

1

Thursday, 10 August 2023

2 (10.00 am)

3 LADY SMITH: Good morning, and welcome to Thursday in the
4 first week of our hearings into Edinburgh Academy.

5 Today we move to three live witnesses, we say
6 witnesses in person giving evidence. I understand the
7 first one is here and ready; is that right, Mr Brown?

8 MR BROWN: That's correct, my Lady. The first witness is
9 'James'.

10 LADY SMITH: Thank you.

11 'James' (affirmed)

12 LADY SMITH: Good morning, 'James'.

13 A. Good morning.

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

16 (The witness was affirmed)

17 LADY SMITH: 'James', do sit down and make yourself
18 comfortable.

19 A. Thank you very much.

20 LADY SMITH: 'James', a couple of things before we begin.
21 The red folder there has your written statement in it.
22 You may find it helpful to use it as you are giving
23 evidence. Feel free, if that would help. You don't
24 have to --

25 A. Mm-hm.

1 LADY SMITH: -- if it doesn't. We may bring some parts of
2 the statement up on the screen, or not, and you may find
3 it useful, if it is there, to look at it.

4 Otherwise, please don't hesitate to ask if you have
5 any questions as you go along or if you don't understand
6 anything we are asking. If you don't understand it, it
7 is our fault, not yours --

8 A. Okay.

9 LADY SMITH: -- so do tell us.

10 A. Right.

11 LADY SMITH: If you want a break before your evidence is due
12 to finish -- your evidence is due to finish at about
13 11.30, but if you need a break before then don't
14 hesitate to let me know.

15 A. Thank you very much.

16 LADY SMITH: Or if you just want to pause whilst sitting
17 there that's fine. If it works for you, it works for
18 me.

19 A. Okay.

20 LADY SMITH: Anything that helps you give the best evidence
21 you can, I am sure you appreciate that.

22 A. Thank you very much.

23 LADY SMITH: Well, if you are ready, I will hand over to
24 Mr Brown and he will take from there.

25 A. I am ready.

1 Questions by Mr Brown

2 MR BROWN: 'James', good morning.

3 A. Good morning.

4 Q. My Ladyship has just referred to the red folder; could
5 you just refer to it briefly?

6 A. Yes, absolutely.

7 Q. It has a reference number, which is required to be read
8 in for the record, which is WIT-1-000001182.

9 A. Yes.

10 Q. We see on last page, page 21, you signed it at the
11 beginning of this year.

12 A. That is correct, yes.

13 Q. The last paragraph reads:

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

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

18 A. Yes.

19 Q. Correct?

20 A. This is correct.

21 Q. I think you would stick to that, although there are
22 a number of things, one date in particular --

23 A. One date, yes.

24 Q. -- that you have been thinking about and you think you
25 are a year out in the statement.

1 A. That is exactly the case.

2 Q. We will come back to that --

3 A. Thank you.

4 Q. -- in due course.

5 A. Okay.

6 Q. A little bit about you, first, before we get to your
7 experience at Edinburgh Academy.

8 You were born in the late 1950s, you are now 64, and
9 you were a day boy at Edinburgh Academy; correct?

10 A. This is all correct, yes.

11 Q. Between 196█ and 197█?

12 A. Yes, those are the years.

13 Q. So, roughly, 10 to 18.

14 A. Mm-hm.

15 Q. You weren't from Edinburgh. Your father was, your
16 mother was South African --

17 A. Yes.

18 Q. -- in origin, but prior to that Scottish --

19 A. Scottish family.

20 Q. Scottish family. I think as we will hear, as a result,
21 you associated South Africans as good things because of
22 your grandparents?

23 A. Yes, that is indeed the case. Yes.

24 Q. Is that right?

25 A. Yes.

1 Q. But in terms of schooling, there was no tradition of
2 Edinburgh Academy?

3 A. None whatsoever, no.

4 Q. I think you may be aware from -- some of your
5 contemporaries' families send their children to
6 Edinburgh Academy over generations, but that's anything
7 but the case for you?

8 A. Yes.

9 Q. Your original primary education involved a couple of
10 schools, but latterly a State primary?

11 A. Exactly, yes.

12 Q. Just the local primary?

13 A. Yes.

14 Q. By that stage, you had moved to Edinburgh; is that
15 right?

16 A. Yes, we moved to Edinburgh as a family. We moved to
17 Edinburgh, I think, in 1963.

18 Q. Okay. And just thinking about your State primary as
19 a comparator, when you went to Edinburgh Academy; did
20 you notice very real differences in ethos?

21 A. Yes.

22 Q. How so?

23 A. Er, the Edinburgh Academy, from the beginning, laid
24 a great deal of importance on performance within the
25 classroom and also in the sports field. These were

1 things that were not underlined in the same way in the
2 State school. The State school, in that sense, was
3 a bit more permissive and a bit more inclusive.

4 Q. All right. So doing well academically and doing well on
5 the sports field mattered?

6 A. Absolutely.

7 Q. And were those things that were pushed by the school;
8 that you couldn't miss that drive?

9 A. No, you could not miss that drive.

10 Q. All right. We will come back to that in a little while.
11 I think one of the things that you say that was also
12 different was there was a long list of uniform and
13 requirements?

14 A. There was indeed, yes. That was quite impressive.

15 Q. But, from your perspective; do you know why your parents
16 sought out Edinburgh Academy for your latter, I think,
17 one year of primary school and then senior school?

18 A. Er, my father thought it would be really important. In
19 fact, he very early on told me that it would make a big
20 difference in my life if I went to the Academy.

21 Q. All right. Can I be straightforward? Was it
22 a financial effort for them?

23 A. It was a serious financial effort for him.

24 Q. Were there savings made by them in other regards to
25 allow you to go?

1 A. There must have been, yes.

2 Q. All right. What about corporal punishment? Was there
3 corporal punishment in the State primary?

4 A. There was, but I never saw it actually happen and it
5 never applied to me.

6 Q. Right.

7 A. But, yes, there was corporal punishment. There would
8 have been corporal punishment under certain
9 circumstances.

10 Q. Just, again, as a comparator, going into the junior
11 school, leaving the senior school out of the equation
12 for the moment --

13 A. Mm-hm.

14 Q. -- did you notice a difference in your first year?

15 A. Yes, I saw and experienced corporal punishment for the
16 first time.

17 Q. All right. Did you form the impression it was more
18 prevalent at the Edinburgh Academy Junior School than it
19 had been at your State primary?

20 A. I think I must have, purely because I received my first
21 round of corporal punishment as well. It didn't happen
22 very often, within the Academy, I have to say, at least
23 in my experience personally.

24 But, yes, you witnessed it more often in the Academy
25 than would you have in the State school.

1 Q. Okay. What about the boys in your first and only year
2 in prep school? Did they seem very different from your
3 contemporaries at the State school?

4 A. Vastly different.

5 Q. Again, why so?

6 A. They came from backgrounds with which I was not familiar
7 from the State school. These were people -- some of
8 them were very friendly, some less so. Normal
9 behaviour. Nothing unusual at all, but their points of
10 reference were different to mine and to those that I had
11 known in the State school.

12 Q. Right. You would be aware, I think from the outset,
13 that there was a proportion of the boys at the Academy
14 who boarded?

15 A. I was, from the beginning, yes.

16 Q. From the beginning. You were a day boy; did you have
17 any contact with the boarding houses?

18 A. That was almost impossible. That meant -- I never went
19 to a boarding house. I don't think I would have been
20 invited. I don't think that would have been allowed.
21 And I noticed straight away that the boarders had their
22 own world which they talked about and they could
23 communicate with each other about and had nothing do
24 with us day boys.

25 Q. So was there a practical barrier between the two or did

1 you intermingle?

2 A. We intermingled, but that part of their lives was hidden
3 from us.

4 Q. I take it in the same way that your life at home was
5 hidden from them?

6 A. Probably, yes.

7 Q. Yes. Thinking back to going to the Academy; were you
8 excited?

9 A. Yes, I was looking forward to it.

10 Q. Mm-hm. I think initially you had a pre-visit, so it is
11 not entirely novel when you go on Day 1?

12 A. (Nods)

13 Q. I think looking to paragraph 12, on page 3, you say:
14 "I remember the first week or two were fine and
15 there seemed a pleasant atmosphere in the school."

16 A. This would be correct, yes.

17 Q. Yes. So you are excited and initially you are happy?

18 A. The building was good, the facilities were good.

19 Q. Food was nothing special?

20 A. Nothing special, but we don't need to talk about that.

21 Q. No. I think the point is you do say no one was ever
22 forced to eat food and it was all fairly civilised?

23 A. Yes.

24 Q. So, again, coming to a new experience, thus far it's not
25 bad.

1 Thinking more broadly about the school -- and we
2 will come to other things shortly -- it also, I think,
3 gave you opportunities that you might not have otherwise
4 had; some good, some bad.

5 A. Mm-hm.

6 Q. You did the CCF; you weren't particularly impressed by
7 that?

8 A. I was not, no. It wasn't for me.

9 Q. No. But you managed to go on skiing trips?

10 A. Yes.

11 Q. Which I take it was a good thing?

12 A. And they were very good things, yes.

13 Q. Academically; was it tough for you? Did you think you
14 were coming in -- you have talked about the drive for
15 academic success; did you find coming to the Academy
16 challenging?

17 A. It was challenging, yes.

18 Q. And why was that?

19 A. I had to make up in various subjects, for example Latin,
20 that children were -- the other pupils in my class were
21 well ahead of me on that and, of course, I was coming
22 into it from zero, and to try and catch up was a bit of
23 a strain.

24 LADY SMITH: 'James', you were about 10 years old --

25 A. Yes.

1 LADY SMITH: -- and they would have started Latin, what,
2 a couple of years before that?

3 A. I don't know when they would have started, but they were
4 certainly doing Latin when I joined, and they had some
5 sort of a head start on me.

6 LADY SMITH: Right. So if they -- I think the prep school
7 in the era you were there was taking pupils from about
8 age 8.

9 A. Yes.

10 LADY SMITH: So, if they did start them as soon as they took
11 them in, they would have been on their third year of
12 being taught Latin by then.

13 A. Yes.

14 LADY SMITH: Thank you.

15 MR BROWN: Thank you.

16 But you go into an environment where you are
17 expected to work towards academic success?

18 A. Yes.

19 Q. Was that, from your perspective, a good, bad or
20 indifferent thing?

21 A. I put it this way: if after being at the Academy for
22 18 months you get a report at the end of the year and
23 they rank everybody in the class, and you are bottom of
24 the class, the experience is no longer particularly
25 positive. It becomes a bit of a strain at that point.

1 Q. Was that something you would describe throughout your
2 time at the Academy?

3 A. That level of being graded was permanent.

4 Q. Right. We have heard that there were A to D streams?

5 A. Mm-hm.

6 Q. If you were in the lower streams; was that viewed
7 negatively by you, as a pupil?

8 A. Oh, almost definitely, yes.

9 Q. Again -- it may be obvious -- why?

10 A. Because I would have liked to have been higher up in the
11 grading system at school. To feel comfortable within
12 the Academy, it would have been advisable to have been
13 at least in the middle academically.

14 In fact, it is perhaps even clearer: you do not wish
15 to stick out in the school, and if you wish to blend
16 into the background, somewhere in the middle is always
17 good.

18 Q. But if you are in the bottom?

19 A. You stick out.

20 Q. You stick out. Did the school -- thinking of staff and
21 the ethos of the school -- try to address that in any
22 way, that concern of being in the bottom?

23 A. It would be unfair if I said nobody tried. But it would
24 also be wrong if I said the school tried.

25 Q. I think we have heard from many applicants, both at

1 Edinburgh Academy and other schools, there were some
2 inspirational teachers; is that fair?

3 A. I asked myself that question recently and I came up with
4 two -- three teachers that I would say were (a) very
5 qualified to do the job that they were doing, they
6 carried it out professionally, and at times they could
7 be inspirational. But three teachers over ten years
8 is -- let's put it this way, they were a minority.

9 Q. Not a good average?

10 A. Not a very good average, no.

11 Q. That's the academic side. Sporting side; were you
12 sporty?

13 A. Not particularly.

14 Q. And if you weren't sporty; did that have impact and, if
15 so, what sort of impact?

16 A. Again, you weren't as important, perhaps, for the
17 school.

18 Q. Okay. Were efforts made to try to make you more
19 important to the school?

20 A. No.

21 Q. How did that play out amongst the boys? You have talked
22 about being different. You didn't want to be different;
23 what did you mean by that?

24 A. Well, you don't wish to attract attention to yourself.
25 If you get singled out in the classroom situation or in

1 a sport field situation, that could lead to knocks,
2 either psychological knocks or physical knocks.

3 But, in general, to answer the other part of the
4 question, the pupils themselves were very much mixed.
5 You would have, obviously, classroom loud mouths,
6 classroom clowns, classroom bullies, like in any school.
7 That was actually quite normal. So you would find,
8 despite everything, if you weren't a sports person, you
9 would make friends, maybe, with other sports -- unsporty
10 people, but also maybe with other sporty people. It is
11 quite possible.

12 It wasn't -- the pupils themselves were actually,
13 perhaps, more democratic in a way than the school
14 structure would imply.

15 Q. From your perspective; was bullying an issue for you?
16 It is not something you highlight.

17 A. No. Bullying is something that took place. Yes, there
18 would have been occasions when I was bullied, and there
19 was perhaps one occasion when I also bullied somebody.
20 Bullying happened. It was not something that was very
21 well overseen by the teachers. It wasn't something that
22 would necessarily get reported, and it very rarely got
23 punished.

24 Q. I was going to come on to the degree of oversight. From
25 what you are saying -- why do you say there wasn't

1 particular oversight?

2 A. You were encouraged not to inform on people.

3 Q. By whom?

4 A. Er, by the staff.

5 Q. The staff?

6 A. The staff and -- your fellow pupils, but also the staff.

7 Q. And how would the staff make clear they didn't want to

8 know?

9 A. "Why are you coming to me telling tales?".

10 Q. Is that a line that was used to you?

11 A. It was made quite clear to me on one occasion that, no,

12 it would be better just not to complain about things.

13 Q. I think that's something we are coming on to.

14 A. Mm-hm.

15 Q. I think that relates to your mother, particularly, and

16 her experience?

17 A. Yes, I was referring just to myself and within the

18 classroom situation.

19 Q. Right. To be clear, this is a separate --

20 A. It is a separate issue, yes.

21 Q. Right. Also then going back to the boys, to cut things

22 short, the phrase "don't clype" is one --

23 A. I had to get used to that word. It was a very strange

24 word for me when I first went there. But clyping was a

25 word that was -- I learnt that word very quickly.

1 Q. But at the Academy?

2 A. At the Academy, yes.

3 Q. You hadn't heard it before at school?

4 A. No. No, I had not.

5 Q. How did you hear about it?

6 A. I heard the word being used within, probably, the first
7 day or two at school and I didn't know what it meant,
8 and either I asked somebody what it meant or it became
9 quite clear from the context.

10 Q. Mm-hm. And who was telling you -- or were you being
11 told not to clype?

12 A. Well, that was actually -- when I first heard the word,
13 it was being used by pupils.

14 Q. And in what context?

15 A. Er, don't tell the staff what's going on. Don't tell
16 teachers what's going on.

17 Q. So there was a culture of keeping things quiet?

18 A. Yes. There was, yes.

19 Q. Amongst the boys?

20 A. Amongst the boys, but also amongst the staff.

21 Q. But if you did go to the staff, as happened to you on
22 one occasion, you were met with a wall of unhelpfulness?

23 A. Unhelpfulness, yes.

24 Q. All right. The last thing, we touched about corporal
25 punishment, just thinking about discipline generally;

1 was Edinburgh Academy, both junior and senior,
2 a disciplined environment?

3 A. It was an environment which used discipline. But, at
4 times, the environment itself was very anarchic.

5 Q. Can you tell us more?

6 A. Well, the last recourse would involve discipline, and
7 the word "discipline" would be used and, in fact, we
8 would be told to uphold the discipline. But the reality
9 of classroom life could be anything but disciplined. In
10 that sense, there was a paradox.

11 Q. Mm-hm.

12 A. You had the way you should behave and the standards that
13 were actually visible should something go wrong, they
14 would say: oh no, but you remember the rules. You
15 remember this, you remember that. You don't behave like
16 this and you don't behave like that.

17 But, at the same time, that behaviour was going on
18 all the time.

19 Q. All right. Is that down -- thinking of the classroom --
20 down to the individual teacher?

21 A. Often.

22 Q. Yes. And outwith the classroom, presumably, down to the
23 boys and a lack of oversight?

24 A. (Nods)

25 Q. All right. You talk about bad behaviour and a variety

1 of punishment, lines, detention --

2 A. Yes.

3 Q. -- going up to suspension. But physical punishment,
4 you say, was administered and was very much part of the
5 secondary school?

6 A. Mm-hm.

7 Q. The senior school. Although you didn't actually see,
8 you say, or experience any physical punishment which you
9 consider for the time to have been excessive?

10 A. That's true.

11 Q. Yes. Teachers belted, and I think you say you were once
12 belted because you climbed out of a classroom via the
13 window?

14 A. That was at the junior school, yes.

15 Q. All right. But the teacher who administered that you
16 felt was a decent chap, to use your words?

17 A. I have no complaints about that.

18 Q. It was part of the time?

19 A. It was part of the time, yes.

20 Q. And you didn't think it, at the time, excessive?

21 A. I did not think it excessive.

22 Q. And do you think it excessive now?

23 A. No, by the standards of the time.

24 Q. We then move on to ephors, the prefects. Now, you never
25 saw any physicality by prefect on boy, but you talk

1 about being aware that they could.

2 A. I was -- if a prefect was punishing, physically, another
3 pupil that would take place in the ephors' room,
4 I think. And I didn't witness anything like that. We
5 wouldn't be invited to do that. Ephors would hand out
6 written punishments, that happened to me on several
7 occasions. And you could be given a small shake down by
8 an ephor if they were -- if they wanted to give you
9 a hard time.

10 I was squeezed into a corner once by one who was
11 accusing me of having been smoking at the back of the
12 school, except I didn't smoke.

13 Q. Right. That, by the sounds of it, was informal
14 punishment?

15 A. Yes, that was informal punishment.

16 Q. All right. The reason I ask: you never saw the clacken
17 being used, but it was talked about?

18 A. I saw the clacken being used in a classroom by
19 a teacher.

20 Q. In a classroom. I am talking about ephors.

21 A. Yes, not by prefects.

22 Q. We have heard evidence that ephors beating boys stopped
23 shortly before you joined the school.

24 A. Mm-hm.

25 Q. But you do remember it was discussed?

1 A. It was discussed, yes.

2 Q. All right.

3 If we go back, if we may, to the junior school.

4 A. Mm-hm.

5 Q. You have been there for a number of weeks and it's going

6 well.

7 A. Mm-hm.

8 Q. But that changed?

9 A. It did, yes.

10 Q. We now move on to your experience of a South African

11 teacher.

12 A. Mm-hm.

13 Q. Who is now well known.

14 A. Indeed he is, yes.

15 Q. Iain Wares.

16 A. Mm-hm.

17 Q. And you were in his class for what subject?

18 A. He was a maths teacher.

19 Q. Right. From what you say in your statement you had no

20 inkling of what was to come?

21 A. No.

22 Q. So it wasn't something that was a known quantity and

23 discussed by any of the boys who had been there before,

24 the year before you, for example?

25 A. Not that I was aware of, no.

1 Q. No. I think you make the point that because of your
2 grandparents and other South Africans, your take on him
3 was: well, he will be nice.
4 Just like your grandparents were?

5 A. Along those lines, yes.

6 Q. Yes. Can you describe him?

7 A. I was very small when I was 10, so that meant he was
8 quite physically impressive. He was -- he usually wore
9 a jacket, he had a tie on. He had blond hair. And
10 I would describe him as a relatively athletic figure,
11 well dressed, looked good.

12 Q. And this, we should understand, is 1969?

13 A. This would be 1969.

14 Q. As you say in your statement, things begin to happen
15 within a week of starting his classes?

16 A. Er, possibly even the first day of having him as
17 a teacher. I don't know. Can't remember.

18 Q. Can you remember how big the class was, in terms of
19 numbers?

20 A. Probably between 20 and 22 children.

21 Q. All right. I think you make mention of the fact you
22 have seen -- you have looked back at photographs of
23 yourself and how young you look.

24 A. Mm-hm.

25 Q. Are these class photographs?

1 A. School photographs, yes. The earliest one I have got is
2 from when I was 12.

3 Q. All right. But, at 12, you looked young?

4 A. Very small.

5 Q. And very small. But this is when you are ten?

6 A. Mm-hm.

7 Q. What happened?

8 A. He would have asked me to come forward to the front of
9 the class. Just so that we understand what the
10 classroom would look like, there are rows of children,
11 maybe five desks, five desks, five desks. So he is in
12 the the front at the middle, where Lady Smith would be
13 now. And I would be asked to stand next to him, and he
14 would then open a school book, or maybe something that
15 I had been writing on, and he would then say: well,
16 let's have a look at what you have been doing.

17 Q. Are you behind the desk, too?

18 A. Yes. Or to the side of the desk.

19 Q. Right.

20 A. At that point, Mr Wares would then, with his right arm,
21 he'd put it around the lower part of your body and he
22 would then put his hand inside your clothes until he was
23 touching your genitals -- my genitals.

24 Q. We would understand that you would be wearing shorts?

25 A. Wearing shorts, yes.

1 Q. So his hand would go up into your shorts?

2 A. Either up into the shorts or down through the top.

3 Q. Right. And he would touch your genitals; and in what
4 way would he touch?

5 A. To put it graphically, he would roll back your foreskin
6 and he would then palpitate your penis, touch your
7 penis. He would look for your testicles, he would go
8 all around your groin, and then he would start to
9 masturbate you.

10 Q. Right. And you are 10 years old? It is just early on
11 in the start of a new school. I'm sorry, it is a long
12 time ago, but can you remember what you thought when
13 this was happening?

14 A. It's a bit of a car crash.

15 Q. Mm-hm.

16 A. The first thing you do -- the first thing I think I did,
17 was look at the class. And then find that nobody was
18 looking at me. Everybody was looking down at their desk
19 or they were looking out the window, or maybe the
20 ceiling. But they weren't looking at me.

21 And I wasn't looking -- and then I thought: well,
22 that's good, I don't have to look at them either, and at
23 some point this will presumably stop.

24 And I can't tell you how long this would then go on
25 for. At what point he would then desist. At some point

1 you were free to go. When you were free to go back to
2 your desk, he probably told you to go back to your desk
3 and then you would take your seat again, and I was no
4 longer able to process what had just happened at that
5 point.

6 Q. Were you able to process it at any stage thereafter?

7 A. I am still processing it.

8 Q. Now, you say that this happened to you more than once?

9 A. Okay, I would like to go into that a little bit. To
10 answer the question briefly, yes, it happened more than
11 once.

12 I have been, over the years, very careful to avoid
13 numbers about something like that, and to try and
14 restrict what I say to being as accurate as I possibly
15 can. So when I say it happened three or four times, it
16 will definitely have happened three or four times. But
17 the chances are it happened more than that.

18 Q. All right. I think, in fairness to you, in your
19 statement you say probably at least four or five times.

20 A. Well, yes.

21 Q. Numbers may not matter terribly much. It was repeated?

22 A. It was repeated, yes.

23 LADY SMITH: 'James', could you help me with where in the
24 building this classroom was? Was it -- I know the front
25 of the building --

1 A. That's right, yes.

2 LADY SMITH: -- faced on to a tarmacked area, a car park
3 area.

4 A. That's right, yes.

5 LADY SMITH: People would be coming and going at the back of
6 the building, where I had been told Mr Brownlee's
7 classroom was, quieter and facing on to trees, grass.

8 A. Yes.

9 LADY SMITH: Where was Wares' classroom?

10 A. My classroom was if you went into the main building, up
11 the stairs, I think there is maybe a hall area, a dining
12 room area, and then there is a -- like an annexe off --
13 a wing built off to the -- if you are facing the
14 building, it would be to the right-hand side. And there
15 is a corridor with windows on the left-hand side and the
16 classrooms have windows out on to the right-hand side,
17 and it is a green area.

18 LADY SMITH: All right. So is this an area where there
19 wouldn't be many people going past the window -- windows
20 of the classroom?

21 A. I don't think you could see into the classroom, if you
22 did pass. But we were in a corridor and there were not
23 many people going up and down there. No, there wouldn't
24 have been.

25 LADY SMITH: Thank you. Mr Brown.

1 MR BROWN: Do you remember where the door was to the
2 classroom, in relation to the desk?

3 A. Yes, the door would have been on the right-hand side of
4 the classroom.

5 Q. All right. Was the classroom door shut?

6 A. The classroom door was shut.

7 Q. All right. This happened to you repeatedly.

8 A. Mm-hm.

9 Q. You also say it happened to others.

10 A. It also happened to others, yes.

11 Q. You have said already it was a class of 20 or 22.
12 Again, 50 years on, I am not expecting exact numbers,
13 but a sense. What sense of the class do you have were
14 treated the same way?

15 A. Maybe three or four people other -- other than myself.

16 Q. All right. The reason I ask is you say he had his
17 favourites.

18 A. Yes, there were the same people that he would go back
19 to.

20 Q. Thinking now, or thinking then; what sort of boys were
21 his favourites?

22 A. Er, that's a hard one to answer.

23 Q. All right. But when he was doing the same as he had
24 done to you, when you were watching; did you behave the
25 same way as the other boys had been when you were up at

1 the desk?

2 A. Yes, yes.

3 Q. You looked away?

4 A. Yes.

5 Q. Can I take it you looked away once you saw what was
6 happening?

7 A. Yes.

8 Q. Was there any discussion amongst the class about what
9 was happening?

10 A. That's the strangest of things. No, there was none.
11 None or very, very little.

12 Q. Okay. We have heard from other witnesses that Wares had
13 a nickname; was that the case? This is --

14 A. He did, but I don't remember what it was.

15 Q. All right.

16 A. Weirdo, maybe, I don't know.

17 Q. Okay. This went on, as far as you were concerned,
18 throughout your first year?

19 A. As often as he took that class, yes.

20 Q. All right. Either to you or someone else?

21 A. Mm-hm.

22 Q. You came to the end of that year, and I think that was
23 your only year in the junior school; correct?

24 A. I think that's correct, yes.

25 Q. As far as you recall.

1 A. Yes.

2 Q. And then you would move into -- is it the Geits?

3 A. The Geits.

4 Q. And then you go into S1 or --

5 A. Whatever it was called then, yes.

6 Q. Yes. But there is a transition year?

7 A. Yes.

8 Q. But is that part of the junior or senior school?

9 A. Er, my recollection is that took -- I was a Geit in the
10 senior school, yes.

11 Q. Thank you. Did you feel relief? Do you remember moving
12 away from the junior school, because of what had been
13 happening?

