

1 Thursday, 6 June 2019

2 (10.00 am)

3 LADY SMITH: Good morning to the third day of this case
4 study looking into the provision of case by the
5 Christian Brothers. I think we have another witness
6 ready for us, is that right, Mr MacAulay?

7 MR MacAULAY: Yes, good morning, my Lady. The next witness
8 is Frank McCue.

9 FRANK McCUE (sworn)

10 LADY SMITH: Please sit down and make yourself comfortable.

11 You know where you're going!

12 A. I've been up there a lot (indicating).

13 LADY SMITH: Frank, thank you. You look as though you're
14 ready; is that right?

15 A. Yes.

16 LADY SMITH: Mr MacAulay.

17 Questions from MR MacAULAY

18 MR MacAULAY: Good morning, Frank.

19 A. Good morning, Colin.

20 Q. You have in front of you the red folder containing your
21 statement. I'll give the reference of the statement in
22 order to have it in the transcript: it's
23 WIT.001.001.0448.

24 If you could turn to the last page of the statement,
25 can you confirm you have signed it?

1 A. It is my signature.

2 Q. Do you say in the last paragraph:

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

5 A. That's right.

6 Q. And do you also go on to say:

7 "I believe the facts stated in this witness
8 statement are true"?

9 A. Yes.

10 Q. I think, Frank, that you were born on [REDACTED] 1957;
11 is that right?

12 A. I was.

13 Q. So you're now aged 61?

14 A. Yes.

15 Q. In your statement you provide us at paragraph 2 with
16 some background in relation to your family. [REDACTED]

17

18

19 A. [REDACTED]

20 Q. [REDACTED]

21 A. [REDACTED]

22

23 Q. You go on to tell us a little bit about your life before
24 you ended up in care. In particular, you were brought
25 up in Glasgow; is that correct?

1 A. Yes.

2 Q. Would it be fair to describe your family background as
3 relatively unhappy at that time?

4 A. Yes, a very poor upbringing.

5 Q. Against that background, did you end up going to
6 Quarriers?

7 A. I did. [REDACTED]

8 Q. I think we can work out that you went to Quarriers on
9 13 October 1961 when you were aged about 4; would that
10 be about right?

11 A. That'd be about right.

12 Q. And you left on 27 June 1962 when you were just a little
13 under 5; is that right?

14 A. I got out when my parents got married.

15 Q. [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 A. [REDACTED]

19 Q. [REDACTED]

20 A. [REDACTED]

21 Q. And in your statement, Frank, at paragraphs 5 through to
22 7, you discuss your time at Quarriers. I think in short
23 you don't have a large recollection of life there other
24 than what happened if someone wet the bed. Is that
25 correct?

1 A. It's my only abiding memory of Quarriers, the
2 bed-wetting thing.

3 Q. And you provide us with some information there as to
4 what happened to bed-wetters at Quarriers.

5 A. Well, with me we had to come outside the cottage
6 carrying whatever we'd soiled. Round about school time,
7 and the rest of the kids were making their way to
8 school. They got encouraged to sing this "Pee the bed"
9 song to you. I was only that size (indicating), I never
10 knew it was ... they were mocking us or ... they all
11 seemed to be happy. That's the only thing I remember
12 about Quarriers.

13 Q. Because you were only there for a number of months as it
14 turned out.

15 A. I was there for just under a year, I think.

16 Q. But then I think you went back to live with your
17 parents.

18 A. I did.

19 Q. At paragraphs 8 through to 9, I think you provide us
20 with some information about how life was like then.
21 Again, it was a relatively unhappy existence for you?

22 A. Yes.

23 Q. Against that background, you ended up being sent to
24 St Ninian's; is that right?

25 A. That's right.

1 Q. When did you first know that you were going to be sent
2 to St Ninian's?

3 A. It was my probation officer that suggested St Ninian's.
4 My parents had split up and I stole my stepfather's --
5 my future stepfather, I stole his electric razor because
6 that was his prized possession, just to get back at him.
7 But he reported that to the police and it was a criminal
8 case, I had to go to court. And because I was on two
9 years' probation for joyriding in a car when I was 11 or
10 something, he thought because I was still on probation,
11 I'd stole this razor, there was a chance that she might
12 put me in a List D school somewhere, but he was
13 recommending St Ninian's because it was a List G school.
14 Him and a friend of his who was a social worker, they
15 wanted to speak to the sheriff. I still had to go to
16 the sheriff court on India(?) Street, but I never
17 actually got to go into the court. He came back and
18 said, "The sheriff says you've to go to St Ninian's for
19 two years".

20 Q. So far as that is concerned then, Frank, according to
21 the records, you were admitted to St Ninian's on
22 25 February 1971.

23 A. Yes.

24 Q. You'd be aged 13 at that time.

25 A. Yes.

1 Q. You left on 8 July 1972 when you were aged 14.

2 A. Yes.

3 Q. And we'll come to look at this, but something had
4 happened shortly before you came to leave.

5 A. Yes.

6 Q. But you were there for just under one and a half years
7 as it turned out?

8 A. That's right.

9 Q. So far as the building itself is concerned, we've seen
10 photographs of the building and it is a substantial
11 building.

12 A. It is.

13 Q. If I can perhaps put the photographs up on the screen
14 for you. If we look at CFS.001.006.1186.

15 It'll be on the screen in front of you. Are we
16 looking there at a view along the driveway to the front
17 of St Ninian's?

18 A. Yes, that's the driveway and the front door.

19 Q. If you look to the next photograph just below that, are
20 we getting there a view of the rear of the building?

21 A. Yes. That's the back of the building. That fire escape
22 was built when I was there. That leads to -- if you
23 look at it there's not a door on it, it leads to

24 [REDACTED] LMZ [REDACTED] s back window.

25 Q. Yes. When you say [REDACTED] LMZ [REDACTED] was that his bedroom?

- 1 A. That was his bedroom.
- 2 Q. So that bedroom, just looking at the location of it,
3 that was nowhere near the dormitory area?
- 4 A. No, no.
- 5 Q. If we look at another photograph, CFS.001.006.1188,
6 can you describe what we have here?
- 7 A. Yes, that's the front door.
- 8 Q. If we move down to the next photograph.
- 9 A. That's the foyer.
- 10 Q. Perhaps the last couple of photographs I'll get you to
11 look at for the moment. CFS.001.006.1190. This was
12 taken long after I think you had left St Ninian's.
- 13 A. Yes, that's the main hall. It was never carpeted. It
14 was just polished wooden floors.
- 15 Q. The polishing of the floors, would that be one of the
16 chores?
- 17 A. That was especially my job. There were about four of
18 you doing the main hall: you had two waxing -- we used
19 to ... hands and knees, but they eventually got electric
20 buffers.
- 21 Q. If we look at that photograph, can we see to the left,
22 a glimpse of the stairs that would lead up to the next
23 floor?
- 24 A. That's the main stairway.
- 25 Q. If we move down to the next photograph, can we actually

1 get a better view of the stairway?

2 A. Yes; it's a beautiful stairway.

3 Q. Yes. The next document I would like you to look at is
4 a plan. This is CFS.001.006.8297.

5 I don't think that's quite the one I wanted to have.
6 It's 8297.

7 LADY SMITH: It's the ground floor plan you're looking for,
8 is it, Mr MacAulay?

9 MR MacAULAY: It is.

10 Yes. We're looking at the ground floor plan. If
11 you just orientate yourself, you'll see the car park,
12 you then see the front door and the entrance hall we saw
13 on the photographs; is that correct?

14 A. Yes.

15 Q. Then moving into the main hall, that's now carpeted and
16 didn't used to be?

17 A. That's right.

18 Q. If we look just between the letters N and H, can we see
19 the stairs that we saw in the photographs? That's the
20 little lines going up and across.

21 A. Yes.

22 Q. Perhaps while we're just looking at that part of the
23 building, that's the first floor, if you like, you'll
24 see that the draftsman of the plan has designated
25 certain areas as being what's set out in the plan, for

1 example "headmaster's office". Did the headmaster have
2 an office in that area?

3 A. He had an office and a bedroom in that area.

4 Q. There's also reference to a gymnasium; was there
5 a gymnasium on that floor?

6 A. Yes.

7 Q. There is also reference to an assembly hall. Is that
8 where the assembly hall was?

9 A. Yes, that's right.

10 Q. And below that, can we see a games room?

11 A. Yes.

12 Q. These would be quite substantial rooms, having regard to
13 the size of the building?

14 A. Huge rooms.

15 Q. And there's also, if we move to the top part of the
16 plan, an area described as the "brothers'/staff common
17 room"; is that where it was?

18 A. Yes.

19 Q. And there's also some reference to a television room.
20 Was there a television room there in your day?

21 A. There were two. There was a junior and a senior sitting
22 room.

23 Q. There's also some reference to a social workers' office.
24 Was that on a different floor?

25 A. There was no social workers' office.

1 Q. Can we look to the top right of the plan? I think we
2 understand that that is actually a first floor area
3 in that you go up steps to get into that area?

4 A. Yes.

5 Q. This is, at least so far as the plan is concerned,
6 designated in the main as a dormitory area. Was that
7 where the dormitories were?

8 A. They're all dormitories in that area.

9 Q. So we see, if we look at the top section, there are four
10 areas designated as dormitory areas. Did that
11 particular area have -- was it for particular types of
12 boys, by that I mean older or younger boys?

13 A. They were the junior dormitories.

14 Q. And what about the lower dormitories then?

15 A. Seniors.

16 Q. When you went there first of all at the age of 13 were
17 you in the junior or senior dormitory area?

18 A. I got put in the senior I think because of my size.

19 Q. You were quite tall for your age?

20 A. Yes.

21 Q. We also see that there's an area on the plan that's been
22 designated as the "brother's bedroom" towards the top
23 right. Do you see that?

24 A. Not up there.

25 Q. Where was it?

1 A. Bottom right, next to the senior dorms.

2 Q. I think there's an area designated -- I think it says
3 "staff bedroom" -- to the right of the senior dormitory
4 area.

5 A. Yes.

6 Q. Is that where you say the --

7 A. That's where the brother who was supervising ... He
8 would be in there.

9 Q. What about the shower area? Was there a shower area
10 in the building?

11 A. In the basement.

12 Q. Was there more than one shower area?

13 A. No.

14 Q. Because I think we see in the plan that you have in
15 front of you that there's an area to the right that's
16 designated as "toilets and showers".

17 A. It says "toilets and showers" but it was just toilets,
18 with -- like an island with sinks. That was it.

19 Q. We don't know, of course, whether later on, after your
20 time --

21 A. Yes, they might have added --

22 Q. Might have added showers.

23 A. Yes.

24 Q. Since we've touched on the shower area, can you describe
25 it for me, Frank? Can you give us some feel for what it

1 was like?

2 A. The showers that I know?

3 Q. Yes.

4 A. It wasn't a place you wanted to loiter in. It was dark,
5 it was always wet, it was cold. There were eight
6 showers in there, four cubicles either side
7 back-to-back. You would line up with a towel on, one
8 out, one in.

9 Q. Was there any privacy, by that I mean was there a shower
10 curtain that would allow you to --

11 A. No, I actually got ridiculed by one of the brothers for
12 asking, "Why did you take the doors off?" Obviously
13 they used to have these batwing doors and you could
14 still see where the tiles had been cut to fit the
15 hinges. He told me that some boy had got his fingers
16 jammed in the door or something so it was like a health
17 and safety thing. I said, "Fine, why weren't they
18 replaced with shower curtains?" and he started
19 ridiculing me, "McCue thinks he's got something you've
20 not got".

21 Q. Who was the brother here?

22 A. Brother **LNA**. It was nothing to do with that, it was
23 a privacy issue. I hated going for showers, I found it
24 really degrading.

25 Q. Would the boys of all ages use these --

1 A. We showered separately. Juniors first and seniors
2 second or vice versa.

3 Q. At the age of 13, were you classified as a junior or
4 a senior?

5 A. I think I was always a senior, except for classwork.
6 I was in the junior classroom when I started, but not
7 for long.

8 Q. There's no doubt that this establishment was run by the
9 Christian Brothers. I'll return to the brothers in
10 a moment. Can I just ask you a little bit about other
11 staff, lay staff, during your time. What was the
12 position? Was there some lay staff?

13 A. Yes, there were quite a few. We had Morris McBain --
14 I think his name was McBain -- he was a groundsman.
15 Always, every day, he was on his tractor. He just used
16 to wear a bonnet with a pipe hanging out and that was
17 him. His wife was a really nice lady. When I went
18 there, she was the matron but she ended up being the
19 seamstress.

20 Q. Did they live on the premises?

21 A. No, they lived in the village.

22 Q. We've heard reference to a Mr [REDACTED] BHB

23 A. [REDACTED] BHB He didn't like being called Mr [REDACTED] BHB,
24 you had to call him [REDACTED] BHB

25 Q. He was the teacher there?

1 A. [REDACTED] Yes, he was a teacher.

2 He was a bit of a brute. He lived in the village as
3 well. He taught [REDACTED].

4 Q. Were there any members of staff who stayed on the
5 premises?

6 A. There was one girl came, and I think she was related to
7 one of the boys who was there. I'm sure her name was
8 [REDACTED]. The boy was [REDACTED]. They
9 gave her a room down beside the kitchen and I think what
10 she did was clean for the brothers. That was it. We
11 did the rest of the housework.

12 Q. What about laundry and so on? Who did the laundry?

13 A. That went to the seamstress. She took care of that.

14 Q. You mentioned already cleaning the hall and how that was
15 a job for the boys.

16 Let's look at the brothers then. Can you remember
17 how many brothers were there during your time?

18 A. They kept changing. But there was roughly five regulars
19 longer there than most.

20 Q. Can you remember their names?

21 A. Brother [REDACTED] LHC who went in with the bricks, I think.

22 He was really old and frail. A really nice man, really
23 gentle with the kids. Then there was Brother [REDACTED] LNA

24 Brother [REDACTED] BHD. We never knew who was [REDACTED]
25 between the two, there always seemed to be this tension.

1 Q. Between Brothers BHD and LNA ?

2 A. Yes. Brother LHI was there.

3 Q. And I think you have already mentioned Brother LMZ

4 and the window of his bedroom.

5 A. Brother LMZ came in a few months after I was there.

6 Q. I'll put this on the screen, which you might find

7 helpful. It's a document that has been put together by

8 the inquiry on the basis of information supplied to the

9 inquiry by the orders. INQ.001.004.1585.

10 I don't know how well you can see that. You may

11 need to take your glasses out. What this is designed to

12 show is that at particular periods in time who the

13 brothers might have been in the home. So for 1971 and

14 1972, which covers your years, the one you haven't

15 mentioned is a brother Francis MCY Do you remember

16 a Brother MCY ?

17 A. He liked to be called MCY MCY . He was an

18 amateur rugby player. He was a big man.

19 Q. The other brother I may have not perhaps mentioned as

20 yet is Brother MBV . Do you remember Brother MBV ?

21 A. Vaguely. I think he only came for a couple of months.

22 I think he was there before I went and then came back.

23 Q. You have already mentioned Brother LHC and

24 Brother LNA Brother LHI do you remember

25 a Brother LHI

- 1 A. Yes, I remember Brother [LHI] He was like
2 Brother [LNA] s young apprentice. He was always with
3 Brother [LNA].
- 4 Q. Can I just focus on Brother [LNA] for a moment? We see
5 from this presentation that Brother [LNA] is designated
6 as Brother [LNA]. We also know that there was
7 a Brother [MCX], who came later.
8 He wasn't there in your time?
- 9 A. No, it was [LNA].
- 10 Q. So anything you say to us today about Brother [LNA] --
- 11 A. Will be [LNA].
- 12 Q. Can I ask you this: if you were to address a brother,
13 how would you address the brother?
- 14 A. "Brother."
- 15 Q. And if a brother was to address you, would he use your
16 surname?
- 17 A. "McCue", he would just call me "McCue".
- 18 Q. So far as the number of boys were concerned when
19 you were there, Frank, did you form any view as to how
20 many boys were there?
- 21 A. There was always roughly 40.
- 22 Q. You seem to be in accord with what's been presented to
23 us by the order. If you look at CBR .001.001.0056.
- 24 A. 42.
- 25 Q. So you've got that down the screen. At 1971 there's 42,

1 according to this presentation. It's gone down a bit in
2 1972 to 37. But it goes back up again after you have
3 left to 42. So you see that's the range.

4 I asked you about the [REDACTED] staff. I think one name
5 you didn't mention and you do mention in your statement
6 is someone by the name of [REDACTED] MCS.

7 A. Yes.

8 Q. Was Mr [REDACTED] MCS there when you arrived at the premises?

9 A. Mr [REDACTED] MCS came when I arrived, came to take
10 photographs. I found out later he was [REDACTED]
11 [REDACTED]. I don't know what his association with
12 the brothers was, but they allowed him to come and take
13 school photographs, photographs of the building, team
14 photographs of the different houses, individual
15 photographs.

16 Q. And did you see photographs that Mr [REDACTED] MCS took?

17 A. Yes, he used to come monthly and he would bring what he
18 took the month before for you to look at.

19 Q. From that, was his presence on the premises not constant
20 but on a --

21 A. It was like a weekend, one weekend out of every month he
22 would turn up.

23 Q. Did that change? Did that remain the position during
24 your time there?

25 A. Yes, up until he informed us that he had a full-time

1 position, he was a [REDACTED], and we were to call him
2 "sir", so we had a laugh about that.

3 Q. Can you say how long you'd been there before that change
4 took place?

5 A. About a year.

6 Q. What did you see his role to be as a [REDACTED]?

7 A. He was the [REDACTED].

8 Q. So he would take you to various places?

9 A. Yes, he would take us -- he liked table tennis, so he
10 took us to a few table tennis tournaments. That was
11 about the extent of [REDACTED] MCS involvement.

12 Q. We've touched on this already, but were you able to work
13 out who really was [REDACTED]?

14 A. No.

15 Q. Who appeared to be [REDACTED]?

16 A. It appeared to be [REDACTED] LNA, but then he never overrode
17 anything that Brother [REDACTED] BHD said or done. I would quite
18 often look to [REDACTED] LNA to maybe help me out of a spot.
19 It never happened.

20 Q. Can I ask you a little bit about the routine. Let's
21 just look at schooling for a moment. Are you able to
22 help on that? The schooling took place on the premises?

23 A. Yes.

24 Q. And can you remember how that was arranged?

25 A. When I was there, there was only two classrooms, only

1 the junior classroom and the senior classroom.

2 Q. Where were they located in the building?

3 A. Top, across the landing from Brother BHD's bedroom.

4 Q. Is that the area we looked at earlier?

5 A. At the top of the main stairs, yes.

6 Q. Would you be then in a junior class?

7 A. I was in the junior, but only for maybe three months.

8 Q. And you've already mentioned chores and your particular
9 chore I think was polishing the --

10 A. The main hall and the gymnasium.

11 Q. How often would you be required to do that?

12 A. Once a week.

13 Q. Was that the extent of your commitment?

14 A. No, no, there was other chores on top of that. You had
15 to -- the basement halls had to be scrubbed; they were
16 concrete. The courtyard had to be weeded; they were
17 cobbled the showers had to be cleaned; they were always
18 filthy. Nobody wanted the shower job. There was lots
19 and lots of jobs.

20 Sometimes the brothers would take what was
21 a natural, normal chore for you, and if one of the boys
22 had been bad, they would give him that chore, a chore
23 he hadn't been used to and hadn't done that they would
24 find hard.

25 Q. So can you tell me in a given week what sort of -- how

1 much time would you have to devote to the chores?

2 A. In a week, probably about six hours.

3 Q. From what you say, similar chores were quite heavy
4 chores?

5 A. Yes.

6 Q. During your time, did the order employ any cleaning
7 staff that would take on that sort of work?

8 A. Never seen a cleaner -- except for [REDACTED] who -- I don't
9 even know, she might have been a cleaner.

10 Q. You do touch upon bed-wetting in your statement.
11 I don't think you were a bed-wetter.

12 A. No.

13 Q. Did you see how bed-wetters were treated?

14 A. Yes, they did the same thing as Quarriers did: they
15 shamed the kids. The majority of the bed-wetters were
16 juniors, so if you look at the dorms, in the middle of
17 that, that's the courtyard. We could look out of our
18 window and look across to the juniors. When you got up
19 in the morning, the mattresses would be put up against
20 the window so that you could see who had wet the bed and
21 what they had done. And those kids were made to take
22 their soiled sheets to the hamper, to the seamstress.

23 Q. That's to be washed?

24 A. Yes.

25 Q. You also tell us in your statement about washing and in

1 particular what happened with the showers. After
2 sports, I think, you would require to have showers, and
3 sports was a big thing?

4 A. Sports -- it was a sport-orientated school. Education
5 was second to sports.

6 Q. Can you tell me a little bit about the showering
7 arrangements? You have already described to us what the
8 area was like. Can you tell us what would happen if you
9 were taking showers?

10 A. If they took the seniors first, there would be between
11 12 and 15 seniors and eight cubicles. There would be
12 a supervising brother there. Seniors never got to
13 shower at the same time as the juniors. So whatever
14 order it was in, the last ones would be told to start
15 sending the juniors down or the seniors.

16 But there was inspections. Going back to there
17 being no doors and no shower curtains, you'd have
18 brothers turning up at your cubicle and telling you what
19 bits are still dirty, what bits you had to wash, where
20 you had to work up a lather. All this kind of stuff.
21 It wasn't nice.

22 Q. Which brothers are you talking about?

23 A. The one for me was Brother LNA As I said before, he
24 actually turned up with a stranger one night. I found
25 out it was a visiting brother. But you know, he turned

1 up at my shower to watch me having a wash. I got
2 annoyed at it, the visiting brother says, "Do what the
3 brother tells you", something like that because he was
4 wanting to wash my genital area and things and I wasn't
5 too happy about it.

6 Q. Who was wanting to wash your genital area?

7 A. Brother **LNA** was telling me to work up a lather between
8 my legs and things and I said, "I'm 14, I know how to
9 get washed", and the other brother jumped in and says,
10 "Do what the brother tells you or else".

11 Q. Was any contact made with you?

12 A. No, they never touched.

13 Q. At any time?

14 A. Well, apart from my first night.

15 Q. I'll come to that. What about with other children?

16 A. No.

17 Q. Did you see any contact?

18 A. No.

19 Q. You have mentioned Brother **LNA** and this visiting
20 brother. Did you get the name of the visiting brother?

21 A. No.

22 Q. Were any other brothers involved in the showering
23 process?

24 A. It was a bit like the dormitory supervision, they all
25 had a wee -- I think they must have had a rota. But

1 other brothers would come. All the brothers were all
2 chain smokers. Every time you seen them they were
3 puffing away. Brother LMZ that was his thing, but
4 he would just stand at the shower entrance and puff his
5 way through a packet of fags and he would shout, "Move,
6 time to go".

7 But this other thing about coming up and inspecting
8 each one of you, that's never sat right with me.
9 Brother LNA used to say this thing -- I used to hear
10 him saying it, and I think it was boys on the other side
11 he was talking to. He used to tell them to get right
12 into their nooks and crannies. And I thought he was
13 talking between their toes and behind the ears or the
14 hard to get to bits, but obviously that's not what
15 he was talking about.

16 I can't take a shower to this day, Colin, without
17 hearing Brother LNA's voice, telling me, "Don't forget
18 the nooks and crannies". It's horrible.

19 Q. Then, Frank, let's just look at the first day. I'm
20 asking you about the routine. Let's go back to your
21 first day there. What's your recollection of your first
22 day at St Ninian's?

23 A. I'm pretty sure it was a social worker who was the
24 probation officer's friend who took me. I remember
25 being in a wee yellow Volkswagen Beetle. We went into

1 the brothers' sitting room and I think she introduced me
2 to Brother **LNA** and Brother **BHD**. Then she left.
3 One of the senior boys was shouted and told to show me
4 where to go, what to do. That was that. That was that
5 day.

6 Q. And what about bedtime? First of all, can I ask you,
7 what were the normal bedtime hours?

8 A. Usually between 9 and 9.30.

9 Q. That particular first day, did anything happen?

10 A. A couple of things. I'd already been pre-warned about
11 being the new boy, things that the other kids might want
12 to do and stuff. One of the boys told me where to go
13 and stand to get my cocoa ticket. You're not going to
14 get a cup of cocoa in a place like that, but I knew that
15 was coming, so I reminded him that I was a Glasgow boy
16 and not to be messed about with. You had to be. You
17 had to be that sort of independent, hard way or people
18 would walk on top of you. But that was all right, we
19 got out of that.

20 I went to my bed and I got woke up about 2 o'clock
21 in the morning, and it was Brother **LNA** and he was
22 under me, he was kneeling at the side of the bed, and
23 I got a fright and I jumped up on the bed and I was
24 ready for a fight or whatever I was going to do, but he
25 told me to calm down. He was only checking to make sure

1 he wasn't a bed-wetter. I said, "You should have
2 asked". I'm sure it was Brother LHI he had with him,
3 he was silhouetted in the doorway. At night-time you
4 only got dim emergency lighting and it was quite hard to
5 see.

