

1 Thursday, 2 December 2021

2 (10.00 am)

3 LADY SMITH: Good morning and welcome back to our hearings
4 of evidence in relation to the provision of residential
5 care by Fettes College.

6 Mr Brown, what happens next?

7 MR BROWN: My Lady, good morning. Today we will start with
8 a read-in from an applicant. There will then be the
9 beginning of a read-in of another witness, who has given
10 a particularly lengthy statement, but I suggest we start
11 that and then break before we get into -- there's a lot
12 of background detail which we can listen to first, and
13 then return to the particular focus on Fettes once we've
14 heard a live witness who we'll interpose in the middle.

15 She is coming earlier than planned, but it's just to
16 allow her a little time to recover from coming early
17 from the West.

18 LADY SMITH: Thank you very much.

19 Ms Bennie, when you're ready.

20 'Bobby' (read)

21 MS BENNIE: My Lady, the first read-in bears the reference
22 WIT.001.0027610. My Lady, this witness wishes to remain
23 anonymous and has adopted the pseudonym of 'Bobby'.

24 "My name is 'Bobby'. My year of birth is 1972.

25 I have two older sisters, they are eight and seven

1 years older than me respectively. My father was a bank
2 officer with Standard Chartered. He was posted in
3 Manila when he met my mum. They courted and married.
4 My parents were in a posting in India when my sisters
5 were born. They were in another posting in Manila when
6 I was born.

7 We moved around a lot. I lived in Singapore,
8 Malaysia and Hong Kong. I was schooled in expat primary
9 schools. When we moved to Hong Kong, I went to
10 secondary school which followed the English school
11 system. I was there for two years.

12 After my dad left the bank, he wanted to move back
13 to Edinburgh. During the time that they were shifting
14 their lives back from Asia to the UK, it made sense to
15 them that I boarded at Fettes. Apparently I was put on
16 a waiting list for Fettes when I was born. My dad was
17 very working class and went to Leith Academy. He liked
18 the way they played rugby at Fettes. He wanted me to be
19 like that and for his kids to have a better start in
20 life. My sisters had been sent to private schools,
21 however they didn't last long. They kept running away,
22 mostly due to hygiene. They were only allowed two baths
23 a week.

24 Fettes College, Edinburgh.

25 I started at Fettes in the autumn of 1985. I had

1 just turned 13. I vaguely remember my first day. I can
2 remember the chaos of trying to get 70-odd boys into
3 a boarding house with assorted nonsense such as trunks,
4 boxes and suitcases.

5 On the first night, there was a bit of
6 an initiation. The third formers were split into two
7 dorm rooms, each assigned a prefect. That night, the
8 sixth formers came in and basically leathered us. Then
9 hung us out of windows by our ankles, three stories
10 high.

11 I boarded for the first year. I went into third
12 form. It followed the English education system. I was
13 put into Kimmerghame House, which was one of the new
14 houses. It was the closest house to the playing fields
15 at the police station on the western side of Carrington
16 Road.

17 I became a day pupil when my parents moved back to
18 Scotland. They had bought a house just outside of
19 Edinburgh, which required a great deal of renovation,
20 therefore there were months and months of that. It took
21 them a year to move back. The school was sold to me as
22 'apple pie beds', Tom Brown's School Days and jolly
23 hockey sticks. I met a teacher when I first went in.
24 The only question I asked was if I could bring my bike,
25 but I wasn't allowed.

1 My year were the first year that girls were
2 permitted all the way through the senior school. They
3 had previously only been allowed for finishing school.
4 There were girls in my year who had been to the junior
5 school as well, so they were the first pupils to go all
6 the way through the school. The girls boarded too.
7 There were girls' houses.

8 Most of the kids were from Fettes Junior School or
9 Cargilfield. A lot of them knew each other. I think
10 they had got used to the fact that their physical,
11 emotional and spiritual growth had been handed to
12 someone else to deal with. Most of them didn't know
13 their parents and during the holidays they seemed to
14 just wander about from friend to friend. It was quite
15 strange and a culture shock to me.

16 There were about 70 boys in my house. They were
17 aged from 13 to 18.

18 Staff.

19 The headmaster was Cameron Cochrane. He was
20 nicknamed 'trout'. If you went in to see Mr Cochrane,
21 you were given a cup of tea and a biscuit. You didn't
22 get into trouble. The deputy headmaster was Neil
23 Henderson. He was nicknamed 'Hitler'. If you were
24 called to see him, it was different. He was very much
25 a disciplinarian. His office had lights outside it so

1 you couldn't just walk in. The red light would turn
2 green, then you could go in. His chair was higher, even
3 as an adolescent you could see the psychological warfare
4 as if he was looking down on you.

5 There were housemasters and teachers. The general
6 day-to-day discipline was delegated to the prefects.

7 There was a housemaster, two house tutors and
8 a matron. One house tutor was **KPB** and the other
9 was Lieutenant Colonel Barr. He was Australian. He was
10 retired army and a functioning alcoholic. I think he
11 had PTSD. One day someone threw a pencil case across
12 the room and screamed grenade and he ducked under the
13 desk. I think he has passed now because he was quite
14 elderly. The housemaster was Dr Bill Marshall. They
15 all taught. Dr Marshall was a biology teacher,
16 Mr **KPB** was **[REDACTED]**, and
17 Lieutenant Colonel Barr was a maths teacher.

18 The teachers had little flats which were kind of
19 annexed off the main building. When you drive into the
20 boarding houses at Fettes, the first place you see is
21 the housemaster's annex and then there is the main
22 building with the main door to the house. On one side
23 there is an area, which is called 'area', and there are
24 studies there. On the right is the main common room and
25 stairs up to the floors. On each floor at the back

1 there is a door where the house tutors had their little
2 flats. They were so far away and they were stone built
3 so you could scream the place down and no one would hear
4 you.

5 The matron was nice enough. She lived in too.
6 There was a chap in my dorm who used to wet the bed
7 every night because he didn't want to be away from home.
8 He was Singaporean Chinese, massively overweight and
9 very effeminate.

10 Matron would go in every morning after we had gone
11 to breakfast to change the sheets and put a plastic
12 mattress down so people wouldn't find out. I only found
13 out because I walked into the dorm to find her dealing
14 with it. She told me not to tell anyone. I told her
15 that I wouldn't because he was my friend. I don't think
16 any of the others ever found out. The bullying and
17 ritual humiliation was such that it would just have been
18 another cross for him to bear.

19 Hierarchy of pupils.

20 There was a hierarchy. There was a head boy and
21 head girl. They could punish anyone apart from teachers
22 below them in the school. Then there were the head of
23 houses who could also punish anyone. There were school
24 or chapel prefects who could also punish anyone.

25 The house prefects and deputy house prefects were in

1 charge of the house discipline. Then there were the
2 backbenchers and sixth formers. Then each house would
3 send two prefects to be school or chapel prefects. One
4 would be the head of house and deputy head of house.
5 The house prefects would be in charge of the house
6 discipline and the school prefects in charge of the
7 school. When you walked into chapel, they would all be
8 standing in the aisle directing us to the pews. They
9 would sit at the end and tell you to stop messing about.

10 The dorm head was a prefect. He was there to make
11 sure people weren't messing around after hours or
12 fighting. He would tell people to be quiet. It was
13 explained to me that this was the way life works and
14 this is preparation for life after school. It was very
15 much that the housemasters and house tutors couldn't
16 keep control or discipline of so many boys. They
17 couldn't be there 24/7 so people were placed in
18 responsible positions to try and keep order and stop
19 issues. When you have 70-odd adolescent boys there are
20 lots of issues. The prefects had authority to dole out
21 punishments.

22 The punishments were ridiculous. They ranged from
23 getting up at 5 in the morning to warm the wooden toilet
24 seat up for a prefect to getting up to change into full
25 school uniform and parade in front of the prefects.

1 Then you would be given 60 seconds to run upstairs to
2 change into games kit, parade, and then change into your
3 corps kit. You had to do that for an hour, then you
4 would have to tidy up after yourself.

5 The punishments ranged from being exercised until
6 you had thrown up and missed breakfast. There was
7 a punishment where you had to run the perimeter of the
8 school grounds. It was three and three quarter miles.
9 The whole year was involved. The sixth formers would
10 stand at all of the entrances to check we were doing it.
11 You had to run in a set time, I think it was 30 minutes.
12 If you didn't do it in that time, you had to keep
13 repeating it before going to chapel and class. I would
14 end up running three of them, missing breakfast and
15 throwing on some clothes before going to chapel and
16 class.

17 Dr Marshall tried to stamp out bullying. He didn't
18 agree with the physical aspect of discipline either. He
19 said that we would be given lines or get up early.
20 However, that didn't happen. I think he trusted the
21 sixth formers.

22 Fagging.

23 Apparently the year that I arrived they had outlawed
24 fagging. Fagging was what the third form pupils or
25 sprogs, as we were referred to, were handed out to

1 prefects. It meant that you became their gopher for the
2 year. It also meant that at that point you were under
3 their protection. I can remember doing all sorts of
4 things for the prefects, such as running out of the
5 house after hours to deliver notes to the girls' houses
6 or going out to the shop to buy the prefect cigarettes.
7 At the end of the term, they would maybe buy you a bag
8 of chips and a beer. The sixth formers had grown up
9 with it, so for them it wasn't going to change
10 overnight. It was a cultural shift, which hadn't
11 happened yet. Despite it being outlawed, fagging still
12 existed. It meant that a lot of punishments happened
13 off book. If you hadn't done something right, you were
14 just battered.

15 I can't remember the name of the sixth former who
16 slept in my dorm. I am loath to criticise some of them
17 who didn't speak up or do anything because they would
18 have been ostracised. I think it must have been similar
19 to prison. You don't hear anything or see anything, it
20 just didn't happen, because you would be ostracised.

21 There was one guy in the year above me who always
22 seemed to be sitting alone at the edge of the table at
23 lunch or breakfast. He had been ostracised because he
24 had had the audacity to report bullying to a teacher.
25 The boys in his year had ostracised him for being

1 a grass. That was very much the culture. You wouldn't
2 speak up. If you didn't agree, you simply walked out of
3 the room.

4 Routine.

5 There were various rotas, so if you were on bell
6 ringing you had to get up at 7 o'clock in the morning.
7 There was a big bell at the bottom of the stairs which
8 had to be rung. It left you with 20 minutes to get
9 showered and dressed.

10 After that we all went to breakfast. The dining
11 room was on the other side of the main building, about
12 a mile away, so it was a good ten minute walk. After
13 breakfast we went back to our house to get our staff
14 together for the day. Then we went to area, which was
15 like a roll call and was held by a housemaster.
16 Apparently a couple of years earlier someone snuck out
17 of the school and on the way sneaking back in the window
18 he got caught, his head trapped in a window. So there
19 were areas four times a day to check in. It was usually
20 held by the housemaster. During area, any notices and
21 announcements would be read out. A notice would be, for
22 example, if the boot room was dirty and whoever was on
23 cleaning duty required to clean it before lights out or
24 if an event was coming up during that particular week.

25 On Mondays, Wednesdays and Fridays we had games or

1 cadets on a Wednesday. We would go back to class for
2 four lessons after that and finish at 6.10 in the
3 evening. On Tuesdays and Thursday there were no
4 afternoon classes so you could leave to go into the
5 town. However, you had to be back by 5 o'clock. Most
6 of the boys played sports, which would finish about 3.30
7 or 4 o'clock, so there was no point. We had class until
8 lunchtime on Saturdays and games afterwards. There were
9 lots of lessons. It was their way of trying to keep us
10 occupied.

11 In the evening, a teacher or prefect would come
12 around switching off the lights. If you were found out
13 of bed after that, you had to have a good reason.

14 It depended on who caught you what the punishment
15 was if you didn't have a good reason. It could be that
16 you would be shouted at, or it could be that you might
17 get a slap over the head or lines or cleaning duty or
18 you might be told to report to the housemaster in the
19 morning.

20 If you go in the Inverleith Park entrance to Fettes,
21 there is a glass panel building on the right, which is
22 the dining hall. Underneath that there was a cloakroom.
23 It wasn't uncommon to walk in and to find a boy who had
24 pissed off someone hanging by their underpants from the
25 coat hooks so that they were stuck and couldn't get off.

1 It happened to plenty of boys. There were a lot of
2 things that happened. When I look back on it, it just
3 seemed normal and one of the things that you had to go
4 through.

5 Leisure time.

6 We had about 45 minutes to an hour to listen to
7 music or read a book. It could be miserable in winter.
8 If you were that way inclined, you could maybe ask
9 someone to go on a walk. It was better in the summer.
10 We weren't given anything to amuse ourselves.

11 We were allowed our own belongings. I went in with
12 a tennis racket but I didn't leave with it. Someone
13 would ask to borrow something and you wouldn't see it
14 again. It got better as you went higher up the school
15 because there were less people trying to take stuff.

16 There was a tuck room, which was a little cupboard
17 where you kept your personal boxes. The amount of time
18 you would find your tuck box would be open and stuff
19 would be gone from it, such as sweets, magazines, and
20 Walkman music players. You could complain to someone,
21 such as sixth form, head of house or the housemaster and
22 you might get some sympathy, but you would never get
23 an apology.

24 Rugby was compulsory for the boys. The girls had to
25 do lacrosse and hockey. In the summer term it was

1 cricket and athletics for the boys. Those weren't
2 compulsory. There were organised games against other
3 schools, which took place on Saturday afternoons. If
4 you were higher up in the team structure, there would be
5 a midweek game on a Tuesday or Wednesday. If you didn't
6 have a scheduled game, you had to go and watch a senior
7 team playing at home that week. It was compulsory."

8 My Lady, in paragraphs 40 to 45 the witness tells us
9 about uniform, trips and holidays and the
10 Combined Cadet Forces and I move on to paragraph 46:

11 "Schooling.

12 The schooling was adequate. Several older teachers
13 had gone to school there. They had gone to university
14 and had gone back to teach. They were very
15 institutionalised. There were younger ones who were
16 trying to progress their careers. Some of them were
17 better in that you could relate to them more. The older
18 ones called us by our surnames. You had to stand up
19 when they walked in the room. You couldn't sit down
20 until they told you to sit down. You had to call them
21 'sir' and they would throw things at us.

22 Corporal punishment was illegal, but when you go to
23 a private school, if it is written in the constitution
24 of the school then they can still beat you. I was
25 threatened with the cane. During my third form, my

1 parents weren't back yet so my uncle was my guardian.
2 Dr Marshall phoned my uncle for permission to cane me
3 because I had been naughty. I can't remember what I had
4 done, I think it must have been my attitude. My uncle,
5 knowing my parents didn't believe in that, gave him
6 permission to cane me. He came through and told me that
7 he had spoken to my uncle and he said he can cane me.
8 I told him, 'If you cane me, make sure I don't get up
9 because I'll take that off you and I'll beat you with
10 it'.

11 I think he was trying to knuckle me down and stop me
12 from acting out. I had started the first term being
13 a compliant pupil but as I settled in, I became
14 cheekier, my grades were slipping and I was acting up.
15 I think he was trying to get me to settle down by
16 threatening me, but it backfired. He is one of the only
17 people from that place who I wouldn't hear a bad word
18 said about. He always tried his best. Dr Marshall was
19 a gentleman. He was a lovely man. I didn't see any
20 other kids getting the cane. I don't know if that
21 threat had been made to others. He ended up having to
22 take time off from being a housemaster due to stress.

23 The house had to be cleaned so there was a cleaning
24 rota. There weren't cleaners. Floors had to be swept
25 and mopped. The boot room where all the rugby boots

1 were kept would have to be cleaned. The toilets had to
2 be cleaned. The third formers did most of the cleaning.
3 One of the head of the houses worked out the rota.
4 Every day you would have a cleaning task. There would
5 be an inspection at night, which I think was carried out
6 by the prefects or housemasters. So it would have to be
7 done at some point, usually just before the inspection.

8 Family contact.

9 My sisters were in Scotland but I didn't see much of
10 them. My dad used to write to me every week. I wrote
11 back occasionally. I didn't speak to my mum the whole
12 time I boarded. There was a house phone you could use.
13 It would be added to your bill. I would phone home
14 occasionally. However, I realised there was no point
15 phoning home because no one was coming to get me.
16 I just had to deal with it and get through it.

17 Running away.

18 There were boys running away all the time. They
19 would get caught at Waverley trying to get a train
20 somewhere. Once I became a day pupil, I used to get
21 phone calls once a term by a housemaster or
22 housemistress asking me if I had seen a particular
23 person. The thought process being that the first place
24 that they would run to would be a day pupil's house
25 because it would be safe. Plenty of people tried to run

1 away. I didn't, but I don't know why. A letter would
2 be sent home. They would try to work out why someone
3 had run away. Sometimes people would be gated so that
4 they could keep an eye on them.

5 Discipline and punishment.

6 I think there was guidance on discipline. There
7 were punishments for every infraction. On the face of
8 it, discipline and punishments consisted of exercise or
9 written work. There was guidance on that. For the most
10 part, the school prefects were reasonably okay. Some
11 could be strict or 'power hungry'. However, they were
12 fairly even-handed and they stuck to the rules. The
13 worst of it was done in house. It was never public, it
14 was done in the safety of the boarding houses.

15 Incidents would just happen. For example, somebody
16 would break up with their partner and before you knew
17 it, half the First XV would be in the dorm room punching
18 the living daylights out of everybody. You would cocoon
19 yourself in your duvet and wait for the beating to end.
20 Alternatively, the beds would be flipped upside down.
21 It was standard.

22 There would be fights all the time. Play fighting
23 was known as 'rabbling', which would get out of hand, or
24 there would actually be fights. You would always see
25 somebody with a fat lip, a broken nose or a black eye.

1 People would say it happened during rugby.

2 It was part of the fabric of life. It would be
3 incorrect to say it was isolated to my house. It
4 happened in all of the houses. The bullying in the
5 girls' houses was different, it was emotional and
6 psychological. In the boys' houses, it was a mixture of
7 everything, which always ended physically.

8 Many things could be used as weapons, such as hockey
9 sticks, cricket bats and rope lying around. There were
10 knives and 'Skean Dhus', dart boards, sling-shots and
11 air rifles. Someone would be bored one day and tell us
12 to line up against a wall to shoot cans at us. I said
13 that I walked into doors a lot of the time. If you had
14 been in a fight, one of the teachers would ask you about
15 it. It was easier to say that because you would get
16 into trouble for fighting and there were always
17 repercussions, such as being ostracised. People would
18 change schools a lot because of incidents at other
19 schools.

20 Summary of life as a boarder.

21 If your face didn't fit for whatever reason, if you
22 were cheeky, too big or too small, all of the other boys
23 made a beeline for you. It was toxic masculinity,
24 crossed with sexual repression, homophobia and bigotry
25 in a culture where 'boys will be boys'. Looking back,

1 it was anything that they could use against you to
2 single you out.

3 Staff supervision.

4 Some of the staff did their best to try and stop it
5 and weed it out. Some wouldn't care. Others would
6 think it was 'character building'. A lot of it was done
7 furtively, out of viewpoint. They knew to go for the
8 body where injuries wouldn't be seen. If you throw in
9 rugby, cricket, handball and all the other games and
10 sports we played, every scrape and bruise is accounted
11 for.

12 Recording.

13 There was a punishment book in which the prefects
14 were meant to write down punishments. For example,
15 'Bobby' was given one hundred lines for walking on the
16 wrong bit of grass. Once you had done it, it would be
17 ticked off. If you had done a good turn for another
18 prefect, you might have the punishment ticked off.
19 I think the head of house kept the book or it was stored
20 in 'area' above the snooker table. I didn't check it.
21 I think a lot of things weren't written down. The
22 school had the attitude of: for the time you are here,
23 we are in charge.

24 There were a few day pupils. They were a small
25 minority. There were around three in my house. They

1 were expected to stay for prep. You essentially only
2 went home to sleep. You were expected to go to chapel
3 on Sunday too. I used to have to get a bus home. Half
4 of the time I would fall asleep on the bus and wake up
5 in Penicuik bus station. Most of the day pupils lived
6 in Stockbridge or New Town.