14 A. That chapter was perhaps behind me, I thought at the
15 time, yes.

16 Q. But it wasn't, entirely?

17 A. But it wasn't entirely, yes.

18 Q. Because, as I think you tell us and we know already,
19 Iain Wares took rugby?

20 A. I found that out, yes.

21 Q. Yes. And do you remember which year it was in your time
22 at the senior school he took you for rugby?

23 A. Probably straight away.

24 Q. So is this the Geits?

25 A. Yes, I think it would have been the Geits.

1 Q. Right. You describe being on Arboretum Road where the
2 playing pitches were?

3 A. That's right, yes.

4 Q. It is winter, because it was dark?

5 A. It was dark, yes.

6 Q. From your recollection.

7 A. Yes.

8 Q. And rugby was obligatory and, after rugby, you go in and
9 shower because, presumably, on a winter's evening you
10 are muddy?

11 A. That's exactly the case.

12 Q. You have been taken for rugby by Iain Wares, and was
13 that a constant throughout that year; he was your rugby
14 coach?

15 A. Often. Whether it was a constant or not, I don't know.
16 But he certainly took me for rugby more than once.

17 Q. All right.

18 A. And at different times of year.

19 Q. Yes. Now, what you are about to talk about; is this
20 just one occasion or was this ...

21 A. Once again, I have been very careful to restrict what
22 I say to something that I can definitely stand up for,
23 and definitely this one incident took place, I now think
24 there might have been a second incident as well, which
25 would have been similar. But the one that really sticks

1 to mind is the one that I have described in detail.

2 Q. Yes. Reading a short paragraph, 43, you are naked in
3 the changing room showers and he caught you and
4 assaulted you?

5 A. This is what happened, yes.

6 Q. Were you the only boy in the showers at that point or
7 were there others around you?

8 A. There had had been, and then suddenly I was on my own.

9 Q. Okay. You are in a shower. You are naked.

10 A. I am naked.

11 Q. What about him?

12 A. He was not naked.

13 Q. And what happened in the shower?

14 A. He approached me from behind. He pressed my body
15 towards his. I noticed that his groin was touching on
16 my back at some level, probably quite high up, and this
17 time with both hands he was in a position to fondle my
18 genitals and touch my penis.

19 Q. He was behind you, pressing into your back?

20 A. Yes. With his arms around, holding me into him.

21 Q. Can you say whether he was aroused?

22 A. I would say he was aroused, yes.

23 Q. And how long did this last?

24 A. Far too long. But probably some minutes, probably four
25 minutes or something like that. And I was surprised

1 that I was able to get away.

2 Q. But you -- it is not that you were allowed away; you got
3 away?

4 A. No, I was probably wriggling quite a lot at that point.

5 Q. Okay. And you are naked in the showers?

6 A. Yes.

7 Q. You then have to go and get dressed. Were you left
8 alone to do that?

9 A. I believe so. I was no longer physically being
10 constrained.

11 Q. No. You would then, presumably, make your way home in
12 the dark?

13 A. At high speed.

14 Q. Mm-hm. Was that discussed? I think you say in the
15 statement other boys had been present, but got out
16 before anything happened?

17 A. I think they knew what was coming.

18 Q. Was that something that you were aware of happening to
19 other boys?

20 A. No.

21 Q. No.

22 A. Not at that point, no.

23 Q. You can't be certain, but you think there may have been
24 a second episode. But this is the one you really
25 remember?

1 A. This is the one I would prefer to talk about. I feel
2 more comfortable talking about that one.

3 Q. Okay. Thank you. We will come on to reporting it --

4 A. Mm-hm.

5 Q. -- in a little while.

6 A. Mm-hm.

7 Q. After that first year in the Geits; did you have further
8 contact with Wares?

9 A. After that first year, no.

10 Q. No. You have talked about still trying to process it
11 now.

12 A. Yes.

13 Q. Was it something that you continued to think about?

14 A. Yes, it was. It was something that had bothered me,
15 yes, definitely.

16 Q. Mm-hm. Did it impact you then in your work, for
17 example, do you think?

18 A. I think it would be fair to say that it had a serious
19 impact on everything that then took place thereafter at
20 the school. The simple process of no longer being in
21 a position to just sit back in class and listen to it
22 and actually do your lessons, you are then on a state of
23 alert and you are basically wondering what's going to
24 happen next.

25 Q. Did that state of alert ever stop when you were out of

1 the Academy?

2 A. No.

3 Q. And did it move to later life, too?

4 A. It has accompanied me in later life, yes.

5 Q. All right. We will come back to that.

6 You mentioned other episodes, and I think one we

7 see, on page 12, is violence from a teacher in a class.

8 A. Yes.

9 Q. And this is a language class, and a teacher who you

10 describe as angry, who would shout a lot at pupils, and

11 whose nickname was Hitler?

12 A. Yes.

13 Q. The picture you set is you are sitting, presumably like

14 all classrooms, in rows of desks, you are in the front.

15 A. Indeed, yes.

16 Q. You were asked a question from behind?

17 A. That's what happened, yes.

18 Q. And you weren't really listening?

19 A. I was not listening, no.

20 Q. What was the result?

21 A. The result of that was that I heard somebody running

22 down the aisle behind me and then I received a very hard

23 blow to the back of my head, on the right-hand side of

24 my skull. At the level of my ear, but on the skull.

25 This knocked me forward over my desk and on to the

1 floor. The desk fell with me on to the floor, the lid
2 flipped up. The books scattered on the floor and I was
3 left lying in the middle of that wondering what had just
4 happened. Because, as he hit me, it is the only time
5 that I have ever seen lights flash in my head, but
6 that's what happened.

7 Q. Do you remember the response of your classmates to this?

8 A. Silence. Which was unusual.

9 Q. Mm-hm. What would the usual response have been?

10 A. If somebody had been treated in a less grievous fashion,
11 I think -- I think the class was shocked. If it had
12 been something less serious, I think people would have
13 laughed, but nobody laughed.

14 Q. This was at a different level?

15 A. It was at a different level, yes.

16 Q. Now, that was a teacher who had his nickname and was
17 known as 'angry'?

18 A. He was known as the 'angry man', yes.

19 Q. Yes. Had you ever seen anything like that done to
20 others?

21 A. No.

22 Q. Did you see anything like that done again?

23 A. No.

24 Q. What was his response to having assaulted you?

25 A. He was, I think, shocked himself. He picked me up, he

1 put the desk back into position, he picked the books off
2 the floor. He looked at me, and then he seemed to be
3 distraught, and then he calmed down and went on with
4 what was left of the lesson, but I don't think it was
5 particularly long.

6 Q. Did he say anything to you individually?

7 A. No.

8 Q. He simply moved on?

9 A. He just moved on, yes.

10 Q. Now, I think you say the discussion in the class was he
11 had lost it.

12 A. We talked about it. A couple of us talked about it
13 afterwards, maybe somebody came up and said, "Hey, are
14 you okay? That was a bit different". It would have
15 been along those sorts of lines.

16 Q. And what was the impact on you having had that
17 experience?

18 A. Well, for the rest of that day I was probably in shock.

19 Q. Mm-hm.

20 A. I think that really was quite a serious beating.
21 I think that had a serious effect on -- I think that had
22 a physical effect on my head that day.

23 Q. Mm-hm. Yes. We know about that in the statement,
24 subsequently.

25 A. Yes.

1 Q. Medical inquiry, completely separate from this years
2 later --

3 A. Years later.

4 Q. -- suggested you may have had a small bleed.

5 A. Yes.

6 Q. Whether it was that is perhaps difficult to be certain.

7 A. It is difficult to be certain.

8 Q. But it is your comment:

9 "This incident was a reminder to me that I wasn't
10 safe in that environment and that I had to be
11 careful ..."

12 It reemphasised?

13 A. It builds it back in again, yes. It is a reminder: be
14 careful.

15 Q. You also mentioned Hamish Dawson?

16 A. I did, yes.

17 Q. Now, he was a history teacher?

18 A. Mm-hm.

19 Q. What did you think of him as a teacher?

20 A. Er, well, first of all, I have to point out that I have
21 subsequently heard things. But, for me, Hamish Dawson
22 was a normal classroom teacher, but he had some strange
23 habits. He did like to tickle children and he tickled
24 me and lots of other people, as well. But, in
25 comparison to Wares, within a classroom it didn't seem

1 to me to be particularly egregious, his odd behaviour.
2 And I believe that was different elsewhere in the
3 school, but not in my class.
4 Q. From what you are saying, though, he was different from
5 other teachers?
6 A. No, I will clarify that. I think Hamish Dawson reserved
7 his excessive behaviour for the boarding house and for
8 the daily classroom experience with Hamish Dawson life
9 was a little bit more normal.
10 Q. All right. When I say "different", all I meant was as
11 a classroom teacher his style was --
12 A. Oh, right, yes.
13 Q. We have heard he was very hail-fellow-well-met?
14 A. He could be funny.
15 Q. He could be funny?
16 A. Yes, he could be funny.
17 Q. Were many teachers at Edinburgh Academy funny?
18 A. A few were, yes.
19 Q. Right.
20 A. He wasn't the only one.
21 Q. He wasn't the only one. But you described calling boys
22 up to the front of his class, to his desk, and then
23 bending you over his knee and then tickling on the back
24 of the legs and close to the buttocks.
25 A. Yes.

1 Q. Did anyone else do that in the classroom scenario?

2 A. In the classroom scenario, there were other teachers who
3 could sometimes get too close to you, yes.

4 Q. In a way that troubled you?

5 A. Um, that's a really hard question for me to answer, for
6 the simple reason that if you have experienced
7 Iain Wares then any moderate misbehaviour within
8 a classroom is just that; it is moderate.

9 Q. Simply, you described Hamish Dawson as having hands that
10 wandered?

11 A. That would be fair, yes. A little bit, yes.

12 Q. All right. But are we back to the comments: if you have
13 experienced Iain Wares that's nowhere near?

14 A. That's nowhere near.

15 Q. All right. But you say it happened often.

16 A. Looking back on it now, yes, it happened often and it
17 was odd.

18 Q. But, at the time, perhaps not as odd as you view it now?

19 A. At the time, I did not view it as odd as I do now, yes.

20 Q. Yes. Okay.

21 The rest of your schooling you describe very
22 shortly. You didn't seem particularly enthused, to be,
23 again, neutral, and I think you were pleased to leave?

24 A. I was very pleased to leave.

25 Q. You say:

1 "The bell at the end of the day was my escape to my
2 own world where everything was under control ..."

3 A. That's right.

4 Q. School wasn't under control?

5 A. No.

6 Q. Why would you explain that? What is the principal
7 reason for that lack of control at school?

8 A. That you do not know when something may escalate. You
9 do not know when you are in a position where, for
10 reasons which are not clear to you, you are either going
11 to be criticised, punished, or assaulted.

12 Q. Does one word capture all that?

13 A. There are many, I am not sure they all necessarily --
14 I'm not sure they are suitable. It was a very bleak
15 environment.

16 Q. Were you fearful?

17 A. At times.

18 Q. Yes. Now, you have told us that the culture amongst the
19 boys, "Don't clype". The teachers, on the occasion you
20 want to report something -- or the teacher wasn't
21 interested?

22 A. Mm-hm.

23 Q. But you are going home to a world that is controlled and
24 presumably loving?

25 A. Mm-hm.

1 Q. And we know that you told your Mum?
2 A. I did.
3 Q. The reason you told your Mum was what?
4 A. She asked me.
5 Q. Mm-hm.
6 A. Is there something wrong?
7 Q. Do you know why she asked that question?
8 A. I do not know, but she is a mother -- she was a mother.
9 She will have noticed something happen to her child.
10 Q. She was troubled?
11 A. And she was troubled, yes.
12 Q. Now, this is the issue of the date?
13 A. That's right.
14 Q. Because I think in the statement you say it would have
15 been, you thought, 1972.
16 A. That's correct.
17 Q. But you have been reflecting upon that.
18 A. I have spent a great deal of time thinking about that
19 date as I have tried to put together an accurate
20 timeline, and it occurred to me recently that when my
21 mother went to the school she talked to two people, two
22 individuals, and she mentioned them by name, and that
23 would be the rector of the time, [CH], and my then
24 class master in my first year as a Geit, and he went by
25 the name of [IHJ].

1 Q. And those were the teachers, the rector and the teacher,
2 that you understand your mother went to speak to --
3 A. That's correct, yes.
4 Q. -- having learnt from you what had happened with Wares?
5 A. Yes.
6 Q. Can you remember what her reaction was?
7 A. She was appalled.
8 Q. Yes. So properly we should understand first year,
9 1969/70, when you are ten to 11. You were in Wares'
10 class. The following year, 1970/71 --
11 A. That's correct.
12 Q. -- you are a Geit and your class master is IHJ ?
13 A. That's right.
14 Q. And the relevance of that is that's the man your mum
15 spoke to?
16 A. Yes.
17 Q. When did you discuss this? Did you discuss this with
18 her that year that she went to the school?
19 A. She told me she was going to go to the school and then
20 she told me that she had been to the school and she had
21 had this conversation with ICH .
22 Q. With IHJ present?
23 A. And IHJ was present.
24 Q. And, sorry, just to be clear: when was she telling you
25 this?

1 A. After this meeting took place.

2 Q. So in 1970 --

3 A. It would have been shortly thereafter.

4 Q. Yes, so we are talking early 1970s --

5 A. Yes, we are.

6 Q. -- on any view? And what was the rector's response, as
7 you understood it?

8 A. My mother told me that the rector said it would be in
9 the best interests of your child if we did not take this
10 any further -- if my mother took it no further.

11 Q. I think you say in the statement something else was
12 said; that it was probably the result of an over-fertile
13 imagination?

14 A. I don't know who said that. It was either IHJ or
15 ICH. But probably ICH -- because I think he
16 was the more active in the meeting -- said: yes,
17 children have -- often have overactive imaginations.

18 Q. Do you remember what your mother's response to that
19 meeting was?

20 A. She was very disturbed by it. She was disturbed because
21 she, I assume, anticipated that the school would report
22 the matter to the police, or at least take it further
23 and deal with the teacher concerned by removing him from
24 his job. I think that would be the very least of what
25 she was expecting to take place. But what she was

1 given, if anything, was a "We will deal with it", but
2 that would be internally.

3 Q. But, as we know, because you were getting Wares for
4 rugby that year --

5 A. It didn't happen.

6 Q. -- it didn't happen. And as you know, he then stayed at
7 the Academy and progressed to Fettes?

8 A. That's right. I don't know when that took place, but
9 I know he stayed at the Academy, yes.

10 Q. Yes. Did you and your Mum discuss this response? Did
11 you think: what can we do?

12 A. No. I think my mother was really quite distraught about
13 this issue. She had concerns that if she made trouble
14 for the school there would be more trouble made for me.
15 And at some point she told me -- and this could have
16 been a year later -- he's gone now, you don't need to
17 worry about it. But when that was, I don't know.

18 Q. All right. And certainly you stayed on at the school,
19 I think beyond his time at Edinburgh Academy.

20 A. Quite possibly, yes.

21 Q. Yes. You, in 1971, would have been 12?

22 A. I would have been. Yes, that's correct.

23 Q. Roughly.

24 A. Yes.

25 Q. You have gone to your mum, or your mum has drawn out of

1 you what's happened?

2 A. Yes.

3 Q. Did you think anything more could be done or --

4 A. No.

5 Q. -- did you just move on?

6 A. I did not make that assumption at all.

7 Q. All right. Now, I think we know, because of an incident

8 when boiling water was poured over your foot by another

9 boy --

10 A. Yes.

11 Q. -- there was further contact, but much later on in the

12 school?

13 A. That was much later. That was shortly before I left the

14 school.

15 Q. Indeed, and I think that led you to doing exams and

16 essentially not going to school because your foot was

17 harmed.

18 A. Yes.

19 Q. That was reported to the school?

20 A. That was reported to the school, yes.

21 Q. Did the school take any action?

22 A. None.

23 Q. But, among parents, the boy and your parents, there was

24 an exchange?

25 A. There was an exchange later that day.

1 Q. Was the spilling of the water deliberate?

2 A. It was deliberate, yes.

3 Q. It was deliberate?

4 A. Yes.

5 Q. And you required hospital treatment?

6 A. I had to go to the Western General, yes.

7 Q. The school was informed and did?

8 A. The school was informed and did nothing. They took me

9 to the Western General.

10 Q. But, in terms of follow up, either with you or the boy

11 that did it?

12 A. Nothing.

13 Q. Do you remember your parents' response to that?

14 A. My mother was -- we have used the word already --

15 appalled.

16 Q. Yes.

17 A. She was also appalled by the reaction of the other

18 parent, but that's a separate issue.

19 Q. Yes. But it is shortly after that you leave?

20 A. (Nods)

21 Q. And life moves on.

22 A. And life moved on.

23 Q. Except, I think, moving on to impact, you progressed

24 into jobs, employment, career, and that's all set out.

25 But, impact, you have talked about the impact it had on

1 you at school.

2 A. Yes.

3 Q. What about after leaving school? Did the impact remain
4 or lessen?

5 A. In the immediate aftermath of leaving the Academy, my
6 life became very good indeed because I was no longer at
7 school. It is as simple as that. University was the
8 equivalent of freedom and life was actually very
9 positive.

10 Probably for the next 10/15 years at least I very
11 successfully removed all pictures of the school
12 inside -- from my memory. I was -- I repressed
13 everything that I could possibly do, and I think I was
14 very successful in doing that. Everything was buried
15 very deeply and it was no longer troublesome for me, in
16 that sense.

17 However, I still remained somebody who was
18 disconnected, maybe, from the daily events that were
19 surrounding me because I did still have this tendency to
20 be mistrustful, to question people's motives if they
21 were in a position of authority, and I would normally
22 expect the worst of people, as opposed to being neutral
23 or expecting good things of people, but I was able to
24 function. But due to then events, further events,
25 I reconnected with a lot of what had happened and I dug

1 down into the past. It hadn't left me, that's I think
2 the point I am trying to make.

3 Q. Yes. I think there came a time -- and this is in
4 2008 -- you saw a newspaper article about another
5 Edinburgh Academy pupil who had been assaulted and
6 was -- to read from your statement -- seeking some sort
7 of justice or recompense, and it made you think about
8 the school.

9 A. I can elaborate slightly on that. I did notice, in
10 2001, Iain Glen's original complaint, and his account of
11 what happened at the school. And when he -- he didn't
12 mention names, he didn't mention specific incidents. He
13 was quite sort of -- he approached it from the side.
14 But I recognised immediately what he was talking about
15 and I also recognised the teacher he was talking about.
16 I realised it must have been my teacher. It must have
17 been Wares that he was talking about.

18 Q. Yes.

19 A. I also noticed that story disappeared very quickly
20 indeed from the newspapers, the media, but it had made
21 a significant impression on me and I thought: well, you
22 know, there are other people out there and they are
23 prepared to talk about it.

24 And then several years after that, I noticed in
25 a regional newspaper, in southern Scotland, that a pupil

1 had also made a public complaint about what had happened
2 to him at the Edinburgh Academy, and that was somebody
3 I actually knew from school, I recognised the name.
4 Iain Glen, just to explain, was a year below me. This
5 second person, early 2000s, he had been in my class.

6 And then in 2008 -- another couple of years had
7 passed. Then, in 2008, I read an article in the Academy
8 Chronicle by David Standley and he wrote at some length
9 about how wonderful the Academy was, how he had spent
10 almost his entire career there, and it was a wonderful
11 school, and this -- and there was a phrase in his
12 article which annoyed me, which is he said, "But of
13 course back then we didn't have health and safety to
14 worry about", and that angered me greatly.

15 Q. All right. And your response to that anger was to write
16 to him?

17 A. That's what I did, yes.

18 Q. Could we put up on the screen, please, document
19 EDA-000000223, and if we go down, this is your email to
20 him.

21 A. That's right.

22 Q. And just to read it out:

23 "Like you, I was part of the Edinburgh Academy in
24 the 1970s. My early days at Henderson Row are somewhat
25 there mixed up with some of yours. So like you

1 I experienced the same air, the same sometimes dusty
2 classrooms, the same sometimes dusty colleagues. I was
3 one of your pupils, you were one of my teachers.
4 I can't say I share your enthusiasm for the
5 establishment, but then our experiences will have been
6 rather different. For me the Academy is not somewhere
7 I associate with a successful career. I look back on it
8 as a place which tolerated abuse, while at the same time
9 practising a culture of obfuscation and denial.

10 "Among your colleagues was a teacher whose habit it
11 was to seek out young boys and humiliate them in front
12 of his class. He did this by fondling their genitals in
13 full view of his pupils. His victim would be told to
14 stand next to his desk. Once there he would induce them
15 to face the children. Once this was sorted out he would
16 introduce his hand up their shorts and fondle their
17 penis. He would do so slowly, methodically even, while
18 paying care and attention to the minutest of details.
19 He was always at pains to roll back the foreskin as far
20 as it would go. He was a rugby player and fond of
21 sports. When he took the class out to the fields at
22 Arboretum Avenue it was a regular scrum to avoid being
23 the last boy out of the showers. If you were in the
24 slightest way tardy then he would appear slowly out of
25 the steam to block your exit. Next door you could hear

1 the sounds of your fellows escaping into the night.

2 There was no shorts now to impede his eager fingers.

3 "Some years after these events I confessed what had
4 happened to my late mother. Shocked, she repeatedly
5 attempted to lodge a complaint. Fobbed off with, "That
6 sort of thing couldn't happen here", she spent several
7 frustrating weeks trying to convince both my class
8 master and the rector that something had happened, all
9 to no avail. So this particular teacher vanished back
10 into the clouds of steam, where, for me, he still
11 remains. Years later I read somewhere that he had been
12 dismissed, for what I do not know.

13 "Perhaps it seems surprising that I remained at the
14 school. My parents were separated, this complicated
15 matters. My father chose not to believe my mother when
16 she told him what had happened.

17 "Secondly, I was now out of the prep school and
18 therefore removed from this teacher. It is also nearly
19 40 years ago and life was different. As you so rightly
20 pointed out on the EA website, the external pressure
21 from educationalists, politicians and the health and
22 safety executive made little impact in those days.
23 I know you did not mean it like that, but try and see it
24 from my point of view.

25 "As a class we were shamed by this man, collectively

1 and as individuals. We spent hours in his company,
2 straining not to be picked out. The effort was almost
3 physical. Unfortunately I was not very good at it.
4 Unfortunately I was picked out more often than I care to
5 remember.

6 "This meant I later found it almost impossible to
7 trust my teachers. This meant I did not trust you. As
8 I recall, you too were a man with fair hair, you too
9 were someone interested in sports. When you invited me
10 once to reach out and touch another pupil who was fully
11 charged up by a Van Der Graaf electrostatic generator,
12 I was disappointed, but not surprised to be shocked and
13 humiliated. I had already fully absorbed the lesson
14 that this was what teachers did best.

15 "I am sure the Edinburgh Academy has changed. I am
16 quite certain that you have been part of that process
17 and have given much to this institution where
18 individuals matter. I have no particular bone to pick
19 with you or, for that matter, with the school, there is
20 no lawyer waiting in the wings.

21 "So why am I writing this? I am not absolutely
22 sure. It's fashionable to talk about closure. I find
23 buzz words like this as trite as you probably do.

24 "I think I am writing this because it took me the
25 best part of 30 years to start to like and appreciate

1 rugby. In a way I am writing this because I still
2 expect the worst from people until proven otherwise.
3 I am definitely writing this because I was never able to
4 relax in any EA classroom.

5 "On several occasions I considered writing to
6 previous rectors, but then why? They were not there at
7 the time. Then, by chance, I saw your name and read
8 your story. Two pasts that started at the same time in
9 the same place, only your version has absolutely nothing
10 to do with mine. I prefer yours. I am writing this
11 because, to the best of my knowledge, you are the last
12 person left who was there."

13 Van Der Graaf generator experience, you obviously
14 found uncomfortable.

15 A. Mm-hm.

16 Q. Should we understand that was part of the lesson?

17 A. That was part of a lesson, yes.

18 Q. Yes. Do you view that in the same way that you viewed
19 the assault and the --

20 A. Absolutely not, no.

21 Q. Absolutely not. You didn't like it?

22 A. No. One wouldn't like that, no.

23 Q. But is that as far as it goes?

24 A. That's as far as it goes.

25 Q. It stuck in your mind.

1 A. It is absolutely not the same area as the other things
2 we have been discussing today.

3 Q. Did you expect a reply?

4 A. No.

5 Q. So were you pleasantly surprised to get a reply?

6 A. I was surprised to get a reply.

7 Q. All right. And if we go down the page, I think we will
8 see the reply and that is obviously to you, and he
9 writes:

10 "I was very concerned, indeed horrified to read your
11 recent email. The matters that you raise, even though
12 they are quite historic, are the opposite of the type of
13 school experience that the school seeks and promotes for
14 all our pupils. After such a considerable number
15 of years, it is difficult to see what can be achieved in
16 investigating these allegations, if you do however wish
17 the school to assist in such a process I would advise
18 you to make contact with the rector. Yours
19 sincerely ..."

20 Now, in context, I think in your letter, you viewed
21 him as someone who might be trying to change the school;
22 is that correct?

23 A. I was giving him the benefit of the doubt, yes.

24 Q. Did that benefit of the doubt seem to be borne out by
25 the fact he replied and in the terms he replied?

1 A. Perhaps by the reply in itself. However, the content of
2 the reply was very -- that second paragraph was for me
3 an: okay, thank you for writing, but where do we go from
4 here?

5 LADY SMITH: Yes. Mr Brown, for the notes, can we have the
6 dates of the two letters?

7 MR BROWN: Yes, if we can go back up.

8 LADY SMITH: Both 'James's' letter --

9 MR BROWN: I think these should be at the top of the emails.

10 LADY SMITH: -- and the response.

11 A. 29 August 2008.

12 LADY SMITH: Was yours.

13 MR BROWN: Yes, and if we go back down.

14 LADY SMITH: And the reply was? Do we have a date for that?

15 MR BROWN: If you go down, I think it may be if -- it is at
16 the bottom, perhaps. Keep going. No, if you could go
17 to page -- there's page 4.

18 LADY SMITH: 12 September, thank you.

19 MR BROWN: No, sorry, I think -- I will try to answer that
20 question separately. But what you can see -- because
21 this is the totality of the exchange from start to
22 finish -- this is an email from Standley to the then
23 rector, saying:

24 "No further action needed, but suggest that we file
25 the whole thing somewhere in case anything resurfaces."

1 And that is on 12 September. Then if we go down
2 further we see, on 3 September, your reply to Mr
3 Standley -- Standley's reply.

4 A. Yes.

5 Q. He has clearly replied between the original email on the
6 29th and 'James's' reply to him on the 3rd?

7 LADY SMITH: Thank you.

8 MR BROWN: So it is all within the space of days.

9 LADY SMITH: Yes, thank you.

10 MR BROWN: This is the point: your reply to him was:

11 "Thank you for your email. I agree with you that
12 this issue is an old one and I have no wish to pursue it
13 further. I merely needed to draw someone's attention to
14 a story which has in the past been dismissed as rumour
15 or in some way unverifiable et cetera, et cetera. I do
16 appreciate your answering and I am still keeping
17 a weather eye on the Large Hadron Collider."

18 And I think that is you tipping your hat to the fact
19 that he was a physics teacher?

20 A. Yes.

21 Q. "Have a pleasant weekend."

22 You left it there?

23 A. I left it there.

24 Q. You reported it to the school, and as we see the
25 exchange was kept.

1 A. Mm-hm.

2 Q. But there came a stage where you took it back up.

3 A. I took it back up.

4 Q. And that was by going to the police?

5 A. That was by going to the police, exactly.

6 Q. And you gave a statement to the police, essentially

7 along the lines --

8 A. Of what we heard today.

9 Q. Of what we have heard today. Can I take it that your

10 hope is that that leads, ultimately, to a prosecution?

