

Tuesday, 14 November 2023

1

2 (10.00 am)

3 LADY SMITH: Good morning. We now turn to the third week in
4 our evidence in this part of Phase 8. We start this
5 morning with a videolink, I think, Mr Peoples; is that
6 right?

7 MR PEOPLES: Yes, the next live witness is appearing via
8 videolink and his name is 'Bruno'.

9 LADY SMITH: Thank you.

10 (Pause)

11 I'll just go off the bench for a moment until we get
12 this fixed.

13 (10.08 am)

14 (A short break)

15 (10.11 am)

16 MR PEOPLES: We appear to have sound and vision.

17 LADY SMITH: Thank you very much.

18 'Bruno', good morning. My name is Lady Smith and I
19 chair the Scottish Child Abuse Inquiry here, in
20 Edinburgh. Thank you for joining us this morning, over
21 the videolink, to give your evidence in this part of our
22 case study.

23 I'd like to begin with you taking an oath to tell
24 the truth, please. So sitting where you are; could you
25 raise your right hand?

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'Bruno' (sworn)

(Evidence via videolink)

LADY SMITH: Thank you.

'Bruno', before I hand over to Mr Peoples, a couple of things. I see you have the red folder that we've made up in front of you that has your written statement in it. You might find it helpful to refer to that. Feel free if it would help you to do so.

Otherwise, if you have any questions or any concerns at any time, please do speak up. Let us know. If you don't understand the questions we're asking you, it's our fault, not yours, so tell us, will you?

Otherwise, if there's anything we can do to help the experience of giving evidence about your early life -- which I do know may be painful and distressing -- just tell me, because it's important that we do all we can to make you comfortable during this experience; is that all right?

A. Yes.

LADY SMITH: If you're ready, I'll hand over to Mr Peoples and he'll take it from there; all right?

A. Fine.

LADY SMITH: Thank you.

Questions from Mr Peoples

MR PEOPLES: My Lady.

1 Good morning, 'Bruno'.

2 A. Good morning.

3 Q. You have already provided a signed statement to the
4 Inquiry and, as Lady Smith has said, there is a copy in
5 front of you, which you can use at any time.

6 For the purposes of our transcript, I'll give the
7 reference to that document. You don't need to worry
8 about it, but I'll just give it now. It's
9 WIT-1-000001198.

10 If I could just ask you at this stage if you could
11 turn to the final page of the written statement, on
12 page 69; can you just confirm for me at this stage that
13 you have signed your statement?

14 A. Yes --

15 Q. And that --

16 A. -- I've signed it.

17 Q. You have signed it. And that you have no objection to
18 your statement being published as part of the evidence
19 to the Inquiry and that you believe the facts stated in
20 your statement are true?

21 A. Yeah, I've no problem with it being published. My
22 statement is true.

23 Q. Thank you. You can perhaps go back to the beginning.
24 I will be asking you some questions based on the
25 statement you've provided; I think that it may help you

1 to have the statement to hand when you're answering the
2 questions I have.

3 Can I just begin by asking you to confirm that you
4 were born in 1961, in Aberdeen?

5 A. Yes.

6 Q. You tell us in your statement a bit about your life
7 before you went into care; I would like to just ask you
8 a few questions about that at this stage.

9 I think some of this, by the way, is information
10 that you probably have learned from records, rather than
11 from memory, because you were very young, I think, when
12 certain events in your life happened.

13 I think your parents separated in 1962?

14 A. Yes.

15 Q. I think they divorced in 1964?

16 A. Aye.

17 Q. 'Bruno', we have been given some records that relate to
18 your time in care. I don't think we have the full
19 records, but the records we do have give certain dates.
20 So, if I put to you certain dates, I'm doing that on the
21 basis of records that are before me and, even if those
22 dates are different to the ones you have in your
23 statement, don't worry about that, lots of people don't
24 always get the precise date when they were in certain
25 places. But I'll try to give you the dates I have from

1 the records as we're going along, if that's okay?

2 A. See, I can only remember being separated from my
3 mother -- well, being told -- separated from my mother
4 from the age of one.

5 Q. That's fine. That's certainly in line with what the
6 records are telling us as well, so don't worry about
7 that. I'll, to some extent, perhaps, tell you what
8 information we have. If you have any problem with the
9 information or think it's not correct, let me know. But
10 I'll just go through this bit with you, if I may; is
11 that okay?

12 A. That's fine, yeah.

13 Q. From about the age of 18 months, the records tell us you
14 were placed in the care of your father's parents, your
15 paternal grandparents?

16 A. Yes.

17 Q. You tell us in your statement, at paragraph 4, on
18 page 1, that you're not exactly sure why you went to
19 live with them. But, I think, obviously your parents
20 separated and I think the records indicate that although
21 your father may have had custody of you at one point, he
22 wasn't really around very much when you were
23 a youngster; it was your grandparents that looked after
24 you?

25 A. Yes, my grandparents.

1 Q. You tell us in your statement that you have one full
2 brother, who is a little bit younger than you are; is
3 that right?

4 A. A year younger, yes.

5 Q. You have a couple of half-siblings. A half-brother and
6 half-sister; is that right?

7 A. Yes.

8 Q. I think I'm right in saying that your full brother --
9 did he go to live with your mother?

10 A. Yes.

11 Q. The records indicate that your mother wasn't part of
12 your life for quite a lot of your childhood and that she
13 really came back into your life, perhaps, around
14 September or October 1973. You would have been about
15 11 years old at that stage or 12 years old?

16 A. From about then.

17 Q. We don't need to be exact. It's just to get the picture
18 that's going on.

19 You tell us in your statement, at paragraph 5, that
20 your father was a violent man at times and that he would
21 sometimes hit you and indeed hit your mother; is that
22 something you remember?

23 A. Yes. Obviously, I remember about him hitting me. But,
24 in hitting my mother, it's only a memory that I hid,
25 because obviously I had never seen my mother and

1 father -- as an adult or as a teenager -- together.

2 Q. Okay. You tell us a bit about life before you went to
3 the first institution that you were sent to, and I just
4 want to take one point from you at this stage.

5 You tell us at paragraph 9, on page 2, you attended
6 a local primary school in Aberdeen for a time. You tell
7 us there that the SNR and the SNR would
8 sometimes lock you in a cupboard; is that right?

9 A. Yes.

10 Q. You tell us that the cupboard -- the light in the
11 cupboard was switched off and that you were terrified in
12 the dark and would you start screaming and shouting; is
13 that what you remember?

14 A. Definitely, yes.

15 Q. I think when you were young you moved schools from time
16 to time; is that also right?

17 A. I went from that school to another school.

18 Q. I can tell you that you went from St Peter's RC School
19 to another school called Frederick Street Secondary --

20 A. No, King Street first.

21 Q. Sorry. My mistake. Then you went to Frederick Street
22 School; is that right?

23 A. Frederick Street School, yeah.

24 Q. Then, just to take this from you, I think you then went
25 to Powys Academy?

1 A. That was from Brimmond.

2 Q. It's just to get some idea of your schooling, when you
3 were younger. I think the records -- and I'll just give
4 you a date, just now -- that we have seen indicate that
5 you commenced at Powys Academy on [REDACTED] 1976, so you
6 were a bit older then. You were probably just over
7 15-and-a-half, perhaps?

8 A. Aye.

9 Q. Okay.

10 A. I think I was only at school for about -- maybe a couple
11 of days a week.

12 Q. At Powys?

13 A. Aye.

14 Q. Yes. I think the records suggest you didn't attend very
15 much and then you started skipping school?

16 A. No. I was in a remand home at the time.

17 Q. Okay. Right. So you were in the remand home; did that
18 mean it was difficult to get to school?

19 A. Well, I was running away from the remand home, as well,
20 mind.

21 Q. We'll come to that as well. We'll get a picture of what
22 was happening then, so don't worry.

23 Just going back to your mother, who didn't appear in
24 your life until you were a bit older again. You tell us
25 in your statement that when you were still quite young

1 your granny told you that your mother had died in a car
2 crash; is that right?

3 A. Yes.

4 Q. So far as you were concerned, your mother had died and
5 that was what you thought?

6 A. Yes. That's what I thought, aye.

7 Q. Can I just ask you this at this stage: it seems to me,
8 from whatever records and your own statement, that
9 perhaps your grandmother that looked after you and your
10 mother didn't get on very well, they didn't hit it off?

11 A. No.

12 Q. No.

13 A. They didn't get on with each other.

14 Q. Okay. But you say that there came a point when you
15 discovered that your mother was in fact alive and you
16 saw your mother once she reappeared in your life; is
17 that right?

18 A. Yes.

19 Q. I don't think your granny was very happy about that?

20 A. No, it was an application for my younger brother at
21 school that allowed me to meet my mother, which I didn't
22 ken. Because I didn't ken it was my brother.

23 Q. Because you hadn't seen your brother, either, for a long
24 time?

25 A. Well, I had never ever seen my brother since he was

1 born. I didn't know about him.

2 Q. Okay. You discovered that your mum was still alive and
3 you did -- I think you tell us that when you discovered
4 that, you really felt you couldn't trust your granny
5 again; was that how you felt?

6 A. Yes.

7 Q. I may have read somewhere that your granny even tried to
8 forbid you from seeing your mother; is that right?

9 A. Yes.

10 Q. It didn't stop you seeing her, but she tried to stop
11 you.

12 A. She tried to stop me, but I wouldn't allow it.

13 Q. There came a time when you made your first appearance
14 before a children's panel in Aberdeen; is that -- you
15 tell us about that in your statement?

16 A. Yes.

17 Q. I think you tell us at paragraph 17, on pages 3 and 4,
18 that you thought you were about nine-years old, but in
19 fact the records say that you were a bit older than
20 that; you have seen that record?

21 A. Yeah.

22 Q. Can I tell you that the records we've seen say that you
23 were first referred to the children's panel on
24 ██████████ 1972, when you would be aged 11.

25 A. 11.

1 Q. Don't worry. As I say, you can tell us about the
2 places. I'll try to put some dates on to it, if I may,
3 when we're going along.

4 Can I say this as well: the records suggest that you
5 were referred to the panel at that time, 1972, in [REDACTED],
6 because you had some involvement with Aberdeen city
7 police and they had been saying that you were getting
8 into trouble at that stage, stealing and things like
9 that and perhaps motor vehicles; do you remember that?

10 A. I've got a vague memory of what that is. I've said
11 before, to this day I can't drive. I can't drive.

12 Q. I know you've told us that. I see that in your
13 statement. I'm just saying this is what the records are
14 telling us.

15 You came to the attention of the police and it
16 brought you to the attention of the children's panel in
17 1972, and that is what we're told by that. So I
18 appreciate you've told us that you couldn't drive.

19 LADY SMITH: Of course, 'Bruno', you would understand that
20 you could get into trouble for being in association with
21 other children who were stealing cars and the like, and
22 maybe that is what found its way into your records?

23 A. Aye, definitely.

24 MR PEOPLES: I think there were occasions, perhaps, that you
25 do remember, where you were with other boys in cars and

1 they might have been driving and you might have been in
2 the passenger seat and the car was stolen.

3 A. Aye, joy riding.

4 Q. But you can still be charged, even if you're not driving
5 the car; that's I think what happened in some cases?

6 A. What I learned from the files as well was -- I got some
7 files, and what I learnt from the files was that I
8 wasn't put to a children's panel for anything like that;
9 I was put to a children's panel because my grandmother
10 wanted us to be in the care system. I have actually got
11 a file for that.

12 Q. I'll come to that, to tell you what I've taken from the
13 records. I think you're right in what you say, but
14 maybe not in 1972, because the first time that you went
15 to a place called Brimmond and you say in your statement
16 you went there about three times; do you remember?
17 About three occasions.

18 A. Aye.

19 Q. I think it's fair to say that's what the records
20 indicated to me, when I had a look at some records.

21 The only thing is that the records would indicate
22 that the first time you went to Brimmond was on
23 ██████████ 1974, when you would be 13 years and nine
24 months or thereabouts.

25 A. I always thought I was nine year old. Maybe I'm looking

1 back to periods of time from when I was younger that
2 things were happening when I was nine. I always thought
3 it was roundabout then.

4 Q. I think the dates are suggesting you are a wee bit older
5 than you thought you were. They're certainly saying
6 your first time at Brimmond was in [REDACTED] 1974.
7 I think at that stage there had been a few things
8 happening at your school. I think you had been, around
9 that time, expelled from the Frederick Street School; do
10 you remember that?

11 A. Aye. Mind that.

12 Q. What happened was, according to the records, you went to
13 a children's hearing in [REDACTED] 1974 and the hearing
14 said that you should go to Brimmond, an assessment
15 centre, to be assessed as to what should happen next;
16 yes?

17 A. Aye.

18 Q. After the assessment -- and I think that assessment was
19 probably a matter of weeks rather than months -- it was
20 decided, 'Bruno', that you should go back home to your
21 grandparents, but there would be special arrangements
22 for your education because you had been expelled from
23 school. So the arrangement was that you would get
24 a home tutor?

25 A. That's right.

1 LADY SMITH: You mention that in your statement, 'Bruno'.
2 You obviously have a memory of this home tutor, do you?
3 A. Aye, aye. I just mentioned it there before we come on.
4 MR PEOPLES: Yes. You do mention it in your statement.
5 I don't think it was a very successful arrangement, but
6 you remember that person coming to your house?
7 A. Yes.
8 Q. So far as Brimmond is concerned, as I say, you went
9 there for this assessment, but then I don't think you
10 were there very long. But then there was a second
11 occasion when you were there for a lot longer. You tell
12 us about that in your statement.
13 A. Yes.
14 Q. The second time you went to Brimmond was after you had
15 been in another place for a while, Oakbank, a List D
16 school?
17 A. Yes.
18 Q. If I can try to put some sort of order to this. I think
19 you went to Brimmond, you went back to your
20 grandparents, you had a home tutor. But around
21 [REDACTED] 1975, when you had just turned 14 years of age,
22 you were put into Oakbank. That was the place I think
23 you were put because it was considered that you were
24 beyond control of your grandparents. I think your
25 granny was perhaps supporting that you have a period in

1 somewhere like Oakbank; is that something you remember?

2 A. It's not something I remember, but --

3 Q. Does it fit with what you think happened?

4 A. No, I don't think at that time that my granny could have
5 asked to put me into Oakbank. She would have asked to
6 put me into Brimmond, because from an Approved School
7 you have to accept it's -- it'll be done through a court
8 or a panel for something you have done, because
9 an Approved School was actually for somebody who had
10 caused a crime or something else, that type of thing.

11 Q. I can tell you, 'Bruno', sometimes children that need
12 what's called "care and protection" were put into
13 Approved Schools by the courts. It wasn't always
14 because they had committed an offence. I think that may
15 be what happened to you. I think, though, you maybe
16 don't remember it, but there was some sort of appearance
17 in ██████████ 1975 and the court made an order,
18 a committal order, committing you to Oakbank School at
19 that time and after getting some reports about you.
20 That was their decision. So you went to Oakbank at that
21 stage.

22 That was after your original spell at Brimmond for
23 a few weeks, perhaps, for assessment. I think Oakbank
24 was the first place you stayed for any length of time?

25 A. Aye.

1 Q. Can I just take this -- we'll come to this maybe again
2 when we look at what you say about Oakbank, but
3 I think -- if I can give some more dates to you,
4 'Bruno'. You went to Oakbank, according to the records,
5 on [REDACTED] 1975 and you stayed there for about six
6 months, until [REDACTED] 1975, when you were still 14 years
7 old?

8 A. Aye.

9 Q. To put it shortly -- and we'll maybe come back to
10 this -- when you were at Oakbank you were absconding,
11 running away regularly; is that right?

12 A. Aye. Yes.

13 Q. You have a memory of that, I think?

14 A. Yes.

15 Q. I think in [REDACTED] 1975 -- and I think you maybe know
16 this and you have written about it -- Oakbank refused to
17 take you back?

18 A. Yes.

19 Q. They felt they couldn't do anything for you and you
20 should maybe be somewhere else; is that what --

21 A. That's right, yes.

22 Q. Then because of Oakbank saying they couldn't have you
23 back or didn't want you back because -- because they
24 couldn't deal with the situation, in [REDACTED] 1975; did
25 you have a short period in Craiginches at that time?

1 A. Aye. I was in Craiginches. But I thought I was about
2 between 13 and 14.

3 Q. The records are suggesting you were probably --

4 A. Think -- my mind is still there. I remember that. The
5 dates might be wrong, but I remember it, aye.

6 Q. Don't worry about the dates. I'm just trying to get
7 where you were. I'm perfectly happy to say the records
8 would suggest, yes, you did go to Craiginches. But what
9 I'm suggesting is that the records would suggest that
10 when things went wrong at Oakbank and you were caught
11 after running away, you may well have had a spell -- a
12 short spell at least, in Craiginches on remand?

13 A. Aye.

14 Q. Because I think, perhaps, when you were running away you
15 sometimes were getting into trouble and getting picked
16 up by the police and charged; is that right?

17 A. I think I was in -- aye, it's right. But I think I was
18 in Craiginches more than just a wee, short while. I can
19 remember everything that went on.

20 Q. We'll come to that. You are right, you were in it more
21 than once. But I'm trying to work out when you were
22 first there. I think it was maybe -- certainly you
23 would least be 14.

24 Could I also say this: you tell us about Craiginches
25 in your statement and we know it was an adult prison,

1 and you'll tell us a bit about that and I'll come to
2 that, if I may?

3 A. Aye.

4 Q. What I can say is it looks to me, whatever age you were,
5 you were under 16 when you first went to Craiginches?

6 A. Aye.

7 Q. The reason I'm saying that to you is that normally
8 people between 16 and 21 go to a borstal or a young
9 offenders institution or a detention centre, but
10 occasionally the law would allow someone who is under 16
11 to go to an adult prison.

12 I'm not trying to defend this. I'm just saying that
13 was the way it was. It looks like you were one of these
14 children who, when under 16, ended up in an adult
15 prison?

16 A. Aye.

17 Q. You tell us you were there and you remember it, and
18 we'll hear about it in a little while. But that's what
19 I'm suggesting was the sort of sequence of events.

20 You might not have been as young as 13, but you were
21 certainly under 16 when you first went to an adult
22 prison?

23 A. Aye, aye.

24 Q. Okay.

25 What happened then after Oakbank wouldn't have you

1 back, and after perhaps a relatively short spell in
2 Craiginches for the first time, you were --

3 A. I went back to --

4 Q. You went back to Brimmond, yes. The records indicate
5 that you went back to Brimmond on [REDACTED] 1975; that
6 was shortly after you had left Oakbank?

7 A. Aye.

8 Q. The reason you were sent there was to await a placement
9 in an alternative List D school, because --

10 A. In Geilsland.

11 Q. We'll come to that. But, yes, it was, because at that
12 stage the order of the court was you were committed to
13 another Approved School, but they didn't have a school
14 for you to go to. They hadn't been able to find one,
15 because they were full, or the waiting lists were full.
16 They finally found one where a place was available at
17 Geilsland in Ayrshire and that's where you went?

18 A. Aye.

19 Q. In a way, you were being held at Brimmond a second time
20 until they found another List D school to replace
21 Oakbank. That is what the records are telling me.
22 I think it fits with your recollection of where you
23 were?

24 A. Yeah.

25 Q. Okay.

1 A. Yes.

2 Q. This spell at Brimmond lasted from [REDACTED] 1975 until
3 some time in 1976, so that was a reasonable spell you
4 were there, as it happened. You were there a long time,
5 you said?

6 A. Yeah.

7 Q. What then happened was you didn't go straight to
8 Geilsland. There was actually a report about you from
9 Brimmond in 1976, in [REDACTED], which said you had made
10 excellent progress while you were at Brimmond and it was
11 felt that you could return to your grandparents under
12 some compulsory supervision; do you remember that? That
13 you went back to your grandparents for a time?

14 A. No, I can't mind it.

15 Q. You can't mind. That is what the records tell us
16 happened.

17 A. I know I got -- it was like overnight releases.

18 Q. Okay.

19 A. I remember that.

20 Q. Well, I told you earlier, according to the records, you
21 started at Powys Academy in [REDACTED] 1976?

22 A. Aye.

23 Q. Shortly after that, the children's hearing, on
24 [REDACTED] 1976, made an order returning you to your
25 grandparents, but you were under some compulsory

1 supervision. You started just before then at
2 Powys Academy and, as you told us, you weren't there
3 very long at times, before you were at least not
4 attending the school, let's put it that way; yes?

5 A. Right.

6 Q. Okay. Just to follow this through, you got into a bit
7 of bother, I think, at that time and, on [REDACTED] 1976,
8 the court made an order for residential training for one
9 year?

10 A. I remember it was (indistinguishable).

11 Q. That was under what is called section 413 of the
12 Criminal Procedure (Scotland) Act 1975, which allowed
13 the court to send someone for residential training for
14 up to one year; and that's what court did at that time,
15 according to your records?

16 A. Aye.

17 Q. Okay. But because there wasn't a place available for
18 the residential training right away, you were put back
19 to Brimmond and you were there for around
20 two-and-a-half/three months until a place became
21 available at Geilsland, in Ayrshire.

22 A. Right.

23 Q. You went to Geilsland on [REDACTED] 1976 and you were
24 about 15 and three-quarters at that stage. So that's
25 what the records tell us about the journey to get to

1 Geilsland. It gets complicated, but I hope you have
2 followed what I'm trying to do. I'm just trying to piece
3 together the dates.

