

1 Tuesday, 11 June 2019

2 (10.00 am)

3 LADY SMITH: Good morning. Welcome back to the hearings in  
4 this case study into the care provided by the  
5 Christian Brothers. We return this morning to oral  
6 evidence and I think, Mr MacAulay, we have a witness  
7 who's ready to come through; is that right?

8 MR MacAULAY: Yes, good morning my Lady. The first witness  
9 this morning would like to remain anonymous and he wants  
10 to use the name "Alec" during giving his evidence.

11 "ALEC" (affirmed)

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

14 (Pause)

15 Are you okay for me to hand over to Mr MacAulay?

16 A. Indeed, my Lady.

17 LADY SMITH: You've caught the microphone, that's good. We  
18 need to hear you through the microphone, and now  
19 Mr MacAulay will explain to you what happens next. Take  
20 your own time, it's your evidence.

21 Questions from MR MacAULAY

22 MR MacAULAY: Good morning, Alec.

23 A. Good morning.

24 Q. In the red folder in front of you, you'll find your  
25 statement. Could I ask you to look at it? I'm going to

1 give the reference of the statement so it can be in the  
2 transcript. That's WIT.001.002.3489. What I would like  
3 you to do, Alec, is go to the very last page of the  
4 statement. Can I ask you to confirm that you have  
5 signed the statement?

6 A. I have signed the statement, yes.

7 Q. Do you say in the final paragraph:

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

10 Is that correct?

11 A. That's correct.

12 Q. You go on to say:

13 "I do not wish my name to be published in any  
14 document."

15 Is that right?

16 A. That's absolutely correct.

17 Q. You also say:

18 "I believe the facts stated in this witness  
19 statement are true."

20 Is that right?

21 A. That's correct.

22 Q. Alec, because you want to remain anonymous, I don't want  
23 your date of birth, but I do need the year of your birth  
24 so I can get a time frame for your evidence. Am I right  
25 in thinking that you were born in 1966?

1 A. 1966, yes, that's correct.

2 Q. At the beginning of your statement, you provide the  
3 inquiry with some background evidence as to your life  
4 before you went into care. In particular, you provide  
5 evidence about your family and your brothers and  
6 sisters; is that right?

7 A. That's correct, yes.

8 Q. I think, putting it shortly, aspects of your family life  
9 were relatively unhappy, is that correct, at an early  
10 stage?

11 A. That's correct, yes.

12 Q. Before you went to St Ninian's -- and it's St Ninian's  
13 we'll be looking at in detail today -- were you put into  
14 care in a place called the Ladymary School, which was  
15 run by the Good Shepherd Sisters?

16 A. Yes.

17 Q. According to the records that the inquiry has seen, the  
18 suggestion is that that may have been in about 1972 when  
19 you were aged about 5 or so. I think in your statement  
20 you thought it was maybe 1970 or 1971, but you were  
21 roughly about five years of age when you went to  
22 Ladymary. Is that right?

23 A. Okay, yes.

24 Q. Again, looking to the records that the inquiry has seen,  
25 these records suggest that you left Ladymary in late

1 1977 when you'd be aged about 11.

2 A. That's correct, yes.

3 Q. Am I right in saying, Alec, that you were the only  
4 sibling in your family who was put into care at this  
5 time?

6 A. At this time, yes, that's correct.

7 Q. In the first part of your statement, from paragraphs 10  
8 through to 51, you provide some information about your  
9 time at Ladymary, and then, thereafter, at paragraphs 52  
10 through to 66, you give some information about things  
11 that happened to you when you were there; is that right?

12 A. That's correct.

13 Q. Sadly, for you, one of the things that did happen to you  
14 is that you encountered a man by the name of  
15 Brian Dailey; is that right?

16 A. Yes.

17 Q. And I think, from what you say, he was in your life for  
18 a period of about 18 months or so.

19 A. That's correct, yes.

20 Q. I don't want to look at the detail as to what happened,  
21 but is it the case from what you say in your statement  
22 that you were sexually abused by Brian Dailey?

23 A. That's correct.

24 Q. And indeed, subsequently, in 2017, did you give evidence  
25 at a trial in which Brian Dailey was the accused?

1 A. That's correct.

2 Q. And was Brian Dailey convicted on the basis of evidence  
3 that you provided to the court?

4 A. He was.

5 Q. And I think he was sentenced to 10 years' imprisonment;  
6 is that correct?

7 A. Yes.

8 Q. Again, I'm not looking at the detail of that today;  
9 I just wanted to get these facts out.

10 When you left Ladymary in late 1977, did you go back  
11 home?

12 A. Yes.

13 Q. But again, did you go back into care, and in particular  
14 did you go to a place called Ballikinrain Boys' School,  
15 which is in Stirlingshire?

16 A. That's correct, once I left Ladymary I was home for  
17 a few months, maybe, and then straight to Ballikinrain.

18 Q. Again, the records suggest that you went there some time  
19 in 1978, you might have been aged about 11 or 12;  
20 is that about right?

21 A. Yes.

22 Q. Was it from there that you went to St Ninian's in  
23 Falkland?

24 A. Yes, after Ballikinrain, I went into an assessment  
25 centre called Larchgrove. I'd been in and out of

1 Larchgrove and various assessment centres, but then  
2 I went into St Ninian's. That was my next port of --  
3 yes.

4 Q. And so far as Ballikinrain is concerned, we're not  
5 looking at that today, but you do discuss your time  
6 there at paragraphs 72 through to 82 or so. Indeed,  
7 then you say you may have been in Larchgrove Assessment  
8 Centre for a period of time before you went to  
9 St Ninian's.

10 A. Yes.

11 Q. Let's then just focus on the time you spent at  
12 St Ninian's. Again, according to the records provided  
13 to us by the Christian Brothers, you were admitted to  
14 St Ninian's on [REDACTED] 1979 when you were aged 12.  
15 Would that be about correct?

16 A. I thought I was admitted into St Ninian's when I was  
17 11 --

18 Q. Okay.

19 A. -- because I remember being in St Joseph's when I was  
20 12.

21 Q. I think that is the case I think when we look at  
22 St Joseph's where you went to after St Ninian's, you  
23 were aged 12 there as well, because I think the reality  
24 was that you were only in St Ninian's for a relatively  
25 short period of time.

1 A. Yes.

2 Q. And certainly, according to their records, you went in  
3 in about [REDACTED] 1979 and you left on [REDACTED] 1979. So  
4 you were there for under four months according to these  
5 records.

6 A. Okay.

7 Q. Would that be roughly about the sort of time you --

8 A. I thought I was in there for two to three months, but if  
9 it's on record, then ...

10 Q. Well, whether it's three months or four months, it's  
11 that --

12 A. It's a relatively short time, yes.

13 Q. As you mentioned, you also went to St Joseph's Tranent,  
14 and I'll touch upon that later. When you were at  
15 St Ninian's, and you were there for a short period of  
16 time, was the period even shorter because you ran away  
17 on several occasions?

18 A. Yes, there was a fair bit of absconding on a daily basis  
19 for short bursts, and there was a few long -- well,  
20 trying to make it long bursts, but eventually getting  
21 caught.

22 Q. Let's then look at some aspects of your life at  
23 St Ninian's, Alec. Were you able to work out if there  
24 was a particular brother who was in charge of  
25 St Ninian's?

1 A. When I first arrived in St Ninian's, I was with the  
2 social work department in Glasgow, and I was greeted at  
3 St Ninian's with Brother LNA who was at that time the  
4 [REDACTED], and also my older brother.

5 Q. I think that was one of the attractions, was it, for you  
6 to go to St Ninian's, that you had an older brother who  
7 was there already?

8 A. Yes, it was, yes.

9 Q. In your early period there, did you meet other brothers?

10 A. I'd met a few brothers, but I don't remember all the  
11 brothers' names. There was probably about six, six  
12 brothers maybe, maybe seven.

13 Q. What about civilian staff? Do you remember coming  
14 across civilian staff?

15 A. There was -- yes, there was the art teacher. There was  
16 the cooks. Yes, there was a few civilian staff there.  
17 Not a few, there was a group of civilian staff.

18 Q. Can you give us your first impressions of the building  
19 itself then when you got there? What did you make of  
20 the building?

21 A. As an 11-year-old, it was ... It was like a fairytale  
22 sort of castle type with huge windows. I mean, it was  
23 just a beautiful place. It was a beautiful building set  
24 in acres of land. Yes, it was just a beautiful  
25 building.



1 Q. Let's look at some of the arrangements within the  
2 building, and first of all focus on the sleeping  
3 arrangements. Can you help me with that? Was there an  
4 area where there were dormitories where you would go to  
5 sleep?

6 A. Yes, the dormitories, as far as I remember, were  
7 upstairs in the building. The main part of the  
8 building, the main door of the building was -- as soon  
9 as you walked in, there was a sort of huge vestibule  
10 that continued into a huge hallway, with a staircase  
11 coming off to the right, with beautiful panelled walls  
12 and cornicing on the ceilings. It was a beautiful  
13 place.

14 Q. Can I ask you to look at a layout plan for me? This  
15 will come on the screen in front of you, Alec. It's at  
16 CFS.001.006.8297.

17 If you get your bearings, Alec, you'll see the car  
18 park, where that's indicated, and then you can work out  
19 where the front door is, entering into the entrance  
20 hall. That's what you called the vestibule a moment  
21 ago; is that correct?

22 A. Yes.

23 Q. Then you move into the main hall that you mentioned?

24 A. That's correct, yes.

25 Q. If you look between the letters N and H, you'll see an

1           indication of a stairway that's going up to an upper  
2           level.

3       A.   Yes.

4       Q.   If we just stay in the main hall for a moment or two,  
5           for example there's an area that's been designated as  
6           the headmaster's office.  Is that your recollection of  
7           where the headmaster's office was or was your  
8           recollection that it was somewhere else?

9       A.   The headmaster's office was ... as soon as you walked  
10           into the main hall, it was into the right there, yes.

11      Q.   So in that area?

12      A.   Yes, within that area, yes.

13      Q.   Then if we go back to the area of the entrance hall and  
14           you turn right, can we see that you can go along  
15           a corridor and then we can see that there's an  
16           indication, just outside the brothers' dining room, of  
17           stairs that take you to an upper level; is that right?

18      A.   Yes.  That's right, yes.

19      Q.   Is that where the dormitory area was?

20      A.   Yes, the dorms were up there.  That was another way to  
21           get to the dorms, yes.

22      Q.   Was there another route you could take to the  
23           dormitories?

24      A.   Yes.

25      Q.   But looking at the dormitory area then, are you able to



1           If you can't, just say so.

2       A.   Sorry, I can't say. Looking at the plan, I can't see  
3           what room I was in.

4       Q.   What you're saying is his room was in that area?

5       A.   Absolutely, yes.

6       Q.   Just looking at some aspects of the routine then, we can  
7           put the plan aside for the moment. You say in your  
8           statement at paragraph 99 that there were two  
9           assemblies, one after breakfast and one later in the  
10          afternoon. Can you just help me with that? What would  
11          happen at these assemblies?

12      A.   The assembly in the morning would be about what was  
13          happening on that day, what was planned for that day,  
14          who would be working where, whether it be cleaning,  
15          taking bins, just general helping. There was education,  
16          there was classes, but I didn't attend classes, I didn't  
17          have the motivation, if you like, to attend classes.

18      Q.   Who was in charge of the assembly?

19      A.   Brother LNA

20      Q.   And are you saying then that he would allocate certain  
21          jobs to certain individuals in this morning assembly?

22      A.   Yes, in the morning assembly there would be allocation  
23          of jobs and finding out whether I've got football on  
24          that afternoon or rugby or activities in that sense,  
25          yes.

1 Q. And what sort of jobs were being allocated; can you help  
2 me on that?

3 A. It could be groundwork, picking up litter or taking out  
4 bins, cleaning of the main hallway, the sweeping. Just  
5 sweeping and just cleaning, domestic cleaning, if you  
6 like.

7 Q. Were you given a job or jobs?

8 A. I was given several jobs, but wasn't keen on taking part  
9 in them.

10 Q. But did you?

11 A. I remember going round with a dustbin bag and picking up  
12 litter, but ...

13 Q. If we look at the location of the assemblies then, if we  
14 go back to the plan, CFS.001.006.8297, the plan will  
15 come back onto the screen.

16 There is an area on the ground level that's  
17 described as the assembly hall. Do you see that towards  
18 the top to the left? You come along the main hall.  
19 Is that where the assembly was?

20 A. No, no, the assembly was in the main hall. Brother LNA  
21 would have the boys lined up and he would then go on to  
22 explain the morning assembly. I don't remember going  
23 into any assembly hall. I remember anything that was  
24 done, it was done in the main hall with a line of boys,  
25 whether that be in the morning or the afternoon's

1 assembly.

2 Q. Did you form any impression at that time as to how many  
3 boys were there in St Ninian's?

4 A. There could have been anything between 40 and 50.

5 Q. Okay. That's the range you're thinking of?

6 A. When I was in the dining room, and you'd see all the  
7 boys at the dining room, you'd start counting heads.  
8 Yes, there were quite a few kids there.

9 Q. And the age range? You thought you were maybe 11,  
10 possibly 12. Age range, you think?

11 A. Well, I thought -- well, I would say ... I would say  
12 between 10, maybe 11, until 16.

13 Q. You've mentioned the morning assembly. Was there  
14 another assembly then in the course of the day?

15 A. Yes, there was an afternoon, a late afternoon assembly.  
16 Assembly was more about -- my experience of the  
17 assembly, the afternoon assembly, was always about  
18 Brother LNA picking out faults of certain boys that  
19 day. I would always be number one or number two. That  
20 was more of a punishment, more of the strap, there was  
21 a belt. So Brother LNA would look for things to be  
22 peed off with and, later on in the assembly, he would  
23 get his belt, his strap, the strap out, and strap your  
24 hands in front of the boys.

25 Q. Did that happen to you?

- 1 A. Yes, that happened to me, that happened to me -- like  
2 I said, I was number one or number two so that happened  
3 to me practically every day or every time.
- 4 Q. What reasons would Brother LNA give?
- 5 A. For backchat, being cheeky, being disrespectful, not  
6 doing what was required from me, whether that be work or  
7 eating. Just anything. Everything. It felt like I was  
8 just being constantly picked on.
- 9 Q. When you got the strap, how was that administered? How  
10 would he give it?
- 11 A. By his hand he would raise his hand up above -- take the  
12 strap over his shoulder so the strap was hanging on to  
13 his shoulder blade and then he would come down with one  
14 thud of the strap.
- 15 Q. On what part of your body?
- 16 A. On the hands, on the hands. But sometimes I used to  
17 move my hands away because it was so stinging and so  
18 sore that I would be belted then on the knee, on the leg  
19 or the thigh, the outside thigh. I would be belted on  
20 the legs.
- 21 Q. And how many strokes do you think you'd get?
- 22 A. I used to -- three strokes for the strap. If you took  
23 it on the hand it would be three. If you refused to  
24 take it, you could have five or six to the leg.
- 25 Q. This, you say, happened to you; did you see this

1           happening to other boys?

2           A. Yes. Yes, I had seen my brother, unfortunately, receive  
3           the strap. That was sad.

4           Q. And other boys that were there for the assembly?

5           A. Yes, I mean, if I'm allowed to mention names, I will,  
6           but ...

7           Q. You don't have to mention names, you can give us a first  
8           name if you remember first names. That's all we need.

9           A. There's nicknames like [REDACTED] there's [REDACTED]  
10          [REDACTED] There's loads of guys who received the  
11          strap. [REDACTED] All these lads.

12          Q. You're telling us then this was a public exercise at  
13          this assembly that Brother LNA was in charge of?

14          A. Yes, it was a public exercise, public embarrassment.

15          Q. Sticking with the general routine, I think you give us  
16          some comments on the food and you make a comparison  
17          between, I think, Ladymary and Ballikinrain, and you say  
18          the food was better there than at St Ninian's.

19          A. Yes. The food was -- yes, I mean, for me at that age,  
20          I'd seen differences in the food.

21          Q. Looking at other aspects of the routine, let's look at  
22          washing and showering. I think we understand that, for  
23          example, sport was a big thing at St Ninian's; is that  
24          correct?

25          A. Yes, there was football, rugby, field games like tug of



1 war and competitive games for the boys, like teams.

2 Q. Did you participate in the sports?

3 A. I participated in rugby. I was built like a matchstick,  
4 so it was difficult, but football, yes, you know,  
5 I tried my best, yes. Hockey.

6 Q. So far as showering was concerned then, was there an  
7 area where you'd go to have your shower, if, for  
8 example, you'd been playing rugby or any other sport?

9 A. Yes, the showers were downstairs. These were huge  
10 showers. There weren't cubicles, they were just shower  
11 rooms with five -- maybe five or six, maybe seven shower  
12 heads coming out of the wall. And yeah, we'd go into  
13 the shower room and shower.

14 Q. Was there any privacy in the showers?

15 A. No, no, there were no cubicles. Like I say, there were  
16 five or six shower heads coming out of the wall and all  
17 the boys were naked in front of one another, so there  
18 was no covering up, if you like. But that was also ...  
19 that was also supervised.

20 Q. Can you help me with that? Can you tell me what the  
21 supervision consisted of?

22 A. The supervision consisted of Brother **LNA** and some of  
23 the other brothers -- I don't remember their names --  
24 pouring shampoo on you and just rubbing it into your  
25 head and, "Clean up, clean that up", and rubbing soap on

1           your body. For me, not on my private areas, but  
2           certainly on the back of my shoulders and my neck and my  
3           hair at that moment, at that time.

4           Q. Who did this?

5           A. That was Brother LNA

6           Q. How often would this happen to you when you were having  
7           a shower?

8           A. I tried to avoid showers so many times because of  
9           Ladymary, but it happened a few times.

10          LADY SMITH: I can understand that. But you were 12 years  
11          old at this time in St Ninian's?

12          A. Yes, that's correct.

13          LADY SMITH: Had you learnt how to wash yourself?

14          A. Of course, my Lady, yes.

15          LADY SMITH: Did you need help with washing in the shower?

16          A. I didn't my Lady, no.

17          LADY SMITH: Thank you.

18          MR MacAULAY: So far as other boys were concerned, did you  
19          see this happening to other boys?

20          A. I saw it happening to my brother. I used to shower --  
21          when I did shower, I'd try to shower next to my brother.

22          Q. You needn't tell us your brother's age but was he  
23          a younger or an older brother?

24          A. He was a year and a half, two years older.

25          Q. So he'd be possibly up to 14 at this time?

- 1 A. Yes. He was about 14, yes, 13/14.
- 2 Q. And what did you see happen to him?
- 3 A. He would get a shower, shampoo, and washed and washed by  
4 the brothers.
- 5 Q. You say "the brothers" and you have mentioned  
6 Brother LNA
- 7 A. Yes, Brother LNA but there were a couple of other  
8 brothers who would take part in the washing of children,  
9 kids, boys.
- 10 Q. These were brothers who, while this was being done, were  
11 themselves fully clothed?
- 12 A. Yes. Well, robes -- Brother LNA had a robe on, but the  
13 other brothers had, like, black trousers, cut sleeve --  
14 just sort of pullovers without sleeves. I can't  
15 remember what these tops are called. Yeah, they were  
16 fully clothed.
- 17 Q. What was your reaction at the time when this was  
18 happening to you, to this behaviour of a brother,  
19 Brother LNA, an adult, washing you when you were naked  
20 in the shower?
- 21 A. My reaction was, "I need to get away from here, I need  
22 to get out of here, I need to abscond, I need to take my  
23 brother with me, I need to wake my brother up to this".
- 24 Q. Can you compare the showering arrangements at  
25 St Ninian's to the way in which showers were managed at

1 Ballikinrain?

2 A. Yes, showers in Ballikinrain for me was a top unit -- in  
3 Ballikinrain there was a bottom, middle and top unit.  
4 Showers were private. The bathing, for me, that  
5 I experienced in Ballikinrain, there were private  
6 cubicles, there was a bath there as well, and there was  
7 toilets that were cubicled. So the shower room in  
8 Ballikinrain and the baths -- there was privacy, there  
9 was no supervision of washing. This was in  
10 Ballikinrain.

11 Q. You have said before that you ran away from St Ninian's  
12 several times in the short period that you were there.  
13 Can I just, before looking at that, look to see what  
14 happened before you ran away?

15 I think you tell us. This is at paragraph 120,  
16 about an incident when you were playing the piano and  
17 something happened; is that correct?

18 A. Yes.

19 Q. Were you able to play the piano at that time?

20 A. Yes, there was a generic tune at that time that probably  
21 every kid could play. I can't remember -- was it  
22 "Chopsticks"? I can't remember what the tune was,  
23 but ...

24 Q. In what area of the building were you when you were  
25 playing the piano?

1 A. That was -- as you go into the main hallway, and the  
2 staircase is on the right, beside the staircase there's  
3 an inlet, and the piano was just next to the staircase.

4 Q. So the piano is in the hallway area, is it?

5 A. Yes, it's in the hallway area.

6 Q. And if we go back to the layout plan, CFS.001.006.8297,  
7 again if you look at the screen, Alec, you'll see the  
8 main hall where the staircase is. Are you pointing to  
9 that area to the right of the staircase?

10 A. Yes.

11 Q. That's to say there was a piano there --

12 A. Yes, just where the mouse is.

13 Q. -- what then happened? Before that, how long had you  
14 been at St Ninian's by this time?

15 A. I'd say maybe a month.

16 Q. Can you tell me what happened then?

17 A. I was playing the piano. It was a bit noisy because  
18 I was strumming my thumb up and down the keyboard.  
19 Brother **LNA** had came along and told me to stop playing  
20 the piano, stop making a noise, stop making the noise  
21 with the piano. Then he took me into his office.

22 Q. That's the office you indicated before, which is close  
23 to where the piano is --

24 A. Yes.

25 Q. -- or was?

1 A. Yes. He took me into the office to reprimand me.  
2 However, that turned into Brother LNA ... Yes, rubbing  
3 himself against me and masturbating himself and trying  
4 to get me to masturbate and force me ...

5 (Pause)

6 Q. You have told us that he was masturbating himself; was  
7 he trying to get you to do something?

8 A. Yes, he was trying to get me to take part.

9 Q. And what happened?

10 A. I ran out.

11 Q. So how long do you think you were in the office for?

12 A. I could have been in there 10, 15 minutes. I could have  
13 been there half an hour.

14 Q. Did he remain clothed during this time?

15 A. He had his robe on. He had a brown monk robe. It was  
16 a brown robe, like a kaftan. It was that generic  
17 monk-looking robe.

18 Q. But you say you ran out of the office at some point?

19 A. Yes.

20 Q. Did he saying anything to you during this process?

21 A. Yes, he was reprimanding me for being disrespectful  
22 again, cheek. Always ... Always the same. Never  
23 listened, just getting on at me, breaking rules.

24 Q. You've told us you ran out of the office then. What  
25 happened next, what did you do?

1 A. What did I do?

2 Q. Yes.

3 A. I spoke to my brother. I spoke to my brother and  
4 I says, "I need to get out of here", and I absconded.  
5 There was so many short bursts of absconding, absconding  
6 maybe for 15, 20 minutes, going into the fields and then  
7 back to the home before I got noticed, if you like. So  
8 there was quite a lot of that.

9 Q. But this is a more sustained absconsion?

10 A. Yes, this was -- I absconded ... It wasn't the  
11 following day, it was that day, I absconded. I got  
12 caught and brought back.

13 Q. Where were you caught?

14 A. I got caught in -- that particular time, it was Cupar  
15 I don't know if it was Cupar police station, but there  
16 was a substation not too far away from Falkland. It was  
17 on the road to Cupar.

18 Q. And were you taken to that police substation?

19 A. Yes, I was, yes. I was taken to that police substation.

20 Q. And were you then taken back to St Ninian's?

21 A. Yes. I was taken back. The social worker had taken me  
22 back.

23 Q. How long do you think you were away for on that  
24 particular occasion?

25 A. Maybe about five hours. Four hours, five hours.

1 LADY SMITH: Do you remember what time of day you left the  
2 home?

3 A. Yes, it was in the -- when I ran away, it was in the  
4 afternoon.

5 LADY SMITH: You'd had your lunch, had you?

6 A. I don't remember, I'm sorry.

7 LADY SMITH: If it's five hours, that would have meant that  
8 it would be the evening before you got back. Does that  
9 fit?

10 A. Yes. It was late afternoon.

11 LADY SMITH: Who caught you?

12 A. The bus ... I remember getting the bus. I remember  
13 getting the bus to Cupar, my Lady. The bus driver --  
14 I think because of my age and because of my size, he  
15 stopped off outside the police station and the police  
16 had then come out of the substation.

17 LADY SMITH: So you're thinking the police would have been  
18 alerted to the fact that you were missing, would that be  
19 right, or would it just be them finding a boy on his  
20 own?

21 A. Usually, with previous experience, my Lady, when I did  
22 abscond from institutions, the police were always  
23 informed.

24 LADY SMITH: Thank you.

25 MR MacAULAY: Then you were taken back to St Ninian's. Did



1 anything happen when you were taken back?

2 A. At that particular time, there was a silence for some  
3 time.

4 Q. So were you punished for running away?

5 A. Yes, I was punished for everything.

6 Q. So what sort of punishment did you get for that, for  
7 running away?

8 A. Again, the strap. There was also sneaky digs, punches,  
9 slaps.

10 Q. Who did that?

11 A. Again, Brother **LNA**

12 Q. When you say slaps, what sort of slaps?

13 A. Just slaps on the back of the head, struck sometimes  
14 from behind the neck or the collar of my shirt and kind  
15 of shook.

16 Q. Was this --

17 A. Screamed at.

18 Q. -- something that generally happened, this sort of  
19 behaviour?

20 A. Yes, Brother **LNA** was a force upon himself. He would  
21 dish out punishments and -- public punishments or  
22 secret.