7 Gating.

8 I didn't get on with one of the teachers, an English
9 teacher called Mr Winstanley. He would never seem to
10 give anybody, apart from a couple of favourite pupils,
11 a fair crack at anything. At one point during third
12 form I got so frustrated with him that I wrote in my
13 book, 'Winstanley is a fuck up' and handed it in.
14 However, he didn't see it and when I got my book back
15 I realised that I had been stupid so I scrubbed it out.
16 Of course that drew attention to it and when he looked
17 on the inside he could see it.

18 I was sent to the deputy headmaster and the
19 housemaster. I had a very uncomfortable conversation
20 with the deputy headmaster who asked if I knew what 'to
21 fuck' meant and did I really want to have sexual
22 intercourse with Mr Winstanley? A letter was sent home
23 about that. The letter arrived during the Easter
24 holidays whilst I was there. My mother sat me down and
25 told me never to write anything down that you don't want

1 held against you. I wasn't punished at home.

2 The punishment at school when I got back was
3 disproportionate. There were gating cards. The
4 standard gating was between 7 o'clock in the morning or
5 8 o'clock, from the time the bell goes until the time of
6 lights out. You had a card with slots that needed to be
7 signed by someone in authority every hour so you can't
8 do anything. I was on a 15-minute gating, which meant
9 that my card had to be signed by someone every
10 15 minutes. If you were in class and had a double
11 period, a teacher would just sign it from, say, 10 to
12 half 11. However, it was in parts during lunch or any
13 kind of break or recess or between dinner and prep, so
14 you were always tied to the house. I couldn't go
15 anywhere or do anything.

16 If your hair was too long, teachers would come up to
17 you with scissors and cut it. My hair was long and
18 floppy. They said they were going to suspend me so
19 I went to the school barber to have it cut. I was
20 suspended anyway because they said it had been cut too
21 short by the school barber. I was accused of being
22 a thug. I was sent home for a week and a half.
23 I wasn't allowed at school.

24 Abuse at Fettes.

25 Bullying.

1 The bullies found out what was obvious about you,
2 what your deformity was, for example, if you had a big
3 nose, overweight, effeminate or were half Asian. The
4 Chinese Asians were called 'noodle', 'Charlie Chan' or
5 'chink'. I was called 'half cast' a lot. One of the
6 black kids was called 'Chalky'. One of the other black
7 kids was called 'Benson'. If someone was playing rugby,
8 the school would shout, 'Well done, Benson'. The
9 teachers knew, everybody knew. There was a Japanese boy
10 in my year who was called Bob because no one could
11 pronounce his name. It was standard. If you were
12 subcontinental Asian and very brown skinned you were
13 called 'smelly paki'. If you were Catholic, you got it
14 too because most of the school were Protestant. So
15 there was sectarian nonsense thrown in too.

16 There was an incident in the third form dorm when
17 one of the third year boys was instructed to take out
18 a ruler and measure his penis in both states. He had to
19 write an essay on who he was, where he was from, whether
20 he had been circumcised, what size his penis was
21 flaccid, what size it was erect, who he had a thing
22 about in his year and his thought process behind
23 masturbation. The essay was then pinned on the notice
24 board in one of the girls' houses. We were all in the
25 dorm when it happened. He was in bed next to me when it

1 was happening. I can't remember the name of the
2 prefects involved. They thought it was funny. I am
3 sure it was because he had spots or bad breath. The boy
4 had braces, greasy hair and bad acne. This is like
5 a trifecta for bullying. He was badly bullied
6 physically.

7 If you looked like that or you were small and
8 underdeveloped, you got it bad. You would be mocked.
9 There were lots of air pistols in the school. I would
10 often stand with a can on my head and get shot at in the
11 face. Somebody would lob darts across area. Area had
12 a full size snooker table in it.

13 One of the kids had an accident in the bathroom.
14 There was faeces all over it. Someone had found it.
15 There was a house punishment because everybody blamed
16 the third year. We had to run around and around area
17 for what seemed like an eternity. Then when had to have
18 our knees at 90 degrees against a wall doing stress
19 compositions. The sixth formers took it in turns to
20 ping snooker balls off the floor at us, from the
21 balcony. so when we were running round we were dodging
22 them. We were all hit. It was painful. One boy when
23 trying to run away got stuck in the door. He ended up
24 half in and half out while everyone was laughing at him
25 and pinging more balls at him. It was standard to be

1 locked in trunks and kicked in the groin.

2 Most of the sixth years were involved in these types
3 of behaviour. There was quite a high Asian contingent
4 there who were on scholarships. There were a lot of
5 Muslim kids and Singaporean Hong Kong kids who were
6 there on government scholarships. They effectively
7 didn't get involved in anything. They would just go
8 into their rooms and worked because they knew they had
9 to go to university to become a doctor to work their
10 loan off. It wasn't all of them, but it was the 'lads',
11 the 'rugger buggers' and the 'jocks'.

12 I learned one of the teachers had an affair with
13 a pupil in the early 1990s. While I was at school,
14 a [REDACTED] teacher was having a relationship with
15 a pupil. Her sister was in my year. They ended up
16 getting married.

17 'Tom'.

18 In the summer time at Fettes during exam time the
19 prefects were relieved of house running duties. The
20 pupils in the year below who didn't have exams took over
21 and were responsible for discipline. I suppose the
22 theory being that for the short term it would prepare
23 them to run the house in the following year. During
24 prep, the prefects sat at the top of the table
25 supervising and doing their homework.

1 During this particular incident, the prefect, 'Tom',
2 singled me out. He was the son of [REDACTED] He had
3 pictures of Mussolini up in his room. He was 16 or 17.
4 He looked older because he had a bald head.

5 I was sitting on a bench next to another pupil.
6 'Tom' instructed us to kiss. When we refused, we were
7 beaten. He was punching our solar plexus, slapping us
8 around our heads and kicking our shins under the table.
9 He was a big guy. We had a peck on the cheek, which
10 'Tom' deemed unsatisfactory, it had to be on the lips.
11 Therefore we kissed each other on the lips. After,
12 I thought it was over but he called us back and told us
13 to grasp each other's testicles and penises until our
14 knuckles turned white. Once that happened, we were
15 instructed to drop our pants and expose our penises to
16 him and the rest of the room to prove that we didn't
17 have erections. Again, when we refused, we were
18 leathered.

19 The rest of the year were laughing nervously in that
20 kind of 'he's laughing so we should laugh way'. Once we
21 were done, he called two more boys up and the same thing
22 happened to them. Then he called another two up. It
23 happened to six of us. It lasted for an hour and
24 a half. That day prep was being told to kiss each
25 other, basically fondle each other and expose ourselves

1 to the rest of the room. Looking back, no one really
2 understood what was going on.

3 Nobody said anything afterwards. Everybody just
4 kept their heads down, walked away and got ready for
5 bed. However, the next day one of the sixth form girls
6 pulled me aside at breakfast and asked me about the
7 situation. It spread around the school quickly. At
8 breakfast and chapel, everyone was looking at us.
9 Everyone, apart from the teachers, knew what had
10 happened.

11 I think later on that day or the following day I was
12 summoned by the housemaster as I walked back into the
13 house. We were taken into his living room. The deputy
14 head was also there. It transpired that another pupil
15 had seen it and told the housemaster. We had to sit
16 down and tell him what had happened. 'Tom' was
17 expelled. He was gone within a matter of hours.

18 After that, my punishments were commuted. I got to
19 enjoy the last week and a half of term without signing
20 stuff.

21 None of the prefects said anything about it.
22 Another sixth form boy said it was shocking but that was
23 about it. That is all I can remember in terms of
24 support from the school. My mum and dad didn't find
25 out. They didn't write to them. I think that was

1 horrendous. I don't know if there was any official
2 involvement. There was a funny attitude in that school
3 that because you were effectively a child, you should be
4 seen and not heard. Once the information had come out,
5 it was in the hands of the adults, they would deal with
6 it and you didn't need to know. It wasn't mentioned
7 again. Looking back, this is my annoyance. There
8 wasn't any offer of help in terms of speaking to someone
9 about it or someone saying it wasn't your fault. It was
10 just a case of him being gone and that was it.

11 At the time, I felt confused and scared. It was
12 confusing because I wasn't so aware of my sexuality.
13 I am now bisexual. At that point I didn't understand if
14 I should have detested what had been done to me or if
15 there was a kind of weird interest in the actual act.
16 The whole thing was very confusing.

17 Unsurprisingly, I didn't want to go back to school
18 for the fourth year. I told my parents the night before
19 school started back. My dad didn't believe me because
20 they were my betters and they don't act like that. He
21 thought I was exaggerating. I don't think he wanted to
22 believe that something like that had happened. If the
23 school had written to them, it could have prompted
24 a different conversation to the one that I had with
25 them. My mum used it against my dad because she hadn't

1 wanted me to go to a boarding school from the beginning.
2 I found out later that she didn't write or speak to me
3 for the whole year I was boarding because she was
4 annoyed that I was there.

5 I thought I was okay. However, a few years later
6 I was walking up a street in Edinburgh when I bumped
7 into 'Tom'. He said hello to me. I had a bit of
8 a funny turn. I just sort of stopped and couldn't move.
9 I just stood there, frozen. I haven't seen him since.
10 He wasn't allowed back into the school. When I see big
11 bald men, I still do a double take.

12 I thought I had dealt with it, but when my mum
13 passed away, I was speaking to my aunt about boarding
14 schools. It all came back out and I became very angry.
15 Since then it's been off and on in my head. I often
16 wonder what I would do or say if I saw him again.

17 Following years at Fettes.

18 Over the next two years there were countless
19 incidents of physical bullying. There was no change
20 when I became a day pupil. One time my sister's partner
21 came into the school and put a boy up against a wall for
22 what he had been doing to me. He had been going after
23 me with a pool cue. As a result there were
24 repercussions. At the next practice for a rugby match
25 there were a lot of people whispering and I kept being

1 handed the ball or kicked. I spent the game getting
2 leathered. Once you reached sixth form it eased off and
3 you were safe.

4 After fifth form I stride to get into Stevenson's
5 College. I had been accepted onto a journalism course.
6 I was looking forward to it. However, the day before my
7 parents instructed me to withdraw and go back to school.
8 They said if I didn't, I could find alternative
9 accommodation. They didn't want me to go there and they
10 wanted me to go back to Fettes to sit my highers.

11 I think my dad was desperate for me to have the kind
12 of life that he hadn't. That life where doors would
13 open because of who you knew and where you had gone to
14 school. I think he always felt that because he had gone
15 to Leith Academy and hadn't got a degree until much
16 later on in life, I think he thought it had hindered him
17 and he didn't want that for us. I understand his
18 reasoning, but you have to listen to your kids.

19 Leaving Fettes.

20 I got my highers. After leaving Fettes, I went to
21 Napier University to study Communications, Design and
22 Advertising.

23 Life after Fettes wasn't easy because it was very
24 institutionalised. It was almost as if when you leave
25 that place you needed a support group. I think there

1 should be a support group akin to prison leavers. You
2 needed permission to do anything. Many of my peers went
3 completely 'off the rails' with drink and drugs.

4 I found the couple of years after it difficult.
5 I believe there should be a post-boarding school
6 counselling service for people because it doesn't equip
7 you for the outside world. I don't think I was given
8 any preparation for leaving. I learned how to speak
9 their language, but apart from that, I don't think I was
10 taught any life skills.

11 Impact.

12 In terms of impact and what has happened to so many
13 people in other institutions, which are utterly
14 horrific, is what happened to me bad, is it worthy of
15 an Inquiry's time? I look at that and I don't know.
16 I was never encouraged to discuss it further or to speak
17 to the police or a social worker. It was more it
18 happened, it is over, and there has been a resolution.
19 It was a case of move on with your life.

20 It does make me angry. I think boarding schools
21 should be outlawed. I went back a couple of years later
22 to play in an old boys' rugby game. I hadn't been back
23 to the school since 1993. Occasionally someone will get
24 in touch about an event or a Founders' Day. I have kept
25 in touch with a small number of former pupils. I try to

1 avoid that as much as possible.

2 I haven't seen a counsellor about my experience at
3 Fettes.

4 After my mother passed away, emotionally a lot of me
5 unravelling. I think stuff that I thought I had dealt
6 with and buried came bubbling back to the surface.
7 There are periods of time when I don't think about it,
8 but then there will be a trigger. I sometimes have
9 panic and anxiety attacks. I don't know if I can say
10 it's all the incident and school's fault. I shut down
11 emotionally and zone out a lot. When I get angry, I get
12 properly angry. I'm not violent but I shake a lot.
13 I started punching and hitting myself when I was
14 a teenager. I can't remember if it started before the
15 incident with 'Tom'. I have slapped myself and struck
16 myself since I was a teenager.

17 I don't know if it has affected relationships going
18 forward. I was very angry with my father for a long
19 time for sending me away, but as I have gotten older,
20 I realise that he was just doing his best. I just wish
21 he had listened more. There is a duty of care post that
22 incident that wasn't taken into account or pursued by
23 the school. It has to be taken seriously.

24 Records.

25 My dad found a box with report cards in it. There

1 were sheets of paper with team lists and house
2 photographs. I know there were extensive notes taken at
3 the time about the incident. I can remember
4 Mr Henderson asking us questions and Dr Marshall
5 recording everything. I don't know what they were used
6 for or whether they have been kept. Dr Marshall may
7 have a record of it.

8 Lessons to be learned.

9 I hope that safeguards are put in place. It is one
10 thing teaching teenagers about authority and
11 responsibility, but I am not sure that they actually
12 taught people not to abuse that power or responsibility.
13 Reaching a certain age, being a certain social status or
14 having a good academic record is no guarantee of
15 a person's suitability to lead, influence or discipline
16 someone. There has to be some form of safeguarding for
17 suitability. There has to be transparency. When things
18 do happen, the school has to be open, transparent and
19 accept that they apologise for inefficiency.

20 There are five other boys in this story. I don't
21 know whether they feel as strongly about it as me. For
22 me, it doesn't matter. I had to tell it. I can't
23 imagine that this was an isolated incident across all of
24 the boarding schools in Scotland. Children who are away
25 from a home upbringing have their moral and emotional

1 guidance delegated to teachers and peers. I don't know
2 if there is any need for boarding schools nowadays.
3 Most of them were set up for orphans but were corrupted
4 by the rich and elite. They should certainly lose their
5 charitable status. I don't know what the answer is, but
6 something has to change.

7 I think there should have been more supervision of
8 prefects and supervised study should have been
9 supervised by teachers and not by pupils.

10 I have no objection to my witness statement being
11 published as part of the evidence to the Inquiry.
12 I believe the facts in the statement are true."

13 My Lady, the statement is signed and it's dated
14 7 August 2019.

15 LADY SMITH: Thank you very much.

16 'Iona' (read)

17 MS BENNIE: My Lady, the next statement which I'll start to
18 read bears the reference WIT-1-000000532. This witness
19 wishes to remain anonymous and she's adopted the
20 pseudonym of 'Iona'.

21 "My name is 'Iona'. My year of birth is 1951.

22 My family has had a long history with Fettes that
23 goes back to the early part of the last century. My
24 father first went to Fettes when he was 13 years old.
25 He went there under a foundation scholarship. That

1 would have been in approximately 1922. After completing
2 his exams and leaving Fettes in the late 1920s my father
3 wasn't able to attend university full time, as he would
4 have liked, due to a lack of family funds. He had to
5 work to pay for himself to go to university. In 1940,
6 my father was invited to go back to Fettes as a staff
7 member by his former headmaster. He accepted the offer
8 and taught [REDACTED] at the school.

9 Since teaching was a reserved occupation, when the
10 war broke out my father didn't need to join the Forces
11 but he chose to do so. By 1947, my father had finished
12 his work with the army and returned to Fettes.

13 I was born in 1951. When I was born, my father had
14 been appointed [REDACTED] to [REDACTED].
15 [REDACTED] is, and was, one of the four original major
16 boarding houses that are on the grounds of Fettes. Our
17 family shared the house with about 80 boys between the
18 ages of 13 and 18. I spent the first 11 years of my
19 life in the boarding house.

20 In 1962, my father was appointed SNR [REDACTED]
21 which in those days was what Fettes called SNR [REDACTED]
22 SNR [REDACTED]. At that point we moved just down the road
23 to a house in [REDACTED]. My father later went
24 on to be appointed [REDACTED] in 1977. My father
25 adored the school. When I was growing up, Fettes was

1 central to all of our lives. Everything revolved, from
2 every angle, around Fettes.

3 My sister and I could not attend Fettes because it
4 was boys only.

5 My father continued to teach at Fettes under five
6 headmasters. He taught there for a total of 40 years.
7 He ultimately retired shortly after a headmaster called
8 Anthony Chenevix-Trench died on the job in June 1979.
9 I believe at the time of his death, Anthony
10 Chenevix-Trench had already been told to announce his
11 retirement from the school. My father was about
12 70 years old by that time.

13 Historical information concerning Fettes prior to my
14 children starting there.

15 Because of my connection to the school through my
16 relatives and my interactions with the school throughout
17 my childhood and teenage years, I am aware of certain
18 historical changes in the school over the years prior to
19 my children starting there.

20 Changing facilities at the swimming pool.

21 As a child in the 50s and early 60s I regularly used
22 the Fettes swimming pool during family time. Family
23 time was a period in the afternoon when relatives of the
24 staff could use the facilities. There were no changing
25 rooms and boys and masters would strip off by the side

1 of the pool and all swam naked. On hot days the doors
2 would be left open and I would peer in whilst waiting
3 for them to hurry up and get out of the water so we
4 could go inside. I thought nothing of the fact that
5 they wore no swimming trunks, understanding that it was
6 only girls and ladies who had to show modesty. During
7 family time boys and men would undress at the edge of
8 the pool and females would wrap towels around themselves
9 while changing in the entrance area to the pool. By the
10 time my children attended Fettes, there were changing
11 rooms for boys and girls. The girls' changing rooms had
12 two showers and a toilet. I believe the boys had the
13 same.

14 Fettes' shift to becoming co-educational.

15 William Fettes never actually said that he wanted
16 the school to be all boys. It was the governors at the
17 time of the school being founded who wanted the school
18 to be all boys. Their vision for the school was that it
19 would be an exclusive public school based on the English
20 public school system and curriculum. All that was
21 totally against the wishes of William Fettes.

22 When Fettes realised that their money was running
23 out in the early 1980s, they started considering turning
24 the school co-educational. I recall at that time when
25 that was being considered there were some parents who

1 said that they would take their boys out of the school
2 were that to happen. However, it became apparent to the
3 school that there were more people who would send their
4 daughters there than sons who would be taken out if the
5 school became co-educational.

6 Fettes turning co-educational was all about money.
7 Fettes wasn't the only school which did that around that
8 time. A lot of independent schools had to do that to
9 survive.

10 Use of corporal punishment.

11 Fettes continued to use corporal punishment after it
12 became co-educational. Cameron Cochrane was headmaster
13 at the end it became co-educational. I recall that he
14 produced a copy of the rules and regulations, which
15 I still have a copy of, which stipulated that girls are
16 not eligible for corporal punishment.

17 I am aware that caning was ultimately banned in
18 public schools in Scotland. I believe that one of the
19 main reasons that they had to do that was because public
20 schools were benefitting financially from the Assisted
21 Places Scheme. That scheme essentially meant that
22 pupils who would normally have attended state schools
23 were in attendance. Because those pupils were
24 state-funded, they weren't allowed to receive corporal
25 punishment. That created a discrepancy in terms of how

1 the school could respond to different children
2 misbehaving. If parents were paying, their sons could
3 be caned, but if the state was paying, then caning was
4 forbidden.

5 The role of the matron in the boarding houses.

6 When my parents arrived in [REDACTED], they also
7 inherited the house matron, Miss Kay Warren. The role
8 of matron in the boarding house system was an extremely
9 important one. When I was growing up at Fettes, matron
10 was seen as offering continuity and stability for the
11 boys in her care. Especially in the evenings boys knew
12 where to find her and would gather around her fire to
13 chat. One evening a week, matron would have a day off
14 and my mother would do matron's duty and I would often
15 accompany her.

