very cold and quite barbaric, you know, if I was

17 ill at home, you know, my mum would let me take my duvet

18 downstairs and maybe lie on the sofa and watch telly or,

19 you know, read stories, but there, there was nothing.

20 You know, you just almost didn't even feel like telling

21 them that you were going to -- felt unwell because you

22 knew that's what was going to happen to you.

23 Q. Now, moving on a little bit in your statement, at

24 page 9, and paragraph 53, you talk about a person called

25 Jim Fraser coming to the school?

1 A. Yeah.

2 Q. Do you know what his role was?

3 A. He was a photographer. I think he was something to do  
4 with PR, but I'm not 100 -- I just remember him always  
5 having a camera with him.

6 Q. I see. And you say that he would come round a couple of  
7 times a year with the board of governors?

8 A. Yes. Yes.

9 Q. And can you remember the board of governors speaking to  
10 children?

11 A. No, not really them speaking to children, no, it was  
12 mainly Jim.

13 Q. And what would Jim speak to you about?

14 A. Just about, you know, how you were enjoying school, what  
15 you had been doing at school, erm, and that was probably  
16 about it, but he was always a very cheery man.

17 Q. And do you know if he was a member of the board of  
18 governors?

19 A. I don't know if he was or if he just worked at Gillespie  
20 Crescent, which was the head office of the school.

21 Q. Okay. Were you aware of any other inspectors coming to  
22 the school?

23 A. No, no.

24 Q. Then further down the same page, at paragraph 55, you  
25 talk about the contact that you had with your family?

1 A. Uh-huh.

2 Q. And you say that you found it difficult being on your  
3 own --

4 A. Yeah.

5 Q. -- having lived at home with your family and now living  
6 in Edinburgh?

7 A. Yes, yeah.

8 Q. Were you allowed to phone home?

9 A. No. No, never. My parents could phone me, but we were  
10 never allowed to phone home, certainly in Drever or in  
11 the bottom part of secondary school. It was only until  
12 I was maybe 14, erm, that I would be able to go out and  
13 use a phone box.

14 Q. And do you know why it was that you weren't allowed to  
15 phone home?

16 A. I don't know. They just always said your parents had to  
17 phone you.

18 Q. And how often did your parents phone, can you --

19 A. My parents probably phoned a couple of times a week, but  
20 if I got upset, I wouldn't be allowed to speak to them  
21 the next time they phoned.

22 Q. So when you say if you got upset --

23 A. Yeah.

24 Q. -- do you mean --

25 A. Like during or after the phone call, if I got upset,

1           then I wouldn't be allowed to speak to them on the next  
2           phone call.

3   Q.   And did anybody explain to you why?

4   A.   No, just that if -- all you got told was, 'If you're  
5           gonna keep crying then you can't speak to your mum and  
6           dad'.

7   Q.   Okay, and do you remember that happening more at the  
8           beginning of when --

9   A.   Yes.

10  Q.   -- you were at the Blind School or later?

11  A.   Yeah.  No, more at the beginning and then I had sort of  
12           a little blip where I left primary school and was moving  
13           on to secondary school and I really struggled at that  
14           point and had said to my mum and dad, 'I didn't want to  
15           go back to school', and I probably feel, when I went  
16           back to school that time, it was almost like starting  
17           school again, erm, and, you know, I was quite upset then  
18           and, you know, all they would do was get, you know, the  
19           teacher that I had liked from primary school to come and  
20           sit with me for a wee while.

21  Q.   Okay.  Now, you also tell us in your statement that  
22           sometimes your aunt and uncle would come and visit you?

23  A.   Yes.  Yes.

24  Q.   I don't think -- were your parents able to come and  
25           visit you at all?

1 A. No, no, no. No, my mum didn't work when we were growing  
2 up and my dad was a fisherman so he was away quite a lot  
3 of the time and they also had my wee brother to look  
4 after as well, so they probably wouldn't have been able  
5 to afford to come to Edinburgh.

6 Q. Okay. And your aunt and uncle came --

7 A. Yes.

8 Q. -- to visit a few times?

9 A. Yes.

10 Q. Okay.

11 Now, moving on to some of the abuse that you  
12 describe in your statement that happened at Drever  
13 House.

14 A. Mm-hmm.

15 Q. So just again, talking about that --

16 A. Yeah.

17 Q. -- time, you tell us at paragraph 61 that you were aware  
18 of a boy who was deaf and had some behavioural problems?

19 A. Yeah, mm-hmm.

20 Q. And you say that he would sit and hit himself?

21 A. Yes.

22 Q. And then on one occasion -- well, he would sit and eat  
23 soap?

24 A. Yes. On a Wednesday, you used to get your toilet bags  
25 checked and obviously, if you were running out of soap

1       and toothpaste or whatever, they would replace them and  
2       for some reason, he seemed to like the idea of getting  
3       new things. So he would eat his soap so he could get  
4       a new bar the next again week.

5   Q. And you tell us in this part of your statement that on  
6       one occasion, a member of staff caught him eating the  
7       soap?

8   A. Uh-huh.

9   Q. And can you remember what her reaction was?

10  A. Erm, I'm sure it was Miss PQC that caught him eating  
11       the soap and she used to wear Scholl's and I remember  
12       her taking it off and hitting him.

13  Q. Okay, and can you remember how you felt about that at  
14       the time?

15  A. I was quite shocked because obviously me and my brother  
16       had never been hit growing up, erm, so I didn't even  
17       know that that's something that people would want to do  
18       to other people.

19  Q. Other than that occasion, were you aware of anybody --  
20       any of the other children being hit while you were in  
21       Drever House?

22  A. Yeah, some of them were -- och, I remember, you know,  
23       some of them maybe just getting a slap on the legs or on  
24       the hand, erm, but I couldn't tell you specifically  
25       what -- what for.

1 Q. Okay. And then you tell us at this part of the  
2 statement about the issue with the tomatoes that you've  
3 already told us about in your evidence?  
4 A. Yeah.  
5 Q. And then you talk again at paragraph 65 about another  
6 member of staff?  
7 A. Uh-huh.  
8 Q. And this was an occasion, you tell us, where a member of  
9 staff came into the dormitory at nighttime --  
10 A. Yeah.  
11 Q. -- and there had been a picnic --  
12 A. Yes.  
13 Q. -- during the day --  
14 A. Yeah.  
15 Q. -- and she asked if you wanted something else from the  
16 picnic?  
17 A. Yes. Yeah, that was when I had not long moved into the  
18 actual main Blind School itself. I was still in primary  
19 school and the oral hygienist had been round that day  
20 and we had to bring a teddy to school and we had a teddy  
21 bears' picnic and at the teddy bears' picnic we got,  
22 erm, cubes of cheese, pieces of apples and some cucumber  
23 and then it was PQD [REDACTED], the member of staff, and  
24 she came into the room and at that time there were six  
25 of us sharing a room and said: 'Who wants some of what

1       you get at the teddy bears' picnic?'. So because we had  
2       just been to a teddy bears' picnic that day, we thought  
3       that we were maybe going to get some apple or some  
4       cheese or something like that, so obviously we all said  
5       'me' and she came to me first and put a heaped  
6       tablespoon of malt in my mouth and I spat it in the sink  
7       and she slapped me on the face.

8   Q.   And how did you feel about that?

9   A.   I was really quite shocked and, you know, I probably --  
10       quite stunned and I certainly didn't -- at the time,  
11       didn't tell my parents about it, but in, you know,  
12       hindsight I probably see now that I should have. Erm,  
13       but I was really quite shocked.

14   Q.   And why did you not tell your parents about it at the  
15       time?

16   A.   Because I knew that they would be quite upset that  
17       somebody had hit me and, you know, I think that probably  
18       would have been one of the reasons my dad would have  
19       looked at for taking me away from school 'cause he  
20       didn't want me to go there in the first place.

21   Q.   Okay. Then you go on in your statement to talk about  
22       moving on to secondary school and you've already  
23       mentioned in your evidence that you really struggled  
24       with the transition between primary and secondary?

25   A.   Yeah. Mm-hmm.

1 Q. And do you know what was the reason behind that?

2 A. I don't -- I think because it was going to be different

3 again and, I mean, I don't know why I struggled with it,

4 'cause I knew all the teachers quite well, erm, but

5 I think it was just a bit -- maybe an age and stage

6 thing and, you know, I was quite close to my parents

7 and, you know, I kept telling my mum that she could find

8 me a school closer to home, erm, you know, and they did

9 look but they couldn't find anything. But I remember

10 just being as upset as I was when I first went to

11 school, before starting secondary school.

12 Q. And you say, at the end of paragraph 67, that you don't

13 know if it was moving from class to class or not having

14 the familiarity of the same teacher?

15 A. Yeah.

16 Q. So when you went to secondary school, did you move --

17 A. Yeah, we moved from class to class whereas in

18 primary school, we were just with the one teacher and

19 the one classroom assistant all of the time unless we

20 went for something like swimming or PE or music.

21 LADY SMITH: In secondary school, 'Diana', you'd have

22 different teachers for different subjects, did you?

23 A. Yes. Yes.

24 LADY SMITH: And they'd be in different classrooms?

25 A. Yes, yeah.

1 LADY SMITH: Thank you.

2 MS INNES: Now, going over the page, at page 12, and

3 paragraph 68, you talk about where you were staying

4 initially when you were in secondary school.

5 A. Yeah.

6 Q. And you've already told us that you'd moved into the

7 main building whilst you were in primary school, and you

8 were in -- you were on the girls' floor?

9 A. Mm-hmm.

10 Q. And you said in your evidence earlier that there was

11 a big end and a wee end, I think?

12 A. Yes, yeah.

13 Q. And to begin with, how many girls were in your room?

14 A. There was me and five other girls.

15 Q. And when you went there to begin with, were the girls

16 the same age as you?

17 A. No, they were mixed ages.

18 Q. Okay. Roughly what sort of ages were they?

19 A. Maybe 10, 11, 12 and I actually think there was one girl

20 there who had quite a lot of, erm, physical

21 disabilities, I think she maybe had cerebral palsy or,

22 erm, spina bifida, but I think she was maybe about 13 or

23 14.

24 Q. Okay. And how did you feel about moving from the room

25 where you'd been with two other girls to this room with

1           the five girls?

2    A. Well, obviously it was quite daunting and because the

3           two other girls had been in my room the whole time I was

4           in Drever, erm, it was quite hard getting used to new

5           people and also, you know, when you're sharing a room

6           with them, it was also quite sort of tricky, you know,

7           getting used to their noises and things, you know,

8           particularly during the night. And, you know, if they

9           got up and down then, I'm quite a light sleeper and

10          always have been so, you know, I could waken quite

11          easily if they were getting up and down to the toilet

12          or, you know, sometimes some of us would want the window

13          open and others would want the window shut and, you

14          know, just -- I suppose all of the things that come with

15          five people trying to live in close proximity to each

16          other.

17   Q. Okay. And then that was where you were originally --

18   A. Yes.

19   Q. -- when you went into the dormitory?

20   A. Yes.

21   Q. And then at paragraph 70 you tell us by the time you

22          were about 14, I think --

23   A. Yeah.

24   Q. -- you went to a house --

25   A. Yes.

1 Q. -- that was maybe called the Hostel?

2 A. Yes, that's right. Yeah, and that was about

3 a five-minute walk away from the school.

4 Q. And you say that there were five girls and six boys --

5 A. Yes.

6 Q. -- in the Hostel when you were there?

7 A. Yeah. Yes.

8 Q. And were you in a room with other girls?

9 A. Yeah, I was in a room with -- to begin with, two other

10 girls and then latterly, towards the end of my time at

11 school, it was just with one other girl.

12 Q. And you say in this paragraph that when you were at the

13 Hostel:

14 'We were pretty much left to our own devices.'

15 A. Yes. Yeah. The member of staff -- there was only one

16 member of staff who worked in the Hostel and by that

17 time then, they had a waking nightshift that used to

18 come in. I think she started at 10.00 or 10.30 and

19 worked to 8 o'clock the next morning, but the member of

20 staff that was working in the Hostel during sort of --

21 well, wasn't even during the day, because once we went

22 out to school, that was her finished work and we weren't

23 allowed to go back to the Hostel until 6 o'clock. So

24 basically from 6 o'clock to bedtime, she just sat in the

25 kitchen and listened to the radio and you were just left

1           to get on with your own devices.

2   Q.   And you tell us at paragraph 74, on page 13, about

3           these -- to begin with, it was sleeping nightshifts at

4           the school?

5   A.   Yes.   Yeah.

6   Q.   And then you say:

7           'There was an incident where David Penman, one of my

8           classmates, and [another boy] sneaked up to the girls'

9           floor. That probably wasn't their first time doing that

10          or they weren't the first boys to do that, but they were

11          caught.'

12  A.   Yes.

13  Q.   'I was maybe 14 or 15 at the time.'

14          So was this in the Hostel?

15  A.   No, that was before I went to the Hostel, so maybe I've,

16          sort of, misjudged my age. I was probably maybe more 13

17          to 14.

18  Q.   Okay, and you seem to be connecting this incident, where

19          these boys sneaked up to the girls' floor, with maybe

20          a change in the --

21  A.   Yeah, that's when they -- they got a waking nightshift

22          rather than just somebody having a sleepover.

23  Q.   Do you remember if they installed alarms or anything

24          like that?

25  A.   No.

1 Q. No?

2 A. No, nothing.

3 Q. Now, you refer there to David Penman as being one of

4 your classmates?

5 A. Yes.

6 Q. Was he in your year or another year?

7 A. No, he was in my year. When I first started secondary

8 school up until probably about fourth year, it was just

9 myself and four boys and then another girl and boy

10 joined my class in fourth year.

11 Q. And was he one of the boys?

12 A. No, he was there right from the start, the first year.

13 Q. Okay, so was he one of the original four boys?

14 A. Yes, yes.

15 Q. So if we hear evidence from David Penman that that's not

16 correct and that he was in a class with four girls --

17 A. That's lies.

18 Q. -- and that you weren't in his class?

19 A. That's lies.

20 Q. I just want to refer to another thing that you say on

21 this page, it's page 13 and paragraph 77, you say:

22 'I was petrified living in that school. I was

23 petrified to go anywhere.'

24 A. Yeah.

25 Q. Why were you petrified?

1 A. Erm, I'm not -- I'm not really a fan of sort of horrors  
2 and ghosts and things and they would tell you stories  
3 about ghosts and they actually sort of made me quite  
4 frightened. So, you know, quite often I would lie in  
5 bed listening to noises or waiting for things to happen  
6 that never did happen, but, you know, still even today,  
7 if somebody tells me somewhere's haunted, I would prefer  
8 not to go.

9 Q. And was that in the old building, the main building?

10 A. Yes, yes. Yeah.

11 Q. Now, on page 14, at paragraph 82, you say that you had  
12 to do a lot of care there --

13 A. Yes.

14 Q. -- if there were people with additional support needs on  
15 your floor --

16 A. Yes.

17 Q. -- or in your dormitory as there were only two staff on?

18 A. Yes.

19 Q. 'We had to help them with self-care.'

20 A. Yes.

21 Q. Are you able to tell us a bit more about --

22 A. Just things like, erm, you know, I shared a dormitory  
23 with a girl who had cerebral palsy, so one of her hands  
24 she couldn't use very well, and we would have to do  
25 things like help her fasten her bra, you know, squeeze

1           toothpaste onto her brush for her, you know, help her  
2           with her hair, just things that really we shouldn't have  
3           been doing.

4   Q.   And were there not staff around to help with that?

5   A.   Well, there should have been, but they didn't help with  
6           it. They would just come in in the morning and get you  
7           up and then the next time you would probably see them is  
8           they would probably come in ten or 15 minutes later to  
9           make sure you had got up and then after that, it's  
10          probably more like breakfast time you would see them.

11  Q.   Now, moving on to the next page, where you talk about  
12          some more things that happened in secondary school, and  
13          you've already told us about the class that you were in?

14  A.   Yeah.

15  Q.   And you say at paragraph 90 that when you were there,  
16          you got paired up with Firrhill High School --

17  A.   Yes.

18  Q.   -- and went there to learn science?

19  A.   Yes, yes.

20  Q.   Okay. And you talk about what you did there?

21  A.   Yes.

22  Q.   If we hear any evidence from David Penman that you never  
23          went to Firrhill, is that right?

24  A.   That's lies. It's not -- it's not true.

25  Q.   Over the page, at paragraph 93, you say that --

1 LADY SMITH: Sorry, one small thing, 'Diana', is it possible  
2 that he didn't go to Firrhill?  
3 A. No, he definitely did go to Firrhill.  
4 LADY SMITH: He did.  
5 A. Yeah.  
6 LADY SMITH: Thank you.  
7 MS INNES: If we move on to page 16 and paragraph 93, you  
8 say:  
9 'Very early on in my secondary schooling, I decided  
10 I wanted to work with children.'  
11 A. Mm-hmm.  
12 Q. And you then go on to say that when you were about 14 or  
13 15, you said to Mrs Meek, who was the headteacher, that  
14 you wanted to work with children?  
15 A. Yeah.  
16 Q. And what was her reaction to that?  
17 A. Erm, she said that she would find me work experience and  
18 she facilitated me doing childcare modules but she said,  
19 'You can want to work with children all you want but  
20 I certainly wouldn't employ you'.  
21 Q. And did she explain why she was saying that?  
22 A. No, no.  
23 Q. And how did you feel about that reaction?  
24 A. Well, to begin with, I was a little bit sort of put out  
25 but I had become -- because I had to become so

1 independent at such a young age, you know, I think I had  
2 developed quite a strong, determined personality, so if  
3 she was going to tell me, no, I couldn't do it, I was  
4 determined I was going to do it.

5 LADY SMITH: It's interesting hearing you say you'd become  
6 so independent at quite a young age, 'Diana', and  
7 I noted you explaining how hard it was to be so far from  
8 home and not see your family very often.

9 A. Mm-hmm, yeah.

10 LADY SMITH: But do you think in a way that helped you to  
11 learn to be independent?

12 A. Definitely. If I hadn't have gone to the Blind School  
13 and stayed at home, I wouldn't have been who I am today.

14 LADY SMITH: Yes.

15 I'm not asking you that by way of suggesting that  
16 insofar as things were not good at the Blind School --

17 A. No, no. No.

18 LADY SMITH: -- you should ignore that because of what was  
19 good, but it is at least interesting that the hardships  
20 you put to good use.

21 A. Yeah. Yeah, I mean, if I had stayed at home, I wouldn't  
22 have been allowed to do anything by myself. My parents  
23 would have had me accompanied to everything, so it  
24 definitely -- whilst it was hard for me and for them, on  
25 reflection, it was the best thing that could have

1           happened to me.

2   LADY SMITH: Thank you. Ms Innes.

3   MS INNES: Thank you, my Lady.

4           Now, on page 18 of your statement, at the bottom of  
5           the page, paragraph 110, you talk about people from  
6           Saughton Prison coming to visit?

7   A. Yes. Yes.

8   Q. And how did you know that they were from the prison?

9   A. Oh, 'cause the school openly told you that they were  
10          from prison and that they were -- had life sentences,  
11          erm, and, you know, the offenders would talk to you  
12          about what they were in prison for.

13   Q. Okay. And do you know; were they accompanied?

14   A. I think there used to be one man that came with them but  
15          I don't know if he was a prison officer or if he was  
16          just like somebody to make sure they were carrying  
17          out -- it was almost like community service.

18   Q. Okay. And what's your reflection on that now?

19   A. Erm, well, I think it's totally inappropriate to expose  
20          children to people who are serving life-long sentences  
21          for probably quite heinous crimes like murder and other  
22          things and to think that they thought that that was  
23          acceptable and right and proper, you know, is quite  
24          shocking, when I reflect on it now.

25   Q. And then at page 19, and paragraph 111, you talk about

1           whether there was any review of your placement. You say  
2           that you don't remember there being a review of your  
3           placement?  
4   A.   Mm-hmm. No. No.  
5   Q.   You did have a social worker --  
6   A.   Yeah.  
7   Q.   -- but she was in Wick and she never visited you?  
8   A.   No, that's right, yeah, yep.  
9   Q.   And did you say:  
10           'I did see her when I was home on school holidays.'  
11   A.   Yeah, she would come and visit me when I was home on  
12       school holidays, but really, you know, she never, ever  
13       came to the Blind School and my parents were never, ever  
14       invited to a review to ask how they felt I was getting  
15       on at school or anything like that.  
16   LADY SMITH: 'Diana', I promised to check in with you after  
17       about three-quarters of an hour to see if you would like  
18       a break. Now, we have been questioning you for  
19       three-quarters of an hour.  
20   A.   It's fine. Honestly, it's fine. I'm quite happy to  
21       continue.  
22   LADY SMITH: Thank you. That's very helpful. But do say if  
23       you want a break before 11.30.  
24   A.   Yes, yeah, okay.  
25   LADY SMITH: Thank you.

