Scottish Child Abuse Inquiry

Witness Statement of

PAUL KELLY

Support person present: No

Solicitor present: Anna Wilson, Paterson Bell Solicitors

- My name is Paul Kelly. I have never been known by any other names, other than my nickname at St Ninian's, Falkland, which was Snoopy. My date of birth is 1952. My contact details are known to the Inquiry.
- I am currently serving a sentence of ten years imprisonment, imposed at the High Court in respect of charges of abuse at St Ninian's school, Falkland. I am also currently seeking a review of that conviction.

Life before the Christian Brothers

- 3. I joined the Christian Brothers in 1969, when I was seventeen. They had a college in Ledsham, which people attended prior to becoming Brothers. I repeated the upper sixth form there. In 1970, I became a Novice. My novitiate was down at Toddington, in Gloucester, it was a huge place. I was there for about one year. After that, between 1972 and 1973, I was at Maynooth College, Ireland. Maynooth is a Seminary, and we attended lectures there. I stayed in a bungalow, and ate my meals at Moswey's restaurant, which was run by three sisters, siblings not Nuns.
- 4. After Maynooth, I was sent to Plymouth to teach, even though I had no qualifications as a teacher. I was at a boarding school in Plymouth, I was there from 1973 to 1975. They had a self-contained building for the borders, on the same campus as the

school. I taught games and sports. I got involved to a certain extent with the boarders, but they had their own Housemasters.

- From 1975 to 1978, I was at Christ College in Liverpool, which was a teacher training college. For the first two years, I lived at St Edward's College. I went by bike to Christ College.
- 6. In 1978, I obtained my degree, and I was sent back to Plymouth. I moved to a place run by the Sisters of the Poor. Mark Devitt was the Housemaster, he was very much in control of the place. The matron was Gemma Summers and we got on very well. The school then joined together with another school, which had previously been a Grammar school.
- 7. In 1979, I was transferred to St Ninian's, Falkland. I objected to this and I went to see the Provincialate in Bath. I was put under a vow of obedience to go to Falkland.
- I was in St Joseph's College, Stoke-on-Trent. From 1983 until 1988 and St Boniface's, Plymouth from 1988 – 2012.

St Ninian's, Falkland List G School 1979 to 1983

- 9. I went to St Ninian's, Falkland in 1979. There were a couple of people at my trial who alleged that I was there before then, but it was 1979. I didn't know anything about Falkland before going there. St Ninian's was a strange, gothic building. When I arrived at the school, there were only 24 students and they were all boys. I wasn't given any induction, or further training, it was just a case of getting on with it.
- 10. There was a courtyard at ground level, where the dining room was, and the boot room was separate from the changing rooms for games. Upstairs was the quadrangle of dormitories, the TV room, the assembly room and an office for Brother Farrell. The dormitories were divided by age. The junior dormitories were for boys up

to fourteen years of age. The senior dormitories were for boys aged from fourteen to sixteen years. I had nothing to do with the dormitories.

- 11. As a teacher, you tend to get on with the pupils you are teaching. At my previous school, I was used to pupils responding positively to instruction. At Falkland, the pupils had been sent there because they were out of control or whatever. It was a different reaction you got to the instructions you gave. The boys were quite violent towards one another, and towards the staff.
- 12. I taught a bit of English, History, and Religious Education, which included sex education.
- 13. My thinking about the budget for the school was that it was dependent on the number of pupils. I presume the money came from the local authority sending a boy to us, but I don't know much about the money side of things. There is a big difference between 24 and 40 pupils, which was the number at my previous school. So there were fewer children around, but basically, the school did very well for them.
- 14. Most of the pupils were with us for a relatively short time, usually about a year, however one pupil called was at St Ninian's for a long time. That was

He was as quiet as a mouse.

Routine at St Ninian's, Falkland

15. When I first went to St Ninian's, Falkland, Brother LNA was the and Brother Harry Harrington was the state. Later, Brother Stock over as states and Brother MBS took over as states. Ninian, the local Laird, would pop in to the school from time to time, and came to hand out prizes at the end of the year.

- 16. The other religious staff members were Brother MHJ and Brother MCG took over as when Brother Harry Harrington left.
- 17. We had a called MBV. He was an who lived in Kirkcaldy. It was his Glasgow or wherever. We also had a doctor who attended at the school. I don't know the name of the doctor.
- The lay staff were BHB who we also called BHB Margaret Nicholls,
 MKF Morris Kilbayne and his wife Penny who worked in the sewing room and a man called MIK who taught woodwork.
- 19. There was a woman called Betty who we referred to as Matron. I don't know if she was medically qualified. Later on, there was a second Matron called Jean Boylan. She has a wooden leg.
- 20. Mrs Hutton was the laundry lady. Mrs Brown and Shirley worked as cooks in the kitchen. There were also a couple of voluntary workers called Jack and Ethel.
- 21. Mrs Bell was the lady who cleaned the dormitories. She was very nice and came from Strathmiglo. She was very overweight, and in a poor relationship. She got pregnant, left to have her baby, and then came back to work at the school.

Mornings and bedtime

22. The dormitories were upstairs in a quadrangle, with the Chapel also on one side. The dormitories varied in size from three beds to six beds. The first two rooms were senior dormitories, then the room for their Housemaster. Rooms four to six were dormitories for the senior boys. Then there was the shower room. Up three steps to a landing there was a room for the Housemaster for the juniors and two junior dormitories. My recollection is that the school was for 11 to 16 year olds. There were junior dorms for 11,12 and 13 year olds and Senior Dorms for 14 and 15 year olds. When I changed from being Housemaster for the seniors, to being Housemaster for the juniors, that's when I changed my room.

