

Wednesday, 16 August 2023

1

2 (10.00 am)

3 LADY SMITH: Good morning, and welcome to the second day of  
4 evidence this week in which we are looking into  
5 experiences at the Edinburgh Academy.

6 We have three in-person witnesses today and the  
7 first one is ready to start, I think, Mr Brown; is that  
8 right?

9 MR BROWN: That is correct, my Lady. 'Henry'.

10 LADY SMITH: Thank you.

11 'Henry' (affirmed)

12 LADY SMITH: 'Henry', the red folder in front of you has  
13 your statement in it. Feel free to use it, if you find  
14 that helpful, but you don't have to. It's there for  
15 your benefit. I think Mr Brown will probably refer you  
16 to it very briefly, in a few moments.

17 Otherwise, can I just say at the outset, I know what  
18 you have agreed to do by coming here and talking about  
19 your evidence. It isn't at all easy. It's stressful,  
20 and you're the first witness of the day, and you are  
21 talking in public and it can all seem overwhelming at  
22 times. I get that.

23 If there's anything I can do, or Mr Brown can do, to  
24 make your journey through your evidence more  
25 comfortable, or help you give the best evidence that you

1 can, please let us know. Whether it's a break or  
2 a pause, or explaining something better than we are  
3 doing, don't hesitate to speak up.

4 A. Thank you.

5 LADY SMITH: Do you get that?

6 A. Yes.

7 LADY SMITH: Good. If you're ready, I'll hand over to  
8 Mr Brown. He'll take it from there.

9 Questions from Mr Brown

10 MR BROWN: My Lady, thank you.

11 'Henry', hello again.

12 A. Hello again.

13 Q. I will start with the statement briefly. If you can  
14 open the red folder, it's a statement with the reference  
15 WIT-1-000001256.

16 A. Yes.

17 Q. It's a statement that you signed in May this year,  
18 looking at the last page. You confirm in the last  
19 paragraph that you have no objection to your statement  
20 being published as part of the evidence to the Inquiry  
21 and you believe the facts stated in it are true; and  
22 that's correct?

23 A. That's correct.

24 Q. Great.

25 As you'll understand, the statement contains a lot

1 of information. We have read it before, we will read it  
2 again. We can take account of all that. So we don't  
3 need to talk about everything.

4 A. Yes.

5 Q. Okay.

6 But by way of background, we understand you are now  
7 54?

8 A. Yes.

9 Q. You came originally from Falkirk?

10 A. That's right.

11 Q. And lived with your mum and dad, and went to a local  
12 primary school until P4?

13 A. P5.

14 Q. P5.

15 Did you go to the Academy in P5?

16 A. I was in the Academy in P5. I was at Comely Park  
17 Primary School until P4.

18 Q. I wondered if I was getting confused.

19 Day primary, living at home?

20 A. Yes.

21 Q. Life good?

22 A. Yeah. Pretty much, yeah.

23 Q. Yes.

24 The move, in your case, to Edinburgh Academy was  
25 perhaps for a very particular reason; is that right?

1 A. Yes. My paternal -- it's confusing because both my mum  
2 and dad are [REDACTED]. My paternal grandfather's name  
3 was [REDACTED].

4 Q. All right. I think we know that he was at the Academy  
5 decades before?

6 A. Yes.

7 Q. And he had been killed in World War II?

8 A. Before mum was born, yes.

9 Q. As a result of that -- was it his mother?

10 A. Yes, my great grandmother left money that I should go to  
11 the Academy, like he had done.

12 Q. Yes. So, obviously, she had wanted someone else to  
13 follow in his footsteps?

14 A. That's right.

15 Q. Perhaps, as she saw it, being the benefits he had?

16 A. Yes.

17 Q. I think as a result of that you would see his name in  
18 the school?

19 A. Yes, it's on [REDACTED] of those lost in the  
20 war, in the gym.

21 LADY SMITH: 'Henry', I just want to interject something at  
22 this moment for your assurance and for clarity for  
23 everybody else. You've helpfully used your family names  
24 in that last little bit of evidence.

25 They're not to be repeated outside this room.



1 A. Sorry.

2 LADY SMITH: It's not a criticism of you; it's reassurance  
3 to you. There is a confidentiality wrapper, if you  
4 like, round this room. So everybody here should  
5 remember that those names are private and not to be used  
6 outside this room.

7 If you find it helpful to do that and allow your  
8 evidence to flow, that's not a problem. But that  
9 protection is there and everyone here will remember  
10 that, I'm sure.

11 A. Thank you.

12 MR BROWN: Thank you.

13 A. Sorry.

14 Q. Don't worry.

15 You were taken for interview before you went to the  
16 school with the headmaster?

17 A. Yes.

18 Q. And did it seem, from your perspective, appealing,  
19 exciting?

20 A. It was all very grand, yes. I do remember we had to sit  
21 an entrance exam and mum was very excited about that.  
22 So I had to do all sorts of study during the school  
23 holidays and stuff like that.

24 Q. Then, starting in P5, and you set out the different  
25 locations of the school. You have used the word

1 "grand"; did you find the experience completely  
2 different to anything you'd experienced?

3 A. Oh, absolutely, yeah. The fact that everybody called  
4 each other their second names and the fact we all wore  
5 exactly identical uniforms, you know, that whole kind of  
6 culture shock, I guess.

7 Q. Yes.

8 I think in relation to, for example, the use of  
9 surnames; was that something that you were caught out  
10 by?

11 A. Yes. I think you very quickly kind of learn to conform  
12 to these kind of things. I mean, I was quite young, so  
13 I guess probably quite ready to accept what was going  
14 on.

15 But, yeah, at times it was overwhelming. Certainly  
16 the first few weeks of it, you are at odds. You are  
17 wondering -- everybody else, it seems, knows exactly  
18 what's happening and you're like: I haven't a clue.

19 Q. You are going as a day boy, initially?

20 A. Yes.

21 Q. At that stage, when you have met the headmaster or the  
22 rector; was there any introduction, trying to set the  
23 scene for you?

24 A. I guess there was. I mean, I don't have any clear  
25 recollection, I have to say.

1 Q. Okay.

2 A. I mean, I think we were probably shown round the place.  
3 Whether or not that happened before we started, I don't  
4 know. It's difficult to say.

5 Q. Okay.

6 But I think you say at paragraph 22, and if you want  
7 to look at it, it's page 5:

8 "A lot of my first year at the Academy was really  
9 good, after the initial shock of the school being more  
10 Victorian in its approach."

11 That's what we've been talking about.

12 A. Yes.

13 Q. You go on:

14 "Your relationships with your fellow pupils were not  
15 as gentle as they might have been in ..."

16 Your previous school.

17 A. No, that's right. Yeah. It was quite a harsh kind of  
18 environment. And I mean I had come from a school where  
19 I guess there was kind of -- there was a bit of  
20 physical -- PE and stuff like that, but to go to --  
21 I'd never played rugby or done anything and PE was  
22 a very kind of harsh thing as well, so -- and the fact  
23 that everybody called their second names and there was  
24 a bit more teasing going on. It's not that there  
25 wasn't, you know, even at Comely Park there was all

1        sorts of nonsense going on, but it was a harder edge to  
2        the whole thing. You definitely felt there was less --  
3        I don't know -- tolerance.

4    Q. Tolerance of what?

5    A. Well, I guess -- I'm finding it difficult. Both from  
6        your fellow pupils and from the teachers. You know,  
7        there was an atmosphere where you had to conform, you  
8        had to do these things. I can think specifically --  
9        like I said, with the PE, it was very formal. Whereas  
10       I think previously it wouldn't have been -- certainly  
11       wouldn't have been getting undressed and putting on all  
12       gym kit and all that sort of stuff.

13   Q. Yes. Okay.

14                But I think you say your class master was good?

15   A. Mr Sneddon, yeah, he was brilliant.

16   Q. Kind?

17   A. Kind. It's funny, actually, I recall the kind teachers,  
18        I can recall the lessons. And the less kind ones,  
19        I just remember the teachers.

20   Q. Yes.

21                What's interesting, in a sense, about your account  
22        of school is it's really in three parts.

23   A. Yeah.

24   Q. You are a day boy for a year. You are then a border for  
25        two to three --

1 A. Yes.

2 Q. -- then you return to being a day boy, and we'll go  
3 through that.

4 A. Sure.

5 Q. There are episodes that you remember which were not  
6 happy in different stages?

7 A. Yes.

8 Q. Because you have talked about your class master being  
9 kind --

10 A. Yeah.

11 Q. -- and a good teacher, and you did well with him. But,  
12 in that first year, from your statement, we understand  
13 you are also getting subject teachers?

14 A. Yes.

15 Q. Which presumably would be another difference from  
16 primary school?

17 A. Yes, absolutely.

18 Q. I think this is where you have your first experiences of  
19 trouble; is that fair? With other teachers, in prep 5.

20 A. Yeah, prep 5 and prep 6, yeah.

21 Q. The first of those -- and you've talked about it  
22 already -- was the gym teacher?

23 A. Mr IDP [REDACTED].

24 Q. Yes, I think you said in the statement IDP [REDACTED].

25 A. Yes, IDP [REDACTED] it's difficult.

1 Q. I think you found his behaviour odd?

2 A. Yeah, that's one way of putting it. He was quite  
3 aggressive, quite scary. Again, coming from -- I mean,  
4 as a say, I'm not naive that the teachers at Comely Park  
5 weren't kind of grumpy or whatever, but to have that  
6 level of -- it was sort of old school kind of army PE  
7 style, you know? But also not afraid to -- he had  
8 a glove, a boxing glove that he would hit -- quite  
9 unashamedly hit us all, so hard.

10 Q. Why would he do that?

11 A. If you weren't doing what he hoped that you would do for  
12 this -- it was kind of like army-style PE that we did,  
13 you know, vaults and climbing ropes, and up and down  
14 various pieces of PE equipment. And, yeah, I can  
15 remember that.

16 We would scramble underneath various pieces of  
17 apparatus and you would get hurried along with a swift  
18 thump with the boxing glove.

19 Q. So the picture you paint is he would be wearing the  
20 boxing glove in class; was that part and parcel of his  
21 lesson?

22 A. Yeah. Absolutely, yeah.

23 Q. So it would be something he wore in class every day or  
24 every time he taught?

25 A. It was there constantly. It was constantly there. And

1 I remember -- yeah, I mean, that was particularly  
2 shocking to me, that was -- everybody else seemed to --  
3 you know, probably used to it by the time I arrived, but  
4 those of us that came into that were like: "goodness  
5 me."

6 Q. Thinking by today's standards; the application of health  
7 and safety really wasn't there?

8 A. No. He -- it certainly wasn't. I can remember -- there  
9 was one -- even at that stage, one athletic boy, who  
10 went on to have a career as an athlete, and Mr IDP  
11 took great delight in going to those of us who were,  
12 perhaps, less physically able -- or not physically, but  
13 less sporty, and he would line us up, like in an Evel  
14 Knievel jump over, and get this chap to do trampette  
15 jump and see how far he could do a dive forward roll.  
16 And he would gradually add bodies to the chain of us  
17 all. You can imagine us all kneeling down and wearing  
18 just gym shorts, and I was put at the end of the row of  
19 buses, if you like, and this chap, it was too far for  
20 him and he came clattering right back down on my back.

21 I can remember being quite -- it being very painful  
22 and I think to myself: gosh, that athletic lad, it could  
23 have ended his career before it started.

24 And it was all just because he wanted to see how far  
25 he could push people, you know.

1 Q. Yes.

2           You also, I think -- that's in the gym scenario?

3 A. Yeah.

4 Q. Thinking of the classroom though, and again going back  
5 to your previous four years in primary school in  
6 Falkirk; had you ever experienced corporal punishment  
7 there or physical punishment?

8 A. There was the threat of the belt at Comely Park and it  
9 was never belted.

10           I remember one time I came close and, you know,  
11 I was -- it was quite frightening, but it was never  
12 used. It was the ultimate, you know, kind of sanction  
13 and one we were all terrified -- but it wasn't actually  
14 applied.

15 Q. It was a deterrent, rather than a weapon?

16 A. Yes. I think probably by that point teachers in kind of  
17 normal schools had probably stopped using these things.  
18 It was there, but kind of being phased out, I guess by  
19 that point.

20 Q. What about other physicality? Being clipped round the  
21 ear; have you ever seen that?

22 A. Nothing like that.

23 Q. I think, from what you say, you did experience -- and  
24 this is in your first year -- physicality from teachers?

25 A. Absolutely, yeah.



1 Q. I think from the statement there are a number of levels  
2 of it?

3 A. Yes.

4 Q. There is one teacher, the French or English teacher?

5 A. Mr IDO ?

6 Q. Yes.

7 A. Yes.

8 Q. What did he do?

9 A. He would kick you if he was unhappy with whatever you  
10 were doing. I suppose quite a demeaning thing to do to  
11 somebody, especially a small child.

12 Q. Yes. You are in P5, so presumably you are nine and ten?

13 A. I got the feeling, even now, that it was out of  
14 frustration, rather than a particular -- I'm thinking of  
15 other teachers.

16 It was just -- I guess bad practice. I don't think  
17 he particularly took any pleasure from it. It was just  
18 what he did. You know, you got kicked.

19 Q. What you say in your statement is he didn't kick you  
20 hard, more out of frustration:

21 "I was kicked as I left the room to go to the loo."

22 A. Yes, it's that kind of stuff.

23 Q. He kicked you with the side of his foot, not toe?

24 A. Me, personally, yes.

25 Q. Did you see him kick others?

1 A. Well, he kicked everybody. Sorry.

2 LADY SMITH: 'Henry', what part of your body did he kick?

3 A. He would kick you in the backside.

4 MR BROWN: Would be as you are passing?

5 A. Yes, you know, kind of -- as I say, like a frustration  
6 or just irritation. It wasn't -- I certainly -- my  
7 memory of it is not one of him doing it out of badness.  
8 It was just like, "Get out the way, you silly little  
9 boy", kind of thing.

10 Q. Okay.

11 That's one type of physicality. But I think you  
12 experienced another form of physicality; and would you  
13 say it was malign?

14 A. Yes, absolutely.

15 Q. Which teacher is this?

16 A. John Brownlee.

17 Q. John Brownlee.

18 Now, you get him in P5, too?

19 A. Yeah, P5 and P6.

20 Q. And P6?

21 A. Yeah.

22 Q. Now, your dealings with him were as a teacher rather  
23 than in-house?

24 A. No, that's right. I know that at that time he was also  
25 the housemaster at Dundas, but we'll come to that, I

1           guess.

2   Q.   Yes.  You didn't actually go into Dundas, as we'll come

3           to?

4   A.   No, that's right.

5   Q.   So your experience of Brownlee is only in the classroom?

6   A.   Yes.

7   Q.   Before we talk about that: were you aware of any

8           reputation of Brownlee as a housemaster?

9   A.   I became aware of his reputation as a housemaster,

10          talking to other pupils that were under his care, once

11          I started boarding.

12                 Because it's a strange thing, the boarders, we

13          were -- once I became one we were almost a kind of group

14          aside from everybody else in the school.  The friends

15          that I did have, that I'd developed -- subsequently then

16          became, again, one of my longest and dearest friends,

17          while I was a boarder I didn't really maintain that

18          friendship with him.  We had our own little kind of

19          clique.  Even the school, you know, we had houses and

20          there was a house for boarders.

21   Q.   Yes.

22   A.   So they almost put us -- corralled us together.

23   Q.   Yes.  You lived a separate life?

24   A.   Yeah.  But -- so -- but maybe not so much in primary 5.

25          I didn't real know much about prep 5.  I didn't really

1 know much about boarding at that point.

2 Q. Once you are in the boarding side, you hear things?

3 A. Oh, yeah.

4 Q. Were they good things or bad things?

5 A. No, no. I think the boys that were in Dundas were

6 terrified of him. We used to whisper about all sorts of

7 things. I would hear stories about him throwing

8 children around and really seriously, in retrospect,

9 abusing them.

10 Q. Presumably, you thought: thank heavens I'm not there?

11 A. Yeah. I guess I dodged a bullet.

12 Q. But you did get him in the classroom scenario?

13 A. Yes, that's right. Yeah.

14 Q. And you couldn't miss that bullet?

15 A. No.

16 Q. How did he treat you in the class?

17 A. So, when I was -- throughout my school career I was,

18 I guess, scruffy and probably a little bit tardy and

19 a bit disorganised. And I wasn't typically the ideal of

20 a well-dressed, punctual schoolboy and I think there was

21 a bunch of us like that. It's quite normal that some

22 kids are like that, and I was one of them. And he

23 particularly -- I think that annoyed him.

24 I think he found the fact that I lived out of town.

25 I didn't -- I wasn't the kind of stereotypical Edinburgh

1 from -- my parents weren't lawyers in Edinburgh and  
2 I didn't have an immaculate uniform, and I think that  
3 really annoyed him.

4 Q. How did he express that annoyance?

5 A. He would demean you. I wrote it down in the statement.  
6 It seems he would -- he used where I came from, from  
7 Falkirk, as a weapon, I guess. And it sounds really  
8 trite when you see it written down, but it was horrible  
9 because it -- you know he would say: oh, you're Falkirk,  
10 it's a suburb of Glasgow, you are a horrible  
11 blah-de-blah.

12 And he would insult you for coming from somewhere  
13 that you couldn't help. And it sounds -- as I say, it  
14 sounds like it's trivial, but to a nine-year-old boy,  
15 who had already come in as an outsider into this elite  
16 club, and it would paint a target on your back from the  
17 other pupils, who would also pick up on it. And I think  
18 he enjoyed the fact that he would single you out.

19 Q. Yes.

20 A. Demean you. Make you -- I used to hate going to the  
21 lessons. I used to dread going into his lessons.

22 Q. Presumably, being from Falkirk you were proud to be from  
23 Falkirk?

24 A. Yes.

25 Q. So he's demeaning Falkirk and trying to make it worse by

1 associating it with Glasgow, which is rather a different  
2 place.

3 A. Well, there is nothing wrong with Glasgow either.

4 Q. No. I think you'll find --

5 A. It wasn't so much the detail; it was the mechanism for  
6 him to demean you, you know. If I had lived in  
7 Edinburgh, but I was still scruffy, I'm sure he would  
8 have found something else.

9 Q. I think you'd describe it as he poured scorn on you?

10 A. Yes, absolutely.

11 Q. And people who were like you, perhaps less organised;  
12 they suffered the same?

13 A. Yes. Anybody sort of arty or a bit different, or  
14 a bit -- we definitely got picked on. I think some of  
15 the pupils obviously were his model pupils and I don't  
16 think -- I would imagine they were still terrified of  
17 him, but didn't -- at least in my memory -- didn't cop  
18 it as much, didn't get as much bad treatment from him.

19 Q. All right. That is verbal scorn and humiliation?

20 A. Yeah.

21 Q. What about physicality?

22 A. So -- and I think everybody knew that he had this thing  
23 that he did, this kind of trademark. He would -- the  
24 Brownlee knuckle treatment.

25 Q. The Brownlee?

1 A. Knuckle treatment. So he used this in class and also if  
2 he was around supervising play time. And he would walk  
3 up behind you, often without you knowing, and grab you  
4 by the shirt collar, but then proceed -- which was bad  
5 enough, but he would push his knuckle right in.

6 Q. You are making a fist?

7 A. Yeah. He would make a fist with his knuckle and push it  
8 right in, so it would choke you like this and you were  
9 really quite choked.

10 Q. Sorry, where was he pushing the knuckle in?

11 A. Into the back of your neck, so that your -- because we  
12 were wearing shirt and tie or a collar, that is quite  
13 tight, so he would essentially choke you.

14 Q. So he's choking you because he has grabbed the collar?

15 A. He has grabbed the collar and then pushed his knuckle in  
16 underneath the collar.

17 Q. To the back of your neck?

18 A. Yes. So restraining your breathing and stuff like that.

19 LADY SMITH: So two things seem to happen then. The collar  
20 gets pulled forward, but the neck gets pushed -- sorry,  
21 the collar gets pulled backwards and the neck gets  
22 pushed forwards, so as to maximise the pressure on the  
23 front of the neck?

24 A. And the knuckles were dug into the back of your neck as  
25 well. He would -- and then he would move his knuckle,

1           so you did feel like the knuckle was driving into you.  
2           Not only would you be choking, but there would be the  
3           pain from the knuckle in the back of the neck.

4   MR BROWN: Thank you, my Lady.

5           You make the point that this happened in the  
6           classroom?

7   A. Yes.

8   Q. Regularly?

9   A. Yes. To my recollection, any pupil that would have  
10       dealt with him or any pupil -- and that would mean  
11       pretty well everybody because he would supervise at  
12       break time -- knew about the fact that he used this --  
13       the Brownlee knuckle treatment. It was something we all  
14       knew about.

15   Q. And would this be daily or --

16   A. Not personally. It wasn't visited on me daily, but this  
17       would be part of his daily -- yes, absolutely. He kind  
18       of stalked about the place and, okay, sometimes kids  
19       being kids were up to hijinks and that, you know -- and  
20       I'm sure that they have to do some kind of discipline,  
21       but I wouldn't have thought grabbing children,  
22       nine-year-olds by their neck and strangling them, is  
23       really an appropriate form of discipline.

24   Q. And he did this in the playground as well?

25   A. Yeah.



1 Q. And that would be during break?

2 A. Yeah.

3 Q. Children milling around, in full view of them?

4 A. (Overspeaking) nonsense or whatever, and then he would  
5 appear behind them and do this thing, yeah. It's  
6 horrible.

7 Q. Presumably, that would be visible to the rest of the  
8 world?

9 A. Absolutely. I can't see why anybody wouldn't know that  
10 that behaviour was being visited on children.

11 Q. At break time; was there a single teacher monitoring or  
12 would it be a number?

13 A. Difficult to recall. But I would -- there is no way  
14 that the other teachers wouldn't be aware that he was  
15 out and about doing these things.

16 Q. The Academy prep school, we understand having seen  
17 photographs of it, was a modern building?

18 A. Yes.

19 Q. Glass fronted classrooms.

20 A. The yard is at the back.

21 Q. Right. What was overlooking the yard at the back; do  
22 you remember?

23 A. Classrooms.

24 Q. Okay.

25 A. I'm trying to recall. So there was a big building, the

1 main playground was -- there was a -- where we got  
2 taught maths by Mr Ramsay, I guess it would be a prefab  
3 building and then there was a large extension.  
4 Brownlee's classroom was on the second floor of the  
5 extension. But any class at the back of the building  
6 would have had full view of the playground and areas  
7 round it, yeah.

8 Q. Okay.

9 Going back to the classroom, I think you have talked  
10 about things happening to you, and things happening to  
11 others?

12 A. Yes.

13 Q. As a matter of his style?

14 A. Yes.

15 Q. But one incident I think sticks in your mind; what was  
16 that?

17 A. So, can I say his name? One of the fellow pupils?

18 Q. It's up to you.

19 LADY SMITH: It's up to you.

20 A. Okay. So there was a fellow pupil who I then  
21 subsequently became quite good friends with,  
22 [REDACTED], very arty like me, and I get he would  
23 fall into Brownlee's kind of target victim. And as best  
24 as I can recall, I think [REDACTED] probably asked to go to  
25 the toilet and had been denied, and probably asked

1       again, getting desperate. And I think whether he  
2       eventually got up and went anyway and Brownlee grabbed  
3       him and grabbed him by the neck yet again and shook him.

4   Q. As he tried to leave the room?

5   A. So he's giving the knuckle treatment and shaking now.  
6       This would be a nine-year-old, so quite small compared  
7       to Brownlee, and he shook him quite vigorously to the  
8       point that [REDACTED] fainted. [REDACTED] lost consciousness  
9       and collapsed -- as Brownlee was holding him. So he  
10      kind of went down -- he would have gone down like a sack  
11      of spuds if it hadn't been Brownlee holding his neck.

12           And I think at that point anybody normal would have  
13      been like: "oh, goodness, what have I done?"

14           But Brownlee was just irritated that -- he thought  
15      he was faking it and got more angry at him, "Get up",  
16      you know, "What are you doing?" kind of thing.

17           I find it difficult to remember what then happened.  
18      But I can remember we were all a bit stunned, as you  
19      would be, even at that age.

20           But it's a memory that's stuck in my head for  
21      40 years and I can remember it clearly. I can remember  
22      his -- [REDACTED] -- just the way he slumped and  
23      Brownlee's irritation at the fact that he had just ...

24   Q. No compassion?

25   A. None. I compared it with an incident and, again, I was

1 in Mr Burnett's class for French and one of my  
2 classmates -- in fact it was [REDACTED], one of my best mates,  
3 and he said: "oh, I don't feel very well."

4 And I go: "you better go off to the nurse."

5 And as he got up he started fainting and hit the  
6 side of the door instead of going out of the door and  
7 fell backwards, and Mr Burnett was across the room in  
8 a flash and completely the opposite. Having witnessed  
9 a child go unconscious, he was distraught, as most  
10 people would be.

11 Q. Yes.

12 After the incident where your friend fainted; was  
13 there discussion among the class, or was there ever  
14 discussions among your P5 class about his behaviour?

15 A. Brownlee? I think it -- other than, "Oh, gosh", or  
16 words to that effect, it was just a fear. I can't  
17 imagine that anybody, even the ones he didn't really  
18 pick on, being anything other than terrified of the man.

19 Q. Did you think of telling your parents what was going on?

20 A. I know this is something that is a common theme, that  
21 you just don't. And you look back at it now and think:  
22 why did I not tell my parents that this had happened?  
23 And I guess you kind of say that this is what we're here  
24 for. That's normal for this place that I'm at. And  
25 a big regret, I guess, not telling my parents about many

1 incidents.

2 But I guess it's one of the reasons we're all here,  
3 because many of us didn't say anything at the time  
4 because it's -- you just accept it as a child.

5 Q. It was normal?

6 A. It was normal.

7 Q. And in his class, that sort of behaviour, scorn,  
8 physicality, was the norm?

9 A. Yes.

10 Q. You had him in prep 5 and prep 6?

11 A. Yes.

12 Q. But I think there was a time in prep 5 where something  
13 happened that you did tell your parents about?

14 A. That's right.

15 Q. Again, just reading short, because it's in the  
16 statement, an older boy encouraged you and others to do  
17 some shoplifting?

18 A. That's right.

19 Q. He was caught by a man in a shop and gave your details?

20 A. Yes.

21 Q. The older boy?

22 A. Yeah.

23 Q. You, presumably, were very upset and panicking?

24 A. The whole -- I was very aware that I was doing things  
25 wrong, and I confided again with my close friend at that

1 point. He came from Inverkeithing, so we used to meet  
2 up in Waverley Station and go down to the school. And  
3 he had probably a better moral compass than me. But,  
4 after being quite upset about the whole thing and  
5 confiding in him, his advice was -- and I will eternally  
6 thank him for it in some respects -- that I should  
7 immediately tell my parents, and that they would know  
8 what to do.