6 Q. At that time did Brother LNA make any contact with you?

7 A. Aye, he was just touching under my backside, but he said
8 he was only feeling to see if I was damp.

9 Q. Was that the only time that ever happened?

10 A. That's the only time that ever happened.

11 Q. So far as Brother LNA was concerned, was he on
12 dormitory duty?

13 A. Sometimes he would be there for a night, maybe two
14 nights, and then another brother would take --

15 Q. And did they sleep in that area that you pointed to?

16 A. They slept in that room.

17 Q. At that time when you were first there, in your
18 dormitory how many beds were there?

19 A. Four.

20 Q. Were there three other occupants then in these beds?

21 A. Yes.

22 Q. Did you ever see anything like that happening to other
23 boys during your time there?

24 A. No.

25 Q. That is a brother going to a bed and --

- 1 A. No.
- 2 Q. You spent, I think, from February 1971 to July 1972 at
3 St Ninian's. Did you spend Christmas there?
- 4 A. No, home for Christmas.
- 5 Q. You would have spent a birthday there. Was that
6 celebrated?
- 7 A. No.
- 8 Q. Can I just ask you a little bit about visits. Did you
9 receive any visits from --
- 10 A. My mother came to see me once.
- 11 Q. What about social work people?
- 12 A. No.
- 13 Q. Were you aware of any inspections being carried out?
- 14 A. No.
- 15 Q. Can I just look a little bit, Frank, at the matter of
16 discipline. How was discipline maintained?
- 17 A. Discipline was strict, really strict. Strict to the
18 point of it being abusive. There was a threat of
19 violence behind everything you were told to do.
- 20 Q. Give me some examples. I know you're going to talk
21 about some quite significant issues later, but give me
22 some other examples of how discipline would be
23 exercised.
- 24 A. It looked as though punishments and discipline were
25 marked, you know, they had to follow these rules: this

1 is all they could do, but there was nothing like that.
2 They were there, they were only like side punishments.
3 If you didn't do what you were told to do, they would
4 start you at the top of the table by taking your
5 sweeties away from you that week, nae tuck shop. Then
6 you lost your television privileges. Then if it was
7 something else, you lost your free time, which meant you
8 couldn't go outside and run about. There were all kinds
9 of punishment for different ...

10 Q. What about physical punishment?

11 A. Physical punishment. The only two that really seemed to
12 enjoy it, I don't know if that's fair, would be
13 Brother **BHD** and **BHB**. These are the two you
14 were sent to to be punished. I had been strapped off
15 Brother **LNA** but I don't think he had the heart for it.
16 The other two seemed to spend -- if it wasn't you, they
17 were belting somebody every day.

18 Q. You have mentioned Brother **BHD** that's

19 Brother **BHD** If you were sent to be punished by
20 him, what would he do if he was giving you the strap?

21 A. Do? Well, you just put your hands up and you take how
22 many he thinks your misdemeanour merits. It could be
23 between two and six. Never normally more than six.

24 Q. You have mentioned Mr **BHB** as well. He of course
25 was a teacher.

- 1 A. Yes. They had this thing going on between them.
2 Brother **BHD** had the Lochgelly tawse and he had one of
3 the custom made ones with the three coins in it, adding
4 weight to a thing like that to inflict even more pain
5 than it already does. Sick. **BHB** was a bit like
6 that too. He used to try and impress us. He used to
7 slag Brother **BHD** for having a poor man's tawse and he
8 would take his thing and his thing was just like a block
9 of leather. If he stood up, it never bent. He was
10 really proud of it. He used to tell stories about
11 soaking it in brine and doing all sorts of things. For
12 what? To make it hurt more than it already does.
- 13 Q. So far as Mr **BHB** was concerned, were these
14 punishments that would be within the classroom context?
- 15 A. Mr **BHB** was quite happy to punish when he never knew
16 what it was for. If you get a kid coming down to the
17 metal shop and he would say to Mr **BHB**
18 "Brother **LNA** sent me", and he would just automatically
19 pull the thing out and say, "Hands up". Never asked the
20 kid what he'd done wrong or if it merited that.
- 21 Q. So children were sent to Mr **BHB** then also for
22 punishment?
- 23 A. Yes, they were sent to both of them.
- 24 Q. You do mention a punishment that involved standing
25 in the main hall.

1 A. Isolation, yes. That happened a lot.

2 Q. Can you tell me what that involved?

3 A. Well, you seen the picture in the main hall. It was
4 just standing there for hours on end. Basically,
5 a square, you know, like an square foot, that is where
6 you were put and that's where you'd be. You couldn't
7 move off that spot or it was further punishment. Other
8 kids weren't allowed to talk to you when you were on
9 that punishment or they were invited to join you on the
10 punishment. So you were really isolated and the
11 brothers just ignored for as long as you were there.

12 Q. Other brothers would see you in the main hall?

13 A. Yes, but they wouldn't speak to you though.

14 Q. You tell us in your statement, Frank, that you did run
15 away --

16 A. I did.

17 Q. -- on at least on two occasions.

18 A. Yes.

19 Q. There are entries in what is either referred to as the
20 day books or logbooks recording the fact that you did
21 run away or at least two occasions. If I can perhaps
22 just put these on the screen and I'll ask you about
23 these. The first entry I want to look at is at
24 CBR.001.001.2137.

25 Unfortunately -- well, quite appropriately -- this

1 is heavily redacted to try and protect the anonymity of
2 those involved. If we just move down the screen
3 a little bit, this is a running-away episode that
4 involved, according to the entry in the record, eight
5 boys, ending up in a derelict building in Dundee.

6 A. That's right.

7 Q. If I could just give you the date for the entry. The
8 date is 5 November, Guy Fawkes Night, 1971. So that's
9 in your first year at St Ninian's.

10 A. Yes.

11 Q. I think you also tell us about another running-away
12 episode, but so far as this running-away episode is
13 concerned, do you remember it?

14 A. Yes. It was after my first main beating that I decided
15 I couldn't stay.

16 Q. Can we go back to the reason you ran way on this
17 occasion? Why did you ran away?

18 A. It was a beating in the toilets that I took.

19 Q. Can you tell us about that?

20 A. We had just finished a rugby match. We came in through
21 the courtyard. You have to take your boots off in the
22 courtyard and rattle them, to get the muck out, and then
23 take the boots through to the boot room. Three of the
24 boys -- well, one of the boys I was with said he had
25 a cigarette. So we all agreed to go to the courtyard

1 toilets and smoke the cigarette. We knew the brothers
2 would be busy. We lit the cigarette and we were passing
3 it around.

4 Before it got to me, Brother **BHD** came bursting
5 in the toilet. He just pushed the other boys out of the
6 way and punched me in the face. Then he sent the other
7 boys to the main hall, grabbed me by the back of the
8 collar, spun me, and slammed me into the urinal -- it
9 was an old Victorian urinal with a deep trough. He
10 slammed me into that and I fell and I fell into the
11 trough and the trough was always blocked, so it was
12 swimming with the urine of 40 boys. I lay in that on my
13 left-hand side. I was soaked from head to toe. But he
14 started kicking me. He must have kicked me at least a
15 dozen times and then told me to get to the main hall.
16 And when I got there, the other three boys were standing
17 on the spots.

18 I got put on my spot and I was drenched. And then
19 they went away. We never got any tea. At suppertime,
20 round about 7 o'clock, he told the other boys to get up
21 to the dorms and get changed, but he left me, never gave
22 me a reason. And then one of the brothers passed me,
23 early hours, maybe 2, 1 in the morning, something like
24 that.

25 Q. Were you still standing there?

1 A. I was standing there next to that fireplace you have
2 seen. I think it was Brother **LMZ** who seen me and he
3 only seen me because I shuffled and coughed a wee bit
4 and he got a bit of a fright. He sent me to my dorm and
5 I was stinking in the morning. I was crying I smelt so
6 bad. I had to get up. I got a towel and wet the corner
7 and started washing myself down a wee bit.

8 Q. Because I think the urine -- had it dried in?

9 A. It was dry, it was all dry.

10 Q. So was that the background then to that first episode?

11 A. One of my friends woke up, saw I was in a bit of
12 a state, and I told him I just couldn't take it,
13 I couldn't take that kind of discipline, you know,
14 getting slapped when you walk past somebody, things like
15 that and I told him I was running away, and he said,
16 "You won't go going on your own", and we ended up with
17 a crowd of us. These boys weren't running away because
18 they were homesick; they were running away because they
19 were scared. I never knew that at the time though. I
20 never asked them why they wanted to run away. It was
21 their choice if they wanted to run, they could run.

22 But we done that and I got labelled the ringleader.
23 And I was the youngest there and I had been in school
24 less than any of the other ones, but he still labelled
25 me the ring leader.

1 Q. On that occasion then when you ran away to Dundee, this
2 is the Dundee occasion, I think in your statement,
3 Frank, if you look at paragraphs 35 and 36, you might
4 have transposed the Dundee event with the other event,
5 which I think was Edinburgh.

6 A. Yes.

7 Q. Got them the other way round.

8 A. All I knew is we went in one direction because we
9 thought most of us came from the west and that's where
10 they would look. That was the thinking. Because we got
11 caught, we said, "We're not going in that direction,
12 we'll go in that direction this time", and we ended up
13 in Edinburgh.

14 Q. Looking at the Dundee event, according to the records,
15 it was in 1971. Can you tell us how you came to go back
16 to the school?

17 A. Yes. We got caught in the morning. We got caught --
18 I think it was by about six police officers. We were in
19 a derelict house trying to build a fire, trying to keep
20 warm. I'm not sure if they were going to take us back
21 or they were going to hold us until the brothers came or
22 whoever came and collected us. But they did have us
23 in the van and the officer did ask me, "Why did you run
24 away?" and I opened up, I told him.

25 Q. What did you tell him?

1 A. I told him how scared I was, I told him what kept
2 happening to me, I told him how this man kept hitting me
3 for nae good reason. He got his notebook out --
4 I remember it well -- and he said, "Right, what's this
5 guy's name?" and I said it was Brother [REDACTED] BHD and he
6 just burst out laughing and he said, "I've just spoken
7 to Brother [REDACTED] BHD on the phone; what a kicking you're
8 going to get when you get back". I thought, I've just
9 told you what this man's doing and he found that funny.
10 Fortunately, I never got a kicking when I got back so it
11 was okay.

12 Q. I was going to come to that.

13 Again, looking at the Dundee event, if we go back to
14 the record, CBR.001.001.2137, we're focused on the:

15 "Eight boys discovered by police in a derelict
16 building in Dundee at 9 o'clock in the morning."

17 I think you say that's broadly correct, that's what
18 happened. Then if you read down, it reads -- I think
19 this is unredacted. Let me just double-check.

20 (Pause)

21 There's a sentence:

22 "Each of them was required to give his reasons in
23 writing for absconding. These were silly."

24 Did that happen? Were you asked to give a written
25 reason why you had run away?

1 A. I don't really remember that, Colin. I mean, it may
2 have happened.

3 Q. You don't remember? In any event, you did mention
4 a minute or two ago what the reaction was when you got
5 back. Can you remind me, what did happen to you?

6 A. They lined us up in the hall. We had this lecture.

7 Q. From whom?

8 A. Mainly Brother **BHD**. Then we had the same thing in
9 the morning, if that was that incident. They got
10 everybody in the assembly room and he told everybody how
11 much we had let the school down, we'd let the brothers
12 down, we had let our parents down, we had let everybody
13 down, so he passed it on to the boys: youse punish them,
14 think up what you wouldn't want to do, and they'll do
15 it. So that was all right: all the boys had to put on
16 a bit of paper the jobs they would like us to go and do
17 as a punishment for absconding.

18 Q. So that was the other boys who did that?

19 A. Yes.

20 Q. But there was no physical chastisement then?

21 A. None -- none towards me, anyway; I don't know about the
22 rest of the lads.

23 Q. You did give us the build-up to you running away, the
24 toilet incident. But you also made one or two
25 references to being hit by Brother **BHD** I think.

- 1 A. Yes --
- 2 Q. Apart from the --
- 3 A. -- he was constantly hitting kids.
- 4 Q. Can you explain that?
- 5 A. He used to whack you with things if you got a [REDACTED] wrong
- 6 and I was getting whacked a lot because I was rubbish at
- 7 [REDACTED]. I hated being in his class.
- 8 Q. These episodes of whacking, are they matters that
- 9 happened in his class when he was teaching [REDACTED]
- 10 A. Yes. I don't think there's ever been a boy in his class
- 11 that hasn't been belted with a chalk duster, which is
- 12 really, really sore.
- 13 Q. Which part of the body would he hit?
- 14 A. The head -- and he had a yardstick and he used it as
- 15 a pointer, a board pointer, but it was an actual
- 16 yardstick. If you were doing anything, if you were
- 17 slouching, you used to get whacked with this thing on
- 18 the back or if your hand was on the desk, on the hand,
- 19 but you'd sit up straight, that kind of nonsense.
- 20 Q. And apart from that happening to you, did you see that
- 21 happening to other boys?
- 22 A. Yes, it happened to everybody.
- 23 Q. How was Brother [REDACTED] BHD regarded by the boys?
- 24 A. Feared. He was feared by every kid in the school.
- 25 He was the only one that was feared that way.

1 Q. You have mentioned Brother LNA that he was there, but
2 that wasn't the attitude towards Brother LNA?

3 A. No, he was a lot more friendly, approachable. Kids just
4 didn't even want to talk to Brother BHD -- well,
5 I certainly didn't.

6 Q. Can I then look at the second occasion that you ran
7 away. Again, I'll do this under reference to the
8 records. If we could look at CBR.001.001.2144.

9 The date we're at now is 22 April 1972, so this is
10 a few months before you left in July 1972. If you just
11 look at the line where it starts "Four boys". The first
12 name that comes up there is "F McCue" and in brackets,
13 "prefect". You don't see it because it's blacked out;
14 I'm just telling you what's there.

15 Then there's another name and another two names
16 after that:

17 "... absconded after dinner. The police were
18 notified that night at 10.15 pm. The social welfare
19 officers were notified first thing."

20 Then:

21 "24 April. The police in Kirkcaldy phoned that they
22 had the four culprits. The [REDACTED] collected them at
23 8 pm."

24 Who collected you when you were taken back?

25 A. I'm trying to remember. Whoever was there, I think

1 MCS was with them. I think two came.

2 Q. You can't remember the --

3 A. We got caught in a house in Edinburgh.

4 Q. If you just read on:

5 "They had been caught at home in Portobello that day
6 and taken by the police to Kirkcaldy."

7 So Portobello is just outside Edinburgh. Do you
8 remember going to a --

9 A. Yes, one of the boys' mothers' houses.

10 Q. And that boy is mentioned; we don't need the name.

11 A. I don't even remember his name. She went out to buy us
12 all some chips and came back with six policemen.

13 Q. So that then, I think, confirms that this particular
14 running-away episode -- what led up to this particular
15 episode?

16 A. To that one? That was for absolutely nothing. There
17 were two turret stairs -- I know you've got the plans
18 and there's a really narrow turret with a spiral
19 staircase, only meant for a single person, there was one
20 either side of the dorms, one at the senior side, one
21 over at the junior side that comes out down near the
22 kitchen and the showers -- that was the one I was in,
23 anyway. Brother BHD was coming up the way as I was
24 going down. You can just about squeeze past if you
25 stand side on.

1 So I stood side on, and he squeezed up against me
2 and he butted me, he butted my nose, he burst my nose
3 and then he punched me in the stomach.

4 Q. Did you give him a reason for that?

5 A. No, absolutely no reason, and he said a couple of nasty
6 things. I don't remember exactly what. He told me to
7 go and wash my face and the same again, I said to
8 a friend, "I just can't be here", I said, "I'm going,
9 I'm running", and I ran again.

10 And word gets round, you know. Kids gossip,
11 "So-and-so is going to run away", and somebody will join
12 you and say, "Can I come?"

13 Q. Running away conjures up this picture of boys running
14 down the driveway and off you go. Is that really what
15 happened or did you have to sneak out?

16 A. We had to try and avoid roads, paths, houses,
17 everything.

18 Q. How do you get from Falkland to Portobello?

19 A. You go through the forest. I'm sorry, but that's what
20 we had to do. We went through turnip fields, we went
21 through large forests. We went on the coastline, we
22 went everywhere to get there.

23 Q. My geography tells me, I think, that you have to cross
24 the Forth of Firth to get from Falkland to --

25 A. Yes, to south Queensferry. I stole some chocolate from

1 a shop there.

2 Q. So did you cross the bridge at some point?

3 LADY SMITH: The new road bridge would just be open then;

4 would that be right?

5 A. The bridge we crossed was the Tay Bridge to get to

6 Dundee, sorry. For Edinburgh, it was mostly walking.

7 We might have got a bus at the end. We walked for

8 a good bit.

9 LADY SMITH: I see that the note calls you "culprits"; how
10 do you feel about that?

11 A. Well, not too happy, but I think that's how half of us
12 were treated, that way. They had this assumption that
13 we were bad kids, otherwise we wouldn't be getting sent
14 to these places, but that was never the case.

15 MR MacAULAY: We can perhaps put the note back on the
16 screen. That's 2144.

17 You'll see the point Lady Smith has raised with you
18 is that the police in Kirkcaldy phoned that they had
19 "the four culprits". That's what's been recorded.

20 A. That was the same thing as Dundee. When we got caught
21 here, if it was Portobello -- I wasn't too sure where
22 I was -- but when we got caught here there was a desk
23 sergeant. They took me to one side and asked me, "Why
24 have you run away from these brothers? These are nice
25 guys", and I told him the same thing that I told the

1 officer in Dundee, and he went mental and told me how
2 I should be respecting the brothers and maybe they
3 wouldn't have to lift their hands if I'd done what I was
4 told. He was another one that I told, "This crime is
5 being committed in this place", and that was what he
6 did, he turned it on us: it's your fault.

7 Q. You mentioned the boys generally. Can I just ask you
8 about the atmosphere that existed in St Ninian's amongst
9 the children during your time.

10 A. I think the boys were fine. They were a great bunch of
11 boys. And I think they were always happy when they were
12 away at each other, you know. Being with the brothers
13 was a job. Even when you went on an outing, you had to
14 be on your best behaviour, have on your best clothes, do
15 this, do that. But when the boys were on their own, it
16 was great, it was just like any other kids: get a ball
17 and enjoy yourself for a few hours.

18 Q. Looking at class behaviour, were boys misbehaving in
19 class in --

20 A. No. No, they wouldn't dare.

21 Q. And generally within the dormitories and the other --

22 A. Dormitories were the same. Everybody settled down when
23 they were told to settle down. Lights went out and the
24 Top 20 came on the tannoy. They used to record the
25 Top 20 every week and play it for you at night-time. It

1 didn't run the whole night, they didn't play the whole
2 Top 20, but a couple of songs and it would help you get
3 to sleep.

4 LADY SMITH: What size were the classes?

5 A. I think there were about 15 in the senior class, maybe
6 the same in the junior class, and there was an overspill
7 thing between being a junior and a senior.

8 LADY SMITH: So it's not the biggest of school classes to
9 manage?

10 A. No.

11 MR MacAULAY: So far as the care of the children was
12 concerned, the care side of things, that was down to the
13 brothers?

14 A. Supposed to be.

15 Q. Indeed, but there wasn't anyone else --

16 A. Oh no.

17 Q. -- who was in a position to perform that function?

18 A. No.

19 Q. What about the matron who you mentioned?

20 A. No, I only ever seen the lady once. There was a fuss
21 made once when a boy had to have his gall bladder
22 removed, I think. He had to come back and had one of
23 these poles with a saline bag. He had to walk around
24 with one of them. That's the only time she ever acted
25 as a matron, the only time that I ever seen. We never

1 got to see her. If we got an injury, the brothers
2 basically told us to treat ourselves, we were big enough
3 to.

4 Q. What about cooking? Was there somebody there?

5 A. Lizzie. Lizzie was a really, really nice woman. Lizzie
6 had a woman cooking with her, but she left. Then her
7 daughter started helping her out in the kitchen.

8 I don't know if it was just helping her mum. They were
9 a nice family and they cared about the boys as well.

10 Q. You have told us about the incident when

11 Brother **BHD** burst your nose. I think you said he
12 punched you. Did you see him engage in that sort of
13 behaviour, that sort of quite excessive behaviour with
14 other children?

15 A. Yes, all the time.

16 Q. Can you tell me about that? What did you see happening?

17 A. He got a wee kid one day. I think the boy was only 10.
18 I know they weren't supposed to go there until they were
19 11, but he was a tiny wee boy. He had left his
20 classroom for something to go to the dorm. He shouldn't
21 have, but he did anyway. He got caught using the main
22 stairs in the hallway, he got caught by Brother **BHD**
23 and he got caught up on the first landing. He asked the
24 kid what he was doing, he said he had to go and get an
25 eraser that was in his dorm, and he told him to show him

1 the eraser, and the boy was lying. He punched him. He
2 punched him from the top landing all the way down. We
3 heard the thud -- we didn't see him doing it, but we
4 heard the thud of the boy hitting the wooden floor. And
5 we ran up and [REDACTED] BHD just walked up the stairs and the
6 kid was lying there with his face burst open. That's
7 what he got that for.

8 Then there was shortly after that, a guy [REDACTED]
9 [REDACTED]
10 [REDACTED]. He went to come in the sitting room -- well,
11 go out the sitting room, the senior sitting room, as
12 Brother [REDACTED] BHD was coming in, and he did that side shuffle
13 thing when you try to pass. And Brother [REDACTED] BHD just
14 laid him out, just a single punch, put him on his back
15 as if he'd done something. He'd only got in his way.

16 Q. You do mention the person [REDACTED]
17 in your statement --

18 A. [REDACTED]

19 Q. -- and things that he told you had happened to him.

20 A. Yes.

21 Q. You didn't witness these things, but he told you?

22 A. No, I know that [REDACTED] got battered in the showers with
23 a back scrubber. I never seen it happening, I was on
24 the other side, I was in the other showers, but I could
25 hear him whacking him. Again, that was [REDACTED] BHD and

1 that was for dropping soap down the drain or something.

2 A major crime.

3 Q. Perhaps I should ask you this -- I know it's quite
4 difficult looking back to work out the ages of people,
5 but what age did you think Brother **BHD** was when you
6 were there?

7 A. I'd say 45, 50.

8 Q. What sort of build?

9 A. Smaller than me, but then he looked quite aggressive.
10 He was a wee sort of Chitty Chitty Bang Bang child
11 catcher, the Brylcreem in the hair, always had these
12 big, thick glasses on. He looked menacing.

13 Q. I perhaps should have asked you this before: normally,
14 when the brothers were around the home, what were they
15 wearing?

16 A. One or two of them liked to wear -- they never really
17 wore normal clothes, even when the clothes were normal.
18 They looked like folk singers. They all wore big Arran
19 jumpers and things. Most of the time, except for
20 **LNA** he always liked casual clothes.

21 Brother **LNA** always wore his cassock and had his collar
22 on and all these things. He looked every inch the
23 priest. Brother **LMZ** liked to wear his robes and
24 things too.

25 Q. So there was a mixture of dress?

1 A. Yes. Brother LNA I think because of his involvement
2 with the sports side of it, liked to just wear slacks
3 and a pullover.

4 Q. Something you say in paragraph 41 of your statement --
5 it's actually the paragraph that's on the screen -- you
6 describe Brother BHD as:

7 "An angry man who would prowl the corridors late at
8 night."

9 Can you elaborate upon that? What do you mean by
10 "prowling the corridors"?

11 A. I don't know what he was doing, but he was always
12 everywhere. The other brothers, you knew they were in
13 the sitting room, maybe having a drink at night or
14 whatever they got up to. Brother BHD was always --
15 you would bump into him in the strangest places.
16 I think he was out looking to catch kids maybe smoking
17 or misbehaving.

18 Q. Was he himself a smoker?

19 A. Yes, a heavy smoker.

20 Q. Can I then move on to look at an incident that happened
21 and was quite a serious incident. You start telling us
22 about that at paragraph 42. You begin by telling us
23 that when you were 14, you used to go to a local disco;
24 is that right?

25 A. No, we only ever went to a disco once.

1 Q. Is this --

2 A. It was a one-time thing.

3 Q. On this occasion, you went to a disco?

4 A. Yes, in Strathmiglo.

5 Q. And you met up with some girls?

6 A. Yes.

7 Q. What happened after that then in relation to keeping in
8 contact with the girls?

9 A. We gave the girls -- we never gave them our details,
10 we were only in one place. But the girls told us -- we
11 had a fantastic night at this little disco, we had
12 a good time, but the girls told us they had friends in
13 Falkland and they said, "Every time we go" -- they came
14 in the back way. They said, "Every time new go, we walk
15 past that big place youse live in". We says, "That's
16 what it is". They asked if they could visit and we
17 said, no, I don't think so, it's mostly families, and
18 they said, okay then.

