

Thursday, 24 August 2023

1

2 (10.00 am)

3 LADY SMITH: Good morning.

4 We move back to in-person evidence today and our  
5 first witness is ready for introduction, Mr Brown, is  
6 he?

7 MR BROWN: He is, my Lady. 'William'.

8 LADY SMITH: Thank you.

9 'William' (sworn)

10 LADY SMITH: 'William', first my thanks to you for engaging  
11 with us in providing your written statement and coming  
12 along today. That's really helpful to have you here to  
13 hear from you in person, in addition to having your  
14 written evidence.

15 A. I'm sorry, Lady Smith, I'm not hearing what you're  
16 saying.

17 LADY SMITH: I was going to ask if the hearing loop was  
18 operating effectively. Is there something more we need  
19 to do?

20 'William', let me try now. Can you hear me now?

21 A. Yes, I can. Thank you very much.

22 LADY SMITH: Good. What I wanted you to hear first of all  
23 was my thanks to you for engaging with us by providing  
24 your written evidence and coming to talk to us today at  
25 the hearing in addition to that written evidence.

1 I'm very grateful to you for doing that.

2 A few practicalities. The red folder has your  
3 written statement in it and do feel free to use it if  
4 you find it helpful as we're going through your  
5 evidence.

6 Otherwise, Mr Brown will be asking you questions.  
7 I may ask the odd question, but before we do that there  
8 is something that is important that I want to say to you  
9 and it's that in the course of your evidence you may be  
10 asked questions the answers to which could incriminate  
11 you. If that happens, you are not obliged to answer  
12 them, but if you do you need to understand that your  
13 answers are being recorded, will be included in our  
14 transcript, and they would accordingly be available to  
15 be relied on in any other proceedings, if that was  
16 desired at a later date.

17 Do you understand that?

18 A. Yes, I do.

19 LADY SMITH: If you have any doubts or queries about that at  
20 any time, do ask me.

21 'William', if you have any questions about anything  
22 else, please speak up. If there's anything that we can  
23 do to make the exercise of giving oral evidence easier  
24 for you and more comfortable also I want to know,  
25 whether it's a break, leaving the room or pausing where

1           you are. I can accommodate that.

2           If it works for you it will work for me. Do you  
3 understand?

4           If you're ready, I'll hand over to Mr Brown and  
5 he'll take it from there. Is that all right?

6 A. Thank you.

7 LADY SMITH: Mr Brown.

8                               Questions from Mr Brown

9 MR BROWN: My Lady, thank you.

10           'William' good morning.

11 A. Good morning.

12 Q. We have your statement. It is in the red folder and it  
13 has a reference number which I have to read into the  
14 record, WIT-1-000001314.

15           The statement runs, as you will see, to 35 pages.  
16 On the final page you signed it earlier this month and  
17 confirmed that you have no objection to the statement  
18 being published as part of the evidence to the Inquiry  
19 and that you believe the facts stated in the witness  
20 statement are true; is that the correct position?

21 A. Yes.

22 Q. Thank you.

23           You are now 89?

24 A. Pardon?

25 Q. You are now 89?

1 A. Yes, I am.

2 Q. We know that you were a teacher from 195█ until  
3 retirement in 199█; is that correct?

4 A. Yes.

5 Q. And for 24 of those 36 years you were at the  
6 Edinburgh Academy?

7 A. Yes.

8 Q. Then for last 12 you went across to the west, to the  
9 Glasgow Academy?

10 A. Yes.

11 Q. We see from the statement that you went to university  
12 and then followed up with a teaching qualification?

13 A. Yes.

14 Q. Had you always wanted to be a teacher?

15 A. No.

16 Q. What led you to being a teacher?

17 A. I had a degree in -- well, if I could go back a little  
18 bit. I wanted to join the █. I was  
19 fascinated by █ at school and I still have a good  
20 collection of █ and I thought I would go and join the  
21 █. So I read █ at university, as  
22 I was advised to, █. Part of that  
23 course I was sent to █  
24 █, as it's called. I've never been so bored in  
25 all my life as that. I thought, "I can't deal with

1           this.  What can I do?"  I had a degree in [REDACTED] and  
2           I didn't think I could do very much with that, but  
3           teach.  So I drifted into teaching.

4   Q.  All right.

5   A.  I don't regret it.

6   Q.  No.

7   A.  I might have regretted it had I stayed [REDACTED]  
8       [REDACTED].

9   Q.  Yes.  But we see that your teaching career was delayed  
10       because you had to do National Service?

11  A.  Pardon?

12  Q.  Your teaching career was delayed because you had to do  
13       National Service?

14  A.  Yes it was, yes.

15  Q.  But notwithstanding that you were away on National  
16       Service, the Edinburgh Academy received an application  
17       from you and kept a job potentially open for you until  
18       you had completed National Service; that's correct?

19  A.  That's correct, yeah.

20  Q.  You then went to the Edinburgh Academy and were  
21       interviewed?

22  A.  Yes.

23  Q.  And obviously did well enough and were offered a post?

24  A.  Obviously.

25  Q.  You don't remember what references were taken up, but

1           they would have been there?

2   A.  No, I couldn't tell you that.  I think -- I just think

3           that one of the references would be my ex-headmaster of

4           the school I was taught in.

5   Q.  Yes.  There was no probationary period, once you were

6           in, you were in?

7   A.  Yes.

8   Q.  And you registered for GTCS or the teaching council?

9   A.  Yes.

10  Q.  Was that your decision or a requirement of the school?

11  A.  I could have refused it if I wanted to.  I was offered

12           the post and I took it.

13  Q.  All right, but --

14  A.  I wasn't drafted in.

15  Q.  No.  But registering with the General Teaching Council

16           was something you chose to do?

17  A.  Yes.  In an independent school at that stage, I think

18           things are different now, but the independent schools at

19           that stage didn't require people to have a teaching

20           diploma.  It required them to have a degree in the

21           subject they were going to teach, but they didn't insist

22           on -- but it did change during my time.

23  Q.  And was that a good thing?

24  A.  Oh, yes, I think so.

25  Q.  Why?

1 A. Because it gives you a chance to get the overall picture  
2 of what you're doing and how you do it, whereas if you  
3 just drifted in, as it happened in the old days, you  
4 might not have been quite as good.

5 Q. Okay. Did it formalise the process?

6 A. Yes, it did.

7 Q. The reason I say that is, from your statement, you  
8 arrive at Edinburgh Academy in the [REDACTED] 1950s and get no  
9 training?

10 A. Sorry?

11 Q. You didn't get any training once you arrived?

12 A. Yeah, I was thrown in at the deep end. Is that what you  
13 mean?

14 Q. Yes.

15 A. Yes.

16 Q. The school didn't give you an induction, give you  
17 guidance as to how to teach?

18 A. No.

19 Q. Was it just expected you're fit to teach so you can?

20 A. Yes, that's true.

21 Q. You say that the independent sector then, and perhaps  
22 now, is very strong on tradition and peer guidance?

23 A. Yeah.

24 Q. Was it made clear to you: if you had difficulties you  
25 should speak to other staff?

1 A. It was normally select your -- choose to share your  
2 experience with your head of department, each subject  
3 had a department head and that was where you would go if  
4 you had some questions to ask.

5 Q. All right. But was that something that you were told  
6 formally or rather something you picked up?

7 A. I certainly wasn't told formally, but I'm sure -- part  
8 of the interview would be with the head of department of  
9 the subject you were going to teach at the school and he  
10 may well have said to me, "Any problems, come and see  
11 me".

12 Q. Yeah. But the impression you give -- please tell me if  
13 I'm wrong -- is that for the time you were at  
14 Edinburgh Academy, from the [REDACTED] 1950s to [REDACTED] 1980s,  
15 little changed in the approach the school took to  
16 teachers?

17 A. Yes, I suppose that's true, yes.

18 Q. Because what you tell us in the statement is there is no  
19 induction, there is no formal training?

20 A. Yeah.

21 Q. There is no handbook as teachers would now receive, to  
22 explain processes?

23 A. Yeah.

24 Q. There's no appraisal?

25 A. No.



1 Q. Really what mattered, I think from what you say in the  
2 statement, is exam results and that would be a gauge of  
3 how well or otherwise someone taught?

4 A. Yeah, yeah.

5 Q. You make the point there was little hierarchy in the  
6 Academy?

7 A. That's true.

8 Q. You have a head of department?

9 A. Head of department, but there wasn't a deputy head of  
10 department or anything like that or any -- there was no  
11 pecking order within a department. There was the head  
12 of department and colleagues who taught that subject.

13 Q. Then obviously there is a rector --

14 A. In the school as a whole, that's a slightly different  
15 thing. The school as a whole there would be a rector  
16 and in 195█ I don't think there was even a deputy  
17 rector.

18 Q. No.

19 A. There was a thing called a senior master, who was the  
20 one who had been there the longest and had the greatest  
21 amount of experience, yeah.

22 Q. That's what I was coming to. In terms of progress, it  
23 would appear that -- we've heard the phrase Buggin's  
24 turn --

25 A. Yes.

1 Q. -- do you recognise that?

2 A. Yes, yes.

3 Q. If you've been there the longest, you'll go up?

4 A. Yeah. There are always exceptions to these rules or

5 conditions. If you were advertising for a subject which

6 few pupils will take but is quite challenging, such as

7 classics, Greek and Latin, then the point -- the person

8 appointed to deal with that might not be a good

9 disciplinarian. They might be -- and they would need

10 some extra support, which you as head of department

11 would give.

12 Q. Indeed. That's going back to the departmental function?

13 A. That's right.

14 Q. But in terms of oversight by the school --

15 A. Yeah, but nothing between the rector and the deputy --

16 heads of departments.

17 Q. So the rector is a distant figure?

18 A. Yes.

19 Q. Who isn't engaging with the day-to-day issues of the

20 teachers?

21 A. Yeah.

22 Q. Is that right?

23 A. Yes, it is, yes.

24 Q. To use your words, there was no formal supervision?

25 A. As far as I'm aware. It might have gone on and I didn't

1 know it was going on, but as far as I was aware, no.

2 Q. Right.

3 In terms of that sort of appointment, just seniority  
4 would lead to promotion, filling a dead man's shoes if  
5 you like, did that concern you as an approach?

6 A. No, I don't think it did. I tell you why, because those  
7 people who felt that they were going places would have  
8 done three or four years at the Academy and moved on to  
9 another school, knowing full well there's no point in  
10 staying there because there was no opportunities for  
11 development. So you had movement in the system by  
12 people moving in the hope that they'll get a better job  
13 elsewhere.

14 Q. My impression, please tell me if you agree or disagree,  
15 is that many teachers stayed for long terms at the  
16 Academy?

17 A. Yes, yes, there were.

18 Q. Can you comment on why that would be?

19 A. Pardon?

20 Q. Why do you think that was?

21 A. Because it was a nice place to teach. It was a nice  
22 school to work in.

23 Q. Okay.

24 A. It was a very -- yes, the reason that I stayed was  
25 because I had a good reception there. I was born and

1 brought up in England, I was born and brought up in  
2 Devon, and I wanted to go back to Devon to teach and  
3 every time I took a consideration of what should I or  
4 should I not, the fact that the Edinburgh Academy was  
5 a good school and treated me well kept me there.

6 Q. Okay. You make the point as a member of staff you were  
7 pretty loyal to your colleagues.

8 A. Yeah.

9 Q. If your colleagues, like you, are there for a long  
10 period, presumably there is a considerable amount of  
11 familiarity with many in the staffroom?

12 A. Yeah.

13 Q. Would you accept that that could breed a complacency  
14 about the operation of the school?

15 A. No, I wouldn't accept that.

16 Q. Why not?

17 A. Because -- just because you get on well with everybody  
18 else in a school and things run smoothly doesn't mean to  
19 say there's a slackness there. You can still be quite  
20 right in its approach in dealing with situations, yeah.

21 Q. The reason I ask is you make point that as well as there  
22 being no training/no appraisal, really in the time you  
23 were there were no policies?

24 A. No.

25 Q. It just was as it was?

1 A. Yeah, yes, I agree, I see that point of view, but when  
2 you look back on it it does seem quite strange and yet  
3 it seemed to work. Every school must have people who  
4 are -- they've appointed, and it's very difficult to get  
5 rid of a teacher in the state system as it is in the  
6 independent, but easier to do it in the independent  
7 sector. You covered, you covered it for him or her.

8 Q. But the other aspect that you comment on that seems to  
9 have been lacking, as compared perhaps with later years,  
10 is record keeping?

11 A. Sorry?

12 Q. Record keeping.

13 A. Yes.

14 Q. You say there was no record keeping?

15 A. I don't think there was, but -- we -- as an ordinary  
16 schoolmaster in the Edinburgh Academy you were not aware  
17 of somebody keeping records of what is going on.  
18 I mean, there was no formalisation of that. The rector  
19 would make an announcement and say: we're going to do  
20 this, we are going to do that and I want you to keep  
21 a record of it. That didn't happen at all. You did it,  
22 but that was that. He might have kept a record  
23 somewhere. We're not to know that.

24 Q. So there seems to be a lack of communication?

25 A. Not necessarily.

1 Q. All right.

2 A. Not necessarily. I think the communication was there in  
3 one way or another, keeping a record didn't actually  
4 change that.

5 Q. Did you, as a teacher, keep records of results --

6 A. Oh, yes, absolutely. Absolutely. You had a marking  
7 book.

8 Q. What about --

9 A. And, you know, yes, that was quite an important feature  
10 of records, but I did actually say that in the  
11 statement.

12 Q. Yes. I'm just thinking what else would you as a teacher  
13 keep records of?

14 A. Tests that you had given to the pupils.

15 Q. Yes.

16 A. Also you wrote a yearly report on every person that you  
17 taught, so you needed some evidence for that, so you  
18 would keep that.

19 Q. Mm hmm. Is that focusing on performance or did it go  
20 wider than that?

21 A. I would have said it was pretty limited to performance.

22 Q. Obviously this Inquiry is concerned with the abuse of  
23 children --

24 A. Yes.

25 Q. -- and you, towards the end of your career, would become

1           presumably more and more aware of the pastoral  
2           requirement --

3   A.   Yeah.

4   Q.   -- for children.  Thinking of your time from 195█ to  
5       198█, did pastoral matters impact on you as a teacher?

6   A.   Sorry, I don't quite understand that question.

7   Q.   Were you keeping a record of concerns about pupils as  
8       they arose, for example?

9   A.   I see.  Right.  I'm not aware that there was a sort of  
10       formalisation of that.  And I'm not aware that  
11       I personally kept a record of any indiscipline in the  
12       pupils I taught.  I dealt with it as a discipline  
13       matter, but I would not have necessarily kept records of  
14       that.  And I don't know if any other member of staff at  
15       the Edinburgh Academy did.

16               Does that answer your question?

17  Q.   It does.  From what you're saying, there was no  
18       requirement by the school to keep records?

19  A.   No.

20  Q.   The focus would be on academic performance?

21  A.   Yes, absolutely.

22  Q.   You went on to Glasgow Academy in the █ 1980s and  
23       then into the █ 1990s.  Would I be right in saying  
24       that certainly in the 1990s the world changed from the  
25       point of view of requirements to consider child welfare,

1 keep records, have policies. Was that something that  
2 you had to deal with at Glasgow Academy?

3 A. No, Glasgow Academy was running in very much the same  
4 way at the Edinburgh Academy on that sort of terms.

5 Q. In your experience, in both schools, that really didn't  
6 change?

7 A. Yes.

8 Q. Okay. When you went to Glasgow Academy did it have  
9 policies?

10 A. No. In that respect it was very much like the  
11 Edinburgh Academy.

12 Q. So there was no appreciable difference from your  
13 perspective?

14 A. Yeah.

15 Q. You were [REDACTED] and became the [REDACTED]?

16 A. Yes.

17 Q. And you set out why in the statement. From what you've  
18 said, you engage, when just a simple teacher, with the  
19 head of department and in due course [REDACTED] teachers  
20 would engage with [REDACTED] head of the department. How  
21 much engagement did you have with other subjects and  
22 their staff?

23 A. Very little.

24 Q. Mm hmm.

25 A. On the business of teaching, actually teaching, both



1           within the █████ department and █████ the department,  
2           I didn't have conversations with history or English or  
3           whatever on how they were doing it, because there was  
4           nothing standard.

5   Q.   Did that ever change at the Edinburgh Academy?

6   A.   I don't think it did, no.

7   Q.   No.  There was no process set up by the school so you  
8           could exchange experiences?

9   A.   No, there wasn't.

10  Q.   No.

11           At a more day-to-day level, would you be aware of  
12           what was going on in other people's classes?

13  A.   Aware of what is going on in where?

14  Q.   In other people's classes.  You would be teaching  
15           presumably?

16  A.   You would have a gut feeling if somebody wasn't really  
17           up to the job and was having -- struggling with their  
18           discipline, but there was no formal relationship between  
19           departments on that particular score.

20  Q.   Right.  Presumably when █████ you would be  
21           looking to the █████ teachers to see how they performed?

22  A.   Yeah.

23  Q.   But would you be interested in how, for example, history  
24           teachers were getting on?

25  A.   Ah, not -- you would be interested in the group of

1 people, you know -- you have a department or a class of  
2 25 people in it and say there were three or four very  
3 bright pupils in that class, you would be interested in  
4 what they were doing in English and history in  
5 relationship to that, how good they were.

6 Q. Yes.

7 A. Particularly [REDACTED] is a subject which somebody could be  
8 pretty good at [REDACTED] but not very good at quite a lot  
9 other subjects, you know. It's a bit of a specialist in  
10 that, but that would be true of [REDACTED] and [REDACTED] as  
11 well.

12 Q. There are those with [REDACTED] and then there are  
13 the rest?

14 A. Yeah, yeah.

15 Q. But would you be interested to learn, for example, if  
16 you had concerns about an individual pupil in your [REDACTED]  
17 class, how they were presenting to other teachers, in  
18 other subjects?

19 A. Sorry, I don't quite understand.

20 Q. Well, you are focused on the academic?

21 A. Yeah.

22 Q. Let's look at a child who is in one of your classes who,  
23 for the sake of argument, seems upset about something?

24 A. Oh, I see.

25 Q. Would there be cross-reference between you as a [REDACTED]

1 teacher and perhaps that child's English teacher, did  
2 you discuss --

3 A. Very informal. You might well do that informally, but  
4 it would be nothing laid down. There would be no policy  
5 to follow. There would be nothing of that nature.

6 Q. No process?

7 A. Yeah.

8 Q. Officially?

9 A. Yeah.

10 Q. But you say would you do it informally, what would that  
11 mean in practice?

12 A. Well, if you were trying to -- you would call a meeting.  
13 You would have to have a meeting of people who taught  
14 that particular person to find out how they find that.  
15 But you tended to do all of that informally and not  
16 formalise it.

17 Q. When you say informally, do you mean a chat in the  
18 staffroom?

19 A. Yeah, yeah.

20 Q. At that level?

21 A. Yeah. I'm not aware of what happens at the top echelons  
22 of a particular subject, other than the subject I was  
23 teaching.

24 Q. Yes.

25 A. It didn't quite work that way, but what you're

1 suggesting is some sort of social relationship between  
2 two [REDACTED] when they discuss a particular  
3 person, a pupil.

4 Q. So it's not on an official level --

5 A. No, absolutely not.

6 Q. It's because you are in the same place in the same  
7 common room?

8 A. You are just interested in, "How do you find X?" You  
9 know, "I find him a pain in the neck". That sort of  
10 thing.

11 Q. Did it then go beyond that sort of informal  
12 conversation? Could it be upgraded?

13 A. It might well. It might well. But if -- if you are  
14 somebody who teaches well and has a good relationship  
15 with his classes he hasn't got very much to offer other  
16 people who haven't, because they just haven't cottoned  
17 on to what it's all about.

18 Q. All right. But from what you're saying and perhaps to  
19 repeat, there is no official process to take this  
20 higher?

21 A. That's right.

22 Q. Okay.

23 A. Yeah.

24 Q. Was there ever interest from rectors looking downwards  
25 expressing concern about individual pupils?

1 A. That would depend very much on the rector. I mean,  
2 I think -- I served with three rectors there.  
3 One of them would take that sort of thing forward  
4 and deal with it.  
5 Another would tend to just brush it aside.  
6 And the other one, I'm not quite sure what he would  
7 do.  
8 Q. Who would have brushed it aside?  
9 Which one would have brushed it aside?  
10 A. Which one would have?  
11 Q. Brushed it aside?  
12 A. (Pause)  
13 I've written -- it's in my comments: [REDACTED].  
14 Q. The one who would be potentially more active?  
15 A. Laurence Ellis.  
16 Q. Yes. Thank you.  
17 But I think irrespective of those different  
18 approaches, you would still maintain that policy wise,  
19 process wise, little changed?  
20 A. Yeah.  
21 Q. Yeah.  
22 Can we turn now to the boarding houses?  
23 A. Yeah.  
24 Q. Initially, you and your family live out of the school?  
25 A. Yeah.

1 Q. But you would be aware there were four boarding houses  
2 and were you interested in taking on that side as well  
3 as teaching?

4 A. Yes, because it was part of the system.

5 Yes, because it was the best way of climbing the  
6 ladder, making progress. That didn't follow dead man's  
7 shoes, rectors tended to choose people to be  
8 housemasters. Housetutors are quite different.  
9 I'll stick with housemaster at the moment.

10 If you were wanting to stay within the independent  
11 sector, to be a housemaster is more important than being  
12 a head of department, because they had the social  
13 welfare of the pupils involved. So, yeah, being  
14 an independent school which had a 25 per cent boarding,  
15 I was happy to be a housemaster.

16 Q. We understand there were practical benefits?

17 A. Yes.

18 Q. You wouldn't pay for your accommodation?

19 A. Yeah.

20 Q. And your salary was more your own as a result?

21 A. Yes, true. It was a financial gain, there is no  
22 question about that.

23 Q. Can you remember, did you apply or were you approached?

24 A. I was approached. You didn't apply for that.

25 Q. Right. We have heard that there was an element of being

1 time served before you would be offered such a position?

2 A. You heard what?

3 Q. That there is an element of being time served, in other  
4 words you have to be sufficiently senior to be offered  
5 such a post?

6 A. Oh, yes, I mean it would go by just sheer seniority,  
7 provided the rector had confidence in who the next  
8 person was. But if he didn't have confidence he might  
9 well jump one person or two people or he might find some  
10 way round of dealing with it to soften the blow.

11 Q. So --

12 A. And not everybody wanted to be a housemaster.

13 Q. Yes. In principle, it followed seniority --

14 A. Yeah.

15 Q. -- but not slavishly?

16 A. Yeah.

17 Q. There could be examples of someone being passed over?

18 A. Yes.

19 Q. Either because they didn't want it or there might be  
20 some concern?

21 A. Yeah; absolutely.

22 Q. That would be by the rector individually or was there  
23 a wider --

24 A. No, by the rector.

25 Q. So it really was one man's choice?

1 A. Yes.

2 Q. At the time would it be fair to say you were delighted  
3 to be asked?

4 A. Yes.

5 Q. But would you accept that the system you have  
6 described -- of seniority allowing a post to be opened  
7 up -- is perhaps, thinking of the care and welfare of  
8 boarders, very far from an ideal system?

9 A. Yes, I think you would. I think that we relied a bit  
10 too much on seniority and the wrong people did get  
11 appointed to a housemaster, which should not have  
12 happened, yeah.

13 LADY SMITH: Am I right in thinking, 'William', that you  
14 must have been at the Academy for about 16/17 years by  
15 the time you became a housemaster?

16 A. Yes.

17 LADY SMITH: You would have been in your early 40s by then?

18 A. I was -- I didn't jump the queue. I didn't -- I was the  
19 next in line, but it did have a slight difference.  
20 I was asked to go into a house where the housemaster was  
21 not really coping very well. And he was a brilliant  
22 <sup>ICH</sup> [REDACTED], so the rector at the time dealt with it  
23 by swapping jobs. I was the <sup>ICH</sup> [REDACTED] in <sup>ICH</sup> [REDACTED]  
24 and he was a housemaster and we swapped over. Because  
25 of dealing with some of the problems that had arisen.



1 LADY SMITH: Right. It was Scott House that you went into,  
2 was it?

3 A. Yes, it was.

4 LADY SMITH: Mr Brown.

5 MR BROWN: Thank you.

6 The concerns you accept exist about that way of  
7 appointing, did anyone talk about that when you were at  
8 school?

9 A. Oh, I'm sure they gossiped about all sorts of things and  
10 that would have been one of the things they would  
11 discuss, you know, suitability for people for particular  
12 jobs.

13 Q. Did anyone raise it as a matter of principle, "This is  
14 not the way to do things"?

15 A. Yeah.

16 Q. Did anyone complain and say --

17 A. Pardon?

18 Q. Did anyone complain to the rector and say, "We should do  
19 it differently"?

20 A. They may well have gone -- yeah, when people complain  
21 they go to the top, don't they? And you don't  
22 necessarily know that they have done that. I'm not  
23 aware that happened at all, that they went to the rector  
24 to complain about people being made housemasters when  
25 they are not suitable. That's not the sort of thing

1           that would be talked about.

2   Q.   But did you have such concerns ever?

3   A.   Did I?

4   Q.   Have the concern that some of the other housemasters

5           were perhaps not appropriate?

6   A.   Yes, I thought that at the time; yeah.

7   Q.   And did you do anything about it?

8   A.   No, I didn't.

9   Q.   Why not?

10  A.   Because I knew how the system worked and, you know,

11           going and saying, "X is not suitable for this job"

12           wouldn't have made any difference, so, yeah, out of

13           loyalty to my colleagues and everything else I didn't do

14           anything about it. That's true of them as well. They

15           would not necessarily have gone to the -- yeah -- top.

16  Q.   You say in the statement, and you have just confirmed,

17           there is a culture of loyalty?

18  A.   Yeah.

19  Q.   Would you agree that that was, looking back, misplaced?

20  A.   Yes.  If you take it from the pupils' point of view,

21           yes, you are absolutely right, it would be.

22  Q.   Yes.  But from what you say, the culture at the time was

23           not one where complaint would be considered?

24  A.   Yeah.

25  Q.   Okay.

1           In terms of the boarding house, did you receive any  
2           training to be a housemaster?

3   A.   Any?

4   Q.   Training.

5   A.   None, none whatsoever.

6   Q.   Given --

7   A.   You wonder what the training would be.  I mean, my  
8           contact with the pupils who were boarders in the house  
9           would throw up all sorts of problems, which I would deal  
10          with that, but I'm not quite sure what the training  
11          would consist of.  I mean, you are doing some pretty  
12          menial jobs.  You are making sure they go to bed and  
13          making sure they turn their lights out and making sure  
14          that they do this and they do that, but, I mean, there's  
15          not much training involved in that sort of thing, is  
16          there?

17  Q.   What about training to look out for children who are  
18          unhappy or are being bullied?

19  A.   Right.  Very good point.  No, there wasn't -- there was  
20          no training from that point of view.

21  Q.   Was that something that was -- there is a process  
22          obviously in running a house, there are things you have  
23          to do every day.

24  A.   Yeah.

25  Q.   But from your perspective, going into Scott House, how

1           much were you thinking about the welfare of the  
2           boarders?

3    A.   In a very unstructured way I would have considered it  
4           quite important to know what each individual boarder's  
5           problems were, what his attitudes were and try to deal  
6           with them, yes.

7    Q.   You have said in an unstructured way, what would it mean  
8           in practice, how would you find out such things?