16 My father used to tell me that the role of matron
17 was to be someone the boys could always go to and was
18 independent of him. [REDACTED] would often move on to
19 new appointments after a few years, however matrons
20 tended to remain in the boarding houses for much longer.

21 Security at Fettes.

22 Historically there was an almost total lack of
23 security measures in place at Fettes. Former Fettes
24 pupils would brag about the well-established practice of
25 sixth formers climbing out of windows and attending

1 Edinburgh pubs. A blind eye was turned to this.
2 I became aware of this through my brothers but also many
3 other people connected to the school. Although there
4 were rules against this practice, nobody was around to
5 enforce them because the governors would not pay for
6 outside security. Sometimes a boy would be caught and
7 expelled. It wasn't until the mid-1990s that Fettes
8 upgraded the security arrangements at the school.

9 Deaths and accidents in the school.

10 The term after Anthony Chenevix-Trench died in June
11 1979, Cameron Cochrane took over as headmaster. He was
12 unaware of the nightly escapades of pupils up town,
13 which had not been stopped by the staff or governors.
14 Sadly, he had to deal with the terrible tragedy of a boy
15 being killed while climbing back in a window in the
16 early hours of a Sunday morning. The boy's hood on his
17 duffle coat caught on the window's latch, bringing the
18 window down on his neck. A younger boy in the same
19 house discovered the body later that morning. He didn't
20 recognise him as his own brother because his face was so
21 bloated.

22 Abuse at Fettes prior to my children starting at the
23 school.

24 Anthony Chenevix-Trench.

25 I came to know a lot about Anthony Chenevix-Trench's

1 background and the way that he acted in Fettes through
2 my family and my interactions with the school growing
3 up. A lot of what I knew was later confirmed in a book
4 written by Tim Card called 'Eton Renewed'. That book
5 was published in 1994.

6 Prior to starting at headmaster at Fettes, Anthony
7 Chenevix-Trench had been sacked by Eton for many
8 reasons, including numerous reports of him beating boys
9 with their trousers down and excessive drinking. The
10 governors of Fettes wanted to take him on because it was
11 seen as a coup to have the former headmaster of Eton at
12 the school. I know that the governors were divided as
13 to whether to take him on or not. Everybody knew at the
14 time of his tendency to beat boys too often, his
15 overfamiliarity with boys and his drunken behaviour.
16 I know that Roy Salvesen, who was one of the governors,
17 was not happy about Anthony Chenevix-Trench's
18 appointment. My father also wrote to the governors
19 concerning the potential appointment. He urged them to
20 appoint a man called David Pighills as headmaster
21 instead. I know that ultimately David Pighills was
22 employed as headmaster at Strathallan.

23 Ultimately, Lord MacKenzie Stuart and a couple of
24 other diehards overruled the other governors. They
25 decided that the prestige of having a former headmaster

1 of Eton was such that they could overlook his past
2 behaviour and manage him after appointment. Seemingly
3 Eton were staggered that Fettes took Anthony
4 Chenevix-Trench on. I became aware of the circumstances
5 surrounding Anthony Chenevix-Trench's appointment
6 through my father. They were widely known because there
7 was such an outcry amongst people associated with the
8 school at the time. I recall governors leaving because
9 of the appointment.

10 My father knew Anthony Chenevix-Trench well during
11 his time at Fettes. He and many other people knew
12 perfectly well that he was an alcoholic. I remember my
13 father remaining loyal to the school throughout but also
14 expressing his concerns about Anthony Chenevix-Trench's
15 appointment and the way he acted subsequently over the
16 years he worked with him.

17 My brothers and cousin were boarders at the time
18 Anthony Chenevix-Trench was headmaster. One of my
19 brothers told me that when Anthony Chenevix-Trench was
20 headmaster there was always a lookout person when the
21 boys went to the pubs as Anthony Chenevix-Trench was
22 himself a frequent visitor to the pubs. My brother was
23 equally sure that Anthony Chenevix-Trench knew that they
24 were there and enjoyed the 'game' of staying in the pub,
25 knowing that the Fettes boys were all hiding in the

1 gents.

2 I learned from my brothers that when Anthony
3 Chenevix-Trench wanted to cane a boy, he might use the
4 visit to the pub as an excuse to get the boy into his
5 study. Anthony Chenevix-Trench also did other deals
6 with boys. I know that in a book called 'A Keen Wind
7 Blows: The Story of Fettes College' by Robert Philip
8 there is reference to Fettes boys, under
9 Chenevix-Trench, being arrested and appearing in court
10 for underage drinking.

11 Life in the lead up to my children attending Fettes.

12 I have two sons and a daughter. When the boys and
13 my daughter 'Claire' were young we lived abroad.
14 I remember that we visited Fettes during the summer
15 holidays and during Christmas time. I remember us using
16 the swimming pool, tennis courts and so on. Fettes was
17 an extension of home to the whole family, including my
18 children. I loved the place and it meant everything to
19 the family. I came back to Edinburgh permanently with
20 my children in July of 1987. At that time, 'Claire' was
21 seven and my sons were 10 and 12. Before arriving back
22 in Edinburgh, my two sons had sat the Fettes entrance
23 exams. That would have been in the early summer of
24 1987. Looking back, those exams were a bit of a joke.
25 I now know that Fettes needed to take in as many

1 children as they could because they were in such a dire
2 financial situation. Fettes was struggling, the numbers
3 were down and they were desperate. I think because of
4 all of that, the quality of the students who were going
5 there at the time wasn't particularly high.

6 'Claire' was initially too young to go to Fettes.
7 'Claire's' ultimately going to Fettes when she was old
8 enough was always in the cards. 'Claire' couldn't wait
9 to go because we all as a family had visited there so
10 much throughout her childhood. It was unthinkable that
11 she would go anywhere else. Quite apart from the family
12 history with Fettes it was pretty common at that time
13 for girls at 10 years old to move schools."

14 My Lady, in view of the time, I propose to pause
15 reading the statement.

16 LADY SMITH: That's a good time to break. We'll stop for
17 the break just now. After the break, hopefully, the
18 witness who is coming in person today will be able to
19 give her evidence and then we can read the second part
20 of this statement.

21 MS BENNIE: Thank you, my Lady.

22 LADY SMITH: Thank you.

23 (11.02 am)

24 (A short break)

25 (11.35 am)

1 LADY SMITH: Mr Brown, I'm told our witness has safely
2 arrived; is that right?
3 MR BROWN: She has arrived, managed ten minutes for a cup of
4 tea after travel and is ready to begin and her name is
5 'Ellen'.
6 LADY SMITH: Thank you.
7 'Ellen' (affirmed)
8 LADY SMITH: In that red folder, 'Ellen', you'll find a hard
9 copy of your statement. You'll also see the parts of
10 your statement that we may refer to from time to time
11 coming up on screen in front of you, so you can use
12 either or neither, whatever helps you best.
13 A. (Witness nods).
14 LADY SMITH: Also, 'Ellen', as you give your evidence,
15 please tell me if you have any concerns or queries, and
16 if you want a break at any time that's perfectly all
17 right by me, just let me know. The key is what matters
18 is that you're as comfortable as you can be while you're
19 giving your evidence.
20 A. Okay.
21 LADY SMITH: I do understand it's not an easy thing to do,
22 so we would like to do all we can to help you with that.
23 A. Okay. I appreciate that, thank you.
24 LADY SMITH: If you're ready, I'll hand over to Mr Brown and
25 he'll take it from there. Is that all right?

1 A. Mm-hmm. Thank you.

2 LADY SMITH: Mr Brown.

3 Questions from Mr Brown

4 MR BROWN: My Lady, thank you.

5 'Ellen', hello again. We'll begin, as her Ladyship

6 said, with the statement which is in front of you, both

7 in electronic form but also paper form. The statement

8 has a reference number, WIT-1-000000471, and as we can

9 both see, it runs to 26 pages.

10 A. (Witness nods).

11 Q. On the last page, as you'll see, you signed it on

12 22 October last year.

13 A. (Witness nods).

14 Q. And I take it you read it before you signed it?

15 A. Yes, I did.

16 Q. You'll have read it again --

17 A. Yes.

18 Q. -- I'm sure. The last paragraph is number 184, where

19 you say:

20 "I have no objection to my witness statement being

21 published as part of my evidence to the Inquiry.

22 I believe the facts stated in this witness statement are

23 true."

24 Correct?

25 A. Yes.

1 Q. Please understand two things. One, your statement is in
2 evidence, so that means we don't have to go through it
3 laboriously going over every last detail. We've read it
4 and it will be read again.

5 A. Okay.

6 Q. All right? The second thing is understand this is not
7 a memory test because we're talking about events in the
8 1970s and 1980s and that's a long time ago.

9 A. It is, yeah.

10 Q. So that is understood, so please don't worry about that.
11 What we are obviously focusing on, you're now 52,
12 but as we see from your statement, you were born in the
13 late 1960s, you spent time abroad initially --

14 A. Yes.

15 Q. -- in Kuwait because of your father's employment there?

16 A. Mm-hmm.

17 Q. And then you went to two schools, which we'll talk
18 about, Wellington School in Ayr from 1983 to 1985?

19 A. Mm-hmm.

20 Q. When you were just shy of your 14th birthday, I think?

21 A. That's right, yeah.

22 Q. Leaving when you were 15, almost 16, and then the same
23 is repeated at Fettes from 1985 to 1987, so just shy of
24 your 16th up to just before you were 18?

25 A. Yes, that's right.

1 (Discussion with the EPE operator
2 regarding the electronic statement)
3 MR BROWN: It's a matter for your Ladyship. I don't know
4 whether that can be attended to and we can carry on
5 because I can just talk generally without worrying
6 particularly about the statement.
7 LADY SMITH: Let's do that and if it gets to a stage that we
8 feel we do need to have the statement on screen, I'll
9 rise if you're not back by then. But if you could,
10 that's really helpful.
11 MR BROWN: Thank you.
12 Sorry.
13 A. It's okay.
14 Q. Isn't it wonderful, technical hitches abound. I'm sure
15 in your life and ours.
16 A. Plenty, it's all right.
17 Q. What I was going to talk about, you have a copy of the
18 statement but rather than referring to it because it
19 will be broadcast on screen so people can follow it,
20 I just wanted to talk a little bit about your family.
21 You talk in the statement about the impact of schools
22 having an adverse effect on your relationship with your
23 parents.
24 A. Yes.
25 Q. And yet, clearly, it was their decision to send you to

1 boarding schools.

2 A. (Witness nods).

3 Q. And in fact all your siblings --

4 A. Yes, they all went.

5 Q. There are four of you in total?

6 A. Uh-huh.

7 Q. Some half siblings and then your younger brother?

8 A. Yes.

9 Q. And you'll talk about that and we'll come back to that

10 in due course. I think it's fair to say a number of

11 schools of the four of you are mentioned. Not one of

12 you had a particularly happy time?

13 A. No. No. All four of us, I think, would be very out of

14 place, very unprepared and very affected by our time at

15 school.

16 Q. Let's look at unprepared. Why do you say unprepared?

17 A. Well, I was born in Northern Ireland at the time of the

18 Troubles. My parents, my dad was a teacher in tech and

19 a part-time policeman. They didn't have a lot of money.

20 They moved to Kuwait because of the Troubles, my dad

21 being a part-time policeman, my mum was Catholic, my dad

22 was Protestant, it wasn't a safe place for us to be.

23 There was a lot that went on.

24 So we left, my dad went to London, which was very

25 exciting, he'd never been on a plane, and got a job in

1 Kuwait which at that time, obviously, we had no
2 preparation for. You got a big binder full of paper
3 typed up telling you what it was like. There was no
4 internet research, you hadn't seen it, and we moved
5 there.

6 We had a great life there, it was really a lovely
7 place to be, but it was -- a lot of the expats had been
8 there for years, were used to being abroad, were used to
9 a different lifestyle, were used to -- were more money
10 than we were, and my parents got caught up in -- you
11 know, they lived a lifestyle in Kuwait and they sent
12 their children to boarding school.

13 Q. Is it fair to say that working in Kuwait was
14 financially --

15 A. Oh, much better than being in Northern Ireland.

16 Q. Or London?

17 A. Yes. My parents were young. They had us young, so they
18 were, like, late 20s. They had lived in a council
19 estate then a little house in Northern Ireland. They
20 had no experience. It was like our first colour TV,
21 fruit was this size, heat. We had no concept of life
22 there. So for them, that idea that they could -- you
23 know, my dad was captain of the golf club, there was all
24 these things that we would never -- it was a different
25 world. And I don't blame them. They got caught up in

1 that world and what everyone else was doing and in the
2 different system that lots of other people that I was
3 there with were more used to that, you know, than they
4 were.

5 Q. And that new society, to put it very simply, included,
6 can I take it, the idea that you would send your
7 children back to the UK --

8 A. Yes.

9 Q. -- for boarding school?

10 A. Yes.

11 Q. Now, 'Ellen', can I just give you two reminders? All
12 the evidence is being transcribed by the stenographers.
13 Can you try and keep your voice loud, clear and slow.

14 A. Okay, sorry.

15 Q. And also can we try not to talk over each other.

16 A. Okay.

17 Q. I know it's very difficult and we're trying to have
18 a conversation, but if we can just do it bit by bit.

19 A. Slower, okay, I'll slow down.

20 Q. Thank you. Do you think it was because of that societal
21 expectation, pressure, that you and your siblings were
22 sent to the UK for boarding?

23 A. Definitely. Absolutely. My parents spoke to other
24 parents and that's what they were doing and it was -- we
25 had adequate schooling there, I was very happy in school

1 there. It was really nice schooling there, there were
2 lots of young teachers who were enthusiastic. You know,
3 Kuwait had money for schools. It was more of a social
4 thing that that's what you did.

5 Q. Did you and your younger brother in particular, because
6 he's the one we'll discuss, was there any input from you
7 about which school you went to?

8 A. No. Not at all.

9 Q. Or whether you went to boarding school at all?

10 A. No, not at all, no. It was: this is what we're doing.
11 Friends of mine, their parents took them around
12 different schools to let them visit, asked them what was
13 their best fit. My parents, no. Wellington was because
14 they had a home in Ayr, so it was handy, and Fettes was
15 because [REDACTED] was going and by then they were more kind
16 of immersed in the lifestyle and Fettes had such a good
17 name, was so highly thought of, that that's where they
18 decided we were going.

19 Q. Just to cut to that part, you went into Fettes into the
20 lower sixth?

21 A. Yes.

22 Q. As he joined the senior school?

23 A. Yes.

24 Q. So you joined together?

25 A. Yes.

1 Q. Okay. One aspect that your statement talks about is the
2 fact that when you were born your birth was far from
3 straightforward.
4 A. No.
5 Q. And that meant that you, I think, you suffered from
6 spina bifida? Though mildly, clearly.
7 A. Cerebral palsy, actually. It was eventually in my 20s
8 I discovered it was actually cerebral palsy, which
9 sounds crazy but kind of illustrates the parental
10 uninvolved involvement. Yeah, it's cerebral palsy I have.
11 Q. But at the time you went to school it was understood to
12 be --
13 A. Mm-hmm.
14 Q. Yeah. You're petite.
15 A. (Witness nods).
16 Q. Your brother is quite small too?
17 A. He is small and he actually was discovered to have
18 a growth deficiency, so he was very small.
19 Q. From your perspective, though, I think, because of
20 medical advice, taking part in sport was not something
21 you did?
22 A. No, I was supposed to have -- I'd had lots of plasters
23 and treatment in Northern Ireland because one side's
24 more affected than the other, weaker, and my muscles
25 weren't right, so I used to have full length plasters,

1 I used to go to a specialist school before primary
2 school, and I have a limp. I fall over a lot and my
3 speech when I'm tired can slur. There's different
4 effects. So I had a lot of hospital treatment and tests
5 when I was younger. They stopped when my parents went
6 to Kuwait because they had finished with that. So yes,
7 I wasn't supposed to do high impact sports or running or
8 anything. So Fettes was an incredibly wrong fit for
9 somebody like me and was very, very stressful because of
10 the pressure, the sporting pressure.

11 Q. We'll return to that, but I was going to ask, was that
12 when you went to Wellington?

13 A. Wellington had -- wasn't as bad. It had hockey and
14 sports and things like that, but it wasn't -- I mean,
15 Fettes was really sports orientated.

16 Q. Let's look at Wellington to begin with then. You've
17 agreed you went there just before you turned 14 and
18 day 1 we know your mum dropped you off.

19 A. (Witness nods).

20 Q. You'll have heard the phrase induction. Was there any
21 induction?

22 A. No. I think I'd visited once for like a test, I had to
23 do an exam to get in. They didn't particularly show me
24 anything then. So we basically had packed up, got
25 uniform, you had your trunk, your stuff, and was taken

1 and dropped off, and I was in a different house that
2 wasn't -- I was in the Hartfield House, I think I said
3 the wrong name in my statement, it's Hartfield House, so
4 I remember my mum dropping me off with my trunk and
5 there was a big staircase and saying goodbye and that
6 was it.

7 Q. Again your statement gives all the details, but we would
8 understand there are two boarding houses, one the main
9 one, near the school.

10 A. Mm-hmm.

11 Q. And then the one you were in, which I think you called
12 Heathfield --

13 A. Yeah, it was wrong -- it's funny how things clear up
14 once you -- this was the first time I talked about this
15 in a long time, I couldn't -- it was Hartfield and
16 Westfield. Westfield was the main one, had had all the
17 boarding houses, it was right next to the school, that
18 was where you ate. That's where I had to spend the
19 weekends. But Hartfield again, a bit like Fettes,
20 I don't know quite why, was the overspill, so it was the
21 junior house and I was there with a few girls.

22 Q. And again we read, so we don't need to go into the
23 detail, you're sharing with eight girls --

24 A. Yes.

25 Q. -- total in a room, four bunk beds. Different ages?

1 A. No -- well, around my age. I think we were all similar.
2 They'd taken us out from the same year.

3 Q. But in terms of that extension from the main, if you
4 like, what was the level of supervision and who provided
5 it?

6 A. There was a matron, there would have been a matron. But
7 you were very much left to your own devices. You'd get
8 yourself up, get yourself ready to walk to the other
9 school in the morning to get breakfast there, to just
10 get on with it. There was matrons at the other house as
11 well. I suppose if you were unwell, they'd put you in
12 a sanatorium, in the San, and left you there. The
13 matrons were around. They were there to kind of enforce
14 the rules and ring the bells, but as far as a nurturing,
15 caring environment, no.

16 Q. Thinking of the boarding house and the first one, was
17 there any teacher presence or was it all down to the
18 matron?

19 A. No, in the boarding houses there was no teacher
20 presence. The teachers stayed in the school. It was
21 all matrons, yeah.

22 Q. And I think we read that at weekends in particular you
23 were pretty much left to your own devices.

24 A. (Witness nods).

25 Q. And you say that you would go to the main house, where

1 there would be rooms you could spend your time in.

2 A. Mm-hmm. We weren't allowed to stay in our dorms at the
3 weekends. We were transported for breakfast to
4 Westfield House and we -- there was a common room and
5 you stayed there for the weekend and then you got bussed
6 back in the night to the other house.

7 Q. Were you on your own more because of lack of sport to
8 do?

9 A. I didn't take part in the hockey teams and things like
10 that. I think that I was one of -- most of the girls
11 who were in the dorm with me had been there before, they
12 were established. They'd been there since first year,
13 I joined in third year, so it's a harsh environment to
14 be in. You have to kind of try and fit in and belong
15 and they don't make it easy. So I did used to spend
16 a lot of time, because I didn't have a dorm, and I --
17 the common room wasn't necessarily a nice place to be,
18 I used to find the laundry room. The laundry room was
19 warm. It had a drier, it was warm, and I used to spend
20 time in there, hide in there.

21 Q. Okay. I asked you, though, about whether you had more
22 time on your hands, essentially, because you weren't
23 doing sport. Is that correct?