9 And I did. I went home that night and kind of bared  
10 my soul to mum and dad, and this was before the shop  
11 owner then came to the school. Walked into the school  
12 unchallenged and walked right up to whatever class I was  
13 in. I wasn't in because I was still travelling in from  
14 Falkirk, and demanded that he see me. I believe he was  
15 the brother of some famous footballer.

16 Q. All right.

17 A. However, the fact he could just walk into a classroom is  
18 slightly concerning. But the other boys then told the  
19 teacher, and I then had an interview with Mr Burnett.  
20 At which point I told him I'd told my parents, that they  
21 were fully aware.

22 And I think at that point they kind of probably  
23 changed how they were dealing with this. Because  
24 I felt, even at that point, that I was being coerced by  
25 this older boy.

1 Q. I think, as part of the fallout of that, because you  
2 were open and honest, a number of things happened?

3 A. Yeah.

4 Q. One -- and we'll come back to this -- you were then  
5 bullied by the older boy --

6 A. Yeah, in subsequent years, throughout that time.

7 Q. -- for being open?

8 A. Yeah.

9 Q. And --

10 A. (Overspeaking) bullying it was horrible.

11 Q. Yes. Did it teach you, if you hadn't already learnt,  
12 that telling people was a mistake?

13 A. Put like that, yeah. Yeah, it did. I couldn't -- I do  
14 know that he himself came from a difficult background.  
15 But, yeah, I put my hand up and said: this has  
16 happened.

17 And he wasn't -- there wasn't -- I don't know what  
18 sanctions there were for him and they -- I probably  
19 looked at the fact that he came from a difficult  
20 background. But, subsequent to that, in the years, you  
21 know, after that, he did all sorts of horrible things to  
22 me.

23 Q. We'll return to that.

24 But the other fallout from this episode is  
25 Mr Burnett and your parents discuss whether boarding

1           might be a good idea for you?

2    A.   Yeah.

3    Q.   And the conclusion was reached that, yes, you should

4           board, so in P6 you begin as a boarder?

5    A.   Yes, that's right.

6    Q.   You are now going in, as you have told us, to

7           a different environment. You have been the day boy who

8           goes home and there is a world that you don't really

9           connect with; the boarding houses?

10   A.   No, not at all.

11   Q.   Now suddenly you're in that other world and, as you

12           said, you stopped connecting with friends who were day

13           boys?

14   A.   Yeah. Strange. So --

15   Q.   The decision was taken to put you in Mackenzie, not

16           Dundas?

17   A.   That's right.

18   Q.   Do you know why that happened?

19   A.   I have always thought it was probably because there

20           wasn't room for me in Dundas.

21   Q.   As simple as that.

22   A.   But also, going back to our original point, that my

23           grandfather, the one whose name I let slip, it was --

24           had attended Mackenzie House, too, so that would be --

25   Q.   You tended to follow family tradition in terms of these



1 things?

2 A. I think probably the practicalities that there just  
3 wasn't enough bed space in Dundas. But there were four  
4 of us put into Mackenzie in prep 6.

5 Q. This is when you are ten?

6 A. Yes.

7 Q. Ordinarily, at ten, you would have gone into Dundas,  
8 which was the junior house?

9 A. Yes.

10 Q. And the housemaster was?

11 A. In the junior house?

12 Q. Yes.

13 A. In Dundas, was Brownlee at that time, and Mr Moore.

14 Q. Yes. But instead you go into Mackenzie and I think the  
15 housemaster there was a Mr Lister?

16 A. Yes.

17 Q. What did you think of him?

18 A. He was quite strict, quite authoritarian. A bit aloof.  
19 His wife was Sheila. She kind of had a soft spot  
20 for all the boys, so that was quite nice. They kind of  
21 lived separately from us. There was -- you know, a very  
22 distinct kind of door into their world and the world  
23 that we lived in. And my abiding memory of him is just  
24 walking around and trying to, maybe, occasionally put  
25 a stop to all the carry on that was going on.

1 Q. And carry on, presumably, could be at a number of  
2 levels?

3 A. Oh, yes. I mean, just general hijinks, but there was --  
4 well, can I tell you about my first day?

5 Q. Yes.

6 A. My parents had taken me to the boarding house and I was  
7 quite excited. I got my grandfather -- we had these big  
8 trunks and, for some reason, mum had kept the trunk that  
9 my grandfather had had. So this was seen as this  
10 wonderful -- "Oh, look", still -- practically had my  
11 initials on it and everything, so that was -- we got --  
12 and they told us all: you can take games, and you'll  
13 have this and that.

14 So I can remember I got a box of Mousetrap; do you  
15 remember the game Mousetrap? And -- fantastic. And all  
16 these kind of things and it will be great. It will be  
17 a wonderful adventure.

18 So they dropped me off and we were being shown  
19 around the house -- so there was a main Victorian style  
20 or Edwardian style building and then there was  
21 a corridor into what we called the annex. And in the  
22 corridors they would have boys' lockers, so that's where  
23 you kept your personal effects. Mine was in the  
24 basement.

25 And in the corridor, as we're walking through, there

1           were two other boys, who would be four years older than  
2           me, in third year of the senior school, having a very  
3           serious fight and really going at it. And I had never  
4           seen anything like it and I was like: where am I?  
5           What's going on?

6           It was quite frightening and a real -- all of  
7           a sudden what was a big adventure suddenly became -- the  
8           reality was I was in a house full of mostly older boys  
9           and these boys were (a) not interested in you in the  
10          slightest, you know. We were lower life forms coming  
11          from the prep. But also, yeah, aggressive and, you  
12          know, just older, further down the line than we were.  
13          But I found that very difficult, those first few days.

14 Q. And I think you say you were also homesick?

15 A. Very much so. I -- we got to go home. I think we had  
16          one weekend and one day throughout the term, as well as  
17          half term, and I used to love those -- going home, and  
18          hated, hated, hated that journey back on a Sunday night,  
19          back to the house. I dreaded it.

20 Q. We'll come back to that, if we may, in a little while?

21          Thinking of those early days in Mackenzie, you have  
22          talked about there being a separation, physically,  
23          between where the staff, Mr Lister and his family lived  
24          and where the boys all lived.

25          Was anything done to try to ease your passage into

1 the school? You are a wee boy among older boys and  
2 you're homesick; did anyone notice?

3 A. I mean, I guess that Sheila Lister probably had a bit of  
4 a soft spot for us because we were -- the boys -- the  
5 youngest probably shouldn't have been there, in that  
6 environment. But I do remember her at least being, you  
7 know, gentle towards us.

8 And other than that, we did have a matron. I think  
9 she was probably just as unhappy as we all were. And  
10 she certainly took care of -- if you were ill or  
11 something like that, she certainly stepped up. But, in  
12 terms of actually being somebody you could confide in or  
13 a shoulder to cry on or anything, I think she was too  
14 wrapped up in her own unhappiness.

15 Q. Day-to-day; who was managing the house?

16 A. There was Lister and then a house tutor, [REDACTED].  
17 Not a bad man, just came across as being very  
18 disinterested in the whole kind of thing. His attitude,  
19 I guess, was, you know, we were a -- we were there to  
20 just to be tolerated by him.

21 He was not a man what would have had any affection  
22 for any of us. We were just there and he didn't  
23 really -- when I think back at it, I think surely the  
24 house tutor would be -- more than anybody might be the  
25 person that you would maybe have a relationship -- you

1           could confide in or have some kind of gentler  
2           relationship, but no.

3   Q.   But not that individual?

4   A.   No, certainly not.  I would say not in any way abusive,  
5           not in any -- just not really very caring.

6   Q.   Was he living in the house, on the boys' side?

7   A.   Yeah.  So when I first started I was in a dorm, a very  
8           small dorm, at the back -- you have to go through the  
9           Geits dorm; does everybody know what the Geits are?

10  Q.   Yes.

11  A.   So we would have to walk through the Geits dorm -- and  
12           there were maybe ten more boys in that dorm -- to get to  
13           our dorm.  So we kind of run the gauntlet.  And  
14           immediately next to the Geits dorm was Mr [ZM] 's  
15           apartment.

16  Q.   Okay.

17  A.   We'd go there on a Saturday morning and get money out of  
18           our thing to go and spend on sweets or whatever.

19  Q.   Right.

20           But I think you describe there were house ephors?

21  A.   Yes.

22  Q.   So there was a degree of supervision delegated to the  
23           boys?

24  A.   I don't know.  I don't know what their role was.  
25           I mean, they were just third years from senior school

1 and they were -- I don't know what the selection  
2 criteria, if any, were for their role. I don't quite  
3 understand how -- what age would they be? 13-year-olds?  
4 Could possibly administer any form of rational  
5 discipline, and they didn't, really. Other than just  
6 walk about and give them a bit of an ego boost,  
7 I'm sure.

8 Q. Was there was a set of rules that you understood you  
9 should follow?

10 A. Not that I'm aware -- other than just, you know, the  
11 obvious: don't be naughty.

12 But there wasn't -- you know, I guess there would  
13 probably have been rules in various books and stuff that  
14 we were given. But, you are nine-years old, you don't  
15 spend time poring over the -- but whether or not they  
16 were even aware of that, I don't know. It seemed a very  
17 strange kind of situation.

18 Q. How much actual adult supervision was there on a given  
19 day, for example?

20 A. So I think we'd come home from school through  
21 Inverleith. We'd have -- and we would have a supervised  
22 prep session.

23 Q. By an adult?

24 A. Yes, absolutely. One adult. And we'd all be in the  
25 prep room. And then we would have dinner -- or did we

1           have dinner then prep? I can't remember.

2           And then by and large we were unsupervised at that

3           point, until it was bedtime. How can one man supervise

4           a house full of boys?

5   Q. How many boys?

6   A. Goodness, well, there would be, I don't know, 30

7           probably.

8   Q. Okay.

9   A. At least.

10   Q. How many dorms?

11   A. Well, there would be a dorm for each year and some of

12           them were two dorms. Were there two dorms? There was

13           one big dorm for each year and I think, probably,

14           a couple of smaller ones as well.

15           Certainly, for our one, there were only four boys.

16           We had a very small room, with two bunk beds in it.

17   Q. And this is for the Geits?

18   A. Geits, when we moved into the year then, you are in

19           a big room with the whole lot of you. So all the boys

20           that were at Dundas come over.

21   Q. Yes. Then first year -- Geits is first year. Second

22           year, then would you move on to the other two houses --

23   A. You went to Scott and Jeffrey; was it third or fourth

24           year?

25   Q. Okay. But the point --

1 A. It was after I left.

2 Q. Yes, indeed.

3 Just thinking about -- and we have touched on  
4 this -- peer abuse by other boys in the house. You  
5 talked about going into an atmosphere where two boys are  
6 having a full-on fight and you are thinking: what have  
7 I come into?

8 A. Yes.

9 Q. Did you then experience bullying from older boys and  
10 your own year group or was it --

11 A. Yes. It was (overspeaking) years as well. Even in prep  
12 6, with the four of us in that room, three of the four  
13 of us at one point or another were a victim of bullying  
14 by the others.

15 Q. And would that rotate?

16 A. Yeah. I got -- at one point, I got hit. I had a big  
17 black eye.

18 Q. How did that happen?

19 A. One guy -- I was that month's victim of bullying and,  
20 yeah, so I was hit, and that -- I can't even remember  
21 what it would be. You were the target. It was myself,  
22 another chap who left quite -- not long afterwards, and  
23 he and I got the worst of it.

24 One chap managed to avoid being -- I think he was  
25 the biggest and strongest, I guess. But, yes, the rest



1 of us probably got it at one point or another from the  
2 rest of us. It was terrible.

3 Q. It would rotate?

4 A. Yeah.

5 Q. Were there times when you were doing the bullying?

6 A. Sadly, yes. I think, in that circumstance, you tend to  
7 kind of -- it's a pack mentality. You think well: at  
8 least it's not me. I'll join in, so I don't suffer  
9 this.

10 Q. To survive?

11 A. Yeah. It's something that I have had -- I'm very  
12 regretful of. I feel a bit ashamed for that. Knowing  
13 how unhappy I was receiving it; why did I have to give  
14 it out as well? But, again, that's the environment  
15 you're in, I guess.

16 Q. That was the norm?

17 A. Yes, that was the norm.

18 Q. Again.

19 Did anyone try to break that cycle or that normality  
20 of ...

21 A. I mean, if it was going on and the teacher happened to  
22 be around, it would stop. He intervened in the fight.  
23 But it didn't strike me there was anything other than  
24 just stopping any immediate problem where kids would be  
25 fighting or punching, or whatever they were doing. So

1           there would be an intervention to that, but there  
2           wouldn't be a subsequent: let's look at the dynamics  
3           that are causing this.

4   Q.   So once the adult presence went away it would start up  
5           again?

6   A.   Yeah.

7   Q.   All right.

8           I think you set out in your statement a number of  
9           specific events that you found particularly difficult.  
10          We have talked about the boy who got you into trouble  
11          with shoplifting. I think, after that, you said he  
12          bullied you and that included in the house because he  
13          was in the house, too?

14  A.   No, no. Oh, no.

15  Q.   That was separate?

16  A.   That was separate. That would be in school.

17  Q.   That was purely school?

18  A.   Yeah, yeah. So he -- that was another thing where you  
19          think: why am I getting sent to boarding?

20          And as far as I could see, he just carried on. But  
21          almost like -- at that point, I kind of felt that  
22          boarding was almost like a punishment for what had  
23          happened, and yet he seemed to be punishment free.

24  Q.   Yes.

25          Going back to the house, there is a particular

1 episode with a rugby ball?

2 A. Yeah. We were talking about the house ephors. So the  
3 changing rooms -- we got changed separately from the day  
4 boys to go and do games, they were called, play rugby or  
5 whatever. So they had a changing room in the basement  
6 of the annex and it had a kind of open shower area, and  
7 they got it into their mind that one of their rugby  
8 balls had been left in the shower and got wet and got  
9 ruined and it was me that did it. I had no idea of why  
10 they thought it was me.

11 So I was taken into their common room -- they had  
12 a little common room -- and surrounded by three or four  
13 of them and interrogated by 13-year-olds with no  
14 supervision and no real -- you know, it was terrifying.  
15 It was awful.

16 They went at it and at it and at it, reduced me to  
17 tears. I didn't know what I was thinking or doing and  
18 in the end: maybe I did kick the ball.

19 I didn't. I'm fairly sure in my mind that I didn't.  
20 But even if I had, you know, it was a rugby ball. And  
21 they seemed to do this with absolute impunity and they  
22 wanted me -- I can't remember what the sanction was.  
23 I just couldn't believe they were doing this.

24 Q. This was authority?

25 A. Yes.

1 Q. And they were abusing their power?

2 A. Absolutely. I don't blame them. 13-year-old boys.

3 Goodness me. What kind of organisation would give them

4 that responsibility?

5 Q. That's authority, but then there's just every day

6 boy-on-boy violence?

7 A. Yes.

8 Q. I think you make mention of being hit with a metal --

9 A. Yes, so that would be towards the end of -- it

10 precipitated, in my mind, the event that then caused my

11 parents to stop me boarding.

12 I was hit for the bullying, two boys in particular.

13 And on this occasion, they quite violently attacked me.

14 I can remember it clearly. I was in a foetal position

15 on my bed and it would be the second year. My bed was

16 sort of -- you come in the door, go through, and I was

17 on the left as you go through the door, and I can

18 remember being on that bed and I remember them hitting

19 and punching me. And then one of them, you know those

20 kind of grey waste bins? Picked one of them up and

21 started hitting me around the head with it.

22 At that point, I decided: I'm not having this. This

23 is not right.

24 Q. This is a metal bin?

25 A. This is a metal bin.

1 Q. Were you injured by this?

2 A. I was sore. I don't know whether I would carry -- it  
3 would probably be bruising, but nothing beyond that. No  
4 cuts or anything like that, but it was still a fairly  
5 shocking experience.

6 Q. As you have alluded to -- and we'll come to this very  
7 shortly -- that provoked a reaction in you?

8 A. Sure.

9 Q. But I think at the same time, because we talked about  
10 teachers and P5 and P6, there is another episode which  
11 I don't think, from what you've said, helped your state  
12 of mind, and that was back in the school scenario, with  
13 another -- your [REDACTED] teacher; is that right?

14 A. Which?

15 Q. Mr [REDACTED].

16 A. Yeah.

17 Q. This is around the same time?

18 A. No, this would be Geits.

19 Q. I think you say prep 6 in the statement.

20 A. [REDACTED] was a teacher at the senior school.

21 Q. Right.

22 A. So there was an incident at the lunch table. So we  
23 would eat in the big long refectory tables, with the  
24 master at one end and a master at the other end, and  
25 then whoever was sat next to the master got to dole out

1 the vegetables, et cetera.

2 And we had these kind of glasses that were obviously  
3 made of tempered glass and, occasionally, one would get  
4 knocked too hard and it would explode into little bits.

5 So that happened and Mr IDZ lost the rag,  
6 rather strangely, you know. It was a broken glass, yes.  
7 But, anyway, he lost the rag and demanded that -- some  
8 of the glass had gone into the boy next to me's sponge  
9 pudding and custard, and he was: eat up, you have to eat  
10 up.

11 I mean, it sounds facetious and it was probably,  
12 a little bit, I said: but, sir, he might get glass  
13 poisoning.

14 In thinking it's -- that's the phrase I used, but it  
15 was obviously of concern that he would then -- you know,  
16 had been forced to eat bits of glass. At this point, he  
17 really got absolutely incandescent with anger and told  
18 me to see him at the end of the dinner, and I did and he  
19 was still raging. He said "right, I'm going to beat  
20 you. Come with me over to the masters' lodge."

21 I couldn't understand why. And I had probably been  
22 a bit cheeky, but I was like: really, okay. Why?

23 Although I was probably using slightly more kind of  
24 distressed language.

25 He took me over to the masters' lodge and got me

1 into the little room, where they obviously -- he decided  
2 was the place he was going to administer the beating and  
3 I was still: why are you doing this?

4 I kept asking: what did I say? What did I do?

5 Eventually, it transpired, he said: you know fine  
6 well what you did.

7 I didn't. Eventually, I got it out of him. His  
8 nickname was IDZ, and he thought I'd said he  
9 might get rat poisoning. At which point, I went,  
10 "Oh ...." Relieved I could then tell him, "No, no, I said  
11 glass poisoning", and "It's fine, you don't need to do  
12 this", and his reaction at that point was: well, that's  
13 a stupid thing to say, I'm going to beat you anyway.

14 Q. And he did?

15 A. And he started to, yes. He got two beats in with the  
16 clacken and it hurt like hell and, again -- and it's  
17 a theme that I -- I thought: I'm not having this. This  
18 is not fair. I can't -- I've done nothing and  
19 I'm getting beaten by a man.

20 So I got up and walked out, and he was absolutely --  
21 he was screaming at me: I'm not finished. I'm not  
22 finished.

23 I ran out into the yard and IBU, the PE  
24 teacher, was right there, and I think he was taking  
25 a class out in the yard, and he saw my distress and

1           asked me what had happened. And I told him exactly what  
2           had happened and he instructed me to return to my  
3           classroom and that he would deal with it, and that's the  
4           last I ever heard of that.

5   Q.   So there was no follow-up?

6   A.   There was absolutely no follow-up.

7   Q.   You used the phrase there that you had "had enough"?

8   A.   Yeah.

9   Q.   Because this wasn't right?

10  A.   No.

11  Q.   Did that same thought process trigger in the house?

12  A.   Yeah, the beating.

13  Q.   Because of the physicality you were talking about --

14  A.   I had sustained bullying for several weeks at that point  
15       and eventually I guess my brain would be saying: you've  
16       got to find a way to stop this.

17           There wasn't really -- nobody went to the masters.  
18       That would make things worse if you go clyping to the  
19       master, telling tales to the master. So nobody thought  
20       to -- I certainly wouldn't have thought, "Oh, I better  
21       go and tell Mr Lister, 'I'm very unhappy here. Can we  
22       sort things out?'"

23           So I decided I'm not having this, I'm going to run  
24       away.

25           So the following day was a Sunday. I was dressed in



1 my kilt for Sunday school. I had gone over to  
2 breakfast. I put a marmalade sandwich in my sporran and  
3 proceeded to run away.

4 I don't know whether I ever thought I would be able  
5 to walk the 30-odd miles from Kinnear Road to Falkirk,  
6 but I set off for it anyway.

7 Q. How far did you get?

8 A. Barnton.

9 Q. So quite a distance.

10 A. And then I was walking along the road, dressed in my  
11 Academy tie and my kilt, and I was obviously -- I was  
12 just a little boy and a police car drove past me and  
13 I could see them looking out of the window, and then  
14 they drove past the other way and then they came back  
15 and said, "where are you going?" I said, "It's all  
16 right, I'm going home", and he was, "All right, where is  
17 home?"

18 "Just up the road", and, "Where is home, son?" and  
19 I said, "Falkirk", and they said, "Right, okay, you're  
20 from the Academy?"

21 "Yeah."

22 "We'll take you back there."

23 Q. And they did?

24 A. Yeah.

25 Q. And at that point Mr Lister discovers you have gone?

1 A. Yeah.

2 Q. Had anyone noticed?

3 A. Nobody knew I'd gone. I'd probably been -- a good few  
4 hours. The protocol was that Sundays were a day where  
5 you could go out and do stuff, but you had to kind of  
6 tell the responsible adult what you were intending to do  
7 and I hadn't done that.

8 Q. It seems if you didn't tell them anything they assumed  
9 you were there and in fact you could actually do  
10 whatever you liked?

11 A. Run away to Falkirk.

12 Q. Aye.

13 You say in the statement he took it seriously?

14 A. I can remember the police car stopped. I was not frog  
15 marched, but walked up the path to Mr Lister's entrance  
16 of the house. Rather than the boys' entrance, it was  
17 his entrance, escorted by two policemen, right as the  
18 head ephor, the head prefect, walked past and I thought:  
19 oh, God.

20 And I went in and obviously -- and I have always  
21 seen this that for -- until very, very recently, I've  
22 always seen it as that Mr Lister did take it seriously  
23 on the face of it. He spoke to me, I told him what had  
24 happened and it was dealt with. Particularly the two  
25 boys that had -- came to me afterwards, perversely they

1 thought I was a bit of a hero because I had run away, so  
2 I had managed to take the pressure off from the  
3 bullying, but they felt they had obviously been spoken  
4 to in some way, formally. But I thought he had taken  
5 the whole thing seriously and I would assume, as  
6 an adult, he would then have to report that to whoever  
7 you would have to report it to, somebody further up. To  
8 the rector, I guess.

9 I wasn't the only boy to have tried to run away. So  
10 there was at least one other during my time.

11 Q. How far did he get?

12 A. I think he got quite far. I think he nearly got to the  
13 Forth Bridge. I think he was heading to Fife. He  
14 was -- I can't remember. [REDACTED]. He was several  
15 years -- two years above me. So I would be in the --  
16 I would still be in prep 6. So one of the older boys.

17 Q. Your first year in Mackenzie?

18 A. Yeah. And his exploits were kind of legendary, as well.

19 Q. All right.

20 So, in your first and second year, there are people  
21 trying to leave the house?

22 A. Yes.

23 Q. What about your parents? What were they told?

24 A. I spoke to mum about this about a week ago and it  
25 absolutely floored me, and it broke my heart. And both

1 of us were absolutely upset that she told me that they  
2 hadn't been informed. You would expect that if  
3 something like that had happened they would have -- that  
4 the school or Mr Lister, or whoever, would have phoned  
5 mum and dad and said: right, this has happened and  
6 here's how we're dealing with it. Please don't be  
7 alarmed.

8 What they thought would happen -- because they  
9 didn't. They didn't tell them. Mum said, "no, they  
10 didn't tell us. We found out from you on a home visit  
11 some weeks later."

12 And that absolutely floored me. It made me very,  
13 very angry. I can imagine my dad being absolutely  
14 apoplectic, but I was not aware. I asked mum, "What did  
15 dad do?" She said, "I don't know because dad dealt with  
16 it". But I think, probably, there is no coincidence  
17 that I was -- I did two terms of boarding in second year  
18 and in the third term I -- which coincided with that, I  
19 was made a day boy again.

20 Q. You were pulled from the boarding house?

21 A. And I think directly as a result of that.

22 Q. Yes. Presumably, that was a source of relief?

23 A. Yeah, it very much was so, yeah.

24 Q. All right. This is when you are now in the senior  
25 school, and we should understand for the rest of your

1           time at the Academy you were -- and that was until --

2   A. I wouldn't say it was innocent and free, there was all

3       sorts of --

4   Q. I'm coming to that. But it was perhaps less pressured

5       than it had been before?

6   A. Mm hmm.

7   Q. I think you make mention some teachers in the junior

8       school you remember with great affection?

9   A. Yeah. Once I got -- once you got to about fifth year

10       I think things -- they started treating you differently

11       and I think -- then I decided to do art.

12            There was a teacher, Mark Cheverton, that persuaded

13       my parents that art was a good thing for me to do. So,

14       from fifth year onwards, I was never out the art room.

15       It was, I guess, a sanctuary and I loved art.

16   Q. There was one other teacher that you remember, though,

17       for not good reasons, and that's Hamish Dawson?

18   A. Yeah.

19   Q. And I think from the statement this would be early

20       senior school?

21   A. While I was boarding.

22   Q. And that presumably wouldn't have helped --

23   A. No.

24   Q. -- your state of mind either?

25   A. No. It certainly didn't. And I know that mum had also

1       said that at one -- around all these things happening,  
2       sort of at the same time, that she had noticed -- and  
3       I never knew this as well -- that I had started getting  
4       alopecia at the back of my -- I had quite big curly  
5       hair. I'm sorry, it's all gone now. I think that  
6       probably hid it from anybody, otherwise I probably -- it  
7       would have been -- somebody would have picked on that.  
8       But mothers know their children, and she noticed this  
9       bald patch on the back of my head, probably  
10      stress-related.

11    Q.   When was this?

12    A.   While I was boarding.

13    Q.   That is during the same period?

14    A.   Same period. We went from prep school, the teacher for  
15       senior school and first year and second year, my class  
16       master was Hamish Dawson and history teacher.

17    Q.   Now, we have heard already about his collection of  
18       weapons, which were named?

19    A.   Yeah. He had a lectern, not unlike Lady Smith's, but  
20       smaller, a wooden lectern, blackboard behind him, and  
21       there was a box that he had affixed to that lectern that  
22       had any number of -- what did he call them? Instruments  
23       of flagellation or -- and what he did to us was  
24       spifflication. I hadn't heard that word for years and  
25       then somebody said, "spifflication."

