

Wednesday, 9 August 2023

1

2 (10.00 am)

3 LADY SMITH: Good morning. Now, as was indicated last
4 night, we start today with a witness in person, who I am
5 told is here and ready to give evidence. So I will
6 proceed to that witness just now, carry on until about
7 halfway through the morning, around 11.30 or so, where
8 I will have the usual break. Then we hope we will be
9 ready for the next witness after that.

10 So Mr Brown.

11 MR BROWN: My Lady, thank you, the first witness is
12 'Alistair'.

13 LADY SMITH: Thank you.

14 'Alistair' (affirmed)

15 LADY SMITH: Good morning, 'Alistair', could we begin with
16 you raising your right-hand, please? Repeat after me.

17 (The witness affirmed)

18 LADY SMITH: Now, 'Alistair', do sit down and make yourself
19 comfortable.

20 A. Thank you.

21 LADY SMITH: 'Alistair', can I explain a few things before
22 I hand over to Mr Brown. First, as you are well aware,
23 you have already given us a detailed written statement.
24 Thank you so much for that; it is of such help. Of
25 course, we won't be going through every detail of it

1 today, but there are one or two things in particular we
2 would like to focus on and discuss with you, if you find
3 it possible for us to do so.

4 The whole of your written statement is in that red
5 folder in front of you. You may or may not want to
6 refer to it. Feel free to do so if it would help you,
7 but don't feel obliged. It is up to you.

8 Otherwise, 'Alistair', can I assure you I know that
9 what we have asked you to do here and what you are about
10 to do isn't at all easy. Whatever you do in your normal
11 life, coming and talking in public about things that
12 happened to you when you were a child is really tough.
13 I have been experiencing that for years, and I speak
14 from a wealth of knowledge now of how it can take people
15 by surprise and the impact it can have on them. So what
16 I would ask you to do is help us to help you. If you
17 want a break, that's absolutely fine. If it works for
18 you, it works for me. If you have any questions for us
19 as we go along, please speak up, please ask, or if
20 anything else occurs to you that you would ask us to do
21 to assist you, really, just to give the best evidence
22 you can as comfortably as you can, recognising that you
23 are not in a very comfortable position at the moment,
24 and no doubt there are many other things you would
25 rather do. But I am really grateful to you for being

1 a private school in the city for them?

2 A. Well, I believe so, yes. That's how it probably
3 happened.

4 Q. You make the point in your statement that you have two
5 siblings, both of whom, in one form or other, had
6 attendance at Edinburgh Academy?

7 A. That's correct.

8 Q. But you make the point about your brother, who is older,
9 I think?

10 A. That's right, he's my older brother, a year and a half.

11 Q. Yes. He had gone to boarding school out of the city,
12 but, as you say, he had experienced significant bullying
13 there; is that one of the reasons that you weren't sent
14 to boarding school, because of your older brother's
15 experience?

16 A. It was one of the reasons, yes, and also because I was
17 profoundly dyslexic and they didn't think I would get
18 through a common entrance exam.

19 Q. Right. But, for whatever reason, Edinburgh Academy was
20 selected and off you went, aged 5, to the junior school?

21 A. Yes.

22 Q. And that's Denham Green?

23 A. That was Denham Green, the first stage in the schooling
24 the Edinburgh Academy provided.

25 Q. Yes. As we know from your statement, after school you

1 have had a successful career as an architect?

2 A. Yes.

3 Q. And one of the delights of your statement is you discuss
4 the various building merits of the school buildings, and
5 that is a joy to read, but we won't be troubling
6 ourselves with that today.

7 Thinking of Denham Green, though, as an experience;
8 good? Bad? Indifferent?

9 A. My memories of Denham Green aren't as strong as those of
10 some of the latter stages, but my experience of that was
11 pleasant. Yes, very pleasant. I don't have un --
12 I don't have unpleasant memories of that at all.

13 Q. All right. But we understand that you then move into
14 the prep school or, as I think as you describe it,
15 middle school?

16 A. The Arboretum, yes.

17 Q. Arboretum. And at that stage; did boarders become part
18 of your experience of life?

19 A. I don't remember boarders being part of the experience
20 in the middle school. I think that tripped in at the
21 senior school, Henderson Row.

22 Q. Yes. So what age would you think, from your
23 recollection, would boarders become part of the
24 equation?

25 A. I think it is 12 or 13. I couldn't confirm that because

1 I wasn't a boarder.

2 Q. No.

3 A. So it was slightly out of my ken.

4 Q. That's what I was coming to. In paragraph 12, on
5 page 3, you say:

6 "There was very little interaction between day
7 pupils and those who were boarding."

8 A. Yes, there was. At that sort of stage, I did make --
9 a couple of friends of mine later on were boarders, but
10 that was towards the end of my senior school period, at
11 Henderson Row.

12 Q. But, from your perspective, I think, yes, you say it was
13 two boys. I think both came from Ayrshire?

14 A. Yes.

15 Q. There is interaction, your family provide them with some
16 hospitality. But, prior to that, really from your
17 perspective there was little interaction?

18 A. Little social interaction, apart from being in the
19 class.

20 Q. Yes.

21 A. Sometimes I wasn't even aware who were the boarders, to
22 be honest.

23 Q. Okay. Did you have any sense when you spoke to these
24 two boys, when you were in the senior school and you are
25 interacting socially with them; what sense did you have,

1 if any, of the boarding houses?

2 A. Very, very little. It was almost a separate world.

3 Q. Okay.

4 A. I mean, I should have asked more, but I didn't. It

5 wasn't part of the conversation, really.

6 Q. Well, you were going to school and being a schoolboy.

7 A. Yes.

8 Q. What happened at your home you presumably didn't discuss

9 with others?

10 A. I suspected that the boarding school was similar to my

11 home, I suppose, selfishly.

12 Q. Yes, okay.

13 Again, same question about the middle school. You

14 talk about:

15 "Middle school had a different headmaster."

16 And this is paragraph 18, on page 4. Again, what

17 are your memories of the middle school, overall?

18 A. Overall, my memories of the middle school aren't

19 unhappy, apart from sort of one particular incident

20 which I described. I wouldn't say they were

21 particularly happy, either. Educationally, I didn't

22 feel very confident and I don't think the school imbued

23 me with much confidence. So I don't think I felt

24 positive or negative, if you see what I mean --

25 Q. Mm-hm.

1 A. -- about it.

2 Q. Can I ask you --

3 A. Other than the incidents, which I --

4 Q. Yes, we will come back to the incident. I will also
5 come back to the lack of confidence and perhaps the
6 reasons why, and how that was addressed separately.

7 But thinking of the regime that you were in, in the
8 middle school, we have heard a lot about discipline; was
9 the middle school, as would you describe it,
10 a disciplined place?

11 A. If it was, I don't remember it as being as significant
12 as later, in the senior school and I don't remember how
13 the enforcement was done. But what I do remember is
14 that we were all very diligent about getting from
15 classes to classes punctiliously, that there was a very
16 organised regime. So my suspicion was it was just very
17 well managed, because I cannot recall how it worked
18 otherwise.

19 LADY SMITH: 'Alistair', I have heard it being suggested by
20 another witness, in their written statement, that
21 perhaps one of the reasons for there being less obvious
22 harsh discipline, in particular corporal punishment in
23 what you call the middle school, was the majority of the
24 staff, the teachers, were women; could that have been
25 right?

1 A. I don't remember them as being a majority, no.

2 LADY SMITH: Right.

3 A. But there were, you are quite right. And in saying that

4 I do remember there were pivotal figures who were. Not

5 many, I don't remember them being the majority, because

6 certainly most of my teachers I remember as being male.

7 LADY SMITH: Okay.

8 A. Whereas, in the senior school, I don't remember there

9 being a woman teacher.

10 LADY SMITH: Yes, likewise I have read that as well.

11 I think the suggestion was that women were less likely

12 to use corporal punishment.

13 A. I would agree.

14 LADY SMITH: Would that fit?

15 A. That would fit, yes.

16 LADY SMITH: Thank you. Mr Brown.

17 MR BROWN: Thank you.

18 What about Denham Green and the balance between --

19 A. Oh, Denham Green I remember as being quite -- I do

20 remember that being quite a female environment, yes. In

21 terms of teaching, yes. So I certainly remember --

22 I think, in fact, the head of Denham Green was a woman.

23 Q. Yes.

24 A. I may be wrong, but I do seem to remember it being much

25 more balanced in terms of the composition of the staff.

1 Q. So as you went up through the school it became
2 progressively more male until it was entirely male?

3 A. Absolutely, yes.

4 Q. Thank you. Was there corporal punishment in
5 Denham Green that you remember?

6 A. I don't remember it at all in Denham Green, no.

7 Q. Right. But talking about the middle school, the prep
8 school as I think it is sometimes otherwise called, it
9 was very organised; were there rules that you were aware
10 of? Were you issued with rules or did you just pick
11 things up? Do you remember?

12 A. I have no idea whether we were issued with rules. I'm
13 sorry, I can't recall that.

14 Q. Just thinking about the school as you go through,
15 certain elements become more obvious. Presumably, the
16 older you get, you talk, for example, about an outward
17 bounds centre in the Cairngorms?

18 A. Yes.

19 Q. And Glen Doll House; is that right?

20 A. Yes, that's right.

21 Q. Is that something that became open to you in the middle
22 school or was that simply senior school?

23 A. My recollection is it was only senior school.

24 Q. But you viewed that as a good thing?

25 A. I viewed that as a good thing because I came to love the

1 Scottish mountains, which are very unique, and such
2 like.

3 Q. Yes. But then there were other things that you weren't
4 so impressed by, for example the combined cadet force.

5 A. It did seem rather aimless, yes.

6 Q. Yes.

7 You have talked about the middle school, moving on
8 to, or thinking about, the behaviour of the boys, it is
9 very organised; was there a culture of openness in the
10 school, in the sense that if there were problems you
11 might talk about them?

12 A. Absolutely not.

13 Q. Can you expand on that?

14 A. Um, yes. The culture of the school was perceived
15 historically, from today's perspective there were many
16 tabooed subjects and there were many tabooed areas that
17 simply weren't part of the conversation. And a lot of
18 those to do with how the school was run I think were
19 part of that. It was accepted that's what the
20 institution offered and that's what one accepted.

21 Q. What sort of things are you thinking of when you say
22 they were taboo?

23 A. The whole regime was an edifice that was set in place.
24 To question the institution was to challenge it. So
25 that was the ethos, I suppose, is what I would be

1 saying.

2 Q. All right.

3 A. Does that answer --

4 Q. Yes. So perhaps to put it another way: the ethos
5 existed and it was not questioned either by the school,
6 nor by the pupils?

7 A. No, that's right.

8 Q. Did it occur to you, as a pupil, to question the ethos?

9 A. We did have things like debating societies and we did
10 discuss things, but they weren't questions which ever
11 went beyond closed circle conversations.

12 Q. Okay.

13 A. And they weren't conversations that also happened with
14 my parents or anyone having authority to do anything
15 about it. So there was no mechanism to possibly inform
16 the outcomes.

17 Q. Okay. Now, there are two elements to that, perhaps.
18 There is no mechanism in the school, in other words you
19 being told if you have an issue you can talk to X or Y
20 about it?

21 A. Well, I think they possibly did try. And I think I may
22 have made an error in my statement, because I was
23 reading it last night and I was asked if there was
24 a school chaplain and I suddenly remembered the name of
25 this chap, I think Mr Haslett, and he may have been

1 a school chaplain and he may have been there with the
2 intent of doing that. But one never felt that was the
3 thing to do, or that was a direction to take.

4 Q. Okay.

5 A. So I apologise, I missed that. But I was sort of
6 thinking about that last night, and I think there was
7 this Mr Haslett and I think he was the school chaplain,
8 but I am not 100 per cent sure.

9 Q. No, thank you for that, and I think we have heard that
10 name. We know that name from other statements.

11 So there may have been someone to speak to, but was
12 that something the school pushed? You know, in other
13 words, if you have an issue speak to the chaplain; do
14 you remember that?

15 A. No, never. I don't remember that at all.

16 Q. Right. But then there was a second element, having
17 remembered Mr Haslett, you went on to say, "But we
18 wouldn't have done it".

19 A. Well, the sense was, if he was who I think he was, it
20 was about religion, and religion was separate from one's
21 own personal emotional sphere.

22 Q. So spiritual welfare one thing, but what we may now
23 understand as pastoral welfare --

24 A. Another thing.

25 Q. -- is another thing; is that right?

1 A. Absolutely.

2 Q. Right. You said you didn't talk to your parents about
3 things. Thinking back to the time that you were a child
4 at the school; was talking simply not something that was
5 done, either at home or at school?

6 A. I did of course talk to my parents about quite a lot of
7 things, but it was this thing about what were the
8 subject matters that one could discuss. My mother was
9 certainly more open than my father, because he came from
10 a military background. So that was a very siloed and
11 constrained in conversation, in terms of the limits. My
12 mother's limits were wider, but as somebody who was --
13 if you like, who had come from the commonwealth to
14 Edinburgh, she, I think, struggled to integrate, so was
15 sort of fairly -- deferred very much to the cultural
16 milieu she was in, as far as she could.

17 Q. We have heard from other witnesses of what might be
18 described as a culture of silence within the school. If
19 there was an issue, you would not talk about it because
20 to talk about it might lead to further problems; do you
21 remember that?

22 A. Um, I don't remember that as specifically well
23 articulated as you have just described it, but I would
24 say that was very much the case. So that's what my
25 sense was, yes.

1 Q. I think it is summed up "don't clype".

2 A. That's right, you wouldn't clype. I haven't heard that
3 word for ages, and now you say it, yes, absolutely.
4 Clyping.

5 Q. And why wouldn't you clype?

6 A. Well, for all of the reasons you have just said, really.
7 Clyping. God, it's probably in a sort of historic
8 dictionary now, that word.

9 Q. It is still in current use in some places.

10 A. Is it?

11 Q. Well, here.

12 A. I had forgotten the word.

13 Q. I am going to come back to the issues you had
14 particularly. But you do say, at paragraph 34, you
15 thought the standard of education was broadly good at
16 the school. I know there are issues about you and
17 dyslexia, you touched on that. We will come back to it
18 in a second. And you said a lot of teachers taught with
19 enormous enthusiasm, and I think putting it simply there
20 were good teachers, there were less good teachers, there
21 were poor teachers. There was a spectrum; is that fair?

22 A. Absolutely. Like any institution, you seem to get
23 a range.

24 Q. But you make the point -- well, you make two points:
25 "There was an enormous amount of pressure [I am

1 reading from paragraph 34] for the delivery of results
2 and the reputation of the school."

3 A. That's absolutely correct. The school was highly
4 competitive. It sought -- it had a sort of
5 exceptionalist view of its position within Scottish
6 education and within Edinburgh's educational environment
7 and was highly competitive for results, yes. And it was
8 a results-based measure.

9 Q. And that mattered to the school?

10 A. It did seem to matter to the school, yes. And it was
11 communicated quite -- I mean, there was a whole prize
12 giving based on those whole, you know, conceptions of
13 what academic success was and in what subjects, and what
14 they tried to encourage.

15 I don't know how different that is from other
16 places, of course, because I have never been to other
17 places. But that's really --

18 Q. But the school's perception of itself was important and
19 it thought of itself as a very good place?

20 A. Absolutely, yes.

21 Q. In comparison with others?

22 A. It sought to inculcate one with that view, yes.

23 Q. And that is what you as a pupil were given to
24 understand?

25 A. That is what, as a pupil, we were given to understand,

1 yes. And to a certain extent, you know, it imbued me
2 with certain loyalty to the school later, I suppose,
3 I would say, too, which may have influenced why I am
4 speaking about this now, rather than 30/40 years ago.

5 Q. Yes. Again, we will return to that a little later.

6 But the other thing you talk about is in relation to
7 the teachers, and you recognise, to quote you:

8 "There were some brilliant teachers, but some who
9 had no empathy and no ability to communicate."

10 You didn't think any of them had been taught anger
11 management?

12 A. Yes, I do remember sort of people did have
13 uncontrollable behaviour at certain points, which didn't
14 manifest necessarily into hitting people, but being
15 absolutely pretty frightening in the classrooms,
16 verbally. The abuse was shouting at people, sort of
17 jumping up on tables and pretending to jump down on you,
18 those sorts of very odd behaviours which were far more
19 than just getting out of the wrong side of bed.

20 Q. And how common was that sort of trait?

21 A. It wasn't that common; it is just very memorable, as you
22 can, you know, imagine. I don't see it as being common,
23 but then it was with some teachers, and the teachers
24 I remember it with weren't my subject -- major subject
25 or form teachers. There were two particular cases

1 I remember. I can't remember their names. One was --
2 I do remember what he looked like, that chap, so I can't
3 really tell you much more about that.

4 Q. But it stands out in your memory?

5 A. It stands out in my memory, yes.

6 Q. Decades later.

7 A. Yes.

8 Q. And, presumably, probably like all of us, you remember
9 good teachers and, as boys in a year, you would know
10 which teachers you had to be careful with?

11 A. And would you try and avoid them.

12 Q. Yes.

13 A. Yes.

14 Q. Let's talk about the education side of things. You have
15 told us that you had serious dyslexia and the school, as
16 you say, didn't address that. I think it is perhaps
17 most effectively summed up -- you really didn't start
18 reading until you were 12; is that right?

19 A. That's absolutely correct. I had -- I was bottom
20 streamed because my ability to read and write was
21 seriously debilitated. You know, I was seriously
22 disabled by my dyslexia, and the school didn't really --
23 there was no inkling from the school that I had
24 an educational problem.

25 Q. They were aware of it, I take it?

1 A. I don't think so, no, not at all. It was ascertained
2 entirely by my parents. By pure chance a friend of my
3 mother's was doing a psychology piece of research, or
4 master's, or PhD, or something of that nature, and was
5 looking for people to test, children to test IQ levels
6 on. And so I went through a series of tests with her as
7 part of her research programme and the results suggested
8 that I shouldn't be where I was in this streaming set,
9 and that I had quite high acumen in specific areas, but
10 that those weren't being responded to by the school.

11 So, as a result of that, my parents arranged for me
12 to have, on their own account, additional reading and
13 writing classes with the most wonderful woman, who used
14 to live out near Blackhall, which I would go to once
15 a week, I think probably for about two years, maybe.

16 But this was all outside the school. None of it,
17 none of the pastoral care was from the school. But this
18 sort of tripped an improvement in my confidence in my
19 ability and, also, learning to read at the age of, you
20 know, 12 was very late, and really was quite -- had been
21 quite debilitating in my education, particularly as the
22 school awarded most of its assessment on reading and
23 writing or language skills. So this sort of helped me
24 to unlock a little bit, so I could progress in other
25 subjects more and have more confidence and more

1 self-esteem, having really, basically, been bottom. My
2 confidence had been quite bottomed out by that stage.
3 That was in the middle school.

4 LADY SMITH: Of course, 'Alistair', given the stage you were
5 at school, we are talking mid/late 1960s you were in the
6 middle school, I think, very few schools had woken up to
7 dyslexia.

8 A. Yes.

9 LADY SMITH: The signs of dyslexia. It was the sort of era
10 where a standard teaching method in subjects like
11 English was to have children read round the class --

12 A. Yes.

13 LADY SMITH: -- of whatever the set book was, whether it was
14 a play or a novel, which was a nightmare for children
15 who had dyslexia, and were then likely to be written off
16 by other children as being stupid, by the teacher as
17 being stupid, and nobody was addressing it, unless you
18 came across a specialist.

19 A. That was exactly -- yes, that was the historic period
20 and that is exactly, really, what was happening. So
21 I was very fortunate to have had this -- been part of
22 this research programme, or this research study which
23 led my parents to understand what the problem was and
24 then address it independently.

25 I don't know how much they reported of that to the

1 school, probably not. I have no idea. I have no
2 knowledge of whether they did, but it certainly -- what
3 it did most significantly was improve my confidence in
4 myself.

5 LADY SMITH: Yes.

6 A. Having been told, exactly as you say, essentially I was
7 stupid.

8 LADY SMITH: Yes. When you weren't.

9 A. I don't think so.

10 LADY SMITH: Mr Brown.

11 MR BROWN: Thank you. Two things from that. Firstly, the
12 period prior to your parents sending you for assessment,
13 which showed that you weren't stupid, and the
14 improvement in confidence, as you have just been talking
15 about. You were D-streamed. We understand there were
16 four streams, A to D, D being the lowest, educationally.

17 A. Yes, yes.

18 Q. And because you are not responding in the obvious way,
19 as far as the school is concerned, you were in the
20 lowest class.

21 A. Yes, I remember that that class was -- at that point,
22 when that happened, I had a teacher called Mr [ICA] who
23 was quite nice, but I don't think perceptive to those
24 sorts of things.

25 Q. I think the words "written off" were used in the

1 exchange you had; is that how you felt?

2 A. You know, to describe myself as being "written off" at
3 that age was a mistake.

4 Q. Absolutely. But is that the way you felt?

5 A. It certainly -- yes, it was very, very demoralising.
6 Looking back, I was quite spiritless as a result of it.

7 Q. And your contemporaries in the D stream --

8 A. I imagine were exactly the same.

9 Q. Did you feel hard done by as a group?

10 A. No, I didn't feel hard done by as a group because
11 I thought it was a personal inadequacy on my part.

12 Q. And there was no effort to change that view?

13 A. Um, the school, at that stage, did do some quite curious
14 things, which were efforts, but they were misdirected.

15 So I do remember having a very delightful music
16 teacher who opened my ears to how to listen to music.
17 Not very sophisticated music, but I hadn't really come
18 from a family that was musical, and so there were
19 threads which might have enabled one to climb out of
20 a hole. But there weren't that many, and that was the
21 only one I remember.

22 Q. It is just the association with what you were saying
23 earlier, about academic results mattered for the school.
24 So if you were doing well educationally, you fly, but if
25 you were in the D set --

1 A. You don't.

2 Q. -- you are just left?

3 A. Yes.

4 Q. Because you are not going to bring --

5 A. Merit to the school.

6 Q. Yes.

7 Did the school notice when you were getting all the

8 outside help which boosted your confidence and revealed

9 that you were not D stream?