24 A. I probably would have -- some of them would have been
25 away at matches and things.

1 Q. Was any effort made by the school to take account of
2 that?

3 A. No.

4 Q. Okay. But you talk about joining a school where year
5 groups are already in existence, people know each other?

6 A. Yeah.

7 Q. Was anything done to try and ease your passage into that
8 year group?

9 A. No. You just were given your timetable and you looked
10 after yourself, really. No. I don't remember anyone
11 ever bringing you in to have any kind of comforting 'how
12 are you' chat, no.

13 Q. Was there anyone you could go and talk to?

14 A. No. And a lot of the culture is that you kind of
15 don't -- if you show any weakness, then that gives more
16 for people to pick on, make fun of, so you don't show
17 people that you cry or you don't show people that you --
18 I remember the girl above me being fairly new and her
19 crying -- but you're trying to stifle that you're crying
20 in your bunk because if the other girls hear, then
21 that's something to dig at you for.

22 Q. You've mentioned other girls taking a dig at you. You
23 talk about bullying by the other girls as soon as you
24 started.

25 A. Mm-hmm.

1 Q. Can you remember what you were being bullied about?

2 A. I think just because you're new and because you're --

3 you know, they ask you about your family and they look

4 at what you're wearing, what labels you have. Then it

5 was very much a: do you have your Benetton jumper? No,

6 I didn't. What do you come from, where do you come

7 from, what does your mum and dad do? All of that kind

8 of stuff. And it's kind of very traditional in boarding

9 schools that you give the new people a hard time to kind

10 of test them out, I think.

11 LADY SMITH: 'Ellen', what about your accent? Were there

12 other girls around you who had a Northern Irish accent?

13 A. No, no. And I was talking about that, it's funny, you

14 know, I've spent a long time squashing it --

15 LADY SMITH: It's still there.

16 A. Yeah, it's leaking through now. But you spend a lot of

17 time making -- and I have to say before I arrived there

18 in Kuwait, because in Kuwait it was an awful lot of

19 English voices and you were -- you know, even then

20 I remember saying in maths eight [Irish accent] and

21 everybody used to giggle and I taught myself to say

22 eight [English accent], because you can't say eight

23 [Irish accent], and in that environment you very quickly

24 squashed who you were.

25 MR BROWN: So, so far we have accent, you're different.

1 A. (Witness nods).

2 Q. They're interested in your family background.

3 A. (Witness nods).

4 Q. And you mentioned if you didn't have a Benetton
5 jumper --

6 A. Yeah, whatever, and I had a limp, I didn't do the
7 sports, I wasn't hockey, I wasn't the right --

8 Q. You stood out as different?

9 A. Yes.

10 Q. And that was picked on?

11 A. Yes.

12 Q. You talk about practical things like there being a fight
13 for use of the bathroom.

14 A. Mm-hmm.

15 Q. Now, I suppose some people who live in large families
16 might say what's new about that?

17 A. Uh-huh.

18 Q. But from your experience, did it go beyond just --

19 A. Yes, because there was one bath and some sinks and
20 I think -- in Hartfield, and so if you couldn't get
21 washed, you had greasy hair and I remember them making
22 fun of the fact I had greasy hair and pointing out, "Oh,
23 you're stinking", and then stopping -- barricading the
24 bathroom so you couldn't go in and fix it. So that
25 continued.

1 Q. You mentioned going to school with dirty hair because
2 you hadn't had the chance to wash.

3 A. Mm-hmm.

4 Q. Again, was there any intervention by matron?

5 A. No.

6 Q. Was matron even there to see this?

7 A. No. No. No. I remember going to matron once and
8 asking for help because I was feeling -- I think it was
9 a panic attack, I think -- I don't know, and trying to
10 describe how I was feeling and she just kind of looked
11 at me and went, "I don't know what you're talking
12 about", and I think that was the extent of the
13 conversation. So no. They knew this went on but kind
14 of left you to it. Most matrons were in their rooms.
15 They weren't -- unless they were coming out to ring
16 a bell or to do something, they weren't around to see
17 a lot.

18 Q. So from that can we take it the girls essentially
19 ordered themselves?

20 A. Yes, we did. We did. We sorted ourselves out and had
21 our own thing going on, yeah.

22 Q. Was there a pecking order?

23 A. Oh, definitely. There was definitely girls with more
24 power that other girls listened to and followed.

25 LADY SMITH: Just to help you, somewhere around paragraphs

1 26, 27 we're picking up; is that right?

2 MR BROWN: Perhaps a little further on.

3 LADY SMITH: A little further.

4 MR BROWN: 37, perhaps. It's page 6.

5 LADY SMITH: Yes, of course.

6 MR BROWN: Page 6, 37 at the top.

7 LADY SMITH: Sorry about this, 'Ellen', but if this sorts

8 itself out, you'll also see your statement coming up on

9 the screen.

10 A. It's fine.

11 (Pause).

12 MR BROWN: It's paragraph 37, page 6. That's fine, thank

13 you.

14 A. It's behind me but not on this one. Should I see it on

15 this one?

16 MR BROWN: You should.

17 LADY SMITH: Is it switched on? Have you got it now?

18 A. There's a blue light. Yeah, that's me.

19 MR BROWN: Thank you. Self-help is great.

20 A. Technology.

21 Q. I don't want to dwell on the detail. For example, you

22 talk about having a faint and the medical treatment was

23 less than you would hope for, put it that way?

24 A. Mm.

25 Q. But what we see on this page, and this is during your

1 first year, there was an episode which reveals (a)
2 a lack of security at the school because a car drove in,
3 two guys come into the grounds --
4 A. Two guys walked into the grounds, yeah.
5 Q. Walked in. And the girls panic, there's hysteria,
6 running away, but one of the boys grabs hold of you and
7 pins you down.
8 A. Mm-hmm.
9 Q. And had his hands all over you?
10 A. (Witness nods).
11 Q. And, stating the obvious, presumably you were terrified?
12 A. Absolutely. Absolutely. It happened very quickly. We
13 were waiting outside for the bus, the bus at night that
14 brought us back, and these two guys came in and we
15 thought nothing of it. We used to get things like that.
16 We were an all-girls' school, we weren't far from the
17 main residential areas, we were right in the middle of
18 it, the beach was just behind us, so I was sitting on
19 a bench talking and really didn't think anything of it.
20 Girls were often hysterical when boys went past in
21 an all-girls' school and it just happened really
22 quickly, just got hold of me really quickly, so it was
23 -- yeah.
24 LADY SMITH: Just to recap, you would be 14/15-year-olds at
25 that time, would you?

1 A. At this stage I was probably 14, yes, it was my first
2 year.

3 LADY SMITH: And that would be the age of the girls that you
4 were with as well, would it?

5 A. Yes.

6 MR BROWN: At paragraph 45 on page 7, you say:

7 "That was a horrible experience for me and I had
8 been terrified. I was always quite a shy, quiet little
9 girl. Nobody had ever laid their hands on me before
10 then."

11 A. No. No, I was a very quiet reserved child, so no, that
12 was not a nice experience.

13 Q. The next paragraph says:

14 "The next day ..."

15 And this talks about the headmaster and what would
16 appear to be, being charitable, an ill-considered
17 attempt at humour to try and jolly you along, is that
18 fair?

19 A. Yes, it was, it was exactly that.

20 Q. "Aren't you the lucky one?" he said.

21 A. Yes, exactly, I'll never forget. He called for me and
22 I think that was the first time I'd seen him, maybe the
23 second time. I'd been to his house and babysat for his
24 children. And he brought me in and stood and said,
25 "I hear something happened to you last night", and

1 I said, "Mm-hmm", and if you're brought into the
2 headmaster's office, you're a bit scared anyway, and he
3 said, "All these girls in this school and you got a boy,
4 aren't you lucky?" and I kind of looked at him with
5 horror and went -- I don't know if I said anything. And
6 he said, "Well then, as long as you're okay", or
7 something, or "Off you go, these things happen", and
8 that was it.

9 Q. Two things from that. Obviously you've just given
10 emphasis about how you felt, which was you were
11 astonished, presumably?

12 A. Mm-hmm.

13 Q. Even at that age?

14 A. Yes. Even that night, they took me back to the boarding
15 house, they gave me brandy and put me to bed, "There,
16 there, you're okay" and there was of course loads of
17 gossip with the girls because it was scandalous and
18 exciting. When he left the grounds, the boy, he
19 shouted, "I'm not done, I'm not finished with you, I'll
20 be back", and so for a very long time I genuinely
21 believed he would come back. That was a genuine fear,
22 going to the boarding house and back and walking around
23 the streets looking for him.

24 Q. Thank you. What I was coming back to, you obviously see
25 the headmaster the day after. You've just mentioned

1 being given a drink, I think the matron gave you brandy?

2 A. Mm-hmm.

3 Q. But that was essentially it immediately afterwards?

4 A. Yes.

5 Q. So you've got matron giving you brandy after the event

6 and then you're left to your own devices. Then you see

7 the headmaster who tries to makes light of it and says,

8 "These things happen, off you go". Was there any

9 follow-up after that?

10 A. None at all, never. It was never talked about again, it

11 was never brought up again. I remember for a long time

12 being scared of bumping into him. I did actually see

13 the boy again. We went to tennis and he was standing by

14 the courts and I told the teacher there that was him.

15 So I for a long time was afraid of him coming back. You

16 would, you would be lying -- you know, they would say

17 "Oh, he might get in", and then I kind of just got on

18 with it because that's what you did and it was never

19 discussed again.

20 Q. We'll come back to impact as a discrete subject, but can

21 we take it that that experience and your response to it,

22 which you say at paragraph 51, page 7:

23 "That incident impacted me and how I reacted in

24 later situations and the trust I had in adults and how

25 they would deal with situations."

1 A. Mm-hmm.

2 Q. So from that moment on, there was impact which carried
3 with you through the rest of your school career?

4 A. Absolutely. That it was one of these things that
5 happened, the headteacher told me that. That it was my
6 job to deal with it and there was little point in
7 telling anyone, because you just got on with it. It was
8 just one of these things that happened, get on with it.

9 Q. But I think, touching briefly on one matter which is
10 fully set out in your statement, would that explain some
11 of your response to the swimming teacher?

12 A. Absolutely.

13 Q. Because the last thing you wanted was to be touched?

14 A. Mm-hmm.

15 Q. Because of this experience?

16 A. Yes, absolutely. And also that when those things
17 happened, I didn't tell anyone because you don't --
18 well, my experience had been where had it got me? Had
19 I got any help? Support? No. Had it made things any
20 better? No. So these are the things that happen in
21 this environment. The headteacher told me so. So you
22 just don't tell anyone and you just deal with it on your
23 own. That's what you do.

24 Q. You then move on to Fettes, and if we can now move on to
25 that chapter. Do you know if Fettes were aware --

1 they'd be aware of your health, for example, because I'm
2 sure your parents would tell them about that. But have
3 you any sense that Wellington shared that experience
4 with Fettes?

5 A. Absolutely not. They didn't share it with my parents,
6 as far as I'm concerned, they didn't share it with
7 anybody.

8 Q. Did you share it with your parents?

9 A. I did, yes.

10 Q. So whether they shared it with Fettes, you don't know?

11 A. My parents didn't talk about it again. So, no, I doubt
12 that they -- definitely, I would say, didn't share it
13 with Fettes and I'm not even sure they shared my medical
14 issues with Fettes.

15 Q. I think you can take it from me, because we have a lot
16 of records that have been provided, that the school was
17 aware of your --

18 A. Oh, were they? Okay.

19 Q. Yes. Do you think that's something that schools should
20 do?

21 A. Absolutely. Absolutely. You know, I'm a teacher. We
22 work in a school system where every little thing that
23 concerns us about a child is recorded and passed on.
24 That's what we do. We communicate. We have transition
25 records and proceeds where we get in touch with any

1 school if the child's moving on and meet with the
2 teachers and headteachers and of course you need to pass
3 on. It's essential for a child's welfare.

4 Q. Again you understand we'll talk about -- given your
5 particular background and insights -- things that you
6 would want to see moving ahead and we'll come to that
7 perhaps at the end of your evidence, all right?

8 A. (Witness nods).

9 LADY SMITH: For completeness, since you don't refer to it,
10 can I take it that you were never told whether there had
11 been any report to the police?

12 A. I was never told. I was never interviewed about it.
13 I was never told. I would assume that there wasn't.

14 LADY SMITH: These were boys from, obviously, outside the
15 school because it was a girls school.

16 A. Yes.

17 LADY SMITH: They had come into the grounds of the school
18 and attacked you.

19 A. Yes.

20 LADY SMITH: Thank you.

21 MR BROWN: Thank you, my Lady.

22 We've established, obviously, that your brother was
23 starting Fettes, you were going into lower sixth, and
24 that was deliberate, I take it, to keep you together?

25 A. Yes.

1 Q. Same question. Did you have any input in going to
2 Fettes?

3 A. Absolutely none. My parents had decided that they'd
4 heard it was a good school and it was quite posh, in
5 a way, to talk about my child's going to Fettes, so
6 that's where they had decided we were going and [REDACTED]
7 was going. We didn't -- I think again maybe we visited
8 once to do an exam to get in when we had entrance
9 things, but other than that, no.

10 Q. Do you remember your emotion about going to Fettes?

11 A. I didn't want to go because I had only just settled in
12 Wellington and I'd had friends and felt a sense of
13 belonging there and it had only just become familiar, so
14 to leave was a big wrench and to start again. But
15 I felt a sense of duty because I'm very close to my
16 brother, I was very worried about him going because he
17 had only been five when we went to Kuwait. He had no
18 idea about life in Edinburgh. And so I went with him.

19 Q. What did you know of Fettes?

20 A. Nothing. Nothing. I knew it was in Edinburgh. I think
21 we saw it once. I knew there was a lot of uniform
22 involved when we went shopping. I didn't know anything
23 about how it ran or what it -- no.

24 Q. Just thinking of the culture of Fettes, you've talked
25 about because you weren't playing sport particularly at

1 Fettes that would make you stand out.

2 A. Absolutely. It was an active avoidance of sport there

3 so it meant it pushed me even further out from belonging

4 to it because I wasn't involved in that.

5 Q. Let's pick up on your word there, belonging. You go

6 into a school in the lower sixth. Again you're going

7 into an environment which in many respects, presumably,

8 is pretty fully formed?

9 A. Mm-hmm.

10 Q. The classes you're going into, the year group.

11 A. Mm-hmm.

12 Q. Same question as I was asking about Wellington: was any

13 effort made to smooth the process of you joining by the

14 school?

15 A. No. We arrived and again I'm not sure how they decided,

16 but I was in Dalmeny, which was for day girls, and for

17 girls that were brought in that boarded out of the

18 boarding houses, so we were put with families who were

19 paid to keep us and some members of staff had girls stay

20 with them. Obviously they were paid for that. So

21 I didn't know when I was going that that's where I would

22 be. So my first experience was taken to this house

23 opposite Inverleith Park, which had a family in it, and

24 we were given a room there.

25 So from the beginning you weren't -- you weren't in

1 a boarding house, you weren't in the middle of it all.
2 You didn't experience -- again, you were very much left
3 to your own devices there and this is what time you
4 arrive in school and there's school, and that was really
5 it.
6 Q. So you're out on a limb again?
7 A. Mm-hmm.
8 Q. You don't play sport, you're apart from the majority.
9 A. Mm-hmm.
10 Q. You were put in the day girls' boarding house and
11 physically you're not living with the other girls
12 because you're in somebody's house?
13 A. Yes, that's right.
14 Q. That's for both years, as we read?
15 A. Yes.
16 Q. First year you didn't like because the couple, the wife
17 wasn't pleasant; the husband --
18 A. The family were very much -- were paid to have us there.
19 They weren't involved with us in any way. We were kind
20 of an inconvenience, so there was no -- you were meant
21 to have a family experience with them at weekends and
22 things. They weren't really into that, so it was
23 a very -- it was a room.
24 Q. Second year, though, was better?
25 A. (Witness nods).

1 Q. And you describe the teachers you moved in with as in
2 fact lovely and providing a family atmosphere?

3 A. Yes, I moved into SNR [REDACTED] of the junior school,
4 the CRS-SPO [REDACTED], and they were lovely. They had younger
5 children. They gave us a room and a sitting room. The
6 house was warm. She made lovely food at the weekend.
7 She checked that you ate when you weren't eating, she
8 worried about you when you were unwell. It was a com --
9 it was lovely.

10 Q. It was a proper family experience?

11 A. Yes, it was.

12 Q. Your brother joined at the same time as you and from
13 what you've said you were looking out for him because
14 he's physically small, as you say in your statement, and
15 he's being put into an environment that is wholly
16 different from anything he's experienced before?

17 A. Yeah, completely foreign to him. He'd been brought up
18 in Kuwait in the heat and he was put into Kimmerghame
19 House. I was disappointed when I got there how little
20 contact we could have. I actually couldn't do much for
21 him. He got a pass on a Sunday that he was allowed to
22 use an hour or two and he would use it to come and see
23 me, but other than that, you didn't have contact with
24 him. I mean, school was pretty full on. We had full
25 days and half days and Saturday school, so it was

1 a Sunday he would use his pass and come out and see me.
2 So I didn't have -- that whole moving to protect him and
3 be there for him was very -- wasn't what I expected it
4 to be. We were kept very much apart.

5 LADY SMITH: Was Fettes his first experience of school in
6 the UK?

7 A. Yes.

8 LADY SMITH: How old was he when he started?

9 A. He was five when we went to Kuwait, so he went to
10 primary school throughout in Kuwait and started
11 secondary school there. So he came to Fettes, I think,
12 third year, so he would have been maybe 13, 14. And it
13 was just -- even clothes. You know, it's things like
14 that people don't realise, you know, tights and woollen
15 clothes when you've been living abroad and I remember
16 early days that they'd given him two left rugby boots
17 and he found me on the rugby field and he was showing me
18 these boots and saying, "I don't know what to do, the
19 man is shouting at me because I've got two left boots,
20 they're shouting at me", and he was standing there in
21 shorts and the Fettes rugby top blue with gold, with
22 these boots and I'm saying, "I'll try and get to the
23 shop", there was a shop, "I'll try and change them for
24 you", and he was going, "He's shouting at me
25 because ..." and it was much worse watching him. It was

1 horrible watching him.

2 MR BROWN: I think as you say at paragraph 90 on page 19:

3 "I was his big sister and it broke my heart."

4 A. It was awful watching him. It upsets me a lot more than

5 what happened to me is what happened to him.

6 Q. I think you make the point also at paragraph 68 on

7 page 10 and it's emphasising he's come from the heat of

8 Kuwait and you've just made the point very powerfully

9 about suddenly finding himself on a cold rugby pitch in

10 Edinburgh with two left boots but he was put in this

11 cold place full of big rugby guys.

12 A. Yeah.

13 Q. Again coming back to the sporting culture, rugby was

14 important?

15 A. No, he hadn't a clue. Hadn't a clue, hadn't a clue

16 about the weather, hadn't a clue about the system. Was

17 a tiny little boy. Pigeon-chested small little thing.

18 And these boys were from rugby families and their dads

19 had done the same thing and it was a completely

20 different -- it was -- he was -- couldn't have been more

21 out of place than he was when he arrived.

22 Q. And from what you saw, which house was he put in?

23 A. Kimmerghame.

24 Q. And did he stay there?

25 A. Yes. Yes.

1 Q. I think ultimately, going to the end of his story, he
2 later on began to get involved in sports?
3 A. Yes.
4 Q. And things improved?
5 A. Yes. He's very resilient, [REDACTED] -- oh, I shouldn't tell
6 you his name, but -- he had humour, he was funny. They
7 liked him because he was funny, he's funny and he loves
8 rugby now, and cricket, and he's a big fan, so he -- but
9 I would say that it was a case of he knew he was stuck
10 there so he made the best of it and he -- he began to
11 fit in. But if you know him now, you know that it
12 wasn't okay. It was a sense of making himself belong
13 and getting on with it. As I did. But he's not an okay
14 adult.
15 Q. All right. But thinking prior to where he, with humour
16 and discovering sport to accommodate the reality of his
17 position --
18 A. Yes.
19 Q. -- in that first year, were you concerned about him?
20 A. Very, very concerned about him. He was miserable.
21 There's a system called fagging where you're assigned
22 somebody to do things for them. I think he was quite
23 lucky, whoever he was assigned to was quite nice to him.
24 He talked about crying and you can't show them you're
25 crying. He used to come to me on a Sunday and sit in

1 the corner of my room with his jacket over his head and
2 not talk to me the whole time and sob, and then pull
3 himself together and go back. He was -- we phoned my
4 parents and he begged them if they loved him at all
5 bring him home. I was really worried about him.