11 A. It would be, yes.

12 Q. Yes. Where are you now, in terms of the impact? Has it

13 lessened?

14 A. Erm, no, it hasn't. If anything, it is a lot worse now

15 than it used to be.

16 Q. Is that because it is --

17 A. It is constantly being churned up.

18 Q. Yes.

19 A. It is -- it can be difficult.

20 Q. What would you hope for this Inquiry?

21 A. The hope is that no school is left to its own devices,

22 that no school is its own judge and can behave in

23 a vacuum.

24 And I think we also need to realise that a school,

25 an institution like the Academy, is not all it has

1 seemed to be. That in the past serious, serious things
2 took place there and it's no longer tenable, healthy, or
3 viable for the school to ignore what happened in the
4 past.

5 Q. Have you engaged with the school?

6 A. The school never engaged with me.

7 Q. Mm-hm. When did you last hear from the school?

8 A. I have never heard from the school, other than that
9 exchange of emails.

10 Q. That is what I was wondering.

11 A. That's all that ever happened.

12 Q. All right.

13 'James', I have no further questions for you. Thank
14 you very much indeed. Is there anything else that you
15 would wish to say?

16 A. Um, briefly, if I may.

17 It's not easy to attempt to sum anything up because
18 these events are still somewhat confusing for me. But
19 I would like to talk about two things: shame and guilt.
20 And first of all I would like to point out to the
21 Inquiry, or just to say here, I have actually waited
22 54 years to be able to talk to adults in the room about
23 this, and that would be this morning. So thank you very
24 much for giving me my voice.

25 Shame, guilt, is something that the Academy gave to

1 me as a takeaway from the school because the incidents
2 that I have described here this morning have caused me
3 shame and indeed guilt. I somehow feel as if the things
4 that happened to me happened to me because of who I am.
5 That is the takeaway that you get. And I know that's
6 not the case, but it is very difficult to move beyond
7 that, especially when there is nothing coming -- or
8 there has been until now nothing coming from the school.

9 But I would also like to talk about -- that's my
10 shame and my guilt, my memories, my feelings as regards
11 my past at the school.

12 Then there is also, objectively speaking, shame and
13 guilt which belongs to the Academy. There obviously
14 took place a meeting, back in 1971, between my mother
15 and the school, ICH [REDACTED]. At the point of where he
16 received the information about Wares he faced a choice
17 in that moment. He could acknowledge the fact that the
18 Edinburgh Academy was a locus for something that was
19 wrong and he could do something about it. Difficult
20 enough, shameful enough, but he could do something about
21 it. And if he had taken action, if he had chosen to go
22 the right way, then the Academy and most of us here
23 today wouldn't be here in this room, because so much
24 would have been prevented from happening in the future.
25 So, in that moment, when ICH [REDACTED] said whatever he said

1 to my mother and the words that he chose to use, he went
2 from being neutral to complicit and the Academy has been
3 in shame ever since that moment, and they have not moved
4 yet beyond that point.

5 And I would also, as a -- when I read that the
6 Academy has done this and done that to make sure that
7 things like this could never happen again, that is all
8 well and good, but they are only trying to catch up and
9 be like a normal school and perform their normal duties
10 of care to the children who go there.

11 And I still look back and wonder: why?

12 I just have puzzlement as to why this happened and
13 why it was allowed to go on for so long.

14 Other than that -- that's, I think, enough from me
15 right now, at the moment. It takes its toll.

16 But I would like to thank you again for giving me
17 and others their voice back, and I would also like to
18 thank the members of the Inquiry team that I have been
19 working with up to now, very professional and a great
20 deal of compassion. Thank you.

21 MR BROWN: Thank you.

22 LADY SMITH: 'James', could I add my thanks to Mr Brown's.

23 Thank you for coming here today to talk about what
24 happened to you. You started by saying you have waited
25 54 years, and one of the things you have clearly done is

1 take me back to meet that ten year old boy, and 11,
2 12-year old boy. It has been enormously helpful in
3 aiding my understanding and my vision of what was
4 happening at the time.

5 I appreciate it can't have been easy to do, and
6 I also appreciate you must now be exhausted. So I am
7 able to let you go, but please be assured you go with my
8 thanks, and hopefully lasting knowledge that the
9 evidence you have provided to assist in the work we are
10 doing here is enormously valuable. Thank you.

11 A. I am glad to be of help.

12 LADY SMITH: Thank you.

13 (The witness withdrew)

14 LADY SMITH: Now, I will take the morning break in a moment.

15 But, before I do that, a new name arose today of someone
16 who is protected by my restriction order, and it was
17 David Standley. His name cannot be used outside this
18 room, nor can he be identified in any way. Thank you.
19 I think those were the only names this morning; is that
20 right?

21 MR BROWN: I think that's right.

22 LADY SMITH: Thank you. If I rise now, and the next witness
23 will certainly be ready to go at 11.45, I think.

24 MR BROWN: I hope so, yes.

25 LADY SMITH: Yes, thank you.

1 (11.18 am)

2 (A short break)

3 (11.45 am)

4 LADY SMITH: Mr Brown.

5 MR BROWN: My Lady, the next witness is here, and is

6 'Andrew'.

7 LADY SMITH: Thank you.

8 'Andrew' (affirmed)

9 LADY SMITH: Good morning, 'Andrew'. Could we begin by you
10 raising your right-hand, please, and repeat after me.

11 (The witness affirmed)

12 LADY SMITH: Now, do sit down and make yourself comfortable,

13 'Andrew'.

14 Now, before I hand over to Mr Brown, if I can just
15 say one or two things. The red folder in front of you
16 has your statement in it. Do feel free to use it, if
17 you would find that helpful. Mr Brown may take you to
18 it briefly when he begins.

19 But, otherwise, 'Andrew', would you let me know if
20 you have any questions, any worries, about the way
21 things are proceeding? If you don't understand what we
22 ask you, for example, if you don't understand it, it is
23 our fault, not yours, we haven't explained things
24 properly.

25 If you want a break at any time, that's absolutely

1 fine by me. If it works for you, it works for me,
2 because really what I want to do is help you in any way
3 I can to give the best evidence you can, as comfortably
4 as you can, bearing in mind I know that this is
5 a difficult thing to do and I suspect you don't spend
6 every day appearing in public to talk about your own
7 life, your own life when you were a child. So I am
8 grateful to you for being prepared to do that.

9 If you are ready, I will hand over to Mr Brown, and
10 he will take it from there; is that all right?

11 A. That's fine. Thanks for that.

12 LADY SMITH: Mr Brown.

13 Questions from Mr Brown

14 MR BROWN: Thank you. 'Andrew', hello again. You have the
15 folder in front of you; can we just look at very
16 briefly? Then you can do what you will with it. One
17 formality, it has a reference number, your statement,
18 which is WIT-1-000005554. That is on the record, so we
19 don't need to worry about that again.

20 It is a statement that runs to a number of pages,
21 24. On the final page we see you signed it earlier this
22 year, and conclude it by saying:

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

25 And you believe the facts stated in the witness

1 statement are true; correct?

2 A. Correct.

3 Q. You have read it again recently, I imagine, and you are
4 content that's the position?

5 A. I am.

6 Q. Thank you.

7 You are 61?

8 A. (Nods)

9 Q. And you have spent much of your childhood living in
10 Edinburgh?

11 A. (Nods)

12 Q. I think because of family connection, albeit very, very
13 distant family connection, Edinburgh Academy was thought
14 an appropriate school to send you to; is that right?

15 A. Yes, I think my great, great, great grandfather was
16 there in the early 19th Century.

17 Q. Right.

18 A. Quite a gap.

19 Q. Quite a gap.

20 You were almost always a day boy?

21 A. (Nods)

22 Q. We will touch briefly about a short period when you were
23 a boarder, but that's not really why we are here today.
24 Because, from your experience, putting it short, being
25 a boarder was not easy for domestic reasons?

1 A. (Nods)

2 Q. But, actually, the experience of being a boarder for you
3 was okay. I think, is it fair to say, because your
4 housemaster and his wife were what you might describe as
5 good people?

6 A. That's correct. I mean, it was -- the circumstances
7 were quite unusual, in that my father was dying of
8 a brain tumour at the time and it was felt I was too
9 disruptive on the home front and they needed to
10 concentrate on giving him the home care that he could
11 have for as long as possible. So, ironically, I was put
12 into board for, I think, a period of -- I don't know if
13 it was six months or eight months. So it was
14 an extremely unsettled period anyway.

15 But, at that point, Mr and Mrs Evans were the -- as
16 it were, the master and the family that were running the
17 house at that period of time, the boarding house at that
18 period of time. And to this day I felt that I was in
19 a situation where support was given. She was very much
20 the sort of mother hen who looked after lots of waifs
21 and strays who probably didn't want to be there and were
22 missing home. And the duty of care was good, and there
23 was just a sort of quiet emotional support there.

24 Mr Evans was a decent man, sort of quiet, honourable
25 type. And so although I knew the reputation of the

1 boarding houses from the experiences that I had shared
2 with peers, particularly, say, earlier on in early
3 teenage years. And I had an awareness that there were
4 bad stories coming out of some of the boarding houses
5 and how it had affected various people. My own
6 experience at that age was that's certainly not where
7 the trouble happened for me.

8 Q. No. Since you have touched on it, which -- you were
9 with the Evanses; in which house? Which house were you
10 in?

11 A. Jeffrey.

12 Q. Jeffrey. Which houses did you understand, from talking
13 to your peers, had a different experience?

14 A. The one run by Dawson.

15 Q. Dundas?

16 A. Mm-hm. Yes.

17 Q. Yes. And that was, I think, at an earlier stage in the
18 academic progression?

19 A. Yes, absolutely. I mean, fairly early on I would say,
20 and I don't know if that would be when I was maybe in
21 second year, but the -- you know, just the sort of
22 hearsay stories were starting to come through of people
23 coming into the showers, of unusual forms of punishment,
24 a general -- that, if you like, was common knowledge and
25 was commonly discussed.

1 Q. Amongst the boys?

2 A. Amongst the boys, yes.

3 Q. Both day and boarder?

4 A. Absolutely, yes.

5 Q. Coming from the boarders to the day boys?

6 A. Absolutely, because you might have friends who were day
7 boys or boarders, so there wasn't really a difference.

8 Q. That comment about Mr Evans being a decent, honourable
9 man, his wife being a mother hen, and putting it short,
10 humane, perhaps? Humane?

11 A. Yes, just the behaviour you would expect.

12 Q. Yes.

13 A. It is quite ironic, isn't it, that would you have to
14 actually make a statement about what normal behaviour
15 is. But normal behaviour in a situation where you
16 have -- where you are looking after children, and
17 particularly those who are away from home, that is the
18 behaviour that you would expect: sympathetic;
19 compassionate; understanding. Obviously, we are all
20 living under rules that have to be followed. But, in
21 general, that's the behaviour that you would expect from
22 the adults whose job it is to look after you.

23 Q. Sweeping question: looking at the academy, the total of
24 your experience there; was that reflective of most of
25 the staff you dealt with?

1 A. No, it was a very, very strange mixture. I think that
2 perhaps, as I suspect you will have quite a lot of
3 people giving evidence to the Inquiry from my age group,
4 there was a particular period where there seemed to be
5 a concentration of either teachers who could not control
6 violent instincts, couldn't control themselves, or those
7 who were active sexual predators. And we were just
8 unlucky, perhaps, that we were in a period where there
9 seemed to be really quite a large number.

10 So, in terms of my own evidence, I think one of the
11 most shocking things to me was to realise that the
12 incidents that took place went from the age of 10 or 11
13 up to 16. Such a long period of time for you to be
14 affected by either sexually deviant or uncontrolled
15 violent behaviour by the adults who were meant to be
16 teaching you and looking after you and shaping your view
17 of the world, shaping your view of the adult world that
18 you were working towards becoming part of, that the
19 school staked its reputation on.

20 So it was a disturbing concentration of errant,
21 adult behaviour.

22 Yes, of course, there were some wonderful teachers.
23 You can name them or not name them, I don't know if that
24 is worthwhile.

25 Q. Who do you remember?

1 A. Mr Jarmin, the English teacher, was an absolutely
2 wonderful human being, very tolerant. Mr Wilmshurst,
3 the French teacher, again, a gentle human being. Mr
4 Anderson, music teacher, Irish, absolute gem. Tony Cook,
5 biology teacher, again, just a gentle soul, and did not
6 teach by coercion, did not teach by force.

7 I wouldn't say the boys weren't lively or at times
8 naughty in front of these people, but their way of
9 handling it was they didn't resort to violence in order
10 to control situations in the classroom, which
11 unfortunately quite a few of the other ones did.

12 So, no, I am quite happy to say that there were, of
13 course, some really, really decent teachers there.
14 There were just, sadly, a fairly sizable majority who
15 weren't -- who shouldn't have been teachers, in reality.

16 I don't know what the system was at the time for
17 someone becoming a teacher, but it is very clear that
18 they were probably chosen on their academic records,
19 rather than any understanding of whether they had
20 capability or the emotional maturity to look after, you
21 know, large groups of lively children.

22 Q. Okay. You make the point -- and I think if we can
23 approach your evidence in two parts, the junior school
24 and then the senior school, because you have things to
25 say about both, but one of the things you say early on

1 is, in terms of discipline and beating in the junior
2 school, it very much depended on the teacher whether
3 they beat or not; is that just reflecting what you just
4 said?

5 A. Yes. It is very difficult looking back, because
6 obviously beating was sanctioned at the time. It was
7 normal, so there was an expectation, if you got into
8 trouble, that you could be -- that would be one of the
9 forms of punishment. There were lines, where you had to
10 sit for hours and write out, "I will not be a bad
11 person", or whatever, and then there were various levels
12 of punishment.

13 The thing about being hit as a child, whether the
14 violence is sanctioned, even at that age you had
15 an awareness where there was a sort of -- you might be
16 hit by a teacher and sort of hit once, twice, or thrice,
17 and it was a sort of -- almost like an accepted form of
18 punishment. The teacher took no pleasure in it. It was
19 always the same punishment. It was not ...

20 It was delivered in a manner that was clearly sort
21 of accepted within the school.

22 I do remember, funnily enough, one of those memories
23 I had, people mentioned there was the clacken and the
24 tawse, the sort of leather strap, and there was the
25 clacken that was the sort of wooden paddle that you

1 could be hit with in the upper school. So even that was
2 veering, I think, on slightly perverse forms of
3 punishment.

4 But, going back to the first times you were
5 punished, there was a sort of accepted boundary for that
6 type of punishment. The punishments that I have
7 referenced within -- hopefully within what I have
8 written, are where, even at that age, you very clearly
9 knew, almost by looking into the teacher's face, that
10 they were not in control of what they were doing, or
11 that they were actively somehow engaged in the action of
12 hitting you in a way that was either they were deriving
13 pleasure from or that they had -- it had become a sort
14 of excited emotional state for them, and it felt very
15 wrong. And as a result, those moments remained
16 absolutely etched on your memory. I can remember them
17 as if they were ten seconds ago.

18 Q. Okay.

19 A. And it is that sense of where clearly the punishment has
20 gone beyond the boundaries of what was accepted at the
21 time.

22 Q. Thank you. Did that culture of -- and you are talking
23 about there was an acceptable form of corporal
24 punishment, which was just understood to be part and
25 parcel of life, and presumably no one would have thought

1 anything of it, particularly. But then there is either
2 the loss of control scenario or someone deriving
3 satisfaction from it and becoming excited by it?

4 A. That's exactly how I see it.

5 Q. Did that, or did both elements inform the culture of how
6 boys treated boys?

7 A. I think one of the tragedies, looking back, is that
8 when, from a fairly young age, as you move into
9 adulthood, through puberty, you are witnessing in some
10 cases extremes of violence from adults to children and
11 that becomes normalised. And you simply sort of grade
12 the teachers on the basis of the extent of sort of
13 hatred you feel towards them for their behaviour towards
14 you.

15 I have no doubt that it created an atmosphere where
16 violence was an accepted part -- particularly of the
17 sort of playground life. There was a huge amount of
18 aggression, particularly -- less in the prep school, but
19 more from the start of the upper school. There was --
20 you know, you witnessed a lot of fairly vulnerable boys,
21 quieter boys, boys who would ironically now be looked at
22 as weaker at the time. Often smart kids. Tragically,
23 quite often kids who themselves were being abused and
24 hit by the teachers, or had been sexually abused prior
25 to this point, being picked on by other boys.

1 And then there was always four, five, six, boys who
2 might be two or three years older than you who would
3 just randomly come up and sort of really, really kick
4 and hit boys hard. Randomly, in the playground. It was
5 violent.

6 And, of course, the effect on you, as a young boy,
7 is survival instinct: what can I do to make sure that
8 it's not me?

9 And in that situation I found myself, in my sort of
10 mid-teens, becoming a bully. Not physically, because
11 I wasn't one of those, sort of, you know, big rugby lad
12 types, but verbally I was incredibly cruel to two or
13 three boys over a period of maybe a year, year and
14 a half. I look back and I have actually since
15 apologised to one who I met through this Inquiry.
16 I look back with horror at that behaviour. Luckily,
17 I got to the age of maybe 15 or so where I stopped that
18 behaviour. But for a period of time I was incredibly
19 cruel, and systematically cruel, to some of the boys
20 around me.

21 And that attitude, that sense of: why were you doing
22 this? And of course you can look back, of course you
23 can look back and have the benefit of hindsight, but it
24 was a sense of: well, scapegoat them because that means
25 it's not me. And that is -- how pathetic, but how true

1 to life, when people are dealing with a kind of war
2 zone.

3 And I think many, many, you know, just more gentle
4 souls left that school not only damaged by the teachers,
5 but damaged by their relationships with their peers.
6 And then that of course affects them through their adult
7 lives. They struggle to form relationships in the
8 normal way; they struggle with their self confidence.
9 So there is a massive impact when boys are truly cruel
10 to other boys, either physically or mentally.

11 Q. Did you have any sense of the school being aware of that
12 issue and trying to do something about it?

13 A. I think they did periodically. I was brought in.

14 I mean, I was -- it was brought to the attention of one
15 teacher that we were being cruel, and maybe me and two
16 or three other people were being cruel to one or two
17 boys, so they obviously had raised it, and either we
18 stopped or that helped us stop.

19 In general, no, because the culture of the time was,
20 of course, not to speak to adults. Very, very few
21 people took what they were going through and brought it
22 back to teachers, because I think there was a basic lack
23 of trust between the boys and the adults.

24 To give you one example, I know a boy who was
25 stabbed. This may be referenced by other people. He

1 was stabbed in the common room. He was in hospital for
2 two weeks. Whatever he was stabbed with touched the
3 back of his lung. He did not tell the school. He did
4 not tell his parents. It's hard to believe.

5 Q. How did he explain the need for hospitalisation?

6 A. It must have been like, "I fell in the common room and
7 something sharp caught my ..."

8 You know, the way anyone can invent a -- but it did
9 not come out at the time that he was actually stabbed in
10 the back.

11 Q. When did you learn of this?

12 A. Hmm?

13 Q. When did you learn of this?

14 A. Two weeks ago.

15 Q. Is that because there has been a lot of conversation
16 amongst former academics?

17 A. Yes, it was someone who I knew who then referenced it to
18 me. I had absolutely no idea. I suggested that these
19 things are important to say and he should put this into
20 evidence, and I will encourage him to do so. It is just
21 to understand. That is perhaps an extreme example of
22 the extent to which that was the atmosphere. That was
23 the normalised atmosphere.

24 And of course for those who are bullied or abused,
25 whether by peers or by adults, there is the fear that if

1 you clype, you know, if you tell, that it will only lead
2 to more violence or more abuse. And so there is -- to
3 a great extent people just suck it up and swallow it,
4 and they take the pain and they -- I mean, I know it has
5 been referenced: oh, why did you wait 50 years to come
6 out and say this?

7 Well, the sad truth is you suppress it. You attempt
8 to get on with your life and you say: I'm not going to
9 let this dictate the way my life should go.

10 But, in truth, it doesn't go away.

11 Q. Thank you.

12 LADY SMITH: 'Andrew', do you think that at the time
13 children are actually quite good in doing their own
14 cost/benefit weighing, and making decisions about
15 whether it is better to just get on with it and say
16 nothing or whether if they do say nothing it is just
17 going to make life worse?

18 A. I think it's really, really hard to generalise. Because
19 there are -- even from a very, very young age there are
20 those who have emotionally broad shoulders and there are
21 those who have -- who just don't have that -- they don't
22 have that understanding to be able to have that internal
23 conversation.

24 I mean, I was an absolute spinning top. So I know
25 that for me I didn't find a point of emotional maturity

1 probably until I was in my late 20s. Other kids are
2 just sort of maybe a bit more emotionally savvy from
3 a young age. A lot depends on what's going on in their
4 home situation, how they have been brought up, how their
5 parents have spoken to them or not spoken to them.
6 Children are very, very good at internalising and just
7 sort of finding coping mechanisms to get through.

8 I think the tragedy is when what you think is
9 a coping mechanism to get you through those
10 particular years actually ends up becoming like
11 a millstone because you have buried so much in the
12 thought that you are doing the right thing and dealing
13 with it, but in reality the pain that has accrued inside
14 you, it just simply does not go away. I think probably,
15 like a lot of people with this Inquiry, one of the most
16 disturbing things is to lift the lid -- is to lift the
17 lid on your past and then the way I described it was
18 that these had been stagnant waters for decades and then
19 you stir them up. And then suddenly all the mud and all
20 the silt is sort of floating around. And even though it
21 was stagnant, it was kind of clear in your mind and
22 suddenly it has become muddy and silty, and all these
23 emotions are coming up and bubbling through you.

24 But, of course, that is the process you must go
25 through if you want the water to become clear.

1 And looking back, it is very, very interesting that
2 I had a version of myself -- I had a version of myself
3 through this period where I was a feisty, lively --
4 a fighter, a rebel, someone who would not give up,
5 someone who in the end would not be defeated by these
6 people, and I made all -- a whole series of life
7 decisions that I thought were cool and self-protective,
8 and I had this image of myself, and then it took
9 45 years on to lift that lid and realise I was just
10 a vulnerable screwed up little kid, and it was deeply
11 wrong, what happened to me. And I had never really seen
12 it that way. So it is just very, very difficult, as
13 I say, to generalise, but that's how I coped. But, in
14 truth, it was a complete illusion I created to get me
15 through.

16 LADY SMITH: Thank you very much, that's very helpful.

17 Mr Brown.

18 MR BROWN: Thank you.

19 Since you have touched on that so fully; what was it
20 that led you to stir up the waters?

21 A. To start?

22 Q. To stir up the waters?

23 A. Well, having agreed to open up to taking part in this
24 Inquiry, I was interviewed by the police, and in my own
25 head I probably had 10 or 20 minutes worth of evidence

1 to give, and then the police left four and a half hours
2 later.

3 So once you lift the lid on your memories, and you
4 realise that -- in my own case over a period of many,
5 many years -- many, many inappropriate acts took place
6 of both a sexual and a violent nature from five
7 different teachers -- and although, as I say, I have
8 some really good memories of school, both in terms of
9 friendships and some teachers who inspired me, that
10 leaves a pretty sort of solid mass of bad experiences
11 which very, very wholly shaped the teenager and the
12 young adult that I became. I became a very, very angry
13 alienated young man.

14 Q. Could we talk, then, about the triggers for that
15 alienated and angry young man? Because, from your
16 statement -- and we will talk about junior school first,
17 this is where things began. You went aged 7, but, from
18 your statement, bad things began to happen when you were
19 10 or 11?

20 A. Yes. I was really, I would say, a pretty happy little
21 kid. Lively, talkative. You know, what would be
22 described as, probably, naughty, but no better or worse
23 than anyone else. And then particularly had
24 an experience with two teachers, which was Mr Brownlee
25 and Mr Wares, two very different experiences.

1 Q. Very different indeed. Could we begin with Mr Brownlee?

2 A. Mm-hm.

3 Q. Again, we have a sense of the school from other
4 witnesses, but the junior school is separate from the
5 senior school. Where was Mr Brownlee's class?

6 A. As I remember it, it is a big, long, low building and
7 you went in through -- past the dining room, and there
8 was a series of almost like -- I don't know if they
9 would be called prefab units now, but low units. And
10 his was upstairs on the right-hand side, an upstairs
11 classroom.

12 Q. Where did it look out over?

13 A. I think -- I can't tell whether there were two rows,
14 whether you looked out on to the sort of the front area.
15 There were playing fields in the front, and I can't
16 remember if it was at the front of the school or if it
17 was higher up and set back. It was the first floor, so
18 I don't know if there were two rows or one row. I can't
19 actually remember that.

20 Q. All right. Can you remember what age you were? Ten or
21 11. Was it a particular class that you met Mr Brownlee
22 in?

23 A. Yes. Do you know, one of the strangest things is
24 I could hardly remember what he taught. I don't know if
25 it was French or English or whether we had mixed

1 classes. It is -- funnily enough, the memories of what
2 he did and how he behaved have obliterated literally any
3 learning. I have not a memory of a single word being
4 taught from that man.

5 Q. Thinking back to -- irrespective of what he was
6 teaching; at what stage in that year did it become
7 apparent that he was someone who could lose control?

8 A. As I remember it, we had a series of these sort of
9 quizzes where you had to answer questions, and it was
10 out of 20 or 25, and then it would be read out. So it
11 be would be like [REDACTED], 17; [REDACTED], 16; [REDACTED], 15,
12 and it would sort of countdown. It would countdown and
13 I could begin to feel this sort of sweaty feeling and
14 the fear build up because if you were in the bottom
15 three there was a fairly strong likelihood that you were
16 going to get hurt.

17 And third bottom, you might get pulled out in front
18 of the class and sort of hit. Second bottom, hit a bit
19 more. But, depending on his mood, if you were bottom,
20 and if you were in the bottom three a few times, you
21 would really -- you could really, really get hit very,
22 very hard.

23 I mean, in my own case, I was brought out in front
24 of the class and bent down and then what I presume would
25 be a sort of running kick from behind was kicked on to

1 my upper legs and on to my buttocks so hard that
2 I smashed forward into his desk. I have a very, very
3 clear memory of sort of being bent down and then
4 literally sort of being smashed. And as I did end in
5 that bottom three a number of times, it happened to me
6 a number of times over the year.

7 But my absolutely strongest memory -- and it is
8 interesting when people talk about the effects of
9 abuse -- is that -- and have talked about the effects of
10 witnessing abuse, was a young boy called [REDACTED] -- I won't
11 say his second name, it is not my right to say his
12 second name -- but [REDACTED], who I remember coming -- he got
13 some sort of horrifically low score, like 6 out of 20 or
14 6 out of 25, and I remember him being -- he was on the
15 sort of right-hand side of the class, and I remember him
16 being hauled out and I mean -- by this I mean almost
17 sort of dragged out of his seat, and then literally
18 kicked across the classroom. And my memory of it is
19 that he was kicked so hard that his entire body was
20 lifted off the ground, and it was like seeing a rag --
21 it was literally like seeing a rag doll. It was like
22 seeing this young boy, literally just booted, until he
23 sort of smashed over by the windows on the left-hand
24 side and then going back to his seat and then sitting
25 there, red faced, pouring with tears. It was --

1 unbelievable level of violence. It was deeply
2 frightening.