4 I can ask you about the places once we have an idea
5 of where you were and when you were there; okay?

6 A. Aye.

7 Q. Just before I go back to your statement, you were in
8 Geilsland from [REDACTED] 1976 until you got a transfer
9 to Springboig St John's on [REDACTED] 1977?

10 A. Edinburgh Road.

11 Q. Edinburgh Road, Glasgow, yes.

12 I think that was at the request -- your request and
13 that of your granny?

14 A. Yeah.

15 Q. On the basis that --

16 A. It was a Protestant school and St John's was Catholic.

17 Q. That's right. Geilsland was run by the Church of
18 Scotland and St John's was a Roman Catholic List D
19 school. I think your granny certainly made
20 representations that you should go to a Roman Catholic
21 school and that did happen.

22 A. Mm hmm.

23 LADY SMITH: You would be just 16 then, 'Bruno', I think;
24 yes? Beginning of 1977?

25 A. I not sure if I'd turned exactly 16 then because what I

1 remember after that, I felt the return on a home leave
2 to St John's and then I was remanded in Craiginches
3 again until I became 16 and they put me into borstal.
4 Because I couldn't go to borstal as a 15-year-old.

5 MR PEOPLES: Can I just say, by the way, what I didn't say
6 is: you had residential training on [REDACTED] 1976 for one
7 year, but, on [REDACTED] 1976, in the same year, you
8 had another order for residential training for a year
9 for another offence.

10 A. Mm hmm.

11 Q. What the court did was to say that the order in
12 [REDACTED] was to run from the expiry of the order in
13 [REDACTED], so effectively you were getting two years
14 residential training?

15 A. Mm hmm.

16 Q. For the first part of that period, after you were
17 sentenced to these periods of residential training, you
18 were in Brimmond. But, as we see, you went to Geilsland
19 and then you went on to St John's. That's what we're
20 told.

21 Based on the date I gave you for your transfer to
22 St John's, I think you would be 16, just. You had just
23 turned 16.

24 A. Just, aye.

25 Q. As you say, and you told us just a moment ago, you

1 failed to return from weekend leave when you were at
2 St John's, and that was in early [REDACTED] 1977, I think, say
3 the records. You were apprehended by the police on
4 [REDACTED] 1977, and I think you were remanded to
5 Craiginches at that point; so you were back in
6 Craiginches?

7 A. That's right, 16, aye.

8 Q. You were 16 then, but I think you had been there before,
9 when you were under 16, as we discussed earlier this
10 morning.

11 Just to take the story forward a little bit more
12 before I go back to your statement: on [REDACTED] 1977,
13 the court sentenced you to a period of borstal training?

14 A. Aye.

15 Q. That was on the recommendation of Springboig St John's,
16 according to the records. They said that was the place
17 you should go. I think your social worker at the time
18 supported that, too. That is what the records tell us.

19 A. Aye.

20 Q. Okay. Then can I just say that you were admitted to
21 Polmont on [REDACTED] 1977, when I think you would be
22 about 16 and two-thirds, roughly. Although you had
23 a period of borstal training that could last for up to
24 two years, I think you were -- according to the records,
25 you were released from Polmont on [REDACTED] 1978, when you

1 were aged 17-and-a-half?

2 A. 17-and-a-half. I thought I was 19.

3 Q. I know you did. For once you said you were older, but
4 in fact you were younger. It's difficult, you are
5 looking back a long way. But I can tell you, if you
6 were released on ██████████ 1978 -- and that's what the
7 records say -- you were 17-and-a-half.

8 LADY SMITH: 'Bruno', don't worry, I can see this isn't
9 easy. You were in your teenage years and over a period
10 of about -- I think, Mr Peoples, it's about four years,
11 you are in eight different places and some of them you
12 are there more than once. You are now somewhat older
13 than that. It can't be easy to remember, so don't
14 worry.

15 MR PEOPLES: This is helping us to just understand where you
16 were and, as Lady Smith said, you have been in a lot of
17 places in a short time from the age of just under 14 to
18 around 17-and-a-half. You have been in a lot of places,
19 as we've just gone through. We're going to look at what
20 you tell us about these places in a moment.

21 It helps us to have an idea of where you were and
22 when you were there. That's all I'm trying to do.
23 I'm not trying to confuse you or complicate it, but I
24 think it's important --

25 A. I'm learning as well.

1 LADY SMITH: 'Bruno', it also helps to set the context for
2 me to understand what was going on in your life at that
3 time. To say it was unsettled and unstable would seem
4 to be an understatement; do I have that right?

5 A. Definitely.

6 LADY SMITH: Thank you.

7 MR PEOPLES: I think during that period, for a lot of that
8 period, you didn't have the benefit of either a mother
9 or a father because they weren't around some of that
10 time or you weren't seeing them regularly; is that
11 right?

12 A. No.

13 Q. Maybe I can go back now. I'll stop at the release from
14 Polmont, because I think there is more to tell, but
15 I'm not going to deal with it at this stage.

16 If we go back to your statement, page 9, at
17 paragraph 47, I just want to take this from you because
18 you tell us a bit about it. When you were at
19 Brimmond -- and this was the second time you were
20 there -- you joined the cadets?

21 A. Yes.

22 Q. You say that you would attend the Army barracks on
23 a regular basis?

24 A. Well, it's quite funny because when I joined the cadets
25 it was in the Fonthill Barracks. And, actually, the

1 Fonthill Barracks, back in the 1960s, was the hospital
2 where I was born.

3 Q. Right. Okay. You would go there -- you were at
4 Brimmond and I think you had an arrangement where you
5 could go to your granny's house, pick up your gear for
6 cadets, go to the cadets, and then you would have to go
7 back to Brimmond after cadets; is that right?

8 A. Yeah. Usually, it was a Tuesday.

9 Q. Okay. Tuesday, you would go to your granny and you
10 would attend the cadets and then go back to Brimmond;
11 did you stay overnight at your granny's or just go --

12 A. Sometimes I got to stay overnight, sometimes I was
13 picked up.

14 Q. Okay. I think I can tell from your statement you
15 enjoyed the cadets?

16 A. I enjoyed it. Never got into trouble. Nothing.

17 Q. Yes. You tell us you weren't a problem when you were
18 going to the cadets?

19 A. No.

20 Q. I think --

21 A. So I had no real -- it's in the files some place as
22 well. I had no real problem with authority in cadets or
23 going to army camps or anything else. I had no problem
24 with authority. The only problem I had was with
25 authority.

1 Q. Maybe some authority you had a problem with, but not the
2 cadets?

3 A. Not the cadets, no. I tried to get into the regular
4 army, but I got a damaged eye when I was younger, when
5 I was nine, and I couldn't get into the regular army.

6 Q. Had you been able to do so, you would have liked to have
7 joined the Army?

8 A. Definitely, aye.

9 Q. You say you weren't able to join. I think what you are
10 referring to -- and you tell us a little about it in
11 your statement -- is that in 1969 I think you had
12 an accident when you were playing darts and it resulted
13 in a loss of vision in your right eye; is that right?

14 A. Yeah, the dart went into my eye and bust the pupil in my
15 eye.

16 Q. Sticking now with Brimmond again. Going back to your
17 statement, you tell us about the routine there and we
18 can read that for ourselves, but I just want to ask you
19 about some things you tell us about when you were in
20 Brimmond.

21 Page 10, paragraph 57, you tell us that there was
22 a couple of times when you would be arguing with the
23 staff. One of the staff members, either Mr GJQ or
24 Mr ERM, who I think was the man in charge, would
25 give you a toothbrush and a bucket of water and tell you

1 to clean the stairs?

2 A. Yes. That was the stairs to the dorms, for the boys'
3 dorms. You went up the stairs to the boys' dorms and
4 then, if you went further down past the boys' dorms, it
5 became the girls' dorms, through a different door. But
6 there was a staircase there that you had to go up.
7 I was still going up there -- toothbrush.

8 Q. You were given that task with a toothbrush as
9 a punishment?

10 A. Punishments, aye.

11 Q. They didn't give you a scrubbing brush?

12 A. You got the scrubbing brushes to clean it, but I never
13 got it. But quite a few times I got a toothbrush.

14 Q. On page 12 of your statement, at paragraphs 64 and 65,
15 you do tell us about bed wetting.

16 You went to great lengths, I think, to -- you said
17 you did wet the bed, at least until you were 12. If you
18 were in Brimmond, you were maybe a little older.

19 But, when you were in Brimmond, you tell us that
20 when you were wetting the bed you would steal clean
21 sheets, hide them under your bed, get up early in the
22 morning and change your sheets, before anyone would know
23 that you had wet your bed?

24 A. Yeah.

25 Q. Is that something you did at Brimmond?

1 A. I done it at Brimmond because some of the mattresses had
2 a cover on it, like a wet cover. The mattress was
3 encased, so you could actually change it. So I would
4 hide the sheets.

5 Q. Why were you doing that? Was there a reason why you
6 wanted to hide or not tell people you had wet the bed?

7 A. Mainly because I was embarrassed. Being a kid, you're
8 embarrassed and everything. You don't want to be seen
9 that you are wetting the bed.

10 Q. You do tell us that you heard what happened to some
11 other children who wet the bed. You tell us that you
12 heard kids getting smacked for wetting the bed and you
13 remember hearing a couple of them getting smacked one
14 day; is that what you heard?

15 A. Aye. I've seen kids getting done -- kids in the room.
16 Because the room that I'm in, it's not just me that's in
17 it. There are three beds in the one room. I think
18 there is about five or six rooms, maybe seven rooms, so
19 three beds in each room.

20 Q. You are sharing a bedroom at that stage?

21 A. Aye.

22 Q. Did you see boys getting smacked for wetting their bed?

23 A. There's a guy -- there was kids getting smacked and
24 everything for wetting their beds, and they would get
25 that embarrassed that if they wet the bed again, they

1 would smash a window and run away rather than face
2 getting smacked again for something that they couldn't
3 control; ken?

4 Q. Just on the subject of running away, if I could move on
5 to that on page 13, at paragraph 71, you estimate that
6 you ran way from Brimmond more than 30 times. But you
7 certainly ran away a lot; yes?

8 A. I ran away quite a lot, aye.

9 Q. Can you tell us: why were you running away at that
10 point?

11 A. Because I was being abused.

12 Q. Okay. Was there a particular type of abuse that was
13 making you want to run away from Brimmond?

14 A. I was always brought up from my grandparents to not let
15 strangers undress me, not to show yourself in front of
16 strangers and stuff like that. I was brought up that
17 way from my grandparents. And from the very first day
18 that I went to Brimmond, at night-time, it's when it
19 began. That was the very first day there.

20 At night-time I was asked to undress, and I says to
21 them -- they put on pyjamas, I said, "I'll undress if
22 you leave the room". "We're not leaving the room."
23 That was Mrs ERL and GJQ.

24 Q. Mrs ERL was the _____?

25 A. The _____, aye. Mrs ERL and GJQ, they were

1 both -- and they said to me, "No, you'll strip now". I
2 said, "I'm not taking my clothes off unless you leave",
3 and the two of them just jumped on top of me and GJQ
4 held me on the ground and all the clothes were ripped
5 off me. That was the first experience that I had there
6 that night, the first night.

7 Q. The first night; that is what happened to you?

8 A. That's what happened.

9 Q. You have a section in your report about abuse at
10 Brimmond. I'll just take you to that, just now, page 16
11 it starts on.

12 You tell us a bit more about the [REDACTED] there. You
13 tell us that she would come to bedrooms every night;
14 what did she do when she came to your bedroom?

15 A. She'd come into each boy's bedroom every night, make
16 a point of going from one bedroom to next and kissing
17 each boy on the lips and saying good night. And then --

18 Q. How did you feel --

19 A. -- then changed up. How would I react to that? You
20 never reacted to it. You're a kid. It's not until
21 years later that I start thinking: wait a minute, we
22 were being abused here.

23 You didn't think nothing at that time. You are
24 thinking it's a kindness.

25 Q. I suppose by the time you were in Brimmond, in 1975, you

1 were 14-and-a-half, going on 15?

2 A. Aye, but remember all this started -- I'm telling you
3 about being stripped naked. That started the very first
4 time. I'm not 14 or 13 then. I'm 11-year-old, as you
5 said.

6 Q. Well, maybe nearer 14. But you were of an age where you
7 say you could get undressed or changed yourself and you
8 didn't need -- you presumably have thought that you
9 didn't think it was right for ██████████ to be kissing
10 someone who was either 14 or 15 at night, each night, on
11 the lips?

12 A. No, it's not right. And then you are having a shower
13 and everything, and she would come into every boy's
14 shower and say, "You need to wash yourself properly",
15 and she would start washing down your whole body.

16 Q. You tell us about that in paragraph 92, that she would
17 come in when you were showering and you tell us she
18 would wash your backside and your front, and tell you it
19 was important to wash all over that area; that was
20 something she was doing?

21 A. Aye.

22 Q. Did she do that to all the boys?

23 A. Everybody, aye.

24 Q. What did you think about her doing that to you?

25 A. You just accepted it. Because you -- at that time you

1 are not seeing things as wrong and, as time goes on,
2 it's not becoming wrong, it's becoming part of the life
3 that you are living in a care home.

4 Q. I think you tell us that both Mrs ERL [REDACTED] and perhaps
5 Mr GJQ [REDACTED] and maybe another person, Mr GJO [REDACTED]
6 would at least be watching the children or the boys in
7 perhaps an inappropriate way; you think? Is that right?

8 A. GJQ [REDACTED] knew about it because he was part of it. He was
9 having an affair with [REDACTED]. GJO [REDACTED], he was
10 not a hands-on person. He would watch things at the
11 time, so he knew things that went on. GJO [REDACTED]'s
12 wife had nothing to do with it.

13 Mr GJR [REDACTED], he was a big tall bloke, and he used to be
14 shouted on if any of the kids were -- became violent,
15 because he was a massive bloke. So he would be there to
16 separate.

17 HQS [REDACTED], he was an alcoholic and would give all the
18 kids cigarettes, and everything and that, all at the
19 time. GJO [REDACTED] would hand out sweeties and all that,
20 stand in the shower rooms all the time watching the
21 kids. I would say his thing was watching.

22 HQS [REDACTED], he was, as I said, an alcoholic. He came
23 from Glasgow. He was an alcoholic. He used to get kids
24 up at maybe two or three in the morning: here, smoke, or
25 here, drink with him in his little office at night-time.

1 Q. You tell us a little more about Mr **HQS** at page 16,
2 at paragraphs --

3 A. The boxing.

4 Q. Yes, the boxing. Just tell us about the boxing?

5 A. I was meeting this other kid from Peterhead. He's dead
6 now. And he was a lot taller than me and he says, "You
7 will need to box if you keep on arguing", and then he
8 ended up getting a boxing time, and then I have started
9 weighing into the guy and the guy has went down, but he
10 has got back up. And I've turned away, and **HQS**
11 said, "No, you don't stop, you keep going and you keep
12 fighting", so I had to keep hitting the guy until he
13 went down.

14 Q. I think you say, in paragraph 88, you didn't feel doing
15 that was right?

16 A. No, I didn't feel it was right. It was already finished
17 when he went down the first time.

18 Q. I think you say you recall apologising to the boy at
19 that time?

20 A. Aye, I became friends with him, yes.

21 Q. You were really forced to carry on fighting by
22 Mr **HQS**?

23 A. Yeah.

24 Q. He would presumably watch you boxing each other?

25 A. Aye. He would watch, aye.

1 Q. How did -- did you get any impression of what he
2 thought? Did he enjoy it, seeing this happen?

3 A. I think he did enjoy it. He must have enjoyed it
4 because he's willing to get it done and watch it being
5 done. And seeing a young -- well, we were both young
6 kids, but seeing him -- the other boy going down on the
7 ground, and I says to myself, "That is it, finished",
8 and he shouted "No, it's not finished. You need to keep
9 going because he's got back up", so I just felt that,
10 aye.

11 Q. Just going back to running away at Brimmond, you told us
12 earlier you ran way quite a lot.

13 At paragraph 79, on page 14, you say that whenever
14 you ran away you were punished. You tell us you were
15 put in a cell that was on the top floor; is that what
16 happened?

17 A. Yes.

18 Q. You also say that no one ever asked you why you were
19 running away?

20 A. No. I would tell the police if I was lifted. I would
21 say, "Look, you're just taking me back to being abused",
22 and nobody was wanting to listen.

23 Q. You told the police when you were caught and taken back,
24 but they wouldn't listen?

25 A. Wouldn't listen.

1 Q. Just on Brimmond, you say at paragraph 84, on page 15,
2 that you were running away to escape; was that to escape
3 from what was happening to you?
4 A. Yes, to escape abuse.
5 Q. Okay. In terms of telling people what was going on, you
6 have told us that you tried to tell the police, but they
7 wouldn't listen. At paragraph 99, on page 18, you tell
8 us that you told your granny everything that was
9 happening, you think she believed you, but she didn't do
10 anything about it?
11 A. Never done nothing about it. I told -- years -- when it
12 very first happened, I had already told social workers
13 and that as well and nobody else would listen then
14 either.
15 Q. Whenever you tried to tell someone, even including your
16 granny, nothing happened or nothing changed?
17 A. Nothing changed. Because if anything had changed; why
18 would they be returning me when I had already left
19 Brimmond in the first place and then be returned to the
20 same place where I'm abused multiple times?
21 Q. Can I move on to Oakbank, on page 20 of your statement?
22 You say there you thought you were about 12, but
23 I think the records would suggest that when you went
24 there you were 14. But let's not -- we don't want to
25 worry about that. We know you went there.

1 Can I ask you a few questions about Oakbank at this
2 stage?

3 On page 22, at paragraph 120, you have a section
4 dealing with washing and bathing. You tell us that
5 there was really no privacy in the shower area and that
6 everyone saw everyone else; you didn't like that?

7 A. I didn't like it. It was -- Oakbank, the shower area
8 was maybe about 12 guys in front of you, and another
9 five or six guys at the side of you, and then another
10 line, 12 guys at this side. So it would be quite a lot
11 in the showers. It was a line of showers right round in
12 a square and everybody is washing and stripping off in
13 front of each other. I was always embarrassed to strip
14 off in front of people or to shower in front of people.

15 Q. Were these --

16 A. It created fights, because I wouldn't do it and
17 therefore you get -- kind of get humiliated by the other
18 boys because you're not showering and doing the same
19 thing, and I would get into a lot of fights through it.

20 Q. Because you didn't want to shower with them and they --
21 you got into problems with them because of that; did
22 they pick on you?

23 A. No, as I says, I always fought and stood my own corner.

24 Q. You had to do that because they reacted to what you
25 wanted to shower in private; they reacted and you had to

1 defend yourself?

2 A. Aye. I had to defend myself, aye.

3 Q. If I could just ask, also, about what would happen in
4 the classroom. If we go on to page 23, at
5 paragraph 127, you have a memory of Mr HQT, a
6 teacher?

7 A. Aye.

8 Q. You tell us about what would happen in the class, what
9 he would do. Can you -- you say he would --

10 A. (Indistinguishable). He would -- sometimes he would
11 slap you on the back of your head or you'd put a bit of
12 chalk on the table and the chalk would go up in a puff
13 of smoke. But, really, as a kid, you are seeing that as
14 (indistinguishable) because you think it's powerful, but
15 it's a bit of chalk that is being hit with a ball.

16 But it's to put fear into your mind. And he was --
17 I would say he was violent towards kids, because he
18 would be hitting them. Funnily enough, he became SNR
19 SNR of -- the housemaster at Geilsland.

20 Q. You say as well as trying to slap he was perhaps playing
21 psychological mind games with you, with the chalk?

22 A. Aye, definitely.

23 Q. So far as bed wetting was concerned, at page 25,
24 paragraph 137, you tell us that when you were lying in
25 your bed at Oakbank you can remember other boys getting

1 screamed and shouted at because they were wetting the
2 bed; was that the way that they handled that situation?

3 A. Aye, aye. Because -- I mean, homes at that time,
4 I would say that -- I don't know about now. But, at
5 that time, they were kind of army orientated and they
6 wanted to treat you as though you're their soldiers and
7 bed wetting wasn't accounted for.

8 Q. Soldiers don't wet the bed?

9 A. Aye. It wasn't accepted.

10 Q. No. There was no sympathy given to people who wet the
11 bed?

12 A. No. There was no help for them or anything like that.

13 Q. Just in terms of the culture at Oakbank, what you tell
14 us in paragraph 138, page 25, is that there were what
15 you call "little cliques" at Oakbank. There were the
16 Aberdeen guys, Edinburgh guys, Dundee guys and Glasgow
17 guys, and there would always be fights between the
18 different groups; was there a sort of gang culture?

19 A. Aye, definitely.

20 Q. And that would result in fights?

21 A. Definitely. And it didn't stop there, because the
22 Approved Schools, then you went on to borstals and YOIs,
23 and then the people you have the fights with there, you
24 are bumping into there.

25 Q. You meet them again?

1 A. Aye, definitely.

2 Q. That can be a bonus if you meet people that you liked in
3 a previous place, but it can be a problem if you meet
4 people you didn't like, or they didn't like you?

5 A. Aye, definitely.

6 Q. I don't know whether you can help us with this: if
7 someone was not one of these cliques in Oakbank, they
8 just didn't come from Aberdeen or Edinburgh or Dundee or
9 Glasgow, or they weren't a member of the clique; how
10 were they treated, if they weren't one of the gang?