6 Q. Should we understand that's in his first year?

7 A. Mm-hmm.

8 Q. And your first year at Fettes?

9 A. Mm-hmm.

10 Q. Is it from the second year on things begin to improve
11 for him or --

12 A. Yeah, I'd say for both of us. By then we'd established
13 we were staying. What had happened was happening. And
14 you cope. You get on with it. You learn to be a very
15 independent, resilient person and you do what you need
16 to do to fit in and make it better. So I'd say from the
17 second year it became easier for both of us.

18 Q. And from the second year, obviously, you're in a better
19 environment domestically?

20 A. Yes.

21 Q. And that presumably helped?

22 A. Yes. I was in a better -- and I met people from the
23 year below me so I for the first time had some friends.

24 Q. So friendship groups started, but not with your own
25 year?

1 A. No, well, acquaintances with my own year by then, but
2 there had been some distance put between us and -- so my
3 best friends from there were from the year below.

4 Q. In terms of your concerns about your brother, you were
5 living in the second year with SNR of the junior
6 school and his family.

7 A. (Witness nods).

8 Q. Did you feel able to talk to them about your concerns
9 about your brother or was that just not done?

10 A. You just didn't do that. You just didn't -- you just
11 didn't -- my experience in Wellington and then the first
12 year at Fettes very much taught you that you don't talk
13 about any of it with anybody.

14 Q. Where did you pick that up? Or how did you pick it up?

15 A. Because of what happened when I did. Because of what
16 had happened previously. And because there were many
17 comments that I couldn't pinpoint to specific people
18 about: well, you just don't know how it works. Well,
19 you just don't fit in here. This is how it is and
20 you're just, you know, not meant to be here. There's
21 lots of that gets said to you through the time and
22 you -- as I say, I don't want to draw attention to
23 myself, I never did. I just wanted to get on as best
24 I could. So you take that and you -- you listen and you
25 don't say anything.

1 Q. All right. You touched briefly on what happened to you
2 when you did raise something, and if we can talk about
3 that now and you understand, I think, at the front of
4 your folder is a list of names. I'm going to talk about
5 a teacher who we'll call 'Dan', all right? If we go to
6 page 15, halfway down, we can begin with the chapter
7 about 'Dan', who was your tutor?

8 A. He was also my [REDACTED] teacher. I took [REDACTED]
9 A-level, so he was one of two [REDACTED] teachers and
10 I was assigned to his tutor group, yes.

11 Q. As we read, initially there was a group meeting:
12 "There were about 8 to 10 of us, mixed girls and
13 boys ... we had hot chocolate and toast ... It was
14 really cosy ..."

15 and presumably you thought this looks good?

16 A. Yeah, I'd just arrived, actually I'd gone out on
17 a Dalmeny girls night out and I thought actually this
18 might not be too bad and then I went to tutor group and
19 actually it's a lovely idea. They assigned you to
20 a tutor group. I assumed they were at people's houses
21 because that's where I went. It was a cosy flat.
22 People -- I didn't know anyone there because I obviously
23 had just come in. There was a mix of boys and girls and
24 the idea was that you had somewhere to kind of download
25 and share your concerns and have somebody to look out

1 for you. And I was assigned 'Dan' for that.

2 Q. But as you say in 107:

3 "I was quite quiet and I remember on the first

4 meeting he asked me if I had a boyfriend, and I said no.

5 I remember thinking the question made me uncomfortable.

6 I remember another girl looking at me so maybe she felt

7 the same."

8 A. (Witness nods).

9 Q. So it starts off well, but then there's a little bit of

10 discomfiture?

11 A. Yes. I think that's probably a question, inappropriate

12 as it was, would have been asked. But for me being

13 really quiet and shy and also previous experiences,

14 somebody asking you that just made me recoil and

15 I thought: oh, I don't like this. And I remember

16 catching eye contact with a girl who was sitting

17 opposite me who noticed it being asked as well and

18 thinking: no, I don't like that.

19 Q. It was the wrong question to ask you?

20 A. Mm-hmm.

21 Q. You went back a second time and it goes well?

22 A. Mm-hmm.

23 Q. But then you get notice of a third meeting and you turn

24 up and it's just you?

25 A. Yes. It was very much, "Oh, I don't know where

1 everybody is, maybe the dates were wrong", and you --
2 you're polite. Stupidly, you're polite. And you go,
3 "Okay, well, I'll just go". "No, come on in and I'll
4 get you a cup of tea, it's fine." And nobody else did
5 turn up. And it was a very, very uncomfortable
6 situation. It was just lots of chat about sitting
7 closer to me, I think knees touching and, you know, I --
8 just being very, "Do you have a boyfriend yet? How are
9 you getting on?" and I just thought I want out of here.
10 But I wasn't self-assured enough to say that so I made
11 polite chat and wanted it to stop. I think I eventually
12 got away, I said, "I'll go now", and I went away.
13 LADY SMITH: You mentioned it was a flat. Was that a flat
14 within the school?
15 A. It was at the top of Kimmerghame House, it had
16 apartments up there.
17 LADY SMITH: Did he live there?
18 A. Yes.
19 MR BROWN: And it happens again.
20 A. I think -- I think maybe the next time there were --
21 maybe I think in between there was somebody -- there was
22 people there again and I thought oh, it's a blip, it was
23 genuine, there was nobody there that time, something
24 happened, so I think there was maybe a time where again
25 there was people there, and then again there wasn't

1 people there.

2 Q. So the individual attention is repeated?

3 A. Mm-hmm.

4 Q. And I think, as you say, it progressed further and he

5 put his hand on your shoulder?

6 A. Sat beside me this time, not facing me. Beside me on

7 the sofa.

8 Q. And then on your leg and your knee?

9 A. Mm-hmm.

10 Q. And this is a man, as you've described, you say it

11 doesn't make a difference that he was unattractive?

12 A. No.

13 Q. But this is not, from your perspective, an appealing

14 man?

15 A. No. Well, nobody would be at that age and who I was.

16 Nobody -- it's not about what -- I describe him,

17 I think, just to give you a picture, but it doesn't

18 matter. No matter how attractive he'd have been,

19 I would have been in the same cringing position of:

20 please don't, leave me alone, how do I get out of this?

21 I suppose lots of women have been in experiences like

22 that with men. We all have stories, all of us. And we

23 all politely get out of it or squirm our way out of it,

24 and I suppose, having been in a past experience at

25 Wellington, I -- you know, this is what happens in these

1 places, so I just ...

2 Q. But after the second time, as we read, and we don't need

3 to rehearse it save for one thing, you decide you're not

4 going back to the tutor group?

5 A. (Witness nods).

6 Q. And is the detail of you sitting in the place you live

7 with the light off, presumably in the hope that if they

8 come looking, they won't find you?

9 A. Yes, and when I think about that now as an adult,

10 I think oh my God. I remember vividly sitting in the

11 dark thinking, "Please don't come, please" -- I don't

12 know why I thought -- I can't remember why I thought

13 they might come, but I remember sitting in the dark

14 thinking, "I'm not going, I'm not going, I'm not going,

15 I'm not going, and maybe the people in the house won't

16 know I'm in and won't say: why are you not going?"

17 I don't know who I thought knew, but I hid in the dark

18 hoping that I wouldn't have to go. And then the

19 doorbell went. And it was somebody, a very nice boy

20 from Kimmerghame, who had come to escort me because it

21 was dark and he had been instructed to come and escort

22 me to make sure I was safe coming across to Kimmerghame

23 in the dark. So I went.

24 Q. And it was just you and 'Dan' again?

25 A. Mm-hmm.

1 Q. And on this occasion, as we read, things went further
2 still?

3 A. Mm-hmm.

4 Q. And there was not kissing but slobbering, to use your
5 word?

6 A. Yeah, here. I can remember -- I can feel it to this
7 day. I think, as an adult thinking about it and what
8 I now know, I think it was -- it was not unusual for
9 masters to have relationships with girls. It was not.
10 And I think what he was doing was thinking that I might
11 go for it, frankly. That he was flattering me. That,
12 you know, it's like being out somewhere and something --
13 somebody coming onto you, and you not wanting him to.
14 It was like that. That I would succumb or be flattered
15 or go for it. And I didn't go for it and I didn't want
16 to go for it. But I think that's the -- that's what he
17 was doing.

18 Q. And just for the record, because you put your hand up,
19 when you were talking about slobbering, you put your
20 hand to your neck just below your left ear?

21 A. It was here. Here. I was actually doing that. I just
22 think he was trying to think I might turn around and
23 kiss him or I might respond. It was a very -- you know,
24 like somebody at a disco doing -- that you would go,
25 "No, get off me", but as a young girl who was -- he was

1 a master, feeling very uncomfortable and being very
2 polite about it, as you do in these situations, don't
3 you? Now it would be different, but then, yeah.

4 Q. Indeed. So you would be about 14 again?

5 A. I was probably about -- no, I was older then. That was
6 at Fettes so I was 16. 16 then.

7 Q. Sorry, forgive me, yes.

8 A. Yeah.

9 Q. 16, okay.

10 A. 16.

11 Q. But you spoke out?

12 A. Well, you can imagine how bad it was when I had very
13 well been trained not to say a word and knowing that
14 saying a word didn't help me, you can imagine how
15 much -- how awful it was for me to be brave enough to
16 speak out. It was awful and I felt like I've tried to
17 make him see I'm not interested, I've tried to be polite
18 about it, I've tried to be nice and he's now sending
19 people to my door to get me, he's not stopping, I have
20 to say something.

21 Q. And you spoke to your housemistress?

22 A. Yes. I told -- I think she said to me that -- I don't
23 think it was a willing offering. I think she'd said to
24 me, "You're not yourself. You were really bubbly when
25 you came and you were really joining in and stuff and

1 you're not doing that now". You know, I think she did
2 say, "Are you okay?" and that's when I think I started
3 to cry and I told her, no, I wasn't okay, and what was
4 happening. But it took a lot to tell her.

5 And she did initially look horrified and angry and
6 said, "Right, right, leave it with me", and --

7 LADY SMITH: Can you remember where you were when you had
8 this discussion?

9 A. I think I was in Dalmeny. I was in the common room of
10 Dalmeny. And she must have asked me -- I was obviously
11 behaving differently and she had spotted that. So
12 she -- she -- I had great faith that she was a good guy
13 and she did notice and that's when she asked me.
14 I think she had an office off there and I think I went
15 in there and told her then and she did look horrified
16 and she did look cross.

17 LADY SMITH: And what got you talking was simply asking,
18 "Are you okay?"

19 A. I think it was more -- Lady Smith, it was more that she
20 said, "You're different", she knew there was something
21 different. "You were" -- "you went on" -- I did,
22 I went on days out. She said, "I had hope for you and
23 you seemed really bubbly and you're not". She asked what
24 was wrong and that's what made me talk, I think.

25 LADY SMITH: Thank you.

1 MR BROWN: So she was looking and she noticed?

2 A. She noticed. As you should.

3 Q. As you should. And I think, to use your words in the
4 statement at paragraph 119 on page 17, "she was
5 genuinely horrified --

6 A. She was.

7 Q. -- and raging."

8 A. She was. You could see in her face that she
9 genuinely -- she was a strong woman. I liked her. And
10 you could see that she was cross and she was annoyed,
11 angry, and she said, "Leave it with me", she would take
12 it further, she would sort it.

13 Q. In terms of the statement, again we can read this, there
14 was practical effect in that you stopped being part of
15 his tutor group?

16 A. (Witness nods).

17 Q. But of course you carried on being taught by him because
18 you're doing [REDACTED] A-level?

19 A. Mm-hmm.

20 Q. Two things from that. His response to you was that he,
21 to you, would be angry and try and humiliate you in
22 class?

23 A. Yes. I mean, obviously I was terrified when I spoke out
24 because I thought what's going to happen? And
25 I remember it was him that told me, I turned up for

1 class and it was a small classroom he was in and
2 I remember him being red, he was red, the back of his
3 neck was red and he was raging and he said, "You're not
4 in my tutor group any more, you've been removed", and
5 I -- you know, there was something said about stories
6 or, you know, and I -- I can't even remember because
7 I just remember thinking oh God, you know, this is going
8 to be awful, and I sat down, put my head down, and --
9 but I had to go to his class a couple of times a week
10 and he didn't make it easy.

11 He was at first very angry, then I think a bit
12 embarrassed, but then that soon gave way to kind of
13 a courage of he could do what he wanted or say what he
14 wanted, so he wasn't nice. He made fun of me or if
15 I answered -- well, I didn't answer questions then.
16 I didn't. How could I possibly answer questions or
17 concentrate on what was going on in that room? I didn't
18 realise that at the time, the impact of that on my
19 learning. I couldn't. I hated going in there. I kept
20 my head down and just took whatever he threw at me.

21 Q. And did that continue for the rest of the time you were
22 at Fettes?

23 A. Yeah. I wasn't his favourite person, obviously, then.

24 Q. But you talk about the housemistress who's noticed and
25 responded. Your impression was thereafter, and your

1 word is, she was squashed. What do --

2 A. She was completely different when she spoke to me about
3 it. She took me into the office, I'd heard first from
4 him. She said, "Yes, you've been removed from his
5 group". Her anger was gone. The -- the -- it was
6 very ... it was just -- there was a -- there was
7 a different face. And she said that I was to stay with
8 her instead and that we would have weekly meetings and
9 she gave me a grid where I had to write down what I'd
10 done in a week and then present it to her on weekly
11 meetings, and that's --

12 Q. But why did you think she was, to use your word,
13 squashed?

14 A. She was different. It wasn't natural, you know. You
15 would have then talked to me more about it, "How are you
16 now?" There was no more discussion about it. It was
17 just, "You've been removed, come to me, we'll talk about
18 your week", and talking about my week, you know, what
19 happened in [REDACTED]? Not him, just generally
20 academically, what did you -- there was never any -- it
21 was so unnatural. There was never any follow-up or
22 discussion or checking in ever again. The conversation
23 stopped. Her face was different. There was a clear
24 sign that: that's it, it's dealt with, we're not talking
25 about it any more. And I went to her and reported to

1 her every week. It was a different person.

2 Q. Okay. You talk also though that your classmates
3 responded adversely to this.

4 A. (Witness nods). I didn't -- I didn't really know what
5 was happening. I think I was so -- it was all just
6 happening. I was picking up the vibe that we didn't
7 talk about it. I was sitting in a classroom absolutely
8 humiliated and embarrassed. He had openly said in front
9 of the class about, "You're a trouble maker,
10 attention-seeker, making up stories", stuff like that.
11 The class saw him make fun of me when I spoke or -- so
12 I kept my head down and I didn't talk to people. And
13 then I didn't really -- and I went around school very
14 much on my own and I slowly became aware that nobody was
15 talking to me either. Nobody was talking to me. Nobody
16 came to ask about it, to ask how I was, to include me in
17 anything or to invite me anywhere. Nothing.

18 So part of it was me because I became very withdrawn
19 and just put my head down and went into class and just
20 thought, oh, this is awful. But I was definitely aware
21 that then nobody spoke to me other than when they had
22 to, when they were instructing me in class or -- nobody.
23 And the children -- and the other children didn't like
24 that. I wasn't involved in anything any more.

25 Q. Is that another example, going back to what you were

1 saying about Wellington, there was another difference,
2 which was exploited?

3 A. Yeah, I'd spoken out. I had gone against the system or
4 I'd gone against the behaviour you were supposed to do,
5 which was put up and shut up. I had spoken out. And
6 I -- I don't know whether -- I actually wonder if
7 anything more directly was said or put to people because
8 it was so sudden. And I suppose, looking back, I see it
9 differently, but at the time because I withdrew I didn't
10 notice at first, but it was really massive. I mean,
11 I went through the rest of the year on my own.

12 Q. And just to be clear, this was the first year?

13 A. First year.

14 Q. Of your two?

15 A. This happened fairly early on, because we were assigned
16 tutors and we had a couple of meetings every couple of
17 weeks, so it was fairly early on. So the rest of my
18 year I was very much on my own. My -- I saw my --
19 I went out with my brother. That was it.

20 Q. But I think, as you say in the statement, your brother
21 also at one point spoke out.

22 A. (Witness nods).

23 Q. But this time about bullying between pupils?

24 A. Yeah. I think that was later on when he was a bit more
25 established, he did. He noted -- I think it was

1 actually a boy in my year was very badly picking on and
2 him and other friends of his went and reported it. And
3 they were punished for reporting it. They were told
4 that actually this is not the done thing and actually
5 there was evidence that it was them who were doing it
6 and he was put on report, he had to turn up at the --
7 I think it might have been the depute, Mr Henderson at
8 the time, he had to turn up at his half eight every
9 morning, he had bed inspections, they had detention
10 every day until basically they got fed up doing it with
11 him but for months and months because he had spoken out
12 against these boys, but these boys were from different
13 families than mine, I suppose, and were more protected,
14 as did happen, so he was punished for reporting
15 bullying.

16 Q. You just said about a family who was protected. What do
17 you mean by that?

18 A. There were definitely families that were well known,
19 established families whose parents had been -- you know,
20 they were Old Fettesians and they were from different
21 moneyed influential families. There was definitely
22 a protection system, a different system for -- yes.

23 Q. That's what you felt?

24 A. Yes.

25 Q. And you obviously weren't from that background?

1 A. No, absolutely not.

2 Q. But your second year, from what you said earlier, things
3 improved in some degrees?

4 A. Yeah.

5 Q. And you then moved on, leaving Fettes. Do you remember
6 the emotion when you left?

7 A. Oh, I remember going to the final thing and just
8 thinking: oh, I can't believe it. Everybody was
9 wandering around sad and having picnics out of cars and
10 things and I just was again on my own, not part of that.
11 Sad that I had two very good friends, one in particular
12 I'm still friendly with now, 30-odd years later we're
13 really close and she was in the year below me. I was
14 sad to be leaving her behind, but no, very glad to be
15 leaving.

16 Q. We can read, obviously, from page 21 over to 22 what
17 happened next. But moving on to impact, and you've
18 talked about this, the impact is practical, because of
19 the bad dental treatment, at one level you've had issues
20 with your teeth ever since Wellington?

21 A. Yes, I have, yeah.

22 Q. And that's been expensive. You certainly make plain in
23 paragraph 160, page 22, that what happened to you
24 affected your life and who you are.

25 "It affected my results at the time and my

1 prospects. They did it deliberately."

2 You say.

3 A. Mm-hmm.

4 Q. Is that because of being kept in 'Dan's' class and the

5 response?

6 A. Well, I -- you know, my parents thought they were

7 spending an awful lot of money to get me a good

8 education, to give me a step up, a help, and I -- I wish

9 I'd had that and been supported and helped and

10 encouraged and -- but obviously on a psychological level

11 where I work with my children now in my nurture group

12 I understand how the brain works with trauma and I only

13 recently realised the impact it must have had on me.

14 How -- you know, I deal with children where I go to

15 schools and they say they're coming to you every

16 morning, they're missing out on their learning, we're

17 worried about that, and I am a very big arguer for how

18 can they possibly learn when all this stuff's going on

19 in their head? How can you expect them to concentrate

20 on their learning? You know, their head is somewhere

21 else. They've got all this trauma to process and deal

22 with. They're still probably in traumatic environments.