9    A.   Well, lights out is a time when you actually do quite  
10          find out all sorts of things.  You go round -- the  
11          senior boarders would have a room of their own, junior  
12          boarders would have to share a room with three  
13          others/four others, that sort of thing, and obviously  
14          you stop and have a chat before you switch the lights  
15          out and it's those chats which would throw up problems  
16          that need solving.

17                 The housetutor would do the same, if we can just  
18                 mention that at this stage, and if he came across  
19                 anything he would come and tell me.  And we would deal  
20                 with it.  But I'm not quite sure where training for that  
21                 would come in.  I mean, it's a good common sense way of  
22                 running a ship.  That is as far as I'm concerned.

23    Q.   Yes.  Was there an assumption it would work because  
24           common sense would pick things up?

25    A.   Yes, yeah.

1 Q. Although, as we've heard about other houses, that didn't  
2 seem to happen?

3 A. Well, there were two senior boarding houses, Scott House  
4 was one and Jeffrey was the other. We didn't have  
5 pupils below 14. There was -- and in the other two  
6 houses, there were junior houses where the problems  
7 would have arisen, yes. But we didn't have -- as far as  
8 I was concerned, I had no problems of a sexual nature in  
9 Scott House.

10 Q. All right. Just talking about briefly about one of the  
11 tutors you had, who was a [REDACTED] teacher.

12 A. Yeah.

13 Q. Was he someone who was sent to you to be tutor or did  
14 you select him?

15 A. Can I mention the name?

16 LADY SMITH: I'd rather you didn't, 'William'. You know who  
17 we're talking about, do you?

18 A. I think I know --

19 MR BROWN: You do.

20 LADY SMITH: Yes. Just call him the housetutor. That's  
21 fine.

22 A. Housetutors arrive at the -- they are not a housetutor  
23 before they come to the Academy. Young members of staff  
24 who come to the Academy in all sorts of subjects and the  
25 rector would normally say to them, "If I got a vacancy

1 for houestutor would you be interested?" And they would  
2 answer "yes" or "no". Because they were quite scarce.  
3 You know, we got through quite a lot of them in the time  
4 that I was a housemaster. Probably in my time of seven  
5 years we might well have had, in Scott House, a dozen  
6 house tutors -- no, perhaps that's too much of  
7 an exaggeration, at least seven, that sort of thing.

8 Then I would be told by the rector that X is going  
9 to be your houestutor.

10 MR BROWN: You had no say in it?

11 A. He would expect me to then chat to the houestutor, talk  
12 him through it, and go back to him and say, "Yes,  
13 I think it's a suitable choice". But I didn't have any  
14 say in it at all. It's an appointment made by the  
15 rector.

16 Just as he appoints the housemasters.

17 Q. I think you just said you would have a chat with them  
18 and see if you thought them appropriate. Could you  
19 veto --

20 A. Yes.

21 Q. -- a housemaster who had been sent to you?

22 A. Would you mind repeating your question?

23 Q. Of course, you said that you would have a conversation  
24 with the houestutor --

25 A. Yeah.

1 Q. -- to see if you thought them appropriate?

2 A. If I thought he was appropriate, or inappropriate,  
3 I would tell the rector.

4 Q. And it would be the rector's decision what happened  
5 next?

6 A. It would. It would. He would say: well, give him a try  
7 or he would say: okay, we'll try somebody else.

8 Q. My question was: could you veto? And the answer seems  
9 to be no, because the decision remains with the rector?

10 A. Again, I'm not quite understanding the question.

11 Q. You can't stop the appointment?

12 A. Oh, no. No, no, no, no. You are absolutely right.  
13 I couldn't have stopped the appointment.

14 Q. No, but I think in relation to this [REDACTED] teacher --

15 A. I mean I could, I could say, "I'm going to walk out",  
16 but we weren't ever in that situation.

17 Q. No. You make the point that with that [REDACTED] teacher  
18 your wife had some concerns about him, but there was  
19 nothing that you could actually point to. Is that  
20 correct?

21 A. Yeah, yeah.

22 Q. But with him, your wife sensed it wasn't right and were  
23 you looking out for anything untoward?

24 A. Always. Always. That is always in the back of your  
25 mind, knowing that the independent sector and boarding

1 schools have a history of problems of this nature, yes,  
2 you are always looking out to see, you know, (a) whether  
3 there is any bullying going on or (b) anything which  
4 could be interpreted as sexual harassment or even --  
5 yeah.

6 Q. To be clear, you said the boarding sector has that  
7 reputation of problems?

8 A. Yes.

9 Q. Was that something that you were conscious of when you  
10 were a housemaster or are you saying that after the  
11 event?

12 A. No, no. I was conscious of that before being  
13 a housemaster, knowing that there would -- you've got to  
14 be very careful. And certainly whilst I was  
15 a housemaster, yes.

16 Q. That's, again, you individually rather than the school  
17 saying: watch out for?

18 A. Yes, yes, yes: do you mind if I --

19 MR BROWN: Of course.

20 LADY SMITH: Oh, absolutely.

21 A. I don't think this system is working actually but  
22 I'm coping just, as long as you are satisfied I'm coping  
23 we'll just carry on, but I don't think it's working.

24 LADY SMITH: I wonder if you need to have the microphone  
25 a bit closer to you -- our microphone --



1 I'm guessing, but I know that's one thing that  
2 sometimes helps.

3 A. Okay.

4 LADY SMITH: Let's see if that makes any difference. But  
5 please do say if you're not picking up what we're asking  
6 you.

7 MR BROWN: You're aware of the potential for problems in  
8 boarding houses. Did you ever become concerned that  
9 such problems were there in Scott House or in any of the  
10 other houses?

11 A. No, I wasn't aware of that.

12 Have I got the question right?

13 Q. Yes, well you are telling us that you are conscious  
14 already and before you become a housemaster that there  
15 may be bullying, there may be sexualised behaviour in  
16 the boarding houses?

17 A. Yes.

18 Q. First question, were you ever aware of that actually  
19 happening in Scott House?

20 A. No.

21 Q. What about the other houses, did you have ever have  
22 concerns?

23 A. I wouldn't know an awful lot about what happened in the  
24 junior houses, because the boys went to the prep -- they  
25 were at the prep school at that stage, especially for

1 Mackenzie House. Dundas was a bit different, it was  
2 a sort of waiting house that.

3 So, yeah, I'm not quite sure -- I've lost track of  
4 the question --

5 Q. It's all right.

6 (Pause)

7 LADY SMITH: Just try speaking where you are, 'William', and  
8 we'll see how that is for the stenographers. If you  
9 just say hello to me.

10 MR BROWN: Could you just say hello to Lady Smith, just for  
11 the sound levels.

12 A. Yes.

13 LADY SMITH: Could you just say, "Hello, Lady Smith".

14 A. Try that.

15 LADY SMITH: Can you say to me, "Hello, Lady Smith".

16 A. Hello, Lady Chair.

17 (Pause)

18 LADY SMITH: You are in a good position for the  
19 stenographers. I hope we're in good positions for you,  
20 but please, 'William', it's no problem, tell us if the  
21 system is not working for you.

22 A. I do think it's working now.

23 LADY SMITH: Good.

24 MR BROWN: Good.

25 The other boarding houses, you make the point, or

1           some of them related to the junior school?

2   A.   Yeah.

3   Q.   How much engagement was there between senior school and

4           junior school, would you say?

5   A.   Not a lot. I think that the age differences between the

6           two were such that there wasn't an awful lot of

7           interchange. Particularly with Mackenzie House, the

8           very junior house, virtually no contact really.

9   Q.   Since we're on the subject, thinking just about the

10          schools, you were teaching in the senior school?

11   A.   Yeah.

12   Q.   How much awareness did you have of what was going on in

13          the junior school?

14   A.   Not a lot. They were separated by a mile and a bit and

15          they had their own headmaster. As                     

16          I wouldn't know where they were in terms of the overall

17          picture I had -- and they were -- yes, very little, very

18          little.

19   Q.   But there are four houses, going back to the boarding

20          houses?

21   A.   Yeah.

22   Q.   Did you socialise with the other housemasters?

23   A.   Yes, I mean, not any more so than we would as colleagues

24          serving in the senior school. The housemaster in

25          Mackenzie would have quite a bit to do with the prep

1 school --

2 Q. Yes.

3 A. -- because they were prep school boys. But my colleague  
4 next door, running Jeffery House, we would have quite  
5 a lot of contact with ourselves, but not with Mackenzie  
6 or Dundas.

7 Q. All right. So there is a distinction between the senior  
8 school houses --

9 A. Yeah.

10 Q. -- and the junior?

11 A. Yeah.

12 Q. All right. Again, thinking of your house, was there  
13 a mechanism for boys to raise concerns?

14 A. For boys to?

15 Q. Raise concerns.

16 A. No, there wasn't a culture of that at all. The culture  
17 that I would have to fight was one where they tended to  
18 hide things that were not running smoothly. If there  
19 was a bit of bullying going on or anything else,  
20 I'm pretty sure that they would rather deal with it  
21 themselves, the boys, than tell me.

22 But there were occasions -- there were occasions  
23 when they were just a little bit more open in talking to  
24 my wife, as a housemaster's wife, than to me and she  
25 would pass it all on to me. And I could then follow it

1 up.

2 Q. Right. Was that a deliberate --

3 A. A deliberate policy on our part?

4 Q. Yes.

5 A. Yes, you would call it that. I would say to her: just

6 keep your ears open and keep your eyes open.

7 Q. But it's a policy started by you and her?

8 A. That's right.

9 Q. It's not in place because the school suggested it?

10 A. Yes.

11 Q. In the house, how was discipline maintained?

12 A. In my house?

13 Q. Yes.

14 A. I would consult with the houestutor, I would know

15 whether it had anything to do with my wife at all, who

16 was part and parcel of the organisation. She wasn't

17 just my wife. She was in fact responsible to me for the

18 matron and houestutor, so she had a role to play.

19 I would just deal with it.

20 Q. Was she paid for that role?

21 A. No.

22 Q. No.

23 In terms of discipline, what sort of discipline was

24 being used?

25 A. Ah, right. Confined to barracks I suppose is the best

1 way to say it, and that's the one they don't like, but  
2 you would deny them going up town on a Saturday  
3 morning/Saturday afternoon, that sort of thing. Mostly  
4 confinement.

5 Q. Corporal punishment?

6 A. No.

7 Q. No.

8 A. No, not by me, nor by my colleague in Jeffery House.

9 Q. But was that your choice rather than the school imposing  
10 that upon you?

11 A. The school had nothing -- you know, had no say in it.  
12 I decided I would not use corporal punishment. And  
13 every member of staff at the school had that choice to  
14 make. It wasn't laid down that you will beat so and so.  
15 It was just, you know, people -- and over a period of  
16 time the non-beaters are, you know, fulfilling the role.

17 Q. All right.

18 One more question about the boarding houses and then  
19 we'll come back to the school.

20 A. Yes.

21 Q. What oversight was there from the rector of your  
22 boarding house?

23 A. Very little.

24 Q. In practical terms?

25 A. Very little. I mean, if he -- I don't remember in the

1           seven years ever going to the rector and saying, "This  
2           is a problem". And I certainly don't remember the  
3           rector saying to me, "Here is a problem".

4           Except the one famous case that I'm involved in.

5   Q.   Yes, but did the rector ever visit the house?

6   A.   No.

7   Q.   Was it inspected?

8   A.   No.

9   Q.   So essentially you were just left to your own devices?

10  A.   Yes. But if that produced a good result, what's wrong  
11       with that?

12  Q.   Irrespective of result, my point is it's a school  
13       boarding house for the Edinburgh Academy, which you are  
14       running, but no one is checking to see how it's going  
15       for good or ill?

16  A.   Mm hmm, yeah.

17  Q.   Yeah. Moving back, as I said, to the senior school, and  
18       the issue of discipline, the statement talks about  
19       ephors being able to beat prefects?

20  A.   Yeah.

21  Q.   I think, putting it short, you express some concern that  
22       that was overdone by the prefects?

23  A.   This is the very early days we're talking about,  
24       I'm talking about 50 years ago, so my memory is a bit  
25       vague. But my memory is they had a room, the ephors,

1           which looked out onto the playground and they did  
2           administer corporal punishment with a clacken in 195█  
3           when I went there. I had no say obviously in what  
4           should happen between two boys, one beating the other,  
5           but it did get faded out and I'm sure that  
6           Laurence Ellis in his time, and it may even have been  
7           █<sup>ICH</sup>, would have stopped -- I think █<sup>ICH</sup>  
8           would have stopped boys beating boys, but it wasn't  
9           a big issue. It was just a question of saying: we're  
10          not doing that any longer.

11        Q. Yes. It was simply you said at one stage, 'William', in  
12          your statement, ephors had their own room -- I'm reading  
13          from paragraph 54:

14                "... I remember that and as a young member of staff  
15                when I first started I would not dream of going up to  
16                an ephor and telling him not to do something. That was  
17                me personally, but I didn't feel comfortable with that,  
18                just as I wouldn't feel comfortable telling a member of  
19                staff that I disapproved of something they were doing."

20        A. Yes, I stand by that.

21        Q. Why was that, why wouldn't you intervene, you are  
22          a master, they're a pupil?

23        A. Because I knew what -- you know, he had been doing what  
24          he was doing all the time long before I arrived there,  
25          and I suppose out of a sense of that's not my business,



1           that is the attitude I adopted. It might have been  
2           I wasn't brave enough, but I didn't actually go and tell  
3           them, any member of staff, senior to me, that they  
4           shouldn't be beating boys. That's for the rector to do.

5   Q. With hindsight, do you regret that?

6   A. I would certainly not do it now. I would speak out now,  
7           yes, under the changing circumstances over the last  
8           25 years/30 years. Difficult to say what I would have  
9           done with that time break.

10   Q. Was the culture of the school -- thinking back to the  
11           late 1950s/early 1960s -- one where young masters  
12           wouldn't speak out?

13   A. Yeah, yeah. They were big guys and -- I don't know why,  
14           but I didn't want to mess with them.

15   Q. What about saying things to other teachers, who you  
16           thought were getting it wrong?

17   A. Well, again, all I would have got was: none of your  
18           business. On reflection, it was my business, it's true,  
19           but I would expect the lead to come from somebody else,  
20           not -- I was a junior member of staff, a very junior  
21           member of staff. I may have been only there one month  
22           when that happened.

23   Q. Okay.

24           You say, thinking about corporal punishment and  
25           discipline, that the majority of teachers did not use

1           either the tawse or the clacken?

2   A.   That's right, yeah.  The overall picture that I would  
3       give of the Academy in the late 1950s/early 1960s was  
4       a very content school.  A very happy school.  There was  
5       some oddities, like prefects beating boys, but it's  
6       very, very limited and low and certainly with staff.  
7       And as time went on, as those senior members of staff  
8       retired, younger members of staff were recruited, the  
9       balance changed from one where corporal punishment was  
10      acceptable, to one where corporal punishment wasn't  
11      acceptable.

12  Q.   All right.  But I think for all the time you were at the  
13      Edinburgh Academy, corporal punishment remained open?

14  A.   I'm not sure.  It may have changed.  It may -- it may  
15      have been outlawed before I left, but it was very close  
16      to when I left.  I think that we're -- it was like  
17      smoking.  When I first went to the school the common  
18      room was full of smoke.  You couldn't see the other side  
19      of the room.  But when I left there wasn't a single  
20      smoker.

21           Beating boys, it followed a similar sort of pattern.

22  Q.   All right.  Did you ever beat using a tawse or  
23      a clacken?

24  A.   I never had one.  I don't know where they came from, but  
25      I didn't want one so I didn't ask for one.

1 Q. Are we talking about clacken or a tawse?

2 A. Talking about both.

3 Q. Both. Did you ever use anything else to hit a child?

4 A. Did I ever use one?

5 Q. No, yes. I will ask that first. Did you ever hit

6 a child with anything --

7 A. No, I didn't.

8 Q. -- implement wise?

9 A. No.

10 Q. No. But I think you do accept that within the classroom

11 scenario you would throw things?

12 A. Yes.

13 Q. What did you throw?

14 A. A bit of chalk. The reason you would throw a bit of

15 chalk is because you had a bit of chalk in your hand,

16 having sort of written something on the board, and while

17 your back was turned somebody was gassing away or

18 making -- doing something they shouldn't be doing and

19 you would swing round and you would throw the bit of

20 chalk at them.

21 But I don't want it to get out of hand. It wasn't

22 that widespread and it wasn't that often. It was -- if

23 I had to put a figure on it, I might have done it ten,

24 a dozen times in my whole teaching career. And that was

25 always right at the very beginning. And I picked it up

1 from other members of staff.

2 Q. I was going to ask where you picked up. Was that  
3 something others were doing?

4 A. Yes, it was not peculiar to me.

5 Q. Had you experienced it in your own schooling?

6 A. Sorry?

7 Q. Had you experienced it in your own schooling?

8 A. Oh, no. No. I went to a state grammar school. There  
9 was no corporal punishment there at all. Oh, wait,  
10 sorry, the headmaster, I think, used it, yes, but nobody  
11 else. I think the headmaster used it, corporal  
12 punishment, at the school I went to.

13 Q. What about teachers throwing chalk?

14 A. No, no, they weren't. I wouldn't have thought so.

15 Q. Do you accept that throwing a piece of chalk -- were you  
16 throwing it at the pupil?

17 A. Yeah. Yes, you -- if you were throwing it at anything  
18 you were throwing it at the pupil, yes, you're right.

19 Q. You could cause, I suppose, significant injury if it hit  
20 a soft part of the body, like an eye?

21 A. Yes.

22 Q. Do you think it was a wise thing to have done?

23 A. No.

24 Q. Do you regret doing it now?

25 A. Yes.

1 Q. All right.

2 You'll be aware, because a number of statements were  
3 shared with you, various applicants to the Inquiry and  
4 other witnesses are suggesting that you also threw board  
5 dusters?

6 A. No. I mean, board dusters, they -- I don't know anybody  
7 who threw a board duster, and I didn't throw one myself,  
8 but it's part of what went on, so I am told. But  
9 I didn't throw a board duster and I don't think I knew  
10 anybody who did.

11 Q. So the suggestion you did, you disagree with do you?

12 A. Pardon?

13 Q. If someone suggests that you did --

14 A. Oh, yes, I disagree.

15 Q. You make the point that discipline very much depended on  
16 the character of the teacher, some were good teachers  
17 who wouldn't require to discipline --

18 A. Yeah, yeah.

19 Q. -- others were perhaps less good teachers, who overused  
20 discipline?

21 A. Yes.

22 Q. You recognise that description?

23 A. I recognise that. I recognise there were some people  
24 who could only maintain discipline in their class  
25 because they administered corporal punishment.

1 Q. Was anything done by the school to address that?

2 A. Not that I know of.

3 Q. Are we back to heads of department might try and help --

4 A. Yes, yeah.

5 Q. -- but that's the amount of it?

6 A. [REDACTED]

7 [REDACTED] So I can't say

8 categorically that was so.

9 Q. All right.

10 Being a teacher presumably is at times quite

11 a stressful job?

12 A. Yes, I'm sure people did find it quite -- but I can't

13 say I felt very stressed about things. Odd little

14 things, yes, would stress me, but in general, day in day

15 out, I was quite content.

16 Q. We have accounts, and they've been shared with you, of

17 descriptions of you losing control or becoming angry?

18 A. Yes, it was misunderstood really. I felt -- one way of

19 gaining control back was to pretend to be angry, which

20 I used as a method, but not very often. I mean, I did,

21 on occasions, get quite cross.

22 Q. What sort of things would trigger --

23 A. Well, instead of doing working they were chatting to

24 each other, messing around. I would be teaching -- if

25 you are teaching on a board you are writing up, you

1 know, [REDACTED] and things like that or solutions to  
2 problems, and people are not paying attention, it's  
3 a pointless exercise. So you want them to be watching  
4 what you're doing and following what you're doing.

5 So, yes, inattention and chatting, those sort of  
6 small-time irritating things.

7 Q. It's been suggested that you had, to be cliched about  
8 it, a short fuse. Would you accept that?

9 A. No, I don't accept that. I'll accept that I got cross  
10 and annoyed and I might have demonstrated that, but  
11 I'm not a person with a short fuse.

12 Q. Okay. For teachers who became frustrated -- presumably  
13 you saw your colleagues becoming frustrated, pupils can  
14 be difficult -- was there any response by the school to  
15 try and address --

16 A. No, no. I mean, if I got cross with somebody in  
17 a class, I wouldn't go and tell anybody else about it.  
18 I would regard it as a bit of a failure on my part if  
19 I did. So I would just, you know, having dealt with it,  
20 got on and brushed it aside and got on with what I was  
21 supposed to be doing.

22 Q. Okay. But was there any mechanism you remember where  
23 you could go?

24 A. Yes. You could go to your head of department or you  
25 could go to the rector or you could possibly -- you may

1 well go to a close friend of yours on the staff and talk  
2 to him and -- or her, but again I never had to use any  
3 of these methods. I was, generally speaking, on top of  
4 what I was doing.

5 Q. Two things about that.

6 1, that's you choosing, was that official or was it  
7 just informal again?

8 A. Informal.

9 Q. Right.

10 Second, and you've touched on it already, you are  
11 aware there is an allegation that you essentially lost  
12 control completely and assaulted a child?

13 A. (Pause)

14 Well, I didn't assault him, that's for sure. Do you  
15 want me to go through the story?

16 Q. Tell us what you remember.

17 A. Yeah. Okay. It was at the time of the year when we  
18 were doing either exams or mock exams and for that time,  
19 timetables were messed around a bit, and you had to come  
20 into school, especially if you were a boarder, even  
21 though you didn't have an exam on that day. If you  
22 didn't have an exam on that day you had to come and do  
23 your revision under supervision. That was all laid down  
24 very, very clearly. And the member of staff in charge  
25 of the timetable had to draw up a fresh timetable to



1 show people where to go.

2 I was doing one of the supervision classes and two  
3 or three pupils were missing. I went to look for them  
4 and I found them outside the sixth form common room  
5 pretending to look at and work out where they were.  
6 This is a good ten minutes into the period.

7 I was so cross with them that I just said, "Get over  
8 to my classroom, get over there", and I pushed them off,  
9 or this particular person. It was no more than that.  
10 It certainly wasn't a punch and it certainly wasn't  
11 kicking and it certainly wasn't beating up. Beating up  
12 to me means, you know, three or four people setting on  
13 a person. It was a single movement, which I think was  
14 a push or it could have been a pull, but it wasn't  
15 a punch and never has been a punch.

16 That particular case led to the pupil going to the  
17 rector and complaining. The rector called me in and  
18 said, he has had this complaint and this, that and the  
19 other. I can't remember the conversation at all. But  
20 he wanted me to ring up the parent of the boy and make  
21 my apology. I was happy to do that and I did it and  
22 I got a fairly good reception from the parent. And  
23 that's where it ended.

24 And that's all 40 years ago, and here we are  
25 discussing it now as if it happened yesterday, but it

1           didn't. It happened that long time ago.

2           I've got no more to say. I did not punch that boy.

3   Q. You spoke to a parent and I think from the statement you  
4       remember speaking to the father?

5   A. Yes.

6   Q. Did you follow up with correspondence to the family?  
7       Did you write?

8   A. Did I follow up?

9   Q. With correspondence to the boy's parents?

10   A. No, no, it was a phone call.

11   Q. Right. We have heard that letters were sent but that's  
12       not your recollection?

13   A. No.

14   Q. No. All right.

15   A. It had a detrimental effect on me, in as much as it went  
16       on my record. The rector did -- the rector at that  
17       time, and when I was applying for posts [REDACTED] at  
18       other schools, he had -- in his reference had to tell  
19       them that I had had an altercation with a boy. He felt  
20       that was his duty to do. And I wasn't making any  
21       progress down the road of promotion and he then said two  
22       or three years later: I think I'm going to stop doing  
23       any references. I'll take that out and, think what you  
24       like, I got the post, the next post I applied for.

25   Q. But we should understand it was recorded?

1 A. Yes, it was recorded.

2 Q. And it was then mentioned, and I think you say for three  
3 years in the statement, in any reference that was sought  
4 about you?

5 A. Oh, yes. I had no way of saying whether it would be --  
6 it's not my decision. It's the rector's decision.

7 Q. All right. I think from what you say in the statement  
8 is you were concerned that you weren't progressing  
9 and --

10 A. I wasn't progressing. Applications had been turned  
11 down, because of the reference to my, you know,  
12 uncontrollable behaviour or whatever.

13 Q. Were you aware that that was being said in references or  
14 was it because you asked?

15 A. No, he didn't tell me that until I had actually got the  
16 job at Glasgow.

17 Q. All right.

18 The description that you're aware of that was shared  
19 with you, of what it is suggested you did do, would you  
20 accept that that would be abusive?

21 A. Could you repeat that, please?

22 Q. Of course. You have told us what you recollect of  
23 events --

24 A. Yeah.

25 Q. -- but the suggestion that you beat up, kicked, punched,

1           threw around a boy like a ragdoll, to use the phrase,

2           you would accept that that would be abusive?

3   A.   Oh, yes, that would be abusive, but by this time he was

4           quite a big chap and I -- I mean, it's physically

5           impossible for me to have treated him like a ragdoll.

6   Q.   Okay.

7           In terms of child welfare generally, we have heard

8           evidence of another boy who was beaten by another

9           teacher and as a result of the beating, which was with

10          a gun strap, his fingers were very badly swollen and his

11          recollection that his next class was with you and you

12          expressed concern. Is that a memory you have?

13   A.   No.

14   Q.   No.

15   A.   Not at all.

16   Q.   Is it possible in 50 years, 40 years, it may have gone?

17   A.   No, I don't -- somebody who was involved in a fight with

18          me and has swollen fingers?

19   LADY SMITH: No, 'William', the short point is have you

20          a memory of a boy in your class with badly swollen

21          fingers, fingers or finger, I can't remember?

22   MR BROWN: Fingers.

23   LADY SMITH: Fingers.

24   A.   No, I've no recollection of that whatsoever.

25   LADY SMITH: Generally, have you memories of boys coming

1           into your class showing injuries of any sort?

2   A.   I have no recollection of any sort whatsoever.

3   LADY SMITH:   Right.

4           Yet -- let's think of sport for example, would there  
5           have been occasions when boys came in a bit battered and  
6           bruised from rugby.

7   A.   Oh, could have been then, but I have no recollection of  
8           any boy bringing -- showing me and saying: look at my  
9           hands. Look at this, or look at that, that sort of  
10          thing. I mean there could have been a boy who, as you  
11          say, was slightly injured in a rugby match and he was  
12          showing the bruises or whatever it would be to his  
13          colleagues, to his friends, without reference to me.

14   LADY SMITH:   Separately, 'William', if you had ever  
15          yourself, perhaps as you were walking around the  
16          classroom, noticed that a boy had an injury --

17   A.   No.

18   LADY SMITH:   If you did notice that a boy had some injury,  
19          let's say on his hand, would you have asked him what has  
20          happened? Are you okay? Or something like that?

21   A.   I almost certainly would have, yes, I would have. If I  
22          was walking around the class and saw something which was  
23          out of order.

24   LADY SMITH:   That could have been part of your normal  
25          practice to do that, could it?

1 A. No, I wouldn't say I go into every class and say to  
2 myself now I must look out for this.

3 LADY SMITH: No, hang on, 'William', that's not what  
4 I'm suggesting. If you just noticed a child had  
5 an injury, is it likely that you would ask him what had  
6 happened?

7 A. Yes, it is.

8 LADY SMITH: Thank you.  
9 Mr Brown.

10 MR BROWN: I think, to be explicit, the suggestion in the  
11 evidence was that the hands were so swollen the boy  
12 couldn't write.