3 You ended up, as I say, in a state of deep fear of
4 that teacher. In particular with Mr Brownlee, because
5 it was -- unlike some of the other teachers, I have
6 described it as a cold fury. It was -- he had a look on
7 his face of just absolute -- just this sort of
8 controlled hatred. This is a ten year old boy who
9 failed his exam, a weekly exam. It was truly awful.

10 Q. You have talked about the fear of his classroom. How
11 often would you see this level of loss of control?

12 A. You expected that --

13 Q. Or not loss of control, choice of --

14 A. You expected that. As I say, with a teacher like that
15 you sort of just dreaded -- you dreaded being in those
16 classes because there was always the chance that
17 something would happen. It was -- it is strange, when
18 teachers are like that you sort of carry it, you carry
19 it. Especially if you have been one who has been
20 a recipient, and might be a recipient again. You carry
21 it as a sort of active fear because it did -- it
22 certainly happened in a sustained way to quite a number
23 of boys, over quite a long period of time, is how
24 I remember -- including to myself a number of times.

25 And it was physically very sore. You know, it

1 wasn't -- it was -- he had, you know, brogue-type shoes
2 on. You were being -- you really were being kicked
3 pretty hard.

4 LADY SMITH: Sorry, what part of your body do you remember
5 being kicked hard?

6 A. Back of the legs on to the buttocks.

7 LADY SMITH: Is that the part of the body that other boys
8 were kicked on as well?

9 A. Yes, I think so. I think the -- that's how I remember
10 it. Because there are two different things that
11 I remember, one is if you were sort of -- I think,
12 again, it is this loss of control thing. Because there
13 were points where you might be brought out to the front
14 of the class and there was a certain type of punishment
15 that was repeated, but there were other points where he
16 seemed to sort of lose control and literally sort of
17 grab boys wherever they were, and then they would be
18 sort of, like, just sort of thrown about. So it could
19 be being grabbed and their heads could hit on to
20 something, and often this sort of kicking and that could
21 happen anywhere in the classroom. It was horrible.

22 LADY SMITH: Mr Brown.

23 MR BROWN: Thank you. Two things. One, when you were
24 kicked, I think you described suffering bruising.

25 A. Mm-hm.

1 Q. Which would be obvious? You would be wearing shorts,
2 I take it, in the junior school?

3 A. Yes.

4 Q. Could you see the bruising from under?

5 A. Yes, by pulling it up at the back.

6 Q. Right.

7 A. And I remember seeing the bruising on [REDACTED]'s legs,
8 almost like a horse shoe. Like a horse shoe shape,
9 where the foot was implanted.

10 Q. Okay. The second thing was when you were talking about
11 the countdown and the increasing dread, when you were
12 describing the bottom three, number three, number two,
13 and then number one, which on your occasion would lead
14 to a kicking, you were motioning with your hand and
15 saying he would hit; would he hit with the hand as well?

16 A. Yes, I think there was gradations and I think there
17 was -- I think there seemed to be different levels,
18 where it might be number of hits that were administered
19 when he had hadn't completely got in to that state of
20 cold fury, which was the sort of controlled violence.
21 And then that seemed to periodically bubble over into
22 this other state.

23 Q. Yes.

24 A. That's the best way I can typify it.

25 Q. And you also say he was a teacher, irrespective of

1 control or loss of control, he never smiled?

2 A. I never remember -- I just remember this sort of
3 sardonic, extreme coldness. I don't know what was
4 going -- how can one typify what's going on in
5 a teacher's mind when they behave like that?

6 But there was a sort of extreme emotional
7 detachment. Maybe he thought that those of us who were
8 failing, that it was an insult to his teaching. Who
9 knows what is going on in the minds of people who behave
10 in that way?

11 As I say, the level, the continual nature of it. It
12 was the first time that I realised that, yes, your
13 relationship with adults might not be a benign
14 relationship. You know, that -- it is the strangest
15 thing, isn't it? People in that situation can end up
16 being so hurtful.

17 Q. Could we move on to the other teacher you mentioned in
18 the junior school, and this is Iain Wares. He had
19 a nickname?

20 A. Weirdo.

21 Q. And was that something that you knew before you got him
22 as a teacher?

23 A. Absolutely common. Weirdo. He was always Weirdo. That
24 was also inherited from older boys, so obviously his
25 behaviour had sort of in some sense gone before him.

1 Q. Did you have any understanding of what was going to
2 happen in his classroom?

3 A. No, not until it happened.

4 Q. Right. Where was his classroom; do you remember?

5 A. Up the steps, up the steps at the back, when you go up
6 past the side of the dining room. And as far as
7 I remember, it was more of a sort of ground level block
8 that was on its own, before that higher double block.
9 So it was a sort of unit on its own. Maybe it was one
10 or two classrooms, but it was on its own.

11 Q. Okay. We would understand classroom -- his desk would
12 be at the front, facing rows of desks?

13 A. Yes. I remember he would come in the door and the desk
14 would be over on the left, and the rows of chairs would
15 be running down to the right from there.

16 Q. Okay. And can you remember what year he taught you?

17 A. No.

18 Q. Or age?

19 A. Same sort of age, 10/11.

20 Q. Right.

21 A. I think this would have happened maybe in the one or
22 two years before we went up to the upper school.

23 Q. So 10/11.

24 A. Yes.

25 Q. This is early 1970s?

1 A. Yes.

2 Q. We can read your statement about how he would invite
3 pupils forward, and you would stand by his desk,
4 presumably going over your work?

5 A. Yes.

6 Q. But that wasn't all he did?

7 A. Yes.

8 Q. And hands would --

9 A. Hands would ride up the inside of your legs and play
10 with your genitalia.

11 Q. How long would that last for? Can you assess?

12 A. This is always a good question, isn't it?

13 LADY SMITH: 'Andrew', I am sorry to interrupt, while you
14 think about that, I have a question for the
15 stenographers. My transcript has stopped. Is there
16 a problem?

17 MR BROWN: I think, my Lady, Ms Bennie was saying she logged
18 out and it worked.

19 LADY SMITH: That's what I was trying to do now, yes.
20 'Andrew', I am so sorry, I am going to go off the
21 bench for five minutes, so that the people who help me
22 with this can try to sort it out. I am very aware of
23 this being a critical point in your evidence, but it
24 being a critical point in your evidence, I want to be
25 sure that my transcript is coming up correctly as well.

1 A. Okay.

2 LADY SMITH: Thank you.

3 (12.28 pm)

4 (A short break)

5 (12.35 pm)

6 LADY SMITH: We are back up running and everything looks
7 fine now. Thank you so much to everybody who sorted
8 that out.

9 'Andrew', are you ready for us to carry on?

10 A. (Nods)

11 LADY SMITH: Thank you. Mr Brown.

12 MR BROWN: Thank you, my Lady.

13 'Andrew', we were in Iain Wares' classroom, and he
14 was doing things to you, as you stood at his desk.

15 A. So you asked me about length of time.

16 Q. Yes.

17 A. The pretext for his actions would be normally sort of
18 coming forward to having a maths problem explained, or
19 sort of gone over. So the pretext was sort of looking
20 into jotters and, as it were, having to sort of focus on
21 this problem while this was taking place. So I would
22 say anywhere between 20 seconds and one minute.

23 Q. All right. The hands in your shorts, playing with your
24 genitalia; can you be more explicit? Or do you not
25 remember?

1 A. I don't know how much more explicit you can be.

2 Q. Well --

3 A. It was a sort of fondling.

4 Q. All right.

5 A. I would describe it as. Obviously, this is a pre-sexual
6 age for you.

7 Q. Yes.

8 A. So it is a very odd -- it is an extremely odd experience
9 to go through. And, of course, the -- you absolutely,
10 you know, go and sit back down and the last thing you
11 want to do is reference what's just taken place, because
12 it is so profoundly shocking and embarrassing.

13 And embarrassment plays a very, very large part in
14 this, in the sense, I presume, the person is relying on
15 you not saying anything out of sheer embarrassment. So
16 in some vile way you become complicit with the behaviour
17 because you sort of can't escape it. It is the
18 strangest thing, isn't it?

19 People always mention: well, surely you would shout
20 or jump away?

21 You don't because you are in the thrall of this
22 person's control of a situation.

23 LADY SMITH: 'Andrew', do you remember whether he fondled
24 all parts of your genitalia, or not? If you don't
25 remember, it doesn't matter.

1 A. No, it is general, because it is an adult's hand and you
2 are a much smaller -- I was a very small boy. I was
3 very small for my age, so I think it more just of
4 covered the whole area of you.

5 LADY SMITH: Thank you.

6 MR BROWN: How often did this happen to you?

7 A. My memory was somewhere between three, four times over
8 the year. So it was repeated.

9 Q. You say in your statement that you were aware that it
10 was happening to others?

11 A. Yes, my very, very close friend through life, his
12 parents did complain to the school, [REDACTED],
13 his parents, [REDACTED] and [REDACTED]. And it is the one
14 time where we know that, if you like, he brought it back
15 home to tell his mum and dad what was happening.

16 Ironically, I had another friend, FNC [REDACTED], and
17 we were in a car and we said the word "Weirdo" between
18 us in the car, and his dad heard us and said, "What are
19 you talking about?" We said, "Oh, it is a nickname for
20 a teacher, and he says, "Why?" and it is like, you know,
21 we said something like "because he does things", and the
22 dad's reaction was sort of, "Don't talk rubbish",
23 "Rubbish".

24 You know, again, it is this thing of not being
25 believed. So that was a -- I don't remember that from

1 the time, by the way.

2 Q. No, I was going to ask.

3 A. The complaint, that again, as with all of these things,
4 that was kept private between those parents and the
5 school.

6 Q. But can I just stop you there to clarify? What -- when
7 you say in your statement:
8 "I only found out in 2023 about that letter being
9 written."
10 A. Yes.

11 Q. But you would understand from your friend that his
12 parents at the time wrote a letter?

13 A. We, between friends, both at the time and over
14 the years, had a kind of gallows -- what I would
15 describe as a sort of gallows humour, or a bunker
16 humour, about what had happened to us. Where we
17 would -- anyone it had happened to could reference that,
18 but we never went into it.

19 Q. No.

20 A. So it was sort of more like a reference that we knew.

21 Q. I follow that, but we understand from the statement, in
22 2023, that going back to the 1970s parents wrote
23 a letter.

24 A. Yes.

25 Q. You have been told this by your friend, who was the

1 pupil whose parents wrote the letter?

2 A. Yes.

3 Q. Have you seen the letter?

4 A. No.

5 Q. No. You are not aware of what it said?

6 A. No.

7 Q. Do you know if there was any response from the school?

8 A. As far as I know, he left the school and went to Fettes.

9 Q. All right. What, the boy?

10 A. No. No, the teacher.

11 Q. The response from the parents perspective?

12 A. No, there was -- I have never heard anything.

13 Q. All right. So, really, your knowledge is a letter was

14 written, but beyond that --

15 A. Yes.

16 Q. -- the effect of that letter --

17 A. No --

18 Q. -- you simply don't know?

19 A. No, there was no change in behaviour.

20 Q. No.

21 A. And as I say, for me it was two sided, because the

22 scarier thing that happened with me was coming back,

23 being brought back into the class for punishment.

24 Q. I was coming on to that.

25 A. Yes.

1 Q. Because I think you set out -- this is paragraph 25 --
2 A. Yes.
3 Q. -- you acknowledge you were beginning to get a bit more
4 naughty, and you are brought back by Wares at the end of
5 the day.
6 A. Yes.
7 Q. And you dread, because you are on your own. And on this
8 occasion there is physical punishment, and he puts you
9 over his knee with your shorts down?
10 A. (Nods)
11 Q. And beats you?
12 A. Yes.
13 Q. But also touches you?
14 A. Yes. And that -- I have very clear memory of growing
15 fear during the day, knowing that was coming at the end
16 of school. So, in other words, you have been in a
17 class, you were told that you were to come back, and
18 sort of almost knowing full well that something was
19 going to happen in that period, and that was a really,
20 really horrible feeling. And the best way I can
21 describe it is that again it is this very strange thing,
22 you are at a pre-sexual age, but when you are put over
23 someone's -- put over someone's knee and, you know, your
24 shorts are down, so you are in this incredibly
25 vulnerable position, and then everything takes too long.

1 So you sort of don't know what's happening, because you
2 don't know what predatory sexual behaviour is, but
3 what's happening takes too long. That's the only way
4 I can describe it. It felt very, very uncomfortable.

5 And then afterwards was this -- because you are in
6 close range to this person, and afterwards was that
7 sense of looking -- and I can remember looking up and
8 looking into this teacher's face, and seeing this
9 strangest expression, this sort of almost like a sort of
10 frog, like a sort of red face and bulging eyes, which
11 clearly, retrospectively, is -- it is clear that the
12 person has become sexually aroused and is either
13 pleasuring themselves or has become excited through the
14 act of doing this to you. It is just -- it is not the
15 sort of memory you want to have, but it is there. And,
16 yes, that's how I remember it.

17 Q. All right. Thank you. Was that the same year as
18 Brownlee?

19 A. I very much see that as the same period, yes.

20 Q. Right.

21 A. I can't -- I'm not good on the exact dates, I'm sorry.

22 Q. All right.

23 But you then progress on to the senior school.

24 A. Mm-hm.

25 Q. Having had that difficult year, or years, in the junior

1 school, you move on and were you thinking: thank
2 heavens, I'm away?

3 A. No, I think going into an upper school is always
4 frightening for people who are in the first year,
5 because you are surrounded by -- you know, you go from
6 being, as it were, at the top of something to being at
7 the bottom of something. So that brings in --
8 especially in a school where there is, and was, bullying
9 and that sort of violent atmosphere, it wasn't -- it
10 just felt like a sort of continuation.

11 And there was a shift within me. I mean, maybe we
12 will talk about it later, but there was very clearly
13 a shift within me because, I mean, I went from being --
14 you know, funnily enough, I look back on my academic
15 record and it went from being kind of like, you know, in
16 the prep school, fairly high up, you know, fairly
17 academically -- whatever the word is. You know, I was
18 doing quite well, and then gradually, gradually
19 everything sort of tails off and I am clearly not doing
20 as well as I presumably should do. And that to me
21 coincides with -- really, from that point on, even from
22 the first year, where I'm becoming much more disruptive.
23 I am losing my respect for teachers, who I see --
24 particularly teachers who I feel are -- have that kind
25 of anger, or particularly an authoritarian approach, and

1 rather than taking it I begin to take that step to sort
2 of -- what I think I am doing is sort of fighting back.
3 But, of course, in reality it just makes you a very
4 disruptive child.

5 Q. And I think -- we don't need to, perhaps, go into the
6 detail of it -- we see a battle of wills between you and
7 Mr IDZ .

8 A. Yes.

9 Q. Who you are, by your own admission, answering back. He
10 loses control. And it gets to the stage he is hitting
11 you with a chalk duster having lost control and then,
12 thereafter, there is just mutual antipathy and anything
13 that happens in the class he assumes you are responsible
14 and will beat you.

15 A. It is a fairly remarkable scenario, looking back. He
16 positioned me so that I was as close to the front desk
17 as could be, so he could reach over with a ruler and
18 smack me. So, if he was facing the chalk board and then
19 he heard noise or something, or disruption, he would
20 then very often turn round and I would get it because he
21 said, "It was probably you anyway".

22 So you can just imagine -- I mean, I began to
23 develop a sort of -- I mean, a really deep hatred or
24 antipathy towards this teacher. And I think it sort
25 of -- it established a sort of pattern for me, where,

1 although I was being sort of clearly hit in
2 inappropriate ways -- and the chalk duster incident was
3 one where he was just clearly completely out of control.
4 He was literally -- I was down on the floor and he was
5 hitting me with this duster, and I ended up crawling
6 underneath the chalk board.

7 They had these old fashioned chalk boards which were
8 on rollers, so they were massive, sort of ten foot high,
9 and there was a gap of a foot at the bottom and I was
10 small enough that I could crawl underneath it into the
11 corner to try to get away from him. I was just being
12 hit indiscriminately.

13 Yes, when you have that sort of behaviour towards
14 you, and then you are made to think that you are -- the
15 point is you are made to think that you are responsible
16 for it. It is your fault. You were bad, so you deserve
17 this. There is no sense of impropriety, or no sense
18 that this person should -- you know, maybe the
19 appropriate punishment was to go and sit there and do
20 your lines, or do this. Not to be beaten
21 indiscriminately. Again, it is completely out of
22 control behaviour.

23 Q. Yes.

24 A. And then the continual punishments. So it established
25 a pattern that carried on for me for the next few years

1 and I became increasingly belligerent, increasingly
2 angry, and increasingly just sort of unwilling to accept
3 it.

4 Q. Can you remember what year would that be? I think you
5 say it was in the early years, probably about 12?

6 A. Oh, I was in the Geits. I was in the first year --

7 Q. Right.

8 A. -- and he was my form master.

9 Q. I see.

10 A. Yes.

11 Q. The next teacher you mention is Mr Dawson. And when you
12 were recounting this; are we going through sequentially?
13 We should understand your progress through the school?

14 A. Yes, yes, this might be the second year. Whenever he
15 was a history teacher.

16 Q. Yes. And you say he was a very weird person. You
17 describe him and the fact that he theatricalised
18 punishment. Were his lessons theatrical, generally?

19 A. No. Well, he put me off history for life.

20 Q. Mm-hm.

21 A. I mean, I wished -- retrospectively, I wished I hadn't
22 been put off. Because, of course, it is a really
23 important subject, and instead, of course, you react to
24 the teacher who is teaching you, and I gave up.

25 The behaviour was intensely odd. There would be

1 this sort of almost like a sort of vaudeville, or end of
2 the pier kind of humour. You know, it brings you back
3 to those, you know, those sort of -- that strange
4 humour, that sort of rude humour that came out of that
5 period. Where he was sort of masking predatory
6 behaviour by using this sort of way of dramatising
7 punishment or dramatising you getting into trouble and
8 getting other boys to get in involved when he was
9 punishing you.

10 That's the only way I can describe it.

11 Q. Well, you describe a number of incidents. (1) you were
12 beaten with a ruler, long ruler, metre stick, and have
13 to sign it.

14 A. No, it wasn't a metre stick. It was literally a block
15 of wood.

16 Q. Oh, it was a block of wood.

17 A. It was sort of like a 3 by 2, a good metre long and
18 there were all these tiny signatures on it, and this is
19 one where you were brought back. This was serious
20 punishment, if you like.

21 So if you had transgressed in some way that wasn't
22 just going to happen in front of the class, again, you
23 came back to be hit here on your own and you were hit
24 hard with this. There were -- this was, I remember,
25 again fear, because if you were hit with this it was

1 going to really hurt. And then you had to sign it
2 afterwards, which is, again, this sort of very bizarre
3 thing where predatory behaviour co-opts -- you are
4 co-opted into the predatory behaviour. And, again, it
5 appears to be normalised by that behaviour. That was
6 very different to the sort of punishments that were
7 meted out in front of the class.

8 Q. Yes. What's striking about that is the piece of wood
9 has been signed two-thirds of the way down by other
10 boys?

11 A. Yes.

12 Q. So this was regular?

13 A. Yes. And, again, this was sitting out in his class.
14 So, in terms of the understanding of was this
15 happening -- and which of course is one of the bigger
16 questions here is that -- how could the -- if you like,
17 the rector, or whoever was responsible for teacher
18 behaviour at this time; how could they not know that
19 teachers were behaving in this way?

20 There must have been -- must have been some
21 knowledge that this was taking place. You can't imagine
22 that there would be this level of open, inappropriate,
23 violent behaviour without some sense that they were
24 aware of it, but were deciding not to do anything about
25 it because, of course, the school's reputation must come

1 first, you know. And the reality of what's happening to
2 the boys and their welfare was seen as secondary at the
3 time.

4 Q. All right.

5 A. So, yes, that was the -- being beaten that way. But
6 I think worse was sort of my memory of what took place
7 in the class.

8 Q. You used the word earlier co-opting, because as we can
9 read, at paragraph 60, four other boys in your class are
10 ordered -- is that the right word?

11 A. Yes, just sort of you know dragged in. It is all done
12 in this very sort of very exuberant way. So it was
13 like, "So and so, grab his arm, grab his arm, grab his
14 leg, grab his leg", and then I was spreadeagled
15 backwards over a chair. So you are being held, you are
16 being pinioned, and then your trousers are undone,
17 unzipped and pulled down. And then screaming, he was
18 shouting about the colour of my pants, and then his
19 hands were running up and down my body.

20 It is the strangest thing, but I cannot describe, as
21 a sort of 12/13-year old, you know, where things are
22 very private at that age, as a young boy, you are just
23 becoming -- you know, you're just going through puberty
24 yourself, or just at that pre-point, and then this
25 happening to you. You know, you are being exposed in

1 front of all the other children, and then this deranged
2 person running his hands up and down your body. It
3 was -- oh, it was certainly -- I would still hold it as
4 one of the most embarrassing moments in my life. It is
5 just something that sort of sat in you. It was just ...

6 You know, it's strange, isn't it, because abuse
7 takes many forms? And I have no doubt, and I have
8 a horror of some of the stories that you will have
9 heard, particularly, I'm sure, with some of the boarding
10 schools and with the church, there has been different
11 forms and penetrative sexual abuse, but the strange
12 thing is that things like this can still have such
13 a strong effect on you. Incidents like this stay with
14 you for a long time and it cements -- it cements a kind
15 of deep, deep distrust in authority.

16 Q. The next teacher you mentioned is Mr **IBP**.

17 A. Mm-hm.

18 Q. And he, from your account, a very different person to
19 the other teachers, both physically, but also
20 emotionally; is that fair?

21 A. Yes. I mean, by this stage, you are 13/14 years old.
22 And this to me is the oddest thing, looking back. At
23 this stage, we have all pretty much just normalised that
24 this is how a bunch of the teachers behave. We haven't
25 gone back and told our parents. We haven't gone and

1 told teachers. We have held it within ourselves. This
2 is just reality. The reality is that there are abusing
3 teachers and we have to live with them.

4 Q. Yes.

5 A. And, you know, his behaviour was just tragic. He was
6 just like one of those gentle tragic old souls who was
7 suppressed, a sort of suppressed homosexuality. He is
8 clearly against -- he couldn't help himself. His way of
9 doing that was to sort of -- he was an extremely
10 overweight man, he would just sort of press himself on
11 you, and I was at an age when it was almost like --
12 I was already at a point where it was like I in my own
13 mind felt like I couldn't be hurt. This was just normal
14 behaviour.

15 You were already at a point where you are building
16 that shell that gets you through.

17 Lady Smith, you referred to that earlier. You know,
18 how you cope, the shells that you build up. I was at
19 an age where I was -- and, again, this depends on
20 personality. I have a personality where I was able to
21 create that sort of feeling that it couldn't touch me
22 anymore. But, in reality, in retrospect, it is the same
23 story. It is an adult who is abusing -- abusing his
24 care and is unable to control his sexual urges and, as
25 a result, was deeply inappropriate in the way he behaved

1 towards us, which was then taken even further, because
2 a number of us were entrusted to go on walking holidays
3 with him.

4 Q. Yes. And we know the school has a lodge in Perthshire,
5 Glen Doll, and communal showering?

6 A. Blair House.

7 Q. Sorry, Blair House.

8 A. Yes, I remember him coming into the shower, a huge, fat
9 naked character, and you would just shrink away to sort
10 of another part of the shower. It is very, very strange
11 behaviour, looking back.

12 Q. And then, as you say, on walks, he would give you 50P to
13 swim naked?

14 A. We did the Pennine Way over two periods, we walked it in
15 two blocks. And his -- yes, mostly, we tried to walk
16 ahead of him. He was obviously bigger and slower, so
17 he -- couldn't keep up. But, if you got a blister or
18 something and you started lagging behind on the walk,
19 there was a sort of very clear kind of unwritten code.
20 It's like: tough luck, you are going to get caught by

21 IBP.

22 I mean, that was it. So if you ended up walking
23 alongside him, there was always that sort of sense of
24 him wanting something to happen, but not being
25 physically able to actually sort of impose himself on

1 you. So his way of doing things was to be -- it was
2 a kind of passive abuse, where he would pay you to take
3 your clothes off, or, in particular, when we went into
4 youth hostels at night, he would always go to bed early,
5 so he could touch himself as you were getting undressed
6 and coming to bed, and you were very, very aware that
7 this was taking place.

8 Again, it is just utterly tragic behaviour and we
9 just dealt with it. We just dealt with it. And I guess
10 it is very, very strange looking back; why didn't we
11 tell our parents? Why didn't we tell the school?

12 It was so rife, that you just -- I think you just
13 thought that is what adults did and you coped with it
14 and got on.

15 Q. And you pitied him?

16 A. Yes. Yes, I think that's the word I would use.

17 A loner. Just a sort of sad -- yes, a sort of sad
18 person who had, again, clearly led a very unsatisfied
19 and unhappy life on an emotional level, or on a personal
20 level.

21 Q. Did you go on other trips with masters?

22 A. Yes, I mean, I was in the mountaineering club.

23 Q. Simply, it is the idea of a master sleeping in the same
24 dorm as pupils; was that routine or was that an oddity
25 with him?

1 A. What was very odd is that the school must have known
2 that he was taking us as a group of boys. I mean, we
3 are talking about going away for quite a few days, in
4 holiday period.

5 Q. Mm-hm.

6 A. So, if you did mountaineering club, that was much more
7 you would get a bus up somewhere and you would go and
8 climb a munro and come back on the same day.

9 So the school must have had full knowledge that
10 a teacher was taking boys away for a specific trip, and
11 they must -- I mean, it would take a miracle for the
12 senior administration or the head not to know how
13 Mr **IBP** was manifest in the world. I mean, it
14 really would. It is not rocket science to work this
15 out. So, again, it is very strange, they sanctioned
16 that behaviour.

17 Q. Going back to the question: you shared a dormitory with
18 him?

19 A. Mm-hm.

20 Q. Was that normal for teachers to be in the same dormitory
21 as pupils?

22 A. No, not as far as I know. Certainly, it never happened
23 to me at any other point.

24 Q. Thank you.

25 The final teacher is a teacher we are aware of for

1 other reasons. But, for you, this is back to violence.

2 A. Yes.

3 Q. And loss of control?

4 A. Yes.

5 Q. This was a [REDACTED] teacher. Again, can you remember
6 what age you would be when you experienced his fury?

7 A. This is coming up probably to my -- I would have been in
8 higher -- the highers period, so I would have thought
9 15/16.

10 Q. At that stage, he was a young teacher, fairly fresh?

11 A. Yes.

12 Q. And were you still fighting back?

13 A. Yes, I mean, I, by this point, was -- I would describe
14 myself as self-medicating to a large degree. I -- along
15 with a number of other boys, I had gone into fairly
16 heavy drug use at that time. So I was sort of
17 increasingly detached from the reality of the school and
18 not achieving academically anymore. And I just think if
19 I sensed sort of weirdness or weakness in a teacher --
20 what I call "weakness in a teacher", I mean just sort of
21 any form of odd behaviour, I kind of like just did not
22 hold back. I mean, I sort of called out what I saw. So
23 I would have been probably quite a difficult pupil to
24 deal with. But, of course, there are ways of dealing
25 with that behaviour.