1 MS INNES: So now, 'Diana', I'm going to move on to page 20  
2 of your statement, where you begin talking in more  
3 detail about David Penman.  
4 A. Mm-hmm.  
5 Q. And at paragraph 116, you say that David Penman was  
6 a fellow pupil who made you feel very uncomfortable?  
7 A. Yeah. Yeah.  
8 Q. Why do you say that?  
9 A. Just from a very young age, it was evident that there  
10 was something different about him and because I was the  
11 only girl in the class, you know, I felt a lot of his  
12 inappropriate behaviour was directed at me. He  
13 was -- almost like, sort of, he would probably be known  
14 as either a stalker or a sex pest today. He just, you  
15 know, he would tell everybody that I was his girlfriend,  
16 even though I wasn't. He would bring presents back from  
17 his home to me at school and, you know, would try and  
18 give me them even though I didn't accept them. Erm, you  
19 know, he was telling people that him and I were having  
20 an affair. You know, he was just very, very deluded but  
21 very fixated on, you know, me -- me for a time and then  
22 when he found out that that wasn't going to go anywhere,  
23 I suppose, knowing what I know now, he changed direction  
24 and thought that more vulnerable people were obviously,  
25 you know -- he could get -- sort of bring them round to

1           his way of thinking and get them to do things that he  
2           wanted to do.

3    Q.   Now, you tell us at paragraph 118 that he tried to kiss  
4           you once and you pushed him away?

5    A.   Yes, yes.

6    Q.   And you also then say that when you would get the  
7           minibus to Firrhill High School --

8    A.   Yep.

9    Q.   -- he would try to sit beside you?

10   A.   Yes, yes.

11   Q.   And did you try to avoid him or did you end up sitting  
12          next to him?

13   A.   No, I used to always try and sit on the -- the bus had,  
14          I think it was three or four single seats and three or  
15          four double seats, so I used to always try and sit on a  
16          single seat or one of the boys, [REDACTED] or [REDACTED], would  
17          go in and if they were there before me, would go in and  
18          sit on a single seat and then when I came, they would  
19          get up and give me that seat and they would move  
20          somewhere else.

21   Q.   Were the other boys conscious of the fact that you  
22          didn't want to sit next to David?

23   A.   Yes, yeah, yeah.

24   Q.   Had you spoken to them about it or --

25   A.   I think they just all knew through the way that him and

1 I would interact with each other in class. You know,  
2 I would quite openly tell him in front of teachers, you  
3 know, to leave me alone, I wasn't interested in him, and  
4 that there was, you know, never going to be a chance in  
5 his whole lifetime that I would want to be his  
6 girlfriend, erm, and I think he just found that very  
7 hard to take. I think he was maybe quite a controlling  
8 person, quite a manipulative person, but couldn't  
9 manipulate me so he was probably more frustrated.

10 Q. And then at paragraph 119, you say that he stayed at  
11 weekends too?

12 A. Yes.

13 Q. Was he there every weekend you were there or --

14 A. Yeah, because he lived in Inverness so he only got home  
15 once a fortnight as well.

16 Q. And again, we may hear evidence from him that he went  
17 home every weekend?

18 A. No, he didn't. Definitely did not.

19 Q. And then you tell us at paragraph 120 that you remember  
20 sitting next to him in assembly once?

21 A. Yeah, yes.

22 Q. And what did he do on that occasion?

23 A. Erm, it was just after we'd gone back to school in  
24 October. I remember it 'cause we had tights to wear as  
25 part of our school uniform and we only ever got them

1        coming into winter time and he put his hand on my thigh,  
2        erm, but over my skirt, so his hand was on top of my  
3        skirt, and I pushed it away and he tried to put it back  
4        so I punched him and, you know, he sort of screamed  
5        'ouch' and then on the way out of assembly, I was asked  
6        why I'd hit him by one of the home economics teachers,  
7        Linda Bain, and I told her why I'd hit him and she said,  
8        'Oh, right'. I never heard any more about it after  
9        that.

10    Q.    Okay, so you told her --

11    A.    Yeah.

12    Q.    -- what he had done?

13    A.    Yeah, mm-hmm, yeah.

14    Q.    And her reaction was, 'Oh, right'?

15    A.    Yeah, yep.

16    Q.    But you weren't spoken to further about that?

17    A.    No, no.

18    Q.    Okay. And then at paragraph 121, on the next page, you  
19        talk about some things that he did to other girls --

20    A.    Yeah.

21    Q.    -- who fought back?

22    A.    Mm-hmm.

23    Q.    And you describe him pinning one of your friends against  
24        the wall in the smoking room?

25    A.    Yes, yeah.

1 Q. And is that something that she told you about?

2 A. I was there when it happened. And he pinned her to the  
3 wall and she told him to move, to let her out, and he  
4 said, 'No', and, you know, she said, 'Right, I'm giving  
5 you one last chance', she says, 'You better move because  
6 I want out', and he said, 'No', and then she just sort  
7 of punched him and he moved away then.

8 Q. And was this when you were a bit older maybe?

9 A. Yeah, we were probably about 14, 14/15.

10 Q. And then at the next paragraph you talk about a girl who  
11 I think was maybe in your room and you describe her  
12 lying crying in her bed --

13 A. Yes.

14 Q. -- and you asked her what was wrong?

15 A. Yeah.

16 Q. And she said that she was upset about her dad dying?

17 A. Yes.

18 Q. But you say:

19 'But it was strange as that had happened quite  
20 a long time ago.'

21 A. Yeah, that had happened, like, maybe a good five or  
22 six months before, erm, and it just seemed strange to me  
23 that, you know, she would be upset then by it, erm, and  
24 then I remember going to the laundry with one of the  
25 house staff and they had a big old-fashioned sink there

1       and it wasn't unusual to see clothes being steeped  
2       there, especially if girls had started their periods and  
3       things, and I remember seeing the clothes in the sink  
4       and I knew they were hers straightaway because she used  
5       to wear quite a lot of, like, really pale colours;  
6       blues, pinks, yellows, and they were quite heavily  
7       bloodstained and I just said to the staff, 'Oh, do we  
8       need to take these out and put them in the machine?',  
9       and she said, 'No, just leave them there'.  
10      Q.   Okay. And did you think anything more of it at the time  
11       or is that something that you've reflected on since  
12       and --  
13      A.   That's something I've reflected on since then and  
14       obviously, you know, there have been legal things with  
15       David Penman and, you know, I've sort of managed to  
16       deduce from that, that, you know, it probably was  
17       something that had happened to her, possibly at his  
18       hands.  
19      Q.   And then at paragraph 124, you say that you remember  
20       another vulnerable person coming to you and saying that  
21       she was getting a baby?  
22      A.   Yes, yeah.  
23      Q.   And did you understand what she meant at the time?  
24      A.   I said to her, 'Oh, that's really nice, is your mum  
25       having a baby?', and she said, 'No, it's not my mum

1       that's having a baby, it's me that's having a baby'.  
2       And I said, 'No', you know, 'It must be your mum', and  
3       she said, 'No, the baby is in my tummy', and I remember  
4       thinking that was very odd.  
5   Q.   And again, is that something that you've reflected on  
6       since?  
7   A.   Yes, yeah, and with everything that's happened with  
8       David Penman, you know, I've probably put two and two  
9       together, whether I've come up with four, I don't know.  
10  Q.   And then at the next paragraph, you talk about letting  
11       the staff know how uncomfortable David made you feel?  
12  A.   Yeah.  
13  Q.   You say:  
14       'I regularly told the staff.'  
15  A.   Yes, yeah.  
16  Q.   So which staff did you tell?  
17  A.   It would have been the house staff that were working on  
18       the girls' floor, so it would have been, you know,  
19       Fiona, Kerry, PYA, Gillian, any one of them, but they  
20       were obviously limited on what they could do, because,  
21       you know, they couldn't stop him coming to that floor  
22       because unfortunately that's where the dining room was.  
23       You know, they couldn't really do anything about it,  
24       because he was in my class at school. But I just felt  
25       that, you know, I wanted them to know that that's how

1 I felt.

2 Q. Did you speak to any teachers about it?

3 A. Erm, I probably would have spoken to, erm, Miss Bain or  
4 Mrs Habgood about it, erm, and I probably, on one  
5 occasion, tried to speak to Alison Thompson, who was the  
6 deputy head, but for whatever reason, she seemed to be  
7 able to want to protect David rather than punish him for  
8 things that he was doing wrong.

9 Q. And why do you think that? Why do you think that she --

10 A. Just because he was allowed to get away with so much and  
11 it took a long, long time of him, you know, doing things  
12 in school before he was even suspended and then, you  
13 know, it was not long before we left school that he was  
14 actually expelled and when he was expelled, you know,  
15 she chose to drive him home to Inverness. It was almost  
16 like he was probably just a pet project. She felt that  
17 she could help him in a way that nobody else could, erm,  
18 and I remember, you know, at that time being very  
19 surprised that Myra Meek, who was the headteacher at  
20 that time, wasn't doing more about it. You know, part  
21 of me did want to believe that she knew these things  
22 were happening, but another part of me also wanted to  
23 believe if she knew these things were happening, she  
24 would do something about them. So, you know, when I was  
25 at school, I probably surmised that: oh, well, she can't

1           know about them. But in hindsight there was no way that  
2           she couldn't have known about them.

3   Q. So you said there in your evidence that another part of  
4           you wanted to believe that she -- and did you mean that  
5           she didn't know that these things were happening?

6   A. Yeah, yes, yes.

7   Q. And then part of you thought, well, she must --

8   A. She must, yeah, yeah. I just felt that if she had known  
9           these things were going on, that she would have wanted  
10          to do more about it sooner and that's what sort of led  
11          me to believe that perhaps she didn't know what was  
12          going on, erm, but since leaving school and reflecting  
13          on everything, she has to have known what was going on.

14   LADY SMITH: Can you explain to me a little bit more why you  
15          feel that there was no way that she could have been  
16          unaware of what David was doing?

17   A. Just because -- well, she was the head of the school,  
18          so, you know, I'm assuming that any -- you know, if  
19          David was involved in criminality or, indeed, involved  
20          in hurting somebody else, there would have had to have  
21          been meetings about it and surely she would have been  
22          party to these meetings, that she wouldn't have just  
23          left all these things for her deputy to deal with.

24   LADY SMITH: Was she the sort of head who was out and about  
25          around the place?

1 A. Yes, yes, very much so. And, you know, when you got  
2 into sort of fourth/fifth year, she would come after  
3 lunch and sit in the classroom with you and have a cup  
4 of tea. So, you know, she was very much quite  
5 a well-known presence around school and she would stay  
6 after school and do activities and she would quite often  
7 come in in time to have breakfast or stay for tea. So  
8 she definitely was, you know, an active headteacher,  
9 rather than somebody that just sat in their desk -- in  
10 their office.

11 LADY SMITH: Thank you. That's very helpful.

12 MS INNES: Now, 'Diana', you mentioned a moment ago about  
13 David Penman being suspended --

14 A. Yeah.

15 Q. -- and you talk about that on page 22 at paragraph 128.

16 A. Mm-hmm, yeah.

17 Q. You talk about the first time that he was suspended.

18 A. Yeah.

19 Q. What can you remember about the first time he was  
20 suspended?

21 A. That was after -- I'm sure that was after he had been to  
22 visit the girls in the dormitory and him and the boy  
23 that he went with were both suspended, but I think only  
24 for a couple of weeks, and then he came back to school,  
25 erm, and on a Thursday, I think it was a Thursday

1       afternoon, he never, ever used to join us in class and  
2       then he told somebody that he would go to the YPC in the  
3       Royal Edinburgh to get some -- well, he called it  
4       counselling, but I don't -- I really don't know what it  
5       was and then it turned out that he wasn't always going  
6       to these appointments. He was getting the taxi to drop  
7       him off at other places to do other things and then  
8       that's when that was found out, that was when he was  
9       expelled.

10    LADY SMITH: So when you refer to the YPC, that would have  
11       been the Young People's Unit at the Royal Edinburgh  
12       Hospital?

13    A. Yes, yes, yes. Yeah, I think so, yes.

14    MS INNES: You say in your statement that you are sure that  
15       he got suspended at least twice?

16    A. I think twice, erm, but I can't remember what the second  
17       one was for.

18    Q. And then ultimately he was expelled?

19    A. Yes.

20    Q. And you tell us at paragraph 130 that you think you were  
21       about 16 at the time?

22    A. Yes, that would be about right.

23    Q. Are you able to remember roughly how old you were when  
24       he was first suspended?

25    A. Probably 14/15.

1 Q. So that would have been --

2 A. A year -- yeah.

3 Q. You say that this was when he and the other boy went to

4 the girls' floor, so that would have been when you were

5 in the main school --

6 A. Yes, yeah.

7 Q. -- rather than in the Hostel?

8 A. Yes. Yeah, I think he was expelled -- the twice that he

9 was suspended, I'm positive we were in the main school,

10 and then he was expelled when we were in the Hostel

11 because he was also found -- in the Hostel, the boys

12 slept on the ground floor and the girls slept upstairs

13 and there was an alarm on that door between the -- at

14 that time, once we got to the Hostel, there was an alarm

15 on the door separating the girls from the boys, but

16 that's the only alarm that was ever there in school.

17 And he used to quite often sneak out the window during

18 the night and I think, you know, the boy that he was

19 sharing a room with had kept reporting this and then,

20 I think, with him not going to his appointments when he

21 was supposed to and maybe other things that I don't know

22 about, he was eventually expelled when we were in the

23 Hostel.

24 LADY SMITH: So I think you've now told me about two

25 occasions on which you understood he got into trouble

1           for being on the girls' floor at night?

2   A.   Yeah.   Yes.

3   LADY SMITH:   One in the Hostel and one in the main school?

4   A.   Yes.

5   LADY SMITH:   Thank you.

6   MS INNES:   If we move on to page 23, and paragraph 132, you

7           say:

8           'The school was a place where everybody knew about

9           everything.'

10   A.   Yes.

11   Q.   'I'm surprised that the level of abuse that I now know

12           about was able to go on.'

13   A.   Yeah.

14   Q.   'I'm surprised that no one knew about David and the high

15           level of abuse that he committed.   You couldn't sneeze

16           in that place without somebody knowing about it.'

17   A.   No, mm-hmm, yeah.

18   Q.   So I think you're reflecting there on the fact that you

19           know that David Penman was convicted of various

20           offences?

21   A.   Yes, yes.

22   Q.   And you -- when you're saying that everybody knew about

23           everything at the school --

24   A.   Yeah.

25   Q.   -- why was that?

1 A. I don't know. I think just because you were living in  
2 close proximity to everybody and, erm, you know, I think  
3 because you have a visual impairment, some of your other  
4 senses are more attuned, so, you know, people might have  
5 thought that they were talking in a low enough voice not  
6 to be heard and for it to be confidential, but it only  
7 took one person to overhear that and then tell somebody  
8 else and then everybody knew about it.

9 Q. Now, in your statement, you go on at paragraph 36 to  
10 talk about a Frank McGeachie?

11 A. Mm-hmm.

12 Q. And you say that he was a houseparent on the boys'  
13 floor?

14 A. Yes, yeah.

15 Q. So that was in the main building?

16 A. Yes.

17 Q. And you say that he was sexually abusing boys?

18 A. Yes.

19 Q. And how did you find out about that?

20 A. Erm, 'cause he was sexually abusing one of the boys that  
21 was in my class at school. And then, erm -- but I only  
22 found that out after I left school. We found out about  
23 it at school because, erm, he was asked to leave and  
24 somebody had seen him walking down the drive with all of  
25 his possessions and then that same evening, my dad had

1           phoned me to ask if he had touched me or done anything  
2           to me, erm, and I said to my dad, no, he hadn't, that,  
3           you know, it was boys that he was interested in and not  
4           girls.

5   Q.   And do you know how your dad had found out about it?

6   A.   It was in the papers.

7   Q.   Can you remember if the school was ever closed -- we  
8           think this was in about 1988, so ever closed after the  
9           summer holidays and opened a bit later?

10  A.   No, never.

11  Q.   Did that ever happen?

12  A.   No, no, no.

13  Q.   And, as you say, you found out about the fact that  
14           somebody in your class had been abused --

15  A.   Yes.   Yep.

16  Q.   -- by Mr McGeachie --

17  A.   Yes.

18  Q.   -- later on in life?

19  A.   Yes, yeah, yeah.   And, I mean, it was quite -- once it  
20           all happened and it had come out, there was certainly  
21           talk within the school about the fact that he used to  
22           work at Donaldson's and had done the same thing at  
23           Donaldson's, erm, and that the school possibly would  
24           have known that he had done the same thing at  
25           Donaldson's but he was allowed to work there anyway.

1 I don't know if that's true or not.

2 Q. Okay. Now, over the page, at page 24, in paragraph 140,  
3 you talk about a girl who would have a lot of temper  
4 tantrums and violent outbursts?

5 A. Mm-hmm. Yes.

6 Q. Was this a girl who was in your class or --

7 A. No, no. She was in -- we had, like, they called them A  
8 and B classes in secondary school and the A classes were  
9 made up of the more academic pupils and the B classes  
10 were, you know, people that would have some additional  
11 learning needs or some learning disabilities. So she  
12 was in one of these classes.

13 Q. And you say:

14 'The staff would do nothing to help her or protect  
15 us from her.'

16 A. No, no.

17 Q. So did she lash out --

18 A. Yes.

19 Q. -- at other pupils?

20 A. Yes. Oh, yes, yeah, definitely and if you got in her  
21 way, you know, that was it, you would be a victim of  
22 some type of violence. Erm, you know, I just remember,  
23 every time she kicked off, running to go behind the  
24 wardrobe because there was a space between the wardrobe  
25 and the radiators that I could hide in and she wouldn't

1           be able to find me.

2   Q.   And what did the staff do about this?

3   A.   Mm, nothing. Sometimes they -- the staff would try and

4           calm her down, but to be perfectly honest with you,

5           sometimes the staff would wind her up so that she would

6           have a tantrum which was totally unfair, because, you

7           know, she didn't -- she wasn't able to recognise that

8           that's what they were doing.

9   Q.   And why -- you say that sometimes they would wind her

10          up?

11  A.   Mm-hmm.

12  Q.   What sort of things would they --

13  A.   Just say -- just say things to her that they would know

14          she wouldn't like. I can't even think of an example,

15          erm, and then that would be it, she would just explode.

16  Q.   Okay. Now, moving on in your statement to page 25 and

17          paragraph 144, you talk about leaving school --

18  A.   Mm-hmm.

19  Q.   -- and you talk about getting some help with the UCAS

20          forms and as you'd said all along, you wanted to go back

21          home and do your nursery nurse training --

22  A.   Yeah, mm-hmm.

23  Q.   -- and Mrs Meek had said that no college would take you?

24  A.   Yeah, absolutely.

25  Q.   But you were determined?

1 A. Yes.

2 Q. And you applied and were accepted by Thurso College to  
3 do your training there?

4 A. Yes, yes. Yes.

5 Q. Okay. So you followed your chosen career?

6 A. Yes, and my senior lecturer would quite often say to me,  
7 'And they said that no college would take you'. So, you  
8 know, she quite often sort of reminded me of that.

9 Q. Okay.

10 And then moving on to talk a bit more about your  
11 reflections on your time at the school and the impact  
12 that it's had on it. First of all, at page 27, in  
13 paragraph 155, you say there, as I think you've already  
14 said in your evidence:

15 'I say to my mum and dad, regardless of how  
16 I've described it, it was really the best thing that  
17 they've ever done for me.'

18 And you would have been wrapped in cotton wool if  
19 you'd stayed at home?

20 A. Yes.

21 Q. How did the fact that you were away from your parents at  
22 such a young age, how did that impact on your  
23 relationship with them and your brother?

