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Friday, 11 August 2023

(10.00 am)

LADY SMITH: Good morning, and welcome to the fourth day of our hearings in which we are looking into the provision of care for pupils at the Edinburgh Academy.

Now, we start this morning with a witness in person, who is ready, I think; is that correct, Mr Brown?

MR BROWN: He is, my Lady. The first witness is 'Fred'.

Thank you.

'Fred' (affirmed)

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

(The witness affirmed)

LADY SMITH: Do sit down and make yourself comfortable, 'Fred'.

'Fred', thank you for agreeing to come and give evidence here today. One or two things before I handover to Mr Brown. The red folder on the desk there has your written statement in it. You might find it helpful to have it in front of you.

A. Yes.

LADY SMITH: You don't have to; it's up to you.

Otherwise, I look to you for guidance as to what I can do to make it easier to give the best evidence you can. If you want a break or you are not sure what we

1 are saying, it is our fault, not yours if we ask  
2 complicated questions that don't make sense. Anything  
3 else that helps you be comfortable --

4 A. Okay.

5 LADY SMITH: -- do let me know, will you?

6 A. Yes.

7 LADY SMITH: If you are ready, I will hand on to Mr Brown  
8 and he will take it from there.

9 Mr Brown.

10 Questions from Mr Brown

11 MR BROWN: My Lady, thank you. 'Fred', good morning.

12 A. Good morning.

13 Q. You have the statement. Formality first. It is  
14 an 18-page document you signed earlier this year. It  
15 has a reference number WIT-1-000001164 and the final  
16 paragraph, on page 18, reads:

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

21 And that's still the position?

22 A. That is still my position.

23 Q. Thank you.

24 A. Yes.

25 Q. Now, I think it's fair to say you are aware, because

1       there has been a great deal of publicity about  
2       Edinburgh Academy and the Child Abuse Inquiry --

3   A.   Yes.

4   Q.   -- you don't consider yourself to have had  
5       a particularly bad time at school?

6   A.   No.

7   Q.   Is that fair?

8   A.   That's completely fair, yes.  Nothing directly happened  
9       to me, and, yes.

10  Q.   But I think someone you know gave evidence to the  
11       Inquiry in another capacity and mentioned a teacher at  
12       the Academy in passing which caused you some concern?

13  A.   Um, yes.

14       So, yes, it was a bit of an odd one.  I received  
15       a message during -- in the morning one day, and it  
16       basically said to me: have you ever heard of IPT [REDACTED] ?

17       And that's all it said.  I had no idea that the  
18       person in question happened to be at the Inquiry that  
19       day.  And my response was to send a quick message back  
20       saying: oh yes, I know him.  He was ...

21  Q.   How did you describe him?

22  A.   I described him as a "kiddy fiddler", I think, in my  
23       message back.  And I used that expression because he was  
24       just one of those teachers that you stayed away from.  
25       And I'd had a couple of friends who had had direct

1 experiences with him, but I hadn't heard his name  
2 probably mentioned since I had left school. Maybe we  
3 discussed him a couple of times in the context -- with  
4 some friends.

5 So it quite surprised me. And the person in  
6 question, who raised this, raised it with me because he  
7 had been at the school, and when, I believe, IPT  
8 gave evidence he said that he had, prior to being at the  
9 school where he was subsequently prosecuted for  
10 offences, had taught at the Academy. But this person  
11 had been at the school two or three years after me, so  
12 I didn't know IPT because he hadn't been there  
13 when I was there. And IPT was there for about  
14 two years or so, as a trainee teacher, which happened to  
15 coincide with my first couple of years.

16 Q. And that, I think, having not discussed him since you  
17 were at school, particularly, triggered contact with the  
18 Inquiry?

19 A. Yes, yes. So I got in contact with the Inquiry. The  
20 Inquiry team also put me in contact with the police.  
21 And at the same time I sent a message -- so I have  
22 a group of about a dozen friends who I am still very  
23 good friends with from school. They were, I mean, at  
24 least half of them are people I did my first ever day at  
25 school with when we were five, so we have known each

1 other a long time. And we usually meet up once a year  
2 to go hill walking. So I just sent a message to this  
3 WhatsApp group saying: you wouldn't believe it, but  
4 I have just heard this about IPT .

5 Q. Yes.

6 A. And two of -- and I was aware of one of them, who  
7 through a personal incident had had a run in with  
8 IPT , and he said, "Oh, I am not surprised by  
9 that". But another two of them said immediately, "Oh,  
10 IPT , I had an experience with him". And so  
11 immediately sort of out of a group of ten people we are  
12 now up to 40 per cent of us, as day boys, having direct  
13 experience where our impression of him was exactly what  
14 he was. And that was as day boys, even though he was  
15 only at the school for a year or two.