1 Q. And what was his way?

2 A. He, again, completely lost control. It was, and
3 I don't -- I remember it in a class, but other people
4 remember it in a corridor, so I'm not -- it is difficult
5 to be exactly clear. But he went for my neck. He
6 literally went for me and, I mean, it was like a flash.
7 He was sort of next to me and then he went for me, and
8 he was holding me, and to a point where another boy
9 dragged him off.

10 Q. You were putting your hands to your own --

11 A. To my throat.

12 Q. Both hands. Was it both of his hands round your neck?

13 A. Yes, my friend remembers it as, "He was trying to kill
14 you". That's how he saw it. So, again, it was that
15 sense of someone who was -- just had completely lost
16 control. And yet I was still called back later on to be
17 beaten.

18 And to be beaten at that age, to be hit, I think
19 I remember I was hit with a Green Flash trainer, and
20 I remember after having been beaten, you know, bent over
21 and hit, and then turning round and, again, it was
22 similar to the Iain Wares expression, bright red face,
23 and at this stage, as someone who is of that age,
24 I looked into his face and I just thought: this is
25 really wrong. There is something really wrong here.

1 You are really wrong.

2 I mean, you can see I swear. I don't need to repeat
3 that now, but I think at this point I just was like: you
4 can't be fucking serious. You know, what are you doing?

5 This person was like just a few years older than us.
6 And it was -- yes, that was the kind of last straw,
7 really.

8 Q. Was there any apology from him afterwards?

9 A. No. Oh, you could have answered that question yourself.

10 Looking into that period, it is incredible because,
11 I mean, it is in the same period that my father is
12 dying, and I ended up suspended from school. And in my
13 school report it says -- this is all it says in the
14 period when this is taking place, "At his best he is
15 charming, at worst ..." that was what the school wrote
16 of me at that period. You know, that's their response
17 to what a child is going through. So, clearly, there is
18 no pastoral care.

19 Q. Yes. I think we have that document at EDA-000000776.

20 The account is correct.

21 A. Yes.

22 Q. You have told us about moving on, basically burying the
23 muck at the bottom of the stagnant pool, you told us
24 about how that came to be agitated and brought back to
25 the surface.

1 Thank you very much indeed for giving your evidence.

2 Is there anything else you would wish to say?

3 A. No, obviously to be thankful for this taking place, and
4 I think, like a lot of people, I am very happy to
5 acknowledge that the school is a very different place
6 now.

7 For me, like a lot of people, it is very, very
8 important, especially as they have a 250th anniversary
9 coming up next year, that they fully acknowledge and
10 openly acknowledge just how bad things were in that
11 period and that there can be no white washing, or in
12 retrospect, you know, they have to fully own that period
13 and their culpability, and the amount of harm and hurt
14 that was done to so many boys.

15 You know, for me, of course, I left -- I ended up
16 leaving that school actually deeply vulnerable and ended
17 up in some situations where I was again exploited by
18 adults in the period immediately after school. So, you
19 know, it doesn't stop there. It affects you. I have
20 come through okay and I am a relatively sane, happy
21 human being now, but it took a long, long time to get
22 there. And it took a long, long time for that anger to
23 fade away and be replaced with something appropriating
24 the love and compassion and care for the world and for
25 the people around you that you would hope. To manifest

1 the adult that you would want to be, it took me a long,
2 long time to get there.

3 And looking back, that had a huge effect on me and
4 my family, and it had a big effect on how I entered
5 adult life. So, as we know, these things take a long
6 time. So the completeness of this process is one where
7 you honour all the people who have been through abuse,
8 and their bravery in speaking about it. You simply hope
9 where there are adults around children in whatever form
10 that all the safeguards and openness that we talk about
11 continue to be put in place because these awful people,
12 they still find a way. In history they have. They
13 still do in the present. So everything that we, as
14 a society, can do to lift the lid and make things better
15 and challenge that, it is a great thing to do. So
16 I thank you for your time.

17 MR BROWN: Thank you very much.

18 LADY SMITH: 'Andrew', thank you for everything you have
19 given us today. It is obviously the result of long,
20 hard reflection and thought by you. The outcome for
21 this Inquiry and the work we are doing is a series of
22 clear, vivid and very thoughtful accounts of your time
23 at the school. Thank you for doing that, and thank you
24 for adding such value to my learning.

25 A. Okay.

1 LADY SMITH: I am able to let you go and I hope the rest of
2 today is more restful for you than I am sure this
3 morning has been.

4 (The witness withdrew)

5 LADY SMITH: In the course of his evidence 'Andrew'
6 mentioned the names two of his friends when he was at
7 school. I am not going to repeat the names now. You
8 will no doubt have clocked them as he did so. But other
9 boys who were at the school at the same time all have
10 the protection of my general restriction order as well,
11 and they cannot be identified outside this room.

12 So, Mr Brown, we rise now and perhaps sit again
13 maybe 2.10.

14 MR BROWN: That would be ideal, thank you.

15 LADY SMITH: If that would work.

16 MR BROWN: Thank you.

17 (1.15 pm)

18 (The luncheon adjournment)

19 (2.10 pm)

20 LADY SMITH: Good afternoon, Mr Brown. I take it this is
21 'James'.

22 MR BROWN: It is 'James', yes.

23 'James' (affirmed)

24 LADY SMITH: Good afternoon, 'James', I think you have
25 probably worked out who I am.

1 A. Yes.

2 LADY SMITH: Could we begin by making a promise to tell the
3 truth, either by affirmation or swearing by Almighty
4 God.

5 A. Swear by Almighty God, please.

6 (The witness was sworn)

7 LADY SMITH: Thank you. 'James', I see you have your red
8 folder open already.

9 A. I do, yes.

10 LADY SMITH: You will have worked out it has your statement
11 in it. If you find it helpful to use it, please feel
12 free to do so.

13 A. Yes.

14 LADY SMITH: Otherwise, 'James', help me to help you in
15 giving your evidence. If there is anything I can do to
16 make it easier or more comfortable for you, whether it
17 is just pausing, giving a break, explaining something
18 again.

19 A. Yes.

20 LADY SMITH: That's not a problem, particularly a break, but
21 I need you to tell me when that would help.

22 A. I will do.

23 LADY SMITH: Can you do that?

24 A. Yes.

25 LADY SMITH: If you are ready, I will hand on to Mr Brown

1 and he will take it from there.

2 A. Okay, thank you.

3 Questions from Mr Brown

4 MR BROWN: 'James', good afternoon.

5 A. Hello.

6 Q. If we could start with the statement, briefly, it has
7 a reference number WIT-000001185. We see that it runs
8 to 13 pages, and on the last page you have signed and
9 dated it after a last paragraph which reads:

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

12 And you believe the facts stated in this witness
13 statement are true; and that remains the position?

14 A. It does, yes.

15 Q. Thank you very much indeed.

16 You are 64?

17 A. I am, yes.

18 Q. And you were at the Academy from 196█, I think, until
19 197█?

20 A. That's correct, yes.

21 Q. So from the age of 6 to --

22 A. Yes.

23 Q. -- 18?

24 A. Yes.

25 Q. We know that your family moved to Edinburgh after very

1 initial schooling in Glasgow?

2 A. Yes, I did a first term at Kelvinside Academy, so

3 I started at the Denham Green, as it was called, in

4 the January of 196█.

5 Q. Yes.

6 A. The second term.

7 LADY SMITH: So that would be when Denham Green was on the

8 other side of Ferry Road, was it? Or was it when it was

9 Inverleith?

10 A. No, it was further down. It was further down near what

11 was Clarke Road, which is opposite where Heriot's rugby

12 pitch is.

13 LADY SMITH: Yes, you go up through Goldenacre.

14 A. That's right.

15 LADY SMITH: And then over through Trinity, thank you.

16 A. I think they had the nursery classes, plus maybe their

17 equivalent of primary 1 and 2 there, or maybe just 1,

18 and then moved up to the preparatory school, as it was

19 called, in Arboretum Road.

20 LADY SMITH: Thank you.

21 MR BROWN: Thank you very much indeed. We see -- and

22 I think this is relevant later -- the reason you moved

23 was because of your dad getting a new post --

24 A. Yes.

25 Q. -- in Edinburgh?

1 A. In Edinburgh, yes.

2 Q. As a consultant paediatrician?

3 A. Yes.

4 Q. Thank you. You had no connection with

5 Edinburgh Academy?

6 A. No, none whatsoever.

7 Q. But I think you make the point it was seen as the thing

8 to do to send boys either to Edinburgh Academy or girls

9 to St George's?

10 A. Yes.

11 Q. And was that very much the professional classes?

12 Doctors, lawyers.

13 A. Yes. I think so, yes. Yes, it was.

14 Q. Were there a lot of boys who had doctors and lawyers as

15 parents?

16 A. Yes. I remember -- I can't -- I was told I was --

17 I went round all the schools' entrance exams and I was

18 offered -- I passed all of them. So the

19 Edinburgh Academy was chosen for me.

20 Q. I think you make the point that some of the merchant

21 schools were more for business types?

22 A. Yes, hence were merchant.

23 Q. Yes, exactly.

24 A. That was Watson's and Stuart's, and Melville at the

25 time.

1 Q. Yes. I don't understand from your statement that there
2 were any issues at Denham?

3 A. No, I remember it as very happy.

4 Q. Yes.

5 A. I remember they had a row of -- it must have been apple
6 trees in blossom, and we were outside a lot in the
7 grass.

8 Q. Yes.

9 A. It was a very happy place.

10 Q. So was the move to the prep school something of a shock?

11 A. It was a wee bit, yes.

12 Q. Why was that?

13 A. Just in terms of the general attitude of the teachers,
14 in terms of -- for instance, it was the first time
15 I started being called by my surname, which was done all
16 the way through to the Academy; ICW , ICW . So that
17 took a little bit of getting used to, and it is
18 obviously a lot more formal.

19 Q. Yes. Was it in the preparatory school that you first
20 experienced corporal punishment --

21 A. Yes.

22 Q. -- as a concept?

23 A. Yes, yes.

24 Q. Was that from the very outset, or was it in the
25 older years of the prep school?

1 A. It was in the older years.

2 Q. Right. In terms of the mix of teachers; were there
3 female teachers?

4 A. Yes, there were female teachers. I can remember two of
5 them, female teachers, and then the male teachers.

6 Q. And would it tend to be the older you got in the prep
7 school --

8 A. Yes.

9 Q. -- the more male the teaching staff became?

10 A. Yes, that's correct. Because they had two separate
11 staff rooms at the preparatory. They had a staff room
12 for the women teachers and a separate one for the male
13 teachers.

14 Q. Did female teachers beat?

15 A. No, no.

16 Q. Okay. And was corporal punishment regularly used in the
17 junior school?

18 A. Not regularly. Not in comparison to later on. But not
19 regularly. But there were times when you were sort
20 of -- if you were walking with your tie up, not done,
21 you would get a clip across the ear and such like.
22 Things like that. Rather than sort of -- and, you know,
23 socks down, that sort of thing.

24 Q. So breach of dress code?

25 A. Breach of dress code.

1 Q. You might get hit?

2 A. You might get hit. Running, you might get hit.
3 Talking, talking back, might get hit.

4 Q. We are aware, obviously, that Edinburgh Academy had
5 boarding houses?

6 A. That's correct, yes.

7 Q. Although it was not a boarding school in the classic
8 sense --

9 A. No.

10 Q. -- the proportion was small of the overall number?

11 A. Yes, yes.

12 Q. What was the interaction between day and boarding people
13 like?

14 A. Um, there was a division, but it wasn't particularly
15 strong. You noticed it more in in-house sort of things,
16 because one of the houses was -- well, they were called
17 houses -- was for the boarders, then there is the other
18 ones, Cockburn, Kinross, Carmichael, I think there was
19 another one. So the boarders were a separate entity,
20 and you knew they were boarders even -- you know, the
21 way they acted.

22 Q. Why?

23 A. Just, to me, my sort of remembering of it was that they
24 seemed to be more outdoorsy, they were harder. Maybe
25 because they needed to be -- become boarders, I don't

1 know. That was the sort of harder mentally, as much as
2 physically.

3 Q. Did you ever hear comment about life in the boarding
4 houses?

5 A. No. You very rarely heard that.

6 Q. All right.

7 A. And day boys never, certainly never went to visit any.
8 You know, if you had a friend in your class who was
9 a boarder you wouldn't go to the boarding house to see
10 them after school hours, and such like.

11 Q. Okay.

12 A. They seemed to be kept quite separately.

13 Q. In terms of the teaching staff, thinking of the junior
14 school; were there particular teachers -- and I know we
15 are going to come to one in particular. But in terms of
16 the discipline; did some have the reputation for being
17 enthusiastic beaters, as opposed to ones who weren't?

18 A. Yes, there were. Yes.

19 Q. That would presumably guide the behaviour of pupils,
20 because they would know that sort of thing?

21 A. Yes, yes.

22 Q. Who, from your perspective, stood out as someone you
23 needed, perhaps, to be a little careful with?

24 A. Er, Mr ICA was one in particular.

25 Q. Mm-hm.

1 A. He was one of my class teachers as well, so --

2 Q. Mr ICA was one of your class teachers?

3 A. Yes, he was my -- it would be equivalent -- that would

4 be the equivalent of primary 5. He was my class teacher

5 in primary 5.

6 Q. Yes. You found him a bit scary?

7 A. A wee bit, yes, yes.

8 Q. Was beating common with Mr ICA, or was it more the

9 threat of it?

10 A. More the threat of it. Plus it wasn't -- it depends

11 what you want to call a beating, whether you call a clip

12 across the back of the head a beating, or a sort of pull

13 by the side burns, or whatever, things like that, or on

14 the nape of the neck. It depends how you class that, as

15 in what type of corporal punishment.

16 Q. Right. In terms of beating, we think -- in

17 Edinburgh Academy terms I think of either use of the

18 tawse --

19 A. Tawse, yes.

20 Q. -- or the clacken?

21 A. Yes. No, I never saw the clacken being used, I must

22 admit.

23 Q. You didn't? Was the tawse used in the prep school?

24 A. No.

25 Q. No. So when you are talking about corporal punishment,

1 it is more physical?

2 A. Physical, yes.

3 Q. Use of hands?

4 A. Yes, yes.

5 Q. I see. Thinking of the junior school, we understand

6 that there are prefects, or ephors in the senior school.

7 A. Yes.

8 Q. What was the discipline by pupils like in the junior

9 school?

10 A. It was okay, as far as I remember. Something

11 I didn't -- I don't think we had the same as they had

12 with having ephors in the senior school. They didn't

13 seem to have that same sort of, you know, rank, such

14 like.

15 I can't even remember whether we had sort of house

16 captains, or monitors, library monitors. I can't

17 remember, I must admit.

18 Q. But then moving into the senior schools, ephors would

19 have more practical penalties --

20 A. Yes.

21 Q. -- available for you as a pupil?

22 A. Yes.

23 Q. What did that entail?

24 A. That was usually a training shoe.

25 Q. That was usually a training shoe?

1 A. A training shoe, yes.

2 Q. And just to be clear: you were a pupil up until 197█?

3 A. That's correct.

4 Q. Did the use of training shoe by an ephor ever stop?

5 A. I am not sure how it worked, because you would be sent

6 to the ephors' room, which was -- I don't exactly

7 remember where it was. It was in the master's lodge and

8 it was a wee room to left of it, and you would knock on

9 the door and they would seem to be expecting you, so

10 whether a teacher had mentioned something to them --

11 I can't remember whether I took a written note to

12 them -- maybe. I honestly can't remember how it worked,

13 in terms of getting a training shoe beating, how it was

14 organised. You were just sent there, and someone was

15 there.

16 Q. Was this on a particular day of the week or could it be

17 any day?

18 A. It could be any day. Yes, could be any day.

19 Q. Right. Just to appreciate, it is a long time ago; is

20 your sense that you would be sent by a teacher to be

21 disciplined, or could an ephor --

22 A. No, as far as I can remember, the ephors didn't beat you

23 just on a whim.

24 Q. No.

25 A. I don't think they had that much power.

1 Q. Right.

2 A. But I may be wrong. I seem to remember being sent,
3 "ICW, go to the ephors' room". So you know what was
4 coming.

5 Q. Right. So you were beaten by ephors?

6 A. Yes.

7 Q. Okay, thank you.

8 What about bullying by other boys; was that a factor
9 that you remember?

10 A. Not particularly, no. I didn't -- I think there was the
11 usual bullying. No bullying is a good thing, but
12 I think there was the usual you would get in any school;
13 very low level bullying. I don't think it was -- it
14 reached the high level of bullying in terms of physical
15 fights, probably a lot of it was more verbal than
16 anything else.

17 Q. All right. But that's not what you think of when you
18 think of abuse at Edinburgh Academy? It is not at that
19 level. It was teachers?

20 A. Yes, yes. Definitely. Yes.

21 Q. Before we come to the individual teachers that you have
22 discussed; how would you describe the ethos of the
23 school? We have heard it described as quite a violent
24 environment; is that something you would agree with?

25 A. In the preparatory school?

1 Q. Both.

2 A. Both, yes. Certainly in the senior school, yes.

3 Q. Why did you think the senior school could be described
4 as violent?

5 A. Well, if you call beating violent, and they were so
6 commonplace that then you could say, yes, it was
7 a violent school. Plus also the other sort of hits
8 across the face, you know, that sort of thing.

9 Q. Yes.

10 A. Which if you class that as violence, which you probably
11 could do, or should do.

12 Q. So we should understand, in the senior school, you have
13 beatings --

14 A. Beatings.

15 Q. -- with a tawse?

16 A. Yes.

17 Q. But you also have the physicality of a clip round the
18 ear?

19 A. Yes.

20 Q. Or having your head hit?

21 A. Yes.

22 Q. Right. Did that diminish as you get older or was it
23 just constant?

24 A. It seemed to diminish as I got a little bit older, yes.
25 I think as a pupil you would know how to play teachers

1 so you didn't get beaten. I don't mean sort of be rude
2 to them or anything, but not do things that would -- you
3 would expect to be beaten for.

4 Q. Right. If we can go back to the prep school.

5 A. Mm-hm.

6 Q. And you mention Iain Wares and describe him as your
7 primary 6.

8 A. Primary 6, yes.

9 Q. I think that would mean that we are talking about the
10 year 1969/70.

11 A. Yes. Yes.

12 Q. So when you are 10 to 11?

13 A. Yes.

14 Q. Is that correct?

15 A. Yes, I had sort of worked that out. Yes.

16 Q. And do you remember: was he a new teacher?

17 A. I honestly couldn't tell you. I had seen him around
18 when I was lower down in the preparatory department.

19 Q. Okay.

20 A. So I couldn't honestly say. I think he probably was.
21 On learning about the situation recently, I think he
22 probably was -- I think he was a new teacher.

23 Q. Certainly new to you?

24 A. Yes, certainly new to me.

25 Q. And he was your class teacher?

1 A. Class teacher, yes.

2 Q. So he was someone you would see every day?

3 A. Yes.

4 Q. As a sort of registration teacher?

5 A. Yes, and he took the majority of the lessons, subject
6 lessons, curriculum.

7 Q. So I think we have heard in other contexts he was
8 primarily a maths teacher?

9 A. Yes.

10 Q. For you, he was a teacher of --

11 A. Yes, he would teach other subjects as well.

12 Q. All right.

13 Now, how did he compare when you first met him with
14 some of the other teachers?

15 A. Initially, he came across as quite a relaxed person,
16 almost jovial, and it was almost like, "This is going to
17 be good". Yes, quite relaxed. And he sort of used to
18 teach -- the old desks with the lids and then a back
19 rest, he would sit on the back of one of them, with his
20 feet on the desk. Just, you know, looked quite relaxed.

21 Q. Informal?

22 A. Informal style of teaching, yes.

23 Q. I think you make the point he always wore the green
24 blazer of the South African rugby team, the Springboks?

25 A. The Springboks, yes. Always, yes.

1 Q. So he was perhaps different from the other teachers?

2 A. Yes.

3 Q. Now, you have talked about the classroom; can you
4 remember where his classroom was in the ...

5 A. It seemed to me, if my memory serves me correctly, that
6 it looked almost like a portacabin thing. It didn't
7 look like an old structure, a proper built -- I may be
8 wrong, but it seemed to me to be a sort of portacabin
9 sort of thing, and it seemed to be in the middle of the
10 little complex. I remember outside the classroom there
11 was a sort of circular thing with plants and such like.

12 Q. So how many classrooms were in this area?

13 A. Probably about three, but I am only sort of guessing,
14 really. My memory is not that good on those things.

15 Q. Okay. You describe you would all be sitting in single
16 desks --

17 A. Yes.

18 Q. -- facing the front?

19 A. Facing the front, yes.

20 Q. And his desk would be facing you --

21 A. Facing me, yes.

22 Q. -- and the other pupils?

23 A. Yes.

24 Q. Was it as Lady Smith's bench is sitting in the middle,
25 or was it to one side?

1 A. Well, he had a desk, which was probably about -- if
2 I remember correctly, about that distance.
3 Q. Two-thirds of the witness desk --
4 A. Yes.
5 Q. -- in length?
6 A. Yes.
7 Q. And it would be facing you?
8 A. No, he had it at an angle.
9 Q. Oh, right.
10 A. At an angle.
11 Yes, if I was on the desk, facing Lady Smith's desk,
12 his table would be sort of like at that angle.
13 Q. All right.
14 A. Yes.
15 Q. So facing you, but offset?
16 A. Offset.
17 Q. He can see the class.
18 A. He can see the class.
19 Q. But he is not looking straight out?
20 A. Yes.
21 Q. All right. Did that mean it was more difficult to see
22 him? If you were looking straight ahead, you weren't
23 looking at him?
24 A. Yes.
25 Q. Okay.

1 A. Because he didn't teach from that desk, so it didn't
2 need to be -- his desk didn't need to be facing the
3 front. You were taught, usually, in the front or
4 sitting down in the front.

5 Q. Row of desks?

6 A. Yes.

7 Q. Pupil desks?

8 A. Yes.

9 Q. I see. But there would be times, we understand, where
10 he would be behind his desk?

11 A. Yes, sitting down behind his desk. Yes.

12 Q. And why would he do that?

13 A. It was to go over some work with the pupil, maybe
14 marking some work. Or helping, maybe, when we were
15 doing it. If we were doing a written exercise and you
16 needed help, or someone needed help, or he would call
17 someone out to go over some work that you had already
18 previously done.

19 Q. Presumably, that would be a regular part of the daily --

20 A. Yes.

21 Q. -- existence?

22 A. Yes, yes.

23 Q. When pupils were called up, we understand they would
24 stand beside him.

25 A. Yes.

1 Q. Could you see them when they were beside him?

2 A. Yes.

3 Q. Is that because your desk particularly afforded

4 a view --

5 A. I always seemed to be on the front row. I can remember

6 times when I was the closest pupil's desk to his desk.

7 Q. Right. And when you saw boys going up to have their

8 work marked --

9 A. Yes.

10 Q. -- or gone over --

11 A. Yes.

12 Q. -- how good a view did you have of those boys?

13 A. A pretty good view, because I would probably only be

14 about 3/4 metres, 5 metres away.

15 Q. Right. And could you see their whole bodies?

16 A. Yes.

17 Q. So they weren't being masked by the desk?

18 A. No.

19 Q. No. And what did you see?

20 A. I saw hands go up the shorts, the boys' shorts.

21 Frequently.

22 Q. When did this start? Can you remember?

23 A. Do you mean, as in --

24 Q. In that year, yes.

25 A. I honestly can't remember. Probably, it seemed as if it

1 was almost instantaneous.

2 Q. Mm-hm.

3 A. But I wouldn't like to put a timescale on it.

4 Q. All right. Now, we understand that you were sitting at
5 the front because there was a degree of grading, if you
6 worked well, you sat at the front?

7 A. Yes, that's right, yes.

8 Q. And the poorer your marks were, the further back you
9 would go?

10 A. Yes, yes.

11 Q. How regular an occurrence was this that you were
12 watching?

13 A. Very regular.

14 Q. Daily?

15 A. Pretty close to being daily. Yes, pretty close to being
16 daily.

17 Q. And hands would go up shorts?

18 A. Yes.

19 Q. Could you see what his hand was doing?

20 A. You had a good guess, but you could see him underneath
21 the shorts, the flannel, you could see movement.

22 Q. Movement, and movement where?

23 A. I would say in the groin area.

24 Q. Yes. And while he was doing this, he is ostensibly
25 going over work.

1 A. Yes.

2 Q. Did that carry on?

3 A. It seemed to be -- it seemed to. He seemed to be
4 talking as well.

5 Q. Writing?

6 A. Possibly, yes. Possibly.

7 Q. And how long would this go on for, with a boy?

8 I appreciate that's a difficult question, perhaps, to
9 answer; but what's your sense?

10 A. I would say maybe four or five minutes. Yes, about four
11 or five minutes. It would be about the correct time if
12 you had been asked to go up to explain something, or
13 have something marked, it would sort of be that
14 timescale.

15 Q. Do you remember how many boys there were in each class?

16 A. I think over 20. Between 20 and 25.

17 Q. Can you say how many boys experienced this?

18 A. We all talked about it at break times and lunchtimes, so
19 I would say it was virtually everyone at one point or
20 another.

21 Q. Did it ebb and flow?

22 A. I honestly can't remember that.

23 Q. All right. But I think you do know one thing, and that
24 was it didn't happen to you?

25 A. It didn't happen to me or my best friend, who is

1 deceased. That was another [REDACTED], and yes, we
2 weren't touched. And as I said in my statement,
3 initially -- well, initially we thought there was
4 something wrong with us and it came to a point when the
5 abuse was being mentioned, like at break times,
6 et cetera, it came to a point where we both said, yes,
7 that happened to us.

8 Q. You would say it happened to you?

9 A. Yes, because we felt a wee bit left out. I know it
10 sounds weird, but it was a bit -- it is a bit difficult
11 to understand why it never happened to me, so obviously
12 I was going: why? Why wasn't -- seriously, myself and
13 my friend, we did think at one point there is something
14 wrong with us.

15 Q. You felt different?

16 A. Felt different, yes.

17 Q. So you pretended that you weren't?

18 A. Pretended, yes.

19 Q. And in relation to discussing with the other boys --

20 A. Yes.

21 Q. -- you were 10?

22 A. 10/11, yes.

23 Q. Prepubescent?

24 A. Prepubescent, yes. But the interesting thing, as I said
25 in my statement, the boys were talking about it, some of

1 them who I would have thought must have been beginning
2 to reach the early stages of puberty, and I can remember
3 phrases like: oh, it felt nice, I felt warm.

4 And it is a pretty horrific thing to think of --
5 that's their first sexual experience.

6 Q. Did you have any, given your age, any understanding of
7 the sexuality involved in this?

8 A. Yes, because I think my father had been -- my father had
9 been -- growing up in a medical family.

10 Q. Yes.

11 A. Yes.

12 Q. You did; others, no?

13 A. Maybe not so.

14 Q. No.

15 A. But I think -- because, of course, a lot of the boys had
16 older brothers, so they must have talked about it, and
17 so I think -- I would say the majority of the people who
18 I spoke to knew it wasn't right.