- 23. There was sometimes a Mass at 7.30am with two of the boys serving as altar boys. As Housemaster, I would get the rest of the boys up at 8.00am, but prior to becoming Housemaster, I had no involvement in the morning routine. Once they were up and dressed, they went for breakfast. The boys who had wet the bed, they collected their sheets and took them down to Mrs Hutton in the laundry. The boys were not allowed back into the dormitories during the day. After breakfast, they would do chores followed by assembly at 9.00am. Then, from Monday to Friday, it was the school day.
- 24. At 9.00pm, after their free time, the boys would go up to the dormitories. The juniors went to bed at 10.00pm, the seniors a bit later. The lads were quite tough. They were quite violent and aggressive in their behaviour and their language.
- 25. I was the seniors' Housemaster from November or December 1979 until December 1980, when Brother LNA left, and I took over as Housemaster for the juniors.
- 26. My routine at night as Senior Housemaster was to make sure the senior pupils had their lights out by 10.30pm. I would check periodically that there were no problems. The juniors had lights out at 10.00pm. I piped music from my room at low level, into the junior dormitories. It was stuff like the Beatles, Abba, music of the time. Brother LNA had started playing music to the juniors before me, so I carried it on. The boys could also bring their own music to play.
- 27. The dormitories were not locked at night, the boys could come and go. I checked the dormitories from time to time every night.
- 28. There is a reference I have seen in a statement by MOF suggesting that when he wandered around at night, my door was always locked when I was senior housemaster. When I took over as Housemaster for the junior dormitories, I was told to keep my door unlocked because one of the boys was afraid of the dark. After five weeks, I removed the lock from the door altogether. Nothing was locked away from the children. MOF made a statement to the police. I read this statement in the offices of Trainer Alston solicitors prior to my trial.

- 29. LNA was the **MBS** stayed in the senior dormitory. I felt that was unfair, as Brother **MBS** was from an older generation. He had taught in schools where the boys would stand up and sit down when you told them to, and were generally obedient. At Falkland the boys had been sent there because they were out of control. Some of the boys were quite aggressive and used bad language towards the staff. All boys were allocated to dormitories by age.
- 30. If we did have siblings staying at St Ninian's, we did try to put them in a dormitory together, subject to their ages and the ages at which the dormitories were divided. Sometimes, if there was one sibling who was considerably older than the other was, they might be glad to get away from their younger brother. Even if they were in separate dormitories, siblings would see each other all the time.

Food

- 31. There were two cooks, Mrs Brown and Shirley. Most of the time, the food was OK. Mrs Brown made a lovely meal, she was always cooking. Shirley was OK, she was still learning, she just tended to just open a tin.
- 32. It was an experience to have lunch with the boys. Some of the boys were not happy with it. People are brought up differently, and if they were not used to it, some people might find it stressful sitting around a table eating with others. Eating with students could sometimes be stress free but sometimes the boys could be difficult regarding table manners, language and have to be told off.
- 33. There was one boy, **between the set with and set a set with a squash his food with the side of the knife and scrape it up.**
- 34. I don't recall any particular difficulties with boys eating their food, or rather not eating their food.

Washing and bathing

WIT.001.002.6508

- 35. The boys would go in to the showers in the evenings as a group, based on age, juniors first, then seniors. This was in the shower room upstairs, next to the dormitories. Once the first group had been in, the next group would go in. They would get to know the routine.
- 36. We supervised the showers. I dished out shampoo to the boys. I tried to make it more human by having a choice of shampoos. There were washbasins, although I can't remember them brushing their teeth, but they must have. As far as I recall there were no bars of soap. I never bought soap at the chemist, always shampoo.
- 37. Downstairs, there was also showers in the changing rooms. We didn't use them often. Normally our children didn't bother with a shower after sports, they knew they would get a shower in the evening. We used those showers if there was a problem with the showers upstairs, a rare event.

Uniform

- 38. Penny Kilbayne worked in the sewing room. When the boys arrived, they handed over their clothes to her, along with any personal possessions, although they didn't really have personal possessions. They had a space under their bed where they could keep things. When the boys arrived at the start of term, they would swap their own clothes for the school uniform. They were given a top and a better pair of jeans than the ones they arrived in. When new boys were admitted, it was nothing much to do with me, MBV would deal with them.
- 39. When I had been at my previous school in Plymouth, I was a Head of Year. When new boys arrived, I would discuss his situation with his tutors. At St Ninian's, the only settling-in they got was to show them where there bed was, which sounds a bit harsh in comparison.

Schooling

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- 40. When I arrived at St Ninian's, Falkland in August or September 1979, my role was to teach sports. My timetable, as such, was devised by the Headmaster. I was used to being a classroom teacher who helped with sports. I was 27 years old, and I always liked sports. I was obedient and generally, I do what I am told to do. By the October or November, it was decided that I was to be the Housemaster for the senior pupils. When I took that role, I moved in to a room on the same corridor as the boys' dormitories. When Brother LNA left in 1981, I took over as Housemaster for the junior dormitories, and I moved into a room next to them. I stayed in that role until 1983, when the school closed.
- 41. Officially, my role at St Ninian's was as a gardener. A previous Brother, Brother Coffey, had to go to Glasgow to get qualifications to teach at the school. By putting me down as the gardener, they got round that.
- 42. Margaret Nicholls has said that I helped teach English. I actually taught literacy to the younger ones with her. I taught numeracy. Brother MDU was an Irish Christian Brother who spent a long time in South Africa prior to coming to Falkland. In South Africa he taught maths. I also taught the history of battles that the Scottish people had lost. I did one sex education class, but the kids seemed to know more than me, so I taught them about relationships. I think the word curriculum would have been out of place when referring to St Ninian's. There was no formal curriculum of exams. We were given a text book, or photocopies, and told to go and teach what you want. There was very little structure compared to my time in Plymouth. I tried to teach the Senior boys basic sex education and found that they knew all about it, or gave that impression from the language that they used.
- 43. There were classes in the morning from 9.30am to 11.00am. There was a morning break from 11.00am to 11.30am, then more classes until 1.00pm. There was a summer and winter timetable, and in the summer there would be games in the afternoon. There were more classes between 4.30pm and 6.00pm. Then there were the activity clubs from 6.00pm to 7.00pm, followed by teatime.