23 Q. Were there any other brothers who engaged in that sort  
24 of behaviour?

25 A. Yes, I mean, there was other brothers. There was

1 a particular brother, Brother Farrell. He shook me up  
2 physically a couple of times I remember.

3 Chronologically, I can't put it into times and  
4 events, but I remember being in the chapel --

5 Q. I'll come to that in a moment, the chapel episode;  
6 is that when you talk about drinking some altar wine?

7 A. Yes.

8 Q. I'll come to that. You also mention in your statement  
9 a Brother [REDACTED] MBV . Do you remember coming across  
10 a Brother [REDACTED] MBV ?

11 A. Brother [REDACTED] MBV , that was mentioned in the statement.  
12 That could possibly ... That could possibly be  
13 connected with St Joseph's. [REDACTED]

14 [REDACTED]  
15 Q. We'll touch briefly on St Joseph's when we come to it.  
16 I think [REDACTED] MBV who was at St Ninian's became  
17 a [REDACTED] MBV because I think he was [REDACTED] Do  
18 you remember there being [REDACTED] ?

19 A. [REDACTED] MBV , yes.

20 Q. Did you have anything to do with [REDACTED] MBV

21 A. I can't remember.

22 Q. You were moving on to describe an incident that happened  
23 when you were in the chapel. And that was, I think,  
24 some time after you had been brought back from running  
25 away; is that correct?

1 A. Yes, this was a bit later.

2 Q. What were you doing in the chapel?

3 A. I was up to no good. I shouldn't have been in the  
4 chapel that day. Because of the size of the building,  
5 there was a lot of secret compartments, which --  
6 I thought as a kid there was a lot of, like, unpanelled  
7 walls and mysterious, like, magic panels that might  
8 slide open and take us into ... I just went into the  
9 chapel and wanted to look around and be nosey.

10 I guess there was a box of bread next to  
11 a tabernacle. There was a bottle of wine, several  
12 bottles of wine. I drank ... I'd opened a box and I'd  
13 eaten some bread, and then I was drinking -- I drank the  
14 wine.

15 LADY SMITH: When you say "bread", are you talking about  
16 communion wafers?

17 A. The flat ones from the tabernacle. It was communion  
18 bread.

19 MR MacAULAY: And you drank some wine?

20 A. I drank a bit of wine, yes.

21 Q. And did something happen?

22 A. Yes, Brother **LNA** had come in and started shouting. At  
23 that point, Brother Farrell came in and chased me around  
24 the chapel. I managed to get free from them. There was  
25 no struggle. I'd ran out.

1 Q. So were you able to avoid them?

2 A. Yes, at that moment in time, yes. And I ran out and  
3 I remember feeling a bit sick because of the eating --  
4 eating the bread and drinking the wine.

5 Q. Did anything happen after that before you went to your  
6 bed? Did you manage to --

7 A. I was sick later on. I was sick. There was nothing  
8 said.

9 Later on that evening ...

10 (Pause)

11 Later on that evening, I went to bed, went to the  
12 dormitory. The lights went out. Brother LNA came in,  
13 Brother LNA came into the room and took me into his  
14 room.

15 Q. Had you been asleep before Brother LNA came in?

16 A. I think, yes, I mean ... There was a lot of carry-on.  
17 The brothers would come in, you'd go to your bed, the  
18 lights would be switched off and the brothers would  
19 disappear, you'd switch the lights back on and carry on,  
20 and have a carry-on. As soon as the brothers would  
21 approach the door, there would always be somebody  
22 switching the light off as if to say there was no  
23 messing here.

24 To cut a long story short, Brother LNA had come in  
25 and, into the bedroom, into the dormitory. I was sort

1 of half asleep but not sleeping.

2 Q. What did he do?

3 A. He took me to his room.

4 Q. But physically, did he make contact with you at that  
5 point?

6 A. No, he come into the room and he pulled back the blanket  
7 and took me by my wrist and said, "Come with me".

8 Q. The room that you're talking about, is that the room in  
9 the general area you mentioned before which was close to  
10 your dormitory?

11 A. Yes. The room was quite close to the dormitory, yes.

12 Q. And was this a bedroom?

13 A. It was Brother [REDACTED] LNA bedroom. It was his bedroom.

14 I remember when you go along the corridor from --

15 I remember coming along the corridor from my room and  
16 taking a left up on to three stairs, and then there was  
17 a door on the left of the stair, and that took us into  
18 Brother [REDACTED] LNA room.

19 Q. What happened then once you were in Brother [REDACTED] LNA room?

20 A. Brother [REDACTED] LNA had laid me down on the bed. He took me  
21 into his bedroom, lay me down on his bed and started  
22 caressing himself and caressing me.

23 Q. What was he wearing at this time?

24 A. He was wearing his robe, if I remember.

25 Q. And when you say he was caressing himself, what do you

1 mean by that?

2 A. He was touching his private parts.

3 Q. Were his private parts visible?

4 A. Not at that time.

5 Q. As far as caressing you would be concerned, what was he  
6 doing at that time?

7 A. He started caressing my chest and eventually moving on  
8 to my groin.

9 Q. Were you still wearing your pyjamas?

10 A. Yes, at that point I was still wearing pyjamas.

11 Q. Did he say anything to you at this point?

12 A. He was telling me that -- he was saying to me how  
13 much ... just words like maladjusted, cheeky. Just  
14 verbal. Just verbal.

15 Q. Okay.

16 A. But there was times when there was quiet, there was  
17 complete silence.

18 Q. What next do you remember of this episode?

19 A. I remember -- let me just go back a little bit.

20 I remember when I first initially went into the bedroom,  
21 I walked in and there was a small window, as if it was  
22 at the top of the building, and by the window there was  
23 a desk with a table lamp. I remember just by the desk,  
24 by the other part of the wall, there was a second  
25 brother in there, and he was just sitting on the chair,

1 not saying anything. I believe that this brother was  
2 called Brother [MBP]

3 Q. Had you come across this brother before?

4 A. I'd saw Brother [MBP] once, and the once that I'd  
5 seen him is when I got cigarettes -- I got a cigarette  
6 off him. It was an Embassy filter and I remember he put  
7 the cigarettes back in the drawer and then, the next  
8 time I seen -- I'd taken those cigarettes, I remember  
9 that.

10 Q. You had stolen them?

11 A. Yes, I didn't take them, I'd stolen them because I knew  
12 exactly where they were. I remember that evening, that  
13 night, Brother [MBP] was in the bedroom, but I hadn't  
14 seen Brother [MBP] for a while within St Ninian's.

15 Q. I'll come back to Brother [MBP] in a moment or two.

16 The picture you're presenting is that you became  
17 aware of this other brother, Brother [MBP] sitting  
18 in the room that you had been brought into by  
19 Brother [LNA] ?

20 A. That's correct, yes. I lay on the bed -- I was taken to  
21 the bed and I was laid down. Brother [LNA] was molesting  
22 me. I noticed that Brother [MBP] had also been part  
23 of that but not on me. Brother [MBP] was  
24 masturbating himself. He was touching himself.

25 After that time, Brother Farrell, another brother --

1 Q. Before we come to Brother Farrell, did Brother LNA do  
2 anything more to you than you have just described? Did  
3 he make any further contact with you?

4 A. Yes, he got on top of me and started masturbating,  
5 masturbating himself.

6 Q. Can you just describe, when he got on top on you, what  
7 do you mean? How was he positioned in relation to  
8 yourself?

9 A. He was on the bed, he was on the bed without touching  
10 the floor, and he was next to me.

11 Q. Do you still have your pyjamas on?

12 A. At that point, yes.

13 Q. Was he making contact with you?

14 A. There was no verbal then.

15 Q. But any physical contact?

16 A. Yes, I mean, he was -- yes.

17 Q. Again --

18 A. He was masturbating, trying to masturbate me, rub me,  
19 and being furious.

20 Q. Was he making any contact with any other part of your  
21 body? Was he trying to hold you down?

22 A. Yes, I was ... It was hard to break free from him, so  
23 I was not pinned down but it was hard for me to move.

24 Q. Then you mentioned Brother Farrell. Can you just tell  
25 me what happened there?



- 1 A. Brother Farrell came into the room and moved to the  
2 right side of the bed, moved to the right side of the  
3 bed as you come into the room, and he got on the bed.
- 4 Q. Are you able to tell me what happened next?
- 5 A. Brother Farrell had got on the bed and started sexually  
6 abusing me by getting his penis out, tried to insert it  
7 into my mouth. At that time Brother LNA was still  
8 caressing me, rubbing me. It was just ... Yeah, it was  
9 filthy.
- 10 Q. Okay. I think the picture you've presented is that by  
11 this time there were three brothers in the room.
- 12 A. Yes, there were three brothers in the room.
- 13 Q. And two were making direct contact with you and one was  
14 watching on; is that the position?
- 15 A. Yes.
- 16 Q. How did this come to an end then, this episode?
- 17 A. Eventually, I was let out of the room. Because it was  
18 dark, I had my pyjamas on, I was terrified, I went back  
19 to my room, and absconded the next day.
- 20 Q. How long do you think -- it'd be very difficult, but how  
21 long do you think you were in Brother LNA room for  
22 this episode?
- 23 A. It seemed like ages. It could have been 40 -- it could  
24 have been half an hour, 40 minutes, it could have been  
25 an hour. It's hard to calculate time sometimes.

1 Q. You've mentioned Brother [MBP]; are you able to  
2 describe him?

3 A. Yes, Brother [MBP] was quite short, quite short,  
4 quite barrel type, with grey hair -- with white hair,  
5 not grey hair, with white hair. He was a smoker. He'd  
6 always wear a black suit, trousers and jacket, with  
7 a pullover.

8 Q. What age do you think he was?

9 A. Brother [MBP] in my eyes, I reckon he was in his  
10 70s.

11 Q. And you mentioned his smoking habit. Was there  
12 a particular brand of cigarettes that he smoked?

13 A. Yes, it was the Embassy -- you've got the Embassy Regal  
14 and the red Embassy. I don't know whether that's called  
15 Embassy filters.

16 Q. I think you are aware, Alec, because you gave evidence  
17 at a criminal trial, that from the perspective of the  
18 order, the Christian Brothers say there was not  
19 a Brother [MBP] on the staff at St Ninian's at this  
20 particular time. What I want to ask you is this: did  
21 you get an impression if he was on the staff, and by  
22 that I mean working there, or not?

23 A. Like I says, I didn't really see much of  
24 Brother [MBP] within, like, assemblies or roaming  
25 around the building as much as the other brothers. But

1 he was there.

2 LADY SMITH: Alec, did I pick up from you earlier

3 in relation to the cigarettes that Brother **MBP**

4 actually gave you a cigarette?

5 A. Yes, he gave me one cigarette, my Lady.

6 LADY SMITH: And you were about 13 at the time, 12, 13,

7 something like that?

8 A. I would say 12, 11, 12.

9 LADY SMITH: Was it against St Ninian's rules to smoke for  
10 the boys?

11 A. The boys were smoking.

12 LADY SMITH: They may have been smoking, but --

13 A. Sorry, yes, I think it was against the rules, yes. Yes.

14 LADY SMITH: Anyway, this brother you remember giving you  
15 a cigarette?

16 A. Yes, Brother **MBP** gave me one of his Regals,  
17 my Lady.

18 LADY SMITH: Thank you.

19 MR MacAULAY: The other brother you mentioned being involved  
20 at this stage was Brother Farrell.

21 A. Yes, Brother Farrell.

22 Q. Had you seen much of Brother Farrell before this?

23 A. No, I didn't see much of Brother Farrell whatsoever.

24 The first time I'd seen Brother Farrell, I'd been in  
25 St Ninian's for quite a bit before I came across

1 Brother Farrell.

2 Q. I'll come back to that shortly. What you have just told  
3 us a little while ago is that you ran away again;  
4 is that correct?

5 A. Yes.

6 Q. The following day?

7 A. Yes, the following day, yes.

8 Q. And can you tell me what time was it that you left?

9 A. It was first thing in the morning.

10 Q. Where did you end up this time?

11 A. At that time, I'm sure I ended up in Glasgow. See,  
12 I was in the police station, I did actually go into  
13 Cupar police station as well. I'd been down there  
14 a couple of times, and the Falkland police, if  
15 I remember, they were part of my return to the school  
16 one day. But that particular time, I think I ended up  
17 in Glasgow.

18 Q. Perhaps I can see if I can clarify this. If you look at  
19 your statement at paragraphs 125 and 126. At 125 you  
20 say:

21 "The first time I ran away from St Ninian's I got  
22 caught by the police in Cupar."

23 I think you have told us about that. Then you say  
24 at 126:

25 "The second time I got to Falkland Palace Hotel at

1           about 7 am [that's early morning] and I stole money from  
2           behind the bar but I was caught on the bus with the  
3           money."

4           A. Yes. That wasn't after this time. That wasn't after  
5           the Farrell and LNA and MBP incident in the room.

6           Q. At paragraph 128 you say:

7                     "The third time I absconded and was caught by the  
8           police in Glasgow."

9           A. That was the third time because I remember when I ...  
10          I remember when I went into the Falkland Arms Hotel and  
11          took that money, I remember jumping on the bus and  
12          getting caught with that money.

13          Q. Okay. Can I look at this? You ran away at least three  
14          times, as you've set out in your statement. If you look  
15          at the first time you ran away, and you have told us it  
16          was a reaction to what had happened to you in relation  
17          to Brother LNA is that right?

18          A. Yes. I'd like to say -- I think I did remember saying  
19          to you that I'd ran away multiple times in short bursts.  
20          It wasn't just three times I ran away from St Ninian's.

21          Q. Let's say the three major --

22          A. The three significant ones.

23          Q. And that one that you ended up in the -- what you  
24          thought was perhaps a sub-police station, did you tell  
25          the police why you had run away?

- 1 A. Yes, I told the police. I told the police, I told  
2 Margaret McDonald -- Jean McDonald, sorry.
- 3 Q. Was that a social worker?
- 4 A. Jean McDonald was my social worker. I told Jean, I told  
5 Harry who was a social worker of mine. I told police  
6 officers. Yes, I told --
- 7 Q. Let's take it bit by bit. So far as the police officers  
8 on that occasion when you reacted to what had happened  
9 with Brother LNA what did you say to the police?
- 10 A. I told the police that the brothers had been -- I didn't  
11 use the word "sexually abused", I remember using the  
12 word "nonce". Nonce, the brothers were nonces:  
13 "Brother LNA a nonce, Farrell's a nonce". A nonce at  
14 that time, it was slang for paedophile.
- 15 Q. So that was the sort of language you'd use?
- 16 A. It was -- yes.
- 17 Q. And what reaction did you get from the police?
- 18 A. There were sighs, there were sighs, there were looks,  
19 but also they'd written -- I remember the sergeant  
20 at the substation writing stuff down. I remember it as  
21 clear as yesterday. I don't know what he was writing,  
22 but while I was telling him about the brothers being  
23 nonces, he was writing this down and asking me when did  
24 it happen? I said, "Look, it happened last night", and  
25 I said, "If you take me back, I think I'm going to still

1 abscond".

2 Q. And the second significant time when you were caught on  
3 the bus, again did you tell the police?

4 A. That was the time, yes.

5 Q. That's when you told the police? What about the first  
6 time when you were in the substation near Cupar?

7 A. I told the police twice.

8 Q. So that's the language you used, you used words like  
9 nonce and so on to try and convey the message of what  
10 was happening?

11 A. I didn't have any other choice of vocabulary because it  
12 was limited.

13 Q. In relation to the social workers that you've mentioned,  
14 you've mentioned a lady and a man. When did you tell  
15 them that you had been abused?

16 A. I told Jean McDonald when I was in Larchgrove.

17 Q. So that's later?

18 A. On the St Ninian's -- yes. But Jean McDonald was --  
19 I told Jean McDonald about Ladymary before I went into  
20 St Ninian's.

21 Q. And again, insofar as Ladymary and Brian Dailey would be  
22 concerned, what sort of language would you use to  
23 express what had been happening to you?

24 A. The same. The same language with ... With  
25 Jean McDonald and the nuns, it was a bit more ... yes,

1           it was a bit more cruder language.

2           Q.   And you mentioned the nuns.  We're not looking at that  
3           in any particular detail today --

4           LADY SMITH:  Yes.  I'm quite interested to know what  
5           language, if you can remember, what words you used to  
6           try and tell the social workers what had been happening  
7           to you.

8           A.  If you don't mind me saying, my Lady --

9           LADY SMITH:  Not at all, it would really help me to know  
10          what they were hearing.

11          A.  I was calling them nonces, dirty bastards, and this type  
12          of language.

13          LADY SMITH:  Right.

14          MR MacAULAY:  What reaction did you get from the  
15          social workers?

16          A.  From Jean McDonald, it was more, "We'll sort ..."  
17          Sympathetic, "We'll look into this, yeah, we'll look  
18          into this, we'll make a note of it, we'll try and get  
19          you to another -- to get you out of there and get you  
20          into another institution".  Jean McDonald was  
21          responsible for my movement to various institutions,  
22          along with Harry.

23          LADY SMITH:  I think you told me that you weren't the only  
24          person who was running away; is that right?

25          A.  From St Ninian's?



1 LADY SMITH: From St Ninian's.

2 A. There was a couple of kids that ran away from there,  
3 my Lady.

4 LADY SMITH: You were there about four months --

5 A. Yes.

6 LADY SMITH: -- and you weren't the only person that was  
7 leaving the home?

8 A. I remember two other guys that had left, but I'm sure  
9 there was absconding happening -- I'm sure there was  
10 absconding happening, yes.

11 LADY SMITH: Thank you. Mr MacAulay.

12 MR MacAULAY: The third significant time that you ran away  
13 and you ended up in Glasgow, was it after that that you  
14 were sent to Larchgrove again?

15 A. I'd been in Larchgrove a few times, yes.

16 Q. Did you go back to St Ninian's or not?

17 A. No, I didn't go back to St Ninian's.

18 Q. So that's how your time at St Ninian's came to an end,  
19 the fact that you've told us about what happened, you  
20 ran away --

21 A. Yes. When I ran away from St Ninian's, there was no  
22 more coming back to St Ninian's, it was from Larchgrove.  
23 There was an assessment centre in Glasgow called  
24 Gilshochill, Gilshochill Hill, that I hadn't mentioned  
25 to youse guys. That was another assessment centre.

1           It's now closed down, but that was in the Maryhill side,  
2           the north side of Glasgow, and I was in there for a few  
3           weeks. Again, that would have been Larchgrove or  
4           Gilshochill Hill, but the last time that I saw  
5           St Ninian's was when I went to Larchgrove.

6           Q. You also say in your statement that when you appeared  
7           before the Children's Panel at about this time, you told  
8           the Children's Panel what had happened to you at  
9           St Ninian's.

10          A. That's correct.

11          Q. Again, can I ask you about that? What sort of language  
12          did you use to convey the message that you wanted to  
13          convey?

14          A. The panel was told by me that I'm not going back to  
15          St Ninian's because, "They're all fucking nonces,  
16          they're dirty bastards, they're poofs".

17          Q. So that's how you expressed it?

18          A. There was derogatory language going on there, yes.

19          Q. And what sort of reaction did you get from the panel?

20          A. Jean McDonald would touch my knee sometimes and squeeze  
21          it and tell me not to use -- try and behave yourself.

22          I was always pre-warned. I'd spent quite a few -- I'd  
23          been to panels, Children's Panels, I would probably say  
24          about nine or ten times.

25          Q. I think you had a panel appointment at this time, after

1           you left St Ninian's?

2           A. Yes. I had explained to the panel members that I wasn't  
3           going to go back to St Ninian's, I was going to keep on  
4           absconding, and using derogatory names.

5           Q. What reaction did you get from the panel, having given  
6           them this particular message?

7           A. I didn't get nothing from the panel. I didn't get  
8           nothing whatsoever. I got put on another -- I can't  
9           remember what it was called, it was a rule, section 53  
10          or ... rule 44, was it?

11          LADY SMITH: Don't worry. There are quite a few provisions  
12          of the Social Work (Scotland) Act 1968 that would have  
13          applied to your situation.

14                 Tell me this: did anybody on the panel ask you why  
15          you had run away from St Ninian's?

16          A. Jean McDonald knew.

17          LADY SMITH: But she was your social worker. Did anyone on  
18          the Children's Panel that you appeared in front of ask  
19          you why you'd been running away?

20          A. Yes. Yes, I explained to the Children's Panel. When  
21          they asked me questions, I did say to them that they  
22          were nonces and ...

23          LADY SMITH: Okay. So that was when you were talking about  
24          the brothers being, as you put it, nonces, et cetera, in  
25          response to being asked?

1 A. Yes, the Children's Panel were wanting to send me back  
2 to St Ninian's. I threatened them verbally by saying:  
3 if you take me back there, I'm going to keep on  
4 absconding. The panel was broken -- they took a break,  
5 I remember going back into the panel.

6 LADY SMITH: Right, thank you.

7 MR MacAULAY: Was then the decision made to send you to  
8 St Joseph's?

9 A. I got kept in Larchgrove.

10 Q. For a short period of time I think.

11 A. Yes, I think it was ... I'd been in Larchgrove multiple  
12 times, but I think this particular one was a six-week  
13 assessment. It was normally three weeks, but I think  
14 I was there for six weeks. And from then, I got placed  
15 into St Joseph's in Tranent after St Ninian's. After  
16 St Ninian's it was St Joseph's.

17 Q. And that was also run by a religious order, but this was  
18 the [REDACTED]

19 A. Yes, that's correct.

20 Q. Again, in your statement, you provide us with details,  
21 paragraph 133, right through to paragraph 174, about  
22 your time at St Joseph's and what happened to you in  
23 St Joseph's; is that right?

24 A. Yes.

25 Q. Again you were the victim of sexual abuse at

1 St Joseph's; is that correct?

2 A. Yes, again, yes.

3 Q. That's for another time to look at in detail. But  
4 am I right in thinking that the brother in particular  
5 that abused you, and it's a matter of public record,  
6 that he, known as Brother Ben or Michael Murphy, was  
7 convicted on the basis of evidence you gave at  
8 a criminal trial?

9 A. That's correct.

10 Q. Absconding, I think, was something you carried on doing  
11 even at St Joseph's; is that right?

12 A. Yes.

13 Q. And was that the background then to you being sent to  
14 St Mary's Kenmure, which had both a secure and  
15 non-security unit?

16 A. Yes. The absconding led us into -- yes, they took us  
17 into the St Mary's boys' home.

18 Q. And I think I'm right in saying that also had a secure  
19 unit where you could be locked up.

20 A. That was Kenmure.

21 Q. St Mary's Kenmure?

22 A. St Mary's Kenmure, yes. So there was the boys' home and  
23 then there was the secure unit built next to it.

24 Q. And were you in the secure unit for a period of time?

25 A. I was in a secure unit I'd say from about ... for five

1 months, five or six months maybe.

2 Q. And again, Alec, you provide us with some detail of your  
3 time at St Mary's Kenmure from paragraphs 175 through to  
4 234. Again, that's not something we're looking at  
5 today, but just simply to have that in the background.

6 Then there's a section in your statement where you  
7 look at your life after your care in Scotland. What you  
8 tell us is that you stole money and you went to  
9 Folkestone when you were aged about 15; is that right?

10 A. Yes. I went to -- after I left St Mary's Kenmure, when  
11 I left the secure unit in Kenmure -- sorry, there was  
12 a set of cottages in the St Mary's Kenmure grounds --  
13 I think it was Columbus cottages they were called. But  
14 there was a set of cottages and they were to integrate  
15 people from the secure unit back into the community by  
16 offering work placements in Bishopbriggs. That's where  
17 St Mary's Kenmure was, in Bishopbriggs in Glasgow.

18 For example, I'd got a placement in a baker's and we  
19 had to go back to the cottages at night. I stole some  
20 money and decided to head south.

21 Q. Is that how you ended up in Folkestone?

22 A. Yes.

23 Q. Aged about 15 or so?

24 A. I was in Folkestone when I was 15, yes.

25 MR MacAULAY: I'm now going to move on to look at some

1 aspects of that. But perhaps, my Lady, since it's  
2 11.30, we should have a short break.

3 LADY SMITH: Alec, we normally take a break around now for  
4 about 15 minutes. Would that be all right with you?

5 A. That's fine, my Lady.

6 (11.30 am)

7 (A short break)

8 (11.45 am)

9 LADY SMITH: Alec, is it all right with you if we carry on  
10 now?

11 A. Yes, please.

12 MR MacAULAY: Before the break, we had taken you down to  
13 Folkestone, where you had gone off with some money. Did  
14 you get into trouble when you were down there?

15 A. In Folkestone, yes. I did, yes.

16 Q. And I think you spent some time in a detention centre;  
17 you tell us about that in paragraphs 235 to 238.

18 Thereafter, I think you also got into trouble in  
19 Gibraltar; is that right?

20 A. That's correct, yes.

21 Q. Was that in connection with drugs?

22 A. It was indeed, yes.

23 Q. You served, I think you tell us in your statement,  
24 22 months in prison in Gibraltar.

25 A. That's correct, yes.

1 Q. What you do say is that prison in Gibraltar, at least at  
2 that time, changed your life; is that right?

3 A. Yes, Gibraltar did change me, yes.

4 Q. Can you explain how that came to be?

5 A. Gibraltar was a castle, it was built by the Moors in  
6 North Africa, and it was situated -- it was on the Rock  
7 of Gibraltar. The views were stunning, the views looked  
8 from Gibraltar to Spain, across the Straits of Gibraltar  
9 to Morocco. It was a castle, it was a beautiful castle,  
10 with kind of like breeze block pens, with bars built  
11 inside the castle in rows.