19 So they must have got the phone number from
20 somewhere. Apparently, they were phoning up every day
21 asking to speak to me or one of the other boys. I think
22 it really annoyed Brother **BHD**. You know,
23 we weren't getting the phone calls, nobody was coming
24 and saying, "There's a phone call for you".

25 We were on the fields one night, and one of the boys

1 said, "That's those girls from the disco". There were
2 two or three girls walking along a country path. Before
3 they got to us, [MCS] came running across the
4 field -- I'd never seen him running before -- and he
5 looked frantic, "Up, up, in the house, in the house".
6 We said, "We were going to go and talk to them, [MCS]
7 He wasn't a brother, by that time he was our pal.

8 Q. Did you refer to him as [MCS] ?

9 A. Aye, he was a pal. I've been in the guy's mother and
10 father's house. He took me there. He was one of the
11 boys. He used to buy us fags, not to tell anybody, but
12 he bought them. We were like that (indicating). So he
13 made this big deal about it and I said, "Look, if that
14 was my mother or my sister, a family member, you
15 wouldn't be acting like this. It's only because you
16 know they're girls from the disco, but they're well
17 within their rights to walk along here and say hello".
18 "I'll tell the brother."

19 Q. Is that what he said to you?

20 A. Yes, "I'll tell the brother." I knew who he was talking
21 about. I had told him about my run-ins with
22 [BHD]. He knew I was scared of [BHD] He
23 threatened to go and tell him so I told him to eff off.
24 Not in an aggressive way, just, "Eff off, [MCS], and he
25 ran away.

1 Q. Did you then have the opportunity of speaking to --

2 A. Yes. We overstayed about 10 or 15 minutes after MCS
3 MCS had left and then we said to him, "We need to
4 go, he probably will tell the brother". Then we got
5 back up, took my boots off as normal, rattled them on
6 the cobbles to get the muck off, went to the boot
7 room --

8 Q. Just remind me, the boot room, was that in the changing
9 room area? Where was the boot room?

10 A. You would go through the courtyard -- it's the opposite
11 side, through the courtyard through the left-hand door,
12 and you'd take a left, a right, and then it's left
13 again.

14 Q. So it's inside the building?

15 A. Yes.

16 Q. But it's at that lower level, the lower level of the
17 courtyard?

18 A. Yes, the basement level -- well, basement and then
19 there's a sub-basement.

20 Q. If we look at CFS.001.006.1231. It's a photograph
21 I want to look at.

22 (Pause)

23 LADY SMITH: It's photographs 47 and 48 on this sheet.

24 MR MacAULAY: Yes. So on the screen now, Frank, I think
25 we have a view of the courtyard you've already

1 mentioned.

2 A. Yes, that's the courtyard leading out to the fields.

3 Q. We don't see the door to the boot room in the
4 photograph?

5 A. No, it won't be on here. On the right-hand side of that
6 photograph was a door that takes you into the corridor.

7 Q. So when you came back from where you had been with the
8 girls, did you come into this courtyard?

9 A. Yes, I came through that archway into the courtyard.

10 Q. So you move left as you come in and you go into the
11 area --

12 A. You go in and put your house shoes on.

13 Q. Was that the normal practice?

14 A. Yes, if you're going outside the building, you take your
15 house shoes off, you put them in a box, your box, and
16 you put on whatever you want to wear outside, plimsolls
17 or boots.

18 Q. So what then happened after you had got to the boot
19 room?

20 A. We got in -- me and another boy, [REDACTED] we got in and we
21 put the house shoes on. We walked outside the door --
22 I know I'm smiling but it was terrifying. We heard
23 [REDACTED] BHD screaming. He wasn't shouting or anything, he
24 was screaming, like hysterically screaming, and he was
25 running down this corridor and his cape was flying

1 behind him and he had his arms up, I never knew at the
2 time he had a golf club, and he was holding that.

3 I froze, I was like a rabbit. It was really dim
4 there, again, emergency lighting was on. As soon as the
5 kids went to the dorms, emergency lighting comes on and
6 it's a really dim, green sort of light. Anyway, he
7 caught me just as I was coming out, and [REDACTED] was behind
8 me. He crashed that thing down on my head.

9 Q. That's the golf club?

10 A. Yes, it was like one of these big blue flashes. I don't
11 know if I fainted or I was unconscious, but I fell
12 inside the boot room, heard [REDACTED] started to scream, my
13 mate. I got up again -- well, I tried to come up and he
14 came into the boot room and he walloped me again, only
15 this time the metal head snapped, the force of it, that
16 one swing. But he was left with a metal shaft and he
17 just -- he wouldn't stop. This just seemed to go on
18 forever and he was hitting every part of my body except
19 my face.

20 Then [REDACTED] was screaming. [REDACTED] was really
21 screaming abuse at him: [REDACTED] was going for the police,
22 [REDACTED] was getting him in jail, he was this, he was that.
23 So [REDACTED] ran away, and he dragged me by the hair along
24 the concrete corridor going up towards the gymnasium.
25 That's one way of getting up. And I lost a shoe

1 somewhere, I always remember losing a shoe, but every
2 time he stopped, he was punctuating every word with
3 a bang.

4 Q. What was he saying?

5 A. Well ... words, you know. I don't want to sit in a
6 place like this and say what he was calling me. He was
7 calling me everything.

8 Q. Were these swear words?

9 A. I was a dirty fucking this and that, an evil little
10 bastard and I was going to borstal, he fucking hated me.
11 He lost it totally. And I was in a pathetic state.
12 I really was. I tried to protect myself when I was
13 lying there and he managed to catch the backs of both
14 hands and to this day I'm convinced he broke these
15 fingers and these two fingers (indicating).

16 Q. And you're pointing at three fingers on your left hand
17 and two on your right?

18 A. Yes. But I could never prove that because I was never
19 treated. They were saying, they'll just be staved,
20 you'll be okay.

21 Q. Where did he manage to get you to then?

22 A. He got me into the foyer. I was having to help him.
23 I was having to push with my heels, otherwise my hair
24 was coming out. He got me into the foyer and it was
25 a blessing when he got me to the main hall because

1 I just slid across that, it was dead easy.

2 Q. That's the main hall we've looked at in the photograph?

3 A. Yes, the wooden hall, yes, that highly polished thing.

4 He got me in there and when I got there, [REDACTED] was
5 already standing on the spot. Somebody had put [REDACTED] on
6 the spot and told him not to move. The boy was
7 hysterical. He was really, really hysterical. I think
8 I fell.

9 [REDACTED] BHD dragged me up and told me to stand and
10 I couldn't. So he sort of wedged me -- there's a big
11 marble fireplace, he wedged my shoulder under it and my
12 back out the corner and told me not to move. I remember
13 looking at the blood dripping off my fingers.
14 Everything looked really surreal because I was
15 thinking: I'm going to have to clean this in the
16 morning. I was worried about the polished floor. And
17 then I looked at [REDACTED] and I knew -- I felt I was going
18 to faint, I thought I was going to black out, and that's
19 what I did. I face-planted on to the floor. But
20 Brother [REDACTED] BHD he was just at the bottom of the hall
21 then, he was on his way to the sitting room, I think.

22 Q. He had left you by now?

23 A. He heard me hitting the floor and I could see him
24 running back towards me. I've always said, I don't know
25 if it's because we did such a good job on the floor, his

1 momentum carried his forward and he gave me a hell of
2 a kick in the chest when he reached me. He was trying
3 to get me up and make me stand. He was raining punches
4 on me and [REDACTED] was screaming and by this time [REDACTED] was
5 trying to get out of the front door, he was trying to
6 unbolt it and things. And a couple of brothers dragged
7 him back and sat on top of him. They actually sat on
8 him. They weren't letting him move anywhere, but he was
9 screaming again, [REDACTED] BHD was going to jail, blah, blah,
10 blah. He thought he'd killed me. That's what he was
11 screaming, "You've effing killed him".

12 Anyway, they came, they dragged [REDACTED] BHD off me.

13 Q. Who came?

14 A. [REDACTED] MCS came, Brother [REDACTED] LMZ came, Brother [REDACTED] LNA
15 came, several other ones. They dragged Brother [REDACTED] BHD off
16 us and they carried me into the senior sitting room.

17 Q. Who did that?

18 A. Again, [REDACTED] MCS [REDACTED] LNA [REDACTED] LMZ [REDACTED]. And
19 they laid me on a couch. And I remember thinking, my
20 bed was just above that. By that time I had been
21 a prefect and they'd taken us out of the dorms and put
22 us into where the brothers slept. We had a big room up
23 there, four of us had -- there were four prefects and we
24 shared that room. So my old dorm was empty.

25 I was begging them, I was begging everybody in that

1 room to get an ambulance. I was in a hell of a state.
2 I had never, ever in my life been battered to that
3 extent. I couldn't believe the pain I was in. And they
4 done nothing. Then halfway through me begging them to
5 get an ambulance or at least a doctor, the door came
6 flying back and it was Brother **BHD** in a rage,
7 screaming, screaming all sorts of abuse, trying to get
8 at me. They had to drag him back.

9 **MCS** actually told me after that that
10 **LNA** actually punched him in the mouth to calm him
11 down. I don't know whether that's true or not because
12 **MCS** told me a lot of lies.

13 Q. What happened? I think you did end up in your room.

14 A. In my old dorm.

15 Q. In your old dorm. How did that come about?

16 A. They took me up to the old dorm -- and that's where we
17 came from before we were made prefects. The dorm was
18 empty. The beds were still in it, but they were leaned
19 up against the wall, so they took one of them down,
20 somebody made the bed.

21 Q. And when you say "they", who's involved in this process,
22 can you tell me?

23 A. I think again it was **MCS** maybe Brother **LMZ**
24 I don't think Brother **LNA** was there at that time. But
25 they got me into the bed and they left. And I never

1 went to sleep, I passed out again.

2 Q. What's the next thing you remember then?

3 A. I woke up in the morning, MCS was standing at
4 my bed. I lifted my hands up and I started crying.
5 Again, he was my pal. And I said, "Look what they've
6 done to me".

7 Q. Was there blood?

8 A. He started crying -- yeah, it would have been funny if
9 it wasn't so tragic. I tried to sit up and the pillow
10 was stuck to my face where the blood had dried. Then
11 I vomited. Just in an awful state. And he went away
12 and then they sent a junior boy up with fresh pyjamas
13 and towels, and he says, "You have to go for a shower".

14 Q. Did anybody help to you the shower?

15 A. The boy came with me.

16 Q. The junior boy?

17 A. Yes, he took off the pyjama top, I couldn't undo the
18 buttons.

19 Q. That's the one he was wearing? Sorry, I misunderstood:
20 which pyjama top?

21 A. My pyjama top. He had undone the buttons for me so
22 I could get in the shower. Managed to get out of the
23 bottoms myself. And I stood under the water for 15 or
24 20 minutes.

25 Q. So no brother came to help you then?

1 A. No, no. Went up, managed to get back into fresh
2 pyjamas. When I got back up, the vomit had been wiped
3 up and the bed had been remade, and I just got back
4 in the bed.

5 The next time I woke up, it was suppertime, a wee
6 kid came up with a tray with a bit of dinner on it.
7 I couldn't face that. Then back the next morning, I got
8 woke up with the morning bell. No brothers came near
9 me. Nobody spoke to me.

10 Q. Did the matron come and see you?

11 A. No, she was in Ireland.

12 Q. Did anyone come to discuss with you your injuries,
13 whether or not you required treatment?

14 A. This happened -- I think it was a Friday or a Saturday,
15 that incident, and the matron came back on the Monday or
16 the Tuesday. That was the only time I'd ever seen the
17 matron.

18 Q. Did she then deal with you?

19 A. Not really. She sent for me. I had to go -- after
20 lights out again, I had to go and I had to kick her
21 door, I couldn't knock on her door. She told me to come
22 in. It was one of them, "what have you been doing?" and
23 that and I said, "I've done nothing, Brother **BHD** done
24 it". I said to her about my fingers, they were aching,
25 my hands were throbbing, and she went, "Oh, they're only

1 staved". Another miracle worker, no X-rays needed. She
2 put tongue depressors between my fingers and she
3 bandaged each finger individually and then big bandages.
4 It just looked like boxing gloves I had on (inaudible)
5 nothing. Then she told me to get out of my pyjamas.
6 She had to help me, she wasn't happy, she had to help me
7 with the buttons again, and she had me naked in front of
8 her and she got this huge jar of cream, white cream.

9 Q. Did you have injuries on your body?

10 A. Oh, mass -- honestly, welts covered my entire body,
11 welts as thick as my finger, the same width as a golf
12 club. They were so raised that they all had these wee
13 pinpricks on them. It looked like pinpricks. Blood
14 seeping. And they were absolutely everywhere, that
15 I couldn't lie on any side, on my back or nothing. It
16 was painful.

17 Q. So her plan was to put cream on --

18 A. She put cream on. She covered me from my neck to my
19 toes.

20 Q. Was there any suggestion even from her that you should
21 go to hospital?

22 A. No, because I said to her, "Will I still have to go to
23 hospital to have my head stitched?" and she had a look
24 and went, "No, it's two holes, it's not actually split,
25 they won't be able to stitch that". And she put some,

1 I think, iodine or something, with cotton wool, she
2 dabbed it, and, "Just let it scab over and it'll go
3 away". But again, you don't think to say, "Are you sure
4 I've not got a fractured skull?" You don't think.

5 Q. Can you tell me how long then you spent in bed following
6 upon this particular episode?

7 A. Four or five days, I would say -- a minimum of four --
8 until I felt fit enough to stand and put clothes on.

9 MR MacAULAY: My Lady, that's 11.30. We tend to have a
10 break at this point and you'd probably welcome a break,
11 Frank.

12 LADY SMITH: We'll take a break just now, Frank, and I'll
13 sit again in about 15 minutes.

14 (11.30 am)

15 (A short break)

16 (11.50 am)

17 LADY SMITH: Are you ready to carry on, Frank?

18 A. Yes, I'm ready, my Lady.

19 MR MacAULAY: You have told us about the episode involving
20 Brother **BHD** and what happened to you and the time
21 you spent in bed; I think you thought four or five days.
22 Can I take you to an entry in the logbook that makes
23 some reference to maybe this incident. This is at
24 CBR.001.001.2148.

25 The entry is the entry for 9 June 1972. The dates

1 have been blacked out. If I can just move down. I'll
2 read some of that out to you:

3 "Frank McCue and some senior boys meet girls from
4 Strathmiglo near playing ground about 9 pm."

5 Is that about right, was that about the time?

6 A. It was, yes.

7 Q. "These three girls have become a nuisance, constantly
8 phoning Frank ..."

9 And there are other names mentioned as well.

10 A. I'd heard that.

11 Q. That's what you were told?

12 A. Yes.

13 Q. And there's reference to:

14 " LHC [that would be Brother LHC angry at
15 this unprecedented use of the phone."

16 Then it goes on to say:

17 "Frank McCue insults a member of staff, MCS
18 refuses to go into the house."

19 Is that broadly accurate?

20 A. I'd agree with that; I swore in front of him.

21 Q. This goes on to say:

22 "He spouts forth ..."

23 And that's a reference to you:

24 "... in front of both girls and boys about his
25 rights. He refuses to do what he is told."

1 Is that broadly correct?

2 A. I told him he was out of order. I said if those girls
3 had been a family member, as I said bedtime was 9.30,
4 this is about 9 o'clock, and I said if they'd been
5 family members, nobody would have said a thing, they
6 would have a quick visit and went on their way. That
7 was me -- I assume that's him talking about me spouting
8 forth about my rights.

9 Q. It goes on to say:

10 "He refuses to do what he is told."

11 A. Yes, I refused to go back in the house -- well, I didn't
12 refuse, I said, "Give us five minutes, I'm only going to
13 say hello to the girls and then we'll be up".

14 Q. Then we read:

15 "The [REDACTED] gets very angry and gives him rather
16 [and that word is 'severe'] punishment."

17 A. Yes.

18 Q. So I think that's a reference, clearly, to
19 Brother [REDACTED] BHD

20 A. Yes, whoever wrote to should have wrote "beat the boy
21 within an inch of his life". This "severe punishment"
22 thing, it's nonsense.

23 Q. If we read on for the next day -- the date is 10 June
24 although it is blacked out:

25 "[REDACTED] apologises to Frank McCue in front of

1 all boys in chapel for the angry and unfair punishment
2 meted out the night before."

3 What about that?

4 A. I have absolutely no recollection of that ever
5 happening. I have spoken to a few boys and I've asked
6 them about that, was there an apology issued, and they
7 don't remember.

8 Q. On the 10th, you were still in bed?

9 A. Yes.

10 Q. So as far as apologising to you in front of the whole
11 school, did that happen?

12 A. No, not at all. If it did, Colin, I wasn't aware.
13 I certainly wasn't there.

14 Q. If we go back to your statement at paragraph 51, what
15 you say there is you were told that Brother **BHD** had
16 left the school.

17 A. Yes.

18 Q. Can you tell me about that?

19 A. Mr **MCS** again. Mr **MCS** was the only contact
20 I had, the only person I could speak to about
21 Brother **BHD**. The other brothers weren't interested
22 at all. **MCS** never forced anything out the man.
23 He kept coming. He came every day to give me updates on
24 the state of play.

25 Q. Was this after you had come out of being in bed with the

1 injuries?

2 A. Yes, when I was out walking the grounds after that.

3 I didn't have to go back to class. I wasn't able,

4 I couldn't play any sports, same reason. So I did a lot

5 of wandering. Eventually I went back to class after

6 about a week just to read, couldn't write or nothing.

7 Q. What then did Mr [MCS] tell you about what was going

8 to happen in relation to Brother [BHD] ?

9 A. He told me Brother [BHD] s life was in ruins because of

10 what I had done, you know. Nothing about his life being

11 in ruins because of what he had done. I felt as if it

12 was my fault. And he kept coming back to me and he told

13 me Brother [BHD] was having a year's sabbatical in Rome,

14 then the next thing he knew he was going to stay with

15 his family in Ireland for a short while, but there was

16 going to be a hearing that the brothers -- the top

17 brothers, there was going to be some kind of meeting

18 where Brother [BHD] was going to be questioned about his

19 role in this. And it was all just to placate me and to

20 stop me from going near a police station to say I had

21 been assaulted.

22 Q. Then did you see Brother [BHD] afterwards?

23 A. Yes. I met him -- I don't know if I ever met him ...

24 Brother [LNA] found me on my wanders -- I think I was

25 coming into the sitting room -- and he shouted me down

1 to the main foyer and said, "Stand there". He went away
2 to his sitting room, came back with Brother BHD in tow
3 and said, "The brother has something he wants to say to
4 you".

5 Q. Before you tell us about that, how long after the
6 incident did this happen?

7 A. I'd say nearly a week.

8 Q. And had you seen Brother BHD during that period?

9 A. No, I got told that he had left for Ireland.

10 Q. Well, if he had, he had come back?

11 A. Yes, he had come back, so I was surprised when I seen
12 him that he was back.

13 Q. What happened then when you met up with him on this
14 occasion?

15 A. Brother LNA just said, "The brother wants to tell you
16 something", say something. And I thought I was going to
17 get an apology. But he started the conversation by
18 telling me how much of the blame lay with me, "You're as
19 much to blame for this as I am", that kind of thing.

20 I stood and listened, and then Brother LNA looked at me
21 and went, "Well? Are you accepting the brother's
22 apology?" and I said, "No, it's not an apology, he
23 doesn't care", and then Brother BHD just stormed away.

24 Q. Did you see him after that?

25 A. No, not at all.

1 Q. I think we know you left very shortly after this.

2 A. Yes, I never seen **BHD** but I was excluded.

3 I realised later, I was excluded, me and the boy **██████████**
4 that I spoke about. They came to us about two weeks
5 later or something and said, "There's a job for youse,
6 marking the running track, marking the playing fields",
7 creosote from a barrel, "That's your job from now on".
8 I don't know what days it was, maybe every Tuesday and
9 Thursday in the afternoons. And it wasn't until I left
10 that I realised that those days that we were marking the
11 fields were when **BHD** was having his **██████████**
12 class. So we were sort of excluded from his class.

13 Q. But looking at the time frame, the incident happened
14 in the early part of June and you were leaving in the
15 early part of July, so it's about a month or so between
16 the episode and when you left the school?

17 A. Probably.

18 Q. You do tell us in your statement that after you left
19 St Ninian's, you made an arrangement to meet with

20 **MCS**

21 A. Yes. Well, he had made an arrangement to meet with the
22 boy, **██████████** He was going to meet him at Buchanan Street
23 bus station, so I said to **██████████** I would come as well, it
24 was local for me.

25 Q. Was **██████████** at the school?

1 A. [REDACTED] left. My whole senior class left that year. They
2 were standing at the door waiting to go. Brother [REDACTED] LNA
3 says to me, "Have you packed?" and I said, "I don't need
4 everything because it's only summer, the summer
5 holiday", and he went, "No, you won't be back here".

6 Q. Did you expect to be back?

7 A. Yes, I thought I was there -- I was going to be there
8 until 1973.

9 Q. Because you were only 14 at this time?

10 A. Early 1973 and really because the sheriff had said,
11 "You'll go there for two years".

12 Q. So it was a bit of a surprise to you then, was it, that
13 you were actually leaving and not coming back?

14 A. Yes. But I never fought it. I thought if they've made
15 a mistake, they've made a mistake.

16 Q. Then you were moving on to tell us about this meeting
17 that you had with Mr [REDACTED] MCS and [REDACTED] the other boy
18 that, I think, witnessed what happened.

19 A. Yes.

20 Q. Where did the meeting take place?

21 A. At Buchanan Street bus station.

22 Q. What transpired at this meeting?

23 A. We only chatted for about an hour until the bus was
24 ready to leave. He went back to Campbeltown with [REDACTED]
25 I don't know why he was going to Campbeltown, but I went

1 up there, spoke to [REDACTED] a year ago, and I asked him why
2 [REDACTED] MCS came to me, and he went, "Oh, I don't know,
3 I told him to piss off anyway". So I don't even know
4 what happened during that visit.

5 Q. But did Mr [REDACTED] MCS say anything to you about
6 Brother [REDACTED] BHD

7 A. Yes. Again, every time he saw me, he kept telling me
8 how difficult things were going to be for
9 Brother [REDACTED] BHD. And as far as I was concerned, well,
10 he deserves everything he gets, I couldn't care less.
11 But he kept emphasising what a mess Brother [REDACTED] BHD's life
12 was in -- and it turns out it was a whole pack of lies.

13 Q. On this particular occasion at the Buchanan Street bus
14 station what did he say to you about Brother [REDACTED] BHD?

15 A. To be honest, Colin, it was all the same. It was all
16 how badly that one night had affected Brother [REDACTED] BHD

17 Q. What you say in your statement is that the conversation
18 involved him saying something like Brother [REDACTED] BHD
19 going to Rome and then he was to go to Ireland and was
20 never to be allowed to teach again --

21 A. Yes, that's right.

22 Q. -- and wasn't to be allowed to be near kids?

23 A. That's exactly what he told us, he'd never teach
24 children again, he wouldn't be allowed back into
25 Scotland again, he was on a year's sabbatical in Rome

1 and then back to Ireland for the rest of his life.

2 Q. And do you know as a matter of fact whether or not

3 Brother **BHD** did remain in St Ninian's?

4 A. I've heard through the police, who interviewed

5 **MCS**, that several -- I think it was a few

6 months after I had left, **MCS** was found to be

7 speaking to Brother **LMZ**. This is only what I've

8 heard. He was found to be speaking to Brother **LMZ**

9 about what had happened that night, a few months before,

10 and he was overheard by Brother **BHD** and apparently

11 Brother **BHD** told him to pack his bags and leave.

12 That's all I know.

13 Q. We'll look at that in due course in the inquiry.

14 The meeting at Buchanan Street bus station, how long

15 after you'd left St Ninian's did that meeting take

16 place?

17 A. About a month.

18 Q. I can tell you, Frank, that the inquiry has taken what

19 is at present a draft statement from Mr **MCS** and

20 I think, as a matter of fairness, I'll put to you what

21 his response to what's in your statement is.

22 If you go back to paragraph 42 of your statement,

23 you have covered this very fully in your evidence, this

24 is where you talk about speaking to the girls and

25 essentially being interrupted by Mr **MCS** and you

1 telling him to eff off. And you gave us your evidence
2 on that.