16 Q. All right.

17 A. And so I found that quite interesting. And two of the  
18 other people I have put in contact with the police as  
19 well --

20 Q. Thank you.

21 A. -- and they have given statements to the police.

22 Q. So, revisiting your past and discussing it with your  
23 close friends from that past, as you say,  
24 a percentage --

25 A. Yes.

1 Q. -- clicked, shall we say?

2 A. Yes.

3 Q. And you contacted the Inquiry.

4 A. Yes.

5 Q. Thank you. Now, you have introduced the fact that you  
6 and your chums were day boys?

7 A. Yes.

8 Q. You, I think, are now 57?

9 A. That's right.

10 Q. And --

11 A. For another day. So I will stick with it.

12 Q. Yes, enjoy it while it lasts. And you were a day boy  
13 between 197█ and 198█; is that right?

14 A. 198█.

15 Q. 198█, I do beg your pardon.

16 A. Yes.

17 Q. So, essentially, you were there for your entire school  
18 life?

19 A. I never went to another school. I never spent a day at  
20 another school.

21 Q. And the decision to choose Edinburgh Academy, we see  
22 from your statement, was essentially you were born and  
23 brought up in Edinburgh.

24 A. Yes.

25 Q. It was, am I right in saying, if you were a parent,

1 a lawyer in Edinburgh, it was the school you would send  
2 your children to, your boys to.

3 A. Certainly one of the small handful of schools, and it  
4 happened to be the most convenient. I suspect it had  
5 the best academic reputation, and, you know, we  
6 certainly had a little bit of -- we were led to believe  
7 it was a better school than some of the others and it  
8 was just down the road, and, yes.

9 Q. I think, as you tell us in the statement, your father  
10 had been to boarding school and didn't particularly  
11 enjoy it?

12 A. Oh, he definitely didn't enjoy his experience of  
13 boarding school. During the war and then in the 50s,  
14 I think it was not a pleasant environment for him.

15 Q. Okay.

16 A. So I don't think he was ever going to send us away to  
17 boarding school, I think it's fair to say.

18 Q. No.

19 You talk about the perception of the school that was  
20 imbued in you, and it had a high opinion of itself  
21 academically; is that correct?

22 A. I think so, yes. Yes.

23 Q. How was that made manifest?

24 A. Um, it is interesting, I have thought about this a bit  
25 recently. I am not sure how they -- there was a lot of

1 sort of communication of what an important classical  
2 education it was, and a lot was made of the Oxbridge  
3 entrance and things like that. And -- but, oddly  
4 enough, it wasn't a particularly hothouse environment,  
5 you know. I never felt anybody at the school  
6 particularly pushed me, and I was academically able and  
7 frankly just cruised through quite comfortably without  
8 ever making much of an effort, which I then got caught  
9 out on a bit later --

10 Q. All right.

11 A. -- when I went to university. But there was just  
12 a general aura that you were better than Watson's or  
13 Heriot's, or even Fettes was considered to be for the  
14 offspring of the not very bright aristocracy in  
15 Scotland, which was not true, but that was the general  
16 rumour that went round. Nobody discouraged us from  
17 thinking otherwise.

18 These other schools were good at rugby and we were  
19 good at academic stuff.

20 Q. All right. Although I think we would understand sport  
21 mattered quite a lot?

22 A. It mattered in the context of the school. So the boys  
23 who were held up for esteem generally were the ones who  
24 excelled at sport. So it would be very unusual for the  
25 head prefect, or something like that, not to be a senior



1 member of the first fifteen or the first eleven.

2 And in my final year, the boy who they made the head  
3 boy was actually a very talented musician, and it was  
4 the first time I recall the senior prefect not being  
5 a sporting icon in the school, as it were. They'd  
6 decided to branch out into these other areas. So it  
7 was -- there was a gradual change in the culture during  
8 my time there, but when I started you were a bit of  
9 an odd ball if you weren't good at sport.

10 And I was small, not very fast, not a very ideal  
11 rugby player. But, you know, that was just seen to be  
12 I wasn't trying hard enough by the teachers. There was  
13 no allowance that you might be good at something else,  
14 which -- it was a very -- it was, yes, quite an old  
15 fashioned, quite a rigid environment in that sense.

16 Q. Although by the sounds of it as society changed, the  
17 school would change, perhaps, too?

18 A. Yes, yes, I could see that. So when I arrived, I think  
19 in my statement I talk about one prep school teacher who  
20 was -- who I think had had a very good war.