12 But because of the age, because of the age I was,  
13 away from the UK, I decided to reflect more time in,  
14 I guess, travel and soaking up the cultures that the  
15 Gibraltar prison was offering as such. There was -- 95%  
16 of the guys there were Muslim. When I say soaking up  
17 the culture, it was more like Ramadan and finding out  
18 about Muslim music and -- Moroccan music, sorry -- and  
19 just -- they were Moroccans -- and just listening to  
20 them and sharing stories with them and telling them what  
21 I'd been through criminally. They didn't agree to it.

22 I think -- yes, my cell, my cell window as well,  
23 looked out into the Straits of Gibraltar on to the  
24 Straits of Gibraltar and Spain. And it was just an  
25 eye-opener, but it wasn't ... Gibraltar wasn't like



1 a British prison.

2 Q. One thing you tell us in your statement is that it was  
3 at this time you became interested in photography.

4 A. Yes. Some of the prisoners in there gave me -- they  
5 were interested in guitar, speaking languages, doing  
6 elocution lessons, talking about photography, reading,  
7 art. This was all prisoner controlled, this was nothing  
8 to do with the Gibraltarian prison system, which was  
9 a British colony, so it was HMP, the guards wore the  
10 uniforms. But yeah, I got interested in so many things  
11 that ... knowing that these things were out there to  
12 take and to learn about.

13 Q. And when you left prison, I think you worked as  
14 a photographer; is that correct?

15 A. Yes. Well, not straightaway. However, a couple of  
16 years later, I became that interested that I bought  
17 myself a Zenit-EM camera with a couple of lenses and  
18 decided to -- yes, I decided to take pictures and  
19 experiment with pictures and exposures and before I knew  
20 it I was working towards getting a better camera. It  
21 was always second-hand cameras, it was trade-ins, it was  
22 Williamson & Wolfe Photography -- they were based on  
23 Sauchiehall Street, just at the Charing Cross end,  
24 they're closed down now for many years, but I used to go  
25 in there quite a lot with various cameras and try and

1 get the next better camera for me.

2 Q. You worked as an industrial photographer?

3 A. Again, this was all later on. I worked -- well,

4 I worked as a commercial photographer, commercial and  
5 industrial photographer. I was employed by various  
6 organisations, companies in Scotland and Glasgow, like,  
7 for instance, I worked for the Chinese community.

8 I also worked for a company called [REDACTED] and  
9 [REDACTED] were responsible for making huge amounts  
10 of food and serving it to hospitals. They had  
11 a contract at that time. So there was a lot of annual  
12 reports that had to be done, backed up by photographs.  
13 So I was part of that. But that was a little while  
14 later.

15 Q. You also, I think, at a point in time moved from that  
16 type of work and became a diver.

17 A. That's correct. Yes, eventually I'd been over to  
18 south-east Asia and spent a considerable amount of time  
19 in Hong Kong. That was in 1995, I went to Hong Kong.  
20 And because Britain was taking (sic) back Hong Kong i  
21 July 1997, I wanted to be there for the handover to  
22 document it on to film. I'd worked in Hong Kong as  
23 a photographer as well with the [REDACTED]  
24 [REDACTED] During my time in Hong Kong I had met a man  
25 from Kilmarnock in Ayrshire on the same ferry and we got

1 chatting. He told me he was a commercial diver, he was  
2 a diver, but I thought, what, like Red Sea, just  
3 sporting, recreational diving?

4 But he told me that it was commercial diving and  
5 I became interested and when I got back from Hong Kong  
6 in 1997/1998 I had applied to become a commercial diver  
7 in the [REDACTED] in Fort William and did  
8 a 16-week commercial diving course, split into four  
9 parts. It was 431, and then there was -- the second  
10 part was the SAT course. That was later on.

11 I did the 431 [REDACTED]  
12 [REDACTED] I thought by going into the  
13 commercial diving field -- sorry, that was about taking  
14 pictures underwater. It didn't turn out like that way.  
15 Most of the diving equipment that we used was hard hat  
16 17s or 27s with video attachments connected to -- well,  
17 connected to the surface and two wee communication  
18 systems.

19 Q. And you worked as a diver, you tell us from about 1999  
20 to 2004?

21 A. Yes. I worked inshore for a year. I got my logbook  
22 stamped, signed, and that took me to an offshore job,  
23 and I'd been working offshore quite happily in Norway,  
24 the Norwegian sector and also the North Sea.

25 Q. Did something happen then that changed the way you were

1 going?

2 A. Yes. It was weird. Yes, such a shame. There was  
3 a newspaper called the [REDACTED] It was  
4 sitting on a friend's table in their house, and I picked  
5 the paper up and saw Brother Ben or Brother Murphy,  
6 whatever you want to call him. He'd been brought  
7 forward for sexual crimes against children. And when  
8 I seen that, yeah, just ... I blame the [REDACTED]

9 [REDACTED]

10 Q. I think the position was that brother Ben, as he was  
11 known, he went to trial twice, once in about 2002 --

12 A. Yes.

13 Q. -- and then the trial that you participated in much  
14 later on?

15 A. Yes.

16 Q. And it's this first trial that was drawn to your  
17 attention by this newspaper article?

18 A. Yes.

19 Q. You weren't involved in that trial?

20 A. I didn't want to become involved in it, I didn't want  
21 anything to do with it.

22 Q. Having seen it, did that then impact upon your life?

23 A. Dramatically, drastically, sadly. It took me ... Yes,  
24 I was earning a substantial amount of money and within  
25 the latter year or so, two years maybe, I became

1           dependant on class A drugs. It started off with cocaine  
2           and then moved on to other drugs, like crack, and also  
3           heroin.

4           Q. Was it the drug taking, really, that caught you out,  
5           because when you got tested for your diving --

6           A. No --

7           Q. -- you failed the test?

8           A. Yes, I failed a medical. We got a yearly medical, but  
9           this was a random test. I was offshore at the time.  
10          I got a random drugs test from the HSE and I was found  
11          positive on cocaine, so they took my medical off me,  
12          faxed it through to my doctor -- well, the HSE doctor,  
13          and the following morning I was back in Aberdeen and  
14          lost my job. But I had a substantial amount of money  
15          still in the bank. I then took that to Edinburgh and,  
16          with the car and everything, and just slowly faded away.

17          Q. I think you have been diagnosed with having mental  
18          health issues now; is that right?

19          A. Yes, I mean, there was a diagnosis in 2013 from the  
20          psychiatrist in Crosshouse Hospital in Kilmarnock,  
21          saying there was clinical depression, mental health  
22          issues, and childhood abuse issues.

23          Q. We've touched briefly on the Brian Dailey episode, when  
24          you were at Ladymary. Do you consider, looking back,  
25          that that really did have an impact particularly on the

1 way you behaved?

2 A. Ladymary -- I blame my parents for putting me in  
3 Ladymary. I blame my stepdad primarily. My mum didn't  
4 really have much of a say, but it came to a point where  
5 social work had to get involved. I went to Ladymary --  
6 out of all my brothers and sisters, I was the only one  
7 that went to Ladymary, but I know I went to Ladymary  
8 because of my first name, because of my real name. It's  
9 the same name as my father, who lives in Cork, and my  
10 stepfather didn't like that name being mentioned.  
11 I felt because there would be -- yeah ... but Ladymary  
12 wrecked me, basically, yeah.

13 Q. And you've told us about what happened at various -- at  
14 St Ninian's and also at St Joseph's latterly. For  
15 a while, you put all that behind you when you became  
16 a photographer and diver?

17 A. Yes.

18 Q. But the trigger seems to have been seeing this article  
19 about Brother Ben and that brought matters back?

20 A. It did, yes, yes.

21 Q. Do you think about your time in care?

22 A. Do you know, I do think about my time in care a lot.  
23 I think about the nuns, I think about the Good  
24 Shepherd -- I think about the Good Shepherd nuns and how  
25 they looked after me in the sense of how they physically

1 looked after me, you know, the baking, the Victoria  
2 sponges, the scones, the pastry, the licking of the  
3 bowl, the ballet. I went to ballet through -- I had  
4 some beautiful times in Ladymary; Brian Dailey took that  
5 away from me.

6 However, the nuns were good to me, and I always take  
7 that through me, throughout life, that at least the  
8 nuns -- the nuns were good to me. And members of staff  
9 as well throughout other times and institutions,  
10 throughout my life. So I do think about care, but  
11 I still think about the abuse and it makes me sad  
12 talking about it just now, because trying to maintain my  
13 trust in a relationship with anybody is impossible.  
14 It's stopped me from many things, from being loving and  
15 physical to anyone. It's just stopped me from so many  
16 things. Trust, loads of stuff.

17 So yeah, I do think about it, yeah, and when I was  
18 taking drugs, drugs was just escapism, just to  
19 camouflage it. But I had to deal with it when I went to  
20 Castle Craig.

21 I went to Castle Craig rehab in the Borders, and ...

22 Q. You've also had counselling I think as well.

23 A. Yes, I went to counselling later, later on, after  
24 Castle Craig.

25 Q. And has that been helpful to you?

1 A. I've been to a couple of counsellors. Just now I'm  
2 involved in an association in Edinburgh,  
3 Future Pathways. Counselling is hard for me. Sometimes  
4 I feel it helps, sometimes I feel it doesn't help.  
5 Sometimes I have different ... I don't know what could  
6 help me. I don't know what can help me, I mean ...  
7 Sometimes things work and sometimes they don't, but  
8 that's my issue of the trust and the commitment and the  
9 motivation.

10 Q. I've already taken you to look at the three court cases  
11 that you were involved in. I think, as you tell us in  
12 your statement, in a way they were back to front --

13 A. Yes.

14 Q. -- in the sense that the Brian Dailey trial was the last  
15 of the three trials, although that was the first abuse  
16 that you suffered.

17 I think, as I took from you, Brian Dailey was  
18 convicted in June 2017 of charges that included relating  
19 to you and the sexual abuse that he inflicted on you and  
20 he was sentenced to 10 years' imprisonment. I think  
21 you're aware of that.

22 A. That's correct, yes.

23 Q. And I think Brother Ben, he was also unanimously guilty  
24 of charges that involved yourself, and he was sentenced  
25 to seven years' imprisonment in 2016; is that right?



1 A. Yes.

2 Q. So far as Brother LNA is concerned, of course by the  
3 time there was a trial in connection with the  
4 Christian Brothers, I think you were aware that  
5 Brother LNA

6 A. I was told by Police Scotland that LNA

7 Q. But Farrell, Brother Farrell, or Father Farrell, as he  
8 became, he was charged in connection with allegations  
9 that you made; is that correct?

10 A. Yes.

11 Q. And I think his defence was that he was not at  
12 St Ninian's during this short period of time that you  
13 were there.

14 A. That's correct, yes.

15 Q. But I think you've explained today that, so far as you  
16 were concerned, you may not have seen him a lot of the  
17 time, but he was there.

18 A. He was in St Ninian's when I was there. Not all the  
19 time, not all the time, but he was there that night.  
20 He was there the day before. I'd seen Brother Farrell  
21 about four, five times in my time, in different stages  
22 of my stay.

23 Q. I think you are aware that his position is that, over  
24 this period of time, he was away on a course, and that  
25 was his position, that he essentially had an alibi.

1 A. Yes.

2 Q. But your position is that he was there?

3 A. He was there. He was there.

4 Q. Or at least he was there at points in time?

5 A. Yes.

6 Q. Can I then just take you to the final section of your  
7 statement, and it's the section beginning on page --  
8 perhaps before I do that, actually, you gave evidence at  
9 Father Farrell's trial; is that right?

10 A. I did indeed, yes.

11 Q. Did you identify Father Farrell in the dock?

12 A. I did.

13 Q. I was going to take --

14 A. Through photographs. There was no face-to-face  
15 identification.

16 Q. But you understood the person who you were identifying  
17 was Farrell?

18 A. That's correct, yes.

19 Q. If we then look at the final section of your statement,  
20 Alec, at paragraph 291; this will come on the screen for  
21 you. This is where you deal with lessons to be learned.  
22 These are suggestions you're putting forward to the  
23 inquiry. You say, for example:

24 "Anyone who works in the care setting should be  
25 properly trained and vetted."

1           Do you see that?

2       A.   Yes.

3       Q.   So far as your involvement with the Christian Brothers  
4           was concerned, did you consider that they were trained  
5           to look after children?

6       A.   Because they're religious, because the  
7           Christian Brothers was the first male religious order  
8           that I'd experienced, because the religious order was  
9           the Good Shepherd Convent and I seen nuns as just holy  
10          women that gave their lives to making -- this is my  
11          perception of my experience as well -- that they gave  
12          their life to kids like me that were in trouble.

13                The nuns never physically abused me and I was  
14                shocked at the fact that any religious order could  
15                abuse, physically, even to the point of sexually,  
16                because, like I says, the nuns never abused me;  
17                Brian Dailey did.

18                But the brothers sexually abused me and physically  
19                abused me, and that was a shock. So I thought that any  
20                religious order were a really nice people and really  
21                giving and loving, and just loving folk, yes.

22       Q.   And that's the other point you make there, that children  
23           must be nourished, loved and cared for?

24       A.   I got that from -- I never got that from St Ninian's.  
25           I got that from other institutions. Just certain staff

1 would display those qualities. Other staff, like in  
2 St Mary's, were a bit more -- or Larchgrove -- they were  
3 tougher and more Glaswegian because they were dealing  
4 with unruly kids and children who had serious social  
5 problems.

6 Q. And if I can just finally take you to paragraph 295.  
7 What you say there is:

8 "I always put up my hands to things I'd done when  
9 I spoke to the police or was at court. I was honest.  
10 I want the abusers to be honest."

11 A. Yes. Any time that I'd been in front of the courts,  
12 Folkestone magistrates, I didn't do this "Not guilty,  
13 I'm innocent", I always put my hands up. Honesty was  
14 the best policy when it came to a magistrate and a court  
15 hearing because I always knew that if you didn't tell  
16 the truth, it would refer to your sentence, when the  
17 magistrate did find you were telling lies, you were  
18 probably going to get 18 months to 2 years rather than  
19 get 3 months or a fine and walk out. So yes, honesty  
20 was the best policy and it still is to this day.

21 Q. As I took from you this morning at the very beginning of  
22 your evidence, you tell us in the last sentence that the  
23 facts stated in your witness statement are true.

24 A. The facts stated in my statement are absolutely true,  
25 without a doubt.

1 Q. Very well, Alec. Thank you for coming along today to  
2 give evidence. I can see it's been quite difficult for  
3 you, and in particular, I think your experience at the  
4 criminal trial was not a pleasant one for you; is that  
5 correct?

6 A. Yes, the three criminal trials was -- I was actually  
7 tilting on the edges of going back into class A drugs,  
8 but my beautiful partner beside me had supported me  
9 throughout that and I will love her for evermore because  
10 of that.

11 Q. I think that's one of the points you make in your  
12 statement, that you consider that witnesses who give  
13 evidence at such trials should be well treated.

14 A. Should be respected.

15 Q. How were you treated?

16 A. On my criminal trials?

17 Q. Yes.

18 A. On the criminal trials?

19 Q. Yes.

20 A. I felt that the support workers that were involved in  
21 the trials were nice, the court -- it was fine.  
22 However, I went from one trial straight into another  
23 trial within three weeks and didn't have time to get  
24 over the first -- that second trial, I didn't have time  
25 to get over the first trial before I went into the

1 second trial. So the first trial was --

2 LADY SMITH: That was Brian Dailey, was it or not?

3 A. He was last, my Lady. The first trial was St Joseph's,  
4 Brother Benedict, and the second trial was St Ninian's.

5 Kath Harper, who was my depute advocate ...

6 MR MacAULAY: I think she was the prosecutor.

7 A. Right, sorry, yes. She told me, "Your trial is starting  
8 in three weeks' time", and I says, "This can't be --  
9 I can't do this, I can't go into this trial so early.  
10 Can you take my name and maybe put it into the list and  
11 bring me up as a witness maybe in two or three months'  
12 time?" Because the St Ninian's trial itself was an  
13 extensively long trial with so many witnesses involved  
14 in that, and therefore that's why I wanted to go maybe  
15 to the end of the list so I could get more time just to  
16 get over St Joseph's, get my thoughts back together, and  
17 then head into Glasgow High Court to go through the same  
18 procedure. That didn't happen.

19 MR MacAULAY: Very well, Alec. Thank you very much indeed  
20 for coming to give evidence today.

21 My Lady, I haven't been sent any questions to put to  
22 Alec, so I think that will be the end of his evidence.

23 LADY SMITH: Are there any outstanding applications for  
24 questions of this witness? No.

25 Alec, those are all the questions we have for you



1 (A short break)

2 (12.23 pm)

3 LADY SMITH: Ms MacLeod, the next witness, is he ready?

4 MS MACLEOD: He is, my Lady. The next witness is an  
5 applicant who wishes to remain anonymous and to use the  
6 pseudonym "Alan" in giving his evidence.

7 "ALAN" (sworn)

8 LADY SMITH: Please sit down and make yourself comfortable,  
9 Alan.

10 When you're ready, I'll hand over to Ms MacLeod and  
11 she will explain whether she needs you to do something  
12 with the red file, which I expect she will. One thing  
13 I would ask is that you stay in a good position for the  
14 microphone. I'll let you know if you drift away from  
15 it.

16 If you're ready, I'll hand over to Ms MacLeod; is  
17 that all right?

18 A. Yes, thank you.

19 Questions from MS MacLEOD

20 MS MACLEOD: Good afternoon, Alan.

21 A. Good afternoon.

22 Q. I don't need your full date of birth, but could you  
23 confirm for me that you were born in 1966?

24 A. Yes, I was.

25 Q. You have provided a statement for the inquiry and a copy



1 of your statement is in that red folder in front of you.  
2 The relevant parts will also come on the screen in front  
3 of you, so you can look at it there. I'll give the  
4 reference for the transcript: WIT.001.001.6082.

5 Alan, could you look at the last page of the  
6 statement for me; have you signed the statement?

7 A. Yes.

8 Q. Do you tell us in the last paragraph that you have no  
9 objection to your witness statement being published as  
10 part of the evidence to the inquiry?

11 A. No.

12 Q. And do you believe the facts stated in your witness  
13 statement are true?

14 A. Yes.

15 Q. I would like to start, Alan, by looking fairly briefly  
16 at your life before care, if that's all right. I think  
17 you tell us that you were brought up in Perth and spent  
18 your early years there.

19 A. Yes.

20 Q. You say you were the youngest in your family --

21 A. Yes.

22 Q. -- with four older brothers and an older sister?

23 A. Yes.

24 Q. You tell us that your parents separated when you were  
25 quite young.

1 A. Yes.

2 Q. How was life for you after that?

3 A. After?

4 Q. I think you say your mother struggled for a number of  
5 years.

6 A. Yes, after they split up, yes.

7 Q. And that your sister and one of your brothers was  
8 involved in assisting with running the house?

9 A. Yes.

10 Q. Did there come a time, Alan, when you had an issue with  
11 your health?

12 A. Yes, I was asthmatic.

13 Q. Did that have an effect on your schooling?

14 A. Yes.

15 Q. Did you require to take time off school?

16 A. Yes.

17 Q. I think you tell us that as well as having time off for  
18 health reasons to do with your asthma, you were skipping  
19 school at times as well.

20 A. Yes.

21 Q. Was there a particular reason why you were skipping  
22 school?

23 A. Just basically, at the secondary school, I wouldn't go  
24 to school on a Friday, because I was guaranteed to get  
25 four of the belt from the English teacher.

1 Q. I think you tell us that there was an essay you had to  
2 hand in on Fridays.

3 A. Yes, I didn't know how to write an essay and I got  
4 punished for it every week.

5 Q. I think you also tell us that you had some difficulty  
6 doing sport at school because of your asthma.

7 A. Yes, I couldn't participate in sport.

8 Q. You tell us there came a time when you were put before  
9 a Children's Panel.

10 A. Yes.

11 Q. Was there anything in particular that led up to that?

12 A. Yes, I was brought -- I got into a lot of problems with  
13 a couple of boys from a different school. My friend  
14 punched a boy off his bike and jumped on the boy's --  
15 the wheel of his bike and buckled it and that was  
16 a report that was sent.

17 LADY SMITH: Alan, could you move slightly, closer to the  
18 microphone, so you're more directly in front of it?  
19 Thank you.

20 A. So I damaged the boy's bike and then there was a report  
21 to the police and then I got put in front of the  
22 Children's Panel.

23 MS MACLEOD: Was there a social worker allocated to you?

24 A. Yes, Ms **MCF**

25 Q. Was that around the time when you were first referred to

1 the panel?

2 A. Yes.

3 Q. How did you get on with your social worker at that time?

4 A. I didn't really get on with her. She was a bit  
5 heavy-handed and moody. When she got a hold of you, it  
6 was like firm grips, or if you done anything, it would  
7 be a firm warning you would get from her. But she was  
8 a bit -- well, to me, she was a bully.

9 Q. When you say heavy-handed, what do you mean by that?

10 A. The way she grabbed me and she hauled you about with her  
11 hand, holding my arm, or what have you.

12 Q. When did she grab you?

13 A. She grabbed me on a number of occasions.

14 Q. Would there be a reason for that?

15 A. I tried to run away. When I met up with her after I ran  
16 away, it was like getting a firm talking-to, but she was  
17 squeezing into your arm, inflicting pain.

18 Q. We know from your statement, Alan, that the decision of  
19 the Children's Panel was to place you in St Ninian's --

20 A. Yes, for six months.

21 Q. -- for six months when you were around 13; is that  
22 right?

23 A. Yes.

24 Q. I'll come on to look at that in a moment. But what you  
25 also tell us is that you went to St Ninian's for

1 a visit --

2 A. Yes.

3 Q. -- beforehand. Was that before the decision was made to  
4 send you there?

5 A. No. I went to the panel. They done a report. And then  
6 they said, "You're going to get put there for six  
7 months", and I went for a day visit to have a look  
8 at the place.

9 Q. I think you tell us the visit was about two months  
10 before you actually went to St Ninian's?

11 A. Yes.

12 Q. What did you know about St Ninian's before you went for  
13 your visit?

14 A. I didn't know much about it at all, apart from one of my  
15 best friends was in there. When I went to visit on that  
16 occasion, he was showing me around the place.

17 Q. Did something happen while your friend was showing you  
18 around St Ninian's?

19 A. Yes. I got assaulted from two of the pupils -- well,  
20 one started and then his brother jumped in.

21 Q. I think you tell us that this was something that  
22 happened while you were being shown the dormitory area.

23 A. Yes.

24 Q. So can you remember exactly what happened?

25 A. Yes. The boy tried to take -- I think there was about

1           12p or something in my pocket, and he tried to take it  
2           off me, and I wouldn't let him. So we had a struggle on  
3           the bed, and then his brother came in, his older  
4           brother, and that was basically it. I got beat up.

5           Q. You said you got beat up?

6           A. Yes.

7           Q. What happened?

8           A. Well, [REDACTED] the young brother, he assaulted me first  
9           to try and get my money.

10          Q. In what way did he assault you?

11          A. Punching, punching at my face, and he was trying to get  
12          his hand in my pocket. That's when his brother, his  
13          older brother, came in and he sort of beat me up. It  
14          was sort of a fair fight with the younger brother when  
15          he tried to take the money, and [REDACTED] he came in and  
16          beat me up.

17          Q. How did this situation come to an end?

18          A. When they stopped doing it. They just left it at that.

19          Q. Did you tell anyone about what had happened to you on  
20          that occasion?

21          A. No. I don't think I did. No, I don't think I did.  
22          I didn't know who to tell or I didn't want the  
23          social worker finding out that I was in bother.

24          Q. Is that your main memory of that initial visit you had  
25          to St Ninian's?

1 A. Yes.

2 Q. I think what you say in your statement is that:

3 "From day one at the school, there was violence, and  
4 I had two months to think about it before I even went  
5 there."

6 A. Yes.

7 Q. According to records that the inquiry has recovered from  
8 the Christian Brothers, you are noted as being admitted  
9 to St Ninian's in [REDACTED] 1979 when you would have been  
10 13.

11 A. Yes. I was 12. I think I was at court when I was 12,  
12 at a hearing, I think, it might have been when I was 12,  
13 but I was ...

14 Q. Maybe just turned 13?

15 A. Turned 13 when I was actually put into St Ninian's, in  
16 [REDACTED]. No, [REDACTED] I think it was  
17 maybe [REDACTED]

18 Q. That's certainly the date in the records.

19 A. Yes. Because it wasn't long before Christmas because  
20 I didn't know if I was getting out for the Christmas  
21 because I'd just got put in there.

22 Q. You have mentioned already, Alan, that your  
23 understanding, I think, was that you were going to go  
24 there for six months?

25 A. Yes.

1 Q. What's your first recollection of arriving at  
2 St Ninian's?

3 A. Getting my clothes that they supplied, shoes, that was  
4 it. I went with the social worker and it seemed okay.

5 Q. Did your own social worker take you there?

6 A. Yes.

7 Q. And who did you meet when you got there?

8 A. Mr MBV

9 Q. What was his role?

10 A. He was a

11 Q. So he was a was he based at St Ninian's?

12 A. Well, that was his school, but he stayed in Kirkcaldy,  
13 but he actually worked there during the day.

14 Q. So this was a social worker from your school who took  
15 you to St Ninian's?

16 A. No, my own social worker, Ms MCF took me and we  
17 met ...

18 Q. Mr MBV

19 A. We met him when I arrived at the school. That was when  
20 I was going to pick up my clothes and plimsolls and what  
21 have you. That was MBV

22 Q. Which brothers do you remember being at St Ninian's when  
23 you got there?

24 A. Brother LNA Brother Kelly. Brother MBS

25 Brother MHJ and there was another brother, I can't



1 remember his name. That was the ones that were there  
2 when I first went in.