- 44. In the summer, after lunch, I would go down at 2.00pm and Harry Harrington would tell me if I was going to be in charge of junior football or rugby etc. The kids would be given whatever kit they needed.
- 45. Every Monday afternoon, class four went to Cupar College. I think they may have gone there to do woodwork, I'm not sure. Every Wednesday afternoon, BHB
 LNA and M Farrell took the boys to Perth swimming pool.
- Some of the senior pupils went to Kirkcaldy if they had a work experience placement in a shop or somewhere. I don't really know the details of those placements, it was
 MBV who dealt with that.
- 47. We were never given files on the children who were moved to St Ninian's. We only found out about the boys' backgrounds at Children's Panel reviews, which MBV
 MBV attended. The Children's Panel sent most of the boys to us. It was the job of MBV
 MBV attended. The Children's Danel sent most of the boys back to a normal school at some point.
- 48. The boys didn't have any prep to do. When I was in Plymouth, the boys would have study time, but not at St Ninian's. They didn't teach any life skills, such as cooking or sewing. As teachers, we hated being told we needed to do formal sex education. Headmaster would ask us to cover certain topics including sex education.
- 49. Academic success was not really a feature of St Ninian's. The only boy who passed an exam when I was there was a boy called **sector sector**.
- 50. We were trying as best as we could to get the boys back into normal education.

Chores

51. The boys would have to do some work at the school, such as dusting, sweeping the floors, washing the dishes, and setting the table. I don't know all the chores they did, but they were generally occupied.

Pocket money

52. The Local Authority allotted money for the children. The children were not given the money directly, they were given sweets at the tuck shop.

Leisure time

- 53. In the summer, we would be out playing cricket, football, or rugby in the afternoon, with lessons afterwards. We also played indoor hockey and Crab Football, which is where you lean back on your hands and feet and try to play the ball.
- 54. From 7.00pm it was the boys' free time. There were three staff on duty to supervise that. There was a TV room, space to play table tennis, a piano, and an assembly room but a lot of the lads just went outside to smoke. They were allowed to go outside. Unusually for a school, there was no library.
- 55. I can't remember there being any toys or games for the younger pupils. **Second States** stated in his statement that towards the end of his time at the school, there was a portable television with an early video games console, like Pong, but I would have taken the TV away at 10.00pm when it was lights out. Terry MacWilliams, the solicitor from Trainer Alston, took a statement from **Second** over the phone. I was made aware of the details prior to my trial.
- 56. They didn't have Cubs or Scouts at St Ninian's, we were just an enclosed little unit. I think the volunteers Jack and Ethel came in and helped with clubs we had during the winter term, like the chess club. We did go on walks, out to East Lomond and West Lomond hills.
- 57. The boys wouldn't go out to the cinema or into town shopping alone. They weren't really welcomed in the local shops unsupervised. That is why my nickname was Snoopy, because they thought I was always snooping around, keeping an eye on them.

Religious instruction

- 58. There was Mass at 7.30am. Two of the pupils would serve as altar boys. There was a Mass for the whole school every Tuesday. Brother Harry Harrington would copy relevant pages from a Good News Bible for children that he had. The mass was prepared for the students by Harry Harrington and then by me. The Readings from the bible were fairly short and written out on the prepared pages.
- 59. In the evenings, around 9.00pm, Brother LNA would tell each child to go to the chapel to say a quick prayer. He would get the boys into the Chapel, and keep the dormitory doors locked. Some boys prayed, others just knelt down. They would be in the chapel for a few seconds. It was a way of getting them calmed down before going to the dormitories. That continued after Brother LNA left.
- 60. When I was told to teach Religious Education, I did the parables. It was easy to get the children to draw what was being described, for example the Feeding of the five thousand. Because my nickname was Snoopy, I looked for Snoopy cartoons that the boys could copy, and I used Snoopy cartoons in my mass sheets.
- 61. There was a priest who said Mass, but I felt he didn't acknowledge the children. I cannot recall his name. As a priest the Mass is important, so he didn't seem comfortable with two Altar boys who didn't know what they were doing. I can't recall the name of the Priest.

Healthcare

62. The Matron, Betty, wasn't a qualified nurse. Back then, if you worked in a particular place for a time, they could call your job title anything they wanted. I don't know if the doctor we had was a G.P. from the village. I don't recall any routine health checks. I don't recall there being any injuries that required hospital treatment. The nearest hospital to St Ninian's would have been at Kirkcaldy, but I don't recall ever going there with a pupil. I can't recall seeing any pupil on crutches, or with their leg in plaster etc, the boys were generally pretty active and healthy.

- 63. There were no deaths amongst the pupils when I was at St Ninian's, although there were the deaths of two staff members, **BHB** and Brother **MHJ**
- 64. I don't remember the boys visiting a dentist. If there was a problem, they would have been taken to a dentist, but most of the boys were with us for just a year, so I presume they were still registered with their own dentist at home.

Visits/inspections

- 65. There were no set days for families coming to visit pupils, but it was unusual for relatives to visit, as the children went home regularly and the parents often didn't have the money to pay for travel. Sometimes the social workers might bring someone's family up. There were also some Brothers, like Mike Halligan and Chris Brown who visited just for a holiday really. Chris Brown was in Falkland for six months. He was Senior Housemaster and did some teaching. Mike Halligan joined the team for summer camps. Both were from Liverpool.
- 66. At the weekends, the boys had fortnightly visits home. If they were not visiting home, we would have a football or rugby fixture against another school. Towards the end, when the school was getting nearer closing, they had weekly visits home. I don't recall there being a public telephone for the boys to use, but if they needed to make a telephone call they would go to MBV. I don't recall them writing letters home.
- 67. The social workers' visits were as frequent as they needed to be. Visiting social workers dealt with <u>MBV</u> Those social workers also saw individual children at their Children's Panel reviews. It was usually a case of <u>MBV</u> taking boys to see their social worker. <u>MBV</u> would take boys to Children's Panels, so I presume they attended the Panels. John Todd, the local policeman would visit if we had a problem with any of the boys, such as shoplifting in village shops, or running away.
- 68. When there was a review of a boy's placement, **MBV** or sometimes the Headmaster would be in charge of that. I didn't have to submit a report for such a

review, but I might speak to MBV about the pupil. I do remember seeing some written reports for boys that MBV had done.