10 A. I don't know whether they noticed, but I did migrate

11 through the school streams in a different way. So

12 I started to succeed better in some of the subjects. So

13 I also focused on those subjects which I didn't need to

14 be strong in language. And more of those subjects also

15 opened up, so -- but whether there was a conscious

16 knowledge by the school that was happening, I have no

17 idea. I have never looked at my school records.

18 I don't know if -- I didn't know until I participated in

19 this exercise that I might have some.

20 Q. Yes. It is simply that clearly you were in the D

21 stream, but you then progressed and we know, because you

22 had good results, you went to university and then had

23 a very successful career; did anyone from the teaching

24 side say to you: what's changed?

25 A. I don't remember that, ever.

1 Q. No. Did you feel it was through your own efforts and
2 the efforts of your parents --

3 A. Yes.

4 Q. -- that that was achieved?

5 A. Yes, I mean, I was very lucky to have the support of my
6 family behind me going through the school and, in
7 particular, the senior school, unlike, for example, the
8 boarders.

9 Q. We have talked about the academic importance at the
10 school to its reputation. The other aspect of school
11 life that we have heard something about from other
12 applicants is the sporting side, sporting prowess could
13 also be important; is that fair?

14 A. Yes, the sort of two pillars of the school were, you
15 know, the academic and the sporting, probably, and
16 I would also say, possibly, the military aspect of it as
17 well.

18 Q. Mm-hm. Were you sporty?

19 A. We were all sort of thrown out on the sports pitch and
20 told to be sporty. I don't know if I -- I love walking.
21 You know, I love the countryside, and I -- the school
22 was very good at bringing that home. So if you call
23 that a sport, yes, but everything that was a group sport
24 I was not a natural. It was very much a sort of group
25 thing that I became completely disenchanted by, frankly.

1 I ended up, in my final years, doing things like cross
2 country running to avoid doing group sports. Anything
3 that I didn't have to do a real group sport thing with.
4 But you were very much -- the level of success that the
5 school measured itself by was the group sport, I think.

6 And the academic.

7 Q. Yes. So if you weren't academic or you weren't sporty?

8 A. You were rubbish.

9 Q. Is that the way you felt or was that the way --

10 A. I think it's what the school communicated. I mean,
11 I have to say I think it's -- changed slightly towards
12 the very end that I was there. And the reason I say
13 this is because, actually, when I left the school,
14 I think I was the first person to win two school prizes
15 which weren't for either sport or academic achievement.
16 And so I -- that was very really unique. I don't think
17 that had happened before.

18 I won one for doing [REDACTED], and I had won one for
19 organising all the [REDACTED] for
20 three years, and I don't think that had happened before.

21 Q. So this is towards the mid-1970s?

22 A. This is, er ...

23 Yes, 19 [REDACTED] something like that.

24 Q. Yes. And I think we have heard from other sources,
25 society was changing, the outlook was perhaps beginning

1 to shift; was that your impression?

2 A. That was my impression, yes. So it was a cusp of
3 change.

4 Q. Do you know who, within the school, was driving that
5 change?

6 A. Um, I don't know whether it was the board, the
7 headmaster, cohort of the academics, but there were some
8 who I wouldn't be surprised to hear were doing it, but
9 I don't know, no. I can't think. It wasn't obvious to
10 me; it may have been to my parents.

11 Q. Okay. Thank you.

12 A. Sorry, I am just trying to think it through. Apologies,
13 that's long winded.

14 Q. But going back to the issue of not being sporty, not
15 being academic, the school had a view of that; it didn't
16 fit their mould, to summarise.

17 What was the attitude of the boys towards those who
18 were not sporty or not academic?

19 A. I don't like the word "prestige", it is not very, sort
20 of appropriate. But somehow the prestige with which
21 pupils were afforded within the school amongst their
22 cohort depended on the merit that they achieved in the
23 eyes of the school, if that makes sense?

24 Q. Yes. If you didn't achieve that prestige; how were you
25 treated by those who had the prestige?

1 A. Um, sort of -- not dismissively, because of course
2 I suppose a majority of the people were in the other
3 camp. So it wasn't a question, I don't think, of
4 dismissiveness, but I can't really say, actually.

5 Q. Okay.

6 A. I was fairly much a loner, so I don't think I was part
7 of that sort of discussion. We didn't talk about those
8 things. I felt very much part of -- a loner.

9 Q. And was that choice on your part? You just kept out the
10 way?

11 A. In my later years, I did, yes. I kept out of the way,
12 sort of tried to avoid situations that would -- yes,
13 yes, very much.

14 Q. What were you trying to avoid?

15 A. Um, the incidents which I describe in my statement sort
16 of unplugged me in certain ways.

17 Q. Yes. Sorry, we will come to those in a moment. I am
18 thinking about -- that was teachers. Other boys?

19 A. It emotionally unplugged me.

20 Q. Right.

21 A. I don't remember having particularly what I would, as
22 a more mature person, regard as any emotional proximity
23 with people that would allow me to engage in the sort of
24 discussions you were talking about.

25 Q. Okay.

1 A. If that's -- is that -- does that make sense?

2 Q. Yes.

3 In terms of discipline within the school, there's

4 obviously a chapter of your statement that talks about

5 that. Obviously, we have heard and will hear more about

6 ephors, Edinburgh Academy version of prefects; were they

7 appointed from the ranks of those who were prestigious?

8 Is that your recollection?

9 A. From the ranks of?

10 Q. The prestigious. The academics, the sporty people?

11 A. The ephors mainly were, yes.

12 Q. Yes. Do you know how they were selected?

13 A. I think they were appointed by the staff. They were

14 nominated or -- I think it -- it did not come from the

15 pupils. It certainly came from an echelon within the

16 school staff, teaching side.

17 Q. They were a policing presence in the school?

18 A. Effectively, yes.

19 Q. And they could beat?

20 A. My recollection, they beat and they beat in a little

21 room just beneath the master's lodge, or in the ground

22 floor of the master's lodge.

23 Q. Was that the ephor's room? They had their own room?

24 A. They had their own room, yes.

25 Q. You say, in paragraph 46, they could whip you or clacken

1 you; when you say whip --

2 A. I don't think they whipped you. I think it was

3 a clacken, but I can't remember what they hit you with.

4 I think I just flippantly said whip or clacken, but

5 I think more likely it was the clacken.

6 Q. And we know from your statement that you did become

7 an ephor yourself?

8 A. Yes, I'm not sure how. I must have had a sponsor,

9 a sponsor for change, I hope.

10 Q. Had the beating stopped by the time you became an ephor?

11 A. I don't think it had, but I never spent any time in the

12 ephors' room. You had to clock in there at the

13 beginning of a break and then I would just run off and

14 leave.

15 Q. Okay.

16 A. People would sort of hang around in there, like it was

17 a sort of club room, and that really wasn't my scene.

18 Q. It wasn't your thing, okay. And I think you remember

19 there was, however, a beat book, which was to record

20 beatings?

21 A. Just, yes, I mean, even then that knocked me out. I do

22 remember it, yes. It was just extraordinary. There was

23 this beat book. I think I only saw it about once or

24 twice, or twice, but -- with the records of people's

25 names in it, who ephors had beaten. Because I think

1 they had to record it. Whereas staff, I don't think
2 ever recorded who they beat, but the ephors did. So
3 yes, if you were talking about governance, that was
4 about as far as it went.

5 Q. Do you remember: was there any supervision? You were
6 an ephor, albeit --

7 A. No, you were entrusted.

8 Q. Did masters come and look at the beat book?

9 A. I don't know. I don't know. I mean, it was presumably
10 there as a record to allow for inspection.

11 Q. Yes.

12 A. But I don't remember anyone ever examining it or it
13 being audited, or anyone being asked, or checked up
14 about it.

15 I have to say I sort of found it quite horrific. So
16 it's one of the reasons I spent very little time ever in
17 the ephor's room, apart from having to clock in at the
18 beginning of the breaks.

19 Q. Okay. Now, you have mentioned the clacken. The
20 clacken, in your day -- and we know what a clacken is.
21 The clacken was used during breaks as part of the games
22 you would play?

23 A. And it was in the middle school. So it started in the
24 middle school. An Icelandic game, and it continued up
25 into the senior school. I don't remember it continuing

1 all the time I was there. Certainly, we didn't play it
2 later, or I don't remember playing it later, but it was
3 very vicious.

4 Q. Well, that's what I was going to ask you; it involved
5 a lot of hitting?

6 A. Oh, absolutely, yes. Usually, your shins, elbows, any
7 part of your body that got in the way of this thing.
8 Yes, the clacken.

9 Q. Yes, a wooden --

10 A. A sort of wooden club that was flattened on two sides at
11 its ends, yes, is perhaps how you might describe it.

12 Q. Thank you. And that was then used for sport, but
13 vicious sport or violent sport?

14 A. Well, it is what the Icelandics apparently play.

15 Q. Okay, and it then translated across, from what you were
16 saying, to punishment by ephors, but also to punishment
17 by staff?

18 A. Yes.

19 Q. We will come to the parts of your statement where you
20 are talking about the abuse in a second. But, just as
21 an overview, was physical corporal punishment common in
22 the school?

23 A. Um, in the -- it was prevalent. How much? It's
24 difficult, because I wasn't at another school. So
25 I don't know how the frequency that it happened at the

1 Edinburgh Academy can be calibrated. I did know it
2 happened. It happened in my presence. It didn't happen
3 on a weekly basis. It was more like probably three
4 weekly/four weekly, I don't know. If I was to sort of
5 round it for the time I was there, it was possibly less.
6 But it was very -- the threat was there, and the -- and
7 it was done.

8 And so I couldn't really put a calibration on it,
9 but it was always consciously there. Certainly with
10 some teachers more than others. So you knew that some
11 people enforced through hitting, and that was
12 an expectation from those people.

13 Q. And was it viewed --

14 A. Mainly in the upper school, I should say.

15 Q. In the upper school. But thinking of the teachers, and
16 these, presumably, are the ones you are thinking back
17 also towards anger management, who would be more prone
18 to use corporal punishment? You lived with the fear of
19 it, you knew it was there. It doesn't seem to have been
20 actually used terribly much, from what you are saying.
21 But was it felt to be just part and parcel of existence?

22 A. Very much.

23 Q. It was legal?

24 A. It was legal. It was part of what society allowed. My
25 parents didn't object to it. It was very much part of

1 the scene, yes.

2 Q. We are going to come, obviously, to the parts of the
3 statement where you are talking about abuse. Thinking
4 of the senior school beating; did you think that was
5 abusive? Did you think it was excessive, at the time?

6 A. Er, amongst -- I did think some of the staff were not
7 good and were excessive at the time.

8 Q. And why did you think they were excessive?

9 A. Um, because it was unnecessary. The older -- the
10 further up the school I got, the older I was, the more I
11 recognised how unnecessary a lot of it was.

12 Q. Can you remember what sort of things would lead to
13 a beating?

14 A. I think a lot of the beatings really focused on younger
15 boys because there was more power over them. And the
16 power issue, I think, probably was important.

17 I don't remember it happening so much the further
18 you went up the school. Whether that was because of the
19 nature of the staff -- were more mature, I don't know.

20 Sorry, ask me that question again.

21 Q. I was asking: could you remember -- and, please, if you
22 can't, it's not a problem, but what sort of
23 transgressions would lead to a beating?

24 A. They could sometimes be quite minor. Some of them --
25 no, I can't, fully.

1 Q. Okay.

2 A. But there wasn't a sort of rulebook. As you say,
3 I didn't know a rulebook, and I don't think anyone did.
4 I am just trying to think. I can't -- no, I can't
5 remember what sort of transgressions. I think it varied
6 by teacher.

7 Q. So it would presumably depend on the teacher and,
8 perhaps, the teacher's mood?

9 A. I think that's very much how I would see it, yes, from
10 today's perspective, but I can't specifically say.

11 I mean, they didn't have their own class rules as
12 far as I could see, except what they would sort of bleat
13 out during the class at the time. Other than we were
14 meant to all be, of course, quiet, diligent and get on
15 with our work. So, no, I can't think.

16 Q. Okay.

17 A. Interesting question.

18 Q. Thank you. But one teacher you do remember, obviously,
19 is a teacher you discuss on page 13 of your statement.
20 This was in the middle school, where you say the clacken
21 was used as a punishment. And you would be beaten with
22 the clacken by staff and one teacher in particular, and
23 that was?

24 A. Mr Brownlee.

25 Q. Yes. And I think you go on to say:

1 "He is the only one that I remember hitting us with
2 a clacken in the middle school."

3 A. Yes.

4 Q. So he stood out?

5 A. He certainly stood out for me, yes.

6 Q. And you say his way of doing it was dreadful; why was it
7 dreadful?

8 A. Um, the incident that I so clearly remember, the
9 punishment that he determined to mete out for
10 a transgression in the class he did during a break
11 period, when the rest of the school were out in the
12 playground, where the clackens would be played. And he
13 occupied a classroom that overlooked the playground,
14 which had, along one side, a very large picture window
15 above, sort of, locker facilities. And that was a sort
16 of quite low shelf, and he would put you on the shelf,
17 and the shelf was sort of about that wide and you would
18 have to lean over on the shelf and he would then clacken
19 you in front of the school.

20 And so the punishment was not so much just about --
21 it was about humiliating you in front of all of your
22 cohort.

23 LADY SMITH: Was his classroom on the ground floor or
24 another floor?

25 A. Yes, it was ground. A single storey, ground floor

1 classroom. It was right at the north of the school on
2 the west side, where there used to be a playground on
3 that side of the school. So it was at the back of the
4 school, behind the main hall and behind where the
5 kitchen and service facilities had been. So it was on
6 its own, this classroom. It was relatively isolated
7 from the main blocks of the school, which were to the
8 east, and then at the front of the school.

9 LADY SMITH: So people coming and going to the school, to
10 the front door --

11 A. Wouldn't see a thing.

12 LADY SMITH: -- wouldn't have a view of his classroom,
13 ever?

14 A. No, because it was back out of the way, at the top,
15 north west end of the school.

16 LADY SMITH: Thank you.

17 MR BROWN: But your classmates would be out playing outside;
18 is that --

19 A. It was absolutely humiliating, yes.

20 Q. Yes. The way you describe it; would you be facing the
21 window looking out at them or --

22 A. You would be, because the sort of shelf was like that,
23 it was low. You were up on the shelf, so that you were
24 at a nice height, presumably, for him to hit you, and
25 you were sort of, you know, sort of 90-degrees, if you

1 like, to your cohort, outside the window.

2 Q. So you were bent over this desk looking out --

3 A. You were on it.

4 Q. Oh, you were on it.

5 A. Standing on it --

6 Q. Yes.

7 A. -- sort of bent over. So if this was it, you know,

8 I would be standing -- well, I am not going to show you.

9 Q. No, no. But you would be standing on the desk?

10 A. Standing on it, yes.

11 Q. Your entire body would be visible. The whole process --

12 A. Yes, the whole process was visible.

13 Q. And you could see them watching you?

14 A. Yes, absolutely. That was the purpose of why I think

15 you were on the window.

16 Q. Yes. What age were you when this happened, do you

17 think?

18 A. I was trying to remember that. I mean, was it -- it was

19 sort of -- it was before, of course, I went to upper

20 school, and I think it was a year before I went to upper

21 school. I think it was about a year before I went to

22 upper school. So I am slightly unclear whether that was

23 12 or 13. So I think it was around about 11.

24 Q. Okay. Did he do it to others?

25 A. He did do it to one other, I remember clearly. He also

1 did it to people in his class. So he was one person,
2 early in the school, who you started to realise was into
3 beating. And I sort of -- so I remember he did it to
4 a couple of people in the class, and I clearly remember
5 him doing it to somebody else on the shelf, on the
6 window sill.

7 Q. And that, as I think you have described in your
8 statement, was doubly humiliating?

9 A. Absolutely. There was no need to do it on the shelf,
10 there was -- you know, if he wanted to. It was just
11 because he was gratifying himself in some malicious way.

12 Q. Was that the perception of the class; that was his
13 personality, at the time?

14 A. We didn't really talk about it.

15 Q. You didn't?

16 A. No. At the time, I mean, 11-year olds -- I mean, I was
17 sort of -- my own children probably would have talked
18 about it when they were 11, but I wasn't of that
19 culture.

20 Q. No. Did you tell your parents about it?

21 A. I don't think I did, because I thought that's what --
22 I thought that's what a punishment was.

23 LADY SMITH: I have heard applicants say in other case
24 studies things such as: well, I just thought life was
25 like that. I was a child.

1 A. Yes. That's exactly it, yes. I thought life was like
2 that. I had no other measure of calibrating his
3 behaviour.

4 LADY SMITH: Mm-hm.

5 A. There wasn't -- exactly, life was like that, and it just
6 seemed that that was what it was. Absolutely.

7 MR BROWN: Thank you.

8 The other teacher you mention --

9 A. They were authority figures.

10 Q. Yes.

11 A. They would tell you what life is like. They are your
12 mentors.

13 Q. And you don't question them, as we discussed.

14 A. And you don't question them. I mean, they are the
15 adults in the room. Yes, absolutely.

16 Q. The second teacher you mention is Mr Dawson.

17 Are you all right?

18 A. Yes, yes, I'm fine, thank you.

19 Q. Good. Now, I think the statement talks about your
20 initial major encounter with him was through rugby
21 coaching, but am I right in saying that he was, at one
22 stage prior to that, your form teacher?

23 A. Yes, I think he was a form teacher before he was my
24 rugby coach. When I said that in my statement, I really
25 meant apropos of when I -- when that incident happened.

1 Q. Yes.

2 A. That was my major encounter with him, as my memory is.

3 But, I mean, he was my form -- subject teacher, not

4 a form teacher.

5 Q. Thank you. And we would understand he was a history

6 teacher; is that correct?

7 A. I believe he was a history teacher, yes.

8 Q. Right.

9 A. Although I don't remember any of the history he taught

10 me, at all.

11 Q. No. What age would you have been when he taught you

12 history?

13 A. Well, when we went to the upper school, we did get

14 subject streaming. So he could have been teaching me

15 any age from, probably, about 13. I certainly remember

16 him -- having him at earlier stages in the school than

17 at later. So I had less encounter -- whether that is

18 because I avoided him, but I had had less encounter with

19 him at later stages in the school.

20 Q. I asked you about Mr Brownlee, whether he was discussed

21 amongst the pupils, and you said no. Was Mr Dawson in

22 any sense a known quantity before you were taught by

23 him? Was he the subject of discussion by pupils?

24 A. I didn't have any inkling about Mr Dawson before he

25 taught me. I do remember, after one of the incidents

1 I described, a conversation outside the classroom. It
2 came to me later. I don't know who it was who was
3 talking about it. And this was at a later point in the
4 school. I do remember a conversation of others sharing
5 their disdain for him. It was two people in particular,
6 but I was quite defensive and I didn't participate in
7 the conversation. But I do remember that was the first
8 sort of time I had heard people talking amongst
9 themselves about him.

10 Q. All right. But that is after your experiences?

11 A. Yes.

12 Q. I think we see that the first -- and it is going back to
13 the rugby coaching, and you set out how, after the
14 school day, you would be let out and you would all rush
15 off to the playing fields and change. And then after
16 the games would be over you would all have to shower --

17 A. Yes.

18 Q. -- and he would come round?

19 A. Yes, so in -- yes, so he would come around and there was
20 another teacher with him a lot of the time, and I can't
21 remember who that was. But he was very much the
22 dominant personality, and he would come round --
23 basically, it was two aisles, changing room and aisles.
24 So you had passage way, passage way, and you had your
25 sort of lockers, your coat hooks and things, and then

1 there was a shower across the end. And they would come
2 round and round and round and they would be flicking you
3 with towels.

4 And the showering area was at the end and then they
5 would go into the showering area and they would flick
6 you in the showering area as well, and it was a very
7 sort of smelly place, my memory was, and very horrid.
8 And everybody was quite conscious that they were sort of
9 trying to avoid being flicked, and it was quite -- it
10 was very painful, and it was a very wet towel. And that
11 was a kick for him, I suppose, or some way of -- I don't
12 know what it was.

13 Q. Sorry, just to be clear about one thing, you said, "He
14 was dominant"; Dawson is dominant?

15 A. Yes.

16 Q. Then the other teacher, I think, he is the one you
17 describe in your statement as the acolyte?

18 A. I don't remember him as well at all. But there was
19 another who came round a lot of the time and when this
20 behaviour was still going on. But I don't remember his
21 presence as dominantly. I don't remember him being
22 there as much, but he was there. And I am not sure who
23 that was. And so that's always sort of -- I have never
24 sort of figured that.

25 Q. How often did this happen?

1 A. It was every game. I mean, this was -- that was the
2 routine. And the excuse for it, I think, was to
3 accelerate us changing and getting off to go home. So
4 it was his way of sort of, you know: this is how I do
5 it, get on with it, get on with it.

6 Go round and flick. But it was not acceptable doing
7 this in the shower room, and you would literally be sort
8 of herded with the flicking into the showers and then
9 sort of herded out to change.

10 Q. And you would be naked, I take it?

11 A. Yes, yes. And we were all very conscious of that, and
12 very self conscious about it. It wasn't comfortable.

13 Q. Did other teachers make their presence known when you
14 were showering?

15 A. No. I think the authority rested totally with the rugby
16 coach.

17 Q. Right. Did you have other rugby coaches?

18 A. There were other rugby coaches for different stages. As
19 you progressed up the school, there were different
20 coaches for different stages. And so I remember this
21 happening with him only. I don't remember any other
22 rugby coaches in the changing rooms, and I must have had
23 other rugby coaches. But I remember those flicks very
24 firmly.

25 Q. That's the point. He was the only one who did this,

1 save --

2 A. Yes.

3 Q. -- he had an acolyte, to use your word.

4 A. Yes, I don't think anyone else came in and interrupted

5 us when we were changing other than him.

6 Q. No.

7 A. I can't remember that happening at all, apart from him.

8 Q. The second episode -- and this is a regular occurrence,

9 but the second episode you described as particular to

10 you. And again, reading short, he encouraged you in

11 your rugby, but then having encouraged you then began to

12 say you were not doing so well; is that a fair summary?