1 Q. It took you back?

2 A. Uh huh. It was there -- it was there for everyone to  
3 see. And pupils actually gave him -- when leaving the  
4 school, would affectionately give him another cane or  
5 plank of wood or whatever, and they would have names.  
6 And each one would be used for different misdeeds or  
7 whatever, and they weren't serious misdeeds. You know,  
8 he would have one for answering the question wrong or  
9 being -- I don't know. Just various different sort  
10 of -- not serious misdemeanours, but they would all have  
11 a stick for it.

12 Q. A stick for every occasion?

13 A. Absolutely, yes.

14 Q. In terms of misdeeds from getting a question wrong; was  
15 it actually remotely disciplinary in the ordinary sense?

16 A. No, no. I mean, in fact I just recall that on one  
17 occasion that I was -- he had cause to actually  
18 discipline me. Myself and another boy were probably,  
19 unregrettably, kind of involved in making another boy  
20 unhappy, and I think he did beat us quite hard that  
21 time.

22 But, yeah, generally it was a fun thing. It was  
23 presented as a kind of -- something we should all giggle  
24 along with and play along with.

25 Q. We have heard it described as "theatrical"?

1 A. Very much so, yes.

2 Q. And --

3 A. Ritual, rather than theatrical.

4 Q. And the boys would be involved in the process?

5 A. Yes.

6 Q. How so?

7 A. So he would -- as well as his instruments of  
8 flagellation, he would give out jelly beans for good  
9 behaviour as well. You couldn't make it up.

10 And so if there was an event where one boy would be  
11 called up to receive his punishment, he would entice you  
12 up and, as you say, it was theatrical ritual, kind of up  
13 you get, and he would get right in your space and bend  
14 you over.

15 And he had this thing -- and I'll never forget it  
16 because we had tweed jackets for two terms and the tweed  
17 jackets, unlike most jackets, instead of having one  
18 split at the back had two. So it had a kind of flap  
19 that he would lift up with great ceremony, bend you  
20 over, lift it up and feel you through -- feel your  
21 backside and the genital area as part of the preparation  
22 for then being -- then it was a kind of slap and tickle  
23 kind of hit.

24 Now I look back and think that was -- yeah, that's  
25 exactly what, you know, people doing S and M would be --



1           that kind of thing. And, yeah, and then he would  
2           administer it. And everybody would be laughing along.  
3           This was in front of the whole class. So they all  
4           witnessed it. They all saw.

5           And we just thought, like I did before, it was kind  
6           of: well, this is what happens. Okay. This is quite  
7           funny.

8   Q. Now, you have talked about the box of implements of  
9           flagellation being on open view?

10   A. Yes, absolutely.

11   Q. The school knew about this?

12   A. Yes. Absolutely. They couldn't not know about it. It  
13           was there for everyone to see. Like I said, pupils  
14           actually, knowing they were leaving the school, would  
15           come and present him with these things. There was no  
16           secret. There was absolutely no -- it wasn't -- like  
17           others probably listened to the -- In Dark Corners  
18           documentary podcast, and it wasn't in dark corners.  
19           This was in full view of the -- you know, curtains open  
20           and the light's on and the windows -- for all to see.

21   Q. Did he teach with the door open or was the door shut?

22   A. Good question. I don't recall. But even if he was  
23           teaching with the door shut, you know, when he wasn't --  
24           during the breaks between lessons and at break times and  
25           stuff like that, any other teaching walking past that

1 open door would have seen what was going on in there.

2 And the boys, we all talked about it. It was no secret.

3 Q. Because it was fun?

4 A. Yes.

5 Q. It's something you would talk about?

6 A. Uh huh.

7 Q. Yes. Whereas bullying, you wouldn't, because that would

8 be clyping?

9 A. Uh huh.

10 Q. There was no need to clype because this was fun?

11 A. Yeah. Unfortunate, yeah, but true.

12 Q. Okay.

13 Bullying would continue back in the day school, to

14 some degree?

15 A. Oh, yes.

16 Q. I find it difficult, because we were -- one of the

17 teachers would obviously tell us: oh, you shouldn't

18 bully it's wrong.

19 Yet some of the teachers were bullies themselves,

20 you know? It's a difficult thing, now, as an adult, to

21 think back and think: if you are telling children not to

22 behave in particular ways, but not leading by example,

23 it's problematic and confusing.

24 But, yeah, I mean, for instance, going back to

25 [REDACTED] -- and obviously had a grudge to bear.

1 He used to come in and -- what year would this be?  
2 Third year probably, maybe a bit -- used to come in and  
3 chase me around the desks, grab me, and hilariously give  
4 me a wedgie, you know, grab you by the -- which is bad  
5 enough, but that thing happened all the time. But he  
6 then would give me a wedgie so severe that he would hang  
7 me up on one of the coat hangers, on one of the pegs  
8 that you would -- and leave me.

9 And it would be all hilarious for everybody else to  
10 see you struggling by your underpants and it was  
11 humiliating, to say the least. It was really difficult.  
12 And it lowers your standing among others, because you  
13 are seen as being weak and you are seen as being --  
14 letting this happen.

15 Q. Yeah.

16 LADY SMITH: 'Henry', I know what a wedgie is,  
17 unfortunately, because I've heard about it from evidence  
18 in relation to other schools. But, in case anybody is  
19 following this evidence and doesn't know what a wedgie  
20 is; are you able to describe it?

21 A. Yeah. So you would be grabbed by -- the person  
22 administering the wedgie would grab your underpants at  
23 the back and pull them as hard and as high as they  
24 could, so that it would -- to put not too fine a point  
25 on it, it would go in between the cheeks of your bottom

1 and also kind of other areas, it would pull on.

2 It was kind of a ritual humiliation. It was carried  
3 out regularly. And that was bad enough, but then to be  
4 hung up by your underpants, that -- and I think, yes,  
5 it's painful and everything else, yes, fine, but that --  
6 the worst bit was the humiliation of having another boy  
7 doing that to you and then leaving you hanging.

8 LADY SMITH: Thank you.

9 MR BROWN: Thank you.

10 I think one last thing that you mentioned -- and  
11 I don't think this is in your statement -- you talked  
12 about IBU helping you when you had the experience  
13 with IDZ?

14 A. Yeah.

15 Q. He's another teacher, and it's back to the same thing of  
16 humiliation and the culture?

17 A. Yes. I had originally thought of him and it was  
18 something I thought of quite recently, that I wasn't  
19 a victim of, but witnessed. So anybody -- he didn't  
20 really like anybody that wasn't sporty or particularly  
21 anybody that was heavy, fat. Sorry, to use that term.

22 And like I say, our PE lessons were largely sort of  
23 victorian-style physical jerks and, occasionally, we  
24 would play basketball with a medicine ball.

25 And so there would be a trampette going over -- it's

1 almost a cliché, isn't it? A trampette going over the  
2 vaulting horse thing. And those of us that could just  
3 about do it were okay, but I remember one boy -- and  
4 standing -- the rest of us standing, where we waited  
5 while [REDACTED] -- that was his nickname, [REDACTED] --  
6 berated and humiliated and forced and shouted and this  
7 poor boy couldn't do it, was physically unable. And he  
8 got so flustered and so upset and Mr [REDACTED] didn't stop.  
9 It wasn't -- he didn't suddenly go: goodness,  
10 I've reduced this boy to a quivering wreck.

11 And eventually I think he probably would give up in  
12 disgust.

13 So, yeah, I witnessed that. Thankfully, I was never  
14 really much on the receiving end, but he was very  
15 authoritarian and quite strict. But if you weren't  
16 sporty, he didn't really like you.

17 Q. No.

18 Another example of -- and you have used the word in  
19 both contexts -- humiliation?

20 A. Yeah, humiliation.

21 Q. That was the norm?

22 A. Yeah.

23 Q. I think the last reference to abuse is about race, and  
24 you mention a boy who was an ephor?

25 A. Yes. Before that, because I got into a fight once with

1 a chap who was an avowed racist, quite open about it,  
2 anti-Semitic to the point where -- I think they even had  
3 a debate in the school about: did the Holocaust actually  
4 happen? This boy had stood up and argued that it hadn't  
5 happened. Quite why they thought this was an acceptable  
6 thing to happen as an officially sanctioned school  
7 activity, I'm not sure. So he was very vocal about it  
8 and didn't -- wasn't terribly popular.

9       Anyway, I got into a fight with him and it was just  
10 a scrap. It wasn't me picking on him. However, his  
11 parents had complained to the school that this had  
12 happened and my class master, Mr Blair at the time, took  
13 me aside and said that his parents had threatened to  
14 take him out of the school. And I was told that if they  
15 were to try and take him out of the school that he would  
16 rather see me go instead, which I thought was quite  
17 an injustice, and especially given that it was only a  
18 matter of -- so, third year, so we're talking months  
19 after, about a year, at most, after I had been  
20 absolutely hammered with metal bins and all sorts of  
21 stuff and nothing done about it, in Mackenzie House.  
22 I found it quite difficult. But he then displayed his  
23 true colours on the last day of term, for whatever year  
24 it was.

25       There was a chap, he was a boarder, [REDACTED] and

1 he was a prefect and [REDACTED] had gone up to him -- and  
2 I can say this?

3 Q. Yes?

4 A. He called him a "nigger" to his face and [REDACTED],  
5 understandably, had reacted and the school sanctioned  
6 [REDACTED] on his final day of being -- of school by  
7 formally removing his ephorship, his prefect, rather  
8 than punishing [REDACTED] for calling him a nigger.

9 So, yeah, there was quite a lot of racism as well  
10 going on, I guess. Initially in my statement  
11 I thought -- maybe it was just me, because there were  
12 other boys, especially I think probably anybody of kind  
13 of Asian background, anybody that was that would be  
14 called "Paki", and that was -- I'm sure the teachers  
15 must have heard it and didn't really -- I don't think  
16 there was any intervention.

17 Q. You have already talked about moving into art and that  
18 being better?

19 A. Yeah, much better.

20 Q. You left the school and we can read about your progress  
21 thereafter, which was following the artistic bent?

22 A. Yeah. So I think probably going -- if I look back at it  
23 now, the only saving grace of the Academy experience was  
24 Mark Cheverton, wonderful man, and persuaded my parents  
25 that I was decent enough to pursue art as a subject,

1       which I did, with great vigour. And I did really well  
2       at it. And a whole bunch of us did really well at it  
3       because he was an absolutely fantastic teacher, and then  
4       went on to Glasgow School of Art after I left.

5   Q. Memories of school, there is a bit of a mix?

6   A. My last two years were okay. Just basically because  
7       I hid in the art room. And my final year, I only did  
8       two subjects, much to the chagrin of the careers  
9       officer. And biology was kind of like: I need to do at  
10      least one more.

11  Q. Looking back -- and we can read about what you did  
12      thereafter in the statement, we don't need to go over  
13      that. And, likewise, you talk about some of the impact,  
14      and I think we have touched upon that already, in terms  
15      of the way you were treated by Brownlee and the shame of  
16      Dawson. But I think there are a number of things that,  
17      at the end, you have been reflecting on. One of them  
18      you have touched on is how normal all this behaviour  
19      was; is that right?

20  A. Yeah.

21        It was. And I think in any situation where children  
22      are exposed to something regularly happening -- I just  
23      recalled this, I remember Stephen Fry once saying you  
24      can hang a child upside down and, as long as they think  
25      that's normal, then that's what's normal. And I think



1 we normalised everything that was happening, as that was  
2 just it. Because you are young. You don't really  
3 process it in the same way as you do as an adult, and  
4 say: wait a minute, that's fundamentally wrong. Middle  
5 aged man feeling my backside or whatever.

6 At that point you think: okay, fair enough. It's  
7 kind of fun. Kind of funny.

8 It wasn't fun. It was funny. Or being beaten or  
9 the bullying. It was cyclical.

10 I am ashamed of the fact that I was bullied heavily,  
11 but I also bullied others. It's a terrible thought.

12 Q. Yes.

13 I think another thing you have touched on is the  
14 fact is you are frustrated by the school taking so long  
15 to respond?

16 A. Yeah.

17 There is absolutely no way that the behaviours  
18 perpetrated by those men could have gone unnoticed by  
19 the -- those in charge of the school or their peers,  
20 their fellow masters. There is absolutely no way.

21 And what I find really upsetting is that the school  
22 has had -- well, I left in 1987. Let's assume that they  
23 thought at that point: this is a bit wrong.

24 I know Dawson had gone by that point. And I think,  
25 probably, they realised as well at that point that that

1 must have been wrong and -- but Brownlee was there and  
2 I know other pupils went on to suffer other abuse and  
3 humiliation and stuff like that.

4 And had the school at that point decided: right,  
5 enough's enough. How do we tackle this? We need to be  
6 honest about this. We expect our pupils, the children  
7 we're looking after, to be honest.

8 How can they not be honest themselves?

9 They didn't do anything about it in the 1990s. They  
10 didn't do anything in the 2020s -- 2000s, 2010s. They  
11 must have known that there was this record of fairly  
12 heinous abuse and decided, I guess, that the school's  
13 reputation and that the business would suffer if it was  
14 public. So they put themselves and their business and  
15 the reputation ahead of that -- of us, and that is  
16 heartbreaking.

17 Q. I think you also feel anger?

18 A. Very much so.

19 I have, throughout my life, had particular anger at  
20 obvious injustices. I've been quite outspoken about it.  
21 I kind of started that when those things were visited  
22 upon me. I was getting bullied, but I thought: "I'm not  
23 having this, I'm running away."

24 I was getting beaten, "I'm not having this", and  
25 walking out.

1           So that kind of attitude has followed me throughout  
2           my life and not necessarily to great benefit, sometimes,  
3           you know. But I'll speak out if I have to. I just wish  
4           they'd spoken out.

5   Q. Thank you for speaking out. I've no further questions.  
6       Is there anything?

7   A. I did write a thing. I know you have covered a bit of  
8       it, but it conveys a bit about how I feel and I might  
9       get a bit more emotional than I've got so far. But if  
10      you would let me read that out? Is that okay?

11   LADY SMITH: Absolutely, 'Henry'. If you want to do it.

12   A. Yeah.

13   LADY SMITH: If you feel you want to stop at some point,  
14      feel free.

15   A. It's fine. I'll go for it and we'll see how it goes.

16           I've heard the term cesspit used in this Inquiry and  
17           I understand that sentiment entirely. To me, it was  
18           something more insidious. It was normal, as you just  
19           said. It was normal to groom 11-year-olds with Jelly  
20           Babies, touch them up and use sadomasochistic sex toys  
21           to molest them in front of 20 others. It was normal to  
22           kick, hit and strangle to the point of unconsciousness  
23           ten-year-olds. It was normal to inflict physical  
24           punishment with a plank of wood with no good reason. It  
25           was normal for grown men to inflict psychological

1 belittlement on children. It was normal to allow  
2 endless cycles of bullying to go unnoticed or unchecked  
3 and the bullied becoming bullies ad infinitum.

4 It was normal to complete -- to completely ignore  
5 flagrant racism, sexism, homophobia. It was normal to  
6 have no safeguarding. It was normal to have no risk  
7 assessment. It was normal to have no abuse reporting  
8 policy or mechanism obvious to the pupils.

9 It was normal for there to be no pastoral care, and  
10 it was normal to be somewhere where nobody, not one  
11 person, loved or genuinely cared for you.

12 "Normalisation" is a term I didn't really use before  
13 this and now I do. Now I understand it.

14 As this process has developed for me, I have become  
15 angrier and angrier, not just at the original abuses, as  
16 appalling as they were -- sorry, [REDACTED], I still can't  
17 help thinking it could have been worse for me. But, for  
18 some of us, these acts were truly, deeply appalling.

19 Even the immediate failure to acknowledge what was  
20 blatantly happening in full view of everyone can  
21 perhaps -- perhaps -- be blamed on different times. But  
22 the fact that the Academy in the 1990s or the 2000s or  
23 the 2010s decided not to act but continue what must have  
24 been a cover up of these abuses, abuses they must have  
25 known happened, that these men had committed. Had they

1 done so then these men, primarily in my case  
2 John Brownlee and Hamish Dawson, but far too many others  
3 also, now dead or alleging to be too old or infirm or  
4 ill, or now hiding behind bureaucracy on the other side  
5 of the world, like the cowards they are, could have been  
6 held to account for the obscenities they committed on  
7 children. Indeed, they might even have been stopped  
8 before some attending this hearing even suffered in  
9 their hands.

10 In addition to the cycle of bullying, dehumanisation  
11 and lack of intervention and reporting that went on at  
12 Mackenzie House -- could have been stopped.

13 I can't believe they didn't tell my parents that  
14 I had run away.

15 Instead, both perpetrators and those that chose to  
16 be blind to what was happening, or worse to cover it up,  
17 carried on and went on to live their whole lives without  
18 punishment, while we have internalised, put shamefully  
19 to one side and normalised what happened to us, and we  
20 and our families have suffered the effects of that for  
21 our whole lives.

22 The hypocrisy, the out and out shameful of that  
23 from an institution purporting to instill the very  
24 highest virtues, morals and ethics in the children in  
25 its care, that inflicted punishment on us for bullying

1 in an environment where bullying was out of control and  
2 some teachers were the biggest bullies of all, that  
3 inflicted punishments on us for misbehaving when they  
4 themselves succumbed to the worst forms of misbehaviour,  
5 gross incompetence, negligence, misadventure and  
6 dereliction of duty of care.

7 That inflicted punishments on us for lying, while  
8 lying themselves, and to our parents about the  
9 unspeakable acts visited upon us, and that inflicted  
10 punishments on us for not clying on others, while they  
11 themselves hid those acts for decades.

12 The hypocrisy of that, the betrayal of that more  
13 than almost anything, makes me want to cry. I am.  
14 I'm not going to scream, but I feel like it.

15 Finally, had a former pupil, Nicky Campbell, with  
16 a degree of celebrity and a public voice decided not to  
17 speak out, there is nothing to suggest me that that  
18 position of Omerta would not still be adopted by the  
19 Edinburgh Academy. Until they can offer not just empty  
20 platitudes of sorrow and regret and promises that it has  
21 transformed from the bad old days, good grief, I hope it  
22 has. Until they show full public acknowledgement that  
23 they have previously and knowingly colluded to cover  
24 these things up or worse, inexcusably, fatuously claim  
25 that they had little or no idea -- I can't describe how

1           that makes me feel -- how can there be reconciliation?

2           Because I want reconciliation.

3           Until that happens, how can they have any  
4           conscionable right to educate children today under the  
5           mottos, "Excel always", and "Education is the mother of  
6           wisdom and virtue".

7           Thank you. I got through it.

8   LADY SMITH: Are you okay, 'Henry'?

9   A. Yes.

10   LADY SMITH: Thank you for that, that very careful and  
11           thoughtful piece that you have written to deliver today.  
12           It's really helpful.

13           Thank you for everything else you have done to  
14           improve and enhance my learning about the Edinburgh  
15           Academy, both your detailed written statement, which  
16           tells me so much, and particularly the difference  
17           between moving from day to boarding and then back to  
18           day, and the people you encountered and your particular  
19           experience of those people.

20           Thank you for the fairness of what you have said in  
21           your evidence and you have not been slow to recognise  
22           what was good, but you have made absolutely plain what,  
23           for you, was very, very far from good. It was very,  
24           very bad, and that is not lost on me at all.

25           I'm sure it's taken a lot out of you, both to get to

1 the end of your written statement and reviewing it, face  
2 up to coming here to give evidence and give evidence  
3 today. But I promise you, you have done a great  
4 service; not just to your fellow Edinburgh Academy  
5 pupils, but to all children who have experienced the  
6 sorts of things you have been telling us about.

7 Now, 'Henry', before you leave, there is just  
8 something I want to say that I said yesterday that is  
9 for everybody. Please don't take this badly. I have  
10 experienced, sometimes, people clapping at the end of  
11 evidence, but I have discovered that some people really,  
12 really find that upsetting and distracting. For  
13 example, it distracts them from doing what they find  
14 important, which is to focus immediately on everything  
15 they have just heard.

16 Some people may think, actually, that it's -- it  
17 could trivialise evidence in an inquiry and distract  
18 from its importance. So I don't know whether anybody  
19 here today was thinking of doing that again today,  
20 despite my request yesterday that it doesn't happen, but  
21 I would firmly renew that request.

22 I don't want to exclude people from the hearing  
23 room, but if I know it's distracting, I'm going to have  
24 to consider doing that.

25 'Henry', thank you.



1 A. Thank you. It wasn't a pleasure, but I feel profoundly  
2 good that I've done this.

3 LADY SMITH: Good. I hope you are able to have an easier  
4 time the rest of today than you have had this morning.  
5 Thank you so much, and please, you are now free to go.

6 A. Thank you.

7 (The witness withdrew)

8 LADY SMITH: Could I also, before we rise for the break,  
9 just remind people about the impact of my restriction  
10 order, which affects other pupils whose names have been  
11 used, 'Henry''s family members, and four members of  
12 staff, Mr IDP, Mr IDO, Mr IDZ and IBU?  
13 Please don't forget that their identities are not for  
14 disclosure outside the hearing room.

15 Thank you. I'll now take the morning break.

16 (11.38 am)

17 (A short break)

18 (11.58 am)

19 LADY SMITH: Just before I ask Mr Brown to introduce the  
20 next witness; can I mention a practicality that I think  
21 we're now sorting out? You may have felt it a bit more  
22 warm this morning, one of the reasons I was passing  
23 a note across was to ask for the temperature to be  
24 reduced, because I could see on my gauge here that it  
25 was too high.

1 I think we have it down now to something more  
2 bearable. I'm sorry if we turn into a fridge by  
3 lunchtime, but we'll keep an eye on it and try to keep  
4 you all comfortable.

5 Mr Brown.

6 MR BROWN: My Lady, the next witness is ready and is  
7 'James'.

8 LADY SMITH: Thank you.

9 'James' (affirmed).

10 LADY SMITH: The red folder that you've just pulled across  
11 there has your statement in it, 'James'. You might find  
12 it helpful to use it when you're giving evidence, but  
13 you don't have to. It's up to you.

14 Otherwise, do let us know if there's anything that  
15 I can do, or Mr Brown can do, to make it easier for you  
16 to give the evidence that you're about to give. I know  
17 it's not easy. And I know some people find it really  
18 quite painful as they progress through their evidence.  
19 So if, for example, you want a breather, just a pause  
20 where you are or to have a break, you must let us know.  
21 Or if you don't understand what we're asking you, that's  
22 our fault, not yours, so please speak up.

23 If you're ready I will hand over to Mr Brown; is  
24 that all right?

25 A. Yes, that's fine.

1 Questions from Mr Brown

2 MR BROWN: My Lady, thank you.

3 'James', hello again.

4 A. Nice to meet you.

5 Q. You have your statement in front of you and there's  
6 a principal one, which is a reference WIT-1-000001221;  
7 and you signed that, I think, in March this year?

8 A. That's correct.

9 Q. Then you've been thinking about things, and I appreciate  
10 we're talking about events decades ago, you put in  
11 another statement because you were trying to correct  
12 a number of details --

13 A. Yes.

14 Q. -- that you had reflected upon. That is a reference  
15 number WIT-3-000005470, and you signed that in June?

16 A. That's correct.

17 Q. In both, you confirm that you are willing for the  
18 statements to be used in evidence and that so far as  
19 you're aware the facts are true and accurate?

20 A. Correct.

21 Q. Now, I know, having spoken to you this morning, that  
22 you've been looking at some school records that have  
23 been kept by your parents?

24 A. Since I got access to my late father's records and  
25 I've been able to piece together a more accurate

1 timeline. The abusers and the abuse that I mentioned is  
2 correct, but the sequence is incorrect.

3 Q. That's fine.

4 Hopefully, in giving evidence, I'll ask you the  
5 right questions in the right order, so we get that  
6 sorted out.

7 A. Perfect.

8 Q. Please do understand we are talking about events decades  
9 ago. This is not a memory test, and the one thing you  
10 have been constant about is the abuse and the nature of  
11 it.

12 A. Yes.

13 Q. Correct?

14 A. Correct.

15 Q. Okay.

16 LADY SMITH: 'James', can I just assure you, I know that  
17 remembering exactly when in a date timeline something  
18 happened in your life can be one of the hardest things  
19 to do, particularly if it was something distressing.  
20 Because something that is distressing seems to impact on  
21 your memory without feeling it necessary to hang on to  
22 the precise time at which it happened. So don't worry  
23 if there's a problem with that.

24 A. Okay.

25 MR BROWN: Thank you.

1           You are 46; is that right?

2   A.   Yes.

3   Q.   And you went to school at Edinburgh Academy between 198█

4           and 199█?

5   A.   That is correct.

6   Q.   You were a boarder throughout?

7   A.   Yes.

8   Q.   Your dad was a doctor and you lived in the country?

9   A.   Yes.

10  Q.   School, for you, is in the north-west of Scotland,

11           first?

12  A.   It was.

13  Q.   Four years in primary school up there?

14  A.   Mm-hmm.

15  Q.   Living at home, presumably leading a fairly rural --

16  A.   Happy life, to be honest with you.

17  Q.   At what stage did you realise that you were going to go

18           to Edinburgh Academy?

19  A.   My dad had mentioned it from a young age. I knew from

20           primary 1 he had been talking about me going to the

21           Edinburgh Academy. I have subsequently found throughout

22           his records, he had actually decided I was going to

23           Edinburgh Academy when I was 18 months old, so I was

24           going.

25           So I was aware of it and then, obviously, as I got

1 to primary 3 and 4 it started getting talked about a bit  
2 more, and I remember having to go down to Edinburgh and  
3 sit an entrance exam to get into the Academy.

4 I don't know why I had to sit that because,  
5 subsequently, I see that everything was paid for  
6 beforehand, but I had to go and do this exam at the  
7 time, which I believed was to get me access to the ...

8 Q. All right.

9 Were you ever asked whether you wanted to go?

10 A. No.

11 Q. And did you voice an opinion or did you just --

12 A. I was basically left with the answer that if I wasn't  
13 going to the Edinburgh Academy I would be going  
14 somewhere else.

15 Q. All right.

16 A. So, it was -- my dad was from a military background and  
17 that was what he decided.

18 Q. Okay.

19 Your complaint -- and we'll come on to this -- is  
20 about gap year students who played a part in the  
21 boarding houses?

22 A. That's correct.

23 Q. You go in 198█, aged nine; you leave at 18, in 199█?

24 A. Yes.

25 Q. Just generally, did you see the school change in ethos

1 in that period of nine years?

2 A. No. I mean, it was still -- you know, it was  
3 pupil-on-pupil rule and you were left to battle it out.

4 The teachers were there, but I don't think they  
5 really, shall we say, guided, if you like, or whatever.  
6 I believe the teachers all just basically behaved the  
7 same as they were when I joined.

8 I think what changed was, obviously, as you get  
9 older in the school you're no longer the youngest, so  
10 that was obviously where I saw the changes. As you come  
11 up, you are now older and there is people younger than  
12 you in the school that are probably battling to find  
13 their place within that society.