13 A. I don't have any recollection of that at all.

14 Q. Had you seen something like that, would you have done  
15 something about it?

16 A. Probably.

17 Q. Probably. You were asked about a lot of your former  
18 colleagues and whether you had any concerns about them  
19 and the answer broadly is "no"?

20 A. Yes.

21 Q. You make mention of two people I would like to ask you  
22 about though, because we have the full details in your  
23 statement.

24 One is a PE master who I think after you left the  
25 Edinburgh Academy you heard had a liking to be in the

1 shower area when boys were washing after games; is that  
2 ...

3 A. Certainly the rumour that was going around was that  
4 a particular member of staff always stood in the doorway  
5 of the shower area and carried on a normal conversation  
6 with them, but they knew why he was there.

7 Q. And why was that?

8 A. That he had a sexual interest in them.

9 Q. Yes. When did you discover that?

10 A. When did I discover that?

11 Q. Yes.

12 A. Probably not until I was in Glasgow.

13 Q. So after?

14 A. Yes.

15 Q. Did you do anything about it?

16 A. No, I didn't. Because it was only a rumour.

17 Q. All right.

18 A. The whole business, isn't it, it's very, very difficult  
19 when you've got a suspected sexual harassment or sexual  
20 ... and the person who you know is pretty decent and  
21 quite straightforward, you feel, well, I don't want to  
22 raise this with them, it would spoil my relationship  
23 with them forever to suggest that.

24 I felt that strongly when I was in Glasgow Academy,  
25 that a boy came to me and made a complaint about

1 a member of staff, who had a practice that he did, but  
2 I said, again, I involved the parent in that case and  
3 had a discussion and we discussed that we would not take  
4 action, because it would make it very, very difficult  
5 with that member of staff if it wasn't true.

6 Q. Would you not accept that, of the two, the child is the  
7 more important?

8 A. Yes, I would, I would, yeah.

9 Q. Would you do that now?

10 A. But -- (Pause).

11 If I was now still teaching -- and I haven't been  
12 teaching for a long, long time.

13 Q. I'm aware of that.

14 A. A long, long time, I probably would do something, yes.  
15 But I can't be sure.

16 LADY SMITH: 'William' --

17 A. In fact --

18 LADY SMITH: Can I pick up on this and you have just  
19 referred to the long, long time you have had not  
20 teaching, but that means you've had a long experience of  
21 life. Has that taught you that people with an unhealthy  
22 and perhaps sexual interest in children don't come with  
23 a label on their foreheads saying "paedophile" or  
24 "beware" and they might actually seem to be charming,  
25 nice people on the surface?



1 A. Yes, yeah, I accept that.

2 LADY SMITH: That's a problem, isn't it?

3 A. Yeah.

4 LADY SMITH: Do you accept that if adults who owe a duty of  
5 care to children are to exercise that duty  
6 appropriately, they have to err on the side of caution,  
7 caution for the child and for child's interests?

8 A. Agreed. I agree.

9 LADY SMITH: Thank you.

10 Mr Brown.

11 MR BROWN: Just one last point of detail. You mention  
12 Hamish Dawson in the statement.

13 A. Yeah.

14 Q. You, as the statement makes clear, were not aware of  
15 concerns about him. He wasn't someone you really  
16 engaged with?

17 A. Hamish Dawson lived out at Morningside and our first  
18 house was at [REDACTED], which is a bit further  
19 out. And he would often give me a lift home and he  
20 would -- as well as me he would have two or three boys  
21 as well. And that went on until we went to America for  
22 a year, my wife and I, on an exchange trip, and by the  
23 time we came back we came back and lived in Trinity, so  
24 it didn't happen thereafter.

25 At no time in the whole of that did I ever suspect

1           that Hamish Dawson was doing what he's doing. That  
2           was -- he covered it up -- he had a sort of relationship  
3           with a boy -- boys which others didn't have. He was  
4           very close to some of them and they went on these trips,  
5           but I still didn't think of it as being in any way  
6           a deviant until it came out in the newspapers.

7    Q. I think you remember, in the statement, that on those  
8           trips, and there were trips up to Glen Doll and also  
9           trips on steam ships?

10   A. Yes. He very, very rarely went to Glen Doll, not that  
11           that has any --

12   Q. But he could go away with boys?

13   A. Yes.

14   Q. Do you remember him going away with another teacher?

15   A. Yes.

16   Q. Who you describe --

17   A. A chap called <sup>BP</sup> [REDACTED].

18   Q. Yes, who you don't remember with great affection?

19   A. No, I don't remember -- I didn't think that <sup>BP</sup> [REDACTED]  
20           would be -- I was surprised at that.

21   Q. All right. There is a recollection from one of your  
22           colleagues that when the colleague expressed interest in  
23           joining one of those trips you said, "Don't go". Do you  
24           recall that?

25   A. No.

1 Q. No.

2 A. What, one of Hamish Dawson's things?

3 Q. Yes.

4 A. And a member of staff saying --

5 Q. Recalls you saying to him: don't go on one of those

6 trips?

7 A. Well, I've forgotten that if I have.

8 Q. Do you think it's something you might have said?

9 A. Yes. I mean, if -- now that I know, it may well have

10 been something I might have done.

11 Q. But back then?

12 A. But back then?

13 Q. Yes.

14 A. (Pause)

15 Well, what you are asking me is did I say that or

16 did I have recollection of saying that?

17 Q. Yes.

18 A. No, I don't have a recollection of saying that.

19 Q. All right.

20 A. But, in retrospect, I might have. Sorry to be

21 confusing.

22 Q. Is that because of what you know now?

23 A. Pardon?

24 Q. Is that because of what you know now?

25 A. Yes.

1 Q. Yes. I understand.

2 LADY SMITH: 'William', in your statement you described  
3 Dawson as having a very extraordinary relationship with  
4 young boys.

5 A. Yes.

6 LADY SMITH: Tell me what you meant by that, "extraordinary  
7 relationships"?

8 A. You were either in or out in a very real way. You were  
9 one of his or you were not. And he had a sort of  
10 playful attitude with them all the time, in the back of  
11 the car he would be making jokes which involved them.  
12 They weren't nasty jokes. They were just general -- on  
13 the surface of things it looked as if he was a loving,  
14 caring member of staff having a good relationship with  
15 a certain group of boys. And it was nothing more than  
16 that.

17 But it was a lot more than that, but he was able to  
18 cover it up in whatever he did. But what I meant by the  
19 strange relationship was it was a very thick  
20 relationship, very strong relationship and you couldn't  
21 join it if he didn't invite you.

22 LADY SMITH: That's very helpful.

23 Thank you.

24 MR BROWN: Thank you, 'William'. I have no further  
25 questions. We see your comments about your thoughts on

1           how to improve things.

2    A.   Sorry?

3    Q.   We see your thoughts in the statement about your  
4           recommendations looking ahead, in terms of perhaps  
5           policy and handbooks and the like.

6    A.   Right.

7    Q.   Is that correct?

8    A.   Yeah.   Thank you.

9    Q.   All the things that were missing from the  
10           Edinburgh Academy?

11   A.   Right.

12   Q.   Is that fair?

13   A.   Yeah.

14   MR BROWN:   Thank you very much indeed.

15   LADY SMITH:   'William', can I repeat the thanks I gave to  
16           you at the beginning of your evidence and add to them my  
17           thanks to you for bearing with us as we have questioned  
18           you for an hour-and-a-half.

19           I'm really grateful to you.   I'm sure it's been very  
20           tiring, particularly with the challenges of the hearing  
21           loop, but you have added value, considerable value, for  
22           my purposes, to the written evidence you have given us,  
23           so thank you for that.

24           Please go and have a restful time for the rest of  
25           today, if you can.

1 A. Thank you for putting up with me not quite understanding  
2 some of the questions.

3 LADY SMITH: Our fault.

4 Do feel free to go, 'William'.

5 (The witness withdrew)

6 LADY SMITH: We'll take the morning break now and I'll sit  
7 again at about 11.45 am.

8 (11.30 am)

9 (A short break)

10 (11.45 am)

11 LADY SMITH: Before I ask Mr Brown to introduce the next  
12 witness, there is something I wanted to say that really  
13 is very important. It's been brought to my attention  
14 that it's possible that at times someone or some people  
15 in the public seats have been recording our proceedings.

16 Don't do that. You cannot do that. It's wrong to  
17 do that. So please, just as mobile phones should be  
18 silent, or muted, you simply must not hit the record  
19 button. We can record a witness, because we are  
20 a public inquiry and that is the basis on which we can  
21 record a witness.

22 It is not open to anybody to come into these  
23 premises and record our evidence or our witnesses. So  
24 please bear that in mind. It may be there has been  
25 a misunderstanding. Perhaps I should have said

1 something earlier, but I'm saying it now and I don't  
2 want any of you to forget that.

3 Now, Mr Brown.

4 MR BROWN: My Lady, the next witness is Robert Cowie.

5 LADY SMITH: Thank you.

6 Robert Cowie (sworn)

7 LADY SMITH: Rob, can I begin by thanking you for engaging  
8 with us as you have done so far, in providing written  
9 evidence in your written statement. But also for coming  
10 here today to enable us to ask some questions of you, to  
11 add to the written evidence that you've given to us.

12 I know that it probably sounds like a tall order,  
13 but I'm really very grateful to you for agreeing do  
14 that. It's of value to me that you're here.

15 The red folder that you have your hands on has your  
16 written statement in it. If you find it helpful to use  
17 the statement as we go along please feel free to do so.  
18 If there is anything we can do to make the process of  
19 giving evidence as easy for you as possible, just speak  
20 up, if it's something we haven't already thought of. If  
21 you want a break at any time just say. Or anything else  
22 that would work for you. If it works for you, it will  
23 work for me.

24 Any questions, speak up. It's our fault if we  
25 haven't thought of them in advance or if we're not

1 making sense to you, so let us know.

2 If you're ready, I'll hand over to Mr Brown and  
3 he'll take it from there. Is that okay?

4 A. Thank you. Yes.

5 LADY SMITH: Mr Brown.

6 MR BROWN: My Lady, thank you.

7 Questions from Mr Brown

8 MR BROWN: Rob, good afternoon. Sorry, good morning, we're  
9 still there.

10 LADY SMITH: Just.

11 MR BROWN: Just.

12 You have the statement in front of you, as  
13 Lady Smith has just said. It has a reference number,  
14 WIT-1-000001302 and it runs to 50 pages. On last page  
15 you confirm:

16 "I have no objection to my witness statement being  
17 published as part of the evidence to the Inquiry.  
18 I believe the facts stated in this witness statement are  
19 true."

20 That is correct?

21 A. Yes.

22 Q. Thank you.

23 As you'll understand, we're not going to go through  
24 it line by line. But just to understand a little bit  
25 about you, you are now 83?



1 A. Yes.

2 Q. And you worked at the Edinburgh Academy for many, many  
3 years in one form or another?

4 A. Indeed, yes.

5 Q. When did you start?

6 A. 1963.

7 Q. And when did you finally stop?

8 A. Finally stopped in March 2013.

9 Q. Gosh, so a half century.

10 A. It's a long time.

11 Q. Yes. You began as a science teacher?

12 A. Yes.

13 Q. And you also taught a bit of maths, your statement  
14 reveals. Were you really just doing what the school  
15 required of you, in a sense you presumably have  
16 a principal subject but as necessity demands you can put  
17 your hand to other things?

18 A. Yes, I think there had been a change in the staffing and  
19 probably in the provision of subjects, so, yes, I knew  
20 I was going to have to teach a bit of maths and then  
21 later a bit of physics from time to time.

22 Q. Had you intended to stay as long as you did?

23 A. No, not really, no. I thought I'd come for three years  
24 originally, but it didn't work out that way.

25 Q. Why was that?

1 A. A variety of reasons. I was lucky to get the  
2 opportunity to take on various responsibilities at  
3 convenient times in my life and my -- also I got married  
4 and had two boys [REDACTED],  
5 although that wasn't a prime consideration. If  
6 I'd wanted to move I would have moved. But life was  
7 interesting and full and busy and fulfilling and so  
8 I stayed.

9 Q. It's been pointed out already that many staff seemed to  
10 stay for long periods at Edinburgh Academy; is that  
11 something you recognise?

12 A. Yes, although there was a lot of my particular  
13 generation who left after a decent length of time,  
14 10/12 years to become heads elsewhere. Some more  
15 ambitious ones, or maybe didn't enjoy it as much, left  
16 after three or four years to go for heads of departments  
17 jobs, but, yes, it was a very pleasant place to teach  
18 in. Contrary to really why we are here today, sadly.

19 Q. Could I ask you perhaps to draw the microphone  
20 a fraction closer. You are quite softly spoken.

21 You make the point, and this is in relation to  
22 a number of aspects of the school life, that you really  
23 filled dead men's shoes in terms of progression. We  
24 understand, and have heard from others, that seniority  
25 mattered, so for example to be a head of department it

1           would be the next senior man once someone left, is that  
2           right?

3   A.   Yes, that was the tradition, yes.  I mean, it didn't  
4           always happen.  People were invited -- appointed from  
5           outside.  Some jobs were advertised, but quite often  
6           I think perhaps the school liked continuity and if they  
7           liked a person who was there then they liked to offer  
8           them career progression.  So that did happen, yes.

9   Q.   In the school context though, would you agree there is  
10          a risk of complacency if there's just gentle progression  
11          up the ladder, little change and little new blood coming  
12          in to say: why are we doing it this way?

13  A.   Indeed, a risk of complacency is certainly there.

14  Q.   Was that something that you actually thought about in  
15          the time you were teaching?

16  A.   Yes, I did and it was sometimes brought home to me by  
17          parents, perhaps, at a parents' evening.  They would  
18          make some comment about -- if I explained why something  
19          was happening they would maybe say why, forcefully, and:  
20          have you thought of doing it a different way?  So, yes,  
21          we thought about it.

22  Q.   But did things change?

23  A.   Yes, things did change.

24  Q.   Well, let's look in decades, since you can deal in those  
25          terms.

1           You start in 1963. From your statement, would you  
2           agree generally things begin to change in the 1980s,  
3           thinking of appraisal for example, appointment of  
4           a senior master, not just by dead men's shoes, a second  
5           master who deals with discipline, that sort of change is  
6           about 20 years in?

7   A. Yes, indeed. Well, when [REDACTED], [REDACTED], was  
8           rector, he was there from 196[REDACTED] to 197[REDACTED] and I would say  
9           that he -- it was fairly static the way things were run,  
10          apart from the major one of phasing out corporal  
11          punishment, which he did quite early in his time.

12   Q. By boys of boys?

13   A. Of boys, by boys and by staff, he -- it certainly  
14          reduced hugely. And that was his -- there is  
15          a statement in there about his belief that he couldn't  
16          achieve civilisation by means of a wooden bat.  
17          I remember him clearly saying that when he stopped  
18          authorising beatings by boys on boys and tried to  
19          discourage it from staff. Staff were made to feel that  
20          was not really an acceptable way of dealing with things,  
21          but it wasn't outright banned I think at that stage.

22   Q. No. But there was a gentle drive, perhaps?

23   A. Absolutely, yes, yes, yes.

24   Q. Thinking of your arrival though, going back to the early  
25          1960s, did you receive any training in how to do your

1           job or was it just assumed you could do it because you'd  
2           be appointed?

3    A.   Well, miraculously, yes, it was assumed we could do it,  
4           we were given guidance on the subject matter by the head  
5           of science, but, yeah, it was kind of -- it was assumed.

6    Q.   We've heard that there was really no hierarchy other  
7           than departmentally, you would have a head of  
8           department, who you might speak to?

9    A.   Yes, there was a head of department.

10   Q.   But the idea then of engaging directly, of going to the  
11           rector or being spoken to by the rector, from what we  
12           have heard certainly in the early period just wouldn't  
13           have happened?

14   A.   Yeah, it did happen, because when I wanted -- I had been  
15           a housetutor from starting in 1963 to 1966, and I wanted  
16           to leave. I wanted to get out of the houses to get on  
17           in my life a bit more. And so I remember writing to the  
18           rector at that time, explaining that and explaining how  
19           my assistant, as it were, was keen to carry on to take  
20           my place. So I thought I had it all fixed up. And he  
21           obviously was a bit miffed about this assumption that it  
22           was me who was fixing it up, so he didn't speak to me  
23           for quite a while and I asked him what about this letter  
24           I'd written him and he said, "Well, you have fixed it  
25           all up", so we did speak, but there wasn't an awful lot

1 of chat.

2 Q. The communication sounds broken, if I can put it --

3 A. Well, compared to nowadays, but if there was -- yeah, if  
4 I wanted to go for a reference, which I did later in the  
5 1970s, you know, I felt friendly to him when I was head  
6 of department. He -- over the appointment of staff he  
7 was very friendly. I remember being responsible for  
8 early sort of PSE in a way.

9 Somebody came along who was a recovering alcoholic  
10 to talk and I -- he wanted me to hear how the lecture  
11 had gone and I said he wasn't actually against alcohol  
12 and he said, "Neither am I", and promptly poured me  
13 a sherry before lunch, which came as a great shock  
14 really. That wasn't the image he had of being that  
15 social and that relaxed, because that was the kind of  
16 man he was.

17 Q. Okay. I think what I was perhaps trying to drive at was  
18 there were no policies as you would understand towards  
19 the end of your career -- policies would come in for  
20 everything by the time you left in 2013?

21 A. Yes.

22 Q. But perhaps, 1960s, 1970s, even 1980s, policies were not  
23 common in terms of school policies?

24 A. I wasn't aware of them being written down --

25 Q. That is the point?

1 A. -- and in a file somewhere, but everybody -- yeah, there  
2 was a lot of power invested in the rector and his  
3 judgment was trusted largely and if it wasn't, people  
4 didn't come to the school. So, yeah, no, the policies  
5 weren't written down as far as I know.

6 Q. Processes were, from what you're saying, informal. You  
7 would choose to write. There wasn't a process that set  
8 out how you did things?

9 A. No, no, no.

10 Q. Likewise for pupils presumably, there weren't handbooks  
11 or handbooks for teachers as we would now have them?

12 A. There was a little rule book, which did have a huge  
13 number of school rules at the back on -- I can't really  
14 remember what they were all about, but they were  
15 relatively minor matters. It would seem matters of  
16 dress, behaviour. I mean the overriding one was  
17 ungentlemanly conduct, which at any time was not to be  
18 tolerated, but, yeah, so there were a lot of little  
19 rules, and that was in the roll book that they had. So  
20 they knew where they stood. Or should have done.

21 Q. All right. The roll book, was that a constant  
22 throughout your time from 1963 on?

23 A. Yeah, but it was phased out at some stage in the 1990s.  
24 Data protection was beginning to raise its head. Staff  
25 didn't want telephone numbers or addresses which were in

1           there. There was a wealth of information, but that was  
2           gradually less acceptable. So I think they probably  
3           died out in about the 1990s or they became confidential  
4           to staff for a while in the 1990s and then were phased  
5           out.

6   Q.   Okay.

7           You mentioned the rector you first dealt with.  
8           Describe his tenure and how the school was. Is it as  
9           we've been discussing, informal and without policies or  
10          procedures?

11   A.   To say it was without policies or procedures I think  
12          does him a disservice and does the school a disservice.  
13          Just because they weren't written down in a file in  
14          a filing cabinet and people couldn't go and pull it out  
15          and say, "Look, here it is", I think there was a lot of  
16          trust invested in the rector by the court of directors  
17          and indeed by the parents and the people he appointed  
18          were supportive of him.

19   Q.   I'm not questioning that. It's just in terms of the way  
20          the school operated. It really turned on him making  
21          decisions?

22   A.   Yes.

23   Q.   It was his school --

24   A.   His school.

25   Q.   -- to decide the direction of travel?



1 A. Indeed, yes, yes. I felt it was anyway, yes.

2 Q. Whether that's for good or ill, but he was it?

3 A. Yes.

4 Q. [REDACTED] by Laurence Ellis?

5 A. Yes.

6 Q. How did things change?

7 A. Well, things became much more liberal. I think the

8 school in lots of ways changed for the better, although

9 I was -- I approved of the previous regime, but equally,

10 a lot of things needed to change. The activities were

11 widened, more music, drama, the type of drama widened.

12 And his general tone was gentler, more open, friendly.

13 He made much of having an open door policy in his room.

14 Anybody was invited to go to see him at any time.

15 Q. Is that staff only or are you talking pupils as well?

16 A. I don't honestly know about the pupils. I imagine they

17 could have gone to see him. I don't know whether they

18 were aware of that feeling. I just -- I don't know.

19 Q. Had you been thinking prior to his arrival that these

20 things needed to be changed or did you suddenly

21 understand that once he began to effect change?

22 A. I think some of the things I'd thought needed to change.

23 The drama, the art, the music, I felt had been

24 suppressed in a way, because I think he was distrustful

25 of drama particularly, or the spoken word and ideas

1           could be subversive perhaps, as he saw them. So some of  
2           these things, yes.

3   Q.   Okay. What was the culture amongst the staff like,  
4           thinking back to your first 20 years?

5   A.   First 20 years was very sociable. I felt there was  
6           really good camaraderie among the staff. The staff got  
7           on extraordinarily well, I think, for a workplace and  
8           for a huge big group of teachers. So, yeah, I think  
9           they were pretty co-operative. It's not to say we  
10          didn't have arguments, disagreements or didn't complain  
11          about the rector or something that was being done or  
12          policies. We discussed them informally. There was --  
13          formal staff meetings were maybe once a term, unless  
14          there was some issue that a meeting was called to  
15          discuss a particular issue.

16   Q.   So the picture you're painting is one staff meeting  
17          a term, but otherwise it would be more informal?

18   A.   Yes, yes.

19   Q.   Did that change when Ellis [REDACTED], was there greater  
20          formality in engaging with the staff to try and  
21          understand what was happening in the school?

22   A.   No, I don't think it became all that much more formal.  
23          Although eventually he introduced appraisals and so on,  
24          which was a formal process, towards the end of his time.

25   Q.   That I think again is the 1980s?

1 A. Yes. Yes, he came in 1977, yes.

2 Q. Yes. [REDACTED]

3 A. [REDACTED] Ellis's time it was  
4 felt that the place needed gripping, as it had become  
5 too liberal, and so [REDACTED] was hailed as  
6 a Messiah really.

7 Q. By whom?

8 A. By the staff, everybody, parents, staff, thought Ellis  
9 had been there a long time and it was time for a change  
10 and -- but sadly he only lasted [REDACTED] before he  
11 became discouraged, disillusioned. I don't know quite  
12 what happened to him.

13 Q. I think we know from or after the documentation he  
14 introduced the post of deputy head, the gentleman called  
15 Andrew Trotman?

16 A. Andrew Trotman, yes.

17 Q. Who, would you agree, modernised process and policies?

18 A. He did.

19 Q. Policies started pouring out?

20 A. They did. They did.

21 Q. And there was clarity of what should happen?

22 A. Indeed, indeed.

23 Q. Which until then -- this was the early 1990s, I think --  
24 had been absent?

25 A. I would agree with that, yes. I think that is partly

1           why Andrew Trotman was appointed really.

2   Q.   It was a recognition --

3   A.   Recognition that that was needed, yes.

4   Q.   I think we know, and you will remember, that the 1990s

5           was a period of transition --

6   A.   Yes.

7   Q.   -- socially?  The Children's Act was passed and there

8           was greater import in the context of children and

9           residential care, for example?

10  A.   Yes, yes, yes.

11  Q.   When all that was happening in the 1990s, do you

12           remember thinking: why didn't we do this before?

13  A.   Oh, dear.  I'm in danger of being accused of

14           complacency.  No, it didn't really strike me in that

15           way.

16           I thought some of the things were good ideas, but

17           I can't honestly say that it had been pent up in me that

18           the education world, the care profession was crying out

19           for this.  I was unaware of abuses.  In my experience at

20           that time, I hadn't heard of bad things happening that

21           could have been prevented by the systems that came in

22           then.  So, no, I can't honestly say that?

23  Q.   All right.  Let's move away from the school to the

24           boarding houses.  You were appointed a tutor at the

25           outset and that was something you wanted to do?

1 A. It was, yes.

2 Q. Why?

3 A. Why?

4 Q. Yes.

5 A. Well, as I said in my report, I was sold on the idea of  
6 boarding. I boarded myself from the age of 14 and  
7 I thoroughly enjoyed it. I thought the opportunities  
8 for development, different things to do, different  
9 people to get to know, different responsibilities were  
10 beneficial. So I thought if I was going to teach  
11 I wanted to teach in that context. I felt there was  
12 more co-operation between the staff and the pupils in  
13 a boarding context, that you got to know the staff or  
14 the pupils got to know the staff and vice versa out of  
15 the classroom and in more informal situations, which at  
16 the time I thought was wholly positive.

17 Q. In terms of your appointment, was there a process that  
18 you had to go through to be appointed or were you simply  
19 selected?

20 A. What, as a houstutor?

21 Q. Yes.

22 A. It came up at the interview. I mean, I must have  
23 expressed an interest in boarding, because at the time  
24 I also had an offer for Strathallan, which was a fully  
25 boarding school.

1 Q. Yes.

2 A. And so [REDACTED] perhaps wanted me to come to the Academy  
3 and said, "Oh, well, we've got ..." I didn't realise  
4 there was much boarding at the Academy when I applied  
5 for it. I knew there were some boarders certainly, but  
6 I didn't think it got much attention or notice, but he  
7 said he was keen to develop the boarding. Indeed, he  
8 did, according to his ideas. I'm not saying all of  
9 these I agree with or even agreed with at the time, but  
10 he wanted to turn it more into a boarding school.

11 Q. Okay. Having been appointed (a) as a teacher but (b)  
12 a houstutor, did you receive any training for either  
13 role?

14 A. No, I would have chatted to the housemaster and he would  
15 have discussed the routines and so on, but no formal  
16 training, no.

17 Q. Which house did you go to?

18 A. To Dundas House.

19 Q. Were there rules for the house --

20 A. Well, there were house rules for the pupils. The day's  
21 routine and when they had to do their prep and all the  
22 rest of it.

23 Q. Yes, there was daily routine they have to follow.

24 A. And the basic behaviour of when they wore uniform and  
25 when they didn't and that sort of thing, yes.

1 Q. Was that issued to the pupils or was it --

2 A. Well, it was probably on a notice actually.

3 Q. Right. Okay. But you've been through the boarding

4 experience yourself?

5 A. Yes.

6 Q. You enjoyed it?

7 A. I did, I did.

8 Q. Did you have only happy memories of boarding?

9 A. I do, but I was going to say I only went to board when

10 I was 14 and I was never so keen really on prep schools

11 or what I heard happening in prep schools. So my

12 enthusiasm for boarding was senior boarding really.

13 Q. You had heard about junior prep school boarding?

14 A. The kids I went to school with, some of them had been to

15 prep schools and although that was an advantage and

16 their reputation as rugby players or cricketers or what

17 may have proceeded them and helped them into school

18 teams, they were ahead in certain subjects, but I was

19 actually glad that I hadn't been to -- I was glad

20 I'd been to a local primary and high school in Hawick

21 before I went to board.

22 Q. That obviously informed your view of --

23 A. It did, yes. I wouldn't have been keen to look after

24 a junior house for instance, although my first

25 experience was in a junior house, but as quickly as

1 possible I got into one of the senior houses.

2 Q. Right. Given it's a junior house, were there particular  
3 concerns that you had?

4 A. No, I just -- I don't know. I just felt I was happier  
5 dealing with older boys. I suppose they were more --  
6 I don't know, more predictable. I can't really explain  
7 it. It's perhaps what I was used to at school.  
8 I'd been in a senior school boarding environment.