13 A. Yes. So, when we were out on the field playing games,

14 as the coach, he would sort of run up and tell you what

15 you should be doing, whatever. But he would run up

16 beside me and you would have the specific address to

17 yourself, which was, you know: you played extremely well

18 last time, you are not playing well enough this time.

19 Get -- you know, improve, whatever.

20 To the point where, having brought you forward, you

21 were then going to be deserving of punishment if you

22 didn't play well enough. And, yes, that's -- so that

23 was a lead up on the rugby pitch as part of what was

24 seen as being the coaching.

25 Q. Was this done to other boys or just you?

1 A. Well, the way he did it, he -- and, looking back,
2 I think this was calculated, probably.

3 The actual address to you was done when he would run
4 up beside you and tell you that in a way that wasn't
5 overheard. So I was, you know, sort of in the back of
6 the scrum, so sometimes I would be quite off the
7 grouping and that's when he would run up beside you, and
8 he would say this to you as sort of your personal
9 coaching.

10 Q. You used the word "calculated"; did you feel, or do you
11 feel now, looking back on it, that you were being set
12 up?

13 A. Looking back on it I do, yes. I feel it was
14 premeditated. I feel it was calculated. I feel it was
15 deliberately manipulative. Yes, all those things.

16 Q. That led to him having said to you on the field, "If you
17 don't improve, you will have to be punished." There
18 came a time, or perhaps two times, where you were
19 punished?

20 A. Yes, yes. The ...

21 We used to have to go and play in all sorts of
22 weathers and that was meant to make us, you know, great,
23 or whatever. And on this occasion, apparently I hadn't
24 played well enough, and it was a sort of pretty sort
25 of -- I remember it as a very dreich evening because we

1 would play into the late afternoon on the -- the autumn
2 and the spring terms.

3 So I was asked to stay on after changing and I was
4 going to be punished. I hadn't, you know, realised
5 I had done anything particularly wrong, but I felt
6 a huge degree of trepidation, because I didn't sort of
7 intuitively trust the man. And so I was left -- the way
8 it would work is I would have to stay behind. Everyone
9 else, by that stage, had left. And he had had sort of
10 gone off, and then he sort of said, "Wait", and I had to
11 wait there and he came back.

12 And I was then encouraged to leave the kit, which
13 was my -- you all had a little duffle bag which held
14 your playing kit, your socks, boots, top, et cetera, and
15 your towel, in the changing room.

16 And then in front of the changing room, looking out
17 over the rugby pitches, was a sort of cricket pavilion,
18 little timber, single storey building, with a sort of
19 portico and a pediment, and he had the key for that and
20 he took me in. And yes, well, against the -- I was --
21 so he took me in and I was absolutely petrified.
22 I didn't know what was happening. And he sort of sat
23 down with me on a back -- the sort of benches looking
24 out over the window. It was sort of -- by this time, it
25 was really quite dusky, and he put me over his knees and

1 he took my trousers down and he proceeded to play with
2 me. Started on my bottom and then my groin, and by
3 which stage I was absolutely blubbering and fairly
4 terrified.

5 He had a key for the place. Anyway, so after that
6 I just -- yes, I don't know how -- I have no idea how
7 long it lasted, and it wasn't at all -- it was hugely
8 traumatic.

9 And I then had to make my way home, walking, and
10 I do remember that being ghastly. I was blubbering all
11 the way and crying. So, when I got home, the routine
12 was I usually would just go in and go up and work up in
13 my bedroom. So I sort of went up and did my homework,
14 or pretended to, and tried to do the best at being
15 normal when I then later came down to eat.

16 Sorry, did you want to hear any more -- know any
17 more?

18 Q. No, I think that's plenty.

19 A. It is most peculiar, because I know it is a long time
20 ago, but it is quite difficult to talk about. It was
21 a lot easier on Zoom.

22 Q. Yes.

23 A. Anyway.

24 LADY SMITH: 'Alistair', can I say one thing? The way you
25 explain it, as you are going through this, it seems to

1 me it has become very vivid in your memory. Does
2 that -- is that telling me that you can still see what
3 happened to that little boy?

4 A. I still -- I have a very -- I have quite a strong visual
5 memory, which is why, probably, my statement is so --
6 and I see it as a picture. I can still see it. I can
7 still see it.

8 LADY SMITH: Yes.

9 A. I mean, I can picture it exactly, and it is quite -- so
10 it is not something I like to revisit too much.

11 LADY SMITH: I quite understand that. One last question:
12 can you remember how the place smelt?

13 A. What?

14 LADY SMITH: Can you remember how the place smelt?

15 A. Well, I do remember the shower rooms. It was that sort
16 of cleaning stuff, or was it soap? There was that -- it
17 was pungent. Is it carbolic? It was a bit like that.
18 I think it's called.

19 LADY SMITH: Not a pleasant environment to be in.

20 A. The actual cricket pavilion, where he took me, that was
21 much -- I sort of -- I don't think I had been in there
22 before, and I don't remember the smell of that.
23 I remember it as being quite musky, but not having any
24 particular woody or anything smell, or leather, or
25 I don't remember that. I don't remember much about

1 actually other sensations, apart from the visual one.
2 If I was to try to describe it in anything else,
3 I couldn't.

4 LADY SMITH: And this was a dark afternoon?

5 A. It was in the end of -- it was in the evening. The
6 light was going down. So this place was really quite
7 dark, and I think deliberately so, that he had chosen
8 that place for that reason, looking back.

9 And, also, because everyone else had gone home by
10 that stage, when I went home there was nobody on the
11 streets. And so I remember walking back home, basically
12 sort of crawling against the fences of the botanical
13 gardens, trying to avoid being seen.

14 LADY SMITH: Thank you very much.

15 Mr Brown.

16 MR BROWN: Thank you, my Lady.

17 One question only, and I think it simply a yes or no
18 answer. You think this happened again?

19 A. The sequence of events was such that I actually felt so
20 traumatised by this that I'm not entirely clear. But
21 I have a sense that it happened again. And -- but
22 I can't picture the second time in the same way.
23 I think it was a blank out. It was a bit like sort of
24 as I think I alluded to before, having a fuse taken out.

25 Q. Yes. You -- sorry.

1 A. No, go on.

2 Q. Your other recollection -- and this is fully set out in
3 the statement, so we perhaps don't need to labour it --
4 was in the classroom with Dawson.

5 A. Yes.

6 Q. And this is punishment for some transgression?

7 A. Yes.

8 Q. But what is striking about it is the description of the
9 pose you would have to take to receive punishment; can
10 you describe that to us?

11 A. Yes, it stands out in my memory because it was hugely --
12 it was terrifying and it also seemed aberrant behaviour.
13 We were quite small, of course, or not that big, so the
14 technique involved -- whatever it was, I don't know, it
15 could have been anything minor. I have no idea what the
16 sort of nature of the misdemeanour was.

17 But you had to put your head -- to bend over, at
18 90 degrees, underneath either a very tall stool or some
19 sort of desk or something, with your hands out like
20 this, and then your head was up against the end wall
21 with the blackboard. And so you had to look down and
22 not flinch, and what he would do was run to the back of
23 the classroom and you were going to be clackened, but
24 what he would do is he would make a loud sort of noise,
25 like a roaring bull, as he would run from the back of

1 the classroom to you. And, of course, you would hear
2 this noise getting closer and closer and closer, so you
3 would immediately go *sharp intake of breath* when you
4 thought it was going to happen, so you would crunch your
5 head on the stool or the thing you were under, but you
6 weren't allowed to flinch. And this happened three
7 times before he then finally hit you, in which case you
8 then, basically, scrunched your head against the top and
9 went into the wall.

10 Yes, that was it. It was just -- as well, it was
11 just -- so I remember that clearly as one of his
12 punishments. And I remember that happening to at least
13 one other person in that class, the same thing. And so
14 that was the nature of the man.

15 Q. You were describing being under a desk or a stool?

16 A. Yes.

17 Q. And your arms, just so we can get it for the record,
18 were splayed backwards?

19 A. You would keep your arms out.

20 Q. Yes.

21 A. So, basically, your balance was all on your two feet, so
22 if you did tense in any way -- if you went up, you hit
23 the thing, and if you went forward after being hit, you
24 hit the wall.

25 Q. Yes.

1 A. And that was, I believe, legal in those days.

2 Q. I think that might be open to debate.

3 You say that -- or you have said that this was

4 something -- a culture where one didn't talk about

5 things; did you ever mention this to anyone?

6 A. Well, the rest of the class were there, so they all saw

7 it, but I didn't talk about it.

8 Q. Yes, but your parents or --

9 A. No, no.

10 Q. -- the chaplain, or anyone in the school?

11 A. Lady Smith, it is exactly what you were saying. It was

12 the lot that you drew, the life you expected, and these

13 were your mentors. I mean --

14 Q. I think the other element you mention is, socially, your

15 family -- or you knew his children?

16 A. That -- sort of later, when I came to reflect on and

17 find -- sort of unravel a bit, I didn't sort of do

18 anything about it because I had been to parties with his

19 two daughters. And I thought it had only happened to

20 me, the incident on the playing field, in the pavilion.

21 You think these things only happen to you because it

22 is done in that sort of way. And I had known his

23 daughters, and so I didn't really think that, you know,

24 I didn't think it was really -- I had a loyalty to them.

25 You know, it is really awful for them.

1 Q. Yes.

2 A. I feel sorry, you know.

3 Q. I think you make the point in your statement that you
4 really didn't tell anyone about these things. You would
5 go to university, but it is years after you have left
6 school that you first discussed ...

7 A. It was a very traumatic event, and it dislocated me in
8 many ways, quite significantly. And you are right,
9 I didn't talk about it to anyone until after, really,
10 I was at university, when I came across people who it
11 had happened to who were more honest than I was and made
12 it easy to talk about it. Or easier to.

13 And having then been able to talk about it and
14 unlock it a bit, the ability to accommodate it and
15 address it was transformative, yes, in many ways.

16 Q. And since, I think you say, your 20s you have been quite
17 open about it; you have been able to talk?

18 A. Yes, I have. It was probably a lot easier for me to be
19 able to talk about it because the incidents
20 I experienced were limited compared to what I now
21 understand happened to others. So it must have been
22 very much more damaging, and difficult, for them to
23 address. But yes.

24 Q. In your statement, you set out a number of lessons to be
25 learned; is there anything you would wish to highlight,

1 since you are here?

2 A. Well, I think I missed out a couple of points and
3 I think, Lady Smith, you alluded to it earlier.

4 One thing that was sadly missing was the fact it
5 wasn't a co-educational school, and the staff were not
6 balanced. So the degree of monitoring of what was
7 appropriate behaviour was influenced probably more by
8 a military ethos than a decent level of pastoral care.
9 I think that's a point I would highlight.

10 I think the main thing is that in essence, over the
11 timescale and immediately -- that I was on the cusp of,
12 there was a significant cultural change, where the
13 conversations about what were reasonable and acceptable
14 adult behaviour became familiar to younger people, which
15 has been hugely empowering and I think is very
16 important. And the greater amount of transparency there
17 is and conversation in the public domain that there is
18 about such matters, so that children themselves know
19 when there is a transgression and they have a measure,
20 externally, of that, rather than it being a very closed
21 institution which sets its own standards, I think has
22 been a hugely progressive change that probably needs to
23 be built on, particularly with social media. How that
24 is reframed, I don't know, but I think that possibly has
25 a different context. Although I have to say I am not

1 that much of an expert in that now, or knowing anything
2 about it.

3 So I think those are the points I would highlight.
4 I think -- I don't think boarding schools really, in
5 that context, are tenable. To give that power over
6 young children to a self-administering body isn't very
7 viable. But I recognise with Scotland's education, the
8 dispersal of populations in areas, that it is hugely
9 difficult to manage an educational system sometimes
10 where people from all areas of the country can get
11 an education, because bussing people from, as they do in
12 some of the islands, to the schools on the mainland
13 during the week also has its problems. So I don't quite
14 know where the solution is. But I do not think those
15 sorts of residential boarding schools I would advocate,
16 myself. But then I am not in a position to do so.

17 Q. One thing you mention is the need to highlight to
18 parents?

19 A. Yes. I think that's very much part of the culture
20 thing, too.

21 Q. Yes.

22 A. My parents, and I think the headmaster, they were all
23 decent people, absolutely fabulous people. But,
24 culturally, I think these things were just -- they
25 hadn't opened up the conversations in the first place,

1 so the space wasn't there for the discourse to happen.
2 And then on the other, I didn't, I don't think they even
3 thought that things like that did happen. Because they
4 were actually effectively quite innocent, is sort of
5 what I suspect, looking back.

6 And I think, for example with the headmaster, that
7 probably led to dis-action -- you know, not acting and
8 not knowing how to respond. So does that answer your --
9 go some way to answer your question?

10 Q. Yes. I think you put it this way, in paragraph 96:

11 "I also hope that the Inquiry will deliver a model
12 which highlights the huge risk to people like my parents
13 who expected and worked for our private education which
14 I think was a fallacy."

15 A. Absolutely, yes. I think they thought they were buying
16 a gold standard, and they were buying something that
17 should have been shut down.

18 MR BROWN: 'Alistair', I have no further questions for you.

19 Is there anything else would you like to say?

20 A. I think, Lady Smith, Andrew Brown, thank you very much
21 for your time listening to me.

22 I just would like to say how much I feel for the
23 boarders at the school, because at least I had the love
24 and affection of a family. At least I could escape.
25 And the impact was enormous on me, so I would just like

1 to say that.

2 And I would also, on another note, I would just like
3 to say how much respect I have for the officers of the
4 Inquiry. I have been brought into this room to talk
5 today, without any intention of having wanted to do so,
6 by some very sympathetic and professional staff, who
7 I would like to thank.

8 MR BROWN: Thank you.

9 LADY SMITH: 'Alistair', thank you for paying tribute to
10 them. I am sure it will be much appreciated and relayed
11 back to others.

12 Can I finish with my thanks to you. I am really
13 grateful to you for being able to do what you did today,
14 and also, as I said at the outset, having given us such
15 a detailed, thoughtful statement. It is going to be
16 a valuable addition to my learning and understanding,
17 and my own reflection as I go ahead with the
18 Edinburgh Academy evidence. I am glad to be able to let
19 you go and hopefully have a better time for the rest of
20 today. Please try to.

21 A. Thank you.

22 LADY SMITH: Thank you very much.

23 (The witness withdrew)

24 LADY SMITH: Now, I am about to rise for the morning break.

25 But there is something I would like to ask people in the

1 public benches, and I am sure the clapping is well
2 meant. It can be a distraction to others. It can upset
3 some people. Could I ask that people don't do it. I am
4 sure if they feel a clap coming on they may find other
5 ways to appreciate what a witness has done. We don't
6 clap here. Thank you very much.

7 (11.28 am)

8 (A short break)

9 (11.50 am)

10 LADY SMITH: Mr Brown.

11 MR BROWN: My Lady, the next witness is Neil Russell.

12 Neil Russell (affirmed)

13 LADY SMITH: Good morning, Neil. Could we begin by you
14 raising your right-hand, please, and repeat after me.

15 (The witness affirmed)

16 LADY SMITH: Please sit down and make yourself comfortable,
17 Neil.

18 Is the chair okay for you, Neil?

19 A. It's fine.

20 LADY SMITH: Thank you.

21 A couple of things before I handover to Mr Brown.
22 The red folder has your signed statement in it, and you
23 may be referred to that very shortly by Mr Brown to
24 confirm your signature. If you find it helpful to use
25 the red folder statement as we go along, feel free to do

1 so. We may also bring up some parts of your statement
2 on the screen, which, equally, you may find helpful.
3 But you don't have to look at either of them if you
4 don't want to.

5 A. Thank you.

6 LADY SMITH: Otherwise, Neil, what I want to make clear to
7 you at the outset is I know that giving evidence about
8 your own life, particularly your life when you were
9 a child, is tough. Giving evidence means talking about
10 it in public, and however prepared and organised you are
11 in advance it can take you by surprise how difficult it
12 can become and what the impact on you may be. I do
13 understand that, so if you want a break, or just to
14 pause, sitting in your seat, you must let us know. Or
15 if you have any questions as we go along, please tell
16 us. If it works for you, it works for me. If there is
17 anything that I can do that we haven't thought of that
18 would help you give the best evidence you can, do tell
19 us, will you?

20 A. Thank you very much.

21 LADY SMITH: If you are ready, I will hand over to Mr Brown,
22 and he will take it from there.

23 A. Thank you.

24 LADY SMITH: Mr Brown.

25

1 Questions from Mr Brown

2 MR BROWN: My Lady, thank you.

3 Neil, hello again.

4 A. Good morning.

5 Q. It is, thank you.

6 You are Neil Russell. You are now, I think, 66?

7 A. 66, yes.

8 Q. And you went to Edinburgh Academy from the age of 7

9 until you left.

10 A. That's correct, yes.

11 Q. School education?

12 A. Yes. Well, sole education other than a pre-prep,

13 whatever that would have been called in those days, yes.

14 Q. Indeed so. You spent, I think, a year as a day boy?

15 A. That's correct.

16 Q. And that was because you were too young to board; is

17 that essentially right?

18 A. Yes.

19 Q. But thereafter you were a boarder?

20 A. Yes.

21 Q. And we have heard of the succession of houses,

22 MacKenzie, Dundas, and then either Scott or Jeffrey; is

23 that right?

24 A. Scott for me.

25 Q. Scott for you. And we will talk about all of those in

1 due course.

2 But, by way of background, the reason you went to
3 a boarding school was, I suppose, twofold: one, the
4 practical concern because your father was a diplomat?

5 A. Yes.

6 Q. And going to places where education would not have been
7 straightforward?

8 A. Correct.

9 Q. And then, secondly, Edinburgh Academy, there is no
10 obvious connection family-wise, in terms of family
11 tradition; is that right?

12 A. Correct.

13 Q. But you understand that one of the teachers at
14 Edinburgh Academy, who you then had as a housemaster,
15 was someone your father knew from a cricket club?

16 A. Yes, ICG ██████████.

17 Q. Yes, prior to going had you met ICG ██████████?

18 A. No.

19 Q. No. And for the first year, when you were a day boy,
20 you were living with your grandparents, who did live in
21 Edinburgh, and your grandmother you describe as a rock
22 through your --

23 A. Certainly an emotional rock, yes.

24 Q. Yes.

25 A. My grandfather was a Victorian, born in 1890. I think

1 he was a very good man in the context of the constraints
2 of his generation. But he wasn't an empathic man, but
3 my gran certainly was, yes.

4 Q. Right. Was that empathy there for you throughout your
5 time at school or did it diminish as time went on?

6 A. No, it was always there.

7 Q. I appreciate it is going back a long way, but do you
8 remember the emotion, on your part, of going to
9 Edinburgh? Were you happy to go to Edinburgh as a day
10 boy and then a boarder?

11 A. No emotion at all. I -- it was just something that
12 happened to me. So I was 7 years old. My father was
13 going to take up his post in Afghanistan, in Kabul. The
14 decision had been made that I would not go [REDACTED]
15 [REDACTED]. I was not a party to that decision. It just
16 happened.

17 Q. It just was?

18 A. It just was, yes. No debate, no discussion, that was
19 it.

20 Q. You go in the statement -- and obviously you have a copy
21 of the statement in the red folder. I think you have
22 a copy of your own statement on your iPad.

23 A. Yes.

24 Q. Just for the record, the statement, as you will be
25 aware, has a reference number.

1 A. Yes.

2 Q. And that is WIT-1-00000 -- and I think it's --

3 A. 1172.

4 LADY SMITH: 1172.

5 MR BROWN: I am most obliged. I put it down and I, of
6 course, now can't find it, such is the nature of having
7 too much paper. Formality over.

8 Going to the school as the day boy for the first
9 year, overall impression of that from your perspective?

10 A. Austere. Authoritarian and austere. My first form
11 teacher was a woman, Ms ICF [REDACTED] Terrifying. Small, but
12 terrifying. She once beat me for my pencils being not
13 sharpened correctly. I didn't even know there was
14 a correct way to sharpen a pencil. But, apparently,
15 there is, in form [REDACTED] of the Edinburgh Academy
16 preparatory school. So it was just like that. You
17 just -- you know, I went from a home, family, pre-prep
18 school, just around the corner, walked to school in
19 those days. I know it sounds a bit weird today, but
20 I would have been 6 at the time when I went there. So
21 I just went for two years, and then suddenly in this
22 city that I had -- didn't know at all, in this place
23 I didn't know, with people I knew of. I mean, my
24 grandparents, clearly I knew of them, but they lived in
25 Edinburgh, we lived in London. Previously, we had been

1 in Hungary and Switzerland, so I hardly -- I only came
2 to the UK when I was 5.

3 Q. I think, going back to the teacher, your statement
4 reveals she hit your hand with a wooden ruler?

5 A. Yes.

6 Q. Was that the first time you had been subject to corporal
7 punishment?

8 A. Certainly by a teacher.

9 Q. Mm-hm.

10 A. I am sure I had irritated my father or mother, or
11 both --

12 Q. All right.

13 A. -- previously, but certainly by a teacher, yes. There
14 was no corporal punishment at my previous school.

15 Q. No. So did that come as a shock to you?

16 A. Yes, I didn't know what was happening at all.

17 Q. Mm-hm. Do you remember how common corporal punishment
18 was, thinking back to that first year as a day boy?

19 A. With her?

20 Q. Yes.

21 A. Regular.

22 Q. Regular. It was just part and parcel of life?

23 A. She was a horrible woman.

24 Q. All right. You then move into MacKenzie House.

25 A. Yes.

1 Q. For your second year at the Academy?

2 A. Yes.

3 Q. And, again, do you remember your emotions in advance?

4 Was there anticipation, excitement, fear, about going

5 into a boarding house?

6 A. Just black. Black nothingness.

7 Q. All right. Was there anything you remember in terms of

8 being given familiarisation, if you like, of what you

9 were to experience?

10 A. No.

11 Q. No. You just arrived?

12 A. Yes.

13 Q. And when you arrived; what happened? Literally thinking

14 of your first day, you arrive, you are presumably

15 pointed to a bed space?