24 A. I've got a very close relationship with my parents. I  
25 speak to them every day, erm, and, you know, my mum more

1       so than my dad will -- if she has time off work, you  
2       know, she'll come down and spend, you know, a few nights  
3       with me. My mum's more like probably my best friend  
4       than my mum and, you know, my dad, I've always been  
5       close to.

6   Q. And do you feel that staying at the school had any  
7       impact on your relationship with them or not?

8   A. Erm, not with my relationship with them. I think they  
9       both struggled with the fact that, you know, I had to be  
10      sent away from school -- sent away to school, sorry, and  
11      I think that's something that they both struggled with  
12      in their own -- own different ways, erm, but, you know,  
13      it's turned out fine, you know.

14   Q. And then, if we move on to page 28 and paragraph 159,  
15      you talk about the situation with David Penman and you  
16      say:

17           'The situation with David Penman was frightening and  
18      it was constant.'

19   A. Yeah.

20   Q. Can you explain what you mean --

21   A. Just because he was always at me about something or, you  
22      know, he was always sort of making, like, comments in  
23      class about, 'Oh, do you know, I'm going to take you to  
24      such and such a place', or, 'I'm gonna buy you such and  
25      such a thing', and, do you know, I just had no respite

1 from it at all. Erm, and, you know, being the only  
2 girl, and I mean, you know, the boys would tell him, you  
3 know, to like shut up and to leave me alone because 'you  
4 know perfectly well she's not interested', but, you  
5 know, it was just constant. It was just -- I mean,  
6 just -- in this day and age, I could probably have had  
7 had a non-harassment order out against him or something  
8 like that, it was just so intense.

9 Q. Now, you go on to talk about speaking to the police  
10 about David Penman --

11 A. Yes.

12 Q. -- at page 30, in paragraph 171.

13 A. Yes.

14 Q. You say in late 2014, early 2015, you were making the  
15 dinner one night and the phone rang and you were  
16 contacted by a Nick Wood from the Public Protection  
17 Unit?

18 A. Yes. Yes.

19 Q. And he was phoning about the Blind School?

20 A. Yes.

21 Q. And you say:

22 'He asked if I could think of anything that happened  
23 while I was there.'

24 A. Yes.

25 Q. You say:

1           'I automatically assumed it was relating to  
2       Frank...'  
3           That would be Frank McGeachie?  
4   A.   Yes, that's right.  
5   Q.   'But Nick asked if I could think of anything else and  
6       I mentioned David.'  
7   A.   Yes.  
8   Q.   And thereafter a statement was taken from you?  
9   A.   Yes, yes.  
10   Q.   Now, prior to Nick Wood contacting you, had you ever  
11       spoken to the police about David Penman?  
12   A.   No, no.  
13   Q.   Had the police ever contacted you before to ask you  
14       about experiences at the Royal Blind School?  
15   A.   No, not that I remember, no.  
16   Q.   At the time that Frank McGeachie -- you know, you were  
17       at school and there was the issue with  
18       Frank McGeachie --  
19   A.   Yes, yeah, mm-hmm.  
20   Q.   -- can you remember being spoken to by either staff or  
21       police about --  
22   A.   No, no.  
23   Q.   -- Mr McGeachie --  
24   A.   No, nothing at all.  
25   Q.   -- or anything like that?   Okay.

1           And you then tell us that you went on and gave  
2           evidence at the trial?

3   A.   Yes.

4   Q.   And you talk about your experience of that?

5   A.   Yes.

6   Q.   And you know that other people from the school gave  
7           evidence?

8   A.   Yes.

9   Q.   And that David was found guilty of quite a lot of the  
10          charges?

11   A.   Yes.

12   Q.   Although I think the charge in respect of you didn't  
13          proceed?

14   A.   Yes, no, I don't think so.

15   Q.   You then go on to talk about making a civil claim  
16          against the school?

17   A.   Mm-hmm.   Yes.

18   Q.   And I don't want to ask you about any advice that your  
19          solicitor has given you in relation to that claim, but  
20          I understand that you've not been able to find any  
21          records --

22   A.   Yes.

23   Q.   -- of your time at the school; is that right?

24   A.   Yes, yeah, apart from my solicitor was able to determine  
25          that I sat my exams at the Blind School, but there's no

1 other records available to say that I ever spent any  
2 time at the Blind School.

3 Q. And how do you feel about the fact that there are no  
4 records?

5 A. I find it very, very bizarre, because, you know, it has  
6 to be recorded somewhere. You know, it's not something  
7 that I've dreamt up, that I spent all of these years  
8 there. You know, it's factual, it happened, and I can't  
9 understand why they wouldn't have records.

10 Q. Okay.

11 Now, if we can move on to the final part of your  
12 statement, at page 32, where you talk about lessons to  
13 be learned from your experience. And you begin at  
14 paragraph 183 by saying:

15 'I think there are [quite] a lot of child protection  
16 things that can be learned and a lot of humanitarian  
17 things too.'

18 A. Yeah. Yep.

19 Q. 'I think it's very important for kids in care to be  
20 shown affection and positive emotions within the  
21 parameters of child protection guidelines.'

22 A. Yeah. Yes.

23 Q. Can you tell us a bit more about that, please?

24 A. Just I think once I got married and I fostered and, you  
25 know, it was always my intention to make sure that the

1        children that I fostered felt loved and were in a warm,  
2        caring home and that they should be shown appropriate  
3        affection, like a kiss and a cuddle before bed, if  
4        that's what they wanted and, you know, I just think to  
5        be treated the way that I was treated as a young person  
6        is very barbaric and it's behaviour that shouldn't be  
7        allowed to happen today.

8            I appreciate there's lots of things under the  
9        parameters of child protection that you can't do, but  
10       there's -- it doesn't mean you can't be warm and caring  
11       and loving towards a child, you know, outwith the  
12       parameters of child protection and it's something that,  
13       you know, I brought into my own life and into my son's  
14       life and then I went on to do my social work degree and  
15       it's certainly something that I try to make sure all of  
16       my clients feel supported and feel valued and that, you  
17       know, what they say to me will be taken seriously and  
18       something will be done about it.

19    Q.    And then you also say at paragraph 185, that:

20            'In secondary school, especially with everything  
21        going on with David Penman, if there had been some sort  
22        of counselling process or someone that you could go and  
23        speak to, it would have made a difference.'

24    A.    Yeah.

25    Q.    You say:

1           'You could go and speak to a teacher if you had  
2       worries, but you didn't have a dedicated member of  
3       staff.'

4   A.   No.

5   Q.   And:

6           'Some staff were more approachable than others.'

7   A.   Yes.   Yeah.

8   Q.   'The school should really have had a social worker or a  
9       counsellor working there full-time.'

10   A.   Yes, definitely.

11   Q.   You think that would have potentially made a difference?

12   A.   Erm, I'm not certain that it maybe would have made  
13       a difference to some of the child protection issues that  
14       were happening, but it certainly would have given  
15       people, particularly pupils, a place to go and feel that  
16       they were -- that, you know, the things they were  
17       sharing were being validated and that somebody was  
18       actually listening and wanted to do something about  
19       them. Whether they would have been able to do something  
20       about them, I don't know, but at least to have had that  
21       option would have been good.

22   Q.   And when you say -- you referred there to the child --  
23       it wouldn't have made a difference to some of the child  
24       protection issues that were happening --

25   A.   Yeah, yeah.

1 Q. -- what do you mean by that?

2 A. Well, I mean, I think, regardless as to whether there

3 was a counsellor or a social worker there, you know, the

4 David Penman incidents and the Frank McGeachie incidents

5 probably still would have happened and having a social

6 worker or a counsellor there certainly wouldn't have

7 made the majority of the staff who were cold and

8 hostile, that wouldn't have made them, you know, any

9 warmer or supportive towards you.

10 Q. And then you also say at paragraph 186 that you also

11 think regular reviews would have made a difference?

12 A. Absolutely, yeah.

13 Q. And you say:

14 'I could and should have been part of those too.'

15 A. Yes, yeah, yep. I mean, you know, my time at the Blind

16 School should have been reviewed at least annually and,

17 you know, as well as the professionals and my parents

18 having input into that, I should have had an input into

19 that to say how I was finding being at school. Whether

20 it would have done any difference, I don't know, but

21 it's certainly something that -- that should have

22 happened.

23 MS INNES: Now, I've come to the end of my questions for

24 you, 'Diana'. So that's all the questions that I have

25 for you just now.

1 LADY SMITH: 'Diana', can I just add my thanks.  
2 A. Yeah, thank you.  
3 LADY SMITH: It's been so good to hear you talk to us about  
4 your experiences and I'm grateful to you for how open  
5 and frank you've been able to be about those. I'm sure  
6 it can't have been easy, taking yourself back to that  
7 period of your life.  
8 A. Yeah.  
9 LADY SMITH: Thank you for that.  
10 A. No problem.  
11 LADY SMITH: And well done for where you've got to now.  
12 A. Thank you.  
13 LADY SMITH: You've obviously built something important of  
14 your life.  
15 A. Yes. Thank you.  
16 LADY SMITH: You are now free to go and I hope the rest of  
17 the day is restful for you.  
18 A. Thank you.  
19 (The witness withdrew)  
20 LADY SMITH: Let me just mention a couple of names before we  
21 have the morning break, names of people who are not to  
22 be identified as having been mentioned in our evidence  
23 and that's [REDACTED] and a Miss PQC [REDACTED]. Thank  
24 you.  
25 We'll take the break now and I'll sit again at about

1           quarter to 12.

2   (11.28 am)

3                               (A short break)

4   (11.52 am)

5   LADY SMITH:   Now, Ms McMillan.

6   MS MCMILLAN:   Thank you, my Lady.   The next witness we will

7           be hearing from is someone by the name of 'Angie'.

8           Before 'Angie' gives evidence, it might be helpful

9           to see the conviction that is reference JUS-000000224.

10          Your Ladyship will have already seen this

11          indictment, but 'Angie' was a complainer in the High

12          Court case against David Penman and she features at

13          charge 4, in which there was a unanimous conviction,

14          a guilty verdict returned, and she would have been

15          around aged 14 to 15 at the time.

16   LADY SMITH:   Thank you.   Yes.

17          So that was a charge of indecent assault?

18   MS MCMILLAN:   Yes, my Lady.

19   LADY SMITH:   Yes.

20                               'Angie' (affirmed)

21   LADY SMITH:   'Angie', thank you so much for coming along

22          this morning to assist us with hearing from you

23          directly.

24          I've already got your statement, of course, and it's

25          been really helpful to see that in advance, so we're not

1       going to have to go through every word of it or every  
2       line of it. We'll focus on particular things instead.

3             But I hope -- you're looking at me, I see you've  
4       probably picked up where my voice is coming from and as  
5       you'll know, I'm Lady Smith and I chair the Inquiry.

6             The other voice you will hear this morning  
7       principally is Ms McMillan and she's directly across  
8       from you, just not too far away across the room.

9             It's possible, if the stenographers need to check  
10      anything, you might hear a voice from them. They're on  
11      your left, but they may not need to check anything at  
12      all.

13            Can you see where the microphone is in front of you,  
14      there's a red light on it? You seem to be in a good  
15      position for that at the moment and we'll let you know  
16      if we need you to move.

17            Now, I think we had a print of your statement made  
18      with a big font that you might find helpful so feel free  
19      to use that if you want and if, bearing in mind the  
20      troubles you have with your eyesight, we're going too  
21      fast when we're going to any part of the statement,  
22      please say and we can slow down.

23            But separately, if you've got any questions at any  
24      time, do speak up and tell me and if you need a break,  
25      just say, okay?

1           If you're ready, I'll hand over to Ms McMillan and  
2           she'll take it from there. Is that all right?

3           Thank you. Ms McMillan.

4                       Questions by Ms McMillan

5   MS MCMILLAN: Thank you, my Lady.

6           Good morning, 'Angie'.

7           Just before I start to ask you some questions about  
8           your statement, I'm going to just turn to the very last  
9           page of your statement and in particular to  
10          paragraph 104 which says that you have no objection to  
11          your witness statement being published as part of the  
12          evidence to the Inquiry and that you believe the facts  
13          stated in this witness statement are true.

14          And we can see that you have signed your statement  
15          and that was on 24 July 2018; do you remember doing  
16          that?

17   A. Yeah.

18   Q. Now, just turning back then to the start of your  
19          statement, you tell us that you were born in 1973?

20   A. Yeah.

21   Q. And initially you lived in Dundee and that your parents  
22          separated when you were around 4?

23   A. Yeah.

24   Q. You go on in your statement, at paragraph 4, to tell us  
25          that you went to three different primary schools.

1 A. Yeah.

2 Q. And then at paragraph 5, you tell us that you went to  
3 Lawside Academy until about the start of fourth year?

4 A. Yeah.

5 Q. You say that you never felt like you really fitted in.  
6 Do you know why that was?

7 A. Yeah. Erm, I now realise that I had some -- with having  
8 been diagnosed with borderline personality disorder,  
9 that obviously some of that had an impact, erm, but also  
10 because I was trying to come to terms with losing my  
11 eyesight, because I have Retinitis Pigmentosa, which is  
12 a hereditary -- it's auto-dominant in my family, so it's  
13 50/50 chance of having it. I mean, I've passed it on to  
14 my daughter, and it was quite a scary time.

15 Q. As a result of your diagnosis, or the hereditary  
16 condition that you had, what sort of effect did that  
17 have on your education before you went to the Royal  
18 Blind School?

19 A. I wasn't going to school. I had children at school --  
20 there was a TV programme called ChuckleVision at the  
21 time, with the Chuckle Brothers, and instead of singing  
22 'ChuckleVision', they were singing 'tunnel, tunnel  
23 vision', as I would go past. Staff had seen sometimes  
24 that a bag -- like I would trip over bags if they were  
25 out. The corridors were quite dark. Sometimes a foot

1 would get put out. I couldn't see with having tunnel  
2 vision, that I would trip and fall. Just typical  
3 children, not fully understanding.

4 Erm, one of the assistant headteachers was -- the  
5 way -- the school doesn't exist, Lawside doesn't exist  
6 anymore. It's been knocked down and moved, but it was  
7 built like in a square and a lot -- although the pupils,  
8 there was connecting doors, so the staff were able to go  
9 through different classrooms to get from A to B up the  
10 stairs and one of them witnessed some of the nonsense  
11 and had an assembly without me being there and gave them  
12 a right telling off for raising money for children to go  
13 to -- to Lourdes on trips, 'cause it was a Catholic  
14 school, and yet treating their own disabled people in  
15 the school very, very badly.

16 Erm, at the time also my mum and my first stepdad  
17 had split up as well and my mum had met my stepdad  
18 who -- and they'd not long got together, so there was  
19 that dynamics within the family as well. It was  
20 a really, really hard time.

21 Q. You go on to say in your statement that the decision was  
22 then made to send you to the Royal Blind School in  
23 Edinburgh.

24 Do you know how that came about?

25 A. Yes. It took a lot -- there wasn't a -- there was

1 a primary school unit for children with visual  
2 impairment in Dundee, but there wasn't a secondary unit  
3 and they decided that year, one of the pupils was going  
4 up to the secondary and he had additional support needs  
5 and that's the year they opened the secondary unit, but  
6 my mum didn't want me going there, because obviously  
7 I was going in the fourth year exams, things like that,  
8 and she fought to get me to go to the Blind School.

9 So, erm, it involved a sponsor, I think, and  
10 threatening to actually take Tayside -- at that time it  
11 was Tayside Council, regional council, that ran -- was  
12 in charge of the education and threatened to take them  
13 to court because they weren't able to fulfil my  
14 education needs.

15 LADY SMITH: So as you say, she had to fight to get you  
16 there; is that right, 'Angie'?

17 A. Yeah, because they were opening the unit and wanted me  
18 to go to the secondary unit.

19 MS MCMILLAN: So you say that before you went to the  
20 Royal Blind School as a pupil that you were taken down  
21 to visit the school?

22 A. I had a half-day visit, yeah, with my education -- at  
23 the time, Mrs Mitchell, who was my educational social  
24 worker. We had a -- when children with additional needs  
25 were allocated a educational psychologist and

1           a educational social worker.

2   Q.   Do you know if that was through Tayside Council?

3   A.   Tayside Council, yeah.

4   Q.   I think you go on to say that you started at the

5           Royal Blind School in 1987?

6   A.   Yeah.

7   Q.   You talk a bit in your statement about your first day

8           and you say that you were looking forward to getting to

9           do things that you weren't normally allowed to do. What

10          sort of things were you looking forward to doing?

11  A.   Erm, well, PE and things I wasn't allowed to do. I

12          wasn't able to do PE at Lawside. A lot of the PE

13          involved things like netball and hockey and a lot of

14          running around. I couldn't see anybody, you know,

15          coming towards me, erm, so it was actually quite scary

16          experiences for me and stopped, so I wasn't doing PE.

17          Erm, I wasn't doing cooking. Any of that. It was

18          more to do with learn -- I had secretarial studies,

19          computing, it was for me to learn to touch type and

20          communicate because my write -- handwriting was

21          becoming, as my mum called it, like hieroglyphics and

22          that was because my sight was deteriorating and ...

23  Q.   When you arrived at the Royal Blind School, what was

24          your first impressions when you started?

25  A.   Well, it seemed friendly enough. Erm, I had to get used

1 to obviously being on the floor, the girls' floor at the  
2 time. The times like -- just the floor of the -- having  
3 to share the dormitory with five other girls and sharing  
4 the bathroom at bath time was a bit -- I hadn't shared  
5 a bathroom since I was little with my sister, even my  
6 little sister, so getting used to things like that, you  
7 know. The food -- just the -- the meal times, the  
8 classroom times, just everything all being in the one  
9 building at that point.

10 Q. You had mentioned the dormitories there. Are you able  
11 to describe where you first stayed?

12 A. Yeah. Erm, you went through a set of fire doors and  
13 there was a dormitory on the left and a dormitory on the  
14 right and window straight ahead that was like on the  
15 eave and the bathrooms, toilets, were the far left and  
16 there was a staff bedroom far right.

17 When you went into the dormitory, erm, either side  
18 was big cupboards that had bedding, school uniforms and  
19 things like that in it and there was two beds and the  
20 beds were separated by -- it's like a big wooden  
21 structure, it was like a cupboard and a shelf and a desk  
22 that you sat and then your wardrobe and a wee drawer and  
23 it kind of mirrored so it fit in. So there was like two  
24 beds sharing the one -- it split your little section and  
25 when you went in, there was like two beds, a mirror and

1        then another two beds and then at the left-hand side was  
2        a big wooden -- a big sink, a big wooden sink and  
3        mirroring that on the right-hand side was a big white  
4        wooden table and the first four beds ran that away  
5        (indicating) from the wall out.

6           But I was up at the top, right-hand corner, far away  
7        from the door and the bed come down the way and the  
8        other bed where another pupil was, was left and come  
9        down and we had our unit coming down, so I was away at  
10       the far top corner.

11    Q.   How many girls --

12    A.   Six of us.

13    Q.   There were six.   And do you know the ages of the girls?

14    A.   Yes.   We were age range, I think, from, I think, 18 to,  
15        I think, 13.

16    Q.   And you mention in your statement that there was, for  
17        example, a girl who was perhaps a bit childlike?

18    A.   Yes.

19    Q.   Although she --

20    A.   Yes, severe learning difficulties, [REDACTED].

21    Q.   And then you also mention that there was a girl who had  
22        cerebral palsy as well?

23    A.   Yeah.   The other -- there was only two of us in the  
24        dormitory.   The school had A classes and B classes and  
25        there was -- two of us in the dormitory were in the A

1 classes and the other four were in B, which meant they  
2 had additional needs and I actually think four of them  
3 had learning difficulties as well as other physical  
4 disabilities as well, as -- and the visual impairment.

5 Q. So you go on in your statement then to talk about some  
6 of the staff and you say that Fiona Gilchrist, she  
7 was the head of the girls' floor, so what was her role?

8 A. She was in charge of maintaining the staff. I think she  
9 was the point of contact for -- because there was four  
10 houseparents and I think there was a CSV.

11 Q. We understand the CSV to be the community service  
12 volunteer?

13 A. Yeah. Erm, the school had a couple of them that came  
14 and we did different things. One of them would help  
15 'cause we had a -- there was a pupil who was in a room  
16 on her own. She was young. She'd just come up from --  
17 she was still attached to the primary school, erm, and  
18 she was in a wheelchair and she needed quite a lot of  
19 support. So the CSV was around to help 'cause while the  
20 staff were -- it would take two members of staff to bath  
21 the girl with a hoist and things like getting into bed  
22 early and that, that obviously there wasn't the rest of  
23 us needed supervised.