3 What Mr [MCS] says about that is this:

4 "What Frank said never happened. I would never have
5 stopped the boys from chatting to girls. I certainly
6 never approached Brother [BHD] about it. In my whole
7 time there, I never approached Brother [BHD] or any
8 other brother with any concern or to tell them that any
9 boy was misbehaving. Frank McCue came over as
10 a friendly young person and at no time did he ever swear
11 at me."

12 Just focusing on what he says about that he never
13 intervened essentially; what's your answer to that?

14 A. I spoke to Mr [MCS] by email a few years ago --
15 I found him on Facebook. The big thing about this has
16 always been for me, you know, for everybody that commits
17 an act of abuse in these institutions, ten other people
18 witness that and they say nothing and that's always
19 bothered me. I asked Mr [MCS], I said I was 14,
20 I couldn't ask you the question back then, why did you
21 do nothing, when I was asking for medical help, you done
22 nothing? He sent me an email back saying something
23 like, "You shouldn't assume that I know anything about
24 the brothers".

25 I answered that and I said, "I'm not assuming, you

1 were there", and that was the last contact I had with
2 him.

3 Q. In relation to what he is saying here, what he is saying
4 is what you say never happened, you never told him to
5 eff off and he would never have stopped the boys from
6 chatting with the girls. Is that correct or not?

7 A. No, that's just another lie.

8 Q. If we look at paragraphs 44 and 45 of your statement,
9 that's where you're giving a description of what
10 Brother **BHD** was doing to you. In particular, you
11 involve, at different points in time, Mr **MCS** you
12 say for example:

13 "Brother **LNA**, **MCS** and either
14 Brother **MCY** or Brother **MBV** or possibly
15 Brother **LHI** pulled Brother **BHD** away from me."

16 You go on to describe the incident. What
17 Mr **MCS** says about that is this:

18 "If this above incident is supposed to have happened
19 inside the house, I am not sure I am aware of this
20 incident. The incident I know about was where Frank was
21 attacked by Brother **BHD** in the courtyard or just
22 outside the courtyard."

23 A. No, he's wrong.

24 Q. He doesn't dispute there was what he describes as an
25 attack but he is wrong about the location?

1 A. Yes, but he's wrong, nothing happened in the courtyard.

2 Q. If we look at paragraph 46, I'll just put this to you as
3 well, that's the paragraph where you talk about waking
4 up and Mr **MCS** standing beside you and crying. You
5 told us about that in your evidence. What he has said
6 about that is this:

7 "The first time I saw Frank after the incident,
8 he was in a bed and I was not aware of any bruising or
9 seeing any marks on his head."

10 He goes on to say:

11 "What Frank says in his statement about me visiting
12 him and the pillow being stuck to his face with dried
13 blood and him being sick is not true."

14 And he goes on to say:

15 "At no time was I standing beside his bed crying."

16 What about these comments?

17 A. I only knew Mr **MCS** when I was a kid and I found
18 that when I was a kid he's a liar and he's still lying.
19 I don't know why. Where do these people come from?
20 What makes them say this?

21 Q. The other paragraph I want to put to you from your
22 statement is paragraph 51. If we could get that on the
23 screen.

24 That's where you say that, reading on:

25 "**MCS** came to me and told me how

1 Brother [BHD] was going to be punished and that the
2 other brothers were having a big meeting. I think
3 Brother [BHD] was at St Ninian's all the time. What
4 [MCS] says is lies."

5 What he says to that is:

6 "I do not remember that conversation at all."

7 That's his position, he doesn't remember the
8 conversation. And he goes on to say:

9 "I wanted to know if the brothers were taking action
10 or if other action was being taken."

11 So he does tell us about that in his statement.

12 He goes on to say:

13 "I relayed the information to Frank that the
14 brothers were dealing with Brother [BHD]. I don't
15 remember anyone telling me that Brother [BHD] had
16 been removed, so I could not have said that to Frank."

17 So he is disputing that part of what you said.

18 A. Well, he's wrong.

19 Q. The other point which you've told us about in your
20 evidence, that Brother [BHD] had been sent to Rome
21 for a year, some sort of sabbatical, he says to that:

22 "I would have remembered if I'd been told that
23 Brother [BHD] had been sent to Rome. I wouldn't have
24 made that up. Why would I? That part of the
25 conversation didn't happen."

1 A. Well, Colin, I had never even heard the word sabbatical
2 before. I had to go and find out what it meant. He
3 told me Brother LNA was being sent to Rome on a year's
4 sabbatical. That's exactly what he told me.

5 Q. He does go on to say in his statement that:

6 "There is a possibility that in relation to the
7 allegations of abuse made against me at St Ninian's,
8 although the allegations really are directed mainly at
9 Brother BHD the passage of time may have affected
10 my recollection."

11 So I think he does at least concede that.

12 A. Nothing against MCS. Never had anything
13 against the man. Always sort of liked him until this
14 incident, and then it was pretty obvious he wasn't on my
15 side, he was speaking for the brothers, on their behalf.

16 Q. I think you've already told us that one of the ways that
17 children were punished was by being deprived of
18 privileges and you give us one example, for example,
19 where one boy went behind a blackboard and drew a vagina
20 and that was in Brother BHD's class.

21 A. Yes.

22 Q. And his response, I think you tell us, was that all the
23 children --

24 A. The whole school.

25 Q. The whole school, not just the class?

- 1 A. No, the whole school.
- 2 Q. Lost privileges.
- 3 A. Juniors and seniors -- well, the seniors lost most of
4 the privileges, but there was a run at the end of it, we
5 got woke up from bed to run to the Kilgour gate. I know
6 it was the whole school because some kids were crying.
7 You know, you can imagine being in the country, there's
8 no street lighting, there's nothing. It was pitch
9 black. Some of the wee boys were scared.
- 10 Q. What did the run involve?
- 11 A. A run to Kilgour gate and back. It's about a 5-mile
12 run.
- 13 Q. At what time of night was this?
- 14 A. Any time after midnight.
- 15 Q. Would you have to be taken out of your beds?
- 16 A. Yes, we were woke up, told to get out of our pyjamas and
17 put our shorts and plimsolls on.
- 18 Q. Did that happen just this once?
- 19 A. That happened just once when I was there, that
20 punishment.
- 21 Q. For that particular incident?
- 22 A. Yes.
- 23 Q. So far as the reporting of abuse is concerned, you talk
24 about that in your statement. Apart from what you've
25 told us about, your dealings with the police, did you

1 report what was going on at the school to anyone else
2 during the time that you were at the school?

3 A. No. When I came out, I remember telling my father, my
4 hands were never working quite right for months and
5 months after that. My father's position was: you must
6 have deserved it.

7 Q. You do tell us about letters you wrote. Was that after
8 the incident with --

9 A. I got somebody -- asked somebody to write me three
10 letters. I asked them to write me a letter to my
11 mother, my father and the probation officer.

12 Q. You asked the person because of the problems with your
13 hands after the incident?

14 A. Yes, that, plus we'd got to a stage -- you used to be
15 able to write a letter, seal it and go and get a stamp
16 from the brothers, but they stopped that and you had to
17 write the letter, don't seal the envelope, give them the
18 letter and they would stamp it. Obviously they were
19 reading.

20 Q. So what happened here? You wrote these three letters?

21 A. I wrote the three letters, I asked a boy to take them --
22 I can't remember what boy -- and sort of passed them off
23 as his own. You had to buy your own stamps if you
24 wanted to write a letter. As far as I know, none of
25 them ever got delivered.

1 Q. Did you find out later whether or not your father, for
2 example, had received a letter?

3 A. No, he would have said.

4 Q. And did you get any response from your probation officer
5 to suggest that he had received a letter?

6 A. No.

7 Q. What had you said in the letters?

8 A. I told them that I'd been badly beaten up and I needed
9 to get out of the place. This is before they let me go;
10 I thought I was going back for at least another
11 six months.

12 Q. You also tell us, Frank, at paragraph 60 that in 2014
13 you did go to the police.

14 A. I actually phoned a reporter. I'd seen a story in the
15 paper. It was obvious that at that time survivors
16 weren't really being listened to or believed. I phoned
17 the reporter and I said, "Nothing about your story
18 really surprised me because I was in the school and
19 I was abused myself in the school". He printed that
20 story, he printed the golf club thing.

21 Q. So far as the police were concerned, did you tell the
22 police -- was it about the BHD incident?

23 A. When they came, yes, I told them about the whole thing.
24 I told them about the general abuse, the day-to-day
25 abuse, told them about the beating in the toilet, the

1 beating in the spiral staircase and then the beating
2 in the boot room with the golf club. Told them all
3 that. He went away, found that Brother BHD was dead,
4 and then as far as he was concerned that was it, case
5 closed. And I wasn't too happy because I'd already gave
6 him -- I gave him the details of [REDACTED] and
7 [REDACTED] who was with me at the time, and they were willing
8 to give statements to the police. But they never
9 interviewed them because Brother BHD was dead, it was
10 going no further.

11 Q. And I think the information provided to the inquiry by
12 the order is that Brother BHD died in about 2005.

13 A. Was it? I thought it was 2008.

14 Q. We can double-check that.

15 LADY SMITH: Frank, when you say reporter printed your
16 account of what happened to you, was that in a newspaper
17 that it was printed?

18 A. Yes.

19 LADY SMITH: In 2014?

20 A. Yes. It was only like a couple of paragraphs. It was
21 the main story and then: these other boys were also
22 abused.

23 LADY SMITH: Was that in a local paper?

24 A. It was in the Daily Record.

25 MR MacAULAY: Another couple of points then just looking

1 back to your life at the school. In paragraph 53, you
2 tell us about an incident that involved the death of
3 a boy at the school and how that was dealt with.
4 Can you help me with that? What happened on that
5 occasion?

6 A. The boy's name was [REDACTED] he lived in Possilpark, he
7 lived in [REDACTED] in Possilpark. He was only 12.
8 He committed suicide on a holiday, one of the school
9 holidays. When we got to Queen Street station to go
10 back to Falkland, back to Kirkcaldy, we were met with
11 Brother LNA and maybe Brother LHI, not MCS
12 Brother LHI maybe, and it was MCS that told
13 us -- he told the senior boys, he never told the
14 juniors. He says, "Wee [REDACTED] dead, he killed himself in
15 his home".

16 It wasn't until later -- I was really surprised
17 we were never, ever asked by the police or social worker
18 or anybody about his state of mind or anything like
19 that. I don't ever remember the police coming to visit
20 the brothers even in Falkland House to find out maybe
21 about the boy's state of mind. He was just dead and
22 that was it, it was done.

23 Q. Was he somebody you knew well?

24 A. No, he was a junior, we never mixed.

25 Q. That's one thing -- and thank you for bringing that

1 up -- but the particular incident you mentioned in your
2 statement is at paragraph 53, where you talk about
3 another incident where the child's mother was on a life
4 support machine.

5 A. He was my pal.

6 Q. I don't need the name, you can give us a first name if
7 you like.

8 A. [REDACTED]. [REDACTED] was my pal, before I ever went anywhere
9 near St Ninian's, I lived in Roystonhill in Glasgow.
10 [REDACTED] mum worked in the mortuary at Glasgow Royal
11 Infirmary. She left the Royal Infirmary and got him by
12 a taxi, straight back in, and she was in a coma and
13 never came out of the coma. Because she was in a coma,
14 [REDACTED] got sent to live with his granny, his granny
15 couldn't cope, they put him in St Ninian's.

16 That was the first thing I asked him when he came
17 in, I asked him how his mum was, and he said, "She's
18 still in that coma, Frank" -- this had been going on two
19 or three years now -- and I said, "Och, [REDACTED] that's a
20 shame".

21 He was only in school for a couple of months when
22 [REDACTED] BHD came out of the classroom and just snapped his
23 fingers and said, "[REDACTED] I don't want any tears, no
24 hysterics: your mother died at 6.30 this morning", and
25 turned and walked out again, and the boy was just

1 standing there, quivering. He couldn't take in what
2 he'd just said to him.

3 That was it. Even the brother who was there --
4 I think it was Brother LMZ who was there -- he never
5 gave the boy any comfort or anything, nothing.

6 Q. I think you tell us in your statement that you had some
7 sort of conversation with Mr MCS about this
8 particular episode.

9 A. Aye, I did. I says, I thought it was rotten, I thought
10 it was terrible, even as a 14-year-old, that he treated
11 that boy that way. And he came back and said, "I don't
12 think that's what he meant, Frank. I think what he was
13 trying to put across is the woman has been ill for
14 a long time, she's been in a coma, they had really been
15 expecting her to pass away. I think that's what he
16 meant by no hysterics and that, you know", you've known
17 this was coming.

18 Q. That's what you said to Mr MCS ?

19 A. Yes. Does he not remember that either?

20 Q. Well, we'll leave that aside for the moment.

21 The other thing I want to ask you about is what you
22 discuss at paragraph 54 of your statement. I think you
23 are focusing on how some of the young boys, if they'd
24 been playing football, were told that they should have
25 a shower and what should happen if they had any

1 injuries.

2 A. Yes.

3 Q. Can you help me with that?

4 A. Young boys -- as far as I know, the young boys were
5 never sent to the matron or treated by the matron. The
6 young boys were told to come to the brothers' overnight
7 room -- lights out and come in there for treatment.

8 Q. Do you know which brothers were involved in this?

9 A. Most of the brothers.

10 Q. Did you witness anything happening?

11 A. Well, always you were constantly seeing little guys
12 getting bounced on the laps of brothers. Brother [REDACTED] LHI
13 was quite good at it. He used to sit the kid on and put
14 his guitar in front and let the kids strum the strings.

15 [REDACTED], the kid I was talking about, he caught a kid
16 in there one night, and [REDACTED] made out as if he was
17 angry at the kid for being there and annoying the
18 brother. He says, "I'll take him to his bed, brother",
19 but he was really worried that the boy shouldn't have
20 been there. They never, ever shut the door -- that
21 sitting room door was always left --

22 Q. Is this the sitting room door on the top floor above the
23 main hall area, is it? Is that where --

24 A. No, their overnight room is on the corridor where the
25 dorms are, the senior dorms.

1 Q. You're talking now about the room where the brothers
2 slept?

3 A. Yes, that's where any football injuries, rugby injuries,
4 "Come up here, we'll put a bandage on it". But the
5 seniors were left to treat themselves. They got given
6 some Germolene and a bandage.

7 Q. What you say in your statement is that:

8 "[You] sometimes saw statement them [that's the
9 children] sitting on the brothers' knees and getting
10 cream rubbed in."

11 A. Yes.

12 Q. You saw that?

13 A. Yes. That happened regular.

14 Q. You say you felt sorry for the 11 and 12-year-olds.

15 A. I did.

16 Q. Why?

17 A. I think the seniors were a bit more settled, a bit more
18 worldly-wise. The wee boys, some of them were greeting
19 for their mummies at night-time. You've got to feel
20 sorry for them.

21 Q. And did anyone go to comfort the --

22 A. No. No, there was never any sort of ... The brothers
23 were never openly tactile. You could do something
24 really good, you weren't getting a hug for it. You were
25 getting nothing like that.

1 Q. Frank, you devote a number of paragraphs in your
2 statement to your life after St Ninian's and, in
3 particular, the impact being in care had on you.
4 Can you summarise that for me? What do you see the
5 impact of St Ninian's to have been on you?

6 A. When I left St Ninian's, six months early, the brothers
7 put me on the path that I was on, so really everything
8 good that's happened to me, the brothers have had a hand
9 in it and everything bad that's happened as well, the
10 brothers have had a hand in. You know, they put me out
11 six months early. I was only 14 and a half, I think,
12 when I got out. The rest of my classmates were all
13 going to start work. I was going to have to find
14 a school to go back to.

15 But when I got back to my aunt's, I had an argument
16 with [REDACTED] about a jumper that I'd borrowed or
17 stole from him. Anyway, that turned into a fight. He
18 said to me, "I can't wait until you go back to where you
19 came from", like St Ninian's. I said, "I'm not going
20 back, this is it, I'm back". He told my aunt, she
21 obviously hadn't been told that I'd been released. She
22 threw me out. She didn't have space for me. So I was
23 homeless when I was 14 and a half because of the
24 brothers.

25 Q. And what happened then? How did you manage your life?

1 A. I slept in my friend's outside toilet. He used to give
2 me a blanket at night-time and a bottle of wine to help
3 me sleep. I done that for about four months. Then we
4 decided to go and look up some other boys who had been
5 in the school with me. [REDACTED], [REDACTED] was
6 the one whose address we had and we went to Possilpark
7 to find him. He wasn't in. But his sister was in,
8 [REDACTED] -- a really attractive lassie, I need to say
9 that.

10 Q. You have to say that because you're married!

11 A. We went back up to see him the next day and she was
12 really, really nice to us and she was the first person
13 in years that had ever been nice to me. So it's like
14 instant love: if somebody's nice to you, you don't want
15 to lose that.

16 So we ended up getting married. We had four weans
17 and 12 grandchildren.

18 Q. Although I think you did have problems with alcohol.

19 A. I had a lot of problems. I was drunk for 20 years.

20 Q. There came a point in time, though, when you put that
21 behind you?

22 A. I did, when I became a grandfather.

23 Q. But you still, I think -- do you still take some
24 medication?

25 A. I take lots of medication, Colin.

1 Q. And do you relate the need for that back to your
2 experiences in care?

3 A. Some of it. Some of it. Some of the anti-depressants
4 and things, that all traces back to -- it doesn't trace
5 back to my early childhood, it goes back to St Ninian's.
6 It goes back to when I had a wee bit of a voice, but
7 nobody was listening.

8 Q. I think you do tell us in your statement -- and this
9 begins at paragraph 80 -- of some other action you've
10 taken in more recent times in connection with your time
11 at St Ninian's, and in particular, correspondence you
12 had with Brother Garvey of the Christian Brothers.

13 A. Yes.

14 Q. If I can perhaps spend a little while just looking at
15 some of that because you've made available to the
16 inquiry the email correspondence you've had.

17 A. Yes.

18 Q. If I can begin by putting this on the screen. It's
19 WIT.003.001.2267.

20 We're looking at an email. Although it has been
21 blacked out, it's from yourself, dated 1 September 2014,
22 and it's to Edmund Garvey. Was he the provincial at the
23 time?

24 A. Yes.

25 Q. I think you begin by saying:

1 "Hello, Brother Garvey. My name is Frank McCue and
2 I attended St Ninian's in Falkland, Fife, in 1970 to
3 1972, where I was severely abused by Brother [REDACTED] BHD "

4 That's how you begin the e-mail. That's what we
5 see. You go on to talk about the final act of abuse,
6 which was witnessed, and you then say:

7 "Brother [REDACTED] BHD was forced to leave the school under
8 a cloud of shame. The story I was told at the time was
9 that Brother [REDACTED] BHD was being sent to Rome for a year and
10 that he was to return to live out his years in Ireland.
11 He apparently was banished from Scotland never to return
12 and would never be allowed to teach children."

13 Is that essentially the essence of what you
14 understood the position to have been?

15 A. That's the information I got from [REDACTED] MCS .

16 Q. Then you go on to say in the next main paragraph:

17 "42 years later and much wiser, I realise that
18 Brother [REDACTED] BHD 's punishment, for want of a better word,
19 was probably no more than a tale to placate a frightened
20 14-year-old. It was made to sound official and look as
21 though justice had been served in order to stop police
22 involvement because the reality is Brother [REDACTED] BHD should
23 have went to prison. It's not as though I did not try
24 to inform the outside world of my condition, but all
25 attempts by me to correspond with my parents and

1 probation officer were blocked."

2 And indeed that reflects what you have told the
3 inquiry today and this is you writing, of course, quite
4 some time before you provided your inquiry statement.

5 A. Yes.

6 Q. Essentially, you're asking then for a response from
7 Brother Garvey in relation to what you have set out
8 in the email; was that your position at the time?

9 A. Yes. I wanted to know exactly what had happened.

10 Q. Do you get a prompt response in the first instance? Can
11 we move to the bottom of the page? Can we pick it up
12 towards the bottom of the page?

13 "Dear Frank. Thank you for your email of yesterday
14 and your follow-up of today."

15 Moving on to the next page, 2268 -- the email
16 continues for another page -- do we read that
17 Brother Garvey has written:

18 "Immediately on receiving your first message,
19 I requested that research be done here on our files and
20 in the archive relative to the request that you make.
21 This may take a little time as not all of our records
22 are on computer files."

23 He then goes on to say that he would pass
24 information on once it had been gathered. Then in the
25 final paragraph he says:

1 "I do express deep regret to you for any abuse you
2 suffered while at St Ninian's. All abuse of children is
3 absolutely wrong and should not be suffered by them.
4 I am very sorry to hear that you had such an abusive
5 experience in St Ninian's. That you were blocked from
6 getting support and from duly reporting the abuse at the
7 time is also most regrettable."

8 So you have an apology there --

9 A. Yes.

10 Q. -- in response to your email.

11 Then we can perhaps pick up the email chain at
12 WIT.003.001.2272.

13 We're now looking at an email to you from
14 Brother Garvey. This is dated, I think it's
15 19 September 2014. It begins by saying:

16 "Greetings from Dublin, I trust you are well.
17 I write to inform you that we have examined our records
18 and files here in Dublin and in Rome concerning
19 Brother [REDACTED] BHD . I can confirm for you that there is
20 no 'official reason' or unofficial reason stated
21 anywhere in those records for the late
22 Brother [REDACTED] BHD 's transfer from St Ninian's. The
23 references which you make to other brothers in your
24 emails are not recorded."

25 He goes on to say that this may be disappointing and

1 he repeats his regret about the punishment.

2 So it appears to be the case that you made a request
3 and Brother Garvey responded by carrying out an
4 investigation and that was the answer.

5 A. I don't know if there was an investigation, Colin. It
6 all got a bit ... You know, after that ... I know what
7 he was saying, but he wasn't coming across as genuine to
8 me. I'd have expected that, "We're going to investigate
9 this", this incident, or, "We're going to investigate
10 the whole school", before the public inquiry was ever
11 brought forward. I'd expect him to say, we want to find
12 out about this, the same way you did, you want to get to
13 the bottom of things. He wasn't doing that, he just
14 kept edging away from it all the time: really sorry,
15 that shouldn't happen to kids, blah, blah, blah.

16 In the end I decided, like the rest of the
17 organisations, the one thing that's frightened them more
18 than anything else is compensation. That is the thing.
19 You know, they can all say they're sorry as much as they
20 want, but I don't see any of them rushing out to
21 compensate anybody financially. That is what they're
22 staying away from. They should be looking at this and
23 thinking of the lives of these kids, instead of looking
24 at them and thinking, "They all want a bit of money".

25 I think Brother Garvey's got that thing where, this

1 could cost us a fortune or our insurance company won't
2 allow us to ... You know? But just saying you're sorry
3 doesn't cover it.

4 Q. In any event, that is the answer you got at that time?

5 A. Yes.

6 Q. And he did respond to your query to that extent.

7 A. Yes. But when this inquiry was set up, then he started
8 sending me things: I've spoken to the archivist, you can
9 have this and you can have that. They were pretty free
10 with any documents they came across then. Before that
11 it was: no, our records are in a terrible state.

12 Q. So you have managed to recover records?

13 A. Only what you've got.

14 Q. I think also, Frank, to move on, you've now, or fairly
15 recently, been involved with INCAS.

16 A. Yes.

17 Q. And you are the secretary now to INCAS?

18 A. No, I am not.

19 Q. Did you used to be?

20 A. I went out for a fag and I lost my job! Yes, I have
21 been vice chair with INCAS and I have been treasurer and
22 secretary.

23 Q. I think what you do say in your statement is you have
24 found your involvement with INCAS to be quite
25 therapeutic.

1 A. Yes, it is.

2 Q. And how has that been the case?

3 A. I think it all boils down to the fact that you find out
4 that you're not the only one. I have met hundreds of
5 people through INCAS and I've met a lot of really,
6 really nice people. It's good. You've met half of them
7 yourself, Colin.

8 Q. Some have given evidence, there's no question about
9 that.

10 But one thing you also tell us is that you did go
11 back to St Ninian's --

12 A. Yes, I did.

13 Q. -- about six months or so after you left. What was the
14 thinking there?

15 A. I think I was looking for a bed, to be honest with you.
16 The thinking there was: **BHD**'s gone, the rest of the
17 guys are okay. As far as I was concerned, the rest of
18 the brothers were just firm but fair, not overly
19 abusive, but I think **BHD** was still there.

20 Q. Were you allowed into the building?

21 A. No.

22 Q. I think Brother **LMZ** did at least provide you with
23 some hospitality.

24 A. Yes, he took me for a pint. I was coming up to 15. He
25 took me for a pint.

1 Q. And that was your very first drink of beer?

2 A. Yes, my first pint.

3 Q. You got the bus and train back home and I think you say
4 you were quite upset at the experience.

5 A. When you're not wanted, Colin ... You know, as far as
6 I was concerned, the problem was gone, **BHD** was
7 gone. I knew I had been let out of there too early,
8 I knew I didn't have a bed. I think that's all I went
9 up for, because all my pals, they were gone, I never
10 went back to see anybody. I think it was just in the
11 hope that they would take me in and give me shelter.
12 I really did.