14 The only thing that did change was the number of  
15 boarders was decreasing at the time, when I was there.  
16 And they did take girls into Mackenzie House in the  
17 seventh year to boost numbers. And then, subsequently,  
18 Scott House, which I had moved into, closed and we moved  
19 into Jeffrey House, and there was only two boarding  
20 houses, as opposed to three when I started.

21 Q. In the nine -- or the decade, roughly, you were there,  
22 boarding is shrinking?

23 A. That's correct.

24 Q. And the presence of girls --

25 A. Is increasing.

1 Q. -- is increasing.

2 A. Yeah.

3 Q. Did the presence of girls increasing change the dynamic,  
4 too?

5 A. I think it probably did, certainly in the latter two  
6 years of school, yes.

7 LADY SMITH: Was that the stage at which the school only  
8 took girls in sixth year, the last two years, lower and  
9 upper sixth year?

10 A. Yes.

11 LADY SMITH: And not all that many girls compared to boys;  
12 is that correct?

13 A. I think there were only about 20. There wasn't many.

14 LADY SMITH: Over the two academic years?

15 A. That's correct.

16 MR BROWN: Thank you.

17 Was there a change of headmaster while you were  
18 there or was it just --

19 A. There was a couple of changes of headmaster. In primary  
20 school, [REDACTED], it was a headmaster called  
21 James Burnett. He was a friend of my dad's, I believe.  
22 They knew each other through [REDACTED] competitions  
23 and things like that. [REDACTED] headmaster  
24 called Lawrence Smith. [REDACTED] obviously -- throughout  
25 the rector at the time was a guy called Lawrence Ellis



1 and [REDACTED] the high school [REDACTED]  
2 [REDACTED], about 199 [REDACTED] I think it was, and [REDACTED]  
3 by [REDACTED] SNR [REDACTED] called INU [REDACTED].

4 Q. Do you remember that change leading to any shift?

5 A. I do remember that change, because -- what I do remember  
6 was we used to have to go over to the prep school for  
7 our meals and, on the right-hand side, there was what we  
8 called the "Prep Woods" and they were getting flattened  
9 to build this new house for a new rector. So that's how  
10 I remember.

11 Q. But that would be in your last few years?

12 A. Yes.

13 Q. 199 [REDACTED] to 199 [REDACTED]?

14 A. Yes.

15 Q. Last three years of your time. And by that stage, as  
16 you've just said, your life was rather more  
17 straightforward, you are older, your place is rather  
18 set.

19 A. That's correct.

20 Q. Going back to the very beginning, and going to your  
21 first day at Mackenzie House, we see that it's clear you  
22 were very unhappy?

23 A. It's awful. It was bloody awful. I couldn't describe  
24 it. You know, I mean, I remember leaving my home and  
25 coming down. We had this big trunk that had all my

1 belongings for the term. I'd been to choose school  
2 uniform, and it was all alien to me.

3 I remember arriving in Kinnear Road and I remember  
4 riding the outskirts of Edinburgh and my stomach was  
5 churning and got into Kinnear Road and got unloaded and  
6 met the headmaster, and my trunk was in the hall of the  
7 boarding house and my parents left to go out the door.

8 They got into their car, and I just made a dash for  
9 it. I chased them the full length of Kinnear Road and  
10 caught up with them, just at the junction with  
11 Arboretum Road. I think the housemaster was chasing  
12 after me at the time as well, and I got taken back and  
13 basically held there until my parents drove off and were  
14 out of Edinburgh.

15 Q. You were crying?

16 A. Crying, yes. Very upset and very lonely.

17 Q. It's entirely novel and something -- you just don't want  
18 to be there?

19 A. It was completely alien. I didn't want any of it.  
20 I never asked for it.

21 Q. No.

22 But I suppose, like many things, you become used to  
23 it? How long did that take?

24 A. You could describe it, you become used to it. I was  
25 never used to it. I grew -- I learnt means to put up

1 with it. I would never say I was used to it. Even  
2 coming back to Edinburgh now, you know, when I drove  
3 down here this morning, I looked at the light on top of  
4 Costorphine Hill and my guts just dropped. I was never  
5 ever used to it. I survived by learning how to survive.

6 Q. But I think you make the point there was no one you  
7 could go and speak to?

8 A. There was absolutely nobody, no. My parents were going  
9 to put me back no matter what. I had housemasters that  
10 were going to keep me there. One of them joked about  
11 even the abuse that we received. They covered up the  
12 abuse we received.

13 Q. We'll come on to that.

14 A. So I soon learnt that I was on my own. I was among my  
15 peers and it was very much a case of keeping your  
16 friends and acquaintances close and your enemies closer,  
17 and learning techniques to survive.

18 Q. Your parents, I think, were aware of this because you  
19 were writing and telling them --

20 A. Yes.

21 Q. -- that you didn't like it, but they kept you there?

22 A. That's correct.

23 Q. Did that, longer term, impact on your relationship with  
24 your parents?

25 A. I never had a very good relationship with my father. In

1 fact with my parents, full stop. I was always quite  
2 happy to be myself.

3 You know, I resented them for putting me to this  
4 school, but I knew that if I wasn't there, I was going  
5 to be somewhere else, so you are better with the devil  
6 you know than the devil you don't.

7 And, yes, I never had a good relationship with them  
8 at all. My father passed away in [REDACTED] and he knew  
9 about what had happened to me latterly, but he never  
10 acknowledged it, if you like.

11 Q. But I think in terms of thinking of the time you're at  
12 school, and you've talked about coming into Edinburgh  
13 today, the drive, every time you made it, it was  
14 difficult?

15 A. That's correct.

16 Q. You have particular memories about particular places  
17 where things have happened. On your drive back --

18 A. Yeah, I remember one journey, coming home, I used to --  
19 I would go home maybe every weekend now and again, and  
20 my mother was usually the one who had to collect us and  
21 take us back because my dad was working full-time. He  
22 was 24 hours a day almost, you know. And there was one  
23 night coming back, the roads were clear and black, the  
24 sky was a wee bit dark and snowy looking and  
25 I eventually told my mother, going through Glencoe, that

1       it's maybe going to snow tonight and you might not get  
2       back home and, thankfully, when we hit Tyndrum she  
3       stopped the car and took me home.

4             But I got home, the very next day, on the Monday, my  
5       dad drove me down to make sure I got there. And this  
6       happened on several occasions. I can remember a bit at  
7       Doune, just outside Callendar, there is a wall and this  
8       was one journey in particular. It was bad. I got out  
9       of the car, I was sick, I was crying and my dad used to  
10      refer to that as the "Wailing Wall" thereafter.  
11      Whenever I went home, he would always crack a joke about  
12      it.

13            And then in that similar journey, I got to Newbridge  
14      roundabout, and you turn and you see Hillend and  
15      Corstorphine Hill and, again, my guts just dropped, and  
16      he had to stop just before Gogar roundabout. And, yeah,  
17      I got into one of the fields there and shit myself, and  
18      I had to change my boxer shorts out of the bag that  
19      I had and get on with it.

20    Q. From the statement, I think that's still in your first  
21      year; is that right? Or was it later?

22    A. It happened on several occasions through -- I mean,  
23      that's just one journey. But it happened every single  
24      time, more or less, when I was returning to Edinburgh.

25    Q. Right. Even through your teens?

1 A. Yes, even through my teens. Latterly, once I passed my  
2 driving test, I had my own vehicle and we were allowed  
3 to keep it at the boarding house, so it wasn't maybe so  
4 bad because I felt I had a means of escape, if you like.

5 Q. Yes.

6 A. But until that point, I didn't. You know, there was no  
7 way I could get home, directly, without my parents  
8 picking me up and taking me.

9 Q. Yeah.

10 But, in fairness, the statement -- which is very  
11 full and detailed, and we've read it and we'll read it  
12 again -- does make the point that there were aspects  
13 which you recognise were either good or quite fun.  
14 Education, you say, was -- you have to accept was good?

15 A. I had to accept education was good, but we had no  
16 choice.

17 You know, as we grew up, as boarders, we had -- you  
18 know, my friends would be out running about, playing.  
19 We had to sit and do an hour-and-a-half/two hours of  
20 study every single night. We had duties to do in the  
21 boarding houses. We had no escape. We were there. We  
22 were 24 hours a day there, and we had to live and abide  
23 by the rules of the school and the rules of the boarding  
24 houses and the masters we lived under.

25 Q. Indeed.

1 A. So the reason I've got an education is because we had no  
2 choice. We had to work. We didn't grow up like normal  
3 kids.

4 Q. No. And the other thing that stands out, and this ties  
5 in perhaps with the life you've lived after school, you  
6 liked the outdoors and sport?

7 A. I've walked away. When I walked out of the school,  
8 I walked away and that was me. And I pretty well  
9 severed most ties with it.

10 Q. Sure. But there are aspects -- I'm looking at  
11 paragraphs 40 and 41 -- you enjoyed rugby tours and you  
12 enjoyed the outdoor CCF?

13 A. Yes, because that was a bit more akin to being -- you're  
14 away from --

15 Q. It was normal life?

16 A. Yes.

17 LADY SMITH: When you were at home; was your normal life one  
18 that involved being outdoors as much as you could?

19 A. Absolutely. Yeah, we grew up outdoors.

20 LADY SMITH: That is what you had grown up with until you  
21 were about ten years old?

22 A. Nine. Yes, and I always made the most of it. When  
23 I got home, I would arrive home and the first thing  
24 I would be -- I'd be away. I wouldn't see my parents,  
25 bar meal times.

1 LADY SMITH: Thank you.

2 MR BROWN: I was drawing attention to the good bits because  
3 you go on to say:  
4 "However, if I was weighing it up, growing up at  
5 home and having a more fulfilling childhood, I'd have  
6 opted for that rather than being in Edinburgh."  
7 A. Absolutely.  
8 Q. So, even with the good bits, you would still prefer to  
9 be at home?  
10 A. If I'm honest with you, I think the friends I have at  
11 home are a more rounded bunch of people than the people  
12 I was at school with.  
13 When I went to Aberdeen University, after I left  
14 school, I -- you could point the public schoolboys out.  
15 They always had this attitude: we're better than you.  
16 And it's a horrible attitude. It really, really  
17 was.  
18 Q. Did you feel that from the moment you went in?  
19 A. Yes.  
20 Q. That you were very different?  
21 A. Yeah. It was constantly like that. I can remember  
22 walking to school and we would go down the rocky path  
23 and there was -- Broughton High School used to walk in  
24 the opposite direction. Some of the boys -- it was  
25 always an attitude: we're better than you, we're this,



1           we're that, and we've got more money than you.

2           I just thought it was an arsey kind of attitude.

3   Q.   An arsey kind of attitude?

4   A.   Yeah, and not a nice one.

5   Q.   No. Just to be clear: that was your fellow pupils?

6   A.   That was my fellow pupils, yes.

7   Q.   That was their attitude?

8   A.   That was their attitude.

9   Q.   All right. What was the school's attitude about itself?

10  A.   I think the school put itself up there on a pedestal and

11       it made itself out to be better than everybody else.

12  Q.   How did it do that?

13  A.   Through being the best with education, with grades, with

14       first fifteen at rugby, cricket. You know, when you

15       look at the school chronicles, they can tell you

16       everything that they were good at; they can't tell you

17       what they were bad at, in terms of things -- you know,

18       I remember -- in fact, they don't really tell you. They

19       don't say what they're bad at. They try to sell

20       themselves as being the best. And I think it was bred

21       into a lot of us at the school as well.

22       You know, there's that -- it's what they tried to

23       do, was try to -- because by making you the best and

24       getting the results, then they could sell more places

25       and keep people coming in and fund the school,

1           subsequently.

2   Q. I'm interested in paragraph 19 because, going back to  
3       your father's, you'll go somewhere if it's not  
4       Edinburgh Academy. There was an element, however, that  
5       you felt Edinburgh Academy was a bit more liberal than  
6       the alternatives?

7   A. I say that because when we were in our -- when I was  
8       forming an opinion, in my later years at school, we were  
9       allowed freedoms, as in being able to come in to town,  
10      you know. Go to a pub on a Saturday night or things  
11      like that.

12           That's what I mean, in that way. I got the  
13      impression, some of these schools, you didn't get to do  
14      that. And certainly if you were out in the country, at  
15      some of the other schools, you certainly wouldn't have  
16      had that freedom.

17   Q. Yeah.

18   A. That's what I mean in that paragraph.

19   Q. Yes. You have talked about you felt different from the  
20      get go; did that lead to difficulty?

21           And you have talked about trying to find your place  
22      in the school; did you find it difficult because you  
23      were different? Were you treated, by others, badly  
24      because of that?

25   A. Yes. I think if you had a weakness it was always weeded

1 out of you. And if you were different, you were  
2 different. I never -- I would like to think I never  
3 lost my roots of my home life. This was just something  
4 I had to do because I was made to do it. So I had to do  
5 the best I could.

6 Q. But, again, we have touched on this, it's paragraph 56,  
7 page 12, you say you think you had to be clever to  
8 survive?

9 A. You had to be clever to survive, yes. That's correct.

10 Q. That's what you're doing; you're working out how to go  
11 through life at the Academy --

12 A. Keep your enemies closer, you know.

13 Q. To avoid grief?

14 A. Yes. So you would put up and shut up and go with the  
15 flow as much as you could. And I think it's something  
16 that I still struggle with in my life. Actually, when  
17 I do want to say "no" to something, it's actually saying  
18 "no". It takes a bit of work sometimes.

19 Q. Because you've been -- learnt not to say anything?

20 A. That's exactly it.

21 Q. You talk about bullying in the school.

22 A. Yes.

23 Q. Was that part and parcel of school life?

24 A. It was, yeah. I mean, there was bullying in the school  
25 right throughout, and being a boarder it was even worse

1           because you were with your peers 24 hours a day, seven  
2           days a week, and you couldn't escape that, you know.  
3           You couldn't escape that. The ones that thought they  
4           were better than the rest would, you know, bully you and  
5           put you in your place.

6   Q. And would anyone talk about that?

7   A. No.

8   Q. In the house, for example, you have a housemaster?

9   A. No.

10  Q. Who presumably would step in if he saw something?

11  A. I wouldn't have said he did step in if he saw something.  
12       And the reason I say that is because of the abuse --  
13       there was one guy that used to give us a -- what he  
14       called "a kick in the ring" when he would put us  
15       against -- this was a house tutor --

16  Q. Can I stop you there? We'll come to the house tutors.

17  A. Okay. All I was going to say --

18  Q. I'm thinking about boys.

19  A. The housemaster would joke about that. The house matron  
20       covered up, so you learnt that they weren't going to  
21       interfere.

22  Q. Right. But thinking, you have the house staff and  
23       housemaster, matron and the house tutor. We'll come  
24       back specifically to house tutors, which is your  
25       particular issue of concern. But, in the context of the

1 house, there would be senior boys who would have some  
2 disciplinary role?

3 A. Not in Mackenzie House. It was more the roles figured  
4 themselves out because the older pupils bullied the  
5 younger pupils.

6 When you were in Scott House and Jeffery House  
7 I think there was a head boy, but we were much older at  
8 that stage. This was sort of fourth, fifth, sixth year,  
9 seventh year, and so we were a bit more mature and it  
10 wasn't just quite as feral as what it was in Mackenzie  
11 House in the younger years.

12 Q. But I suppose the real question is: if the staff weren't  
13 there; who was controlling?

14 A. The pupils, I would have said, essentially.

15 Q. But they had no official control?

16 A. No.

17 Q. It just was --

18 A. It was just --

19 Q. -- the oldest would presumably dominate the younger?

20 A. Exactly. Exactly it.

21 Q. Okay. And did that ever change? You saw it as a young  
22 boy and then you became the older boy in Mackenzie; did  
23 it get any better?

24 A. No, because when I was in my last years at Mackenzie  
25 House we had house tutors who were former pupils, who --

1 Q. Caused problems?

2 A. -- caused problems. So, no, I didn't. I was glad when  
3 I got out the place.

4 Q. Yes.

5 Let's turn to the house tutors. You have got the  
6 housemaster; would they live in a separate part of the  
7 building?

8 A. Yes. What there was, there was a -- housemaster would  
9 stay in one wing of the building with his family, and  
10 his house or his apartment, if you like, joined on  
11 through some fire doors on two or three of the floors.

12 Q. Yes.

13 A. In the other wing of the house was where the house  
14 matron stayed. The house tutor had a room there as  
15 well. There was a dormitory, a games room below that,  
16 and below that again was like a boot or kit room and  
17 some showers.

18 Q. Just to speak in the generality: was the matron there  
19 seven days a week or was it just during the --

20 A. No, the matron was there seven days a week. She lived  
21 in the boarding house. She had her room in the opposite  
22 wing to the housemaster and then down in, like, the  
23 lobby, the main hall, hallway, she also had a room that  
24 was hers, like a sitting room, if you like.

25 Q. Did you understand that she had some pastoral role, or

1           what was her function?

2   A.   The term "matron" to me is somebody who is going to be  
3       there to help you, to look -- like your mother almost,  
4       for want of a better word.

5           I mean, the matron's main roles were to, if you were  
6       feeling sick, they would obviously make arrangements for  
7       a doctor or whatever. If you had a temperature, they  
8       would look after you, put you in sick bay and look after  
9       you and, in Mackenzie House, they did things like  
10       laundry.

11   Q.   Right.

12   A.   That sort of ...

13   Q.   But, from your perspective, as a pupil in Mackenzie; was  
14       the matron someone you felt you could confide in?

15   A.   No.

16   Q.   I know we're going to talk about --

17   A.   No, I would -- I thought so, but no.

18   Q.   No.

19   A.   I learnt that.

20   Q.   All right.

21           The house tutors -- again, without talking about  
22       individuals yet -- they would be young men who had --  
23       what age were they?

24   A.   They had left school. They were all school leavers.

25       One of them had been previously at the Academy. There

1           was another one who was a Canadian that went to  
2           a college called ██████████ College. And the Academy  
3           I think -- this was in Canada -- the Academy had some  
4           tie with that because I seem to remember teachers, house  
5           tutors, there were a couple of people from ██████████  
6           College came to the Academy over my time there. I think  
7           one was a house tutor, earlier on there was a teacher,  
8           and then was this other lad that I had problems with.

9   Q. And would they tend to stay for just a year?

10  A. Yes.

11  Q. Was that the deal, as you understood it?

12  A. It was usually a year, yeah. They would be there for  
13       a year and then they would go back. It was almost like  
14       a gap year, if you like, I presume.

15  Q. Do you have any sense of how they were appointed?

16  A. No.

17  Q. That was --

18  A. They just -- it was unknown. They just appeared.

19  Q. They just appeared. And they would presumably be four  
20       or five years older than you? Five perhaps.

21  A. Yeah, they would certainly be maybe even eight, you  
22       know. Eight years, yeah.

23  Q. And they're the same age, essentially, as sixth years  
24       plus one?

25  A. Yeah. Certainly, yeah.



1 Q. Do you know if any of them had any training to do the  
2 jobs they were doing?  
3 A. I doubt it.  
4 Q. You weren't aware of that?  
5 A. No.  
6 Q. No. And this is where timescales and details you have  
7 now focused on --  
8 A. Yes.  
9 Q. Looking at your statement, you have gone through  
10 experiences with three house tutors?  
11 A. That's correct.  
12 Q. You have an order of one, two, three in the statements?  
13 A. Yes.  
14 Q. But, properly understood, three in the statement --  
15 which is beginning at paragraph 70 -- is the first house  
16 tutor?  
17 A. That's correct.  
18 Q. This is the one you think [REDACTED]  
19 [REDACTED]?  
20 A. He had been [REDACTED]  
21 [REDACTED].  
22 Q. Right. And what you talk about in concern is the way he  
23 disciplined?  
24 A. Yeah.  
25 Q. Is that right?

1 A. That's correct.

2 Q. And what sort of things would lead to this discipline  
3 being enforced?

4 A. It was generally -- we had to do prep, homework,  
5 generally between 6.00, I think it was, and 7.00, 7.30,  
6 depending what age you were, and it could be simple  
7 things if you'd been talking or just anything. I mean,  
8 it could be -- you know, it could be for no reason at  
9 all. There wasn't really any rhyme nor reason for it.  
10 If he thought we were messing about, then would you get  
11 punished.

12 Q. And for him, punishment was what?

13 A. For him, punishment was putting us in stress positions.  
14 His favourite one he called was a wall sit and it's the  
15 one he used predominantly on me. And if you imagine me  
16 sitting in this chair at the moment and imagine the  
17 chair's not here, I have to have my knees bent at 90  
18 degrees, my arms folded like that and my back against  
19 a wall.

20 Q. Yes.

21 A. And when I -- you try it yourself, if you want, when you  
22 go home tonight, but when I started doing this I could  
23 barely do 20 seconds. But by the time that house tutor  
24 finished with me that year I could sit in that position  
25 for 20 to 25 minutes I'd done it that often. And if you

1       fell down during the time you were in that position or  
2       failed, which is what he wanted you to do, you were put  
3       back into that position for a longer period of time.

4   Q.  By the end of the year you could do it for 25 minutes  
5       because you've --

6   A.  I had been in that position so much.

7   Q.  But thinking back to how long he expected you to be in  
8       that position, was that a variable?

9   A.  Well, what happened was it would start off at a minute.  
10       I remember it starting off as a minute, because you  
11       couldn't do it, but once he figured out what your limit  
12       was he would increase it.

13  Q.  And where was this happening?

14  A.  This was happening -- this happened in public, in front  
15       of your friends, where we sat and did our homework and  
16       stuff like that.  It was a room very much like this and  
17       there was desks all around the outside and he would make  
18       us sit against a wall in front of everybody.  We could  
19       be watching TV in the TV room and he would make us do it  
20       in the TV room in front of everybody.  It was usually in  
21       public because your mates could laugh at you when you  
22       failed and got put back into it.

23  Q.  Right.  Is it one of those situations where if it's not  
24       happening to you you laugh?

25  A.  It happened to others, yes.  I mean, don't get me wrong,

1 I would laugh sometimes as well at others, but it's what  
2 we're brought up with.

3 Q. That was the norm?

4 A. That was the norm.

5 Q. And he's doing this in public, in public rooms with  
6 other boys present?

7 A. Yes.

8 Q. Would the housemaster ever see this?

9 A. Yes, yes, the housemaster would see this, absolutely  
10 100 per cent he saw it.

11 Q. And did anything?

12 A. No.

13 Q. No. And did you understand where this house tutor had  
14 learnt this?

15 A. This house tutor was -- from what I remember of him --  
16 quite physical and he always wanted to be the best at  
17 athletics. He liked rugby. He always wanted to be the  
18 best. When he was at the school he was an assistant PE  
19 teacher to the PE teacher in the school and the PE  
20 teacher was called **IBU**. We named him "**IBU**"  
21 because he was just exactly the same mould. It was --  
22 you know, he was -- yeah, he was just brutal.

23 LADY SMITH: 'James', have you since then ever come across  
24 wall sits as being a recognised part of a fitness  
25 regime?

1 A. Well, I read the BBC reports a couple of weeks ago and  
2 it actually turns out to be good for you blood pressure,  
3 so maybe some abuse at the Academy did do me some good.  
4 That was the only place I've come across it since and  
5 that was in the BBC a couple of weeks ago.

6 LADY SMITH: Thank you.

7 MR BROWN: Okay.

8 You mentioned the PE teacher and his nickname was  
9 **IBU** ?

10 A. Yeah.

11 Q. We've heard about him in other contexts. I think you  
12 have too?

13 A. Yeah.

14 Q. Your recollection of him was at school?

15 A. I never -- if I'm honest with you, I never had a problem  
16 with him. I was reasonably good at sport and I was  
17 fine. If you weren't good at sport you would soon have  
18 a problem.

19 Q. What sort of problem?

20 A. Well, he would always shout -- people that couldn't do,  
21 he would shout at them and make out they were useless  
22 and just basically slag them off. He used to, when we  
23 played rugby you weren't allowed to wear boxer shorts,  
24 things like that. If you were seen with them you had to  
25 go and take them off. Showering, he would watch you

1           having showers to make sure you showered before you went  
2           back to class or whatever. That was just what he did.  
3           I never had -- I never had any problem with him, as  
4           I say, because I was -- I had learnt to survive.

5   Q.   And you were perhaps innately quite sporty and liked the  
6           outdoors and were fit?

7   A.   Yeah.

8   Q.   In that aspect, life was perhaps easier for you than  
9           others?

10  A.   Absolutely.

11  Q.   Did you ever understand why you couldn't wear underpants  
12           during sports? Was there a rationale given to you?

13  A.   No. The school handbook had your uniform. It never  
14           said -- it stated quite clearly you had to wear blue  
15           rugby shorts and blue and white stripped top. Never  
16           stated anything about what you wore underneath that.

17  Q.   It was just the way?

18  A.   It's the way he was.

19  Q.   All right.

20           You come to the end of that year on the first house  
21           tutor who likes you sitting against walls?

22  A.   Yeah.

23  Q.   Presumably you were not disappointed when he didn't come  
24           back?

25  A.   No.

1 Q. He was replaced?

2 A. He was replaced.

3 Q. And this, to get the order right, is paragraph 57?

4 A. That's correct.

5 Q. And this is a Canadian?

6 A. Yes.

7 Q. Who, as you have told us, came from a college in Canada,  
8 and you set out in the statement, looked north American  
9 because of his dress?

10 A. Yeah, absolutely.

11 Q. He is someone who helps with PE; that was one of the  
12 functions of these house tutors. And having stopped  
13 doing wall sits, I think you discover, however, there  
14 are problems with him?

15 A. There was.

16 Q. Tell us about that.

17 A. What there was in Mackenzie House, there was a games  
18 room. I remember it distinctly. You came to the end of  
19 the corridor and there were these two sort of  
20 full-length saloon-type doors. They swung both ways.  
21 They were painted in a pale blue with a wooden surround  
22 and they had this two reinforced glass panels in them.  
23 They had the wire mesh in them.

24 Now, my problem was generally we're young, we're  
25 getting put to bed 8 or 9 o'clock at night which is

1 maybe not when we want to go to bed so you could be  
2 maybe talking or whatever after lights out. He would  
3 come in and he would haul you out and his punishment  
4 with us was he would take you to the games room doors  
5 and he would stand you with your back against a wall,  
6 facing -- facing into the corridor and he would again  
7 the swing doors and go into -- pull it round into the  
8 games room so he was standing there and with his two  
9 hands he would basically pull it round and it would come  
10 right back round and slam in your face. And sometimes  
11 it would sort of swing round and come back and hit you  
12 again such was the force.

13 And he did this to me on several occasions and it  
14 bloody hurt. You know, it would get you, but on this  
15 one occasion he -- whatever happened, it got my chin, it  
16 got my tooth and it broke my front tooth. It took the  
17 front of it clean off.

18 Q. What proportion of the tooth came off?

19 A. There is a corner of it that's come off on the front,  
20 but there was actually -- because of the drama of that  
21 there was a lot of blood. He'd obviously knocked my  
22 tooth. There was a lot of blood and I think there was  
23 blood coming from my nose as well.