24 Q. You mentioned that there were four houseparents. Was  
25 there a certain -- or was there one person that was

1           assigned to your dormitory?

2   A.   No.

3   Q.   How did that work?

4   A.   It worked on a rota of two -- two on, two off.

5   Q.   And what about at night, did they stay nearby?

6   A.   They stayed, but they slept in a room. That changed

7           after -- after what happened with David, but at the

8           time, no. They were -- if we needed anything or if we

9           weren't well during the night, we'd have to go and wake

10          them up.

11           One member of staff slept over.

12   Q.   Was that -- so that member of staff, the one that slept

13          over, were they the person that you would go and wake up

14          then if you needed help?

15   A.   Yeah.

16   Q.   Now you move on in your statement to talk a bit about

17          the routine and at paragraph 23, you talk about the

18          routine in the morning. Do you remember what the

19          morning routine was like?

20   A.   Yeah. Erm, obviously my routine was slightly different

21          when I went up to the Hostel from where it -- when

22          it was at the school.

23           Erm, 'cause I used to help with the serverly staff

24          when I was in the dormitory, help -- we'd help set up

25          for breakfast and then I would help -- would take the

1 fresh rolls over to Drever, which was where the  
2 primary school children stayed. Erm, that kind of  
3 thing. You know, help to fill up the cereal bowls and  
4 things like that.

5 When I went up to the Hostel, it was basically  
6 getting ready and then we had to walk down the road to  
7 the school for -- in time for assembly and classes.

8 Q. You say that the staff would come in and wake you up and  
9 at one point you remember Mrs Meek --

10 A. Oh, she was always, 'cause I used to hate getting out of  
11 bed and I'd be curled under the duvet. Mrs Meek made  
12 a point of having breakfast, just touching down with the  
13 pupils and, yeah, she threatened to throw a cup of water  
14 over me.

15 Q. Was that when you were -- when you'd moved up to the  
16 Hostel?

17 A. No, that was while I was on the floor, but every second  
18 Sunday night, they classed as an out weekend, where  
19 everybody went home, even the children that were far  
20 away, like a pupil that lived up the very north of  
21 Scotland would get a flight home, so the houseparent  
22 that was in charge of the Hostel got that weekend off.  
23 As us that would travel back on a Sunday night would  
24 then actually sleep on the floor every second Sunday.

25 Q. On the floor where?

1 A. In one of the dormitories.

2 Q. Is this because you couldn't get access to the Hostel?

3 A. Yeah, the Hostel was closed, so every second Sunday we

4 were -- be dropped off. It was like I used to travel to

5 the Blind School on a Sunday teatime and transport would

6 pick us up at end of the day on the Friday and take me

7 back home, so I was home like Friday night to Sunday

8 night and be back in Edinburgh Sunday.

9 So every second Sunday, we actually stayed on the

10 floor. Some of the children that were still on the

11 floor travelled back on a Sunday, so we were there for

12 first thing for class Monday morning and some children

13 didn't travel into school until the Monday morning.

14 LADY SMITH: 'Angie', when you say you slept on the floor,

15 did you have a mattress or a --

16 A. No, not on the floor, floor, sorry, as in -- well, it

17 was the girls' floor and the boys' floor, as they were

18 referred to, and then that got changed and it became the

19 junior and senior floor.

20 LADY SMITH: I'm with you, thank you.

21 A. No, we were all in beds.

22 MS MCMILLAN: You go on to talk about the routine after

23 school and you mention someone by the name of

24 Mr Cave-Brown and I think you do have quite fond

25 memories of him?

1 A. Yeah.

2 Q. What was his role?

3 A. He was our mobility instructor and I had a lot of time

4 timetabled with him because I was needing to learn

5 mobility fairly quickly and in those days, erm, he was

6 quite eccentric and in those days I was doing it

7 blindfolded. I was getting on and off buses,

8 Princes Street, you know, from down at Craigmillar Park

9 and with blindfolds on and up and down stairs and yeah,

10 we had a good relationship with Mr Cave-Brown and he was

11 on the two trips that we had to the Blind School in

12 Paris with us as well.

13 Q. I think you do say that he was quite dedicated to his

14 job?

15 A. Oh, yeah. Very much so. He was quite funny.

16 Q. You then go on to talk about meal times and you have

17 said that breakfast was the best meal of the day?

18 A. Yeah.

19 Q. Why was that?

20 A. Food wasn't that good. The staff used to say that the

21 food was okay, but they would only have, like, maybe

22 their lunch there or they were able to go home. I mean,

23 we had strange things like a tandoori chicken and boiled

24 rice, but the tandoori chicken didn't have sauce and

25 they poured the gravy over it, you know, the greasy,

1 'cause it was -- it got a fresh bake and it just -- in  
2 the foil and it just went in the oven kinda, or we'd  
3 have, like, the little Kyiv balls with spaghetti and  
4 green cake with red cherries and just -- it was just --  
5 some of it was nice and some of it wasn't and I suppose  
6 they had a huge range that they had to cater for, you  
7 know, with different tastes and ...

8 Q. What would happen if you didn't like the meal that you  
9 were provided with?

10 A. There was usually different options. There was always  
11 a vegetarian option. At lunchtime, there was the  
12 vegetarian, the main, and there was salad, a big salad  
13 option. At teatime, there was a fight because sometimes  
14 there would be filled rolls, that were maybe the rolls  
15 left over from breakfast, but they would have a filling  
16 in them and a packet of crisps. So if you didn't want  
17 what was on the main, if you were lucky enough, you  
18 could get a filled roll, but they were first come, first  
19 served, but it was also -- we always got our supper as  
20 well.

21 Q. And what would you get for supper?

22 A. Oh, it was -- the houseparents used to do store orders,  
23 so there was always lots of biscuits, tins like of  
24 ravioli, macaroni cheese, beans, soup. Erm, we would  
25 sometimes get things like the chicken nugget -- chicken

1 Kyiv things or that sent up. There was an allocation of  
2 our fruit, erm, yoghurts, crisps, things like that.  
3 Tinned sweetcorn, and, you know, so we could have  
4 sandwiches or toast, there was always different  
5 flavoured marmalade, jams and sandwich spread, peanut  
6 butter and cheese, just -- so there was options to eat,  
7 you know, and they would -- in the Hostel, the  
8 houseparents would make the stuff or you could go, 'Can  
9 I have ...', and you'd go and make -- be able to go and  
10 make it yourself if you wanted it.

11 Q. Now, you touched on this earlier, but you'd mentioned  
12 about the bathrooms and you say in your statement that  
13 you had a shared bathroom. You could come out of a  
14 dormitory and go past a room with a line of sinks. Then  
15 there was a glass door and there were two baths and a  
16 shower in one room --

17 A. Yeah, that was in the main corridor.

18 Q. And you say it was public bathing?

19 A. Yes.

20 Q. And you had mentioned that you had to make --

21 A. That wasn't -- the bathroom that I mentioned earlier on  
22 with the dormitories, that was just a block of toilets  
23 through the fire door. This was actually off the main  
24 corridor.

25 Q. Is this the main corridor in the dormitories?

1 A. No.

2 Q. In the Hostel?

3 A. No, on the junior -- on the girls' floor, which then  
4 became the junior floor. So, yeah, erm, actual going up  
5 either of the stairs -- going up one set of the stairs,  
6 you would actually pass that to get -- because -- pass  
7 it to get to where the dining room was, behind the  
8 dining room was where the pool table and that was, the  
9 games room.

10 Q. Was there any privacy to --

11 A. Well, the door could be shut, but then if you were in  
12 the bath and somebody else come in to use the bath or  
13 the shower, you had to hope, kinda, that they shut the  
14 door. It took a wee getting used to, as I said, because  
15 it's been a long time since I'd shared a bath with my  
16 sister.

17 Q. And when you say you had shared a bath, was it one child  
18 in at a time or was it --

19 A. No, I mean, when I was younger in the bathroom -- I  
20 shared a bath with my sister when we were little, but,  
21 no, we didn't share a bath at the school, but there  
22 was the two baths and a shower, so they were, erm --  
23 trying to get ourselves sorted and especially if we had  
24 activities, getting showered and that for bed.

25 When we were in the Hostel, when the Hostel changed,

1       and the girls were upstairs, the boys downstairs, due to  
2       hot water issues, the girls had to have baths at night  
3       and the boys had showers in the morning.

4             There was -- we shared a bath, erm, but we were able  
5       to lock the door, so we had privacy.

6   Q.   Would there be staff supervising?

7   A.   No, not as such.

8   Q.   Now, you move on in your statement at paragraph 44 to  
9       talk about school.

10            And you say that they thought it would be better if  
11       you redid the third year of school because it was all  
12       different subjects from the ones that you'd been taught  
13       at your last school, it would also give you a chance to  
14       learn to do braille.

15            How did you find the education then when you started  
16       at the Royal Blind School?

17  A.   Quite difficult, but I only did a week and a bit and  
18       they put me back into fourth year, erm, and I had  
19       extra -- I didn't do science at that point, so I wasn't  
20       going to Firrhill.  Erm, I had a lot of catching up to  
21       do, because I was having to catch up on a year of work  
22       as well as doing the year I was doing 'cause my subjects  
23       had changed.

24            Like, at Lawside, I was doing modern studies, at the  
25       Blind School, it was history.  Erm, I wasn't doing food

1        nutrition, so I had a whole year of that to catch up and  
2        I had extra classes in place to help me do that as well  
3        as learning the braille and the mobility.

4    Q.   How did you find the education at the Blind School?

5    A.   Well, when I was at Lawside, I wasn't going, and my mum  
6        was working, so I was able to -- I stayed in the house  
7        and my grandad would come at lunchtime to take the dog  
8        out for a walk and I'd be in my bedroom. He was  
9        oblivious to the fact I was still -- so I missed out  
10       quite a lot of -- so it kinda had me focused and I kinda  
11       put my head down and I did do a lot of work.

12              Erm, I couldn't make excuses for homework not being  
13       done or not being in and I passed my exams so it  
14       obviously paid off.

15   Q.   Now, you move on in your statement to talk about visits  
16       and inspections of the school and you say that you were  
17       visited by your educational social worker, Mrs Mitchell  
18       once or twice a year?

19   A.   Yeah. We used to have -- I think it's now called 'Team  
20       Around the Child', but it used to be -- we'd have  
21       a get-together, discuss how being there was benefiting  
22       my education and then decide if they were going to  
23       continue, kind of, funding it.

24   Q.   And you also talk about your educational psychologist.

25   A.   Yes, Mrs McPhee I think her name was.

1 Q. And you've said that she was there for your annual  
2 review once you started the school?

3 A. Yeah.

4 Q. You go on and say that you saw them both frequently  
5 before you started school, but you would never have told  
6 her anything about what was happening?

7 A. No.

8 Q. Why not?

9 A. 'Cause I'd been told by my mum that it was my last  
10 resort and that I needed to buckle down and do my work,  
11 erm, and I thought -- I knew that if my mum had found  
12 out anything that had gone on, she would have taken me  
13 away from the school.

14 Erm, I kinda -- the school in a way was also  
15 a relief for me to be away from home. Erm, my mum had  
16 mental health issues. She could be quite demanding and  
17 at times she could be violent.

18 I loved her dearly. Erm, she was quite  
19 manipulative. She ended up later in life being  
20 diagnosed with, erm, bipolar. We lost -- I lost my mum  
21 [REDACTED] 2019, erm, so that continued through life, but  
22 I was absolutely petrified and I was petrified that  
23 I wouldn't be able to -- I wasn't clever enough. I  
24 wasn't going to be able to achieve anything and that  
25 I needed to knuckle down.

1 Q. And you say that you just kept it to yourself and you  
2 didn't feel able to tell anyone?

3 A. Yeah.

4 Q. You move on in your statement and then you talk about  
5 the healthcare and I think you generally had access to  
6 a GP, a school nurse and a dental caravan?

7 A. Yeah.

8 Q. But you talk about an incident that happened on a trip  
9 to Ben More when you slipped and fell?

10 A. I fell.

11 Q. And you tell us in your statement that you -- was it you  
12 hurt your hand and it wasn't right so you told  
13 Mrs Thomson that you needed to get medical treatment but  
14 she refused. Can you tell us a bit more about that?

15 A. I had -- part of the issue when you start losing your  
16 eyesight is you trip, you stumble and I kept falling and  
17 badly spraining my ankles.

18 Erm, and touch wood, never broken any, but, I --  
19 when I was two-and-a-half, my older cousins, we were  
20 moving in a house, bits of stories from, obviously,  
21 'cause I don't fully remember it all. I have wee images  
22 of certain things, but I was given a glass coke bottle  
23 and I fell and I cut my middle finger off. The -- it  
24 went through the bone and it was like a flap. My mum  
25 had grabbed my hand and ran and found the tap, she said

1       the finger just flopped over. So I had to get it  
2       stitched back in and I had operations over the years to  
3       extend the tendon. I mean, it's still bent now because  
4       the knuckle's frozen and that fall had actually pulled  
5       and actually stretched the tendon, so I didn't have any  
6       movement and a lot of pain and, erm, it took quite a few  
7       months of physiotherapy. Erm, plucking elastic bands  
8       from nails and also there was some machine that they  
9       used. It was like heat thing to try and sort the  
10      tissues to settle.

11     Q. You say that Mrs Thomson told you that you didn't need  
12      treatment and that you were putting it on?

13     A. Yeah.

14     Q. And I think you tell us that when you got home, you told  
15      your mum about it and she was quite angry?

16     A. Yeah, my mum took one look at my hand and took me right  
17      up to Dundee Royal Infirmary. And they then arranged --  
18      put me in like a -- it was like a Tubigrip sling thing  
19      that I couldn't -- that joined the two fingers together,  
20      so that I couldn't move that finger at all and gave me  
21      a nighttime sling to try and kinda stretch this bit out  
22      and referred me to Edinburgh Royal Infirmary because  
23      obviously I was there during the week.

24     Q. You go on in your statement, 'Angie', to talk about the  
25      discipline at the school.

1           And you say that you would get sent to your  
2           dormitory or maybe get isolation at prep time. What was  
3           isolation? What did that involve?

4   A. Sent out of the room to sit, so you weren't -- they  
5           weren't -- it's difficult to -- some of the children  
6           with additional needs could be quite disruptive, vocal  
7           or just -- I don't know, blas , not care, you know, and  
8           if their behaviour was impacting on the rest, they would  
9           maybe get told to go and sit outside, like, the room.

10   Q. How long would people be asked to sit outside for?

11   A. It depends, but the class period -- we never really had  
12           double periods, and I think they were about 40 minutes  
13           or something, so at the most it would have been half  
14           an hour, at the most, depending on when they got sent  
15           out.

16   Q. At paragraph 62, you talk about the staff and you say  
17           that some of the staff could be quite abusive to the  
18           pupils?

19   A. Yeah.

20   Q. Can you tell us anything further about that?

21   A. Well, at the time, when you look back on it, there  
22           wasn't the qualifications, the social qualifications,  
23           care, guidance, erm, you know, so that lays in what --  
24           expectations and that -- there was children at the  
25           school, you know, there was like one pupil who really

1        had bad saliva issues, always dripping down his chin and  
2        they could be quite nasty with comments, joking with  
3        him. It seemed like sometimes they were, you know,  
4        winding up the comments, sometimes children with  
5        additional needs kinda winding them up 'til they got  
6        into a wee bit of a tizzy, saying things that -- like  
7        poking a stick, you know, to get the reaction. Erm ...  
8    Q. Do you remember what sort of things they were saying?  
9    A. Just obviously comments about that boy wi' his dripping  
10       chin, you know, ooh, and they would -- stuff. One of  
11       the girls who used to -- that used to get quite worked  
12       up and was always going on about her big brother, you  
13       know, they'd start copying like her -- she'd have a wee  
14       bit of a stutter when she'd get herself in a tizz and  
15       she had learning difficulties. So copying, you know --  
16       imitating that. Erm, winding up another girl, I suppose  
17       we all did, you know, because we knew she had a wee  
18       crush on one of the teachers and we'd copy his voice to  
19       wind her up and she'd start skipping all over the  
20       corridor, but just -- there didn't seem to be any  
21       confidentiality, you know.  
22       Houseparents speaking about some of the children  
23       with other children at the school and that shouldn't  
24       have been happening, you know.  
25    Q. How often do you think that happened?

1 A. Quite often, because, erm, used to -- some of the other  
2 pupils would go and sit and watch Neighbours and senior  
3 girls -- on the girls' floor TV room, because obviously  
4 those in the Hostel didn't have access to TV. So they  
5 were allowed to, after tea, go in and it was always the  
6 last half of Neighbours because of the way -- the time  
7 and we had to stay in the dining room for like  
8 15 minutes. We weren't allowed to leave before that.

9 Q. And is that the point when houseparents would talk about  
10 other children?

11 A. Yeah, or they'd go up and sit with them and chat with  
12 them, because there was -- we weren't allowed up to the  
13 Hostel until after half 6, I think it was.

14 Q. You move on in your statement to talk a bit about the  
15 Hostel and you talk about a door alarm and a night  
16 nurse?

17 A. Yeah.

18 Q. So can you tell us a bit more about where the door alarm  
19 was?

20 A. Aye. That was when the two hostels joined together, the  
21 two hostels, there was a girls' hostel and a boys'  
22 hostel and they closed the girls' and moved them all  
23 into what was the boys' hostel and this was after the  
24 incident that involved me with David and that and, erm,  
25 obviously house -- nighttime staff had been introduced

1       and when -- not in the -- the Hostel situation, until  
2       the hostels joined together, and the girls were upstairs  
3       and the boys were downstairs, as in their rooms, so  
4       there was a fire door, so an alarm was put on the fire  
5       door so when we got sent up to our bed at night, that  
6       door got shut, so as soon as -- if it opened, the alarm  
7       would go off.

8               So that there was two night staff that took -- one  
9       worked three days and -- they worked different hours.  
10      They were on different nights and they would be alerted  
11      that either someone was -- that someone was coming down  
12      the stairs 'cause it needed a special key to open it  
13      from the outside to get in to the girls' floor, but we  
14      just needed to push the handle down for it to open out  
15      if we needed to get the night staff.

16   Q.   So the night staff then that started to work when this  
17       alarm system was in operation, where would they be  
18       based?

19   A.   Mm?

20   Q.   Where would the night staff be?

21   A.   Oh, they were down in like the kitchen, they were maybe  
22       doing ironing, prepping for breakfast.

23   Q.   So they wouldn't be on, like, for example, the girls'  
24       dormitory level or the boys' dormitory level?

25   A.   They were on the boys' -- they were downstairs 'cause it

1        wasn't -- it was a house. It was a -- quite a big fancy  
2        house and the rooms were pretty big and when you went in  
3        the front door and in the entrance, there's a room to  
4        the right and that was the general TV room and  
5        a corridor ran at the back of that and just behind that  
6        was the dining room and there was a pool table and down  
7        that corridor was where the kitchen, where the  
8        houseparent normally sat and like another room which had  
9        storage and where the ironing things was for the bedding  
10       and the laundry.

11       On the left-hand side was -- there was -- it went --  
12       there was a bedroom here (indicating), the showers, the  
13       Hostel telephone was there, and then there was another  
14       room for the boys up the stairs and on the left there  
15       was girls' bedroom. There was the houseparent's sitting  
16       room, stairs up to her accommodation, 'cause she lived  
17       in there, they had a flat up the top, but their sitting  
18       room was down, a small bedroom that had wir fridge. We  
19       had wir own TV room if we wanted to be away from the  
20       boys and then the bathroom and then another bedroom for  
21       us.

22       So the girls were upstairs, the boys were downstairs  
23       and the houseparent was up again at nighttime when her  
24       shift finished.

25    Q. Now, 'Angie', I'm going to move on in your statement to

1        talk a bit more about David Penman. I know you have  
2        mentioned him already in your evidence.

3            But you talk about an incident that happened between  
4        you and David Penman and another boy. Do you feel able  
5        to tell us about that today?

6    A. Yeah. Erm, I had only been at the school a couple of  
7        month and, er, I was in my bed and I woke up with David  
8        on top of me in my dormitory and the other boy had  
9        stood -- had his hand over my mouth, so that I couldn't  
10       scream.