11 A. They would be bullied. They wouldn't get the sweets,
12 wouldn't get the tobacco. You got four fags a day. So,
13 if you was weak, you wouldn't get nothing.

14 Q. If you are a weak person and didn't perhaps stand up for
15 yourself, you would get bullied by some of these other
16 boys?

17 A. Definitely. The staff would --

18 Q. Did you see that?

19 A. Of course I've seen it. The staff in those kind of
20 establishments, they loved it because they believed the
21 more you got done, the more chance you got to stand up
22 for yourself.

23 Q. They didn't try to stop the bullying?

24 A. Never ever stopped it, no.

25 Q. You tell us that obviously you were running away from

1 Oakbank on a regular basis. This is paragraph 140. You
2 ran way so much that you ended up back in Brimmond. We
3 know what happened; we went through that earlier today.

4 I think you were back in Brimmond in [REDACTED] 1975,
5 according to the records.

6 I'm just going to ask you one thing about running
7 away that you tell us about at paragraph 143, on page
8 26.

9 You say when you were on the run, as it were, you
10 would sometimes meet up with other Aberdeen guys who had
11 run away from either Brimmond or other Approved Schools.
12 I think you did run with guys who had been in other
13 schools when you were out and absconding; is that right?

14 A. Quite a lot of the guys would get home leave at the same
15 time, but the ones from Glasgow, Edinburgh or Dundee --
16 there were Aberdeen guys and there would be Aberdeen
17 guys on home leave from Rossie Farm and another school
18 in Dundee, or Oakbank or even Brimmond. And if you are
19 out on home leave at the same time, we'd meet and then
20 it just got to the point saying, "I'm not going back".

21 And then it would just go right round, everybody
22 saying, "I'm not going back". So we were on the run,
23 sleeping in graveyards and stuff.

24 Q. So you slept rough, you ran around in gangs. You also
25 committed offences, some of you, by stealing cars or

1 being a passenger in a stolen car or something of that
2 kind. That would happen on these occasions at times; is
3 that right?

4 A. Aye, definitely.

5 Q. You have a section in your statement, on page 27, that
6 is headed:

7 "Abuse at Oakbank."

8 I wanted to ask you about that. You mention
9 an older man who worked in the gardens?

10 A. (Indistinguishable). Aye.

11 Q. You tell us that he was someone who was always touching
12 the boys, touching them on their backside or their face;
13 did you see him do that?

14 A. I've had it done to me.

15 Q. You also say he did try to do it to you, but you just
16 told him to fuck off?

17 A. Aye. They never done it again, but he continued to do
18 it to the other young guys that were there.

19 Q. The ones that didn't tell him to fuck off?

20 A. Aye.

21 Q. But you managed to put him off by the way you reacted?

22 A. Aye.

23 Q. Okay. You do say that the way he went about this
24 touching -- you say at paragraph 151 he was kind of
25 sleekit and friendly, and he would give boys smokes,

1 cigarettes?

2 A. Aye. He gave fags and that. But the sleekitness is for
3 every person who is abusive towards kids. There is
4 always a sleekitness that is like they're making them
5 feel bad and everything else. It comes across as:
6 I'm a good person.

7 It's not until years later, you turn round and you
8 realise there was nothing good about them.

9 Q. He was doing this to come across as a good person. The
10 boys would think, "Oh, yeah, he's great", and then he
11 would do things; is that the way it was?

12 A. Definitely.

13 Q. You mention Mr **HQT** again, at paragraph 153, and
14 said there would be occasions when he tried to give you
15 the belt. But I think you say you told him where to go.
16 I think you weren't someone that really liked the belt
17 wherever you went?

18 A. No, I had enough. Once you got it a few times and
19 everything, it just became a thing where they turned
20 round and said, "Right, I'm going to punish you", but
21 how much punishment do you give a kid to turn round and
22 try and learn them? If they're not accepting it the
23 first time, don't try to disturb them, far to go.

24 Q. You have said, and you say again at 153, there were
25 times when he would give boys, including yourself,

1 a slap across the head; is that right?

2 A. Aye, definitely.

3 Q. On page 28, paragraph 154, you talk about occasions when

4 boys would need to be restrained and they would

5 sometimes retaliate and there was maybe a bit of

6 an incident going on. You say that sometimes

7 Mr HQT or SNR -- I think you mean SNR

8 SNR -- would have to overpower them and

9 hold them down on the ground. You go on to say that is

10 taking it to another level, adults --

11 A. I think he was EJU .

12 Q. Don't worry about the name. But you're telling us

13 that's taking it to another level. Adults restraining

14 and overpowering a kid, that was just nasty. What are

15 you trying to tell us there? Why was it nasty?

16 A. Because a kid's a kid. It doesn't need that amount of

17 force to restrain a young kid that you are maybe three

18 times the size of, and they've put their arms up their

19 back and twist them to such a point that they're

20 suffering. I've seen young kids getting their hands

21 round the neck until they came to the point of fainting.

22 Q. You thought the restraint was excessive?

23 A. Excessive, aye. Yes.

24 Q. You go on to tell us a little bit about your time in

25 Craiginches Prison in Aberdeen, starting on page 28. As

1 you told us earlier, you were in Craiginches a few
2 times.

3 You were perhaps not 13 when you went there the
4 first time. But, as I think we've agreed, you were
5 under 16, the first time you went there.

6 I just want to ask you some questions about
7 Craiginches. We know that it was an adult prison?

8 A. I was under 15 the first time.

9 Q. Yes. You tell us about the first time. You tell us
10 that when you were in Craiginches --

11 A. I had to fight with a life-serving prisoner.

12 Q. I'll come to see if you can tell us about things, but
13 you say when you first went there, at paragraph 163, you
14 were stripped naked and put into a shallow, freezing
15 cold bath?

16 A. When I was -- for the first -- when I first come in the
17 door, the reception in Craiginches was right at the
18 gate. The minute you come in the gate with the van, the
19 reception house was there. You come out of the van the
20 minute the gate was closed and then you went into a room
21 and there was a bath there and I was told to strip naked
22 then, and then put into a bath, with maybe four or five
23 inches of water.

24 Q. From what you have told us about how you felt when you
25 had to shower with other boys, I take it you didn't

1 really like having to strip naked?

2 A. I felt embarrassed. You are stripping in front of --
3 stripping naked -- I'm only a bairn and I have already
4 went through -- I went through the remand home -- for
5 the abuse I went through there, and then I'm coming back
6 into an adult prison and I'm being abused again by
7 adults.

8 Q. These people would be strangers?

9 A. They would be strangers and I'm -- I was brought up not
10 to strip in front of people, and then I'm being told to
11 strip and put into a cold bath and two grown men
12 standing watching me.

13 Q. You say, at 164 -- you give your recollection that you
14 got your kit at that stage and you were taken to the
15 hall, and you remember looking around and getting fear
16 because:

17 "That was me in an adult jail."

18 What was your first -- what were your feelings at
19 that stage?

20 A. Of course I had fear. I mean, I've got three blankets
21 in my hand and everything, and I couldn't even see over
22 the top of the blankets. I was a wee kid and having to
23 look about and everything, and had all these blankets
24 and all these clothes in my hands.

25 Q. I think you say that when you went there you were put in

1 a single cell in the remand hall, but the hall had other
2 adult prisoners in the hall?

3 A. It had life-serving prisoners, it had rapists. It had
4 murderers. It had car thieves, drug dealers. It had
5 everything. Because the remand hall was full of the
6 convicted and untried.

7 Q. If I can just ask you about one thing that you tell us
8 about on page 30, at paragraph 174. You tell us that
9 something happened after you had been in Craiginches for
10 around a week; is that the first time you were there
11 that something happened with what you call an "old
12 lifer"?

13 A. It was an old lifer that tried to come close to me and
14 try and grope about and everything, and I ended up
15 fighting with him. I ended up giving him a licking.

16 Q. You say he tried to be touchy-feely with you and you
17 ended up hitting him and kicking into him. You were
18 pulled off him and you end up getting locked in a cell
19 for doing so?

20 A. I end up getting put in a silent cell, a cell within
21 a cell.

22 Q. Indeed, you tell us on page 31, that after that incident
23 with the old lifer, who had tried to touch you up, you
24 spent a period, you think, of around two months in what
25 you call a silent cell?

1 A. I was on the roof. They had to get my grandmother into
2 the jail to get me off the roof.

3 Q. This was after this incident with the old lifer?

4 A. I think it was roundabout that time. But I don't know
5 if it was that time or the time when I first went into
6 Craiginches. But that incident had happened. It
7 concerned the lifer that I got locked up.

8 Q. This silent cell, just help us with this. When you call
9 it a "silent cell", you say people couldn't hear you if
10 you were banging, shouting or screaming when you are
11 inside it.

12 A. You open the door and then you can actually walk through
13 the cell that's in front of you when you have walked in
14 that door. You can actually walk round it. It's a cell
15 within a cell.

16 Once you went through the first door, then through
17 the second door, you are in the enclosed cell. So if
18 you're shouting, because it's hollow, it's not allowing
19 the noise to get out into the corridors, so it's called
20 a silent cell.

21 Q. How big was this cell within a cell? Can you estimate
22 how big it would have been?

23 A. A wee bit wider than the length of my arms.

24 Q. I'm trying to get a distance for that. Are we talking
25 about six feet?

1 A. I would say about six, eight feet long, and maybe about
2 six feet wide.

3 Q. Did it have a bed?

4 A. No, there was no bed. It's concrete floor with a raised
5 portion and they say that's a bed. You got on
6 a mattress at night, about 9 o'clock at night. 8.30/9
7 o'clock at night. The mattress was taken out in the
8 morning and you didn't get it back until night-time.

9 Q. During the day, you had no mattress to sit on or lie on?

10 A. No.

11 Q. Did you spend most of your time, when you were in this
12 silent cell, in that cell during the day?

13 A. 23 hours a day.

14 Q. You had some exercise?

15 A. An hour's exercise, aye.

16 Q. Was there anything you could do in the cell? You said
17 you got a book to read; is that right?

18 A. Sometimes I got a book. More times I'd just exercise.

19 Q. You say food was brought to you when you were in the
20 silent cell?

21 A. You got your food brought to you, aye.

22 Q. If you wanted to go to the toilet?

23 A. You had a baby's pot in the cell. If you wanted to have
24 a pee or do a number two, you done it in that pot and
25 then later on at night, you would ask the officer if it

1 could be emptied out.

2 Q. Were you slopping out then?

3 A. Slopping out.

4 Q. Okay. I think when you got out of Craiginches on that

5 occasion, you were back in Brimmond for a time and then

6 you were taken on to Geilsland School in Ayrshire.

7 I think we know that was on [REDACTED] 1976, when you

8 would be aged about 15 and three-quarters?

9 A. Aye.

10 Q. That was the next place you were in. I think, according

11 to the records, you were there for perhaps just over

12 three months before you went to St John's?

13 A. Mm hmm.

14 Q. Okay. I'll just ask you a few questions about

15 Geilsland, if I may.

16 You tell us at paragraph 190, on page 33, SNR

17 [REDACTED] was a Mr EZD. He would be SNR,

18 [REDACTED]?

19 A. An ex-Navy commander.

20 Q. Yes. I think he ran a fairly militaristic regime, did

21 he not?

22 A. Aye, definitely.

23 Q. You have something about what happened at night-time at

24 page 34, at paragraph 197. You say it was all --

25 A. When you are eating your food?

1 Q. No, I'll just read it:

2 "It was all whispers in the bedrooms. You couldn't
3 talk. If the night shift heard you talking you were
4 going down and doing the assault course. There was
5 an atmosphere of fear."

6 Is that what it was like at night-time?

7 A. Yeah, definitely. He had built -- he'd got an assault
8 course built, underground tunnels, climbing ropes, just
9 everything that you would get in the military. And you
10 weren't allowed to talk at night, and two or three in
11 the morning, he would just come in and go, "Right, the
12 lot of you up, out, you have to do this". It didn't
13 matter if it was raining, snowing, anything, you had to
14 go and do this, and then you come back in and have
15 a shower.

16 Q. I think you told us about that assault course and
17 getting up early in the morning, or the early hours of
18 the morning, at paragraph 227, on page 40. I don't need
19 you to go to it. It confirms what you have just told
20 us.

21 You also tell us, on page 41, about Mr **EZD** giving
22 you the belt. At paragraph 232, you say he would give
23 you the belt in his office?

24 A. Aye.

25 Q. You describe him having a big Chesterfield leather chair

1 in there. You had to lean over the back of it with your
2 trousers down and he would hit your bare buttocks with
3 one of the belts?

4 A. Aye, definitely. He had cartoon characters carved into
5 the belts, so if you got the belt it was imprinted on
6 your backside. And the reason for it, to show the other
7 kids what you would do when you went into SNR's
8 office was because, if you were in there grassing, they
9 wanted to ken if you had that imprint on your backside.
10 So if you showed the imprint on your backside or
11 whatever comical thing, it was Mickey Mouse or whatever,
12 you were proving you were in there getting the belt.
13 You weren't in there talking away to SNR.

14 Q. Obviously, the belt then left marks that could be seen
15 by other boys?

16 A. Aye. The imprint was on it. As I said to you, he had
17 carved into the belts Mickey Mouse, Donald Duck,
18 anything like that, so it would be imprinted on your
19 backside.

20 Q. To leave an impression, even of Mickey Mouse, it
21 probably took some force to do that?

22 A. Well, if you've got a leather strap hitting your bare
23 arse, it's leaving an imprint.

24 Q. Did it ever leave bruises or welts as well?

25 A. Aye, definitely.

1 Q. I don't suppose you knew at the time that SNR
2 in an Approved School, under the rules, couldn't give
3 you the belt with your trousers pulled down? Did you
4 know that?

5 A. I didn't ken. But I never taken it again.

6 Q. I was going to ask you about that.

7 You say that you got the belt, and you've told us
8 about that, and you say that after the first time you
9 got the belt you refused to have it again and what
10 Mr EZD did was to handcuff you to a radiator all
11 night?

12 A. All night, aye.

13 Q. He tried to basically say to you: well, I'll let you go
14 if you agree to get the belt, but you never agreed to
15 that?

16 A. No.

17 Q. I think eventually he released you from the radiator,
18 laughed, and said you had been punished enough and let
19 you go on your way?

20 A. That's right.

21 Q. He sounds a bit eccentric?

22 A. He is. The way he done things was, when you first went
23 into Geilsland you got all your clothing. You had to
24 sew your full name into every bit of garment of clothing
25 that you had before you got recreation or playtime, they

1 called it. Everything had to be seen to be yours, so it
2 didn't go missing.

3 If you went on home leave, everything had to be
4 rolled up in a spiral Navy way, so you could see your
5 socks, your underpants, your jeans, everything had to be
6 seen like that, so it fitted right into the kit bag and
7 he could open the kit bag and see everything that you
8 had.

9 If it wasn't done right, you never got your home
10 leave. It had to be done perfect. You had to sing
11 a full song in the cold shower and everything. He would
12 do that at two or three in the morning. He would do it
13 first thing in the morning.

14 Q. You talk about the showers at paragraph 236, on page 42.
15 You tell us that he watched the boys in the shower and
16 there was no reason for him to do so.

17 Did you think this was wrong? Or at least do you
18 now think it was wrong?

19 A. Of course it's wrong for a grown adult to stand in front
20 of a bairn in the shower -- a freezing cold shower, and
21 turn round and say, "Sing that song, and the song must
22 be sung from beginning to end. It must be finished,
23 until you get out of that shower", and the water was
24 freezing.

25 Q. You also tell us, at paragraph 237, that Mr EZD would

1 humiliate kids in front of other children and he would
2 use a table tennis bat and table tennis table to do so?
3 A. He would get other kids lined up round the table tennis
4 table when somebody was getting punished. And the first
5 kid would stand at the top of the table and he would
6 say, "Right, run", and if you run, he was slapping his
7 bat on your backside as you went past. If you weren't
8 in time for the next hit, you got an extra hit. So, say
9 were getting ten of the strap, you had to run round ten
10 times and get ten times. If you were late coming round,
11 that ten times added on and added on. And he would be
12 after kids. You couldn't have run away.

13 You couldn't have run away from that home because he
14 had tannoys all over the whole place. He just needed to
15 sit in his office, and he said to every kid at that
16 time. If somebody runs away and I shout on you, and you
17 chase that person, I will give you 100-pound and give
18 you a week's home leave.

19 100-pound at that time was a lot of money, and a
20 week's leave, a home leave -- then you could be just in
21 that day, he would shout on the tannoy, "There's a
22 runner", you had all your best pals running after you to
23 catch you. So there wasn't a lot of people running way
24 from that Approved School.

25 Q. So that was a form of public humiliation, the table

1 tennis bat?

2 A. Definitely.

3 Q. And this was as well as -- this was as an alternative to

4 belting? He would sometimes do that instead of taking

5 boys to the room and belting them?

6 A. It was just -- I would say it was his show of authority:

7 I'm boss, nobody else is boss.

8 MR PEOPLES: That is a convenient point to stop at this

9 stage. We're going to take a break now, 'Bruno'.

10 LADY SMITH: I take a break at this point in the morning,

11 'Bruno', for about 15 minutes. We'll do that just now.

12 Then we'll get back to your evidence after that; is that

13 all right?

14 A. That's fine. Thank you.

15 LADY SMITH: Good. Very well.

16 (11.33 am)

17 (A short break)

18 (11.50 am)

19 LADY SMITH: 'Bruno', welcome back. I hope that break was

20 of some help to you.

21 If you're ready, we'll carry on with your evidence

22 and I'll hand over to Mr Peoples; is that all right?

23 A. That's fine, yeah.

24 LADY SMITH: Thank you. Mr Peoples.

25 MR PEOPLES: My Lady.

1 'Bruno', we finished before the break dealing with
2 your time at Geilsland. In terms of how you got to
3 St John's, I'll just pick up one point that you say in
4 your statement, at page 42, paragraph 239.

5 You tell us that you did tell your granny about the
6 abuse at Geilsland. You think she phoned up the school
7 and made some sort of complaint; is that what you
8 remember?

9 A. That's why my granny got the transfer done.

10 Q. You think she actually did take the matter up with the
11 school?

12 A. Aye, definitely. Because I wouldn't have got a transfer
13 otherwise.

14 Q. You do say you believe, no doubt looking back, that
15 Mr **EZD** was probably quite happy to get rid of you
16 because you were refusing to take the belt, you weren't
17 doing what he was telling you, you were rebellious and
18 he didn't like rebellious boys on his watch?

19 A. Aye, he didn't like nothing rebellious, like, no.

20 Q. That might have stemmed from his military background,
21 that he didn't really like insubordination?

22 A. That's it, aye.

23 Q. If I can move on to your time at St John's List D
24 school -- I think it would be at that stage?

25 LADY SMITH: Yes.

1 MR PEOPLES: This starts at page 43, at paragraph 244. As
2 you've told us, it was on the Edinburgh Road in Glasgow,
3 not far from Easterhouse.

4 As we've discussed, you went there, according to the
5 records, on [REDACTED] 1977 and you would be around 16
6 at that time, if that's correct.

7 The records say you were there about seven months in
8 all.

9 I think I can take this part of your statement
10 fairly shortly. We have the whole picture of St John's,
11 but basically the point you make at page 44, at
12 paragraph 245, is that there was really no abuse that
13 you have a memory of when you were at St John's?

14 A. No. Not towards me and not what I see towards other
15 people. I never seen anything, no.

16 Q. I may have picked up somewhere that you were happy
17 enough there. The only problem was, it was too far from
18 Aberdeen?

19 A. Too far from home, aye.

20 Q. Indeed, perhaps that was part of the problem. You say
21 at page 46, paragraph 259, that you ended up getting
22 thrown out of St John's. You had been planning on
23 running away, but you had a few home leaves, so rather
24 than running away, you just decided to stay away after
25 a period of home leave. I think that's what you did?

1 A. That's what I did, aye.

2 Q. You say that you stayed away at that time and you were
3 caught for various incidents by the police? You tell us
4 about one of those. You were caught in a stolen car
5 with two of your mates?

6 A. Aye. They got detention and I got borstal.

7 Q. Well, yes.

8 This was an occasion when you were lifted by the
9 police and they took you, at least in the short term, to
10 Craiginches?

11 A. Aye.

12 Q. You tell us, at paragraph 264, you do remember the three
13 of you going to court. Can I just be clear: when you
14 went to court; were you wanting to go to Glenochil
15 Detention Centre or were you looking to go to borstal?

16 A. No, what it was is, I had heard that much about
17 detention centres that -- about the beatings up and
18 scrubbing floors with toothbrushes and stuff, and
19 everything. I said, "I'm not going to it". And I said
20 to the social workers, I says, "If I go there for three
21 month, I'll be doing nine. My grandmother will be
22 getting a doctor up every fortnight to examine us as
23 well, from the outside". I said, "I'm doing nothing.
24 I'll wall up for the three-month until I get out".

25 When I went back to the court for the reports, the

1 judge -- I remember the judge turned round and said that
2 detention was refusing to take me because I would have
3 been too disruptive to the regime.

4 Q. Instead of going to detention, you ended up getting two
5 years of borstal training at Polmont?

6 A. Instead of getting three-month, aye.

7 Q. To some extent, you say, perhaps, you were your own
8 worst enemy on that occasion, because your pals were no
9 doubt saying three months is better than two years?