- 69. I presume each child had a file, but that file would have gone with the child wherever he went.
- 70. I don't recall any Local Authority inspections, anything like that would have gone through MBV. We had Visitations every three years, from a senior Brother. Every six years we had a Visitation from a senior Brother from Rome. They were just really checking on the prayer life of the Brothers, and making sure everything was OK. We would meet with the visitor and just talk. After the Visitation, you might get sight of a letter saying how the Brothers were doing, but that letter would go to the Headmaster. Someone who had been a Brother for twenty or thirty years might get bored, but as long as they got up for prayers, they would be described as a "good Brother".

Birthdays/Christmas

71. At Christmas, we shut down for a week or so, and I went home. When any of the boys had a birthday, Mrs Brown would bake them a cake and they would get extra sweets from the tuck shop.

Trips/ holidays

- 72. The boys got a two-week break at Easter, and another two weeks in the summer. I would go to Lourdes at Easter, but I remember one Easter the summer, and another the summer, and another the summer.
 Mathematical Action of the summer o
- 73. The boys went skiing to Glenshee. I remember that myself and a few boys were due to go on a Cadet Army Training Team skiing trip in 1983, but that day BHB died. On the first trip we had, the boys were very poorly equipped for skiing, although the skiing equipment did get better over time. The only other nearby place I remember was a village called Tomintoul. I remember the food, because what you didn't eat for dinner, you got served for breakfast.

- 74. In the summer, the boys went to an army camp, near Dundee. The army camp was a bit too army for me. They had a toilet in the middle of a field. I remember Brother Jimmy Burns, a Glaswegian. He was at Falkland for a while. He and I would go in to the village near the army camp in the morning, to get the papers and to use proper toilet facilities.
- 75. In the summer, we also went down to Wales for two weeks. I was able to drive the boys down in a coach, as they were non-fee-paying passengers, so I didn't need a bus licence. MCG and Harry Harrington were the other members of staff on that trip. There were about 20 to 24 boys.
- 76. **MCG** said in his statement that he remembered sharing a tent with me on one of these trips, so we must have stayed in tents. We went to places like Rhyl, and we went to the beach. We went to Liverpool and one of the priests who was there was Vincent Nicholls, who is now the leader of the Catholic Church in England. **MCG** was interviewed by police prior to my trial, and I read the transcript at Trainer Alston.
- 77. The boys were given about fifty pence a day to spend. One day, they came back with this slingshot with ball bearings. They couldn't have afforded that with the money they had. There was an inquiry and it was found that they had robbed a hotel owned by the deputy mayor. We confiscated the slingshot. We informed the hotel but they appeared too embarrassed to take matters further.
- 78. The school also had an association with a school in Stoke-on-Trent. The boys would go down and stay with families down there. We would do down on a Friday, have a game of football, and come back on the Sunday.

Running away

79. Some boys once managed to hitchhike to Glasgow. Forty years ago, if you saw a hitchhiker, you would give them a lift so it would have been easier for them to do that compared with now. Some boys hated being away from Glasgow and their friends.

Discipline

- 80. There was no fixed discipline code at St Ninian's. Everyone was different, the behaviour that one member of staff might tolerate from the boys might be unacceptable to another member of staff. I understand the general discipline would be the same as in Secondary schools. The individual teacher dealt with most matters. If the teacher felt that he could not deal with the matter because of behaviour of a pupil or pupils, the senior teacher or head teacher would become involved.
- 81. When I arrived, there was no indication that there was any more use of restraint of pupils than I had experienced at my previous school. Restraint was used in respect of unruly characters. You may have had to physically grab a boy who was doing something wrong and hold their arms down, to explain what the problem was, and to stop them attacking staff or other pupils. I can't recall the slipper ever being used for discipline. This was the practice used by most staff if dealing with violent pupils. Many of pupils in Falkland were there because they had been expelled from a secondary school or home. In dealing with this type of pupil a lot of patience is required.
- 82. We would also shout at them, if there was a group of up to forty, to get order. I don't recall sending any of the boys to the Headmaster for punishment.
- 83. It was MBV job to be informed when there were serious issues of discipline. If a child came to me, and said he had a row with someone, I would probably pass it on to MBV to deal with, but I don't recall any child coming to me to say that he had a problem.
- 84. Boys could be punished for fighting or disrupting meal times. **Here was** had a bad reputation for theft, but there wasn't much for him to take. Bad language was more tricky because the boys used bad language all the time, that's the way they talked. However, if I became aware of any bullying, I would try to talk to the people involved.

- 85. Only the headmaster could withdraw privileges, such as going home at the weekend, but that did create an extra burden for us.
- 86. Another form of discipline was to put the boy in the main hall, to calm them down. They would be made to stand still, not talking. They would be clothed when this happened.
- 87. There was also the physical punishment of the strap. If the boys were to be strapped it would have been on the hand. There were two occasions when I was involved in that. One was the incident with MBI and where MBI with a corner flag. As far as I know the strap was used very struck rarely. For me, on this occasion with the incident merited the strap. The other occasion was that on a trip to Wales, again and stole a motor bike.
- 88. There was a problem later on with smoking in the dormitories. My solution to that was to cancel the tuck shop. The smoking issue stopped quite quickly after that.
- 89. Prior to my arrival, the school had a sports fixture away at another school and the boys trashed the dressing room. After that, if we were playing away fixtures, the boys would go dressed in their kit, and come back in their kit.
- 90. There was one occasion when a boy, and a struck another boy, <u>MBI</u> with a metal corner flag. The pole had a jagged edge, it could have killed him. I physically manhandled **I** to <u>MBV</u> office, as I knew he had a belt, and I gave **I** three of the belt. Then I made to him stand in the main hall, in silence as a further punishment.
- 91. I presume that there was a punishment book kept by the Headmaster or social worker. I told the MBV the matter and the Headmaster, JM Farrell, about the incident where I gave the belt for the goal post incident. I didn't have to fill out any paperwork for punishments.