3 Q. What about other staff? You've already mentioned

4 Mr MBV the [REDACTED]

5 A. Yes. And [REDACTED] teacher, Mr MCG There was Ethel Phillips.

6 She was a teacher. There was Mrs Mitchell, she was my

7 English teacher. Mr MIK he was the [REDACTED]

8 teacher.

9 Q. Mr BHB is, I think, another one.

10 A. Sir BHB He was the [REDACTED] teacher. He'd been

11 there since it opened, I think, in the 1950s or ... And

12 there was the lady in the kitchen. There was

13 Mrs Baines. She was the sort of matron sort of woman

14 that done the sewing and the laundry. And the cook --

15 there were two ladies working in the kitchen. One

16 stayed at the farm just at the back of the house, the

17 back of the home, the school, in the farm. And

18 Mrs Baines' husband, he was the groundsman.

19 Q. You mentioned that there were some brothers who arrived

20 during your time there.

21 A. Yes.

22 Q. Do you remember who they were?

23 A. Brother Brown. Brother Farrell was first. And then

24 Brother Brown came along a while after that. But

25 Brother Farrell [REDACTED]

1 Q. We'll come to look at that; I think that happened while  
2 you were at St Ninian's.

3 And Brother **MHG** was another you mentioned.

4 A. That was the one I couldn't mind his name. The other  
5 one, he was a big tall man, so he was very quiet, never  
6 spoke much. He sort of just kept his distance away from  
7 everybody.

8 Q. We'll come back and look at some of these people you've  
9 mentioned during the course of your evidence.

10 What about the boys that were there, Alan? What's  
11 your recollection of the number of boys that were there?

12 A. It was anything from mid-30s to 44. I think 44 was the  
13 maximum beds that we had.

14 Q. The age range of boys?

15 A. Twelve -- it was supposed to be 12, until they were 16.  
16 But I'm sure there was a younger boy. I think his name  
17 was **[REDACTED]** I think he was under 12. He looked  
18 under 12.

19 Q. Were you accommodated in a dormitory?

20 A. Yes. It was all dormitories.

21 Q. I'm going to put a plan on the screen for you if that's  
22 okay, and ask you to have a look at that. It's at  
23 CFS.001.006.8297.

24 If you take a few minutes just to orientate yourself  
25 on the plan, do you see the car park outside marked?

- 1 A. Yes, I see the thing there.
- 2 Q. And then do you see the entrance hall?
- 3 A. Yes.
- 4 Q. And then going into the main hall --
- 5 A. Yes.
- 6 Q. -- do you recognise that?
- 7 A. Oh yes. I used to clean it every day, polish it with
- 8 a buffer.
- 9 Q. Is that the hall?
- 10 A. Yes.
- 11 Q. If you're at the entrance hall, how would you get to the
- 12 dormitories?
- 13 A. You'd take a right, you would go across and you've got
- 14 the sewing room, you've got two bedrooms.
- 15 Brother **MBS** -- when you first take the right to
- 16 that passage way, there's two rooms there, which was
- 17 Brother **MBS** and Brother **MHJ** bedrooms, and then
- 18 you've got the matron's room and then you've got the
- 19 start of the dormitories.
- 20 Q. Alan, the plan is actually also on a large screen behind
- 21 you. Would you be able to stand up and look at the plan
- 22 for me so you can indicate a few things for me?
- 23 A. Yes.
- 24 Q. Which dormitory were you allocated to when you first
- 25 went to St Ninian's?

1 A. Number 13.

2 Q. You're pointing to the top row, the far left dormitory;  
3 is that dormitory 13?

4 A. Yes. That's dormitory 12 (indicating).

5 Q. I think you tell us in your statement that the  
6 dormitories were numbered from 1 to 13. How were these  
7 arranged in terms of the age of boys that stayed in  
8 them?

9 A. By your date of birth. Your actual date of birth. You  
10 got moved along. So somebody who was born in  
11 11 September, or whatever, they'd be the youngest, so  
12 they'd be put in number 13, and then you worked your way  
13 down.

14 Q. So when you arrived and you were put in dormitory 13 --

15 LADY SMITH: Ms MacLeod, have we finished with the plan  
16 because at the moment the microphone is not picking Alan  
17 up. Do you see what I mean?

18 MS MACLEOD: Yes.

19 LADY SMITH: Thank you.

20 MS MACLEOD: When you were put in dormitory 13 initially,  
21 the one you've pointed out to me, were you in a group of  
22 the younger children in the school?

23 A. Yes. The very youngest would be in that dorm.

24 Q. And did there come a time when you were moved up to the  
25 next dorm?

- 1 A. Yes. When the older ones left, they were getting moved  
2 along, so you were only maybe there three months,  
3 six months, and you got moved along if someone else  
4 left. So if one person left at the senior end, one  
5 person from each dorm would be moved along one to the  
6 next one.
- 7 Q. So was there a particular side for junior dormitories  
8 and the another side for senior dormitories?
- 9 A. Yes.
- 10 Q. Were there brothers who had rooms in the same area as  
11 the boys' dormitories?
- 12 A. Yes, brother Kelly and Brother LNA .
- 13 Q. Would you mind, again, pointing out on the plan behind  
14 you which room was Brother LNA room and which room  
15 was Brother Kelly's?
- 16 A. Brother Kelly was around about here (indicating).
- 17 Q. So for Brother Kelly's dorm you're pointing around the  
18 middle dorm on the bottom row?
- 19 A. Yes.
- 20 Q. And what about Brother LNA
- 21 A. That was his room up here (indicating).
- 22 Q. So you're pointing to the room, second from the right on  
23 the top row?
- 24 A. Yes.
- 25 Q. Thank you.

1           Can you remember how long you spent, roughly, in  
2           your first dormitory, 13?

3           A. A very short period. I think it might have been  
4           a couple of weeks.

5           Q. And how many beds were in the dorm?

6           A. I think that one had five, I think.

7           Q. What about the other dorms you moved to; did they have  
8           similar numbers?

9           A. Similar numbers. I think they went, most of them was  
10          four, five, six, and I think there were a couple that  
11          was three. I think that was up in the top row, this one  
12          (indicating) at the bottom of the wee steps, the second  
13          one down, the corner, the second room down. I think  
14          there were only two or three in that, and the same  
15          in the one down here (indicating) at the corner. They  
16          were wee bedrooms.

17          Q. So some of the dorms on the senior side had fewer beds?

18          A. Yes.

19          Q. You mentioned polishing the hall floor.

20          A. Yes.

21          Q. Was that one of the chores you had to do?

22          A. Yes. I used to get put into like the basement to sweep  
23          up, but I didn't want to do that job because I was  
24          getting picked on by the kids because you're down in the  
25          basement and you got beat up.

1 Q. Okay.

2 A. So when I went to the main hall, because I spent a lot  
3 of time polishing it, I made a better job than the rest  
4 that were doing it, they kept me doing it. I felt safer  
5 doing that job.

6 Q. Who arranged the chores, who told you what chores to do?

7 A. It was normally the brothers.

8 Q. Was there a particular brother?

9 A. It was -- normally, it'd be the top two brothers that  
10 were in charge that gave you your chores.

11 Q. When you first arrived at St Ninian's, who was the

12

[REDACTED]

13 A. Brother LNA

14 Q. And did that change while you were there?

15 A. Yes. He left, I don't know where he went, he just  
16 disappeared, and [REDACTED]

17

[REDACTED]

18 Q. Was there a particular time in the morning at which you  
19 had to get up?

20 A. Yes, we woke up every morning, I think it was ...

21 I think it was about 7-ish, half 7, I think, because we  
22 had to get our breakfast and then go and do our chores  
23 and then go to school -- classes.

24 Q. What about bedtime? Was there a particular time at  
25 which you had to go to bed?

1 A. Yes, you had to be in bed and lights out -- I think it  
2 was 9 o'clock. Because we sometimes did sports at night  
3 in two groups, the Ramsays and the Stuarts and it was  
4 probably playing hockey indoors or crab football or  
5 things. Then we'd get our tea, maybe have team games as  
6 well as sports during the day. So we got across and got  
7 showered and then we played about in the dormitories for  
8 a spell, and then we were put to our bed.

9 Q. I think you say that there was music played at night.

10 A. Yes, music played, yes. They played music.

11 Q. Were you allowed to talk in the dormitories at  
12 night-time?

13 A. No, no.

14 Q. What would happen if you did?

15 A. You got punished.

16 Q. Who would punish you?

17 A. Brother LNA

18 Q. What would he do?

19 A. He would skelp you or put you down -- if it was severe  
20 enough, he'd stick you outside the doors.

21 Where dorm 13, there's a door right opposite that  
22 takes you to a spiral staircase that'll take you up to  
23 church or to the basement. He'd put you outside that  
24 door or he would take you to the very start of the  
25 dormitories outside the matron's office, the sewing



1 room, and stand at that door, and that had a snib door  
2 on it as well.

3 Q. Would you have to stand there for quite some time?

4 A. You had to stand there and there was a boy that  
5 I remember, I can't remember his name, but they actually  
6 forgot about him. The young boy slept on the concrete  
7 spiral stairs overnight because, obviously, Brother LNA  
8 had forgotten about him.

9 Q. Is that something you remembered hearing about at the  
10 time?

11 A. Yes, that was something that I remember happened at the  
12 time.

13 Q. Were you sometimes made to stand for a period of time?

14 A. Yes.

15 Q. How long would you be asked to stand?

16 A. Sometimes half an hour, an hour. And then you would get  
17 a slap from him and be put back in the dorms. They sort  
18 of kept you until people were asleep in the dorm and  
19 maybe that was the reason why they kept you standing so  
20 long, so you had nobody to talk to.

21 Q. You mentioned showers there when you were speaking about  
22 what would happen before you went to bed. You tell us  
23 in your statement that you had a shower every night.

24 A. Yes.

25 Q. Where were the showers in St Ninian's when you were

1           there?

2           A.   In between the seniors and juniors dormitories, in the  
3           middle.

4           Q.   So the showers were on the same floor --

5           A.   Same floor.

6           Q.   -- as the dormitories?

7           A.   Yes, in between Brother [LNA] room -- as you go towards  
8           the senior room, it was in the middle.

9           Q.   Were the showers open-plan or were there cubicles?

10          A.   Yes, there were six showers -- I think it was six  
11          showers -- just open-plan showers.

12          Q.   So when you were showering and there was another boy  
13          showering, could you see that other boy?

14          A.   Yes. We all stood in line until we got showered.

15          Q.   Was there any supervision of the showering?

16          A.   There was two, Brother Kelly and Brother [LNA] and it  
17          was like they were there to stop any nonsense.

18          Q.   Were they there at the same time?

19          A.   At the same time and separate times. There would  
20          definitely be one there at all times. But sometimes  
21          Brother [LNA] would come in and stand.

22          Q.   So when Brother [LNA] was supervising the showers, what  
23          would he do?

24          A.   He would stand there and watch the kids, watch us  
25          shower.

1 Q. Would he say anything?

2 A. Just, "Get yourself washed", or, "Wash yourself right,  
3 mind you brush your teeth". That's about it. They just  
4 kept on watching us shower.

5 Q. And what about Brother Kelly when he was supervising the  
6 showers?

7 A. The exact same. The two of them were the exact same.

8 Q. What about when they were there together?

9 A. They hardly spoke. It was just like they were watching  
10 us, making sure we were getting cleaned properly.

11 MS MACLEOD: My Lady, I think it's almost 1 o'clock.

12 LADY SMITH: Would that be a useful point at which to break?

13 MS MACLEOD: Yes.

14 LADY SMITH: We normally take a break about now for the  
15 lunch adjournment, if that's all right with you, Alan,  
16 we'll do that just now and I'll sit again at 2 o'clock.

17 A. Yes, thank you.

18 (1.00 pm)

19 (The lunch adjournment)

20

21

1 (2.00 pm)

2 LADY SMITH: Alan, I hope after the break you're ready to  
3 carry on; is that all right?

4 A. Yes.

5 LADY SMITH: Thank you very much.

6 Ms MacLeod, when you're ready.

7 MS MACLEOD: Good afternoon, Alan. Can I ask you about  
8 sport at St Ninian's? Which sports were on offer for  
9 the boys?

10 A. Cross-country. Rugby. Football. Athletics. Hockey.  
11 Gymnastics. Cricket. I think most sports. There was  
12 indoor sports as well, unihoc and things like that.

13 Q. Was sport then quite a big part of school life?

14 A. A very big part. In the morning time, after we done our  
15 chores, we went to class, up to lunchtime, and after  
16 lunch was sports until teatime.

17 Q. Given your asthma, how did you get on with sport in  
18 light of that?

19 A. I struggled since the very start with doing  
20 cross-countries. Sometimes if you weren't quick enough  
21 you would be punished by getting no tea. But as that  
22 went on, with fresh air and that, my asthma was sort of  
23 improving, so when you end up running about half a mile  
24 up to 8.5 mile cross-country runs in the Lomonds, I was  
25 able to complete them in a reasonable time.

1           But yeah, my asthma improved by the time I left  
2           there. I didn't have any breathing problems after that.

3           Q. You mentioned there that you would sometimes miss meals.

4           A. Yes, if you were too slow or the last person in would  
5           miss their tea.

6           Q. And I think you tell us that you would be the last in on  
7           some occasions and you'd be too late to get your tea?

8           A. Yes, when I first started, I was late most -- well, all  
9           the time, and if I couldn't manage it, one of the boys  
10          would be told to stay back to run -- well, to walk with  
11          me, in case something did happen, for assistance.

12          Q. If you missed your meal, would you get something later  
13          on?

14          A. No. That was it, you got your breakfast the next  
15          morning. It was only a biscuit and a tea for your tea  
16          anyway. Well, a wee cake and a cup of tea. That's what  
17          you got for your tea anyway.

18          Q. Was your main meal then in the middle of the day?

19          A. Yes.

20          Q. I think you tell us that as well as improving  
21          in relation to the cross-country, you won the  
22          most-improved rugby player award?

23          A. Yes, I did that.

24          Q. So was the school quite good then at bringing on your  
25          sporting ability?

1 A. Yes, they done trophies, the best team, the best player,  
2 and most improved player at rugby. I did get a Scottish  
3 rugby outfit. When I left in the summertime and went  
4 back, it was away ...

5 Q. Was that a prize you got?

6 A. That was a prize for being the most-improved rugby  
7 player, I got the Scotland rugby strip, rugby A team.

8 Q. Did you get any medication to help with your asthma?

9 A. Just an inhaler, a blue inhaler.

10 Q. By the time you were coming up to leaving St Ninian's,  
11 were you able to partake in all the sport that was going  
12 on?

13 A. Every sport. Swimming as well. We done swimming every  
14 Wednesday in Perth swimming pool.

15 Q. Can I ask you how were you addressed by the brothers?  
16 Would they use your first name, your surname or  
17 something else?

18 A. Mostly it was family name

19 Q. And how would you address a brother?

20 A. You'd say Brother Brown or Brother ... and then their  
21 surname, Kelly or whatever.

22 Q. Something you mentioned --

23 LADY SMITH: Just before you go on to anything else, can  
24 I reassure you that although you're choosing for that  
25 purpose to mention your own surname, it is protected and

1           it will not be repeated and must not be repeated outside  
2           the hearing room. Don't worry about that.

3           Thank you.

4           MS MACLEOD: Something you mention at various points in your  
5           statement, Alan, is the bullying that you say was going  
6           on at St Ninian's.

7           A. Yes.

8           Q. You say that you realised the only way to survive was to  
9           take on the bullies.

10          A. Yes.

11          Q. Can I ask you, first of all, who was doing the bullying?  
12          I don't want names, but was it --

13          A. The kids.

14          Q. It was the boys?

15          A. Boys.

16          Q. Were you bullied at St Ninian's?

17          A. Yes. Quite a lot, because ... I was one of the people  
18          from outside Glasgow. The Glasgow boys were sticking  
19          together against the boys from other parts of the  
20          home ... It was mostly the Glaswegians that were doing  
21          the bullying.

22          Q. You mentioned earlier when you were talking about the  
23          basement, I think, in relation to chores --

24          A. Yes.

25          Q. -- that maybe there were things going on in the

1 basement.

2 A. Yes.

3 Q. What was going on in the basement in relation to  
4 bullying?

5 A. If you were sent down there for any reason, if you  
6 wanted to get changed from your shoes into plimsolls or  
7 if you had chores to clean or sweep the basement out or  
8 you went to classes at the woodwork or to the crafts,  
9 arts and crafts, that's when you'd most likely get  
10 bullied. It was the best place to be jumped, jumped  
11 from them.

12 Q. So when you were being bullied, what was happening to  
13 you?

14 A. It was night-time when we went for our tea -- that was  
15 in the basement level, the dining room and the kitchen,  
16 that was in the basement -- and we had to walk down the  
17 spiral stairs and along this dark corridor. You knew --  
18 there were some spaces going along and there were  
19 a couple of doorways, and they'd turn the lights off.  
20 You knew when everything was quiet something was going  
21 to happen because you didn't hear nothing at all falling  
22 about or that. You used to run between that bit of  
23 corridor because you knew folk would be standing there  
24 in the alleyways waiting to belt you.

25 Q. What would they be waiting to do?



1           A. To beat you up, and it was like -- it could be 10,  
2           20 guys waiting. It was like running a gauntlet and  
3           they'd just boot and kick you. If you fell you got  
4           a severe beating. There were times when you would be  
5           knocked unconscious, basically.

6           Q. Did that happen to you?

7           A. Yes, it happened to me a few times, I would say, that  
8           I've hit the deck and ... because it's big stone floors  
9           and if they're stamping on your head, you end up getting  
10          knocked out.

11          Q. So would you be walking through there on your own?

12          A. Yes. You all might be going for lunch at the same time,  
13          but if you're called back to do something or straighten  
14          the chairs in the TV room or whatever, so you didn't go  
15          about with the crowd, in case you were slapped and  
16          punched on the way. Sometimes you went thinking they're  
17          in the dining hall and you're going ... and they'd be  
18          sitting waiting for you to come down for lunch and  
19          that's when they'd turn the light off. It was dark  
20          anyway, but they would turn the lights off and sometimes  
21          there would be screaming and that and you'd get one of  
22          the brothers coming back from the dining room to see  
23          what was going on.

24          Q. On any of the times that that happened to you, were you  
25          injured?

1 A. Not really, just knocked out, bruised, grazes,  
2 scratched ... ripped top, whatever.

3 Q. Did any brothers come along after that had happened to  
4 you on any occasion?

5 A. Yes. They've heard a commotion. By the time they've  
6 come, they're walking away and you're either picking  
7 yourself up or you're lying there. You couldn't say  
8 nothing because you'd get a beating in the dormitories  
9 at night.

10 Q. So what would happen then when the brother came on the  
11 scene?

12 A. Everybody'd start walking. As soon as they'd start  
13 shouting, screaming at them to stop, they would start  
14 walking because they knew the brother was going through  
15 the canteen, the kitchen area.

16 It was about, say, 10 metres -- it was like  
17 an L-shape -- to get to the dining hall. It was just  
18 round the corner. When they heard the screaming, they  
19 would come around.

20 Q. Would anything happen to the boys who had done this to  
21 you?

22 A. No. No. Because you couldn't say who it was, else  
23 you'd get beat up at night in the dormitories.

24 LADY SMITH: Beat up by whom?

25 A. By the kids as well.

1 LADY SMITH: The bullies?

2 A. Yes, if you told on them, you'd get beat up even more,  
3 and that's what was wrong. It was just continuous  
4 bullying. A couple of the kids were bullying, knowing  
5 that they were going to get away with it because they  
6 were the Christian Brothers' favourite guys -- well,  
7 kids.

8 MS MACLEOD: Something you say in your statement, Alan,  
9 is that the staff were too frightened to intervene.

10 A. Yes, in some of the cases, I felt they were intimidated  
11 by -- if they wanted to do something -- there was one  
12 boy, for instance, that bullied me on a daily basis and  
13 the Christian Brother knew and wouldn't do nothing to  
14 stop it. And I retaliated one time and the  
15 Christian Brother slapped me about, punching.

16 Q. We'll come on to look at that because that's something  
17 you tell us in a bit of detail. You refer to this  
18 bullying as a gang culture.

19 A. It was like a Glaswegian gang against the rest of the  
20 boys life from Perth -- there was a couple of guys from  
21 Dundee, a couple of guys from Edinburgh, and they were  
22 scared to stick up for themselves because there were too  
23 many Glaswegians who were getting involved.

24 Q. You mentioned there that this happened to you almost on  
25 a daily basis.

1 A. Yes, I was bullied quite often until I started fighting  
2 back when the older ones left, the boys in the year  
3 above me and my year, I started going back down to them  
4 to -- and that was when I started fighting back and  
5 bullied the bullies.

6 Q. And this bullying gang culture you describe, did this go  
7 on for the whole time you were at St Ninian's?

8 A. The whole time. By the time I was 14, I was starting to  
9 stick up for the younger ones that were getting bullied  
10 same as what I got a couple of years before, a year  
11 before, and it was like I was able to stick up for them,  
12 the kids that were ...

13 Q. You have mentioned some of the brothers becoming aware  
14 of this by hearing a commotion and things like that. Do  
15 you think all the brothers at St Ninian's would have  
16 been aware of this bullying culture you're describing?

17 A. Yes, and some of the teachers as well. There was one  
18 teacher that wouldn't report major incidents -- on days  
19 out and things like that, if a big fight happened, he  
20 wouldn't report it because he knew the  
21 Christian Brothers would have been angry and hit the  
22 kids for misbehaving, so he sort of kept it away from  
23 them.

24 Q. Which teacher are you referring to there?

25 A. Mr MIK He stayed in Strathmiglo, not far from the

1 home. He was the [REDACTED] teacher and he was  
2 actually scared to report any incidents to the  
3 Christian Brothers.

4 Q. What makes you think he was too scared to report  
5 incidents to the Christian Brothers?

6 A. Because he threatened to use that to us if we didn't  
7 behave -- not me, but to some of the boys that were  
8 getting out of hand. He used to say, "I'll report  
9 youse", but he'd never report them because he knew  
10 there'd be violence, it would have ended up with the  
11 kids he complained about would have been picked on.

12 Q. You mentioned swimming a few moments ago.

13 A. Yes.

14 Q. And that you went swimming at the pool in Perth; is that  
15 right?

16 A. Yes.

17 Q. Was there a time when some of your family members came  
18 to visit you at the swimming pool?

19 A. My sister come pretty regular, but my brother come down  
20 one time because two of the boys had knocked me out  
21 in the TV room, and I went home and told my brother, so  
22 when he turned up one day, to confront the two boys, two  
23 older boys, he approached them, but the  
24 Christian Brothers stood in and Brother [REDACTED] LNA and  
25 Brother Kelly stood in and put a stop to it. The boys

1           went on the bus and they were banging at the window and  
2           making suggestions to my brother. My brother was  
3           getting angry and started banging at the bus and I got  
4           a belt in the head from Brother [REDACTED] LNA because it was my  
5           fault. So we stopped coming to Perth for a couple of  
6           weeks until that was sorted out so my family wouldn't be  
7           coming back to the pool. So we had to go swimming in  
8           Rothes swimming pool.

9           Q. I think you tell us that after that your family weren't  
10          allowed to come in to the pool.

11         A. They weren't allowed. It was only my sister only. My  
12         brothers and the other family weren't allowed in, but  
13         even that, my sister ... she only come for a period  
14         after that. But then she started coming again and  
15         taking me to the canteen for a cup of soup and a packet  
16         of crisps or whatever.

17         Q. Which brothers became involved in that incident at the  
18         pool?

19         A. [REDACTED]

20         Q. Sorry, which Christian Brothers.

21         A. Oh, Brother Kelly and Brother [REDACTED] LNA .

22         Q. Did they ask you what had happened?

23         A. I think they knew. They knew. The boys that had kicked  
24         me and knocked me out -- it was obvious that they did  
25         know about that. When my brother approach the two boys,

1           that's when they sort of intervened.

2           Q.   And when you had been knocked out, did you say that was  
3           in the TV room?

4           A.   Yes.

5           Q.   And did any of the Christian Brothers become involved  
6           in that incident?

7           A.   No.  It was after that when I was wakening up.  I can't  
8           remember which one it was.  When I woke up, I was lying  
9           on the chairs, padded chairs, I was lying on top of them  
10          when I come through.  I can't remember what the  
11          Christian Brother was there was there at the time.

12          Q.   What did he say?

13          A.   I can't remember much about this, I might have been  
14          knocked out.  Not the two guys' names that done it.  
15          Sorry, I've forgotten their names.

16          Q.   Did they receive any punishment for that?

17          A.   I can't remember if they did or not.

18          Q.   The schooling in St Ninian's was done on site, is that  
19          right, within the building itself?

20          A.   Yes.

21          Q.   How did you find the schooling?

22          A.   There was only one class that I liked and that was  
23          English with Mrs Mitchell.  She would take me on  
24          one-to-one to help me with my reading.

25          Q.   You tell us that in your statement.  You say she was

1 very good to you.

2 A. Yes. She took me aside and if she had spare time and  
3 that, I'd stay back and she would sit and help me to  
4 understand vowels and things like that.

5 Q. I think you say that you never learned much in  
6 Brother **MBS** and Brother **MHJ** classes?

7 A. No, no. Brother **MBS** was a bit dirty. You didn't  
8 want to go in his classroom if you were on your own.

9 Q. In what way was he dirty?

10 A. He'd sit you on his knee and sort of ... He used to get  
11 aroused, and that's when you realised to get away from  
12 him.

13 Q. Did that happen to you, did you have to sit on his knee?

14 A. That happened a couple of times and that's when  
15 I realised not to go near him because he was stinking of  
16 drink during the day.