10 A. Aye, well, my pal did say that in the box. He said to
11 me, he says, "I'm doing three month here and you want to
12 do two year".

13 Q. The reason you were concerned about Glenochil was
14 because of what you had heard about the place?

15 A. What I'd heard, aye. And I wouldn't have done it,
16 so ...

17 And they realised I wouldn't have done it and
18 that's why they refused to take us.

19 Q. I suppose I'm just trying to get an idea: it had
20 a reputation at that stage, Glenochil?

21 A. Aye, it had a reputation for badness.

22 Q. You tell us about your time at Polmont. From the
23 records, we were told you were admitted on
24 [REDACTED] 1977 and that you were released on
25 [REDACTED] 1978; having served slightly less than a year in

1 Polmont?

2 A. I think it was longer than that.

3 Q. You think it was longer. It might have seemed --

4 A. Because Polmont was a two-year period and every borstal
5 boy at that time had to be banged up at that time. It
6 had been about a year-and-a-half or more.

7 Q. 'Bruno', I think we know that although the court
8 sentenced --

9 A. It felt longer.

10 Q. I fully accept that. But I think what the court would
11 do, would be sentence to two years, but the authorities
12 had power to release you earlier than the two years if
13 you made sufficient progress, and it looks as if that's
14 what happened in your case. They were satisfied that
15 you'd made enough progress that you could be released
16 early on licence, because you could have been recalled
17 if you got into trouble. But I think that's what
18 happened in your case.

19 We have heard some evidence that if you were
20 a really good person at Polmont you might get out
21 within -- after as little as eight or nine months. But,
22 obviously, if you didn't behave as expected, you could
23 be in there longer. It just depended on what the staff
24 thought of your behaviour?

25 A. Aye.

1 Q. Okay. You tell us that you do remember a place called
2 the Ally Cally in Polmont, which was the allocation
3 unit?

4 A. Allocation unit, aye.

5 Q. You tell us a bit about that and you say that was
6 a place where you would spend a period of time before
7 you were moved to another hall, and you were moved to
8 the east wing after a period in the --

9 A. Aye.

10 Q. You tell us a bit about Polmont. Indeed, you have
11 a section starting at paragraph 274, on page 48, which
12 tells us a little bit about your first day there --

13 A. First day there, we went to classes and stuff and
14 everything. You went through the reception area and
15 then you went for a shower. That was your first day.

16 When you went for a shower, you got -- which was
17 called BDs, battle dress, all army uniforms or navy
18 uniforms, and you had to wear that. They were itchy.

19 You went down for a shower. I remember going in for
20 a shower and it was freezing cold and I said, "I'm not
21 showering in that, that's freezing. You need to turn it
22 up". He came in with a fire hose and he said, "Well,
23 this will be even colder", and turned on the fire hose.

24 Q. That was your welcome to Polmont?

25 A. That was the welcome to Polmont.

1 Q. I think you also --

2 A. After you got your shower and that, there was an office
3 just after the shower block, walk into the governor's
4 office. And you run in the door, shout your name and
5 number, and the floor was bulled up. There was a carpet
6 on the floor, you would be sliding all over the place.
7 You get shouted and screamed at and you had to say your
8 name and number.

9 Q. Do you think -- you tell us that you went to the office
10 and saw the governor, in paragraph 276, on page 49; do
11 you think it was deliberate that they made you run in
12 and you would go flying as you went in? Do you think
13 this was a --

14 A. Definitely.

15 Q. -- set up?

16 A. Aye, definitely. If the floor is bulled up, like a pair
17 of Army boots -- that's why the floors were bulled up.
18 If they've bulled up the curtains and the carpets
19 sitting on it, it's got to be a magic carpet, isn't it?
20 It's just got to be flying the minute you hit it.

21 Q. You were told to run in?

22 A. You were told to run in, aye. The minute the door is
23 open, you run.

24 Q. You say in paragraph 274, as soon as you got to Polmont:
25 "We were told who the boss was and that we would do

1 what we were told."

2 Was that really the way it was?

3 A. That's what it was, aye. You would go -- there was
4 a questionnaire, and I think you would find the
5 paperwork for it now. But it was a questionnaire and I
6 remember it was 14 of us went in that day from different
7 places. And the 14 of us had to sit in this class and
8 there was a questionnaire book and he would tell you not
9 to touch it until he says touch it. Then he would say,
10 "Right, open it up", and one of the questions was --
11 that we had to know was: if you let wind go when in your
12 bed; do pull back the blankets to smell the wind?

13 We all burst out laughing, and we got shouted and
14 screamed at: it's a question, answer it.

15 That's the kind of questions we had to answer.

16 Q. You had this sort of test of sort of things when you
17 went in, but you obviously didn't think too much of some
18 of the questions you were asked.

19 But what about how you had to call officers as soon
20 as you went to Polmont? How did you have to address
21 them?

22 A. "Sir".

23 Q. What if you didn't address them as "sir"?

24 A. You would get into trouble for it. You could get
25 a report for it.

1 Q. Did you ever see anyone getting hit because they didn't
2 use the word "sir"?

3 A. Not because they weren't using the word "sir". If you
4 are cheeky or that back, you would get hurt, or maybe
5 the orderly would give you a wee slap on the head. The
6 worst person there, I thought, was the person -- there
7 was a [REDACTED] there, and his name was GIH [REDACTED] and he
8 was in charge of the [REDACTED]. He would give
9 guys -- getting handstands in the shower and everything
10 and turning the shower on and telling them to wipe their
11 arses and everything before they got into [REDACTED] and
12 he would bully people. And just basically saying: it's
13 [REDACTED], you need to get out and different things.

14 Q. You tell us that on page 49, at paragraph 277, that you
15 were put in a single cell and you had to do bed blocks
16 like they do in the Army?

17 A. You had to do a bed block like you done in the Army.
18 You squared off your sheets, you squared off your
19 blankets, so there would be a blanket, a sheet,
20 a blanket, a sheet, and it would be the size of a TV
21 box, a smart TV box. Then you had to fold the blanket
22 round, to box it. Then you had to do the same with your
23 kit and put it on your bed, and there would be three
24 items down one side and three items down the other and
25 two items in the middle.

1 And if you lay in your bed that day -- if you were
2 to lie down -- during the day, if you was in your cell,
3 you had to lie under your bed or lie on the floor. You
4 couldn't lie on your bed. Your kit came off your bed,
5 though, say 8 o'clock, 9 o'clock at night.

6 Q. It was done in the morning and it had to stay on the
7 bed. If you wanted to sit around or lie around you had
8 to lie on the floor, is it, or sit in a seat?

9 A. Most people, when they take their blankets apart, they
10 would use one blanket at night and just lie on top of
11 it, because it just meant every morning you had to be up
12 in time for an inspection to get your blankets and that
13 checked, so they wouldn't use their blankets or their
14 sheets.

15 Q. You mention that an officer called Catto?

16 A. Paul Catto, aye.

17 Q. You tell us, at paragraph 82, how he might wake you up
18 in the morning --

19 LADY SMITH: 282.

20 MR PEOPLES: Sorry, 282.

21 A. Songs?

22 Q. It's probably what he said to you, you felt was a bit
23 crude. You tell us one of his expressions --

24 A. Aye, it's a song.

25 Q. Is that from a song?

1 A. You want me to say it, like?

2 Q. Yes, go on.

3 A. Hands off cocks, on with socks.

4 Q. Looking back, you don't think that was a proper thing to
5 say?

6 A. No, I don't think it's appropriate, no. Even as a kid,
7 I didn't think it's appropriate. If it came from
8 another kid towards to me, I would take it as offence.

9 Q. You tell us there was a system of privileges at Polmont.
10 We know a little bit about this from other evidence
11 we've heard, but you deal with this at page 50,
12 paragraph 286 and following?

13 A. Blue shirts and the red shirts?

14 Q. Yes, red shirts and blue shirts. You get a red shirt
15 when you go in?

16 A. Blue shirt and the red shirt. The red shirt you got
17 from when you went in and there came a point when you
18 would get a blue shirt. And if you got a blue shirt,
19 you were entitled to home leave.

20 And when I went up for a blue shirt, they turned
21 round and said to me, "We're not going to give it to you
22 at this point because you're associating with the wrong
23 people".

24 So the next time I went up for a blue shirt, they
25 turned round and said to me, "We're not giving you

1 a shirt this time because you're not associating with
2 anybody".

3 I said, "Wait a minute, first time I'm associating
4 with the wrong people. Second time, I'm not associating
5 with nobody. What do you want me to do?"

6 That's when I turned round and said to them, "Forget
7 the home leave and forget everything else. Keep the red
8 shirt. I don't want it. I'll keep the blue shirt".

9 I'll keep the red shirt.

10 Q. I get that. The reason I ask you about that in fact is
11 I've seen some records about this matter and the people
12 in Polmont were writing to the Social Work Department
13 when you were in Polmont to effectively give them little
14 reports about you. They explain that for the first six
15 weeks you would be in the assessment wing, the
16 Ally Cally and then they say after that you go somewhere
17 and they tell the social department, in [REDACTED] of
18 1977, that you have been allocated to the east wing. I
19 think that's correct; you told us that in your
20 statement.

21 They say if all goes well, when you're in your hall
22 or your wing, you would be considered for promotion to
23 first class grade in about three months.

24 I think you've said that didn't happen in your case?

25 A. No.

1 Q. If you got a blue shirt, you got more privileges than if
2 you had a red shirt?

3 A. If I had been given a blue shirt at that period in time,
4 I would have been entitled for a home leave, which would
5 have been two nights home, to leave the borstal, go
6 home, live for two nights and then go back to borstal.
7 And you got it every second month or so. That was one
8 of the privileges.

9 But, when I went up for the blue shirt, I was told
10 that I wasn't getting it because I was associating with
11 the wrong people. The second time I went up for a blue
12 shirt it was because I wasn't associating with anybody.

13 Q. I understand what you are saying. I'm just comparing it
14 with what the records say. They say, obviously, if you
15 got a blue shirt you were treated more as a trusted
16 person and you've said you would get your home leave?

17 A. Yes.

18 Q. What the records say is there is a letter from the
19 social work unit at Polmont to the Social Work
20 Department of Grampian Regional Council, on
21 27 March 1978, so you had been there since [REDACTED] 1977.

22 That letter -- and you may not have seen it before,
23 but that letter is telling the Social Work Department in
24 Aberdeen that -- they're notifying them you've been
25 promoted to first class, at least you were eligible for

1 a blue shirt, but you don't think you got one?

2 A. No, I eventually got it. But I was near enough at --
3 released after I got it. So it was basically saying
4 they've given me a shirt to put it on the record to say
5 he became that, when actually I never got a chance to
6 use what that shirt was entitled for.

7 Q. I get that. It took you longer to get a blue shirt, and
8 by the time you got the blue shirt, you were getting
9 close to getting released?

10 A. Correct.

11 Q. I follow. That's fine.

12 There is something else I wanted to ask you about.
13 You tell us about it on page 51, paragraph 289, that
14 there was a game called murder ball. You tell us that
15 this was a game where there were no rules, so you had
16 something like 30 guys punching, kicking, biting and
17 scratching. You tell us that it was soon realised by
18 the guys that this was a way to get at your enemies, and
19 that the instructor would simply watch and not get
20 involved when these things were happening?

21 A. That was Glenochil.

22 Q. I've got it under your Polmont section, but that was
23 Glenochil?

24 A. Glenochil young offenders, aye.

25 Q. Thank you very much.

1 A. It was called murder ball. It was a medicine ball that
2 you got. It wasn't a normal ball. It was a medicine
3 ball. And there would be 30 guys at one end, 30 guys at
4 the other end with goalposts, and the ball was in the
5 middle. And the PTI would say, "Right, get the ball".
6 The object of the game was to get the ball into the
7 opponent's goals, but there were no rules. So you could
8 have 60 guys, fighting, punching, doing what they wanted
9 to do, and the main objective was to get that ball in
10 those goals. And if you hated somebody, 59 guys would
11 be throwing that one ball to that one person, because
12 you've got 60 guys on top of that person every time. So
13 it was a form of bullying and everything, and people
14 sorting things out with violence.

15 Q. Just so I'm clear, that memory is something that
16 happened at Glenochil?

17 A. Aye.

18 Q. I can maybe help you with another date. From the
19 records --

20 A. The thing that you are maybe on about with Polmont was
21 there were medicine balls on top of chairs, benches. We
22 had to do PTI things and leapfrog over the top of them.
23 You weren't allowed to stand up. And if you knock one
24 down, one could say 20 press-ups, the other two say five
25 press-ups. If you knocked that ball down, everybody

1 else --

2 LADY SMITH: Hang on 'Bruno', if you look at paragraph 288,
3 on page 51, I think that's what you are talking about
4 when it comes to medicine balls on benches; is that
5 correct?

6 A. That's right.

7 MR PEOPLES: That was at Polmont.

8 A. I was in Polmont.

9 Q. That is fine. I understand that.

10 All I'm going to say about the murder ball is that
11 I think I've picked up from the records we have that on
12 ██████████ 1979 you got a sentence of 12 months in
13 a young offenders institution and that was Glenochil?

14 A. Glenochil.

15 Q. At least you served part of it there?

16 A. Aye, aye.

17 Q. Okay. That's where the murder ball was played?

18 A. Murder ball was in Glenochil, aye.

19 MR PEOPLES: Okay. You were 18 by then?

20 LADY SMITH: You would be nearer 19 than 18 by then.

21 MR PEOPLES: Yes.

22 The age matters to us because our Inquiry is looking
23 at children and children are defined for our purposes as
24 someone under 18. But we do understand that people went
25 to these places from the age of 16 to 21, and sometimes

1 even younger, as we have heard, at times. That is why
2 we're looking at the dates and saying what age you were.

3 It's nothing -- it's no more important than that.
4 That's the significance of why we want to know when you
5 were playing murder ball.

6 I suppose that there might have been boys at
7 Glenochil in your time who were under 18, who were
8 playing murder ball; they wouldn't all be the same age?

9 A. No. That would have been guys maybe 17 -- 16, 17 there.
10 You had lifers at 16 and 17.

11 Q. While you were at Polmont, if I go to back to Polmont,
12 at page 52, at paragraph 292, you tell us that you ended
13 up working in the kitchens at Polmont. I think,
14 generally speaking, you didn't mind that job?

15 A. I minded that the chef would purposely be throwing
16 rolling pins at people.

17 Q. You tell us that was one of the things, perhaps. There
18 was someone who would -- if he thought you were doing
19 something wrong, he would throw a rolling pin at you?

20 A. Aye, you would be at the top of the kitchen and he'd be
21 at the bottom, and I think he would throw it like that,
22 and he could throw it with accuracy, and it would bounce
23 off the ground and then hit you. He would hit you with
24 the rolling pin, like.

25 Q. You say sometimes he didn't get the throw right and he

1 could hit you in the head?

2 A. Aye, it could hit you in the head. I've seen guys
3 getting hurt in the head, and other times, after that,
4 he would allow you cakes and everything because he knew
5 he was doing wrong, but by giving you stuff that you
6 wasn't allowed, he's rectifying his wrongness with
7 giving out something that he's not supposed to give you.

8 Q. You have a section in your statement about abuse at
9 Polmont, and that starts on page 53, paragraph 300.

10 You tell us about the digger. We know what the
11 digger is. We have heard of that before. You tell us
12 about how it operated; that they would take your
13 mattress off you in the morning and you wouldn't be
14 allowed to sleep on the mattress during the day and, at
15 night, your mattress would be returned to you?

16 A. Aye, definitely.

17 Q. You say that you could perhaps be sent normally to the
18 digger for three days?

19 A. Three days. For three days' punishment. When you were
20 in borstals and YOIs at that time, if you got
21 a punishment, it was a three or four day punishment, if
22 it was just a minor thing. But, if it was a right bad
23 thing, then they could have acquired to department for
24 a month --

25 Q. Some boys could spend a lot longer than three days in

1 the digger?

2 A. Aye.

3 Q. You tell us at paragraph 304, on page 54, that what
4 would often happen is that before you were taken to the
5 digger there would be some form of restraint involving
6 officers putting boys' arms up their backs, making them
7 lean forward, and they would be taken to the digger in
8 that way?

9 A. Most officers that are -- if they're taking somebody to
10 the digger, they call it restraint. But the restraint
11 is to restrain somebody. But when they're restraining
12 somebody, it's like they're wanting a response from that
13 person, so they'll put more pressure on, and they want a
14 scream, they want a shout. They're wanting that person
15 to cry or greet, and as kids you will greet, you will
16 scream. And I think it fires up a person who's doing
17 that to you, restraining you, to do it a bit more.
18 There's a cruelty to it.

19 Q. Do you think at times then, what you're describing, they
20 did go a bit over the top when they were trying to do
21 this?

22 A. Aye, definitely. Because when I got it done to me, and
23 I was put in the digger, then once I was released they
24 would not come into my cell after that because then they
25 knew I was free. They would put the grub in and throw

1 it inside the door and lock the door as quick as they
2 could.

3 Q. Have you ever heard of officers going into a cell in
4 groups and doing things to the prisoner in the cell?

5 A. It's happened to me in Craiginches.

6 Q. So it does happen?

7 A. I was beaten up in Craiginches. I was stripped naked.
8 I was put into a straitjacket. I got myself halfway out
9 of the straitjacket and they noticed, they got a doctor
10 in and then they injected me with some kind of drug and
11 knocked me out for four days.

12 Q. I think, again, I'll try to put some kind of timeframe
13 on that. Are you talking about an occasion maybe around
14 ██████████ 1980, when I think there is a record of you
15 complaining of being assaulted by five prison officers?
16 Is that the occasion you are thinking of?

17 A. Aye. It would have been then, aye.

18 Q. Going back to Polmont, at paragraph 305, you do tell us
19 that the staff would punch you from time to time. If
20 you were in a fight, for example, staff would come up
21 and punch you about the body; is that something that
22 happened to you?

23 A. Aye, I've been hurt many a time. You get staff coming
24 up to you and putting false teeth into your food that's
25 sitting at the table.

1 It wasn't done to me. It was done to somebody else
2 and I tell them, "That's out of order". I says to my
3 pal, "I would have threw it about".

4 Q. You say you were also punched at times; would other boys
5 have been -- would they have had the same treatment from
6 time to time from the staff?

7 A. Everybody got the same treatment.

8 Q. You tell us, I suppose, if someone was injured because
9 they were punched or assaulted in some other way; did
10 the boys complain or report it, or did they stay silent?

11 A. No, I was put into Craiginches at one time -- other
12 places I've been beaten up and that as well. And just
13 to give you an example of Craiginches -- it gives you an
14 example of the other places. I ended up with broken
15 ribs and a concussion. I had been battered about the
16 head and everything. So I lay there with broken ribs
17 and everything, and I had a broken bone in my arm.

18 I was put down to the digger and I was left there
19 for three month. I wasn't allowed visits. I wasn't
20 allowed to see my solicitor. Nothing. And I got
21 charged with assaulting a prison officer.

22 And then, when it came to the court case, my ribs
23 had healed, everything else had healed, and when I try
24 to put forward this to my solicitor, my solicitor has
25 brought it up and put it in front of the PF and they

1 turned round and said, "Well, why did you not report it
2 at the time?"

3 So, really, (indistinguishable) they allowed the
4 bruises and everything to heal, and there was nothing to
5 show.

6 Q. You tell us on page 55, at paragraph 309, about a staff
7 member whose nickname was GRR . You tell us he
8 would sometimes come running down the corridor, grab
9 you, throw you to the ground and start punching you
10 because he considered you had done something wrong; did
11 that happen to you?

12 A. He's hurt me before. He was a big, massive man.

13 At that time, a lot of the housemasters then didn't
14 wear uniforms because it was a borstal. It wasn't
15 uniforms that they wore. They would wear their own
16 clothes and everything. GRR was a big tall guy,
17 long black hair, big nose, darkish skin and he would
18 come into the hall and shout "GRR!", so that was
19 his nickname. He would be a bully. He would slap you
20 about and he would hit you. Borstal was a nasty place.
21 If you were cheeky to the staff or that, you were
22 getting a licking. You were getting hurt.

23 Q. You also say that they were clever because you say they
24 would punch on the body, or on your side or your back,
25 so you didn't have visible marks on your face; is that

1 how they did it?

2 A. They would hit you in ways that you weren't showing any
3 bruises. But, as I says, some of the places in the
4 system, they would keep you locked up, not allow you to
5 see lawyers or not allow you to have visits, because
6 they would say you were too disruptive. But what they
7 were actually doing was covering up and giving your body
8 time to heal, so there was nothing to show.

9 Q. You have given us an example of what happened to you,
10 when you were put into the digger for a lengthy period,
11 after you tell us that you had been set upon by a group
12 of officers; yes?

13 A. During this time, I was away in the prison digger for
14 2000 to 2007. I was in a prison digger for a full seven
15 year.

16 Q. I was just going to say that you tell us a bit about
17 life after the borstal. We have all that in front of
18 us, and I'll just take a few things from that.

19 When you came out of borstal, as you tell us, your
20 life did involve crime. I think even after you were
21 released from Polmont in 1978, it didn't take long
22 before you were back in Craiginches that year?

23 A. No.

24 Q. You have told us a little bit -- you did have a spell
25 when you were over 18, but under 21, you were in

1 Glenochil young offenders as well at that time?

2 A. Aye.

3 Q. I think you tell us that this background and experience
4 you had in all these various establishments had its
5 effect on you. Apart from the fact you spent time in
6 custody on a lot of occasions; you didn't find it easy
7 to maintain relationships?