24 Q. The way you have it, you are standing against a wall and  
25 the door is being swung into you?



1 A. Yeah.

2 Q. Would it hit your feet as well?

3 A. The way he had us was that he had us -- we had to be  
4 against the wall. We had to be against a wall and our  
5 heels were against the wall. So your feet, your mouth,  
6 your head are all --

7 Q. They are the exposed parts?

8 A. They're the exposed parts, aren't they?

9 Q. Yes.

10 A. Your hands had to be at your side and if you --  
11 I remember once I did flinch and he put me back. When  
12 he swung the door he put me back and I had to keep my  
13 hands at my side.

14 Q. Was this a common punishment for boys in his year?

15 A. It happened to me several occasions. It could have  
16 happened maybe twice a week. I know --

17 Q. To you or just generally?

18 A. To me. But I know of at least two others that suffered  
19 the same, because they were in the same dormitory as me.

20 Q. And what were you doing to generate this sort of  
21 discipline?

22 A. Well, as I said to you, we were maybe talking after  
23 lights out. Not much.

24 LADY SMITH: When this man inflicted this punishment, did  
25 the door that had been swung back always hit the boy or

1 boys that were being punished or not?

2 A. Always, because he placed you in the radius of the door,  
3 so that that was the whole idea of it, when he pulled it  
4 round at you it would come round and hit you. You were  
5 placed within the radius of the door so it would hit  
6 you.

7 LADY SMITH: I just wondered whether it depended on how  
8 strongly he had pulled the door round.

9 A. No, they would -- they were sprung reasonably heavily,  
10 but it was two hands on the door and like that. It was  
11 forceful, so it wasn't just hold the door and let it  
12 swing round and hit you in the face, which it probably  
13 would have done. It was pulled. It was two hands on  
14 the door and physically round into you.

15 LADY SMITH: Thank you.

16 MR BROWN: And the one occasion you have told us about the  
17 chipped tooth, bleeding from the mouth, from the nose,  
18 perhaps.

19 A. Yes.

20 Q. And presumably you were shocked. What about him?

21 A. Yes. He was shocked. He took me -- obviously I was  
22 crying. I was in quite a bit of pain. And he took me  
23 up to the matron or matron came down because she heard  
24 the commotion. It was just below her room, if you like.  
25 And I remember they took me up to the bathroom, which

1           was outside H dorm next to matron's sort of room, if you  
2           like, to patch me up and I remember her giving him  
3           a talking to.

4           She obviously cleaned up my injuries and so on. And  
5           she said she would get me a dentist appointment to get  
6           my tooth repaired, and she did, she made a dentist  
7           appointment, but she also told me I've spoken to the  
8           house tutor, "Don't tell anyone about this. Don't tell  
9           anyone how this injury happened".

10        Q. Were you to give an explanation?

11        A. A rugby injury is what I gave.

12        Q. Were you told to say that or is that what you thought  
13        of?

14        A. That is what I thought of. I was told not to repeat  
15        what had happened to anyone and the problem was  
16        obviously when I had this dentist appointment is how do  
17        I explain to the dentist what's happened to me.

18        Q. And that is what you came up with?

19        A. Yeah. I wasn't wearing a mouth guard.

20        Q. Just to be clear, who was it wanted you to be quiet  
21        about it?

22        A. The matron and the house tutor both spoke about it and  
23        they were both there when I was told, "Don't repeat  
24        this". But I'm 100 per cent certain that the  
25        housemaster knew about it as well.

1 Q. I'm coming on to him. Was there any apology from the  
2 house tutor for what had happened?

3 A. Not that I could remember.

4 Q. All right.

5 A. After that, thankfully, I never had too much bother with  
6 him, but then he did disappear towards the end of that  
7 term.

8 Q. Right. Did he leave early?

9 A. I don't know if he left early or if it was -- you know,  
10 I don't know if he left early or -- he was only there  
11 for six months. He was the only one that I can remember  
12 that left within the year.

13 Q. Okay. And you are clear the housemaster was aware --

14 A. Absolutely, the matron and housemaster were like that,  
15 they were very close.

16 Q. Did he ever speak to you about what had happened?

17 A. No, never.

18 Q. Just to be clear, what ages was this, from your  
19 perspective?

20 A. It happened in 1989, so I would have been 12.

21 Q. Did he stop the house tutor using the door after that?

22 A. I don't ever remember it after that.

23 Q. On anyone?

24 A. No, not that I'm aware of.

25 Q. He goes and then just so the order is clear,

1 an Australian comes in after him?

2 A. Yeah. He came in -- this is where I thankfully found  
3 some photographs and so on -- in the summer term of that  
4 1989 to 1990 year, so he appeared in the summer term and  
5 I believe he came back and he was there for my final  
6 year in Mackenzie House, which would have been 1991 --  
7 1990/91, so it's a year-and-a-half.

8 Q. Four terms?

9 A. Yeah.

10 Q. This is paragraph 66 on. And, again, another  
11 18-year-old or 19-year-old, presumably?

12 A. He would have been about that, yeah. Maybe older.

13 Q. Another rugby player?

14 A. He came from [REDACTED] College, I think it was, in Sydney.  
15 And, again, it was another place that the school had  
16 ties with, because I remember a teacher -- I think it  
17 was just after him, there was a teacher from  
18 [REDACTED] College, came to teach at the Academy for a number  
19 of years. So it was another school that the Academy had  
20 ties with at the time.

21 Q. He had a particular phrase, which sticks in your mind?

22 A. Yeah. He always would give us a "kick in the ring", is  
23 what he called it.

24 Q. What did that mean?

25 A. Well, essentially, if we were messing about, and I say

1 if we were talking after lights out, if we were messing  
2 about, as we did as kids, he would give us a kick in the  
3 ring.

4 Now, what that involved was you were -- you had to  
5 put your hands on the wall in front of you, your legs  
6 spread apart as well and basically lean into the wall.  
7 Then he would come up behind you and kick you, like  
8 kicking a rugby ball, like if you are punting a rugby  
9 ball and basically kick you up the arse.

10 Now, that was sore. And there were some times he  
11 would mess it up and miss, and he would catch you across  
12 the back of the thigh, in which case you would just end  
13 up in a heap on the ground.

14 And the backs of my thighs were black and blue.  
15 I know they were for several other students. Sometimes  
16 it was -- you would be taken out individually, sometimes  
17 it could be a whole dormitory. You were lined up  
18 against the wall and he would work down the line of us,  
19 kick, kick, kick.

20 And, you know, that was -- I mean, it was a serious  
21 kick. It was like kicking a rugby ball. That is the  
22 best way to describe it. And if you ended up on the  
23 ground, I mean, you are in pain afterwards, absolute  
24 pain afterwards.

25 Q. He was aiming to kick on your bum, but sometimes he

1           would miss?

2   A.   Sometimes he would get you across the back of the thighs

3           and, you know.

4   Q.   You would buckle?

5   A.   You'd buckle.

6   Q.   And this was everyone?  It could be the entire dorm?

7   A.   It could be, yeah.  And sometimes you could get one and

8           then you could be pulled up and get a second one

9           straight after it.  That wasn't uncommon either.

10  Q.   Was this for all four terms he was there?

11  A.   Yes.

12  Q.   And you were there?

13  A.   Yes.

14  Q.   Again, thinking of the housemaster; he would be aware of

15           this?

16  A.   The housemaster was absolutely aware of it, because

17           I remember he used to joke with us, "You would get

18           a kick in the ring", if you didn't behave.  And he would

19           say it in Australian -- in that Australian accent, so he

20           knew.  100 per cent he knew and he did nothing.

21  Q.   Did he know what it entailed?  Did he ever see it

22           happening?

23  A.   Absolutely knew what it was entailed.

24  Q.   Was he ever there when the kicks were being --

25  A.   I couldn't tell you whether he was there or not,

1           definitively. I think he knew about it and he would  
2           have heard us talk about it and describe it. So he knew  
3           it was happening.

4   Q. It's just simply you say, in paragraph 68:

5           "It happened to us all and I suppose we kind of made  
6           light of it at the time. When I look back at my time at  
7           the Academy it was bloody sore."

8   A. It was. But this is part of the strategy we had to  
9           adopt to survive. You had to keep your enemies close.  
10          You had to grin and bear it. If you put up a fight, you  
11          are damn sure going to get another one.

12   Q. Absolutely. I'm just interested -- it's the context so  
13          far as the housemaster understood things, he may have  
14          had a picture, but it was completely false, but you  
15          don't know?

16   A. I couldn't tell you. But he was aware of it.

17   Q. Yes, he knew the phrase?

18   A. He would have known the punishment as well, I make -- no  
19          doubt of that.

20   Q. Again, once you leave Mackenzie, presumably you go into  
21          the senior house? And from that point on, were there  
22          still house tutors of the same calibre?

23   A. From that point on we went into -- I went into Scott  
24          House. We could choose whether we went into -- and I  
25          went into Scott House and the house tutor -- generally,



1           there were teachers who were -- you know, one at Scott  
2           House was my maths teacher. He was a decent guy.

3   Q.   The dynamic changed --

4   A.   It changed.

5   Q.   -- for the better?

6   A.   Yeah. I would say the house parents, to an extent, were  
7           a bit more compassionate.

8   Q.   Right. Would it depend very much just on the  
9           personality of the housemaster, what sort of experience  
10          you had?

11  A.   I would have said so.

12  Q.   Now, at the time, you wouldn't, I think, have thought of  
13          reporting it? You would play along by saying that it  
14          was a rugby injury?

15  A.   Yeah.

16  Q.   But there did come a time where you talked about it?

17  A.   That injury, it was the first filling that I ever had in  
18          my mouth, and I had been told to just keep quiet about  
19          it. It's grated on me right throughout my whole life,  
20          why I've never talked about this abuse that we received.  
21          It's played on me right throughout my adult life from  
22          when I left the school. I think it's part and parcel of  
23          coming in, but I hate it.

24                 And, you know, I had a job at a quarry, doing  
25          blasting and things like that, and we used to set the

1 blaster off using electric currents, you'd strip the  
2 wire with your teeth and every time you stripped the  
3 wire the filling would pop out. So, in the end, there  
4 was no point in getting it replaced. It never stayed.  
5 I've tried to have it repaired three or four times and  
6 each time, because of where it is in the tooth, it's  
7 fallen out.

8 Q. It's on the front edge, the front edge. The bottom  
9 edge, rather.

10 A. Yes. So I've been left with it and, in 2017, I became  
11 aware of the Inquiry and I was going through -- I was  
12 going through a divorce and things like that, and I just  
13 decided I'm going to, you know, start afresh.

14 So I'm going to say what I have to say to the people  
15 I have to say it. And part of that was telling my  
16 parents what had happened and also going to the police  
17 about the abuse that I received at the Academy.

18 Q. You never told your parents prior to this?

19 A. I never told my parents prior to that, no.

20 Q. What was their response?

21 A. My mum was -- I don't think she could believe it. My  
22 dad never gave any response as such. He never let heed,  
23 but I've got a funny feeling that it would have maybe  
24 hurt him to know that had happened to me. Although he  
25 never ever said it.

1 Q. No.

2 A. And then obviously, sadly, it never -- you know, things  
3 went on until about June 2017 and the police came back  
4 and said: we're not following this up any further.

5 Which left me feeling kind of that nobody's  
6 believing me. Flat again. And then subsequently, as  
7 the Inquiry's gone on, and we are lucky at the Academy,  
8 we've had some fairly high profile voices and,  
9 thankfully, the Inquiry into the Academy has re-opened.

10 I've come forward again and I'm telling you my bit  
11 today, which I'm grateful for.

12 Q. Yes.

13 A. Because it's important that people understand what we  
14 suffered.

15 Q. Indeed.

16 I think in relation to the police enquiry you  
17 provided names of staff and pupils?

18 A. Yes.

19 Q. And we are aware from documentation from the police that  
20 those details were passed on to the school, who in turn  
21 provided, presumably, contact details from their  
22 database?

23 A. I have seen the correspondence. They did for pupils,  
24 but they never provided anything for the staff. I very  
25 much got the impression it was implied that it would

1 take too long to search for that at the moment. But  
2 there is -- you know, online, and there is this cracking  
3 little Edinburgh Academy roll book that has the name and  
4 address of every teacher that is at the school.

5 Q. That is dated from?

6 A. That one is 1989/90, which I found in my dad's, and it's  
7 helped my tie together because it's got the names of  
8 everything. It's helped me tie the sequence of events  
9 together, and I've subsequently just got access to that  
10 about three or four weeks ago.

11 Q. Right. But so far as the police told you, having given  
12 details, there were no further --

13 A. That was it. I never knew the reason why. They just  
14 said: we're not following it up.

15 Q. All right. I think we do understand they were provided  
16 with the names, but --

17 A. Names of pupils.

18 Q. But it wasn't -- it didn't take them further?

19 A. No.

20 Q. No.

21 Your second statement also talks, just for  
22 completeness, talks about you, you had a nickname?

23 A. Yeah.

24 Q. That followed you through school?

25 A. It was pretty humiliating, actually, to be honest.

1       Yeah, I had this nickname and, you know, it was because  
2       of the sound of my name, it followed me right through  
3       school. And I could be walking down the street and folk  
4       would shout it, and still when people ask me my name  
5       I'm kind of reluctant to give it. I'm fairly  
6       embarrassed by it because sometimes this crops up.

7    Q.  Is the trigger still there --

8    A.  Yes, it is absolutely.

9    Q.  -- of the unhappiness?

10   A.  Yes. So I'm always fairly -- I'm quite embarrassed  
11     about it, to be perfectly honest with you, and it was  
12     quite humiliating. You could be walking down the street  
13     and somebody would shout it and, you know, you just curl  
14     into a corner again and get out of sight.

15   Q.  That's still in your head in 2023?

16   A.  Absolutely.

17   Q.  Just as with the tooth, you see it twice a day, brushing  
18     your teeth?

19   A.  Absolutely.

20   Q.  'James', thank you very much. I have no more questions  
21     for you. Your statement talks about impact, but I think  
22     you want to say something?

23   A.  I do, if it's okay, just for a couple of minutes.

24   LADY SMITH: Absolutely.

25   A.  Thank you.

1           So at the beginning of this Inquiry, abuse at the  
2           Edinburgh Academy was dismissed as isolated incidents  
3           relating to the 1970s. However, as you're now probably  
4           aware, it continued extensively into the 1980s and, from  
5           my personal experience, onwards into the 1990s.

6           Throughout this time, the school repeatedly ignored  
7           and covered up this abuse. The irony is not lost on me  
8           for a school that portrayed itself as producing the  
9           best, it also harboured and defended some of the very  
10          worst and most dangerous people in society.

11          I very much feel that the only reason we're here  
12          today is because of the voices of high-profile former  
13          pupils that have eventually been heard and pulled the  
14          rug out from under their feet.

15          As recently as 2017, when I eventually gained the  
16          courage to report the abuse I received at the Academy,  
17          the then rector's response to the request for  
18          information to enable the enquiries I felt was  
19          unhelpful. They withheld important information about  
20          the staff that abused me.

21          What rubs salt into the wounds more so is that much  
22          of this was readily accessible online within the EA  
23          archives and the Edinburgh Academy school roll books,  
24          which were there at the time and they had the name and  
25          address of every teacher at the school. If they had had

1 any empathy and simply bothered to do a search of this  
2 resource I think he could have provided a fuller  
3 response to the police.

4 The best way I find to describe my time at the  
5 Academy was like being in a herd of farmed cattle. The  
6 school tried to rear us to be the best at any cost, to  
7 enhance their name and standing for their own gain and  
8 profit. The weakest were pushed to the side, bullied by  
9 their peers and beaten into submission by their masters.

10 Life as a border at Mackenzie House was miserable.  
11 It was lonely and at best chaotic, with massive amounts  
12 of peer on peer bullying. What chance did we have when  
13 one of the former house tutors who abused me is quoted  
14 in the school chronicle as saying:

15 "Being a house tutor is like having a certificate  
16 excusing badness, so acting like a 12-year-old is  
17 excusable and even advisable."

18 That statement speaks volumes for me. The very  
19 thing that person failed to recognise was the difference  
20 between being a former pupil and a teacher. As a pupil,  
21 his actions might have been considered bullying, but  
22 because he's now a teacher and he's in a position of  
23 power, it's abuse.

24 Again, it goes deeper and it shows failings in the  
25 governance of the Academy through its neglect to vet

1 teachers and ensure that they had the necessary  
2 standing, training and skills to look after pupils in  
3 their care.

4 There were numerous nights in Mackenzie House when  
5 I silently cried myself to sleep, trying not to let the  
6 other boys in my dormitory hear me or, worse still, have  
7 my abusers pull me out of the room and abuse me for  
8 making a noise after lights out. I was young, I was  
9 vulnerable and in an environment I never wanted or  
10 wished to be in, absent from the love and support of any  
11 family members.

12 There were times all I needed was help. Someone to  
13 show some compassion or reassure me, but instead I got  
14 kicked, doors slammed in my face and ignored, all this  
15 I learnt to my cost.

16 In the absence of family, we had a housemaster who  
17 joked about punishments and covered up our fate at the  
18 hands of those house tutors. We had a house matron who  
19 was willing to cover up our injuries to protect those in  
20 charge of our care.

21 The effects of the abuse I received at the hands of  
22 the three Mackenzie House tutors has a long and lasting  
23 effect on my life, more so than anyone will ever  
24 understand. Every night when I go to bed and I wake up  
25 in the morning, I look in the mirror, I brush my teeth,



1 and I'm constantly reminded of the injury that was  
2 inflicted on me and the daily living hell that I was put  
3 through.

4 It affected my family, my confidence and my  
5 relationships throughout my adult life. The only oasis  
6 of calm came in 1991, when I eventually moved into Scott  
7 House under the supervision of Rob and Daphne Cowie,  
8 a couple who showed some much-needed care and  
9 compassion.

10 As I leave here today, I want each and every one of  
11 you to be under no illusion that I'm not the only one  
12 that received abuse in the late 1980s and 1990s. Within  
13 my peer group very few have ever spoken or reported  
14 their experiences, but I could name 12 boys whom  
15 I witnessed suffer in a similar manner to me.

16 Some of those simply don't want to remember or may  
17 not want to remember, some were maybe accustomed to it  
18 and considered it normal behaviour. One boy who I spoke  
19 to commented: if nothing else, it made me resilient.

20 I hope that the school, in particular my former  
21 housemaster, house matron, and abusers in Mackenzie  
22 House, all of whom are alive today, will maybe reflect,  
23 take time to consider their behaviour and think  
24 carefully about the long and damaging effect it has had  
25 on my adult life and the silent majority of others who

1 have been unable to tell their stories.

2 Finally, if you'd like to ask me what I would like  
3 to see happening in the future, I personally would like  
4 to see the Academy razed to the ground, obliterated from  
5 history, its assets sold and donated to charities  
6 supporting victims of abuse.

7 However, realistically, I know this is never going  
8 to happen.

9 Those in charge of the Academy today have at least  
10 acknowledged that the school was not always a safe place  
11 and that many former students were treated very badly,  
12 but I've yet to see any meaningful apology.

13 If the school is serious in changing, then  
14 I challenge them now to admit that they failed in their  
15 duty of care and apologise to each and every one of us  
16 who has testified and given evidence against them at  
17 this Inquiry.

18 I challenge them further to apologise to others who  
19 may have come forward in recent weeks and those who are  
20 sadly no longer with us. It's only with sincere and  
21 personal recognition of their failings that I can have  
22 any true belief that the school is changing for the  
23 better.

24 Thank you.

25 LADY SMITH: Thank you very much for that, and thank you for



1 LADY SMITH: Thank you.

2 Giles Moffatt (affirmed)

3 LADY SMITH: Can I check whether you are content that I call  
4 you Giles or would you prefer Mr Moffatt?

5 A. Yes, correct. (Overspeaking) thank you.

6 LADY SMITH: Very well. Thank you for coming along this  
7 afternoon.

8 Giles, your statement is in the red folder and it's  
9 there for you to use, if you want to do so, but you  
10 don't have to. It's up to you. Otherwise, please do  
11 let me know if there's anything we can do to help you  
12 give your evidence as comfortably as you can, whether  
13 it's a break or anything else of that matter.

14 And don't hesitate to ask questions if you feel the  
15 need to do so.

16 If you have no questions at the moment, I'll hand  
17 over to Mr Brown and he'll take it from there; is that  
18 all right?

19 A. Yes, excellent, my Lady. Thank you.

20 LADY SMITH: Mr Brown.

21 Questions from Mr Brown

22 MR BROWN: Thank you, my Lady.

23 Giles, hello again.

24 A. Hi.

25 Q. Can we touch on the folder briefly?

1 A. Sure.

2 Q. It contains your statement, and you've been watching,  
3 you know the form. I read the reference number and then  
4 we start talking about things seriously.

5 Reference number for your principal statement is  
6 WIT-1-000001219 and that is a statement that you signed  
7 in March this year; correct?

8 A. Yes, correct.

9 Q. Like all the other statements, it ends with:  
10 "I have no objection to my witness statement being  
11 published as part of the evidence to the Inquiry.  
12 I believe the facts stated in this witness statement are  
13 true."  
14 And that's correct?

15 A. That's correct.

16 Q. That said, I think you realised when you were reading  
17 it, having done it, that you had missed a bit out?

18 A. Yes.

19 Q. And you provided a second statement, where you added  
20 some wider thoughts on the matters that the Inquiry is  
21 looking at, in the general sense?

22 A. Yes.

23 Q. That has a reference number WIT-3-000001316; and that  
24 was signed last month?

25 A. Correct.

1 Q. Same position. Where it's talking about what you've  
2 experienced; this is accurate?

3 A. That is accurate.

4 Q. Principally speaking, because I'm not going to really  
5 look at the second statement, because it's perhaps more  
6 your assessment of the evidence we've been hearing and  
7 some of the threads and themes that may in due course be  
8 reflected by counsel for the survivors' group; fair?

9 A. Yes, other than the thing we just discussed.

10 Q. Yes. But there was one episode involving one particular  
11 abuser that you wanted to add in. I will talk about  
12 that.

13 A. Great. Thank you.

14 Q. Just to be clear, I think like many applicants, you have  
15 also given evidence to the police?

16 A. Yes.

17 Q. That was one of the things that you had told the police  
18 already?

19 A. Yes.

20 Q. Hence, some surprise that you had forgotten it, but  
21 I suppose you had a lot to say?

22 A. Yeah.

23 Q. Okay.

24 We'll come to the abuse shortly, but I would like to  
25 just talk about why you ended up at the Academy.

1           From the statement, we see that you are now 51, and  
2           you went at the age of eight, in 1980; correct?

3   A.   Yes, eight [REDACTED].

4   Q.   And you were there for your full education, until the  
5           age of --

6   A.   I was there for ten years to 17, but I did go back to  
7           Paris for a year when I was 12, but that's not really  
8           covered off.

9   Q.   No.

10           In context, was that a year of release?

11   A.   Yes.  It's the only year I actually remember music from.  
12           I'm an expert on hits from 1984 and seem to have  
13           an encyclopaedic knowledge about it, and I know nothing  
14           about any other years.  And I was very happy at home,  
15           but they didn't have cricket in Paris and for some  
16           bizarre reason I asked to go back to the Academy,  
17           despite what happened.

18   Q.   We'll come to that.

19           But, interesting, that is the one year you remember  
20           music?

21   A.   Yeah.  In some ways, that was the happiest year of my  
22           life.

23   Q.   Your parents lived and your father worked in Paris?

24   A.   That's right.

25   Q.   You were born in Scotland, but the reality is, as you

1           say, when you went to the Academy you spoke better  
2           French than you did English?

3   A.   Yes.

4   Q.   That was your day-to-day language in school in France.  
5           Presumably English was spoken at home?

6   A.   Yes, except -- well, with my parents. [REDACTED]  
7           [REDACTED]. And I apparently had a French accent when  
8           I arrived in 1980. I wasn't aware of that, but other  
9           people pointed it out.

10  Q.   I think you say that you knew for two years before you  
11           were eight that you were going to Edinburgh Academy?

12  A.   That's right.

13  Q.   And why was it selected?

14  A.   My cousin, who is a few years older, was there and  
15           that's the only reason, I think.

16  Q.   All right. But you make an interesting point that in  
17           France, or in French society, the sort of children who  
18           are sent to boarding school are problem children?

19  A.   Yes.

20  Q.   From your perspective; was that something you had picked  
21           up living in France?

22  A.   My parents joked often about how their friends said:  
23           what's he done? Why are you sending him away?  
24           It's assumed that you've -- you are being punished.  
25           It's a different culture.



1 Q. Was that the way you felt; that you were being punished  
2 by being sent away or was it exciting?

3 A. Initially, no, I had no reservations about going, until  
4 I got there.

5 Q. Yeah.

6 You did an exam. Did you have a visit that tried to  
7 set the scene for you?

8 A. I don't remember visiting the school beforehand.  
9 Probably did. I had some tutoring in France on the UK  
10 curriculum, but I don't remember visiting the school  
11 previously, no.

12 Q. So did you have any idea of what you were going into?

13 A. From the brochure, sure.

14 Q. Yes.

15 A. Yes.

16 Q. And it looked fun?

17 A. Yes, it did, yeah.

18 Q. And I think in fairness to you, looking at the totality  
19 of the statement, the last couple of years at school,  
20 you remember positively?

21 A. Yes. Well, I phrased it as they were the only good  
22 years. But, by then, you're big enough not to be  
23 bullied, you have kind of found subject matter that you  
24 like, you are not doing a whole load of things you don't  
25 like and you're at the top of the tree. So -- but, yes,

1 I enjoyed the last two years.

2 Q. Yes.

3 A. It was a long way to get there.

4 Q. Yes.

5 We will, of course, come back in detail to talk  
6 about your experiences in the boarding house, because is  
7 it fair to say that in terms of the distinction between  
8 junior prep school and senior school; junior school, the  
9 focus is really on teachers and boarding house  
10 experiences?

11 A. I didn't understand the question.

12 Q. There is a distinction between the prep school and the  
13 senior school in terms of the bad memories?

14 A. Oh, yes. It's a different type of --

15 Q. That's the distinction I'm making the point of.

16 A. Okay.

17 Q. For the junior school, it was boarding house and masters  
18 with a bit of peer pressure, too. But, as you get  
19 older; was it more peer that was the issue?

20 A. Yes. It changed from abuse by staff in the junior  
21 school.

22 Q. Yes.

23 A. I don't remember particular peer-on-peer bullying at  
24 that stage, although there was a little bit, within the  
25 boarding house.

1 Q. Yes.

2 A. Really, after that, the transition was to a kind of  
3 feral collection of psychotically badly behaved kids all  
4 just trying to -- we were on a sort of merry-go-round of  
5 victimisation and it is all peer-to-peer. There was  
6 much less in the way of staff abuse.