16 A. Yes, I have my trunk, and I presume there would have

17 been a suitcase as well, because you only packed your

18 trunk at the end of each year. So I would have been

19 shown, probably by one of the -- by either ICG

20 himself or his wife, or the matron, or the house tutor.

21 I think the new boys arrived a wee bit earlier in

22 the day, if I remember correctly. So we were ready when

23 the others arrived.

24 Q. The others?

25 A. Other boarders, yes.

1 Q. Who have experienced it before; they know the regime?
2 A. Yes, yes.
3 Q. In terms of the regime of the house, again, was that
4 explained? Rules, what should you do --
5 A. No.
6 Q. -- what you shouldn't do?
7 A. No.
8 Q. Is that something that was just picked up --
9 A. Yes.
10 Q. -- as you went?
11 A. Yes, you learned from the other boys.
12 Q. Yes. Was there anything formal? We have heard at some
13 schools of, you know, a first year boy being given
14 a second year boy?
15 A. No.
16 Q. Nothing like that?
17 A. No, you just watched and learnt.
18 Q. And how much engagement was there from the housemaster?
19 This is friend of your father, you understand; was there
20 any warmth towards you because of that social
21 connection?
22 A. None at all.
23 Q. No.
24 A. Oh, sorry, nothing overt.
25 Q. Nothing overt, okay.

1 Day-to-day, were you engaging, when you were in the
2 house, with the housemaster, his wife, the matron, very
3 much?

4 A. Well, the matron was always available. The house
5 master -- ICG [REDACTED] had his duties. There was a house
6 tutor, ICA [REDACTED] and he had his duties. And between
7 the two of them and the matron, primarily, they ran the
8 house. Mrs [REDACTED] used to stand in for the matron when
9 it was her day off.

10 Q. And was anything said about -- because we will come to
11 this very shortly, clearly it is a profound change for
12 small boys moving into a boarding experience; some,
13 presumably, would be very home sick?

14 A. One would assume so, yes.

15 Q. Was anything done to try to lessen that experience?

16 A. Nothing.

17 Q. Was it even mentioned?

18 A. No. It was mentioned by other boys.

19 Q. But not by the staff?

20 A. No.

21 Q. Did you understand that if you were feeling unhappy
22 there was someone you could speak to?

23 A. No. Sorry, as in there wasn't anybody to speak to.

24 Q. No, all right. You have talked about other boys, and
25 you mentioned in your statement initiation --

1 A. Yes.

2 Q. -- into the house. And that was older boys, as you say,
3 flushing the heads of younger boys in the toilet?

4 A. It was called bog washing.

5 Q. Yes. And then there is also another initiation you
6 describe as "apple pie bed"?

7 A. Yes.

8 Q. Were those things that were initiation ceremonies of
9 sorts, but would they happen throughout the year or was
10 it just at the beginning?

11 A. Bog washing would happen as part of the bullying
12 culture. So somebody would just get picked on. And
13 what I learnt very quickly, there was no rhyme nor
14 reason why things could happen. You just didn't know
15 what was going to be round the corner at you.

16 And similarly, yes, apple pie beds, just all of your
17 stuff removed, hidden. It was just part of the -- what,
18 ultimately -- it is not a term I would have used at the
19 time, but, you know, a feral atmosphere.

20 Q. And, just to be clear, this is your first year in
21 boarding school we are talking of?

22 A. Yes, first year, first time away from home, first
23 everything.

24 Q. I think you mentioned, for example, bed wetting would go
25 on, presumably from time to time?

1 A. Yes.

2 Q. Someone would wet their bed. I think you say you are
3 not sure how the matron or other staff dealt with it.
4 You don't remember anything untoward, but what you do
5 remember is that the boys would take full advantage of
6 that weakness?

7 A. Absolutely. And similarly with crying.

8 Q. And similarly?

9 A. With crying.

10 Q. Thank you.

11 A. Yes, there was another boy called [REDACTED], and you
12 never wanted to be like [REDACTED] because he just got
13 hammered, absolutely hammered.

14 Q. And when you say "hammered"; do you mean literally
15 hammered?

16 A. Not with a hammer.

17 Q. No, but beaten by the other boys?

18 A. Oh yes, yes. And constantly teased. Just, you know,
19 made fun of the whole time.

20 Q. The atmosphere --

21 A. And I should add that he never lost that nickname.

22 Q. I was going to come to that, because nicknames, again,
23 we don't need to go into the detail, particularly, but
24 nicknames were part and parcel of being at school?

25 A. Automatic.

1 Q. And they would stick with you?

2 A. Yes.

3 Q. And is it fair to say many of them would be cruel?

4 A. Yes, and also they transferred [REDACTED].

5 Q. Explain.

6 A. So my nickname was Guppy, and it is Guppy because

7 apparently I went around with my mouth open, so I was

8 Guppy Gold Fish. [REDACTED]

9 [REDACTED]

10 Q. Okay. To be fair, presumably you would call other

11 people by their nicknames, too? It was part of the

12 culture?

13 A. Yes. Or you called them by their surname. If you

14 called them by their Christian name that was prima facie

15 evidence of homosexuality and you just didn't want that

16 either.

17 Q. You didn't want that. Is that at a later stage in

18 school or from the very start?

19 A. The very start.

20 Q. So, even in the early years, the idea of being gay is

21 the absolute no-no?

22 A. Well, being gay wasn't a concept that I understood at

23 that stage.

24 Q. That is what I was wondering.

25 A. No, but I did understand -- I didn't understand the

1 concept of what it would be like to be gay, all I knew
2 was you didn't want to be labelled as being a
3 homosexual.

4 Q. No, even though you didn't know what it meant?

5 A. No, you just didn't want it.

6 Q. You have described the atmosphere in the junior boarding
7 house as "feral".

8 A. Yes.

9 Q. Boys on boys.

10 A. Throughout the whole of the boarding houses.

11 Q. We will come on to the other boarding houses. But, just
12 looking at junior boarding house to begin with, you have
13 that atmosphere, ethos, of brutality?

14 A. Yes.

15 Q. What was the staff response to this?

16 A. They instigated it.

17 Q. How so?

18 A. Through the corporal punishment. Through the way --
19 through corporal punishment at one extreme, but just the
20 casual lack of caring that was perpetual.

21 Q. What sort of discipline, officially, was there?

22 A. So the least would be lines. Then you would have
23 fatigues. So by the time I went to the school in --
24 well, went to the boarding house in 1965 fagging, as in
25 personal fagging, had finished. But you had fatigues

1 which were a punishment, and that was like cleaning and
2 doing tasks.

3 Then next would be detentions. So you would be
4 sitting alone in the common room, or with others, if
5 there were others, in total silence. And then the
6 final, then, corporal punishment, and then there were
7 grades of corporal punishment.

8 Q. All right. Was there a system of rules that you could
9 read to understand what transgression would result in
10 a particular punishment?

11 A. Totally random. In my head, totally random.

12 Q. In your head. But was there a rulebook that you
13 remember?

14 A. No idea.

15 Q. No idea.

16 A. If there was, it was certainly -- I didn't know anything
17 about it.

18 Q. Okay. I think you remember -- clearly very well because
19 of the impact it had upon you -- an episode where you
20 experienced punishment going up the scale because, as
21 you tell us in the statement, as a class someone hadn't
22 admitted something, so the entire class was punished --

23 A. Yes.

24 Q. -- by having to write essay, and you were egged on by --

25 A. This was the house, not the class.

1 Q. Sorry, I mean the house, you are quite right. And you
2 were egged on by one of your contemporaries to say that
3 the person who hasn't owned up should have his cock and
4 balls cut off?
5 A. I was.
6 Q. So you did?
7 A. So I did, yes.
8 Q. Presumably, you thought it was funny?
9 A. I thought it was hilarious, yes.
10 Q. What age were you?
11 A. So may I just refer to my statement?
12 Q. I think, in fairness, you think you were 10.
13 A. Okay.
14 Q. 1968.
15 A. 1968 sounds right.
16 Q. Not 1967.
17 A. All right.
18 Sorry, if it was 1967, I would have been 11.
19 Q. Well, I think what you say is you thought it was 1968.
20 A. 1968, well then I would be -- yes, still 11, in that
21 summer term.
22 Q. And having done this life goes on, but a number of days
23 later you are called to Mr [REDACTED]'s room?
24 A. Yes.
25 Q. I think, as the statement says, you thought

1 optimistically you were going to be made a house
2 prefect?

3 A. I was absolutely certain about it. Elation.

4 Q. Why were you so certain?

5 A. Because that is the only reason that occurred to me.

6 Q. All right. But you weren't right?

7 A. I was not right, no.

8 Q. What happened?

9 A. So I was taken into his study, which was upstairs, and
10 it looked out, the window looked out on to Newfield,
11 which was the playing fields, and sitting on his desk
12 was my lines, my essays. And I realise the shock of
13 walking in and realising I had got this completely
14 wrong, completely wrong. And also incredulity when he
15 told me the offence, which was to write the offensive
16 sentence in there, which was on -- it was the bottom --
17 not at the bottom-bottom, but sort of, I remember, about
18 two-thirds of the way down the second side. So you
19 wrote on both sides of the paper. And all I could think
20 was: crikey, he actually read this stuff? What a sad
21 git.

22 And then it got not so funny.

23 Q. Because you were beaten with a hockey stick?

24 A. I was.

25 Q. And I think, as you say --

1 A. I think it was a clacken, actually.

2 Q. Oh, right.

3 A. Sorry, I think it was a clacken.

4 Q. You are quite right, but it had a rough, ragged edge?

5 A. Yes. His weapon of choice was a clacken, so it should

6 have a symmetrical, round head. But when you played

7 Hailes, you know, if you clashed bats, the bottom would

8 break. And some of them -- the really skilful people

9 would have both bits broken off and just played with

10 the -- and they thought they were pretty cool. But

11 where it got broken off, it had a rough edge and that's

12 what cut me.

13 Q. Okay. I think you make the point that left you with

14 lacerations and bruising to your backside?

15 A. Yes.

16 Q. And they presumably would have been seen by anyone who

17 cared to look?

18 A. Yes, I mean, all I -- I don't remember anything about

19 the care or anybody actually taking any notice.

20 What I did remember -- what I do remember is that

21 when I went back down to the dormitory after this I must

22 have looked really unwell, because normally there would

23 be, you know, typical laddish bonhomie about, you know,

24 taking a punishment, and nobody said a word.

25 And when I gave my statement to Police Scotland,

1 I had forgotten that I nearly couldn't get out of his --
2 of the room, of the study, because he must have hit me
3 so hard to do that, yes.

4 LADY SMITH: So, Neil, given that, as you say, your backside
5 was lacerated and bruised; am I to take it that was over
6 your naked buttocks --

7 A. Yes.

8 LADY SMITH: -- that this beating happened? So you had to
9 take down your trousers and your pants?

10 A. Yes.

11 LADY SMITH: Thank you.

12 A. I remember, when I went down to pick up my underpants,
13 I bloody nearly fainted to do that. His desk was there,
14 which is why I know that it looks out over Newfield,
15 because I remember that.

16 When I gave my statement to Police Scotland, they
17 asked a lot of very forensic detail, and the only way
18 I could give them that detail was to go back to that
19 room and I suddenly started to remember things, and
20 I remembered that view, and I remembered the nearly
21 fainting, and I remember not -- you know, only just
22 being able to get out of his room without collapsing,
23 and the total silence in the dormitory when I got back
24 there. There was none of the usual banter. So I knew
25 it was pretty serious.

1 LADY SMITH: Did it take place in the housemaster's study in
2 the house?
3 A. Correct.
4 LADY SMITH: Thank you.
5 MR BROWN: The point you have just made is: when you came
6 back, this was clearly seen by your contemporaries as
7 a different level from the norm.
8 A. Absolutely.
9 Q. Is that correct?
10 A. Yes.
11 Q. Should we understand, from what you are saying and
12 remembering, the decade that this was taking place,
13 corporal punishment was legal, corporal punishment was
14 part and parcel of school life?
15 A. Yes.
16 Q. It was accepted?
17 A. Yes.
18 Q. People didn't think it was untoward on an every day
19 basis?
20 A. Correct.
21 Q. But, on this occasion, it had gone --
22 A. Some line had been crossed somewhere.
23 Q. Yes. You make the point in the statement that you
24 remember, or are aware of, other boys being beaten by
25 him using the broken clacken, but was there ever the

1 same degree of response as you saw to that particular
2 beating?

3 A. I don't remember that, no.

4 Q. All right.

5 A. No.

6 Q. You give the other example of being beaten by a [REDACTED]
7 teacher because you have cut corners in preparing
8 a project.

9 A. Yes.

10 Q. Was that considered at the time, and even now perhaps,
11 as fair game because --

12 A. Yes.

13 Q. Because --

14 A. I had cheated.

15 Q. Cheated.

16 A. Yeah, cheated and got caught.

17 LADY SMITH: Okay. Am I right in thinking that ICG [REDACTED]
18 was a skilful cricketer?

19 A. Yes, he played cricket with my father, and he -- one of
20 the after effects was -- and we may come on to this,
21 Mr Brown. One of the after effects was I didn't
22 understand, in my 11-year old brain, how my dad could
23 talk and joke with a guy who had just -- and excuse my
24 language -- beaten the shit out of me. And that then
25 set up a really difficult and ultimately sad dynamic

1 between myself and my father.

2 LADY SMITH: Yes. I mentioned cricket because I am just

3 thinking about the adult male who is well used, in his

4 own sporting time, to hitting something hard with

5 something wooden, and what you have just described is

6 a wooden implement being used to hit your backside.

7 A. It was brutal.

8 LADY SMITH: Thank you.

9 MR BROWN: I think the point perhaps might be made, though,

10 as you have already done on other occasions, that level

11 of violence was not the norm.

12 A. No.

13 Q. Something on this occasion took it to --

14 A. I just assumed that my effrontery with the essay --

15 I don't know what happened to him, but clearly it

16 triggered something.

17 Q. And it was choice to impose that level of punishment?

18 A. Oh yes, yes.

19 Q. I think just touching -- because we will come back to

20 impact in due course, because the impact, as we both

21 know, is profound, but I think to use a phrase you use

22 further down the statement, this torpedoed your

23 relationship with your father, because of that --

24 A. It certainly started.

25 Q. Yes.

1 A. It -- so it is 1968, so he was now in London. So
2 I would have been seeing him each holiday, rather than
3 only twice a year, when he was in Afghanistan -- the
4 family twice a year.

5 I am not sure that I ever really trusted him again
6 after that. I can't -- I am not quite sure what
7 a 11-year old would make of this, but I certainly did
8 not get how he could be pally, chatty, ho-ho-ho, and the
9 reason he was pally, chatty, ho-ho-ho, is because he had
10 visited the school to give a presentation on
11 Afghanistan, and ICG [REDACTED] was his host because
12 ICG [REDACTED] was his friend.

13 Q. Yes.

14 A. So I had to just watch this. I didn't sit with him.
15 I had nothing to do with it. I just watched it from
16 afar.

17 My father visited the school and I never said a word
18 to him. He just came, gave his speech, and went away
19 again.

20 Q. All right.

21 A. Yes.

22 Q. Did you tell anyone about -- the boys knew, obviously.

23 A. Yes.

24 Q. They were stunned. But did you tell anyone about that
25 beating?

1 A. No. No.

2 Q. Was there a culture of silence amongst the boys; you
3 wouldn't talk about things that happened, other than,
4 perhaps, to each other?

5 A. Well, you certainly wouldn't talk to anybody in the
6 school authority.

7 Q. No.

8 A. And by "school authority" I mean anybody but a boy.

9 Q. Yes.

10 A. So that.

11 Q. Yes:

12 A. As regards telling my parents, I think that my 11-year
13 old brain would have been very confused as to "whose
14 side my dad was on", so the breakdown of trust, which
15 perhaps had started even being taken away [REDACTED]
16 [REDACTED] without -- you know, just thrown into this very
17 strange environment, and brutal, maybe it had already
18 started to break there.

19 But, certainly, I think I started to move -- my dad
20 wasn't my dad, he was just another adult not to be
21 trusted.

22 Q. Okay. Thinking about not telling as amongst the boys;
23 was there a culture that you wouldn't use the Scottish
24 word "clype" on anything?

25 A. You definitely wouldn't use the word "clype". "Clype"

1 is a word that sticks in my brain, and I have to explain
2 it to -- I live in Bedfordshire, so I have to explain it
3 to people down there.

4 Q. But you know full well what it means?

5 A. Oh, absolutely.

6 Q. You don't tell tales.

7 A. Yes, ever.

8 Q. Was that made plain to you when you arrived at the
9 boarding house?

10 A. Yes.

11 Q. By the other boys?

12 A. Yes, you just got battered again. It was the worst sin,
13 the worst sin.

14 Q. Now, the Academy process in terms of houses on one view
15 is a little perplexing, because you stayed in MacKenzie
16 for a number of years.

17 A. Yes.

18 Q. And then you moved to Dundas?

19 A. Yes.

20 Q. But only for a year or perhaps four terms?

21 A. No, three terms.

22 Q. Yes, I think some have spoken of staying for four terms,
23 for whatever reason; for you, it was one?

24 A. One year, yes.

25 Q. Yes. Sorry, one year, yes. Then you progressed on to

1 one of the two senior houses, in your case Scott?

2 A. Correct, yes.

3 Q. We will come back to Scott, because clearly, as you got

4 older, in terms of peer on peer, in other words other

5 boys behaving badly to you, that was a significant part

6 of the time in Scott?

7 A. Mm-hm.

8 Q. But thinking of the rest of the time in MacKenzie, the

9 picture you have described of a feral society, a violent

10 society, one where things would not be said, presumably

11 nothing changed?

12 A. Nothing changed?

13 Q. In terms of the culture of the house?

14 A. What, moving from?

15 Q. No, no, for your years in MacKenzie.

16 A. No, no, nothing.

17 Q. We are talking about your first year and the experience,

18 the shock.

19 A. Yes, sorry.

20 Q. But nothing really changed?

21 A. No.

22 Q. Except, of course, you had become the older boy?

23 A. Yes.

24 Q. How would you have treated boys coming into their first

25 year?

1 A. I don't actually remember a lot of year on year
2 bullying. It was much more within your year. But, at
3 the start, there were only three of us in the fourth
4 forms who were boarders, so a tiny number. More came
5 later.

6 Q. Yes.

7 A. So, in the first -- my first year I was in a mixed dorm,
8 obviously, of year groups. I am sure that I would have
9 been part of whatever bullying went on, because if you
10 didn't join them, you were bullied. So that would have
11 just been a sort of feral survival strategy. And --
12 but, again, there was no great thought given to it, it
13 just was. And, you know, you were surviving.

14 Q. Yes. You have learnt how to behave because of your
15 experience, which is then repeated on others?

16 A. Correct.

17 Q. And nothing is done to break that cycle?

18 A. None at all.

19 Q. Was there any change when you moved up to Dundas House?
20 Different dynamic, because a smaller house, smaller
21 numbers.

22 A. Yes, just a single year.

23 Q. Yes.

24 A. So just a single year group. You are now -- you have
25 collected people as you go up MacKenzie House. You

1 collect a few more, because you are now in your second
2 year. In Dundas, it is your second year in the upper
3 school, and it was a transition. So you had done the
4 transition of schools in the Geits, it is a final year
5 in MacKenzie, and now you are transitioning houses as
6 you are going up.

7 Q. Am I right in saying, as we heard yesterday, it is in
8 that second year, when you go in to Dundas, you can now
9 wear long trousers?

10 A. Correct.

11 Q. Whereas everybody who is a day boy has already been
12 wearing long trousers in their first senior year?

13 A. Absolutely.

14 Q. Except the boarders?

15 A. And I remember -- because, initially, you just walked
16 across to Arboretum Road, which was the prep school.

17 Q. Yes.

18 A. And now you are walking 20 minutes, 25 minutes,
19 I suppose, as a 12-year old, going on 13, you are --
20 sorry, 11 going on 12. You then walked, yes, to
21 Henderson Row, and I remember the chaps on your thighs
22 from these woollen shorts, and being told by another boy
23 that the secret was Vaseline to toughen up the skin.
24 And, yes, in the winter it was just horrible. The whole
25 thing was just horrible.

1 Q. Okay.

2 A. Yes.

3 Q. We understand -- and this is looking to going to the
4 senior school -- that in the senior school streaming
5 begins; is that right?

6 A. No, there is streaming all the way through.

7 Q. Thank you.

8 A. So I was in the A stream.

9 Q. Yes.

10 A. So I went in in 3A and came out at 6A and then went into
11 the Geits 1A. And then I was -- yes --

12 Q. You were academically strong?

13 A. Er, if that's the way you want to phrase it, yes.

14 Q. Well, in terms of the way the school looked at you, you
15 are A stream, top of the tree?

16 A. Yes. I was A stream, yes.

17 Q. What was life like for people in the D stream?

18 A. Don't know.

19 Q. Did it register? No?

20 A. No.

21 Q. We have heard that academic excellence and sporting
22 excellence mattered to the school; is that a fair
23 comment?

24 A. Yes, absolutely.

25 Q. So, as an A streamer; were you lauded --

1 A. No.

2 Q. -- for your ability?

3 A. No, because I wasn't sporty.

4 Q. You had to be both?

5 A. You had to be sporty. Sporty was the entry ticket.

6 Academic was secondary, until you were right up at the

7 top and Oxbridge.

8 Q. Okay.

9 A. So, really, it was sports and Oxbridge.

10 Q. Being academic; did that cause you problems?

11 A. Yes.

12 Q. How so?

13 A. So, in the boarding house, because it wasn't a sort of

14 valid sample of the school, you could get all sorts of

15 distortions. It was just the people that were there.

16 And for many years I was the only A streamer in my year

17 in the boarding house. And the next person was in the C

18 stream. So the academic difference between myself and

19 the rest of my year group was huge.

20 And in addition to that I had had to repeat a year,

21 so the third -- when I came into the school in prep

22 thirds, I had to repeat that year because I was young

23 for my year and then I would have been a year younger if

24 I had actually gone into the fourth, which is where

25 I was meant to go, academically.

1 Q. Yes.

2 A. So I presume I was viewed as a bit geeky. I didn't know
3 that word at the time, but ... and I didn't have to work
4 particularly hard, I was naturally bright, and
5 physically tall, but very thin. So I would have been
6 viewed as a weed.