8 A. No, you lose trust. If I sit now and I look back, my
9 life changed because of the Brimmond remand home and the
10 abuse that happened there. For me to run away from
11 a home to try to escape what is happening and then my
12 real first encounters with the police was being picked
13 up by the police to be brought back to that home, to be
14 brought back to that abuse.

15 So that is my real first recollection that I've been
16 involved with the police. I cannot mind beyond being
17 that involved with the police. I mind being brought
18 there by my grandmother and a social worker from
19 Brimmond, from Golden Square in the children's
20 department, so I mind that. I mind getting into the car
21 with them.

22 But my first real involvement, to my memory, in
23 getting involved with the police is for when I've run
24 away from Brimmond and been picked up and been chased by
25 them.

1 So, when you are running away for fear and you are
2 beginning to distrust people, that distrust doesn't stop
3 there. That distrust goes on and on and on and on and
4 it gets worse because unless -- people that are being
5 honest with you and everything, and you are turning
6 round to yourself and saying: well, are they being
7 honest?

8 Because I still find it happening today. It's the
9 same thing. It's the same today. It's maybe when
10 you're getting a file there that maybe it's something
11 I've wrote years ago. The system is keeping it. So the
12 system is keeping it for a --

13 Q. You have said, obviously, it was difficult forming
14 relationships and keeping them. You say you've not
15 really found it easy to trust anyone because of your
16 prior experiences as a child in the various places we
17 have talked about.

18 You have spent a lot of time in institutions over
19 the years. You say at paragraph 358, on page 62 that
20 you never had a chance to do anything with your life.
21 There were wrong decisions made.

22 You obviously feel that the care system and the
23 prison system did nothing for you?

24 A. No, it's done nothing for me. You can go to school and
25 get educated, and if you are taking a young kid and

1 putting him into homes and into Approved Schools and
2 borstals and everything else, that becomes the
3 education. The education isn't the teacher that's
4 giving you the learning. The education is coming from
5 the other criminals that are running about you.

6 You are actually learning from them.

7 Q. I think you say, in terms of education really, that
8 because of your experiences that you have told us about
9 this morning, and after the break, that you really feel
10 that you never had a proper education?

11 A. No. Never got a proper education.

12 Q. Can I just pick up one point you make that -- it's at
13 paragraph 373, on page 64, you say that in 2006 you sat
14 down and wrote out a list of guys you had known in the
15 various institutions we have talked about, when you were
16 younger. People you had run about with, people you had
17 met in these places, when they were still young men or
18 young boys, and you say that --

19 A. There were 200-odd people that had died. And if I was
20 to count it today, it would probably be double that
21 amount.

22 Q. A lot of these people you came across died younger than
23 they should have done?

24 A. Died younger than they should have done. A couple of
25 them actually died when they run away from Brimmond,

1 died with drink and pills.

2 Q. You say that if you hadn't been put in the places that
3 you were put in, you think you would have gone down
4 a different road. You talk about what might have
5 happened if you had had the chance to join the Army.
6 That you could have been a very different person and
7 life could have been very different for you; is that
8 right?

9 A. When I joined the cadets, I done everything I could
10 possibly do to prove that I could go on to the forces.
11 I became a crack shot. I became good at orienteering
12 and I became good at mountain climbing. I done
13 everything excessive to try to prove that I could be
14 better, just to see if I could get into the Army, but
15 when it comes to the army and eyesight they just won't
16 accept it.

17 That kind of ruined part of my own life. Then from
18 there I thought, right, what can I do? Then I was
19 nothing -- then it was into the system and I entered the
20 system and it just destroyed my life even further.

21 Q. I was going to say that you do a bit of reflection in
22 your statement and I think you did a bit of reflection
23 in a life story that you wrote, but one thing that you
24 say at page 66, paragraph 382, is that when you are
25 looking back you don't think you were a bad person and

1 you think that the anger that you showed in these places
2 was really a protective factor and it was the way it
3 helped you survive in these places, is that how you see
4 it?

5 A. Definitely, you had to be defensive. If you wasn't
6 defensive you were going to be hurt and you were going
7 to continue to be hurt. I've seen it happen many
8 a time. That hurt just doesn't end within the system.
9 It continues on the outside because the people that
10 you've been hurt by end up on the outside as well.

11 So that hurt continues. If you don't stand up and
12 fight and become aggressive then you are going to be
13 stamped all over and of course I was made aggressive.
14 I was made violent.

15 Q. It was the system that made you violent, you say in the
16 end?

17 A. I've got to say "aye" and I've got to say "no", because
18 it's a catch between a rock and a hard place, because
19 the system made me fight against the system because of
20 what it was doing to me. I was being abused. I run off
21 and I was being brought back to that abuse and my fight
22 against the system was to escape it.

23 But whilst I'm escaping I'm being done while I'm
24 escaping. I had clothed myself. I'm running away in
25 a pair of pyjamas. If I seen a washing line with a pair

1 of trousers on it I was grabbing the trousers, so I was
2 committing a crime. So the system would mark a person.
3 It made me into the person that I was.

4 And how my life may have been if I hadn't of went
5 into that system, I cannot say, because I never had that
6 chance.

7 MR PEOPLES: These are all the questions 'Bruno' that
8 I've got for you. And I just thank you for being
9 patient with me and answering the questions that I have
10 asked you this morning.

11 LADY SMITH: 'Bruno', can I add my thanks to Mr Peoples'?
12 That's not just for answering this morning's questions,
13 but for all the detail that you have given to us in your
14 written statement, which is of course quite a long one
15 and full of your recollections and your thoughts and
16 I'm really grateful to you for what you've added to our
17 learning and I'm now able to let you go. Thank you.

18 A. Thank you.

19 MR PEOPLES: That is my part done for the moment. I think
20 there is time for a read-in. I think Ms Forbes is
21 indicating she is in a position to move on to do
22 a read-in.

23 LADY SMITH: Can we do that then. Thank you very much.

24 Just while Ms Forbes is organising herself, as
25 a formality could I remind everybody that a number of

1 names of members of staff who were criticised by 'Bruno'
2 in various respects were used and they're not to be
3 identified outside this room, nor are the one or two
4 individuals who were also detained with him, as they are
5 likewise protected.

6 'Barry' (read)

7 MS FORBES: Thank you, my Lady.

8 This is a read-in from an applicant who is anonymous
9 and his pseudonym is 'Barry'. The reference for his
10 witness statement is WIT.001.002.6983.

11 'Barry' tells us he was born in 1955 and he talks
12 about his life before going into care between
13 paragraphs 2 and 7. He states that he was born in Rhu
14 and that he family lived in Clydebank. He had four
15 brothers and a sister and he was the second youngster.

16 His father was in the Royal Navy and joined the
17 Merchant Navy and was way from home a lot. His mother
18 worked at a shipyard but was an alcoholic.

19 He tells us life wasn't good at home and older
20 brothers were always picking on him. He usually had to
21 look after his younger brother. His mum struggled to
22 look after them all because of her work and also her
23 drinking problems.

24 He started primary school in Clydebank, but ended up
25 missing a lot of school because he was being bullied.

1 He was there on and off until he was 11.

2 He then went to secondary school in Clydebank at St
3 Columba's and in the mid-1960s it was mainly just him,
4 his mum and his younger brother in the house, as his dad
5 was working away and his older brothers and sister had
6 moved out.

7 He was running away a lot because of the bullying
8 and the fact that there was no food in the house, which
9 meant they were always starving. The shipyard lost
10 a contract and his mum and older brothers lost their
11 jobs there and that made things even worse.

12 He started running away more often. He reported to
13 the police that he was being bullied at school and he
14 was put into a children's home in Helensburgh. He
15 thinks he was there because of the bullying, the missing
16 of school and to maybe give his mum some respite.

17 He was seven or eight when he first went into this
18 children's home which was Ardgare Children's Home. He
19 thinks that was in 1963 for ten days and he was there
20 again in 1968 for two weeks, his younger brother went
21 into the children's home at the same time and he tells
22 us about that between paragraphs 9 and 24.

23 Secondary Institutions - to be published later
24
25

5 On both occasions when he left the children's home
6 he went back home and life was still hard there and he
7 and his young brother, were sent to live with their
8 granny in Northern Ireland for three months in 1966.

9 He then talks about Cardross Assessment Centre
10 between paragraphs 26 and 36. He was sent there in 1966
11 for two weeks and he thinks he would be about ten or 11.
12 He thinks that again was for skipping school and he
13 spent another occasion there in 1967 for two weeks. His
14 brother was there with him too so he thinks he might
15 also have been there to give his mum some respite.

16 In summary, he recalls working in the garden pulling
17 up weeds regardless of the weather. He doesn't remember
18 any social workers or anyone like that coming to see him
19 but he does remember a lot of bullying there.

20 He remembers being battered with sets of keys if you
21 stepped out of line and somebody would be getting hit
22 every day. People would always be hit with a leather
23 belt, although that didn't happen to him. On one
24 occasion he remembers one of the boys pushing another
25 boy down metal stairs of the fire exit.

1 The first time he left Cardross he went home. The
2 second time he left he was sent to St Joseph's in
3 Tranent, but in 1967 he was skipping school again and
4 the children's panel sent him to Bellfield where he
5 stayed for about ten weeks.

6 He tells us about Bellfield Remand Home between
7 paragraphs 37 and 48. He describes the doors being
8 locked there and if you were caught fighting you were
9 put in a cell for the day, though that never happened to
10 him.

11 He describes the place as being not great, but it
12 was warm and they were getting fed. When he left
13 Bellfield he went back home, but in 1968 he appeared in
14 front of a children's panel and they again sent him to
15 Cardross Assessment Centre.

16 He thinks the only reason he went there was because
17 there wasn't a place for him, but after two weeks he
18 went to the Children's Panel again and they sent him to
19 St Joseph's in Tranent. He talks about St Joseph's
20 Tranent between paragraphs 49 and 65.

21 He went there when he was about 12 years old and it
22 was run by the De La Salle Brothers. He was there for
23 about six weeks. He describes the place as being run
24 like a concentration camp. During his time there he
25 only got to go home once at the weekend and during that

1 weekend he and his mum went to visit his younger brother
2 who was in Cardross.

3 The staff there wasn't happy to see him because he
4 was wearing the St Joseph's uniform and he told him not
5 to come back. That weekend his mum went out to the pub
6 and left him on his own and he met up with a friend on
7 the Saturday morning and went to the shops at Glasgow
8 Road and started climbing looking for birds eggs.

9 His friend fell, but he caught him, but as they went
10 to leave they were grabbed and taken to
11 Clydebank Police Office. The police said they had been
12 trying to break into the shops. And if I can go to
13 paragraph 62 then of his statement where he states:

14 "Due to the fact that the cells in the police office
15 were full me and [REDACTED] were taken to Barlinnie. I
16 remember it clear as day as we were put in D hall and I
17 remember having to scrub the floors. On the Sunday, we
18 were taken back to Clydebank Police Office and from
19 there I was taken back to St Joseph's."

20 He names the two police officers who he says were
21 involved with him there.

22 He then talks again about St Joseph's in the
23 following paragraphs. He states that some of the
24 brothers in St Joseph's were good to them but others
25 weren't so nice:

1 "I would hit out at them for things like swearing,
2 stealing sweets or not doing our job properly."

3 After about six weeks without any explanation he was
4 moved to St Ninian's Gartmore. His younger brother was
5 in St Ninian's at that time and wasn't eating, so he
6 thinks that that might have been the reason.

7 Between paragraphs 66 and 109 he talks about his
8 time at St Ninian's, Gartmore, describes there being two
9 brothers there in particular who were brutal. He talks
10 about a female psychiatrist giving him tablets with some
11 chocolate and a drink of water and the fact he didn't
12 know what that was about. And it only happened on one
13 occasion, but later in life he discovered he had a rare
14 disease as an adult and that left him disabled. His
15 bones are rotten and hollow inside and this is not
16 something that runs in his family so he's always
17 wondered if those tablets had anything to do with that.
18 His main complaint is nobody ever explained what those
19 tablets were for.

20 During his time at St Ninian's he suffered and
21 witnessed physical and emotional abuse by Brothers and
22 civilian staff on boys and he witnessed sexual abuse.
23 In particular, he witnessed a brother break his younger
24 brother's arm and on another occasion give his brother
25 a severe beating to the point where he was black and

1 blue and bleeding.

2 He talks about Brother Benedict, who had a machine
3 that used to electrocute them, but one day without
4 warning he and his brother were told they were leaving.
5 His mother came to get them. 'Barry' thinks he was
6 about 13 at that time and then he went home.

7 He went to a Catholic secondary school which was St
8 Columba's but he was subjected to bullying again. Life
9 back at home wasn't much better but he managed to stay
10 at school and got a job delivering milk. He stayed at
11 home until he was 15 and then at paragraph 110 in his
12 statement he tells us about how he ended up in Polmont.
13 I'll read from there:

14 "In 1972 or 1973, I was 16. I was sent to
15 Polmont Young Offenders for one to three years for
16 vandalism along with a friend called [REDACTED], who
17 was sent to Thornliebank. I ended up only doing nine
18 months.

19 "Polmont had a very strict regime. We could get up
20 at 6.00 am and then get washed and dressed and go for
21 breakfast. We then had cleaning duties between 8.30 and
22 9.00 am when I worked in the kitchen before going to
23 school between 9.00 am and midday.

24 "After lunch, we would be back at school between
25 2.00 and 4.00 pm and after that we could play snooker,

1 dominoes, games or watch TV. We would have supper and
2 then be in bed for 8.30 pm.

3 "We all ate together and the food was pretty good.

4 "My mum and brother, [REDACTED], visited me three times.
5 Twice we sat in one of the classrooms and the other
6 occasion it was sports day when we would all be
7 outside."

8 He talks about abuse at Polmont from paragraph 115:

9 "Polmont was a brutal place and you got kicked
10 wherever you went.

11 "I had been in Polmont for about six weeks when
12 I was moved from a nice room into room 12 at the end,
13 still waiting to go into the main hall. One Saturday
14 morning a member of staff called HSK [REDACTED] came into
15 my room. I was sitting on my bed and he told me to get
16 up. I was maybe a bit slow getting up and he suddenly
17 started punching and kicking me. I think he had steel
18 toe caps on.

19 "I couldn't move and was being constantly sick after
20 being assaulted and on the Monday or Tuesday I was taken
21 to the Western General Hospital in Edinburgh and was
22 there for four months. It turned out I had a hernia.

23 "I was operated on by a Professor Wilson who used
24 a new treatment on me called laser treatment and it went
25 dreadfully wrong. I had told the doctors what had

1 happened to me and who had assaulted me. Hospital staff
2 started doing tests on me and took my to East Kilbride
3 every other week for MRI scans.

4 "The tests were never explained to me nor was I told
5 why I was getting MRI scans. They also did another
6 operation on me during which they put a large tablet
7 inside me which they said was to help my face to grow
8 more hair. They also took biopsies off my back."

9 He then talks about leaving Polmont:

10 "When I was returned to Polmont from the hospital,
11 the regime continued to be strict. It was brutal, but
12 there were no more assaults. One Thursday night, after
13 only nine months, I was told I was getting out the next
14 day. I had been given no warning or preparation for it.
15 I was given a travel warrant, some money and whatever
16 savings I had and went home."

17 He then talks about life after being in care from
18 paragraph 121:

19 "I managed to stay out of trouble after that and
20 joined the Territorial Army which I went to every
21 weekend before joining the regular Army when I was 19.
22 I was in the Army for three years until I got
23 an honourable discharge when they discovered a hole in
24 my heart. I didn't know I had it."

25 He then talks about his dad getting him a job at sea

1 at paragraph 122 but he didn't like it and he was
2 a commis chef for a while in Clydebank and worked all
3 over as a chef but had to give it up when he was about
4 45 when his knees locked one day.

5 He talks about the impact from paragraph 124 and
6 states that as a result of his time in the various
7 residential homes he ended up depressed and had twice
8 tried to kill himself.

9 At paragraph 126 he states:

10 "I was never able to have children because of what
11 happened to me during the operation after I was
12 assaulted in Polmont. It made me sterile. After I got
13 married in 1976 I went back to the Western General in
14 Edinburgh for a blood transfusion due to the fact I was
15 really unwell.

16 "When I went there I again saw Professor Wilson and
17 when I said hello he went as white as a sheet. He ended
18 up doing the blood transfusion and it was clear he
19 couldn't wait to get rid of me. He was obviously
20 nervous about being around me and while I never found
21 out why, I fully believe because he knew he had got
22 things seriously wrong during that operation when I was
23 in Polmont."

24 Then he states that he flashbacks and nightmares
25 about his time in care and feels it's had a massive

1 impact on him. He talks later at paragraph 130 about
2 reporting abuse and indeed gave evidence in relation to
3 a prosecution in the High Court in respect of
4 Brother Benedict and Mr McKinstry.

5 From paragraph 133 he talks about lessons to be
6 learned, but they mostly relate to his time in the
7 all-boys' care system.

8 At paragraph 134 he states:

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

13 He has signed and dated that 3 July 2019.

14 LADY SMITH: Thank you very much, Ms Forbes.

15 MS FORBES: My Lady, there are further read-ins, but I think
16 if we started one we would have to stop for lunch.

17 LADY SMITH: We've got another witness coming in to start at
18 2 o'clock, haven't we? Let's stop there for the lunch
19 break and I'll sit again at two. Thank you very much.

20 (12.48 pm)

21 (The luncheon adjournment)

22 (2.00 pm)

23 LADY SMITH: Good afternoon. We return now to evidence in
24 person. We have the second witness today ready,
25 I think; is that right, Ms Rattray?

1 MS RATTRAY: Yes, my Lady. The next witness is an applicant
2 who is not anonymous and he is John McCabe.

3 LADY SMITH: Thank you.

4 John McCabe (sworn)

5 LADY SMITH: John, that red folder has your statement in it
6 and you'll be referred to that in a moment. We'll also
7 bring parts of it up on the screen. You may find it
8 helpful to use one or the other, or neither. It's up to
9 you whether you use them or not, but they're there for
10 you, if that would help.

11 A. The screen's better, thanks.

12 LADY SMITH: It will come in a moment once we're actually
13 running your evidence.

14 Otherwise, John, if you have any questions at any
15 time, please don't hesitate to ask, or if there's
16 anything that we can do to help you give your evidence
17 more comfortably, do speak up. If that means having
18 a break, just say. I can do that. If it works for you,
19 it will work for me.

20 I normally take a break at about 3 o'clock, for
21 a short break anyway, if you want to bear that in mind.
22 But if you want a break before then, that's fine.

23 Any other questions, or if you don't understand what
24 we're asking you or why we're asking you anything, do
25 speak up. You may have had times as a child that you

1 weren't allowed to speak up, but you can speak up here.
2 That's what we're all about.

3 If you're ready, I'll hand over to Ms Rattray and
4 she'll take it from there; is that all right?

5 Ms Rattray.

6 Questions from Ms Rattray

7 MS RATTRAY: Now, John, you've given your statement to the
8 Inquiry and, for our benefit, we have given your
9 statement a reference. I'm just going to read out the
10 reference for our record.

11 That's WIT-1-000001209.

12 To start with, I'm going to ask you to look at the
13 paper version of your statement in the red folder. What
14 I'd like you to do is go to the back page of your
15 statement, which should be page 36; do you have that?

16 (Pause)

17 LADY SMITH: John, I don't think it has your up-to-date
18 statement in it. We'll sort it out quickly. I'll just
19 rise briefly.

20 (2.08 pm)

21 (A short break)

22 (2.23 pm)

23 LADY SMITH: John, I'm so sorry about what happened there.
24 You shouldn't have been messed around like this, but I
25 understand the correct statement, your statement, your

1 full statement, is now in front of you; is that right,

2 Ms Rattray?

3 MS RATTRAY: Yes, it is.

4 A. Thank you.

5 LADY SMITH: If we can now start, and I'm sorry for the

6 delay.

7 Ms Rattray.

8 MS RATTRAY: Thank you.

9 John, I was asking you to go to the back page of
10 your statement, which should be page 36, and simply to
11 confirm that you have signed your statement?

12 A. Yes.

13 Q. Do you see, at paragraph 155, immediately above where
14 you've signed it, you say:

15 "I have no objection to my witness statement being
16 published as part of the evidence to the Inquiry.

17 I believe the facts stated in this witness statement are
18 true."

19 A. Yes.

20 Q. Is that right?

21 A. Yes.

22 Q. You can put the paper copy to one side now. Thank you.

23 Now, to start your evidence, I'm just going to take
24 you through your life before care.

25 You tell us, at the start of your statement, that

1 you were born in 1964?

2 A. Yes.

3 Q. You lived in Uddington with your family and then

4 East Kilbride?

5 A. Yes.

6 Q. You spent some time living with your aunt and uncle?

7 A. Yes.

8 Q. But went back to live with your mum and dad when you

9 were four years old?

10 A. Yes.

11 Q. Is that right? You say that your dad left home by the

12 time you started primary school?

13 A. Yes.

14 Q. And your mum was then working four jobs?

15 A. Three jobs.

16 LADY SMITH: John, I'm sorry to be a nuisance, can we get

17 the microphone more in line with you? We'll give you

18 some help.

19 Ms Rattray.

20 MS RATTRAY: Your mum was obviously very busy; how did that

21 affect her and your family?