11           Erm, David was trying to get under my duvet on top  
12        of me. The other boy had went off to speak -- to wake  
13        up the girl that I said was opposite me in the dormitory  
14        and I was having to fight David off the top of me and to  
15        stop him from actually getting under the duvet on top of  
16        me, because we just had like a bottom sheet and the  
17        duvet.

18    Q. And I think you tell us that you managed eventually to  
19        get him off you?

20    A. Yeah.

21    Q. Do you know where he went then?

22    A. Yeah. Erm, by that point, the girl that had cerebral  
23        palsy had woken up and the girl opposite her, [REDACTED],  
24        and the girl with cerebral palsy who had -- she had like  
25        a walking frame, was threatening to get up and get

1       dressed. David and the other boy had then taken  
2       themselves off into the junior dormitory which was --  
3       they had just actually came up. They were like  
4       first/second years, they were only about 12, 11/12/13,  
5       the girls. There was four -- four in that dormitory.

6       Erm, one I know for a fact just had visual  
7       impairment and I think there was other issues with the  
8       other three, but the other -- but two definitely in that  
9       dormitory had severe learning difficulties.

10      Q. And do you know what happened when he went through to  
11      that other dormitory?

12      A. Yeah, he climbed into bed with them, but I don't know --  
13      I went marching in and told them to get their backside  
14      down the stairs because [REDACTED] was going to get the  
15      staff.

16      Q. So [REDACTED], that's another girl?

17      A. That was the girl in my dormitory that had got herself  
18      out of bed and it took her a wee bit to get herself up  
19      and her walking -- you know, on her frame and she was  
20      going to be -- she was ranting and I was petrified that  
21      they were going to wake [REDACTED] up, that's the girl  
22      I told you that was small, that -- she -- it's like  
23      she'd get extra strength when she'd have -- become  
24      really angry. She was a wee powerhouse, but she could  
25      knock you flying.

1           In fact, when she used to take a tantrum, the staff  
2           would actually pin her down on the ground, lie on top of  
3           her, have her pinned because she was so, you know, like  
4           her legs and her body to stop her from injuring us or  
5           anyone else.

6   Q.   The girl that went to get the staff, [REDACTED], I think  
7           you've called her, or threatened to go get the staff,  
8           did she manage to get any staff members?

9   A.   No, she didn't in the end go, 'cause they'd left our  
10          dormitory. She just went back to bed.

11   Q.   You go on to say that you didn't tell anybody what had  
12          happened, but you remember being summoned by the deputy  
13          headteacher, Alison Thomson, to her office. What  
14          happened in her office?

15   A.   She accused -- she said that it had come to light that  
16          the two boys had been up in the girls' dormitory and  
17          that I had invited them up and that I was going to be  
18          getting suspended and that they would be contacting my  
19          mum.

20                I said that I hadn't invited them, that they'd --  
21                I told her what had happened and, erm, I was sent back  
22                to class. And I was actually physically shaking because  
23                I was petrified of my mum and, you know, she'd fought to  
24                get me there and this was me getting sent back home for  
25                something that I hadn't done, erm, and I couldn't get

1           them to admit that I had nothing to do with it.

2           I was really, really angry and the other boy that

3           wasn't David just shrugged his shoulders and says,

4           'Well, I don't see why I should get into trouble if

5           you're not'. And I said, 'But I didn't do anything',

6           'cause we were in the same class, erm, and then it

7           wasn't until after prep, during prep and -- which was

8           our homework period that we had after school and before

9           tea and it wasn't until one of the other pupils actually

10          got -- the one I shared was in the class with, to admit

11          that it had absolutely nothing to do with me and

12          Mrs Thomson had been standing at the door and had heard

13          that. But I got no apology. I got told that I should

14          have told them.

15   Q.   Who told you -- when you say you got told that you

16          should have told them, who said that to you?

17   A.   Mrs Thomson.

18   Q.   But had you tried to tell them?

19   A.   No, I was petrified that I was going to get -- that

20          I had done -- you know, I was petrified that it was

21          wrong and that I was going to get thrown out the school.

22   Q.   And I think you mention Mrs Thomson didn't apologise to

23          you?

24   A.   Nope.

25   LADY SMITH: And is this an occasion when what you said

1 earlier about being terrified of making a complaint in  
2 case your mother then took you away from the school came  
3 into play?

4 A. Yeah.

5 MS MCMILLAN: Do you know what happened to the boys?

6 A. At that point, I'm not sure. I think there was -- there  
7 was -- I can't remember exactly what happened. I know  
8 at some point they were suspended, but I'm not sure if  
9 that was after they did it again, but they didn't come  
10 into my dormitory. I had heard -- and I then  
11 reported -- it was me reported to the staff that I'd  
12 heard they'd been back up in the other dormitory again.

13 And they were taken home and after that, the other  
14 boy that was in my class got moved from the boys' floor  
15 up to the boys' hostel. And they then got night staff,  
16 a night -- what they called a night nurse to be awake  
17 and go between the two floors.

18 Q. You then talk in your statement, 'Angie', about another  
19 day where you ended up calling David a paedophile and  
20 you were called into Mrs Thomson's office and she told  
21 you to apologise to him but you refused and you say that  
22 you knew that other children were being abused?

23 A. Yeah.

24 Q. How did you know that other children were being abused?

25 A. 'Cause it was spoken about. We knew.

1 Q. And when you say spoken about, was that between  
2 children?

3 A. Yeah. We knew. Some of the girls knew he was  
4 inappropriate because he'd then -- I can't -- I, to this  
5 day, still cannot get my head around it, but David was  
6 then sent to psychiatric services and he was going there  
7 in the mornings and then he'd be at class in the  
8 afternoon. He wasn't in my class 'cause at that point  
9 I was a year above him for most of that and a lot of the  
10 older boys would put him kinda in his place.

11 He would sit and talk about his problems and rumours  
12 of him having abused other children. Erm, the last year  
13 in my school, and because I had missed -- I'd gone back  
14 in the fourth year -- my class had all left and I  
15 repeated sixth year, erm, but that was the plan because  
16 of we were, I think, legally entitled to be educated  
17 until 19, maybe, so they'd worked out and worked out the  
18 scales and I had had, I think, a less stressful fifth  
19 year, but the two sixth years, like my Higher English  
20 was revised, it was over two years. And things like  
21 that.

22 So I ended up being in the same class with him,  
23 really, really quite stressful. He -- looking back on  
24 it, he was actually mentally abusing me. He would carry  
25 stories that -- and claim that I was saying things about

1       other pupils, which I wasn't, claimed he had seen my  
2       diary, but knowing that he wasn't coming down with the  
3       rest of us in the morning, because he was going  
4       elsewhere, he could have sneaked up into our rooms in  
5       the Hostel and I didn't have a diary as such. It was  
6       like a calendar and I had been so overwhelmed with  
7       feelings and looking back now, I suppose it was part of  
8       my borderline personality, a bit of paranoia and that,  
9       and I learned to -- instead of maybe saying some things,  
10      you know, to write them down, and that worried me that  
11      he had got that and he was telling people that I had --  
12      and a lot of it, what he was saying, wasn't true at all,  
13      so I don't think he did get -- manage to get up the  
14      stairs, he was just causing trouble.

15             And I can't remember what it was but he was  
16      sitting -- and I was really annoyed because one of the  
17      boys that had told him to stop touching 'em, leave 'em  
18      alone and he had been threatened by the older boys to  
19      leave 'em alone, was upset and he was trying to bully  
20      this and that's when I had just said to him, 'You're  
21      nothing but a paedophile', and well, that was it. He  
22      blew his top. He went to the deputy headteacher. He  
23      went to the houseparent and this went on for a couple of  
24      weeks. I'd get called in to the houseparent I'd go,  
25      'I'm not apologising'. I said, 'That's what he is,

1       that's what he's done. We all know what he's done'.  
2       And we knew that that was why he was going to -- because  
3       he 'd been found inappropriately touching some of the  
4       boys and girls and that's why he was at the psychy --  
5       getting the psychiatric help.

6             Erm, but he wasn't going there. That's why he ended  
7       up being expelled, 'cause he wasn't going there. He was  
8       going shopping. He was leaving to go there and he  
9       didn't go there, but there was more incidents with other  
10      children that kept coming and coming and one of the  
11      little ones hadn't been there that long. He got really  
12      angry, exploded, and he got expelled, so I was just --  
13      I don't understand. I just still to this day don't  
14      understand how he was allowed to do it.

15            And she kept calling me in and going, 'He's serious.  
16      He's reported you', and I was like, 'Okay, okay',  
17      I said, but, 'No'. Then eventually I was sitting in  
18      secretarial and the deputy, Alison Thomson, come and got  
19      me, took me down to her office, said that David had made  
20      a serious report and I says, 'Well, you know', I wasn't  
21      sure of the actual history of what the school actually  
22      had in connection with me, but there had been  
23      an attempted grooming incident that I knew for a fact  
24      that was on my file, but also she knew the situation  
25      with David and what had happened to me and I said,

1       'There's absolutely no way I'm apologising to him. He  
2       is', I said, and I just -- at that point I was actually  
3       nearly 18. I wasn't the child that had just went there.  
4       I had a lot of confidence. My confidence had been built  
5       at that point. I felt quite empowered to say, 'Well, if  
6       you suspend me now, you know, I've got some exams, it  
7       makes no difference, but I ain't -- I would rather  
8       actually go than apologise to him', and he strutted and  
9       strutted and still -- and Helen said -- I said -- Helen  
10      called me in after that, I said, 'Oh, I got asked and  
11      I said over my dead body', and David heard it, I says,  
12      'You'll be waiting a long time 'cause it ain't  
13      happening', and weird at the time, I mean, it was, it  
14      was weird, I just wasn't -- but that was all recorded in  
15      the diaries and that evidence, you know, actually  
16      existed. It was read out at the trial, from the  
17      diaries.

18   Q. I think you say that, just finally on this, that your  
19      anger was partly with Alison Thomson --

20   A. Yeah.

21   Q. -- because she was in charge?

22   A. Yeah.

23   Q. You felt like she chose to cover up for David?

24   A. She was the one that dealt with David. David would sit  
25      and have big, long meetings in her office. She had

1       a small, tiny office attached to a classroom and that  
2       classroom was where we did wir prep, where we had --  
3       were desks, like the senior pupils, he was always in  
4       there. Always.

5           As I said, he would strut round the school with his  
6       folders full of -- he actually try and tell us all what  
7       to do or -- and he'd be marching -- always marching into  
8       her office and sitting in there and to this day I don't  
9       know why, how.

10          I believe obviously, David, looking back, as  
11       an adult, David obviously had severe issues, but I still  
12       very much feel that in saving that -- trying to save  
13       that one person, the rest of us were all -- thrown under  
14       the bus isn't the right term for it, but the rest of us  
15       were all left and all over time David sexually abused us  
16       all, you know, and, you know, in some cases he actually  
17       raped -- he had privacy to be able to rape some of the  
18       children.

19          I mean, I'm grateful that I woke up and I was able  
20       to fight him off, but I had low -- I've got low muscle  
21       tone, it's turned out that that was why I was always  
22       very easy to trip over things and that, but also helped  
23       because of the muscle tone and the muscles being quite  
24       slack, that that's why I never got the breaks.

25          But I was -- but some of these children had had

1 shunts in their heads, you know, they'd had like the  
2 extra fluid to their brains, they had cerebral palsy,  
3 muscle problems, walking problems, couldn't fight him  
4 off and they didn't have the -- some of them didn't have  
5 the capability to do so either, and with some -- and  
6 I know when we did the trial, we weren't given --  
7 obviously we didn't know the other victims' names. We  
8 were able to guess who the others were. He was seen and  
9 at least two of the other girls that I know of, they  
10 would have been flattered with the attention, but they  
11 didn't have the mental capacity for consent, nor did  
12 they have the physical ability to be able to push him  
13 off if he, erm, pushed himself on them.

14 Q. We've already heard some evidence that there was the  
15 trial against David Penman, I think you gave evidence at  
16 that trial and he was ultimately convicted of very  
17 serious charges.

18 Now, just a few final questions for you, 'Angie'.

19 I think ultimately you then left the  
20 Royal Blind School and you tell us a bit about what you  
21 have gone on to do after you left the school and we have  
22 that in your statement, which is evidence to the  
23 Inquiry.

24 But at paragraph 102, you talk about some of the  
25 lessons that the Inquiry can learn from your experience

1 in care and you say that:

2 'Parents have to be able to trust people who are in  
3 jobs looking after their children. It is important for  
4 children who have been abused to know that it wasn't  
5 their fault and they shouldn't blame themselves for not  
6 reporting what they might have known was happening to  
7 others.'

8 And you go on to say that you still think that --  
9 you think things have improved in the care system but  
10 there is still a lot to be done. Do you have any other  
11 reflections that you'd like to make?

12 A. Yeah, I do have a concern, because at that point  
13 I thought things were improving. I thought that, you  
14 know, like, when you applied for a job, you were totally  
15 vetted, especially when it come to children, but then  
16 having discovered of certain lapses that there seems to  
17 be -- there was a case with a charity that was in  
18 schools in Angus area, Dundee, and one of the workers  
19 had applied for a job in between waiting to be, erm -- a  
20 case coming to court and got the job and then was tried  
21 for quite serious sexual crimes. Obviously this was  
22 then discovered after, but it was a bit late. This  
23 person had been going into primary and secondary schools  
24 and working with young children.

25 So also the ability to be able to change your name

1       and your sex is also causing issues with being able to  
2       catch up your records matching and I think people have  
3       just totally forgotten that, you know, these laws were  
4       put in place and certain laws that have got girls --  
5       like people's names attached have all come at the cost  
6       of a victim like April's Law and, you know,  
7       somebody's -- most of the time, these laws are in place  
8       there because somebody's died, either they've been  
9       murdered or, you know, abducted and clarity needs to be  
10      there.

11       A whole person's past needs to be able to be  
12      accessed. It doesn't matter how many times they've  
13      changed their name, you know, it should be there and  
14      everybody should be vetted, because children are so  
15      precious and their childhood is so short and any trauma  
16      that happens to them during their childhood is lifelong.  
17      Some were able to move on, but a lot of people aren't  
18      and it only takes something else in their life to  
19      happen, like me with my gran, with going for bereavement  
20      counselling and it all comes back and kicks you up the  
21      backside and it's ripping. And it doesn't matter what  
22      you've done with your life before that, the mental  
23      health kicks in, the problems kick in, and you're left  
24      struggling to deal with it all.

25       And that is quite a common thread that comes through

1       from survivors and those that are able to move on, there  
2       are certain times when the road to recovery has its  
3       little tracks that come off and I don't think people  
4       fully understand the damage, mentally and physically,  
5       that any kind of abuse to children can actually have on  
6       them, but that they carry for the rest of their life.

7   MS MCMILLAN: Well, thank you, 'Angie'. Those reflections  
8       will no doubt be noted. They will appear certainly on  
9       our transcript and we're very grateful for that.

10       I don't have any further questions for you. Thank  
11       you.

12   LADY SMITH: 'Angie', I don't have any other questions  
13       either. I just want to thank you again for coming here  
14       today and making such a valuable contribution to the  
15       work we're doing here.

16       As Ms McMillan has said, the reflections that you've  
17       just offered, which are so powerful and so well put, are  
18       now in our transcript and you're absolutely right,  
19       children are precious and it has to be remembered how  
20       short their childhood is, during which they have to be  
21       protected, and you weren't protected from David Penman  
22       but you've been brave enough to come here and tell me  
23       that and it helps the work we're doing here, please be  
24       assured. So, thank you.

25   A. Thank you.

1 LADY SMITH: Safe home.

2 You are able to go now. Here comes [REDACTED] to

3 help you.

4 (The witness withdrew)

5 LADY SMITH: A couple of names before I rise for the lunch

6 break of people who aren't to be identified as referred

7 to in our evidence outside this room. One was somebody

8 who was at the Royal Blind School called [REDACTED] and

9 another one called [REDACTED].

10 We'll rise now for the lunch break and I'll sit

11 again at about 2 o'clock.

12 (1.07 pm)

13 (The luncheon adjournment)

14 (2.00 pm)

15 LADY SMITH: Good afternoon. Now, the next witness I think

16 is just about ready to give evidence over the link; is

17 that right?

18 MS INNES: Yes, that's correct.

19 The next witness is David Penman. David Penman

20 attended the Royal Blind School from August 1986 until

21 1992. Mr Penman was convicted on 23 June 2017 in

22 respect of 11 charges of sexual offences against eight

23 complainers.

24 If we could look please at JUS-000000222.

25 Your Ladyship will see that the 11 charges are noted

1       there and, on 22 March 2018, it is noted at the bottom  
2       of the page that Mr Penman was made a subject to  
3       an order for lifelong restriction.

4       At JUS-000002224, there is a copy of the indictment,  
5       with the charges of which he was convicted noted there.  
6       The offending took place over the period between 1987  
7       and 1991. The complainers were aged between 12 and 15  
8       at the time and Mr Penman was aged between about 12 and  
9       16.

10       Mr Penman appealed against that conviction and that  
11       appeal was refused on 20 November 2018. For reference  
12       purposes, the report of the decision in that appeal is  
13       reported at [2018] HCJAC 71.

14       It was noted in the decision of the court at that  
15       time, that charges 2, 3 and 14 and 15 were directly  
16       corroborated. Mr Penman was acquitted of charge 15.  
17       Mutual corroboration was relied on in respect of the  
18       other charges.

19   LADY SMITH: And although most of the charges were single  
20       occasion, not all of them were single occasion, some of  
21       them were several occasions, I think; is that right?

22   MS INNES: That's correct. For example, one can see in the  
23       first charge, which was one of rape, assault and rape to  
24       injury, it is noted that that took place on various  
25       occasions between 15 January 1987 and 16 May 1990.

1 LADY SMITH: Yes. Thank you.

2 Now, good afternoon. This is Lady Smith speaking

3 and I think I'm speaking to David Penman; is that

4 correct?

5 A. That's correct.

6 LADY SMITH: Now, could we begin by my checking how you'd

7 like me to address you, would you like me to use your

8 first name or would you like me to address you as

9 Mr Penman?

10 A. Erm, just whatever.

11 LADY SMITH: Well, most people are comfortable with their

12 first name; is that okay, David?

13 A. That's fine. That's fine.

14 David Penman (affirmed)

15 (Evidence via Webex)

16 LADY SMITH: One or two things I just want to cover with

17 you, David, before we start your evidence. First, thank

18 you for engaging with us this afternoon over the link so

19 that we can ask you questions directly and thank you

20 also for the written statement which I have and have

21 been able to study in advance, so we won't need to go

22 into every part of your evidence in detail. So I hope

23 that reassures you that it's already set in train, if

24 you like, the scene is already set.

25 But otherwise, David, it's important that you

1 appreciate I'm happy to give you a break at any time if  
2 you need that and I want to do what I can to enable you  
3 to give your evidence as comfortably as you can for the  
4 purposes of this Inquiry and I'm sure you understand  
5 what this Inquiry is all about. It's looking into the  
6 abuse of children in care in Scotland over a long period  
7 and, in your case, we're particularly interested in what  
8 was happening at the Royal Blind School, including the  
9 time that you were a pupil there.

10 So that's what we will be principally focusing on in  
11 the questioning.

12 David, I've said that I want to make you as  
13 comfortable as I can. I always take a break at about  
14 3 o'clock in the afternoon anyway, but if you need  
15 a break before then, I'm happy to do that. You just let  
16 me know. I know that giving evidence can be tiring and  
17 I also appreciate that for people who have an impairment  
18 such as yours, a visual impairment, it can be  
19 particularly hard work concentrating and listening for  
20 lengthy periods of time and I want to be sure that you  
21 are able to focus on the evidence giving as carefully as  
22 you can, so let me know if you need any help by way of  
23 a break.

24 If you've got any questions at any time, do ask and  
25 if there's anything that you don't understand, please

1 speak up. It will be our fault not yours if we haven't  
2 explained something properly.

3 Now, there's just something I want to check with  
4 Ms Innes for a moment. Don't be worried about this.

5 Ms Innes, I'm not sure whether you're going to go  
6 anywhere in terms of allegations that haven't been  
7 covered in the indictment. Can you tell me one way or  
8 the another?