9 Q. Okay.

10 A. I felt less confident dealing with younger boys.

11 Q. All right.

12 A. For whatever reason.

13 Q. Your housemaster, first housemaster was?

14 A. ICG [REDACTED].

15 Q. Yes. Did you ever have any concerns about him?

16 A. I had no concerns in terms of abuse, no.

17 Q. No.

18 A. He was a mildly eccentric man, but, no, I never saw  
19 anything or indeed heard anything to cause alarm while  
20 I was him.

21 Q. What processes were there in the junior house,  
22 appreciating you wanted to move on to an older one, do  
23 you remember for the pastoral care of these children?

24 A. Well, it was a very small house and you were very close  
25 to them and so after you finished games you were --



1 would be mingling with them, possibly playing a game of  
2 table tennis or something or in the library with them  
3 reading the newspapers, so there was chat there. You  
4 would supervise prep and after prep, I can't remember  
5 formal activities, but the chat was -- I would like to  
6 have thought -- relaxed. I don't know.

7 And then you go round the dormitories and chat to  
8 them before they went to -- before they settled down for  
9 the night.

10 Q. Or rioted?

11 A. Or rioted, yes, indeed.

12 Q. Which you would just deal with?

13 A. It was too small really for ... none of the riots  
14 I think in Dundas House.

15 Q. No. But was there any process by which they could come  
16 to you to raise issues?

17 A. Well, they could have done, but I don't know if it would  
18 have crossed their mind.

19 Q. We have heard an awful lot about children not sharing  
20 information, either with each other and certainly not  
21 with teachers, because that could just lead to further  
22 trouble. Don't clype being the essence of that?

23 A. Yes.

24 Q. You would be aware of that?

25 A. I would be aware of the don't clype, yes, yes, but

1 I'd like to have thought they would have come and could  
2 have trusted me really, or trusted any member of staff  
3 is what I would have thought, I would have hoped, if  
4 there was something bothering them or some issue with  
5 other pupils or another member of staff.

6 Q. Did it ever happen?

7 A. No, I don't remember it happening, no.

8 Q. You became a housemaster and I think succeeded someone  
9 who had moved on to another school?

10 A. Yes, I did, yes.

11 Q. Again, the impression we have -- please tell me if this  
12 is right or wrong -- is that seniority in appointment as  
13 a housemaster mattered? You would be considered because  
14 of length of service?

15 A. Yes, but there -- yeah, and I didn't look into this  
16 closely. I mean, there were other people who had been  
17 there longer who didn't get that job. Now, whether that  
18 was because they had been offered it and turned it down  
19 or whether it was because they hadn't been offered it,  
20 I have no idea.

21 Q. Were you aware how you were selected or is it just again  
22 you are offered the post?

23 A. Well, I'd like to think the people offering me the post  
24 knew me and knew how I had been conducting myself as  
25 a teacher.

1 Q. Of course. But the impression we have been given is  
2 that it was Buggin's turn, that you had to wait for  
3 someone to move on before you as the next senior in  
4 line, if you wanted to do it, would be offered it?

5 A. Yes, that was the overriding thing, but with the proviso  
6 there were some people who didn't, weren't offered it.  
7 And it could be that they didn't want it or it could be  
8 that they weren't offered it because it was thought they  
9 wouldn't make a job of it. But there were other cases  
10 that people maybe were offered it on the basis of  
11 seniority and they weren't totally suitable.

12 Q. That's the inherent risk in such a process?

13 A. It is. It is. I'm not denying that, no, no.

14 Q. What I'm interested in: you were happy and  
15 keen/enthusiastic to do the job --

16 A. I was.

17 Q. -- but were you concerned at the process potentially  
18 employing people who should not have been employed? Did  
19 that cross your mind?

20 A. No, it didn't, it didn't.

21 Q. Again, was it the subject of discussion among  
22 housemasters or staff. So and so has got a house and he  
23 really shouldn't?

24 A. Maybe there was one previous appointment that it was  
25 thought that he shouldn't have got the house.

1 Q. Was anything done about that by those who were  
2 expressing concern?

3 A. Well, he came out of the house after about five years,  
4 which may not have been early enough but ...

5 Q. It's simply -- we seem to have a culture where you have  
6 views but they are not views, which you may be  
7 discussing with others who agree with you, but we don't  
8 have a culture of saying anything. Is that fair?

9 A. Well, I don't know. I suppose we were diffident about  
10 saying things about other people, judging other people,  
11 as inherently junior to them and, you know, there was  
12 the rector and the court of directors and some senior  
13 members of staff who would have been more in the know  
14 and I think I probably felt that's their responsibility.

15 No, it didn't really cross my mind. We did discuss  
16 this one particular appointment.

17 Q. Was there any -- I'm sorry, I'm talking about processes  
18 obviously -- mechanism where you could raise those  
19 concerns, even if you'd been minded to do so?

20 A. If I'd been minded to do so and I thought it was really  
21 dangerous for the children involved, yes, we could have  
22 done, yes. We were not frightened to go to the rector  
23 over issues that we felt strongly about. So obviously  
24 we didn't feel strongly enough or confident enough about  
25 this to raise it. But, no, we could have done that.

1 I wouldn't have felt inhibited saying I can't talk to  
2 the rector about that.

3 Q. The point is though that would be your choice, rather  
4 than the school expecting you to raise these things?

5 A. Yes, it would. It would.

6 Q. And providing a mechanism to do so?

7 A. It would, yes.

8 Q. All right.

9 In terms of the house that you took over, it was  
10 a senior house?

11 A. Yes.

12 Q. Scott. So you've got what you want?

13 A. Yes, yes.

14 Q. And --

15 A. And some.

16 Q. Sorry?

17 A. And some, I said.

18 Q. How so?

19 A. No, no, there were just various problems, the smoking  
20 and the thieving actually. That was the biggest worry  
21 when I went in. There was stealing going on. It  
22 proved -- it took about five years to -- before that  
23 stopped really, which was disappointing and frustrating.

24 Q. Stealing by staff?

25 A. Stealing by boys from boys and -- well, one of the

1 cleaning staff certainly was involved.

2 Q. Was the fact that boys were stealing from boys shared  
3 with you by --

4 A. Oh, yes. We were all involved, because, you know,  
5 somebody would say they'd lost a tape recorder or  
6 something and so there would be a hue and cry to find  
7 out where it was and who had taken it and so on. And  
8 sometimes it turned out it would have been the cleaner,  
9 who came in with her shopping trolley and took stuff  
10 away. And sometimes money was taken certainly from --  
11 by boys from other boys. Birthday cards were opened,  
12 you know. Somebody would say, "My granny's sent me £10  
13 or £5 and there's nothing in the envelope" and so, yeah,  
14 everybody knew it and it's -- it causes a most  
15 unpleasant atmosphere as you're trying to find out who  
16 is responsible.

17 Q. But would you be met with the same wall of silence, you  
18 know it's happened but did people come forward and  
19 name --

20 A. No, no, no there was no wall of silence from the pupils  
21 about that.

22 Q. They would be open about that sort of thing?

23 A. They would be open and they would try and find out.

24 Q. All right.

25 A. I remember warning a boy, a rather heavy presence in the

1 house, and he said, "Oh, I'll find out for you", and  
2 I said, "Well, I don't want anybody rattled up against  
3 a wall to find out". "No, no, no, I won't do that", he  
4 said. No, everybody was involved. It was ...

5 Q. How long were you a housemaster for?

6 A. Ten years and two terms.

7 Q. In that ten years and two terms, you say in the  
8 statement you could go and speak to the rector about  
9 issues?

10 A. Yes.

11 Q. Again, is that the informal approach, you think, I must  
12 go and speak to the rector so I will do so?

13 A. Yes, yes.

14 Q. So to that extent I think you say there was oversight,  
15 because the rector was there to be spoken to?

16 A. Well, if I claimed it was oversight it's maybe putting  
17 it too strongly because he didn't come very often. He  
18 saw the boarders. He took services and he lived close  
19 by and he probably heard them coming home on a Saturday  
20 night, on some occasions. Yeah, I really can't speak  
21 for him. I don't know how much oversight he felt he was  
22 providing or needed.

23 Q. That's what I was going to ask. How often did he come  
24 to the house in those ten years?

25 A. Not all that many times. Not regularly. He didn't make

1 a point of coming down regularly.

2 Q. Did anyone else come down and inspect?

3 A. Well, there was -- the directors appointed someone to  
4 keep an eye on -- well, to liaise with the boarding  
5 houses was the title and they did come down. Not to the  
6 extent that they should have done, by --

7 LADY SMITH: So that was -- sorry, was that a member of the  
8 Academy court was appointed as a boarding liaison  
9 person, something like that?

10 A. Yes, yes.

11 MR BROWN: Can you remember, and, I'm sorry, it's not  
12 a memory test, when that was?

13 A. I think it would be -- well, I was in the house from  
14 1983 to 1993, so it would have been in the 1980s.

15 Q. I think we have a document if I can put it up on the  
16 screen, SGV-000000858. If we just look at the first  
17 half, this is 2005 and it's from the chairman of the  
18 court, I can tell you. Just stop there. Thanks, the  
19 bottom paragraph:

20 "The HMI report of January 2001 recommended that we  
21 should strengthen the links between the court and the  
22 boarding houses, we appointed a director to liaise with  
23 the boarding house staff and we have found this to be  
24 a useful link."

25 Then:



1           "The court is confident the level of care provided  
2           in our boarding house is high and we have had no cause  
3           for concern on this subject in recent years. There have  
4           been no complaints in the last five years about our  
5           boarding provision."

6           That would tend to suggest that such liaison was  
7           light touch?

8   A. Yes, it was light touch. It was light touch.

9   Q. Thinking of school inspections, was there anything of  
10       a similar depth in --

11   A. In the boarding? No. Not that I can remember, no.

12   Q. No.

13   A. Well, this refers to --

14   Q. Thank you?

15   A. -- 2001.

16   Q. Quite.

17   A. Yeah. Until then I don't remember the Inspectorate  
18       coming to the boarding houses at all.

19   Q. The point of asking is, I take it you remember from your  
20       own boarding experience the personality of the  
21       housemaster would influence what your life as a boarder  
22       was like?

23   A. Yes, hugely.

24   Q. Hugely. So it matters who's appointed and it matters  
25       that there is some check on how they are carrying out

1           their role?

2   A.   Yes.

3   Q.   It just seems, and I'm not talking about your house, but

4           we are aware of other houses where we are hearing of

5           real concern about the conduct of housemasters, which

6           doesn't seem to have permeated up to the school or to

7           anyone else?

8   A.   Right. Well, I'm not aware -- I wasn't operating in the

9           circles that would have heard about that. I mean,

10          that's the rector and court level, I would have thought.

11          So, yes, that seems regrettable, certainly. Although,

12          as I say, this master who was there for five years and

13          wasn't a good fit, I don't think, for housemaster, there

14          must have been some complaints about him to cause the

15          change, because the normal stint was ten years in the

16          boarding house.

17   Q.   Yes. But I think for example, and one person that we

18          specifically asked you about was John Brownlee.

19   A.   Yes.

20   Q.   Who was the housemaster of Dundas?

21   A.   Indeed, yes.

22   Q.   Which I think at that stage was the junior --

23   A.   It was, yes.

24   Q.   -- house. One of his tutors, Geoff Fisher, came from

25          Dundas to you?

1 A. Yes.

2 Q. As a visiting tutor, he wasn't living in?

3 A. Yes.

4 Q. He shared with you that he didn't like the way Brownlee  
5 was treating the children?

6 A. He did, yes, he did.

7 Q. The words of the statement are:

8 "He said he was far too rough."

9 A. Yes.

10 Q. You go on:

11 "Brownlee had that reputation."

12 A. Yes.

13 Q. Again your words:

14 "He was undoubtedly over the top with some of his  
15 physical punishments."

16 A. Yes.

17 Q. When you said that, did you mean in the school or in the  
18 house or both?

19 A. I think probably both really.

20 Q. But obviously --

21 A. But it was hearsay, so --

22 Q. Is it hearsay, because you are getting a tutor who has  
23 worked with him and is saying he's too rough with the  
24 children?

25 A. Yes.

1 Q. That is not hearsay, that is evidence.

2 A. Yes, okay.

3 Q. And you are aware of the reputation, so the reputation  
4 has been confirmed?

5 A. Yes.

6 Q. Did you do anything about that?

7 A. No, I didn't. I didn't.

8 Q. Do you regret that?

9 A. Perhaps I should. Perhaps I should. But equally at the  
10 time, I mean, he had been in the school a long time. He  
11 was well known to the headmaster of the school. He'd --  
12 that reputation related to his classroom performance as  
13 well as the -- well the boarding one came out from  
14 Geoff Fisher's comment. I didn't necessarily make  
15 a connection that he would be over the top in the  
16 boarding house. That was a classroom reputation that he  
17 had, which I felt was up to the headmaster of the prep  
18 school. I didn't agonise about it. I just thought  
19 that's -- you know, that's somebody else's  
20 responsibility, whether Geoff Fisher mentioned it higher  
21 up, I don't know.

22 Q. Did you encourage him to go higher up?

23 A. I would love to say that I did, but I have no  
24 recollection of that. I certainly wouldn't have  
25 discouraged it, I wouldn't have tried to reassure him in

1           any way that, you know -- and people do form different  
2           opinions. They have different standards of what they  
3           think is acceptable and so on.

4           Looking back on it, I wish I had, yes.

5    Q. It seems to be potentially two things at play, perhaps  
6           more.

7           One is there is a culture in the school that it's  
8           for other people to deal with and you don't rock the  
9           boat, if I can put it that way?

10   A. Well, I don't think these two things necessarily go  
11           together. There might be a culture that it's other  
12           people to deal with it, but the fact that I didn't  
13           choose to deal with it wasn't out of concern for rocking  
14           the boat.

15   Q. What about loyalty to colleagues?

16   A. I don't know. I'm trying to keep my own head above  
17           water. I don't know. Life was pretty busy and full on  
18           and I don't know.

19   Q. From what you are saying, the expectation from you as  
20           a housemaster in another house is that if there's  
21           a problem it's for someone else to report or the rector  
22           to deal with?

23   A. Geoff Fisher's comments didn't come across as strongly  
24           as they seem now, if you know what I mean.

25   Q. All right.

1 A. It was general, perhaps he was hesitating to be too  
2 strong about it, but he did raise it certainly.

3 LADY SMITH: Sorry, Rob, but you say they did fit with what  
4 you knew was Brownlee's reputation?

5 A. Well, yes, that he was a strict disciplinarian and that  
6 he probably beat harder or more often than was a good  
7 thing and I don't know what other punishments he did,  
8 but this was him teaching in the junior school, and so  
9 I didn't have first-hand evidence. Whereas, you know,  
10 there was a headmaster who was close to him. He was the  
11 deputy head for quite a long while there and there were  
12 several colleagues there, who knew his performance, his  
13 behaviour, if you like, in the class better than I did.

14 MR BROWN: But this is against the background you have  
15 already discussed of an effort by the rector in the  
16 senior school to move away from corporal punishment?

17 A. Yes, but I think -- yes, indeed, indeed: I think -- yes,  
18 it's hard to know what I knew of John Brownlee in 1988,  
19 or whatever, when I spoke to Jeff and what I know of him  
20 now and what I've heard since. It's quite hard to  
21 disentangle these two views, but certainly he had  
22 a reputation for being strict, shall we say, overly  
23 strict.

24 Q. From what you're saying and I appreciate, because we  
25 have heard this already, there is a distinction between

1           senior and junior school. They are physically separate  
2           and how much exchange was there between the two?  
3    A. Well, there wasn't a lot. In fact, this was pointed out  
4           as a fault I think possibly in an Inspector's report and  
5           certainly there were steps made to try and bring them  
6           together, but there were differences of opinion between  
7           them. And one of the differences of opinion was  
8           John Brownlee. I mean, he was -- he felt strongly about  
9           running the rugby the way he wanted to run it in the  
10          junior school and he didn't want to comply with  
11          necessarily the overview from the senior school, the  
12          person in charge of rugby for instance. So, yeah, there  
13          was -- it wasn't as good a relationship between the two  
14          sets of staff as there should have been.

15                 As I say, eventually steps were made to try and  
16                 improve it and teachers went up and down and exchanged  
17                 classes and I think that proved quite difficult, because  
18                 it obviously takes finite time to make the move between  
19                 the two schools.

20    Q. Going back though, there are four houses?

21    A. Mm hmm.

22    Q. How much exchange was there between the housemasters?

23    A. Well, John Brownlee only overlapped with me for two  
24          terms, so negligible. I went in a January and he went  
25          out in July, I think. And then the house was sold. So

1 Dundas House ceased to exist then. I hadn't had any --  
2 I can't remember any discussions with him about anything  
3 in the two terms I was there.

4 Thereafter, I felt there was very good relationship  
5 between the housemasters of the three houses that were  
6 left and we met each other frequently over meals,  
7 socially and we chatted. We were friends and we  
8 exchanged views about pupils, various things.

9 Q. And the running of the houses?

10 A. And the running of the houses, yes.

11 Q. Did you have concerns about either of the other two?

12 A. Of the other two?

13 Q. The ones you were having meals with discussing?

14 A. No, I didn't. No, I didn't.

15 Q. That sounds more collegiate than previously?

16 A. I believe it was. When I was there as a tutor in the  
17 1960s I didn't feel the housemasters got on all that  
18 well with each other. They weren't really three of  
19 a kind in a way. They were -- I think there was more  
20 rivalry and looking over their shoulders to what the  
21 other was doing. I don't know.

22 Q. So --

23 A. I thought we were very lucky in that we had a good  
24 relationship with the other housemasters.

25 Q. So in the third decade of your time at the Academy



1 things have improved in that sense?

2 A. Yes.

3 Q. There's greater exchange, albeit it sounds informal?

4 A. Yes.

5 Q. Just because the three of you get on?

6 A. Why.

7 Q. Whereas before, there wasn't that interchange and really

8 the houses were individual?

9 A. Yes, much more so.

10 Q. Is that fair?

11 A. I think that's fair, yes.

12 Q. Okay. You've talked about oversight from the court of

13 directors, and we've seen the document from the 2000s.

14 Did you see a sea change of interest and intervention

15 from either the school or the court, the court you have

16 talked about, but the school encouraging formal

17 discussion about the houses?

18 A. Well, I think that first inspection -- was it 2001?

19 Q. Yes.

20 A. That was probably the first one that had happened.

21 Q. So that's really at the end, in the last years of

22 boarding at the Academy?

23 A. Yes, it lasted another eight years or so.

24 Q. I think we know from documents that you went to the Far

25 East to try and drum up --

1 A. I did, yes.

2 Q. Because boarding numbers were just diminishing?

3 A. Yes, they were.

4 Q. In the Edinburgh Academy but also I think more widely?

5 A. Yes, all over the place, yes, they were.

6 Q. I think we read that one of the rectors went to America

7 to try and generate --

8 A. Yes.

9 Q. Do you remember that?

10 A. Yes, I do, yes.

11 Q. There were positive efforts to try and drum up the

12 numbers, because domestically they weren't coming?

13 A. Yes.

14 Q. I think ultimately the view was taken it was no longer

15 viable?

16 A. Yeah.

17 Q. Is that correct?

18 A. Well, it -- either the houses needed money or the school

19 needed money and there wasn't money to spend on both of

20 them, so ...

21 Q. Did you regret that?

22 A. I regretted it. I think they contributed to the school

23 by bringing in a wide variety of people from all around

24 the world.

25 LADY SMITH: Can you just remind me when it was that

1 boarding ceased?

2 A. Well, from memory 2008, but I'm not absolutely certain  
3 if that was the date.

4 MR BROWN: I think that's right, my Lady.

5 LADY SMITH: But it had dwindled to how many houses?

6 A. To one house really. I mean Scott House and Jeffrey  
7 were run by one housemaster latterly. They knocked  
8 a wall down between the two houses and they were  
9 administered and the numbers were pretty tiny latterly,  
10 in the teens I think probably when they closed.

11 LADY SMITH: Thank you.

12 MR BROWN: Thinking about discipline, you have talked about  
13 the school, the senior school at least, a diminishing of  
14 the use of corporal punishment.

15 A. Mm hmm.

16 Q. I think we would understand from various SCIS, Scottish  
17 Council of Independent Schools, records that in fact  
18 theoretically the Academy maintained corporal punishment  
19 until the very end, albeit it wasn't being used in  
20 practice. That's your impression, that it was fading?

21 A. Oh, it was certainly fading. I mean, the reputation  
22 when I came to the school among Academics who had been  
23 there in the 1950s, or indeed the 1940s, was of really  
24 quite a violent place, or there were some violent  
25 teachers, shall we say. But that's 1940s/1950s and

1 I felt even under [REDACTED], I know it's contrary to some  
2 of the things that actually did happen, but I think he  
3 was beginning to try and get rid of it and I think it  
4 did diminish considerably.

5 Q. Boys beating boys, do you ever remember that taking  
6 place when you were there, ephors in other words?

7 A. No, no. I think maybe 1962/1963 was the last -- I came  
8 in 1963. I don't think they were -- I think that had  
9 been stopped after one year of [REDACTED]'s rectorship.

10 Q. Right.

11 Looking at the senior school, what was the process,  
12 if any, for children to report complaints?

13 A. Well, there was no process in the sense there wasn't  
14 a box of complaints slips or a suggestion box, that  
15 I remember. But the rectors that I knew, I feel would  
16 have been open and I think they did get some pupils  
17 going along to see them, but I don't know for sure.

18 No, there wasn't a formal process. I mean people  
19 would have talked to somebody that they trusted,  
20 I think, on the staff, in the first instance and  
21 hopefully that would have been then reported further up  
22 the line or they would have been recommended to go and  
23 speak to the rector about it and then the staff would  
24 have talked to the rector about it. It's kind of  
25 understood, it's assumed, you are absolutely right,

1           there wasn't a formal process.

2   Q.   No.  Did you have pupils coming to complain about

3           things?

4   A.   I can't remember, quite honestly, so it can't have been

5           common.

6   Q.   What about parents, would they complain?

7   A.   They would complain.  I can't remember.  I remember

8           getting -- the only parental letter I got was from

9           a distinguished ballet dancer, who complained the naval

10          uniforms were too rough.  That is the only letter

11          I've kept in my memories.

12  Q.   You talked about various issues being raised and dealt

13          with by headmasters and you speak positively in the

14          statement about Ellis responding vigorously to

15          a complaint of an attack by third formers on a boy in

16          the fourths?

17  A.   Yes, yes, indeed.

18  Q.   Now that got into the newspapers, which presumably meant

19          it was very widely understood?

20  A.   Yes, that was a major trauma of the time really for

21          Laurence Ellis, because he hadn't been there very long.

22  Q.   No.

23  A.   I think I said it was a double-page spread.  That is not

24          what I meant.  It was a double column headline on the

25          front page.

1 Q. But in that case, because the press are involved, there  
2 was a response and you say that people were suspended --  
3 A. There was a strong response, yes. Two boys were  
4 expelled and some were suspended.  
5 Q. Had there not been the press interest, do you think the  
6 response might have been different?  
7 A. No, I think the incident was -- the boy was hospitalised  
8 and had to have an operation and I'm -- I think there  
9 would have been expulsions over that.  
10 Q. Right. That of course is one headmaster, who you had  
11 a high opinion of and you thought honest?  
12 A. Yes.  
13 Q. And he was clearly prepared to act?  
14 A. Yes.  
15 Q. Going back to the original headmaster that you dealt  
16 with, I think you were made aware that an applicant told  
17 the Inquiry of his mother reporting abuse by Iain Wares?  
18 A. Yes.  
19 Q. And the suggestion is that the mother was told by [REDACTED]  
20 that it would be unhelpful to complain and the son must  
21 have an overfertile imagination?  
22 A. Yes.  
23 Q. You say, "It's possible that could have been said but  
24 I don't know".  
25 Of course you don't know, but you think it's

1 possible, having presumably known [REDACTED]?

2 A. Yes.

3 Q. Why would he do that?

4 A. Who knows.

5 Q. All right.

6 A. Who knows.

7 Q. I suppose one inference is because he was concerned to

8 keep the reputation of the school intact?

9 A. That's certainly a possible interpretation.

10 Q. Is it one you think reasonable? You knew the man?

11 A. I -- I would -- I would like to think that his sense of

12 decency and justice would have overruled his desire to

13 keep the reputation of the school intact. I think -- as

14 I say, I hesitate to speculate, because it goes into

15 what was in the mind of the man and what was his life

16 experiences and all the rest of it and given the times

17 perhaps he didn't think -- I don't know. I really --

18 I don't know. It was clearly -- if he did get that

19 report, which I've no reason to doubt, if it's said by

20 an applicant to the Inquiry, then he was in error in

21 dealing with it in that way. There's absolutely no

22 question. And if we had known that that was the case at

23 the time I think people would have said something. But

24 I don't know. At the time we had no idea. When

25 Iain Wares's name -- or the suspicion that was the name

1 first came out, none of us of the time had any, that  
2 I know, inclination of any wrongdoing by him while he  
3 was at the Academy, but there obviously was.

4 Q. He of course was junior school?

5 A. He was junior school, yeah.

6 Q. Did you have much dealings with him at all or awareness  
7 of him?

8 A. I knew he existed. I said, he played in the staff rugby  
9 team and I remember chatting to him once about South  
10 Africa, after a game, but that was -- yeah. He wasn't  
11 a pal. I didn't see him. He didn't come to the pub  
12 with the senior staff when we met. He wasn't a member  
13 of the rugby club. He played hockey perhaps at the  
14 Grange, I don't know, but, no, I didn't know him.

15 Q. You did talk though when we were remembering  
16 John Brownlee that there was an understanding of his  
17 disciplinary approach in the junior school. He was  
18 deputy head of the junior school?

19 A. Yes.

20 Q. Were you aware of other teachers at the junior school  
21 who had the similar reputation?

22 A. (Pause)

23 Yeah, possibly one who was strict, but again it was  
24 not a reputation that I would feel I did anything about.  
25 I mean teachers -- some teachers were stricter than



1 others. Some had been brought up in a stricter regime  
2 and therefore may be more forceful or kept on with the  
3 corporal punishment until, as you say, it was actually  
4 banned.

5 Q. Two phrases that of course we hear a lot about are  
6 "pastoral care" and "child protection".

7 A. Yes.

8 Q. Again, I'm not asking for an exact recollection, but  
9 were those phrases that were current in your experience  
10 of the Academy early on?

11 A. No, I think the phrases have come -- I think -- I was  
12 very conscious that what we were doing in the boarding  
13 house was giving pastoral care, whether we called it  
14 pastoral care in these days, I don't know.

15 The child protection, as a phrase, I would say we  
16 became aware of with ChildLine starting, as far as the  
17 boarding house is concerned. Esther Rantzen's campaign,  
18 which led to the ChildLine number being made available  
19 to the pupils in the boarding house by the payphone.

20 Q. But pastoral care, from what you're saying, for you,  
21 would be instinctive?

22 A. It would, yes, it would. It would.

23 Q. But there was no -- again, forgive my obsession with  
24 process -- there was no process --

25 A. No.

1 Q. -- or education about it, or suggestions how it might  
2 best be applied?

3 A. No. But I mean that's true of -- if I may say -- lots  
4 of aspects of education. We've now got deputy heads who  
5 are in charge of teaching and learning. Now, for most  
6 of us, for most of our lives, we thought that was what  
7 going to school was about, but now there's somebody  
8 delegated in charge of that. Whether that's a step  
9 forward or not, I don't know. But it's a further  
10 example. Just because there wasn't a policy for it  
11 doesn't mean it wasn't being given.