22 A. We hardly seen my mother. We'd see her -- one of her

23 jobs, she worked in a bakery and I think it was like

24 4.00 in the morning, so she would be back to put us out

25 to school. And then she would -- the second job was

1 a conductress, during the day. By the time we got back
2 from school, sometimes she was there, sometimes it was
3 a babysitter. Or sometimes we were took from the
4 primary school to a place in [REDACTED], where we
5 would get our dinners. That was set up with the Social
6 Work Department.

7 Q. You tell us that you were shoplifting as early as four
8 years old?

9 A. Yeah.

10 Q. You may not have understood what you were doing at the
11 time, but as an adult, looking back; are you able to
12 understand at all why it was you were shoplifting at
13 that age?

14 A. I was able at that time to understand why I was
15 shoplifting, and it was to feed myself.

16 Q. So you were hungry?

17 A. Uh-huh.

18 Q. You tell us, at paragraph 7 to 8 in your statement,
19 about your first day of primary school?

20 A. Yeah.

21 Q. What happened there?

22 A. I was at Our Lady of Lourdes Primary School and it was
23 prior to going into the class, running about, and ran in
24 and pushed the door and the door swung open and it hit
25 a statue, Our Lady, which was about that size

1 (indicating) and the statue just fell, and to me the
2 world just stood still. I just froze.

3 Q. How did the staff at the school respond to that?

4 A. They were in shock. I was took to see Mr Lynch, that
5 was the headmaster at the time. I can't remember really
6 what the outcome was.

7 Q. In your statement, when you were making this statement,
8 I think you were saying that you given the belt for
9 knocking the statue over; is that right?

10 A. Yes.

11 Q. After that experience of your first day of school; how
12 did you feel about going to school?

13 A. I didn't really go.

14 Q. After that, you didn't really want to go, so you started
15 to skip school?

16 A. Started to skip school. It was pretty frightening, to
17 be honest with you, because it was my first day at
18 school. I was looking forward to it. I don't know how
19 my mother managed to get me the school uniform, but
20 I was looking forward to it, [REDACTED]
21 [REDACTED]. It
22 was just a car crash for me, to be honest with you.

23 Q. You go on to tell us that as you got older you started
24 to get into more trouble; what kind of trouble were you
25 getting into, John?

1 A. Theft, ducking school, theft.

2 Q. Then you say that you were aged six or seven when you
3 were appearing at a Children's Panel?

4 A. Yes.

5 Q. From there you understand you went into a care placement
6 somewhere in East Kilbride, but you don't recall the
7 name of it at all?

8 A. No. I thought it was [REDACTED].

9 Q. Okay. You say that you went there on a day basis to
10 start with?

11 A. Aha.

12 Q. But there would be occasions when you were staying
13 overnight as well?

14 A. Uh-huh.

15 Q. You also say your mum went into hospital, so you spent
16 two or three weeks in a children's home in Helensburgh?

17 A. That's right.

18 Q. Do you have any memories of that?

19 A. Yeah. I ran away the first day. And I can remember it
20 was at night-time. I remember cutting through this
21 forest and there was lots of people cooking and that.
22 I don't know, it was travellers. But I knew what fear
23 was. I knew. I had the sense for danger, you know?
24 And I left there right away and was picked up by the
25 Strathclyde Police at the Clyde Tunnel.

1 Q. Moving on to page 5 of your statement, which will appear
2 on the screen in front of you, you tell us at
3 paragraph 18 that at some point in 1975 you had to go in
4 front of another Children's Panel. The result of that
5 was that you were moved to live in Calder House
6 Assessment Centre?

7 A. That's right.

8 Q. Do you remember why it was the Children's Panel wanted
9 to send you there?

10 A. Because I wasn't going to school. Plus my ma couldn't
11 cope with us and the trouble. So I now know they were
12 sending me there to give me a fright.

13 Q. You tell us it was your social worker, Mr Joyce, who
14 drove you there on the first occasion, but in fact
15 you've been there twice?

16 A. Yeah.

17 Q. You tell us the first time was 1975 for about three
18 weeks?

19 A. That's right.

20 Q. You would be aged about 11 then?

21 A. Yeah. That's about right, aye.

22 Q. And the second time was for about six weeks and you were
23 aged 12?

24 A. Aye.

25 Q. Is that right?

1 A. That's right.

2 Q. At paragraph 19 of your statement, you give
3 a description of Calder House and you say that it was
4 divided into three units?

5 A. Yeah.

6 Q. What were those units?

7 A. If I'm facing Calder House, the bottom would be Iona,
8 that was for the girls. Above it was called Tiree, that
9 would be a wing for boys, and then opposite it was
10 called Arran. That is the one I was in. Below it was
11 the kitchen.

12 LADY SMITH: Were these separate buildings?

13 A. It was all in the one building. For instance, the night
14 watchman could walk from one end and check and walk to
15 the other end.

16 LADY SMITH: I see. But there were separate units all in
17 the same building?

18 A. Different people in charge of them.

19 LADY SMITH: Thank you.

20 MS RATTRAY: Who is SNR [REDACTED] of Calder House?

21 A. Mr BHN [REDACTED].

22 Q. What other staff members do you remember?

23 A. A Mr HWE [REDACTED], Mr GOI [REDACTED]. That's it.

24 Q. And who was Mr GOI [REDACTED]?

25 A. Mr GOI [REDACTED] was like a kind of social worker, a kind of

1 housemaster. He was good.

2 Q. He was a nice person?

3 A. A nice man, aye.

4 Q. What about the other person you mentioned, Mr HWE ?

5 Who was he?

6 A. He was a kind of housemaster as well.

7 The first time I went into Calder House I got took
8 up the stairs and in there is a room, and it's a wee
9 recreation room, and I was told to go in and sit down.
10 And there was like a teacher's desk and a pool table and
11 maybe a set of table tennis. I just sat there and then
12 this boy opened the door and he put this tray with
13 a glass of milk and a snowball in it on the teacher's
14 desk --

15 LADY SMITH: You mean the sort of snowball you eat, not the
16 one you throw outdoors in the snow?

17 A. The one you eat, sorry, aye. And he turned round and
18 said, "That's for you", and I didn't have any reason to
19 think otherwise. And I ate the snowball and the milk,
20 and Mr HWE come in and just looked at the table and
21 he absolutely lost it. He grabbed me and he dragged me
22 outside, right across from the recreation to the
23 showers, and he either kicked or pushed the door open
24 and just picked me up. I was only a wee skimpy thing,
25 and he threw me, and I went skating. The floor in the

1 showers was still wet, that I remember because I slided
2 right along it and crashed into the wall.

3 I remember getting a visit that night -- I'm sure it
4 was that night or next night -- from my mother, and my
5 face was all black and blue and my arm, and she asked
6 what had happened. And I just said I'd fell.

7 Q. Why was it you felt you weren't able to tell your mum
8 what had happened?

9 A. Because I knew my ma was going to go back home and no
10 matter who she spoke to, it wasn't going to be in my
11 best interest. I knew that. I was kind of streetwise
12 at that age.

13 Q. You were streetwise, so you felt that telling what had
14 happened might cause more trouble rather than preventing
15 trouble?

16 A. Aye. The fact he picked me up and threw me, I knew that
17 wasn't the end of it. I felt that wasn't the end of it,
18 anyway.

19 Q. When you arrived there; did anyone sit you down and
20 explain in any detail why you were there or what the
21 rules were or how everything worked?

22 A. No. I spent most of the time in the canteen and
23 Mr Joyce -- my mother was there and I think she'd had
24 some discussion with Mr BHN and one of the
25 housemasters, I don't know what the -- I just don't know

1 what the conversation was about.

2 Q. The adults spoke to each other, but no one spoke to you
3 or told you anything?

4 A. No.

5 Q. You tell us, at page 7 of your statement, a bit about
6 the daily routine, which was essentially normal school
7 hours, type of thing.

8 What about the food? Was the food any good there?

9 A. Aye. The food was good.

10 Q. You say at paragraph 28 that you weren't made to eat
11 anything that you didn't want to eat?

12 A. Aye.

13 Q. What about the clothing? Were you wearing your own
14 clothes or were you given other clothes to wear?

15 A. No, we were all given, like, different clothes for
16 different -- like, for school. Grey clothes and a
17 little grey jumper with a bit of blue. And you had,
18 like, joggers and a kind of joggy thingmy at night-time,
19 and you would have a wee tweed -- like an old man's suit
20 when they took you to church. They would take you out
21 on a Sunday to church or chapel, or whatever.

22 I always remember that. I don't know why; do you
23 know what I mean? I probably never had clean socks and
24 clean pants in all my life as I did in there, you know?
25 It's just a thing you remember.

1 Q. When you weren't at school; what kind of things were you
2 able to do?

3 A. There was like gym. They would have wee tournaments,
4 like crab football, with your legs, and they would have
5 quizzes on a Sunday.

6 What happened on a Sunday, they would take you to
7 church and then when you come back, after teatime, some
8 minister would come in and the gym would have all these
9 seats, all the different wings, like Tیره and Iona, and
10 he would start singing. And the loudest ones that sang
11 were good or won the games.

12 What happened was, when family come to visit them,
13 they would bring chocolate bars in, Mars bars or
14 whatever. They never automatically got them. They just
15 got put into a box and they were shared.

16 So that's -- and they would take you out on
17 a Sunday, like -- sorry, a Saturday, either a walk or
18 hillwalking.

19 Q. You say something at paragraph 31, John. You talk about
20 there being a disco on a Sunday night or something like
21 that, when the children from all the units came
22 together?

23 A. That's right.

24 Q. You tell us there was no manpower to control it, when
25 the units came together?

1 A. Yeah.

2 Q. What point are you making here?

3 A. So, after the Minister had come, and he's went away and
4 they would have a wee disco. There was the girls' wing
5 and you had the boys, and the three of them were in the
6 one unit. And there was only ever, like, one or two
7 house captains -- not house captains, but persons in
8 charge, like a woman or a guy. I'm not sure where the
9 other ones went to. I've not got a clue where they
10 disappeared to.

11 Even at that age, because there were lassies and
12 there were boys, the worst it was, it was the lassies
13 that caused the havoc. They battered the boys.

14 Q. There was fighting and the staff weren't able to control
15 that?

16 A. Aye, yes.

17 Q. Moving on to paragraph 38 -- and it may be a small
18 point, but in the context of being in care, you are
19 being asked about birthdays. You weren't there for
20 Christmas, but you are being asked about birthdays; were
21 children's birthdays celebrated at all?

22 A. I don't recall it, no.

23 Q. The reason I do it, because when you signed your
24 statement you remembered that it was the dinner ladies
25 who would make a cake for whoever's birthday it was?

1 A. Right.

2 Q. Is that something you remember?

3 A. I mean, I can see them doing that, you know, but I don't
4 remember it.

5 Q. At the moment, you don't remember?

6 A. No, not at this moment, I don't.

7 Q. Okay.

8 A. I can't answer that.

9 Q. The next thing you speak about in your statement, John,
10 is about bed wetting; how did staff respond to children
11 who wet the bed?

12 A. They'd get dragged out and had to sit outside in the
13 corridor or else they would get put in the recreation
14 room. But, usually, when that happened it was the night
15 watchman, so you never really got dealt with that until
16 the next day, when the normal staff came on.

17 Q. I think you say in your statement about -- you could
18 sneak out at night to change the sheet?

19 A. Aye.

20 Q. Was that so no one else would know you had wet the bed?

21 A. Aye.

22 Q. You have spoken about your mum coming to visit, shortly
23 after you arrived at Calder?

24 A. Sorry, that was the second time I was at Calder House.

25 Q. Right. Okay. What about your social worker; did the

1 social worker come to see you there at all?

2 A. No, I never seen him.

3 Q. Turning to paragraph 46 of your statement, you tell us
4 there that the first time you were at Calder House you
5 say the physical, psychological and emotional abuse was
6 constant; what happened?

7 A. You were just bullied.

8 Q. You were bullied?

9 A. Aye.

10 Q. Who was it who was bullying you?

11 A. The other boys.

12 Q. Were the staff aware that this was going on?

13 A. Aye, they were aware.

14 I was going to say the only time the bullying
15 stopped is if I was in a class or any of the lassies
16 were present, because I was really wee and I don't know
17 why, but they kind of stuck up for me.

18 Q. I think you say, at paragraph 47:
19 "There were two or three older lassies who looked
20 out for me and would step in to leather people if they
21 bullied me."

22 Is that right?

23 A. Yes.

24 Q. What about the staff? Would the staff ever come in and
25 stop it?

1 A. No. I mean, you are talking about 25/30 in a wing and
2 there's one person sitting at a desk, and maybe four or
3 five weans at whatever age around that table, asking for
4 this, asking for that. He can't see everything that is
5 going on, anyhow; do you know what I mean? But they
6 knew. They knew.

7 Q. You have already described how Mr **HWE** was violent
8 towards you on your first day. Did that kind of
9 physical abuse continue or was that a one-off?

10 A. It went on.

11 Q. It went on?

12 A. Aye, it went on.

13 Q. What kind of things was he doing to you?

14 A. Slap you. He would be walking by and slap you on the
15 back of the head. He would just assault you.

16 Q. How often did that happen?

17 A. He was on different shifts. So, if he was on one shift,
18 maybe two or three times a day.

19 Q. When he slapped you; was he slapping you hard or was
20 it --

21 A. No, it may not have hit me hard, but if someone slaps
22 you on the back of the head, it's going to --aye, it
23 was. You know, you're -- it was sore, aye. It was
24 painful.

25 Q. You say, at paragraph 48, that in later years worse

1 things happened to you than what went on at
2 Calder House. But, despite that, Mr [REDACTED] was, in
3 your opinion, the worst person who ever did anything to
4 you?

5 A. Yeah.

6 Q. Is there a reason you say that?

7 A. It was just the expression on his face and he was
8 a grown man, and that was the youngest I'd ever been
9 assaulted, really. I'd been hit by [REDACTED] and that, but
10 he'd pick me up and do that to me and throw me, you
11 know, every time I was looking -- that's why I peed the
12 bed; do you know what I mean? I was that busy looking
13 for this guy. And I'm going to be honest with you --
14 and I told other people -- fear of other things, once
15 that's put aside, I will go and visit this guy. And,
16 Lady Smith, it's not to be angry with him; it's just to
17 ask him why did he do that to me. Because I still dream
18 about it now.

19 And I would just like to ask him that question: why
20 did do you that? Did he have children? Did he do that
21 and then go home to sit and eat his dinner with his own
22 children, the same age or older? I can't get my head
23 round it.

24 Q. Was it just you who was singled out for this treatment
25 or did he do that to other boys?

1 A. No, there were other boys got it as well. It seemed to
2 be the ones that were just coming in. That's what I
3 felt. Because I'd made pals with two of them. We ran
4 away from Calder House. We were like: we've had enough
5 of this. Let's go.

6 They took us to church and we ran away. And it was
7 the three of us that were constantly getting it.

8 I think I've said once in my statement, they took us
9 to the gym. There is a gym. It's not attached, but
10 it's right next to it, the building, and they would take
11 you in there with a bucket of water and a toothbrush,
12 and that's the mental torture. And would tell you just
13 to brush, and they would just walk up and down and then
14 kick the water or kick you. It didn't -- there was --
15 the guy could have had us drawing or something, I don't
16 know.

17 I just can't get my head round it. I just don't
18 understand that.

19 Q. In your statement, you speak about leaving Calder House
20 and then going back again, as you said before, when you
21 were 12. I think you say it was the second time you
22 were there, you ran way with two others.

23 Who was it on that occasion that made you clean the
24 floor with a toothbrush?

25 A. That was Mr. BHN.

1 Q. It was SNR [REDACTED] ?

2 A. Aye.

3 Q. You also tell us in your statement, when you were caught
4 after you ran way, it was Mr BHN [REDACTED] who came to fetch
5 you?

6 A. That's right. Sorry?

7 Q. When you were caught after running away, it was Mr BHN [REDACTED]
8 who came to get you, to take you back to Calder House.

9 A. Would you like me to explain that; aye?

10 Q. Yes.

11 A. So the other two boys got caught before me, so I was
12 still myself. And I went to my gran's in Possil and my
13 aunty was in, and she was going out to the scullery, the
14 kitchen. As I was explaining, she made me a couple of
15 rolls, and she went through and she phoned my mother.
16 Ten or 15 minutes later the police, Mr Joyce and my
17 mother -- and I was took to East Kilbride Police Station
18 and after several hours Mr BHN [REDACTED] appeared and they
19 opened the detention room and he had a pair of black
20 plimsolls, a pair of black shorts and just a vest, and
21 he just dropped them and he said, "Get changed". I get
22 changed into them.

23 The desk sergeant was there. I think if he wasn't
24 there there'd have been more to it.

25 But I walked out and he says, "Right we're going

1 back to Blantyre", and I was looking for the minibus,
2 but he was like: no, we're running.

3 We started to run from East Kilbride to the express
4 way. All the way down he kept tripping me up and
5 kicking me at the back, so I would fall. Grab me, get
6 up, pull my hair. He was an animal.

7 Q. You tell us the distance was about three-and-a-half
8 miles, you think?

9 A. I think it is, from East Kilbride Police Station. It
10 felt like three-and-a-half years, right enough. But I
11 think it is about that.

12 Q. You tell us that you left Calder House and Mr Joyce
13 turned up with your mum and your step-father, and
14 Mr Joyce drove you straight to an Approved School?

15 A. That's right.

16 Q. Which Approved School was that?

17 A. It was Ballikinrain, in Balfron, in Stirlingshire.

18 Q. What were your first impressions of arriving there?

19 A. I had never seen anything like it. It was just like --
20 we'd obviously come off the road and into the country,
21 and it was like a big lane and there were trees at each
22 side, and then all of a sudden this big castle appeared.
23 It looked absolutely brilliant.

24 We went in and I can't remember the head in
25 Ballikinrain. The reason I can't remember his name is

1 because he wasn't a bad person, or I would have
2 remembered his name. He was nice.

3 It was massive. It was -- the school, they took you
4 out canoeing to Loch Lomond and places like that. They
5 told me, "You've ran away, but this is not a place to
6 run away from, because we're in the Campsies. You run
7 away, we might not find you, never mind getting back.

8 LADY SMITH: They said it's not a place to run away from
9 because we're in the?

10 A. It's in the Campsies.

11 LADY SMITH: In the Campsies, yes.

12 A. In the winter.

13 But, aye, it was okay.

14 MS RATTRAY: As you said, the place was beautiful, the staff
15 were nice. You tell us that you were shown around and
16 someone explained the daily routine to you.

17 A. Uh-huh.

18 Q. At paragraph 68, you say:

19 "The staff really did everything in their power to
20 make us feel at home."

21 A. Aye, and the reason I said that is because I was in
22 there at Christmas and we got home for Christmas. But,
23 when we got home, I doubt very much anybody got
24 a Christmas dinner, never mind a present. But, when we
25 come back, they'd laid out a big dinner, and in our wee

1 rooms they bought us big teddy bears. And I just
2 couldn't understand that; do you know what I mean? That
3 is something -- I might have been streetwise, but I just
4 couldn't figure out -- I think I know now why the teddy
5 bear is there; do you know what I mean? But everybody
6 got a different kind of teddy bear for their Christmas,
7 and that was kind of your wee secret pal to tell secrets
8 to, if you wanted to.

9 In there, there was fighting of course. Where
10 there's boys there was -- there was older boys that
11 sexually abused other boys.

12 And that's as far as I want go with that, if you
13 don't mind.

14 Q. In the statement, you say that's something that happened
15 to you, but that's not something you want to talk about
16 further?

17 A. The reason I don't want to talk about that is because
18 people are still here.

19 Q. Is that something the staff would have been aware of?

20 A. I doubt it. I don't -- no, no.

21 Q. Was there anyone there that you felt you could have
22 told?

23 A. There was -- to be honest with you, I think I could have
24 told anybody that. There were two girls, I think
25 trainee social workers. One of them was called Alison.

1 For the life of me -- I've probably told you the other
2 one's name, because I remembered them. I would have
3 been able to tell them about it. But, again, if I told
4 them about it, then -- we get our weekend leave on the
5 Friday, when the bus would take us to Buchanan Street
6 and we all get dropped off. It's what happens there.
7 Or what happens on the Sunday night before the bus comes
8 back to pick us up. Again, I could definitely have
9 spoke to -- I could have. But, to me, it was too much
10 of a risk.

11 Q. On page 17 of your statement, John, you go as far as to
12 say that apart from the sexual abuse, you loved the time
13 you spent there?

14 A. I loved it. It was the only time, really, I got any
15 schooling. So I got schooling and it was -- the
16 football, we got to play other teams at football. There
17 was art classes. As I say, they took us canoeing to
18 Loch Lomond. We were trained to canoe. I didn't even
19 know what a canoe was. I didn't know about Loch Lomond
20 until I was in Loch Lomond, and a lot of -- a tree that
21 had been underneath -- let us sail loose -- after
22 500 years and popped up right next to me and I thought
23 that was the Loch Ness Monster. I nearly died.

24 They took you -- they took us to the place where you
25 cycle, Mill Park, they took us there for a week. There

1 was no trouble there. No, it was good.