9 MS INNES: I think it would be safer to give a warning.

10 LADY SMITH: Very well.

11 David, if, in the course of our questioning of you,  
12 you're asked any questions which could incriminate you  
13 in relation to anything of which you haven't already  
14 been convicted, and I do know about your previous  
15 convictions, but if you're asked questions about  
16 anything of which you weren't convicted, the answer to  
17 which could incriminate you, you are not obliged to  
18 answer them.

19 Although this is a public Inquiry, not a court of  
20 any sort, you have the same protections. So do bear  
21 that in mind if we get to any part of the evidence that  
22 goes into that territory.

23 Now, the two voices that you will hear mainly this  
24 afternoon will be mine and very much Ms Innes' voice.  
25 You may occasionally hear the stenographers. They may

1 not need to speak but sometimes they have to intervene  
2 for one thing or another, because there is a record  
3 being made of the evidence that will go into  
4 a transcript here.

5 Do you have any questions at the moment before  
6 I hand over to Ms Innes?

7 A. Erm, if -- how do I -- you know how you were just  
8 saying, explaining to me obviously about the  
9 self-incrimination, or whatever?

10 LADY SMITH: Yes.

11 A. Do I have the -- do I also have the opportunity of, you  
12 know, exercising 'no comment' or am I compelled to --

13 LADY SMITH: No, so you don't have to answer.

14 A. Right, okay, that's --

15 LADY SMITH: You don't have to answer. It's exactly the  
16 same as if you were in a court, and I know you've been  
17 in a court, David, so you've perhaps become familiar  
18 with that. You've got the same protections as you would  
19 have there, okay?

20 A. Right, okay.

21 LADY SMITH: If you're ready, I'll hand over to Ms Innes.

22 A. Yeah. Ready when you are.

23 LADY SMITH: Ms Innes.

24

25

1 Questions by Ms Innes

2 MS INNES: Thank you, my Lady.

3 David, I'm going to give the reference first of all  
4 for your statement that you've already given to the  
5 Inquiry and it's at WIT-1-000001656.

6 Now, I understand that you have met with the Inquiry  
7 team on two occasions for the purpose of giving and  
8 reviewing your statement and I understand that your  
9 first draft statement was converted into braille and  
10 then, when you met with the Inquiry team to review your  
11 statement, you had that draft version available to you  
12 and I also understand that the statement that you've  
13 given to the Inquiry was read through to it -- through  
14 to you and, at the end of that process, you confirmed  
15 that you were content with the terms of your statement  
16 and you signed your statement on 20 August 2025; is that  
17 correct?

18 A. That's correct.

19 Q. And in doing so, your statement contains a statement  
20 that you have no objection to your witness statement  
21 being published as part of the evidence to the Inquiry.  
22 You say there that you confirm that the statement has  
23 been read out to you, you understand its contents and  
24 you believe that the facts stated in the witness  
25 statement are true; is that correct?

1 A. Yes. Yes.

2 Q. I'm going to go back to the beginning of your statement  
3 and you tell us that you were born in 1975; is that  
4 right?

5 A. Yes.

6 Q. And you tell us that you had problems with your vision  
7 more or less since birth, although that deteriorated  
8 over time, and you tell us that you initially spent your  
9 primary education in many different places, because your  
10 father was in the army; is that right?

11 A. That's correct.

12 Q. And then there came a time where your family was going  
13 to Inverness and you have told us in your statement that  
14 it was decided that you would be better off going to the  
15 Royal Blind School as opposed to mainstream education.

16 How did you feel about that decision at the time?

17 A. Erm, I'm the -- well, I'm one of three siblings so  
18 obviously the fact that I was being sent to boarding  
19 school and my two other siblings were getting to do  
20 their education in Inverness was, erm, not exactly  
21 something that I felt good about. I would say there was  
22 an element of -- I guess I felt rejected a bit.

23 Q. Okay, and you tell us that you were only 11 at the time?

24 A. Yes.

25 Q. Okay. And you tell us that you came to the Royal Blind

1 School in Craigmillar Park in August 1986 and then you  
2 stayed there until 1992.

3 You say in your statement that you went for  
4 an initial visit to the school in June 1986, before you  
5 started there. What were your first impressions when  
6 you went on that visit?

7 A. The school was quite a big and imposing building. Erm,  
8 I think that -- well, most things when you go for a day  
9 out, erm, the day can be -- it isn't actually a true  
10 reflection of the experience that you would have, so  
11 it's just -- it's, you know, this is -- it's -- you get  
12 to see all the good bits. So, you know, with hindsight  
13 I think if I'd had a more -- we only got -- it was more  
14 an opportunity for me to have met my class, to have  
15 seen, you know, some of the classrooms. It wasn't as if  
16 I got a chance to freely mix and I think obviously if  
17 I'd spent a bit more time or had a bit more freedom to  
18 of mixed or explored different things, I might have had  
19 a different perception.

20 Q. Okay. And you say that you met the class that you were  
21 going to be in?

22 A. Yes.

23 Q. And you tell us in your statement that it was a small  
24 class?

25 A. Yeah, there was only five.

1 Q. Okay. And was it boys or girls who were in the class?

2 A. I was in a class with girls.

3 Q. Okay. Now, you'll know that an applicant to the Inquiry

4 with the pseudonym 'Diana' says that she was in your

5 class and that she was the only girl and that there were

6 four boys, of which you were one; is that correct?

7 A. Isn't. Are you asking is her version correct or --

8 Q. Yes.

9 A. No, her version is not correct. I think this is one of

10 the things that -- obviously, because I don't have my

11 up-to-date statement, I'm going off the draft, one of

12 the things that I highlighted was that it came out

13 during my trial that, with the passage of time, a lot of

14 people got certain details wrong in terms of who was

15 where, what staff were where and that was certainly

16 a major thing.

17 And when you consider that we're in 2025. Now back

18 then, obviously there was a lot of paper records and one

19 of the things we were quite fortunate in my trial was

20 that we managed to get the school registers, but we

21 couldn't get floor diaries. Obviously, you know, if you

22 want to know about the floor diaries, I'll explain about

23 that later, but the registers were what you carried from

24 class to class.

25 So when we were able to explore that, certainly

1           where, erm -- what's the pseudonym you used? 'Diana'?

2   Q. 'Diana', I think, yep.

3   A. When we explored that during trial, obviously pointing

4       out: well, look, here's, you know, one of the

5       productions. This is -- when it was put to her, it was

6       like, 'Right, oh well, maybe I've got that wrong'. And

7       obviously when staff gave evidence at my trial as well,

8       they were able to confirm the position that I was in

9       with four girls.

10           It should be noted that one of the things that -- as

11       you pointed out -- I still have a conviction for the

12       Royal Blind School, but I was not convicted where PQB

13       PQB was concerned -- oh, sorry, my apologies,

14       where she was concerned, because of -- during the trial,

15       we were able to point out serious inconsistencies and

16       that was one of them, about obviously one person saying

17       I'm in this class and we're able to say, well, no, this

18       is in actual fact where I was. I think in my final

19       statement, I was able to name who I was in my class

20       with.

21   Q. You have done that, David, in your statement. Thank

22       you, we do have that.

23   A. So I hope that answers your question.

24   MS INNES: Thank you.

25   LADY SMITH: And I think, David, you're talking about

1 a charge that actually didn't go to the jury?

2 A. Yeah, yeah.

3 MS INNES: Yes.

4 Now, at paragraph 13 of your statement, on page 3,

5 you talk about [REDACTED] SNR [REDACTED] at the school

6 and you say -- you mention some names there and I just

7 want to ask you a little bit about each of them.

8 So you say that when --

9 A. Can I just -- hold on -- try and catch up with you?

10 Because obviously the braille one's different. You're

11 talking about number 13?

12 Q. Paragraph 13, yes.

13 A. Right, okay. Sorry.

14 (Pause)

15 Right, I'm with you.

16 Q. You say:

17 'When I started in August 1986, PXJ [REDACTED] was SNR [REDACTED]

18 SNR [REDACTED].'

19 A. That's correct.

20 Q. So stopping there, what are your memories of Mr PXJ [REDACTED],

21 what kind of person was he?

22 A. Erm, I would say old-fashioned, so to speak I would --

23 you know, he was -- he wasn't afraid to utilise the old

24 corporal punishment, so to speak, not as a literal

25 thing, but -- I'm not talking about like, you know, belt

1 or ruler-type thing, but certainly giving someone a slap  
2 around the ear was something that he was known for.

3 He didn't have as much interaction, certainly not to  
4 the level of Myra Meek [REDACTED].  
5 It's quite -- it's very hard to answer that question,  
6 because my perceptions of him at the time and my  
7 perceptions of him now are greatly different and my  
8 perceptions now influence how I answer that question, in  
9 that, you know, we had instances of, you know, if you  
10 take what I was convicted of out of the equation, we had  
11 instances of staff abuse.

12 Do I think -- did he know, yes, I think he did, but  
13 that's -- I have no evidence to suggest that, that's my  
14 gut instinct.

15 Q. Okay. Now, you mention Myra Meek there and we  
16 understand that she [REDACTED] SNR [REDACTED]  
17 PXJ [REDACTED]?

18 A. Yes.

19 Q. And, again, what sort of person was she and, if you want  
20 to answer it separately, you know, what were your  
21 impressions of her at the time?

22 A. At the time -- well, she was -- she was -- she also  
23 taught as well as doing her role. She was originally  
24 the dep, but she -- PXJ [REDACTED],  
25 should I say, at the point where everything came out

1       about Frank McGeachie and Myra Meek [REDACTED]. So at  
2       the time she was very much so -- not just fighting for  
3       her own job, but fighting for the saving of the school  
4       because it was quite a big thing at the time when it  
5       came out about him, but in many respects, she was --  
6       I would say she was more -- she erred on the side of  
7       caution. Didn't take any risks. She would rather take  
8       the safe road all the time. That was my impression of  
9       her then and it would be my impression now.

10      Q. Okay, and you tell us that when she became head,  
11       Alison Thomson became deputy head?

12      A. Yes.

13      Q. And what was your impression of Miss Thomson at the  
14       time?

15      A. Er, a spade's a spade.

16      Q. Okay. Did you have many dealings with Miss Thomson?

17      A. Erm, it's a bit hard to answer that. Because obviously  
18       you're saying -- I mean, my interpretation of the  
19       question is that obviously you're asking did I have any  
20       more than anyone else or -- 'cause she was -- she was  
21       responsible for producing, you know, the registers. She  
22       also taught, so she was actually my history teacher as  
23       well for a period of time.

24       Erm, she also had the occasion to cover house staff  
25       when they -- if they were seriously short-staffed or

1       there was, like, an illness, but I wouldn't say I had  
2       any more dealings with her than anyone else. But she  
3       was very much so -- she was very hands-on and a spade's  
4       a spade, it's -- I think that that would be -- that's  
5       certainly how I would describe her and I think most  
6       people that worked with her would probably describe her  
7       as that, or I would like to think so.

8   Q.   Okay. Now, going on to paragraph 16 of your statement,  
9       you talk about houseparents and you say there that  
10      houseparents were four to a floor?

11  A.   That's correct.

12  Q.   And did the houseparents work shifts?

13  A.   Yes. So your shifts would be -- your early shift would  
14      be 7 to 1. They had a day shift which was 9 to 5. They  
15      had another shift which was like 2 till 10, but they had  
16      a broken shift which was, say, 7 till 12 and then 6 till  
17      10. I think it depended on the day because obviously --  
18      sorry, Friday was a half day.

19       My understanding from the weekend was it was  
20      a straight run shift, like a 12 -- 9 till 9, even though  
21      they stayed on in the premises, erm, but yeah.

22  Q.   And how many houseparents would have been on at any  
23      given time?

24  A.   Two. So if you -- even though I'm saying two, you could  
25      have -- so where the boys' floor was concerned, PWN

1           and Frank usually worked together when I started and  
2           Andrew and Maggie usually worked together, but one  
3           could, say, be on 7 till 1. They could be doing that  
4           shift and another could be on the 9 till 5. So  
5           although -- although they're working together, their  
6           shifts are not in sync; does that make sense?

7   Q.   Yes, I can see what you mean there, yes.

8           And you also say at paragraph 17 that each floor had  
9           a minimum of two community service volunteers?

10   A.   Yes.

11   Q.   What was their role?

12   A.   Basically they were there to augment and support house  
13           staff; so in short, although they were there as part of  
14           the CSV training, although they were not full  
15           houseparents, they weren't short houseparents.

16   Q.   Okay, and you've been talking about the boys' floor. Is  
17           that in the main house?

18   A.   The main building, yes.

19   Q.   The main building, sorry, main building.

20           And when you went to the school to begin with, were  
21           you on the boys' floor in the main building?

22   A.   Mm-hmm, yes.

23   Q.   We've heard some evidence about a building called the  
24           Hostel. Did you move to that building at any point?

25   A.   I was only in the Hostel for no more than -- it wasn't

1           even a full year, but, yes, I was towards the end, but  
2           the vast bulk of my time was spent in the main school.  
3   Q.   Now, at paragraph 20 of your statement, you talk about  
4           the classes and you say there:  
5                 'They did try to keep classes together by age.'  
6   A.   Yes.  
7   Q.   So you --  
8   A.   It was consistent with what you would consider a normal  
9           secondary school.  
10   Q.   Okay. And moving on again in your statement to page 6,  
11           for the people looking at the statement in the room, and  
12           paragraph 24 of your statement, you say that you were  
13           fortunate because you got a single room on the wing?  
14   A.   Yes.  
15   Q.   And do you know why it was that you got a single room?  
16   A.   It was on account of the fact that, like I said, my  
17           class was four girls, so they four shared a dormitory.  
18   Q.   And did you always have a room of your own when you were  
19           in the main building?  
20   A.   Yes.  
21   Q.   And when you moved to the Hostel, did you have a room of  
22           your own there?  
23   A.   Er, no, I shared.  
24   Q.   With how many boys?  
25   A.   One.

1 Q. Okay. At paragraph 26, you say:  
2 'In 1989 nightshift staff were brought in'  
3 A. Hold on.  
4 Q. Sorry.  
5 A. Right, I've got you. Yes, that's correct.  
6 Q. Why do you remember it was in 1989?  
7 A. In short, it was, erm -- the night staff was as  
8 a consequence of four people being suspended, me being  
9 one of them.  
10 Q. And roughly when was that, or what year were you in  
11 school at the time?  
12 A. I was in school at the time and it would be November.  
13 Q. Okay, and what -- how old were you?  
14 A. 14.  
15 Q. Okay, and you tell us about that later on in your  
16 statement so I will come back to that.  
17 But I think you're telling us that after this  
18 suspension, night staff were brought in?  
19 A. Yes.  
20 Q. As in people that were awake during the night?  
21 A. Yes.  
22 Q. If we go on to paragraph 37, you talk there about the  
23 weekends.  
24 A. Uh-huh.  
25 Q. And you say there:

1           'I only stayed at the weekend twice. I would have  
2       been residential at weekends but I was very fortunate in  
3       that I had one auntie that stayed in Fife and another  
4       that stayed in the Borders so rather than having to go  
5       all the way back to Inverness every weekend [you] got  
6       the opportunity to... stay with... them.'

7   A. That's correct.

8   Q. So --

9   A. I think to -- I'm not sure if I elaborated on in my  
10   statement, the vast majority of my family all have  
11   a kind of forces background. So, erm, my mum has five  
12   sisters and they all either married into the army or the  
13   RAF, so when going to stay with my Auntie [REDACTED] in  
14   Fife, that was because her husband was based there in  
15   the RAF here, and when it was down the Borders, it was  
16   because [REDACTED]'s husband was based at Redford here in  
17   Edinburgh. So that's basically why I was very fortunate  
18   in having that option of not having to stay over the  
19   weekends, if that makes sense.

20   Q. Okay. So we've heard some evidence that the arrangement  
21   for contact was going home every second weekend rather  
22   than every weekend; is that your experience or not?

23   A. Well, no. As I, erm -- the -- for people that travelled  
24   longer distances, it could be every weekend, certainly  
25   for at least I'd say for the vast majority, I actually

1       went home once a month but that was on account of the --  
2       I was actually staying with family over the weekend,  
3       albeit it's not my parents, but I think you have to also  
4       understand that although I went to school between '86  
5       and '92, there was a period of time that for two years  
6       my father was actually stationed in Germany.

7       So in many respects my mum was managing just --  
8       well, my sisters on her own, which is why certainly from  
9       '88 to '90, I was more or less just once a month, but  
10      beyond that I can't elaborate any more.

11   Q.   Okay, so you may be going back to Inverness once  
12       a month?

13   A.   Yes.

14   Q.   But are you saying that on the other weekends of the  
15       month, you would always be going to one of your aunts?

16   A.   Yes.  It was only -- I think, like I said, I think there  
17       was only two -- you couldn't pick more than five times  
18       that I stayed over a weekend over my entire time.  But  
19       I think it's -- I certainly recall two instances.

20   LADY SMITH:  When, David, you went to your aunts, how did  
21       you travel to their homes?

22   A.   The school would place on where it was, Fife it would be  
23       a taxi, but because, when I was going to the Borders,  
24       erm, I was part of a smaller bus because there were  
25       people who were also going that way, if that makes

1           sense.

2   LADY SMITH:  So, that was a school minibus, was it?

3   A.  Erm, no, it was like a kind of private bus, but it was

4       paid for by the school.

5   LADY SMITH:  Okay.  And if you were going back to Inverness,

6       how did you travel there?

7   A.  Train.

8   LADY SMITH:  Thank you.

9   MS INNES:  Now, if we look on to paragraph 42, you talk

10       there about any punishment for misbehaviour and you say:

11       'Generally if you misbehaved you were sent to the

12       headteacher's office.  You might get lines, be excluded

13       from an activity or, if it was serious enough, be

14       suspended from the school.'

15       So your memory is that there were these different

16       punishments.  Can you remember being excluded from

17       an activity?

18   A.  Erm, not really -- not, not, I wouldn't say -- I never

19       really had that one.  I'm aware that -- I'm aware of

20       certain people did get that, but me personally, I

21       didn't.  So I'm aware, for example, certain people were

22       excluded from the end-of-term disco or, erm, being

23       allowed to go swimming or -- I think the most serious

24       one -- the most serious instance was the school would

25       promote activity weeks, so we would go to -- they had

1 a contract with a place in Dumfries called Barcaple, so  
2 it was like an adventure week where you would go rock  
3 climbing and abseiling and things like that. The most  
4 extreme example I would say is that I'm aware that two  
5 pupils were originally selected but then excluded from  
6 that activity as a punishment.

7 Q. Okay. So going on in your statement to paragraph 44,  
8 you start talking a bit more about a staff member who  
9 you've already mentioned in your evidence called  
10 Frank McGeachie, who, as you said, was a houseparent on  
11 your floor?

12 A. Yes.

13 Q. And you say:

14 'Frank had ways of determining whether or not  
15 a pupil was someone he could target for abuse.'

16 Can you explain that --

17 A. It should be noted that at the time I wouldn't have said  
18 that to you. That's just obviously with hindsight.  
19 I mean, if you'd asked me that question when I was 12 or  
20 13, but beyond what I've said in my statement, there  
21 isn't much I can elaborate.

22 Q. Okay. And you describe at paragraph 45 that he would  
23 try to find a reason to smack you?

24 A. Yes.

25 Q. And you think, perhaps with the benefit of hindsight,

1           that that was a way of seeing how you would then react  
2           to that?

3   A.   I think it's -- it's -- it was partly that, but I think  
4           it was also partly, erm, his way of finding out how far  
5           he could go without you -- so if people were going --  
6           running home and saying, 'Such and such is hitting me',  
7           erm, I would say it was one of his ways of testing the  
8           boundary.

9   Q.   And you tell us at paragraph 46 that he tried to do that  
10          once with you?

11   A.   Yes.

12   Q.   And you say just short of your 12th birthday, he tried  
13          to put you over his knee and to smack you?

14   A.   Yeah.

15   Q.   But that stopped, because another member of staff came  
16          in?

17   A.   Yes.

18   Q.   Is that correct?

19           And then at paragraph 47, you say that another thing  
20          that he did was to rub himself up against pupils to get  
21          aroused and then, if the pupil also became aroused, then  
22          you assume that he took that as an indication to take  
23          things further?

24   A.   Yeah, I think he took that as a permission statement.

25   Q.   Okay, and again, at paragraph 48, you say that he did

1           that to you?