12 Q. But are we back to the assumption about you being  
13 appointed in 1963 as a teacher? You're appointed,  
14 therefore you can teach now?

15 A. I suppose, it may seem trivial but I think they do take  
16 into consideration what you have done at school, whether  
17 you had positions of responsibility at school and within  
18 a boarding context, for better or for worse, and sadly  
19 sometimes for worse, but the senior pupils have quite  
20 a lot of responsibility and if they are thoughtful then  
21 they learn from that responsibility. So they have  
22 experience of both good and bad behaviours. So although  
23 there is no formal training their experience I think  
24 would have been taken into account.

25 Q. I'm thinking of teachers not pupils, it's the

1 appointment to a post, it is assumed that the person  
2 will just do it, instinctively?

3 A. Yes.

4 Q. They will provide pastoral care, they won't abuse  
5 children, because one doesn't think otherwise?

6 A. Yes, but they had to be appointed to the school in the  
7 first place. Presumably there was a weeding-out process  
8 and there would be other applicants when they were  
9 appointed. The feel of the person appointing them, ie  
10 the rector, would instinctively, if you like, take that  
11 into consideration.

12 Q. If he was thinking about it?

13 A. Well, hopefully he was. I mean it's the most important  
14 job he does is appoint staff.

15 Q. I don't think appointing staff, other than  
16 departmentally, was a prime factor in your experience?

17 A. No, no, no.

18 Q. You talk about child protection coming in and we're  
19 conscious of that transformation and you say at  
20 paragraph 105:

21 "When this happened it was a most depressing start  
22 to the term."

23 A. Yes, it did. I can only record the way we felt after  
24 that staff meeting and it was the feeling of not being  
25 trusted, the fact that we were being called into

1 question as to how we treated the pupils and on  
2 reflection then obviously we should have to think about  
3 it and it's good that it happened, but at the time we  
4 found it, and a lot of very, very kindly members of  
5 staff, and many of the women on the staff, found it  
6 quite a hard session really.

7 Q. Because they felt that they were being doubted?

8 A. Well, they were being doubted and that they couldn't  
9 actually give the kind of care that they felt was  
10 necessary, that they would have instinctively cared for  
11 a child who had fallen or who has lost a parent or  
12 whatever it was and they had to be so wary about it.  
13 I think that's why there was this air of gloom about it.

14 Q. You say the emphasis was more on not laying yourself  
15 open to charges and being careful?

16 A. Yes.

17 Q. It was a very defensive mentality?

18 A. It was, it was, yes.

19 Q. Thinking in terms of the child protection training that  
20 then followed, did that tone change away from the  
21 defensive to perhaps --

22 A. Yes, much more accepting of it, in the fact that -- it  
23 was necessary and there was a kind of -- yes, it did  
24 gradually change.

25 Q. As you say, and have said on reflection, it was

1           necessary, but perhaps the manner of the implementation  
2           was just harsh for those who had not experienced it  
3           before?

4    A.   Possibly, yes, yes, or -- yeah, maybe we were being too  
5           sensitive, I don't know.

6    Q.   Because obviously you are aware that there are  
7           allegations of abuse against a number of teachers with  
8           whom you worked?

9    A.   Indeed, yes.

10   Q.   In terms of one and if we can simply refer to him as  
11          a [REDACTED] teacher, your experience of that teacher was  
12          not one that caused you concern, in the sense of child  
13          protection?

14   A.   No.

15   Q.   I think you were concerned that he couldn't control  
16          a class?

17   A.   Indeed, yes.

18   Q.   But from your experience at the time that was the only  
19          concern?

20   A.   Yes, I mean steps were taken to help him. I spoke to  
21          him and his head of department spoke to him about his  
22          discipline issues, but there was no -- I was totally  
23          unaware of any other problems with him at all.

24   Q.   You became aware of course later on that there had been  
25          problems elsewhere?

1 A. Yes, much later really.

2 Q. I think, to be fair to you, this is after you have  
3 finally stopped, you had ceased to be engaged with the  
4 school at that point?

5 A. Mm hmm.

6 Q. Did you discuss it with your colleagues, former  
7 colleagues?

8 A. Yes, they were astonished. The people who knew him were  
9 astonished. I think I said that, you know, he ticked  
10 a lot of the boxes of what was wanted in a young  
11 schoolmaster, in terms of the activities he helped with.

12 Q. He was an enthusiast for outdoor activities?

13 A. He was.

14 Q. And friendly with children?

15 A. Well, that was his excuse for wanting to be not standing  
16 on the raised desk behind the demonstration bench in the  
17 [REDACTED].

18 Q. I'm sorry?

19 A. That was his explanation when I suggested he would -- it  
20 would be helpful -- it would help him to have more  
21 control over the class if he actually stood behind the  
22 demonstration bench a foot above the class so he could  
23 see more of what was going on. Whereas he said he liked  
24 to be among the kids.

25 Q. Did that --

1 A. No, at the time in my innocence it never -- I just  
2 thought, oh, well, it's something that's been taught  
3 at teacher training college. That's a modern attitude.  
4 Not as authoritarian as we were.

5 Q. You were aware though I think of allegations beginning  
6 to surface in the early 2000s?

7 A. Yeah, I was.

8 Q. This was following a newspaper report which referred to  
9 a teacher, though it didn't name him in the newspaper?

10 A. Yes. Yes, the first report just said there were things  
11 happened that shouldn't have happened, I don't think it  
12 was -- yes, so there was obviously a teacher involved.

13 Q. Was there much discussion among the staff at that point  
14 about who it was?

15 A. Yes, there was, and none of us could figure out who it  
16 was.

17 Q. Did you learn --

18 A. Subsequently.

19 Q. When?

20 A. Well, when he went to Fettes and then left Fettes  
21 I think. It was many years later.

22 Q. Yes. I think we know about the newspaper report was  
23 2001, when are you saying you were aware of issues with  
24 Wares?

25 A. Only hearsay from Fettes later on, or possibly when he

1 left Fettes. I mean he kind of went out of our  
2 consciousness.

3 Q. So you were aware of him -- we understand he left Fettes  
4 in 1979. Are you talking about 1980s that there was  
5 chat then?

6 A. Well, I think it was -- yes, but -- yes -- I don't  
7 remember chatting about it until the 2000s.

8 Q. Sorry, that is what I'm trying to establish.

9 A. No, no, no, no.

10 Q. All right. But when it was chatted about in the 2000s,  
11 and from what you're saying there seems to be some  
12 knowledge of who the press reports were talking about?

13 A. Yes.

14 Q. Was that gleaned from talking to other teachers or were  
15 you told by anyone formally that this is who was being  
16 referred to?

17 A. No, no, we weren't told at all.

18 Q. Right. Was there concern amongst those who had been  
19 around at that time whether the school should do  
20 something about it, for example contacting pupils?

21 A. In the 2000s?

22 Q. Yes.

23 A. Again, I don't know. That would be something for the  
24 rector of the time, because he did have some contact.  
25 I think that did promote or provoke some -- "provoke" is



1 the wrong word, it did cause some pupils to get in  
2 touch, but how he dealt with that, I don't know. I mean  
3 I stopped teaching by then. I was working in the office  
4 and I did have a slightly public relations sort of role,  
5 but nothing very formal. So I wasn't in a position to  
6 question or I didn't question the rector as to what he  
7 had done or what he should do. Again, I didn't feel it  
8 was my business.

9 Q. Do you think there should have been more openness with  
10 you as staff members who had been around at the time?

11 A. Possibly, yes. Possibly. But, again, yes -- but again,  
12 there is so much confidentiality. There is such  
13 an emphasis on confidentiality these days that  
14 I accepted that, you know, the rector would have told me  
15 all he wanted to tell me or could tell me safely and  
16 didn't want to tell me any more.

17 Q. We heard evidence from <sup>ICA</sup> [REDACTED] that he was told, he  
18 was in the junior school, by Brownlee the reason why  
19 Wares left the Edinburgh Academy, albeit after the  
20 event?

21 A. Well that's --

22 Q. That's news to you?

23 A. That's news to me, yes.

24 Q. All right.

25 Hamish Dawson was, of course, a senior school

1 teacher?

2 A. Yes, he taught at the junior end of the senior school

3 mostly, certainly.

4 Q. But I think you recall, because he was in charge of

5 rugby, to read from your statement, he talked about boys

6 in the showers and said you had to make sure that boys

7 washed properly after rugby otherwise the mothers

8 complained if they came home with dirty knees?

9 A. Yes.

10 Q. And he said that you shouldn't be frightened to go in

11 and make sure they were having a shower?

12 A. That is what he said, yes.

13 Q. You say, "At the time I thought I wasn't sure I would do

14 that". Why not?

15 A. I just didn't -- it didn't feel right. It didn't feel

16 comfortable.

17 Q. Did it raise a caution in your head?

18 A. No, no, it didn't. Not at the time. Well, I suppose

19 I thought, well, that's -- yeah, I was -- it raised

20 a query in my head, but not sufficient to take any

21 action.

22 Q. I think we have heard that one teacher who went with

23 Dawson on his trips, on the boat or to the country, was

24 a teacher called <sup>IBP</sup> [REDACTED] ?

25 A. Yes.

1 Q. You remember that, that they would go on trips together?

2 A. Oh, yeah, indeed, yeah.

3 Q. I think you heard from a pupil when you had stopped

4 teaching, this is 2005, who talked about this teacher

5 admitting to urges?

6 A. Yes.

7 Q. And homosexual urges, is that what you understood?

8 A. I understood that, yes, yes.

9 Q. Did that come as a surprise to you, having worked with

10 him?

11 A. It came as a bit of a shock to hear this confession,

12 yes, but I mean it was believable. I was amazed that

13 he'd confided in this pupil. By this time he was dead,

14 <sup>IBP</sup> [REDACTED], and the pupil was living in South

15 Africa and happened to be back.

16 Q. But I think the account was that it had been urges only

17 rather than actions, so far as the people understood?

18 A. That was the account, yes, definitely.

19 Q. You were asked about many teachers and, put short, you

20 have nothing untoward to say about most of them, fair?

21 A. Yes, yes.

22 Q. One thing, <sup>IDR</sup> [REDACTED], you remember a caricature of him

23 in a school performance running around with

24 a blood-stained lab coat with an axe looking for Geits?

25 A. I do remember that sketch, yes.

1 Q. Whose idea was that sketch?

2 A. I have no idea. I have no idea. That was left to the  
3 senior boys to get together that show.

4 Q. I think you say he had a reputation for being a bit  
5 shouty?

6 A. Yes.

7 Q. And intolerant?

8 A. And intolerant?

9 Q. Yes. Of the young, your words. Did you ever worry  
10 about him?

11 A. No, I didn't. I didn't. I didn't at all.

12 Q. All right. You also remember a good friend of yours,  
13 IDZ ?

14 A. Yes.

15 Q. You knew discipline was high on his agenda, but you  
16 didn't see it as at a worrying level?

17 A. No.

18 Q. He was a bit keen on using the shoe, you say?

19 A. The gym shoe. Well, by reputation, but he didn't have  
20 the best control of classes, by reputation again.  
21 I never worked in a room near him, so I don't know.

22 Q. Then you remember a teacher who I think you inherited  
23 a boarding house from, who you remember positively but  
24 you do remember that he could become frustrated?

25 A. He could become cross, yes.

1 Q. Was he short tempered, or is that --

2 A. It's an emotive word, but I was trying to find another  
3 word.

4 Q. You tell me. I don't --

5 A. Or cross, that is what I said he could become frustrated  
6 and cross and angry.

7 Q. Over what sort of things?

8 A. Well, I gave a trivial example in relation to my  
9 dealings with him, where he threw his briefcase in the  
10 wastepaper basket, but --

11 Q. You remember another occasion where he came into the  
12 common room upset?

13 A. I don't know how upset he was, but he wanted to say that  
14 he'd hit somebody and basically he knew that he  
15 shouldn't have done, that he had lost his rag or lost  
16 his temper, whatever.

17 Q. And you say he wasn't proud of it?

18 A. Oh, certainly not, no.

19 Q. Do you know if anything came from that?

20 A. I don't know. I don't know.

21 Q. All right.

22 We have heard a lot about a PE teacher and much  
23 about checking of shorts to see there was no underwear  
24 underneath. Do you understand why that was done?

25 A. Well, I've suggested -- I don't know. These tales came

1 to me much, much later, after he had retired, in fact.  
2 And they came as a surprise, but all I can think of is  
3 that in the old days you didn't wear underwear under  
4 sports clothing, for what I always took to be hygiene  
5 reasons, in that you didn't want to be still in sweaty  
6 underwear for the rest of the day and that you had  
7 sports underwear.

8 Q. Had that been your experience at school?

9 A. At school, it had, yes.

10 Q. To you it made sense, because that was the norm for you?

11 A. It did, yes.

12 Q. Was that a school rule though at Edinburgh Academy?

13 A. I have no idea.

14 Q. You have no idea?

15 A. I have no idea.

16 Q. I think you have heard however he was keen on being in  
17 the showers?

18 A. I've heard that, yes, but, again, I don't know the  
19 layouts. I don't know the layout of the shower in the  
20 gym, whether it was for -- to avoid any fighting or  
21 wrestling. I mean, in PE lessons there is a lot of  
22 physical interaction in terms of competitive physical  
23 interaction and it may have spilled on in the showers.  
24 Maybe he reckons he was supervising them. He was  
25 a chatty fellow and liked to talk to people and he may

1           have been in conversation with people and carried on  
2           into the showers. I personally, even now, don't think  
3           that there was any question of gratification for him in  
4           these actions, but I don't know.

5   Q.   Although you felt a little uneasy when Hamish Dawson was  
6           saying to you, go and --

7   A.   I did, yes, I did.

8   Q.   So why not with the PE teacher?

9   A.   They were very different people. I got to know them in  
10          different ways.

11   Q.   One final name, and this is the penultimate page of your  
12          statement, you reference a South African teacher who was  
13          in the junior school and you think he was in the  
14          boarding house after you left?

15   A.   Yes, I can't remember in -- whether he actually took  
16          over a boarding house or whether he was -- when I said  
17          the two houses were combined and he may have lived in  
18          what was Scott House and sort of looked after the  
19          Scott House side, I'm not sure, but he was living in the  
20          boarding house for a while, yes.

21   Q.   Right. He didn't last long?

22   A.   No.

23   Q.   He was there, we understand, for about a year?

24   A.   Yeah.

25   Q.   Do you understand why he left?

1 A. No.

2 Q. But you remember that the headmaster was going to drive  
3 him to the airport when he left, you had had him for  
4 a meal so your wife offered to drive him and the  
5 headmaster said "no"?

6 A. Yes.

7 Q. Why does that stick out?

8 A. Why does it stick out?

9 Q. Yes.

10 A. Well, obviously he didn't want my wife talking to him or  
11 him talking to my wife.

12 Q. Did that cause you some surprise?

13 A. It did, yes, it did.

14 Q. Were you aware of any issue with that teacher?

15 A. No, no.

16 Q. I think we know from court of directors' documents,  
17 minutes, that it was reported that he was leaving  
18 because of family concerns?

19 A. Yes, his wife had been across here with him I think at  
20 one stage and then she went back, I think. I mean, my  
21 wife became more friendly with him because (a) she was  
22 born in South Africa and (b) he was a fellow colonial  
23 and she worked in the junior school as a nurse, so --  
24 and we had been in the houses. I think we had lent him  
25 some kit for the kitchens or the house or downy covers



1 or something, so it wasn't a great friendly  
2 relationship. I didn't know him really very well at  
3 all.

4 Q. Could you just look at one document, please, which is  
5 SGV-000101857, it will appear on the screen. This is  
6 a summary of child protection files, current or  
7 immediate past, which were recovered from the Care  
8 Inspectorate, I think. If we go to the very bottom, the  
9 names are blacked out. The third one.

10 "Former member of staff, allegation of assault  
11 against pupil, dealt with under disciplinary  
12 procedures."

13 Take it from me it's the same teacher.

14 A. I've no idea.

15 Q. You had no idea about that?

16 A. Absolutely no idea, no, no idea. I didn't -- no,  
17 I didn't have much -- although my wife worked there,  
18 I didn't have much dealings with the junior school  
19 really. I've no idea. Obviously since his name has  
20 come up I was wondering what is he being accused of, or  
21 what's he done. So that explains what he's done.

22 Q. So this is in the last 15 years, but that sort of  
23 information wasn't being shared with you?

24 A. No, no.

25 Q. Or more widely, it would appear?

1 A. No, no.

2 Q. Does that concern you that there isn't an openness of  
3 communication?

4 A. Well, it does, it used to frustrate me but again I put  
5 it to this drive for confidentiality. It seemed  
6 prevalent in the tone of the -- for instance, children  
7 going to the doctors. I remember trying to get some  
8 information about a child who had gone to see the doctor  
9 and the doctor wasn't allowed to tell me anything about  
10 him because of confidentiality and I thought well I'm --  
11 he's in my care and that seems a bit counterproductive  
12 and I think perhaps in some ways it's gone too far.

13 Q. I think this is why in terms of lessons learned your  
14 phrase -- you say lessons to be learned:

15 "I hope that the baby doesn't get thrown out with  
16 the bathwater."

17 Just explain what you mean by that?

18 A. Well, I did try and go on to explain it, in the sense  
19 that the confidentiality is one thing and if there is so  
20 much emphasis on confidentiality that you are not  
21 exchanging information that could be helpful and useful  
22 in dealing with people, that seems counterproductive.

23 If staff who normally take school trips and camping  
24 expeditions, sailing expeditions, whatever, there is the  
25 feeling that they are not really fully trusted to do

1           that, then there's always this risk of accusations, then  
2           they won't do it and so the children will lose out on  
3           valuable experiences. That was my feeling. It was  
4           after a long session and that is what I came up with.

5   Q. That perhaps ties in with one of your concerns in the  
6           statement that you found the increasing bureaucracy  
7           frustrating?

8   A. Well, yes, that is a personal thing.

9   Q. Would you not accept though, with child protection in  
10          mind, really these are small burdens to carry --

11   A. Indeed, yes.

12   Q. -- if it protects the child?

13   A. Of course, yes, indeed. I'm not saying I was right to  
14          be frustrated with it. I'm just saying that's how  
15          I felt and I do accept what you are just saying, yes,  
16          of course.

17   MR BROWN: Rob, thank you very much indeed.

18                I have no further questions for you. Is there  
19          anything else you would wish to add?

20   A. I don't think so, no. I think I've ...

21   LADY SMITH: I'm sure we have exhausted you already, Rob.

22          Both in the questions you were asked when you were  
23          interviewed for your statement, which I'm aware has  
24          obviously had a lot of work put into it, and that in  
25          itself will have been a burdensome task for you, but

1           also thank you for bearing with us this morning and  
2           I'm aware of the fact that we have had you giving  
3           evidence for quite a while now.

4           Everything you have told me is really helpful.  
5           Please be assured of that. I'm very grateful to you for  
6           bringing to life some of the things you have talked  
7           about in your statement. So I'm able to let you go and  
8           hopefully have a more restful afternoon than you have  
9           had a morning.

10          A. Thank you. I hope so, yes.

11                        Thank you.

12                                       (The witness withdrew)

13          LADY SMITH: I'll rise now for the lunch break and sit again  
14           at about 2.10 pm.

15                        Thank you.

16          (1.20 pm)

17                                       (The luncheon adjournment)

18          (2.10 pm)

19          LADY SMITH: Good afternoon.

20                        Mr Brown.

21          MR BROWN: My Lady, the final witness today is Tony Cook.

22          LADY SMITH: Thank you.

23                                       Tony Cook (sworn)

24          LADY SMITH: Tony, thank you for agreeing to come along this  
25           afternoon and for providing the written evidence that

1           you've provided.

2           Practicalities, the red folder in front of you has  
3           your written statement in it. Feel free to refer to it  
4           if you find that helpful. You don't have to, but it's  
5           there if you want it.

6           Otherwise, please understand, I do know that this is  
7           not an easy thing to do, to come into public and talk  
8           about events in your own professional life, spanning  
9           quite a long period, and starting quite a long time ago,  
10          at a stage in your life that you probably thought you  
11          could perhaps relax a little more.

12          But by the end of today I hope you will be able to  
13          do that, and if you can bear with us between now and the  
14          end of the day, in the hearing, that would be wonderful.

15          Do let us know if there is anything we can do to  
16          make things more comfortable for you, whether it's  
17          a break or a breather just sitting where you are, or if  
18          we're not explaining things properly, tell us. It's our  
19          fault not yours if that happens.

20          If you're ready I'll hand over to Mr Brown and he'll  
21          take it from there. Is that all right?

22   A. Yes.

23   LADY SMITH: Thank you.

24           Mr Brown.

25   MR BROWN: My Lady, thank you.

1 Questions from Mr Brown

2 MR BROWN: Tony, good afternoon.

3 A. Good afternoon.

4 Q. We have the statement, which is in the red folder, a  
5 reference number WIT-1-000001315. It runs to 43 pages  
6 and you signed it this month.

7 A. Good, yes, correct.

8 Q. You ended by confirming you had no objection to the  
9 statement being published as part of the evidence to the  
10 Inquiry and that the facts in it are true, and that's  
11 correct?

12 A. Correct.

13 Q. Thank you.

14 You are now 80 years old?

15 A. Yeah.

16 Q. And your connection with the Academy I think in terms of  
17 the evidence we've heard from live witnesses goes back  
18 the furthest, because you were a pupil there from 1951  
19 until 1961. Is that right?

20 A. Correct, yes.

21 Q. Then you returned in 1975 as a teacher and stayed  
22 I think until 2008?

23 A. 2003.

24 Q. 2003. Thank you. That didn't end the connection,  
25 because you remained involved in a number of senses and

1           you are still involved, as you are currently president  
2           of the Academical Club?

3    A.   That is correct.

4    Q.   As a result of that, you are currently a member of the  
5           current court of directors?

6    A.   Yes.

7    Q.   So the Academy has played a significant part in your  
8           life?

9    A.   Yeah.

10   Q.   That's emphasised because you went there because your  
11          father was a teacher, so it runs really through  
12          everything.

13                In terms of background, you were born during the  
14                war. In fact, you didn't see your father for many years  
15                because of the war. You make the point when you were at  
16                school many of the teachers had returned from active  
17                service, a number were decorated. Do you remember that  
18                having an effect on behaviour, the war service, was that  
19                something that was considered at the time?

20   A.   No, I can't remember anyone considering that at all  
21          actually. It was just a fact.

22   Q.   It was just a fact?

23   A.   Yes, yes.

24   Q.   All right. I think you make the point that having been  
25          at the point you went to college and then university,

1 but teaching had not been your aim. You said you were  
2 wanting to go down the academic route and you started  
3 a PhD, which didn't finish?

4 A. Yes. I suppose teaching, it's very rare that people at  
5 school actually want to become teachers, for a variety  
6 of different reasons, but I sort of -- I suppose I must  
7 have had some of the genes for teaching, because my  
8 parents were both teachers and my grandparents were  
9 teachers and they had -- they came through and through.

10 Q. Yes, but I think you discovered as part of your PhD that  
11 you were teaching undergraduates --

12 A. Yes.

13 Q. -- and you actually enjoyed it?

14 A. Well, I did, because when you are doing research of any  
15 sort it becomes very specialist and it often becomes  
16 quite difficult, perhaps communicating with people when  
17 they ask you what you do and you have to go into the  
18 population genetics of crows and people say, well, what  
19 is actually the point of that and how -- and often it's  
20 quite difficult to justify, but -- and I did find that  
21 once I started communicating with the students though  
22 I quite enjoyed it, at a slightly lower level.

23 Q. Okay. You then gave up the PhD ultimately?

24 A. Well, yes. I didn't mean to. I thought when I started  
25 teaching I would have plenty of spare time, which is not



1 the case at all, because once you start teaching,  
2 particularly at a school like the Academy, there is  
3 a lot of extracurricular stuff that you have to do --  
4 I suppose you don't have to, but you do it because you  
5 enjoy doing it and it's part of the job.

6 Q. Would it be also fair to say there's an expectation  
7 that --

8 A. Yes, of course there's an expectation because when they  
9 employ people they employ people that do seem to have  
10 a breadth of experience and a willingness to give in  
11 different areas.

12 Q. Were there times, just touching on that point, where  
13 your life as a teacher was very busy?

14 A. Yes, well it was, because I had -- I gradually started  
15 having a few children, or my wife did, and so as we went  
16 on, the expectation was for instance on a Saturday  
17 morning one would take games and Sunday, often nothing,  
18 but sometimes we had a field centre called Blair House,  
19 which was much appreciated by everybody and we might go  
20 up there on a Friday evening, after a parents at home,  
21 and take a dozen boys or so up there and then spend  
22 a couple of nights there and come back on a Sunday  
23 afternoon. With my wife fielding all the work at home,  
24 so I was very appreciative of her great support in that  
25 area, but it was just something that, you know,

1 I enjoyed doing it. I didn't think it was a drudge at  
2 all.

3 Q. No, but at times did you feel it was just too much that  
4 was being expected of you?

5 A. No, I didn't. No, I didn't feel it's too much. No,  
6 I thought it was absolutely fine. I felt the more I did  
7 the better almost.

8 Q. And your colleagues, would they have said the same?

9 A. No, colleagues varied so much. There is such a variety  
10 of colleagues and as time went on I think there was  
11 gradually an expectation that you were allowed more  
12 family time and that perhaps your weekends were your own  
13 a bit and you were allowed a day off with your family.

14 Q. So the school began to understand that teachers have --

15 A. I think so --

16 Q. -- lives as well.

17 A. -- yes.

18 Q. And presumably that they too may be under a fair amount  
19 of stress?

20 A. Yes.

21 Q. When did that change?

22 A. It changed very gradually. I mean from when I started  
23 teaching there, in 1975, I suppose you would think it  
24 was the old guard there and we just had, you know, one  
25 school minibus and so it was a bit of a fight for that,

1 but gradually, as new staff came, they would just be --  
2 it's a fairly gradual process. They just have slightly  
3 different expectations.

4 Q. Prior to new staff coming in, you've described the old  
5 guard, starting in 1975 did you get the sense the school  
6 was operating in many ways just as it had when you had  
7 been there as a pupil?

8 A. It did a bit, because there were quite a few of the  
9 teachers, the masters as they all were in those days,  
10 who were still there. <sup>ICH</sup> [REDACTED] had appointed, when  
11 he was rector, a lot of people who actually loved the  
12 hills, loved the outdoors as well as having the academic  
13 experience, but he focused very much on that because he  
14 was a great outdoors man himself, and so many of those  
15 were still there. So for instance when we went out on  
16 a climbing meet or something like that on a Sunday,  
17 there would be 10/12 members of staff, who would be  
18 there and then this gradually got less and less, for the  
19 reasons I've just explained.

20 Q. Yeah. But having been at the school 1950s, into the  
21 early 1960s, you come back 14 years later. Did you get  
22 the sense the ethos had remained the same in the  
23 intervening 15 years?

24 A. Yes, but not completely the same.

25 Q. No, no.

1 A. It was a gradual change and the fact that there was  
2 still corporal punishment for instance, although some  
3 aspects of it obviously had disappeared. But it was  
4 interesting to see how that gradually did disappear and  
5 the new teachers that came in were not going to be using  
6 corporal punishment. One or two of what I called the  
7 old guard might have still, because it's part of the  
8 fabric of their life and their method.