13 Q. Can I then take you to what you say your hopes for the
14 inquiry are. You deal with that, particularly in
15 paragraph 76 and onwards.

16 In paragraph 76, what you say is that:

17 "[You] hope that for the children of the future who
18 are in care that there is no stigma to being in a home
19 and that they're given a good education."

20 The reference to stigma, did you feel that you were
21 somehow stigmatised for having been in a home?

22 A. I think you were. Maybe not on purpose, but getting
23 out ... I think the general public thought that kids in
24 these places were in there because they were, you know,
25 delinquents or dodgy kids, bad kids, and I think a lot

1 of employers and people thought that well, "Where did
2 you go to school?" "St Ninian's", "Where's that? Never
3 heard of it", and then you tell them it's a care home,
4 so then you go down the list, you know. It's wee things
5 like that.

6 Q. The point you make at paragraph 77, which you'll see on
7 the screen, about one of the hopes you have for the
8 inquiry, what do you tell us there?

9 A. I think this has made people aware and I think the
10 government have basically opened up and said, "Yes, to
11 a large extent we were to blame for this", and they're
12 willing to do their bit. They're the only people I've
13 heard say they're willing to do their bit. The rest are
14 all sort of "wait and see". Even if they're reading
15 Lady Smith's findings, they're not coming out of the
16 woodwork to try and help survivors. They're just
17 accepting these findings. I don't know where we go from
18 here. I don't know if you need to ... I don't know how
19 you can force these people to make things right.
20 I don't know if you can. But I think somebody should
21 get a try. We're being awfully, awfully nice to
22 institutions and abusers and the things they've done.
23 I consider myself one of the lucky survivors.

24 Q. Why do you say that?

25 A. I think I've had it easy compared to people I see round

1 about me, people who were there. The state that I see
2 some people in now because of their time in care,
3 I think mine has been easy.

4 Q. You still, I think, tell us that you do want your
5 experience to be a matter of public record.

6 A. Yes.

7 Q. You go on to tell us that.

8 A. Yes.

9 Q. You're not in it for fame and you're not in it for
10 compensation?

11 A. No, never have been. That's the only reason I stuck
12 with INCAS was from day 1, Frank Docherty hammered it
13 into me: we don't take funding from anybody, we'll
14 accept donations here and there, but we have never asked
15 government for funding, nothing like that. Compensation
16 was a dirty word in INCAS and we were all quite happy
17 with that. We just wanted things changed, we wanted
18 assurances that the care system was going to be taken
19 apart and put back together again without all this.
20 That's really what we want. Everything else can follow
21 on. It's not important.

22 MR MacAULAY: Very well, Frank. Thank you for these final
23 words and indeed for giving your evidence today.

24 I have put all the questions that I want to put to
25 you and the questions that I have been asked to put to

1 you, I think, unless there are any further questions.

2 LADY SMITH: Are there any outstanding applications for
3 questions? I think I'm seeing heads being shaken.

4 Frank, before I let you go, tell me this: a minute
5 or two ago you said you don't know how you can force
6 these people to make things right. When you're talking
7 about "these people", who do you mean?

8 A. I'm not talking about individuals, I'm talking about the
9 institutions. There seems to be a lot of concern about
10 protecting reputations. They seem to be more concerned
11 with that than what actually happened, what's been
12 basically proven here now did happen, and they're still
13 saying the same thing: it's a terrible thing, we're
14 sorry about that.

15 I'm waiting to see them moving, I'm waiting to see
16 them stirring, and not money-wise but I want to see them
17 making an effort to sort things, to make things better,
18 to make sure this never happens again.

19 LADY SMITH: Well, I hope you appreciate the inquiry is
20 certainly committed to that.

21 A. I do.

22 LADY SMITH: You need to watch this space, as they say. But
23 Frank, thank you very much for coming along --

24 A. Thank you, my Lady.

25 LADY SMITH: -- and giving us such clear and powerful

1 evidence today. That's enormously helpful to me and
2 also for your final thoughts on where we're going and
3 what you hope us to achieve; I won't forget that. I'm
4 now able to let you go. Thank you.

5 A. Thank you.

6 (The witness withdrew)

7 LADY SMITH: We'll adjourn for the lunch break in a moment,
8 but before I do that, for those who haven't heard me say
9 this before or those who might have forgotten about it,
10 the way these case studies are running is that I allow
11 names to be used in the course of evidence so that the
12 evidence can flow, even although the names may have the
13 protection of what's called my general restriction
14 order, which essentially means that the names mentioned
15 cannot be repeated outside this room or published in any
16 way.

17 For example, somebody who is an alleged abuser who
18 has not been convicted has the protection of the general
19 restriction order. Some of these names have been
20 mentioned, both yesterday and today, and I think the
21 best way of me dealing with it is, if anyone is in any
22 doubt but for some reason is thinking of wanting to use
23 the name outside the hearing room, please would they
24 check with the inquiry staff first or -- the press, for
25 example, know to check with the media advisers who are

1 always available so that the general restriction order
2 is not breached. Any queries, just ask.

3 That's all for now. I think we'll stop for the
4 lunch break and sit again at 2 o'clock for the next
5 witness. Is that right, Mr MacAulay?

6 MR MacAULAY: Yes, my Lady.

7 (12.47 pm)

8 (The lunch adjournment)

9

10

1 (2.00 pm)

2 LADY SMITH: Good afternoon. Mr MacAulay, do we have
3 a witness ready?

4 MR MacAULAY: Yes, good afternoon, my Lady. The next
5 witness wants to remain anonymous and to use the name
6 "James" when giving evidence.

7 "JAMES" (sworn)

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

9 If you're ready, James, I'm going to hand over to
10 Mr MacAulay and he'll explain what happens next.

11 Questions from MR MacAULAY

12 MR MacAULAY: Good afternoon, James.

13 A. Good afternoon.

14 Q. You have in front of you in the red folder the statement
15 that you provided to the inquiry. I'm going to put
16 forward the reference for the transcript and that's
17 WIT.001.002.2367.

18 What I would like you to do, James, is to turn to
19 the very last page of the statement. Can I ask you to
20 confirm that you have signed the statement?

21 A. Yes.

22 Q. Do you say in the last paragraph:

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

25 Is that correct?

1 A. Yes.

2 Q. Do you also go on to say:

3 "I believe the facts stated in this witness
4 statement are true"?

5 A. Yes.

6 Q. James, I don't need to know your date of birth, but so
7 I can have a time frame, can I confirm with you that
8 you were born in the year 1957?

9 A. Yes, that's correct.

10 Q. And are you now 62 years of age?

11 A. Yes.

12 Q. It may be that I'll ask you questions on issues and you
13 feel that there's more you want to say that you haven't
14 said in your statement. Please feel free to do that.
15 Of course, if I ask you something about which you can't
16 remember, just say, "I can't remember".

17 A. Yes.

18 Q. Can I begin by just touching briefly on your life before
19 you went into care. As you tell us in your statement,
20 you were the youngest boy in your family.

21 A. Yes.

22 Q. You had, I think, four older brothers.

23 A. Yes.

24 Q. And you had a younger sister.

25 A. Yes.

1 Q. I think what you tell us in your statement, particularly
2 at paragraph 4, is that you set out what the family
3 problems were, particularly in relation to your mother's
4 mental health and physical problems.

5 A. Yes.

6 Q. Is it against that background that you, along with your
7 younger sister and a brother, who was about a year
8 older, went into care?

9 A. Yes.

10 Q. Did you first go to Nazareth House in Lasswade?

11 A. Yes.

12 Q. You tell us in your statement you thought you were about
13 10 when that happened; is that correct?

14 A. Yes.

15 Q. So that would be 1967?

16 A. Yes.

17 Q. I think you thought that you were there for about
18 seven months or so.

19 A. Yes.

20 Q. Did you remain there for that period with your sister
21 and your brother?

22 A. Yes.

23 Q. When you came to leave, did the three of you leave
24 together?

25 A. Yes.

1 Q. You provided the statement that you've provided to the
2 inquiry after we had evidence in connection with the
3 Sisters of Nazareth and, in particular, Nazareth House
4 Lasswade, because you may be aware that we've had what's
5 called a case study into the Sisters of Nazareth and
6 of course you came forward and we welcome people to come
7 forward after that case study and the oral hearings had
8 taken place. But be that as it may, the evidence given
9 in your statement will be taken into account in the
10 course of the inquiry's process.

11 If I can take you to paragraph 34 --

12 LADY SMITH: Just before you leave Nazareth House Lasswade,
13 James, can I assure you that I have read what you say
14 about Nazareth House Lasswade and I can see that in
15 various respects it is a similar story to accounts that
16 I heard during the hearings, as you may see are referred
17 to in the findings that were published last week.

18 A. Mm-hm.

19 MR MacAULAY: The particular paragraph I want to take you to
20 is paragraph 34. It's where you summarise the position
21 at Nazareth House. What you say there is:

22 "It was a regime of cruelty and neglect."

23 A. Definitely, yes.

24 Q. Is that your position?

25 A. Yes.

1 Q. What was life like there?

2 A. Just daily beatings, almost all the time. Nae medical
3 provision whatsoever. Just fear. Just fear all the
4 time.

5 Q. You give us details of that, moving on from there, up to
6 about paragraph 43 of the statement. It was after that
7 then that you went back home; is that right?

8 A. Yes.

9 Q. I think you really went back into care some time after
10 that because I think you got into trouble.

11 A. No, I didn't actually get into trouble.

12 Q. What happened?

13 A. My brother and I were at the swimming pool and when we
14 came out of the swimming pool, my brother gave me money
15 to go into a fruit shop and buy an orange or banana or
16 whatever, and while I was in there getting the piece of
17 fruit, he stole a charity box off the counter. So no,
18 I didn't actually do anything, but because the two of us
19 were together, we went in front of a Children's Panel.

20 Q. Was the upshot of that that you went into a place called
21 Wallhouse Children's Home in Torphichen?

22 A. I went to Wallhouse in Torphichen and my brother went to
23 St Mary's Approved School in Bishopbriggs in Glasgow.

24 Q. Was it just yourself who went to Wallhouse from the
25 family?

1 A. Yes.

2 Q. I think you say in your statement you thought that was
3 maybe when you were 11 and a half years of age. So
4 we're talking about 1968, possibly 1969?

5 A. Yes.

6 Q. Perhaps we can just look at this because this is in
7 paragraphs 46 onwards in your statement. What you tell
8 us there in paragraph 46 is that you were cared for when
9 you were there.

10 A. In Wallhouse, yes, aye.

11 Q. I think you thought there were about 30 children there
12 altogether.

13 A. Mm-hm.

14 Q. Was it mixed?

15 A. Yes.

16 Q. Indeed, what you say in the next paragraph is:

17 "There was never a raised voice."

18 A. Never, ever, no.

19 Q. I think it seems to have been the case that so far as
20 a place like Wallhouse was concerned, you could only be
21 there until the age of 12.

22 A. For boys I think, yes.

23 Q. And was that the background then to you going to
24 St Ninian's in Falkland?

25 A. Yes. I just went straight from Wallhouse to

1 St Ninian's.

2 Q. When did you first know that you were going to
3 St Ninian's?

4 A. The morning that I left to go there.

5 Q. Who told you where you were going?

6 A. I can't remember, but whoever took me there drove me
7 there.

8 Q. Was there a social worker involved?

9 A. I think I only ever seen a social worker once or twice.
10 It was when we got taken out of the house to go to
11 Nazareth House in 1967, a woman called Ms Heron -- and
12 I think I may have seen her again a couple of days
13 before we were allowed out of Nazareth House. But it
14 wasn't a social worker that took me from Wallhouse to
15 St Ninian's, no.

16 Q. Was it somebody who was working at Wallhouse or can't
17 you say?

18 A. I think it may have been somebody from St Ninian's.

19 Q. Okay. The records from St Ninian's that the inquiry has
20 seen, James, suggest that you were admitted to
21 St Ninian's on [REDACTED] 1969. So you'd be aged 12 at
22 that time.

23 A. Mm-hm.

24 Q. And you left on [REDACTED] 1972, when you'd be 15 years of
25 age. So you were there for about three years?

1 A. Yes.

2 Q. You give us some information about the set-up there, and
3 in particular that St Ninian's was divided into two
4 separate houses.

5 A. Yes.

6 Q. Can you tell me about that?

7 A. Aye, it was more to do with sporting events, Stuarts and
8 the Ramsays was the two houses, and you just played each
9 other at football and rugby, cross-country, athletics,
10 hockey, any kind of sport.

11 Q. Were you interested in sport?

12 A. Up to that point, no, but then it was sport every day,
13 so you just took part.

14 Q. Would you also compete against other places apart from
15 the in-house competition?

16 A. Aye, when we were in the school, the Stuarts playing
17 whichever sport against the Ramsays, they then picked
18 the better players to go out and play against schools
19 outside.

20 Q. Can I ask you a little bit about the brothers who were
21 there. What is your recollection as to who the brothers
22 were?

23 A. Who they were?

24 Q. Yes, the names, what names they had. What were they
25 called?

1 A. The one that I had most was Brother LNA
2 Brother BHD Brother MCY Brother LMZ and
3 Brother LHC but he was very old and he didn't really
4 have very much to do with the day-to-day running.
5 I think he was retired and he was just staying there
6 because he was old; I don't know.

7 Q. Did you have some understanding as to who was [REDACTED]
8 then?

9 A. When I first went there, I think Brother LHC was,
10 like, [REDACTED] but very soon Brother LNA became [REDACTED]
11 [REDACTED] I don't know if he got the [REDACTED],
12 but he just -- or Brother LHC just took a back seat.

13 Q. Your perception was that it was Brother LNA who was [REDACTED]
14 [REDACTED]?

15 A. Yes.

16 Q. Were there also civilian staff there?

17 A. Yes.

18 Q. Can you remember the names of the civilian staff or some
19 of them?

20 A. Yes. There was a Mr BHB who was like a [REDACTED]
21 teacher, he done most of the sports, and a fella called
22 MCS I really don't know what he was supposed
23 to be. He didn't do any teaching or didn't take any
24 sports.

25 Q. But I think you talk about him later on in your

1 statement and in particular he did take photographs?

2 A. Oh yes, yes.

3 Q. But so far as the care of the children was concerned

4 then, was that really in the hands of the brothers?

5 A. Yes. There was a matron there, but she didn't really do
6 very much.

7 Q. Did she stay on site though?

8 A. Yes.

9 Q. Did she sleep on site?

10 A. Yes.

11 Q. Can I ask you one or two questions about the routine at
12 St Ninian's. You've already mentioned that it was very
13 sport-orientated. The sleeping arrangements: can you
14 help me with that? What was the set-up there?

15 A. There was maybe about ten or 12 dormitories, with three
16 or four beds in, sometimes only two beds, depending on
17 the size of the room. That's where we all slept.

18 Q. I'm going to show you a plan, if I may. It's
19 CFS.001.006.8297.

20 It's already on the screen. If we could move down
21 a little bit and orientate ourselves. If you take
22 a moment or two, James, to find your way around this,
23 can you see the car park leading to the front door and
24 then the entrance hall? Do you see that?

25 A. Yes.

1 Q. Then that moves into the main hall; is that right?

2 A. Yes, yes.

3 Q. And that was a large area?

4 A. Mm-hm.

5 Q. Can you see between the letters N and H, there were
6 stairs going up to an upper level?

7 A. Yes.

8 Q. If we just focus on that level for a moment or two,
9 whoever has put this plan together has indicated, for
10 example, that there's a classroom towards the top left.
11 Was there a classroom in that area?

12 A. No. Not that I can remember, no.

13 Q. What about gymnasium?

14 A. There was a gymnasium there, yes.

15 Q. There's also reference there to a television room.
16 What was the position with regard to the use of
17 television?

18 A. I can never remember being in that television room,
19 apart from -- certainly never in the early evening, but
20 maybe a dozen or more times, late on at night, half
21 a dozen boys, maybe four boys, six boys, took into there
22 to watch -- basically forced to watch horror movies.
23 Not really horror movies like today, but Frankenstein
24 and all that stuff, which I didn't really like to watch.

25 Q. What age were you then?

- 1 A. 12, 13, 14.
- 2 Q. Were there brothers involved in taking you there?
- 3 A. Yes.
- 4 Q. Any particular brothers?
- 5 A. That was usually Brother **BHD**
- 6 Q. Was there an area where you could watch television?
- 7 A. I can't ever remember there being a proper TV room.
- 8 Q. Were there televisions on the premises? For example, in
- 9 any of the brothers' rooms, can you remember if there
- 10 was a television?
- 11 A. Yes, there was a TV in Brother **LNA**'s room. It's
- 12 probably the only TV I can remember apart from in the
- 13 so-called television room, where we were taken late at
- 14 night to watch horror movies.
- 15 Q. If we go back to the plan, the entrance hall, and turn
- 16 right. Can we see that on the plan there's an
- 17 indication where there might have been a matron's room?
- 18 A. Yes.
- 19 Q. And is that where the matron was based?
- 20 A. Yes.
- 21 Q. We then, I think, come into another area. There's
- 22 clearly an upper level. Is it on that upper level that
- 23 we have the dormitories?
- 24 A. Yes.
- 25 Q. First of all, can I ask you this: when you first went

1 there, I take it you went to a particular dormitory.

2 Did you remain in that dormitory throughout your whole
3 period or were you moved?

4 A. No, you got moved pretty regular. I don't know, just if
5 they thought you were getting too pally or too noisy or
6 too rowdy or whatever, then they split youse up and put
7 us in different rooms.

8 Q. If you look at the plan -- and you may want to turn
9 round to the big screen at the back of you -- point out,
10 if you can, where you first went when you went there.

11 A. Yes. Up there (indicating), one of these ones here
12 somewhere.

13 Q. You're pointing to the top right --

14 A. Yes.

15 Q. -- where we can see two dormitories are marked out?

16 A. Yes.

17 Q. Can you point to anywhere elsewhere you might have been
18 moved to?

19 A. I was in here, finished up at this place here
20 (indicating).

21 Q. You're pointing to the bottom left?

22 A. The bottom right.

23 Q. I'm sorry, the bottom right.

24 What about brothers? Were there any brothers who
25 had a room in the dormitory area?

- 1 A. It was either one of these two here (indicating), but
2 I think it might have been that one with "Brother LNA's
3 room".
- 4 Q. You're pointing to the second on the right on the
5 bottom, which -- it says "dorm" --
- 6 A. Yes.
- 7 Q. -- but you thought Brother LNA had a room in that area?
- 8 A. Yes. Definitely, yes.
- 9 Q. Was it Brother LNA who had a room in the dormitory
10 during the time you were there?
- 11 A. Yes.
- 12 Q. Did any other brother --
- 13 A. Brother MCY at one point stayed where it says at the
14 top there.
- 15 Q. That's the top right where it says "brother's bedroom"?
- 16 A. Yes.
- 17 Q. He was there at some point?
- 18 A. Yes.
- 19 Q. So far as washing was concerned, in particular
20 showering, was there an area where you could go and have
21 a shower?
- 22 A. Yes.
- 23 Q. And where was that during your time?
- 24 A. Underneath all that, in the basement.
- 25 Q. Can you just explain to the inquiry what the layout was

1 for the showers?

2 A. It was six showers in a row and they were back-to-back,
3 so it was 12 showers in total. Tiled -- like U-shaped
4 cubicles, tiled walls but no curtain or door on any of
5 the showers at all.

6 (Pause)

7 Q. I'll come back to the showers shortly, but did you
8 require to take showers on a regular basis?

9 A. More or less every day because you did sports every day,
10 so yes, every day.

11 Q. In relation to the food, how did you find the food at
12 St Ninian's?

13 A. It wasn't good. It wasn't good.

14 Q. I think you tell us breakfast, for example, you would
15 get toast and possibly some cereal as well.

16 A. Mm.

17 Q. Did you have to eat it? Could you leave it if you
18 didn't want it?

19 A. If you didn't want it, you could leave it.

20 Q. Let's look at the arrangements about schooling then,
21 James. The school was in-house; is that right?

22 A. Yes.

23 Q. Who did the teaching?

24 A. Brother **LNA** done a lot of the teaching. Brother **LMZ**
25 was a **██████** teacher. I don't think there were actual

1 teachers. They weren't -- speaking today, they
2 certainly weren't qualified teachers.

3 Q. How did you find the education then when you were there?

4 A. It was ... it wasn't right for the age that we were. We
5 should have been getting taught -- we were getting
6 taught what I had already been taught when I was 9, 10.
7 When I was 12, 13, 14, they were basically teaching the
8 same stuff. It wasn't like secondary education,
9 secondary school education.

10 Q. You do touch upon the jobs you had to do, the chores,
11 you talk about mopping floors and making beds, but not
12 much more than that is your recollection.

13 A. Aye, I didn't have to do a lot of chores.

14 Q. Were there cleaners there when you were there?

15 A. I don't know who done the cleaning. I can't remember
16 seeing actual cleaners.

17 Q. During the time that you were there, James, did you go
18 on any trips, holidays?

19 A. I think for the summer holidays I went to an auntie for
20 five or six or seven weeks. The rest of the time,
21 holiday times, I'd stay in St Ninian's when most of the
22 other boys got home.

23 Q. But were there some other boys also who had to stay?

24 A. Aye, two, three, four at the most.

25 Q. During these times, what did you do?

1 A. Basically, most of the time we stayed in St Ninian's and
2 obviously, because there was only maybe two or three or
3 four of us, we done nothing, just were there. On one or
4 two occasions, I was taken to -- with Brother **BHD**
5 to London. I was taken to Liverpool, Manchester.

6 Q. By whom?

7 A. Brother **BHD**

8 Q. I'll come and look at that in a little while.

9 So far as Christmas was concerned, did you go away
10 for Christmas?

11 A. No.

12 Q. Did you stay there for Christmas?

13 A. No.

14 Q. What happened at Christmastime?

15 A. Sometimes -- it depended on how my mother was. I might
16 have got out or maybe I had to stay there.

17 Q. If you had to stay at St Ninian's, was there any
18 celebration?

19 A. Nothing spectacular, nothing that springs to mind.

20 Q. Were birthdays celebrated?

21 A. Never, ever, no.

22 Q. Do you remember getting visitors during your three years
23 there?

24 A. My brother, my eldest brother, come to visit me once.

25 In fact -- sorry, I was getting home, supposed to be

1 getting home for the weekend, and when my brother come
2 to pick me up on the Saturday morning, Brother LNA told
3 him that I'd been misbehaving and my weekend had been
4 cancelled. I didn't even get to see [REDACTED] when he came
5 that time. I didn't even know he had been until I
6 actually had seen him after I got out.

7 Q. So you didn't see him at all then?

8 A. No, no.

9 Q. What about social workers, for example? Did you see
10 a social worker at all during your period there?

11 A. No.

12 Q. I think you talk about this in your statement, but you
13 don't remember any meetings where you might have been
14 reviewed and told what your position was?

15 A. Never, ever that I can remember.

16 Q. You tell us in your statement -- this is at
17 paragraph 79 -- that there was an incident when you
18 swallowed a nail; do you remember that?

19 A. Yes.

20 Q. What happened?

21 A. They'd asked me to put hard board down on the floor --
22 I think they were maybe putting new carpets down or
23 something -- and I had two or three nails in my mouth
24 and I swallowed one of them. Then I had to eat
25 basically a cotton wool sandwich and was told that the

1 cotton wool would wrap itself round the nail and then
2 eventually nature would take its course.

3 Q. Is that what happened?

4 A. I think so.

5 Q. We have seen a record that the Christian Brothers have
6 produced to us. I needn't put it on the screen, but
7 I'll just give the reference for the transcript. It's
8 CBR.001.001.2119.

9 This is for 31 May 1970. So you'd been there for
10 just under a year. Would that fit in with your
11 recollection as to when this happened?

12 A. I couldn't exactly say when it happened, but certainly
13 in the three years that I was there it happened.

14 Q. The note in the record that we've seen is:

15 "[You], [I won't mention your name] swallows nail.
16 Doctor informed."

17 So that suggests the doctor might have been told, it
18 doesn't say the doctor was called. Do you have any
19 recollection of seeing a doctor?

20 A. Never, no. No.

21 Q. The other thing you tell us in your statement, James,
22 is that you ran away more than once, you say; is that
23 right?

24 A. Yes.

25 Q. Where did you go? Let's take these instances. Where

1 did you run to?

2 A. Well, my mother at that time stayed in Portobello, so
3 I always made -- I tried to get to where my mother was.

4 Q. Did you succeed on the occasions you ran away?

5 A. One of the times I got to Portobello and my mother fed
6 -- made us a meal, one or two of the guys, other boys
7 that were with me, and while we were eating the meal she
8 went to the police station and come back with the police
9 and we were just taken back to St Ninian's.