2    A.   Yes.

3    Q.   And again on this occasion he was interrupted again?

4    A.   Yeah, same member of staff.

5    Q.   And what did the member of staff who interrupted you --

6           him on that occasion, do?

7    A.   Frank had left before she could say anything, but she --

8           PWN   knew exactly, I think, what was going on, because

9           at the time -- and even I think it was certainly later

10          that day -- I mean, he only did that once to me and she

11          had made that clear that -- he wouldn't be doing that

12          again and then if someone is saying to you, 'Look, he's

13          not doing that again', you usually infer that she knows

14          what's going on.

15   Q.   And beyond saying to you that it wouldn't happen again,

16          did she speak to you about what had happened or say that

17          she was going to tell maybe the headteacher about that?

18   A.   No. There was more -- it was more -- PWN   had --

19          PWN   had worked out that in many respects I kind of

20          felt rejected by being sent to the school and in many

21          respects the relationship between me and my mother

22          wasn't what I think you would class normal on account of

23          that.

24                I don't -- I think that's wrong. I wouldn't say --

25          I'm not saying we had an abnormal relationship. I just

1 think that there was a bigger -- it was strained and  
2 PWN had picked up on that and in many respects she  
3 kinda took on, as well as a houseparenting role, I think  
4 she'd seen the necessity for also a motherly role as  
5 well and she very much sort of played that and I think  
6 it was more about -- not just her kind of protecting me  
7 but also, you know, 'Don't worry, you know, I've fixed  
8 it, it's --

9 Erm, you know, she doesn't need to go to someone  
10 else 'cause she's already dealt with it. I don't know  
11 -- I know what I'm saying, I'm not sure if that's coming  
12 across the way I want it to.

13 Q. At paragraph 50, you refer to Frank's photography?

14 A. Yes.

15 Q. You say that it was a hobby and he had a room set up for  
16 photography. Can you remember if boys were invited to  
17 his room for him to take --

18 A. I don't think there is -- I don't think there's a boy  
19 that wasn't in that room, to be quite frank.

20 Q. And what was the purpose of them going to the room?

21 A. He was passing it off as -- he was passing it off as  
22 an activity, he was trying to say, 'Well, I'm doing  
23 photography', as a way of, you know, providing  
24 an activity.

25 In truth, I think that in reality it was a way for

1           him to also take photographs of people like me and my  
2           fellow pupils and then share those photographs with  
3           people external to the school.

4   LADY SMITH:   David, are you saying he took photographs of  
5           you?

6   A.   Er, yes.   When he was arrested and he was originally  
7           charged, one of the things that had come out at the  
8           time -- and there was quite a bit of publicity about  
9           it -- was the amount of photographs of pupils, myself  
10          included, that were recovered from his home address, and  
11          these weren't just always -- these weren't just like  
12          fully clothed ones, these were -- I certainly know that  
13          in my case, it was -- I was in my pyjamas.

14   LADY SMITH:   Okay.

15   MS INNES:   Now, at paragraph 52 of your statement, you say  
16           that during the first two or three years that you were  
17           at the school, there wasn't much of a complaints  
18           process, but that changed after everything came out with  
19           Frank McGeachie.

20           And you then say:

21           'The school was scheduled to open as normal in  
22           August 1988 but it didn't actually start until October  
23           that year because there was so much going on surrounding  
24           Frank.'

25   A.   I don't think -- not -- it wasn't just so much about

1 Frank. It was obviously -- there wasn't just what was  
2 going on with him, but there was the instance of -- that  
3 you had local authorities and you had parents up in arms  
4 about, you know, what's been going on here, you know, is  
5 there other instances? Is this a one-off case? What's  
6 being done to make sure it doesn't happen again?  
7 Obviously as well, there was a lot of publicity  
8 surrounding Frank, certainly where The Sun and, back  
9 then, it was the News of the World was concerned, so you  
10 obviously had the bit about, you know, vulnerable,  
11 disabled and blind children being taken advantage of  
12 and, you know, what's the local authorities doing about  
13 it.

14 So in short, the board of governors, the school was  
15 very, very much under pressure to make sure that things  
16 were set in stone before people could return.

17 Q. So your recollection is that there was a sort of  
18 longer -- a delayed start to the term because of that?

19 A. Yes.

20 Q. And then at paragraph 54 you tell us a bit more about  
21 the things that changed after this and you say that:

22 'After 1989, pupils were encouraged to go to house  
23 staff or form teachers with complaints.'

24 A. Yes.

25 Q. So how did they go about encouraging you to do that?

1       Was there a school assembly? Was it talked about in  
2       class?

3    A. So each -- each class had what was called a form year,  
4       so once a week on -- first thing on a Thursday morning  
5       you would meet with your form teacher and your form  
6       teacher was assigned for that class, so that was -- that  
7       teacher was responsible for that class beyond things  
8       like that.

9       So in our first form class for each year, the form  
10      teacher explained, you know, this is -- we've got a new  
11      complaints procedure. I remember -- I can't remember  
12      how they were termed, but -- so they had two sets of  
13      paperwork that they had and one was green and one was  
14      yellow. I remember the colours. So this was like --  
15      I think one was for teachers and one was for  
16      houseparents, so it was kinda like -- it was like  
17      an incident log, so to speak, so -- or a report log. So  
18      when you went to them and you voiced a complaint, they  
19      recorded it and there was like a paper trail, you know,  
20      who was -- and then set out actions so to speak. There  
21      was also each of the floors had what were called floor  
22      diaries, but I know that there were amendments made to  
23      the floor diaries to include the recording of complaints  
24      and the actioning of complaints.

25      Erm, I also know as well that one of the things that

1       there was, was we had a kinda social worker call --  
2       kinda guidance teacher and that was Archie Doig and  
3       whenever he took his class, he was more about also  
4       reinforcing not only the complaints process, but  
5       that you didn't -- it wasn't a case of you had to go to  
6       a teacher, you could go to a houseparent. You could go  
7       to, you know, any member of staff. There was even --  
8       one of the things that they did was the headteacher and  
9       deputy headteachers' offices were next door to each  
10      other, but in between they had put like a kind of  
11      mailbox, so if you felt that you couldn't go to a member  
12      of staff you could put -- you could write something out  
13      in braille and stick it in the box.

14    Q.   Okay. And you mentioned the floor diaries there.

15    A.   Yes.

16    Q.   As you have said in your evidence, you understood that  
17      they were filled in more meticulously?

18    A.   Yes.

19    Q.   How did you know -- how were you aware of that at the  
20      time? How did you know that there was a change in what  
21      the staff were doing?

22    A.   Well, obviously the floor diaries were big, massive  
23      books, they were like A4 and really, really thick, and  
24      back then I had a portion of vision, but, you know, you  
25      would always see staff writing in the floor diaries.

1           One of the things that they would do is -- so when  
2           the staff had -- certainly houseparents had a handover  
3           meeting, that's inevitably what it was, was, erm, the  
4           discussing what's -- you know, what's been recorded and  
5           everything else and we were no different to any other  
6           children. So the floor diaries were kept in the duty  
7           room, so the minute that a member of staff popped out  
8           to, say, go to the kitchen or something else, the people  
9           like myself who, at the time, had vision, we were --  
10          'Well, let's go and see what they've written about us',  
11          erm, so I must have had a little nosey quite a few times  
12          and I wasn't certainly the only one that did that.

13          Erm, and I think that that's -- the meticulous  
14          detail that went into that, that's -- that for me was  
15          one of the most, erm -- most disturbing aspect about  
16          going through my trial was that at the time there was  
17          such a lot of paper records, especially from '88 onwards  
18          and given the fact that I went through trial, you know,  
19          nearly 30 -- 20 years later, the availability of what  
20          was back then just wasn't there.

21          Erm, I mean, even for the purposes of -- if you  
22          forget my trial and you forget convictions, just for the  
23          purposes of your investigation of how that school  
24          operated, the -- being able to access something like  
25          these floor diaries would have been, to put it bluntly,

1           a goldmine for yous as an Inquiry, such was the level of  
2           detail and everything else.

3   Q.   But these weren't available at the time of your trial?

4   A.   No.

5   Q.   No.

6           Then on page 13, so at paragraph 61, you talk about  
7           a member of staff who used to sit, I think, in the  
8           bathroom when you were bathing?

9   A.   Yeah.

10   Q.   And you say, at paragraph 62, that quite a few pupils  
11         put in complaints about her and was that in relation to  
12         her being in the bathroom when you were bathing?

13   A.   Erm, that -- I'm aware that -- not -- not just that, but  
14         I am aware that, you know, that there was an escalation  
15         in her behaviour where she would want to dry certain  
16         boys, so to speak.

17           Her excuse was -- was that, you know, it's a wet  
18         floor, people can't see and it was health and safety.  
19         How that flew, we don't -- you know, looking back on it  
20         now, I don't know how that flew, because one of the  
21         things was that there certainly wasn't the complaint  
22         about her actually physically touching people until much  
23         later and I wasn't aware of that until much later  
24         either, but my understanding was -- was that she got  
25         around that was, 'Ah, but I'm only supervising 'cause

1       these people can't see and they might slip or they might  
2       ...', everything else.

3           I mean, we used to -- if you were to interview  
4       anyone from the school and you were to ask, you know,  
5       was there someone called 'PWN [REDACTED]', that's what  
6       everybody called her, because she would sit and eat  
7       a packet of [REDACTED] whilst she watched you, either  
8       in the bath or the shower, which just isn't normal but  
9       ...

10    Q.   Now, moving on to paragraph 66 of your statement, you  
11       talk there about a member of staff you've already  
12       mentioned, who was a houseparent called PWN [REDACTED]?

13    A.   Yes.

14    Q.   And I think you tell us there that she stayed  
15       permanently in the school --

16    A.   Yes.

17    Q.   -- is that correct?

18           And you tell us at paragraph 67 that you used to  
19       have a red cassette case with your music cassettes. You  
20       loved music and then you say that on one occasion, she  
21       invited you through to the staff wing and into her  
22       bedroom on the pretext of her looking at your tapes --

23    A.   Yeah.

24    Q.   -- is that right? What --

25    A.   That actually became an instance where that happened

1 more than once, where the tapes were a pretext.

2 Q. Okay. A pretext for what?

3 A. For me being there initially.

4 Q. Okay. And then you tell us at paragraph 68 that you  
5 believe that on the first occasion she was testing you  
6 to see if you would say anything to other pupils. You  
7 say:

8 'I was then invited back to her room when I was  
9 staying at the school over a weekend.'

10 And you ended up sleeping in the same bed as her?

11 A. That's right.

12 Q. And ultimately you say it progressed to sexual activity;  
13 is that right?

14 A. Yes. I think -- you need to understand that I -- I have  
15 never discussed that with anyone until obviously I gave  
16 my statement in the Inquiry. It was one of the things  
17 that, erm, I had just let be, erm, not forgotten or  
18 ignored it, but just buried it.

19 As you rightly point out, at the start, you know,  
20 I've made very clear in my statement what my position is  
21 in relation to my convictions pertaining to the  
22 Royal Blind School, but I don't -- you know, I've never  
23 denied the fact, you know, I got a conviction in 1999 at  
24 the High Court in Inverness. You know, my convictions  
25 are a matter of public record. I've never denied that I

1       pled guilty.

2           When I look at something like what happened to me,  
3       was that a contributing factor towards me perhaps being  
4       on a path of offending in relation to circa 1993 and  
5       1999, I would say yes. It's not an excuse. It's not  
6       a minimisation, but it is -- it's something that when  
7       I was -- when I went -- when I gave my statement to the  
8       Inquiry, I hadn't really thought about this. When you  
9       think about even what happened with Frank, the amount of  
10      opportunities there was for actually genuine and true  
11      help at the time was zero. I mean, even when they were  
12      investigating Frank, it was more about: right, what did  
13      he do? What did he not do? It wasn't about: right, you  
14      know, he's been convicted, right, how do we help you  
15      deal with that?

16           Erm, and that's such a serious problem and that  
17      didn't really certainly hit home to me until I've done  
18      my statement to the Inquiry, 'cause like I said, I had  
19      bottled a lot of things up with PWN. I just let that  
20      be.

21   Q.   Okay. So you have told us about that in your statement.

22           I'm conscious of the time, David. We normally take  
23      a break at 3 o'clock for a short period.

24   LADY SMITH: Would this be a good point to break?

25   MS INNES: Yes.

1 LADY SMITH: David, you will remember I said earlier --  
2 A. Yeah, yeah.  
3 LADY SMITH: -- you can have a break at any time you need  
4 it, but we usually take one now anyway and so I think we  
5 should all do that just now, just for a short break, and  
6 then carry on with your evidence afterwards; is that all  
7 right?  
8 A. That's fine.  
9 LADY SMITH: Okay? Thank you.  
10 A. Yeah.  
11 (3.02 pm)  
12 (A short break)  
13 (3.12 pm)  
14 LADY SMITH: David, welcome back. Are you ready for us to  
15 carry on?  
16 Can you hear us? We can't hear you.  
17 That's it. David, welcome back. Are you ready for  
18 us to carry on?  
19 A. Yeah, proceed.  
20 LADY SMITH: Thank you for that.  
21 Ms Innes.  
22 MS INNES: Thank you, my Lady.  
23 Now, David, at paragraph 75 of your statement, you  
24 tell us about an allegation of abuse that was made  
25 against you in 1989, while you were at the school and

1       you say there:

2           'It was one of the charges that I went on to face at  
3       my trial.'

4           And the same charge was on your indictment and the  
5       allegation at the time, so I think back in 1989, was  
6       that you were supposed to have touched the boy involved  
7       and exposed yourself. You say:

8           'I was suspended from the school in February 1989.  
9       There was then a multi-disciplinary case conference in  
10      the May and I was exonerated following an investigation.  
11      Linda Bain and Gordon Leibschnner carried out that  
12      investigation. Neither the police nor the  
13      Children's Panel were ever brought in for that  
14      investigation.'

15          So just breaking that down a little, you say there  
16      that you were suspended in February 1989. Is that the  
17      first time that you had been suspended from the school?

18   A. Yes.

19   Q. Okay, and you talk about there being  
20      a multi-disciplinary case conference in the May and you  
21      were exonerated following an investigation. Were you  
22      suspended from the February until the May?

23   A. Yes.

24   Q. And when you say a multi-disciplinary case conference,  
25      can you remember who was involved in that?

1 A. Erm, so Alison Thomson had travelled up -- 'cause it  
2 took place in Inverness, so Alison Thomson travelled up  
3 from the Royal Blind School. There was the educational  
4 psychologist that was -- that had responsibility for the  
5 assigning of people like me to the Royal Blind School,  
6 that was Ken Dutton. We had -- there was a social  
7 worker, I can't remember his name, my parents were  
8 there. I was there. There was -- it must have been  
9 about seven or eight -- I can't -- also I just -- not  
10 everybody's -- erm, not everybody that attended did  
11 I know, but obviously the reason that I'm able to recall  
12 that was because obviously there was someone, as there  
13 is now, sitting taking notes and everything else and  
14 that was obviously the first thing that had happened at  
15 that case conference was Alison Thomson's feeding back  
16 their investigation report and this is what we've done  
17 and --

18 Q. And what was the feedback from the investigation report?

19 A. The feedback from the investigation report basically was  
20 that I had -- the investigation had concluded that in  
21 short I had -- I didn't -- I was not responsible, nor  
22 was I guilty of what was being accused.

23 Erm, I was told that I would be returning to school,  
24 erm, that one of the things that they had given serious  
25 consideration was to expelling the individual. However,

1       given his local authority and the serious lack or  
2       inability to provide any type of alternative education,  
3       that wasn't deemed to be possible.

4           He was then removed from the main school and sent  
5       back to something which was called Drever House. Now,  
6       I don't know much about Drever House, I was never in it.  
7       But in short this -- this ensured that the two of us  
8       never crossed paths residentially under any  
9       circumstances.

10   Q.   Okay. And you say at paragraph 78 that it's  
11       a frustrating thing about your trial, because the  
12       allegation that was made formed part of the indictment  
13       and you were convicted in respect of that offence; is  
14       that correct?

15   A.   Yeah. I mean, we couldn't -- we couldn't find  
16       Linda Bain or Gordon Leibschnner, despite our attempts to  
17       locate them as witnesses. Erm, I mean, nobody's  
18       education records were even available and I certainly  
19       know that from my own educational records, a copy of  
20       that report would have been in there. A copy would have  
21       been in his one as well and it's -- you know, it's -- in  
22       an ideal world, it would have been perfect if the Data  
23       Protection Act had been ten years earlier, you know,  
24       instead of 1998 -- 1988, and obviously things weren't  
25       digital back then.

1 LADY SMITH: David, the trial you're talking about, that  
2 was the trial in 2018, was it?  
3 A. Yes, it was.  
4 LADY SMITH: And I think you gave evidence on your own  
5 behalf, didn't you?  
6 A. I did.  
7 LADY SMITH: And you had the opportunity to explain all this  
8 about the multi-disciplinary case conference to the jury  
9 then, did you?  
10 A. Yeah, but it comes down to one of the things that -- as  
11 you'll probably be aware from being a High Court Judge,  
12 it doesn't -- me saying something and then me saying  
13 something and then the jury being -- oh, there's  
14 the report, we'll read it. It's a little different, you  
15 know.  
16 LADY SMITH: I'm well aware of that, David, I just wanted to  
17 check that you did have the chance to explain this.  
18 A. This -- this -- this point, yeah -- this was -- I mean,  
19 we'd laboured on the point about the value of things  
20 like floor diaries and things like that and  
21 unavailability of records.  
22 LADY SMITH: Thank you very much.  
23 MS INNES: Now, moving down in your statement, you talk  
24 about the investigation into Frank McGeachie at  
25 paragraph 79 and you say that there was a police

1 investigation and the police sat down with every single  
2 pupil.

3 A. Yes.

4 Q. And asked everyone if there were other teachers or house  
5 staff at the school who were touching people?

6 A. Yes.

7 Q. Did the police speak to you about that?

8 A. Yes. As I said, everybody was interviewed.

9 Q. Boys and girls?

10 A. Yes. I believe that there was -- the Legacy Lothian and  
11 Borders Police, I think they actually had an official  
12 operational title. What that was, I don't know, but  
13 I know that that was -- but I would imagine that that  
14 would be something that you would be able to get from  
15 the police.

16 Q. And you say that nobody reported abuse from anyone else  
17 at that time?

18 A. Not to my knowledge, but what I was -- I think what  
19 I was stressing, certainly even what I was stressing at  
20 my trial as well was: 'Look, you've got me facing  
21 an indictment for such and such and here's what happened  
22 directly after Frank McGeachie and yet nobody says  
23 anything to the police'. That's basically what --  
24 certainly what I was trying to get across.

25 Q. I suppose the police might have been asking about staff

1       rather than about other pupils?

2   A.  No, they were asking for general -- there was --

3       although they were asking about staff, everybody was

4       asked if anyone, you know -- are there anything else

5       that -- you know -- the opportunity was there for anyone

6       to have said. I mean, the opportunity was there for me

7       to say about PWN . I didn't take it.

8   Q.  Now, going on to paragraph 81 of your statement, you say

9       that you left the Royal Blind School in 1992 when you

10      were 17, because you were expelled. Why was it that you

11      were expelled from the school?

12  A.  I was in -- I was in the Hostel at the time. I had

13      participated in a work placement in a school and my work

14      placement was the Citizens Advice Bureau and at the same

15      time as my work placement, there was a student from

16      Queen Margaret University, she was on -- part of her

17      degree, she was on a placement as well.

18           In short, we entered a relationship which was

19      a physical and sexual relationship, consensual, but

20      I was sneaking out the Hostel to travel halfway across

21      Edinburgh to go and stay in her flat overnight.

22  Q.  And you say that you'd been -- at paragraph 82 -- warned

23      three times before you were expelled?

24  A.  Yes, verbal warning, erm, a written warning, a written

25      warning, plus sent home early and then obviously the

1           third one was: that's it, you're gone.

2   Q.   And were these warnings all in relation to sneaking out  
3       of the Hostel?

4   A.   Yes.

5   Q.   Now, in the next part of your statement, you go on to  
6       deal with some of the allegations that have been made by  
7       applicants to the Inquiry and the first person that you  
8       speak about is an applicant who has the pseudonym  
9       'Angie'.

10           And if we can look at paragraph 88 of your  
11       statement, you talk there about sneaking up to the  
12       girls' room on four occasions with another boy?