9 Q. It was what they knew?

10 A. Yes, it was, yes.

11 Q. Now, you went to the Academy aged seven?

12 A. Yes.

13 Q. [REDACTED]

14 [REDACTED]

15 A. [REDACTED]

16 Q. You weren't ever in a boarding house, [REDACTED]

17 [REDACTED]

18 A. [REDACTED]

19 Q. Not involved in that side [REDACTED]

20 A. No, I wasn't, no.

21 Q. You were too busy doing other things?

22 A. Yes, well ...

23 Q. Okay.

24 Thinking back to joining school, and you've seen the  
25 Edinburgh Academy from, as I say, starting aged seven up

1           until the present day, we get the sense that the world  
2           is entirely different in terms of a new start's  
3           experience?

4   A.   Oh, completely. I mean --

5   Q.   What was your experience?

6   A.   Of?

7   Q.   Day one.

8   A.   At school?

9   Q.   Yes.

10  A.   Being a little bit nervous, because you are coming down  
11       there and you are suddenly dumped with your class  
12       teacher and we're in the main hall there and the rector  
13       reads out which class you're in, so there is a list of  
14       names comes out, so you know which class you're in and  
15       you go to that class and it was brought into sharp focus  
16       recently, because the boy that was my, what you might  
17       call my minder, because the lady in charge, Ms McClure,  
18       she said, "Right, now, [REDACTED], will you please look after  
19       this new boy" and that was it. So that he did and he  
20       did a brilliant job on it and showed me all the facets  
21       of the school and where the toilets where, and where the  
22       tuck shop was and what happened in the first break and  
23       all the details that are vitally important.

24  Q.   So that was a good start?

25  A.   That was a good start. Oh, yes, it was, but there was

1 nothing -- there was no formal -- I mean, nowadays it's  
2 so different and they have a day of preparation that  
3 young children coming into the school and the new ones  
4 have a preparation and the ones coming from the junior  
5 school to the senior school, the preparation started  
6 last year, where they're just gradually coming into the  
7 new system there and getting used to it, so when they  
8 start they're really enjoying themselves.

9 I know that for sure, because I've got two  
10 grandchildren and they've just done that today and  
11 yesterday.

12 Q. It's a different world?

13 A. Completely, totally different world and this is the  
14 extraordinary thing, how we can have this complete  
15 change and to look back over all these years and see  
16 what used to happen and what did happen, it's -- for me  
17 it's an awful experience, because my love of the school  
18 at the time -- I wouldn't say my school days were  
19 necessarily the happiest days of my life, but on the  
20 other hand, I didn't dislike them in any way and I made  
21 some very good friends, which I've still got, but  
22 those -- I still look back on -- with a great love for  
23 the school.

24 But then, when things happen, and particularly when  
25 things happen while you were there and you didn't

1 realise they were happening, it cuts like a great thrust  
2 into the middle of your heart that things weren't as  
3 they might have been. And this gives me a tremendous  
4 feeling of sympathy, understanding and slight  
5 bewilderment that some people are going -- still going  
6 through this process.

7 Some boys that I taught, some boys that were my  
8 compatriots, this gives me tremendous pain.

9 Q. Yes. I think though going back to day one and to use  
10 the language of the statement, you had a very good  
11 minder?

12 A. Yes, I did.

13 Q. But otherwise the culture was sink or swim. You learnt  
14 to survive?

15 A. It was very much. That was it. You just got on with it  
16 and you had to learn from other people and so you asked  
17 each other what you did and how you got up to games,  
18 which would have been down at Raeburn Place -- we didn't  
19 have Newfield in those days -- and how you got there and  
20 where you changed and all that sort of business. So  
21 there was a lot of learning from each other and  
22 of course when you step into an environment that may be  
23 in your class of 25 or 30, 30 it would be in those days,  
24 you didn't know any of them.

25 Q. No.

1 A. But quickly you did get to know and some, you know,  
2 particularly if you enjoyed a sport that they enjoyed,  
3 like rugby, they would take you on board, but there  
4 would be moments of slight worry that you weren't being  
5 accepted perhaps.

6 Q. Yes. You make the point that there was an outdoor  
7 aspect to schooling, your schooling, and you reference  
8 the fact that your first ever camping trip was with  
9 Hamish Dawson?

10 A. Yes, it was, because he was actually -- I was -- when he  
11 arrived at the school I was in his class, in what would  
12 be 1956 or something like that. I can't remember the  
13 exact date. So I was in his class and he taught me  
14 history.

15 But he had a system where he obviously enjoyed  
16 outdoor stuff, because he continued throughout his life  
17 and did things like the canal trips and that sort of  
18 thing, but he had this friend with him and we -- and it  
19 was by invitation that -- I don't know how he invited  
20 people, how he decided who was going, because I know my  
21 parents were a bit upset because my brother wasn't  
22 invited. But he was perhaps a little bit more of  
23 a scamp than I was. I don't know. Or they fell out in  
24 some way.

25 Q. But you enjoyed the outdoor trip?



1 A. I did. It was quite tough in those days because there  
2 wasn't a proper means of transport and we went up by  
3 train and then had to walk in from Aviemore into  
4 Glenmore Lodge, which is five miles or so, but then that  
5 was all good and we had these big tents with big wooden  
6 tent pegs and great mallets that we had to hammer in.

7 Q. But you remember him as a teacher, there is nothing  
8 untoward about the trip?

9 A. No, there was nothing untoward about the trip at all.  
10 No, it was quite -- we had a great time, and he -- you  
11 know, taught us how to ford rivers or how to, you know,  
12 drink from a burn, just things like that and how to --  
13 I think they did the cooking in the first instance and  
14 then the second year I went we went as an independent  
15 group and we did the cooking.

16 Q. Tell us about Hamish Dawson in the classroom though?

17 A. Yeah. In the classroom, I think children are always --  
18 they always think teachers are a slightly different  
19 breed and that they're just different because they  
20 appear there and their behaviour in the classroom isn't  
21 necessarily the same as their behaviour elsewhere and  
22 this is a fact of life, that this is the case.

23 But Hamish was a little bit erratic, I suppose, as  
24 a teacher, that you weren't ever terribly sure how he  
25 was going to react to a situation or something.

1           He certainly didn't like people dropping off to  
2           sleep in his class, because he would be very accurate  
3           with a piece of chalk, which he would hurl at you and so  
4           you made sure you avoided that.

5    Q.   Was that a common --

6    A.   Did other teachers do that?   Yes.

7    Q.   Yes.

8    A.   One or two did.   Oh, yes, people used to throw things  
9           about a bit, just to keep you on your toes, really.

10   Q.   I think you mention Hamish Dawson throwing a log?

11   A.   Oh, well, there was a little log.   I can still see it in  
12           my mind.   It held the door open.   Sometimes he --  
13           I won't say he lobbed it with great intent, but he might  
14           throw it across the room.   And you woke up perhaps to  
15           field it and that would be something, but I don't  
16           remember him throwing it trying to hurt people.

17   Q.   Okay do you remember other teachers throwing things?

18   A.   Throwing things?

19   Q.   Board dusters for example?

20   A.   Board dusters, yes, occasionally or the odd gym shoe  
21           could get thrown around, because we had lockers that  
22           were open and so this used to have gym shoes and things  
23           spilling out of them, so they were quite handy little  
24           things to throw around or give people a tap if they  
25           weren't doing what they were supposed to do.

1 Q. Was that considered in any way offensive by the boys?

2 A. No, I don't think so. It was just par for the course.

3 Q. It was the norm?

4 A. It was the norm. That's what you did. And I think it  
5 was similar everywhere probably.

6 Q. Just thinking momentarily to your teaching experience,  
7 were the same things going on as far as you were aware,  
8 chalk throwing, duster throwing?

9 A. Not that I was ever aware of, because when you start  
10 teaching it's a different scenario completely, because  
11 there I am in a class with the children and it's not  
12 like I'm one of the children in the class and I go round  
13 lots of teachers as a child. So you don't get that  
14 experience of the individuality of -- but I know for  
15 instance Hamish Dawson used to have a gown which had  
16 a greenish tinge to it, I remember that, and I think he  
17 had a knot tied in it that he could playfully give you  
18 a little whack every now and again.

19 Q. Okay. I think you mentioned that he had compasses which  
20 he would -- you never experienced?

21 A. I never observed this happening, but I know it happened  
22 because I've got a very good friend that I think  
23 I've mentioned, not by name, but who is still a good  
24 friend and he definitely got a prod with a compass and  
25 he went home to his parents and told them about this and

1           so they made some -- went and saw the rector about this,  
2           I think.

3           What exactly happened, I don't know. But the result  
4           was that he left the school.

5   Q. Yes. Corporal punishment, when you were a schoolboy was  
6           routine?

7   A. Yeah, it was routine but it wasn't a daily occurrence,  
8           necessarily.

9   Q. No.

10  A. But it was a routine thing that happened and it was  
11           usually -- 95 per cent of it was the tawse with  
12           teachers, and that was ... and some of them had a tawse  
13           that they kept on their person. It was traditional to  
14           put it underneath your jacket so that it could be  
15           whipped out easily, but other teachers kept it in  
16           perhaps a drawer or a cupboard that was locked or some  
17           teachers borrowed a tawse from another teacher. They  
18           had a sort of agreement.

19  Q. But I think some teachers had the reputation for being  
20           fierce or even vicious with a tawse?

21  A. Yes. I think the ones you feared most were the ones  
22           that wielded it with the greatest intent and often  
23           wielded it the least, because one was sufficiently  
24           frightened of the possibility of a serious whack with  
25           a full tawse, that other teachers would not produce the

1 same effect at all. And it was just a case of whacking  
2 on the hand perhaps occasionally.

3 But this didn't happen every day or even every week  
4 in a class, but it did happen on a regular basis and  
5 there were some teachers undoubtedly that used it more  
6 or used it as a threat. I mean there was one teacher  
7 that used to keep it on his desk and these were desks  
8 you stood at, big desks with a lifting lid, and lay it  
9 on the front there so that the class could see it  
10 clearly and that it was there as a threat.

11 Q. You remember one in particular who you describe as  
12 a sadist, who went on to Kelvinside?

13 A. Yes, he was the one that used to say, "I've got my  
14 Lochgelly persuader here, so watch it", but he did --  
15 I think he was -- there was no compassion in his mind.  
16 One always got the feeling that he quite enjoyed boys  
17 suffering a bit at the time.

18 Q. Now you're the son of a teacher, would you go home and  
19 tell your --

20 A. No, you didn't do that. There was a thing called  
21 clyping --

22 Q. Yes.

23 A. -- which you didn't do almost -- and this is ... often  
24 has worried me, that if a thing was serious, and I think  
25 getting a bash with the tawse is not a serious thing,

1 but other things could be more serious. And I think it  
2 was very sad when children felt unable to perhaps go to  
3 their parents and explain that, but then in those days  
4 sometimes if you received corporal punishment at school  
5 your father would give you the same.

6 Q. In terms of clyping, we have heard an awful lot about  
7 not clyping from applicants?

8 A. Yes.

9 Q. One could say that that culture of not clyping never  
10 really went away and may still be present?

11 A. I think it may still be present nowadays, yes. Children  
12 don't like to do that.

13 Q. When do you recall the school made efforts to address  
14 that?

15 A. Well, I suppose when we started getting year heads and  
16 people that were on -- or even a padre and having  
17 another level of people that a child could go to,  
18 because if a child just didn't want to go home, didn't  
19 want to go to their class teacher, but they might have  
20 had an affinity with another member of staff, and  
21 particularly if somebody was in there as a year head and  
22 really got on well with the children, I think some of  
23 the children -- and now the process is streamlined to  
24 such an efficient extent that it's totally unlike the  
25 past and that's been a gradual process, since the late

1 1970s/early 1980s.

2 Q. Okay. Going back to your schooling though, there was  
3 also -- we have talked about corporal punishment, you do  
4 also remember one teachers would taught [REDACTED],  
5 Mr [REDACTED]?

6 A. Oh, yes, yes, yes.

7 Q. He had a reputation of being, I think to use your word,  
8 dodgy?

9 A. Yes, dodgy, yes, because in those days we had benches  
10 that could be triple benches. They had -- they were  
11 wooden benches with an inkwell in each corner and there  
12 might be two of us there, but being a bench you could  
13 shove up and so sometimes you used to be explaining some  
14 conjunctive phrase and then would ask the child to shove  
15 up and so he would, and then perhaps act what we -- what  
16 would be inappropriately by putting his hand on  
17 somebody's knee, and he was known for this.

18 In fact, he used to have favourites in the class and  
19 there's one chap, he's now just retired as a professor  
20 of brain surgery down south, and he was his favourite.  
21 He was a very bright boy, very bright boy, but somehow  
22 he liked him and would sit down beside him and put his  
23 hand on his knee and the question is: what did this boy  
24 think about that?

25 He didn't care a bit. They thought it was just

1 a laugh. You know, that's what he felt at the time and  
2 he didn't feel it as a threat, which other children  
3 could well have done.

4 Q. But again is that something that you would ever have  
5 thought of raising with your father, who is a teacher,  
6 [REDACTED]?

7 A. No, I never saw this particular incident. I only heard  
8 about it from this guy because I spent a holiday with  
9 him. But I would not go and talk about things that  
10 happened at school to my father, never, never, never.  
11 He wasn't actually a very approachable man in that  
12 respect.

13 Q. All right. When you returned in 1975, was [REDACTED] long  
14 gone?

15 A. Yes, he'd been gone several years and died quite young.

16 Q. But were you aware of any teachers with a similar  
17 disposition or did you suspect when you were a teacher?

18 A. No, I can't think of any. I mean, I think the thing is  
19 Dawson was there still, as a colleague this time, but  
20 there was no evidence. And I was too busy getting my  
21 own teaching sorted out, because still in those days it  
22 was quite -- you were still thrown to the lions a bit.

23 Q. We'll come back to that shortly.

24 One last thing, though, we have talked about  
25 discipline in the classroom. The other thing that was



1 still active when you were a pupil is ephors being  
2 allowed to beat.

3 A. Yes.

4 Q. We've heard evidence of being called to the ephors' room  
5 on a Friday afternoon?

6 A. Yes, 3.10 pm.

7 Q. When would you discover you had to attend -- it sounds  
8 as if it's a court --

9 A. Yes, it was a bit of a court, so that if an ephor came  
10 in, because during the breaks you were supposed to go  
11 outside and you weren't supposed to play inside, because  
12 you get a lot of boys playing inside they tend to cause  
13 damage of one sort or another. But if -- and the ephors  
14 would go round and if they saw somebody misbehaving in  
15 some way they would just say, "Ephors room, 3.10 pm".  
16 That's what they would say to you, and you had to go.  
17 You had to remember.

18 Q. What sort of reputation, before we talk about the actual  
19 event, what was the reputation of a beating by the  
20 ephors?

21 A. The?

22 Q. What did you understand the level of beating would be?  
23 Was it something that was feared by the pupils?

24 A. Oh, yes, it was pretty much, because they used the  
25 clacken, you see, which is a sort of flat bat.

1 Q. We have seen the clacken, yes.

2 A. You have seen the clacken, have you, yes. So they used  
3 that and yes there was a fear. Some -- I think the  
4 ephors, and it was the senior ephors, of whom there were  
5 eight normally, that would be dishing out this  
6 punishment and some of them -- I mean there was one --  
7 one of them was the Scottish school squash champion, so  
8 he had a very deft hand and like to probably do more  
9 than -- and others were much gentler and it was just  
10 a little tap they probably gave you. So there was quite  
11 a variety.

12 Q. But the reputation was --

13 A. The reputation --

14 Q. You might suffer?

15 A. You're going to suffer and so you would wear an extra  
16 pair of underpants or if you -- or perhaps put  
17 a geography atlas, but then that was not to be  
18 recommended because they would find that out.

19 Q. And there would be more punishment?

20 A. Yeah, they'd double the thing.

21 Q. We understand the maximum was six?

22 A. Six, yes.

23 Q. But could it go to 12?

24 A. It never went to 12, I don't think.

25 Q. You said it could double?

1 A. Yes, I think it was only because six would be unusual,  
2 but there were standard numbers for if you weren't  
3 wearing your cap on a Saturday in Princes Street there  
4 is a standard I think of three that you were given.

5 Q. Yes. If we look please at a document, EDA-000000858.  
6 It will appear to the screen on your left. If we go to  
7 page 6, this is the beat book.

8 A. Yeah.

9 Q. If we go down to 3 February, I think we can see:  
10 "Seen on Friday night wearing cloth cap. No  
11 plausible excuse. Sentenced to 3 beats."

12 A. Yes, that would be normal. So you wouldn't be allowed  
13 to wear a cloth cap. You have got to wear the proper  
14 cap.

15 Q. I think if we go over to page 7, top of the page,  
16 9 March:  
17 "No cap on Saturday. Very feeble excuse. 2 beats."

18 A. Yeah.

19 Q. Then if we go down to the bottom of the page, you will  
20 see after the line of single beats, there is then:  
21 "Failed to hand in lines for senior ephor, no  
22 excuse. 1 beat."

23 A. Yeah.

24 Q. "The HE [head ephor] declining to beat [REDACTED]  
25 [REDACTED]."

1           That is you?

2   A.  Me?  Okay.  Yes, could well have been, yes.

3   Q.  Take it from me, it is.  I'm afraid the names are  
4       blacked out.

5   A.  What a shame, yes, because I may know some of them.  But  
6       I could thank him, couldn't I?  I don't know --

7

8

9

10  Q.  But I think you laugh now, but --

11  A.  No, it wasn't a laughing thing at all, no, I mean you  
12       were terrified as an 11-year-old standing there and you  
13       were called and these were like men there, sitting  
14       behind this table, each one holding a clacken.  I mean,  
15       there was a tremendous threat about that and then having  
16       given you the -- having stated what you had done wrong,  
17       they then asked you to go and stand outside, while they  
18       considered how many beats to give you, so there was  
19       a certain two or three minutes of suspense before you  
20       are called in and told what your punishment would be.

21  Q.  Did anyone think this was abnormal?

22  A.  No, I don't think so.  They just -- that's what happened  
23       really.  It was just part of the thing about a school.  
24       They didn't compare it with other people.  We didn't  
25       tend to swap tales with other schools particularly, but

1 I think that would have been unusual, although, you  
2 know, fagging systems in schools, particularly boarding  
3 schools, would have entailed possibly something --  
4 Q. Fagging from your experience, did that amount to  
5 cleaning shoes?  
6 A. Well, yes. I mean, it wasn't a full boarding school in  
7 the way that the others were, so I think the fagging  
8 system wasn't overused at all.  
9 Q. No. But the point is, there is a beat book. These are  
10 being recorded?  
11 A. Yes.  
12 Q. So it's known and there are records of clackens being  
13 broken and some pride?  
14 A. Oh, yes, you are allowed to keep the clacken if it broke  
15 on you.  
16 Q. Presumably it broke because of the amount of force?  
17 A. Yes. Unless it had a weak part in it, yes, no, it would  
18 be a fair old whack.  
19 Q. But the point is it's being recorded, it's all known?  
20 A. Yes.  
21 Q. All the pupils know this and presumably the staff knew?  
22 A. Yes, the staff would have known, yes.  
23 Q. But no one thought to say that this is --  
24 A. No, because it was a completely different ethos. We're  
25 talking about quite a long time ago. We are talking

1           about the 1950s --

2    Q.   Indeed.

3    A.   -- and there was ... corporal punishment was used

4           regularly everywhere.

5    Q.   The culture was one where violence, as we would see it

6           now --

7    A.   Yes, there was -- I wouldn't say gratuitous violence,

8           but there was just violence was a part of -- but it

9           hadn't always been a part of the teaching process.

10   Q.   You say that in your statement.  One teacher was

11          dismissed because he wouldn't beat?

12   A.   Yes.  But the culture back in Victorian times, where

13          they had classes of 150/200, they had to have a very

14          serious method of keeping people under control and that

15          was -- and the expectation from parents in those days

16          would be that corporal punishment would be meted out on

17          a regular basis.

18   Q.   Okay.  But did that everyday violence or corporal

19          punishment impact on the way pupils behaved one to the

20          other, do you think?

21   A.   Well, it might have, I suppose.  It might have done.

22          But it wasn't such a regular thing.  I mean, one talks

23          about this nowadays and everyone thinks this is

24          terrible, this sounds awful and you imagine going into

25          school and there's beatings taking place in every

1 classroom and ephors thrashing around. It was not  
2 a common occurrence. It was a rare event really.

3 Q. Do you ever remember a teacher, when you were a pupil,  
4 using a clacken?

5 A. There were -- it was not ... I've spoken to several  
6 people about this and nobody can remember any teacher in  
7 the senior school using a clacken, with one possible --  
8 there is one possible teacher that might have done. But  
9 otherwise, people say no, teachers did not use clackens.  
10 I think that in the junior school, or the prep as we  
11 called it then, that would have been slightly different,  
12 particularly latterly.

13 Q. We'll come back to that, if we may.

14 A. Yeah.

15 Q. Let's move on from the 1950s/early 1960s to 1975 and you  
16 come back as a biology teacher?

17 A. Yes.

18 Q. Your appointment process is you are interviewed by the  
19 head of department and by the then headmaster, Mr <sup>ICH</sup> [REDACTED] ?

20 A. Yes.

21 Q. Mr <sup>ICH</sup> [REDACTED], from what you said, is interested in whether  
22 you hillwalk?

23 A. Yeah, that's it. That's his main question. He assumed  
24 that the background biology was okay, because my CV  
25 covered probably what I had done and also the head of

1 department had -- I didn't have much of a chat with him,  
2 but I must have had some chat.

3 Q. So it's really quite cursory?

4 A. It was pretty cursory, for me anyway and although it was  
5 quite -- I think we talked for 25 minutes about hills  
6 and he was waxing eloquent about the field centre and  
7 the different climbs you could do there and, you know,  
8 he was so keen to get people who were interested in the  
9 outdoors.

10 Q. And I think as you say, when you then get the job, and  
11 you then discover really there's no training for the  
12 courses you are teaching --

13 A. I know, but again it was assumed that you could just do  
14 that and you'd find out how to do it and it was just  
15 sink or swim in a way.

16 Q. As a teacher as opposed to a pupil?

17 A. As a teacher, yes, I think there was probably more care  
18 for pupils then than there had been, but certainly from  
19 the point of view of a teacher, you just found out from  
20 other teachers what you did and of course if you had --  
21 your head of department would be expected to look after  
22 you, but they didn't always, because they're busy doing  
23 lots of other things.

24 Q. So there's no training and we would understand there are  
25 no policies as we would understand them now. They came



1           in --

2   A.  No, everything.  I mean everything is now so categorised  
3       and organised.

4   Q.  But was it really, thinking back to 1975, you have this  
5       cursory exchange, they look presumably at your CV, take  
6       up your references and if they think you fit you're in  
7       and that's really it.  They assumed thereafter you are  
8       fit to teach, you're fit to do whatever?

9   A.  Yes, and then you can join the CCF or take children  
10      out --

11  Q.  Or become a houestutor?

12  A.  Or become an houestutor, yes, and there was  
13      an expectation if you were a young man joining and you  
14      were unmarried, they're always looking for somebody to  
15      be a houestutor.

16  Q.  So all these potential tasks that you'll take on in  
17      addition to teaching, it was assumed you would just do  
18      them, no training, is my point?

19  A.  Yes, it would be assumed that you could do it.

20  Q.  Likewise we have heard that in terms of promotion to  
21      head of department, but also for appointment as  
22      a housemaster, seniority mattered and you would fill in  
23      as people left?

24  A.  Yes, it was in the -- when I started teaching there, the  
25      head of department would be selected from -- it would be

1 more or less automatic that it would be next senior  
2 person in that department, it wasn't advertised.

3 Q. No.

4 A. Of course it is now.

5 Q. In the same vein you would understand, although you  
6 didn't do this, that for housemasters once one left,  
7 they would go to the list --

8 A. Yes, they would go down the seniority list of how long  
9 people had been there and I would think they would ask  
10 them if they wanted to do it, because some probably  
11 didn't want do it for one reason or another, but  
12 probably most of them did, and even perhaps if some of  
13 them weren't as qualified as others they still saw it as  
14 a good thing -- it was a ten-year stint.

15 Q. And it meant free accommodation?

16 A. It meant free accommodation, yes, and so you could  
17 presumably let your house out. I think there were  
18 financial incentives for that.

19 Q. You make the point with that approach one person you  
20 remember in particular was appointed who wasn't  
21 suitable?

22 A. Yes. It took him a couple of years to realise that he  
23 wasn't really suitable and he didn't enjoy it and, you  
24 know, he wasn't a good enough disciplinarian.

25 Housemasters have got to be good disciplinarians, but

1           they've got to be strong characters as well, that can  
2           look after all the aspects of a child's, particularly  
3           extracurricular and home life.

4   Q.   Whether we're using labels like "pastoral care" or  
5           "child protection", they presumably ought to have those  
6           aspects of their character?

7   A.   Yes.

8   Q.   But that --

9   A.   That was just assumed, that because you were a member of  
10          staff, you know, you're okay on those things.

11  Q.   You would be able to do all these things?

12  A.   Yes.

13  Q.   Did you consider that at the time, sorry to be blunt,  
14          daft?

15  A.   No, I didn't, because the members of staff -- there were  
16          some amazingly competent members of staff. I think when  
17          I went back there that were Paddy MacIlwaine, Jack Bevan  
18          people like that, absolutely wonderful. Colin Evans,  
19          you know, these were bastions of the place. You know,  
20          you trusted them completely and they were great  
21          housemasters and looked after not just the house and the  
22          pupils but the tutors and the matron and everybody.  
23          They seemed to be -- but I mean, they didn't have  
24          training for it.

25  Q.   No. But while you can name names that perhaps make

1           sense having heard some of the evidence, equally you  
2           will be aware of names --

3   A.   Yes.

4   Q.   -- on the other side of the coin --

5   A.   Definitely.

6   Q.   -- who were positively harmful to children?

7   A.   Absolutely, and that is one of the things that really  
8           hurts me.  That I could go through that period with  
9           somebody that was in a boarding house and realise now  
10          that they were going -- doing all sorts of things which  
11          they shouldn't have been doing, but somehow, and I just  
12          feel how on earth could this have happened without me  
13          having an inkling about it?  Particularly with  
14          Hamish Dawson.

15  Q.   Is part of the problem not that the ethos of the school  
16          was, as you've discussed, one of assumption?

17  A.   Well, I suppose, yes, to some extent, yes.

18  Q.   And that there were no systems in place, either to vet,  
19          to train, to follow up?

20  A.   No, but I mean I think this was common error.  I don't  
21          think there was anything exceptional in the Academy  
22          about that.  I think it was just the way that it was --  
23          teachers were at the time, and there was an expectation  
24          that if you had had a certain background and upbringing  
25          and training you would slot into that system.

1 Q. If you were the right sort?

2 A. If you were the right sort. That was the thing and  
3 of course it's so different now that it's just  
4 unbelievable.

5 Q. You talk, and please understand I'm not being critical,  
6 but in terms of recruitment you describe getting  
7 a teacher from another school which has just closed at  
8 Oxenfoord Castle, who you presumably knew and felt would  
9 fit in, but it's done by way of phone calls, there is no  
10 formality?

11 A. No, I think the rector at the time, because he had said,  
12 "Can you look out for somebody that might be able to  
13 replace this teacher that's going on maternity leave?"  
14 And I said yes, and I didn't do anything about it until  
15 suddenly this event triggered it, and I knew this person  
16 extremely well and I knew -- but whether she came for  
17 an interview, she must have come for an interview, and  
18 but I think she was ... everybody knew her and her  
19 husband and they were part of the scene in a way.