10 Q. Again, the records do support that. We needn't put it
11 on the screen, but at CBR.001.001.2144, there's a note,
12 just to get the numbers, in [REDACTED] 1972, that you and
13 others ran away and went to your home in Portobello.

14 A. Mm-hm.

15 Q. And that was in 1972. The other times you ran away, was
16 it always back to Portobello?

17 A. The other times I ran away, we may have been caught sort
18 of as we were hitchhiking or trying to -- because we
19 never ever had any money. The time I actually got to
20 Portobello, I'd sold a watch that I had to some fella
21 that I met on the street in Kinross and the three of us
22 managed to get the bus to Edinburgh with the money that
23 the fella gave us for the watch.

24 Q. On any of these occasions when you ran away and you went
25 back to the school, did anything happen to you?

- 1 A. Probably just loss of privileges, but you didn't have
2 many privileges anyway, so it wasn't any great
3 punishment.
- 4 Q. If I take you to paragraph 88 of your statement, just to
5 jump ahead a little bit, you suggest in that paragraph,
6 if we get it on the screen, that at least on one
7 occasion you were beaten up as a punishment, and that's
8 by Brother **LNA**, with a tawse. Do you have any
9 recollection of that now?
- 10 A. Is it put as a tawse? A belt. Aye, it wasn't any ...
11 It wasn't like a severe beating as such. Probably just
12 smacked you half a dozen times.
- 13 Q. Do you remember that or is that something really you're
14 surmising might have happened?
- 15 A. Aye, because I never, ever got beaten very much in
16 St Ninian's in comparison to the beatings you used to
17 get at Nazareth House.
- 18 Q. So just so far as discipline is concerned, are you
19 focusing more on deprivation of privileges rather than
20 on beatings?
- 21 A. Well, you didn't have that many privileges to be
22 deprived of.
- 23 Q. But what sort of things could you be deprived of? For
24 example, the tuck shop or --
- 25 A. Yes, tuck shop. Sometimes you would ... There wasn't

1 much they really could do to you except ... Because you
2 didn't have very much anyway.

3 Q. Can I ask you a little bit again about the set-up with
4 the showers? You've already described the layout for
5 us. I think the picture we have is that you had these
6 12 open shower cubicles; is that correct?

7 A. Yes. It might have been six back-to-back --

8 Q. I understand that.

9 A. -- or it could have been seven back-to-back or five
10 back-to-back.

11 Q. But of that order?

12 A. Yes.

13 Q. You're telling us that after games, the boys would go
14 into these cubicles. Would you have, let's say if
15 there's six, 12 boys there at one time?

16 A. Yes.

17 Q. You tell us in your statement about this person,

18 MCS and what happened with him when you were
19 in the showers. Can you just describe that for us?

20 A. Well, MCS, I can recollect -- every time I seen

21 MCS he always had a camera dangling from his
22 neck, and quite often MCS would come into the
23 showers and you would be facing where the water was

24 coming from, so you had your back to the corridor and

25 MCS would usually come out with something like,

1 "Have you washed your knees properly? Could you turn
2 round and check?" and when you turned round, he would
3 take a photograph. This didn't happen every time you
4 were in the showers, but it happened regular.

5 Q. Did you see any of these photographs?

6 A. I have never seen any photographs that he's taken, but
7 he must have thousands of them because wherever he went,
8 his camera was with him.

9 Q. Would any brothers be present when this was happening?

10 A. There was usually someone outside, like if two boys --
11 if one boy was coming out the showers, then because
12 there was a big queue, if one come out, one went in, and
13 if three came out, three went in, and you just had to
14 wander about and see which cubicle they had come out --
15 which one was empty and then you would go in.

16 Q. But did you see any brothers in the shower area itself?

17 A. They wandered up and down as well, aye.

18 Q. Who do you have in mind for that?

19 A. Brother **LNA**, Brother **MCY** Brother **BHD**

20 Q. So far as any -- did any of these brothers do anything
21 untoward to you?

22 A. Brother **LNA** seemed to be ... He always asked you to
23 turn around to see if you'd, in his words, showered
24 properly.

25 Q. What words did he use, can you remember?

1 A. Just, "Turn around and let me see if you've washed your
2 knees or your legs", or whatever. So you just done it.

3 Q. Do I take it from that, he never made any physical
4 contact with you in the showers?

5 A. Oh, he quite often touched you, yes.

6 Q. What happened?

7 A. He would just touch ... I'm using words now that
8 I didn't know when I was 10, 11, 12, 13 years old, but
9 he would touch you inappropriately.

10 Q. Can you elaborate on that if you can?

11 A. He would move your (indicating) ...

12 LADY SMITH: You're pointing to your private parts?

13 A. Aye, he would move your genitals out of the way on the
14 pretence that he was seeing if you'd washed your legs or
15 your knees or whatever. He didn't need to touch you
16 in that way at all to see if you'd showered.

17 MR MacAULAY: Did he do that to you?

18 A. Oh aye, yes.

19 Q. Did you see if he did that to other children?

20 A. You couldn't see because you were in that cubicle, but
21 I'm guessing he did, yes.

22 Q. How often did this happen to you?

23 A. Quite often, quite often. I would say -- it wasn't
24 every day because every day he may not have been there,
25 but I would say on average two or three times a week.

1 Q. I'll come back shortly to Brother LNA again, but can
2 I just go back to Mr MCS's position, because
3 you have told us what MCS was doing and taking
4 photographs of the boys and what he was saying.

5 The inquiry has managed to take a draft statement
6 from MCS. He denies being in the shower area
7 taking photographs. Do you understand that?

8 A. Mm-hm.

9 Q. He challenges the -- in your statement, for example,
10 I think you describe him as someone who was 30 or 40 but
11 he says he was much younger. As a 12, 13, 14-year-old,
12 I suppose you're looking at an older person at least;
13 is that correct?

14 A. Yes.

15 Q. But he says he was never in the showers with a camera.
16 What's your position about that? That's his position.

17 A. If he's said that, he's lying, because he was there
18 quite often.

19 Q. Can I just focus now for a moment or two on
20 Brother BHD who we've mentioned already in
21 passing.

22 What did you understand his position to be at
23 St Ninian's?

24 A. The first year or so I was there, Brother BHD
25 wasn't there, and then he just -- because they move each

1 other about for whatever reason, and then all of
2 a sudden he just appeared and he started teaching
3 [REDACTED] I suppose. He just then became ... He was
4 just always there. He was part of the set-up.

5 Q. If I could put this on the screen for you just to try
6 and get a time frame for Brother [REDACTED] BHD This is
7 INQ.001.004.1585.

8 Is it possible for to you read that on the screen or
9 not very easy? I'll tell what you it is.

10 A. It only goes to 1963.

11 Q. If we move on to 1585, it should go beyond 1963.

12 What this is, if I can explain, it's a document
13 that's been put together by the inquiry based on
14 information provided by the order to indicate when
15 certain brothers were at St Ninian's. If we look, for
16 example, at your time, which began in 1969, can we see,
17 according to this, there's a Brother Carey,
18 a Brother Dee, a Brother Ellis, [REDACTED] MHJ
19 Brother [REDACTED] MBV , Brother [REDACTED] LHC , Brother Power and of
20 course Brother [REDACTED] LNA . That's 1969.

21 Can we see, in 1970, the year after that, a few
22 names along, the name of Brother [REDACTED] BHD
23 [REDACTED] BHD first appears; is that right?

24 A. Mm-hm.

25 Q. So you were there in 1969, so what you say may be

1 correct in that he came some time after you had been
2 there.

3 A. Yes.

4 Q. In any event, you remember him coming there and being
5 there?

6 A. Aye, he wasn't there at the beginning.

7 Q. Did anything happen between yourself and
8 Brother **BHD** ?

9 A. Aye. One particular or main incident that happened was,
10 for whatever reason he took me -- I ended up going to
11 his brother's house in in London.

12 Q. I will come to that, but before that, let's just focus
13 on St Ninian's itself before you were taken to London.
14 Did anything inappropriate happen between
15 Brother **BHD** and yourself?

16 A. In St Ninian's, no. He did take me to somewhere,
17 a place in Liverpool, and also a place in Manchester.

18 Q. If we --

19 LADY SMITH: James, I think you're drifting a little bit
20 back from the microphone. If you could come a wee bit
21 forward, that would help everybody to hear you.
22 Thank you.

23 MR MacAULAY: If we look at your statement, in paragraph 86,
24 what you say is:

25 "During the course of my time in St Ninian's there

1 was always some sort of sexual contact by
2 Brother [BHD]. If it wasn't daily, it was two or
3 three times a week. There was no bad sexual abuse
4 actually in St Ninian's, it was just sexual contact."

5 I just wanted to know what did you mean by "sexual
6 contact" in St Ninian's itself before we look at the
7 other places.

8 A. That probably refers to in the showers.

9 Q. Was Brother [BHD] involved in the showers?

10 A. Aye, he sometimes was there as well, aye.

11 Q. What would he do in the showers?

12 A. More or less just exactly the same. Touch you and

13 LADY SMITH: Is this the same as you described Brother [LNA]
14 having done?

15 A. Yes.

16 MR MacAULAY: Let's then look at the times that you were
17 taken away from St Ninian's by Brother [BHD].

18 What was the first place you went to?

19 A. Liverpool or Manchester, one of the two.

20 Q. Did you go to these places on different occasions?

21 A. Yes.

22 Q. Let's look at the position with Liverpool then. Did the
23 Christian Brothers have a place in Liverpool?

24 A. Yes.

25 Q. And when you were taken there by Brother [BHD],

1 what was the purpose of that journey?

2 A. In actual fact, I think the whole three incidents
3 were -- the journey was from St Ninian's to end up in
4 London.

5 Q. I see. So we're talking about one journey with three
6 stops on the journey?

7 A. Aye.

8 Q. Was Liverpool the first stop on the journey so far as
9 you can remember?

10 A. Yes.

11 Q. What do you want to tell us as to what happened there
12 then?

13 A. Well, the total opposite of what was happening in
14 St Ninian's. Brother **BHD** ... (Pause). He made me
15 sleep in the same bed as him.

16 Q. I take it that the place that you went to in Liverpool,
17 there were other brothers there as well? Is that
18 correct?

19 A. Yes.

20 Q. It was a place for brothers?

21 A. Aye.

22 Q. Can you tell me how long did you spend in Liverpool?

23 A. Just the one night.

24 Q. How did you travel there? Can you remember?

25 A. Brother **BHD** drove.

1 Q. You were with him; was there anyone else with him?

2 A. There was another boy. I can't ...

3 Q. We don't need the name. You say there was another boy?

4 A. Yes.

5 Q. If you remember his first name, we can ...

6 A. [REDACTED]

7 Q. Did [REDACTED] also stay the night in Liverpool?

8 A. Mm-hm.

9 Q. You have told us that you slept in the same -- you went
10 to the same bed as Brother [REDACTED] BHD ; is that correct?

11 A. No, I didn't go to the same bed --

12 Q. Sorry.

13 A. -- as Brother [REDACTED] BHD

14 Q. What happened?

15 A. Brother [REDACTED] BHD got into the bed with me after I was in
16 it.

17 Q. What about [REDACTED]?

18 A. He was in a different room to me.

19 Q. So when Brother [REDACTED] BHD came into your bed, were you
20 awake at the time?

21 A. No.

22 Q. Did you wake up?

23 A. Mm-hm.

24 Q. And did anything happen?

25 A. Aye.

1 (Pause)

2 Q. Just take your time and feel free to explain anything in
3 your own words.

4 (Pause)

5 A. I woke up with Brother **BHD** he was touching me,
6 and ... when I pushed him away, he just -- he was bigger
7 than me, so he just done what he wanted to do.

8 Q. Are you able to say anything more than that?

9 A. No. I know what he done.

10 Q. But I think you are saying it was bad?

11 A. Mm.

12 LADY SMITH: What were you wearing?

13 A. Just underpants.

14 LADY SMITH: Just your underpants?

15 A. Yes.

16 LADY SMITH: Did they stay on throughout the incident or
17 not?

18 A. They weren't totally removed, but they were taken down.

19 LADY SMITH: Who by?

20 A. Brother **BHD**

21 LADY SMITH: What did he do then? Are you able to tell me?

22 A. As I say in my statement, the written statement that
23 I made, anything you can imagine, he done.

24 LADY SMITH: Okay.

25 MR MacAULAY: Once that had happened, did he leave your

1 room?

2 A. Yes.

3 Q. Were you upset, were you crying?

4 A. Mm-hm.

5 Q. You've been telling us about Liverpool, James. You have
6 mentioned already that you also went to Manchester;
7 is that correct?

8 A. Yes.

9 Q. Did you go to Manchester with Brother **BHD** and the
10 other boy, **██████**?

11 A. Yes.

12 Q. Again, where did you go in Manchester?

13 A. It was just another -- what would you call them in those
14 days? A monastery or whatever.

15 Q. Was it a place that was being occupied by the
16 Christian Brothers?

17 A. Yes. I don't think it was a children's home; I think it
18 was just a place where they lived.

19 Q. And so far as Manchester was concerned, did anything
20 happen to you when you were in Manchester?

21 A. Mm-hm.

22 Q. Are you able to tell us what happened there?

23 A. More or less the same as what happened in Liverpool.

24 Q. So did you have a room where you went to your bed?

25 A. Mm.

- 1 Q. And what about [REDACTED], was he in a separate room?
- 2 A. Mm-hm, yes.
- 3 Q. You've told us about what happened in Liverpool. Again,
- 4 did Brother [REDACTED] BHD come to your room? And did what
- 5 had happened happen again?
- 6 A. Yes.
- 7 Q. How long did you spend in Manchester?
- 8 A. Again, just the one night. Then we ended up in London
- 9 at his brother's, his actual brother's house, not
- 10 a monk.
- 11 Q. You have mentioned it already. I think you actually
- 12 gave us the street.
- 13 A. [REDACTED] yes.
- 14 Q. [REDACTED] in London?
- 15 A. Yes.
- 16 Q. Where did you go to in [REDACTED] London?
- 17 A. Brother [REDACTED] BHD 's brother's house.
- 18 Q. And who was there when you went there?
- 19 A. His brother.
- 20 Q. Do you remember his brother's name?
- 21 A. No.
- 22 Q. Did you stay there?
- 23 A. I stayed there, aye, yes.
- 24 Q. For how long did you stay there?
- 25 A. It was either -- two nights, I think, two nights.

- 1 Q. And what about [REDACTED] was he there as well?
- 2 A. Yes.
- 3 Q. Do you remember what the house was like?
- 4 A. I think it was a terrace, it was a terraced house, but
5 a big terrace, it was a three or four-bedroomed house.
- 6 Q. So far as the occupants were concerned, you mentioned
7 Brother [REDACTED] BHD 's brother. Was there anyone else
8 occupying the house?
- 9 A. No.
- 10 Q. How long did you spend there, did you say?
- 11 A. Two nights, I think.
- 12 Q. Two nights?
- 13 A. Mm.
- 14 Q. Did anything happen to you during those two nights?
- 15 A. Yes, the same stuff, the same thing.
- 16 Q. Can you just tell us a little bit about that? What
17 happened and with whom?
- 18 A. Just with Brother [REDACTED] BHD .
- 19 Q. What about his brother? Did anything happen in relation
20 to his brother?
- 21 A. No, I don't think so, no.
- 22 Q. After you'd been in London then, what happened? Did you
23 come back to Scotland?
- 24 A. Back to St Ninian's, yes.
- 25 Q. By car?

- 1 A. Yes.
- 2 Q. When you got back to St Ninian's, insofar as
3 Brother **BHD** was concerned, did anything else happen
4 to you in relation to him?
- 5 A. No, when I got back to St Ninian's, I think it just went
6 back to -- dare I say the word "normal"?
- 7 Q. Just focusing on Brother **BHD** and as far as sexual
8 abuse was concerned, did Brother **BHD** abuse you
9 again after you'd come back from London?
- 10 A. No, not to what he'd done in Liverpool and Manchester
11 and London, no.
- 12 Q. Did he do anything to you?
- 13 A. Well, as I said, things went back to normal as what they
14 were before I went to Liverpool, Manchester and London.
15 There was still always the thingy in the showers.
- 16 Q. With Brother **BHD**?
- 17 A. Yes.
- 18 Q. Can I then just look at the position with Brother **LNA**
19 who you've already mentioned. I think you've told us he
20 too would be involved in the shower episodes; is that
21 correct?
- 22 A. Mm-hm.
- 23 Q. You tell us in your statement that you were also abused
24 by Brother **LNA**
- 25 A. Mm-hm.

1 Q. Can you just help me with that? When did that start?

2 A. That started when my brother [REDACTED] come to pick me up,
3 to take me home for the weekend, and I was supposed to
4 be going home on a Saturday morning and on the Friday
5 night, I couldn't sleep because I was getting home, so
6 I chapped Brother LNA's bedroom and asked him if
7 I could go down to the kitchen to make a cup of tea.

8 He threw back the covers of his bed and he says,
9 "You'll get to sleep quite easily", or whatever words he
10 used, "if you come in here". And he was naked. So
11 I just went back to my bed, and [REDACTED] come to get me on
12 the Saturday morning. Obviously Brother LNA told him
13 I'd been misbehaving and my weekend had been cancelled.

14 Q. Was this early on in your time at St Ninian's?

15 A. Yes.

16 Q. What happened after that insofar as Brother LNA was
17 concerned?

18 A. Well, Brother LNA -- that was the night he had six or
19 seven or eight boys in his room, three or four sitting
20 on the floor, three or four sitting on his bed, watching
21 TV. Eventually eight would become six and six would
22 become four, and eventually down to ... left with like
23 just one boy in his room.

24 Q. Was that one boy yourself?

25 A. Sometimes it was me, sometimes it was someone else.

1 Q. If it was you, what would happen?

2 A. He'd always give you a cigarette. Then he would just
3 start to ... sexually abuse you, I suppose.

4 Q. Are you able to provide us with any more information on
5 that?

6 A. He used to ...

7 (Pause)

8 He forced you to do things to him and he done ...
9 forced ...

10 Q. Was he forcing you to do sexual things to him?

11 A. (Witness nods).

12 Q. I think you're nodding your head.

13 A. Yes.

14 Q. I think you're saying yes.

15 A. Yes.

16 Q. I think you said that he would do things to you; is that
17 correct?

18 A. Yes.

19 MR MacAULAY: My Lady, we're coming up to 3 o'clock.

20 LADY SMITH: Let's have a break.

21 James, we'll have a break, about five minutes, or if
22 you want longer than that, let me know.

23 (2.56 pm)

24 (A short break)

25 (3.08 pm)

1 LADY SMITH: James, are you okay to continue now?

2 A. Yes.

3 LADY SMITH: At the risk of sounding like a nag, can I ask
4 you to make sure you're the right distance from the
5 microphone? Thank you very much.

6 MR MacAULAY: You were telling us before the break, James,
7 that on the occasions when you were the last boy left
8 with Brother LNA in his room, that you were sexually
9 abused and I think, as you say in your statement, it was
10 bad sexual abuse?

11 A. Yes.

12 Q. You also tell us in your statement about events,
13 situations where boys might be in their beds and
14 Brother LNA would come on the scene. Is that correct?
15 Can you tell me about that? What happened on these
16 occasions?

17 A. You could be sleeping, maybe, I don't know, 1 or
18 2 o'clock in the morning, and he'd come in and waken you
19 and take you through into his room.

20 Q. Did that happen to you?

21 A. Mm-hm.

22 Q. What happened on those occasions when you were taken
23 into his room?

24 A. It was always something sexual. Always.

25 Q. Would you remain in his room or would you go back to

1 your own bed?

2 A. You probably went there for an hour or two, in his room
3 for an hour or two.

4 Q. And you then would go back to your own bed?

5 A. Yes.

6 Q. You're telling us about your own experience. Did you
7 see Brother **LNA** taking any other boys to his room along
8 these lines?

9 A. I seen him coming into the room I was in with two or
10 three other boys and taking one at random and would take
11 them away.

12 Q. You also tell us in your statement -- and this is
13 paragraphs 93 to 94 -- about a time when you were taken
14 by Brother **LNA** to Scotus Academy in Edinburgh. Do you
15 remember that?

16 A. Yes.

17 Q. Do you remember what age you were when that happened?

18 A. 13 or 14.

19 Q. What was the purpose behind that particular trip?

20 A. We were supposed to be -- he said I was supposed to go
21 there and help him do some painting.

22 Q. Did you understand that Scotus Academy, the school
23 itself, was run by the Christian Brothers?

24 A. It was, but I didn't know that until I got there.

25 Q. Did he take anyone else apart from yourself?

1 A. No.

2 Q. What happened when you got to where you were going?

3 A. We went into the main building and he spoke to two or
4 three other monks, whatever, and they took us down into
5 an annex, a side building and I was supposed to paint,
6 emulsion the walls.

7 Q. And what then happened?

8 A. Brother **LNA** said that he'd forgotten to bring my
9 overalls and I couldn't get paint on my good clothes, so
10 I'd to take my clothes off.

11 Q. Did you do that?

12 A. Yes.

13 Q. Did you take all your clothes off or did you keep
14 anything --

15 A. I kept my underpants on.

16 Q. You kept your underpants on. What then happened?

17 A. There was about four or five other monks there and ...
18 (Pause). Basically ... (Pause). They all done what
19 they done.

20 Q. Did your pants remain on?

21 A. No, Brother **LNA** took my pants off.

22 Q. Was there sexual activity?

23 A. Yes.

24 Q. Sometimes it's helpful for us, so we can understand the
25 nature of it, if you're able to give a little bit more

1 assistance by way of telling us a bit more about it.

2 Are you able to do that? When you talk about sexual
3 activity, can you give us some understanding as to what
4 happened?

5 A. I was forced to perform sexual acts on all of them.

6 Q. Are you talking about the four or five monks?

7 A. Yes.

8 Q. Did this also include Brother LNA ?

9 A. Yes.

10 LADY SMITH: Did these sexual acts involve your mouth?

11 A. Yes.

12 MR MacAULAY: Was that the only occasion you were taken to
13 Scotus Academy?

14 A. Yes.

15 Q. And after that, were you just taken back to St Ninian's?

16 A. Mm-hm.

17 Q. So far as the sexual abuse by Brother LNA was
18 concerned, in your time at St Ninian's, did that
19 continue throughout your whole period at St Ninian's or
20 did there come a point in time when it came to an end?

21 A. It came to an end when I left, when I was 15 years old.

22 Q. Okay. In paragraph 95 of your statement, James, you
23 make reference to Mr BHD -- I think it's BHD
24 that he was called -- and he was one of the teachers at
25 St Ninian's, is that correct, one of the teachers?

- 1 A. Aye, yes.
- 2 Q. Did anything happen in relation to him?
- 3 A. Aye, Mr BHB -- well, he done everything. He was
4 a he was teacher, teacher,
5 teacher, he was everything. He had a couple
6 of big corrugated sheds. He quite often would ... He
7 never, ever done anything that bad, but he'd touch you.
- 8 Q. In what way?
- 9 A. He'd just touch you down there.
- 10 Q. Touching your private parts?
- 11 A. Yes.
- 12 Q. Did that happen to you?
- 13 A. Yes.
- 14 Q. On how many occasions, do you think, or how often?
- 15 A. Maybe in the three years I was there, probably 20 times
16 plus.
- 17 Q. Did you see if he did that to other boys?
- 18 A. I never actually seen him doing it to other boys, but
19 I can only imagine or guess that he did do.
- 20 Q. Did anyone talk about it?
- 21 A. No, it was never ...
- 22 Q. Was there any discussion at all about any sexual abuse
23 amongst the boys?
- 24 A. No.
- 25 Q. Did you tell anybody at St Ninian's about what was

1 happening to you or what had happened to you in relation
2 to the sexual abuse?

3 A. Did I tell anyone at St Ninian's?

4 Q. Yes.

5 A. There was no one to tell.

6 Q. I think you do tell us that when you ran away, you did
7 tell your mother.

8 A. Yes.

9 Q. What did you tell your mother?

10 A. That they'd been abusing me.

11 Q. And did you tell her they had been abusing you sexually?

12 A. Yes.

13 Q. Did you tell her who was doing it?

14 A. Yes.

15 Q. And who was it that you told her about?

16 A. Sorry?

17 Q. Who was it that you told her about?

18 A. Brother **LNA** Brother **BHD**

19 Q. What was your mother's reaction to that?

20 A. I remember she slapped me and said that I was lying,
21 they couldn't possibly do that.

22 Q. The only other thing I want to ask you about St Ninian's
23 before I look about what happened after you left
24 St Ninian's, James, is in relation to bed-wetting,
25 because you do talk about bed-wetting in your statement

1 at paragraph 82, I think.