23 They're dealing with this on a daily basis. You know,

24 we have to sort that out for them. We have to meet

25 their basic needs. Maslow's hierarchy of needs: you

1 need your food, you need to be warm. None of those
2 things happened. You need a safe place. I didn't have
3 that. How on Earth can you prosper and learn and
4 flourish under those circumstances? And I see that now
5 for me. So how could I possibly sit doing A-levels in
6 his class? How could I possibly -- I mean, I was put
7 out of biology after a year by -- he was the housemaster
8 of Kimmerghame, funnily enough, I didn't twig. I wonder
9 now. Apparently I wasn't managing and I was a bit
10 stupid and I couldn't manage it, so they put me out and
11 put me in history. I did history in a year. I hadn't
12 done history before. I didn't do a history O grade.

13 How could I possibly thrive and learn under that
14 circumstance when all I could think of and all that
15 I was reminded of on almost a daily basis was what was
16 going on. I couldn't concentrate on work and I didn't
17 really realise that. At the time I left I thought I'd
18 had these unfortunate experiences with these men, that
19 was okay, it was finished, I'd left now, I could get on
20 with it. Then I had ten years of panic attacks and
21 I didn't understand why I was having panic attacks.
22 Now, doing what I do and having learnt what I've learnt,
23 I see why and I see the massive impact on my learning.
24 You know, how could I achieve what I might have been
25 able to achieve under those circumstances with him? How

1 could I concentrate on anything? How could I learn?

2 I -- they weren't meeting my basic needs.

3 Q. Thank you.

4 A. And they were actually going -- in my view now, going
5 out of their way to make sure that I didn't succeed,
6 that they squashed anything that ...

7 Q. Okay, thank you. One thing you go on to say at
8 paragraph 162 is:

9 "I have had years of conditioning of me by not being
10 believed, being told that I was from a different class
11 who just couldn't cope with the ways of boarding school,
12 and that I was in the wrong. I was ridiculed and mocked
13 whilst at school and after, and that resulted in me
14 doubting myself."

15 Just one thing from that. Obviously you've used the
16 word "mocked". At Fettes, was mocking something you
17 would recognise as a word that was in use, currency,
18 amongst the pupils?

19 A. Absolutely. You know, as I said, boarding schools are
20 a tough place to survive for anybody that goes there.
21 They had a definite culture of kind of beating you down
22 and testing you out and seeing if you can stand up to
23 it, you know. The other children and staff, you know,
24 their humour was to have a go at you a lot of the time.
25 That was very common. And it was about, you know, can

1 you take it? You know, if you're the right person, you
2 should be able to take it.

3 Q. Could you ever take it to their satisfaction?

4 A. I suppose the fact that I -- other than the time that
5 I did speak out, I then was very quiet and subservient.
6 I didn't rock the boat any more. So I suppose in a way
7 that was taking it, by not fighting back against it, but
8 it's that. I mean, as a teacher now, you just think: oh
9 my goodness. Is that what you do to children? You
10 know, is that how you make them stronger people? Is
11 that how you toughen them up? Why toughen them up? You
12 know, it's so wrong.

13 Q. You talked already about being a nurture teacher.

14 A. (Witness nods).

15 Q. Just to be clear, that means what?

16 A. I work -- well, it's a very specific unit. Mostly your
17 nurture units are within schools and you work within one
18 school with the children there. My unit is for the
19 children in the whole region, so my children who are
20 struggling at primary school, they often have
21 behavioural difficulties coming from social and
22 emotional issues, come to me on a part-time basis for
23 a time of intensive nurture work, which involves me
24 trying to fill the gaps where they have attachment
25 issues, where there has been trauma that has affected

1 their brain development, their experience in life, and
2 it is my job to take them back to those places in their
3 lives and try and build those healthy neural pathways,
4 try and help them deal with what they've experienced,
5 give them an open forum to talk about it with similar
6 children and give them strategies to deal with the
7 difficult lives that they sometimes are currently
8 leading. Help them realise that, you know, these things
9 have happened, how do I help you cope with them better?
10 What solutions can I give you that don't involve, as
11 many of them are doing, kicking off and being violent?
12 Trying to get in there and stop -- let them know that
13 they are loved. Create a homely environment for them.
14 Sorry. And make it better. Make them stronger.

15 Q. This is in council schools?

16 A. Yes, this is in state schools.

17 Q. State schools. Presumably from your time in schools,
18 would you agree that instinctively children, as you
19 were, don't want to talk about things?

20 A. Of course they don't. Because their experience of
21 adults is for them the adults are the bad guys. The
22 adults don't look after them. The adults are the scary
23 ones. The adults think of themselves before their
24 children. They have had horrible experiences and they
25 have been taught that they stay quiet, they don't reveal

1 to the outside world because then social work might get
2 involved or trouble might come to their door, so they're
3 very much told that they don't tell you.

4 Q. How many of them speak to you against that background?
5 I'm not looking for exact figures, obviously.

6 A. All of them. All of them. And that's not me being --
7 it's creating an environment -- it goes back to what
8 I said. You know, I create a loving and safe
9 environment, which takes the pressure off and lets them
10 know that they are safe and they are loved, regardless
11 of what they do or tell me, they are loved and
12 understood. They have their voice. They have somebody
13 who fights their corner and gives them a voice when the
14 system doesn't always. They have somebody that is
15 straight with them and explains the world to them in
16 their language and has their back, and they do speak.

17 Q. Thinking of your experience at boarding school, and
18 adding in your experience and job now, thinking back to
19 Fettes, for example, what should have been different?

20 A. It's simple is. They should have given me -- met my
21 basic needs. They should have made sure that their
22 children were warm and fed and noticed and cared for,
23 and they should be picking up, as we do, when things are
24 wrong, and then they should be investigating and finding
25 out what they can do to help. You know, I've often said

1 even if they didn't believe me, and it is true, but even
2 if they didn't believe me, what they should have done is
3 investigate. You know, we have restorative chats. We
4 bring in the child. We spend time talking to the child,
5 finding out what's going on for them, where it's coming
6 from. We would bring in the other people involved, we
7 would talk to them. We would bring them together. We
8 would -- we would give them a voice, let them be heard
9 and help them through it and look for -- all behaviour
10 is communication. People behave in many ways to get
11 something or to be seen, even the violent ones. That's
12 for a reason. So you investigate what that reason is
13 and you try and help them through it and give them other
14 ways.

15 So Fettes needed to investigate first, talk to me,
16 meet my basic needs, show some kind of care. Report it
17 even to my parents, you know. Let me -- try and restore
18 things, try and support me, check in on me. If I was
19 struggling at work, where was the support? They were
20 getting paid tonnes of money. Where was the person
21 coming to say, "Why are you struggling?" Why did they
22 not recognise that putting me in a room with that man
23 would be hard? You know, I could go on forever with
24 what they should have done. It was crazy how little
25 they did do. Or actually, it's not even that they were

1 inactive; they actually were active negatively. They
2 went out of their way not only to silence me, and I was
3 silenced and I was quiet and I wasn't rocking the boat.
4 But that wasn't enough. They had to grind me into the
5 ground. They had it put me in a room with him, they had
6 to throw me out of a subject, they had to humiliate me.
7 They ... now, at my age, knowing what I know, looking at
8 this -- and it was doing this with [REDACTED] that made me --
9 my statement is much more emotional than I am now
10 because I look at that myself and go -- I was with [REDACTED]
11 going, "Oh my God, what did they do?" That realisation
12 was hitting me from who I am now that at the time
13 I didn't even see -- what they did was inexcusable and
14 it is no way to look after any child.

15 MR BROWN: Thank you.

16 LADY SMITH: Just to be clear about investigation, you make
17 the point there should have been an investigation. Are
18 you talking about finding out what happened in the dark
19 outside Wellington School that night?

20 A. Yes, they didn't even --

21 LADY SMITH: Taking matters forward from there. And so far
22 as Fettes is concerned, what happened when you went for
23 tutor sessions with 'Dan'?

24 A. Yes. There was never even, Lady Smith, those
25 discussions. Not even that. Not even to find out what

1 had happened. The basic discussion hadn't happened.
2 When I have a problem with my children, they know that:
3 hold on, I'm not believing what everyone else is saying,
4 we are going to take time, we're going to talk about it.
5 You tell me your side, you tell me your side. What
6 about this? We spend time, we give them a voice, we
7 talk to them. That, even the basic of -- the only thing
8 that was said was me breaking down and saying, "Help me,
9 this is happening". That was the only discussion there
10 was.

11 LADY SMITH: Thank you.

12 Mr Brown.

13 MR BROWN: Thank you very much.

14 Can I completely digress and go to another thing.

15 This is about recent times. Because of your involvement
16 with the Inquiry -- and has that been helpful, just
17 to --

18 A. Yes. Yes, very. It's been really hard. I think you
19 cannot underestimate how difficult this is. You know,
20 you put things in a box in your life and you move on and
21 that's what I've tried to do. I mean, I had ten years
22 of panic attacks, I went back to my teaching when I was
23 30. I have built myself back up again and I'm proud of
24 that. And I think I've put a lot of my experiences to
25 good use. But, you know, it's -- the Inquiry had helped

1 me -- for the first time, from the first conversation
2 with [REDACTED] when she said, "Right, I'm recording this as
3 abuse", that word -- nobody had ever said that word to
4 me and that itself, if it had never gone any further,
5 was so powerful for somebody to give you that word,
6 acknowledge it. And then when I went to give my
7 statement to [REDACTED] they were lovely and you can -- when
8 you read it, I hear it now, that tumbling out of emotion
9 and realisation of -- because I hadn't talked about it.
10 So that process was really helpful. Going back to
11 review it again, I'd had time to process it, that was
12 really helpful. And now having a voice, a wee tiny
13 voice against really powerful big voices who are trying
14 to drown us out still is hopefully -- I wanted to do
15 this justice not just for me but for the people who
16 don't have their voice yet or who aren't ready to have
17 their voice and I don't want our voice to be squashed
18 out by big powerful ones that have a lot of sway.

19 So, yes, for me this has been really hard. What
20 didn't help, I have to say, was the police involvement.
21 That wasn't handled very well. Not the Inquiry police,
22 the --

23 Q. That's what I was coming to.

24 A. Yeah. But the whole -- but the process with you and
25 with [REDACTED] has been really life-changing. So thank you

1 for that.

2 Q. But the police, I think, contacted you.

3 A. (Witness nods).

4 Q. And you spoke to them.

5 A. (Witness nods).

6 Q. But, I think, am I right in saying what upset you was

7 they then went on to speak to your brother?

8 A. (Witness nods).

9 Q. And others --

10 A. Yeah.

11 Q. -- despite you saying, "Please don't"?

12 A. Well, don't get me wrong. When they contacted me,

13 I assumed -- [REDACTED] had told me things would be passed on

14 and I was initially contacted by police who then phoned

15 me back and were very nice and said we're not taking

16 this further or this further but thank you. And that

17 was it. Then I was contacted again, I assumed it was

18 part of the Inquiry, so I then went through another

19 five-hour interview with a police officer again, and

20 from that she asked -- she did ask could she contact my

21 brother and my friend, and I said at the time I don't

22 know, because I never really wanted them involved, and

23 although I'm talking to my brother about it he's in

24 a different place so I don't know, but I'll ask them.

25 And I went and I asked both of them and both of them for

1 me, to try and support me, bravely, said yes, they
2 would, and I was really touched by that. And
3 I explained it was for the Inquiry and both of them were
4 interviewed at length. And actually, you know, gave
5 quite a lot.

6 And then I was contacted again and I was told that
7 they were going to contact a teacher, who I don't
8 mention. He was really a good man and he was my one
9 saving grace at Fettes and I was very indebted to him
10 and fond of him and I didn't want to involve him at all
11 or have him think that I felt badly of him or I would
12 involve him in this, because he saved me, he did. He
13 used to meet me and check on me, help me when -- in many
14 ways. And I was -- I said then no, no, I don't want you
15 to, no. No, please don't do that, I really don't want
16 you to. And I got an email to say that they were and
17 they had.

18 Q. And that --

19 A. And I replied to that email saying I wasn't happy about
20 that at all, I was really annoyed, and I didn't get any
21 more communication from the police at all and it was
22 only later when [REDACTED] phoned to check on me and I told
23 her and she said what -- because I felt with this
24 process you gave me my choices, you gave me what
25 I wanted to say and what I didn't want to say. You gave

1 me control, you gave me power, and the police didn't,
2 they took it all away and I felt really cross for the
3 first time and really upset.

4 And then I actually haven't told my brother that
5 when he gave his statement it wasn't for you, it was for
6 the -- because I don't want to upset him. And it was
7 when I spoke to [REDACTED] she was horrified because
8 I should have been supported through that and she didn't
9 know about it, that it was only then I realised it was
10 not the same thing and it hadn't been separate, they
11 didn't make that clear.

12 MR BROWN: Thank you very much indeed. 'Ellen', I have no
13 more questions for you. You've been very full. Is
14 there anything else you'd like to add?

15 A. Just I did want to say thank you for giving me this
16 experience and this voice. And I wanted to say that it
17 had been a helpful process and I wanted to be mindful
18 that this has a point. And I know, Lady Smith, you'll
19 make sure it does, that we change it. I'm not convinced
20 that even now that it has changed. I see social media
21 campaigns by a school bringing up -- I know it's
22 a business, bringing up past pupils of my time and
23 telling me how wonderful the place was and how great it
24 was for them, and I get that. I'm not -- I'm grateful
25 that people had a great time and got out of it what they

1 wanted. I didn't. That's not helpful, hearing that.
2 So I'm not convinced by apologies particularly. I don't
3 think they're really thinking about their impact.
4 Because we're a small number, but we're an important
5 number. You might have hundreds of thousands that had
6 a great time and had achieved what they wanted to
7 achieve, but there are a few of us that weren't given
8 that opportunity and shouldn't be squashed by -- we
9 shouldn't be diminished.

10 And I hope that if I help with anything, I help with
11 it being different for children now.

12 MR BROWN: Thank you.

13 LADY SMITH: Are there any outstanding applications for
14 questions of 'Ellen'?

15 'Ellen', that completes all the questions we have
16 for you. Thank you so much for engaging with us,
17 really, my thanks go to you. I know it's been a lengthy
18 engagement and part of it's been taking your statement,
19 which is really helpful. That is part of your evidence.
20 But even more than that, you coming today to talk about
21 your experiences and make not just the words on the
22 page come alive but add to them and thereby add to my
23 learning and the picture I'm building every day about
24 life in boarding schools in Scotland over the period
25 we're looking at.

1 So thank you very much. I'm able to let you go now.

2 A. Thank you.

3 LADY SMITH: I hope you can find some relaxation and rest in

4 the rest of today.

5 A. Okay. Thank you very much.

6 (The witness withdrew)

7 LADY SMITH: So, Mr Brown, the plan now is for the lunch

8 break?

9 MR BROWN: Lunch break and then we will finish the statement

10 we began.

11 LADY SMITH: Very well. Thank you very much.

12 (1.05 pm)

13 (The luncheon adjournment)

14 (2.05 pm)

15 LADY SMITH: Ms Bennie, when you're ready. That's us

16 picking up on the statement that you were reading before

17 the witness.

18 MS BENNIE: That's correct, my Lady. We're resuming reading

19 at paragraph 49 on page 13.

20 LADY SMITH: 49 of 'Iona'.

21 'Iona' (continued)

22 MS BENNIE: Yes.

23 Starting at Fettes College:

24 "My two sons went to the junior school at Fettes

25 a short time after we came back to Edinburgh. I had

1 been convinced by the school to let my two sons board
2 when they started at Fettes. The argument was that they
3 would get to know people better and that they would be
4 more fully integrated into the school and so on.

5 In the end I took them out of boarding to become day
6 pupils around about four weeks after they started the
7 autumn term in 1987. That would have been in
8 either September or October of 1987. My youngest son
9 remained at the school until [REDACTED] 1992, my oldest
10 son stayed until [REDACTED] 1993 after completing his highsers.

11 'Claire' started as a day pupil at Fettes in late
12 August or early September 1990 when she was 10 years
13 old. She remained a day pupil in the junior school at
14 Fettes until she left in June 1993 at the age of 13.
15 She never attended the senior school. 'Claire' never
16 boarded permanently at Fettes but did spend a week
17 boarding under their care during a time when I was
18 abroad in Greece. From recollection she was utterly
19 traumatised by that experience.

20 Staff structure.

21 The structure at [REDACTED] the school changed
22 during the time my children were at Fettes. Originally
23 there was a separate SNR [REDACTED] for the junior school
24 and the senior school. That changed when CXL [REDACTED] was
25 appointed in 1988. He got rid of SNR [REDACTED] of the

1 junior school and took over the role of SNR of
2 SNR of the school. He then
3 [REDACTED], the person in charge of the
4 day-to-day running of the junior school."

5 My Lady, in paragraphs 55 to 67 the witness tells us
6 about some of the staff at Fettes in a Who's Who sense
7 of their role at the school and therefore I presume to
8 move on and resume reading at paragraph 76:

9 "Inspections.

10 I am aware that no inspectors went into Fettes for
11 over 30 years. I learned that after speaking to the
12 Care Inspectorate, or whatever their predecessors were
13 called, when I was looking to get them to inspect the
14 school. Those years included the years when my children
15 attended the school. I know that when inspectors
16 ultimately did go into Fettes, that was primarily due to
17 me making complaints to the school, the police and
18 others.

19 Pastoral care.

20 I remember that all the parents of the children who
21 were starting boarding at the school in 1987 were told
22 not to contact their children during their first four
23 weeks. That was the policy at Fettes at the time that
24 my two sons started boarding there. You were instructed
25 not to phone them or send them any letters so they could

1 adjust. I believe I was informed of that policy via
2 a newsletter that was sent out by the school. I believe
3 that I still have that letter from FGA saying that.

4 I can see that there was a certain logic to it in so
5 much as the children had to settle in. If a parent was
6 on the phone every five minutes it wouldn't help.
7 However, children starting in the junior school might be
8 as young as ten years old. I appreciate that it made
9 life easier for the school, but if there was a child
10 crying themselves to sleep every night and they were
11 homesick then that might not make sense.

12 CXL was on one of the committees set up by the
13 independent schools which oversaw pastoral care at
14 boarding schools. He joined that after he became SNR
15 SNR of Fettes in 1988. I have heard from my
16 children that the topic of Childline was raised during
17 a number of assemblies after he arrived. I was told my
18 by children that they were made to chant the number for
19 Childline out loud during assembly in the junior school
20 and there might have been notices on the wall.

21 The availability of Childline was an absolute joke
22 because I know that the only phone that boarders had
23 access to at the time was in the office of FGT, which
24 was located opposite the warden's office in the junior
25 school. Pupils would have to go and ask permission to

1 go into that office to use the phone. Even were the
2 children to go in there and use the phone, FGT would
3 have been there to hear everything that the child would
4 be saying.

5 My experience as a parent of children at the school
6 was that there was absolutely nothing by way of pastoral
7 care at the school. As far as I am aware, there were no
8 one-to-ones, availability of housemasters to speak to or
9 allotted staff members to particular children. You
10 would have been considered a wimp to seek out all that
11 sort of thing. I found all of that shocking. It was
12 all stiff upper lip and just get on with it."

13 My Lady, I move on to paragraph 85.

14 LADY SMITH: Thank you.

15 MS BENNIE: "The role of matron changed following
16 CXL appointment as SNR. That would have
17 been in either 1991 or 1992. At least two of the
18 housemasters under him chose to do away with the
19 independence of the matron. They instead appointed
20 their own unqualified wives. The shift allowed those
21 housemasters to add to their family income.

22 Needless to say, it was the boarders who suffered as
23 the wives could not, and would not, undertake a fraction
24 of the duties which a qualified full-time residential
25 matron could provide. Those wives who took on the role

1 had their own young children, husband and house to care
2 for, and unlike the matrons, did not sleep in the boys'
3 part of the house. A further difficulty was that the
4 boys in those houses would not be able to confide in the
5 wives who took on these roles as they knew that anything
6 they might tell them would be reported straight back to
7 the housemasters who were their husbands."

8 My Lady, moving on to paragraph 88 and:

9 "Abusive at Fettes during my time my children were
10 there.