- 92. When we were on a trip to Wales, two boys and and store and stole a motorbike from the son of a farmer in whose field we were camping. I didn't see the bike, I was told they had burnt it. We had a discussion about it and decided they should be strapped. That discussion was between myself, John Farrell, Chris Brown, and Mike Halligan. I can't remember if Harry Harrington was there or not. John Farrell gave them the strap for that. We all witnessed this. He strapped who then said, "Is that it?" I found out that father was a very violent man, and if he hit field. he wouldn't stop, it would go on. I don't think for the comment was bravado, I think he was surprised that the punishment was comparatively minor.
- 93. There were probably other instances of corporal punishment that I didn't know about. There were no punishments I was aware of at the time, which I would now classify as abuse. I don't recall ever being present when someone was carrying out corporal punishment of a boy.
- 94. These boys didn't really trust authority figures. Sometimes some of the children regarded caring as a weakness, so they would sometimes blow up at a teacher who showed caring. Trying to teach students who could be very disruptive by trying to show understanding. Some pupils could not deal with this method of teaching. Sometimes their only resort was anger.
- 95. MIK had a problem with discipline with some of the boys on the odd occasion when MIK was on weekend duty. MIK was married to make and had four children. He had boys staying at his house, in manual but he sometimes had problems with some boys taking advantage of his kindness by mis-behaving, they would treat it as a weakness. I can't remember specific names.
- 96. I don't know if there was a designated person that the children could talk to about any problems they might have. The boys sometimes complained to me that they were being treated unfairly. The boys sometimes came and reported matters to me. They might complain about name calling, but I would tell them they would just have to get on with it. It is easy to spot one boy bashing another boy, but the verbal bullying is more difficult to spot.

97. There was one boy called

They lived in terrible conditions. He would wake up at night saying, "There's my mother." He would be pointing out of the window. The other boys in his dormitory, who had been woken up by this, came to report it to me. I would ask them to show understanding. Was in a difficult situation. To my knowledge things seemed to settle down.

Specific allegations of abuse

MHK

98. MHK has provided a statement to the Inquiry in which me makes allegations against me. I remember reading the statement he gave to the police. I remember him being called, **see and** " a nickname given by his fellow pupils. I can't recall the reason for it. He was an easy target, but he wanted to be one of the boys. I can't recall if he was a junior or a senior when I was there. In his statement to the Inquiry he alleges that I was, "a nasty piece of work." and that after the showers, Brother LNA and I would invite boys to our rooms on the pretext of sitting and having a chat or a smoke. He says that I had boys staying in my room and "there was full blown carnal relationships going on". This did not happen as Senior Housemaster, boys were never in my room and never slept in my room. It was only after Brother LNA left and he told me about the boy sleeping on the floor of his room, that I continued the practice. I would deny that allegation, I am just a very easy-going person. I am perhaps just too easy-going. I didn't see a LNA problem with boys sleeping on my floor. started letting them do that. It started with who was afraid of the dark. I didn't invite any child in, some of them just wanted to sleep on my floor. Boys never slept in the bed. Some boys would do that regularly, but I didn't keep a register or anything. I wouldn't know who stayed. If they were noisy, I would come over and send them back to their rooms. If they felt too cold or too uncomfortable, they could go back to their rooms. I don't recall any smoking in my room. That never happened, I detest smoking.

MBI

99. MBI has provided a statement to the Inquiry in which me makes allegations against me. I was very disappointed in what he has said. He was a stocky young man. He came to Falkland when he was twelve or thirteen.

He was a bit mouthy. He was from Perth and the majority of the boys were from Glasgow. I don't remember much more about him.

- 100. MBI says MCU would get up in the night, gather up with duvets and go into my room to sleep on the floor. He says that after a couple of months also joined in sleeping in my room. He says at the time he thought they were drinking cough medicine in my room and getting high. On reflection he thinks a lot of the boys were getting cough medicine when they didn't need it. He says the room itself was no bigger than a box room and all it had was a bed and chest of drawers. He said this behaviour went on the whole time he was at the school. He says and slept in my room every night. MCU may have slept on the floor. I can't recall the student was "afraid of the dark" and slept on the floor some nights.
- 101. MBI has made a reference made to me having a huge bottle of cough medicine. I can't imagine a huge bottle of cough medicine, what would you say was a "huge" bottle? I might have had a bottle of cough medicine, and given some to a boy if he had a cough. I wasn't supposed to but Betty the Matron wasn't keen on dishing out medication, so I might have got a bottle of Covonia and given it to them.
- 102. MBI goes on to say that MCU was very close to me and would be invited by me "to beat you up to punish you". I never invited anybody to beat a pupil up.
- 103. No, that's just not me. If you get on well with people, are they your favourites? I try to get on with everyone. My thinking is that if you get on with people, they should be a positive influence. There shouldn't be rows. Others might see it as favouritism.
- 104. MBI says that Brother LNA used to wander around the dormitories after lights out and that he used to creep around dormitories twelve and thirteen. He says

- I was someone who wandered about and that I was given the nickname "Snoopy". I deny that. I did get called Snoopy, which was because of checking on the boys in the shops in the village. I would walk up and down the corridors after lights-out, to check they were all asleep.
- 105. MBI alleges that I came into the class where Mrs Nicholl was teaching and wanted to see him and that it was obvious that I was going to get a physical punishment from him. He says Miss Nichol read the situation well and told me to leave and not to interrupt her class again. He described this as a rare occasion when staff stood up to me. This never happened. From memory I thought that I got on well with MBI
- 106. MBI says that he was playing football one day and that , known spat in his face. He says was one of the bullies from Glasgow. as MCG and I were on the field and He says that he punched and that staff told no one to intervene as needed taught a lesson. He says was sent to get the corner flag poled and that he came into the dressing room and stabbed him with one of them. He says got "a doing" from me for stabbing him. I can recall the incident.
- 107. I suppose that is one of the few times I have been very very angry.
- MBI 108. says that I assaulted him on a number of occasions. He says he had no trust in me and kept out of my way. He says I didn't really bother him until "the MCU day I fought back against . He says he was in Brother Brown's room listening to music and MCU told him to turn it off. He says MCU hit him so he hit him with a chair. He says that "When Brother Kelly heard about what MCU happened to he caught me and held me by my neck against a wall. He then gave me a few digs to my body." I deny that I restrained MBI in this way. He

WIT.001.002.6522

says that "MCU got away with anything in front of Brother Kelly." I don't remember that specific incident. I don't recall any instance of restraining MBI MBI I do note that he previously said it was a stool, but then says it was a chair. I recall reading a statement given by MBI to the police. This was prior to my trial and I would have read it at Trainor Alston's offices. I recall MBI mentioned throwing a stool, but it was chairs rather than stools that we had in the dining room.