7 Q. So if you are not sporty, you are a weed? Would you be
8 picked on?

9 A. Oh, yes.

10 Q. If you are academic and therefore different in the
11 context of the house; would you be picked on?

12 A. Absolutely.

13 Q. So it is status in terms of the school understanding,
14 but also difference?

15 A. Correct.

16 Q. If you are different in some way, whatever it is; would
17 you become a target?

18 A. You would. And if you are isolated in any way. If you
19 become isolated -- I go back to the feral analogy.

20 Q. Yes.

21 A. Animal pack. If you become isolated, you are really in
22 trouble.

23 Q. We have talked about MacKenzie. Let's look at Dundas
24 for that year. These behavioural patterns were present;
25 picking on difference?

1 A. Yes.

2 Q. Again, in terms of house staff in Dundas; was any effort
3 made to address those?

4 A. No. And I think another thing to bring into the
5 equation is puberty.

6 Q. Yes.

7 A. So people obviously develop physically at different
8 rates. There was a guy in my year, we used to sort of
9 joke, you know: grow a beard over half term?

10 Not quite, but pretty close. He was very mature.
11 And there were, you know, people who didn't -- well,
12 I don't know when I needed to shave, but certainly not
13 for a good few years after that.

14 Q. Okay. Within the house, just looking at the houses,
15 discipline, obviously, the ultimate sanction is the
16 housemaster.

17 A. Yes.

18 Q. Most of the time, presumably, discipline is delegated to
19 senior boys in the house?

20 A. Depends what you call "discipline"; what are you meaning
21 by "discipline"?

22 Q. Well, maintaining order?

23 A. Maintaining order, yes. There was no -- by that stage,
24 there was no ability to use corporal punishment. What
25 there was instead was the informal battering.

1 Q. In terms of formal punishment?

2 A. Formal punishment --

3 Q. Boys beating boys?

4 A. That had finished.

5 Q. That was out.

6 A. But you could dish out lines, you could dish out

7 fatigues, and you could dish out detention.

8 Q. And then there is informal?

9 A. And then there is informal.

10 Q. And informal would presumably involve physicality?

11 A. Yes.

12 Q. Are we talking about all the houses you were in?

13 A. Yes.

14 Q. So informal punishment, by way of physical punishment,

15 was constant throughout your school boarding experience?

16 A. Correct.

17 Q. Was that known about, do you think, by the housemasters?

18 A. Well, I can't say it for a fact, because I was never

19 a housemaster, so I don't know. But if they didn't

20 know, I have no idea what they were doing. I mean, they

21 must have lived in monkish isolation to not know what

22 was going on right under their noses.

23 Q. I am just wondering whether they were simply not present

24 to know; did they live, in a sense, in isolation in

25 their own apartments or were they a presence in the

1 house a lot of the time?

2 A. Their -- "presence" is an interesting word, because you
3 can have a presence without being physically there.

4 Q. Mm-hm.

5 A. So they were always present, always. And, I mean, you
6 will know, in any group -- in any hierarchical group
7 there is a way of knowing what's going on without being
8 physically there the whole time. And so I just can't
9 believe -- I mean, you know, for example in a fight in
10 MacKenzie House I got my finger stamped on and broken.
11 And when I was asked how it had happened, I said
12 I jammed it in a door. Well, nobody said: that is
13 clearly untrue. What?

14 They just went: oh, okay.

15 Q. So you have talked about injuries when you were beaten
16 with a clacken.

17 A. Yes.

18 Q. You have talked, now, about a broken thumb.

19 A. Finger.

20 Q. Finger. And things were there to be seen, but either
21 weren't understood or were ignored?

22 A. I can't believe it is either of those. I just think --
23 I can't believe they weren't understood -- sorry, or
24 ignored. Yes, ignored. Yes, I can't believe they
25 weren't understood.

1 Q. All right. We have talked about discipline in terms --
2 and we are thinking of the houses for the moment. You
3 know that the top of the tree, discipline-wise, is the
4 housemaster, who for MacKenzie House can beat you, if
5 need be?

6 A. Yes.

7 Q. There is a progression. But, from what you say -- and
8 we now turn to abuse -- Dundas House was a different
9 experience?

10 A. Totally.

11 Q. You were there for a year. Schools are a collection of
12 hundreds of boys.

13 A. Yes.

14 Q. But not a great number of people who presumably talk.
15 Did you understand what you were going into before you
16 got to Dundas House?

17 A. No.

18 Q. So there was no forewarning?

19 A. No.

20 Q. But when you got there, to use your words, it was
21 terrifying?

22 A. It was.

23 Q. The reason I asked you about that, you did say in your
24 statement Hamish Dawson, who was the housemaster, had
25 a reputation?

1 A. Yes.

2 Q. And everybody knew what it was like in Dundas House
3 before they went in.

4 A. Right, okay. So, you are in your second year --

5 Q. Mm-hm.

6 A. -- so you have been in the Geits. You come across him.
7 His nickname, at my time, was Homo Hamish, and he is not
8 called Homo Hamish for no reason.

9 Q. And this is as a teacher?

10 A. As a class teacher.

11 Q. Not a housemaster?

12 A. Correct. As a history teacher and as a class teacher.

13 Q. So he has that reputation --

14 A. Already.

15 Q. -- already?

16 A. But what you don't know is, you don't know the true, all
17 consuming fear that you are going to be subjected to.
18 Nobody ever talked about that.

19 So he was a man to be careful of. He had this weird
20 rewards and punishments system, which I would have
21 experienced in his history classes in the Geits, because
22 he was a top stream history teacher, so that was where
23 I was. But, as a class teacher, you can't -- you don't
24 have the control over the environment and over the boys
25 that you do in a small boarding house.

1 Q. Was he known as a beater as a class teacher?

2 A. Yes, but not -- not anything out of the norm. As

3 a Geit. So I am going Geits up to seconds.

4 Q. Sure.

5 A. There was nothing -- there was nothing that stood out.

6 There was no forewarning of the level, the -- by "level"

7 I mean amount of occurrence.

8 Q. Mm-hm.

9 A. Severity, or all pervading atmosphere of fear, terror.

10 Q. Of course, as you have said, Dundas is for a year, so

11 there is no overlap of previous years?

12 A. There is no overlap, and also the people who are going

13 to tell you are now in the senior houses, so they are

14 two away from you, and you didn't have anything to do

15 with people two years below you, like, nothing.

16 Q. No. How quickly did you learn on going to Dundas House

17 that the environment was so different?

18 A. Day 1.

19 Q. Do you remember anything in particular from that first

20 day?

21 A. I don't remember the specifics of the first day, but

22 I remember the first evening.

23 Q. Go on.

24 A. When he came into our dormitory.

25 Q. Mm-hm.

1 A. And the tone was set, in terms of the playfulness, is
2 the term I think one might use. Of course, it is a very
3 sinister use of the word, but that's how it would have
4 come across.

5 So he was different. He was totally different to
6 ICG. You know, ICG was somebody who didn't have
7 much of a sense of humour, quite distant, not to be
8 messed with. Even before the beating that I took, he
9 was not somebody to be messed with. Whereas Dawson was
10 just ...

11 Well, they say that children are attracted to
12 paedophiles for a reason, because they are attractive
13 personalities.

14 Q. So what was attractive about his personality?

15 A. Because he was playful.

16 Q. What do you mean by playful?

17 A. A bit jokey. A bit chummy. Sat on your bed. Christ,
18 I mean, you know, no teacher, no house tutor or
19 housemaster ever -- I mean, they stood at the door and
20 dictated at you in the dormitory, and their word was God
21 and you just -- choom, that was it. And here was this
22 guy coming in, do-do-do, bit of a joke, bit of a laugh,
23 and you went: crikey, what the hell is going on here?
24 This is different.

25 You don't necessarily say it was weird, but it was

1 different, very different.

2 Q. And he would sit on your bed and what would he do?

3 A. First night, nothing. Just jokey.

4 Q. Was there comment that first night amongst the boys, who
5 have presumably all come largely as a unit from the
6 previous house?

7 A. Yes.

8 Q. "Gosh, this is so different, this is good."

9 A. I have no idea whether we used that sort of comparative,
10 but it was definitely different.

11 Q. All right. Again, a practical question: were there
12 rules in the house, in Dundas?

13 A. There were. Whether they were written down or not,
14 I have no idea. But there were definitely -- you learnt
15 by conduct, by behaviour.

16 Q. All right. So, again, learning what to do --

17 A. Yes.

18 Q. -- what not to do?

19 A. Correct.

20 Q. But I think you described Hamish Dawson as someone who
21 had an explosive temper, so you couldn't presumably
22 always be sure how he would behave?

23 A. Well, that wasn't on show on night one.

24 Q. No, but that is something you came to learn?

25 A. Oh yes.

1 Q. Did you understand -- begin to understand there were
2 triggers to provoke these explosions, or did they just
3 happen?

4 A. No. Part of the terror was you had no idea what was
5 going to provoke them. I mean, clearly if you are being
6 really irritating, if you go out of your way to bait
7 him, then he will explode. But then he would explode
8 for completely other reasons, or unfathomable reasons.

9 Q. Was he a teacher that pupils baited to make him explode?

10 A. Not deliberately. But you might get lulled into a false
11 sense of security, where he is being playful and then
12 you are playful back, and then suddenly he doesn't like
13 it.

14 Q. What I was thinking of was perhaps the classic classroom
15 baiting of a weak teacher?

16 A. No, no, no, no. Not like -- I was thinking about that
17 when you said it and I thought: no, that's not -- no,
18 no, no, he was not a weak teacher.

19 Q. You would know not to do that?

20 A. Oh, you would definitely know not to do that. But you
21 could get caught off guard.

22 Q. Because you didn't know what would actually trigger him?

23 A. Correct.

24 Q. It could be anything and everything?

25 A. Could be anything. I mean, you know, he might be

1 playful with you, so for some reason, and maybe you are
2 thinking, you know, "This guy's my friend", or "This
3 guy's my parent", or you might do something that's
4 slightly inappropriate, and one day you might get away
5 with it and he joins in the joke, or whatever it is, and
6 another day he doesn't. But you don't know which day
7 it's going to be.

8 Q. So to put it neutrally, this would be disconcerting?

9 A. I think that is a gross understatement.

10 Q. The jovial side, we read, would be more than just
11 sitting beside you in the bed; it would involve
12 touching?

13 A. Yes, this is the good mood Dawson. And the good mood
14 Dawson was way -- ultimately, way more frightening than
15 the bad mood Dawson.

16 The bad mood Dawson would be in a rage. Sometimes
17 he would just come in and rage, rage, rage, and go out.
18 And it might be an unpleasant experience, but nothing
19 actually happened, so that is almost like a light night.

20 Then you could have rageful Dawson and somebody gets
21 hit, but at least you knew, when he was rageful, what
22 was going to happen; either nothing or somebody gets
23 hit. And it wouldn't have been an out of the ordinary
24 beating because, in the context of corporal punishment
25 at the school at the time, it was like a conventional

1 beating.

2 So that nice Dawson --

3 Q. Can I just stop you before we come back to nice Dawson?

4 A. Yes.

5 Q. But then could you have, to use your words, rage Dawson,
6 who, with you, beat to such an extent that you were left
7 with severe bruising and welts?

8 A. And that is again -- that was -- so that was as a result
9 of the specific heinous crime of being late with the
10 laundry baskets.

11 Q. Yes.

12 A. And clearly the whole world is going to stop on its axis
13 because of that. I think I was a few minutes late and
14 I had to wait the whole day, because they go down in the
15 morning, and he said he would see me in the evening.
16 And I knew that it was not going to be good news. But
17 quite why that particular offence caused him to be so
18 out of control, I have no idea. Unless, of course, it
19 was nothing to do with my offence; it was something else
20 that had happened and I was just the poor bugger who was
21 in his study for a relatively minor misdemeanour that
22 then got completely out of control.

23 Q. Was that delaying punishment until the end of the day
24 common?

25 A. I can't say.

1 Q. All right.

2 A. But, I mean, very rarely were punishments -- corporal
3 punishment was never instantaneous.

4 Q. Well, are we talking about Dawson or generally?

5 A. With -- even in the boarding house. In the boarding --
6 so I am differentiating the houses to school.

7 Q. Yes.

8 A. Because in school it could be. But, in the boarding
9 houses, it was often at the end of prep or after dinner,
10 or something. So there was always -- there was often
11 a delay

12 Q. Do you think that was deliberate or could it just be
13 practical?

14 A. It could just be practical, yes.

15 Q. Yes. But that level of beating where you are left after
16 the sin of being late with the laundry basket; was that
17 level of beating out of the ordinary with Dawson?

18 A. Yes.

19 Q. Did you see others suffering as much as you suffered?

20 A. "Out of the ordinary", by that I mean not as regular.

21 Q. Right.

22 A. So there were regular and not regular.

23 Q. Okay.

24 A. There were others. So in the same way -- sorry, in the
25 same way that the MacKenzie House beating really shocked

1 people, the Dawson beating was at the extreme level, but
2 it didn't shock other boys in the same way.

3 Q. It wasn't unique?

4 A. No.

5 Q. All right.

6 A. But he had thresholds of beatings.

7 Q. There were scales?

8 A. Yes.

9 Q. Let's go back to nice Dawson.

10 A. Okay.

11 Q. Tell us more.

12 A. So, when nice Dawson comes into the dormitory, every
13 flight antenna, fight or flight antenna, is on full
14 alert, because you have no idea what is going to happen
15 and who he is going to start with.

16 Sorry, who he is going to start with, how far he is
17 going to go, whether at some point during the
18 proceedings he is going to lose his temper because
19 things don't work out how he wants them to work out, or
20 the particular victim of the night isn't suitably
21 responsive, appreciative, compliant, whatever. So you
22 would be sitting there on your bed, we all sat on our
23 beds, cross-legged, pillows behind us, just sitting
24 there and watching, waiting, wondering, I suppose,
25 wondering what was next.

1 So whoever's bed he sat on -- and sometimes it might
2 just be innocuous. So, you know, it could be -- it
3 could go from just a bit of a joke and a clown and good
4 night, to full on sexual interference.

5 Q. Mm-hm.

6 A. And you had no idea which and where along that scale,
7 that night was going to be.

8 Q. And from what you say, he had favourites in your year?

9 A. He did.

10 Q. Two of them.

11 A. Two of them, yes.

12 Q. One you describe as immature and the other very
13 mature --

14 A. Correct.

15 Q. -- in the puberty stakes.

16 A. Yes.

17 Q. They would be the particular focus of his attentions,
18 but could it shift to anyone?

19 A. Oh, it could shift to anyone, but they got it more than
20 the rest of us.

21 Q. And you say, just in paragraph 76:

22 "There were many variations of a theme, but at its
23 worst he would tell them to lower their pyjama bottoms
24 and open the front of their pyjama top. He then openly
25 played with their balls and penis."

1 A. Yes.

2 Q. You can't say for sure if he would masturbate them, but
3 he was definitely playing with them?

4 A. Yes.

5 Q. He was clothed throughout?

6 A. He was.

7 Q. And you make the point that no one would resist?

8 A. No.

9 Q. Whilst this is going on, the rest of you -- and how many
10 would there be?

11 A. I think the dorms are about -- so it would have only
12 been about one year group, and the house -- so there
13 would have been, how many? I don't know, we would have
14 been 15/16 boys. I can't think there would be more than
15 that. And so the dorms would -- I think there were two
16 dorms, so it is five, six, seven, somewhere around --
17 the picture I have is about sort of six or seven-ish in
18 a dorm, something like that.

19 Q. Were you aware if this was happening in the other dorm
20 too?

21 A. Oh yes.

22 Q. You knew that?

23 A. Yes.

24 Q. It was discussed?

25 A. Yes. It was discussed, but not discussed. So we knew

1 it was happening, but nobody ever went into details.

2 Q. No.

3 A. No.

4 Q. And presumably nobody ever said anything outwith the

5 house?

6 A. No.

7 Q. No.

8 A. Not even when you went to one of the senior houses, and

9 you knew everybody had been through it. You didn't talk

10 there. So it was this -- it was such a strange --

11 I mean, to my nearly 67-year old mind, it makes no sense

12 at all that you all go through this and never exchange

13 information. I mean, so you know, but you don't know.

14 You know what's happening in front of you, you can see

15 it. I know what happened to those other boys in my

16 dorm. I know it absolutely happened in the other dorm.

17 What actually happened in the other dorm, I don't know.

18 Q. No. You say it was regular, and it must have happened

19 dozens of times?

20 A. Yes. Well, so how many weeks in a school year? There

21 are 12, 20, 30, 30 something weeks in a school year.

22 So, you know, X boys, Y weeks. Do the maths.

23 Q. So would it be happening more than once a week?

24 A. Oh, yes.

25 Q. All right. You say:

1 "... with hindsight, we must all have known that it
2 was wrong."
3 A. Yes.
4 Q. Was there a sense at the time that this was wrong, or
5 was that not part of the thought process?
6 A. No. Survival was the only focus.
7 Q. Was there any other adult presence in the house, as in
8 the site of the building that you lived on?
9 A. Well, there was a visiting house tutor.
10 Q. And you talk about him.
11 A. Yes.
12 Q. He abused, also?
13 A. He did.
14 Q. Was there ever any visitation to the house by senior
15 staff, the headmaster, governors?
16 A. No, no, no, no.
17 Q. Should we understand that Dundas House was really
18 a little island?
19 A. It was a fiefdom.
20 Q. It was a fiefdom?
21 A. Yes. All the houses were fiefdoms. So MacKenzie was
22 ICG's fiefdom; Dundas, Dawson's fiefdom, and then the
23 other two.
24 Q. And I think we have heard this in relation to
25 Edinburgh Academy already, but in relation to other

1 schools, very much the fiefdom -- the ethos or the feel
2 of the fiefdom would depend on the personality and
3 mindset of the housemaster?

4 A. Correct.

5 Q. You could have a good housemaster?

6 A. You absolutely could, yes.

7 Q. Did you experience a good housemaster?

8 A. No.

9 Q. No. But the possibility exists?

10 A. Yes.

11 Q. Yes.

12 A. I mean, I had three housemasters. A very strict one,
13 a complete nutter and a very weak one.

14 Q. And the weak one is Scott House?

15 A. Yes.

16 Q. You moved there after a year in Dundas. Presumably, it
17 was with great relief that you left Dundas?

18 A. I don't think I can feel that because the whole process
19 was like an automaton. You know, you just went from one
20 place to the next, nothing was going to change.

21 I mean, I suppose it might have done, but there was
22 nothing to indicate to me that it was going to change,
23 in terms of the totality of the experience. The detail
24 might be different, but the experience of -- well, by
25 the end, it was just hellishness. It wasn't going to

1 change.

2 Q. Again, to use a phrase we have heard: it was just the
3 way it was.

4 A. Just the way it was.

5 Q. All right. But I think --

6 A. Sorry.

7 Q. Sorry.

8 A. It was quite interesting. I'm just thinking about this
9 just accepting. I didn't know until I saw my student
10 record, which I have obtained through -- from the
11 Academy in relation to civil litigation.

12 Q. Yes.

13 A. That my father put me down. So he put me down for the
14 Academy in 1960, and on the application form it said
15 that I would be going to Glenalmond, which is his
16 school, in 1968.

17 Q. Mm-hm.

18 A. And I just -- so I was quite interested that he had
19 already decided, in 1960, that is what I was going to
20 do. Because he raised it with me and said, "You know,
21 you can go to Glenalmond at 13", because that's all that
22 they took boys at in that day, and that was his old
23 school.

24 And I remember saying to him, "No, I don't want to
25 go. I would rather the devil that I know than the one

1 that I don't". So I wasn't expecting anything different
2 anywhere else. In fact worse, because at least --
3 I wouldn't know -- I would be stuck, again, as the new
4 boy, not knowing who the hell to look out for.

5 Q. Yes.

6 Moving on to Scott House.

7 A. Yes.

8 Q. You mentioned that he was -- the other housemaster was
9 weak and ineffective. Is it fair to say, in the senior
10 school, both as a schoolboy, but in the senior house, as
11 an older boarder, the problem really was other pupils?

12 A. Yes.

13 Q. You talked about ephors being appointed just because
14 they were the next in line.

15 A. These are house ephors.

16 Q. House ephors. And you became a house ephor?

17 A. I did. I became head of house.

18 Q. Head of house.

19 A. Because I was the only person in my year who had started
20 right at the bottom.

21 Q. So it was length of service?

22 A. Correct.

23 Q. And I think we may hear evidence that the same process
24 was followed for the appointment of housemasters; it
25 wasn't young masters who were appointed, it was the ones

1 who had time served?

2 A. Yes.

3 Q. Did you have any knowledge of how housemasters were
4 appointed, or they just were?

5 A. They just were, yes.

6 Q. You were appointed because of time served as a pupil, as
7 head of house at Scott; did that go well?

8 A. Genius. Not.

9 Q. Why not?

10 A. Because, as I have already pointed out, I was not
11 sporty, so therefore had no credibility in that -- on
12 that basis. I was already, by that stage, isolated.
13 I became even more isolated in my last two years,
14 I think probably about two and a half at the school.
15 And I just carried no -- and physically, by that stage,
16 I was 6-foot tall, and when I left the Academy I weighed
17 under 8 stone, at 6-foot tall. So I was very thin. So
18 I had carried no authority whatsoever, and everybody
19 knew that.

20 And the bullies in my year made sure, made
21 absolutely sure, on pain of being battered yourself,
22 that you did absolutely nothing that Russell ever asked
23 you to do. Full stop. So it was just mayhem.

24 Q. I think going back -- you make the point in the
25 statement -- that in the senior school, thinking of

1 ephors in terms of the school, but presumably also house
2 ephors, some of them are old, 18/19?