11 FGA .

12 FGA was just awful. There was a general sense
13 that the children underneath FGA were regularly
14 physically, mentally and emotionally abused. You'd
15 imagine her to be a sort of Cruella de Vil person to
16 look at, but she wasn't. She was a round-faced,
17 large-bosomed cuddly type. She didn't look as if she
18 was someone who could be vicious. She was so deceptive.
19 You would never have believed the way she acted from
20 looking at her. She appeared all nice to the parents.
21 It was quite easy to fall for it.

22 I'm not sure how initially I found out about the way
23 FGA acted. I do recall that at some stage during the
24 first four weeks I had to take one of my sons to
25 an optician's appointment. It could be during that trip

1 that he told me the dreadful stories about how she had
2 been treating the children in the boarding house. One
3 of the things that I learnt was that night after night
4 she would set off the smoke alarm in the boarding house.
5 That meant that all the kids in the boarding house would
6 be woken up. FGA would make out that it was
7 a mistake and as a result of her burning toast in the
8 middle of the night. Those poor kids were being woken
9 up night after night. Looking back, all of that was so
10 that their defences would be broken down in the house.
11 I could see in my own sons that they weren't getting the
12 rest that they needed.

13 Another thing that one of my sons told me surrounds
14 horse riding. Pupils were able to do horse riding
15 during one of the afternoons in the week. My son
16 absolutely loved doing that. My son told me that one
17 day he had to have a shower before horse riding and they
18 were queueing up to get on the bus after they had done
19 that. My son told me that FGA suddenly turned on him
20 and accused him of not having had a shower. She then
21 made him go back and strip off and get into the shower.
22 That in turn made all of the children late for horse
23 riding because they were made to wait until he did that.
24 That sort of thing made his life a misery.

25 Another incident I recall about the way in which

1 FGA treated my son surrounds an anti-allergen pillow
2 I had provided for him. My son was allergic to the
3 pillows that the school had provided. I brought in
4 an anti-allergen pillow and gave it to FGA, asking
5 her to give it to my son. I later discovered that
6 although I had informed FGA of his allergy, she never
7 gave him the pillow.

8 FGA subsequently took 'Claire' for [REDACTED].
9 I remember that she was vicious towards 'Claire'.
10 'Claire' told me that there was an incident where she
11 had written an essay, a story or something like that.
12 In front of the whole class, FGA read out her essay
13 mockingly, trying to get everyone to laugh, before
14 tearing it up.

15 A young member of staff by the name of Brendan
16 Butler was in the room when FGA did this. 'Claire'
17 told me that he was glaring and absolutely furious as
18 FGA did this. When FGA finished, Brendan Butler
19 leant forward to 'Claire' and whispered something along
20 the lines of, 'Don't worry, I thought it was very good'.
21 Looking back, that seemed a nice thing to have done at
22 the time, but you have to question why he didn't speak
23 up and stop FGA. 'Claire' has never got over that
24 incident.

25 I remember that I didn't just hear stories from my

1 children about FGA . The way FGA acted when around
2 the children at Fettes was pretty widely known amongst
3 parents. During my time as a parent associated with the
4 school, I heard of other things she did from several
5 sources. I heard that she made children prop up the
6 walls. The practice consisted of children as young as
7 ten standing facing the wall three or four feet away and
8 leaning against it on their fingertips. FGA would
9 sometimes leave children standing in this position for
10 over an hour. This would be very painful for the child.
11 If the child put their flat palm against the wall they
12 had to start the time again.

13 Another thing that FGA would do if she heard
14 children talking throughout the night, she would give
15 the child who was caught 200 lines to be handed to her
16 by 8.15 in the morning. This meant the child would get
17 very little sleep that night.

18 Another thing I heard surrounded a girl who was in
19 my eldest son's year at Fettes. Whilst she was in the
20 junior school and 11 or 12 years at most, FGA made
21 her stand naked in the shower and brush her teeth for
22 an hour until her gums bled.

23 One of the parents I knew was also a friend of mine.
24 She had been to school with me. Her children were in
25 the junior school at the same time as my children. They

1 were boarders rather than day pupils. The parent used
2 to stay with me when she visited her children in
3 Edinburgh. She told me dire reports of what her
4 daughters were experiencing in the junior school. She
5 was aware of FGA waking up the children through the
6 night. She also told me that she was aware of her
7 children not being given letters that were sent from
8 home. She told me that FGA used to say to her
9 daughters and other children that they weren't loved by
10 their parents."

11 My Lady, moving on to page 100:

12 "William Stein.

13 'Claire' had experience of using the swimming pool
14 at Fettes prior to her starting at the school. As a
15 family we used this facility all of the time. During
16 term time there was a special time set aside at Fettes
17 called family time. That was between 5.30 and 6.30.
18 All the boarders and day pupils in the school would go
19 to tea at that time and the staff and their families
20 could use the facilities in their absence. Even though
21 my father was retired we were still allowed to do that.
22 He'd often come with us.

23 William Stein was sometimes around the swimming pool
24 during family time. He was always there in his tiny
25 little swimming trunks. I remember occasions where he

1 would set up a table and sit with his wife at the side
2 of the pool. I remember he and his wife sitting there
3 with a thermos flask and their sandwiches watching us
4 all in the pool while they had their tea. That was
5 usually what he would do if he was there during family
6 time. He didn't join us in the pool.

7 William Stein was hugely overweight. He was
8 registered as disabled and had competed in disabled
9 competitions. I assumed he had previously had a stroke,
10 which would explain why his face was hanging down on one
11 side. I remember wondering why, given the way he was,
12 he was the person selected to be Fettes' swimming coach.
13 The swimming pool was his domain and he guarded it
14 jealously, even while he was sitting there drinking his
15 tea with his wife.

16 William Stein would offer during family time, prior
17 to 'Claire' starting at Fettes, to take 'Claire' and
18 teach her to swim. This would have been when she was
19 six or seven. I think he did that with other children
20 during family time because I do recall parents sitting
21 at the benches at the side when their children were in
22 the pool. From recollection, I think he took her down
23 to the shallow end during that time. I remember seeing
24 them both together at the end of the pool. 'Claire'
25 said after that occasion that she didn't want to do that

1 again. She didn't tell me that he had done anything but
2 I do recall that she said that. I know that she has
3 said later that he gave her the creeps. I guess she
4 wouldn't have been able to verbalise what happened, if
5 anything, at the time.

6 After 'Claire' became a day pupil at Fettes,
7 I continued to go to the swimming pool at family time,
8 which was usually 5.30. She attended junior swimming
9 classes between 4.30 and 5.30 with the school. I would
10 be in the changing rooms getting changed and would see
11 her and her friends there after their swimming classes.
12 Looking back at the times I saw her, she always seemed
13 happy. That was probably because she was around her
14 friends. I don't remember there being any indication at
15 that time that she wanted to be with me. She knew
16 I would be picking her up from school later that day and
17 bringing her home.

18 I remember an occasion during my time at the
19 swimming pool when I saw William Stein tiptoeing into
20 the girls' changing rooms. That would have been at some
21 point in the summer term of either 1991 or 1992. I was
22 sitting there fully dressed in the changing room because
23 I was about to get changed for a swim. I heard him
24 saying in a quietly menacing way, 'I'm coming, I'm
25 coming'. He was stepping through the small pool of

1 water with disinfectant in it, which was located between
2 the main swimming pool and the changing room at the
3 time. The way he said it reminded me of an adult
4 telling a child the story of The Three Little Pigs, when
5 the wolf threatens the little pigs. When he walked into
6 the changing rooms he saw me and froze. I remember that
7 the girls were in the showers and getting changed around
8 me. Some were dressed but others were half naked or
9 naked. They looked panic-stricken as they quickly tried
10 to cover themselves, some of them screaming. He looked
11 horrified that I was there. William Stein then said
12 something like, 'Oh, I have to hurry them up because
13 they are always so slow'. I didn't think at the time
14 that he was an abuser. I thought he was just hurrying
15 up the girls because they were so slow. It seems crazy
16 knowing what I now know that I didn't complain about it
17 then. His behaviour was so blatant and out in the open.
18 I did think, however, that because he had had a fright
19 seeing me there that he might not creep up on the girls
20 again.

21 William Stein had a room near the changing rooms at
22 the swimming pool. During my time visiting the pool
23 I looked into that room. On that occasion I was
24 probably looking for William Stein for some reason or
25 another. There must have been a door on this room. If

1 there was, I don't remember it ever being closed. In
2 the room he had all of these charts and photographs of
3 the children in their swimming costumes. The
4 photographs were of all the children lined up as if they
5 were in their swimming teams. The charts initially all
6 looked innocuous to me.

7 I then learnt from 'Betty' and 'Betty's' mother
8 information surrounding the charts in William Stein's
9 back room. That would have been whilst 'Claire' was
10 still at Fettes. 'Betty' hated attending the lessons
11 because she was a girl who was developing breasts and
12 having her period. I discovered that the charts set out
13 when all the girls had their periods. William Stein had
14 the charts so that he could check up whether the girls
15 were lying when they used that as an excuse for not
16 going swimming. I learned that William Stein made girls
17 stand in his room in their swimsuit where he kept his
18 chart of when all the girls had their periods. All of
19 that was humiliating for those girls.

20 I heard that 'Betty' experienced the repercussion of
21 William Stein exchanging notes with Andrew Alexander on
22 the topic of the timing of her periods and the
23 accusation that she was lying. Seemingly Andrew
24 Alexander spoke to 'Betty' and told her to stop lying
25 about her periods. I heard that after this 'Betty's'

1 mother wrote to Andrew Alexander and asked that he and
2 William Stein stop talking to her child about her
3 periods because she found it so embarrassing.

4 Apparently the line that Andrew Alexander took in
5 response to the letter was that he called 'Betty' into
6 his room, told her that she was being ridiculous and
7 that he was a father too so he could talk to girls about
8 their periods. I believe that it was ultimately
9 resolved when the matron in the junior school spoke to
10 Andrew Alexander and explained to him that young girls
11 often had irregular periods to begin with. Looking back
12 at all of that, the whole thing was absolutely
13 appalling.

14 Even though I was aware of William Stein at that
15 time, there was never enough suspicion when 'Claire' was
16 in the junior school for me to speak about him to her.
17 She might have told me that William Stein played tig
18 with the children in the water and he'd grab them under
19 the water, but I don't exactly remember that. If she
20 had told me what I later discovered from her in later
21 life, then I would of course noticed her saying that.

22 It was only when 'Claire' went to the sixth form
23 college in Cambridge when she was 17 that she started
24 talking about the abuse that she had suffered at the
25 hands of William Stein. That was in 1997. I don't know

1 what started her opening up about what she had
2 experienced. I don't know whether she might have
3 started talking about it with her friends at her
4 college. Whatever way she started talking about it, she
5 started realising how terribly wrong the way he acted
6 was.

7 That was the first time that she had discussed any
8 of what happened with me.

9 'Claire' told me that it all happened with
10 William Stein playing tig in the pool at Fettes. She
11 said that he would grab her in the pool under the water.
12 She said that he would lift her up out of the water,
13 pull her tight into him then shove his tongue into her
14 ear. She said he would also dig her in the ribs whilst
15 tickling her. She said that other times he would go
16 under the water and touch her all over her body. She
17 talked of one particular occasion where he was allegedly
18 teaching them to dive. She said that he dived into the
19 pool with her, then put his hands all over her breasts
20 while she was in the pool and under the water.

21 She said this all happened with other children
22 during the swimming lessons also. Her experience was
23 that he would do that more often with the girls than the
24 boys. I think she also told me that these things were
25 happening practically every lesson over the course of

1 her time at Fettes. I think some people saw it just
2 like an uncle having fun. I think that is the role he
3 played.

4 Another incident I came to learn about from 'Claire'
5 involved a hosepipe. There was a hosepipe that
6 William Stein had by the side of the pool. I knew the
7 pool well and remembered the hosepipe. It was a massive
8 big strong hosepipe that was used to hose down the
9 length of the pool. It had a big metal nozzle on the
10 end. Apparently William Stein would use the hosepipe to
11 spray the children. That was his weapon. 'Claire' told
12 me that on one occasion she had been playing in the pool
13 with a boy. She was sitting on his shoulders. That was
14 the game that they and the other boys and girls were
15 playing. 'Claire' told me that William Stein pulled out
16 the back of her swimming costume and shoved the hosepipe
17 down as she was sitting on the boy's shoulders.
18 I recall that 'Claire' told me that she was embarrassed
19 by the incident because William Stein had seen her
20 bottom. It strikes me that because of the way she was
21 sitting, Stein would have essentially placed the
22 hosepipe between her buttocks. She then fell into the
23 water. 'Claire' told me that the boy then ripped the
24 hosepipe out of William Stein's hand. After the boy did
25 that, William Stein went absolutely bananas and shouted

1 at him.

2 'Claire' also told me that David Burns, who was
3 a teacher at the school, had overheard children on
4 a school outing talking about the way William Stein
5 acted. I believe that he spoke to the children who were
6 exchanging accounts and asked them whether what they
7 said was really happening. The children said it was
8 true and then he in turn reported to Andrew Alexander
9 what they had said. I understand that Andrew Alexander
10 called in the boarders who had made the allegations and
11 spoke to them. 'Claire' wasn't there at the meeting
12 because she was not a boarder. Apparently those
13 children told Andrew Alexander again what they had seen
14 William Stein doing and what they had experienced
15 themselves.

16 I believe that after that meeting took place Andrew
17 Alexander spoke with William Stein and told him that he
18 was not allowed in the pool. As far as I am aware,
19 neither David Burns nor Andrew Alexander reported what
20 they heard to the police. 'Claire' recalls what
21 happened after that because she was at the pool.
22 William Stein lost it with all of the children. He
23 yelled at them all when they were standing in their
24 swimming costumes by the pool. He said something along
25 the lines of, 'How dare you, I am not allowed in my own

1 pool'. Apparently he went on and on shouting at them
2 and they all felt guilty, scared and vulnerable, as
3 though they were the ones who had done something wrong.

4 I think that was all she told me at the time and
5 that formed the basis of my complaint to the governors
6 in November 1997. However, I learned more from
7 'Claire', her friends and the subsequent police
8 investigations over the years. 'Claire' told me that
9 William Stein was only interested in touching and
10 playing with girls who did not yet have breasts and that
11 she and another had been two of his favourites. The
12 ones he most often molested. Although there were other
13 girls she mentioned, I don't remember their names.

14 I discovered from 'Claire' that the girls would talk
15 about how William Stein acted amongst themselves and
16 with the older girls in the senior school. They would
17 ask the senior girls whether he did the same thing that
18 they did with them. They would of course say no. What
19 the girls in the junior school didn't realise at the
20 time was that William Stein was not interested in the
21 older girls.

22 [CKP].

23 Around about the time period when I saw
24 William Stein entering the girls' changing room, I saw
25 [CKP] outside of the swimming pool. I remember that

1 he looked very shifty. I didn't know why he was looking
2 like that. I fully expected to see him later in the
3 swimming pool but he didn't appear from the boys'
4 changing rooms. The next time I was there, I saw
5 CKP again. I saw him outside the swimming pool
6 without his car, then go into the boys' changing rooms.
7 I again thought that I would see him inside the swimming
8 pool but he didn't come out of the boys' changing room.
9 At the time I thought it was odd that CKP would be
10 going into the boys' changing room but not going
11 swimming. The third occasion when I saw CKP I was
12 already in my swimming suit in the pool. I saw CKP
13 coming out of William Stein's room with William Stein.
14 He then went back out through the boys' changing room.
15 I thought at the time that it was all really weird.
16 I didn't know what he was doing at the swimming pool.
17 It perhaps speaks to my naivety that there was another
18 part of me which thought it was nice that [REDACTED] was
19 coming to see the children. The [REDACTED] were never
20 around the children at the school."

21 My Lady, I move on to paragraph 125:

22 CXL loved to tell the story in chapel about
23 the boy who was killed climbing back into Fettes through
24 a window. He used it as a warning. The pleasure he got
25 from recounting the gruesome details was apparent to

1 all."

2 My Lady, moving on to paragraph 131:

3 "Reporting of abuse whilst my children were at
4 Fettes.

5 Subsequent to hearing the way in which my sons had
6 been treated by staff over the first four weeks of their
7 time as boarders there, I decided that I had to do
8 something. What I heard was just awful. The treatment
9 in particular by FGA got to me. I could tell that my
10 sons were deeply unhappy in the boarding house because
11 of the way she was acting.

12 In either late September or October 1987 I decided
13 to go and speak with CRS. I told him during
14 the meeting that I would be taking both of my sons out
15 of boarding. I remember that he tried to convince me to
16 make my sons weekly boarders but I was insistent and
17 said that they would be going back as day pupils.

18 I subsequently had a conversation with FGA to
19 inform her that I was taking both my sons out of
20 boarding the following Friday and asked her to ensure
21 that they had all their belongings packed to bring home.
22 The subsequent Friday I went to collect my sons from the
23 junior house. I remember that my sons came out of the
24 junior school to greet me only carrying their school
25 satchels. FGA had not spoken to them about packing

1 their belongings as they would no longer be boarding.
2 I saw FGA and CRS standing together in front
3 of the building and approached them. FGA blatantly
4 denied that we had ever had a conversation. She further
5 denied that I had ever given her the anti-allergen
6 pillow to pass on to my son. I remember that I was
7 staggered that someone could lie so openly.

8 I recounted the incident and the way my sons were
9 treated by FGA to another teacher called David
10 Kennedy, whom I knew at the school very well.
11 I remember he said that he was aware of what FGA was
12 like. I asked him why he didn't say anything about it
13 to someone in the school. He basically said that he
14 couldn't do that because she was a colleague and he
15 wouldn't be able to speak up against her.

16 I remember later on speaking to one of my brothers
17 about FGA and what my sons had experienced. He said
18 that I shouldn't speak out about it because it would end
19 up getting me a reputation as someone who made a fuss.
20 I ultimately didn't take further what happened regarding
21 FGA on the advice of my brother.

22 I wasn't the only one who complained to the school
23 about the way FGA treated the children there. As far
24 as I am aware, CRS didn't do anything and
25 FGA got to stay on. The only good thing about

1 CXL being appointed SNR in 1988 was that he
2 took the decision to remove FGA from the boarding
3 house and to limit her to teaching only. To be fair to
4 CXL he did remove FGA from her role as
5 housemistress after I mentioned to him during
6 a conversation that I was unhappy with her behaviour.
7 Unfortunately I think that that action and FGA
8 awareness of me making the complaint to CXL may
9 have resulted in her behaviour towards 'Claire' later
10 on.

11 Circumstances surrounding my children leaving
12 Fettes.

13 My youngest son expressed a desire to leave the
14 school. I then told CXL and his housemaster that
15 he was going to leave. The plan was that he was going
16 to go somewhere else after he finished his O grades at
17 Fettes. On 16 September 1992, a date I recall because
18 it was Black Wednesday, my son and I took a train to
19 London to attend an open day at another school with the
20 intention of setting up an interview following his
21 housemaster having given him a reference. Shortly after
22 this I made an appointment to see CXL to inform
23 him when my son would be leaving. He replied
24 dismissively, 'There are plenty more where he comes
25 from'. This was a favourite expression of his, although

1 I could tell he was rattled because it would cause quite
2 a stir that with such a long family history at the
3 school I was actually removing my son, especially
4 a grade A student, from Fettes.

5 There was a lot of unrest in and around the time
6 that I withdrew my youngest son from the school. There
7 were a lot of other parents, apart from myself, who were
8 unhappy. 'Claire's' time at Fettes after her younger
9 brother left and prior to her ultimately leaving was
10 horrible. It all went seriously downhill. She was
11 aware of the hysterical interrogations that CXL
12 and other senior staff members had subjected other
13 children to. CXL in particular was known to put
14 on quite a display in front of his colleagues, banging
15 tables, rushing out the room and slamming the door, then
16 leaping back in again trying to scare the child under
17 interrogation. He even bragged to a startled new
18 parent, 'I have just done another of my Oscar-winning
19 performances'. I recall 'Claire' was terrified that she
20 was going to be taken into a room with adults and
21 treated in that way. It was all pretty vile.
22 Everything was just awful.