21 You know, 1970s, it is only 25 years after the end  
22 of the war, we're certainly a lot closer to that. And  
23 there were a number of teachers who had good war  
24 records, and so there was a lot of the ethos of the  
25 school was still around that. And I think the guy who

1 was the rector up to my first year in the senior school  
2 even had a military cross. So, you know, they came from  
3 a generation which was like that.

4 And then the new rector came in, but I don't think  
5 he -- I think it clearly took him a long time, partly  
6 because of his personality, but I suspect because of  
7 resistance to change that. So it was another six years  
8 before we had a head boy who wasn't a sports person.

9 Q. It takes a long time to turn a super tanker?

10 A. Indeed it does, yes.

11 Q. Yes. You talked about joining the school, and we know  
12 from the statement you went through Denham Green and  
13 Trinity?

14 A. Yes, and it wasn't me who set it alight.

15 Q. No, it burnt down in your first year, but it wasn't you.

16 A. No.

17 Q. And you got shipped off to a building which was borrowed  
18 from Fettes?

19 A. That's right, yes.

20 Q. And you make the point, at that stage there was about  
21 65?

22 A. Yes, maybe less. So I think there were three classes in  
23 each year up until we ended up in the senior school, and  
24 there had been about 20 boys in each class, yes, so  
25 60/65.

1 Q. But once you get in to the senior school the numbers  
2 expand?

3 A. Yes, to about 80 to 90, I suspect, yes. Maybe a bit  
4 more right at the end.

5 Q. Mm-hm. And then, because it is doing A Levels, in the  
6 sixth form you get some girls?

7 A. Oh, I think I had two, maybe, in my sixth form science  
8 class, yes.

9 Q. You have made the point already that you are still  
10 friendly with boys who you met on your first day.

11 A. Yes.

12 Q. And you use an interesting word, in paragraph 9  
13 describing your school years as a continuum.

14 A. Yes, absolutely. Yes.

15 Q. Can you expand on that?

16 A. Um, so, yeah, it was the same people who were there all  
17 of the way through my school years, even up until now.  
18 So this evening I will drive through to Argyll and  
19 I will go and stay with a friend who I met on my very  
20 first day at school. The same people were there when  
21 I left, as when I started, probably 20 to 30 people from  
22 that very first year.

23 Probably more, actually, were still there when  
24 I left school 13 years later. And it meant whenever you  
25 went from one building or one site to the next site, or

1       you went up through the school, there were people you --  
2       it wasn't like you were going to a new school in the  
3       way, for example, my children did when they went from  
4       primary school to senior school, they didn't know  
5       anybody in their new class. I knew half the class, at  
6       least half the class. I knew everybody, and that made  
7       it very continuous.

8   Q. I think you made the point that up until, perhaps, 13 or  
9       14 there is a normality that you simply would never  
10      question.

11  A. Absolutely. So we had some boys come in about 8/9, when  
12      we first started having boarders. So that was the first  
13      input. But then 13/14 was the first time we got boys  
14      who had experience of other schools, I think is the way  
15      I would describe it, yeah.

16  Q. And what impact did their arrival have on your  
17      perspective of the school?

18  A. Well, they were somewhat incredulous at some of the  
19      stuff that went on. Some of it was small stuff.

20            So it is really odd, really until quite late on we  
21      called each other by our surnames. So that immediately  
22      seems odd to anybody coming in, but that's what we had  
23      been told to do since we were 5, so my friends were --  
24      I would call them by -- now I don't, but I can still --  
25      I can almost hear that. So they found that odd.

1           But the other thing they found odd was the  
2           disciplinary structure at the school. The fact that  
3           there was still -- some corporal punishment went on even  
4           when they arrived at 13/14, although that was being  
5           phased out by that stage.

6           And the quite chaotic structure of the relationship  
7           between the pupils and the teachers. So some teachers  
8           were very good, they understood how to keep discipline,  
9           and they understood that was not done by beating boys on  
10          a regular basis. Some teachers could only --  
11          particularly when we were sort of 8/9/10, could only  
12          keep discipline by beating people. But there were other  
13          classes where it was all a bit Lord of the Flies. The  
14          teachers were not capable of keeping control and there  
15          was a sort of running battle between boys and teachers.

16          There was one Latin teacher who had to take two  
17          breaks during my time there through -- because of  
18          nervous breakdowns. His classes were utter chaos.

19          And coming from another environment expecting to  
20          come to a school where -- parents are paying good money  
21          for, which is supposed to be one of the best schools in  
22          Edinburgh, to end up in these classrooms which were just  
23          chaotic or old fashioned, that sort of thing, they just  
24          found really odd. They couldn't understand it at all,  
25          how this environment worked.