3 A. I was stunned to find in the school roll that when I was
4 in the fourth form, so that's my O Level year, there was
5 a guy already, in September, he was 19. Well, given
6 that I was, you know, young for my year and should have
7 been younger still, the disparity -- and he was a first
8 fifteen guy, because he is the head of my house, and
9 there were two of them, I found the other one was 18 and
10 he was 19, and they were very tall, very muscular, very
11 good athletes, and totally terrifying.

12 Q. The statement is very clear about this, but perhaps just
13 to read two passages for your confirmation about life in
14 the senior school and the senior house:

15 "Life became [paragraph 86] hellish so much so that
16 I started to absent myself from the boarding house.
17 I was there nominally but had nothing to do with the
18 boys in the house. The worst years were between 15 and
19 17. It was a very difficult, lonely time and was
20 horrific. I started to protect myself by isolating
21 myself away from everyone. This was my way of coping.
22 I wasn't sporty, I was geeky, I was lonely and just
23 wasn't in the 'golden circle'. I was very much alone."

24 A. Mm-hm.

25 Q. Did anyone in the school, thinking teachers, notice?

1 A. No.

2 Q. I know you will say, "I don't know what was in their
3 head", or why they didn't notice, but surely there would
4 have been presents who would have spotted the fact that
5 you were absenting yourself?

6 A. Oh, they knew.

7 Q. Oh, they did know?

8 A. Oh, they knew. Oh, yes.

9 So I would absent myself from the boarding house and
10 a very good friend of mine, in the last two years, his
11 mother was the only female teacher, she was a part time
12 biology teacher. They lived near the Dean Bridge, and
13 I used to go to his house. And I am absolutely sure
14 that she would phone the housemaster and say, "Don't
15 worry, he's here and I will make sure he is back by ..."
16 whatever time. And I would, having come out of my study
17 window and down the drain pipe, I would go back up the
18 drain pipe and back into my study window and there
19 I would be. And I was never punished once.

20 Q. And not even that, you were duly made head of house?

21 A. Indeed.

22 Q. The boy who wasn't there?

23 A. Correct.

24 Q. Turning to the senior school, paragraph 88:

25 "The peer abuse in the senior school was over

1 a protracted period, probably close to three years. It
2 was far more insidious than the teacher abuse. There
3 was name calling, public shaming, beating up, sabotaging
4 of belongings and total invasion of privacy. Boys would
5 often ransack lockers, steal stuff or even wreck it.
6 Kit might be trashed or your study turned over. Nothing
7 was sacred. Every day when I returned to the dorm or
8 latterly my study I had fear of what had been done to my
9 stuff that day."

10 Again, nothing was done?

11 A. Nothing.

12 Q. Yet presumably staff ought to have seen what was going
13 on?

14 A. I have no idea how they couldn't know.

15 Q. Is that the point?

16 A. That's --

17 Q. They could see it, but nothing was done?

18 A. They didn't care. They didn't -- I mean, I just have no
19 idea how these people, as human beings, forget anything
20 about duties of care and safeguarding and wellbeing and
21 all of that. Just at basic human level, I have no idea
22 what these people were thinking and how on earth what
23 they were doing was remotely okay. I mean, I just don't
24 get it. It just defies any sort of logic to me at all,
25 or any sort of reasoning or any sort of anything.

1 Q. Is there a distinction to be drawn between the teaching
2 staff and house staff? Because I think you say the
3 education, on one view, was quite good?

4 A. The boarding houses and the school were two totally
5 separate environments. I went to school for a holiday.
6 Each day. Each day I had to go back into that shit hole
7 that was a boarding house, whichever one it was.

8 Q. So school was relief?

9 A. Oh, school was a doddle.

10 I mean, it is a very, very interesting exchange that
11 goes on within the Survivors Group; you are aware that
12 there is a survivors' group?

13 Q. I am.

14 A. When I first met Nicky Campbell, he and I looked at each
15 other as if both of us came from planet Zog, because he
16 said -- Nicky Campbell is a day boy -- how on earth did
17 you survive that for nine years? I said to him, "How on
18 earth did you go home every evening and not tell your
19 parents?"

20 So I view his situation as being absolutely
21 horrendous, and he views mine as totally unbelievable,
22 and both of us sit here. So the separation was
23 absolute. Day boys had no idea what was going on in the
24 boarding houses.

25 Q. But, as a boarder, you viewed school as release?

1 A. Oh, as I said, it was a holiday.

2 Q. Yes.

3 I think if we can move to paragraph 96, the day
4 comes when you leave Scott House and, as you leave the
5 house for the last time, you look at the crest above the
6 door, and you swore an oath that would you would "never
7 let anyone ever control me in that way ever again".

8 A. Correct.

9 Q. As you say, that oath has caused you quite a lot of
10 trouble throughout your adult life?

11 A. It has. I have been married twice, divorced twice.
12 A number of quite long term broken relationships. And
13 the issues -- the two issues were lack of trust --
14 fundamentally, a lack of trust and any feeling, any
15 remote sense of somebody trying to control me just
16 provoked an explosive temper.

17 Q. One other aspect, sorry, I should have mentioned, but
18 just touch on and then we will go back to the impact.
19 As you say, your work, you were a A stream boy all the
20 way through, but your work declined in those
21 latter years?

22 A. In relative terms, yes.

23 Q. In relative terms, but that wasn't spotted. Pardon,
24 there was no investigation as to why?

25 A. There was no investigation at all. It was very

1 interesting, when my father died, in 2005, I found all
2 my school reports in his desk and I looked through them
3 from his eyes, to see if there was anything, any
4 indication. Nobody was interested whatsoever. Nobody
5 was interested.

6 Q. Again -- and I don't want to labour it, because we can
7 read the detail which is set out from page 24 onwards,
8 about the impact, but putting it shortly, and reading
9 paragraph 103, you consider your adult life to have been
10 in three phases. The first is leaving the Academy, up
11 to 1990, and that was a period of gradual descent to
12 what you describe as the bottom?

13 A. Mm-hm.

14 Q. You have your first depressive episode in 1975; the year
15 you left school?

16 A. Er, the year after.

17 Q. Sorry, the year after.

18 A. Yes.

19 Q. I beg your pardon. And that's your first year at
20 university?

21 A. Correct.

22 Q. And your mental health has suffered ever since?

23 A. Yes. I have been in psychotherapeutic and psychiatric
24 care for over 30 years now and still am, and will
25 probably be on medication for the rest of my life.

1 Q. I think you have put it -- simply, your experience at
2 school has never left you?

3 A. No, and not only has it never left me in the day, it
4 never leaves me -- it has, until very recently, never
5 left me at night either. I dream it.

6 Q. There is then a second phase where you, to use your
7 words, you bump along the bottom for 12 years until
8 2002.

9 A. Yes.

10 Q. It is at that point that you begin to talk?

11 A. Yes. I had started my -- with my then therapist, in
12 2000, and when I first met her I communicated only by
13 behaviour, in relation to these issues.

14 Q. Mm-hm.

15 A. And she spent two years decoding what my behaviour
16 meant. And at the end of that work, I mentioned Hamish
17 Dawson's name for the first and only time, until I saw
18 it on the BBC News website on the 27 July last year.
19 And now I can say his name with impunity. It doesn't
20 hurt me at all. But that's how -- that's how damaged
21 I was.

22 Q. Yes. But, as you say, the third phase is from then
23 until now.

24 A. Yes.

25 Q. Which is the ascent.

1 A. Yes.

2 Q. Though not without difficulty?

3 A. Well, it is like lots of things, you go up and down and
4 up and down, and up and down, yes. But the trend is up.

5 Q. The trend is up?

6 A. Yes.

7 Q. Obviously, all this has been brought to mind because of
8 the publicity of Nicky Campbell, which followed the
9 hearings of the other schools?

10 A. Yes.

11 Q. And the reporting by Alex Renton?

12 A. Well, I mean, I live in England, so I don't wish to be
13 disrespectful, but I didn't even know anything about
14 this Inquiry. I am afraid we are very insular down
15 there and don't report events north of the border. So
16 when I -- you know, it was hearing Nicky, seeing it on
17 the website, getting in touch with him, acting on his
18 advice to get in touch with you, and Police Scotland.
19 And then, you know, like they say, the rest of the last
20 year has been history.

21 Q. And part of that history -- and it is the last thing
22 I want to talk to you about, because I know you want to
23 say things yourself.

24 A. Thank you.

25 Q. It is the lessons to be learned and hopes for the

1 Inquiry. I am conscious, as you are, that there has
2 been a great deal of criticism of Edinburgh Academy, and
3 doubt about Edinburgh Academy and its response. But
4 I think from conversations with you and from what you
5 say, that is an ongoing process. You are very anxious
6 to work with Edinburgh Academy of now; fair?

7 A. Absolutely.

8 Q. And you engage with the current director, Barry Welsh?

9 A. I do. And just starting to engage with the current
10 chair of governors, Mark Galloway, as well.

11 Q. Yes. I think to that statement the statement is now
12 slightly out of date?

13 A. It is, yes.

14 Q. Because things have progressed.

15 A. Yes.

16 Q. And we will hear, no doubt, from them, or him, Barry
17 Welsh, about the steps that are taken, and we are
18 aware -- and you will be aware of the opening
19 submissions yesterday from the Academy?

20 A. Yes.

21 Q. You have helpfully provided details of what was said at
22 the prize giving this year, which I think you view as
23 a way forward?

24 A. Absolutely.

25 Q. And a new prize, Aegis(?) prize?

1 A. Yes, the Aegis prize, which is for outstanding example
2 of wellbeing.

3 Q. Yes. What, looking to the future, do you hope to see?

4 A. I believe that in Barry Welsh, and the work that has
5 been done by the Academy over the last seven months or
6 so, that they have an opportunity to make themselves
7 a sector leader, and an outstanding example of wellbeing
8 and care for those who are abused. And I use that verb
9 very carefully, because "abuse" is an existential
10 reality.

11 I don't mean teacher on pupil. I think the
12 environment for education has changed beyond belief from
13 my time to now. And I think whilst there are incidents,
14 there probably always will be, they are picked up and
15 clamped down on very quickly.

16 I think far more difficult to manage is pupil on
17 pupil. In the same way as it had a catastrophic effect
18 on me in Scott House, I think it -- particularly with
19 social media, I don't pretend to understand what goes on
20 in that world. But I think by accessing the wealth of
21 experience and knowledge, the lived experience and
22 knowledge of what it's like to be on the wrong end of
23 this stuff, and it not being dealt with, it not being
24 transparent, it not being talked about, I think they
25 could do a fantastic, fantastic job, and that's what I,

1 if -- I mean, I don't want to say it would have made all
2 this worth it, because that's a very big statement, but
3 it certainly would be a massive dividend out of this.

4 MR BROWN: Neil, thank you very much indeed.

5 A. May I make one statement in closing?

6 MR BROWN: I was going to say, I have no further questions
7 for you.

8 A. Thank you.

9 MR BROWN: As I said to you, I ask is there anything else
10 you wish to say, and I know you do, so now's the chance.

11 A. Thank you.

12 LADY SMITH: Neil, please go ahead.

13 A. Thank you very much, thank you very much.

14 Sorry, I am just organising my --

15 LADY SMITH: Don't worry, take your time.

16 A. -- self. Yes, here we go.

17 LADY SMITH: Are you okay?

18 A. Yes. Yes, I am okay, but what a day. It has been 50 to
19 60 years in the making.

20 LADY SMITH: Yes.

21 A. And although I have been nervous about coming here, and
22 I have actually visited this room a couple of times,
23 each time it has been quite -- "intimidating" is not the
24 right word, but anxiety --

25 LADY SMITH: Sure.

1 A. Interestingly enough, this morning was the least,
2 because I had decided what I was going to say now, and
3 that's the thing that had been worrying me more.

4 And what was worrying me was being able, today, to
5 do justice to my 7-year old little boy, who was taken
6 from his, or moved from his family, [REDACTED]
7 [REDACTED] and never had a childhood relationship
8 with any of them. [REDACTED]
9 [REDACTED]
10 [REDACTED]
11 [REDACTED]

12 The second person I wanted to do justice to today is
13 the rageful teenager. I was so out of control, just
14 consumed by anger, distrust, and not understanding where
15 I was in the world.

16 And the third person I wanted to do justice to was
17 the frightened, isolated young man, trying to find his
18 way in the world. Utterly lost at one level, and whose
19 world totally fell apart in 1990, when I sat in a field
20 in Essex, in a car, and tried to commit suicide.

21 As you have said, Mr Brown, I bumped along the
22 bottom for 12 years, and I shouldn't be here today.
23 I should have died. But I didn't.

24 And in 2002, with amazing support from a fantastic
25 psychotherapist, and an excellent psychiatrist to look

1 after the medical side of my condition, I started to
2 find a way out of this blackness. And it has been
3 a 21-year journey on a road that I have called peace and
4 reconciliation. And I know that: what does that mean?

5 But what it meant for me was to find a way to be
6 able to come to Edinburgh, which I viewed as a totally
7 toxic city, and it was very awkward, because my parents
8 retired here, so I couldn't come and visit them without
9 re-triggering all this stuff, again, and to be able to
10 go to any part of Edinburgh, including Henderson Row,
11 without trauma.

12 And that journey was winding its way along until
13 last year, when a door cracked open with Nicky Campbell,
14 and I chose to go through the door. And the support
15 over the last year from my fellow survivors, who I had
16 never in my wildest dreams thought I would have ever
17 spoken to, former members of the Academy. We call
18 ourselves -- and I know it is slightly trite -- a band
19 of brothers, because we have come through an annealing
20 process that you survive or you psychologically die, or,
21 very sadly, as we heard yesterday, actually die.

22 And part of this journey, I would like to express my
23 heartfelt thanks to Barry Welsh, who in his generosity
24 has and openness has offered me a path to find this
25 reconciliation that I am looking for.

1 I had no adult relationship with my father, at all.
2 And Barry is the headmaster that I wished that I had
3 had.

4 I did make peace with my Dad, and I am so pleased
5 that I did. He died, as I said, in 2005. And in 2003,
6 for 18 months before he died, we made peace. And we
7 never talked about the detail, but he did say that they
8 had made a terrible mistake sending -- with the best of
9 intentions, I know, I understand, I do understand. But
10 I am sad that we had no conversations as an adult. He
11 was a decent man. I think he was a good man and I think
12 we would have learnt an awful lot from each other if we
13 had.

14 And I just want to say: dad, I miss you.

15 Finally, Lady Smith, I would like to thank you.
16 I would like to thank you, Mr Brown, for enabling me to
17 do justice to my little boy today, and for him to have
18 found peace at last.

19 Thank you.

20 LADY SMITH: Thank you very much for that contribution,
21 Neil, it is extraordinarily valuable.

22 Can I just say, I am very glad you survived to
23 introduce me to the 7-year old and the teenager, and the
24 adult, and the you that you are today, because you have
25 done so much for my learning and understanding about

1 LADY SMITH: Good afternoon. The news I have is that the
2 link is working well; is that right, Mr Brown?

3 MR BROWN: As your Ladyship can now see 'Baxter'.

4 'Baxter' (affirmed)

5 A. Hello.

6 LADY SMITH: Good afternoon, 'Baxter'. Could I begin by
7 introducing myself. I am Lady Smith and I chair the
8 Scottish Child Abuse Inquiry here in Edinburgh. Thank
9 you for joining us this afternoon over the Webex link.

10 Before we begin, I would like to ask you to raise
11 your right-hand and then say something that means you
12 promise to tell the truth. My apologies, I should have
13 checked my notes beforehand, but I haven't, would you
14 prefer to affirm or would you like to swear an oath?

15 A. I don't mind, I promise to tell the truth.

16 LADY SMITH: Very well. Would you repeat after me, please.

17 (The witness affirmed)

18 LADY SMITH: Thank you, 'Baxter'.

19 Now, in a moment I will hand over to Mr Brown, but
20 before I do that, please let us know any practicalities
21 such as if you have a problem with the link, either
22 because you can't see us properly or you can't hear us,
23 or you just want time to sort out something at your end.

24 But separately, 'Baxter', the subject matter we are
25 asking you about is tough, I know that, and if you want

1 a breather at any time you must let me know, because if
2 it works for you, it will work for me.

3 A. Okay.

4 LADY SMITH: I want to do anything I can do to help you give
5 the best evidence you can.

6 A. Thank you.

7 LADY SMITH: So if you don't have any questions at the
8 moment, I will hand over to Mr Brown. But do ask any
9 questions at any time, if you are not sure about
10 anything; all right?

11 A. Thank you, again.

12 LADY SMITH: Thank you. Mr Brown.

13 Questions from Mr Brown

14 MR BROWN: My Lady.

15 'Baxter', hello again. We have your statement, and
16 I think you have a copy of it at your end?

17 A. Indeed. Yes, I have it on my phone here.

18 Q. Thank you. We know that the statement was signed by
19 you, in February of this year.

20 A. Mm-hm.

21 Q. The last paragraph confirms that you have no objection
22 to your witness statement being published as part of the
23 evidence to the Inquiry:

24 "I believe the facts stated in this witness
25 statement are true."

1 And I take it you are still content with that
2 description?
3 A. Yes, indeed. Andrew, I can't see you; is that intended?
4 I can hear you very clearly, but I can't see you.
5 MR BROWN: Fortunately, I have no control over that sort of
6 thing, but it may be --
7 A. Okay, not to worry. As long as I can hear you.
8 LADY SMITH: Is that better?
9 MR BROWN: Have I now appeared?
10 A. That's better. Yes, I can see you clearly.
11 MR BROWN: That's very charitable of you. Just one point of
12 detail, your statement has a reference number and, for
13 the record, I will read that in, WIT-1-000001202. By
14 way of background, you are now 67, I think?
15 A. Yes.
16 Q. And you went to Edinburgh Academy between 196█ and 197█;
17 is that right?
18 A. Correct.
19 LADY SMITH: Mr Brown, 'Baxter', I am sorry, there is
20 a small technical glitch at this end, I think the best
21 thing for us to do is to stop for a few minutes. We
22 will keep in touch with you when we can --
23 A. Okay.
24 LADY SMITH: -- and see if we can sort it out. I am so
25 sorry about that.

1 A. No, that's fine.

2 LADY SMITH: I will rise, and if somebody will let me know
3 when we are ready. Thank you.

4 (2.24 pm)

5 (A short break)

6 (2.40 pm)

7 LADY SMITH: 'Baxter', welcome back. My apologies, I am so
8 sorry about those problems, but I am told that we are
9 now ready to go.

10 Are you ready for us to go?

11 A. I am ready to go. No problem at all.

12 LADY SMITH: Very well. Mr Brown.

13 MR BROWN: Thank you very much indeed. 'Baxter', sorry
14 about that. I think we had come as far as getting your
15 statement number and your bare details. You are 67 and
16 you were at Edinburgh Academy between 196█ and 197█?

17 A. That's correct.

18 Q. So between the ages of 11 and 17?

19 A. Yes.

20 Q. The reason you were sent as a boarder to
21 Edinburgh Academy, and you were a boarder throughout, is
22 because your father --

23 A. Mm-hm.

24 Q. -- worked for the UN and was abroad?

25 A. Yes, yes.

1 Q. Whilst schooling in some countries was adequate, he
2 moved to a country where there was a concern it wouldn't
3 be adequate for either you or your brother?
4 A. That's right.
5 Q. And the decision was taken to send you to
6 Edinburgh Academy. Your brother joined as well, but he
7 is older?
8 A. Yes, three years older.
9 Q. Was that a help for you, having a older brother in the
10 school, too?
11 A. Yes, indeed. Yes, he led the way and he is -- yes,
12 indeed. Absolutely.
13 Q. Thank you.
14 A. So I followed in his wake.
15 Q. Yes. Now, I think, as you say on page 2, your brother
16 had already gone to a boarding school in Zimbabwe?
17 A. Yes.
18 Q. Presumably, then Rhodesia?
19 A. Yes.
20 Q. And it been a fairly brutal experience for him. But you
21 were excited at the prospect of going to Edinburgh and
22 boarding school?
23 A. Yes, I spent a term at a village school in Tarbert in
24 Argyll, where my father had come from. I had to do sort
25 of crammers in Latin and French, because I think the

1 children I was joining had two years on me, which is
2 quite a lot of time when you are 11 years old and you
3 are two years behind the rest.

4 So that was a sort of crammer. And then I did the
5 Edinburgh Academy entrance exam. And I think they must
6 have been -- they must have allowed quite a bit for my
7 lack of understanding of both French and Latin, because
8 I was still able to get in.

9 Q. And there comes the day when you go to MacKenzie House,
10 the first boarding house.

11 A. Yes.

12 Q. Was there any familiarisation for you joining the house?
13 Were you given a brief, or an introduction to the house?

14 A. It was run by ICG [REDACTED] and he was a very avuncular
15 old chap and a good cricketer. It was probably quite
16 a big boarding house, but with lots of very young
17 children. I guess they started from 8 years of age
18 until 10 or 11.

19 And I think you had a sort of mentor, where -- this
20 is 55 years ago, it is quite a long time. But I think
21 there were children, you know, from my peer group who
22 were assigned to show me around. Mr ICG [REDACTED] showed my
23 parents around with me, so there was definitely
24 a welcome and a kind of handover by the parents of the
25 child to the school. So, yes, there was a sort of

1 initiation.

2 Q. All right. In terms of the rules of the house; were
3 they published? Were you issued with a set of rules or
4 was that the sort of thing you just picked up as you
5 went along?

6 A. I don't clearly remember a set of rules, and certainly
7 they would have been picked up as you went along.

8 There were certainly rules that parents were made
9 aware of, in terms of the standard of uniform that was
10 required, or, you know, shoes with shoe laces, rather
11 than slip-ons, your appearance, in other words, and the
12 uniform that you wore, there were rules around those
13 things.

14 But, for the rest, it was kind of, you know, you
15 learnt as you went. So if you were caught ragging, that
16 was breaking a rule.

17 Q. Okay. Ragging, we understand, is perhaps one way of
18 describing having boisterous fun?

19 A. That's exactly right.

20 Q. I think we have heard or read ragging could even involve
21 tutors, from time to time they would engage in ragging?