17 Q. On those occasions that you sat on his knee, did he ask  
18 you to sit on his knee?

19 A. Yes, "Come here", and there would be maybe four or five  
20 of us, and because of the space, he says, "You come  
21 round here". It was like he was shifting, moving about  
22 when you were sitting on him and it was -- and you get  
23 off him as quickly as you can because you realise what  
24 was happening. That was it. And that's why nobody sort  
25 of went near him. That happened during the class when



1           that was going on.

2           Q.   And you've said that this happened to you and you were  
3           sitting on his knee.  Did you see other boys sitting on  
4           his knee?

5           A.   It was other boys, but we all stopped because I think  
6           they toppled on that he was doing that to get aroused or  
7           whatever.

8           Q.   Were you able to go home at weekends?

9           A.   To start off with, it was every second weekend, and then  
10          later on it became every weekend because everybody was  
11          allowed to go home every second weekend, but then they  
12          made it you started going home every weekend.

13          Q.   Did you automatically get to go home or were there times  
14          when you weren't able to do so?

15          A.   There were times, a couple of times, when I was being  
16          punished and I was told I wasn't allowed home.  So I ran  
17          away because basically I was just fighting back,  
18          fighting the bullies and then I ended up getting  
19          punished for a weekend when they had bullied me for two  
20          years or whatever, and when I started fighting them  
21          back, that was when I was getting punished and missing  
22          a weekend.

23          Q.   So not letting you go home for the weekend was something  
24          that was used as punishment?

25          A.   Yes, it was for me.

1 Q. Was there a particular brother who would tell you that  
2 you couldn't go home?

3 A. Brother Farrell or Brother Kelly.

4 They were sort of ... I think Brother Farrell was  
5 the one [REDACTED] Brother Kelly  
6 was below -- even Brother Kelly was there all the time  
7 for all the time I was there. Brother Farrell was [REDACTED]  
8 [REDACTED].

9 Q. Did you go on any trips with St Ninian's while you were  
10 there?

11 A. Yes. Up skiing, went down to Wales on holiday. Went on  
12 tour playing rugby round England. Sometimes we'd maybe  
13 have two, three ... trips to Glenshee. If there were  
14 cancellations, the school would get a phone call. So we  
15 did. In the summertime we went to Wales and in the  
16 wintertime we were at Glenshee.

17 Q. Were these trips you enjoyed, Alan?

18 A. I enjoyed the skiing. The ones in Wales, I enjoyed  
19 them. Some of the time at night-time, we were all  
20 in the same area, and getting bullied and what have  
21 you ... And in Glenshee as well, it was great during  
22 the day to get away -- you can go and do your own thing  
23 with the skis, get away from the crowd and the bullies  
24 and things like that. So yes, they were good trips.  
25 The rugby trips were good. There wasn't much bullying

1           done when we were playing rugby and that because we had  
2           to play as a team.

3           Q. And the bullies you mentioned on these trips, is that  
4           the same bullies that were operating in the school?

5           A. Yes.

6           Q. A place you speak about in your statement at  
7           paragraph 33 is Leitcham House.

8           A. That was a place beside Liverpool.

9           Q. What kind of place was it?

10          A. I thought it was a retired place for priests,  
11          Christian Brothers, and things like that, because there  
12          were no young people; it was just old men.

13          Q. Did you go there during your time in St Ninian's?

14          A. We stayed there for a few nights, a couple of nights  
15          I think it was. I think it was twice.

16          Q. You stayed there twice for about a couple of nights?

17          A. Yes.

18          Q. Would that be on your way to Wales?

19          A. No, that'd be playing rugby.

20          Q. When you were playing rugby in Liverpool?

21          A. Yes, because we stayed at places, hostels, and some  
22          family houses as well in an area like Stoke-on-Trent,  
23          Sunderland, Liverpool, St Helens. So we stayed with  
24          some families, but other times we stayed in hostel sort  
25          of ... Leitcham House was a place that was -- we know

1           it was run by the Christian Brothers.

2           Q. You tell us in your statement about some things you were  
3           told about what happened at Leitcham House and I will  
4           ask you about that in a moment. But can you tell me,  
5           did anything happen while you were at Leitcham House?  
6           Did you see anything happen that you want to tell me  
7           about?

8           A. I didn't really see it, apart from the old guys were  
9           coming into the rooms after lights out and they were  
10          snooping about the bedrooms. They were sort of like  
11          dormitories as well. They were wee narrow things, but  
12          they were bunk beds.

13          Q. When you were staying there, you were in dormitories  
14          with bunk beds?

15          A. Yes.

16          Q. How many boys were in your dormitory?

17          A. There were maybe six beds and there was ones, I think,  
18          with about four beds.

19          Q. Who came into your room during the night?

20          A. Some old guy that I don't know.

21          Q. Was it somebody from St Ninian's or somebody you didn't  
22          know?

23          A. Someone we didn't know, someone that belonged to that  
24          building.

25          Q. How many people came into your room?

1 A. I would say one for sure, but because the lights were in  
2 darkness and he had this croaky voice -- I reckon there  
3 might even have been two. It was hard to tell because,  
4 like, you were under the covers with your head and kind  
5 of hearing them talking. Like a croaky voice sort  
6 of ...

7 Q. Did people come into your room on both occasions you  
8 were there?

9 A. Just the first visit we had there.

10 Q. Just the first visit you had there?

11 A. Yes.

12 Q. What did the people do in the room?

13 A. Nothing. I couldn't see nothing. It was pitch black.  
14 You couldn't see. All you're hearing is a voice, but  
15 there was something just not right with the snooping  
16 about the bedrooms. I just think that was weird,  
17 a weird place, because everybody's meant to be sleeping  
18 and these guys are snooping about.

19 Q. Did they have contact with any of the boys?

20 A. Not that I know of. I don't ... I didn't hear from  
21 anybody about that.

22 Q. So apart from the people coming into your room at night,  
23 was there anything else that happened while you were  
24 there that caused you concern?

25 A. Not when I was there.

- 1 Q. Okay. You tell us in your statement that you remember  
2 being told a story about one of the boys who had jumped  
3 through a window there.
- 4 A. The boy was still in St Ninian's when I arrived and  
5 he was still pretty injured.
- 6 Q. Okay. Did you see the boy with injuries?
- 7 A. Yes. He had cuts on his legs, his hands, his body.  
8 I think the one on his leg was the worst. It was like  
9 the back-end of his leg had been sliced, like the muscle  
10 had been ... I think his name was [REDACTED]  
11 I think.
- 12 Q. We don't need the name.
- 13 A. Sorry. I remember the guy. He got kept in the room  
14 next to Brother LNA but he couldn't go home because of  
15 his injuries and that.
- 16 Q. So he was still there when you arrived at St Ninian's?
- 17 A. Yes, he was still there.
- 18 Q. You say that you were told a story that a boy had jumped  
19 through a window; who told you that?
- 20 A. One of my friends in the school at the time. Him and  
21 some of the other boys had told the story of how he got  
22 injured, and it was seemingly down in Leitcham House.
- 23 Q. What you say is that he was supposed to have been  
24 sleepwalking and was startled by one of the priests.
- 25 A. Yes.

1 Q. Is that what you were told by your friend?

2 A. Yes. They've got a walkway on the second floor up, it's  
3 glass, and you've got the tennis court just down in  
4 front of it. Seemingly he was sleepwalking along there  
5 and one of the Christian Brothers or priests, whatever  
6 he was, an old guy, had spoke to him and he had woke up  
7 and got a fright or something and dived through the  
8 window. That was the story that was told.

9 Q. You say in your statement that you can remember him  
10 screaming in pain.

11 A. Yes. Yes. It was like ...

12 Q. When he was back at St Ninian's this was?

13 A. Yes, when I moved into St Ninian's, that happened  
14 before, and even then he was in a lot of pain. I used  
15 to hear him screaming. There was nobody about the  
16 dormitories apart from one of the priests must have been  
17 going back checking -- one of the Christian Brothers --  
18 must have been going and checking the room again, but  
19 the boy was never out his bed or that.

20 Q. And I don't need the name, but I think you tell us this  
21 boy had a particular nickname as a result of what had  
22 happened?

23 A. Yes.

24 Q. Do you remember that?

25 A. Yes.

1 Q. Okay. Did you go home for Christmas while you were at  
2 St Ninian's?

3 A. I can't remember.

4 Q. Do you remember if your birthday was celebrated?

5 A. I got a birthday cake from the kitchen lady, who made me  
6 a birthday cake, a sponge cake, because I used to help  
7 her do the dishes and that rather than go out and play.  
8 I stayed out of the road of everybody and helped out.

9 Q. You've told us about your weekend leave. Did you have  
10 any other contact with your family? Were they able to  
11 come and visit you?

12 A. No, apparently they weren't allowed near the property.  
13 My brother [REDACTED] took me back on a motorbike --

14 Q. Was that from your weekend leave?

15 A. Weekend leave on a Sunday, and he was told not to come  
16 back near the school.

17 Q. Was that after the incident at the swimming pool?

18 A. Yes, I think it would have been, and my other brother,  
19 him and his friends were on a motorbike run and they  
20 were up that way, and we were in the playing field, and  
21 I said that was one of my brothers and his pals on the  
22 motorbikes. And I was told, "Tell him not to come  
23 back". It was like they just don't want your family  
24 about, to come in -- not just my family, I think any  
25 family, because they never got many visitors, the kids.



1 Q. You have told us that when you initially went to  
2 St Ninian's, your understanding was that you were going  
3 to be there for six months.

4 A. Yes.

5 Q. But in fact, I think you spent about two and a half  
6 years there; is that right?

7 A. Yes.

8 Q. And we know from records that we've recovered from the  
9 Christian Brothers that you left in [REDACTED] 1982 when you  
10 would have been 15.

11 A. Yes.

12 Q. After you had been at St Ninian's for six months, was  
13 there a Children's Panel hearing?

14 A. Yes, that I was meant to go to.

15 Q. And did you go?

16 A. No, I wasn't allowed.

17 Q. I think you tell us that a decision was made without  
18 consulting you that you would remain at St Ninian's.

19 A. Yes.

20 Q. How did you feel at that time when you heard that news?

21 A. Angry. Really angry. Upset. I just wanted to go home.

22 Q. You say in your statement that you knew the six-month  
23 review date and that you were excited, you were feeling  
24 excited about being released?

25 A. Yes.

1 Q. And that you remember how upset you were?

2 A. Yes.

3 Q. Did you cry?

4 A. Yes.

5 Q. Did your social worker Ms MCF come and visit you at  
6 St Ninian's?

7 A. I think it was the following week after the hearing.  
8 She told me I wasn't getting home and what have you.  
9 I rarely ever seen her. I did run away and I met her  
10 one time I ran away to come back to the place. And  
11 another time, I ran away, I got down as far as  
12 Manchester, and then I got taken back home and met her  
13 at the train station. I didn't go near the front gate,  
14 there was -- sort of like a back door out of the train  
15 station.

16 Q. We'll come to look at that. Alan.

17 Was there anybody else who came to visit the home?  
18 Do you remember any inspections or anything like that?

19 A. No.

20 Q. Can I ask you then about discipline and how the brothers  
21 and staff managed discipline. From your point of view,  
22 who did you think was in charge of arranging the  
23 discipline at the time when you first started?

24 A. Mr MBV and then Brother LNA.

25 Q. What about the discipline itself then? What was the

1 method of discipline used?

2 A. A slap, punch, knock on the head with the knuckle. And  
3 you got the belt. Mr MBV gave you the belt. That or  
4 they would slap you or punch you.

5 Q. Who would slap you?

6 A. Any of the brothers. Mainly Kelly, LNA and Farrell.

7 Q. Which part of your body would they slap you on?

8 A. It'd be the head, a slap about the head, a clout on the  
9 lug sort of thing. I used to get the knuckle on the top  
10 of my head here (indicating).

11 Q. You're pointing with your knuckles on top of your head.

12 A. Yes. They used to whack --

13 Q. Who did that?

14 A. That was Brother LNA

15 Q. I think you mentioned being punched. Who punched you?

16 A. Brother Kelly punched me, so he did, when -- one of the  
17 kids that bullied me for a couple of years, he punched  
18 me, and this exact same boy who had done the bullying,  
19 Brother Kelly let him be allowed to bully and wouldn't  
20 say nothing, or he'd just say, "That's enough". If you  
21 were to do something like that to another boy, you'd be  
22 slapped about or something or punched about.

23 Q. When you say you'd be "slapped about", what does that  
24 mean?

25 A. He'd slap you about the head or punched or whatever.

- 1 Q. How many times?
- 2 A. It could be once, twice, three times.
- 3 Q. Looking at Brother Kelly then, how often did he punish
- 4 you physically in the ways you're describing?
- 5 A. A rough guess would be maybe about six, seven times.
- 6 Q. Is that over your period --
- 7 A. That's over the period.
- 8 Q. -- at St Ninian's.
- 9 A. One time in the dormitory, I hit one of the kids back
- 10 and he grabbed me outside the room and pinned me against
- 11 the wall and punched me a couple of times and got me on
- 12 the head. It was like (indicating) this bit here.
- 13 Q. Which bit?
- 14 A. This (indicating).
- 15 Q. The palm of his hand?
- 16 A. Yes. Suddenly he was hitting me and had me pinned to
- 17 the wall with his arm, and obviously because I'd hit
- 18 this pet, we would call the guy, that would be his pet.
- 19 Q. I think you tell us in your statement that he had
- 20 favourites.
- 21 A. Yes, that was his favourite.
- 22 Q. Was that one of the people who bullied you?
- 23 A. Yes, he was one of the boys who slept in the dormitory.
- 24 Q. And what about Brother Farrell? How often did he
- 25 physically punish you?

1 A. Probably more than Kelly, but he wasn't there as long.  
2 His weren't severe punching or bruising, kicks to the  
3 backside at that. He used to kick you on the backside  
4 quite a lot, just with the side of his foot. It wasn't  
5 as if it was if it was with his toe ... It was sort of  
6 like ...

7 Q. Brother Farrell?

8 A. Yes.

9 Q. When would he do that?

10 A. If you were misbehaving, going along, if you're in  
11 a queue and you step out of line and that, he would give  
12 you a boot as you're passing, "Move along" --

13 Q. Did that happen to you?

14 A. Oh yes.

15 Q. And did you see it happen to other boys?

16 A. It happened to quite a few kids when they stepped out of  
17 line. Just in general or if you're not doing your work,  
18 a kick up the backside, and he would plant -- put bits  
19 of dirt certain parts of your chores, and if he went  
20 back and found something in the corridor, you would get  
21 pulled for it.

22 Q. This is Brother Farrell checking up on the chores?

23 A. Yes.

24 Q. And what would he do if he noticed something wasn't as  
25 it should be?

1 A. He would kick your backside and say, "Do it again".

2 Q. Did that happen to you?

3 A. Not really, because I was in the main hall polishing the  
4 wooden floor.

5 Q. Did you see it happen to other boys?

6 A. Yes. Yes. In the table tennis room they had scissors  
7 for going across the floor, sort of like mops. We kind  
8 of went into the corners -- you were meant to sweep  
9 everything out in the middle and use the scissors to ...  
10 And if there was something that -- he had planks in the  
11 corner and if they hadn't been cleaned up when they went  
12 to do an inspection after you finished, he would shout  
13 you back and give you a clout on the lug or a kick up  
14 the backside and, "Get that done properly".

15 Q. You have mentioned Brother Kelly and Brother Farrell  
16 there. What about Mr MBV

17 A. Mr MBV he was another one that was aggressive.

18 I think it was a time when I wasn't allowed out of the  
19 home, when they had that meeting. I'm sure it was that  
20 time or the time after that when he gave me a beating.  
21 He pinned me to the sofa and he was punching about my  
22 head and body because I was so upset and angry I wasn't  
23 getting out.

24 Q. Is this after a Children's Panel hearing?

25 A. Yes. There was another time.

- 1 Q. Did you have marks as a result of that?
- 2 A. Yes, I did have marks, grazes and bruises on the body.
- 3 A grazed eye, the side of the eye. There was another
- 4 time when I was standing outside in the hallway when I'm
- 5 sure it was one of the boys from Dundee -- I'll not say
- 6 his name, but I'm sure it was him that got ... and one
- 7 of the brothers was in there, I think it was
- 8 Brother Farrell, and that boy was screaming because he
- 9 was getting belted, beat up from him.
- 10 Q. Where was this?
- 11 A. That was in [REDACTED] MBV office, just next to the hallway.
- 12 Q. And you heard this?
- 13 A. I heard the boy screaming.
- 14 Q. Who was in the office?
- 15 A. I think it was Brother Farrell -- well, with Mr [REDACTED] MBV
- 16 and it was Brother Farrell. I don't know which one
- 17 was ... I take it it was [REDACTED] MBV that was ...
- 18 Q. So there was Mr [REDACTED] MBV Brother Farrell and a boy?
- 19 A. Yes.
- 20 Q. Did you see the boy after he came out?
- 21 A. Yes, he was greeting, crying his eyes out. He tried to
- 22 go to the front door, but he got grabbed and --
- 23 Q. Who grabbed him?
- 24 A. I think that was Brother Farrell that grabbed him and
- 25 took him along to the dormitories. This was during the

1 day.

2 Q. Do you know what he was being punished for?

3 A. No. He was a bit quiet, the guy, but he did have a bit  
4 of a temper. He was younger than me, but I don't know  
5 exactly what the problem was.

6 Q. What you tell us in your statement at paragraph 45  
7 is that:

8 "It was just constant violence and threats."

9 A. That was what that place was about to me anyway. It was  
10 like violence, threats, and punishments. It was just  
11 like -- there was no justice.

12 Q. I think you say that the violence and threats were from  
13 both the staff and the bully boys who were running wild.

14 A. Yes.

15 Q. And when you say staff, do you include the brothers  
16 in that?

17 A. The Christian Brothers, MBV and Mr MCG. The rest of  
18 them, Sir BHB and Mr MIK and Ethel and  
19 Mrs Mitchell, they were never violent. Brother Kelly  
20 came into the English class one day to take me out when  
21 I was getting a one-to-one with Mrs Mitchell and she  
22 told him to get back out. I can't remember why, but  
23 he was looking to punish me for something, but I was  
24 sitting there and he came in demanding I leave to get  
25 out and she told him to get away out until she was



1 finished with the class.

2 Q. I think you say in your statement that that was a rare  
3 occasion when a staff member stood up to Brother Kelly.

4 A. Yes. You could feel the tension even between him and  
5 Brother Farrell and Brother LNA you knew there was  
6 tension. And Brother Brown was a really good  
7 Christian Brother.

8 Q. Brother Brown was a good Christian Brother?

9 A. Yes, he was supportive and he was a caring  
10 Christian Brother. He played rugby with us as well and  
11 that. You know what I mean? I felt safe round about  
12 him. He was one of the -- probably the only one that  
13 I really felt safe about.

14 Q. The tension there you mentioned between Brother Kelly,  
15 Brother Farrell and Brother LNA could you just tell me  
16 what was that tension? Can you explain that?

17 A. If one was overruling the other or saying ... It's like  
18 you feel the tension or, "He should be punished".

19 Q. Was it tension between the three of them?

20 A. Just the two.

21 Q. Which two?

22 A. Farrell and -- at the later stage it'd be Farrell and  
23 Kelly. At an earlier stage, Farrell and LNA

24 You can sense -- it's like they would walk past each  
25 other in the corridor without a hello or anything like

1           that and you'd know they'd had a disagreement or  
2           whatever. You could feel the tension between them.

3       Q. You tell us in your statement about an occasion when you  
4           were in Brother Brown's room listening to music.  
5           Can you tell me what happened on that occasion?

6       A. Yes. I come back on the Sunday night and  
7           Brother Brown -- when Brother LNA left, Brother Kelly  
8           moved into his dormitory, and when Brother Brown  
9           arrived, he moved into Brother Kelly's room that  
10          he was ... So I went into Brother Brown's office --  
11          well, room -- and a couple of the other kids, we used to  
12          sit about and play music. He had a cassette player in  
13          there so we'd listened to music. And this guy ...

14       Q. Another boy?

15       A. Another boy, he came in and punched me in the face  
16          because I wouldn't turn the music off. But he hung  
17          about with Brother Kelly in his room, and all of  
18          a sudden he came in that night and tried to demand the  
19          run of Brother Brown's room. He came in and bullied me  
20          and I wouldn't change the cassette or turn it off. So  
21          he punched me in the face. So I turned round and picked  
22          up the stool I was sitting on and smacked him over the  
23          head with it.

24       Q. The other boy?

25       A. Yes, because he had been bullying me for a couple of

1           years and this was the final straw.

2           Q. Did Brother Kelly become involved in this?

3           A. A few minutes later he became involved and he dragged me  
4           out of the room.

5           Q. Did he come into the room or had he been in the room?

6           A. He wasn't in the room. He came around to the room and  
7           somebody must have told him that there was a carry-on.  
8           He come in and he grabbed me and out myself at the door  
9           of Brother Brown's dormitory that we were in, shouting,  
10          and pinned me against the wall -- because the  
11          passageway's only about two and a half, three feet wide.

12          Q. So he pinned you against the wall, Brother Kelly?

13          A. Pinned me against the wall and punched me in the stomach  
14          a couple of times and on the head. This is when he  
15          whacked me with this part of his hand (indicating).

16          Q. The palm?

17          A. Yes.

18          Q. Where did he whack you?

19          A. On the side of the head, but he had me pinned. It was  
20          like he was choking me while this was going on and I had  
21          the grazes and that from him because the boy that I hit,  
22          that was his favourite pupil.

23          Q. I think you go on to say about this same boy, that he  
24          would be invited by Brother Kelly to beat you up and  
25          punish you?

1 A. Yes. Brother Kelly didn't ... if I had done something  
2 upset him, it was like the guy would come across and  
3 smack me in front of Brother Kelly and he done nothing  
4 about it. Even on the bus, when I was trying to sit  
5 down, and [MCU] is sitting there ...

6 Q. That's the other boy?

7 A. The other boy would come across and smack me. And it  
8 was like Kelly's not getting involved in that because --

9 Q. So when you say he was invited by Brother Kelly to beat  
10 you up and punish you, did you see him being invited or  
11 is this something --

12 A. It's not invited, he allowed sort of it to happen. It  
13 was not so much he was telling them, it was the fact  
14 that he was allowing it. So that was it. It was done  
15 right in front of him and he wouldn't do a thing. But  
16 if I ever did anything back, I got punished.

17 Q. So as well as what you've told us about you yourself  
18 being physically punished by Brother Kelly, you tell us  
19 in your statement about a couple of occasions at least  
20 when you saw other children being physically punished by  
21 him. One of these is -- you mention a boy where  
22 something happened on the rugby park involving  
23 Brother Kelly. Could you tell me about that?

24 A. Yes. I think he refused to play rugby anyway or he  
25 stormed off in a huff and Brother Kelly went after him.

1           The next minute, it was just -- they had a roll about on  
2           the ground, both of them were on the ground.

3           Q. Did you see this happening?

4           A. Yes, Brother Kelly actually broke the boy's wrist.

5           Q. Did you say they had a roll about on the ground?

6           A. He ended up pinning the boy -- [REDACTED] his name was. He  
7           ended up pinning [REDACTED] to the ground and it come about  
8           that he had a cut on his eye, he had a broken wrist.  
9           He was taken to hospital, he had a black eye and  
10          I remember his mum coming down to the school. I think  
11          she was under the influence of drink and kicked off.  
12          But I think the police were then called in to  
13          investigate that. The police were called to investigate  
14          that.

15          Another time, another boy in the changing rooms --  
16          aye, he battered him.

17          Q. What happened on that occasion?

18          A. I got stabbed in the abdomen with a flagpole off this  
19          boy and Kelly went mental and battered the boy, punching  
20          the boy about the shower.

21          Q. Was this after a game of sport?

22          A. Yes.

23          Q. So you had been stabbed with a flagpole by this boy?

24          A. Yes, in the abdomen.

25          Q. And what happened in the shower?

1 A. Brother Kelly came running in and started belting the  
2 boy that had done this, started punching him, went  
3 mental.

4 Q. Where was he punching him?

5 A. In the body.

6 Q. Did you see that?

7 A. Yes. The showers and that were here (indicating) and  
8 this happened outside. But when he stabbed me, I tried  
9 to fight back, but he was running back the way, and  
10 that's when Brother Kelly come running in and attacked  
11 him.

12 Q. Was the boy injured as a result of what happened?

13 A. I don't think he was injured like -- the injuries that  
14 he got, I think, he had done that on the football pitch.  
15 That's where the fight started, on the football pitch.  
16 It would have been -- the punches you were seeing was  
17 like two grown-up men fighting, the punches that he was  
18 throwing.

19 Q. How old was this other boy?

20 A. A year older than me.

21 Q. And how old were you at the time?

22 A. About 14.

23 MS MACLEOD: My Lady, that's pretty much 3 o'clock.

24 LADY SMITH: Very well.

25 Alan, we usually take a five-minute break in the

1 middle of the afternoon and I'd normally do it about  
2 now. Is that okay for you?

3 A. Yes.

4 (2.58 pm)

5 (A short break)

6 (3.12 pm)

7 LADY SMITH: Are you okay for us to carry on now, Alan?

8 A. Yes, thank you.

9 LADY SMITH: Thank you. Ms MacLeod.

10 MS MACLEOD: My Lady.

11 Alan, you tell us at paragraph 46 of your statement  
12 that when you first arrived at the school there were  
13 boys who would get up in the night and go into  
14 Brother Kelly's room.

15 A. Yes.

16 Q. Did you see that happening?

17 A. Yes.

18 Q. Were they boys who were in the same dorm as you?

19 A. Two of them were.

20 Q. So can you tell me then what would happen? What would  
21 you see with the two boys in your room?

22 A. What happened, there was a boy in the room above me. He  
23 started going into the room first. That was for a few  
24 months. Then all of a sudden, one of my friends in the  
25 same room as me, he started going up with his duvet and

1           lying there.