19 Q. But you talked to each other --

20 A. Yes.

21 Q. -- as you told us, but you wouldn't report?

22 A. No.

23 Q. Why not?

24 A. I honestly don't know. And I have always felt it was
25 one of my biggest disappointments in my life that

1 I didn't report it, especially to my dad, being
2 a consultant paediatrician.

3 Q. Although, I think, after the event, is that why you
4 think you might have been --

5 A. Yes.

6 Q. -- left out?

7 A. Left out, yes.

8 Q. Because he plainly would know that your father was --

9 A. Yes.

10 Q. Was that the only teacher in the junior school that you
11 had --

12 A. Problems with?

13 Q. Yes.

14 A. Yes, probably, certainly to that degree of abuse.

15 Q. All right.

16 A. The other teachers, the other male teachers, it was
17 a sort of low level violence.

18 Q. Who are you thinking of?

19 A. ICA [REDACTED] is probably the one. And another teacher,
20 John Brownlee.

21 Q. What do you remember about him?

22 A. He was another one of the ones, socks down, clip across.
23 Ties not done, clip across the head, that sort of thing.

24 Q. Pulling at your side burns?

25 A. Pulling at the side burns, yes. And it was a daily

1 thing. It happened so often, you almost became
2 oblivious to it.

3 Q. It was normal?

4 A. Yes, it was normal.

5 Q. Okay. We then move on to the senior school.

6 A. Mm-hm.

7 Q. And the teacher you remember next was the PE teacher.

8 A. Mm-hm.

9 Q. IBU .

10 A. Mm-hm.

11 Q. And he had a nickname?

12 A. IBU , because he didn't call them showers, he
13 called them sprays.

14 Q. All right.

15 A. His nickname was IBU .

16 Q. And why was he called IBU ?

17 A. Because of the showers. That is the way -- he always
18 called a shower a spray.

19 Q. Indeed.

20 A. That is why his nickname was IBU .

21 Q. And do you remember him because of showers for another
22 reason?

23 A. Yes, yes.

24 Q. Which is?

25 A. He seemed -- if I can remember, he seemed to have

1 control of the shower temperatures, on and off, and he
2 could put them on when you were in -- they were on, then
3 I can remember suddenly being cold and suddenly being
4 warm. That was one area where he was around. This was
5 after we had PE and changing, showering before getting
6 changed.

7 Q. So was he in the showers with you?

8 A. He was around the perimeter of the showers, and at times
9 would step in. Not into -- not near the water, but into
10 the shower area.

11 Q. And these, I take it, are communal showers?

12 A. Yes, they are not -- like a room with showers in.

13 Q. Right. And what age were you when this was happening?

14 A. Probably, I would think it happened -- it only seemed to
15 happen -- first -- maybe first -- for two years at the
16 Academy. Senior school for three at the most. But
17 then, if I remember, after that we didn't seem to take
18 showers, which is not very healthy, but I think you
19 could get away with not having showers, because he
20 wouldn't come down when we were older children.

21 Q. So thinking of your age at the time; would that be ...

22 A. 11/12. 12/13.

23 Q. Right.

24 A. Yes.

25 Q. As puberty, presumably, was hitting more and more boys?

1 A. Yes, yes.

2 Q. Did he do anything else, other than turning the water on
3 hot and cold?

4 A. Flicked -- used a towel to sort of -- flick a towel,
5 usually a part of your body. It tended to be from sort
6 of thigh up to the waist.

7 Q. Front or back?

8 A. Both, yes.

9 Q. So aiming, flicking a towel at genitals?

10 A. Yes, it was almost done as if it was a joke, if you know
11 what I mean? It was sort of a bit of fun. Which
12 obviously it wasn't. But I think to some of the pupils
13 oh, it was a bit of a laugh, a teacher flicking you in
14 the showers with a towel. Always a white towel.
15 Funnily enough, I seem to remember that.

16 Q. Did any other teacher come into showers like this?

17 A. No. No.

18 Q. He was the PE teacher?

19 A. Yes, and you only had one PE teacher.

20 Q. Did you have, for example, with rugby or sports, shower
21 experiences where teachers were there --

22 A. No.

23 Q. -- but not present?

24 A. As far as I can remember, changing after rugby, the
25 teachers wouldn't go into the changing rooms. Certainly

1 not in my case.

2 Q. Okay. And you make the point that this is not something
3 you actually saw, but there was discussion of things
4 happening --

5 A. Yes.

6 Q. -- in another part of the showering area?

7 A. Yes, again, I am not 100 per cent able to memorise
8 exactly what the layout of the showers were, but I just
9 have a feeling there is sort of an L shape to something.
10 At some point, you could hear people showering, but they
11 were -- you couldn't see them, so it wasn't as if it was
12 all in one room, shower room, just showers around all
13 four sides. I think there was an area which was
14 slightly out of sight from the main shower.

15 Q. Okay. We will come back to him a little later in your
16 life --

17 A. Yes.

18 Q. -- when you have left school.

19 A. Yes.

20 Q. You discussed amongst yourselves Iain Wares; was IBU
21 discussed amongst the boys?

22 A. Not as much, because at that age it was almost as if it
23 was just a bit of fun. So it wasn't particularly -- but
24 then, yes, we did talk about it. We talked about it and
25 then there almost came a point expected it.

1 Q. But you wouldn't say anything --

2 A. Not particularly, no.

3 Q. -- to anyone in authority about it?

4 A. No, not really, no.

5 Q. And the concerns that you have been expressing,

6 presumably they came later?

7 A. Yes.

8 Q. With hindsight?

9 A. Yes. With hindsight, yes.

10 Q. Yes. That's a PE teacher. What about teaching staff

11 for the more mainstream subjects? Who do you remember?

12 A. Some very good ones, I have to give credit to them.

13 Reverend Haslett, Jackie Bevan, a brilliant teacher, the

14 two biology teachers. My first Geits class teacher,

15 registration teacher, was IFP ██████████, who was

16 a really good ██████████ teacher and he set me on my way

17 with my interests in ██████████, and in later life,

18 Mr Jarmin. Yes, there were some good ones. It is such

19 a shame they are all being lumped together. I feel

20 quite strongly that these teachers, the good ones,

21 should be also --

22 Q. Remembered?

23 A. Remembered, yes.

24 Q. Yes.

25 A. Yes.

1 Q. And you have done that.

2 A. Yes, yes.

3 Q. They are in the record.

4 A. Yes.

5 Q. What about the bad teachers?

6 A. Er, in terms of me remembering them?

7 Q. Yes.

8 A. Yes.

9 Q. Who are the ones?

10 A. Obviously, IBU ██████████, Mr IDT ██████████, IDT ██████████, who was

11 pretty physical.

12 Q. Go on.

13 A. He would just clatter you. Again, it was all sitting in

14 desks and you would just get thumped, not just a wee

15 clip across the head, it was a full blown thump across

16 the head.

17 Q. You are moving your arm backwards.

18 A. If I remember correctly the time that I mentioned, which

19 is the one that I really remember, he had actually gone

20 past me, so he could -- he went past me -- and then the

21 incident that occurred for him to hit me, he was

22 actually that way, into the side of my head, into this

23 side of my head.

24 Q. So was he facing you when he hit you?

25 A. No, he had just passed me.

1 Q. Right.

2 A. Then he turned.

3 Q. And he turned and hit you on the side of the head?

4 A. Yes.

5 Q. Open palm?

6 A. Open, but quite strong. I am fairly certain he was
7 ex-military, it sounded that way. Yes, it was a very
8 strong hit.

9 Q. And what had you done?

10 A. He was handing out a test paper and I think I just went
11 tut, like that, a wee tut.

12 Q. You tutted?

13 A. Tutted.

14 Q. And the next thing you have been clattered?

15 A. Yes, it was a sore one. I certainly felt it for a good
16 half hour. Especially, if I remember correctly, around
17 my ear. My ear was really burning and such like.

18 Q. And was that -- that's the one event that you remember
19 it happening to you?

20 A. Yes. But it wasn't a surprise. I think the surprise of
21 that one was its severity. I was unlucky. I was just
22 in the right place, my head was in the right place,
23 whereas sometimes it might just have gone past me
24 a little bit.

25 Q. Was this sort of conduct, as you remember him --

1 A. Yes.

2 Q. -- common or uncommon?

3 A. Common, in terms of I wouldn't say it was every lesson
4 by any means. But it was a good few times per term,
5 I would suggest, there would be some form of physical
6 hitting.

7 Q. Again, boys discussing? Was he known for that?

8 A. Yes, yes. And, again, I regret not telling my father,
9 because I am sure if he had heard he would have visited
10 the school, shall we say.

11 Q. Yes. Was there ever, thinking of that, that particular
12 experience, any hint of regret from him?

13 A. No. No.

14 Q. It was done and he moved on?

15 A. Yes. Yes. I think he had a glance back. I wouldn't
16 say I sort of blacked out, but it was pretty close to
17 it, you know, from previous -- more recently, when
18 I have sort of hit -- been hit, not fighting or
19 anything, but falling out of wheelchairs and such like.

20 Q. Mm-hm.

21 A. It was harder than that, just pretty close. My head
22 went right down, I remember. My head went right down on
23 to the desk, the top of the desk, and he did glance
24 around. Whether he was sort of, "Oh, I have overstepped
25 the mark", sort of thing here, but the pain was around

1 for a good few hours afterwards.

2 Q. Okay.

3 Another teacher you mention is Hamish Dawson?

4 A. Yes.

5 Q. You have talked about the reputation of [IDT] as being
6 someone who could be physical?

7 A. Yes.

8 Q. What was Hamish Dawson's reputation amongst the boys?

9 A. Um, he was known for his joking, making lots of jokes,
10 and such like, and certainly when it came to you doing
11 something wrong or -- I don't know, failing something or
12 other, he would sort of -- on his desk he had an array
13 of implements, like a ruler, or a blackboard pointer,
14 and he said, "Right, what are we going to use? What are
15 we going to do? What are we going to use on [ICW]? What
16 do you think boys?" and it would almost be a taking
17 a vote on it, sort of thing. So it was all done in
18 a very jovial manner.

19 But then, obviously, the abuse, when he would --
20 because one of the high teachers' desks, on the high
21 stool, and then he would have to you, certainly in my
22 experience, face down, and then he would have his sort
23 of teachers' cloaks, which they all wear, and then the
24 touching and such like was happening.

25 Q. Sorry, the relevance of the cloak is what?

1 A. Covered up.

2 Q. So others couldn't see?

3 A. Yes. Everyone knew what was happening anyway, so

4 I don't know why he bothered to do that. But he managed

5 it to be almost a bit of a circus, if you know what

6 I mean:

7 "Now, what do you think ICW should have today?

8 This ruler? What about this stick? What about this?"

9 Q. And how would the class engage?

10 A. Yes, it was -- sort of take a vote.

11 Q. So he was co-opting them in to the --

12 A. Yes, but to make it feel, sound, as if it is not

13 particularly important. But that was, again, pretty

14 frequent. I can remember, if you look at the school

15 from the front, the pillars, his classroom is on the

16 right-hand side. One of the big -- very big classrooms.

17 Q. And you talked about the high desk, or the --

18 A. Yes.

19 Q. -- stool?

20 A. Yes, a lot of the teachers had the old fashioned

21 teachers' desks which needed a high stool to sit on, and

22 then he could -- then you would be put over his lap.

23 Q. That is what I was curious -- it was not the stool you

24 were over; it was his lap?

25 A. Yes. He was sitting in his -- I can't from here, but he

1 was sitting on his stool, quite high up, but then you
2 went on to his lap.

3 Q. And what would he do?

4 A. Just fiddling around in the groin area.

5 Q. Were your trousers on or off?

6 A. They were on.

7 Q. So was he touching over the top of clothes or going
8 under?

9 A. Over the top, certainly in my experience. I don't know
10 what any other pupils -- they might have had a different
11 experience, but that is definitely my experience.
12 Because he seemed to turn into, like, a comedy act, we
13 never really took it that seriously, if you know what
14 I mean? In that he was quite clever in that sense
15 because he turned it into a bit of fun, really,
16 interacting with the boys in the class, making them
17 choose the implement, et cetera.

18 Q. How often did that happen to you?

19 A. Um, honestly, it would be difficult to put a number on
20 it. I would say several.

21 Q. And did it happen -- did the same routine --

22 A. Yes.

23 Q. -- happen with other boys?

24 A. Yes, yes.

25 Q. Except on that occasion you would be choosing the

1 implement?

2 A. That's right, yes. But he didn't use the tawse. It
3 wasn't one of the implements on his desk.

4 Q. No. And I think as you point out, because you were
5 aware of this, when he left the school --

6 A. Yes.

7 Q. -- in his valedictory remarks --

8 A. In the Chronicle -- obviously, I was still getting the
9 Chronicle because I joined the academics.

10 Q. Yes.

11 A. In his leaving piece, written by the rector at the time,
12 which is Mr Ellis, I think it must have been, the next
13 one, almost writing about that, about the jovial side of
14 maintaining order or something like that.

15 Q. Yes.

16 A. I can't remember the exact wording.

17 Q. Yes.

18 A. You have probably seen it.

19 Q. We have a copy of it.

20 A. Yes.

21 Q. How did you feel when you read that?

22 A. Oh, it felt -- I felt quite sad, actually. I felt quite
23 sad. He was actually quite a good teacher, I must
24 admit. Yes. Yeah, I felt a bit sad.

25 Q. Okay. Were those sort of penalties recorded?

1 A. I wouldn't have thought so. I don't think they would
2 have been recorded.

3 Q. I think you have seen your school records?

4 A. I have, yes.

5 Q. And there are some records --

6 A. Yes.

7 Q. -- very brief, of penalties imposed on you.

8 A. Yes.

9 Q. I think, in discussion with you, you expressed some
10 concern because there was another similar named boy to
11 you?

12 A. Yes, there was another -- he joined, I think -- he was
13 about two years younger than me, I think, and I think he
14 was [REDACTED], if I remember correctly. And they did
15 get -- even when I was -- teachers would get muddled up
16 which [REDACTED] it was, and in fact in the end, at the
17 beginning of each year, you would get a roll book with
18 all the pupils in it and which house they were in, and
19 I think it was the first time a Christian name had been
20 used in it.

21 Q. Okay. I think having looked at the records for
22 penalties --

23 A. Yes.

24 Q. -- there were some penalties you didn't remember?

25 A. Yes.

1 Q. And are you perhaps suspicious that there has been
2 confusion in the records --

3 A. Possibly, possibly.

4 Q. -- as between you and him?

5 A. Yes, because there were quite a lot. Also, if you
6 remember correctly, I didn't recognise some of the
7 initials at the end, which would be the teacher's
8 initials, but I thought what it might have been is the
9 initials of the prefects, the ephors, that had carried
10 it out.

11 Q. Okay. You left Edinburgh Academy aged --

12 A. Yes.

13 Q. -- 18?

14 A. 18, yes.

15 Q. And where did you go?

16 A. I went to teacher training college.

17 Q. Was that something you had always wanted to do?

18 A. Um, my Dad obviously always wanted me to be a doctor,
19 which is -- all doctor parents want that. Shall we say
20 I wasn't clever enough. But teaching was actually --
21 virtually all of the rest of my family on my mother's
22 side and my dad's side were all teachers, so it was
23 almost a -- the next step.

24 Q. And should we understand you went, essentially, straight
25 into teaching?

1 A. Straight in, within -- yes, I left the Academy
2 in July 197█ and in September 197█ I was at teacher
3 training college, going into schools, observing
4 initially.

5 Q. And what sort of schools were you sent into to observe?

6 A. They were local primaries, because I was being trained
7 as a primary teacher. So they were local primaries.

8 Q. Within Edinburgh?

9 A. No, within Yorkshire.

10 Q. Within Yorkshire, thank you.

11 A. Yes.

12 Q. Did you draw any comparisons between what you had left
13 and what you were seeing now?

14 A. It was -- yes, it was completely different in terms
15 of -- I mean, for a start, they called their children by
16 their Christian name, which was a new one on me, and it
17 seemed to be a much more relaxed atmosphere.

18 Q. And you then carried on teaching?

19 A. I did, yes.

20 Q. And you came back to Edinburgh?

21 A. Came back to Edinburgh to teach, yes, for 25 years.

22 Q. In Edinburgh?

23 A. In Edinburgh, yes.

24 Q. In one of the other privates?

25 A. In one of the other private schools, yes.

1 Q. One of the privates for business types?

2 A. Yes, business merchants.

3 Q. Business merchants. And in that capacity, we would

4 understand that you taught rugby?

5 A. I did, yes.

6 Q. You were a coach?

7 A. I was a coach, yes.

8 Q. And in that capacity -- as well as other sports?

9 A. Yes.

10 Q. In that capacity, you would meet some of your former

11 teachers?

12 A. Former teachers, yes. If I was teaching a primary 6

13 rugby team, you would take them over to Arboretum.

14 Since I left school there, they put three junior

15 rugby pitches on the grass bit, and, yes, I would take

16 teams down there, and some of the teachers that had

17 retired would be standing watching, watching the

18 Geits -- not the Geits, watching the top age group of

19 the junior school against [REDACTED]'s primary 6

20 teams.

21 Q. So which teachers were you meeting?

22 A. Mr Brownlee was always there. Mr [REDACTED] must have still

23 been teaching there because he was actually refereeing

24 a few times when I went down.

25 Mr Brownlee. Mr Wares, I think he had gone to

1 Fettes and he may have left and, yes, Mr IDO, were the
2 three that would have been there.

3 Q. What about IBU ?

4 A. Yes, he was there as well.

5 Q. And would these --

6 A. Not all the time, but then I met him at another area.

7 Q. All right. Well, sticking to the first three.

8 A. Yes.

9 Q. Would they engage with you?

10 A. No. They would look at me and -- Mr IDO did a couple
11 of times, but the others, they would look at me and
12 I would sort of look back, I didn't say anything.
13 Almost a look of saying: you know that I know.

14 That sort of thing. Which is -- it was all a little
15 bit weird. Whether I should have said something,
16 I don't know. I don't think it was probably the place.

17 Q. Do you regret not saying something?

18 A. Yes, I do. I think I should have, yes. That's not --
19 yes.

20 Q. And what about IBU ? You were saying --

21 A. Yes, because he used to teach before he came to the
22 Academy, he used to teach in another Edinburgh private
23 school before he went to the Academy and then, after he
24 retired, he would go to the retired teachers' luncheons
25 from a group of other private schools -- I am trying not

1 to say the word -- which are grouped together. So he
2 would be at the luncheons. Actually, he did talk to me,
3 actually, quite a bit.

4 Q. Was there any unease on his part?

5 A. Not really, I must admit. No. He was quite chatty,
6 actually.

7 Q. Again, did you raise --

8 A. No, I didn't.

9 Q. Again, do you regret that, perhaps?

10 A. Probably, yeah. I felt -- I don't know, he almost
11 seemed to -- he was always really jovial. I remember he
12 saw me once on George Street, I had just come back from
13 taking teams to Glasgow or something, he would chat away
14 to me. He was -- yes, he was probably one of the few
15 that you remembered from, you know, the Academy and him
16 being in teaching earlier on in his career in one of the
17 schools -- other private schools that were grouped
18 together eventually.

19 Q. Yes.

20 A. From about 1973, I think.

21 Q. Yes. Thinking of coming back to Edinburgh to teach in
22 another school, you talked about the contrast with the
23 Yorkshire primary.

24 A. Yes.

25 Q. Where first name terms --

1 A. Yes.

2 Q. Did you see a difference between the private school you
3 were at in Edinburgh and the Academy?

4 A. Yes.

5 Q. What was the difference?

6 A. First of all, it was Christian names.

7 Q. Again?

8 A. Christian names, that's the first thing.

9 Q. Yes.

10 A. And just much more relaxed atmosphere. I can't recall
11 any corporal punishment, even though it was still legal
12 in -- I think it was 1988 in Scotland when it was
13 repealed. I don't think I saw any of that. Cleaning
14 out the minibuses seemed to be one of the things that
15 happened if pupils were being unruly, whatever. Yes, it
16 seemed to be a much more relaxed school.

17 Q. You were obviously working for -- you said for 25 years.
18 So when did you start teaching in Edinburgh?

19 A. 1980.

20 Q. 98?

21 A. Yes.

22 Q. So, in fairness, perhaps, 20 years after you have left?

23 LADY SMITH: 1998, you said?

24 A. No, 1980.

25 LADY SMITH: 1980.

1 MR BROWN: That is why I was puzzled.

2 A. When I started.

3 LADY SMITH: I thought, thinking of your dates, because you
4 left school in 197█.

5 A. 197█, yes.

6 LADY SMITH: Then you went to college and then you went
7 straight into a teaching job up here?

8 A. Yes.

9 MR BROWN: So within three years of leaving the Academy you
10 are teaching at another school and you see a difference?

11 A. A massive difference, massive difference.

12 Q. All right. Presumably, you are seeing Edinburgh Academy
13 pupils playing rugby?

14 A. Yes.

15 Q. Did you get a sense that there was a relaxation over the
16 time you taught and were dealing with Edinburgh Academy
17 pupils?

18 A. Um, in what sense?

19 Q. It became more relaxed at Edinburgh Academy?

20 A. It is really difficult to say, because you just turned
21 up with a team and you would play rugby and then you
22 would go away.

23 One or two of the teachers who were -- George
24 Harris, the history teacher, he used to coach a Geits
25 team, which is equivalent to the primary 7, and he used

1 to chat. To be fair, he was one of my last registration
2 teachers at the Academy, and he was nice, I chatted
3 away.

4 Q. Was he still calling the boys by their surnames, though?

5 A. Yes.

6 Q. So that formality hadn't lapsed?

7 A. Yes.

8 Q. Yes.

9 A. I really wouldn't like to say how long that carried on
10 for.

11 Q. No.

12 A. You tend not to notice. Normally, if it is a home game
13 they would referee, obviously, and then -- but you
14 really couldn't hear them, what they were saying.

15 Q. Okay.

16 A. And if it was an away game for them, at the other
17 pitches, the schools were -- the other school I am at,
18 I would be refereeing and you couldn't really hear them
19 calling out pupils by name; it was more sort of skills
20 and strategies, and stuff like that.

21 Q. All right. After a career in education, thinking of
22 this Inquiry --

23 A. Yes.

24 Q. -- what was lacking, do you think, in the systems at
25 Edinburgh Academy?

1 A. Um, I think it was lacking in that there didn't seem to
2 be any form of pastoral care in the school, as most
3 schools do now.

4 I think the Academy may not have been on its own in
5 that sense, but there didn't seem to be -- the next
6 school that I taught at, the senior department that
7 I taught at, they were all in houses and each house had
8 a housemaster, and that was a big -- quite a big thing,
9 and pastoral care came through that, and the
10 housemasters, and at one point the house mistresses as
11 well, they were sort of more in a caring sort of thing.
12 It wasn't a regimented thing. It was the housemaster or
13 mistress would try to get to know the boys. Any
14 problems, the first port of call for them would be to
15 their housemaster.

16 And while, as far as I can remember, the Academy
17 didn't seem to have that. They had houses and the only
18 time they tended to use the houses was when you were
19 competing in athletics, school sports and such like.

20 Q. The other thing you make mention of is the need to vet
21 teachers properly?

22 A. Yes, yes.

23 Q. Do you say that because you view the teachers we have
24 been discussing --

25 A. Yes.

1 Q. -- as unsuitable to teach?

2 A. Yes.

3 Q. And should never have taught?

4 A. Should never have taught, no. Mr Wares, you know, his
5 background, how he -- well, I'm sure you will have that
6 in your notes of how his -- when he came to Edinburgh.
7 Why he came to Edinburgh in the first place, and then
8 things happened, happened to him, or areas that he went
9 to for help, possibly, and then he got a job in the
10 Academy, and that's where the vetting procedure should
11 have happened. But I don't think -- whether that
12 happened in those days at all.

13 Q. Do you remember when you went to teacher training, in
14 1977 --

15 A. Yes.

16 Q. -- was there vetting?

17 A. Yes, there was. Yes, very much so. Yes.

18 Q. Who was doing the vetting?

19 A. Again, the college of education were -- you had, again,
20 a tutor guiding you through your courses, et cetera, and
21 one of their jobs was to vet. And, obviously, when we
22 were in schools teaching -- and teaching practices,
23 there would be numerous visits from these tutors, to see
24 how we were getting on, but they would also have
25 a wander round and have a chat to the children in the

1 class you had, plus they would have contact with the
2 head teacher of the said school.

3 Q. What about background checks?

4 A. I don't think so.

5 Q. So that wasn't in place in the 1970s?

6 A. No, that wasn't in place in the 1970s.

7 LADY SMITH: So when you are talking about vetting; are you
8 talking about a system of supervision and inspection?

9 A. Yes, yes.

10 LADY SMITH: Thank you.

11 A. So low level inspection. Just, you know, being able
12 to -- someone higher up in the school, in the management
13 area, should be more visible in the classrooms. And
14 they would be able to -- should be able to -- from
15 groups of children and things, should be coming back to
16 someone in that position, which may have halted any
17 abuse that had happened. Because it seemed to just go
18 on and on and nothing happened, you know. You would
19 never see another teacher in that classroom.

20 Whereas when I started teaching there was a head of
21 a group -- let's say six primary 4s or something, there
22 would be a head of that year group, a year group head,
23 and the teachers would be looked at and observed in
24 an informal manner. They would know what goes on in the
25 classroom. But certainly the Academy seemed to be

1 a closed door.

2 LADY SMITH: Am I to understand, when you are talking about
3 your experience, and it would be between 1977 and 1980,
4 I suppose --

5 A. Yes.

6 LADY SMITH: -- as a trainee in practice --

7 A. Yes.

8 LADY SMITH: -- you wouldn't have been in the employment of
9 the schools you were in or the local authority whose
10 school you were at?

11 A. Yes.

12 LADY SMITH: And you wouldn't be qualified, and so this low
13 level inspection or supervision that you are talking
14 about would be a bit different from what might occur in
15 relation to somebody who is a qualified teacher,
16 employed by the school; that would be the state system
17 of inspection then that would apply, wouldn't it?

18 A. Yes, yes.

19 LADY SMITH: Right. But perhaps the higher level point you
20 make is: it matters to have some sort of system of
21 finding out --

22 A. Yes.

23 LADY SMITH: -- how a teacher is conducting themselves in
24 the classroom.

25 A. Yes, yes.

1 LADY SMITH: Or elsewhere, in terms of --

2 A. That's right, yes.

3 LADY SMITH: -- their responsibilities in the school.

4 A. Yes, absolutely, I think it is very important in that

5 way. Most schools nowadays, they do have that in place.

6 But the comparison -- again, one of the comparisons

7 from the Academy, from when I started back in Edinburgh,

8 the classrooms weren't closed door classrooms. People

9 would be wandering in and out, and other teachers would

10 be wandering in and out for various things. Some of

11 the -- like, the more senior teachers would be wandering

12 in and out, just to pass on a message, or obviously that

13 was being used as a form of low level vetting, or

14 observation.