22 A. Quite possibly. I don't remember that well enough, but
23 that's certainly possible.

24 Q. All right. But there were times, presumably, where it
25 went too far and sanctions had to be imposed?

1 A. Yes, it might have been after lights out. It could have
2 been pillow fights. There might have been feathers all
3 over the floor. So, you know, clearly if the idea was
4 that young children should be sleeping at that time and
5 they were fooling around instead, that could lead to
6 a disciplinary action.

7 Q. All right. I will come back to discipline in a moment.

8 But, in terms of boisterous behaviour; was there
9 a darker side to that? We have heard from some
10 witnesses of particularly older with younger boys
11 starting initiation ceremonies, or bullying.

12 A. I think if you leave a bunch of children together for
13 long enough, some of the alpha males may choose to bully
14 or intimidate younger, weaker males.

15 I mean, I can remember instances of bullying where,
16 you know, a child might be brought to tears and want his
17 mother. But I don't have a vivid recollection, it is
18 a general one. I don't have a vivid recollection of,
19 you know, ritualised bullying, either by older boys or
20 by teachers.

21 Q. Okay. In terms of a boy crying, perhaps because he
22 wants his mother, he is home sick; was that something
23 that the house, boarding house, tried to cater for, or
24 was it just left be?

25 A. I think there were -- you know, there were -- forgive

1 me, but, you know, if there were 11-year old boys that
2 perhaps wet the bed, then there would be arrangements
3 for a rubber undersheet or similar. And I guess at that
4 stage of life there is a sort of nervousness, away from
5 home, away from your parents --

6 MR BROWN: Could we stop for a moment? I think
7 something's --

8 LADY SMITH: 'Baxter', we are just checking whether somebody
9 in the public area listening to the evidence is okay, or
10 not, some first aiders are attending.

11 A. Right.

12 MEMBER OF THE PUBLIC: I am so sorry.

13 LADY SMITH: No, no, don't apologise.
14 She is okay, and going out.
15 Mr Brown.

16 MR BROWN: We were talking about the potential for some
17 bullying, but I was asking about whether or not boys,
18 for example who were homesick, were catered for.
19 I think you were talking about if there is bed wetting
20 rubber sheets would be provided.

21 A. Yes, yes.

22 Q. But would -- children being children, I think we have
23 heard that however well, say, a matron would deal with a
24 bed wetter, if you bed wet your fellows might mock you;
25 is that --

1 A. Yes. Yes, that is conceivable. I think there were
2 support systems for -- in the form of matron, or
3 possibly the house tutor or housemaster. But I suspect,
4 also, that their patience might be tested if someone was
5 crying all the time, needing mummy all the time, that in
6 the end they want everybody to integrate and get on with
7 the business of boarding.

8 So I think there was some sympathy, some allowance,
9 but it wasn't infinite.

10 Q. Thank you. You were talking about the housemaster at
11 MacKenzie as being avuncular; what about the house
12 tutor?

13 A. Can I mention his name?

14 Q. Yes, please do.

15 A. That was ICA . He was a tall and, as far as
16 I remember, a youngish house tutor or teacher. So
17 Mr ICG would have been well into middle age, with
18 a family that was growing up. I think ICA was
19 a bachelor. Without maybe -- I hope I am not being
20 rude, but without the social skills. He wasn't
21 avuncular, and he was a bit old fashioned, a little bit
22 stiff, and much younger than Mr ICG .

23 Q. Okay. I think the words you used in the statement:

24 "... not full of human warmth and empathy."

25 A. Right, right.

1 Q. To use --

2 A. Yes.

3 Q. -- a word of today, we talk about pastoral care; you
4 will be aware of that?

5 A. Yes.

6 Q. Was pastoral care something that featured at
7 Edinburgh Academy, in the 1960s?

8 A. I don't think it was ingrained at that time.

9 Q. No.

10 A. I think it was -- you know, there were routines that
11 would take care of pupils' needs at different times, but
12 I don't think it was programmed like it might be today.

13 Q. If you were upset -- and I am not saying you were, but
14 should you have been upset at that time; did you know
15 there was someone you could go and speak to?

16 A. I suspect would you speak to your friends first, you
17 know, if you made pals. They are in the same position
18 as you, so they might be the best people to talk to.

19 I mean, certainly I think the break from family life
20 was a bit of a surprise, and I may have shed a couple of
21 tears, but I got over it quite quickly.

22 And once you get over it, you immerse yourself in
23 the life of a boarder, which is a lot of routines, a lot
24 of sport, a lot of lessons to attend, church on
25 a Sunday, all sorts of regular timetabled things to do,

1 which kept you busy, kept you busy. And then you had
2 a little bit of time to yourself, where you could do
3 recreational things.

4 Q. Overall, did you enjoy the experience of being a boarder
5 at Edinburgh Academy?

6 A. Yes, I did. But, strangely, enough my oldest son
7 boarded at a school in England and he absolutely loved
8 it. So I thought it was okay in parts and not always
9 okay, but overall it was fine. He loved it. And can't
10 say that I really loved it.

11 Q. Thank you. We will come back to the bits, I think, that
12 we know you didn't love in a moment or two.

13 A. Okay.

14 Q. One other discrete issue, and that's discipline. You
15 had been -- you went aged 11. Prior to going to the
16 Academy you had been to a number of schools; had
17 corporal punishment featured at those schools?

18 A. Yes, I was at the Lusaka Boys School, in Northern
19 Rhodesia, then Zambia, as you mentioned, and
20 I distinctly remember the headmaster, Mr Brockwell,
21 having a cane in his room. Thankfully, he never used it
22 on me. But I knew it was a weapon and he could use it,
23 if he chose to. So, yes, I had seen evidence of, you
24 know, tools of punishment.

25 Q. We will come on to Hamish Dawson in a moment or two.

1 But, generally, was Edinburgh Academy a school, from
2 your perspective, where corporal punishment was
3 routinely used?

4 A. Yes, I was very surprised that -- I think the year
5 before I joined the school, so that would have been in
6 196█ -- they stopped the habit of ephors, E-P-H-O-R-S;
7 you are probably familiar with the Academy's name for
8 prefects?

9 Q. Yes.

10 A. They stopped the tradition of prefects beating boys.
11 I don't know where it was done, I never saw it, because
12 they ceased doing it the year before I arrived. But
13 that struck me as pretty archaic. And even at that
14 time, you know, it was a relief to know that they could
15 no longer do it.

16 Q. Thinking of ephors beating boys, that had stopped
17 officially. Thinking of life in the houses, and the
18 various houses you were in; was there informal physical
19 punishment by boys on boys?

20 A. Not that I am aware of, no. Only in terms of ragging.
21 You know, fooling around, pillow fights or rugby
22 tackles, that sort of thing. Fun that was then taken
23 a little bit too far, so somebody got hurt.

24 Q. All right, thank you.

25 LADY SMITH: But those aren't circumstances where

1 a particular group of boys has been empowered and
2 trusted to inflict physical punishment on other boys.
3 It is quite different.

4 A. In terms of the habit of ephors beating boys?

5 LADY SMITH: Yes, when an ephor was empowered to beat boys
6 that was a set of circumstances where older boys were
7 being given a power, a power to hold in trust,
8 certainly, but a power to beat boys.

9 A. Yes.

10 LADY SMITH: Ragging, in the sense of rough and tumble and
11 physical engagement of the sort you have described,
12 sounds like something completely different.

13 A. Yes, indeed.

14 LADY SMITH: There was physical engagement, but not a boy
15 having the power to punish another boy.

16 A. No. I mean, it was institutionalised, so you would
17 have, theoretically, a 17 or 18-year old beating
18 an 11-year old. And I understand the practice was that
19 the child being beaten had to put his head underneath
20 a table, so effectively it would be difficult to raise
21 your head as you were being beaten by a chap that would
22 be presumably fairly musclebound by the age of 17 or 18.
23 So a horrible practice and I am glad it stopped before
24 I met it.

25 LADY SMITH: Thank you.

1 A. Okay.

2 MR BROWN: The power had stopped, though, the year before
3 you arrived. But, again, thinking to the houses and the
4 school, we understand there would be house ephors and
5 then school ephors; is that right?

6 A. They were able to?

7 Q. No, no, there was a structural hierarchy with
8 responsibility for discipline amongst pupils, but it
9 didn't involve physicality.

10 A. That's right, yes. You know, the prefects would have
11 had the ability to tick you off, or report you for
12 something that you had done that you shouldn't have. So
13 they could take it up the line to a master, or even the
14 rector, if it was serious enough.

15 Q. Yes. And they could issue lines, we understand?

16 A. I don't remember that, but it wouldn't surprise me.

17 Q. All right.

18 A. I was used to lines being issued by teachers.

19 Q. Let's move on to teachers, then. We now know they would
20 issue lines as well. What about corporal punishment by
21 teachers; was that common or uncommon?

22 A. In the boarding houses -- I don't remember being beaten
23 at school, you know, in day school.

24 Q. Yes.

25 A. In teaching school. So, certainly, I was beaten in

1 MacKenzie House, I was beaten in Scott House, and I was
2 beaten in Dundas House. I think the difference is that
3 the other teachers that beat, they didn't do it quite so
4 often and it was spontaneous. So if you committed
5 an offence, you were taken immediately to a study and
6 walloped.

7 In the case of Dundas House, you had time to stew in
8 your own juice because you were put on 3 hours' notice
9 or 6 or 7 hours' notice if you were caught ragging after
10 lights out and you might have to meet the housemaster at
11 7 o'clock in the morning. So you had a long time to
12 think about what was going to happen to you.

13 Q. Yes, if I may, we will return to that particular aspect
14 of your evidence.

15 Again, just looking at the houses, though, you make
16 the point that housemasters were exclusively male and
17 the top dog. This is paragraph 24:

18 "They set the tone of the place and encouraged,
19 motivated and disciplined."

20 So the housemaster's appointment really was key?

21 A. Yes, yes indeed. I mean, there was Mr ICG in
22 MacKenzie. I think there was Mr McIlwaine in Scott
23 House, who -- when I moved to Scott House he was there,
24 and then he may have retired and Mr Fowley took over.

25 Yes, I mean, they were lords of the manor. It was

1 their fiefdom, and there was typically, in support,
2 a house tutor and matron. So at least there was
3 a female presence in the school, in terms of, you know,
4 boys that might need the comfort of substitute mothers,
5 as it were. But, essentially, the housemaster set the
6 tone for his house.

7 Q. Do you know how housemasters were selected?

8 A. No idea. No idea. I imagine you would want to have to
9 do the job, so you would apply for the position. And
10 then perhaps the board of governors, or you know, senior
11 teachers and the rector -- I really don't know, Andrew,
12 I'm sorry.

13 Q. That's all right. You go on to say that housemasters
14 were also like mentors; if you had a particular
15 strength, they would take an interest in taking that
16 further. They were like coaches, in a way. That sounds
17 like a positive description of them?

18 A. Yes.

19 Q. And was that your experience?

20 A. It was and it wasn't. I am just trying to think.

21 If you have a number of children to look after,
22 I don't know that there was -- that I had sort of one to
23 one coaching. But there was always, you know, if you
24 had had issues over your prep, that you could approach
25 a master to clarify something that you hadn't completely

1 understood. And yes, I mean, they were always there to
2 consult with if you needed to consult with them.

3 But I think issues such as pastoral care, or
4 emotional difficulties, that would have been -- there
5 would have been a less clear path. And, you know, I'm
6 aware of a colleague of mine, who I don't think has
7 approached the Inquiry, but he missed his family, he
8 missed his mother a great deal and he told me that he
9 was really asked to man up and get over it.

10 So I guess he missed his mother for a little too
11 long, and patience ran out, in terms of the authorities
12 in the school. He continued. He finished school. He
13 was there for as long as I was there, but I know he was
14 very unhappy in the early stages of his
15 Edinburgh Academy career.

16 Q. And sorry, to be clear: who asked him or told him to man
17 up?

18 A. It was a house tutor.

19 Q. Okay. Looking briefly to the school, and paragraph 63,
20 on page 13, you thought the schooling good; is that
21 correct?

22 A. Yes, I think, you know, the school had any number of
23 subjects for you to follow. It had a kind of sporting
24 tradition as well. So I think it was, you know, very
25 much a work hard, play hard type of culture, which is

1 pretty typical of public schools, I would have thought.

2 And the facilities were good. You know, we had --
3 there were boarding houses, which there no longer are.
4 They always wanted to build a swimming pool. I am not
5 sure they ever did. We used the baths at Drumsheugh,
6 and there were often appeals for a new swimming pool.
7 Perhaps they now have a swimming pool, but I don't know
8 exactly.

9 But there were football pitches and rugby pitches
10 and cricket pitches and gymnasiums. The facilities were
11 good. And clearly, if you were academic, you could take
12 advantage of the classroom situation as well and get to
13 a Russell Group university or similar.

14 Q. And were you sporty?

15 A. I was, but not as accomplished as I would like to have
16 been. Football wasn't an official sport of the school,
17 but the boarders were -- if they weren't kicking
18 an oblong ball, they were kicking a round ball. So we
19 were always kicking a ball, and that was good fun.

20 Q. Yes. What was life like for boys who were not sporty?
21 Were they at a disadvantage?

22 A. Not necessarily. I think, you know, clever boys were
23 always acknowledged for being clever, and that could be
24 positive or a negative. Could you be a swot, I suppose,
25 as a negative. But, as a positive, you know, the

1 children were wise enough to understand that smart kids
2 were smart kids and worthy of respect.

3 Q. All right. We have heard evidence that suggests if you
4 were a swot, to use your word, in a house, for example,
5 we know there was streaming, if you were A stream and
6 everyone else was C or D, you might have a rough ride
7 because you were perceived as different and unhelpfully
8 so; is that a fair description?

9 A. I think that's perfectly possible. But, you know, there
10 is also a force of personality, isn't there? So you
11 could be a very smart guy and be witty and funny and
12 endearing, and you might not be the smartest of guys,
13 but you could be a good teller of jokes. So I think
14 force of personality came into it as well.

15 Q. All right.

16 If we can go on to, or back to, Dundas House,
17 however.

18 A. Mm-hm.

19 Q. This, I think, is the area you have difficulty with when
20 you think back to your time at Edinburgh Academy;
21 correct?

22 A. Mm-hm, yes.

23 Q. We understand Dundas House was different from the other
24 houses in a number of ways. (1) it was smaller.

25 A. Yes.

1 Q. It was one year group, it wasn't a spread of years?

2 A. Yes.

3 Q. And being a smaller house, perhaps it was even more of

4 a fiefdom -- sorry, a smaller house, it was even more of

5 a fiefdom than the others; is that correct?

6 A. I would say so.

7 Q. Yes. And the housemaster, when you were there, was

8 Hamish Dawson?

9 A. That's correct.

10 Q. Now, how long did you spend in MacKenzie?

11 A. A year. So I joined at, so 196█ to 196█ would have been

12 MacKenzie, and 196█ to 196█ would have been Dundas.

13 Q. Right. Had you come across Hamish Dawson as a class

14 teacher before you went to Dundas?

15 A. I had. I had. He was -- he taught me maths and

16 history. I certainly remember maths in -- I was --

17 LADY SMITH: 'Baxter', I am so sorry to do this to you, but

18 I have just had a message that our technical support for

19 the Webex again needs a short break.

20 A. Okay.

21 LADY SMITH: There is nothing I can do about it. All I can

22 do is hope --

23 A. I can put the kettle on.

24 LADY SMITH: You put the kettle on, that sounds like

25 an excellent idea. We will keep in touch with you.

1 I will rise.

2 (3.06 pm)

3 (A short break)

4 (3.35 pm)

5 LADY SMITH: 'Baxter', we are back and I am cautiously
6 optimistic that we will be able to return to your
7 evidence. If I could just say to everybody that is
8 listening: thank you for your patience.

9 First of all, the WiFi is sorted, it's fine.

10 But, secondly, as those of you who have been here
11 this afternoon, and indeed this morning, are aware, we
12 have had some disruption from a member of the public.
13 We have been dealing with that and that person has now
14 been removed.

15 I am sorry that's had to happen, but that has also
16 taken a little time to take care of.

17 I am hoping that there won't be any more disturbance
18 or disruption, because I do know how upsetting and
19 difficult it is for everybody when that happens.

20 Now, if I may, I would really like to get back to
21 listening to the rest of what 'Baxter' has to tell me.
22 So I will hand back to Mr Brown, if that's all right?
23 Is that okay?

24 A. Thank you.

25 LADY SMITH: Thank you. Mr Brown.

1 MR BROWN: 'Baxter', hello.

2 A. Hi.

3 Q. We had reached the stage where we were discussing Hamish
4 Dawson who you had first come across as a teacher,
5 rather than a housemaster?

6 A. Yes.

7 Q. You were telling us that he had taught you maths and
8 history?

9 A. Yes.

10 Q. What year was that in?

11 A. It was what the Academy called Geits, which is year 7
12 for, yes, everybody else that doesn't use Latin terms.
13 So I would have been -- it would have been my first year
14 at the school and I rather liked him. I thought he
15 was -- he could be funny. He was always coining
16 nicknames for children in the class, and I think
17 I mentioned before that he kept a very large jar of
18 jelly beans, giant jelly beans, of wildly different
19 colours, on his desk. So, you know, being a 11-year old
20 with a sweet tooth, there were lots of us that enjoyed
21 the jelly beans.

22 So he seemed like a regular, likeable guy.

23 Q. Was he in fact a very different teacher from the
24 standard EA teacher, who was perhaps rather more formal?

25 A. Yes, I suppose he was. He was sort of more playful than

1 some of the others. Some of the others were, you know,
2 fairly dry, a little bit stiff. He was a bit looser.

3 Q. Yes. That was you talking of the view of an 11-year
4 old. I think you now view that sort of behaviour in
5 a different light, and use a different word in your
6 statement.

7 A. Yes, I think I use the term "grooming", which I hadn't
8 heard at that time. But I have a feeling that, you
9 know, a lot of the playfulness and the giant jelly beans
10 were a form of grooming.

11 Q. In the classroom scenario; was he a teacher who beat?

12 A. No, not that I am aware of.

13 Q. So, in your year, in the Geits, that was not an issue
14 for you?

15 A. Correct.

16 Q. Instead it is positive, the hail fellow well met, to use
17 your description, who hands out colourful jelly beans?

18 A. Yes.

19 Q. And is a bit more looser, a bit more fun?

20 A. Yes, absolutely.

21 Q. You then, I think, move into the boarding house?

22 A. Mm-hm.

23 Q. Had you any sense that Dundas -- which is a standalone
24 boarding house, for one year only -- had you any sense
25 from the boys in years ahead of you that Dundas was any

1 different from MacKenzie?

2 A. No, I didn't, and I don't know why that is. There is
3 sort of quite strict segregations. You know, when you
4 are 11-years old someone that's 12, or when you are 12
5 someone that's 13, may seem that much older, that much
6 more senior. I think we tended to stick to our peer
7 group, so I would have mostly, you know, been friends
8 with other 11-year olds. So, no, I wasn't aware, and it
9 came as a surprise.

10 Q. Moving into Dundas; how quickly did you realise that
11 there was a different side to him?

12 A. I can't honestly tell you that. I don't know if it was
13 immediate or gradual. But it seemed to me that we were
14 dealing with a sort of different person, who used
15 corporal punishment as a way of controlling the house.

16 Q. To quote from your statement, you say:

17 "This was his personal fiefdom, he was more serious,
18 he was pretty controlling and didn't take much dissent.
19 His wife and daughters were kept well away from the
20 boarding house. His wife would occasionally appear in
21 the scullery doing some bits."

22 But the picture you paint -- and, please, correct me
23 if I am wrong -- is you have a small house, we
24 understand there were two dormitories; is that correct?

25 A. I can't remember. I know that I was in one that was

1 probably on the first floor, with something like 7 or 8
2 boys in that dorm. And I also struggled to remember
3 precisely how many boarders were in Dundas in my year
4 group, but it certainly felt like a small, intimate
5 house, and I wouldn't have thought it was more than 20
6 or so boys.

7 Q. So the impression you give is a smaller house, compared
8 with the others, intimate. And he obviously has his
9 family who live in the house, but they really aren't
10 visible?

11 A. Well, unless that changed in years afterwards. My
12 experience was that they kept absolutely to themselves
13 and, of course, we were all prepubescent boys, so there
14 were two daughters, and maybe it would have been
15 inappropriate for us to ogle them because, you know, we
16 were 12/13 years old and they were probably of a similar
17 age. I think [REDACTED] may have been slightly older.
18 And, I mean, we barely ever saw them.

19 Q. All right.

20 A. And I guess, in modern terms, if I were running the
21 house and it was my family that occupied the back of the
22 house, I would want the whole thing to be like a big
23 family, if you only had 20 boys in the house, or
24 thereabouts. But that wasn't really the impulse for
25 Mr Dawson, I don't think.

1 Q. So to go back to the original question, it really was
2 you, the boys, and him?

3 A. Yes.

4 Q. There was also a tutor, just to touch on that; is that
5 correct?

6 A. Is that Mr IBP ?

7 Q. Yes, I think that's who you describe in your statement.

8 A. Yes. But very occasional and not live in. So he might
9 have come into relieve Mr Dawson of prep duties and,
10 when he did, he would, at the end of the supervision,
11 disappear into his car and make his way home. So there
12 was only really Mr Dawson, and no -- there was a matron,
13 but she didn't live in, I don't believe, and there was
14 certainly no live-in house tutor.

15 Q. No. Does Mr IBP feature in your recollection of
16 Dundas House, either good or bad?

17 A. Um, sort of indifferent. He was a larger than life
18 character. He was a very, very big man, 20/22 stone or
19 so, and he went off to Australia for a year, perhaps on
20 a kind of teacher swap, and came back sounding like
21 an Australian, so he really did pick up on things
22 Aussie.

23 Um, no, he was a -- because of his size I recall him
24 constantly sweating. I think it was difficult to move
25 that sort of weight around, and certainly couldn't give

1 chase to a bunch of young boys.

2 Q. Did you ever have him as a teacher?

3 A. I don't think so. I don't think so.

4 Q. All right, thank you.

5 You talk about being aware, presumably now, of
6 Hamish Dawson's background. There is reference to going
7 to Gordonstoun and Oxford, and so forth. You say he was
8 a civilised man "on paper at least", but then you add:

9 "He just took it upon himself to do old fashioned
10 disciplinarian stuff to the Nth degree. That was the
11 unhealthy part."