2 I think I'm right in saying you were not
3 a bed-wetter.

4 A. Probably in the sort of five years that I was in care,
5 I didn't wet the bed more than two or three times, four
6 times.

7 Q. Did you wet the bed when you were at St Ninian's?

8 A. No, I wet the bed at Nazareth House two or three --
9 probably once at St Ninian's, once or twice, aye.

10 Q. The bed-wetting evidence you give in your statement,
11 really you're talking about Nazareth House and not
12 St Ninian's; is that correct?

13 A. Aye.

14 Q. Can I then look at when you came to leave St Ninian's?
15 I think, as we've already discussed, you left when you
16 were 15, and that was on [REDACTED] 1972.

17 A. Yes.

18 Q. When did you know that you were leaving?

19 A. Well, that year was the last year that you could leave
20 school at 15, so I knew I'd be leaving after that summer
21 term because I was past school age. So I knew I was --
22 I knew I would be leaving, but I can't remember exactly
23 who told me I was leaving.

24 Q. Can I ask you this: the inquiry has heard evidence, and
25 this is recorded in the Christian Brothers' records,

1 that there was a particular incident where a boy at the
2 school was badly beaten by one of the brothers. It's
3 also recorded that there was a public apology by the
4 headmaster in connection with that. Do you have any
5 recollection about that?

6 A. I can't remember anyone getting really badly beaten when
7 I was there.

8 Q. In your statement, James, you tell us at paragraph 100
9 onwards about your life after care, and, in particular,
10 that you eventually did move to stay with your mother;
11 is that correct?

12 A. Mm-hm.

13 Q. And then you took up a trade and that was trade you
14 effectively carried on for the rest of your working
15 life?

16 A. Yes.

17 Q. You do give us some insight into the impact that care
18 had on you. I think, as you put it, you were a drinker
19 for quite a significant part of your life; is that
20 right?

21 A. 30 years.

22 Q. Do you relate that in any way to your time in care?

23 A. I was drunk every day for 30 years until I stopped
24 drinking totally in 2009. So yeah, I was drunk every
25 day for 30 years. Nothing to be proud of. I don't know

1 if it had anything to do with being in care or ... Most
2 of the time I worked, I always worked away from home,
3 and that was part of what you did when you were working
4 away from home, everybody went out to the pub every
5 night. But no, I don't know if my drinking was anything
6 to do with being in care, I don't know, but I certainly
7 drunk a lot for 30 years.

8 Q. You stopped, I think, some years ago.

9 A. 2009, yes.

10 Q. And for example, I think you have one of your daughters
11 here today, supporting you. She is not in the hearing
12 room, but she's here with you; is that correct?

13 A. Yes, mm-hm.

14 Q. Have you told your wife about what happened to you in
15 care?

16 A. There was a message left on my house phone about eight
17 or nine or ten months ago from the police in Livingston.
18 That particular day, I was at hospital with my missus,
19 and [REDACTED] texted me to say, "The police in Livingston
20 have been in touch, they want to speak to you. What
21 have you been up to?" I phoned and said, "I've not been
22 doing nothing". Then I said to her, "If the police want
23 to get in touch with you, it's usually when there's
24 a bereavement in the family".

25 So when I came out of the hospital and phoned them,

1 they immediately said, "It's not anything bad, it's just
2 to do with Nazareth House children's home". When I got
3 home, I had to tell my wife and my three daughters, not
4 everything, but basically that I'd been in care -- well,
5 they knew I'd been in care, but what had happened to me
6 while I was in care. That was no good, that wasn't
7 nice, because they didn't know.

8 Q. So that was the first time that you told your family?

9 A. Mm-hm.

10 Q. If we look towards the latter part of your statement,
11 you're talking about lessons to be learned, James. At
12 paragraph 117 you put forward some suggestions, and in
13 particular you say:

14 "There should never be a situation where nobody from
15 the outside are coming in to make sure that everything
16 is being done correctly."

17 Do you think that, so far as you're concerned, that
18 was a failure that happened when you were in care?

19 A. Mm.

20 Q. Is that what you're trying to tell us there?

21 A. Yes, the doors were locked and that was it. If anybody
22 did -- I never, ever seen very many social workers, but
23 if anybody did come to, they got to see, I would say,
24 what the people in the home allowed them to see.

25 Q. You do ask the question:

1 "Why should a child go through care without someone
2 being there to protect them?"

3 A. Yes.

4 Q. Was there anybody there to protect you?

5 A. Never, ever, no.

6 Q. Finally, I think you say at paragraph 118 that you do
7 hope that everybody becomes aware of what happened. You
8 want people to know.

9 A. People should know what went on and, hopefully I'm
10 wrong, is still going on. I hope I'm wrong on that one
11 because it's wrong, it's not right.

12 Q. And you go on to say that you hope that someone makes
13 sure that these things don't happen again.

14 A. Mm-hm.

15 Q. That's your final words, as it were, to the inquiry?

16 A. Yes.

17 MR MacAULAY: Well, thank you, James, for coming to give
18 your evidence. I have asked all the questions that
19 I want to ask of you. I don't understand that anyone
20 else wants to ask any questions. Thank you very much
21 indeed.

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

24 James, that is everything we have to ask you today.

25 Thank you very much. Your evidence is enormously

1 valuable in the work that we have to do here, both, as
2 we've said, in relation to what you have added to what
3 we've already heard about the Sisters of Nazareth and
4 what you have come forward to tell us about your
5 experiences with the Christian Brothers today.
6 Thank you very much for that and I'm now able to let you
7 go.

8 A. Right.

9 (The witness withdrew)

10 LADY SMITH: So where are we going now, Mr MacAulay?

11 MR MacAULAY: That's all the oral evidence for today,
12 my Lady. It would be possible to have a read-in today
13 or tomorrow, depending on how late --

14 LADY SMITH: Maybe if there's time to do it before 4 o'clock
15 today -- I think it's a relatively short one. Shall we
16 do that? Over to you, Ms MacLeod, I take it. When
17 you're ready.

18 Witness statement of "BARRY" (read)

19 MS MACLEOD: This is a witness statement of an applicant who
20 wishes to remain anonymous and to use the pseudonym
21 "Barry". The statement is at WIT.001.001.4429.

22 Barry did not wish to give live evidence at inquiry
23 hearings, but he had no objection to his statement being
24 read in:

25 "My name is Barry. I was born in 1958. My contact

1 details are known to the inquiry.

2 "I was born in Possilpark, which is in the north of
3 Glasgow. I was one of four kids. I have two sisters
4 and a brother.

5 "I had a great upbringing with my parents. There
6 was never any hassle or abuse from them. I did not get
7 any ill-treatment from them. I got a belt around the
8 ear if a truant officer came to the door, but that was
9 about it.

10 "The primary school I went to was called
11 St Theresa's Primary. I wouldn't go. I just didn't
12 like going to school. My mother would put me in one
13 door and I would walk out another door. I remember
14 a teacher called Mr **MEQ** who used to batter me about
15 his walking stick. I just took it as part and parcel of
16 going to school. It was the way things were back then.
17 It was a daily thing.

18 "I was a boy who had a head on him which was far
19 older than his years. I used to skip school and jump on
20 trains on my own to Aberdeen and Perth. I would jump on
21 a ferry and go to Dunoon. I did that instead of playing
22 on the streets. I did that right up until I was the age
23 of 11. I ended up at the city chambers for skipping
24 school. My father got a fine.

25 "I went to St Augustin's secondary school when I got

1 older. By that time I was doing things like stealing
2 milk off milk floats, papers from outside the shops and
3 sweeties from inside the shops. It was trivial things
4 that I was doing. It was theft, but I wasn't going out
5 and robbing people's houses or anything like that.

6 "I ended up in a police station after stealing
7 a milk float. I took a shot of it and crashed it.
8 I ended up in front of the Chief Inspector in Springburn
9 police station. I was given a verbal and a warning.
10 I think it was because of this that I ended up being
11 given a social worker. Her name was Ms Montgomery. She
12 used to come and visit the house.

13 "I ended up at the sheriff court. That was for
14 truancy. The next thing was that they were trying to
15 arrange a Children's Panel. I can remember my mother
16 saying to my social worker, 'If he's going away, I'm not
17 taking him to the panel'.

18 "There were four or five people around the table
19 at the hearing of the Children's Panel. My
20 social worker was there. My mother and father from also
21 there. We all sat round and had a chat. They all had
22 a discussion in front of me about my school attendance.
23 I was then taken out of the room so that they could have
24 a discussion on their own. Later on, they brought me
25 back in. I was taken by the wrist and told there and

1 then that I was going away. There was no time period
2 discussed. They didn't tell me where I was going.
3 I was just told that I would be going away. Going away
4 didn't bother me. I didn't cry or anything. I didn't
5 break down when the panel was putting me away.

6 "After the panel hearing, they put me in this room.
7 I saw my mother and father and said goodbye. I was then
8 taken away in a minibus. En route we went down
9 Argyle Street. I saw my mother and father walking down
10 the road. I said to the minibus driver that they were
11 my mum and dad. The guy stopped the van. I got to
12 speak to my mum and dad. My mother went into
13 Woolworth's and came out with some pick-and-mix. After
14 that, the driver carried on driving me to Larchgrove.

15 "In later years, I questioned in my head whether my
16 mother and father had put me into care or whether that
17 had been the panel's decision. When you look up the
18 history of these places, children were placed in them
19 for their care and protection. I had no danger from my
20 mother and father. I had no fear of my mother and
21 father. I was just the only one of the three kids
22 in the household who caused any issues. The only reason
23 I ended up being sent away was because I didn't attend
24 school. It was as simple as that."

25 From paragraphs 12 to 34 of the statement, the

1 witness provides evidence relating to his time in
2 Larchgrove where he tells us that he was there for a few
3 weeks when he was around age 13. I'll read from
4 paragraph 35 onwards:

5 "When the transfer came through, I was informed that
6 I would be going away. Ms Montgomery then came to pick
7 me up. She drove me to St Ninian's. It was all banter
8 and joking in the car. Then we got to St Ninian's
9 itself."

10 The Christian Brothers' records has Barry being
11 admitted to St Ninian's on [REDACTED] 1971 when he was
12 13, and discharged on [REDACTED] 1973 when he would have
13 been 15:

14 "St Ninian's was run by the Christian Brothers. In
15 those days the school leaving age was 15, so that was
16 the age you left. That changed to 16 later on. There
17 were between 40 and 48 boys in there. It was all boys.
18 There were a few boys from Possilpark in there. We kind
19 of knitted together.

20 "St Ninian's was a big old-fashioned place. It was
21 all dark oak panels and the paintings on the walls were
22 12 foot by 8 foot. It was a creepy place.

23 "There were two wings. There were two areas for the
24 juniors and the seniors. The junior and the senior side
25 were different houses and I think they had different

1 names. I can't remember what those names were. You
2 were held in the juniors until you became a certain age.
3 You were then moved to the seniors. As the boys moved
4 up from the juniors to the seniors, gaps were created
5 and new boys would come in.

6 "I was 13 when I went to St Ninian's. I started
7 in the juniors but went on to the seniors. I came out
8 when I was 15. A lot of the children in there had come
9 from Nazareth House. There were boys in there who had
10 turned 11 and then had been transferred across from
11 there.

12 "Brother BHD was the [REDACTED]. You only had
13 things to do with him during the day. He was a [REDACTED]
14 teacher. He was a wee guy. He was bald and had
15 glasses. He looked like Penfold out of Dangermouse. He
16 always wore the robes. He would run everywhere. He
17 would run to catch you. He would duck and dive out of
18 bushes.

19 "Brother LNA ran the [REDACTED]. He wore
20 civilian clothes. He was the one who put you to bed and
21 got you out of bed. He was the one who got you squared
22 up before you went down for your breakfast and things
23 like that.

24 "Brother MCY ran the [REDACTED]. He took sports.
25 He was a brilliant guy. He was generally in

1 a tracksuit. We got no hassle off him.

2 "When we went up to his wing we became eligible for
3 cocoa at night. He gave you that before you went to
4 bed. I never had any bother from Brother [REDACTED] MCY .

5 "Brother [REDACTED] LHC was an old man. He looked upon him
6 as if he was the senior brother. In those days
7 I thought he was in his 80s. I learned later when
8 I went to his grave that he wasn't that old. He dressed
9 like a minister with a collar. He ran the tuck shop.
10 He would give you sweeties. We mostly saw him at
11 mealtimes. He used to give your meals out and give you
12 grace. Looking back he had retired and was living his
13 days out. I now know he died at St Ninian's.

14 "Brother [REDACTED] LMZ was a [REDACTED] teacher. He was a great
15 guy. He was a big heavy Geordie boy. He would get you
16 to clean his room. He was a smoker. We used to take
17 the stubs off his cigarettes. The problem was that he
18 smoked Silk Cut. You couldn't get a draw off them with
19 a pair of bellows.

20 "Brother Jack had left St Ninian's. He didn't live
21 or work actually in St Ninian's. I don't know what home
22 he worked in. He used to come in, hand-pick ten or
23 12 boys, and take them out in the minibus for the
24 football.

25 "The only two bad ones in St Ninian's were

1 Brother [BHD] and Brother [LNA].

2 "I remember nuns coming in to St Ninian's. I can't
3 remember whether they were just brought in for staff
4 coverage or whether they came in from Nazareth House
5 with some of the boys who came in. I remember the nuns
6 taking classes. We were rip the piss out of them
7 because they were women. We would call them penguins
8 and things like that. I didn't really have much to do
9 with them.

10 "Mr [BHB] took [REDACTED]. We all called
11 him Mr [BHB]. We used to do the basket weaving with
12 him. You always liked doing that with him because you
13 would cut bits off the baskets and use them to smoke.
14 He could shout and bawl, but that was all he did. It
15 was nothing but raised voices.

16 "There was a [REDACTED] member of staff who was called
17 [MCS] I think he was a [REDACTED] or
18 something. He taught us [REDACTED] I remember him taking
19 photographs of everybody. That was his hobby. It
20 wasn't funny photos or anything like that, it was just
21 boys playing football or rugby. It was like the school
22 photos.

23 "I know that one of the former boys got in contact
24 with [MCS] The former boy got in contact with him
25 because he knew [MCS] had witnessed a severe assault.

1 I heard that in the beginning MCS denied that he saw
2 anything and refused to be a witness. Eventually he
3 provided a statement confirming what had happened.

4 "The cook was a woman called Lizzie. She was like
5 a mother figure. She'd let you help her out. She'd
6 give you the keys to the store. When she gave you the
7 keys she was really giving you them because she knew you
8 would grab an apple or something. That was how she gave
9 you things. Her daughters used to come up from the
10 village to help out with the dishes.

11 "There was a matron. She was an old dragon. She
12 left and a new matron took her place. She was younger.
13 She would have been in her 40s.

14 "On my first day I remember standing at the front
15 doors. They were big massive, wooden things. The
16 building was like something out of the Addams Family. I
17 looked up at the building and it was at that point I got
18 a tear in my eye. When I went to the door I was greeted
19 by Brother BHD. I was then taken into the staff
20 room. It was just like a big lounge. The room was all
21 wooden panelling. I sat down with my social worker and
22 spoke to the brothers. I was introduced to them all. I
23 then spoke to the matron and was introduced to her.
24 I then walked to the TV room where there were other boys
25 there. I was left to my own devices. I was told to

1 just ask the boys what I needed to do.

2 "Later on the bell went for dinnertime. I went down
3 for my dinner with the other boys. They got you up at
4 7 o'clock in the morning. You got your breakfast at
5 about 8 o'clock. During the day it was your classes.
6 You got a play break and you got your tea in those
7 hours. You had a dinner break. You were left to your
8 own devices unless there was schooling or there was
9 something on.

10 "I think it was either six or eight boys in each
11 dormitory. It used to be old hospital beds in the
12 dorms. We were all given new divan beds when
13 St Ninian's went through a refurbishment.

14 "I remember a number of boys who were in my dorm.
15 There were single rooms on each side of the dorms.
16 A couple of the boys were in those single rooms.

17 "You brushed your teeth in the mornings and at
18 night. You could have a shower any time you wanted.
19 You had a shower pretty much every day because you were
20 made to play sport every day. You were washed every
21 night.

22 "To get to the toilet you had to go past
23 Brother **LNA**'s room. You felt you were on needles
24 creeping past his door.

25 "I wore my own clothes when we went out from

1 St Ninian's. St Ninian's didn't give the boys clothes.
2 I was fortunate though as my mum and dad would send in
3 clothes they had bought for me. I had a Harrington
4 jacket, Levi's jeans and my own trainers.

5 "The food was all home cooked by Lizzie. You got
6 a loaf of bread put down in the middle of the table and
7 you could eat as much of the bread as you wanted. If
8 you finished the loaf you could go and ask for another
9 one. You did get extras if you wanted them. The food
10 was all spot on in that way. The soups were all poor.
11 I can taste the tomato soup to this day.

12 "You didn't need to clear your plate. You didn't
13 have to eat everything. Your meals weren't laid out at
14 as such; you went up and got your meal. You could say
15 to Lizzie that you didn't want something if you didn't
16 like it. Sometimes there were choices and you could
17 pick things instead of other things. You could, for
18 example, pick chips over boiled potatoes.

19 "The brothers ate in the dining hall at the stage as
20 us. I remember Brother LHC sitting in the corner.

21 "The school was in the house. The classrooms were
22 up the stairs. It was the brothers and civilians that
23 taught you. I didn't have much of an education at
24 St Ninian's. There was an education programme but it
25 was nothing. It was basic schooling. It wasn't what

1 you would get outside. You were basically in
2 a classroom to put the hours in. You weren't made to
3 study like the way you did outside of St Ninian's.

4 "We didn't do exams or anything like that. You
5 didn't have any schooling or life skills like cooking or
6 budgeting. Going to school in St Ninian's basically
7 meant that I had no secondary education. One of the
8 things they encouraged you to do were mailing classes.
9 You had these catalogues that you had to do all the
10 exams in. You would then send them back. You got
11 graded from one book to the next. It was all religious
12 type things. You got marks for it. It was a load of
13 shite. Boys were only taking part in it because they
14 wanted to be in the good books to try and get home
15 leave.

16 "You got up for chapel in the morning and you would
17 attend Mass at Falkland Palace. I was an altar boy
18 there. I didn't do that because I wanted to; I did it
19 because I was told to. It wasn't a bad thing because
20 you used to be able to steal the holy wine when you were
21 there.

22 "Really, outwith your school time, you had a free
23 hand. You could leave the building and walk outside.
24 You could go off into the mountains if you wanted to.
25 You could walk in the woods or go down to the burn.

1 There were sports every day, you did that every day
2 seven days a week. You had to do that whether you liked
3 it or not. It would be cross-country running, hockey,
4 football, rugby, golf, or training for your triple
5 athletics stars. You could do everything you could
6 think of. You name it, we had it.

7 " If it was a team game, you would be put into your
8 house teams by your housemasters and played sport
9 outside. I remember travelling outside. We went
10 running in Meadowbank stadium and we also played table
11 tennis tournaments there. We played rugby at the
12 training ground right across from Murrayfield. We went
13 ice-skating in Kirkcaldy. We went swimming in Perth
14 every week.

15 " Every night at 5 o'clock you came out and did
16 sports. You wanted to be the man who played in all the
17 teams. Whilst I was there I saw us playing a game of
18 competitive football on a Saturday morning followed by
19 a rugby game on the Saturday evening followed by
20 a hockey game on the Sunday morning. It was intense.
21 You were fit because they were making you fit. You
22 could do badminton, play pool, play football, and use
23 the gymnasium in your free time. There was a TV room
24 and a music room.

25 " All the maintenance of the house was done through

1 the boys. You moved around the different types of
2 chores. You got your duties in the morning after
3 breakfast. You were told what you were doing.

4 "They had a cellar across from the boot room in the
5 house. It looked like an old police cell. It was full
6 of old equipment. All the cleaning stuff was kept in
7 there. You would go down there and look at the
8 equipment. You were then told what chores you had to
9 do. You would maybe put Dubbin on all the rugby balls
10 or whatever.

11 "When I was at St Ninian's it went through a
12 refurbishment. We did all the work. I remember putting
13 cleaning stuff on the tiles and polishing them all up.

14 "We went away skiing for two weeks with the Army
15 Training Corps in Glenshee. Both the juniors and the
16 seniors went away on that. We were camping in
17 St Andrews. I remember the campsite was at the top of
18 a cliff. We went training at St Andrew's as well. We
19 used to run on the sand dunes for the rugby. We once
20 went to the opera. I didn't like it but I went. We
21 went to discos in Dundee and Broughty Ferry. We went to
22 the ice hockey. It wasn't all bad times at St Ninian's.

23 "I went home for Christmas Day and the holidays
24 themselves. However, I still always got a Christmas
25 dinner and a Christmas treat at St Ninian's. I remember

1 doing the carol singing in Falkland Palace.

2 "At Christmas and birthdays you could get a parcel
3 sent in from home. If you didn't have a parcel, you got
4 a parcel sent in from your social worker. You used to
5 get a visit off your social worker at Christmas. They
6 used to give you a 10-bob note for Christmas. That
7 changed after decimalisation.

8 "For birthdays you got your birthday cake at your
9 table. That was all down to Lizzie. We got a shilling
10 a week pocket money. We got a sixpence on a Friday and
11 a sixpence on a Wednesday or a Monday. If you wanted an
12 extra sixpence you had to run up the Paps of Fife and
13 back. You had to be the first to the top and the first
14 to the bottom otherwise you got nothing. There were
15 checkpoints going up to check up on you that you were
16 doing it.

17 "My dad worked for Cadbury's. When my dad did
18 deliveries in Falkland he would send up parcels. He
19 would send up the new sweeties. He did that with broken
20 sweeties and burst boxes as well. My dad would deliver
21 the sweeties and they would be divvied out among the
22 boys when they went up to the tuck shop with their
23 pocket money. I have a vivid memory of that happening
24 when the chocolate bar Curly Wurly first came out. We
25 got Curly Wurlies for weeks on end.

1 "My mum came to visit me. She used to get the bus
2 up from Glasgow. I remember walking up the driveway to
3 meet her in the village. I remember the family of
4 another boy. That family used to come up from Maryhill
5 in Glasgow and they used to give my mother a lift. My
6 father never visited me while I was St Ninian's. He
7 couldn't hack leaving me at the end of the visit. He
8 told me that he wouldn't be able to handle walking away
9 and leaving me there. He used to write but he didn't
10 visit. Ms Montgomery, my social worker, came to see me
11 about once or twice a year. I never saw an inspector or
12 inspections in the home.

13 "Certain boys used to get home every week. Other
14 boys used to get home every other week. I tended to get
15 the home leaves. I think I got home every two weeks.
16 Sometimes I went by minibus and other times I went by
17 train. It was Brother **LNA** that drove the minibus.
18 I think we got the train if it was the summer holidays.
19 We had to get the train then because everybody was
20 leaving at the same time and the minibus couldn't carry
21 everybody. You wouldn't get your leave if there had
22 been an incident like fighting or causing some bother.

23 "If you got physically punished severely, they would
24 cancel your home leave. They couldn't send you home
25 when you were covered in bruises. Your parent would

1 just be told you had been misbehaving or something. You
2 wouldn't get home for two or three weeks. After that
3 you would go back to your home leave.

4 "If I went home from St Ninian's with something like
5 a black eye, my parents just said, 'You must have
6 deserved it'. That was the attitude back then. You
7 would just laugh about it and accept it. I remember
8 going home for leave in the minibus and seeing a boy
9 called David Sharp standing there alone as we went away.
10 He had no parents to go home to.

11 "When St Ninian's shut down for summer, Easter or
12 Christmas holidays, we returned to our parents.
13 David Sharp had to stay with the brothers. There were
14 other boys in the home who didn't have parents to go
15 home to as well; they got fostered out though. My mum
16 took in some boys who didn't have homes to go home to
17 when I went home on leave.

18 "There was a doctor who came in to St Ninian's.
19 Sometimes you were taken to the doctor. I went through
20 a lot of tests in hospital for kidney stones. They did
21 those because I was a bed-wetter. I was on all sorts of
22 medication trying to break up the stones and to get my
23 bed-wetting cured. Everything else was treated in the
24 house. Any bruises you had were always just put down to
25 playing rugby.

1 "You got taken out to the dentist. I can't remember
2 dentists coming in. When you needed treatment you went
3 out. I got some teeth taken out.

4 "I remember boys leaving because they were
5 school-leaving age and they couldn't keep them in.
6 I remember boys going out of St Ninian's for work
7 experience. They went and worked in the community.
8 I never did any work experience. I was never at the age
9 of boys to be going out into the community. There were
10 some boys who went out and worked in the community until
11 they had a flat. They left after that.