20 Q. One of the right sort?

21 A. Well, I suppose if you put it that way, yes.

22 Q. I'm not being critical because there is no suggestion of  
23 anything untoward --

24 A. No, no ... knew 100 per cent that she was okay in every  
25 way.

1 Q. Looking back, do you regret that there was, my word,  
2 such a casual approach by the school to appointments in  
3 key positions, like a housemaster?

4 A. Well, I suppose it is a very difficult thing to -- but  
5 that's just the way it happened.

6 Q. We know from the statement that you and your wife would  
7 engage with boarders to try to provide them with care at  
8 weekends for example?

9 A. Yes, that's right.

10 Q. So you individually were very concerned that they were  
11 presumably having a good experience?

12 A. Yes, because there used to be -- we used to get pupils  
13 from African countries used to come here and they had  
14 for whatever reason they came and perhaps the father  
15 thought they would get into medicine at Edinburgh if you  
16 went to Edinburgh Academy, or something like that, but  
17 they used to come for two or three years and again they  
18 were supposed to have somebody who would look after  
19 them, but some of them didn't and the more senior ones  
20 would come up with us at half term and we'd take them up  
21 there and I can still remember one African boy and the  
22 joy of seeing snow for the first time was just  
23 unbelievable. But they were great, it was like a sort  
24 of family, really, occasion and they were all well  
25 behaved and I think they all loved that experience.

1           It wasn't -- it was only for four days or something.

2   Q.   Yes, but you make the point, and I appreciate you were  
3       not, beyond those sort of trips, engaging other than the  
4       classroom or the cadets or whatever with the boarders,  
5       but the rector had overall responsibility for oversight  
6       of the boarding houses?

7   A.   Yes, of course.

8   Q.   Do you know what that meant in practice?

9   A.   No, I don't. I mean, whether -- not having been in  
10      a boarding house, whether he would make every now and  
11      again a trip down or -- I think it was more -- in those  
12      days we then had a bursar and the bursar would be quite  
13      involved in going around there, but he was not a member  
14      of staff in the same way.

15   Q.   The bursar one takes it is more concerned --

16   A.   About the fabric of --

17   Q.   -- about the fabric and the financials?

18   A.   Yes, exactly.

19   Q.   Not the child welfare?

20   A.   No.

21   Q.   No.

22           In terms of your experience as a teacher, you make  
23      the point that you don't remember the school ever being  
24      the subject of specific concerns but there were a number  
25      of individuals who did cause you some anxiety, is that

1 fair?

2 A. Teachers?

3 Q. Yes.

4 A. Yes, I suppose that's always the case, if you get 50,  
5 60, 70 people.

6 Q. You mention one teacher, who was in the RAF section with  
7 you?

8 A. Yes.

9 Q. And he was reported, and this is at a stage where girls  
10 are becoming more involved?

11 A. Well, we had girls that came, particularly in the sixth  
12 form at that time.

13 Q. Yes. And you think there was some reference or report  
14 by at least one girl of conduct that she considered was  
15 inappropriate by him?

16 A. Yes, that's correct.

17 Q. What happened to him?

18 A. Well, he retired. He did -- when I say "retired", he  
19 retired early. He wasn't 60. 60 was the age at which  
20 we would take retirement when you got your pension.  
21 I think he retired -- he was always -- he had a French  
22 wife and [REDACTED] and went to France  
23 a lot and always got this feeling that he wanted to  
24 retire early as soon as he could and go and live there.  
25 But whether or not there was a subplot about this,



1 I just do not know.

2 Q. All right. I think in fairness you do say it wasn't  
3 immediately after --

4 A. No.

5 Q. But that's, I think, in the 1990s?

6 A. Yes.

7 Q. And by that stage the world from what you were saying is  
8 changing?

9 A. Oh, yes it was, yes.

10 Q. It's in the 1990s that child protection becomes a  
11 concept that is discussed?

12 A. Exactly, yes.

13 Q. And within the school we know in the late 1980s and then  
14 into the early 1990s you start having the appointment of  
15 Mr Evans as a head of discipline, effectively?

16 A. Yes.

17 Q. Rather than just filling shoes to become senior master?

18 A. Yes, yes, yes.

19 Q. You begin to have annual appraisals, again in the 1980s  
20 I think?

21 A. Departmental appraisals.

22 Q. Departmental appraisals. So the world is beginning to  
23 become --

24 A. Oh, yes.

25 Q. -- the world that you would recognise today?

1 A. Oh, yes.

2 Q. Though the process is slow?

3 A. Yes, all change is a bit slow in those areas, but it's  
4 been a slow positive change over those years.

5 Q. And policies, thinking of pastoral care, we know in  
6 terms of the importance of the head of year and there is  
7 a reporting, is that again the 1990s and I think  
8 introduced under --

9 A. Yes, it was, because previously there used to be a class  
10 teacher. I certainly, in 1987, spent a year in  
11 Australia. When I came back the teacher of a particular  
12 class in the second year of 12-year-olds had taken  
13 another job and so they were looking for a class  
14 teacher, so the rector said, could I do this for the  
15 rest of that year, because there was a tradition that  
16 scientists weren't class teachers, because they had, you  
17 know, to control their labs and everything. But -- so  
18 I did that and I thoroughly enjoyed it actually for the  
19 rest of that year.

20 Q. Was the year in Australia eye-opening for you?

21 A. Yes, it was, because when you've been a teacher for  
22 a certain number of years, let's say 10 or 12 years, and  
23 you've got your -- everything is under control, you have  
24 the syllabus organised and then you take on more  
25 responsibilities gradually, but certainly your

1 discipline, you're known for whatever it is in the  
2 classroom. You don't have to struggle for something  
3 like discipline.

4           Whereas, when you go to a new classroom, children  
5 can be very cruel, because you go to a new school, new  
6 classroom, new area, and the children are looking at you  
7 thinking: who is this person? What can we -- how can we  
8 test them out? And children, they love to do that. And  
9 so it was quite a challenge having to -- they would say:  
10 who is this person who has suddenly arrived here? What is  
11 he made of?

12 Q. But were the systems that existed radically different to  
13 what you --

14 A. They weren't radically different. It was a boarding  
15 school that had 13 boarding houses, with girls and boys,  
16 and so there were all sorts of problems, as you can  
17 imagine, with that.

18           In 1987 it was -- they had their own problems  
19 latterly with this particular school.

20 Q. Right. But thinking of reporting and we've talked about  
21 that, you as a pupil wouldn't report issues?

22 A. Yes.

23 Q. By the 1990s, there is much more emphasis on child  
24 protection and steps are being taken to encourage  
25 reporting, whether they succeed or not is open for

1 debate. But thinking back, and I know this was shared  
2 with you, we understand that in the 1970s, a parent  
3 complained to the then rector, [REDACTED], about abuse by  
4 a teacher in the prep school, Wares, and it was shared  
5 with you that the response was that it would be  
6 unhelpful to complain and that the son who had reported  
7 it must have an overfertile imagination.

8 You were asked about that and your response was:  
9 I can well imagine that happening.

10 A. [REDACTED] was a very strong, private, secretive  
11 possibly, man, very much been through the war, MC,  
12 didn't suffer fools gladly. And would expect the  
13 highest standards of everybody and I could possibly  
14 imagine him dismissing some child as being not really  
15 reporting correctly or something like that. I can  
16 imagine him saying that.

17 But I think it's a very dangerous thing to do, not  
18 to give the child a chance, because undoubtedly when you  
19 get children complaining about things, some children  
20 will complain about everything and others won't complain  
21 about anything at all, so there is a wide variety and  
22 some children, and this particular child, I don't know  
23 who it was, but maybe they had some background of  
24 complaining. I just don't know.

25 Q. Do you think reputation may have lain behind --

1 A. The reputation of the child?

2 Q. Of the school.

3 A. Of the school? I think one's always caring as a rector,  
4 as a headmaster, you are always caring about the  
5 reputation of the school. But in those days I mean you  
6 can't get away -- everything is open now, completely.

7 Q. Yes.

8 A. So there is -- you just -- everything is apparent.  
9 In those days, nothing was apparent in the same way,  
10 so it would be possible to hide things.

11 Q. Do you think that may have been part of his reasoning?

12 A. I really doubt he could have -- I mean, he cared about  
13 the reputation of the school very much, but I don't  
14 think he would want to cover up. Did I imply that?

15 Q. No.

16 A. No. I don't think he would ever have covered up.

17 Q. I'm just trying to understand why you think it possible  
18 that that is an accurate representation, that the child  
19 must have an overfertile imagination, when it might be  
20 said the obvious thing to do, because it's an allegation  
21 of sexual misconduct, is to investigate, report?

22 A. Yes. I would think that if you're in that position you  
23 would want to know more about the person that had been  
24 complained about.

25 Q. Yes.

1 A. And therefore if this was not the first time, then  
2 I think the alarm bells should ring and that would be  
3 what you would expect to happen. I don't know what  
4 number of complaint this was.

5 Q. But nowadays if any complaint was made, processes would  
6 swing into action?

7 A. Absolutely, yes.

8 Q. Do you think it was right that they didn't swing into  
9 action back then?

10 A. No, I don't think it was right at all. I just think  
11 there should have been more detail understood about this  
12 particular child and if he had some reason to think that  
13 this child might have had an overfertile imagination.

14 Q. But even if he did, you can't let that sort of thing  
15 lie?

16 A. No, no, no, but it might just cause you to pause  
17 a minute before taking draconian action.

18 LADY SMITH: Tony, what about wanting to find out whether  
19 that child's experience was unique or whether this was  
20 something that was happening to other children as well?

21 A. Yes --

22 LADY SMITH: Isn't that something you would want to know?

23 A. Definitely, definitely you would want to know. And  
24 often the only person that would know would be the  
25 rector at the time, because any complaints would

1            hopefully reach him.

2    LADY SMITH: The child might know if it was happening to  
3            other children.

4    A. Yes, absolutely.

5    LADY SMITH: We have heard much evidence to the effect that  
6            other children saw it happening to other children in the  
7            class.

8    A. Yes, but then they weren't reporting it.

9    LADY SMITH: That's not unusual.

10   A. No, I know, that's the problem.

11   LADY SMITH: That's the problem.

12            Tony, let me separately ask you this: is it possible  
13            that a feeling a rector in the position of [REDACTED]  
14            might have had was a desire not to set off a tsunami  
15            that would swamp the school. A desire to keep things  
16            calm, organised, ticking over, rather than to create the  
17            storm that would be so hard to handle?

18   A. Yes, it's not impossible, because you know he came from  
19            quite a military background and liked things to be cut  
20            and dried, but knew -- he knew everything about every  
21            child. He wrote every single UCAS form for every child,  
22            he knew them all.

23   LADY SMITH: He can't have known everything about every  
24            child, can he?

25   A. No, he couldn't possibly, but I would -- in my very

1 first year or second year I was wanting to take  
2 a biology class out to the Botanic Gardens and it was  
3 the last two periods of the day, so I gave him a list of  
4 the boys and I said: can we miss games on that afternoon  
5 so we can have a proper time there? And then the next  
6 day he came up to me and said:

7 "Well, very laudable, but I'm afraid the answer is  
8 no, because you have the scrum half of the under 15 team  
9 there and you have got ..."

10 And he gave me four things that those were children  
11 were doing on Saturday morning. He knew what all those  
12 kids were doing extracurricular and he said, "I'm afraid  
13 not". Which was right.

14 And then the following rector, the same thing would  
15 have happened and he would say, "Super idea". And then  
16 everyone would say, "Where's my scrum half for the  
17 match?"

18 So <sup>ICH</sup> [REDACTED] did have this tremendous focus on  
19 knowledge and understanding of the children, definitely.  
20 But whether or not he was prepared to allow enough  
21 understanding of their background, say in the boarding  
22 house or at their home, he was quite a reserved man and  
23 he wouldn't chat on the sidelines to people at a match.  
24 He didn't want to do that sort of thing and so he didn't  
25 get really into perhaps understanding the family



1 background.

2 LADY SMITH: Without personalising it to [REDACTED]  
3 though, Tony, and thinking about that era, do you  
4 recognise my idea of the possibility that a person in  
5 the position of rector would want to protect against the  
6 effect of what I call the tsunami. It's a word that was  
7 used by David Standley as well, that would be something  
8 that would make them very anxious and they wouldn't want  
9 to provoke that, keep things under wraps, keep things  
10 quiet?

11 A. Well, I would hate to think that that was the case.  
12 I really would. But would it be possible that it  
13 mattered so much that you were creating an environment  
14 in which children could suffer? I find that that would  
15 be such a callous view.

16 LADY SMITH: I'm not suggesting for a moment that a rector  
17 in that position would know as a fact that the abuse had  
18 happened. I'm thinking rather more of the perhaps  
19 understandable desire to maintain stability, almost at  
20 all costs.

21 A. Yes, well, I don't think at all costs. I think that's  
22 quite a strong statement, at all costs.

23 LADY SMITH: Almost, the temptation to do that?

24 A. The temptation might always be there, because when it  
25 came to -- he would for instance -- it was in the 1970s,

1           it was the days when people had quite long -- it was the  
2           Beatles and long hair and stuff, which he didn't like  
3           long hair like that, and children all wanted long hair,  
4           so he tried to use the CCF to try and get them to get  
5           their hair cut, because he cared what children looked  
6           like and he didn't like them with long hair. That was  
7           just -- but -- and so he was protective of the image of  
8           the school that he thought that people would see. And  
9           so, you know, he cared a lot about that.

10           But I just can't think of him wanting to protect it  
11           at all costs.

12   LADY SMITH: Mr Brown.

13   MR BROWN: Your account though of you wanting to take  
14           children to do something in the Botanic, the first  
15           reason was it will prevent the rugby team.

16   A. Yes.

17   Q. And rugby of course at that stage was one of the two  
18           aspects of the school, education and rugby, so rugby  
19           triumphed?

20   A. Yes, so rugby did triumph over education in that respect  
21           and then a different rector would be a completely  
22           different personality, because it often happened that  
23           one rector was replaced by another one who was very,  
24           very different in his personality.

25   Q. Thinking back, and you've touched on this already, in

1           your statement you talk about John Brownlee?

2   A.   Yes.

3   Q.   Whilst I recognise you say staff at the senior school  
4           didn't have that much contact --

5   A.   No.

6   Q.   -- with the junior school, which is physically separate?

7   A.   Yes.

8   Q.   You do go on to say:

9           "A group of teachers at the junior school dominated  
10           the atmosphere there."

11  A.   Yes, they did.  It's when -- you see to begin with the  
12           junior school, when it was called the prep school, were  
13           all women and then when the junior school was created,  
14           the last year at Henderson Row, which is now the Geits  
15           of course, the Geits went up to become P6, having there  
16           only been a P5 before, this meant that they had to take  
17           their teachers with them.  So there were probably three  
18           teachers that went at that time and then they started to  
19           employ men, because it was only women there.

20           These men, one or two of them, were pretty powerful  
21           individuals in terms of being in charge of the rugby and  
22           the conditions.  They used to have a separate staffroom.

23  Q.   You make the point in terms of rugby:

24           "I saw Brownlee with groups of children at rugby,  
25           you could tell by the way that children spoke to him and

1 looked at him that there was a bit of fear involved."

2 A. Well, yes, there was. There was always a bit of  
3 a threat with him, which I think the children were very  
4 much aware of and you can read children's faces. You  
5 can read the different levels. Some children will show  
6 more fear than others, but certainly they didn't want to  
7 fall foul of him in my way.

8 Q. You go on:

9 "The perception of Brownlee amongst staff was that  
10 he was a very hard man and that he was overdisciplined."

11 A. He was a very harsh disciplinarian and it's always  
12 difficult to talk about overdiscipline and what standard  
13 discipline might be, but undoubtedly he did use a lot of  
14 force, which at the time I didn't know a lot about  
15 exactly what it was and it wasn't until later that  
16 I got -- found more detail.

17 Q. We've heard that he and others in the junior school were  
18 using clackens?

19 A. Yes, that is quite possible. Yes, I think it probably  
20 was.

21 Q. Did you know that?

22 A. I don't think I knew that, I never -- although I had two  
23 boys that went through, I don't remember them coming to  
24 me and talking about the different sorts of corporal  
25 punishment that might have been used.

1 Q. When did you discover that he overdisciplined?

2 A. Well, I think it must have been later on when some of  
3 his -- the children were adults by this time and they  
4 would talk much more freely about the experiences they'd  
5 had. And by the time I was -- they'd left school,  
6 they'd been through the senior school as well and they  
7 came back perhaps to reunions and that sort of thing,  
8 they would talk quite freely about their experiences.

9 Q. I think you say in your statement:

10 "In recent years I've learnt that Brownlee was a bit  
11 of a sadist, former pupils have described to me how he  
12 used to shut people's heads in a locker and then hit  
13 them. I discovered that Brownlee was acting this way  
14 during the 1980s."

15 A. Yes, apparently he was.

16 Q. Yes, so when you say he was acting this way during the  
17 1980s, that's not you discovering it. That's when he  
18 was doing it you understand?

19 A. I discovered that he had been doing it then and I didn't  
20 really know that.

21 Q. Was there any sense amongst the senior school staff that  
22 all was not well in the junior school?

23 A. There wasn't the same communication between the schools.  
24 We might have had a Christmas -- we used to have  
25 a Christmas party in one of the boarding houses at

1 Christmas time, but I don't remember -- and the junior  
2 school were invited, the staff there, but I don't ever  
3 remember Brownlee coming for Christmas and we didn't  
4 have a lot of communication.

5 For instance, nowadays there is a complete flow of  
6 information and people and staff, so that there is no  
7 problem.

8 Q. One statement we have received from a former pupil says  
9 this, and this is going back to the 1980s, and it  
10 describes how the pupil's mother, having lunch with you  
11 and your wife, and your wife turning to the mother and  
12 asking how she could have "sent her sons to Dundas  
13 House, as everyone knew what the Brownlees were like"?

14 A. Well, anyone that knows my wife knows that she is able  
15 to make statements very positively which are not  
16 entirely accurate, and I just don't know -- I know that  
17 she for instance is one of the most loyal people to the  
18 school ever you could imagine. Her father was here and  
19 I can't ever imagine her saying that as such, but  
20 I think the thing is in those days there used to be --  
21 the mothers used to meet -- well, they probably still  
22 do -- after they've dropped their children at school,  
23 they would talk about things and they would discuss what  
24 the children have said and how they're behaving and what  
25 their sport is, they would discuss everything, and

1 I suppose it's possible that she might have picked up  
2 something like that, but whether she would have put it  
3 in those terms, I find it -- that's a pretty harsh  
4 statement, and I don't think she would recognise that,  
5 definitely, but whether there is something that's --  
6 I just don't think it could possibly be.

7 I mean, she could easily say things like that, but  
8 I don't think taking it quite that far.

9 Q. All right. But I think from what you've said already  
10 you are, in the senior school, somewhat distant from the  
11 junior school?

12 A. Yes.

13 Q. But on the evidence we have heard for those in the  
14 junior school it might have been apparent that such  
15 overdiscipline was common and that for those who were  
16 under his control in the house his behaviours were well  
17 known, but they were not capable of discovery because  
18 there was no proper oversight of the house or of the  
19 junior school?

20 A. Therefore, it's possible that a child could have, for  
21 instance, said something to his mother, but not taken it  
22 any further and that she might have a feeling or she  
23 might not have a feeling at all, but how -- are you  
24 asking about how she could have come by this  
25 information?

1 Q. No, I've moved on from that. What I'm talking about is  
2 clearly on the evidence we have heard it would appear  
3 there is inadequate oversight of the house that he runs  
4 where there is --

5 A. That's obvious, yes.

6 Q. And by the same token the junior school, you being  
7 removed in the senior school, what would have been known  
8 in the junior school was not being reported or acted  
9 upon?

10 A. I think that's true at the time, yes.

11 Q. Which tends to suggest that either there were no systems  
12 in place to deal with such eventualities or if there  
13 were any systems they didn't work?

14 A. Yeah, I think that's probably the case.

15 Q. Going back to the senior school briefly, you talk about  
16 being taught by Hamish Dawson at the very beginning of  
17 his career?

18 A. Yes, yes.

19 Q. And at the very start he had implements of correction,  
20 I think is what we know them as?

21 A. Yes.

22 Q. So they were there at the start?

23 A. I don't really remember them being used much, but  
24 I think they developed as a way -- he had -- he had  
25 perhaps a very odd sense of humour, but there would be



1           humour attached to these, and I don't think anybody  
2           feared them particularly. In fact, some children  
3           actually made them if they thought he was missing one  
4           from his repertoire.

5    Q. We know that when he came to retire they were auctioned  
6           off for charity?

7    A. Yes, and it wasn't seen as -- and it was done as a bit  
8           of a joke really and that he had raised some money for  
9           it and nobody thought, "Oh, heavens, that's that  
10          terrible thing that he used to thrash me with".

11   Q. Did you have any inkling at all as a fellow teacher?

12   A. No, I didn't know until these things came up.

13   Q. Right. On a day-to-day basis, you are a biology  
14          teacher, he's a history teacher, would you have had  
15          daily contact with him?

16   A. We had daily contact in the staffroom at that time.  
17          Everybody went over for the first break automatically.  
18          Because it was an important time in the day for picking  
19          rugby teams, asking if there is a problem with a child  
20          and just generally you had about five people to speak to  
21          in ten minutes and it was a very, very important time.  
22          You could make an appointment later, but unless you had  
23          something specific you wouldn't be -- some people kept  
24          a bit aloof and did a crossword puzzle in the corner,  
25          but those days were rapidly disappearing.

1 Q. You didn't hear any chat about his behaviour?

2 A. No, I didn't. That's the staggering thing.

3 I'm absolutely appalled that how could I have been  
4 teaching with somebody like that and not known.

5 Q. One final teacher I would like to ask you briefly about,  
6 and this is a [REDACTED] teacher who was there in the late  
7 1970s for a brief period.

8 The first question is about the late 1970s, because  
9 we understand that this teacher left the school I think  
10 in 197[REDACTED] and a number of people have talked about his  
11 inability to control a class?

12 A. Yes.

13 Q. Do you remember when he left?

14 A. No, I can't remember and I can't remember whether it was  
15 the end of a term or not, I really can't remember. All  
16 I know is that he's not the sort of person that we knew  
17 terribly well. He didn't get involved in -- he used to  
18 do athletics with us, but he never would come to  
19 a debrief or he didn't help out on Saturdays either.

20 Q. But your statement says something in your memory  
21 suggests he might have left before the end of term?

22 A. I think he might. It's very difficult at the end of  
23 term when people are moving around, particularly the  
24 summer term, when there's lots of things happening and  
25 when you last see someone -- I have no memory of him

1 giving a speech. Normally it's always been traditional  
2 that when a member of staff leaves they give a speech in  
3 the common room before they leave and I don't think he  
4 gave one. So that's the only evidence that I would  
5 have, because that would be very unlikely if he had --  
6 wouldn't have given one, unless he said he didn't want  
7 to give one.

8 Q. But you learnt about the same teacher I think in the  
9 last ten years for different reasons?

10 A. Yes.

11 Q. You were still involved with the school?

12 A. Yes, I was.

13 Q. Do you remember, was consideration given to following up  
14 with pupils who had been at the school at the same time  
15 as him?

16 A. I can't remember that happening really, no.

17 Q. Do you remember it being discussed at all?

18 A. No, I don't remember discussing it. Somehow he seemed  
19 to have moved on and I just had the feeling that  
20 whatever he got up to it was later on and that I didn't  
21 think there was any evidence of him behaving  
22 inappropriately at the Academy, but that's obviously not  
23 the case.

24 Q. Again, thinking back now, if you hear of conduct at  
25 another school by a teacher --

1 A. Oh, yes -- well ...

2 Q. Would it not be obvious thing to go back to your student  
3 body and say, this has happened?

4 A. Yes, did anyone have -- you are talking about -- how  
5 many years are we talking about 10 or 15 years?

6 Q. I think in context it would be going back 35.

7 A. Yeah, so -- then you would have to find out who he  
8 taught or who was in the boarding house at the time and  
9 ask them, is that the suggestion?

10 Q. Yes.

11 A. Well, it sounds an obvious thing to do, doesn't it, but  
12 I don't think it was probably done. I've no idea.

13 Q. Right, but it's not something you recall ever being  
14 discussed?

15 A. No.

16 Q. Over any of the teachers that you have subsequently  
17 discovered or knew at the time, thinking of people being  
18 discovered with material on their computer who then  
19 leave, for example?

20 A. That -- I don't remember much about that particular  
21 event, it was -- I don't think he had a lot of contact  
22 with children. Well, he was a tutor, so he did  
23 obviously have contact with a number.

24 Q. But there was no effort to ask the pupils who he did  
25 have contact with?

1 A. I don't think. Somehow what went on in the boarding  
2 house was often a different realm.

3 Q. Why should it be treated any differently?

4 A. Well, it shouldn't be of course, but one relied so much  
5 on the housemaster and the tutors to do all that.  
6 I did -- I used to help out in the boarding houses in  
7 some evenings, so other staff would be involved, but  
8 when it came to the running of the boarding houses,  
9 I don't ever remember having anything to do with it.

10 Q. As we agreed at the beginning of your evidence, you are  
11 now on the court of directors?

12 A. Yes.

13 Q. And, you have alluded to this at various points during  
14 your evidence, the world is now absolutely different?

15 A. Yeah. Absolutely, yes.

16 Q. I think we know from board minutes and we don't have to  
17 look at them, board minutes of 30 years ago run to  
18 a couple of pages, board minutes nowadays run to page  
19 after page after page of all manner of things?

20 A. Absolutely.

21 Q. Including child protection, pastoral, PR?

22 A. Yes.

23 Q. Finances?

24 A. Yes. Everything is done and we have people -- if we're  
25 discussing something relevant to a particular year group

1 or to a particular -- we'd have the people in to hear  
2 their points of view about it, so there was tremendous  
3 contact between what's going on.

4 Q. You have seen the world change massively?

5 A. Yes.

6 Q. Is there anything else that you think should be changed  
7 now?

8 A. Anything else that could be changed now? In  
9 worldwide --

10 Q. Well, thinking of child protection in schools, to ensure  
11 children don't get abused?

12 A. I mean I am so impressed by what goes on at the moment  
13 and, as you may know, I've got a son that's teaching  
14 there now and he's taught in various other schools and  
15 he is totally impressed by the -- what happens here at  
16 the school. I can't think there could be more care and  
17 more understanding in any place than the Academy at the  
18 moment and that is -- but then, you know, things in the  
19 past and that is the sad, sad thing, that nowadays ...  
20 and parents nowadays they love what goes on. You hear  
21 really nothing but enthusiasm and they, I know, find it  
22 difficult to imagine here's the name being besmirched  
23 a bit from their point of view and a lot of them just  
24 are ignoring it, they just think: my child is loving  
25 this school and this experience of it.

1           And so to go back to your question, could I think of  
2           anything, I think, honestly, I can't actually think of  
3           any -- I mean, maybe in retrospect there may be  
4           something, but at the moment I think the -- all --  
5           everything that goes on is just completely for the good  
6           of all the children and their understanding and their  
7           approach to life.

8           I've spoken to quite a lot of pupils, because the  
9           senior pupils, particularly recently, are involved in  
10          the rector, the present rector is very keen to get them  
11          involved in things with former pupils for instance.  
12          That type of thing. So all that is going on and the  
13          pupils are amazing. They're so different to the ones --  
14          they seem to like talking to people like me, which is  
15          unbelievable to me.

16        Q. From what you have just said though, change has been  
17          underway recently because of the new rector?

18        A. Yes, oh, yes. Definitely.

19        LADY SMITH: Another significant change you haven't  
20          mentioned, Tony, and I'm sorry I can't resist this, is  
21          the number of girls at the school now, because it's  
22          fully co-educational. Has that made a difference?