2           Q.   So the first boy you mentioned, was he in your dorm?

3           A.   No.

4           Q.   Did you see him going --

5           A.   Yes, he used to take his blanket in. Before the lights  
6           went out, we were put to our bed and we got half an hour  
7           to listen to music and what have you, but he had already  
8           taken his duvet from his room next to Brother Kelly's  
9           room.

10          Q.   So this was a boy who wasn't in your room, but you saw  
11          him take his duvet into Brother Kelly's room?

12          A.   Yes.

13          Q.   And then you said that a boy who was in your dorm  
14          started doing this?

15          A.   Yes.

16          Q.   What did you see him do?

17          A.   He just took his duvet and I said to him, "Where are you  
18          going?" "I'm going up to Brother Kelly's room". And  
19          a couple of months later, one of my other friends  
20          started doing the same, so the three of them were going  
21          up there and sleeping in the room.

22          Q.   The third boy you mentioned there, was he in your dorm?

23          A.   Yes, he was another friend of mine from Perth.

24          Q.   Did you see him go from the dorm to Brother Kelly's  
25          room?



- 1 A. Yes, with his duvet. The two of them started going,  
2 after the first one, my first friend, to the dorm.  
3 A couple of months after that, that's when the other one  
4 started going up.
- 5 Q. By the time you saw the third one going, were the other  
6 two still going as well?
- 7 A. Yes, they were there the whole time, so there was the  
8 three of them in the dorm sleeping there.
- 9 Q. How long would they spend in Brother Kelly's room?
- 10 A. Until the next morning.
- 11 Q. Would they come back into you dorm in the morning?
- 12 A. They would come back in the morning with their duvets.
- 13 Q. What was your understanding at the time, Alan, of what  
14 the two boys in your room were doing in Brother Kelly's  
15 room during the night?
- 16 A. I thought they were just going up there and drinking out  
17 of a bottle of cough medicine to get to sleep or get  
18 drowsy with it.
- 19 Q. Did they tell you they were drinking cough medicine?
- 20 A. They said they were sneaking some, but they didn't  
21 actually tell me the extent or ... because when I told  
22 them -- sometimes if we had a sore throat, a couple of  
23 kids had a sore throat, they would line up outside the  
24 room -- this is prior to the kids sneaking into  
25 Brother Kelly's room. This is when Brother **LNA** was in

1 charge of that dormitory. The kids said that he used to  
2 line them up and certain ones would cough and then he'd  
3 say, "You'll get some", and the next person in the line  
4 would cough, "No, you're not getting" ... the next one,  
5 "You're getting", or, "You're not getting". So he  
6 selected who he was giving the cough medicine to. So  
7 you were swigging out of the bottle.

8 I did say to one of my friends that I had a good  
9 night's sleep after taking a swig of that bottle. But  
10 it was after when Brother LNA left, when Brother Kelly  
11 took over, that the boys started sleeping in his room.

12 I thought it was just because he was stealing cough  
13 medicine.

14 Q. Okay. During the time you were at St Ninian's, apart  
15 from drinking cough medicine in his room, did you think  
16 there was anything else the boys were doing during the  
17 night in Brother Kelly's room?

18 A. No, I didn't at that time.

19 Q. What was your understanding at the time of where in  
20 Brother Kelly's room they were sleeping?

21 A. On the floor.

22 Q. Did they tell you that?

23 A. No, sometimes when I've had to get up, Brother Kelly  
24 would go across to the TV room or the coffee room or  
25 whatever, where he would go and sit, but we always

1 thought it was the TV room -- the office he went to.

2 I went up and sneaked up and looked at the room and they  
3 were bunched up on the floor.

4 Q. So you yourself saw boys on occasions on the floor of  
5 Brother Kelly's room?

6 A. Yes.

7 Q. Did you ever go into Brother Kelly's room and stay  
8 overnight?

9 A. No, no. Me and him never got on.

10 Q. You say in your statement that this behaviour of boys  
11 going from your dorm and going to Brother Kelly's room  
12 lasted the whole time that you were at St Ninian's.

13 A. Practically up until then because we left at the same  
14 time.

15 Q. Is that the two same boys who continued to go to his  
16 room?

17 A. Yes. That went on for about a year or more maybe.

18 Q. What time in the evening did they go to his room?

19 A. About ten to 9 or something. It was just before lights  
20 were out and they would go up there and get themselves  
21 comfy and lights were out and the music was still on.  
22 Sometimes they'd be away for an hour or two, so the  
23 music is on longer than the normal time, a half -- half  
24 an hour.

25 Q. Something else you tell us in your statement is

1 Brother Kelly was someone who used to wander around the  
2 dormitories.

3 A. Yes, he was called Snoopy.

4 Q. Is that because of his behaviour in the dormitories?

5 A. I think that was what it was. He was called that before  
6 I was there. He was actually called Snoopy.

7 Q. Did Brother Kelly wander into your dormitory during the  
8 night?

9 A. Not so much. Once when he heard a noise. By that time  
10 I'd moved up the dormitory sort of situation.

11 Q. Did he at any time come into your dormitory during the  
12 night?

13 A. Yes, at one point, just -- I think it was just to look  
14 in and see -- all he did was a headcount, I think. It  
15 wasn't to talk or communicate with any kids in the  
16 dormitory.

17 Q. You also tell us, Alan, that Brother **LNA** used to wander  
18 about the dormitories after lights out.

19 A. Yes.

20 Q. I think you say he used to creep around dormitories 12  
21 and 13.

22 A. Yes.

23 Q. Are those the dormitories where the younger boys stayed?

24 A. Yes, yes.

25 Q. Did Brother **LNA** come into your dormitory at any time

1 after lights out?

2 A. He came in quite a few times.

3 Q. What did Brother LNA do when he came into your  
4 dormitory?

5 (Pause)

6 LADY SMITH: Alan, if it's something that you don't want to  
7 say today, let me reassure you that we do have your  
8 written statement, which I think covers what Ms MacLeod  
9 is referring to. And as you've already confirmed to us,  
10 you signed that, and that is part of your evidence. So  
11 it's okay with me if you just want me to take account of  
12 what's in your written statement without you telling us  
13 any more about that today if it's too much for you.  
14 It's up to you.

15 A. He used to come over and sit on the bed, sit beside me  
16 on the bed and say, "Are you okay?" and things like  
17 that. Then he started touching my body. I told him to  
18 stop it.

19 LADY SMITH: What parts of your body did he touch?

20 A. My private parts. He tried to go round the back of me  
21 and touch my back passage and that. That's when  
22 I started telling him to get off me, to get away from  
23 me. Then the next day, I would be getting the knuckle  
24 on the head, saying, "That's for misbehaving, for what  
25 you'll be doing later on". I can still feel the pain

1           when he smashed you with that knuckle.

2           LADY SMITH: When Brother [REDACTED] LNA was touching you in bed, what  
3           part of his body was he using to touch you?

4           A. His hands.

5           LADY SMITH: Thank you.

6           A. Obviously, he was doing it to a couple of the other kids  
7           in the dormitory. There was a young boy in there, about  
8           13, who was actually screaming one night, and everybody  
9           that heard him started shouting to leave him alone. The  
10          boy was from Edinburgh and he was screaming like ...  
11          Everybody started shouting to, "Leave him, you dirty wee  
12          bastard", and what have you. And beforehand, nobody  
13          would ever shout out loud in the dormitories. It was at  
14          night when the boy was screaming and caused everybody to  
15          start shouting back at him.

16          LADY SMITH: This was the boys shouting back at  
17          Brother [REDACTED] LNA ?

18          A. All the kids were shouting because they were listening  
19          to the boy screaming, "Leave me alone, leave me alone",  
20          and he was screaming and all the kids started shouting,  
21          kind of dorms 12 and 11 and 9 and that and 10. They  
22          were all shouting, "Leave him, leave him, you dirty  
23          bastard".

24                    It was ... I know what he was doing with me, but it  
25          was so rough ... that young boy, [REDACTED] was screaming and



1 as well because you used to smell the alcohol on him at  
2 nights, but Brother Kelly and Brother Brown, you never  
3 really smelt alcohol from them. I don't know if they  
4 drank or not, but you never really smelt alcohol on  
5 them.

6 Q. You tell us, Alan, that you ran away from St Ninian's on  
7 a few occasions; is that right?

8 A. Yes.

9 Q. And I think you've already mentioned one occasion where  
10 you headed towards Manchester.

11 A. I got down as far as Manchester.

12 Q. I think you say you handed yourself in to Manchester  
13 police.

14 A. Yes.

15 Q. And that they arranged for you to stay over somewhere  
16 and put you on a train back to Scotland the following  
17 morning; is that right?

18 A. Yes. I think it was Rose Hill Detention Centre, I think  
19 it was called, in Manchester. It was like a young  
20 offenders' place.

21 Q. What you say is that you knew Ms **MCF** would be waiting  
22 for you at the station.

23 A. Yes.

24 Q. And you couldn't stand the thought of meeting her, so  
25 you ran away again?



1 A. Yes. I took the back road out of the station because  
2 she was going to go nuts.

3 Q. Well, the inquiry have been able to look at some  
4 records, Alan, which confirm that time you ran away.  
5 The date for that is [REDACTED] 1981, and there is  
6 a record. I'm not going to put it on the screen, but  
7 it is at PKC.001.001.0525.

8 It's a note by a social worker in Perth, having  
9 received a call from Manchester that you were there and  
10 that you'd be returned by train.

11 A. Yes. That was Ms [REDACTED] MCF I think it was the ...

12 Q. Did you tell Ms [REDACTED] MCF after that how you were being  
13 treated at St Ninian's?

14 A. No, because she was part of their outfit. That was the  
15 impression I got. You couldn't report back. After  
16 seeing the [REDACTED] MBV and the way she  
17 used to treat me, you couldn't tell her nothing because  
18 it went back to the Christian Brothers.

19 Q. Did anything happen on that occasion when you were  
20 returned to St Ninian's? Did anything happen?

21 A. I can't remember. I remember I lost a weekend. But  
22 I think that was about it. Then I ran away again.

23 Q. Did you tell anyone at St Ninian's how you were being  
24 treated by the brothers?

25 A. I tried to say something -- I can't remember what it was

1           about, but I tried to say to MBV and he told me to  
2           shut my mouth and all this carry-on.

3           Q. I think in your statement you say that:

4                     "He just went mental at me."

5           A. Yes. It was like he was on their side, he wasn't taking  
6           the kids into consideration.

7           Q. Do you remember what you told him was happening?

8           A. No, to be honest, no, I don't. I think it was to  
9           complain about the brothers at one point and he went  
10          mental, not to be saying that. Obviously, he didn't  
11          want it getting out of the school, and it was like the  
12          time I got stabbed with the flagpole, again, there was  
13          no investigation or nothing done with that. I was just  
14          sent up to the matron's room, she cleaned it and put  
15          a bandage on it. I've still got the scar on my stomach  
16          where I was stabbed.

17          Q. There came a time just before you were 16, Alan, that  
18          you left St Ninian's.

19          A. Yes.

20          Q. I think you tell us in your statement, between  
21          paragraphs 69 and 71, a little bit about your life after  
22          care and we can read about that in your statement. One  
23          thing you do say is that you went back to St Ninian's  
24          a couple of years after leaving; is that right?

25          A. Yes.

1 Q. What happened on that occasion? Did you meet  
2 a particular brother?

3 A. I met Brother Brown. He was down -- they had a rope  
4 swing and a tyre. I was with my niece and nephew on  
5 a day out. I was pretty angry with Brother Kelly, the  
6 way he bullied me.

7 Q. And did you say that to Brother Brown?

8 A. Yes, and he sort of advised me just to leave it. He  
9 went away and he said, "I've got a present for you". He  
10 went away and came back with two crosses. There was  
11 a small one, a couple of inches, and one about 3 inches.  
12 He says, "That's for you". I said thanks and I thanked  
13 him for the help and support that he gave me. We had to  
14 leave because if I'd seen Paul Kelly, Brother Kelly,  
15 I would have probably attacked him at that point, the  
16 hatred I had for the man.

17 Q. There came a point in time, some years later, that the  
18 police came to see you in connection with your time at  
19 St Ninian's.

20 A. Yes.

21 Q. I think you tell us in your statement that that was,  
22 from today's date, probably around 16 years ago; is that  
23 about right?

24 A. Yes.

25 Q. I think what you say is:

1           "They arrived at my door and I was shocked to see  
2           them."

3           A. Yes.

4           Q. And the police, you say, came back to your door some  
5           time later, about six years ago from today's date  
6           approximately; is that right?

7           A. I think it was maybe three or four years before the  
8           trial date.

9           Q. Okay. So is that the trial in 2016?

10          A. Yes.

11          Q. You say you were shocked to see them again.

12          A. Yes, because nothing happened the first time they came  
13          around. The second time, they says that they were going  
14          to push for prosecution the second time around.

15          Q. You say in your statement that when the police came to  
16          your door, you couldn't tell them about some of the  
17          aspects of your abuse.

18          A. Yes. It was strangers coming into your house and you've  
19          never ever told anyone about the sexual abuse. Never  
20          even thought about it since I left the home until the  
21          police come to the door a few years ago and then they  
22          came back and then they -- they turn up at the door.  
23          You can't expect someone to take a statement and ...  
24          I was actually shocked that I didn't have the guts to  
25          tell them about the sexual abuse, but just about the

1 bullying and physical abuse. I was sort of like  
2 gobsmacked at the way I felt like it was done, to come  
3 without warning, and then coming back and taking  
4 a statement.

5 Q. You hadn't been expecting that?

6 A. I wasn't expecting that. I think if I'd expected it and  
7 had more time to take it in and then they come back,  
8 they might have got a better understanding of my  
9 situation.

10 Q. You mentioned the trial there, the trial in 2016. Did  
11 you give evidence at the trial?

12 A. Yes.

13 Q. How did you find the trial process yourself?

14 A. It was pathetic. It was a waste of time to bring up my  
15 past, to go through that, for a 10-minute video link, to  
16 bring all this back into my life and destroy it for  
17 10 minutes, and then for a judge to hand out leniency.  
18 It totally gutted me out. But just to get a 10-minute  
19 interview, 10 minutes of evidence, for everything that  
20 went on and not getting a chance to express the extent  
21 of the people that were actually standing trial ...  
22 There was not much said about them at all. I felt like  
23 it was dummied up and sent away again and they  
24 couldn't ... you know what I mean?

25 That destroyed me probably just as much as being

1           in that school, going through that court experience.

2           LADY SMITH: Which court was the trial in?

3           A. In Glasgow.

4           LADY SMITH: In the High Court or the sheriff court?

5           A. The High Court.

6           LADY SMITH: You say the judge was lenient. What happened?

7           A. With the sentencing. He gave them lenient sentences.

8           LADY SMITH: Can you remember what they were?

9           A. One got 10 years, one got five years.

10          LADY SMITH: Right, okay, thank you.

11          MS MACLEOD: Alan, I'll just ask you, if it's okay, a little

12                 bit about the impact your time in care has had on your

13                 life. What would you say the main impact on your life

14                 has been?

15          A. It's probably my violence. Violence goes with kindness

16                 as well. I've always been on the defensive and when

17                 pushed I do strike out with violence. But on the other

18                 hand, if people are nice, I'm generous towards people

19                 and help people out. I go out of my way to help people

20                 that deserve or need the help if it's possible that

21                 I can help. I've been in scraps with people because

22                 they've been getting bullied. I hate going into town

23                 and seeing people being bullied. Even if I don't know

24                 them, I do interfere and get involved.

25                 My life was all right up until the police appeared

1 the second time and it's sort of put my life on hold.  
2 But the impact has been negative and there is also  
3 positive about it. The negative is the violence that  
4 I'm going to confront or get involved. The positive is  
5 being able to look after my family and support my family  
6 and friends and give them the respect that you should  
7 give your family and friends.

8 Q. Towards the end of your statement, between paragraphs 81  
9 and 83, you set out some suggestions for the lessons you  
10 think should be learnt from your own experiences in  
11 care. One of the things you say is that you think there  
12 should be more inspections; is that right?

13 A. Definitely.

14 Q. And another thing you say is that you don't think it's  
15 right for the staff to sleep in the same accommodation  
16 as the pupils.

17 A. Yes. They should not.

18 Q. You suggest, I think, that there should be other ways of  
19 keeping control through the night.

20 A. Yes.

21 Q. Like cameras, I think you suggest.

22 A. Cameras, just outside the dormitories, in the hallway,  
23 so you know that they're behaving and what have you, and  
24 there's no mishapping, kids getting abused, because  
25 everything will be on camera.

1 Q. Something else you mention is that staff shouldn't  
2 ignore bullying.

3 A. They should not ignore it or encourage it.

4 Q. And you say that any inspections should be carried out  
5 by independent people?

6 A. Yes, people that have no connection with the staff  
7 because you've got social workers against the  
8 Christian Brothers, you've got teachers. One of the  
9 teachers' statements said that she never seen any foul  
10 play or anything like that, from what I read in the  
11 paper, her statement during the trial and ... she didn't  
12 know things were going on, scared to lose her job or  
13 whatever. But I think there's got to be someone that's  
14 got no connection at all with the staff or the school.

15 Q. And you say also that there should be confidential,  
16 private consultations outwith the hearing of staff?

17 A. Yes. And it is building up a trust with a person so the  
18 kids can open up to -- they have trust with that person,  
19 that they could confide it, they could do something to  
20 help their situation, because you could go to  
21 a social worker and they might do nothing about it, so  
22 you're still put back in the same environment.

23 Q. The inquiry has spoken to some of those against whom  
24 you've made allegations in your statement and also in  
25 your oral evidence today. The inquiry has spoken to



1 Paul Kelly. While Paul Kelly accepts that boys did  
2 sometimes stay over in his room and sleep on the floor,  
3 he doesn't accept the allegations of abuse that you make  
4 against him. What do you say about that?

5 A. He definitely did assault me on a number of occasions.  
6 As for the abuse, for the kids sleeping in his room,  
7 it's obvious that he's going to know now -- a big bottle  
8 of medicine being gone down gradually, and he's bound to  
9 have noticed that, not unless he was encouraging them to  
10 be taking this medication.

11 Q. The inquiry has also spoken with [REDACTED] MBV and  
12 [REDACTED] MCG and they also deny any involvement in abuse  
13 and deny the allegations you've made against them. What  
14 do you make of that?

15 A. I'd love to see them face to face, honestly, and prove  
16 them.

17 MS MACLEOD: Well, thank you, Alan, for coming forward to  
18 the inquiry. That's all I have to ask you today. I'm  
19 not aware of any other questions for Alan.

20 LADY SMITH: Are there any outstanding applications for  
21 questions of this witness? No.

22 Alan, those are all the questions we have for you  
23 today. Thank you very much for coming along and giving  
24 all the evidence that you have given. I'm sure it has  
25 been a very tiring experience for you, I'm conscious of

1           how long you've been in that chair answering questions,  
2           but I'm delighted now to be able to let you go with my  
3           thanks.

4           A. Thank you for letting me have my say on the matter.

5           LADY SMITH: Not at all.

6                                 (The witness withdrew)

7           LADY SMITH: Mr MacAulay, I think we do have another witness  
8           who is ready to start evidence today and it'll run into  
9           tomorrow morning; is that right?

10          MR MacAULAY: My Lady, we'll see how it goes. The next  
11          witness is Alexander Shannon.

12          LADY SMITH: Shall I rise briefly -- does he needs the  
13          screens? He doesn't need the screens -- just while you  
14          clear the screens? It'll only take a few minutes to do  
15          that.

16          (3.47 pm)

17                                 (A short break)

18          (3.52 pm)

19          LADY SMITH: Mr MacAulay.

20          MR MacAULAY: My Lady, the next witness is  
21          Alexander Shannon.

22                                 ALEXANDER SHANNON (sworn)

23          LADY SMITH: Please sit down and make yourself comfortable.  
24          Help me with this, first of all: how do you like to be  
25          addressed?

1 A. Alex, please.

2 LADY SMITH: Well, Alex, when you're ready, I will hand over  
3 to Mr MacAulay and he will explain what happens next.  
4 All I would ask is that you make sure that you keep in  
5 a good position for the microphone so we can all hear  
6 you properly.

7 Questions from MR MacAULAY

8 MR MacAULAY: Hello, Alex. Thank you for bearing with us  
9 because I think you're starting a bit later than we had  
10 hoped. The first thing I want you to do is look at your  
11 statement, which is in the red folder. I'll give the  
12 reference for the transcript. It's WIT.001.002.3951.

13 If you could turn to the very last page, can you  
14 confirm that you have signed the statement.

15 A. Yes.

16 Q. And do you also tell us on that page that you have no  
17 objection to your witness statement being published as  
18 part of the evidence to the inquiry?

19 A. Yes, that's fine.

20 Q. And also do you say:

21 "I believe the facts stated in this witness  
22 statement are true"?

23 A. Yes.

24 Q. Is your date of birth [REDACTED] 1966?

25 A. Yes, it is.

1 Q. And you're now aged 53?

2 A. Yes.

3 Q. I think, just to jump ahead a few years, your present  
4 position is that you are a member of the armed forces?

5 A. Yes.

6 Q. And you hold the rank of captain?

7 A. Yes.

8 Q. I want to begin by looking briefly at your life before  
9 you went into care.

10 First of all, I think you tell us in your statement  
11 at paragraph 3 that you [REDACTED]  
12 is that right?

13 A. [REDACTED]

14 Q. But you had a troubled family background?

15 A. Yes.

16 Q. And I think it is the case that, although you started  
17 school at St Aloysius Primary in Glasgow, you were  
18 eventually taken into care at Dunclutha Children's Home  
19 in Dunoon.

20 A. Yes.

21 Q. [REDACTED]

22 A. [REDACTED]  
23 [REDACTED]  
24 [REDACTED]  
25 [REDACTED]

1 Q. Do you think that you were aged about 6 or 7 when you  
2 went to Dunclutha?

3 A. Yes.

4 Q. So that would be about 1973 or around that time?

5 A. Yes.

6 Q. What you tell us thereafter -- from paragraphs 8 through  
7 to 35 of your statement, you provide us with some  
8 insight into life at Dunclutha. We're not looking at  
9 that today, we're looking at St Ninian's. But when you  
10 came to leave Dunclutha, I think you thought you'd been  
11 there for 18 months or so.

12 A. Yes.

13 Q. So that would take us into 1975 or thereabouts?

14 A. Yes.

15 Q. But when you returned home, did the family situation  
16 remain relatively troubled?

17 A. Yes. It was still the same. My mother had a new  
18 partner and it wasn't much changed [REDACTED]

19 [REDACTED]

20 Q. Was there social work involvement with your family?

21 A. I never seen them, either much in Dunclutha or after  
22 being sent home.

23 Q. In that next section of your statement, from  
24 paragraphs 36 through to 51, you provide us with some  
25 insight as to what life was like during this particular

1 period. Was the situation this, that this led up to you  
2 being taken into care at St Ninian's in Falkland?

3 A. Yes. It was rough. [REDACTED] ended up  
4 in St Ninian's, in Falkland, Fife.

5 Q. [REDACTED]

6 A. [REDACTED]

7

8

9 Q. [REDACTED]

10 A. [REDACTED]

11 Q. [REDACTED]

12 A. [REDACTED]

13 Q. Who took you to St Ninian's?

14 A. Social workers.

15 Q. And were you told as to why you were being taken to  
16 St Ninian's in particular?

17 A. Well, no. [REDACTED] told where [REDACTED] going or why  
18 St Ninian's in particular, but I knew they were under  
19 pressure to get [REDACTED] housed somewhere. And I don't know,  
20 but I'd imagine St Ninian's was a place that had spaces  
21 at the time.

22 Q. According to the Christian Brothers' records that  
23 they've provided us with, you were admitted -- in fact  
24 it would appear to be on your birthday,  
25 [REDACTED] 1980, so on that basis you'd be 14. I think

1           you're not sure if that date is correct.

2           A. Yes, I was under the impression it was the year before,  
3           1979.

4           Q. So you'd be aged 13 rather than 14?

5           A. Yes.

6           Q. What about the leaving date? According to the records,  
7           the suggestion is you left on 10 April 1981. So you'd  
8           be just over 15.

9           A. Yes. I would say it was slightly back the way. So it  
10          took us under -- the length of time is approximately  
11          right, but it's a year before.

12          Q. Okay. Can you just give us some insight into what your  
13          first impressions as to the set-up were at St Ninian's?  
14          We know it was run by the Christian Brothers, but  
15          what were your first impressions?

16          A. [REDACTED] had only been used to -- my previous knowledge of  
17          children's homes was Dunclutha and a few other places [REDACTED]  
18          had been for weeks at a time, but I can't remember the  
19          names now. So [REDACTED] expecting something like that,  
20          open fields and you have this picture in your mind, but  
21          when [REDACTED] drove up to St Ninian's, it was getting into the  
22          evening, it was slightly dark and there was this big  
23          old, grey building. And then [REDACTED] fairly shocked  
24          when [REDACTED] took there, and [REDACTED] introduced to the  
25          Christian Brothers.

1 Q. Did you meet brothers on that first day?

2 A. Yes. I'm sure. I'm trying to think back now. I'm sure  
3 [REDACTED] met by Brother LNA on that first day. Because  
4 it was late in the evening. That was the first time [REDACTED]  
5 came across him.

6 Q. Is Brother LNA someone that you dealt with throughout  
7 your time at St Ninian's?

8 A. For about the first eight months or so.

9 Q. In paragraph 54, apart from the brothers -- and the two  
10 that you remember, you think, are Brother Farrell and  
11 Brother Kelly as well; is that right?