2 Apart from -- the food was good. I was never -- one
3 person spoke to me, and we were away -- I can't remember
4 where we were away. But we were coming back one night
5 in the minibus and we were all singing, and we weren't
6 swearing or anything, but I was louder and one of the --
7 his name was Alec and he was a teacher. He come on and
8 he whispered into my ear: that's enough. And I knew
9 that was enough. But this is, like, weeks into it.
10 That is the first time anybody had got me into trouble;
11 do you know what I mean? And I knew that's okay, that's
12 enough.

13 Q. In this kind of atmosphere and context, a quiet word
14 from a member of staff was enough?

15 A. It was enough, aye.

16 Q. You tell us that you were in Ballikinrain for about
17 eight or nine months and you left in 1977.

18 You go on to tell us that you went back home. You
19 went back to school, but you were told you had to do
20 another year again when you were there and you continued
21 to get into trouble with the police and you were
22 appearing in court?

23 A. Uh-huh.

24 Q. What type of courts were you appearing before?

25 A. The Children's Panel.

1 Q. I think you also tell us that you were appearing in the
2 District Court?

3 A. Aye. Sorry, the District Court as well. Sorry, and the
4 Hamilton Sheriff as well.

5 Q. So you started in the district and you are moving on to
6 the Sheriff Court?

7 A. Uh-huh.

8 Q. What kind of trouble were you in at that stage?

9 A. I'm not sitting here trying to think it up. I know
10 exactly. There's stuff I just don't want to say because
11 you wouldn't believe it if I told you anyway.
12 It was theft.

13 Q. You tell us that you were home for about three years
14 before you were remanded for a breach of the peace and
15 sent to Longriggend for background reports.
16 You were taken, first of all, to Barlinnie before
17 being moved on?

18 A. That's right.

19 Q. Turning to paragraph 75 of your statement, John, this is
20 where you tell us about Barlinnie. I think you say that
21 you were there lots of times, from 1980 to 1982, when
22 you were aged between 16 and 18?

23 A. Yes.

24 Q. Would that be right?

25 A. Uh-huh.

1 Q. At paragraph 77, you tell us your first impressions of
2 your very first visit to Barlinnie; can you remember
3 what that was like and what happened?

4 A. It was terrifying because ...

5 I knew I wasn't going to be staying in Barlinnie.
6 It doesn't matter what court you are in, in the west of
7 Scotland, you go to Barlinnie and then you -- you're
8 processed there. And whether you stay overnight and get
9 sent to a young offenders, detention centre or borstal
10 or prison the next day, I knew that my worry was who was
11 in -- the people in Barlinnie.

12 That was kind of scary. Even though I had family in
13 there that were doing life and I knew people that were
14 doing life, it was still a scary place.

15 Q. You describe the first time you went there, and you say
16 it was an horrific experience?

17 A. Uh-huh.

18 Q. Why was that, on that occasion?

19 A. The first time they take you there, you are all
20 handcuffed, like. Say they've brought 20 people from
21 the court on a bus and everybody's handcuffed to each
22 other, and you've got no idea what's happening. You
23 don't know what's happening. You just -- you are
24 getting pulled in and then you're told to stand, and you
25 stand to attention because you don't know what the rules

1 are in normal prison, a real prison. A real prison, the
2 prisoners run the prison. It's not the prison officers.

3 Eventually they uncuff you and put you in what they
4 call a dog box, which is just -- it's like a wee
5 mini-toilet that's just got a seat in it and then they
6 lock the door and you just sit there for like a couple
7 of hours, and somebody, one of the guys -- prisoners
8 that's working on reception will come give you something
9 to eat. And then you'll sit there, and then they'll
10 come again and they'll take your clothes off you, if
11 you're staying all night; if not, then you keep your
12 clothes on.

13 If you are, they take you over to the hall, and when
14 they open the hall, it's the darkest, like, horrific
15 looking -- when you look at it, you can just see people
16 being hanged in the place; you know what I mean? It's
17 just dark and it's just eerie as anything. Really,
18 really eerie.

19 Q. You tell us that it was overcrowded?

20 A. Aye.

21 Q. How many people would be in a cell at the one time?

22 A. That was different times, because it was a time,
23 obviously, when there was prisoners getting held in
24 police stations it was that overcrowded. So there was,
25 like, at least four to six prisoners in the one cell,

1 and because they didn't have the staff, you were locked
2 up for 23 hours a day.

3 You were fed and you had to do the toilet with the
4 other five people, and the same.

5 Q. When you were sharing a cell; were you sharing a cell
6 with someone of a similar age?

7 A. No.

8 Q. What kind of ages were the people you were sharing a
9 cell with?

10 A. The first time I went in and they took me over, they
11 took me up to the second landing and opened this cell
12 door. I was really just glad to get to it, but I get in
13 and he just closed the door, the prison officer. And it
14 was kind of dark and the light went on and, as the light
15 went on, over at the window stood this big figure of
16 a guy. He was like six -- he looked like Dracula and he
17 was dead thin. I didn't really know anything about
18 drugs or anything like that. If I was to say now,
19 I would probably have said, "I think that guy might have
20 had issues", because he was just so thin.

21 He said to me, "Do you know who I am?" and I was
22 like, "No, sir", and he says, "I'm the cat". And I
23 said, "Right", and he said, "I'm the cat from Port
24 Glasgow" or Greenock or somewhere. Port Glasgow. And I
25 said, "Right", and I was that terrified I said, "Do you

1 know TC Campbell?" And he said, "Aye". I said, "Do you
2 know [REDACTED]?" who was my uncle, and he said,
3 "Aye". I says they're down the bottom landing, that's
4 my uncle. And that's me letting him know that my uncle
5 is doing life, and if you come near me. And I'm hoping
6 that works; do you know what I mean? It did work. Or
7 else the guy was never going to do anything anyhow.
8 Because all he did was sit and tell stories all night.
9 And after maybe about half an hour, I was quite kind of
10 enjoying the stories; do you know what I mean?

11 I was just glad that -- I knew, if you go into
12 Barlinnie and going through the big metal gates to where
13 I knew -- that's where I'm going. When I wake up
14 tomorrow morning, I'll be gone to Longriggend, kind of
15 thing. I knew nothing was going to happen to me. I
16 felt safe.

17 Q. We'll move on now to your time in Longriggend. You tell
18 us that you were there twice, when you were aged around
19 16. The first time was for three weeks, for background
20 reports, and the second time you were fully committed
21 and you were there for 110 days?

22 A. Aha.

23 Q. Is that about right?

24 A. Yeah.

25 Q. What do you remember about first arriving there?

1 A. Everything was dead rushed because it was late at night
2 when we got there. When I say late at night, probably
3 about 8 o'clock.

4 From the reception to getting put in the cell,
5 I don't even remember getting a shower. I can't even
6 remember getting a shower.

7 Q. How long did you spend in the cell during the day when
8 you were there?

9 A. 23 hours.

10 Q. 23 out of 24 hours you were in the cell?

11 A. In the cell, aye.

12 Q. Were you given anything to do in there?

13 A. No. There was -- there was a couple of magazines. I
14 thought I could remember the name of them. Really old
15 magazines, knitting. I can't remember what it is
16 called. You would know if I told you. I'm not saying
17 you would know it. But a couple of magazines, and there
18 were three or four boys in the one cell.

19 Q. You say that it was pretty grim and it was a horrible
20 place?

21 A. Aye, it was.

22 Q. You tell us, in the second week you were there, you were
23 beaten by another boy?

24 A. Aye.

25 Q. What happened there?

1 A. They took us out to the -- they started taking us out to
2 the yard and then -- I don't know if -- why we were
3 locked up for the 23 hours for the first place because I
4 just went in and that was already implemented. So,
5 after a couple of weeks, that started to get thingmy and
6 you were getting out to the yard, and then you were
7 getting to play football. And I was playing football
8 and this big giant guy just came and absolutely wrecked
9 me.

10 LADY SMITH: He absolutely?

11 A. Wrecked my leg. Aye, he just ran in and kicked me.

12 LADY SMITH: This is when you had just come out of the
13 showers, did you say?

14 A. No, the 23-hour lockdown.

15 LADY SMITH: Thank you.

16 MS RATTRAY: Is this when you were playing football in the
17 yard?

18 A. Aye.

19 Q. He came for you?

20 A. Aye.

21 Q. Do you know why it was he attacked you?

22 A. 80 per cent of the population in Barlinnie and
23 Longriggend are from Castlemilk, that's the truth of it.
24 And the rest of it is made up of areas like Govan and
25 that. So it's all gangs. It's all gangs. And this guy

1 was just a bully, and I'm saying he's just a bully. He
2 ended up being one of my best mates.

3 In fact, when the both of us got out from that time
4 in there, after him doing that to me, we got out on the
5 Friday and we got arrested together on the Friday
6 afternoon and brought back. It was just gangs.

7 Q. At paragraph 85, you express some sympathy for the
8 prison officers and said that they had it hard?

9 A. Aye.

10 Q. How was it hard for them?

11 A. I mean -- it's -- see for big families from Glasgow that
12 are involved in crime, it's easy for them to find out
13 where a certain prison officer lives, and that can be
14 put to his wife when his wife is picking his daughter up
15 from nursery or the son up from school. Somebody could
16 just walk over and say "hello", or say a certain word.
17 And then when that prison officer comes back in, then
18 that prisoner turns round and says that word and he
19 knows exactly that's him telling him, you know: any of
20 your nonsense and we'll get to your family.

21 That's how drugs get brought into the prison.

22 Q. I think you say that prisoners would threaten the
23 officers?

24 A. Aye.

25 Q. And sometimes blackmail them?

1 A. Aye.

2 Q. And you say that you have seen that happen?

3 A. I've seen, like, a tea urn, getting thrown from a top
4 landing down to two prison officers that are standing,
5 doing whatever, they're marking up. I've seen that.
6 I've seen them get pulled into cells and cells getting
7 locked.

8 Q. You tell us about that. That prison officers would get
9 pulled into cells and beaten by prisoners?

10 A. Threatened.

11 Q. Threatened.

12 A. They would be pulled in and threatened for whatever it
13 is, and then these people would get put in front of the
14 governor. But the job had already been done because
15 they were threatening that individual prison officer for
16 whatever it was they wanted.

17 There was never enough prison officers.

18 Q. I think you also say that you reckoned there was about
19 one or two prison officers per landing of 30 to 40
20 prisoners and there was no way that they were able to
21 keep control?

22 A. No.

23 Q. You go on to say it was the prisoners who ran the young
24 offenders institution?

25 A. Aye.

1 Q. It wasn't the officers?

2 A. They ran them all. Apart from the detention centres.

3 Q. At paragraph 87, you tell us that there was only one
4 time there that you had a smack in the mouth from
5 a prison officer and that was coming through reception?

6 A. I think that happened more than once. But that could
7 have been any reason, any reason at all. It could have
8 been not hearing them; do you know what I mean? Which
9 would have been very silly. But it could have been any
10 reason. But I wouldn't have zoomed in on that guy for
11 that one thing; do you know what I mean? Because it
12 wasn't continuous.

13 I don't know. You know, it might sound mad, but I
14 did feel sorry for prison officers. I really feel sorry
15 for them, because they've got to get through all that
16 and then a 12-hour shift and then go home; do you know
17 what I mean? How they're -- I don't know -- relax,
18 I don't know. My sympathy goes to them. I'm talking
19 about real prison officers.

20 Q. The next section of your statement is headed up:
21 "Interaction with the police."
22 You speak about your own interaction with the
23 police.

24 What is it that you would like to say here?

25 A. I don't believe I would have been to any of these places

1 had it not been for the police. The East Kilbride
2 Police, they arrested you for nothing and it was
3 constant, constant, constant.

4 I was telling somebody that when -- where my mother
5 stayed, there was a big arena, a running track. So
6 obviously you know the size of a running track, so you
7 would get a good game of football in there, and we used
8 to play in there on a Sunday.

9 The police would come up and they would grab whoever
10 was playing there, and they would take us down to
11 East Kilbride Police Station and they would line us up
12 and they would bring the cadets in and I thought they
13 would come from Tulliallan, which is in Falkirk, that is
14 what I thought. But they had -- but these were officers
15 that were just cadets that were just starting in
16 East Kilbride, and they would name us all and they would
17 tell them my name, my nickname, who [REDACTED] was, and:
18 any opportunity arrest them; do them for a breach of the
19 peace; do them with resisting arrest; do them with
20 assault.

21 So I was getting arrested all the time for nothing.
22 I mean, the amount of places I was in shows that, in
23 a shorter time. I was getting put in them places. I
24 went in there, there was a warrant issued for England,
25 and they wanted me down in England, but the Scottish

1 police wanted to deal with all of the breaches of the
2 peace first. And the judges were pretty lenient. They
3 weren't that hard with their sentences. They were
4 giving you 30 days or something like that, because they
5 knew I was going down to England for a big charge, and
6 that's why I was in all these kind of places.

7 But the violence for East Kilbride Police. The
8 worst one was when I was getting took to Longriggend. I
9 got remanded. I had done an eight day lie-in and I was
10 getting fully committed, and the two police were
11 bringing me down the stairs from court 1. As I come
12 down, there were two East Kilbride policemen standing
13 down there and a Chief Inspector. I was handcuffed. As
14 I was walking along to get by them, they started
15 punching me and I fall, and they are kicking me. And
16 the Chief Inspector, his hat fell off in front of me and
17 he's hitting me as well.

18 What they call the turn keys for Hamilton Sheriff,
19 they're job is to lock whoever comes down, that's their
20 job. But it's also -- they've got a duty of care to who
21 they're locking up, but they just stood there. And it
22 wasn't -- I heard the bell and I knew what the bell was,
23 and this bell only goes off when a draft of prisoners
24 are coming to Barlinnie or ones getting took away. So
25 that bell went and the door opened, and the prison

1 officers come in and they were from Barlinnie, and they
2 get involved and they broke it up.

3 I got took back in that draft to Barlinnie, and
4 I was sitting in the dog box and a prison officer come
5 over and he says: Barlinnie, governor wants to speak to
6 you.

7 I went to see him and he said they'd -- my officers
8 have come in and wrote a report about what they'd seen.
9 Do you want to make a complaint?

10 I said no.

11 He said they've seen it with their own eyes.
12 They've wrote a report. I said, "It's not going to stop
13 it. It's not going to -- it's still going to continue
14 to happen. This would probably make it worse for me".

15 Q. Moving on with your statement, John, you tell us that
16 after Longriggend you went back to live in Blantyre for
17 a while. Then you went down south to England, but came
18 back up to Scotland in relation to certain outstanding
19 charges.

20 As a result of that, you were detained in Friarton
21 Detention Centre; do you remember that?

22 A. Aha.

23 Q. You tell us you were sentenced by the court and you were
24 there for about 61 days?

25 A. Uh-huh.

1 MS RATTRAY: Either in 1981 or 1982?

2 LADY SMITH: This is when you would be 17, 18 years old,
3 something like that?

4 A. Yeah. I absolutely -- with Friarton it's -- can you go
5 back to the -- you said there was a warrant?

6 MS RATTRAY: Yes, I think it was in relation to -- you said
7 they charged you with all the outstanding charges plus
8 other charges?

9 A. Can I explain this to Lady Smith?

10 MS RATTRAY: Yes, of course.

11 LADY SMITH: Please do. If it helps, I think we are around
12 paragraph 97. You tell me.

13 A. I hadn't had much trouble. I was getting arrested,
14 I'm saying for nothing, and it was building up and it
15 got to the point where I had seven or eight different
16 court appearances.

17 So [REDACTED] was working in Scarborough, so I went
18 down there, down the road, to try and get way from it.

19 But obviously it wasn't just these police, because I
20 got into trouble there, serious trouble.

21 So I went to London, and then from London I come
22 back up to Scotland and the Scottish CID arrested me.
23 And they told me that they had a warrant for the
24 Yorkshire crime squad or something for my arrest, a live
25 warrant. But if I was to -- if they were to leave it

1 for six weeks and give me my freedom, and I turned up to
2 East Kilbride Police Station of my own free will, six
3 weeks later, and come for this warrant, when they read
4 me my rights, if I turn round and say anything at all,
5 even "yes" or "no", then we'll make that deal, because
6 on the back of that I had made a comment, and when the
7 trial starts, down at York Crown Court, they're all
8 going to get to come down and get a wee holiday, kind of
9 thing. That was the deal, and that was made in front of
10 my lawyer as well.

11 Obviously, the six weeks were up and I didn't go, so
12 they came looking for me and they weren't happy. And
13 when they arrested me for the England one, they were
14 expecting me to make a comment and I never made
15 a comment, so they were like: all right, okay. So these
16 seven, you are going to deal with them or the ones in
17 Scotland before you go to England.

18 So they were taking me for one, came to arrest me.
19 I went to Friarton for 60 days and then get a gate
20 arrest from there, took to Polmont. That's how there
21 were so many in such a short period.

22 LADY SMITH: So it's like a boomerang. Every time you are
23 getting out --

24 A. Aye, until the very final one, I was in Glenochil where
25 I was getting arrested and took to Alloa Police Station

1 and then took to England. That's where --

2 LADY SMITH: Was this all when you were 17, going on 18,
3 that sort of time?

4 A. 18, aye.

5 MS RATTRAY: You tell us that at Friarton, when you arrived,
6 it was the usual reception and then you were taken to
7 a single cell and you were told to sit and write
8 a letter to your mum and dad?

9 A. I had never been to Perth in my life and, again, it's
10 like a draft bus. It stops at Falkirk first and they
11 shout the names of the boys that are going into Polmont,
12 so they get up and they go. And then it goes to
13 Glenochil and shout their names, and when their names
14 are shouted, I'm the only one sitting on the bus and I
15 thought they'd forgot about me there.

16 I got up and the guy's like, "You sit back down.
17 You will be gone when you're told to go".

18 So they took us to Perth, and the first thing I see
19 is Perth prison. I don't know if anyone has seen it.
20 It's worse looking than Barlinnie. It looks horrific as
21 you come into Perth. Just as you come in, there's
22 Friarton. I had never heard of it. As we drove in, it
23 looked -- the establishment looked good, the running
24 track. Anywhere you can run, I'm happy. And the
25 football. It looked good, but I had never been there.

1 I'd never known anybody that had been there, so it was
2 all people from Edinburgh and things like that, that
3 were there.

4 They took me into reception and the prison officer
5 guy, he was lovely. He took me up -- went through
6 reception, done everything, got a medical, et cetera,
7 and he took me up, opened the door, sees there is a bit
8 of paper and pencil there. He says, "Sit and write
9 a letter to your ma or da" or whatever, and he says,
10 "I'll be back in half an hour or something".

11 Okay, I sat down and thought: it's all right here.

12 I started writing a letter. And the next minute,
13 bang, right in the side of my face. I thought it was
14 ten minutes later. Just felt a bang at the side of my
15 face and I went flying right off my chair and hit the
16 wall. And when I turned round, it was the guy that told
17 me -- it was the guy that was being nice to me that had
18 done the kick, but behind him was a massive guy. He
19 looked like Santa Claus. He had a big beard, but he
20 was, so -- you could see he was a senior officer and he
21 was screaming, "Get up. Who told you to sit down?"

22 That guy that took me up there and was nice and
23 saying, "Here, write", that looked to me as if it was
24 normal, but this guy was just letting me know: this is
25 normal here and this is what happens and it was ...

1 I spoke to somebody and I was like -- I told them
2 the position I was in. I was going to be going to more
3 places. "What is the best and quickest way for me to
4 get out of here without loss or remission?" and they
5 said, "Get in the kitchens". If you get in the kitchens
6 you're in there, you're up at 4.30 or 5.00 in the
7 morning and it's night-time, seven days a week. So
8 that's what I done.

9 I managed to keep out of trouble for that reason.

10 Q. I think at paragraph 103, John, you tell us about -- on
11 a Saturday morning you would have to clean your cell and
12 polish the floor?

13 A. Yeah.

14 Q. And there was an inspection?

15 A. Yeah, that's everywhere. That's Polmont as well. The
16 governor's inspection.

17 They were all the same. Detention centre. Your bed
18 clothes had to be folded into a block. Not actually
19 that size, but they had to be absolutely square. Every
20 cover, the grey one, the white ones, all had to be
21 square. Everything had to be absolutely perfect. Not
22 a bit of dust. And your floor, you were cleaning from
23 the Friday night. You were getting on it until you
24 could see your face in it, like a mirror, so it was
25 shiny. And the governor would come and open the door.

1 He could just have a look and he could tell if he
2 needed to do further inspections. He would come in and
3 go to somewhere and look for dust, but usually wouldn't
4 find it.

5 What did happen is in the early hours on the
6 Saturday morning your cell door would open and somebody
7 would -- one of the screws would throw in a bucket of
8 water, and when that water went on to that polished
9 floor, it was just like the pavement outside. That's
10 what it looks like. And then the governor comes in and
11 he's like, "That is the respect you give me"; do you
12 know what I mean?

13 He probably knew it. I'm saying "he probably",
14 I can't tell you if he knew. He's coming to inspect
15 your room and that's the respect you're giving him, as
16 if you're not bothered.

17 Q. At paragraph 106, you say there were two main forms of
18 discipline at Friarton, you could either be put in
19 isolation or lose remission, but you would say the main
20 form of discipline was getting a battering from the
21 staff.

22 A. Aye.

23 Q. Is that right?

24 A. Mm hmm.

25 Q. In relation to the prisoners themselves; do you remember

1 if there was any bullying or violence between prisoners
2 there?