7 However, I have a strange definition of abuse,  
8 according to the police. Because I defined some things  
9 they asked me about as "not abusive enough".

10 So they asked me about certain teachers and what  
11 they did, and I went: I don't view that as abuse because  
12 it was not quite as abusive as the things that --

13 Q. In your mind there are levels?

14 A. There are levels, yeah.

15 Q. Some really stand out because they were hitting the top?

16 A. Yeah.

17 Q. Others, because of that comparison, perhaps, don't  
18 register --

19 A. Yeah. Exactly.

20 Q. -- as others might see it?

21 A. I think your threshold goes up, doesn't it?

22 Q. Yes. Indeed.

23 One of the things you make a point about -- and this  
24 is a distinction about Edinburgh Academy, and we've  
25 heard about it -- it was a school which was not really

1 a boarding school. It was a day school that had  
2 boarding houses for a much smaller proportion of the  
3 pupil number?

4 A. Yeah. When I was there, it was 10 per cent. I think  
5 the highest might have been 20/25 per cent. We were  
6 a minority.

7 Q. Yes. And I think, interestingly, once you had left  
8 school and were working you were living close to the  
9 school and you actually saw, literally, the decline of  
10 boarding and the ultimate closure of the boarding  
11 houses?

12 A. That's right.

13 Q. By the very end, you make point that perhaps there are  
14 under a dozen?

15 A. Maybe eight in the end.

16 Q. Who tend to be foreign students by that stage?

17 A. That's right.

18 Q. Life was very much regulated. There was a routine in  
19 the boarding houses?

20 A. Yes.

21 Q. Again, we'll talk about Dundas House in particular.  
22 I'm just looking briefly at everyday things.  
23 You thought the food was poor?

24 A. It was deep-fried pizza and spam fritter. I had come  
25 from Paris, of course the food was poor.

1 Q. That is what I wondered. But, on a more serious level,  
2 and you have heard people talking about smells and  
3 tastes triggering; you are still triggered by certain  
4 forms of food?

5 A. Yeah. Mint sauce.

6 Q. And that's an association with?

7 A. Eating food with Brownlee.

8 Q. And this is Dundas?

9 A. Yes, correct.

10 Q. And the time as the youngest boy in the first couple of  
11 years?

12 A. Yes. One of the two youngest boys, yes.

13 Q. And that still is with you?

14 A. I can't go near it.

15 Q. Some good things as well as the last couple of years;  
16 you learnt to love hillwalking?

17 A. Correct.

18 Q. Outdoor activities were common?

19 A. Yes.

20 Q. I think, as you say, vis-à-vis Brownlee, the one time he  
21 was nice to you was on a hillwalk?

22 A. I want to rephrase the "nice" bit. He was not cruel.  
23 In three years, I don't remember a kind word or gesture  
24 from that man.

25 Q. When you first went to the school, you have come from

1 Paris; were you seen by your peers as very different?  
2 Because you had come from Paris you had an accent --  
3 A. I don't remember being aware of that, no.  
4 Q. No. So that wasn't a factor?  
5 A. No.  
6 Q. For you?  
7 A. No. I mean, there was a sort of slightly exotic sort  
8 of: they're from Paris, it's a bit more interesting than  
9 just being from down the road.  
10 But I didn't feel treated differently by the kids.  
11 Q. Okay.  
12 And in terms -- the reason I ask that, you were  
13 cosmopolitan by comparison, perhaps, with most of the  
14 boys?  
15 A. Yeah, some of them.  
16 Q. Where were the other borders coming from, when you were  
17 there?  
18 A. Hong Kong, America. So -- and quite a few from rural  
19 parts of Scotland.  
20 Q. Okay.  
21 A. Yeah.  
22 Q. That's the boarding houses. Day school tended to be  
23 sons of professionals in Edinburgh?  
24 A. Yeah, from all around Edinburgh. Some from Fife.  
25 Q. Given that you have this local, but also cosmopolitan in

1 the boarding houses; was there any effort done by the  
2 school to expand knowledge of other ethnicities or --  
3 A. No.  
4 Q. And I think you talk about certainly the experience of  
5 one boy who was different and was abused for it?  
6 A. Two, in fact.  
7 Q. Two?  
8 A. Yeah. Are you talking within the boarding house?  
9 Q. Yes.  
10 A. He got mentioned earlier on today, [REDACTED].  
11 Q. Yes.  
12 A. And he -- yeah, he was -- Brownlee openly referred to  
13 him as "nigger". That is what he called him. He never  
14 called him [REDACTED].  
15 Q. Did that ever change in terms of the school's approach  
16 to --  
17 A. This was just specific to Brownlee and that situation.  
18 I don't -- it just -- yeah, it's just stuck out as quite  
19 an extreme way to treat a child whose parents were  
20 paying the same school fees.  
21 Q. Do you remember what the feeling was among the boys at  
22 that?  
23 A. No. No, other than -- well, we knew it was wrong, but  
24 then lots of things were wrong.  
25 Q. Yes.

1 A. And he got away with a lot of it.

2 Q. Let's think about some of the things that were wrong and  
3 start with your first day in Dundas.

4 A. Yes.

5 Q. Tell us what happened.

6 A. I arrived -- was it 9 September 1980? I think it would  
7 have been.

8 Q. Could you possibly bring that forward a little bit?

9 A. Sure.

10 LADY SMITH: If you can, Giles, it helps us hear you and  
11 also you have probably noticed the stenographers listen  
12 through the sound system.

13 A. Okay, I thought I was capturing it.

14 LADY SMITH: It's difficult to -- (Overspeaking)

15 A. Okay, I arrived September 9, 1980, I think it was,  
16 mid-afternoon/early evening. And a very cheerful  
17 welcome from the Brownlees and then the parents left  
18 relatively swiftly. We had been sort of duped into  
19 going to a games room or something like that and they'd  
20 gone by the time you came back out.

21 And the rest of it I don't remember. You have heard  
22 versions of it from other people, of hustle and bustle  
23 and trunks and things like that.

24 The main thing was what happened after we were put  
25 to bed, which I've never forgotten because it's not



1       difficult. We were -- I think lights out would be  
2       around 8.00. Early September, you know how light it is  
3       outside in Scotland.

4   Q. Yes.

5   A. I think the festival fireworks were on. That would have  
6       been later on that night. And we had -- we were  
7       attempting to sleep and half an hour after we had been  
8       put to bed he appeared and asked if anyone was still  
9       awake, and I said, "I am", and I think all the other  
10      guys did too, and he said, "Follow me". I think --  
11      I thought this is some kind of surprise for all the new  
12      kids or something. I don't know.

13           We were taken upstairs to this room with a snooker  
14      table and he locked our heads under the table and  
15      thrashed us with the snooker cue and said, "That will  
16      teach you to be awake after lights out", and then we  
17      went back downstairs sort of whimpering and got into bed  
18      and never said anything else about it.

19           It was a premeditated welcome to my regime.

20   Q. Making it very clear?

21   A. Yes.

22   Q. From the very outset. He was in control?

23   A. Yes.

24   Q. And you would do what he wanted?

25   A. Yes.

1 Q. The dorm you were in; was that full only of new boys?  
2 A. No, no. There were only two of us who were new boys, so  
3 I think it was a mixed aged group and I'm sure -- some  
4 people have said eight, but I thought there were 12  
5 there. It was called big dorm.  
6 Q. Big dorm?  
7 A. Yeah.  
8 Q. Had any of the boys who weren't new given you any  
9 warning of what his character was like?  
10 A. Not at that time, no.  
11 Q. No. How hard did he hit?  
12 A. Very. He took run-ups.  
13 Q. Thinking of that --  
14 A. With the snooker cue?  
15 Q. Yes.  
16 A. One or two steps forward. The full weight of his body.  
17 It was not -- it wasn't sort of punitive. It was just  
18 painful.  
19 LADY SMITH: Are you telling me, Giles, this was to give you  
20 a sample of what was going to happen if anybody  
21 displeased him?  
22 A. I think he was trying to establish his authority and  
23 modus operandi.  
24 LADY SMITH: You said that's a night that the festival  
25 fireworks were on, so it was a Sunday night, was it?

1 A. Yes, it would be.

2 LADY SMITH: At that time, I think the fireworks were on  
3 Sunday nights. And you were in Kinnear Road?

4 A. That's right, facing south.

5 LADY SMITH: From which you could see the fireworks.

6 A. Well, we couldn't see them, the curtains were shut.

7 LADY SMITH: You could certainly hear them --

8 A. Yes.

9 LADY SMITH: -- it carries across the city.

10 A. Absolutely.

11 LADY SMITH: Thank you.

12 MR BROWN: Thank you.

13 We have heard about the layout of Dundas and that he  
14 and his family lived in among the boys; that is your  
15 recollection too? A bedroom on the first floor?

16 A. I do not remember the house in the same level of detail  
17 as others, but I always thought they had a -- there was  
18 a doorway that went through to a part of the house.

19 Q. Okay.

20 A. I never went through there. I don't know what was in  
21 there, whether it was a sitting room or bedroom.

22 Q. Right. Presumably, we understand that their part of the  
23 house, whatever it was, was segregated from yours?

24 A. Yes.

25 Q. You wouldn't contemplate going through?

1 A. No way.

2 Q. No way. What about Mrs Brownlee; do you remember her?

3 A. Yes, I do. She was -- I always -- well, she was very  
4 pale and quiet and passive, not warm in any way. Not  
5 emotional. Not supportive. I mean, I've always assumed  
6 that he treated her badly, too. That's just  
7 an assumption, but -- because it's difficult to imagine  
8 how he could not be the way he was with us with his  
9 family.

10 My impression of her and my memory of her is very  
11 timid and recessive.

12 Q. We have heard of other housemasters' wives playing some  
13 sort of pastoral role. In her case?

14 A. Nothing.

15 Q. Nothing?

16 A. Nothing. The others, yes, I can -- in both the other  
17 houses, you know, you might get a hug occasionally or  
18 good advice.

19 Q. Right. And thinking of the other houses -- and you've  
20 heard this already -- dynamics of the houses really  
21 would turn on the character, presumably, of the  
22 housemaster?

23 A. Yes, yes and because often people chose Jeffrey or Scott  
24 based on how cool Mr Wilmshurst was versus Mr Cowie is  
25 really boring and safe. You know, it's that kind of

1           thing. So, yes, they did define the character.

2   Q. For good or ill?

3   A. Yes.

4   Q. Yes. But thinking of Dundas, you have the Brownlees;

5           was he ever-present in the house?

6   A. Often present.

7   Q. Often present?

8   A. Yes. He patrolled looking for trouble.

9   Q. Thinking of night-time, after that first evening

10          experience, from that point on would you ever have

11          volunteered that you were awake?

12  A. No, never.

13  Q. Did he come round and ask the same question again?

14  A. No. Maybe. I don't know. But you got the message.

15  Q. You wouldn't have spoken up?

16  A. No.

17  Q. You would have feigned sleep?

18  A. Absolutely.

19  Q. We have heard about the issue of not going to the

20          toilet.

21  A. Yeah.

22  Q. Does that ring bells with you?

23  A. It makes sense, but I don't -- it was not an issue

24          I encountered. Although I do -- there was a boy in our

25          dorm who wet the bed.

1 Q. What happened to him?

2 A. He was beaten --

3 Q. For wetting the bed?

4 A. -- and dragged around with the sheets. When I think of

5 him, I can smell urine, basically.

6 LADY SMITH: Beaten by who?

7 A. Brownlee.

8 LADY SMITH: Thank you.

9 MR BROWN: We understand --

10 A. I spoke to him the other day. He even said, he lives in

11 Brussels and he was telling me about wetting the bed.

12 I didn't tell him: you smell of urine in my imagination.

13 Q. No. Ordinarily, we have heard that matrons would deal

14 with that.

15 A. She came during the day. There was a lady from

16 Stockbridge and I know what she looks like, but I can't

17 remember her name, and she only came during the day.

18 She left in the evenings. She was okay. But she knew

19 what we were being subjected to.

20 Q. Why would you describe her as "okay"?

21 A. Because she was kind. She gave us all Christmas

22 presents and things like that.

23 Q. She was humane?

24 A. Yes.

25 Q. You also mentioned that there would be a house tutor?

1 A. Yes.

2 Q. Would he live-in?

3 A. He did, yeah.

4 Q. And where was his room in comparison with the dorms?

5 A. I imagine at the top of the house, to be honest.

6 I don't know.

7 Q. Is that a detail that's gone?

8 A. Lots of details have gone. I was in that place for

9 three years and I can remember just a few things.

10 Q. Was it the same tutor who was there throughout the three

11 years?

12 A. No, it changed.

13 Q. Is there one you particularly remember?

14 A. I'm sure there was one called Mr Dean, who had had his

15 face bitten by a dachshund, that is why I remember him.

16 And the other guy was Jeff Fisher, who was Australian,

17 so I remember him.

18 Q. Was he a gap student coming in for a year?

19 A. No, no, they were just young staff, basically.

20 Q. Right.

21 A. Yeah.

22 Q. And how do you remember them in terms of the way they

23 treated you?

24 A. Well, they were nice. We were always -- if they were on

25 duty, the atmosphere relaxed a little.

1 Q. Yes.

2 A. And if they weren't, it was back to kind of red alert.

3 Q. And fear?

4 A. Just fear. That house was just filled with fear.

5 Q. They lived in the house. When they were not on duty and

6 Brownlee was, presumably they would be aware of the

7 atmosphere and the behaviour?

8 A. Absolutely.

9 Q. Did you discuss it with them?

10 A. We didn't discuss it with them. They would sometimes

11 put an arm round you and sympathise, but there was no

12 prospect of anything -- no one could do anything about

13 it.

14 Q. We have been hearing a lot about the Omerta of being at

15 school. You don't clype, you don't tell, you don't

16 speak to your parents; is all of that from your

17 experience correct? You wouldn't have thought about

18 talking about it?

19 A. For different reasons. There wasn't a sort of code of

20 honour or anything like that, in that sense. And I --

21 the assumption was that if you said anything it would

22 become ten times worse, especially with Brownlee, and

23 Brownlee said things so you knew that.

24 Q. Such as?

25 A. He told me -- he paraded some video tapes that he'd got



1 from the police, pornographic video tapes, and he made  
2 a point of saying: I've got good friends in the police.

3 And at the time -- I don't know why he told me this,  
4 but I kind of think now it was to make us realise that  
5 we had nowhere to go.

6 Q. But, going back to the house tutors, they would be aware  
7 of what's going on; can you contemplate why they  
8 wouldn't say anything?

9 A. Yes, absolutely. They were young guys in their first  
10 jobs in a prestigious school, where you've got a senior  
11 master who is in charge of a boarding house and the  
12 allocations of boarding houses were often done on  
13 a waiting list. So, the more senior you were, the more  
14 chance you had of having a house. And they were part of  
15 a hierarchy.

16 And as I think we know, there was a lot of horse  
17 trading going on between schools and people being  
18 recommended, not recommended, good references. It  
19 mattered that you didn't rock the boat in that position.  
20 But I think the main reason is they were just young and  
21 it was their first job. They didn't know any better.

22 Q. Do you hold them -- do you have ill-will towards them?

23 A. None at all, no. They were kind and they were victims  
24 as much as we were.

25 Q. Okay.

1           Thinking about the regime in Dundas more broadly,  
2           you have told us about that first night-time where  
3           boundaries are very firmly set; what was life like on  
4           a daily basis, thinking of routine?

5    A.   It's a blank.

6    Q.   Well, we have heard, for example, from other witnesses  
7           that in the morning, before you left the house, there  
8           would be an inspection of sorts?

9    A.   Yes.

10   Q.   Do you remember that?

11   A.   It rings a bell. I really don't -- I can't say  
12           I remember it.

13   Q.   All right.

14   A.   I'm sure it happened. I tell you what I do remember is  
15           the knuckle.

16   Q.   That's what I was coming on to, because the knuckle was  
17           mentioned in that context. You mentioned the knuckle;  
18           what is your recollection?

19   A.   I have muscle memory. I can tell you exactly where he  
20           did it. It was my left shoulder, there, and pushed down  
21           and I actually -- when people talk about that guy, I get  
22           pain in my neck.

23   Q.   When would he do that, so far as you remember?

24   A.   As often as he liked. It was his -- it would start as  
25           a sort of, "Oh, come here", and the next thing you know

1 he'd be pushing you down to the ground. He just --  
2 there was no -- he just did it all the time. I don't  
3 know whether ...

4 Q. Between your collarbone and your neck?

5 A. Yeah, just up here.

6 Q. And using a knuckle, presumably, with a clenched fist  
7 or ...?

8 A. It's difficult to describe it. Someone else described  
9 the thing with the collar. I just have a vague  
10 connection between neck pain and him, when I think about  
11 him.

12 Q. And when this pressure was applied, pushing down,  
13 obviously?

14 A. Yes.

15 Q. Would that result in you physically going down?

16 A. Often, yes. No, he did that to push people to the  
17 ground.

18 Q. Right. And what would you have done to merit this?

19 A. Wrong place, wrong time. Smiled the wrong way. I don't  
20 know.

21 He was indiscriminate. This was not discipline.  
22 I didn't -- you know, I viewed some punishments by  
23 teachers as discipline for crimes committed. With him,  
24 it was just he took pleasure in causing pain.

25 Q. So the knuckle treatment, you would get it; would that

1           be something everybody in the house would get at one  
2           stage or another?

3   A.   I don't know.  I think so.

4   Q.   Again, we have heard that there were certain pupils that  
5           he particularly focused upon, the suggestion being that  
6           if you were an extrovert child you would be more open to  
7           this sort of treatment?

8   A.   Yes.

9   Q.   Does that ring true from your perspective?

10  A.   I don't know.  Yeah, I don't know.  I think he --  
11           I thought he was indiscriminate, to be honest.

12  Q.   All right.  That is your memory?

13  A.   Yeah.

14  Q.   Okay.

15  A.   I know there were certain -- he had what he called his  
16           "golden boys", but they tended to be in the school, who  
17           were, you know ...

18  Q.   We'll come on to the school --

19  A.   Got it.

20  Q.   -- discretely.  What about other physicality you  
21           experienced in the house from Brownlee.  You have talked  
22           about the knuckle; were there other --

23  A.   Kicking, punching, strangling, being thrown around.  
24           I remember we had linoleum flooring and he dragged  
25           people around by the hair.

1 Q. Where was the linoleum?

2 A. In the big dorm -- well, everywhere. There was maybe  
3 a rug downstairs in one, but other than that it was very  
4 hospitaless.

5 Q. So punching, kicking?

6 A. Yeah. Strangling.

7 Q. Is that -- again --

8 A. Strangling. Literally strangled.

9 Q. Two hands round the neck?

10 A. Yes.

11 Q. Again, what, if anything, would provoke such conduct?

12 A. I don't know. The thing is, it was so routine that  
13 I can't pick out too many specific incidents, you know.  
14 But the man, he just -- any excuse, any excuse.

15 Q. Simply arbitrary violence as the mood took him?

16 A. Yeah. You know, writing the wrong thing on a letter or  
17 being two minutes late for something. That kind of  
18 thing. Wearing the wrong colour shoes. We had  
19 different types of shoes. Trivial stuff.

20 Q. You mentioned letters. Sunday was letter writing day,  
21 we understand?

22 A. Yeah.

23 Q. That's your recollection, too?

24 A. Absolutely, yeah.

25 Q. And he would read the letters?

1 A. He had a big book of stamps, so he controlled the ebb  
2 and flow of communication. He had a big book full of  
3 stamps, and to get a stamp, he had to be satisfied with  
4 the contents of the letter.

5 Q. And what would he do --

6 A. Rewrite.

7 Q. He would rewrite.

8 A. Yeah.

9 Q. I appreciate the passage of time. What sort of things  
10 would he find unsatisfactory?

11 A. If we talked about [REDACTED] being injured  
12 or -- negative things like that. I don't think we dared  
13 write: this is what happened this week.

14 Q. No.

15 A. We wouldn't -- I wouldn't do that. In fact, some of the  
16 letters are ridiculous, because I found them, but  
17 I think I've burnt them. But I have a friend who has  
18 one as well. We would write things like: Mr Brownlee is  
19 a really nice man. I love living here.

20 And that would be to get -- gain his favour.

21 Q. The house seems to have been isolated from the rest of  
22 the world. It was his, to use a word that's been  
23 commonly used in these hearings, fiefdom?

24 A. Absolutely.

25 Q. Do you remember there being oversight from other

1 housemasters or senior management in the school?

2 A. No, nothing.

3 Q. Did anyone in the time you were in Dundas House come and  
4 visit or inspect?

5 A. Nope. We were prisoners.

6 Q. I think there came a stage while you were at school  
7 where there was a restriction in the number of houses;  
8 is that correct?

9 A. Well, they closed Dundas in 1982 -- end of 1982, I think  
10 it was, yes. I think probably because the numbers of  
11 boarders was slowing down.

12 Q. Yes.

13 A. Yes.

14 Q. At that point -- and I think you've provided a letter to  
15 the Inquiry from the headmaster, which says that moral  
16 in the boarding houses was high?

17 A. At an all time high. And he said, "I would like to  
18 congratulate Mr and Mrs Brownlee. The directors are  
19 delighted with the way the house has flourished under  
20 their command", or whatever the right word was. And  
21 they created a "truly happy family atmosphere".

22 Q. From what you've just said about oversight, one might  
23 infer that the only information the school was getting  
24 about the house was of course from the Brownlees?

25 A. Absolutely.

1 Q. Hence the affirmation in the letter you've just  
2 remembered?

3 A. Yes. I'm sure he reported well to his superiors.

4 Q. About himself?

5 A. Yes.

6 Q. But no one came to check?

7 A. Correct.

8 Q. You went when you were eight. I think in the year after  
9 you started there was a six-year-old there?

10 A. Yes.

11 Q. Is that right?

12 A. Yeah.

13 Q. That was, can I put it this way, abnormal having a child  
14 that young?

15 A. I think, yes, seven was -- well, I was the youngest for  
16 a bit, as you are, but there was no one younger than two  
17 of us at one point. And then this guy came and  
18 I remember he was six or only just seven, but much  
19 younger.

20 Q. Presumably, he was subject to the same sort of  
21 experience that you were?

22 A. He was terrified. He was incontinent. He wet himself  
23 and he pooped himself.

24 Q. He pooped himself?

25 A. Yes. I remember he had the long grey shorts and I can



1 tell you what the guy smells like from here.

2 Q. Was that in the dormitory, that he pooped himself?

3 A. Sometimes at school -- he had a nervous problem.

4 Q. It was a recurrent issue for him?

5 A. Yes, it was. He was victimised for that.

6 Q. By pupils?

7 A. By Brownlee.

8 Q. By Brownlee?

9 A. Yeah.

10 Q. How did Brownlee victimise him?

11 A. Throwing him in cold baths, beating him any time it

12 happened. I think he had the old-school thinking of: if

13 you rub a dog's nose in it, it won't do it again, which

14 we know is wrong and he -- but the most shocking thing

15 was one Saturday we were, all of us, called out into the

16 back garden and he --

17 Q. Of the boarding house?

18 A. Yes. And he stripped off this boy completely and stuck

19 a hosepipe up his arse, excuse the language.

20 Q. No. And --

21 A. Turned the tap on, and said, "This is to teach you

22 a lesson".

23 Q. Was the entire house paraded --

24 A. All of us.

25 Q. And the tutor?

1 A. No.

2 Q. No?

3 A. No, no, no.

4 Q. How did this six-year-old respond to this?

5 A. I have no idea. I don't think well. But I think we  
6 just all walked way in silence.

7 Q. Did the boy remain?

8 A. I have no idea where that poor boy is now, no.

9 Q. Did he stay in the house?

10 A. I don't know. I think he stayed for a bit.

11 Q. Was that the subject of discussion or did you just carry  
12 on as normal?

13 A. We must have discussed it. We must have discussed it.  
14 I can't remember though.

15 Q. But, presumably, only among yourselves, because you  
16 wouldn't have dared mention it elsewhere?

17 A. Correct, yeah. Many years later, when I told the police  
18 this, and I gave them the boy's name, they corrected me  
19 and said, "you are sure that's his first name?"

20 And I thought: my God, someone else has actually  
21 reported it.

22 Q. That's an event involving another boy in the garden?

23 A. Yeah.

24 Q. But I'm right in saying, I think -- and this was the bit  
25 that you had forgotten, but remembered -- there was also

1 a shed in the garden?

2 A. Yes.

3 Q. Describe the shed. What was it used for?

4 A. I didn't think it had anything in it, to be honest. It  
5 was at the back of a vegetable patch, where occasionally  
6 we were made to dig potatoes.

7 Q. Why?

8 A. I have no idea. Oh, for being awake after lights out or  
9 cracking a joke that he didn't approve of.

10 Q. So planting potatoes was punishment?

11 A. Digging. I don't know who planted them.

12 Q. Oh right, but that was punishment?

13 A. Yes.

14 Q. Presumably, preferable punishment to many of the  
15 alternatives?

16 A. Yes.

17 Q. All right.

18 The garden shed, we know you remember the interior  
19 of?

20 A. Yeah.

21 Q. Why is that?

22 A. Because we were locked in it for a weekend.

23 Q. Tell us why.

24 A. Again, I don't know why, but it was me, [REDACTED],  
25 [REDACTED]. We were nine, and we had done something

1 wrong, allegedly, and we were locked in there. And  
2 I remember his wife a couple of times brought us bread,  
3 white bread, buttered, with a glass of water.  
4 Q. How long were you in there for?  
5 A. Two days. But he did let us out at night to go to bed.  
6 Q. But the following morning --  
7 A. Yes.  
8 Q. -- you are put back in?  
9 A. It was the whole weekend.  
10 Q. It was the whole weekend. It was a punishment, we  
11 should be clear, for something?  
12 A. For something, correct, yeah. But, again, I don't think  
13 anything significant.  
14 LADY SMITH: You remember being brought bread by  
15 Mrs Brownlee?  
16 A. Yes.  
17 LADY SMITH: What about going to the toilet?  
18 A. We didn't.  
19 LADY SMITH: You can't not have gone to the toilet for the  
20 whole weekend.  
21 A. Oh, well, we would have gone when we came back into the  
22 house at night.  
23 LADY SMITH: It was during the day that you were in the  
24 shed?  
25 A. During the day, yes. He let us back in, in the evening.

1 LADY SMITH: Thank you.

2 MR BROWN: How many times were you brought bread and water?

3 A. Either once or twice a day.

4 Q. Okay.

5 A. On a white plate. I remember exactly what it looked  
6 like. I also remember I had £5 in my shoe. They made  
7 us wear gym kit, and I had £5 and we discussed escaping.  
8 And we discussed whether there was enough to get a bus  
9 to my grandmother's, up north, but decided against it.