23        A. Girls, when they came, it was a fantastic experience for  
24          everybody, because it was under Laurence Ellis and --

25        LADY SMITH: That is at the stage they can only go into

1 sixth form?

2 A. They only went into sixth form and they didn't have  
3 uniform and we didn't know anything about them. There  
4 was all this business about skirt length and what you do  
5 about this and the boys behaved completely differently  
6 as soon as girls came. They were much better behaved  
7 and they were -- the only problem we had was bottles of  
8 water. Girls always have to have a bottle of water and  
9 now everyone has a bottle of water, but it was certainly  
10 a time of tremendous refreshment and it was very  
11 different for 10 or 12 girls to cope with 60 boys at the  
12 time in their year group and the rector at the time  
13 called it the goldfish bowl a bit, and warned them, but  
14 they coped, most of them coped brilliantly well.

15 And of course nowadays the first girls have gone  
16 right through the whole school now and so it's made  
17 a dramatic difference and it's just what life should be  
18 about and is about and I think -- and looking back on  
19 some of the girls that had a tough time and I still  
20 speak to some of them and some of them are writing books  
21 and fencing for Britain and doing all sorts of things.  
22 They've made a dramatic impact in the world that they  
23 have joined.

24 LADY SMITH: Thank you.

25 MR BROWN: I have no further questions.



1 LADY SMITH: That was my last question, Tony.

2 Thank you so much for everything you have given us,  
3 for that long span of your recollections from when you  
4 were a little boy yourself right up to the present day.

5 I think that probably gets the award for being the  
6 longest span of direct experience that any witness has  
7 been able to offer us. I'm really grateful to you for  
8 that and I'm glad to be able to let you go before  
9 4 o'clock and relax for the rest of today.

10 A. Thank you very much.

11 (The witness withdrew)

12 LADY SMITH: Mr Brown.

13 MR BROWN: I'm very conscious the stenographers have been  
14 hard at it for an hour-and-a-half. If possible, it  
15 would be useful, there is one more statement to read in  
16 to complete, which I think will take about 20 minutes,  
17 perhaps if we have a brief break.

18 LADY SMITH: We could have a five-minute break.

19 I'm looking to the stenographers to see if five  
20 minutes would be enough.

21 (3.42 pm)

22 (A short break)

23 (3.55 pm)

24 LADY SMITH: Ms Bennie, when you're ready.

25 MS BENNIE: Thank you, my Lady.

1 'Graham' (read)

2 MS BENNIE: My Lady, the statement to be read in bears the  
3 reference WIT-1-000001312.

4 My Lady, this witness wishes to remain anonymous and  
5 he has adopted the pseudonym of 'Graham':

6 "My name is 'Graham'. My year of birth is 1953.  
7 I have a degree in Natural Sciences, which I obtained  
8 from a British university. After I completed my degree,  
9 I was employed by a research facility for a while. Then  
10 I went on to obtain a Post Graduate Certificate in  
11 Education from Dundee College of Education, between 1975  
12 and 1976.

13 Thereafter, I applied for a job at  
14 Edinburgh Academy. I worked at Edinburgh Academy from  
15 197█ or 197█ until 197█. I can't be sure of the dates  
16 off the top of my head, but I know I worked there for  
17 three years."

18 My Lady, I now move to paragraph 5:

19 "I was told about the job opening at  
20 Edinburgh Academy by someone who read about it in the  
21 Scotsman. I wrote a letter of application, gave  
22 references and went for an interview. My references  
23 were mostly likely from my manager at the research  
24 facility I was previously employed by and my university  
25 tutor.

1           The interview itself formed two parts on the same  
2           day. The first was with the headmaster at the time,  
3           [REDACTED], and the second was with the head of  
4           [REDACTED]. I can't recall his name. I have absolutely no  
5           idea how many applications the school received for the  
6           position, as I didn't see any other candidates at the  
7           interview.

8           I think by the time I went to see the head of the  
9           [REDACTED] department, it was sort of assumed I already had  
10          the job. I was certainly told that day that the job was  
11          mine.

12          [REDACTED] was the headmaster when I took up  
13          employment at the Academy and he remained the headmaster  
14          for the first couple of years.

15          It then changed, but I can't remember the name of  
16          the new headmaster as I had much less to do with him.

17          [REDACTED] was actually inspirational, whereas the  
18          other chap was a bit of a non-entity. He didn't have  
19          the same charisma that Mr [REDACTED] had. [REDACTED] was man who  
20          was always hugely enthusiastic about everything. He  
21          also had a history that was inspiring. He was involved  
22          in [REDACTED] and I believe he was awarded  
23          a Military Cross. He had a [REDACTED]  
24          and he was still very much on top of things as an older  
25          man.

1 He was just a special chap.

2 My role within Edinburgh Academy.

3 I was employed at the Academy as a teacher of

4 [REDACTED] and assistant housemaster at Scott House. As

5 a new teacher I carried out my probationary period,

6 which I think was three years, at the Academy.

7 I carried out my role as assistant housemaster from the

8 beginning of my employment with the school. It was part

9 of my contract effectively. Those roles didn't change

10 during my time at the school.

11 Scott House.

12 During my employment at the Academy I lived in Scott

13 House on Kinnear Road. Scott House and the neighbouring

14 boarding house were both old Victorian buildings. They

15 had once been detached, but a modern block put in

16 between them to join them together by the time I was

17 there. They were both senior boarding houses.

18 The housemaster in Scott House was [REDACTED], who

19 I got on well with. I had a reasonable amount of

20 interaction with him and we would talk regularly.

21 I suppose most of our interaction came because the

22 boarding house was about a mile and a half from the

23 school and we would walk up and down to the school

24 together.

25 Within the boarding house I had an office on the

1 left by the front door. There was a corridor along to  
2 the senior boys' studies, prep room and dining room.  
3 Although there was a dining room in the house, the boys  
4 generally ate in the prep school at Arboretum Road.

5 The dining room in the boarding house was used for  
6 a late-afternoon tea after school had finished.

7 The junior boys' dormitories were up a set of  
8 stairs. You went up a different set of stairs to the  
9 modern section in between the two houses, where I had  
10 a bedroom, shower room and toilet. The housemaster had  
11 a three-bed house within that section, where he lived  
12 with his family. He had an office within his house and  
13 I think he had a general purpose room within the main  
14 building, the main boarding house section, which he used  
15 as an office.

16 The boys had access to my office but not to my  
17 sleeping quarters. If a boy wanted to see me, they  
18 would just come into my office. It was an informal  
19 thing.

20 I didn't receive any specific training for my role  
21 as assistant housemaster. Obviously the housemaster and  
22 the other houestutors gave me advice along the way.  
23 When I say houestutors it means the same as assistant  
24 housemaster. The two terms were interchangeable, but  
25 the role was the same.

1           Each house had a housemaster and assistant  
2           housemaster or housetutor. The term 'tutor' didn't  
3           necessarily imply a teaching role in the context of the  
4           boarding house. If a boy asked you a question during  
5           prep of course you helped them. But it wasn't  
6           a teaching role. It was a pastoral role. My duties  
7           primarily involved covering for the housemaster when he  
8           went away, checking up on prep and supervising bedtime  
9           and rising.

10           I kept an eye on the boys and talked to them. I had  
11           general oversight of the house.

12           At weekends I was expected to get involved in some  
13           form of activity with the boys. That would be something  
14           like taking the school minibus to Hillend to go skiing  
15           on a Saturday night. I seem to remember driving the  
16           boys out to a dance at St George's one night. The  
17           activities were undertaken by the housemasters and  
18           housetutors on a rota basis and there would be two or  
19           three of us on an outing. On a Sunday, the housemaster  
20           generally took the boys to church, but if he wasn't  
21           available for any reason, that would be my job.

22           The only other member of staff who possibly lived in  
23           Scott House was the matron, we had the same matron  
24           throughout my time there but I don't remember her name.  
25           I didn't have much to do with her as we came and went at

1 different times. She was there to look after the boys'  
2 bedding, clothing and any minor health problems.  
3 I suspect she had some sort of medical qualification.  
4 There were also a couple of domestic staff who came in  
5 occasionally to clean and cook.

6 I have been asked if other teachers had access to  
7 the boarding house. There was nothing to physically  
8 stop another teacher from coming in. However, my office  
9 was next to the front door. That was probably  
10 deliberate, so I could see anyone coming in and they  
11 could see me. There was another door into Scott House  
12 from the playing fields. Someone could have come in  
13 that door, but I had no concerns about that.

14 Training of staff/supervision and staff appraisal.

15 I don't recall receiving any formal induction  
16 training or ongoing training from the school. I seem to  
17 remember being shown something about the use of a Banda  
18 machine and being given some information about  
19 secretarial services by Paddy MacIlwaine, the deputy  
20 rector, when I first started. I suppose that was  
21 a brief induction, but it wasn't a real induction in any  
22 sense. It was more: here is how things work, get on  
23 with it.

24 In the boarding situation, I was answerable to the  
25 housemaster, <sup>IDT</sup> [REDACTED]. In my teaching capacity,

1 I was answerable to David Standley, who was the head of  
2 the physics department and Rob Cowie, who was the head  
3 of the chemistry department. They were effectively my  
4 line managers. I had daily contact with both  
5 David Standley and Rob Cowie [REDACTED].  
6 I am not aware of any formal appraisal of my performance  
7 being carried out by them.

8 Culture within Edinburgh Academy.

9 The culture at the Academy was very much centred on  
10 excellence in academia and sporting ability. Both were  
11 highly valued. If a boy had neither ability I would say  
12 they were still valued. The school would still try to  
13 get the best for them, but they didn't necessarily get  
14 the same kudos or focus. I did have some concerns about  
15 that, but not serious concerns. I sometimes saw boys  
16 who didn't fall into either of these categories and they  
17 appeared a little bit left out. If I noticed that  
18 happening, I would talk to the housemaster about it, but  
19 situations like that were really left to the head of the  
20 house.

21 The head of house was the head boy in the house. He  
22 had a significant role in the day-to-day running of the  
23 house. Particularly the interpersonal relationships.  
24 He was supposed to keep an eye out for that sort of  
25 thing and deal with it in a way we perhaps couldn't. By



1           that, I mean he was closer in age to the other boys and  
2           had more understanding of their situation. He could  
3           talk to them and apply peer pressure in a way that we  
4           couldn't.

5           The head of house was chosen by the housemaster and  
6           would be a senior boy. Normally also a school prefect  
7           or ephor, as we called them. The head boy was chosen  
8           annually unless he had other commitments, such as exams,  
9           in which case he might be head of house for just a term.  
10          There were many other house prefects chosen by the  
11          housemaster, three I think, who weren't necessarily  
12          school prefects. It was accepted that it was their  
13          responsibility to look after the younger boys. That's  
14          certainly how I understood their role and how they  
15          understood it. I think that generally worked well.

16          Fagging didn't exist when I started my employment at  
17          the Academy. It had already been abolished some time  
18          before. I didn't witness any instances of formal  
19          fagging. That's not to say that the senior boys didn't  
20          occasionally just ask junior boys to do jobs for them,  
21          but nothing that would cause me to be concerned.

22          I have been read the following quotation from the  
23          statement of Philip Woyka.

24          'From the start there were lots of peer abuse. It  
25          was a hell hole. Some boys were in the year above me.

1           They were probably across all the years.'

2           I do remember Philip vaguely and I certainly wasn't  
3           aware that it was a hell hole for him. There was  
4           an awareness of him being a little bit of an outsider,  
5           but not significantly. I'm sure there will have been  
6           occasions where he and other boys were bullied to some  
7           extent, but no more than is constant in all schools.  
8           It's not something I really had any concerns about.

9           My relationship with pupils.

10          I have been asked if I gave out sweets or money to  
11          the boys. I did occasionally give out sweets, but not  
12          on a regular basis. If a boy did well, I might give him  
13          a Mars bar to say well done. I felt that was entirely  
14          appropriate. It wasn't a case of favouritism, it was  
15          a reward for good performance as a parent might do. If  
16          I bumped into one of the boys in town on a Saturday  
17          morning, I might say, 'Do you want to go for a coffee?'  
18          Or something like that.

19          Discipline and punishment.

20          The standard method of punishment within the school  
21          itself was using what's called a clacken. It is  
22          a wooden spoon, about 18 inches long, used for  
23          a racquets-type game. I think technically the ephors in  
24          the school were still allowed to carry out corporal  
25          punishment, but I don't recall any instances of that

1           happening.

2           Within the school, the policy was that corporal  
3           punishment was to be carried out in the deputy rector's  
4           office, which was called the beating room, or in the  
5           changing rooms at the playing fields. I was told that  
6           that was the policy by the deputy rector on my first  
7           day. I presume the children were aware of that policy,  
8           but I don't know that for sure. There was one clacken  
9           in the deputy rector's room, and one kept at the playing  
10          fields. I can't recall where at the playing fields, but  
11          my guess would be in the masters' changing room. If  
12          a boy was disciplined at the playing fields, that would  
13          not be done in front of the other boys. I do recall one  
14          instance where I witnessed someone being punished in  
15          front of other boys, but that wasn't generally the case.  
16          I can't remember the circumstances of that, and it's not  
17          a certain memory.

18          There was a punishment logbook kept in the deputy  
19          rector's office, you were expected to record the date,  
20          reason, person and how many strokes were given. If you  
21          did, for any reason, have to beat someone at the playing  
22          field, that still had to be recorded in the logbook.  
23          A beating would involve striking the boy with a clacken  
24          on the backside. I don't know if I was told that on my  
25          first day or if it was just the expectation. There were

1 no strict guidelines as to how many strokes were to be  
2 given, but the information had to be recorded. You  
3 could see from the logbook that in general terms it was  
4 usually two or three, certainly not more than half  
5 a dozen. The logbook was the responsibility of the  
6 deputy rector and I presume the purpose of keeping  
7 a logbook was to allow him to check it.

8 In the boarding house I believe <sup>IDT</sup> [REDACTED] tended  
9 to use a gym shoe. Discipline was basically <sup>IDT</sup> [REDACTED]'s  
10 responsibility as housemaster. In immediate terms  
11 I suppose it was my responsibility on the spot, but any  
12 potential beating for instance was referred to <sup>IDT</sup> [REDACTED].  
13 That said, I only ever recall one person being beaten in  
14 the house by <sup>IDT</sup> [REDACTED]. I don't recall the  
15 circumstances. I didn't witness it. I only heard about  
16 it. I never beat anyone in the house."

17 My Lady, I move to paragraph 39 on page 10:

18 "I have been told of instances of informal  
19 punishments being used by teachers. I remember being  
20 particularly appalled by one I was told of where a boy  
21 was apparently whipped on the backside with a fencing  
22 foil. I believe that was by <sup>IBU</sup> [REDACTED], the PE master,  
23 but I don't know for sure. I remember the boy telling  
24 me that he had bled. I'm afraid I don't remember the  
25 boy's name. He didn't tell me anything else about the

1 circumstances. I seem to remember he turned up unable  
2 to run at rugby and I perhaps asked him what was the  
3 matter and he told me. I didn't tell anyone because  
4 I was asked not to by the boy. But I believe I sent him  
5 off to see the matron. In retrospect, I possibly should  
6 have done more, but at the time if a boy asked me not to  
7 say anything, I considered it confidential.

8 I was also aware that in the junior boys' house, the  
9 housemaster was using all sorts of beating implements.  
10 The housemaster was Hamish Dawson. Again, the kids were  
11 quite open about it and told me. I remember one of the  
12 boys saying something about Hamish calling one of the  
13 implements his tickling stick. There were tales from  
14 boys who came up through the houses that suggested it  
15 was a lot more strict in the prep school than it was in  
16 the senior school. My view was that it was up to them  
17 to manage things as they saw fit. It wasn't my  
18 responsibility or remit. I didn't have any involvement  
19 with the prep school."

20 My Lady, I move on to paragraph 49, page 12:

21 "Trusted adult.

22 If a pupil needed to speak to someone or had  
23 concerns, they could have spoken to the senior pupils in  
24 their house or the housemaster himself. Outside of the  
25 boarding houses there was a member of school staff the

1 children could talk to. The school minister,  
2 Howard Haslett, was supposed to have some sort of  
3 pastoral role. I believe I was either told that when  
4 I started or Howard himself told me. He wasn't  
5 a mainstream teacher. He may have taught some divinity,  
6 but he didn't have any academic teaching role so he was  
7 a little bit separate from the rest of the school staff  
8 in a sense. I believe the boys were aware that Howard  
9 was someone they could speak to. I seem to remember him  
10 saying something at an assembly along the lines of: if  
11 anyone had anything they wanted to talk about, he was  
12 always available and where to find him.

13 My understanding was that Howard's role was to  
14 listen to the children, take account of their concerns  
15 and take action if required. It probably didn't always  
16 work like that in practice though. Howard was a very  
17 kindly person and very approachable. I know of a few  
18 boys who did talk to him and came away feeling that  
19 issues had been resolved.

20 I can't remember enough about those situations to  
21 give an example. However, I also suspect that he was  
22 being told some things in confidence and as a minister  
23 he wouldn't want to break that confidence and reveal  
24 those things.

25 Abuse at Edinburgh Academy.

1           Edinburgh Academy did not have a definition of abuse  
2           that I was aware of. There was no guidance given on how  
3           to respond to reports of abuse. Teachers had total  
4           autonomy on how to handle that. If a boy reported abuse  
5           to me, I think the housemaster would have expected me to  
6           pass that information on to him. That's what I would  
7           have done. Unless the abuse was reported to me in  
8           confidence.

9           Child protection arrangements.

10          Child protection was not something the school  
11          formally raised with staff. I think there may have been  
12          a single lecture on the subject when I was studying, but  
13          that's as far as it went. It was something that was  
14          discussed informally between staff on occasion.

15          I remember speaking to another houestutor in the pub,  
16          one Friday evening. He told me about happenings in his  
17          house and how he wasn't happy about what was going on  
18          there. He was a [REDACTED] teacher and houestutor in  
19          Hamish Dawson's boarding house.

20          I have read the following quotation from the  
21          statement of 'Fred':

22          'The school never told us what was avuncular,  
23          fatherly concern for young boys and what was  
24          inappropriate behaviour by teachers.'

25          I would expect that's right. I don't remember the

1 school saying anything to the pupils on the subject. It  
2 wasn't really something that concerned me at the time,  
3 but looking back now, I would have concerns about it."

4 My Lady, I now move on to paragraph 70, page 16:

5 "John Brownlee.

6 I think John Brownlee was involved with the prep  
7 school and might have been the housemaster of the most  
8 junior house. I know the name and I have a vague  
9 recollection of talking to him, but I didn't really know  
10 him. Our roles were very separate and the prep school  
11 kept themselves very separate from the senior school.  
12 I think I only remember him because he was one of the  
13 teachers that dined in the dining hall at the same time  
14 as me. I believe he continued his employment at the  
15 school after I left.

16 I couldn't really comment on what John Brownlee was  
17 like. As I said, I didn't really know him as we had  
18 nothing in common. There were some kids who said things  
19 about him, but I don't recall the detail. I didn't have  
20 concerns about him from what I had seen, but from what  
21 I had been told, yes, that concerned me.

22 My general recollection of John Brownlee is that he  
23 didn't sound like a very nice person to know and he was  
24 one to avoid if possible. Although I can't remember the  
25 details of what I was told about his behaviour, I would



1 consider it abuse."

2 My Lady, I move to paragraph 75, page 17:

3 "I don't know what impression the management within  
4 the Academy had of John Brownlee. From speaking to  
5 other teachers, I know they had a similar impression of  
6 him as I did. If it had been different times, I think  
7 I would have done something about his behaviour. The  
8 whole child protection scene has changed beyond all  
9 recognition. I suppose it was, not perhaps accepted,  
10 but more common at the time for there to be physical  
11 overzealousness. Among the other teachers who mentioned  
12 John Brownlee to me were teachers who had been there  
13 longer and had more experience. I assumed if it was  
14 worth mentioning they would have mentioned it.  
15 I perhaps shouldn't have made that assumption.

16 Hamish Dawson.

17 Hamish Dawson was a history teacher and I believe he  
18 was a senior housemaster. Technically he was the one  
19 that the other housemasters reported to. I personally  
20 found him to be friendly and personable. However, there  
21 was always a slight edge of something about him. It  
22 always felt as if he was sounding you out almost.  
23 I remember speaking to another tutor about him on one of  
24 our few social occasions. The tutor was his houstutor,  
25 so he knew more about him than anybody else. The tutor

1 told me to steer clear of him and to make sure I was  
2 busy during the first week of the summer holidays so I  
3 didn't get invited to Hamish's 'den of iniquity', as he  
4 called it. The tutor was referring to a trip Hamish ran  
5 on a steamboat up the Caledonian Canal. The implication  
6 I took from the tutor's warning was that it was not all  
7 above board. I didn't ask any more about that, I didn't  
8 really want to know.

9 I saw Hamish regularly as he was living in the  
10 boarding house [REDACTED]. If I was out in the playing  
11 fields in the evening he was often in his house garden  
12 and we might chat across the fence. I'd sometimes chat  
13 to him as we walked up and down to school, so I knew him  
14 reasonably well in that sense. From what I saw, he was  
15 always joking and avuncular with the boys.

16 I never saw Hamish discipline or abuse a child, but  
17 the boys would often say things about him. Particularly  
18 after they had left his house and came to the senior  
19 house. They would often refer back to him as not a very  
20 nice man. The boys spoke of various types of beatings  
21 from Hamish, but I don't recall the details of those  
22 conversations. I believe the boys told me what they did  
23 in confidence and I seem to recall them saying that they  
24 didn't want me telling anyone. I didn't formally report  
25 what I was told, but I did discuss it informally,

1 without mentioning any of the boys' names with the  
2 tutor."

3 My Lady, I move on to paragraph 92, page 21:

4 "IDT [REDACTED].

5 I thought IDT [REDACTED] did a good job as  
6 housemaster. He kept his distance from the point of  
7 view of not getting too close to the children, but at  
8 other times he was able to communicate and relate to  
9 them. I thought he related to them well.

10 As I previously mentioned, I was only aware of IDT [REDACTED]  
11 disciplining a boy once. He had the nickname IDT [REDACTED] and  
12 I vaguely remember a boy saying he was a bit of a pig,  
13 but I don't know in what respect or how that related to  
14 his behaviour. I never saw or heard of him abusing  
15 children in any way. It would very much surprise me to  
16 learn that the Inquiry has received allegations against  
17 him, because he went on to be [REDACTED] at a school in  
18 Glasgow. He must have had a good record and a good  
19 report to do that.

20 I have been read the following quote from the  
21 statement of 'Sam'. I am surprised at what 'Sam' has  
22 said. He was certainly at the school during my time  
23 there. If something like that happened I would have  
24 expected to hear about it myself from the same sort of  
25 people. It's possible that it happened after I left,

1 but I seem to recall 'Sam' being in my rugby team in my  
2 last year. If that's correct, he would have been at the  
3 top of the school, likely in his last or second-to-last  
4 year. IDT did have a little bit of a temper.  
5 He did rise quickly. I did see him sometimes blow  
6 a fuse. He would turn red in the face and shout, but he  
7 would also come down again quickly too. I never  
8 witnessed or heard of IDT behaving in the way 'Sam'  
9 describes while I was at the Academy.

10 IBU .

11 IBU was the head of the games at the Academy.  
12 He was a fairly small man, maybe in his upper 50s when  
13 I was at the school. I had some involvement with him  
14 through rugby and cricket. He allocated you to teams  
15 and decided which teams you would be going out with that  
16 weekend. He also monitored how people were progressing  
17 under your direction. I also came across IBU in  
18 an external sense. He was involved in the Academical  
19 rugby club, who I played for. He was one of the  
20 selectors there.

21 I got on fine with IBU, but he certainly did have  
22 a temper. I always thought he was talking about  
23 something else. You never quite knew what he was trying  
24 to say and there was a sense that there was something  
25 else, an undercurrent, to what he was saying. He always

1           seemed a little bit denigrating towards the children,  
2           except for one or two. The one or two who were his  
3           favourites and excelled at a particular sport, he would  
4           praise to the high heavens and the rest weren't up to  
5           par. [IBU] was always referring back to successful  
6           pupils.

7           I don't think I ever saw [IBU] discipline a child.  
8           As I mentioned, I was told by a boy that he had been  
9           whipped with a fencing foil by [IBU] which had caused him  
10          to bleed. It did surprise me a little bit to hear that,  
11          but I knew [IBU] was one of the regular beaters of the  
12          boys. I knew that from what boys had told me, but also  
13          because of what [IBU] had told me himself. He would say  
14          he had beaten a boy and I remember him saying things  
15          like he needed a good beating. His name also came up in  
16          the discipline book more often than virtually anybody  
17          else. Although I also believe it's true to say there  
18          was a separate book for gym, which I never saw.

19          I would say he definitely made a habit of being in  
20          the changing rooms. That is something I witnessed. If  
21          you are running a sports site you have to go in and out  
22          of the changing rooms to make sure they are clear, the  
23          boys have all their kit and everything is all right.  
24          However, [IBU] tended to stay in the changing rooms and  
25          supervise. I suppose I did wonder if there was more to

1           it than just supervision. I did have a suspicion that  
2           it was more. I didn't act on that suspicion because  
3           **IBU** was the head of games and was responsible for what  
4           happened in the changing rooms. He could justify being  
5           there.

6           I have been told that it has been suggested that  
7           **IBU** insisted that boys not wear underpants under their  
8           rugby shorts. I do remember being told something about  
9           boys not wearing pants, but I can't recall whether that  
10          related to rugby or something else. I can't be certain  
11          about that."

12          My Lady, I move on to paragraph 114, page 27:

13          "Leaving the school.

14          I left my employment at Edinburgh Academy at the end  
15          of the academic year on 12 July 197█. I was told by the  
16          rector, Laurence Ellis, that I was not being given  
17          a contract beyond the end of my probationary period, but  
18          no reason was explicitly stated. I didn't ask for  
19          an explanation as he was the rector and it was his  
20          prerogative not to continue my employment with the  
21          school.

22          My head of department, David Standley, had  
23          previously told me to look at finding somewhere else for  
24          a fresh start. Somewhere that I wouldn't have the same  
25          discipline problems. My view is that my employment was

1 not continued as a result of the incident in my  
2 classroom when the inspectors attended the school.

3 I have been read the following quote from the  
4 statement of 'Fred':

5 'There were a few incidents with 'Graham' when he  
6 left mysteriously in the middle of the second year in  
7 the middle of the summer term.'

8 That is just not true. I didn't leave in the middle  
9 of a term. I left at the end of the academic year and  
10 I was never once made aware of any complaints against me  
11 at Edinburgh Academy.

12 I believe Edinburgh Academy would have provided  
13 references to my subsequent employers. That would have  
14 come from the head of the [REDACTED] department or the  
15 rector. I have no idea what they may have said but they  
16 were not open references."

17 My Lady, I move to paragraph 124 on page 29:

18 "I have no objection to my witness statement being  
19 published as part of the evidence to the Inquiry.

20 I believe the facts stated in this statement are true."

21 My Lady, the statement is signed and it's dated  
22 4 August 2023.

23 LADY SMITH: Thank you very much, Ms Bennie.

24 Am I right in thinking that now completes the read  
25 ins for the Edinburgh Academy case study?

1 MS BENNIE: Yes, my Lady, that completes the read ins and we  
2 have three live witnesses tomorrow.

3 LADY SMITH: We'll start at 10 o'clock tomorrow.  
4 Thank you.

5 (4.26 pm)

6 (The hearing adjourned until 10.00 am on  
7 Friday, 25 August 2023)

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