15 LADY SMITH: Thank you.

16 MR BROWN: Oversight.

17 A. Oversight, yes. Well, certainly at the school I worked

18 at, it seemed to work, as well. I mean, unfortunately,

19 in education there will always be people who slip

20 through, that have not been charged with anything, so

21 there is nothing in the disclosure, when they disclose.

22 Sadly, teaching is like any other area in life, some

23 people will slip through the net. But I think over the

24 last 15/20 years it has improved quite dramatically.

25 MR BROWN: Yes.

1 A. In Scotland.

2 MR BROWN: 'James', thank you very much indeed. Is there
3 anything else you would wish to say?

4 A. No, no. Not at all. I just feel, although it is
5 a school -- I am loyal to the school, I just think the
6 incidents that I described should be looked at and the
7 school should know what happened. I'm sure they do.

8 But, you know, obviously the Academy is completely
9 different now because it is co-ed, so it will be
10 completely different.

11 But rather than churning out the old same, "We have
12 safeguarding and everything in principle, this would
13 never happen ..." yes, but it did happen and, for some
14 people, psychologically, it must have.

15 It didn't affect me particularly. I think I have
16 pointed out my academic -- I was pretty high -- pretty
17 good in the preparatory school and when it hit -- went
18 into the Geits, the Geits was okay, and then I seemed to
19 sort of dive down dramatically, because I wasn't
20 enjoying the school, to be blunt. And then the last
21 year, I actually got my act together with help from some
22 of the teachers I mentioned before. Again, that is
23 something I keep on saying: the Academy did have some
24 outstanding teachers, very much in a pastoral care --
25 years after I had left there -- 1999, I think my father

1 died, and they had moved down to Yorkshire, and the
2 first phone call was from Howard Haslett, from the
3 Academy, just to say, you know, "I'm sorry", because he
4 knew my dad, I think he had treated his children or
5 something. So that was -- as I say, that was good. And
6 then people like Jack Bevan and [IFP] and such
7 like.

8 MR BROWN: Thank you.

9 LADY SMITH: 'James', thank you very much.

10 A. Okay, thank you.

11 LADY SMITH: Thank you for sharing memories that are
12 obviously still very clear --

13 A. Yes.

14 LADY SMITH: -- that date back nearly five decades --

15 A. Yes.

16 LADY SMITH: -- from your time at the school. It is really
17 helpful for my learning.

18 A. They have always been there, at the back of my head.
19 Always been there. Sometimes it comes to the front for
20 an unknown reason, whether -- I don't know, but I do
21 remember that.

22 LADY SMITH: Well, 'James', thank you.

23 A. Okay, thank you.

24 LADY SMITH: That does complete your evidence. I am just
25 going to leave the bench. Would you please take your

1 time, just as long as you need --

2 A. Yes.

3 LADY SMITH: -- to go back to the witness room and have
4 a restful time for the rest of today, I hope.

5 A. Okay, thank you very much.

6 (3.18 pm)

7 (A short break)

8 (3.25 pm)

9 LADY SMITH: Now, before I ask Ms Bennie to read in some
10 witness evidence, I just want to mention some names
11 covered by my general restriction order, in case people
12 didn't realise that they are. That's ICA [REDACTED], IBU
13 [REDACTED], IDT [REDACTED], Mr IDO [REDACTED], and the last witness
14 actually used his own second name, which of course is
15 protected by the general restriction order, and he used
16 the name of another boy, who has the same second name,
17 who is also entitled to anonymity. So I would ask
18 everybody to remember that, please.

19 Now, Ms Bennie.

20 MS BENNIE: Thank you, my Lady.

21 My Lady, the first witness statement to be read in
22 bears the reference number WIT-1000001290. My Lady,
23 this witness wishes to remain anonymous and has adopted
24 the pseudonym of 'Gavin'.

25

1 'Gavin' (read)

2 MS BENNIE: "My name is 'Gavin'. My date of birth is 1959.

3 ... I was born in Edinburgh ... I don't have any
4 siblings. ... life at home was fine. I had lots of
5 friends and I don't remember any issues in my
6 early years at all. My dad was a bank manager and my
7 mum didn't work to start with, but started a job as
8 I was starting the main school to help pay the fees.

9 "Edinburgh Academy ...

10 "I recently contacted the school to ask for my
11 records and they stated that I started at the school in
12 ... 196█ and I left in ... 197█. They didn't tell me
13 any more than that. I started at the age of five. That
14 was at Denham Green. My dad had had been at the
15 Edinburgh Academy and so my parents chose the same
16 school for me. I think they were surprised that
17 I passed the entrance example. I wasn't very bright.
18 I don't remember much about the entrance exam or the
19 lead up to going to the school.

20 "My parents paid my school fees throughout. I was
21 always going to be at the Academy as a day pupil. There
22 was never any discussion about me boarding. The school
23 was just a bus ride away and it was easy to get to and
24 from the school on the bus. There was never any
25 pressure from the school to become a boarder.

1 "I wasn't aware of the boarders being treated any
2 differently from the day pupils by the teachers.
3 I didn't have close friends who were boarders. ... my
4 circle was made up of day pupils. I don't remember ever
5 being in any of the boarding houses. I don't remember
6 ever being told what life was like for the boys in the
7 boarding houses.

8 "[The] Lower school

9 "I don't remember much about Denham Green. I think
10 it was fine there and I don't remember any bad things
11 about it. I think I quite enjoyed my time at
12 Denham Green. ... I was at Denham Green from the age of
13 five up to around the age of eleven. I remember playing
14 lots of sports in the lower school and it was quite
15 sport orientated. I can't even remember the classrooms
16 and my memories of that time are very vague.

17 "I don't know who the headmaster was when I was
18 there. I don't remember the names of any of the
19 teachers. Nothing much sticks me my mind about the
20 lower school. At that point I think I was getting
21 a lift to the school from my parents. In the upper
22 school I was taking the bus to school. I always knew
23 I would be moving on to the upper school.

24 "Upper school

25 "The upper school was quite different. I think in

1 the first couple of years there was fine. I wasn't very
2 bright so I was in one of the lower classes. I found
3 the work quite hard. There was a different dynamic in
4 the upper school. It was very focused on learning and
5 passing exams or you wouldn't get into university.

6 "The head teacher in the upper school was called
7 ICH [REDACTED]. He was there for the duration of my time in
8 that part of the school. He would sometimes come into
9 the class. He was always at assembly. I thought he was
10 quite stand-offish personally. He was very strict.
11 I don't remember a deputy, but there might have been
12 one.

13 "I remember some teacher's names. There was
14 a Mr Haslett, Mr Wilmot and Mr Dawson, who taught maths,
15 I think. IBW [REDACTED] was the [REDACTED] teacher. I was quite
16 into [REDACTED] and I was in the school [REDACTED] and various
17 [REDACTED]. [REDACTED] was quite a big part of my life. There
18 was Mr Turvey who I think taught biology. The gym
19 teacher was called Mr IBU [REDACTED]. His nickname was 'IBU [REDACTED]'
20 though I don't why that was. There was also Mr IDO [REDACTED] and
21 he might have taught history, I am not sure.

22 "The first couple of years I was settling into the
23 school and it was okay. I played rugby and I played
24 some cricket as well in summer. I think I was in the
25 third team for rugby. There was a lot of emphasis in

1 the school on playing sport. If you weren't good at
2 sport I don't know if it was a hindrance for some
3 people. I quite enjoyed sport generally. I didn't like
4 running. I think as long as you participated in sport
5 it was fine.

6 "There was definitely differentiation depending on
7 how you were academically. It was just schoolboys being
8 schoolboys, and you would get called names for being
9 'thick' and being bottom of the class. That kind of
10 ribbing. That was coming from the other pupils, not
11 [from the] staff. I don't remember any members of staff
12 saying things like that."

13 My Lady, I now move to paragraph 16, on page 4:

14 "We had different teachers for different subjects
15 and moved classrooms throughout the school day. After
16 school, there could be a pipe band or orchestra
17 practice. I had music lessons as well and they were
18 always after school. That was violin and clarinet. The
19 piano was my main subject but it wasn't taught at the
20 school. I had private lessons.

21 "There was sports lessons on certain days of the
22 week. It was based around rugby and cricket. There
23 would be matches against other schools as well as
24 practice. I don't think these things after school were
25 optional.

1 "The teaching standard was fine. I think the
2 education part of the school was quite good. I didn't
3 have to stay to do prep in school. There were parents'
4 evenings at the school and my parents would come to
5 them. I didn't sit with them when they spoke with the
6 teachers. I don't know any of the issues highlighted
7 other than my academic work. I imagine that would have
8 been the issue, though I don't know that.

9 "At the end of the school day sometimes boys had to
10 stay to do the Combined Cadet Force activities. The
11 school was very keen on military things. We had to
12 dress up in uniform for drills. It was a bit like the
13 army. I managed to escape these military things because
14 I was playing in the pipe band that was a good move. ...

15 "I went skiing with the school for a week. There
16 was a trip up to the Highlands, staying at Blair House
17 I think it was. That was mainly about going on long
18 walks. I can't remember if teachers took us on these
19 trips. These experiences of trips were fine ...

20 "I don't remember any external parties coming into
21 inspect the school ...

22 "I don't remember if there was a matron or a nurse
23 in the school.

24 "Discipline.

25 "I don't remember anyone explaining the codes of

1 discipline to us. Detention was one thing the teachers
2 had to discipline us with. Sometimes there was
3 detention after school. That could be if you got poor
4 marks in your homework or if you hadn't done your
5 homework or if you did something wrong, like you ate
6 chocolate in class. It could have been if you had left
7 something at home that you should have bought in to the
8 school. There were various misdemeanours that would get
9 you detention. The teachers gave detention. I don't
10 know if the boarders got detention as well as the day
11 boys.

12 "I don't think my parents got notified that I was
13 getting detention. ... I don't remember telling my
14 parents I was getting detention, and why. The teachers
15 were all very different people and some were quite kind
16 and some were nasty. There was a broad range. In some
17 classes you just wanted to keep your head down and not
18 get noticed and in other classes you felt [quite]
19 relaxed in. It depended on the teacher.

20 "There was corporal punishment. You could get hit
21 with a tawse for various things. It seemed that was
22 part of the school rules. It was a leather strap and at
23 one end it was cut so it was split into tongues.

24 "The Academy had a system of prefects who were
25 senior pupils called ephors and they were there in every

1 school year in the upper school. I don't know how the
2 ephors were chosen, but I think they were chosen by the
3 rector. There definitely wasn't a vote by the pupils.
4 It may have been done on exam results and sporting
5 achievements. The ephors were the elite in their sport
6 or top of the class. They had their own office that was
7 close to the rector's part of the school.

8 "The ephors could give you lines, then you might get
9 100 lines from them and told to make sure it was done by
10 tomorrow. The lines had to be taken from the books you
11 were studying for English literature and I remember that
12 once, I was conveniently studying 'Kes', and there was
13 a line in the book, 'You fucking bastard' or something
14 like that and I chose it. It was the sentence I had to
15 repeat over and over again, so that the ephors would
16 read the line.

17 "I was reported to the rector, ICH [REDACTED], for that
18 and I was taken in front of him and he gave me
19 a bollocking over it. I told him it was just
20 a coincidence. He never asked me to explain why I was
21 doing lines and if there was anything wrong. It was
22 straight to the bollocking. I don't think I was in
23 front of the rector at any other time. I was doing
24 a hundred lines every night at home and it was
25 a consistent, almost daily, thing.

1 "I don't think there was anything written down about
2 what the ephors could do to us, but I have a memory that
3 before I went to the upper school, perhaps when I was in
4 Denham Green, that they could give physical punishments.
5 When I went to the upper school it had only just been
6 changed. They could still give out lines. There was
7 a regular few of the ephors who were the issue for me.
8 There was one I particularly recall called ... he must
9 have been old enough to be on the brink of leaving
10 school, so aged seventeen or eighteen.

11 "Abuse at Edinburgh Academy.

12 "Hamish Dawson.

13 "One teacher in particular, Hamish Dawson, used the
14 tawse. He gave the belt for anything he chose. He also
15 used to throw the wooden board duster on a regular basis
16 at us and it hit people and I imagine that hurt. It did
17 hit me.

18 "I got the belt from Mr Dawson. You had to go up to
19 his desk and hold your hand out for him and you would
20 get hit with it so many times. I can't remember how
21 many strokes you'd get from him. I got belted by him
22 maybe a dozen times on the hand and each time I got
23 about six. I don't know if that was the accepted
24 maximum. He belted other pupils in the same way. This
25 would be in front of the class. It could be for some

1 misdemeanour in class or if your homework wasn't good
2 enough. Anything, really. It happened regularly, maybe
3 more than once a week in my class. I don't think he
4 gave out any other punishment, like writing lines or
5 telling you to come back to class and do another hour's
6 work. I don't remember how long he was my teacher for.

7 "It was a frightening class to be in. He was
8 volatile. You just wanted to keep your head down and
9 hope you didn't get picked on.

10 "Mr IBU .

11 "I went through a period when I skipped games and
12 got caught by Mr IBU , the gym teacher. I would guess
13 I was aged thirteen or fourteen. I think he told me in
14 class to report to his office at the end of the ... day.
15 When I went to his office he gave me six with
16 a full-sized wooden cricket bat. There wasn't anybody
17 else in the office when he did this. That was
18 a shocking episode for me. It was unbelievably painful.
19 It was on my bare bottom. He told me to lower my
20 trousers and my pants. I was bent over a desk or
21 a table. I was physically sick after it.

22 "I don't recall anything Mr IBU said to me before
23 or after hitting me with the bat. He was shouting at
24 me. I know he was really furious about it and angry
25 with me because I had managed to skip games for weeks.

1 I was skipping games because I didn't like cross country
2 running. I had actually come off the roster, which was
3 great. I am not aware of any written record being made
4 of this punishment by him. I still came across Mr [REDACTED] IBU
5 after this incident and he didn't make any ... reference
6 to it.

7 "I have a memory that my friend from class, a fellow
8 day pupil, waited for me outside. When I staggered out
9 he was there, I seem to remember. I discussed it with
10 my friend when I came out. I don't remember him saying
11 he had heard what went on.

12 "This punishment wasn't a recognised thing at
13 school. I don't remember hearing that anyone else got
14 that punishment. I didn't talk to other boys about it
15 specifically, but other people in my class were aware of
16 the punishment.

17 "It happened on the one occasion only. That was the
18 worst thing that happened to me at school. I didn't
19 require any medical attention afterwards. I had bruises
20 for about a week. I didn't tell my parents. They
21 weren't aware of my injury and I hid it from them.

22 "I can't remember anything else done by Mr [REDACTED] IBU
23 that I consider to be abuse."

24 "Mr [REDACTED] IDO .

25 "A teacher called Mr [REDACTED] IDO could give you the boot.

1 I can't remember what he taught. Plenty of people got
2 the boot. It was a punishment that he gave pupils. You
3 would have to bend over and he would just kick you. It
4 was a full kick. It was painful. This was in the
5 classroom. He would call you up to his desk. I saw it
6 happen to other boys. I can't remember who they were.
7 It was just his method of punishment for the usual
8 things, like your homework wasn't good enough. It
9 happened to me, maybe three times. I was bending over
10 when he did it.

11 "Changing rooms ...

12 "I used to love playing rugby but the showers and
13 [the] changing rooms became places to avoid, hence my
14 determination to skip games as often as possible.
15 I have some memories of groping after rugby when we were
16 getting changed. I have got a memory of a teacher
17 pulling towels away from boys' waists. This happened in
18 the changing rooms with the wooden benches. I think
19 boys were coming out of the showers and they had towels
20 round their waists. It didn't have any effect on me at
21 all at the time. I don't think it happened to me. It
22 was just something that was in my memory. I don't know
23 which teacher it was and I don't know the context of it.
24 I have the memory of it and I don't think it was
25 a punishment. Maybe those boys were just being slow.

1 "I don't know if there would normally be a teacher
2 supervising the changing rooms. I don't remember.

3 "The ephors.

4 "The ephors didn't impact on me for the first
5 few years then I must have done something and caught
6 their attention I suppose. I would have been aged
7 thirteen or fourteen. I became a target ... along with
8 number of other boys from my class in terms of bullying.
9 The relationship me and some of my classmates had with
10 them deteriorated. The ephors were intimidating and
11 I was being told by them to 'smarten up'. Outside of
12 the ... office there was plenty of stuff said that was
13 intimidation.

14 "I don't think they were allowed to punish us by
15 hitting us or anything like that, but could you could
16 get called into their office and get clipped round the
17 ear by them. I didn't see the others being clipped
18 round the ear as that happened in the ... office. If
19 you were called into their office you knew you were
20 going to get a clip round the ear.

21 "I could get called into their office and they would
22 ask 'Why you are you so thick, **KAO** ?' and I would get
23 a clip round the ear with the back of their hands.
24 I was in the bottom class and I think that was enough
25 for ... [them] to take an interest in me. School work

1 was a struggle for me. I was in the bottom half of the
2 bottom class. I didn't get any extra tutoring help from
3 the school.

4 "In the worst case, one of the ephors slashed the
5 back of my neck with a steel comb as I was walking into
6 morning assembly. I felt something cutting the back of
7 my neck. When I turned round one of the ephors, I don't
8 know his name, had done it. I'd had dealings with that
9 ephor before. He was one of the worst in the group.
10 I put my hand to my neck and there was blood. One of my
11 class mates told me that it was a steel comb that had
12 been used. I didn't see the comb.

13 "I don't remember having to get any medical
14 attention after my neck was cut ... I don't remember if
15 my parents noticed the cut on my neck or ... [the] blood
16 on my shirt.

17 "Recording of abuse ...

18 "I never reported my experiences while I was at the
19 school. There wasn't anybody at the school I could have
20 told about the ephors. There wasn't any sort of buddy
21 system where the older ones looked after the ...
22 [younger ones]. That was probably what the ephors were
23 supposed to be doing.

24 "Leaving the ... Academy.

25 "I never asked my parents if I could leave the

1 school before I was 16. I would have felt guilty going
2 to my parents and asking to move schools and it would
3 have been quite an upheaval to move. They'd made
4 financial sacrifices so I could attend the same school
5 as my father had.

6 "The ephors made things very unpleasant. I didn't
7 want to be at the school. I must have been about
8 fourteen when I made a decision I was going to move down
9 south as soon as I could. I didn't want to have to bump
10 into these people ever again. I knew if I stayed in
11 Edinburgh I would. I was determined ... [to] leave
12 school as soon as I legally could at the age of 16, much
13 to my parents dismay. I wasn't the only pupil leaving
14 at sixteen.

15 "My parents wanted me to stay at school until I was
16 eighteen and they were keen for me to go to the Glasgow
17 College of Music. That would require five O Levels and
18 two A Levels. I had no intention of going there or
19 anywhere. I just wanted to leave Edinburgh. I sat O
20 Levels in my last year at the Academy and I think I got
21 four O Levels. It wasn't enough anyway. I was very
22 poor at science subjects and maths and I think the
23 school decided I wasn't going to pass my maths exam.
24 They said they'd put me through the Scottish National
25 Certificate for O Level, rather than the Oxford and

1 Cambridge exam which all ... [the] other exams were.
2 The Scottish one was easier, so I scraped through that
3 one.

4 "I think there was a guidance teacher at the Academy
5 guiding us with exams and career choices. I probably
6 did get some advice, but it wasn't any help to me.
7 I knew what I was going to do.

8 "I didn't leave Edinburgh straight away. I did
9 a business studies course for a good few months. I went
10 to Basil Patterson College in Edinburgh, the idea being
11 ... [for] my parents perspective to pass another O Level
12 and to go ... to music college. I think they eventually
13 realised it wasn't going to happen. I stayed a few
14 months at Basil Patterson and then went down south ...

15 "Impact.

16 "My time at the Academy had an impact on me and made
17 me want to leave the town I was born in and I loved
18 Edinburgh. I was determined to leave because of my time
19 at school and move away. I didn't want to bump into
20 these people from school again, so I didn't want to have
21 any more contact with anybody from the school, even my
22 friends. I didn't want to have to think about it and
23 I put my experiences into a box and thought that was the
24 end of it.

25 "The worst aspect of the Academy for me was the

1 ephors, but the teachers had an impact on me too.
2 I felt scared just going to school. I skipped school
3 because I just didn't want to be there. It was
4 a horrible thing, going to school. My parents were
5 pretty annoyed with me. My dad especially was annoyed
6 with me. I can't remember what the school did about it,
7 but I don't think they did much. I don't think the
8 school asked me why I was skipping school. I didn't
9 feel there was anyone at school I could have spoken to,
10 although there were some good teachers there ...

11 "I hadn't thought about my time at the Academy until
12 recently. Last year I heard about the Inquiry, when
13 I was driving my car. I heard Nicky Campbell on the
14 radio talking about the Edinburgh Academy. I had to
15 pull over and stop the car because I couldn't believe
16 somebody was talking about it. I hadn't heard anything
17 before that and I never looked for any information about
18 my school. It was after that I contacted the Inquiry.
19 I'm not involved in any groups of former pupils.

20 "I'd reported the abuse to the Inquiry and the
21 report went to the police. I gave a statement to the
22 police in Edinburgh in June 2023. I ... I spoke to them
23 about the incident with Mr IBU mainly. I also spoke
24 to them about Mr Dawson and Mr IDO. I don't think my
25 interactions with the ephors were part of the statement,

1 although I may have mentioned them. They asked for my
2 consent to look at my school record and I agreed to
3 that.

4 "Lessons to be learned.

5 "For me the removal of the system of ephors could
6 have given me a happier time at school. That would have
7 been the one and first thing I would say. For
8 vulnerable pupils there wasn't anything worse than the
9 system of ephors that they had in place.

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

14 My Lady, the statement is signed and it is dated
15 12 July, 2023.

16 LADY SMITH: Thank you very much, Ms Bennie.

17 MS BENNIE: My Lady, the next statement bears the reference
18 WIT-1-000001141. My Lady this witness wishes to remain
19 anonymous and has adopted the pseudonym of 'Alexander':

20 'Alexander' (read)

21 MS BENNIE: "My name is 'Alexander'. My year of birth is
22 1961 ... I was born ... and grew up in Edinburgh. ...
23 I have two brothers and a sister. ... I am the
24 youngest.

25 "My father was a solicitor. I attended Denham green

1 pre-school which was a feeder school for
2 Edinburgh Academy. I can't remember sitting any exams
3 before attending the Edinburgh Academy school. Both of
4 my brothers went to Edinburgh Academy prior to me
5 attending. They were at the primary school for some of
6 the time I was there.

7 "I thought life at home was okay, but I realise now
8 that there were some difficulties in my parent's
9 marriage.

10 "I was a day pupil at the school from 196█ until
11 197█. It was all boys. There were 600 at the senior
12 school and about 200 in the junior school. I think the
13 junior school was primary 1 to primary 5. There were
14 about 20 to 24 pupils in each class. I think less than
15 half of the pupils were boarders ...

16 "The layout of the school.

17 "It was set in greenery. There were playgrounds all
18 around it. In that sense, it was a good learning
19 environment. It was a new school at the time, probably
20 built in the 1960s. [This is in relation to the junior
21 school] The classrooms were off to the right and on the
22 left there were offices. The steps lead up to a hall.
23 The layout was the same upstairs. There was a large
24 hall with a stage. It was a multi-purpose hall. You
25 walked through there to get to the back area of the

1 school where there were music rooms, art rooms and the
2 gym. There were two portacabins in the grounds outside
3 with classrooms. There was another block which housed
4 the fifth years. You went out at the end of the school
5 and that's where there was the portacabins which is
6 where my fourth year classroom was ...

7 "I have always been quite an early riser and
8 I didn't like being late, so I would get to school
9 early. There would be other people there too. You
10 weren't allowed into the school until 8 o'clock, and I
11 used to have to wait outside. They did not allow you
12 a football, but you did get to kick a tennis ball about.

13 "Once the school was opened would you go into the
14 classroom, they would take a roll and then you ...
15 [would go in to your] classes. They made sure you
16 didn't get much free time apart from breaks. On ...
17 breaks we went out into the playground and played
18 football with the tennis ball. You could walk around
19 the playing fields.

20 "We played sports after school and it varied because
21 they couldn't accommodate everybody all at the same
22 time. There were two afternoons a week and on
23 [a] Saturday mornings. They had a game called Hailes,
24 you played with a flat wooden spoon and you chased
25 a tennis ball about. They had rugby and athletics.

1 I think we played rugby in the winter and Hailes in the
2 summer ...

3 "I suppose I would have been aware of who was
4 boarding at the school. There was a kind of distinction
5 between those who were boarding and those who were day
6 pupils. I didn't have to stay at school to do any
7 homework.

8 "Discipline."

9 Which starts at paragraph 21:

10 "The sanctioned punishments by the teachers were
11 having to write lines for repeatedly getting lessons
12 wrong and were done in detention after school. There
13 was beatings, corporal punishment, with the clacken,
14 which was a big wooden spoon, and standing in the
15 corner. You could also be beaten with a gym shoe on the
16 backside. You could be sent to see the school head.
17 I can't remember his name. Then there were unique
18 punishments. The teacher who abused me, Mr Wares, would
19 brand me by running a piece of chalk down my cheek. He
20 would also like to throw the blackboard duster at
21 pupils. Another teacher would twist your ear. Those
22 were specific to individual teachers ...

23 "The female teachers didn't indulge in this form of
24 physical abuse. The class teacher would mete out the
25 punishment. Lines would tend to be for not learning

1 your lessons properly. A beating would be for
2 disruptive behaviour. I think in the first two years
3 some children who were left-handed were forced to use
4 their right-hand. I don't recall if they got their
5 left-hand beaten with the ruler.

6 "My mother became a teacher at the school during the
7 last two years at the school. She had taught [REDACTED]
8 [REDACTED]. I don't remember bullying being a big
9 problem, but I think it was there. I can recall walking
10 through the colonies in Stockbridge wearing my uniform
11 and there was one guy, from another school, who lay in
12 wait for me. So I got a couple of doings off him.

13 "I recall the gym teacher, whose name I don't
14 recall, would on occasion suggest that he had found
15 liquid on the floor of the gym and someone had wet
16 themselves. Of course no one owned up to this, so he
17 had the whole class drop their gym shorts so he could
18 inspect for wetness. I don't recall if he felt us
19 around our penis or just looked. I don't recall if
20 anyone was ever found to have wet themselves.

21 "Abuse at Edinburgh Academy ...

22 "In my fourth year, in 1971, my classroom was in one
23 of the portacabins at the back of the school. It was
24 self-contained and didn't adjoin onto any of the other
25 classrooms. There were 20 to 24 pupils in the class.

1 The class teacher was Iain Wares. He had the nickname
2 of Weirdo Wares among pupils. He had absolute white or
3 blonde hair. However, I would say he was probably only
4 in his late 20s or early 30s. He wasn't old. He had
5 a roundish face and was quite heavily built. He was
6 probably slightly shorter than average.

7 "The abuse took the form of Iain Wares calling me to
8 his desk under the pretence of going over homework.
9 I stood beside him whilst he sat at his desk. While
10 I stood there in front of the rest of the class who were
11 doing their other work he would fondle my penis by
12 putting his hands up my shorts. I recall that there
13 were piles of books on the desk so the rest of the class
14 might not see directly what was taking place. The
15 fondling did not feel affectionate in any way, but was
16 more threatening and intimidating. I couldn't try to
17 pull away, because he would pull you towards him to get
18 his hand up my shorts. A lot of pupils, but not all,
19 were invited up to have their homework looked over. If
20 others received the same treatment as I did, I do not
21 know. I suspect I was not alone.