MBI claimed, "... another boy was very close to Brother Kelly. He would be invited to beat you up." I deny that. If I get on with people, I expect them to respond in a positive way. I expect more of the people who get on well with me. There shouldn't be rows. I try to get on well with everybody.

109. MBI also alleges that I assaulted a boy from Cowdenbeath by giving him a "healthy doing" on the rugby park, broke his arm, and gave him an eye injury. He describes it as not being part of the game and being "violent abuse". There were rugby injuries such as a black eye, but not a broken arm. I deny that allegation though. I would try to make sure one team didn't dominate the other too much, so I might get involved in playing rugby sometimes, but any bruising or other injury would be from the game. If there was a broken bone, there would have to be a record of that, you would have to be spoken to about that. But this did not happen. I never broke anyone's bones.

MHS

- 110. MHS has alleged, "The abuse started the first night I was there. After one of the boys had shown me round I was told by either Brother Farrell or Brother Kelly to go and have a shower. A group of the boys came into the bathroom and started to touch me up when I was naked. I heard a member of staff coming who asked what was going on. On reflection, I suspect now Brother Kelly knew what was happening and orchestrated it. The boys ran off. I felt so bad about what had happened I ran away that night." This shower incident did not happen.
- 111. That would be wrong, if this is the boy who said that this happened on his first day. The showers were at night. You wouldn't have unsupervised showers. You would shout across, "senior showers" and the senior boys would go for a shower.

WIT.001.002.6523

MHS was a pleasant young lad who liked his football. At my trial, he mentioned a boy called was and another boy called mentioned a boy called was due to be called on my behalf as a defence witness, and I was very upset that my legal team did not call him, and the jury weren't privy to that, I feel I am in a parallel universe. I can't believe this is happening. The allegation of boys being locked up in the showers, by boys acting on behalf of Brother Kelly, i.e. myself, is one I deny.

- 112. MHS goes on to say, "When you were bathing, some of the older boys would 'touch you up' in a sexual manner. I can't be sure but I think they were doing it on the orders of Brothers Kelly and Farrell." No, there were separate shower times.
- 113. MHS also alleges, "There were two different 'camps' in the school. You were either in Brother Kelly's camp or Brother Farrell's camp. Because I was in with Brother Farrell I would often pass Brother Kelly in the corridor and he would hit me with his hand for no reason. He also sexually assaulted me by grabbing my private parts. This happened to me on a few occasions."

The allegation of hitting boys in, "Farrell's camp" or of grabbing his private parts, again, I deny. I am incapable of that type of behaviour.

- 114. MHS continues, "One of the weekends I was at the St Ninian's I was invited to Brother Kelly's room along with the other boys. After a while some of the boys grabbed me and took down my trousers. They pinned me to the bed. I could feel Brother Kelly rubbing his penis against me. At that moment one of the boys who was pinning me down called MCU who I became very friendly with whispered in my ear don't struggle because he likes it when you struggle. I managed to take my mind out of the room while Brother Kelly raped me." This did not happen.
- 115. I can definitely say no, I deny that 100%. In the first statement he gave to the police, he didn't mention this. I don't know why he is lying. In his second and third statements he says he was in jail for sexually assaulting a girl in a wheelchair on a bus. One of the reasons he was at Falkland because he had hit a member of his

school staff in the face. The social work records are there to prove that. Obviously the person who said, "No, this did not happen," was not called to give evidence.

- 116. MHS also alleges, "I found out that some of the boys were sleeping in Brother Kelly's room. They boys would get sweeties and juice. I think that *** and *** were both Kelly's favourites." No sweeties or juice were distributed to students in my room.
- 117. I never had food in my bedroom. The Brothers had big boxes of crisps that I would give out to them at weekends, but never in my room. They might have had their own sweets from tuck in my room.
- 118. MHS concludes, "Just before the residential school closed down all the boys were taken individually to see Brother Farrell and Brother Kelly. We were told in no uncertain terms that there were three reasons that we could not tell anyone what had happened at St Ninian's. They told us no one would believe us, they knew where our families lived and that they had the backing of the Catholic Church. We were too frightened to say anything."
- 119. It didn't happen, that's all I can say. As to why he might have said this, you need to spend time in prison. There is what they call an assembly hall, with a big screen television with adverts and one of them is, "Have you been abused?" There is a web site too. These characters, I don't know why people say these things, but in the time of post Jimmy Saville, and everything else going wrong, even today with Priests, Brothers, whoever it is, they are highlighted as people who do this type of thing. It does make me very sad, but from my own personal point of view, no this did not happen. As to why, why not? What happens to him? Nothing happens to the person making false accusations. My name and everything about me has been sprawled across papers in Stoke-on-Trent and Plymouth.



WIT.001.002.6525

- 120. **LCH** alleges, "We got beaten up, but that was nothing. We were used to getting beaten up in the last place we were in. I was battered by the guys who were recently prosecuted and sent to jail. One's called Kelly. I can't remember the other one's name. I was asked by the NSPCC to get involved in the police investigation but I chose not to. They only battered me, and that's nothing to me."
- 121. **LCH** has claimed that he was beaten up by me at St Ninian's, but I wasn't there when he was there, we have checked the dates. We have him down as born in 1963 and says he left St Ninian's when he was about fourteen or fifteen, which would have been 1977 or 1978.

Alexander Shannon

- 122. Alex Shannon alleges, "Every morning, because I was a bed-wetter, I was woken at six o'clock along with all the other boys who had wet their beds. We all had to strip our beds and drag the sheets out into the hall and then go for a shower. I don't think there was any physical punishment from the Brothers, but I did get verbal abuse from other boys."
- 123. Alex Shannon continues, "Normally the three Brothers, LNA Farrell and Kelly would be standing watching us as we showered. Sometimes one of them would take the soap off me and show me how to wash myself. Whichever Brother it was, mainly LNA or Farrell, would rub the soap over my buttocks. At first I didn't find it strange, but I soon did as time went on. "
- 124. He has said that, because he was a bed-wetter, he was woken at 6.00 am and dragged out of bed to the shower. He has alleged that myself and Brother Farrell would watch him in the shower and that I would take the soap off him and show him how to wash himself. I deny this. In any event, we didn't hand out soap to the boys, we had shampoo that we gave out. It would also be a case of checking the dates. If, for example, he was alleging abuse by Brother **LNA** I might have been in the dormitories. When I was on the senior side, he might have come over to the senior dormitories, but I would have to know the dates.