10 Q. I think the other garden experience you remember is  
11 where a boy fell on a lawn mower blade?

12 A. Yeah. We were probably playing some kind of touch rugby  
13 and someone fell on -- cut their ear on one of these  
14 trailers that are used to cut the grass and we ran back  
15 to the house to get him treated and Brownlee, furious,  
16 as he saw us coming in with someone bleeding, attacked  
17 him.

18 Q. Attacked the boy who is injured?

19 A. Yeah. Attacked the boy who had been injured. He had  
20 a -- Brownlee had no tolerance for people being ill or  
21 injured or hurt. You got the distinct impression that  
22 he thought having to take someone to the hospital was  
23 an inconvenience to him and his family and he was  
24 furious.

25 Q. Was the boy taken for treatment?

1 A. Yes, the boy got his ear stitched.

2 LADY SMITH: If boys were taken to the hospital, which  
3 hospital?

4 A. Western General.

5 LADY SMITH: That wasn't very far from the school.

6 A. No, it's not far at all.

7 LADY SMITH: Thank you.

8 MR BROWN: Were you in Dundas until it closed or had you  
9 moved on?

10 A. I think I left as -- yes, I think so. I think we were  
11 the last.

12 Q. And -- so that's two/three years?

13 A. Three years.

14 Q. Three years?

15 A. Yeah.

16 Q. Did the regime moderate at any --

17 A. A little bit.

18 Q. Can you explain why?

19 A. No. I think -- he treated us less worse as we got  
20 older, if you'd been there for a bit. I don't remember  
21 him being appalling in sixth year, which was my final  
22 year at the prep. I remember --

23 Q. P6?

24 A. That's right, P6, yeah.

25 Q. But what about the boys who were coming in?

1 A. There weren't any.

2 Q. Oh, right.

3 A. It was just whoever was left.

4 Q. Right.

5 A. Other than that younger boy with the incident with the  
6 hose.

7 Q. Okay.

8 A. So, yes, it did mellow.

9 Q. But does that tie in with a reduction in numbers in the  
10 house?

11 A. I don't know. I don't know. I think -- I was getting  
12 quite good at cricket by then as well, so maybe he kind  
13 of backed off me for a bit as well. He always favoured  
14 people who had something to offer the school.

15 Q. Right. And thinking about it -- and we'll come back to  
16 the impact longer term, but those three years; how did  
17 they impact you, as a person?

18 A. They are largely a blank. So I can't tell you much  
19 more, really. We'll talk about impact --

20 Q. Yes, I was just thinking if you could remember --

21 A. Oh, no --

22 Q. -- age nine, how you felt, how it was having an impact  
23 on you. You'd learnt not to do thing, you had learnt  
24 not to speak and, presumably, you were constantly trying  
25 not to be caught, if you like?

1 A. I went overnight from a kind of quite happy, innocent  
2 view of the world to: okay, this is what it's all about,  
3 is it?

4 And you learn just to avoid trouble and stay away  
5 from people and amuse folk, so that they don't abuse  
6 you.

7 Q. Yeah. You are learning to survive by whatever means you  
8 have to do?

9 A. Exactly. And I often wonder: why did I not do anything  
10 about it?

11 And you couldn't. You couldn't do anything about it  
12 at the time.

13 Q. Thinking of the prep school more widely, you have the  
14 house, Dundas, and we now have that picture clearly in  
15 our minds. You would spend your days at the prep school  
16 and that would include being taught by Brownlee in  
17 class?

18 A. He didn't teach me.

19 Q. But were you aware of his reputation in the junior  
20 school?

21 A. Yes. It wasn't just reputation. You could hear screams  
22 from his classroom.

23 Q. We have seen pictures of the junior school,  
24 glass-fronted classrooms, modern building. We hear  
25 about Portakabins and prefabs because the numbers are



1 growing and it's expanding?

2 A. Yeah.

3 Q. But you could hear from one classroom to the next?

4 A. If you were in -- I think ICA's classroom was  
5 next to Brownlee's or Archdale's, but you could hear  
6 people screaming and begging for mercy.

7 Q. We have heard already that the use of the clacken was  
8 understood in the junior school?

9 A. Absolutely. It was only in the junior school, in my  
10 time.

11 Q. Was it used in the house by Brownlee?

12 A. Yes.

13 Q. So it wasn't just physicality, knuckles, punch, kick; it  
14 was also the clacken?

15 A. Yes.

16 Q. When would it be used in the house?

17 A. He used -- he actually used to knock it off the rails on  
18 the stairs as he came down. It would be used for  
19 serious punishments, so if you had done something bad.

20 Q. So, in your mind, in the house; was that a step up from  
21 knuckles or fists?

22 A. No, not at all. It's extremely painful.

23 Q. No, no, in terms of the knuckle it was used --

24 A. The knuckle was -- it's almost like someone coming up  
25 and just putting their arm round you. It was just

1 a gesture, rather than a specific response to something.

2 Q. All right.

3 A. Yes.

4 Q. But that is the point, that would happen whatever?

5 A. Yes.

6 Q. But the clacken was used --

7 A. The clacken was --

8 Q. It's a serious instrument of retribution for

9 a transgression?

10 A. Yes, it was, exactly.

11 Q. And how many times would you be hit with the clacken?

12 A. Depended. Three to ten. Depending on -- yeah. As

13 I say, I can't remember any specific times that he did

14 it, but I can tell you that it happened.

15 Q. To you?

16 A. Yes.

17 Q. And to others?

18 A. And to others. Absolutely, yeah.

19 Q. I think, as you will understand, we have a clacken which

20 we have seen and heard being bashed on the desk?

21 A. Yeah.

22 Q. It's a hard instrument?

23 A. It's solid.

24 Q. And being used on an eight or nine or ten-year old;

25 would he beat on the bottom?

1 A. Yes.

2 Q. Trousers on or off?

3 A. Both.

4 Q. With considerable force?

5 A. Run-up. Literally a run-up.

6 Q. And causing injury?

7 A. Yeah.

8 Q. Bruising?

9 A. Red marks. I assume bruising.

10 Q. Okay.

11 Was that level of use of the clacken particular to

12 Brownlee?

13 A. Yeah, very much so.

14 Q. Thinking of the house, but also --

15 A. He was the only one who beat us in the house. There was

16 no one else.

17 Q. Moving back to the school?

18 A. I don't remember any other teacher beating anybody with

19 a clacken, apart from IDX, who beat me with

20 a clacken later.

21 Q. Yes.

22 A. Yes.

23 Q. But, thinking junior school, you could hear Brownlee's

24 classroom and could you hear the clacken being used in

25 the classroom context?

1 A. Yes.

2 Q. From next door?

3 A. Yes.

4 Q. And cries of children?

5 A. Absolutely.

6 Q. You could hear it; other teachers could hear it?

7 A. Yes.

8 Q. Do you ever remember it being commented upon by other

9 teachers?

10 A. No, other than people saying he's strict.

11 Q. When would they say that?

12 A. I don't know. That was about as harsh as they referred

13 to him.

14 LADY SMITH: When Brownlee knuckled boys; did anybody say

15 anything? Did anyone say, "Ouch, sir", or, "Please

16 don't, sir", or anything like that?

17 A. I'm sure they did.

18 LADY SMITH: What happened if they did?

19 A. I don't know. I would be -- I don't know. I would be

20 making that up.

21 LADY SMITH: But if they did, he can't have been in any

22 doubt that it hurt boys.

23 A. He was in absolutely no doubt that it hurt. It was

24 intended to hurt. He reigned by fear and he -- he's the

25 only person I've met who I genuinely think was demonic.

1 MR BROWN: You remember other teachers in the school?

2 A. Yes.

3 Q. Prep school?

4 A. Yes.

5 Q. And you mention two in particular. One [REDACTED]; What  
6 do you remember about him?

7 A. [REDACTED] was, probably still is, quite a charming chap  
8 at times, but he had a violent streak. He was a small  
9 man. I'm not particularly big myself, but he was  
10 a small man and he was quite close to Brownlee,  
11 socially, and he used to drop kick us when we were nine.  
12 You would be kind of -- he would boot you up the behind,  
13 basically. And sometimes hold you by the hair to boot  
14 you.

15 So I remember him. It's almost like he had frog's  
16 legs, he was constantly -- that is how I picture him --  
17 kicking people, and that was it.

18 With Brownlee, there was psychological torture. It  
19 was -- whereas [REDACTED] just occasionally lashed out.

20 Q. Did you get the sense it was frustration?

21 A. I don't know what his problems were, to be honest.

22 Q. You've painted a picture with Brownlee of someone who is  
23 positively and very consciously hurting?

24 A. Yes.

25 Q. But that's not --

1 A. [REDACTED] was probably a loss of temper.

2 Q. You were there. I'm not trying to -- I'm trying to  
3 gauge what your assessment was.

4 A. I know. No, no, I don't think he took pleasure in it.  
5 He was just a little bit violent.

6 Q. In terms of the kicking, you can kick with the side of  
7 the foot, with the toe, the upper part of the front; do  
8 you remember --

9 A. Side of the foot, for sure. Just from the angle he was  
10 at.

11 Q. The other teacher you remember is --

12 A. In fact, his name was Rumpel, Rumpelstiltskin, and  
13 I think it was because he always banged his feet on the  
14 ground. I don't know why they called him that, but it  
15 was to do with his foot going up and down.

16 Q. And there is another teacher you remember, who you say  
17 generally was okay, but occasionally -- on one occasion,  
18 you saw him behave out of character?

19 A. Yes, he exploded. He was -- he taught [REDACTED]. It's  
20 [REDACTED] ICA [REDACTED], obviously, we're talking about. He was  
21 very prominent in the local [REDACTED]. He had --  
22 I remember his wife, who was very sort of proper. And  
23 he -- much to my surprise, on the way back -- on a coach  
24 from, I think, Dirleton Castle or somewhere like that,  
25 we were singing and he was getting wound up by the

1 singing, and started shouting, "Be quiet", and then this  
2 little guy, [REDACTED], started singing. And  
3 I remember as we all got off the bus, ICA had [REDACTED]  
4 pinned to the seat and was punching him in the chest and  
5 shaking him and screaming at him, and I remember  
6 thinking, "That's a bit odd", because [REDACTED]'s father  
7 was a teacher, albeit a [REDACTED] teacher, and I think they  
8 were sort of freelance, but he was still on the staff.

9 Generally speaking, if you had a parent on the staff  
10 you were less likely to be attacked.

11 So that's the only time I saw him do anything.

12 Q. Context-wise, by the sounds of it, boys being exuberant,  
13 winding him up?

14 A. I can imagine the sound of 20 boys singing constantly  
15 could annoy anybody, but the beating was extreme.

16 Q. And it was a loss of control?

17 A. Total loss of control.

18 Q. For someone who normally you wouldn't have imagined to  
19 do that?

20 A. No, he was very meek and mild mannered.

21 Q. Anyone else staff-wise that you remember at the junior  
22 school?

23 A. Yes. But only the nice ones.

24 Q. Yes, but in terms of --

25 A. There was a Mr Logie, he was nice. IJW [REDACTED], he

1 was benign. I wouldn't call him nice, but he was  
2 harmless. Mr Sneddon, who was the science teacher, he  
3 was a really good guy. You know, they weren't all bad.

4 Archdale, deputy -- well, he was an ambitious,  
5 younger teacher and I think he went for the headmaster  
6 job against Brownlee at one point. Neither of them got  
7 it.

8 Q. Right. Brownlee was the deputy head?

9 A. Deputy head for a long time. This is just a theory, but  
10 I wonder if he was angry about being passed over. He  
11 never got the top job.

12 Q. He was at the Academy for a long time?

13 A. 36 years, was it?

14 Q. Moving on to the senior school, though, and moving way  
15 from Dundas, the two go hand in hand, different house,  
16 senior school; is that right? You went to Mackenzie?

17 A. Mackenzie, that's right.

18 Q. Thinking about staff, you mention a [REDACTED] teacher,

19 Mr IDZ [REDACTED]?

20 A. IDZ .

21 Q. And he would beat with gym shoes?

22 A. Yes.

23 Q. Now, is that, remembering we're still in an age where  
24 corporal punishment was legal, I think you accept at one  
25 stage in your statement there were times where it was



1 fair to be punished?

2 A. Yeah, [REDACTED] was a bit of a joke when it came to  
3 punishments, actually, because -- I don't know what he  
4 got out of it, but we would provoke him to get the gym  
5 shoes, and often we tied all the shoes together and hid  
6 them in a locker, but one would be protruding, and he  
7 would spend the rest of the lesson telling us how  
8 juvenile we were and undoing all the laces. I didn't  
9 find him -- he never beat us in a harsh way. He just  
10 always found an excuse to spank us.

11 Q. At the time, was he considered one of the weaker  
12 teachers?

13 A. Oh, absolutely. The guy couldn't control anything.  
14 I also thought he was very old, but it turns out they  
15 weren't. But --

16 Q. At your age, just as with small children, people seem  
17 very big?

18 A. Yeah.

19 Q. Yes. You obviously were aware of Hamish Dawson, but  
20 I don't think you experienced --

21 A. I may have. He taught me for a year, and he also was in  
22 charge of the -- we had a printing press under the --  
23 it's in a cellar near the dining rooms and I did that as  
24 an after-school class for a while. But, no, I always  
25 just found him a sort of funny, old man basically.

1 I don't remember anything happening. He had his  
2 instruments of torture, I remember that.

3 Q. They were on open view; everyone knew about them?

4 A. Yes, but it was more sort of Punch and Judy, rather  
5 than ...

6 Q. Yes.

7 Finishing, with teachers, the other teacher you  
8 mention is [REDACTED] and his wife; and they were the  
9 Mackenzie House, master and mistress?

10 A. Yes.

11 Q. You feel that they took a down on you for the very  
12 particular circumstances as you have worked out?

13 A. Yes.

14 Q. And set out in the statement?

15 A. Yes.

16 Q. He beat you, you mentioned?

17 A. Yes, twice. I was dragged out of bed in the middle of  
18 the night.

19 His study had a doorway into our dormitory, and  
20 I had written a joke detention slip for a friend and  
21 used a teacher's initials on the bottom of it and was  
22 beaten for forgery, which was a bit odd, considering it  
23 was just a joke in the first place. And he used  
24 a clacken and he did it. But I defined that as  
25 a punishment for something he thought I did. It

1       wasn't -- I didn't find him abusive.

2   Q.   Again, looking at teachers, I suppose there is a range

3       of ways you could describe them.  Some, as we have

4       heard, are viewed very fondly by, I think, almost

5       everybody?

6   A.   Yes.

7   Q.   Some are viewed at the other extreme, perhaps

8       Mr Brownlee?

9   A.   Yes.

10  Q.   Then there are weak teachers, and we discussed

11       Mr IDZ [REDACTED] and his gym shoes.  And then there's

12       teachers like IDX [REDACTED]; how would you, in a couple of

13       words, describe him?

14  A.   Fairly balanced.  He was fair.  Capable of kindness.

15  Q.   Right.

16  A.   Yeah, no complaints.

17  Q.   Okay.  Then I think looking -- you have already

18       mentioned Mr Cowie, who was your senior school

19       housemaster?

20  A.   Yes.

21  Q.   And you have fond memories of him?

22  A.   I do.  Generally, there was some misunderstandings, but

23       these things happen, but he meant well and did well most

24       of the time.

25  Q.   Okay.  But I think we now move on to the distinction as

1           between staff in the junior school and peer abuse in the  
2           senior school.

3           That, until you get to the last couple of years, was  
4           a problem for you?

5   A.   Yes, absolutely. Mackenzie House was an animal house.  
6           It was a mad house. And people took turns to shun you,  
7           exclude you from groups, trash your stuff. We had these  
8           things called "dorm raids", where the older boys would  
9           come in and turn all the beds upside down and pull all  
10          your possessions out.

11 Q.   Was this, in a sense -- we have heard, you may have  
12          heard already -- a sort of circular process that at  
13          times you would be the victim?

14 A.   Yes.

15 Q.   And at other times the circle would go round and you  
16          might then be the aggressor or the bully?

17 A.   Absolutely.

18 Q.   It was just part of a culture?

19 A.   Yeah. I bullied people. Not physically, because  
20          I wasn't particularly strong, but probably worse,  
21          psychologically. We all did -- well, most of us did.

22 Q.   What would trigger that behaviour?

23 A.   At the time, it would just be the way the group was  
24          moving. So, if the group was starting to fall out of  
25          favour with someone, you would often just join in and

1           jump on it.

2   Q.   The turret would swing around and point at different  
3       people?

4   A.   Exactly.  But I think the tone was set by Brownlee.

5   Q.   That is what I was coming to.  From what you are saying,  
6       this is part and parcel of being in Mackenzie; that is  
7       the way boys behaved towards other boys?

8   A.   Yes.

9   Q.   It's your conclusion that's because they have come  
10      through, mostly, the environment of Dundas under  
11      Brownlee?

12  A.   What if he'd been a really kind, compassionate guy?  
13      Would we have been happier children?  Probably.

14  Q.   The foundation would have been different?

15  A.   Exactly, yes.  And there is a definite -- I became a,  
16      you know, problematic teenager, with incidents, and it's  
17      down to being unhappy.  You've got to be unhappy about  
18      something for you to fight and rail against the system.

19  Q.   And was anything done?  From what you're saying, there  
20      is this constant aggression, chaos, in Mackenzie?  You  
21      have a housemaster, who you have described as fair?

22  A.   Yeah.

23  Q.   But clearly was having no impact on what is going on in  
24      the house?

25  A.   No, not really, not really.  I didn't know any

1 different, that is the thing. You are only 12 once  
2 and -- or 13 -- and you assume that this is a stage in  
3 life.

4 Q. I appreciate that. But you have, nominally, adult  
5 supervision?

6 A. Yes.

7 Q. Now, bigger house, more boys, a housemaster, a tutor,  
8 a matron; they clearly didn't stop this cycle of chaos  
9 and aggression, cruelty, whatever you want to call it?

10 A. No.

11 Q. Why not, do you think?

12 A. Partly because we probably didn't tell them.

13 You might, in a serious case, tell them.

14 I think that's probably the only reason I can think  
15 of.

16 There was certainly no consultative process about:  
17 how is everybody? What is going on? Talk me through  
18 the mood of the house.

19 It was just -- we were unleashed.

20 Q. Presumably, not literally, but leashes went on when  
21 staff were about, the behaviour would alter?

22 A. Yes.

23 Q. As far as they were seeing, they see one thing, but the  
24 reality is another?

25 A. Not entirely, actually, because there were the house

1           tutors, my God they had a hard time. There were two in  
2           that time that I remember. Adrian Watt, who was from  
3           Northern Ireland, and he just -- first job, we destroyed  
4           that man.

5           Another guy David Stuttard, who had a very bad  
6           stutter, so obviously it's genetic. And he's not in  
7           teaching anymore, I can tell you. We were just feral.

8    Q. It was a harsh environment?

9    A. It was a very harsh environment, yes.

10   Q. But that clearly either was shared and nothing was done  
11       about it or it wasn't shared by them?

12   A. Maybe it was accepted that it's a stage of teenage  
13       development?

14   Q. Do you think there were enough staff in the houses?

15   A. Yeah. I think if the mood had been right it doesn't  
16       matter how many staff you have, you know. I've read  
17       this before about "we were understaffed". That is not  
18       an excuse for allowing abuse to continue. It's  
19       a cultural thing. So, no, I don't think that was the  
20       problem.

21           We were just unhappy.

22   Q. And you came to Mackenzie unhappy because of Dundas?

23   A. Absolutely, yeah.

24   Q. Do you know whether -- you carried on into the school.

25       You then went on into the senior house with Mr Cowie and

1 things calm. With Dundas closing and the production  
2 line of those with the experience of Dundas stopping; do  
3 you know if Mackenzie changed for the better?

4 A. I don't.

5 Q. No.

6 A. I don't.

7 Q. I don't suppose, aged 17, you are looking back?

8 A. We had nothing to do with them at that point, yeah. So  
9 once you got out of there, you were more bothered about  
10 your A-Levels than what was going on in the other  
11 houses.

12 Q. Again, it's back to the insular point, there's the  
13 island of Dundas, there's the island of Mackenzie and  
14 then the islands of Jeffrey and Scott?

15 A. I read that some schools have different age groups  
16 boarding in the same house and they would be able to  
17 compare with each other, and we didn't have that. You  
18 were in a pipeline, as you described it.

19 Q. The last couple of years are okay?

20 A. Yes.

21 Q. You do well. You progress, university, career?

22 A. Yes.

23 Q. Et cetera.

24 Impact.

25 A. Yes.



1 Q. I think we see that having left school in the late  
2 1980s, by the late 1990s and for a period thereafter  
3 alcohol plays a part in your life?

4 A. Mm-hmm.

5 Q. And why was that, thinking back?

6 A. Well, I've abused alcohol for a long time now and --  
7 well, it's to -- for all the reasons people abuse  
8 alcohol. It's just to --

9 Q. How much of it was down to school?

10 A. The only trauma I've had in my life was school.

11 Q. So it goes back to school?

12 A. Yes. And it's not actually just alcohol. I've misused  
13 tramadol and codeine and things like that, that have  
14 a similar numbing effect, without causing drunkenness.

15 Q. I think, starting with alcohol perhaps, as the most  
16 readily available, you say:

17 "For a long time I was haunted ..."

18 By your the experiences of the Academy, and you felt  
19 very alone when you were there.

20 A. Yes.

21 Q. And started drinking ten years after, that's because the  
22 effect is continuing ten years after you have left; is  
23 that the point?

24 A. The effects of what happened is continuing right now.

25 Q. Absolutely. The trigger of using alcohol; was that as

1 a way, as you've just said, to numb?

2 A. I think so.

3 Q. Yes. And then you move on to drugs and tramadol,

4 et cetera?

5 A. Yeah.

6 Q. But it's all going back to the impact of your time at

7 the Academy; is that right?

8 A. I think so. I'm not an expert in that. But, as I said,

9 there was -- there's only been one serious trauma in my

10 life and it's Dundas House. It's not the Academy; it's

11 Dundas House.

12 Q. And you talk about carrying anger?

13 A. Yes.

14 Q. Is that still present?

15 A. Less so. There was a time where I -- you know, I would

16 have considered kidnapping and killing Brownlee.

17 I'm happy to share that. There was a time. I wouldn't

18 go into detail how.

19 Q. No.

20 A. But I'm much more relaxed now about it, having had some

21 treatment a couple of years ago. But, no, there is

22 still anger. If I had a terminal illness I would

23 probably go and find him just now and get rid.

24 Q. It's never left?

25 A. No. And also the problem is you -- your self-worth is

1           very badly hit when, at that age, you are suddenly made  
2           to feel you are a nothing, day in day out.

3           So, actually, the beatings, you know, bruising goes  
4           away, but the actual damage to your spirit is probably  
5           the worst thing.

6   Q. Was there any attempt to address any of these issues  
7           when you were at school?

8   A. No.

9   Q. No. There was no recognition when you were there of  
10          things being far from perfect?

11   A. No. In fact, the three -- well, two of the three of  
12          these people were the ones who swanned around as though  
13          they were the inner sanctum of the junior school.

14          [REDACTED], Brownlee, they were always at Raeburn Place  
15          lording it over people and --

16   LADY SMITH: Where do you mean, specifically, when you say  
17          Raeburn Place?

18   A. At the rugby ground down there.

19          They were very Academy people. And yet two of them  
20          were -- one in particular, very, very abusive.

21   MR BROWN: I think you saw Brownlee at Raeburn Place in the  
22          1990s?

23   A. Mm-hmm.

24   Q. Did you speak to him?

25   A. "Hello". You see, he has a mythological status in my

1 head. He is, you know -- he has this sort of power.  
2 I don't care -- I don't know what he looks like now, but  
3 I would have the same fear, I think, if I saw him. And  
4 yet he's probably just a little guy, like anyone else.  
5 But, in my mind, he's Satanic.

6 Q. It's the Brownlee of 1980?

7 A. Yes.

8 Q. He's still there?

9 A. Yeah.

10 Q. Are you still the eight-year-old?

11 A. Yes. I try not to be, but, you know.

12 Q. When did you first tell people about this?

13 A. At university and then intermittently. We thought about  
14 doing something 18/19 years ago. I was at a wedding and  
15 the other guy who had joined Dundas House with me, on  
16 the same day, was there and we had a sort of joint  
17 meltdown and thought about, I don't know, whatever  
18 prosecution options there were at the time, and then we  
19 just didn't do anything. This was well before the laws  
20 changed on historical abuse, basically.

21 Then I've been at dinner parties. I couldn't go  
22 to -- it got worse when I had my own children.  
23 I couldn't -- going to school events and carol concerts  
24 and things like that, where everything is very, very  
25 happy was quite triggering.

1 Q. Do you trust people?

2 A. I have a ...

3 (Pause)

4 No.

5 Q. Did you tell your parents?

6 A. Yes.

7 Q. When did you do that?

8 A. In my 20s.

9 Q. Did they believe you?

10 A. Yes, they did. I didn't tell them some of it, like the

11 hosepipe.

12 Q. No.

13 A. No. They did believe me. My mum was very upset about

14 it and, of course, they did the: well, why didn't you

15 tell us at the time?

16 Q. How did you explain why you didn't?

17 A. Well, I can explain it now, which was just the pressure

18 of being put in that privileged environment, where

19 they're investing in you and where if you say anything

20 you are going to get crucified when you go back.

21 There was no -- it's funny, with my kids, I've been

22 far more -- if we hear any whiff of trouble at the

23 school we are on it like maniacs, you know? And we

24 don't take any nonsense from the school.

25 And I think the power structure was completely

1 different in those days. The school was here and the  
2 parents were here, and they just had to conform and be  
3 grateful.

4 Q. You have just raised your hands. The school was the  
5 dominant?

6 A. The school was the dominant. Now, it should be an equal  
7 partnership.

8 Q. People should work together?

9 A. Exactly.

10 Q. Openly?

11 A. Yeah.

12 Q. Transparently. If there are problems, sort them?

13 A. Yes.

14 Q. That wasn't your experience, though?

15 A. Absolutely not.

16 Q. Going back to the -- you have talked about the fact that  
17 you wouldn't tell because, if you did, the ramifications  
18 on you would be dreadful. But, presumably, in terms of  
19 the relationship with your parents, they are making  
20 efforts to send you to this privileged place?

21 A. Yeah.

22 Q. Were you trying to protect them by not saying anything?

23 A. Possibly, possibly. One of the things you learn in  
24 these environments is the skill of talking things up, so  
25 that they sound better than they are, "How was your

1 week? How was your month?"

2 "Oh, yeah, brilliant. I'm doing really well."

3 The chats were false.

4 Q. Just like the letters home?

5 A. They were like the letters home, exactly.

6 Q. And just like the reports, perhaps, going to the

7 Edinburgh Academy from the house: it's great?

8 A. Yeah, yeah.

9 Q. But it was all a sham?

10 A. Yes.

11 Q. You are obviously part of the EAS Group and we can hear

12 submissions from your counsel in due course, but if

13 there was one thing you could do now with schools; what

14 would it be?