1 Q. That suggests, given the variation, and you make the  
2 comment that you have discovered since that some of the  
3 teachers didn't have too have -- there was no  
4 requirement to have a teaching qualification.

5 A. I think we were aware of that at the time.

6 Q. You were aware of that at the time?

7 A. Yes.

8 Q. Okay.

9 A. IPT [REDACTED] was a very good example of that. He came  
10 straight from Cambridge. He had no idea how to control  
11 a class.

12 Q. All right, we will come back to that in a little while.

13 From what you are saying, you had a wide range of  
14 teaching abilities and experiences. Yet, from what you  
15 are saying, particularly the reference to the Latin  
16 master, there seems to have been a lack of oversight, if  
17 that was just being perpetuated?

18 A. Absolutely, absolutely. The school was what it was and  
19 it didn't -- I think the difference between then and now  
20 is that the schools weren't competing with each other  
21 then. It was just you chose to send your son to the  
22 Edinburgh Academy, there was a few people it didn't work  
23 out for. They might have gone somewhere else, but, you  
24 know, it was all much of a muchness. It was "I have  
25 decided to buy a Ford Escort", sort of thing.

1 Q. And parental input?

2 A. I would say very little. There was certainly a belief  
3 on my parents' part that once I was at school, then, you  
4 know, the school was in charge. I think there was  
5 an incident of bullying with my younger brother, where  
6 my mother complained to the school, but I think that's  
7 the only incident I can think of where my parents  
8 intervened with the school in any way. And there was no  
9 need to intervene. They just turned up once a year to  
10 be told I was an inattentive child and could try harder  
11 at the parents' day, I think, would be their main  
12 interaction.

13 Q. But from what you are saying, there is a culture within  
14 the school, the school is what it is.

15 A. Yes.

16 Q. And they are not looking at themselves critically?

17 A. No.

18 Q. But, equally, parents, perhaps, of that generation  
19 didn't think as perhaps critically as parents do now?

20 A. No, no, absolutely not.

21 Q. Boarders, you said, came in 8 or 9?

22 A. Yes.

23 Q. What was the relationship like, as far as you saw,  
24 between boarders and day boys?

25 A. So, during the day, they were just other boys in the

1 class. And, you know, in terms of day-to-day friends,  
2 they would be the same as other boys in the class. But  
3 it was clear that they had another life when they went  
4 back to the boarding house. So they were a close knit  
5 group as a consequence of that.

6 You know, it was interesting to think back on it.  
7 Sort of the ones who arrived when they were 9 or 10,  
8 most of them were coming because their parents were  
9 overseas and they would have just arrived and been left  
10 in the boarding house. Again, this issue of no parental  
11 oversight of what the school was doing.

12 LADY SMITH: 'Fred', I have also heard of boys whose  
13 families were in London at a time that that was a long  
14 way away, and it was a long journey for them to take to  
15 get up to Edinburgh.

16 A. Yes.

17 LADY SMITH: They couldn't, for example, get back for half  
18 term, so short breaks.

19 A. Absolutely.

20 LADY SMITH: And there was little parental contact. It  
21 might as well have been thousands of miles away.

22 A. I mean, letters, it would have been the same as one of  
23 these sort of Tom Brown's School Days things, you could  
24 send a letter once a week to -- maybe a Sunday  
25 afternoon.



1           But there was one boy I remember particularly,  
2           who -- he lived in Larbert. His parents lived in  
3           Larbert, and he had come to be a boarder at the Academy,  
4           presumably because home life was very difficult. But he  
5           was a very small, timid boy, and clearly was having  
6           a horrendous time there because he was a -- so there  
7           were all sorts of boarders.

8           And then there were other ones whose parents lived  
9           in Zambia. There were quite a few whose parents were  
10          army officers in Germany and that sort of thing. But  
11          yes, very dislocated from their families, would be my  
12          general impression.

13   LADY SMITH: Mr Brown.

14   MR BROWN: Thank you.

15           You mentioned particularly the boy who was  
16          relatively local as a boarder.

17   A. Yes.

18   Q. And was small. From what you implied, he was having  
19          a pretty rough time?

20   A. Well, you know, he never seemed particularly happy. He  
21          always seemed timid. I don't know if that is because he  
22          grew up in an environment that wasn't great, or the  
23          boarding house ... we didn't question why these things  
24          arose.