- 125. Alex Shannon also alleges, "I saw lots of boys getting battered, including my Although and was younger than me, he sometimes got it worse than me because he kept running away. I jumped in a couple of times that I saw getting beaten, but then I would get it. It was always the same four Brothers, LNA Farrell, Kelly and MBV
- 126. Alex Shannon concludes his allegations against me, "I remember the first run in I had with Brother MBV which was on my second day at St Ninian's. I'd run out of the dinner hall after I'd had an argument with one of the other boys at the table, who was a bit of a bully. After I ran out, Brother MBV chased me through the home before he eventually got hold of me. He threw me on the ground and I curled up in a ball while he kicked and punched me about the head and body. That was my welcome to the home and I learned to stay away from him after that."
- 127. Alex claimed that his **provide the second was** getting beaten up by myself and three other Brothers, that he tried to jump in and help his **provide the second** and that he got beaten up as a result. He was very protective of **provide the second**, but there weren't any incidents involving both of them. I deny this. I got on well with Alex, and would sometimes try to talk to him, to try to get him to give **provide the second** some positive influence.

MNC

128. MNC has made allegations against me in a police statement. He said I sexually abused him on numerous occasions. The allegation about the rugby match is untrue. I would never have assaulted any person. I would never abandon 23 15 year olds to run after one pupil. In relation to the allegations of a sexual nature, I deny that any of this ever happened. As I have said previously, I never used any pupil to assault or abuse others. As far as I can recall, when MNC joined he was a senior and at that time I was the Junior Housemaster. There would have been little contact.

Brothers or lay staff against whom allegations of abuse have been made

Brother LMZ

129. Brother LMZ died in the 1980s, in Stoke-on-Trent. I don't recall much about him, he was quite stout. I couldn't go to Lourdes on one occasion at Easter, because he was ill and I was asked to stay in St Ninian's in case students returned early. He would have been about six or seven years older than me. I can't recall him having a teaching role. I can't recall how long he was there. I don't think he was there for a long time. He was made Headmaster of a preparatory school after being at St Ninian's, Falkland. He had unusual methods of teaching and of discipline. He was an extrovert, and would swear back if boys swore at him. I can hardly remember him being there. I didn't witness him discipline or abuse anyone. I can't recall how long he was at St Ninian's.

Brother MHG

- MHG replaced Chris Brown, who had been senior Housemaster after me.
 He had been in Africa. Over there, he could tell 100 boys to take out a book, and they would do it. In St Ninian's, Falkland he couldn't even manage it with two boys.
 He had a difficulty with discipline, he is crippled with arthritis. He has big hands.
 MHG taught in Liberia and he often spoke about his experiences.
- 131. I recall one occasion at the beach. He took out something to draw or paint with, but he got frustrated because the children were jumping about. He vented his frustration by shouting at them. I didn't witness him abusing anyone. The only complaint against MHG that I was ever aware of, was the complaint from of a big bust up with Brother MHG I don't know the details. Once again, I am satisfied that the passage of time has not affected my memory.
- 132. The only member of staff there were any concerns about was MKF There was a meeting about him taking boys into his room for one-to-one lessons. There was a meeting between the Headmaster and MBV etc. that was the only thing I heard about.

Brother John Farrell

- 133. Brother Farrell was a hot-headed South African. He was very organised. He used to line up his chips on his plate to eat them. He was well intentioned, but sometimes frustrated. He became a Priest.
- 134. During the trial, no one could pin down the exact date John Farrell took over from Brother LNA His interaction with the boys was generally very good. I did witness John Farrell disciplining boys at St Ninian's, if discipline includes shouting. I think that driving along in Liverpool, he did have an altercation with **Control**. I didn't get involved but I can recall some shouting. He wasn't afraid to face up to individuals. I did not witness him committing any abuse.
- 135. Physical abuse is very difficult to talk about now. At the last school I worked at, the P.E. teacher was sacked for pushing a child in the chest. If you go back years, some things were normal. For a long time, I didn't realise Brother Farrell had an office downstairs. I don't know where his room was upstairs.

Brother MBS

136. MBS was a second As long as he had enough drink, cigarettes, and a half-day off to play golf, he was happy. He didn't interact much with the children. The children called him, MBS for a second of his drinking. I did not see him discipline or abuse any child. Once again, I am satisfied that the passage of time has not affected my memory.

Brother MHJ

137. Brother MHJ was the state at St Ninian's. He had something wrong states I don't know if he did any teaching when I was there. It is alleged that there was an incident in the boot room where states and another were supposed to have thrown boots at him. I think Brother MHJ enjoyed the place. I didn't witness him discipline or abuse any boys. I didn't hear any allegations against him. He might have shouted at them. He died midway through my stay. Once again, I am satisfied that the passage of time has not affected my memory.

138. MBV was a Brother but then became a final the lived with his wife and kids in Kirkcaldy. The boys respected him more than us, because it would be up to MBV to leave St Ninian's or not. He had a strap in his room, but I never saw him using it. I didn't witness him committing any act of abuse. Once again, I am satisfied that the passage of time has not affected my memory.

Brother LNA

139. LNA was very good with discipline, the boys either respected or feared him. I didn't see him discipline anyone, I didn't see him abuse anyone. Once again, I am satisfied that the passage of time has not affected my memory.

BHB

140. I was angry to hear about allegations against BHB after he had died, it made me very sad. He was known as BHB. You couldn't have met a nicer person. He used to flick his middle finger onto peoples backs. He was always around, he was very understanding. Regarding discipline, you could sometimes hear him but he was always very understanding. I had no cause for concern with BHB, nor did I hear any complaints about him. Once again, I am satisfied that the passage of time has not affected my memory.