23 The day after a group of senior pupils had been
24 expelled, Andrew Alexander said in assembly, which
25 'Claire' was at, something along the lines, 'I hope that

1 none of you will end up like them'. One of the girls in
2 that assembly was a friend of 'Claire' and the sister of
3 one of the boys who had been expelled. Seemingly she
4 broke down in tears in the assembly. Another thing that
5 'Claire' told me was that CXL used to attend
6 assemblies in the junior school during this period. She
7 told me that she would walk over and hand CXL
8 a hymn book and he would turn around and ignore her.

9 In the January of 1993 I attended a Burns night at
10 the school where some governors were in attendance.
11 I remember that at that event CKP actively tried to
12 avoid me. He was extremely apprehensive about
13 communicating with me in any way. By that stage I had
14 made a number of complaints to the school, and
15 indirectly to the police via my MP, Malcolm Chisholm, on
16 a variety of topics concerning things I was aware of and
17 had witnessed at the school. After that Burns night the
18 governors wrote to me and said that since I no longer
19 had faith in the headmaster I would have to remove my
20 two other children from the school at the end of that
21 year.

22 I found the communication from the governors
23 particularly gratuitous because my oldest son was
24 already in his last year at the school and would be
25 leaving anyway. I also viewed it clearly as a warning

1 to any other parents who felt that they might want to
2 report abuse that wasn't being addressed by the school.

3 'Claire' had always thought that after finishing the
4 junior school at Fettes she would be moving up to
5 Arniston where my brothers and cousin had boarded but
6 which was now one of the girls' houses in the senior
7 school. She had hoped that things might be different
8 when she moved there because she was going to be able to
9 get away from Andrew Alexander and FGA and move on
10 with her friends. I remember that 'Claire' was
11 devastated that she was being told to leave. She had
12 never been in any trouble. She'd actually been made
13 prefect in the junior school. In the end I had to find
14 somewhere else for 'Claire' to go.

15 As an aside, I recall that 'Betty's' mother also
16 took the decision to take her daughter out of Fettes
17 some time before a meeting with FGT and Andrew
18 Alexander. I recall that 'Claire' said that because it
19 was known amongst her peers that both 'Betty' and
20 herself were going to another school, which was
21 an all-girls' school, both 'Betty' and her were bullied
22 by them and accused of being lesbians. It was very
23 traumatic for the girls and the staff did nothing to
24 stop it.

25 One assembly on 'Claire's' last day at the school

1 Andrew Alexander announced that he wanted to see her in
2 his office. That would have been in June 1993. She
3 didn't want to go to the office because she didn't know
4 why she was going there. She was also terrified of
5 being alone in a room with adults because of what she
6 had heard concerning the way pupils had been treated by
7 CXL and other staff members.

8 In fact the reason why Andrew Alexander had called
9 'Claire' into his office on that occasion was because
10 she had, in his absence, written to CXL to report
11 the bullying that she had suffered at that time.
12 CXL would often remind pupils in the junior school
13 that he was SNR and if they had any issues
14 with the school, they needed to write to him. Andrew
15 Alexander had been away from the school for at least
16 a week and 'Claire' had thought that she was doing the
17 right thing to write to CXL. However, he had
18 simply given her letter to Andrew Alexander when he
19 returned.

20 Because 'Claire' was so scared of going to the
21 meeting, she asked her friends 'Betty' and 'Stephanie'
22 to go with her. When they got to Andrew Alexander's
23 door, they found that FGT was there. FGT stopped
24 'Claire's' friends from entering Andrew Alexander's
25 office then dragged 'Claire' in. 'Claire' told me that

1 when she went into the room Andrew Alexander was sitting
2 in his chair, leaning back with one foot on his desk
3 dunking biscuits into his tea. I imagine he was trying
4 to appear to behave in exactly the opposite way to
5 CXL when confronting a child. However, 'Claire'
6 was not deceived by his apparently relaxed image and
7 tried to back out of the room. FGT then pushed
8 'Claire' into a chair. 'Claire' didn't want to look up
9 so FGT grabbed 'Claire's' head and made her look up
10 at Andrew Alexander. Andrew Alexander then said he was
11 furious that 'Claire' had written to CXL and that
12 she was airing his dirty laundry in public. He
13 basically was saying that she was trying to get him into
14 trouble with CXL.

15 'Claire' told me that she was crying and terrified.
16 'Betty' was outside the door hearing all of this and
17 trying to get into the room. FGT in response to
18 'Betty' trying to get into the room yelled at her and
19 called her a bitch. 'Betty' then managed to get into
20 the room. At that point, FGT gave 'Claire' a half
21 full glass of water. 'Claire' said she was trembling so
22 much that she spilt it. FGT tried to force 'Claire'
23 on more than one occasion to take an aspirin but
24 'Claire' repeatedly refused. When 'Claire' got out of
25 the room she ran to the toilets and sobbed. 'Betty' and

1 'Stephanie' found her and then walked her back to our
2 home. After I spoke with 'Claire' and she gave
3 a statement to the police, I took her straight to see
4 a lawyer.

5 Reporting of abuse after my children left Fettes.

6 I was so incensed by the way that CXL was
7 that I wrote again to the Board of
8 Governors. I thought at that time that if I didn't do
9 something, CXL would continue to do what he was
10 doing to more children at the school. I wanted to make
11 Fettes a safer place and be able to look my children in
12 the eye and say that I had done everything I could.

13 I decided not to go to the police at that stage
14 because I was aware that Malcolm Chisholm MP had already
15 done that on my behalf and several others who had raised
16 complaints with him about the school.

17 My initial correspondence with the Board of
18 Governors was in the form of a letter addressed to
19 CKP in which I detailed the disturbing disciplinary
20 actions of CXL. I got quite a bland response in
21 which CKP replied that he was not inclined to take
22 the matter up with SNR. I went to meet with
23 CXL. He yelled at me during that meeting. He
24 said that he didn't have to meet with me because I was
25 just a parent and that he was

1 [REDACTED]. He made those comments in front of my
2 17-year-old son.

3 One of the people I talked to around the time of my
4 withdrawing my youngest son from the school was Malcolm
5 Chisholm MP. After I informed him of a number of things
6 that I was concerned about, he reported what I had told
7 him to the police. He further raised the complaints
8 that I and several other Fettes parents had made in the
9 House of Commons."

10 My Lady, moving on to paragraph 157:

11 "Reporting to the police and a lawyer subsequent to
12 'Claire's' meeting with Mr Alexander and FGT [REDACTED].

13 'Claire' and her friends came directly to my home
14 after the meeting with FGT [REDACTED] and Andrew Alexander
15 in June 1993. When they came home I was there. After
16 hearing what happened, I phoned a friend who ran the
17 Moira Anderson Foundation which supports victims of
18 child abuse, because I didn't know what to do. Her
19 advice was that I should call the police. At that point
20 it wasn't something that I was in the habit of doing.
21 I then called the police and they came straight round.
22 They took statements from 'Betty', 'Stephanie' and
23 'Claire' before leaving.

24 The same day as that happened, I took 'Claire' to
25 see a lawyer in Edinburgh. I think 'Claire' felt better

1 after meeting with the lawyer because she had then
2 spoken to both the police and a lawyer. Being listened
3 to and believed and having what she said recorded helped
4 a lot.

5 The two police officers who interviewed the three
6 girls were extremely sympathetic. However, in the end
7 the police investigation came to nothing. This was to
8 become a pattern with all complaints regarding Fettes.

9 In September 1996, the Fettes governors finally
10 responded to 'Claire's' claims surrounding the events
11 that took place immediately before she left the school.
12 In their response they put all the blame on FGT
13 writing, 'The governors support the apology which has
14 already been given by an employee to you for the
15 language used when referring to another girl'. They
16 basically let Andrew Alexander totally off the hook,
17 even though he had sat there watching the whole thing
18 with a smirk on his face drinking his tea. As warden of
19 the junior school, he was responsible for the behaviour
20 of his staff and FGT was merely his . It
21 was agreed that Fettes and my family would publicly
22 announce that issues between us had been resolved
23 between parties. Compensation was paid to 'Claire'.
24 Part of the deal was that we would not disclose how much
25 that was. Looking back, to get an apology of any sort

1 from Fettes was pretty remarkable.

2 Contacting the governors regarding William Stein in
3 1997.

4 I was appalled after hearing what 'Claire' had told
5 me in 1997 concerning William Stein. After 'Claire'
6 told me what he did, I wrote down what she had said.
7 I told 'Claire' that I would be writing to the school
8 and she agreed that I should do that. 'Claire' just
9 wanted to make sure that William Stein wasn't able to
10 carry on doing what he had been doing to her and other
11 children at the school.

12 I wrote to the Board of Governors at Fettes on
13 13 November 1997. I still have a copy of the letter.
14 In my letter I told them what 'Claire' had told me.
15 I asked whether William Stein was still working at the
16 school. I also raised the topic of the plaques to
17 Anthony Chenevix-Trench that were up at the school.
18 I said that I thought that they had to come down.
19 I said that Fettes knew that Anthony Chenevix-Trench was
20 a paedophile and that it was inexcusable to still have
21 those plaques in the chapel. At no stage in my letter
22 did I suggest that I would be going to the police.
23 However, I did say that I wanted William Stein to go.

24 I think I didn't go to the police because all
25 I wanted at that time was to make sure that

1 William Stein was removed. I was aware that my name was
2 dirt with the school by that point. I was as low as
3 I could possibly be in terms of their estimation. All
4 I wanted was William Stein removed and those plaques
5 brought down.

6 Fettes essentially ignored my letter. I am not
7 aware whether they did anything at all after that. They
8 gave me a rather bland acknowledgement in reply to my
9 letter of 13 November 1997. I received that about
10 a week later. The acknowledgement was from the legal
11 advisor and secretary to the Board of Governors. He
12 said that he had received the letter, passed it on to
13 the chairman and that it would be discussed at the next
14 governors' meeting. There were no assurances that they
15 were investigating matters or doing anything. Their
16 whole strategy appeared to be to ignore me. That is
17 what I experienced in the past and was aware of other
18 parents experiencing. This was part of their belittling
19 strategy.

20 The police investigation in 1998.

21 At some juncture the school must have contacted the
22 police. I think that one of the only reasons that the
23 school contacted the police after I sent my letters was
24 because they thought what I was reporting might come out
25 in public. My experience of the school involving the

1 police in the past had been that they only contacted the
2 police to show that they had done the right thing and in
3 situations where they knew they would come out clean.
4 I do however wonder whether that was also why they
5 approached the police then.

6 In late February or early March 1998 the doorbell of
7 my home in Edinburgh rang one evening. It was dark when
8 I opened the door to two men in plain clothes whom I was
9 then shocked to discover were detectives. My first
10 thoughts were fears for the safety of my children. Then
11 one of them produced a copy of the letter I had sent to
12 the governors in the November of the previous year.
13 I later discovered that the detectives were not from the
14 local police station. They told me that they wanted to
15 take a statement from 'Claire'. I told them that she
16 was in Cambridge and then contacted 'Claire' to tell her
17 that the police would be in contact. The police in
18 Scotland then arranged for a statement to be taken from
19 'Claire' by local police down in Cambridge.

20 After 'Claire' provided the police with a statement,
21 the statement was sent up to the police in Scotland.
22 Because 'Claire' was under the age of 18, the detectives
23 then came back to my house with the statement so that
24 I could read it.

25 I know that 'Betty', 'Claire's' friend, also gave

1 a statement about Stein to the police.

2 The investigation at that time didn't go anywhere.
3 I think that was because there was a lack of
4 corroboration. No further action was taken.

5 Looking back on the investigation in 1998, I think
6 that the school only instigated things and reported what
7 I had told them to the police because they were pally
8 with the police they were reporting them to. I remember
9 that the detective who came round to the house was
10 someone who had worked with Lord MacLean. I was highly
11 suspicious that this particular detective was speaking
12 to me. My impression was that he had been hand picked."

13 My Lady, I'm moving on to paragraph 177:

14 "The police investigation in 2015.

15 I was contacted by the police again in June 2015 in
16 connection with another police investigation. A young
17 policeman by the name of Craig had been given my name
18 and contact details. I initially spoke to Craig on the
19 phone and told him what I knew. I then went on to tell
20 him about my own experience at Fettes and 'Claire's'
21 experiences. The next thing I knew there was a whole
22 new line of inquiry into specifically what I had told
23 them in relation to Anthony Chenevix-Trench, CKP
24 William Stein and others. A new operation was then
25 created. All my information had been passed on to the

1 National Child Abuse Investigation Unit for enquiry.
2 The SIO was Detective Inspector Sarah Taylor and the
3 deputy was Detective Sergeant Kevin Houliston. It was
4 then that Kevin Houliston got in touch with me. I then
5 gave a statement to the police regarding what 'Claire'
6 had experienced. 'Claire' then gave another statement
7 to the police. I remember that Kevin Houliston told me
8 that he was staggered that the statement she gave in
9 2015 was almost identical to the one that she had
10 previously given in 1998.

11 Subsequent to providing my statement I made multiple
12 submissions to the police concerning anything I could
13 think of regarding Fettes that I felt might be useful to
14 them. I don't think the police requested all of those
15 separate reports that I gave them concerning various
16 things that happened at Fettes. I just kept sending
17 them and Kevin Houliston kept following them up.
18 I think the last report I sent to the police was
19 in December of 2015.

20 I know that in and around this time the police
21 gathered a number of other statements from other people.
22 I know that the interviews the police undertook
23 encompassed all sorts of different incidents and
24 allegations at Fettes and connected to Fettes. They
25 weren't just to do with 'Claire's' experiences and

1 William Stein. It covered things like Anthony
2 Chenevix-Trench's behaviour, the broom handle initiation
3 ceremonies amongst the boys in Kimmerghame House and so
4 on.

5 In amongst the interviews, William Stein was
6 apparently interviewed. I couldn't believe that he was
7 still alive in 2015. I was told by the police that when
8 he turned up, he exercised his right to silence. He
9 basically gave a no comment interview. The only thing
10 he said was to ask for the names of the girls who had
11 made the complaint. The police gave him those names.

12 Looking back at the Kevin Houlston investigation,
13 I felt that he was being pretty thorough. However, what
14 he did say to me was that throughout his investigations
15 his hands were somewhat tied as to what would happen
16 next. He made it clear to me that the police would need
17 permission from the Procurator Fiscal before they could
18 proceed any further.

19 I know that 'Claire' was very frustrated because so
20 much time had passed. There were names and details
21 which she has since forgotten since her first engagement
22 with the police in 1998. She knows that there were some
23 crucial points that she has just cleared out of her
24 head.

25 I remember that throughout the investigation in 2015

1 Fettes was publicly stating that they were cooperating
2 fully with the police. In the end, nothing happened at
3 the end of those investigations in 2015. I was informed
4 by the police that the Procurator Fiscal had decided
5 that the case wouldn't be taken forward. It all came to
6 nothing. Both 'Claire' and 'Betty', who are still good
7 friends, felt gutted that nothing had happened. 'Betty'
8 in particular had kept information that had bothered her
9 all these years."

10 My Lady, I move on to paragraph 194.

11 LADY SMITH: Thank you.

12 MS BENNIE: "Life after Fettes.

13 My ex-husband was so appalled about the abuses going
14 on at Fettes and the threats and actions of the
15 governors that he decided that he didn't want to pay
16 school fees any more. He concluded that all Scottish
17 boarding schools would have similar practices. He
18 decided that 'Claire' and her brother could just go to
19 state schools. I initially visited some of the state
20 schools in the area which I really liked. I then told
21 'Claire' that her father wasn't going to continue to pay
22 fees and she was very upset. The snobbery between
23 Fettes and the local state school, Broughton, at the
24 time was just dreadful. Fettes pupils would shout
25 'Schemie' and other derisory terms when they passed

1 pupils from Broughton. The term 'Schemie' referred to
2 the state housing scheme at Pilton, which was close to
3 Fettes and in the catchment area for Broughton.
4 'Claire' persuaded her father to send her to another
5 non-state school in Edinburgh.

6 'Claire' stayed at that school until she finished
7 her highers. She did well there."

8 My Lady, moving on to paragraph 197:

9 "Impact.

10 It is hard to separate what happened at Fettes with
11 other life events. My experiences with Fettes after my
12 children started there were horrendous. My children's
13 childhoods were largely destroyed because none of them
14 can look back happily or with pride on their time at
15 Fettes. My own memories are so inextricably linked to
16 Fettes that I can no longer reflect back on them without
17 feeling an overwhelming pain and grief after the
18 vilification directed towards me by members of the
19 Fettes community whom I had previously counted amongst
20 my friends."

21 My Lady, moving on to paragraph 200:

22 "I would never have emigrated to Australia but for
23 what happened with Fettes. As soon as I got here,
24 I knew that I wasn't going back to Scotland to live.
25 It's tough being in Edinburgh and seeing Fettes.

1 I remember that members of Fettes staff would call up my
2 father, who was blind and increasingly deaf, and in
3 a loud voice tell him that I was making his name dirt.
4 I expect they did this because they thought my father
5 would tell me to stop openly speaking about what was
6 happening at Fettes. However, he never did. I was his
7 only carer at the time and he told me just that he
8 wanted to be left alone with his memories and he didn't
9 want to talk about it at all. It was all just
10 terrible."

11 My Lady, I move on to paragraph 212:

12 "Final thoughts.

13 What has been going on with the governors has been
14 going on for generations. Their mindset has always been
15 that they were above the law."

16 My Lady, moving on to paragraph 226:

17 "I think 'Claire' and 'Betty' are slightly torn by
18 it all because their intention when they were children
19 was never to get William Stein into any trouble but just
20 that the school would stop him playing his games. They
21 always felt that it was more the school's fault for not
22 doing anything. The governors' perspective was always
23 that if these things did happen, then they couldn't be
24 held accountable. It was either the fault of the
25 headmaster or the individual. That perspective has

1 always seemed wrong to all of us because the school knew
2 how William Stein was acting. Of course William Stein
3 was wrong, but the school did not act when they found
4 out what he was doing.

5 Parents' willingness to report abuse.

6 Parents invest so much in sending their child to
7 Fettes. They hope for their children to climb the
8 social ladder, be accepted where they want them to be
9 and so on. Parents, especially those whose children are
10 first generation, are desperate to keep in with the
11 school. They don't want to worry about the way the
12 school is looking after their children. All they worry
13 about is being accepted by the establishment. I think
14 it is against that background why statements taken from
15 parents and children connected to the school during the
16 investigation into allegations of abuse by William Stein
17 in 1998 were the way they were. I suspect that is why
18 a lot of them will still have said back then that that
19 was just Stein and it was a bit of fun."

20 My Lady, moving on to paragraph 221:

21 "Hopes for the Inquiry.

22 Now Fettes appears to be bending over backwards to
23 show that what they were like then is not what they are
24 like now. They want to present this image of being the
25 most caring and pastoral school imaginable. I am sure

1 that on the surface Fettes has learnt lessons and
2 changed. However, they still have to acknowledge the
3 atrocities which have taken place in the past and the
4 lengths to which the governors went to try and cover
5 them up. Some of the people who suffered abuse at
6 Fettes are still alive today. There was just a brutal
7 regime that was in place at the school. It was run on
8 fear. They allowed paedophilia to continue. I hope
9 that the school isn't like that now. However, that
10 doesn't excuse their past. Many of the enablers of
11 abuse, if not the abusers themselves, are still alive.
12 I hope that the Inquiry will hold them to account.

13 I have no objection to my witness statement being
14 published as part of the evidence to the Inquiry.

15 I believe the facts in this statement are true."

16 My Lady, this statement is signed and it's dated
17 27 November 2020.

18 LADY SMITH: Thank you very much.

19 MR BROWN: My Lady, that concludes the evidence for today.

20 LADY SMITH: Yes.

21 MR BROWN: We will be starting tomorrow at 8 o'clock.

22 LADY SMITH: 8 o'clock, yes, with the videolink at 8 o'clock
23 tomorrow morning. I'll see any of you who are able to
24 get here that early at that time. Thank you very much
25 for now.

1 (3.00 pm)
2 (The Inquiry adjourned until 8.00 am
3 on Friday, 3 December 2021)
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