12 A. Yes.

13 Q. So Brothers, LNA Farrell and Kelly?

14 A. Yes.

15 Q. You also make reference to a person you describe as  
16 a [REDACTED] called [REDACTED] MBV

17 A. Yes.

18 Q. Did you understand that he had been a Christian Brother?

19 A. Yes, that was my impression.

20 Q. You go on to say there was a Brother Burns who you have  
21 a recollection of, and you say he was kind to you.

22 A. Yes, he was Scottish. I'm sure he was from the Glasgow  
23 area.

24 Q. What about lay staff? Were you conscious of what the  
25 lay staff set-up was like?



1 A. I know there was a matron and there was other civilian  
2 staff there that done various roles, like the cooking  
3 and suchlike, cleaning. There was also two other  
4 teacher civilians who did [REDACTED] and [REDACTED] and one did  
5 [REDACTED].

6 Q. Could I ask you to look at a layout plan? It'll come on  
7 the screen in front of you. CFS.001.006.8297.

8 If you get your bearings, Alex, you'll see the front  
9 door leading into the entrance hall and moving into the  
10 main hall; do you see that?

11 A. Yes.

12 Q. I'll come back to this in a moment. If you go back to  
13 the entrance hall and move off to your right, does that  
14 lead us into a dormitory area?

15 A. Yes, it does.

16 Q. One of the things you say in your statement at  
17 paragraph 59 is that:

18 "Off the hall on the ground floor was the main  
19 office."

20 Can I just understand where you are pointing to for  
21 what you describe in your statement as the main office?

22 A. Up, coming back the way, it's not an accommodation, it  
23 was where the social work office is and the brothers'  
24 staff common room. That's where we had to go and that's  
25 there (indicating).

1 Q. Is that what you called the main office?

2 A. Yes.

3 Q. One of the things you say in your statement is that:

4 "The brothers would normally spend their evenings  
5 drinking in the main office."

6 A. Yes.

7 Q. Was that the area you're talking about?

8 A. Yes.

9 Q. How do you know that's how evenings were spent?

10 A. Because we were -- even though we were put in the rooms  
11 and things like that, we were still young boys out and  
12 about, especially at weekends when we didn't go home,  
13 we were left to our own devices, so we could freely move  
14 about and walk about. But anything they done seemed to  
15 be in that area.

16 Q. Did you see them drinking?

17 A. Yes. They wouldn't sit and drink with us, but you could  
18 see -- if you went to the door for anything, then you  
19 would see obviously adults sitting having a drink. But  
20 other than that, I had never, ever seen them -- apart  
21 from in those areas -- with alcohol.

22 Q. Looking back to the plan then, and let's look at the  
23 sleeping arrangements. We understand there were several  
24 dormitories. When you went there first of all was there  
25 a particular dormitory you went to?

1 A. Yes. I was in the top left, further right.

2 Q. I wonder if I could ask you to stand up and look at the  
3 screen behind you and then we can get on to the same  
4 wavelength. Can you point to the first dormitory you  
5 went to?

6 A. That one there (indicating).

7 Q. That's the top right, in fact?

8 A. Yes.

9 Q. And did you move from there during your time?

10 A. Yes. I moved into one of these two (indicating).

11 Q. So looking at the bottom central area, those two  
12 dormitories?

13 A. Yes.

14 Q. 

15 A. 

16 Q. 

17 A. 

18 Q. Did you understand the arrangement to be that the  
19 juniors were kept in a particular area and the  
20 seniors --

21 A. Yes.

22 Q. So is the top the juniors and the bottom the seniors?

23 A. Yes, it seems that way.

24 Q. That's fine, thank you.

25 One thing you do tell us in your statement at

1 paragraph 62 is that:

2 "The brothers had their favourite boys."

3 A. Yes.

4 Q. Can you elaborate on that?

5 A. The dorm that I was in, the top right as I look at it,  
6 is what we called the favourite boys' room. I didn't  
7 realise this at the time or initially when I went in.  
8 Generally in there would be mainly bed-wetters as well.

9 I became -- now in hindsight I realise that the  
10 favourite boy would become somebody that that particular  
11 brother would take a shine to and probably that's the  
12 individual that would end up being groomed and sexually  
13 abused. I can say that for myself, but we spoke about  
14 it freely at the time in the home and in the years  
15 since. (Pause). I don't know if you need more.

16 Q. Let's just unpick that a little bit. First of all, you  
17 are pointing to the room you're in as being the  
18 favourite boys room. Were you a bed-wetter?

19 A. Yes.

20 Q. Were the other boys in there bed-wetters as well?

21 A. Yes, that were in the room with me.

22 Q. How many were in that particular dormitory?

23 A. That room was one of the four-bedroomed rooms.

24 Q. And you mentioned being the favourite boys of a brother  
25 or brothers; are you identifying particular brothers?

1 A. Yes.

2 Q. Who are you talking about?

3 A. Well, Brother Farrell, Brother Kelly and Brother LNA  
4 had all their own favourite boys or boys who would,  
5 I don't know, looking back, sort of clamour for  
6 attention as well. They would be at the beck and call  
7 of that particular brother for whatever was needing  
8 done.

9 Q. Were there brothers who slept in the dormitory area?

10 A. Yes.

11 Q. Who were they?

12 A. For the majority of my time it was Brother LNA who  
13 slept in the brothers' bedroom.

14 Q. And if you perhaps step up again and point to where  
15 Brother LNA was.

16 A. (Indicating).

17 Q. You're really pointing to the area next to the favourite  
18 boys' room?

19 A. Yes.

20 Q. Were there any other brothers in that area?

21 A. No, apart from that bedroom.

22 Q. Did Brother LNA leave during your time?

23 A. Yes, he did.

24 Q. [REDACTED]

25 A. [REDACTED] Brother Farrell stayed in the room for a while,

1 but then Brother Kelly moved in more permanently.

2 Q. So you've got Brother LNA in that room, then  
3 Brother Farrell for a period, and finally Brother Kelly?

4 A. Yes.

5 Q. From paragraphs 64 through to 108, you provide us with  
6 aspects of the routine, and I'm going to focus on some  
7 aspects of that as we go on. But one of the things you  
8 tell us at paragraph 67 is that you were told what the  
9 rules were and if you broke the rules, you'd be  
10 punished.

11 A. Yes.

12 Q. Who told you that?

13 A. Brother LNA

14 Q. Were you able to work out what Brother LNA particular  
15 role was when you were there first of all?

16 A. Within a few, literally, two days or something, we soon  
17 realised what the structure was.

18 Q. What was the structure?

19 A. It was fairly disciplined, really disciplined. And

20 [REDACTED] Brother LNA was [REDACTED]

21 Q. What were you told then by Brother LNA

22 A. I can't remember his exact words but we were told that  
23 it was a strict discipline in place and he won't put up  
24 with any of our crap or where we had come from and we  
25 had to abide by the rules. We had to move between

1 places in lines. It was like regimented, like military  
2 type style at the beginning of your training.

3 Q. You have told us already, Alex, that you were  
4 a bed-wetter.

5 A. Yes.

6 Q. How were bed-wetters treated?

7 A. Humiliated probably. You got up 15 minutes before  
8 everybody else in the morning and took to the communal  
9 shower room, where predominantly the three main brothers  
10 would stand and watch and give you a soap -- carbolic  
11 soap, I remember -- and you just had to stay in there  
12 for a period of time until they said you could come out,  
13 and they would encourage you to make sure you were  
14 washed all over. Then the other boys came in and got  
15 washed and brushed their teeth and you were allowed out  
16 of the shower and got back and got the wet laundry and  
17 dropped it off with the matron.

18 Q. Can I look at the showering arrangements for the  
19 bed-wetters. Where were the showers that were used by  
20 the bed-wetters at this time?

21 A. Do you want me to show you on that layout?

22 Q. Yes, if we go back to CFS.001.006.8297.

23 A. The showers are just here (indicating).

24 Q. That's in fact where they're indicated on the plan?

25 A. Yes.

- 1 Q. Were there showers elsewhere in the building?
- 2 A. Not that I remember. No communal showers like that.
- 3 There was in the changing rooms and suchlike, at various
- 4 places, but not in the accommodation that I remember.
- 5 Q. When you are describing this as a communal shower,
- 6 can you just explain the arrangement then?
- 7 A. With a communal shower, when you open the door, to the
- 8 left you've got shower blocks with, I assume, five in
- 9 a row on the back wall, and toilets to the right.
- 10 Q. Would the boys be visible to each other?
- 11 A. Yes.
- 12 Q. And you mentioned the brothers; would there be brothers
- 13 present at the showers?
- 14 A. Yes.
- 15 Q. Who would be there?
- 16 A. Brothers Kelly, Farrell and LNA
- 17 Q. Can you help me, would they be there together or would
- 18 there be times --
- 19 A. It would be mixed. Whoever was -- I don't know what the
- 20 rota was.
- 21 Q. What were they doing there?
- 22 A. As I say, standing, making sure we were all getting in
- 23 and out as quickly as possible, the bed-wetters in the
- 24 first 15 minutes, making sure we got washed -- "washed
- 25 properly" as they would call it -- and soaped and



1           suchlike. We had to stay in the shower and they would  
2           supervise all the movements in and out until they said  
3           we could get out of the showers.

4           Q. When you say they made sure you got washed, would they  
5           make any contact with you?

6           A. Not particularly in the shower, no.

7           Q. This arrangement of brothers, as it were, supervising  
8           the showers, how did you find that at the time?

9           A. Uncomfortable.

10          Q. Did that remain the position throughout your time at  
11          St Ninian's?

12          A. Yes. I stopped wetting the bed about halfway through.

13          Q. If you were to shower after games, would you use the  
14          showers in another part of the building?

15          A. Yes. From what I can remember, they were right down in  
16          the bottom, there was changing rooms, and I don't know  
17          if they're on that.

18          Q. They're not on that plan. What about the showering  
19          arrangements in those showers? Can you tell me about  
20          that?

21          A. I can't really remember. The majority of the time was  
22          spent in the showers up the stairs. But the ones down  
23          at the games, where we got changed, that led on to the  
24          courtyard were, again, communal, but there weren't as  
25          many and I'm sure they were old and dated, whereas the

1           ones upstairs had lighting and suchlike.

2           Q. The ones downstairs, the ones you might use if you'd  
3           been playing games, again, were these supervised in any  
4           way by the brothers?

5           A. No, normally the sports were supervised by -- they had  
6           eventually a [REDACTED] teacher in, somebody [REDACTED] I don't  
7           remember his first name. Prior to him coming in, yes,  
8           it was the brothers who would supervise.

9           Q. Again, would they be present when the boys were having  
10          a shower?

11          A. Yes.

12          Q. And would the boys be visible to the brothers?

13          A. Yes.

14          LADY SMITH: You said that so far as the showers in the  
15          accommodation were concerned, and the arrangements for  
16          the brothers supervising the bed-wetters' showers in the  
17          morning, it made you feel uncomfortable.

18          A. Yes.

19          LADY SMITH: Why?

20          A. Because I was embarrassed by being a bed-wetter to start  
21          with. Because I knew it was a nervous thing for us.  
22          And not only that, everybody's going through different  
23          stages of puberty and suchlike, so it was just the first  
24          time I'd come across communal showers like that,  
25          especially in a strict regime. So it was more the

1           embarrassment and the shame.

2           LADY SMITH: Right. Thank you.

3           MR MacAULAY: Another aspect of the routine I want to ask  
4           you about, Alex, is the schooling. We do understand  
5           there was a school on the premises. Was that the school  
6           you attended?

7           A. Yes.

8           Q. Can you help me with that? How did you find the  
9           schooling?

10          A. A kind of strange term to use, schooling, because there  
11          was no school on the premises, there was classrooms,  
12          albeit they were just -- I don't even know how you could  
13          call them a classroom. To me it seemed as if there was  
14          no age group or structure to the classes, how they were  
15          divided up. From the minute I went in there, I had just  
16          left first year, so I was young, and then when I left,  
17          I went up to third year, so there was no education  
18          really. We kind of just done our own thing. We did  
19          sometimes get access to books and suchlike. I look back  
20          now and I understand that we were all, you know, kids  
21          that came from a hard background and a rough life. But  
22          it was two years lost in education.

23                 But we did run classes through 10 in the morning  
24          through -- it seemed like classes without a programme  
25          until about, I think, 4 in the afternoon. But I can't

1 say a lot because there wasn't much to say.

2 Q. Were the brothers involved in the teaching?

3 A. Yes. Like Brother LNA took the [REDACTED] Brother Kelly  
4 took the English, and then MIK would take the  
5 [REDACTED] and [REDACTED] and suchlike. And  
6 BHB would take the [REDACTED] So they all had a  
7 sort of set thing that they would take.

8 Q. You have touched upon this already. I think you  
9 indicated in your evidence that at weekends, although  
10 some boys would go home, you did not go home?

11 A. Yes.

12 Q. So you stayed on the premises?

13 A. Yes, there was a few boys, not many, and different weeks  
14 varied, and I'm sure it used to be staggered weekends,  
15 so alternate weekends, so two weekends a month, the kids  
16 would go home. But because [REDACTED] had  
17 nowhere to go, [REDACTED] stayed in the home over the weekend,  
18 and generally there would be anything between two of us  
19 up to about five of us, and we would stay in the home.

20 Q. What about summer holidays, what happened? When the  
21 school finished for the summer holidays, what would  
22 happen to you?

23 A. There were two options. The first year we went to Wales  
24 and done a trip with the Christian Brothers stopping via  
25 Liverpool and Stoke and then over to North Wales. And

1           then the second year, [REDACTED] went  
2           through a different children's homes from Wallacewell to  
3           Blairvadach, while the Christian Brothers shut down the  
4           home for that six weeks, or whatever it was, over that  
5           period in the second year.

6           Q. So are you saying you'd be farmed out to different  
7           places?

8           A. Yes.

9           Q. Would that be for the six weeks of the summer holidays?

10          A. For the whole summer holidays, yes.

11          Q. What about Christmas? Did you stay on the premises?

12          A. Yes, I think because it was only closed down for a short  
13          period, certainly short in comparison to the summer  
14          holidays, we stayed in the facilities with the  
15          Christian Brothers.

16          Q. Was there any particular celebrations over Christmas?

17          A. No.

18          Q. What about birthdays, did you celebrate your birthday  
19          while you were there?

20          A. I honestly can't remember.

21          Q. Can I just ask you now about whether you received any  
22          visits. Did you receive any visitors when you were  
23          there during that time?

24          A. No.

25          Q. What about inspection? Were you aware of there being

1 any inspections?

2 A. None.

3 Q. Did you see social workers coming on to the premises?

4 A. I used to see the old women coming on, and I just  
5 assumed that would be a social worker, but it was very  
6 rare you would get to see anybody who was coming from  
7 the car park to the offices because we were mainly  
8 at the back of the bedrooms or downstairs in the sports  
9 area, because we done a lot, a lot of sport. So it  
10 wasn't sort of classroom-based or anything. So we  
11 weren't in the main hall to see any visitors coming  
12 in that much.

13 Q. Can I now ask you a little bit about discipline.

14 Can you help me with that? What forms of discipline,  
15 punishment, call it what you will, were used during your  
16 time?

17 A. There was three types of discipline. The belt, the  
18 cane -- it was only a short cane -- and hands and fists.  
19 They ranged in severity depending on who you were and  
20 what you'd done.

21 Q. Let's take the belt to start with. Who would use the  
22 belt?

23 A. Predominantly Brother **LNA**

24 Q. Did the other brothers also use the belt?

25 A. Yes. The only one I didn't see -- Brother **LNA** used the

1 belt and a small cane he carried about with him. It was  
2 like -- he was the only person that used a cane that  
3 I seen. It was as if it was his and his alone. The  
4 belt was commonly used, like the belt was legal in those  
5 days, the old leather belts that you had in schools. It  
6 was just the use of it and how it would be used. As  
7 I say, that depended on the kid and what he'd done  
8 wrong.

9 Q. Let's take yourself as an example: how was the belt used  
10 on you?

11 A. A lot of this is hindsight -- I was only 13, 14 at the  
12 time, I'm 53 now -- but I remember at the time -- a lot  
13 has come back since this was all brought up -- I tried  
14 to play the right game in there, but the belt was used  
15 on me and I remember on one occasion with  
16 Brother Farrell, because I'd been fighting down at the  
17 gymnasium, I thought I was going to get the belt on the  
18 hands and I went in to speak to him, but I ended up  
19 getting slapped across the legs with the belt and across  
20 the buttocks and all that area. But again I never had  
21 it off MBV I just thought that was the  
22 common thing.

23 Within the home we used to laugh and joke, who you  
24 were going to see, you then knew what the penalty was  
25 going to be. So you'd pick and choose your moments.

1 Q. If you are looking at the belt and you either get the  
2 belt on the hands -- did you say also on the legs and  
3 the buttocks?

4 A. Yes.

5 Q. Would that be with your clothing on?

6 A. Yes. We always had sort of jeans and tops and things,  
7 but it was flimsy type stuff. It wasn't like ... It  
8 was ... Flimsy material. It wasn't the best of stuff.  
9 So anything would go through. You would feel it.

10 Q. And strokes, was there a broad number of strokes?

11 A. No, it was just 60 seconds, as many as you can get. To  
12 me, looking back, it was more to make a point, not just  
13 to -- a lot of the times it was done in front of all the  
14 other kids or the other brothers, and it was more not so  
15 much as making a point to the individual but making  
16 a point to the whole school that this is what happens.

17 So no, there was no time when -- it would just be  
18 once they start, you know, then 60 seconds later then  
19 stop, even though you'd be lying on the ground howling  
20 and screaming.

21 Q. The cane, you mentioned the cane.

22 A. Yes.

23 Q. That was Brother **LNA** in particular?

24 A. Yes. That was his favourite thing.

25 Q. How would he use the cane?



1 A. He used it like going back to the old days, he would use  
2 it on the bare buttocks. A few occasions I had got it  
3 off him. Initially for bed-wetting, and then later on  
4 for -- he accused me and [REDACTED] of stealing  
5 some small fund that he had been collecting -- I'm  
6 talking pennies here, like 60p. And it was nothing to  
7 do me. Because [REDACTED] had ran away he took it out on me,  
8 so I had to go into his room and take my trousers down  
9 and get the cane. It was only -- it was less than a  
10 metre long, it wasn't a long cane, it was a thin one,  
11 and you just done what you were told.

12 Q. Was it painful?

13 A. Yes. The cane left a different thing on you -- like the  
14 belt was typical leather. I'd received that many times  
15 at school, whereas the cane was something I'd never  
16 experienced before and that was more of a -- it would  
17 leave a kind of burning line across the cheeks of your  
18 backside. And sometimes he would do it if your trousers  
19 were up -- if he was going by and you'd done something  
20 wrong and you would just feel the crack and the whip.

21 But generally, if it was punishment for a specific  
22 thing, you'd sort out a time and a place and you'd go  
23 and receive your punishment and move on.

24 Q. You talked about the cane on your bare buttocks.

25 A. Yes.

1 Q. Was that at all done in public in front of people?

2 A. No, the majority of time he would do that in his room  
3 that I showed you at the beginning that I stayed in. So  
4 you had to go there for that particular punishment. It  
5 was like a special kind of award there. You'd done  
6 something wrong to go and get that.

7 LADY SMITH: Did I pick you up correctly in that you said  
8 you got the cane on your bare buttocks --

9 A. Yes.

10 LADY SMITH: -- because [REDACTED] had run away?

11 A. Yes.

12 MR MacAULAY: Were you aware of other children having  
13 a similar sort of treatment?

14 A. Yes. It was common knowledge. We spoke about it then  
15 in the home. People probably don't understand. When  
16 these things are happening, you get into a position  
17 where it becomes survival of the fittest and as long as  
18 it's not happening to you and it's happening to someone  
19 else, then I'm safe. That's the mode you get into. So  
20 yes, it was common and everybody witnessed it, but it  
21 was good to keep quiet as well.

22 Q. That's the second example I think you gave of how  
23 punishments could be meted out. The third example  
24 I think you said was with hands.

25 A. Yes, hands.

1 Q. Can you elaborate on that for me?

2 A. I had a terrible temper back then as a 13-year-old boy,  
3 but I was fearful of the brothers and we were all really  
4 scared of [REDACTED] MBV [REDACTED] He was a [REDACTED] But  
5 at the drop of a hat it could be anything. If any of  
6 the boys had done wrong, you were definitely getting  
7 slapped around the head or punished, again depending on  
8 the brother. Not every one was like that, but the  
9 majority of team, and [REDACTED] MBV [REDACTED] in the first two  
10 days I was there, I'd been arguing with one of the boys  
11 in the dining room, and made a comment and  
12 [REDACTED] MBV [REDACTED] turned to me and started shouting at me.  
13 I didn't know any different, I said, "Fuck off", and ran  
14 away.

15 He then chased me from the dining rooms up to the  
16 brothers' -- the social workers' office in there because  
17 I didn't know where to run in the home and they cornered  
18 me in there and I must have then got punched and kicked  
19 for quite a while and I remember it was pitch black  
20 I remember howling and screaming and I just wanted away.

21 Q. Did you remain on your feet?

22 A. No, no, I ended up on the ground.

23 Q. And what happened when you were on the ground?

24 A. I just felt the blows coming. It was dark as well and  
25 this is teatime, at night, in the middle of winter. So

1 it was ... again, it felt like another statement: this  
2 is it, we're in charge here.

3 (Pause)

4 That's what it felt like: we're in charge. The next  
5 day, my eye and that ended up bruise, and I had  
6 a swollen lip and suchlike. Then I started to realise  
7 how things worked. I wasn't naive, I didn't feel I was  
8 naive or stupid. But I soon learned, you know.

9 Q. I think from what you have said this was early on.

10 A. Yes. This was in the first two days.

11 Q. That's [REDACTED] MBV He was at this time  
12 a [REDACTED]

13 A. Yes.

14 Q. How did your interaction with Mr [REDACTED] MBV go on from  
15 there?

16 A. I completely stayed away from him, albeit at some stage  
17 in my some time there they took me and [REDACTED]  
18 [REDACTED] through to his house in Kirkcaldy, for some  
19 reason, to meet him and his family. It was only for  
20 a couple of hours or something. I think it was  
21 Kirkcaldy or Glenrothes, one of those two towns. But  
22 other than that, I had no dealings with him. I just  
23 stayed away from him completely.

24 Q. Did you see how he behaved towards other children?

25 A. He was the same with them. He didn't just single me

1 out. It was just his way and everybody knew he had  
2 a short temper.

3 Q. When you say "it was his way", what sort of --

4 A. His way -- the way that we would speak then is that  
5 he had a very short temper and was very quick to react  
6 so therefore it was better to -- the good thing was he  
7 didn't take many classes, so as [REDACTED] you'd  
8 only have to see him, I would imagine, in relation to  
9 something to do with [REDACTED] or whatever. But other  
10 than that, he didn't get involved in the classes, so  
11 that was a good thing.

12 Q. Did you see how he treated other boys?

13 A. Yes. He was [REDACTED] but to all intents and  
14 purposes, he didn't wear a collar -- we all knew he was  
15 a brother of years gone by, and I think he might have  
16 even been a brother in that school. So they were all as  
17 one.

18 Q. What did he do to other boys that you could see?

19 A. Same again. It was just -- it sounds strange, but to us  
20 it was ... in a way we deserved it as such. We pushed  
21 the buttons or whatever, so therefore if you got the  
22 punishment, you took it and I believed that my whole  
23 life right through, right up until I went to court, that  
24 we accepted it because we deserved it --

25 Q. What sort of punishments are you talking about from

1 Mr [REDACTED] MBV

2 A. It was just -- the main one I had was the beating in the  
3 first two days there. Thereafter, all I would see is  
4 him disciplining kids in the main hall or the offices  
5 when we'd be commuting through to the accommodation.  
6 But I don't think it would have been as hard as that  
7 night he done it on me. I think that was my initial  
8 reception: toe the line.

9 Q. Was he using the strap or something else?

10 A. I'd be lying if I said I'd seen him with a strap. He  
11 never, ever touched a cane.

12 Q. So what did he do then?

13 A. Used his hands.

14 Q. What you say in your statement, in fact, is that he was  
15 the most violent with the kids.

16 A. Yes.

17 Q. Was that your perception?

18 A. That was my perception, yes.

19 Q. And one of the things you do say in your statement is:

20 "The level of violence they used was like an adult  
21 on an adult."

22 A. Yes.

23 Q. What do you mean by that?

24 A. I'd only seen that kinds of stuff on the streets of  
25 Glasgow, watching adults fighting, with clenched fists

1 and throwing punches. I hadn't seen anything like that  
2 since I left Glasgow. I never seen anything like that  
3 happening to kids, especially from 13 down the ways, and  
4 to see that for the first time, it was really, really  
5 scary and worrying. And then to feel it for the first  
6 time, it made an impact. And if it was to teach you a  
7 lesson, it certainly got me thinking and taught me a  
8 lesson.

9 Q. Are you talking really about the level of force being  
10 used --

11 A. Yes.

12 Q. -- and that it was the type of force you'd expect an  
13 adult to use on another adult?

14 A. Yes.

15 Q. Can I ask you a little bit about [REDACTED]  
16 because you do talk about him in your statement.

17 He was, unlike yourself, somebody who did run away?

18 A. Yes.

19 Q. Once or more than once?

20 A. I can't really speak for him, he's not here, but I'm  
21 sure he ran away more than once. There was the one  
22 incident I gave there, so that was a definite, but he  
23 definitely did run away quite a few times.

24 Q. Did you see what happened to him on any of the occasions  
25 when he came back?

1 A. Yes. He would get the same treatment that [REDACTED] would get  
2 and [REDACTED]  
3 [REDACTED] So I would witness him getting -- he  
4 actually got more physical abuse than what I did because  
5 he was persistent in his running away. [REDACTED]  
6 [REDACTED] so I would see him, mainly  
7 Brother Kelly or Brother Farrell, he would get slapped  
8 about by them, he would get the belt, again over the  
9 legs and over the buttocks. I never see him get the  
10 cane.