MCG

141. MCG was the second who took over from Harry Harrington. I had no cause for concern with MCG nor did I hear any complaints about him. I thought he was very enthusiastic and good for the school. I did not hear any complaints about MCG when I was at St Ninian's, Falkland but I am aware of the allegations contained within police statements. Once again, I am satisfied that

the passage of time has not affected my memory, other than forgetting about sharing a tent with him when we were away on a trip.

MIK

- 142. MIK was a lovely guy. He generally had very good interaction with the pupils. I didn't witness anything about MIK towards the boys that gave me any cause for concern, other than being concerned for MIK because he was very uptight. I am not aware of anything adverse with MIK other than the incident with **Constant of**. I can't recall the details. Once again, I am satisfied that the passage of time has not affected my memory.
- 143. There was nothing with any of the other staff that caused me concern to report up the chain of command.

Abuse at St Ninian's, Falkland

144. I did not see any sexual abuse at St Ninian's. No boys came to me with any complaints of having been abused. There were no complaints of any type of abuse made to me, as far as I can recall. The only incident that was reported to me was when about some lads, **Section 1** and **Section 1**. It was alleged that something had happened and that they were, "acting gay," I think was the phrase used. I don't know if that was supposed to be a consensual thing or not. I wouldn't have believed that forty years ago. I didn't get the details, I don't like details. There was no investigation, it was just a rumour.

Leaving St Ninian's, Falkland

145. There was nothing really done for boys moving on from St Ninian's. The work experience that some boys had was the only preparation they had for moving on. We just had to go by the decisions made by the Children's Panel as to when they were to leave. The boys did not have access to MBV after leaving St Ninian's, I

Life after the Christian Brothers

- 146. In 1994 or 1995, the Christian Brothers said that they were going to concentrate on Parish work. I was the last teaching Brother, so I decided I would leave. I had become more involved with a woman called state
- 147. I had been going to Lourdes since 1979, with the Handicapped Children's Pilgrimage Trust, taking handicapped children over for the pilgrimage. After about ten years, Cannon Costler put me in charge of the children going over there.
- 148. Initially, we went out with one carer and one child staying in a twin room. Subsequently, they changed that. I don't know if that was because of concerns about allegations of abuse.
- 149. Came out to Lourdes in her capacity as a second I then went down to London to visit her a couple of times when she was working at a left the Christian Brothers on 1 April 1996, and I married and on a 1996. We tried to have children, but without success. We had three rounds of IVF, which failed, so we considered adoption, and adopted two children. Then, was diagnosed with breast cancer. Despite various treatments, she eventually died a 2013.

Police and Trial

150. I was first contacted by Fife police on 23 May 2002 about allegations of abuse. I was still maintained head of year at my school, there was no restriction put on me. There was nothing put on the kiddies. Police from Scotland asked to meet me so I travelled to Coventry for interview. In Coventry, I was asked if I needed a solicitor. I didn't make a statement. On the advice of Pat Grimley, an ex-police officer, I exercised my right to silence. They said the names of six boys, six allegations. They charged me. The next day, the Local Education Authority had a meeting about me. Their concern was that I didn't have a solicitor present. They had no reason to be concerned about my behaviour, because in 2002 I had been there fourteen years. I was head of year, a good Catholic, good discipline. It was the day before the adoption proceedings were concluded, but it didn't stop things going ahead. From memory a letter was

sent to me by the police sometime after 2007 when I had moved address. I don't recall the content.

- 151. I was contacted by the police again, in 2014. I went up to Warrington, to the child protection agency police officers. Pat Grimley, an ex-police officer was with me. I thought it would be the same as 2002, it would be half-an-hour and I would be back down. It was a long long interview. Pat Grimley said Scottish police do it differently than the English police. I was asked if I needed a solicitor. In the waiting area, there was another man, who I did not realise was the on-duty solicitor. When they asked me if I wanted a solicitor, I said no as I thought they would have to get one. They asked me twice. They didn't tell me there was one there. Then they said that the tape recording machine had broken down, but they still continued chatting to me. Pat Grimley has said that is quite a common tactic.
- 152. My brother had worked in the and through him, I got a recommendation for a solicitor in Scotland. I had a number of trips up to Scotland to go through the evidence.
- 153. I was convicted at the High Court for charges of abuse at St Ninian's. I was cleared of a number of other abuse charges. I was sentenced to ten years imprisonment. I deny all allegations of abuse and I am seeking a review of my conviction through the Scottish Criminal Case Review Commission. It was never mentioned at the trial about the first investigation. You can't go from one to 28 or 29 people. Nothing has happened to them. I feel that my life has been ruined but they continue with their lives.

Impact of Trial

154. I feel very saddened by what has happened. It has really destroyed my good reputation as a very dedicated teacher. There have only been complaints from some ex-pupils of Falkland. Most pupils feel safe with me and I have never been, nor ever will be, a threat.

Records

155. I have no recollection about any written records from St Ninian's, they were nothing to do with me. I had no involvement in keeping records. MBV kept the records for the boys. The social work department should have kept the records of the boys, but there was a particular problem with Edinburgh social work department retaining records. I don't know if the Matron kept medical records. I don't know if the Matron kept medical records. I don't know if the Matron kept medical records. I don't know if the Matron kept medical records.

Helping the Inquiry

Other information

- 156. I am asked why people are making such allegations to the Inquiry if these things did not happen. I am asked why some people have told the Inquiry that they continue to suffer the long term effects of abuse if the abuse did not happen.
- 157. I don't know why these people have said these things. If you were a teacher, you might be on the games field or in the dormitory. You weren't really mixing with other people. To my family's huge cost, it has just destroyed everything. Then again, I don't hold any malice against them, it is too long ago.
 * Jeel that some people have to keep the forevenue.

158. I applaud the efforts of the Scottish Child Abuse Inquiry. I think it is very difficult to

- decide whom to believe. 159. Some people, after a while, have disregard for people in authority. Some people
- might want revenge about their time in care and the best way to get that is to make allegations against the staff.
- 160. I have no objection to my witness statement being published as part of the evidence to the Inquiry. I believe the facts stated in this witness statement are true.



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Dated Welnesday, June 514, 2019