12 "I don't know how many times I ran away. I remember
13 bolting away when I was taken to see the football at
14 Parkhead. I also did that when I was taken to a Cup
15 Final at Hampden. It was Brother Jack who took us to
16 the football. I ran away home. I used to run away from
17 the football games back to my mother's. My mother would
18 put me on a bus back to St Ninian's a couple of days
19 later.

20 "After running away from the football a few times,
21 Brother Jack knew what was going on. He would drop me
22 off at my mother's before going to the game and pick me
23 up again after it. In the end they put a stop to me
24 being taken to the football because I was running away.
25 There's no mention in the records though show I ran

1 away. As far as I am concerned, if I was away there
2 should have been a record of that.

3 "I never, ever ran away from the home itself because
4 it was in the middle of nowhere. A lot of the boys did
5 do that though. I wouldn't think to do that myself.
6 What was the point of running away from the home if you
7 were going on your home leave anyway? Why run away to
8 your home from St Ninian's when you could get given
9 a lift when you did go on leave?

10 "When boys did run away and were caught the brothers
11 just took away a treat that the boys would be getting.
12 It was things like going ice-skating or something.

13 "There was a family of boys. I remember them all
14 running away and going AWOL. They were amongst 13 boys
15 who ran away. They all ran away in their pyjamas.

16 "On the occasions when I ran away, my punishment was
17 to standing about in the hall. That was worse than
18 a skelp because a skelp would be over and done with. If
19 you were standing in the hall you could be there for
20 hours.

21 "Every night in the juniors Brother **LNA** felt the
22 boys in bed to see whether they had wet the bed. That
23 happened to all the bed-wetters. If Brother **LNA** felt
24 your bed and it was wet, you were taken down to the
25 showers. The showers were down underground. To get

1 there you had to walk down a spiral staircase down past
2 the kitchen and past the kitchen stores. You never got
3 a change of clothes after you wet the bed. The sheets
4 would come off and you would turn the mattress over.
5 You would just lie on the mattress.

6 "We used to mingle with the lassies from the
7 village. Two of the girls were Lizzie the cook's
8 daughters. There was an old army hangar where they used
9 to keep the grass-cutting equipment. We used to take
10 the girls there for a wee kiss and a cuddle.

11 "A burn ran down the side of the St Ninian's and
12 down into the village. Boys used to sneak out at night
13 following the burn and go into the village. There was
14 a store in the village that had a common close at the
15 side of it. They stored all their pop in that close.
16 We would sneak in and take a crate of ginger and plank
17 it in the wood. That became our stash.

18 "I remember that we used to break into the brothers'
19 motors at night and take all the stubs of cigarettes
20 out. I think the brothers knew what was going on. They
21 must have done because they would have found their car
22 ashtrays getting emptied out without them knowing. We
23 would wait until Brother **LNA** was asleep and then sneak
24 out of the dormitories.

25 "There were all sorts of carry-ons. I remember

1 a fire extinguisher being set off in someone's bed.
2 I remember boys sneaking into the chapel and playing the
3 organ in the middle of the night. I remember us telling
4 stories to one another about the White Lady who was
5 supposed to be a ghost in the house.

6 "Some of the boys were big. There was a boy who was
7 6 feet tall with a big ginger beard. He was like a big
8 Highlander. He was only 12. I remember playing rugby
9 against one of the other teams. The boys on the other
10 side would be looking at him with a look of 'what's the
11 fuck's that' across their face.

12 "It wasn't all bad. We laughed and joked. There
13 were a lot of good times.

14 "In St Ninian's you were left to your own devices.
15 If you stepped out of line you were put back in your
16 line. The way I look back to things now is that I think
17 about the physical abuse and laugh. I talk about it
18 with my children. You accepted it because you had
19 usually done something wrong. We took it as part of
20 daily life. You had nowhere to go. You got your
21 punishment and went away for a greet. You got on with
22 it.

23 "We all had different shoes at St Ninian's. You had
24 house shoes, outdoor shoes, steel toe-capped shoes,
25 rugby boots and football boots. If you were acting up,

1 you got thrown in the boot room to clean all the shoes.
2 You would treat it as a joke. You would clean them all
3 and then throw all the shoes into the middle of the
4 room. You would leave them there in a big pile and you
5 would leave them there for the others to try and find
6 their own shoes. People would have to sift through
7 300 shoes to find their own.

8 "There was wooden marquetry on the walls and big
9 wooden columns. There were diamonds in the marquetry.
10 As a punishment you were sometimes made to stand with
11 your nose to the wall staring at those diamonds for
12 hours on end. Your nose would be on the diamond with
13 your eyes focusing on it. Sometimes you had to stand
14 with your back to the wall and your hands behind your
15 head. Any brother could give you that punishment if you
16 did something wrong.

17 "The brothers had a wee stiff belt which they used
18 to punish with you in school. Brother **BHD** and
19 Brother **LNA** used to give you the belt if you did things
20 wrong. I received that many times off them. They were
21 the only brothers that ever dished out that sort of
22 punishment in school. They were the only ones who
23 raised their voices or anything. The other ones, like
24 Brother **MCY**, who taught , would make you run
25 laps around the park.

1 "One time there was a carry-on in the dormitory.
2 We were all taken out in our pyjamas. We were made to
3 run from St Ninian's to the Kilgour gates in the snow.
4 They were the gates to the farm that was near
5 St Ninian's. A brother followed us behind in a motor.
6 We were forced to run up that road and back. We were
7 then put into a cold shower.

8 "Brother **BHD** used to walk around with a golf
9 club. He would just lash out at with you that. He did
10 that with a set-square that was in his classroom. He
11 would hit you with that around the head. His favourite
12 instrument was the ruler. He would make you hold out
13 your hand and he would hit you with the edge of the
14 ruler on your fingertips.

15 "One time Brother **BHD** held me up by my throat
16 and poured TCP down it because I'd been caught smoking.
17 I also got it for swearing. When I look back on it now,
18 I laugh about it.

19 "The punishment could be daily. It was whenever you
20 got on his nerves. If it wasn't you, it would be
21 someone else. Someone would get it every day.

22 "I was always a boy into the hunting scene. I was
23 always looking out the window. I would be going away
24 catching rabbits or doing the pheasant beating for a
25 local gamekeeper.

1 "Brother **BHD** used to fish the hill lochs up at
2 Lomond. I used to get taken up to row the boat.
3 I remember laughing at him because he had lost a fish.
4 He hit me with the oar and hit me with the landing net.
5 I took it. If I hadn't laughed then it wouldn't have
6 happened.

7 "There was a big physical boy that Brother **BHD**
8 nearly killed with a golf club. That boy's name was
9 Frank McCue. Frank was a local boy from my area.
10 He was in the home at the same time as me. I heard
11 about it happening at the time. The boy was walking
12 about with a face that looked like he had been hit by
13 a bus. Frank is the boy who later on reported his
14 incident to the police. I've only recently found out
15 that he spoke to the police. He was the one who tried
16 to get **MCS** to give a statement. I don't know what
17 happened with the police investigation or who they were
18 looking into. I presume it was Brother **BHD** that
19 they were trying to investigate.

20 "The brothers had a queer way of breaking news to
21 you. There was a wee boy from Maryhill. The way
22 Brother **BHD** decided to tell him that his mother had
23 died was that he just came in in front of everybody and
24 shouted it out. He said, 'Your ma's dead'. That was
25 it.

1 "I look back on the things Brother [BHD] did and
2 I think, you know what, if someone was winding me up in
3 those days the way we were, then I might have done that.
4 You only got it if you misbehaved off him. He didn't
5 just hit you for nothing. You could go about your
6 duties, be left alone and be all right. He wouldn't
7 just pull you out for the sake of giving you a beating.

8 "Brother [LNA] used to batter you with a branch with
9 your shorts around your ankles. We called it the birch.
10 You would be standing in the middle of the rugby or
11 cricket pitch. Brother [LNA] did that to humiliate you.
12 You would have a tear in your eye and everybody would be
13 laughing. You had to laugh yourself. You pulled your
14 shorts up and got on with it. Other times he would
15 whack you on your arse with a cord that was attached to
16 the whistle around his neck.

17 "Brother [LNA] was our [REDACTED] in the juniors.
18 He was the one that checked us at night. He also put
19 you to bed. Before you went to bed you could do what he
20 called 'a communal' in his bedroom. Not all the boys
21 would go to that. Any boy who was in his wing would be
22 welcome. Some of the boys would choose to lie in the
23 dormitory instead and read or whatever it might be.
24 Basically you would go to the communal because you
25 didn't want to go to bed. It got you an extra half hour

1 instead of going to bed. If you went to Brother LNA's
2 communal, you would sit and listen to the radio.
3 Someone might read a book. You'd all tell stories and
4 laugh."

5 My Lady, I see it's almost 4 o'clock. I have
6 a little bit to go with the statement.

7 LADY SMITH: I think we'll just finish it. Let's do that.

8 MS MACLEOD: "Some of the boys would sit on his knee.

9 It would be you one night and it would be another boy
10 another night. You would be sitting there feeling
11 Brother LNA's fingers creeping down your pyjamas. He
12 would push his hand down past your waistband. All the
13 other boys were sitting there when he did it. You would
14 notice him getting an erection. That was when you
15 realised that it was time to move. You would get up and
16 go.

17 "I remember there were boys who used to aim to sit
18 on Brother LNA's knee. I ask myself why those boys
19 kept on putting themselves in that position. People
20 aren't themselves when these things happen to them.

21 "During the times that I was in the shower after
22 being found to have wet the bed, Brother LNA
23 masturbated in front of me on many occasions. He did
24 that through his trousers. He never once had his self
25 out. He would lean in and tell you to get washed.

1 After that, you would get dried off and go up to change
2 your bed. After that it was just another day.

3 Initially I didn't look upon this as sexual abuse.

4 "One night I woke up and I discovered that
5 Brother LNA was masturbating me. I had my first
6 ejaculation at the hands of that man. I woke up to an
7 orgasm. He had no reason to put his hands inside my
8 pyjamas. If your pyjamas are dry, then your bed is dry.

9 "Later on it got to the stage where I would just
10 fling my legs out of bed and tell him that I was not
11 wet. You learnt wee things to stop things happening to
12 you.

13 "When I moved across to the senior house all the
14 sexual stuff stopped. All that stuff happened when
15 I was in the junior side.

16 "Looking back at the boys who were in the single
17 rooms, I remember they were the boys who were very
18 feminine. I think there was every chance that they were
19 the ones who were going to go down that road and become
20 gay in adult life. I don't know whether those boys were
21 put into those rooms for their own protection to avoid
22 sexual predators. At the time we all surmised that they
23 were put in those rooms for ease of access. That's what
24 we thought. We could not prove that, though.

25 "There was a boy called [REDACTED] He was a few beds

1 away from me. He was a wee short boy with dark hair.
2 He was a brilliant goalkeeper. I knew he was abused
3 because he was in the same dorm as me. He was picked
4 out. He went home one time and didn't come back. I can
5 remember them telling us in St Ninian's that [REDACTED]
6 had died. They didn't say how he died. I went to his
7 funeral at St Theresa's with David Sharp. We both came
8 from the same area where [REDACTED] came from. I don't
9 know the time frames of all that happening.

10 "In later life I met a man who was a friend of my
11 wife. I'd have been talking to him when I was about 35.
12 It turned out that he was [REDACTED]'s father. I had
13 never realised that he had a connection. He told me
14 that [REDACTED] had [REDACTED]

15 "The old village creep used to come up to the house.
16 His name was [REDACTED] MOD Looking back, he was what you
17 would class as the local village idiot. He was
18 obviously just a misfit. He looked like a Glasgow
19 down-and-out. He would come up and creep around the
20 home. He would peek in the window when you were on the
21 toilet. The boys used to chase [REDACTED] MOD away into the
22 woods. To me, at the time, it was all just banter.

23 "I never got taken back to the panel for a review
24 hearing during the time I was at St Ninian's. However,
25 I have learned that I did get taken to one just before

1 I was released. I can't remember anything about it.
2 I only know about it because that's what it says in the
3 records I recovered. The records say that the panel
4 happened on 6 July 1973. It basically says in those
5 records that I was taken to the panel by
6 Brother [REDACTED] BHD and my mother, and I praised
7 St Ninian's to the eyeballs. I don't remember any of
8 that. I do know that I would say anything they wanted
9 to hear if it meant that I was going to get let out.
10 I think that if that happened I would have likely
11 travelled to the panel on my own with Brother [REDACTED] BHD
12 and I would have been told what to say.

13 "I went back home after I left St Ninian's.
14 I didn't have much of a school life after St Ninian's.
15 After what I had been through, I would just tell the
16 teachers to go fuck themselves and not go to school.
17 I remember only being in secondary school for a matter
18 of months. The last year of my secondary school really
19 didn't exist. I went in for a laugh throughout. I did
20 no exams whatsoever. I don't know whether I stopped
21 going there because of exclusion or whether I just
22 stopped going.

23 "I ended up stealing motors and what have you.
24 I went into a young offenders' institution when I was
25 16. When I was 17 I ended up in a borstal. I came out

1 when I was 18 and got married to my first wife. I was
2 separated by the time I was 20.

3 "I ended up doing a 20-month sentence in prison.
4 That was the longest sentence I ever did. I later got
5 another six months for stealing a van full of whisky.
6 That was the last time I ended up in prison. It was all
7 self-inflicted. It was me wanting to be one of the boys
8 on the scheme.

9 "I then met my second wife. That was me with
10 a family. It was at that point that I decided I needed
11 to put it all behind me. There was more than myself to
12 think about. I decided it was time to grow up. Not
13 everybody was to blame for what I went through. A lot
14 of it was down to me. I had to say to myself, right,
15 stop what you're doing and get on with your life.

16 "I've had a couple of wee slips. I was fighting and
17 doing stupid things when I was 25 and 26, but other than
18 that I've got on with life since then. I never went
19 back to prison from the age of 24 years old onwards.

20 "Whilst at St Ninian's, we didn't really speak
21 amongst ourselves about what was happening. The boys
22 didn't talk to one another. You would see the physical
23 stuff happening in front of you. However, the sexual
24 stuff was done when you were on your own. The brothers
25 should never have been allowed near us at night-time.

1 "You might come up from the showers and tell the
2 boys something happened to you, but you'd only say 'that
3 dirty old bastard'. You wouldn't go into the detail.
4 We joked amongst yourselves about it. We didn't at the
5 time stop and say, "Hold on a wee minute, that wasn't
6 right", we all just took it with a pinch of salt. I do
7 look back and wonder whether, if we had spoken out,
8 David Sharp or wee [REDACTED] might have turned round to
9 me and told me what was going on.

10 "There were a few boys from Possilpark in there.
11 I have no doubt that if it had got out, all the boys and
12 people from Possilpark would have banded together and
13 done something about it. They couldn't have brushed it
14 under the carpet if we had all come out with the same
15 stories.

16 "I did tell my social worker Ms Montgomery about
17 what Brother [REDACTED] LNA was doing when she visited me at the
18 home. I told her what was happening, the visit after it
19 started happening. It would have been about 1971.
20 I told Ms Montgomery that Brother [REDACTED] LNA was touching me
21 all the time. She said, 'He's just feeling you to see
22 whether you're wet'. I told her Brother [REDACTED] LNA was
23 feeling around inside my pyjamas. She said, 'He's just
24 checking'. She knew what had gone down with me because
25 I told her. It went no further.

1 "About 25 years ago, I found that out one of my
2 daughter's friends was getting abused. The person that
3 was doing this was the babysitter. The guy got caught
4 because he passed on a sexual disease to the girl. The
5 GP diagnosed it and the police got involved. When that
6 came out, I started speaking to my wife about what had
7 happened to me. I said, 'It's that easily done because
8 that happened to me'. That's when I started talking
9 about it all.

10 "I've never, ever really talked about the bad things
11 that happened to me at St Ninian's with my daughter.
12 I have chatted about things like playing rugby with my
13 stepson. In 1999 or 2000, a story appeared in the News
14 of the World. I got in contact with them. I phoned up
15 and said that I had been at St Ninian's. A reporter
16 came to my flat in Springburn. About two years ago, the
17 story appeared in the Record. I emailed the reporter
18 there and gave him a shortened version of what happened
19 to me. I did that anonymously and an article was
20 written.

21 "I phoned the police after I got in contact with the
22 inquiry. Frank McCue persuaded me to do that. He was
23 a former resident of St Ninian's and is also involved
24 with INCAS. I had previously thought about doing that,
25 but this time I did. Initially, I corresponded with

1 Frank through some emails. I then phoned the police up.
2 Eventually, I got through to somebody. They said they
3 would send some people round to speak to me. It was
4 a wee while before someone appeared at my door. It was
5 two beat police. I gave them an outline of what
6 happened. The guys sat in my house for about 15 or 20
7 minutes. I was then told that somebody would be in
8 contact with me from another division. I was told that
9 what I was reporting fell across two divisions. Nobody
10 has ever contacted me since. I've never heard a thing.

11 "The bed-wetting carried on after I left
12 St Ninian's. It happened once or twice in later life.
13 I think it might have been down to too much drink
14 though. I can't let my grandson sit on someone else's
15 knee. I couldn't allow my daughter to go and sit on
16 someone else's knee. I remember my daughter going to
17 try and sit on an old pal's knee. I just said, 'Get off
18 of there and give him peace'. I ended up pulling her
19 away from him. I stop children sitting on people's
20 knees because when I was made to sit on someone's knee,
21 it was for a sexual favour. I've had rifts in my family
22 from stopping my daughter or grandchildren sitting on
23 people's knees. My experience at St Ninian's has
24 continued to control me in that way. I shouldn't be
25 that way, but it's been like that all my life. You try

1 to let go, but I just can't have a wean having that
2 contact. It's affected their lives as well. I can't
3 stop doing it.

4 "I couldn't let my children and grandchildren go and
5 stay round other people's houses. There's something
6 going on in my head stopping me from letting them go.
7 All my trust has gone. It's something I need to sort
8 out.

9 "I used to go away and do 200 miles, get to a car
10 park, and drive right back. People would ask me why I'd
11 done that. It was mental. I was struggling to keep
12 anger issues in when I did that.

13 "I don't sleep. I'm lucky if I get two or three
14 hours a night. I've got sleep apnoea, so I can't get
15 sleeping tablets. I have tried everything to stop it.
16 I have gone for long walks, done the lavender oil, I've
17 done everything. It's now started to affect my work.
18 I'm falling asleep while I'm operating machinery. My
19 head is going round in circles.

20 "When I do get to sleep, I'm going through three
21 pillows a night, they're just soaking with sweat. Call
22 it tremors or whatever. My partner says that I have
23 nightmares. I don't know what they're about. I've got
24 to the stage where I have to sleep on the sofa so
25 everybody else can get a sleep.

1 "My mind goes into overdrive. It's not always about
2 St Ninian's, but sometimes it is. It can be about
3 anything. My head goes round in circles. If I'm busy,
4 I'm all right. It happens when I'm in idle mode. It's
5 stuck in my head. The only time it comes into my head
6 during the day is if it comes up in the papers. If one
7 of the boys asks about it, I just clam up and shut up.
8 It's not the sort of thing you want to talk about with
9 everyone. A lot of people rip the piss out of it.

10 "To this day, I take a cold shower in the morning.
11 That's because I was brought up with that in
12 St Ninian's. I have done that since I came out of
13 there.

14 "Up until a few years ago, I dressed like
15 a Christian Brother. All my shirts and suits were
16 granddad type collars. My coats and jackets all had
17 granddad type collars. I haven't a clue why I dressed
18 that way. It was the style I liked. I never made the
19 connection until I started going out with my partner.
20 She told me that I looked just like a priest. That's
21 when I realised I'd been dressing just like them. I'd
22 been thinking I looked quite smart. I ended up saying
23 to myself that I had to kick that. I realised I was
24 basing myself on them. I put all the clothes into
25 a charity shop.

1 "I don't know what draws me back, but I go back to
2 St Ninian's two or three times a year. I've taken my
3 partner there and I've taken my kids there. I have
4 threatened my kids with going there if they don't
5 behave. Every time I go back, all the memories come
6 flooding back. When I drive through, I speak to my
7 partner about certain things. There are certain things
8 that are coming out and I confide in her about them.
9 There are still things she hasn't heard. She'll hear
10 them when I'm ready to tell her. I know when I come to
11 tell her about the things that happened, she's going to
12 be greeting.

13 "I will pull my weans away from nuns when I see them
14 in the street. I relate my experiences with them. I've
15 heard what happened in Nazareth House. I relate the
16 order to what happened at St Ninian's.

17 "I don't think that St Ninian's caused me to get
18 involved in crime after I left. I think it was all down
19 to the area I'd been brought up in. It was just a thing
20 that everybody else did.

21 "Before speaking to the inquiry, I spoke to my
22 doctor. She offered me counselling in the Vale of Leven
23 Hospital and I said no. I don't know whether I need
24 counselling. I know it's there if I want it. I'm going
25 to speak further with the doctor in the future. I have

1 to do that now because it's starting to affect my job.

2 "I have been in contact with INCAS. I have
3 registered with them. I have had joy through them.
4 They're the ones who helped me get my records. Every
5 email I send them is answered straightaway. I'm not
6 interested in seeing a lawyer. Money isn't going to do
7 anything for me now.

8 "I have recovered some records. Among them is the
9 admissions sheet. That sheet says I was admitted to
10 St Ninian's on [REDACTED] 1971 and there's also
11 a record that I left on [REDACTED] 1973. That sounds about
12 right. I can only agree with that because it's their
13 records. I always thought I'd been in St Ninian's for
14 four years.

15 "There's nothing in my records about dental care and
16 getting teeth out when I was at St Ninian's. There's
17 nothing about going to the hospital. As far as I'm
18 concerned, all that should have been noted. I was in
19 their custody.

20 "The records say I only had two visits, one
21 in September and one in October, right at the start when
22 I was admitted. I certainly remember my mother coming
23 more than that. I can't understand it. What it says in
24 my records is completely wrong.

25 "I spoke to the inquiry because I want to help and

1 back up what other people are saying. Looking back at
2 it all now, I can't see how the people in charge of
3 St Ninian's weren't aware of what was going on. The
4 physical stuff, like the stuff with Brother **BHD**,
5 happened in front of whoever was there. He didn't take
6 you away. He just did it when he did it. You got it
7 there and then. It didn't matter if a civilian or
8 anybody else was standing there.

9 "With the sexual stuff, like the stuff with
10 Brother **LNA** there was nobody else who had access to
11 you. He didn't have to go through anybody or ask
12 anybody when he wanted to do something. He was separate
13 from the other brothers in the building.

14 "I have heard things that have happened that are far
15 more extreme than what I experienced. Maybe I didn't
16 have that because they knew I was the type of boy who
17 would have retaliated in some way. I hear a lot of
18 names of hard men, boys who have been on the scheme.
19 I read about them in the papers. I recognise them as
20 being with me in St Ninian's. I say to myself, I know
21 you pished the bed the same as me and went through what
22 I did. They'll never bring it out, they'll still be
23 suffering. I don't think they'll ever let it out.

24 "If I hadn't been a bed-wetter then maybe the abuse
25 wouldn't have happened. To me it all happened through

1 the bed-wetting. That was the opportunity for
2 Brother LNA to do what he did. All the other boys who
3 I have heard in later life saying they were sexually
4 abused were all bed-wetters.

5 "Years later, I went on to a Friends Reunited page.
6 I didn't like what I was seeing. It was all guys
7 praising St Ninian's to the eyeballs. I remember seeing
8 the names of a couple of boys who had been at
9 St Ninian's at the same time as me. They were praising
10 St Ninian's. I remember them being treated like shite.
11 I remember those boys being battered all over the place,
12 I couldn't understand it. I ended up having to distance
13 myself away in the page.

14 "I think that people who are on Children's Panels
15 should have gone through the sort of experiences I have.
16 I might not have the education, but there should be
17 people like me on the panels.

18 "St Ninian's made me the man I am today. However,
19 it left me with a lot of scars. We were wrong for the
20 things that we did. I know that I brought it on myself
21 being there. At the end of the day a lot of it was
22 self-inflicted. However, we didn't deserve what we got.
23 I shouldn't have gone through what I went through.

24 "I have no objection to my witness statement being
25 published as part of the inquiry. I believe the facts

1 stated in the witness statement are true."

2 The statement was signed by Barry on
3 29 January 2018.

4 LADY SMITH: Thank you very much, Ms MacLeod.

5 That, I think, is it for today; is that right? We
6 start again tomorrow morning at 10.00 with the first of
7 two witnesses. Have I got that correct?

8 MS MACLEOD: That's correct: we have two witnesses tomorrow,
9 one in the morning and one in the afternoon.

10 LADY SMITH: I'll rise now until 10.00 tomorrow morning.
11 (4.15 pm)

12 (The inquiry adjourned until 10.00 am
13 on Friday, 7 June 2019)

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20 FRANK McCUE (sworn)1

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22 Questions from MR MacAULAY1

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24 "JAMES" (sworn)97

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