3 A. No, no, no, I don't recall any.

4 The only time I really came face to face with the
5 screws was -- when I was in the kitchen, was during
6 an inspection; do you know what I mean? And that's when
7 they would trash your -- see once that governor seen
8 that floor, he would just say, "Throw him in the cells".
9 He would go away and they would come in and turn your
10 cell upside down and give you a kicking. They wouldn't
11 even take you to the cells half the time. They didn't
12 bother.

13 Q. Moving from Friarton, you tell us that you were gate
14 arrested. You went to Barlinnie for a night, as was
15 usual when being transferred, and then you were taken to
16 Glenochil Detention Centre for three weeks and you would
17 be aged about 16 or 17 there?

18 A. Yeah.

19 Q. What do you remember about first arriving? What
20 happened when you first arrived at Glenochil?

21 A. You knew when you were on the bus. You knew it was
22 absolutely military. It was well known of anyhow. That
23 doesn't really bother me, because I was fit. I always
24 loved running, so if you're fit that kind of takes half
25 of the attacks off you.

1 If you're running, if they've got you running, like
2 round the fence, and there's like somebody struggling
3 and you fall back to help them, they don't buy that
4 stuff, do you know what I mean, helping people. They
5 batter you for trying to help them.

6 What was the question, again?

7 Q. It was about what you tell us about your first
8 impressions essentially of Glenochil. It is paragraph
9 110, John.

10 A. Sorry, I knew it was -- yes, sir, no, sir, but you were
11 always -- if there was a line of 12 of you, they're
12 always going to make an example of somebody, even though
13 they never done anything. They would be there all day
14 if they were to make an example of everybody. So they
15 always done it. They would make an example out of
16 somebody.

17 Q. When they were making an example of someone; did that
18 involve violence?

19 A. They'd just punch you right in the face or kick you.
20 Aye, violence.

21 If I was to do that in the street, I would probably
22 be held in the police station and took to court the next
23 morning, and probably be remanded for what they done.

24 Q. You mention that it was military. I think you say that
25 you marched everywhere in single file; is that right?

1 A. That's right, aye.

2 Q. And that there was a silence. You had to be in silence?

3 A. You couldn't speak. You weren't allowed to talk.

4 Checked your Bibles, done everything. Every page of

5 your Bible would be checked to see if a page had been

6 ripped out of it. And if there was a bit ripped, then:

7 what was that ripped out for?

8 Because you weren't allowed to smoke or anything

9 like that. There would be a big enquiry into things

10 like that. You couldn't get away with nothing in

11 Glenochil. I actually liked it, to be honest with you.

12 Q. Right. Okay. Why?

13 A. I liked the discipline. I didn't like -- if they just

14 stuck to the discipline, that would have been fine,

15 because I do believe out of ten young guys that went

16 into Glenochil, nine of them never went back, no way.

17 They never went back.

18 Q. I think you say it was certainly a short, sharp shock

19 treatment?

20 A. Mm hmm.

21 Q. At paragraph 114, you are talking about PT and you had

22 that twice a week in the gym and you speak about a game

23 called murder ball; what was that?

24 A. It's a medicine ball and they would just throw it. It

25 could be a medicine ball or it could be -- it was

1 a heavy ball anyhow. It was usually a medicine ball and
2 the screw would throw it at somebody. You won't know
3 what you were going into the gym for, because sometimes
4 you would go in and end up ...

5 LADY SMITH: John, don't drift way from the microphone.

6 A. You didn't know until you went in --

7 MS RATTRAY: You were saying before that you didn't know
8 whether you would be doing that or lifting the benches?

9 A. You didn't know what you were going to do any time in
10 the gym.

11 So, the murder ball, you weren't prepared, you
12 weren't ready for that. You would -- you could see the
13 benches or things left out, but a screw would have put
14 the medicine ball and he would just throw it and hit
15 somebody with it in the back of the head.

16 They'd be holding you down, throw it on your
17 stomach. But I've seen all that before.

18 Q. At 116, you tell us that once you were in your cell for
19 the night you couldn't even talk to each other?

20 A. Aye, that's right. You couldn't.

21 Q. But you could hear some things; what kind of things were
22 you hearing?

23 A. Crying.

24 Q. You say you could also hear other prisoners getting
25 a doing off the screws?

1 A. Aye.

2 Q. Is that right?

3 A. Mm hmm.

4 Q. You tell us that you moved on. You were at the Sheriff
5 at Hamilton and you got fines. But you were serving
6 60 days on each fine, which is one of the reasons you
7 ended up in so many places and kept getting gate
8 arrested.

9 After that appearance in Hamilton, you were taken to
10 Barlinnie as usual. But, on this occasion after that,
11 you were on to Polmont Young Offenders?

12 A. Yes.

13 Q. I think once again that's in about 1981 or 1982?

14 A. That would have -- I think it was roundabout 1980
15 because ...

16 No, you're right 1981, 1982.

17 Q. I think you say about Polmont, at paragraph 118, that
18 there were some guys in there doing pretty serious
19 sentences?

20 A. That's right.

21 Q. That seemed to affect how the prison officers behaved?

22 A. Aye.

23 Q. Can you explain that for us, please?

24 A. There were people in for murder, attempted murder,
25 drugs, and then next table there was somebody in for

1 14 days for a fine for something really minor.

2 So there was gangs in it. When anybody came in, if
3 they weren't known, these people would just pounce on
4 them and give them tobacco or something, a wee bit of
5 tobacco and that was them. They had to pay double all
6 the time and getting money sent in and sent out to other
7 people outside.

8 The prison officers in the young offenders were
9 terrified of the detainees, because they knew at any
10 time they would attack them.

11 Q. You talk about in Polmont, one occasion at
12 paragraph 121, where there was one screw in particular
13 who actually sat down with you and spoke to you about
14 what was going on in your life?

15 A. Yeah. Uh-huh.

16 Q. What happened there?

17 A. They put me in a work party. The school days were over
18 kind of thing, and it was metal, a metal kind of class.
19 They would take us outside. Not the prison, but outside
20 there's a river and you would have a rope with a hook on
21 it and throw it into the water and just clear it. This
22 guy, he was just looking for copper. That's what he was
23 wanting.

24 I don't know what it was, my luck was just in with
25 this guy. Every time I threw it in I was pulling the

1 back of tellies out and copper, so do you know what I
2 mean? He kind of made me the kind of pass man -- a kind
3 of work unit, and he would give me a -- I smoked at that
4 time as well. I didn't really, but I took it and he
5 would give me tobacco and that. But he sat -- he made
6 a comment about my mother once. I can't remember what
7 it was. I think he said something like he was my father
8 or something, a comment regarding my mother. And I
9 turned round and said, "Why would you do that? What was
10 the need to make that comment?" He says, "Come here",
11 and he took us into the office and he sat me down and he
12 just spoke about -- he kind of explained it, you know?
13 "What the heck are you doing", you know what I mean?
14 "It's scorching outside. Why are you in here?" It's
15 hard to explain why you're in there when you're not
16 really accountable for the crimes that put you in there.

17 But he's not the only one who sat down with me. The
18 police and police stations, the other police stations
19 that have done the exact same things, you know, that
20 don't see what's going on in East Kilbride, or other
21 prison officers that don't see what's going on in other
22 shifts, never mind any prison.

23 Q. I think you say about this person that he tried to
24 explain to you that if you kept doing these small
25 sentences it would lead to a big sentence, even for

1 a small crime?

2 A. Aye. That's -- probably what he was saying was, so,
3 right, you've got, like, eight previous convictions that
4 consist of a breach of the peace and resisting arrest
5 because you were always charged with police assault.
6 What they done was arrested you for a breach of the
7 peace, charged you with police assault, and to charge
8 you with police assault you had to resist arrest. But,
9 when you went to court, for some unknown reason they
10 would drop the police assault if you pled guilty to the
11 resisting arrest, which is a lesser charge than police
12 assault and a breach of the peace. So I don't know what
13 they were thinking.

14 They obviously knew, the police never got assaulted
15 or they'd be looking for justice. So what he was saying
16 was: you've got six of them. Another six of them and
17 they're not going to be dealing with you at
18 Hamilton Sheriff. They're going to remit you to the
19 High Court, and they give you that first sentence, it
20 will only get bigger.

21 Q. You say he tried to encourage you to stay out of
22 trouble?

23 A. Uh-huh.

24 Q. And enjoy things that other lads of your age did, like
25 going to the dancing and stuff like that. You say that

1 was the only kind of rehabilitation talk that you ever
2 got in all the time you had been in these kind of
3 centres?

4 A. Aye. I was a wean, aye.

5 But apart from the -- sorry, the police from
6 Glasgow.

7 Q. Moving on, you tell us once again, after your 60 days in
8 Polmont, you were gate arrested again on release and
9 that this time you were back to Glenochil.

10 You say on that occasion the staff weren't the
11 issue, it was the prisoners, and it was ruled by gangs
12 and the bullying was serious?

13 A. Aye.

14 Q. Is that right?

15 A. That's right.

16 Q. Did you experience bullying yourself from other
17 prisoners?

18 A. No, because -- if it was my first time, 100 per cent
19 I would have. But because I had been in Calder House,
20 Ballikinrain, Polmont, all these different places, I
21 knew the people. I knew them, so they were just picking
22 on -- they were just targeting the people that were
23 walking in like, "Oh my God, what have I walked into
24 here?" It's an absolute car crash, that's what they
25 walked into. Everything got took off them, not just

1 what they had in prison. They would telephone and get
2 money sent to certain places.

3 Q. That was, I think, what you are referring to at
4 paragraph 128, when you say there was a lot of wheeling
5 and dealing --

6 A. Aye.

7 Q. -- going on there?

8 A. Mm hmm.

9 Q. And constant fighting between prisoners and rival gangs.
10 And there weren't enough officers to stop the violence?

11 A. There wasn't enough, and I doubt very much they would
12 have attempted to stop it anyhow. They just looked down
13 on them and let it happen.

14 Q. You also speak at paragraph 131 -- that some prisoners
15 were put in isolation in the digger and they would be in
16 there for many months?

17 A. Aye, yeah. That's because they -- if I was doing three
18 months, 12 weeks, so I'm getting out after eight weeks,
19 I've got four weeks' remission. If I lost that four
20 weeks' remission, then that's me, the full three months.
21 I've got nothing else to lose. So if I get into trouble
22 again, then we can't control him. What can we do with
23 him? They just put them in the digger until they get
24 out.

25 Q. You make the comment that the guys who did lose

1 remission couldn't be put back into the mainstream
2 population because those guys had absolutely nothing to
3 lose and that made them dangerous?

4 A. That's it. They had nothing to lose.

5 Q. Moving on, John, when we look at your life after care,
6 or at least after care within the Scottish system,
7 because we know that -- you tell us that you were taken
8 once again when you left Glenochil, you were caught up
9 with an English warrant and you were taken to Alloa
10 Police Station and then to Scarborough Police Station,
11 and then you were in a remand centre in England in
12 Wetherby for about nine months.

13 Then, when you were 18, you ended up at York Crown
14 Court and you were sentenced to nine months?

15 A. That's right.

16 Q. I know that your experience -- you were then sent to
17 Medomsley Detention Centre?

18 A. Yeah.

19 Q. Whilst your experience there doesn't fall within this
20 Inquiry's terms of reference, you do tell us that it was
21 a truly awful place. You were physically abused by the
22 officers there and you were sexually abused as well?

23 A. Aye.

24 Q. Since then, after leaving Medomsley, you've taken steps
25 to try and fight for justice in relation to your

1 experience there and experience of others?

2 A. Aye. I got an investigation in 2013, which has just
3 finished, Operation Seabrook, when nine prison officers
4 went to jail, ranging from a year to ten years, off the
5 back of it.

6 Because of the length of time, a lot of them died.
7 The prison officers died they were that old. But we've
8 now got another investigation into the first three
9 investigations because they weren't looked at right.

10 It's the same as here. Same as I told [REDACTED].
11 I'm not fighting for like -- I've got three daughters
12 and six grand weans, I'm not going to England to fight
13 for justice for nothing. I just want these people that
14 are alive to be brought in front of an inquiry or
15 an investigation, for them to say, "You were the
16 governor there between that year and that year and the
17 highest sexual assaults offences were under your watch;
18 what happened?"

19 They've never -- it's just been the prison officers.
20 It's not been -- so we don't know -- they don't know
21 exactly -- at one point there was a paedophile ring with
22 32 -- including MPs at one point, and then the head of
23 the Operation Seabrook was just removed from their
24 positions and they brought in new people.

25 That was around about 2017. I got a phone call from

1 SIO Adrian Green and he says to me, "Mr McCabe we no
2 longer want to speak to you via email, via meetings, via
3 phone, via anything". Please excuse me for saying this,
4 but I says, "Are you finished?" and he said, "Aye", and
5 I said, "Well, thank fuck, because I don't want to speak
6 to you because you are the biggest crooks I've ever
7 met", and they are. And they will be -- in this
8 investigation it will be shown.

9 Q. I think you say that there's now to be a further
10 investigation; is that right?

11 A. Yeah.

12 Q. What investigation is that?

13 A. That's the PPO, Prison and Probation Ombudsman. So
14 they're investigating the three previous investigations,
15 Operation Halter 1, Operation Halter 2, Operation
16 Seabrook that was done on the Durham Constabulary.
17 They're looking into that, the three investigations.
18 They are looking into the NHS, which -- because if you
19 were sexually assaulted or physically assaulted -- and
20 we're not just talking about what happened in Scotland,
21 we're talking about legs getting broke, we're talking
22 about boys standing on stairs and getting people to jump
23 on their arms to get out. That's how bad it was. So
24 they're looking into all the NHS and the probation, the
25 police, and there are another two things that he's not

1 told me yet and that's in the best interests of the
2 investigation.

3 I think if he was to tell me, he should have -- when
4 they announced it two weeks ago, it should have been in
5 that. But if it was in it, the first investigation, one
6 of the governors, the police went to his door -- and
7 he's name is James Miller Reed, and they says, "We want
8 to take you down the police station. We've got a couple
9 of statements we want you to look at", and he says,
10 "I've got family and we're having our dinner", and the
11 policeman said, "I'll tell you what, if you're not at
12 the police station at 7 o'clock tomorrow morning, then
13 we're coming for you".

14 He disappeared and they found his remains two weeks
15 later, hanging [REDACTED] a couple of fields away. So
16 that's the kind of things that they don't want them to
17 know that they've got any power -- what powers they've
18 got.

19 Q. I'm now going to take you to a conversation that you've
20 referred to in passing, at paragraph 139. It is really
21 about when you changed your life. You tell us that you
22 were aged 23 or 24, you woke up in
23 East Kilbride Police Station and you'd been drinking,
24 couldn't even remember how you had got there, and one of
25 the police officers came to your cell to speak to you;

1 what happened there?

2 A. So I'm back from Medomsley. I've no run to the nearest
3 police station and told them what happened, especially
4 not in Scotland. I'm not going near the police station,
5 even to report him, in case they batter me. But --

6 LADY SMITH: You said you came back from Medomsley.

7 A. I starts drinking and getting into trouble. But it
8 wasn't really bad trouble, but I woke up in the police
9 station. I can remember shouting at ██████████ to make
10 me a cup of tea, I thought I was in her house.

11 The cell door opened and this big police walked in.
12 I'd never seen him before, and I was kind of surprised.
13 They usually just pull the hatch and then stand back.
14 But, also, if you've not got handcuffs on, they want to
15 cuff you.

16 He just opened the door and came in. He said, "Do
17 you know what you're arrested for?" and I said, "No".
18 He said, "Murder", and I was like -- he said, "No", but
19 it could have been, because I didn't know.

20 But he told me it consisted of 13 charges. For
21 assault, assaulting a police officer, damaging a police
22 car, theft, taking alcohol off somebody, assaulting the
23 person with a bag of alcohol and possession of drugs.
24 He said to me, "I know you never done that. I know you
25 never had drugs". I didn't know what drugs was. He

1 says, "I know -- I know for a fact you never done that",
2 but he sat down and he kind of more or less said see
3 what the other guy said: if you don't do it now, you're
4 going to die or you're going to end up in prison, like
5 [REDACTED] or your uncle.

6 I went to court the next day and -- from the police
7 station, and went up into court 1 and I was just saying:
8 please don't make it be Judge Leonard Lovett, the man
9 hated me. But it was Leonard Lovett. And when I looked
10 up and had he seen me, he put his hands on his face. I
11 was doing the same.

12 He just started shouting. He was going off his
13 head, but he was basically doing what this police was
14 doing. This is what he was doing, and he turns round
15 and says, "Get out my court", and I'm looking -- I've
16 been handcuffed and my lawyer's there, and I thought:
17 what the heck is going on here?

18 He said, "Get him out of my court". So the bottom
19 line was the handcuffs were took off and he told me,
20 "Get out my court. You're getting a deferred sentence
21 for six months. You come back in my court again and
22 you'll never see the daylight again".

23 So in the back of the night before that, speaking to
24 that police officer, and this judge who absolutely -- he
25 mistook me on several occasions for somebody else, for

1 him to do that the penny dropped, and that was it.

2 I managed to go to college, university, become
3 a health and safety adviser, get married, and three
4 daughters that went to university, six granddaughters.

5 Q. The penny dropped. Things changed for you and you've
6 been out of trouble ever since?

7 A. Yeah, I've had a few run-ins with MPs, right enough.

8 Q. Moving to what you say about -- "Impact" at
9 paragraph 146 of your statement, John, and I think you
10 tell us that you grew up with violence throughout your
11 life, at home, at school and in just about every
12 institution you've ever been.

13 You go on to say, at paragraph 147, that you think
14 they got it completely wrong with the Scottish system.
15 You were moved about from place to place without any
16 focus on rehabilitation?

17 A. Yeah.

18 Q. You think that's a fault of the system?

19 A. I think it's a fault because, when I went to court once
20 and I got remanded for three weeks; right? So that was
21 for social enquiry and background reports. So you go to
22 Longriggend and then you get one visit from one person
23 who comes and sees you, and he's able to put all your
24 life into that and then you don't even see him. He
25 doesn't even appear in court, but what he does do is he

1 writes you the worst record ever for the Social Work
2 Department; do you know what I mean?

3 It's just not right. It's not right.

4 Q. The way you were treated and the way they were managing
5 you and your behaviour was not actually helping you to
6 change your behaviour?

7 A. Aye. The thing with this is, I was never violent.
8 I was never a violent person. Through all the violence
9 in Medomsley, et cetera, I was never a violent person.
10 I would never go and hurt anybody.

11 Q. John, finally, moving to paragraph 152 of your
12 statement, when you speak about lessons to be learned,
13 and you say that you think the main lesson that has to
14 be learned from mistakes in the care system is one of
15 accountability.

16 You go on to say that there has to be some kind of
17 advocate for children in care, someone they can trust
18 and speak to, if things are happening that shouldn't be?

19 A. Exactly. That's what we've spoke about, every place
20 there you've asked me: is there a person you could go
21 and speak to?

22 There wasn't a person that I could go and speak to.

23 There wasn't a person that I could go and speak to
24 that I thought it wouldn't come back to me; do you know
25 what I mean? But they should have some kind of

1 advocate, for every child.

2 Q. I think, in fairness, you say that the staff at
3 Ballikinrain could potentially -- there were people
4 there you could potentially have spoken to, but by that
5 stage, from your experience, it would have been too much
6 of a risk?

7 A. It was too much of a risk, it really was because they
8 would have got pulled in. And then when I got dropped
9 at Buchanan Street they're not getting home for their
10 visit, but you could guarantee their families would know
11 when I got dropped at Buchanan Street. So I'm -- I mean
12 I done it; do you know what I mean?

13 But I was only a wee boy. I'm not a wee boy
14 anymore; do you know what I mean? I know it's too late.

15 Well, it's not too late. It's not really too late,
16 to be honest with you. And I'm just glad that
17 Scotland's got an inquiry.

18 MS RATTRAY: John, it just remains for me to thank you for
19 answering all my questions. I don't have any more
20 questions. My Lady, I'm not aware of any other
21 questions.

22 LADY SMITH: John, I don't have any questions for you
23 either, but I do want to add my thanks to Ms Rattray's,
24 both for coming to talk to us today and for the details
25 in your written statement which have been such a help,

1 too.

2 It's quite clear that over seven or eight years of
3 your childhood you went from one place to another where
4 you experienced, you explained to me, a range of forms
5 of abuse. Well done for putting that behind you.

6 A. Thank you.

7 LADY SMITH: Very well done.

8 I see that life nonetheless hasn't been easy,
9 particularly since 2016, but I hope you're still taking
10 great joy from having children and grandchildren and --

11 A. Thank you.

12 LADY SMITH: Thank you very much. I'm delighted to let you
13 go now, with my thanks.

14 (The witness withdrew)

15 Once more, the usual reminder, we have used some
16 names of staff members, including Mr HWE and
17 Mr BHN at Calder, but these are individuals who can't
18 be identified outside this room.

19 Now, Ms Rattray.

20 MS RATTRAY: My Lady, that concludes the evidence for today.

21 We resume tomorrow with an oral witness at 10 o'clock
22 and an oral witness at 2.00.

23 LADY SMITH: Thank you very much. I'll rise now until
24 tomorrow.

25 (3.57 pm)

1 (The Inquiry adjourned until 10.00
2 on Wednesday, 15 November 2023)
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5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

INDEX

PAGE

'Bruno' (sworn)2
 Questions from Mr Peoples2
'Barry' (read)87
John McCabe (sworn)98
 Questions from Ms Rattray99