22 "I don't remember much of the learning experience of
23 going over the work. It was quite traumatic in terms of
24 I don't remember learning much in that year. It went on
25 for the whole year, a couple of times a week.

1 "I presume he was doing similar things to other
2 kids. We didn't talk about it even though he went by
3 the nickname. Other people didn't talk to me about it,
4 so whether they were also experiencing it and also
5 keeping quiet, I don't know. In those days there was no
6 open way of allowing kids to communicate anything in the
7 school. I don't recall any school inspection or
8 anything like that.

9 "I didn't speak to my parents or my brothers about
10 it. I think Wares was well aware that kids might not
11 want to come out with these things to their parents as
12 they were paying their fees or they were simply
13 embarrassed.

14 "It seemed to be more about power than affection for
15 the pupil. I don't know what he got out of it. There
16 was no communication with him about it. He was never
17 trying to get you to meet him out of school or out of
18 the class. It seemed to be something that he liked to
19 do to anybody. It was intimidating in nature.

20 "I knew he wasn't a pleasant character. He would
21 also use subtle and not so subtle forms of intimidation
22 on the pupils in his care. He would throw the
23 blackboard duster at people. It was dangerous if it met
24 its target. It was a heavy block of wood. He would
25 'brand' pupil who did not please him with a piece of

1 chalk. It was not physically harmful, but seems to have
2 been part of his way of exerting his power and
3 intimidating the pupils.

4 "I think he was probably quite a cruel person.
5 I didn't think I had any contact with him after I moved
6 on. He might have been involved in the sports, but I'm
7 not sure. I might be blanking it out of my mind.

8 "Leaving Edinburgh Academy.

9 "I went to the senior school until I was 18.
10 I didn't have any problems there. I left the school
11 with five Highers. ... I went to Glasgow and studied at
12 the Glasgow School of Art.

13 "Impact.

14 "I put the incident away, but I think it has had
15 an effect on my life. I have never really been good at
16 showing my emotions and kept myself back from being very
17 expressive in relationships. I haven't had children, so
18 it perhaps ... [had] something to do with that ...

19 "I haven't had any therapy or counselling, but
20 I think I am going to pursue it. I have some good
21 friends who are involved in psychotherapy and
22 counselling and I have told them about it and they
23 strongly suggested that I should do something about it
24 because trauma can lurk there. ... I recognise some
25 kind of therapy or counselling will help. In many ways

1 I feel like I could easily carry on, but my friends have
2 advised me against that.

3 "Reporting of abuse

4 "I have considered reporting the abuse on several
5 occasions throughout my adult life. However, I always
6 felt that I wouldn't be taken seriously, even as
7 an adult. Occasionally these things would come up in
8 the media and I thought maybe I should report what
9 happened to me. At that time I did consider maybe I was
10 the only one he was abusing and I was potentially just
11 exposing myself in reporting. When I saw the coverage
12 on BBC Scotland some time ago I realised I wasn't alone
13 and there was something going on.

14 "The police have contacted me to advise that they
15 have been made aware of the abuse I disclosed to the
16 Inquiry ...

17 "Lessons to be learned.

18 "I think somehow children have got to feel that
19 there is someone who they can turn to. Looking back, it
20 is astonishing that someone in my situation didn't talk
21 to my parents, siblings or someone in the school. One
22 has to have a way to communicate these things. If
23 people can't speak out about this experience, it is
24 difficult for them to get any help with the trauma.

25 "Hopes for the Inquiry.

1 "I hope something is put in place that ensures
2 children don't suffer from this in the same sort of way.
3 I would like to see my abuser brought to justice. As
4 far as I believe he is still alive ...

5 "I have no objection to my witness statement being
6 published as part of the evidence to the Inquiry.
7 I believe the facts stated in this ... statement are
8 true."

9 My Lady, the statement is signed and it is dated
10 1 December 2022.

11 My Lady, I do have further read-ins I can continue
12 with.

13 LADY SMITH: Yes, do you have one short one that we could
14 just fit in before we rise for the day?

15 MS BENNIE: Um, I think the next one is not particularly
16 long.

17 LADY SMITH: Okay, let's do that, then.

18 MS BENNIE: The next witness statement bears the reference
19 WIT.001.002.8753.

20 LADY SMITH: Thank you.

21 MS BENNIE: My Lady, the witness wishes to remain anonymous
22 and he has adopted the pseudonym of 'Perseus'.

23 LADY SMITH: Thank you.

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'Perseus' (read)

MS BENNIE: "I was born in Edinburgh, I have two older sisters. Life before going to school was quite idyllic. There was the usual sibling rivalry and my two sisters were very academic, and I was the sporty one. I am mildly dyslexic and this must have been picked up quite early on as Edinburgh Academy were aware of it when I started there at the age of 5.

"Apparently the primary school was known to manage pupils with dyslexia, although I do not recall any additional support and the school wasn't particularly dyslexic friendly. The Academy was chosen for me partly because of where we lived in the city. The school's reputation probably helped, and the new prep school had just been built.

"The prep school was on Arboretum Road near Golden acre and was separate from the rest of the school.

"I was educated in the same building until I was about 7 years old. It was a big, old ramshackle house and large grounds. It was a nice building and there were lots of trees on the grounds. There were no children who were boarding at that stage. I think children started to board when they went to the prep school at the age of 8, but I am not certain.

"I had enjoyed the nursery school at

1 Edinburgh Academy. I got used to things and learned how
2 to behave, so I didn't get into trouble. I was now in
3 a separate new building from the nursery school.

4 "With regards to teachers I can only recall Ms Scott
5 in the nursery school. I can't recall what the codes of
6 discipline were at the nursery. I am sure there must
7 have been physical discipline, but I generally kept out
8 of trouble and don't recall any particular incidents.

9 "The new prep school building was a typical 1960s
10 design and quite clinical, with linoleum floors and with
11 a hospital-style interior. It was designed and it
12 wasn't bleak. I was educated in that building until
13 I started secondary school. The grounds were extensive.
14 I recall a playing field and a running track and large
15 trees.

16 "In the prep school we were generally in the same
17 classroom and we moved around to different rooms for
18 certain subjects, like RE and art.

19 "With regards to the prep school teachers, I recall
20 Ms MacKenzie, she was an excellent teacher. After 3A
21 I progressed to 4A and then to 5B. I began to drop
22 grades as I got older and I wasn't producing the same
23 quality of written work as the others. Our work was
24 measured frequently through internal exams. It was
25 quite a big thing to be demoted from stream A to

1 stream B. I was okay with it myself, as I knew
2 I couldn't compete with my sisters, and I was happy to
3 move to 5B, as I wasn't in a class with swots and I had
4 better classmates who played football.

5 "Routine at primary school.

6 "In the mornings I would be dropped off at school.
7 In school there would then be prayers said in the main
8 hall and this was led by the headmaster. The ethos of
9 the prep school was to build character and to remind us
10 to behave in a civilised manner and to do the best that
11 we could with what we had. They did that through
12 restricted discipline.

13 "At prayers there was a strict lining up of pupils
14 and we were not allowed to talk to each other. After
15 prayers we would disperse into our class groups. By the
16 end of prep school some of the pupils were boarding.
17 I never saw the sleeping arrangements for the prep
18 school pupils, but was aware of where their boarding
19 house was. I didn't have any friends who boarded at
20 prep school and I know very little about the evening
21 routine.

22 "In the hall there were different tables for
23 different classes and at lunchtime there was a lot of
24 chatter. School dinners were provided for nearly
25 everyone, but a small number had packed lunches. I had

1 school meals. I don't remember the school meals in prep
2 school, but by the time of secondary school they were
3 bad. The staff were present and eating with the
4 children. I can't remember if they had a separate
5 table.

6 "The boarders had their tea in our lunch hall.
7 Sometimes, if there was an event after school, we would
8 stay on and have our tea with them. It was a big hall,
9 designed as a performance space and wasn't very bright
10 and it always struck me as not being a happy place to
11 have tea at the end of the school day. It wasn't homely
12 at all.

13 "With regard to the curriculum in the prep school,
14 we followed the English model generally. Most of the
15 teachers were academically very bright and straight out
16 of Oxbridge. The headmaster was Mr Britton. The school
17 was divided into four houses and I was in Cockburn. The
18 house colour was blue, which is better than being green
19 or yellow. Yellow was the colour for the boarders. The
20 houses were really for sporting team purposes so we
21 would compete against each other. The boarders tended
22 to be more close knit and better at sports.

23 "The school was aware I had dyslexia. At the start
24 there was possibly some unspoken understanding of it,
25 but it wasn't continued. I don't recall any of the

1 teachers making any allowances for my understanding of
2 the school work and there wouldn't have been much
3 understanding of dyslexia in those days.

4 "In the prep school I had a form master who would be
5 my teacher for all that year, and took nearly all the
6 lessons. It was only at secondary school I had
7 different teachers for different topics. It is
8 difficult now to recall the names of the teachers, but I
9 recall there was another form teacher called Mr Wares.
10 I can recall that we had a separate PE teacher at this
11 time who was very good, but I do not recall his name.

12 "In prep school there were both boarders and day
13 pupils. I don't recall any real rivalry between day
14 pupils and the boarders, but the boarders were
15 noticeably close knit. I was becoming more aware of
16 them from the age of 8.

17 "In prep school there may have been about 20
18 teachers and the standard of teaching was mixed, but
19 reasonably good. They tried to be quite progressive in
20 primary education and follow modern thinking.
21 Mr Britton was quite nice and calm, but not to be messed
22 with. We got a lot of homework and I got on okay with
23 the extra school work."

24 My Lady, moving on to paragraph 28:

25 "The boarders had visiting days. They were allowed

1 to leave school premises overnight twice year in the
2 term time. In the school holidays they either went home
3 or if they couldn't go home they stayed on the school
4 premises. I think the parents could visit any time they
5 wished, but often they lived overseas and that was why
6 their child was in boarding school. I think that they
7 were encouraged to write to their families and there was
8 a letter writing session once a week on school paper.

9 "I don't recall any inspections taking place in the
10 school.

11 "Discipline.

12 "There was strict discipline in the prep school. It
13 was extremely physical. I don't recall a lot of
14 shouting. There was sometimes rage on the part of a
15 teacher who was losing control of the children, but they
16 kept it under the surface as much as possible. I don't
17 recall ever seeing a written code of conduct or rules.
18 A typical punishment might be writing out school lines
19 100 times. This would be a halfway point before the
20 physical discipline started. The sort of behaviour that
21 would be disciplined included talking in the class or
22 anything that disrupted the flow of the class, and
23 generally classes were silent. I never felt it was so
24 heavy that there was no space for misbehaving. There
25 was always some sort of disruption going on, so the

1 deterrent wasn't that strong. We knew that the ultimate
2 sanction was being expelled and we knew that they
3 weren't going to do that because we were fee paying and
4 we felt secure in that.

5 "Physical punishment started in the primary school
6 with rulers on fingers and a slap about the head. That
7 would be administered by the class teacher. If you were
8 sent to see the headmaster it was a big thing and that
9 didn't happen as often as it meant the class teacher had
10 failed. Discipline tended to be administered by the
11 class teacher. My teacher Ms MacKenzie was fierce
12 enough, but don't recall her ever using physical
13 punishment.

14 "Part of private school life was to invent a game
15 based on some old traditions. We had a game called
16 Hailes. We were the first year that didn't play it. It
17 was played with a small hard ball and flat wooden bat.
18 The game was considered too dangerous to play, but the
19 teachers used to bat the pupils on the bottom. I got
20 six of the bat from a male teacher when I was aged 10.
21 I had been beaten by him before. He was really pretty
22 angry at me. I remember I could sense his presence
23 behind me and heard the squeak of his shoes as he hit me
24 because of the effort he was putting in to it. This was
25 in front of the class and something like this happened

1 to someone in my class every week, and from other
2 teachers. I expect I was left with bruises, but I don't
3 remember them.

4 "After the beating, you would be trying your best to
5 stop yourself from crying and you would be sent back to
6 your desk in a mess. You did recover quickly, and there
7 was some kudos amongst your pals. This teacher used a
8 bat, but women teachers in nursery used a ruler on your
9 hands and I think they would strike you more than once.

10 "Other pupils were hurt in this way frequently. I
11 can't recall examples, and you knew what they were going
12 through. There was a small group of children who were
13 beaten regularly, and I was on the periphery of that.
14 My recollection is that it was a weekly occurrence.
15 I don't recall any record being made of physical
16 punishment.

17 "I didn't speak to my parents about physical
18 punishments. I think they would prefer not to know that
19 I had been naughty. No notes were sent home about
20 punishments, though I assume that would be the next step
21 up. A comment might be made on report cards and I think
22 there were slots available on the cards for comments
23 about behaviour, but punishments were not specified.
24 I think my parents were aware that there was physical
25 punishment.

1 "Abuse at the prep school.

2 "Mr Wares was one of the class teachers and
3 he wasn't my teacher. I think he was the teacher for Vc
4 or Vd. All teachers had nicknames and he was called
5 Weirdo Wares. He would stick his hand up some boys
6 shorts and it was as far as the rumours went. As
7 children we didn't have the language to deal with this
8 behaviour. We would refer to it amongst ourselves and
9 the level of discussion was fairly off-hand and
10 generalised. The issue was more about the effect it had
11 on the boy, like the physical punishment, and how many
12 they got before they started crying and how they were
13 perceived by their peers. I wasn't touched by Mr Wares
14 as he wasn't my teacher. I can't recall specific
15 occasions of boys telling me that he had touched them.
16 His behaviour was just part of a general culture and
17 rumour amongst boys.

18 "Mr Wares was middle aged and in his late 30s or 40s
19 with fair, straight long hair. We were aware his
20 behaviour wasn't ordinary behaviour, but he could get
21 away with it because it was normalised. I didn't
22 witness it happening, but was aware it happened in class
23 and in front of the other boys in that class. I don't
24 know the names of any of the boys who were in the class
25 who would speak about it. I had no idea how often it

1 occurred and it was happening when I was in the prep
2 school in year 5 and aged around 10. I had one more
3 year to go before upper school.

4 "Edinburgh Academy - upper school.

5 "We went on to the secondary school a year earlier
6 than the state schools. No preparation was given for
7 moving on to the upper school and I had not visited the
8 building prior to starting there. I can't remember my
9 first day there. I was still in Cockburn House.

10 I think by then I travelled there by bus every day.
11 I started upper school at the age of 12 and went into
12 the class called Geits. There were prefects and they
13 were called ephors and the head teacher was a rector.
14 The teachers wore gowns in class.

15 "The school was in a Georgian building that in my
16 view was not suited to teaching children. There was
17 an imposing entrance that leads in to the main hall.
18 There were five classrooms on each side of that
19 entrance. To us these classrooms were huge and there
20 were smaller ones round the back. There were no green
21 fields, unlike at the prep school. The boarders walked
22 to the school from their boarding house.

23 "I had friends who boarded at the upper school. My
24 best friend at school lived along the road from me and
25 secondary to him were two other boys [who were boarders]

1 ... and I tagged along with them as a third person in
2 the group. They were boarders at the Academy and slept
3 at the boarding house. I never stayed there myself but
4 I visited it. It looked very similar to the house used
5 for the nursery school. It was an old rambling house
6 and with some modern sections. My own home was just [REDACTED]
7 [REDACTED] away from the boarding house."

8 My Lady, I now move on to paragraph 45.

9 LADY SMITH: Thank you.

10 MS BENNIE: "the school was good at organising trips away
11 generally. We went away to a little cottage in Glen
12 Doll in the school minibus to do bracing outdoor
13 activities. It was supervised by the teachers. There
14 were also overseas trips and there was a school cruise
15 every year. I went on it once when I was 14 with other
16 schools. There were two members of staff, supervising
17 my year group.

18 "In the upper school we went to different classes
19 for different topics. I had no extra time to complete
20 written tasks but I got on reasonably well at secondary
21 school. My spelling can be quite random. In terms of
22 quality of teaching, the staff at the upper school were
23 a mixed bag and they could be fairly fierce. The
24 quality of teaching was mixed. There were different
25 teachers for different subjects. The maths teacher

1 I had for three years was not great at teaching my age
2 level. The teachers had come straight from university
3 and had not necessarily obtained teaching
4 qualifications.

5 "In O Level year I got another maths teacher and he
6 was brilliant and he got me through my exams. I recall
7 another teacher called Alan Jarman in the English
8 department. He got me into the top class for English,
9 which was my favourite subject. Similarly, in history
10 there was a very good teacher called Mr Harris and my
11 chemistry teacher was good too. There were frequent
12 formal exams internally and I did external exams too.
13 I had support at home with homework from my parents and
14 I was still lagging behind my sisters.

15 "There was no help in school in preparation for life
16 after school. There was not much by way of career
17 guidance. I don't think the teachers were trained in
18 that at all. I recall we did a psychometric test once
19 to try to establish what type of career path we should
20 follow and that was the extent of the careers advice.
21 It was assumed that we would go to university, even the
22 pupils who were not gifted academically got to
23 university."

24 My Lady, I now move to paragraph 56:

25 "There was a system of fagging but it probably had

1 a different name. It was in the boarding section for
2 the boarders, and the senior pupils had younger boys who
3 had to do whatever the older ones told them to do.
4 I heard of things that boys had to do as fags that
5 seemed ridiculous and outrageous to me at the time. The
6 ephors were like the police force in the school and
7 I could understand what they were there for; to help
8 teachers with discipline and give boys experience of
9 responsibility, but the fagging system was open for boys
10 to exploit their power over others.

11 "Behaviour of pupils.

12 "There was probably dabbling in drink and drugs
13 amongst the older boys. There was talk of desperate
14 drug experimentation and vague references to heroin in
15 the boarding houses. I certainly didn't witness that.
16 I think the school's policy would be to treat it as
17 other misdemeanours. I drank with boarders on
18 a Saturday. I don't recall getting caught in the
19 boarding houses. Smoking was widespread. Parents
20 provided pocket money to the boys as part of the school
21 fees.

22 "There was a relationship between St George's and
23 Edinburgh Academy and there were notorious, official
24 parties for both sets of boarders, and I went to one of
25 them unofficially. There was one per term and on school

1 premises. It was minimally supervised. There was
2 alcohol involved. I was not aware of girls from St
3 George's coming in to the boarding house. With regards
4 to sexual relationships among boarders there was
5 a slightly submerged homoerotic thing going on which was
6 part of the atmosphere and seems inevitable in a single
7 sex setting. In the boarding house behaviour was much
8 more extreme than things were at home and people were
9 less inhibited. I don't remember any inspections when
10 I was at the upper school.

11 "Discipline.

12 "The upper school was more traditional,
13 hierarchical, and strict than the prep school. The
14 ephors were like the private police force and had their
15 own room in the school building. The staff had their
16 own entrance and their own space. The prefects were in
17 charge of behaviour and discipline in communal areas for
18 offences such as running or shouting. I am not sure how
19 they were selected then, by the time of my year to be
20 chosen it was done by election. Myself and some others
21 were not put on the ballot paper as we were not
22 considered the correct material. I think around a third
23 of the boys became prefects, from four classes of 26
24 pupils. The ephors took delight in finding reasons to
25 punish the younger boys. They could give out lines for

1 boys to write out. If you were sent to the ephors room
2 it meant a beating or a shouting. I can't remember
3 being beaten by them, but I went there to be shouted at
4 a few times. I was very aware of the head ephor when
5 I was in the first year.

6 "Ephors could beat boys and this happened to my
7 friends for pretty gratuitous reasons. Their reasons
8 were not like the ones teachers had for punishing us
9 when they were trying to run a class. Ephors picked on
10 the weaker members of the community. I can't recall if
11 any of my friends were beaten by them. I can't
12 specifically recall if any of my friends were beaten
13 with the clacken, this was the name of the bat that was
14 used in the game of Hailes. I remember it being
15 a terror, certainly in the first year they terrorised
16 the younger ones.

17 "The culture might have changed over my years at the
18 school. I don't recall the ephors in my year beating
19 children so often as when I was younger. It was common
20 to see physical punishments and it was threatened daily.
21 There was an interest in how many you got and your
22 demeanour afterwards. The teachers were not interested
23 in what the ephors did to punish the boys.

24 "Discipline at the hands of the teachers varied
25 widely. Some teachers were known for it and some were

1 not. One or two teachers had the tawse leather straps.
2 Mr Dawson, who taught English, was known for taking
3 delight over his instruments of punishment and he gave
4 them names. There was a tawse at his desk and my school
5 friend ... told me that he had a clacken on the wall
6 behind his desk. It would be frequently referred to and
7 it was supposed to scare the boys but not in scary way.
8 He was almost titillated by it I imagine. I recall that
9 Mr Dawson was in his early 40s, I think.

10 "I was punished by Mr Dawson although I cannot
11 recall any particular instances. I was also sent to the
12 rector's room a few times ... I went to his room when
13 the teacher got fed up with the repeat offences. I was
14 always very careful to keep my behaviour outside of the
15 trouble makers, but without making myself too much of a
16 goody. Like all teachers Mr Dawson gave punishments in
17 the classroom. I am not aware of any record being made
18 of the punishments given out. I can't remember thinking
19 the punishments were excessive at the time, but looking
20 back, it all seems excessive. With regard to the impact
21 on my year group, at the time it was so normal that it
22 felt part of the furniture. It was not discussed
23 amongst my peers, but in society generally it was
24 discussed more amongst adults.

25 "My parents were aware of physical punishments. If

1 I told them about being punished at school I don't think
2 I would have got much of a reaction from them. If it
3 was reported to them by the school, it depended on the
4 level of misdemeanour. It would have to be very serious
5 to get a letter sent home.

6 "Abuse in the upper school.

7 "Mr Dawson took a delight in trying to be a friend
8 to the boys and being funny. Part of his routine was to
9 tickle boys. He would talk about acres and acres of
10 pink tickly flesh and home in on you. At that stage we
11 were dressed in long trousers but he must have uncovered
12 us to some extent through our shirts, perhaps by undoing
13 buttons to get to the 'tickly flesh'. He had
14 a reputation amongst the boys for being what we called
15 a 'poof' and we had no other language at this time.
16 Mr Dawson was also a prep school boarding housemaster
17 and he was also married and lived in the boarding house.
18 He had a reputation for behaving weirdly at shower time
19 in the boarding houses and it was referred to in such
20 a way that I still cringe and can imagine the scene.
21 This was general knowledge.

22 "Mr Dawson taught us history and he was my form
23 teacher for one year in the upper school. In class he
24 had started to home in on me as one of the boys to
25 tickle. At one point he overdid things so I pushed him

1 away and told him to get away from me. That was quite a
2 shocking thing to say to the teacher. Especially as he
3 was someone with a reputation for beating boys. He was
4 the one with weapons in his room.

5 "When I think back to how I felt then, I must have
6 felt violated to have pushed him away. I wasn't
7 punished in any way afterwards and he didn't say
8 anything in response. I was probably aged 13 by the
9 time this happened. Tickling during class had become
10 a regular thing and happened probably once a week, but
11 not in every class. He did this to me and to other
12 boys.

13 "About one week after the incident, he asked me to
14 stay behind after class. It was break time after class.
15 He didn't touch me but he played me Rachmaninov's Piano
16 Concerto on his record player and asked me how I felt
17 about it. He wasn't being threatening at all and
18 I quite liked the music. Something told me I had to
19 leave and I excused myself and left the room. It was
20 particularly strange because he didn't play music during
21 lessons as far as I remember.

22 "The tickling in the class continued with other
23 boys. He tickled them openly through shirts and under
24 clothing. At the same time he would be telling the boy
25 why they were being tickled for some spurious reason as

1 well playing a part. I believe that some of the
2 boarders had bad experiences with him and I know a lot
3 of them were messed up for some reason or other.

4 "Mr Dawson was a housemaster for one of my friends
5 who were boarders and not the other. He was mentioned
6 in conversation, but in a non-specific way. I never
7 spoke to my parents about it. I remember some of us
8 were getting a lift home in my parents' car and referred
9 to Mr Dawson as being a 'poof' and my dad queried it.
10 He told us it was a ridiculous thing to say.

11 "I never reported to anyone when I was at school
12 about the behaviour of Mr Dawson, other than mentioning
13 it in front of my dad that one time when we were in the
14 car with school friends. I never made any formal
15 reports about the behaviour to the school or to the
16 police.

17 "After school I went to university, then developed
18 an interest in education and taught English overseas.
19 I then became a primary teacher in the UK, but did not
20 enjoy it enough to continue. I don't think my
21 experiences at Edinburgh Academy had any impact on my
22 teaching.

23 "Impact.

24 "The behaviour of Mr Dawson I only realised was
25 wrong and was probably an act of grooming when

1 I reflected back on it as an adult. I believe now that
2 boarding schools are potentially horrendous places that
3 can create deficits in children's lives and can take
4 away the stability from them. Things may be done
5 differently in boarding schools now, but I still have
6 difficulty with the concept.

7 "With regard to any impact on my later life, I am
8 neutral on that. I generally had a good time in school,
9 but am aware that many others did not, and do not often
10 think back on it.

11 "Reporting abuse.

12 "One of my friends at school was the TV presenter
13 Nicky Campbell and I know that he wrote about his time
14 at the school in his book and also another pupil has
15 spoken about it as an adult. I wanted to speak to the
16 Inquiry about my experiences in order to offer support
17 to others who may be reporting abusive activity at
18 Edinburgh Academy. I have been involved in discussions
19 amongst adults who were pupils at Edinburgh Academy and
20 after dinner stories about our school days were swapped
21 amongst the group. There were things said like 'you
22 will never guess what happened to me or X at
23 school?' I am aware that one friend of mine from school
24 has had difficulties in life with a failed marriage,
25 mental health and addictions. I don't know how much of

1 this can be linked to his time at school and I know he
2 has had other challenges.

3 "Lessons to be learned.

4 "For the children in boarding schools it is very
5 difficult to replicate family life in that setting and
6 finding a balance would be difficult. I found the whole
7 ethos of the school problematic, where 'excellence' is
8 sought inevitably there will be winners and losers. In
9 the search for 'character' the dynamics of learning
10 about power opens up the potential for abuse and damaged
11 lives. I am not aware of any complaints made by the
12 pupils about the behaviour of teaching staff, but I have
13 heard since of teachers from the school being moved on
14 from one school to another. I hope that by sharing my
15 experiences, I can help other people express what they
16 have so far been unable to do, and more generally that
17 institutions can learn from what happened in the past
18 to children in their care.

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

21 I believe the facts in the statement are true."

22 This is signed and it is dated 24 September, 2019.

23 I apologise, my Lady, I think it is longer than

24 I thought.

25 LADY SMITH: Thank you very much, Ms Bennie, we will stop

1 there for today. We will resume tomorrow morning at
2 10 o'clock and I think our first witness is a witness in
3 person, if I can just check.

4 MS BENNIE: Yes.

5 LADY SMITH: That's correct, yes.

6 MS BENNIE: Yes.

7 LADY SMITH: So I look forward to seeing those of you who
8 are returning tomorrow, but I will rise just now.

9 (4.25 pm)

10 (hearing adjourned until 10 am the following day)

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