15 A. Are we talking recommendations now?

16 Q. Yes. What do you think is still necessary?

17 You will be aware of how things have changed, but is

18 there anything particularly that you think still

19 requires to be changed?

20 A. I think there is -- if there is a mechanism where it's

21 impossible to cover anything up, that would be -- where

22 it's actually actively encouraged -- and this leads me

23 on to a couple of things I wanted to say, if that's

24 okay? Which is that the abuse has been one thing. The

25 actual denials and cover-up is almost more offensive and

1 has been more offensive. It's more hurtful than the  
2 things that happened.

3 I'm very glad that we're here today, actually.

4 I think there is evidence of people who did come  
5 forward throughout this process not being taken as  
6 seriously as they should be, and I'm talking about  
7 whistleblowers from other schools. And I'm not trying  
8 to make a political speech. I will send you something  
9 separately, with a little suggestion.

10 But an abuse Inquiry should be particularly careful  
11 with people who come forward because the schools brushed  
12 a lot of them under the carpet and ridiculed them.

13 The main thing that I would say is that there was  
14 a famous advertising campaign a while back about how  
15 powerful the role of a teacher can be, how you can  
16 transform people's lives. What I find sad about this is  
17 that this whole thing is how negative an impact these  
18 people will be remembered for.

19 There were great teachers at the Academy. There was  
20 Cheverton, you have heard about. There was a man called  
21 Alex Xanbelis(?), who was a brilliant English teacher.  
22 I'm sure others had favourites as well. But having that  
23 power and using it to cause so much damage is the real  
24 tragedy of this whole thing. And I'm delighted that  
25 Brownlee and the others will go to their graves with the



1 right reputation. So, for that, I'm grateful.

2 Q. Is there anything else you would like to say?

3 A. No.

4 MR BROWN: Giles, thank you very much indeed.

5 LADY SMITH: Giles, can I add my thanks? Not just for how  
6 thoughtfully and with insight you have answered our  
7 questions today, insight both being frank about yourself  
8 and your thoughts about what was happening in other  
9 people, some of the teachers and two other people. But  
10 thank you also for everything you have given us in  
11 writing, in such detail and, again, so thoughtfully.  
12 It's very instructive and it's certainly added to my  
13 learning.

14 Thank you for being prepared just to come and talk  
15 in public today. It can't have been easy. It's not  
16 a nice thing to have to talk about. To talk about  
17 anything to do with your personal life is usually done  
18 in private, but I see, conscious of the wider impact of  
19 the work we're doing, you decided to contribute in this  
20 way and that was really good. Thank you.

21 A. Thank you. And thank you for some of the things you've  
22 extended to us, as well, in the process. I know it's  
23 been difficult when things have been done in writing and  
24 I think we all just want to help each other.

25 LADY SMITH: Real human exchange always tops written

1 communication, doesn't it?

2 A. Yes.

3 LADY SMITH: Please feel free to go, Giles. Know that you  
4 go with my thanks.

5 (The witness withdrew)

6 LADY SMITH: Now, Mr Brown, if we can give the stenographers  
7 a five-minute breather and then time for a read-in.

8 MR BROWN: Yes.

9 (3.30 am)

10 (A short break)

11 (3.38 pm)

12 LADY SMITH: Ms Bennie.

13 'Sammy' (read)

14 MS BENNIE: Thank you, my Lady.

15 The reading bears the reference WIT-1-000001269.

16 My Lady, this witness wishes to remain anonymous and  
17 he's adopted the pseudonym of 'Sammy':

18 "My name is 'Sammy', my year of birth is 1965. ...  
19 I was born in Singapore. My dad was in the navy and he  
20 was stationed in Singapore. I have two older  
21 sisters ... we lived in Elgin for a while because my dad  
22 was stationed at Lossiemouth. We then went to Suffolk  
23 because there was an air station there and my dad had  
24 been seconded to the RAF. After that, we moved to  
25 Cornwall. It was when we lived in Cornwall that I went

1 to Edinburgh Academy. Part of the reason that I went to  
2 Edinburgh Academy was that I was being moved around the  
3 schools every eighteen months, two years. In the 1970s,  
4 my dad was given help to send me to private school  
5 because he was in the armed forces.

6 "I was at Edinburgh Academy from 197█ until 197█.  
7 My two older sisters also went to boarding school. They  
8 went to a girls' boarding school in Edinburgh. My dad's  
9 last posting was in Rosyth. He left the Navy in 197█  
10 and then we left our schools in Edinburgh and moved  
11 elsewhere. I left home at the age of 18 and I never  
12 went back.

13 "My mum and dad came from Edinburgh so it was our  
14 home city. We had grandparents who lived in Leith. We  
15 were never going to go to a school anywhere other than  
16 Edinburgh, so it was just a question of which school it  
17 would be. I'm going back about 50 years, so my memory  
18 might be a bit fuzzy, but I remember that my parents  
19 looked at Stewart's Melville and another school.  
20 I think Edinburgh Academy had the kind of status around  
21 it that my mum liked. I visited it and I liked it.  
22 I thought it would be good to go there, but I was only  
23 nine. ... I can remember a longing and a homesickness  
24 that was always around when I was at boarding school.

25 "I went to the school for a selection interview

1 before starting there. I did really badly in the test  
2 and my interview was terrible. I'm not sure I was  
3 selected on merit or if it was because we could afford  
4 the fees. I think I was interviewed by the headteacher  
5 of the preparatory school. I can't remember much  
6 preparation for starting at the school, other than  
7 buying lots of uniform. There were things that we had  
8 to bring. It must have been a really expensive time.

9 "Edinburgh Academy

10 "I started at Edinburgh Academy when I was  
11 nine-years old. The boarding houses were on  
12 Kinnear Road. The prep school was opposite on Arboretum  
13 Road. I think we used to go there for our meals. I was  
14 in Dundas boarding house when I arrived. I don't know  
15 how many boys were in the boarding house, but I think it  
16 was probably six to eight beds in my dormitory. I don't  
17 remember whether there was another dormitory. I think  
18 it was quite a small boarding house. The housemaster  
19 there was John Brownlee. I can't remember whether he  
20 had an assistant, but I can remember meeting his wife.  
21 She had a big beehive haircut. I think he had two  
22 younger sons. I don't remember much else about that.

23 "I think that I was in Dundas House for a year and  
24 then I went to Mackenzie House. I would have been about  
25 ten when I went into Mackenzie House. The housemaster

1           there was Hamish Dawson. ... I'm pretty sure I was in  
2           Mackenzie House for two years, but I could have it the  
3           wrong way round. It's possible that I was in Mackenzie  
4           House for one year and Dundas for two years.

5           "Routine at Edinburgh Academy

6           "I can remember being dropped off at Dundas House  
7           and my mum and dad spending some time with me. It was  
8           quite a thing to do, really. I'm not sure how I would  
9           feel driving away and leaving my nine-year-old at  
10          a school. I can't really contemplate that, but that was  
11          then and this is now. I don't have strong memories of  
12          my first day. I just remember being dropped off and my  
13          parents being around for a while. I think that they  
14          spoke to the housemaster. I think that I met some of  
15          the boys. That's really all I can remember.

16          "I went into Dundas boarding house. I started at  
17          the same time as lots of other boys. I think that's why  
18          we were really quite a close group. I can remember most  
19          of their names, but I don't want to say who they are.  
20          We were having to cope with our feelings about being in  
21          a strange place with strange people and living  
22          a different kind of life. Before going to school,  
23          I'd never really been away from home. I certainly  
24          hadn't spent a lot of time away from home so it was  
25          a completely new experience for me.

1           "The school was very programmed. As a broader, you  
2 got some free time on a Saturday morning. Everything  
3 else was very routine. Your homework time was planned,  
4 your meal times were always at set times, your waking up  
5 and bed times were always at set times. It was all very  
6 routine and structured and there wasn't a massive amount  
7 of free time. When I look back, it was quite  
8 institutionalised. We had homework time when we got  
9 back from school and then we had a bit of recreation.  
10 After that it was bedtime so there wasn't a lot of time  
11 to do anything else.

12           "The matron was around a lot in Mackenzie House, but  
13 I don't know whether she stayed overnight there. She  
14 would read stories at night and put the lights off. She  
15 read us Roald Dahl stories and things in the dormitory.  
16 I can remember she was quite good at putting voices on.  
17 It was a bit of a highlight because it wasn't the norm.  
18 She was kind. I just remember her being around and  
19 I wonder if that was a protective factor. Hamish Dawson  
20 was the housemaster at the time. I wonder if she made  
21 a difference, having someone else around who was female.

22           "Schooling

23           "I was in both the prep school and the upper school.  
24 I think I spent one year in the upper school. There  
25 were some really good teachers at the Academy who were

1 really good at what they did. There were also some  
2 really poor teachers. When I left Edinburgh Academy,  
3 I went to a comprehensive school elsewhere in Scotland.  
4 The quality of my education at my State school was way  
5 better than at Edinburgh Academy. The standard of  
6 teaching was better. I think that with  
7 Edinburgh Academy you paid for the name, not necessarily  
8 the standard of education. Looking back, I think that  
9 it was really pretty poor compared to my next school.

10 "The good teachers at the Academy were a bit more  
11 lively and different. They were less like crusty  
12 academics and more engaged and energetic. I remember  
13 that there was an exchange teacher who came from  
14 New Zealand. He talked a lot about New Zealand and  
15 I remember him. I can remember a few others who were  
16 really quite good. We were taught Latin. It was very  
17 regimented, like rote learning. That doesn't usually  
18 suit me but for some reason Latin did. I was quite good  
19 at Latin.

20 "We were supervised while we did our homework.  
21 I can remember that particularly in Mackenzie House. To  
22 be honest, school never really ended. It was all very  
23 structured."

24 I move on to paragraph 20, my Lady:

25 "I think the atmosphere in Mackenzie House was

1 mixed. We didn't have a lot of spare time and when we  
2 did we made the most of it. Because we were either  
3 writing letters home or doing homework, there wasn't  
4 a lot of talking. We kept things that were bothering us  
5 or homesickness to ourselves. When we did have free  
6 time, it was a bit of a relief to get away from that and  
7 spend time with our friends. When you were in the  
8 boarding house, you just got your head down and got on  
9 with it.

10 "Healthcare. I can remember there being a sick bay  
11 in Mackenzie House. If you were ill, there was a room  
12 upstairs. There was a matron, but I can't remember her  
13 name. I remember her as being a kindly woman. I think  
14 she might have been a bit of a protective factor.  
15 I think she supervised sick bay. It was a way from the  
16 other rooms so boys could be isolated if there was  
17 an infectious disease. I can remember being up there  
18 a couple of times. It was quite isolating and away from  
19 people."

20 "Peers", on paragraph 27:

21 "My memory of being in the boarding house is that we  
22 were quite a close group. We started school together.  
23 I can remember feeling dreadfully homesick but I think  
24 we all did. Maybe that's why we formed quite a close  
25 group. I can remember the housemaster at Dundas being



1 a bit shouty and people getting rows. I became really  
2 good friends with a lot of the boys, but I lost touch  
3 with them all when I left the school. I was quite close  
4 to them in a really positive kind of way. I missed them  
5 terribly when I left the school.

6 "There was no adult we could go to if we were upset  
7 or homesick. I think we were just expected to get on  
8 with it. There was a brutality about it. I don't think  
9 we could really approach the adults. They were mostly  
10 men. We would go and cry in the toilet or we would cry  
11 at night when the lights were out. I can remember that  
12 the homesickness came in waves. It would be  
13 overwhelming at times and then it would dissipate. It  
14 became less severe as you got used to it. As we got  
15 older, after a year or so, it wasn't really an issue,  
16 even though we were still only 10 or 11. Boys in the  
17 boarding house supported each other with that. We got  
18 to know each other well. We were a comfort to each  
19 other in a really positive way. We had a bond.

20 "It's unbelievable now but I was in a sporty group  
21 of friends. I was quite good at cricket and rugby.  
22 I wasn't ultra sporty, but I certainly wasn't in the  
23 academic group. I don't think I was in the popular  
24 group. I'm one of those people who just kind of blends  
25 in and doesn't particularly draw attention to myself.

1 I wasn't unpopular. I was the type of boy who could fit  
2 between and conform. I think I could be quite mouthy  
3 and outspoken, but I was kind of an average Joe.  
4 I'm quite good at reading the atmosphere and reading  
5 people. Having said that, I didn't read the trauma that  
6 was inflicted on other boys. I was only nine, so  
7 I'll forgive myself for that.

8 "I do remember prefects being around, but I don't  
9 know what that involved. I don't think I was one of  
10 them. I think they wore a wee badge and they may have  
11 been given additional privileges. I don't think they  
12 had any role in disciplining other children.

13 "Discipline

14 "Discipline was quite shouty in the boarding houses.  
15 I think we would be punished by loss of privileges and  
16 not be allowed to go out. I can remember being given  
17 lines and having to write out 50 lines or 100 lines or  
18 whatever it was. That was a struggle for me because  
19 I wasn't particularly literate at the time. I don't  
20 remember anything else. I don't remember being isolated  
21 in any way or a clip around the ear. I don't know if it  
22 was just the atmosphere but there was a kind of culture  
23 of brutality. There would be stuff going on and it was  
24 quite brutal when I look back, but the 1970s were like  
25 that anyway. We did things that you wouldn't do now.

1 For example, we'd flick towels at each other and it was  
2 painful if it hit you. We did that kind of thing. In  
3 terms of discipline, I think it was being shouted out,  
4 being given lines and removal of privileges.

5 "Abuse at Edinburgh Academy

6 "I was at the upper school when the incident  
7 happened so it was either my last year or my second last  
8 year at the school. I think I was 11 or 12. I don't  
9 know the teacher's name and I don't know when it  
10 happened. I could point out which classroom it happened  
11 in, but that's all I can tell you. The classroom was at  
12 the side of a big hall in the middle of the Academy, at  
13 the edge of the playground. I can't even remember which  
14 subject it was that we were being taught. I think the  
15 teacher was quite small and he had dark hair. I forget  
16 details quite easily.

17 "I remember being at the back the classroom.

18 I can't remember what prompted it, if anything. I got  
19 a big lump of chalk launched at me. It hit me just in  
20 the corner of my left eye. It just missed the eye  
21 itself. I cannot remember why. I was so shocked. It  
22 wasn't a small piece of chalk. It was a lump of chalk.  
23 I don't think the chalk left a bruise or a mark, but  
24 I can remember it being sore.

25 "After that, I thought I needed to try and tune in

1 and listen to what the teacher was saying. I can  
2 remember putting my hand up in the class and just being  
3 ignored. I waited after class had finished and went up  
4 to the teacher. I asked him why he was ignoring me and  
5 he made up some reason. I think I told him that I was  
6 going to tell my dad if he carried on ignoring me.

7 "I don't want to make an issue of the physical side  
8 of things. I had worse than that at other schools. It  
9 was the ignoring part that was difficult. To be fair to  
10 the teacher, whoever he was, it did change after that.  
11 I think what happened to me with that teacher was  
12 probably symbolic of some of the stuff that went on at  
13 the Academy. I was reflecting recently that when that  
14 happened then with physical punishment was just  
15 accepted. I got the belt at comprehensive school, which  
16 was a leather strap with a cut in it. I got it once or  
17 twice and I didn't think anything of it. It was just  
18 the way things were back then.

19 "I've been searching back in my memory and nothing  
20 else comes up as having happened to me other than that  
21 incident. I think I remember it because it was so  
22 shocking and it was just such a surprise. I was never  
23 subjected to physical violence or punishment at home.  
24 To get somebody launching a piece of chalk at me for  
25 whatever reason was shocking to me. There is no

1 justification for that. I think that's why I remember  
2 it and I'm sure that's the same for other people. When  
3 you're not used to something that happens to you, even  
4 though you're very young, you don't forget it. That's  
5 the imprint of physical punishment.

6 "I wasn't subjected to abuse in the boarding houses.  
7 I don't recall witnessing anybody being physically or  
8 sexually assaulted. I can remember that John Brownlee  
9 was quite shouty and people would get rows, but I didn't  
10 see any abuse.

11 "I decided to contact the Inquiry after reading  
12 an article in the [REDACTED] in [REDACTED] 2023. The  
13 article featured [REDACTED], who was one of the people  
14 I started school with. He talked about being in Dundas  
15 House. He described being taken to what must have been  
16 Brownlee's study and hell rained down on him for ten  
17 minutes. He was beaten with the clacken, which was  
18 a wooden instrument. I thought that I was probably in  
19 the bed next to him and I knew nothing about that.  
20 I was really shocked by that. I had no idea. I spent  
21 time with [REDACTED] and I remember him. The fact that  
22 happened to him and I had no idea shocked me, which  
23 prompted me to contact the Inquiry.

24 "I think that the clacken was used as a sporting  
25 instrument years ago. It was a bit like a paddle.

1 I don't remember it ever being used on me. It was quite  
2 a heavy piece of wood. I would imagine it would be  
3 quite painful if it what used as a weapon. I don't know  
4 if it was unique to Edinburgh Academy but I haven't  
5 heard of it being used anywhere else.

6 "Thoughts on Hamish Dawson and further abuse at  
7 Edinburgh Academy

8 "Hamish Dawson was a strange man. Mackenzie House  
9 was his fiefdom. I think he wandered around the  
10 boarding house at night. I can remember being  
11 frightened to go to the toilet at night in case I got  
12 caught, so he wasn't in his own apartment. His presence  
13 was quite pervasive. He was never not there.  
14 I certainly didn't feel comfortable with him.  
15 Thankfully, I don't think he had a lot of time for me.  
16 He was just creepy. I do remember being called through  
17 to his study in his own rooms. It was purple.  
18 I thought that it was really weird. I can remember  
19 jelly bean rewards. It was all light-hearted kind of  
20 stuff, but looking back it was strange. I can't  
21 remember anything happening to me or witnessing anything  
22 happening to others. Maybe perpetrators in those days  
23 were much more sophisticated than we gave them credit  
24 for.

25 "I was aware of allegations about Edinburgh Academy

1 from the media. The BBC journalist, Nicky Campbell,  
2 disclosed some things. He was a couple of years older  
3 than me.

4 "When I heard about what Nicky Campbell said,  
5 I thought to myself that didn't happen when I was there  
6 and maybe things had moved on. I thought that maybe the  
7 matron in Mackenzie House was put there for a reason,  
8 but that's complete conjecture.

9 "I then listened to a podcast called 'In Dark  
10 Corners.' There were allegations made about what people  
11 went through that were awful and horrific. I thought to  
12 myself that I didn't see that and it didn't happen to  
13 me. Because Nicky Campbell was older than me, I thought  
14 that maybe things had moved on ...

15 "I then heard a podcast featuring Hamish Dawson's  
16 daughter. She was absolutely wonderful. A lot of  
17 memories came back to me. I thought that Hamish Dawson  
18 had been the housemaster at Dundas, but he was at  
19 Mackenzie House. The reason I remember that is how  
20 triggers happen. I want to go by my own memory and not  
21 what I've heard from others, but Hamish Dawson's  
22 daughter described the fire doors that he would go  
23 through at night. I remembered that. He had  
24 an obsession with purple, which she spoke about.  
25 I remembered that and I've never liked purple since.

1            "I wasn't subjected to abuse by Hamish Dawson, but  
2            one of the things that struck me was the fact that  
3            everything was a game to him. He would play games. We  
4            would get a jelly bean for doing things. I've worked  
5            a lot with abuse in my professional career. I've worked  
6            with registered sex offenders. When I look back,  
7            I remember that Hamish Dawson would give people  
8            nicknames. He would pick on them in front of people.  
9            He would do it in such a way that it was fun. I didn't  
10           think anything of it at the time, but when you start  
11           putting pieces together you can maybe see that there was  
12           a bit of isolating going on and a bit of grooming going  
13           on.

14           "I don't think I had a nickname at school. When  
15           I put it together I think that might have been the way  
16           that he identified people and made them feel special.  
17           Other people might not use the nickname, but he would.  
18           I think that might have been some steps towards  
19           isolating or grooming people. I can't not know what  
20           I know about perpetrators and I don't want to taint the  
21           evidence with assumptions being made, but when you begin  
22           to put the pieces together you begin to see patterns  
23           that you might not have seen before.

24           "I wonder if some of the kids at school were more  
25           vulnerable because of their situation. I look back and



1 realise that I was a bit mouthy at school. I think  
2 I was able to articulate myself. My dad was in the  
3 navy. I know that some of the kids had older brothers  
4 at the school, which would have been a protective factor  
5 for them. I can also see boys who were potentially more  
6 of a victim for someone who was a perpetrator. I can  
7 see that the isolation and the nicknames and everything  
8 being light-hearted and fun had a much darker side to  
9 it. A lot of that would be done outwith earshot and at  
10 night-time.

11 "We didn't talk about sexual abuse 30 or 40 years  
12 ago. Now we do and I'm glad of that. In those days,  
13 I think people would have been moved on or it would have  
14 been hushed up. We know from the Jimmy Savile abuse  
15 that you are never more hidden than when you are in  
16 plain sight. Maybe that was a factor. The games, the  
17 jelly beans, the isolating and the nicknames made me  
18 think there was a pattern I recognised. I wanted to  
19 corroborate what others have said.

20 "I left Edinburgh Academy, after being there for  
21 three years, when I was 12. I knew that I was going to  
22 be leaving the school before it happened."

23 My Lady, I move to paragraph 50, on page 14:

24 "I left school at the age of 18. I didn't have  
25 a clue what I wanted to do. I wasn't going to join the

1 Navy like my dad.

2 "After leaving home I went to work in a night  
3 shelter in Glasgow to get experience. I then studied  
4 social work. From there, I worked with ex-offenders and  
5 then in a drugs counselling service, which I went on to  
6 manage for five years. I then left and worked abroad  
7 for the Department of International Development,  
8 developing social work services overseas. When I came  
9 back to Scotland, I headed up a national mental health  
10 programme. I've worked for a housing association in  
11 Scotland for the last five years. I've done different  
12 things and I've done a lot of consultancy work in  
13 between. I did consultancy work for the National  
14 Confidential Forum, suicide prevention, alcohol and  
15 drugs needs assessments, evaluation and research.

16 "Reporting of abuse

17 "One of the reasons I came forward to the Inquiry is  
18 because of the bond I had with the boys at the Academy.  
19 I want to be as good a friend to them as they were to me  
20 when I was at the school. ...

21 "What prompted me to pick up the phone and contact  
22 the Inquiry was the article in the [REDACTED] in [REDACTED]  
23 2023. The article featured [REDACTED] who was one of the  
24 people I started school with. When I read his account  
25 I was absolutely horrified. [REDACTED] was a good friend to

1 me. In the article, [redacted] talks about two of his  
2 friends leaving at the end of the year. I think I was  
3 one of them. I don't often buy the Sunday papers, but  
4 I read the article online. I saw [redacted]'s picture. He  
5 was in the uniform, holding his cap. I realised that  
6 I knew that boy. I went out and bought the newspaper.  
7 I read his account and I realised that I couldn't just  
8 be a bystander.

9 "When the abuse allegations first started coming out  
10 about Edinburgh Academy, I didn't think too much of it.  
11 I thought that nothing ever happened to me at the  
12 school. I then began to learn more and it all started  
13 to join up a little bit. When I heard about what  
14 happened to [redacted] I realised that I couldn't not say  
15 anything. Maybe I've not got a lot to offer, but if  
16 I can maybe corroborate the atmosphere and some of the  
17 things that happened, I thought that it might help.

18 "Impact

19 "The incident when I was hit with the piece of chalk  
20 hasn't affected me. I've thought about it a lot and  
21 searched my memory banks to see how Edinburgh Academy  
22 affected me. I honestly don't think that anything  
23 happened to me, other than the incident with the chalk.  
24 If I was beaten, I would just know. I can't find  
25 anything there. That incident stands out because it was

1 so unusual, which is why I think that nothing else  
2 happened.

3 "I may have witnessed things happening to other  
4 people, but I can't give details. ...

5 "In a positive way, I think that going to boarding  
6 school made me much more independent. I left home at 18  
7 and I never went back. Maybe I wouldn't have done that  
8 if I hadn't been to Edinburgh Academy. The perverse  
9 thing about private school is it also gives you  
10 confidence. There's something about living away from  
11 your family and living with other boys that does that.  
12 Although I'm quite shy, I've always had an inner  
13 confidence and I think that maybe comes from my time at  
14 the Academy."

15 "Lessons to be learned" paragraph 61:

16 "One of the things I would like us to learn from all  
17 this is that back in the 1970s perpetrators of abuse  
18 were 20 steps ahead of us. If the Inquiry can teach us  
19 about the patterns of abuse, the methods of abuse and  
20 the ways to protect and guard against that, then it will  
21 have done some good to change things for the better. No  
22 child should go through abuse. I hope that the learning  
23 from this Inquiry contributes to the body of evidence on  
24 how to prevent, how to spot and how to ultimately  
25 eradicate this kind of behaviour. I've worked with

1 people who have been traumatised by abuse. It's  
2 an indelible mark that you carry with you. It does more  
3 damage than we understand. I think that trauma is  
4 a lifetime burden for some people. There are treatments  
5 available, but I don't want other people to go through  
6 that.

7 "I hope that the patterns of offending can be used  
8 for learning. I hope that the Inquiry lends more  
9 evidence and learning about the way abusers operate, the  
10 isolating, the grooming, the names that are given to  
11 people, the patterns of behaviour. If that evidence and  
12 learning can be used to prevent abuse then ultimately  
13 that's what the inquiry should be about.

14 "Hopes for the Inquiry."

15 I move to paragraph 67:

16 "I hope that the wider implication is that the  
17 Inquiry sheds light on how we can prevent this and be  
18 much, much smarter. I think that we are incredibly  
19 naive about sexual offences. We still have a lot to  
20 learn about how we can prevent, intervene and equip our  
21 children and grandchildren with the tools to do it.  
22 I think it is changing and things are so much better.  
23 So much more is out in the open, which is absolutely  
24 what sex offenders and predators don't want. But we  
25 still have quite a long way to go, I think."

1 I move on to paragraph 71:

2 "I have no objection to my witness statement  
3 being published as part of the evidence to this  
4 Inquiry. I believe the facts in this statement of  
5 true."

6 My Lady, the statement is signed by 'Sammy'  
7 and it's dated 15 June 2023.

8 LADY SMITH: Thank you very much.

9 I think we'll stop there for today. And resume  
10 tomorrow morning at 10 o'clock as usual. Tomorrow we  
11 have --

12 MS BENNIE: We have three live witnesses tomorrow.

13 LADY SMITH: Witnesses in person, all tomorrow. That is  
14 very helpful. Thank you very much.

15 MS BENNIE: Thank you.

16 LADY SMITH: Thank you.

17 (4.07 pm)

18 (The hearing adjourned until 10.00 am  
19 on Thursday, 17 August 2023)

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