11 So he tended to get more of the treatment than I got  
12 on the physical side.

13 LADY SMITH: Alex, can I just interject regarding [REDACTED]  
14 [REDACTED]  
15 [REDACTED] but of course, as I think we all know, he is  
16 entitled to remain anonymous. [REDACTED]  
17 [REDACTED]  
18 his name must not be used outside the hearing room, he  
19 mustn't be identified.

20 A. Yes, that's fine, thank you.

21 MR MacAULAY: What about the lay teachers? Did the lay  
22 teachers get involved in any aspects of punishment?

23 A. Sorry, say that again?

24 Q. The non-brothers, leaving aside [REDACTED] MBV

25 A. Oh aye. [REDACTED] BHB was always walking about with



1 a piece of wood in his hands, and you had to keep your  
2 eyes on him, the back of your head, because anything,  
3 then you were getting it right across your buttocks or  
4 over your head, whatever. He used that. He was just an  
5 old guy who was set in his ways and if you were  
6 perceived or whatever -- if he thought you were doing  
7 something wrong, then you were getting hit with that  
8 piece of wood.

9 Q. Any particular part of the body?

10 A. Generally, the head, buttocks, legs.

11 Q. Can I just ask you a little bit more about the favourite  
12 room and your involvement with Brother [REDACTED] LNA Help me  
13 with that. When did you first have some degree of  
14 interaction that was unwelcome to you from Brother [REDACTED] LNA

15 A. It started off ... I remember after the incident when  
16 [REDACTED] ran away and he accused me of stealing the wee  
17 savings or whatever it was that he was saving up, the  
18 pennies, and I got the cane. This is only all -- a lot  
19 comes back now because I had completely blocked it out  
20 for years. I remember him, because the cane leaves  
21 a kind of blistering thing on your bum. He brought me  
22 back in later that night and said, "Sorry for that", and  
23 he put some cream on. I thought nothing of it,  
24 I thought he was apologetic, and then he started --  
25 I started noticing a change. When we would be in the

1 shower rooms in the morning, he would speak us and  
2 I started noticing he was treating me a lot better.

3 I was in the room -- you could touch his door from  
4 my bedroom door. He would come in and speak to us and  
5 get us to pray at the side of my bed and all these  
6 things. Then I became the main altar boy and I seemed  
7 to be getting picked for more things. And then also  
8 I ended up the head of house.

9 So in hindsight, I look back, even from the showers  
10 and all that, I was gone a few times because I was  
11 bed-wetting, what he said was a rash on my backside and  
12 down my legs and getting this cream put on. That went  
13 for a while and obviously until ...

14 Q. Were you taken somewhere by him?

15 A. To his room.

16 Q. When you were in his room and he was dealing with this  
17 rash, what about your clothing?

18 A. I was naked.

19 Q. And were you lying down?

20 A. Yes, on his bed.

21 Q. And what was he doing?

22 A. Well, first of all, when I first -- one particular night  
23 when I first went in, I noticed he had his black gown on  
24 and there was no trousers. The gown would go over the  
25 head and come round the stomach, with a sort of

1           cummerbund. Straight away, when I could see his legs,  
2           I thought, this is not right, this is not -- I've not  
3           had this before when I've come in for cream or even  
4           punishment or anything. So initially, I was put between  
5           his legs to sort of get closer to him. But then on the  
6           right-hand side of my leg, I could feel that he had an  
7           erection. I wasn't totally stupid. So I could feel  
8           that by the side of my leg.

9           So I was trying to, albeit I was feart, scared,  
10          I wasn't too sure what he did, I was trying to pull  
11          away, but obviously he was being more forceful. It  
12          sounds strange, but you then become compliant to an  
13          extent as well because you're hoping it gets over and  
14          done with as soon as possible so you can get back out  
15          again. So I was compliant to a certain extent when  
16          I did lie of the bed and he did proceed to rub the cream  
17          on my back and my buttocks and the top of my legs. But  
18          that particular night was different because that's the  
19          first night he'd made me strip completely. So I knew  
20          things were going from bad to worse. When I lay on the  
21          bed and he started to rub the cream in -- I think by  
22          then I'd been in the room 10 minutes, he made me stand  
23          before I laid down on the bed with my hands down on my  
24          side of me, before he pulled me into him and then lay me  
25          on the bed -- I know it's a bit confusing because I'm

1           trying to recall it.

2           He then kind of straddled me on the bed where I was  
3           lying stomach-down, face into the pillow. He continued  
4           to rub this cream in -- I don't know what the cream  
5           was -- as the cream was getting rubbed in, I could  
6           just -- I couldn't see because my head was on the  
7           pillow, but I could feel the motions and movement behind  
8           my back. And I started to feel his hands getting closer  
9           and closer to my anal passage. Before I knew it --  
10          I knew it was his fingers because I could feel his  
11          finger and I was trying to push away and pull away and I  
12          couldn't --

13         Q. Where did you feel his finger?

14         A. In my anal passage. I was trying to pull away and the  
15         more I was pulling, the tighter -- I was squeezing  
16         myself and the sorer it was getting. So he told me just  
17         to relax and it'll be all right and I'll be out of the  
18         room in a few minutes. This went on for about  
19         10 minutes, he'd be pulling his fingers out and rubbing  
20         the cream on again. I could honestly feel him at the  
21         back of me, the rocking, the movement and the motion,  
22         and his sounds made me -- I knew he was masturbating as  
23         well. And within about 15, 20 minutes, and then I could  
24         feel him ejaculating on my back. By then, I was in  
25         a bit of distress. My body was completely rigid and my

1 anal passage was sore by then and I was just dying to  
2 get out of the room.

3 Eventually, he did get me to stand up and  
4 I remember -- I think I said to him, "Can I just please  
5 go back to my bed?" I don't even know how it ended, but  
6 I'm sure eventually I just picked up my pyjama and went  
7 straight back to my bed.

8 Q. Before this episode you have been telling us about, what  
9 had the lead-up been like? How many times had you been  
10 in his room before this particular episode?

11 A. The odd thing is that I thought he was doing the right  
12 thing, he was being kind and putting cream on. There  
13 had been a number of -- and I was bed-wetting every day,  
14 and, as I said, I was in the favourite boys' room and  
15 I think it just became common to go in and get the  
16 cream.

17 Q. But did you notice before this incident that he had  
18 previously been having an erection as well?

19 A. No, no.

20 Q. So in any event, you have told us that he ejaculated and  
21 then you eventually got out of the room?

22 A. Yes.

23 Q. Were you bleeding?

24 A. Yes. I remember having about two hours' sleep that  
25 night because I was scared and I went and got toilet

1 roll and put it down my bum because some of the blood  
2 had come on to the sheet. So I kept that there for  
3 a while and I never said anything to any of the other  
4 boys. It kept cracking every time I did the toilet, it  
5 was like cracked lips where your lips crack. So I'd  
6 have to keep getting toilet roll and I'd never go back  
7 to ask for any cream because I was just fearful.

8 I actually blamed myself and I thought it's my fault  
9 because I've allowed -- I then started blaming myself  
10 thinking it's because I was going up there for the  
11 cream. It got to the stage where you'd ask for the  
12 cream because you did have a rash and it was common(?)  
13 and you needed to get rid of the rash and you just  
14 didn't think it was possible that something like this  
15 could happen. Even though the boys would talk and I  
16 thought, "It'll not happen to me". So that really  
17 freaked us out, and I thought that's not happening  
18 again.

19 Q. Was that the position that you didn't --

20 A. Yes, I stopped drinking fluids from 4 o'clock in the  
21 evening or the afternoon, I refused to drink any fluids  
22 whatsoever, so I believed there was no water that  
23 I could wet the bed and that kind of worked.

24 Q. Did he try to get you back into his room again?

25 A. He asked a few times but I think he knew because there

1 was just an instant fear. I just wouldn't.

2 Q. Do you know if he took any other boy --

3 A. Oh yes. I sat in that room. My bed faced right on  
4 the -- if you go into that particular dorm, there was  
5 a bed that looked like a T-shaped junction so I could  
6 see everybody going in and out of that room. I would  
7 hear young boys -- even when Brother Farrell or  
8 Brother Kelly were there -- I could hear boys going in  
9 there late at night and not coming out until I probably  
10 woke -- although they would wake me up going out the  
11 door. It would be like laughing, crying, joking.  
12 That's what it seemed like once the music had died down.

13 Q. Did you focus on a particular boy that might have taken  
14 over your place, so to speak?

15 A. Yes.

16 Q. Was there a particular boy?

17 A. I can't remember for Brother **LNA** but I remember one of  
18 the boys in particular who used to go up to the room  
19 before I was moved to the senior dormitory, which was  
20 one of the young kids, **[REDACTED]**

21 Q. What brother was --

22 A. Brother Farrell.

23 Q. So that's after Brother **LNA** has left?

24 A. Yes.

25 Q. How long do you think the interaction, if I can call it

1 that, involving yourself and Brother LNA lasted from  
2 the beginning of the, let's call it grooming type  
3 process, until the end?

4 A. Up until he left because I got the impression -- because  
5 one of the things that's always stuck in my mind --  
6 I thought that whatever happened -- this is like in  
7 later life -- I believed that whatever happened happened  
8 because he knew he was leaving. We didn't know. And  
9 I think in my own mind, I'm trying to figure out, did he  
10 take his chance or opportunity, did he feel the timing  
11 was right? Because that's often something I ask myself  
12 about.

13 So fairly soon after that, he had left. I don't  
14 know where he went to. And that's when the room was  
15 starting to be used more by Brother Farrell and  
16 Brother LNA and then I got moved out of that favourite  
17 boys' room.

18 Q. That would be Brother Farrell and Brother Kelly,  
19 I think?

20 A. Yes.

21 Q. You mentioned already that boys would talk about it.

22 A. Yes.

23 Q. What were these discussions about?

24 A. About the brothers and who was their favourite boys and  
25 who was getting took to the room. It's sad to say, but



1 we all knew. Some of them were probably sexually abused  
2 as well, but at 13, 14, you're trying to be older and  
3 more strong than you really are, mentally and  
4 physically. So it then became common just to -- instead  
5 of admitting something that's went wrong with you, it'd  
6 be easier to point the finger in another direction to  
7 deflect the embarrassment or the feeling of guilt at  
8 that time for me.

9 Q. Did boys actually speak openly about sexual abuse?

10 A. Yes.

11 Q. What sort of discussions did you have?

12 A. I know for a fact, in those days, when we spoke about it  
13 in the changing rooms -- I'll go back to [REDACTED] in  
14 particular because I felt sorry for him and I could see  
15 he was in the room all the time and I could hear a lot  
16 of the things that were going on there, but obviously  
17 I couldn't see.

18 With my experience in the room and putting two and  
19 two together, I thought this is unfair, but do you know  
20 what, as long as it's not happening to me ... We would  
21 openly talk about who had wet and ... sad to say, but  
22 people would go on about, like, Brother [REDACTED] LNA or  
23 Brother Farrell had tried to get them today, touching  
24 themselves and various other things. But it was more --  
25 and at that age you'll deflect it as a bit of ... even

1           though it's horrible and dirty at the time, you deflect  
2           it as, "He tried to get me to do this and I refused",  
3           and all the rest of it and that's the way you kind of  
4           coped.

5           Certainly I never physically seen anything; all  
6           I done was heard what was going on in the room or  
7           between the kids or speaking. Then in later life,  
8           before even any of this, when you speak to them, even in  
9           my late 40s, we spoke about it then, because  
10          Brother Kelly had a favourite boy, [MCU] and we  
11          always said then -- and I spoke to [MCU] years and years  
12          later -- and although he would never come out with it,  
13          I'm sure -- he's not here now.

14         Q. Can I just look at Brother Farrell for a moment. He  
15         [REDACTED] Did you have any  
16         interaction with Brother Farrell?

17         A. Brother Farrell, I mean, he fitted in right straight in.  
18         [REDACTED] So he  
19         became the sort of main disciplinarian. His say was  
20         final, and he just [REDACTED]  
21         [REDACTED] The  
22         only thing he didn't use was a cane, so his  
23         discipline/set of rules was exactly the same and it was  
24         carried out in the same manner. There was no change to  
25         the way the routine was and he'd obviously have his own

1 favourite group of boys that would follow him about.

2 And I was content with that, sadly, at the time. I was  
3 happy for me to then get moved rooms.

4 Q. When you say the same rules with regard to discipline,  
5 was it simply the strap then that Brother Farrell used?

6 A. Yes.

7 Q. He had no cane?

8 A. No.

9 Q. Would he use his hands?

10 A. He would use his hands. Same again, punch, slap. He  
11 definitely liked to slap and you could feel it, full  
12 force. It would take you off your feet.

13 Q. Did you have anything to do with Brother Farrell in any  
14 sort of sexual way?

15 A. I never really realised this until years later, but when  
16 I moved into the other dormitory -- sorry, I was still  
17 in the small one before I went to the senior one --  
18 Brother Farrell would come in and get us up in the  
19 morning to take to us the toilet and I would ask him why  
20 because I'd stopped bed-wetting. He'd say it's just to  
21 help you stop you bed-wetting. He would take us into  
22 the toilet. He would stand behind me and hold my penis  
23 while I done the toilet. It wasn't until you think  
24 about it and you think what's right and what's wrong --  
25 even though you know a lot as a 13-year-old, certainly

1 in your adult life, you think, no, that's not right at  
2 all.

3 He would then sort of make me do the toilet in  
4 a masturbating fashion. But I was always half asleep  
5 and although I never went -- if he'd asked me to go in  
6 any rooms, I'd never have done it, and because this was  
7 different from what Brother LNA had done, I kind of  
8 foolishly accepted that as common practice because  
9 nobody had ever done that before.

10 And I thought, "That must be what adults do", like  
11 brothers or whatever do when they're taking somebody to  
12 the toilet. I think back now and I think how stupid  
13 am I.

14 Q. How long did this go on for?

15 A. It was fairly soon that that I got moved to the senior  
16 dormitory and that bed got took up by someone else.

17 Q. Did you have anything to do with Brother Kelly once he  
18 came on the scene?

19 A. No. He was there -- again, (inaudible) but I never had  
20 any real sort of relationship with him as such. He  
21 never bothered me. The general stance was to try and  
22 stay away from all the brothers. You didn't go out of  
23 your way -- I learned my lesson after Brother LNA you  
24 don't go out of way to reach out to any of the brothers,  
25 just let them go about their lives. It was as if we

1           were living in one building, but living different lives  
2           at different times. So I stayed away from Brother Kelly  
3           as well.

4           Q. You mentioned brothers having favourite boys. You have  
5           talked about Brother LNA Brother Farrell and  
6           Brother Kelly, did they have their own favourite boys?

7           A. Yes.

8           Q. And how would this manifest itself on a daily basis?

9           A. It's so sad now, but you look back and kids that are  
10          lacking in -- they've not had the emotional upbringing  
11          that probably I have done with my kids to an extent or  
12          thought I did ... They would reach out for this  
13          affection as if they needed it. You wanted to be the  
14          favourite boy as such and you wanted the kiss, the  
15          cuddles and all the rest of it off these brothers.

16          Each one of them had their own group, three or four  
17          boys, probably one of them was the main boy. And that's  
18          the way they followed about that brother throughout the  
19          day or whatever it was, and they were at his beck and  
20          call.

21          Q. Just so we can try and develop a picture of this then,  
22          if Brother Farrell was to be walking along, would he  
23          have two or three boys with him?

24          A. Yes.

25          Q. And similarly Brother Kelly?

1 A. Yes. He would get the boys falling in line and kind of  
2 chasing after him.

3 Q. Were there distinct groups then?

4 A. Yes.

5 Q. Was there the Farrell group and the Kelly group?

6 A. That's the way I seen it, yes.

7 Q. You have mentioned two particular brothers, LNA and  
8 Farrell, who may have had some sexual interest in you.  
9 Do you know if other brothers, or other members of  
10 staff, would be aware of any sexual misdemeanours going  
11 on at St Ninian's?

12 A. They were all in the showers at the same time watching  
13 us every morning, or any time anything was wrong. But  
14 other than that, I was that young and I couldn't really  
15 say. I would like to believe that none of them  
16 witnessed anything because that would be just too far,  
17 but other than that, I don't know the answer to that.

18 Q. Can I then take you -- I know that time is marching on,  
19 but we might just get there without having to bring you  
20 back tomorrow morning.

21 LADY SMITH: Is that okay with you, Alex? If you prefer to  
22 stop now, we can do that, but I'm thinking there's maybe  
23 not that much longer.

24 MR MacAULAY: There's not; hopefully we'll be finished by  
25 5ish.

1           You left St Ninian's on 10 April 1981 when you were  
2           15. Is it right to say that by then, the abuse, the  
3           sexual abuse you have talked about, had stopped?

4           A. Yes.

5           Q. Because you were older of course, you were 15.

6

7           A. [REDACTED] See, people kind of  
8           don't understand that everything that really happened to  
9           me happened in the first eight months there. Thereafter  
10          I was happy, if that makes sense, happy to the extent  
11          where I managed to find solace in my wee world. I was  
12          appointed the house captain. I don't know if that was  
13          a control mechanism for whatever for those to be abused  
14          or potentially ... I don't know. But I adopted that  
15          stance that as long as it wasn't me, it was somebody  
16          else, but nothing happened to me thereafter and I was  
17          fine to be honest.

18          Q. Looking beyond your life in care then, you joined the  
19          army in January 1983; is that right?

20          A. Yes.

21          Q. So you'd be very young?

22          A. 16.

23          Q. I think you had got into some sort of trouble before you  
24          joined the army, but you managed to fortunately avoid  
25          any serious trouble.

1 A. Yes.

2 Q. As you told us at the beginning, you're now a captain  
3 and you worked up the ranks to that particular position?

4 A. Yes.

5 Q. You've provided us with some personal family  
6 circumstances in your statement, and we're quite happy  
7 to look at that, but you've had various postings over  
8 the years, West Germany, South Armagh, Bosnia, to name  
9 three.

10 A. Yes.

11 Q. You've also, studied and gained a degree in psychology?

12 A. Yes, I done psychology and I done my postgraduate  
13 diploma in counselling.

14 Q. Does that qualify you to work with the National Health  
15 Service as a counsellor at Veterans First Point, working  
16 with veterans?

17 A. Yes, a mental health practitioner.

18 Q. You've also, I think, published an autobiography?

19 A. Yes.

20 Q. And you do touch upon life at St Ninian's, but it's a  
21 much broader story than that, isn't it?

22 A. Yes. The point -- and this is what I was hammered for  
23 by the Queen's Counsel for the defence in court, which  
24 I understand, they've got a job to do. But I never went  
25 to the police because that's the world we sort of lived



1 in in Glasgow. The police came to me in 2011 with an  
2 investigation that had been going on since 2003 because  
3 somebody had highlighted to them that there was a  
4 chapter in the book that goes on about St Ninian's. And  
5 the whole point to that chapter was trying to -- because  
6 the whole point to the book was supposed to be a story  
7 of hope whilst in despair, but the publishers and the  
8 so-called other author who done the book came in with  
9 different agendas, and I had to accept that.

10 But when I went to court, [REDACTED]

11 [REDACTED]  
12 [REDACTED] But I was took up and spent three and  
13 a half days in the High Court dock and only for that  
14 10-minute period, only for 10 minutes did they ask me  
15 about the children's home and the sexual abuse, and  
16 I found that terrible.

17 Q. How long did you spend in the witness box?

18 A. Three and a half days in the High Court witness dock.

19 LADY SMITH: Just to be clear, you were in the witness box.

20 A. Yes.

21 LADY SMITH: You weren't in the dock.

22 A. I was in the witness box as a witness for three and  
23 a half days in the High Court for only being up and  
24 accusing somebody of [REDACTED] and yet what they done  
25 was they -- I understand what they were trying to do and

1 I get that in defence, where you're trying to discredit  
2 the witness. But in discrediting me, it was  
3 discrediting 50 other kids, and that's what they were  
4 trying to achieve. I found that -- and then only giving  
5 me 10 minutes to speak about what happened to me was  
6 a disgrace and I found that hurtful.

7 MR MacAULAY: Indeed, what you tell us in your statement is  
8 that the impact of that experience was one that really  
9 caused you a number of problems?

10 A. Yes, throughout my life. I never knew until they  
11 diagnosed me with PTSD, mainly to do with Civilian  
12 Street and what happened in the children's home. My  
13 daughter took her own life on [REDACTED] at [REDACTED] years of  
14 age and she had -- due to some of the things that I was  
15 imposing on her as a young life, body dysmorphia. So  
16 I now have to live with that, I'm now living with two  
17 grandkids at 6 and 8 and bringing them up. So I've got  
18 a lot to remember about St Ninian's.

19 Q. It was the trial experience, I think, that mostly --

20 A. Yes. That whole three years since that trial, I went  
21 down from 12.5 stone to 9 stone 11. Everything just --  
22 I'd never experienced depression or anything before my  
23 whole army career, and everything just spiralled out of  
24 control. I was really, really struggling.

25 Q. And I think in your army career, when we look at some of

1 the places you'd been, you were exposed to some quite  
2 significant issues?

3 A. Yes.

4 Q. Can we then look at the section of your statement that  
5 deals with lessons to be learned? At paragraph 174,  
6 what you say is this:

7 "There was no communication with the social workers  
8 who took us to St Ninian's. [REDACTED]

9 [REDACTED]

10 A. Yes.

11 Q. That was your perception of the time, that that's what  
12 happened?

13 A. Yes. It was just exactly what my stepfather had done  
14 when he dropped [REDACTED] off the day before, or that morning,  
15 at the social work department with a note, and they had  
16 done exactly the same when they dropped [REDACTED] off at  
17 St Ninian's. It was exactly what he done and [REDACTED]  
18 left there to survive, just as what had happened  
19 throughout my life: it was up to [REDACTED] to survive.

20 Q. The other point you make, and we just touched on this  
21 a moment ago, at 176:

22 "People don't understand the impact of giving  
23 evidence in court."

24 A. Yes.

25 Q. That has been a major thing for you?

1       A. Major. I mean, I referenced my daughter there, and it's  
2       not just me it impacts, it impacts on the whole family.  
3       Now, I know this probably sounds wrong to legal teams,  
4       but I never once picked up the phone and went to the  
5       police because that embarrassment and everything was  
6       still inside me, and I tried to keep that ... It's  
7       probably formed this personality that I've got that is  
8       kind of lacking in emotions and feelings. That's why  
9       I probably do psychology and counselling to try and find  
10      myself.

11             But the impact on the wider family I didn't expect  
12      and I seen my daughter's life going downhill and then  
13      ultimately, on [REDACTED] going. So everything  
14      just -- it was like a perfect storm, so it's been  
15      a massive thing for us. I just wish in all honesty --  
16      I say this and I don't mean it, that I wouldn't have got  
17      involved, but at the end of the day I know there's a  
18      reason for this, and hopefully young kids following up  
19      behind me don't suffer at the hands of anybody or any  
20      organisation in the future. So hopefully somebody can  
21      learn from my mistakes or organisation's mistakes.

22      Q. The final thing I want to just put to you, Alex, is to  
23      let you know that the statement you provided to us,  
24      we've put the various points you have raised against  
25      [REDACTED] MBV and Brother Farrell and indeed Brother Kelly,

1 particularly in connection with the showers, to them,  
2 and they essentially deny any of these issues. Perhaps  
3 that doesn't surprise you.

4 A. No. Well, Brother Kelly and Brother Farrell are in  
5 prison, so ... [REDACTED] So  
6 that's about all I can say.

7 MR MacAULAY: Very well, Alex. We've managed to fortunately  
8 finish today. Thank you very much indeed for coming to  
9 give evidence to this inquiry. I hope it hasn't been as  
10 bad an experience as it was when you gave evidence  
11 at the trial. I haven't been asked to put any questions  
12 to you.

13 A. Thank you very much. Much appreciated.

14 LADY SMITH: Are there any outstanding applications for  
15 questions of this witness?

16 Alex, those are all the questions. Can I echo,  
17 first of all, Mr MacAulay's apology for the fact that we  
18 started late with your evidence. Sometimes the evidence  
19 of other witnesses takes longer than we can have  
20 predicted and that is what happened today. Thank you  
21 for bearing with us for that. Thank you very much for  
22 your statement. It's very helpful to me. That is  
23 evidence before me, but also, of course, I now have the  
24 oral evidence which you have given us today, which is  
25 very clear and extremely helpful in the work that I have

1 to do here. I'm very grateful to you for that.

2 Can I say separately, wearing my judicial hat, I'm  
3 very interested to hear everything you have to say about  
4 your experience giving evidence in the High Court.  
5 You're not the first person who's sat in that chair and  
6 explained similar feelings to me. They are not lost on  
7 me. That's all I can say at the moment. But it's also  
8 very helpful. Thank you. Now I can let you go.

9 A. Thank you very much.

10 (The witness withdrew)

11 LADY SMITH: So that must be it for today, Mr MacAulay.

12 MR MacAULAY: That is it for today, my Lady. Tomorrow  
13 we have two oral witnesses, beginning in the morning.  
14 We then have perhaps one or two read-ins and we also  
15 have what I've mentioned earlier, namely setting out the  
16 evidence that has been extracted from people who have  
17 died since the trial or before the trial.

18 LADY SMITH: Yes. That's very helpful as a guide to what  
19 happens tomorrow, with the usual 10 o'clock start,  
20 I think; is that right?

21 MR MacAULAY: Yes.

22 LADY SMITH: Can I also publicly thank the stenographers.  
23 They've had a very long day and they've sat quietly, not  
24 complaining about that. It's much appreciated.

25 Now I will rise until tomorrow.

1 (5.02 pm)

2 (The inquiry adjourned until 10.00 am on  
3 Wednesday, 12 June 2019)

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7

I N D E X

8

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