13   A.   Yes.

14   Q.   And was that in the main building or in the Hostel?

15   A.   No, that's the main building.  So that -- that -- that's  
16       what precipitated, I don't even know if that's the right  
17       word -- that's basically what -- that's the event which  
18       basically saw the introduction of night staff.

19           So although it wasn't -- you're talking about -- I  
20       wasn't sure -- I wasn't aware that I'd said in the  
21       statement about the girls' room 'cause in actual fact we  
22       snuck up onto the top level.  So the boys' floor was the  
23       first floor, the girls' floor was the second floor and  
24       we had a top floor.  So although we went up to the  
25       girls' floor, we ended up on the top floor, so we were

1 not in a room per se.

2 Erm, we had obviously -- I -- the four of us -- so

3 I had a girlfriend at the time and that was -- and the

4 other guy, he had a girlfriend as well. So it was

5 basically the four of us and we were obviously using the

6 opportunity to consume alcohol, albeit that it was

7 cheap, erm, low percentage stuff but, in short, you

8 know, we were caught eventually, but, erm -- yeah,

9 there's nothing more I can say beyond what's in my

10 statement anyway.

11 Q. Okay, so you and the other boy, you say you sneaked up

12 on four occasions and then you mentioned a moment ago in

13 your evidence you were caught eventually?

14 A. Yes.

15 Q. So were you caught each time that you sneaked up or was

16 it once that you were caught?

17 A. No, we were caught the fourth time, so, in short, the

18 first three times we got away with it.

19 Q. Okay, and you say that around this time, it was about

20 October or November 1989?

21 A. Yes.

22 Q. And you say there that you and the boy and the two girls

23 that you say that you were each in a relationship with,

24 were caught and all four of you were suspended?

25 A. Yes.

1 Q. Okay. How long were you suspended for?

2 A. Two weeks.

3 Q. And did you all return to the school after that?

4 A. Yes.

5 Q. And was the applicant with the pseudonym 'Angie' in

6 a room with these girls who you've mentioned?

7 A. No.

8 Q. Did you ever go into 'Angie's' room?

9 A. As far as I'm concerned, I and -- am I right with the

10 pseudonym for 'Angie', I don't want to get this mixed

11 up?

12 So as far as I'm concerned, and I believe I probably

13 alluded to in my statement, I'm not -- I certainly don't

14 recall us ever being located residentially together,

15 erm, and unfortunately it's something that -- like,

16 again, a lack of records, being unable to prove it, but

17 I certainly remember her sister being located in the

18 main school, but my recollection, certainly from where

19 she was concerned, was that she was in the Hostel and

20 I am more than 100 per cent certain of that, because one

21 of the things was obviously, preparing for the trial as

22 we did, was obviously -- it kind of -- it jogs your

23 memory about the layout of the school, staff, stuff like

24 that. I could virtually tell you where -- which girl

25 was in which dormitory on that floor and I can't

1       pinpoint her, but I can pinpoint everybody else.

2   Q.   And 'Angie's' position is that she was in a dormitory  
3       and sometimes I think she's given evidence that she  
4       would stay overnight in the main school on a Sunday and  
5       then return to the Hostel on a Monday night -- can you  
6       remember --

7   A.   Well, if she stayed in the school on a Sunday night, I  
8       couldn't tell you about that.  Erm, certainly we were  
9       never in the school together on a Sunday night, but, as  
10      I said, the vast majority of the time I wasn't present  
11      at the time, you know, at the weekends.  What I -- what  
12      else -- I was going to say something else -- it was  
13      quite important.

14       One of the things that, erm -- I'm aware that  
15      obviously I sustained a conviction in that trial, but  
16      one of the things that I believe I pointed out, there's  
17      serious discrepancies with what she said in her  
18      statement and her evidence in trial and, for me, if  
19      you're going to say something, you know, at least be  
20      consistent.  And I'm afraid she hasn't been consistent.

21       And I think that this is extremely important that  
22      the Inquiry understands this, that courtesy of my  
23      conviction in 1999, prior to my liberation in 2006, in  
24      order to conduct -- because MAPPA was in its infancy  
25      then, the legacy Northern Constabulary had conducted

1 a full background of me. They termed it as Operation  
2 Amble and that included a thorough investigation of my  
3 time at the Royal Blind School, given the fact of --  
4 that, you know, my suspensions were recorded in my  
5 eventual expulsion.

6 As a consequence of that operation, every single  
7 person that I went to school with was interviewed by the  
8 police and one of the people who was absolutely adamant,  
9 when she was interviewed at that point in time, that  
10 under no circumstances was there any inappropriate or  
11 wrongdoing on my part was -- what's the pseudonym --

12 Q. 'Angie'.

13 A. -- 'Angie' and that's obviously, as I said, that's a  
14 matter of, you know, police record, so to speak.

15 LADY SMITH: David, can I check one thing with you? You've  
16 referred a few times to a conviction in 1999. Was that  
17 actually in 2000?

18 A. Yes, sorry, I was -- it was -- obviously I went on  
19 remand in 1999. I was convicted in February 2000.

20 LADY SMITH: And that was when you pled guilty --

21 A. Yes, in the High Court in Edinburgh.

22 LADY SMITH: -- to rape?

23 A. Yes.

24 LADY SMITH: And the sentence was a ten-year sentence --

25 A. Ten years, with a year extension.

1 LADY SMITH: With an extension?

2 A. Yes.

3 LADY SMITH: Yes. I've got it. I'm just trying to track  
4 which one you were talking about. Thank you for  
5 confirming that.

6 MS INNES: So you're saying there in your evidence, David,  
7 that when the police were carrying out -- was it a risk  
8 assessment they were carrying out?

9 A. No, it was more -- in short, it wasn't just a risk  
10 assessment and a risk evaluation, it was really to  
11 determine whether I had committed any more offences to  
12 which I hadn't been convicted of. Henceforth the  
13 thorough examination of my chronology, 'cause obviously  
14 it was a matter of record of what I'd been suspended  
15 for, what I'd been expelled for and obviously, given  
16 what I was in prison for, the infamous -- the new nature  
17 of MAPPA and how it was to be conducted. So like  
18 I said, they went through -- they went through my  
19 history with a fine toothed comb.

20 Q. How do you know that they spoke to your -- all of the  
21 people I think that you say -- well, all of the people  
22 that featured on the indictment?

23 A. In 2006, obviously I got to see -- I got to see two  
24 things. So there was a report -- part of -- as you  
25 said, it wasn't just an examination of my previous

1 history, there was also a risk assessment report which  
2 was prepared by a Dr Morag Slessor and, for at least  
3 20 pages, she documents the police's investigation and  
4 my educational background and what transpired and  
5 obviously how that's impacted and things like that.

6 That's the first, and the second thing is the police  
7 had applied for a SOPO in 2006 and as part of the  
8 memorandum for that application, they had submitted  
9 everything to do with their investigation. That's how I  
10 know it was termed as Operation Amble and it set out  
11 exactly what was there.

12 Q. Are you saying that that set out the details of the  
13 people that they had spoken to and what they said?

14 A. It did -- obviously, it wasn't -- their statements  
15 wasn't contained in the memorandum, obviously the  
16 operation was termed, what the operation was about, and  
17 then obviously there's a bit of chronology and then  
18 obviously, as discovery went on prior to the hearing, we  
19 obviously got to see what everything to do with --  
20 'cause basically we are -- all we heard was Operation  
21 Amble. We didn't know what that was. So obviously we  
22 got full -- we got full disclosure at that point, but  
23 obviously it's a bit like a trial. You get to see some  
24 things but they're never going to be referred to in  
25 a proceedings, if that makes sense.

1 Q. So at this stage of your trial, did you see statements  
2 from people from 2006?

3 A. Erm, I was aware of it, but -- I was obviously aware of  
4 it and although -- and obviously those statements had  
5 been read to me. The problem that there was, certainly  
6 when I went through my trial, which saw me get my OLR  
7 was we couldn't disclose that to the jury without saying  
8 that I had previous convictions. So I was in  
9 a Catch-22, if that makes sense, where I couldn't --  
10 when I was going through my trial, I couldn't say to the  
11 jury, 'Well, by the way, guess what? Courtesy of  
12 a previous conviction, the police investigated me.  
13 Here's the outcome of the investigation'. I would have  
14 basically shot myself in the foot. So it was one of  
15 those things that was -- we had but we couldn't use  
16 without damaging ourselves. But as I pointed out when  
17 I was giving my statement, it's something that the  
18 Inquiry should be able to access as part of its  
19 investigation.

20 Q. Okay. So if we've heard evidence from the applicants  
21 with the pseudonyms 'Diana' and 'Angie' that the first  
22 time that they spoke to the police about you was in the  
23 run-up to the 2017 trial, are you saying that that's --

24 LADY SMITH: I think the trial was in 2018.

25 MS INNES: It was in 2017 --

1 A. 2018 --

2 MS INNES: 2018.

3 LADY SMITH: But they spoke to the police in 2017. The  
4 trial was early in 2018, I think.

5 MS INNES: Yes, so --

6 A. I know that -- I know that for the purposes of that  
7 trial, the police's investigation had begun, I think it  
8 was in 2014, believe it or not, so --

9 LADY SMITH: David, hang on, I'm sorry to interrupt you,  
10 because I don't want to lose the thread of what Ms Innes  
11 was asking you.

12 A. No, but I think -- I think --

13 LADY SMITH: Can you just -- we'll come back to that in  
14 a moment, if there's something you're desperate to tell  
15 us. Let me invite Ms Innes to ask again what she was  
16 trying to communicate with you about and this is about  
17 'Angie' and 'Diana's' first contact with the police  
18 about these matters.

19 Ms Innes.

20 MS INNES: Thank you.

21 I'll just put this again, David.

22 So are you saying that 'Diana' and 'Angie' spoke to  
23 the police in 2006 as well as at some point between 2014  
24 and your trial in 2018?

25 A. Yes, and the investigation, which Northern Constabulary

1       conducted, was between May 2005 and it was concluded in  
2       May 2006.

3             The lead investigating officer at the time who  
4       actually conducted most of the statements, certainly  
5       from my schooling point of view, the Royal Blind School,  
6       was then a DC Yvonne Dalgety(?).

7   Q.   Taking you back to your statement, where you are talking  
8       about what 'Angie' said, and at paragraph 92 you say:

9             'I don't know why [she] has said what she said.  
10       I can't speak for her. I do know that she's applied for  
11       criminal compensation before my trial even began. When  
12       I look at stuff like that, it concerns me.'

13            I wonder if you could explain what concerns you  
14       about that?

15   A.   Well, I mean, I would have thought that that would be  
16       straightforward. So I hadn't even stood trial yet and  
17       you've got someone who's applying for criminal  
18       compensation. Now, it was explained to me -- and  
19       I'm only going on the basis of what my QC, as she was at  
20       the time, I know you're a KC now, but my QC at the  
21       time -- that the bottom line is an individual can only  
22       apply for criminal compensation once a conviction's been  
23       secured.

24            But to apply for criminal compensation before even  
25       a trial's begun is -- I mean, that's like me applying --

1       that's like you applying for housing insurance and you  
2       haven't -- for your house being burgled and it's no been  
3       burgled yet.

4   Q.   Now, can I ask you about another thing that 'Angie' said  
5       in her statement, and you have set this out at  
6       paragraph 99 of your own statement, and in that  
7       paragraph, 'Angie' says that she would see you with your  
8       arms around some of the other girls and she describes  
9       one girl would have been about 12, but mentally she was  
10      about 8 or 9 years old.

11       Then at paragraph 100, you respond to that and you  
12      say you don't know who she is talking about:

13       'And I don't know why she is saying that.'

14       Did you ever put your arms around a girl who might  
15      be described as -- in the way that 'Angie' has described  
16      her?

17   A.   No. As I said -- I mean -- well, I mean, there are  
18       three things I would say about that. First of all,  
19       remember, as I pointed out, about the significance about  
20       floor diaries and how behaviours and contact was  
21       documented, so that would have been jumped on  
22       straightaway.

23       The second thing is that one of the things that did  
24       concern me greatly about both your pseudonym statements  
25       is that they keep talking about -- they even referred to

1       themselves as -- that they had to do caring roles and  
2       looking after vulnerable and people with special needs.  
3       There were people at the Royal Blind School who had  
4       additional needs for vision, but they were kept away  
5       from the main building in two of the -- because we had  
6       four separate buildings.

7               So their mixing with us was in short maybe twice  
8       a year and that would be your Christmas dinner and your  
9       end-of-term concert.

10              This idea about people, you know, having classes or  
11       having dormitories where you've got these mixed  
12       abilities, that's nonsense, and it's the same about --  
13       it was one of the things I had said when I gave my  
14       statement was that I'm aware that obviously I'm just  
15       speaking as a pupil, but obviously you interviewed the  
16       staff who worked there at the time.

17              I mean, you know, they would tell you as well, this  
18       idea of the Royal Blind School asking someone who is  
19       blind and cannot see to then try to cater for the needs  
20       for someone else, who is blind, but also got additional  
21       learning difficulties, isn't just ludicrous, it takes --  
22       I mean, that defies belief.

23              So, erm, no, and it's -- and it's -- as I've said,  
24       it's -- although -- I mean, my answer to your question  
25       is obviously 'no', but I've also expanded on that 'cause

1           that was one of the things that was consistent with most  
2           statements which I have to say is grossly inaccurate, in  
3           my opinion.

4   Q.   Okay. Now, you go on, starting from paragraph 106 of  
5           your statement, to refer to the statement given to the  
6           Inquiry by the applicant with the pseudonym 'Diana' and  
7           you say that you recall her and you say that she was in  
8           the year above you?

9   A.   Yes.

10   Q.   And you know that she says various things about you.  
11           So, for example, that you once tried to kiss her. Did  
12           you do that?

13   A.   No.

14   Q.   She says that you touched her leg over her clothes in  
15           the dining hall one day. Did you do that?

16   A.   I believe the allegation was the assembly hall and, no.  
17           And can I just also point out that that was -- that --  
18           the allegation that you're asking me about, that was  
19           dismissed by Lord Uist and did not go to the jury.

20   Q.   So I think we know that that charge was withdrawn by the  
21           Crown.

22   A.   Yes, and it should be noted that she stated during her  
23           evidence in trial that under no circumstances was there  
24           any wrongdoing on my part. So my question then becomes,  
25           obviously it's a hypothetical one to yourself and the

1 Inquiry, you know, she's saying in court: 'Look  
2 nothing's happened, he's no done anything', and now  
3 she's giving you a statement here again, which  
4 reinforces -- sorry, not reinforces, re -- restates the  
5 original charge which I had which obviously was not  
6 proceeded with.

7 No consistency.

8 Q. And she also says that you would try to cuddle and touch  
9 her. Did do you that?

10 A. No.

11 Q. Now, if we move on to page 25 of your statement, and  
12 paragraph 117, you talk there about your convictions and  
13 you say, at paragraph 119, that your position is that  
14 you pled not guilty and deny having committed any of  
15 those offences. So obviously you have convictions in  
16 respect of other people, other than 'Angie' and 'Diana'  
17 that we've talked about this afternoon, and do you  
18 accept or not that you behaved in the way of which  
19 you've been convicted?

20 A. No, I don't. It should be noted that -- I'm not sure if  
21 I did point it in, I have -- although I've --  
22 I've appealed and my appeal was initially rejected, I am  
23 pursuing, with the assistance of an organisation which  
24 is based in England, which specialises in looking at  
25 historical sex offence cases, pursuing a future appeal.

1           So my position is: I accept, as I said, you know,  
2           I accept going to prison in 2000, I accept 1993,  
3           I've never had a problem, but the reality is in relation  
4           to what I was accused of between the ages of 12 to  
5           whatever it was, absolutely not.

6   LADY SMITH: Well, David, I'm aware that your appeal against  
7           conviction was rejected.

8   A. Yes.

9   LADY SMITH: And there was only one ground put forward and  
10          that was on the basis of a decision made by the trial  
11          judge as to whether or not to allow a particular line of  
12          questioning. That was the only thing that you put  
13          forward.

14   A. Yeah, but obviously --

15   LADY SMITH: Is it something different that you're trying to  
16          put forward now?

17   A. Yes.

18   LADY SMITH: What?

19   A. At the time, as I said, when we went through the -- when  
20          we went through the trial, there was an -- there was  
21          an -- we had an inability to locate certain individuals  
22          who could, for example, speak to, as I said, the report  
23          which was done in relation to the investigation  
24          pertaining to the incident with a boy when I was  
25          suspended.

1           We have been able to locate a total of 17 people  
2           whose evidence is such that it lends to corroboration of  
3           certain things. I'm not up on the legal terminology,  
4           but do you get where I'm coming from, where -- what  
5           we're pursuing?

6   LADY SMITH: I've noted what you've explained.

7           This organisation in England, does it have a name?

8   A. Yes, Justice First and it's based in Manchester.

9   LADY SMITH: Okay, thank you.

10   MS INNES: As Lady Smith has just said, the Inquiry is  
11           obviously aware of your appeal against conviction, which  
12           was unsuccessful and the Inquiry has seen and  
13           obviously -- has access to -- it's a matter of public  
14           record -- what the grounds of appeal were and what the  
15           outcome of that was.

16   A. Yes.

17   MS INNES: My Lady, I don't have any more questions for  
18           David.

19   LADY SMITH: David, I don't have any more questions either.

20           Thank you for engaging with us this afternoon. It's  
21           been very helpful to hear you from you in person and, as  
22           I said at the beginning, I do, of course, also have your  
23           statement, which is very full and detailed, so thank you  
24           for that.

25           I'm now able --

1 A. My Lady, can I --

2 LADY SMITH: What is it?

3 A. Can I also, before we conclude, can I make a final point

4 which I think is quite important, not just only for

5 myself but for the Inquiry?

6 And that is that when I gave my statement,

7 I'm obviously disclosing certain things for the first

8 time in my life and where there are safeguards in place

9 here in custody obviously to ensure that, you know,

10 I'm safe and everything else, my concern is that, you

11 know, by doing so, there's no opportunity for someone in

12 my position to then explore that, either further through

13 some type of either counselling or support remit 'cause,

14 like I said, until this Inquiry I had never discussed

15 what had happened where PWN was concerned with

16 anyone.

17 LADY SMITH: Yes.

18 A. Erm, and I don't feel it is fair for me to go the mile

19 and put all my cards on the table and then not be given

20 the opportunity to not only get support, but also to

21 explore what -- you know, help in terms of counselling

22 or anything else that comes after that, if that makes

23 sense.

24 LADY SMITH: I've noted all that, David. It's here.

25 I hope you appreciate that these are things that

1 I have no power to influence or make any decisions  
2 about. Do you appreciate that?

3 A. Yeah. At the end of the day, for me, it's just being  
4 documented, I think's important or even just, as you  
5 said, you can't influence but I don't see why the  
6 question can't be asked.

7 LADY SMITH: Well, it's now in the transcript, because  
8 you've made your position clear on that, so you'll see  
9 it there in due course.

10 Thank you very much again for your time, David, and  
11 we're now able to let you go and we'll be able to switch  
12 off the link. Thank you.

13 (The witness withdrew)

14 MS INNES: So, that concludes the evidence for today.

15 LADY SMITH: Yes.

16 MS INNES: We're not sitting tomorrow. We had hoped to have  
17 evidence from another person in respect of the  
18 Royal Blind School, that is PWU .  
19 Unfortunately, we've not been able to conclude  
20 a statement from him to enable him to give evidence  
21 tomorrow, but should that become available that will,  
22 of course, be shared in due course in the normal way.

23 We will resume evidence again on Friday with two  
24 applicants giving evidence in relation to their time at  
25 St Vincent's School for the Deaf.

1 LADY SMITH: Thank you very much.

2 Final names for the day of people who are not to be  
3 identified as referred to by us today: a member of staff  
4 whose nickname was 'PWN [REDACTED]', a member of staff  
5 PWN [REDACTED] and once an applicant, PQB [REDACTED], was  
6 referred to by name and she's not to be identified  
7 either.

8 You will also maybe have noticed that we have  
9 referred to PWU [REDACTED] and we have referred to  
10 him before. In the meantime, he's not to be identified  
11 outside this room. If that changes, that will be made  
12 clear. Thank you.

13 (3.54 pm)

14 (The Inquiry adjourned until 10.00 am  
15 on Friday, 29 August 2025)

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