12 A. Mm-hm.

13 Q. Tell us about that.

14 A. Well, he -- as I say, on paper, a very civilised man.
15 I think he played the French horn. He might have done
16 a bit of rugby coaching in his time, and he wrote to my
17 parents at one point to -- as I may have mentioned in my
18 statement -- to describe himself as an old fashioned
19 disciplinarian. And of course my parents were
20 3,500 miles away in West Africa and I think the letter
21 was precisely what they wanted to hear.

22 But, in writing what he did, he was essentially
23 giving himself licence to beat, and my parents would not
24 have intended that, you know, he be licensed to beat as
25 often as he chose to. So that also was a sort of

1 grooming, I think, where to describe himself as
2 a disciplinarian was exactly what my folks wanted to
3 hear, in terms of bringing me up as a fine young chap,
4 conceivably.

5 But, of course, he took that into his own hands and
6 began to wield instruments of torture.

7 Q. And quantitatively did he beat more than anyone else you
8 met at Edinburgh Academy?

9 A. I would say so.

10 Q. In the context of the house; how often was he beating
11 boys? I appreciate it is a long time ago, but ...?

12 A. I can't recall exactly how often. My experience, I was
13 there, I think, for four terms. I stayed back for
14 a term, because he made me head of house. But,
15 ordinarily, it would have been three terms. In my case
16 it was four. And I suspect he would have beaten me at
17 least once a term. So not, you know, not every week or
18 every day or anything of that nature. But if he had 20
19 boys in his care, then, you know, there were enough
20 beatings.

21 And it was ritualised, in terms of putting you on
22 notice that you were going to be beaten, and then having
23 to wait hours until you were beaten.

24 Q. I was going to ask you about -- you used the word:

25 "I had been beaten by the masters, but nothing

1 ritualistic, like Dawson."

2 And it was that delay that was the difference, or
3 another difference?

4 A. Yes, yes.

5 Q. A phrase you used earlier, you were left to "stew in
6 your own juices" --

7 A. Yes.

8 Q. -- because you knew it would follow?

9 A. Yes. I think you are facing a sort of little death, as
10 it were, because you know there is a punisher and there
11 is a victim, and you are the victim. So you have all
12 that time to think about quite what he is going to do,
13 how many strokes you were going to receive, how painful
14 it is going to be, and whether, when you return to the
15 dorm, you are going to be treated like a hero or
16 a villain by the other boys. So I think the lack the
17 spontaneity was pretty horrible.

18 Q. But there seems -- tell me if I am wrong -- there is
19 an element of theatre in what he is doing, not only in
20 the delay, but beatings took place in a particular room?

21 A. Yes, in the sick bay, or the sanatorium at the top of
22 the house. And the house, just to make matters worse,
23 the stairs tended to creak and he wore leather sandals,
24 which also creaked.

25 So you were up there waiting, usually at 9 o'clock

1 at night, and then you would hear him coming up the
2 stairs, the stairs creaking, his leather sandals
3 creaking, and then he would enter the room with a gym
4 shoe and a tawse, in either hand.

5 Q. You had to be there at a certain time, I think.

6 A. Yes.

7 Q. In your statement, you say it would be 9 o'clock in the
8 sick bay?

9 A. I think it was 9 o'clock. I think you would generally
10 be told at about 6.00 pm, after tea or high tea at the
11 junior school, and he would call you in as you crossed
12 the threshold and say you had done something that you
13 shouldn't have and to meet him in the sick bay at
14 9 o'clock. I think it was 9 o'clock.

15 Q. Or worse still, the following morning?

16 A. Yes, if you were caught ragging after lights out, it
17 would be a 7.00 am job and you would have to try to
18 sleep through before meeting him with the gym shoe and
19 the tawse.

20 Q. But the way you tell it, you would be there at the
21 allotted time; was he arriving late?

22 A. No, but I certainly wouldn't have dared arrive late
23 myself. So I was there, and then he would appear, and
24 give you a choice of, you know, how many -- whether you
25 wanted the gym shoe or the tawse.

1 Q. And the distinction between the two was what, in terms
2 of the penalty?

3 A. Well, you know, I think six of the gym shoe was
4 equivalent of three of the tawse, that sort of order.

5 Q. We should understand that this, whether it was gym shoe
6 or tawse, was on to your bare bottom?

7 A. That's correct.

8 Q. You would have to take your --

9 A. You would be asked to undo your pyjama bottoms. They
10 would fall to your ankles, and then would you bend over
11 and you would take your punishment.

12 Q. We have heard about having to stand with your head under
13 a desk in other contexts; what was the mechanism --

14 A. That didn't happen.

15 Q. No.

16 A. That didn't. And, you know, if -- smart kids who were
17 beaten by masters that didn't require you to remove your
18 pyjamas, they might have been able to hide books or
19 similar into their buttocks so that the pain might be
20 lessened.

21 But, no, I'm not sure -- I guess it was twofold. He
22 knew perfectly that there was no way you could disguise
23 your backside and, two, perhaps he got a thrill out of
24 whacking you on your bare backside.

25 Q. Well, did other teachers at that time at the school beat

1 on the bare bottom?

2 A. Never, in my experience.

3 Q. He was the only one?

4 A. Yes. And a friend of mine, who is still a great friend
5 of mine, I have known him for 55 years, his father was
6 at the Academy, and he knew the tradition of corporal
7 punishment and so on. But once he heard that Mr Dawson
8 was beating his son on his bare backside, he called
9 Mr Dawson, you know, said he had been through the
10 school, he understood there was corporal punishment, but
11 on no account should he beat his son on his bare
12 backside, and thereafter Dawson sort of left him alone.

13 Q. In terms of beating or beating on the bare backside?

14 A. Both. Both. I think he had been warned off. He had
15 been warned off.

16 Q. What about other children, though?

17 A. That, I don't know. I don't know. You know, the
18 trouble with that time, two generations ago, was that
19 parents, a lot of parents probably felt if you were
20 being beaten you deserved it. You had done something
21 you shouldn't have done and you were punished as
22 a result. I think the whole relationship was much more
23 adversarial between teachers and pupils than it is
24 today, which maybe explains a lot of the behaviour.
25 But --

1 Q. Just --

2 A. Sorry.

3 Q. No, no, I interrupted you. Just to understand, the
4 friend you have had for 55 years; was he a direct
5 contemporary of yours?

6 A. Yes, he was, and his father and his uncle were at the
7 school and, in fact, his uncle was a British Lion.

8 Q. All right. My question, I suppose, is: a marker is laid
9 down for that boy; did it stop Dawson beating other
10 children on the bare backside?

11 If you don't know, please --

12 A. Not that I'm aware of. Because, you know, my friend's
13 father had warned him off, so he had stayed away, but
14 I'm sure he continued in the same vein with children who
15 didn't report being beaten to their parents. And, of
16 course, you had the strange situation with some boys who
17 may have come from very strict homes, where they would
18 rather -- I am speaking generally, not specifically
19 about Mr Dawson -- they would rather take a beating from
20 a master for, for example, being caught smoking than
21 have their parents told that they were caught smoking at
22 school. Because, presumably, they would be beaten when
23 they got home.

24 Q. Right. Just talking again about your perception, you do
25 say:

1 "For me there was nothing of an overt sexual nature,
2 except that you were dropping your pyjamas to a middle
3 aged man wielding a tawse or a gym shoe."

4 At 11, I don't imagine you were thinking of overt
5 sexual nature at all; what about now?

6 A. Yeah, I -- well, I think I have said, my sense is that
7 he was a sadist, and clearly enjoyed getting a kick out
8 of dominating people that were, you know, a third of his
9 age.

10 I never -- I never experienced any kind of wandering
11 hands from him, and I think I did mention in my original
12 note on the subject that the last time that
13 I encountered him for a beating he, when he asked me to
14 drop my pyjamas, I was expecting to be walloped, and
15 then he tapped me on the backside and said "you know I
16 wouldn't beat you". Because he made me head of house,
17 I guess he had elevated me. It hadn't quite worked as
18 planned because the idea was I put lots of little boys
19 names in books and he would have an assembly line of
20 beatings to perform, but he just tapped me on the butt
21 and said, "You know I wouldn't beat you". He had beaten
22 me in the past, but I guess he felt that I had got
23 beyond my use.

24 Q. A couple of things from that, I think, just to fill in
25 the details. That last beating was, to quote your

1 statement, at paragraph 102:

2 "After hours of nervous anticipation ..."

3 A. Mm-hm.

4 Q. So it was the same process?

5 A. Yes, yes.

6 Q. You were stewing, and then he makes light of it, but he
7 still makes you take your trousers down?

8 A. Yes, yes. I suppose it does look different from the
9 perspective of being an adult. It is still strange
10 behaviour, and my overriding perception of him -- to
11 repeat -- was that he was sadistic, and just enjoyed
12 inflicting pain.

13 Q. But it is also interesting that you had been kept for
14 an extra term. You were going to be head boy of Dundas,
15 and I think, to use your words, you were expected to
16 produce a production line of transgressors that he could
17 beat?

18 A. Yes, yes.

19 Q. So it sounds as if the system was designed, as far as he
20 was concerned, to satisfy a desire to beat; is that
21 fair?

22 A. I would say so. I would say so. Yes, I disappointed
23 him there. And, you know, I can live with myself now
24 for not doing it.

25 I suspect he chose me because when he did beat me

1 I wanted my behaviour the following day to be as though
2 nothing had happened and, you know, that life went on.
3 And it may be he thought to himself, "Oh, this boy can
4 take a beating". I wasn't trying to be macho about it;
5 I was simply trying to emphasise that he wasn't going to
6 change the way that I was by beating me, and he may have
7 liked that, he may have thought: well, he can take
8 a beating, so maybe I can use him in some other way.

9 Such as putting, you know, young fellows -- I think
10 when I stayed on for the extra term I would have been
11 older. You know, I would have been slightly older than
12 the new intake into Dundas and, as I say, I am very glad
13 that I put nobody in the book.

14 Q. What sorts of things were you expected to put into the
15 book which could lead to a beating?

16 A. Any kind of, you know, ragging or bullying, or just
17 generally transgressions.

18 And of course the thing that I am not absolutely
19 clear about half a century on is that there was
20 a tradition of giving you a cold bath as well, and I'm
21 sorry if I am jumping ahead.

22 Q. No, I was just about to come to that. Please, carry on.

23 A. So that was a bit more playful. That must have been
24 for, you know, being unpunctual, or not able to get up
25 in the morning. But it wouldn't have been a beating

1 offence and was a different sort of offence, where you
2 ended up sitting in a cold bath for up to a minute while
3 he looked on, sometimes with other boys looking on with
4 him, as though it was a bit of a practical joke. But it
5 was darn cold.

6 Q. How many boys suffered this sort of punishment?

7 A. I can't say, Andrew. I'm sorry, I don't know. I don't
8 know how many boys would have suffered that.

9 Q. But just to understand, reading from paragraph 105, the
10 cold bath was treated as:

11 "... a jokey affair. You would get that because you
12 had committed a small sin."

13 Not a beating offence. And:

14 "It would involve being submerged in a cold bath for
15 up to a minute and the water was cold in Edinburgh.
16 Dawson stood around the door with other little boys
17 about him. It was a bit like a collective romp. You
18 would be in a bath, naked, freezing cold and he would
19 make light of it with other pupils by his side."

20 A. That's right.

21 Q. And you finish:

22 "You would probably commit all sorts of offence in
23 the name of a joke or a jokey atmosphere."

24 A. Yes, I don't know -- I can't say how often that
25 happened, except that it did happen. And the friend

1 that I referred to before, he has clear memories of some
2 boys being taken down to the cricket pavilion. So there
3 was Dundas House, Kinnear Road, there was a small field
4 directly opposite Dundas House, and beyond it a couple
5 of red telephone boxes and then the cricket pavilion.
6 And at 7.00 in the morning, or very early in the morning
7 for some, they were taken down to the pavilion,
8 stripped -- well, they would strip themselves, and he
9 would have a bucket of icy cold water he would throw on
10 one side of the body and they were expected to turn
11 round and have another bucket of icy water thrown on the
12 other side.

13 I never experienced that. So I can't say truthfully
14 that it happened to me. It didn't happen to me. But my
15 life long friend was aware of it happening to some boys.

16 Q. Looking back on both what your friend has told you, but
17 your experience of a teacher putting you in a cold bath
18 and watching you; what do you think of that now?

19 A. Odd. Not much pastoral care.

20 Yes, strange, strange behaviour. Sort of
21 voyeuristic. Again, you know, the discomfort of the
22 person in the cold bath, both sort of humiliating, but
23 also physically very, very cold.

24 LADY SMITH: 'Baxter', we have evidence from others who
25 describe the boarding houses as very, very cold

1 buildings, and also that the supposedly hot water was
2 never very hot anyway; does that fit your memory?

3 A. Yes, I think it improved getting into Scott House, which
4 was later, where they had shower blocks.

5 LADY SMITH: Right.

6 A. And the heat there was fairly abundant. But MacKenzie
7 was very cold, and Dundas was pretty cold, too.

8 LADY SMITH: Thank you.

9 A. There was old fashioned, cast iron radiators and they
10 didn't deal very well with the Edinburgh east winds and
11 the Edinburgh temperatures.

12 LADY SMITH: They still don't.
13 Mr Brown.

14 MR BROWN: Thank you.
15 But the distinction is, with Mr Dawson, whether or
16 not the water was particularly hot or tepid, he was
17 running it cold as a punishment.

18 A. Yes, yes.

19 Q. Did any other teacher look at you when naked, that you
20 remember?

21 A. No, no, not that I am aware of. You know, after a rugby
22 match you might all come in muddy and get your clothes
23 off, and you needed a hot shower because of the coldness
24 of Edinburgh again, but I don't remember teachers
25 loitering with any sort of intent. The idea was just to

1 process getting washed and dressed and ready for,
2 probably, tea in the junior school.

3 Q. I think on one occasion, however, though not because of
4 anything like we have been discussing already,
5 Dundas House rebelled?

6 A. Yes, it did.

7 Q. Why was that?

8 A. There was a real ground swell of feeling amongst, what,
9 12 to 13-year old boys. I think it had been snowing and
10 it may be -- it may have been the time that another, who
11 happened to be a very clever and sporting boy, was
12 beaten by Hamish Dawson, and when he came back to the
13 dorm he showed us his backside. It was like a Pirelli
14 tyre, there were welts and bruise marks across his
15 backside. So we all encouraged him to see matron the
16 following morning. So he went downstairs to show matron
17 the damage. She may have given him some Vaseline or
18 something to ease the pain. But that was probably as
19 far as it went, in terms of -- you know, I don't think
20 he went to see Mr Dawson to say, "Look what you have
21 done to me". I doubt that he phoned his father or
22 mother to say, "Look what he did to me", so he took the
23 matter to matron.

24 And then I think it was -- there was a lot of snow
25 and it was cold, and we were told that games were

1 cancelled and we could come into the boarding house. So
2 we sat in the common room, all of us, and Hamish Dawson
3 came in, barely able to suppress his anger, saying,
4 "What are you doing here?" and we said, "Well, games
5 have been cancelled", and we were all offended by what
6 had happened to our colleague and how badly damaged his
7 backside was, and Mr Dawson said, "Well, get out of here
8 immediately, and just walk around the small playing
9 field", that I mentioned earlier, that was just opposite
10 Dundas House.

11 And then one by one -- I couldn't do it because my
12 parents were too far away, but one by one we were all
13 hitting the red telephone boxes, calling home, and
14 complaining of what had happened to this individual, who
15 was very badly beaten, and then complaining about being
16 out in the snow when we were meant to be, you know, in
17 the shelter of the boarding house. So he clearly --
18 there must have been a mixed message somewhere, where
19 whoever would have taken games said, "Games are
20 cancelled, go back to your common room in the house",
21 and Mr Dawson was angered by the fact that we were in
22 the common room and pushed us all out.

23 As I say, the phone was well used that day, and he
24 may have had some sort of kick back from parents, who
25 didn't like what they were hearing. But I don't have

1 any proof of that.

2 Q. Well, what you seem to be saying is that you know that
3 the year, your year at Dundas, pushed back for
4 a combination of reasons.

5 A. It did.

6 Q. (1) one of your number has been beaten, or assaulted,
7 given the nature of the injuries you described.

8 A. Yes.

9 Q. That matron was told. But, as far as whether she told
10 anyone else, you don't know that.

11 A. I can't say.

12 Q. There was no official school response, presumably?

13 A. Yes, not that I am aware of. Unless, you know, the
14 number of calls made to homes meant that some parents
15 began to complain, either to Mr Dawson or somebody else
16 in authority in the school, to the effect that, you
17 know, the children were being abused.

18 Q. Except the difficulty with that is, paragraph 103, you
19 say:

20 "We thought it was important that someone knew what
21 was going on."

22 But then:

23 "Dawson's behaviour didn't change after this."

24 A. Not that I am aware of.

25 Q. So whatever the efforts or the intent of the protests,

1 the revelation to matron, nothing changed?

2 A. I would say that was correct. And I don't know how
3 much -- how long after it was that -- it would have been
4 the end of that academic year, and there were -- you
5 know, people would have moved on to Scott or Jeffrey
6 House and you would draw a line under your experience at
7 Dundas. It was only me that stayed on for the extra
8 term.

9 Q. And in that following term you didn't meet the
10 requirements by providing the conveyor belt of boys?

11 A. Yes, I am sure he was able to find transgressions of his
12 own, but none that I had marked down.

13 LADY SMITH: Yes. Mr Brown, a few moments ago you made
14 reference to a paragraph which was picked up as being
15 paragraph 103, but I think it is 123 you were talking
16 about, isn't it?

17 MR BROWN: It is 123, thank you.

18 LADY SMITH: Don't worry, it is just to get it right.

19 MR BROWN: No, no, absolutely.

20 You carried on in school, went to university, had
21 a career; is it fair to say you look back on
22 Edinburgh Academy, from your perspective, favourably?
23 You made good friends?

24 A. Yes, yes. Yes, indeed. And of course we are talking
25 about the experience of a -- I don't think the right

1 word is a bad teacher, maybe a bad person, but there
2 were inspirational teachers as well that I had -- still
3 have, great regard for.

4 And when I think about them, maybe it is just
5 a coincidence, but most of the great teachers that I had
6 a lot of respect for, they weren't beaters. They didn't
7 beat. They were just good teachers. They held your
8 attention, they were motivational, and they didn't need
9 to do that stuff, in the main, when I think of the good
10 guys. And I'm sorry that, you know, all of this is
11 about the bad guys.

12 Q. Why did you come forward to the Inquiry?

13 A. I think my wife heard Nicky Campbell, and I listened
14 to -- I listened to his podcast with the chap that had
15 been at a school that was a feeder to Eton. I forget
16 his name now, but I listened to that.

17 And then the pal that I mentioned before, my chum of
18 55 years, we would never get together. I mean, he lives
19 in London and I live in southern Spain now, but over
20 the years, wherever we got together, at some point the
21 subject of Dundas House would come up. And I think we
22 felt that, you know, everyone is aware of Jimmy Savile
23 and people like him, but we sort of felt that he would
24 never be brought to book, and he had a long career at
25 the Academy. I did actually see him in Cheltenham,

1 strangely, when I was -- before having children. My
2 wife and my brother and sister-in-law, we happened to be
3 there, and spotted Hamish Dawson with Mrs Dawson in the
4 distance, and then only recently did I learn that he was
5 playing Santa Claus in department stores after taking
6 retirement from the school, which doesn't really bear
7 thinking about.

8 Q. Two things about that. (1) clearly your experiences of
9 Hamish Dawson were still having impacts decades later,
10 because that's what you talked about?

11 A. Yes.

12 Q. Notwithstanding all the good things you have just spoken
13 about.

14 A. Yes, it was like a cloud that always hung over the
15 experience of the Academy.

16 Q. Yes. The other interesting thing is paragraph 131.
17 I asked why you came forward, and Nicky Campbell was the
18 trigger. But you also said:

19 "I had misgivings before coming to speak to the
20 Inquiry as I felt I was being a clype."

21 A. Well, you know how that is. That's a wonderful Scottish
22 word.

23 And I think one of the things about public schools,
24 perhaps, is that sort of sense of honour; that you don't
25 tell. That you keep it in-house. You don't wash your

1 dirty linen in public, which I am doing now. And I did
2 talk to ██████ about that. I felt that, but, you know,
3 I over came it because I think, in a sense, the young
4 children that were at the mercy of him deserve better.

5 LADY SMITH: 'Baxter', if you are going to think of it in
6 terms of dirty linen, it's not your dirty linen you are
7 airing in public, is it?

8 A. No, no, you are right. It was just a kind of sense of
9 honour. What do the Mafia call it? Omerta, where you
10 stay silent. Sometimes it is the easier course. In
11 this case, and the fact that he is no longer with us, it
12 was easier.

13 LADY SMITH: Yes. Thank you. Mr Brown.

14 MR BROWN: But as you make the point, if you don't clype,
15 these guys just keep doing this stuff.

16 A. Indeed. Indeed.

17 MR BROWN: Thank you very much indeed, 'Baxter'. Is there
18 anything else you would like to say?

19 A. No, I'm -- I understand you have been doing this for
20 seven or eight years now, so it must be a very tiresome
21 task. And I hope there are not too many more skeletons
22 in the cupboard.

23 LADY SMITH: 'Baxter', thank you for that, but it's not
24 tiresome. What we are doing is deeply important, and as
25 a purpose in our working lives, and indeed, as you can

1 witnesses, and hopefully no interruptions and no
2 technology issues.

3 LADY SMITH: Indeed. And starting at 10 o'clock tomorrow
4 morning.

5 MR BROWN: Yes.

6 LADY SMITH: Just a brief reminder, as I mentioned his name
7 yesterday, I think -- yes, I did -- Mr ICA [REDACTED] was
8 mentioned in the course of 'Baxter's' evidence and he is
9 covered by my general restriction order. Thank you.
10 I will rise now until tomorrow morning.

11 (4.15 pm)

12 (The hearing adjourned until 10 am the following day)

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