25   Q. That is what I was getting to.

1 A. Yes.

2 Q. You could see things, but you didn't question?

3 A. No, we were 9-year old boys. We were pretty brutal,  
4 I would say.

5 Q. Right.

6 A. Yes.

7 Q. But did you have a sense, from boys who were boarders,  
8 what life in the boarding house was like?

9 A. No, no we didn't. No, it was very much -- we -- I think  
10 later on, but not at that stage. I think we just  
11 assumed that there would be -- the boarding housemasters  
12 would be looking after them, it would be a bit like  
13 being at home. Because I had no experience other than  
14 being at home.

15 Q. Yes.

16 A. I suspect it wasn't very much like Harry Potter.

17 Q. That was the image you --

18 A. Yes.

19 Q. -- had in your mind, all right.

20 In the statement, you talk about going to  
21 Denham Green. It burns down, and then you move into the  
22 junior school.

23 A. Yes.

24 Q. Which is a new build, relatively speaking. Although,  
25 from what you say, very quickly it was too small?

1 A. Yes, so there was the main building. By the time I got  
2 there, there was another building out the back which had  
3 classrooms in it. And in fact my classroom in my last  
4 year in the prep school was a prefab. So there were  
5 a couple of prefabs already.

6 I imagine the school was built in the 1960s, and by  
7 the mid-70s it was definitely too small.

8 Q. When you say "prefab", I have in my mind something like  
9 a portacabin; is that right?

10 A. Yes.

11 Q. And were they distinct from the other school buildings?

12 A. They sat in the middle of the school buildings, but  
13 standalone things.

14 Q. Right.

15 A. The concept of a prefab existed all the way through the  
16 school. There were prefabs in the upper school as well.

17 Q. Right. But you make the point that initially, in the  
18 junior school, there are female teachers and then there  
19 comes a stage when you are 9, going into fifth year, the  
20 dynamic shifts.

21 A. Yes.

22 Q. And you are taught by men, almost exclusively men,  
23 perhaps?

24 A. Yes. There was a very sudden transition. You went from  
25 the sort of primary school thing, where one woman would

1 teach you everything: maths; English; geography. You  
2 would do all your classes in one room. Maybe you would  
3 do gym somewhere else, and certainly at Denham Green  
4 your teacher would teach you gym as well, but that  
5 changed a bit by the time I got to prep school.

6 It was a very sudden transition when you were in the  
7 fifths. Suddenly you had a male class master and  
8 everybody taught you different subjects. You went round  
9 classrooms and they were all male teachers. I don't  
10 remember being taught by any women at all from the age  
11 of 9 until I was about 14/15, when we had a couple of  
12 female biology teachers.

13 Q. Okay. Did the mood change, in terms of punishment, for  
14 example?

15 A. Oh, absolutely. Absolutely. So punishment, we were all  
16 quite well behaved. You know, we were good Edinburgh  
17 boys, we were quite well behaved up until about the age  
18 of 9. But it was very odd, I think the mood -- thinking  
19 about it now, the mood of the change to this more male  
20 environment, slightly more brutal environment, where  
21 discipline was imposed, rather than expected, by  
22 a severe word, immediately moved you into a world of  
23 corporal punishment. That's the bare -- I remember  
24 there is a lot more of, you know, "You have misbehaved,  
25 you have to sit in this room at break time and just copy

1 out pages of a book", and things like that. Punishment  
2 became a normal part of the school environment, which it  
3 hadn't been before.

4 Prior to that I may not have liked some of the  
5 teachers, but it was definitely a supportive  
6 environment. At that point, it stopped being  
7 a supportive environment; it started to become, you are  
8 here -- this is the school now, you are here to learn  
9 and do what you are told, and we will impose that on  
10 you.

11 LADY SMITH: 'Fred', you identify that as when you went into  
12 what would be called primary 5 now; is that correct?

13 A. Yes.

14 LADY SMITH: Yes. And you had that year do in the prep and  
15 one more year --

16 A. One more year to do after --

17 LADY SMITH: -- to do in the prep before going into Geits.

18 A. Yes.

19 LADY SMITH: So it is the last two years of prep teaching?

20 A. Yes.

21 LADY SMITH: Thank you.

22 A. And that was coincident with boarders arriving. So they  
23 wouldn't have experienced any of the previous culture.

24 LADY SMITH: Yes. And year five the boys would be --

25 I suppose some of them might have had their 9th birthday

1 by the beginning of year five, but others would be 8 at  
2 the beginning of year 5 and become 9?

3 A. No, I was always just the youngest of the year, because  
4 I was a [REDACTED] birthday. So I only just beat the  
5 cut off, which was usually, I think, the beginning  
6 of September. So I was almost always the youngest boy  
7 in the year, or with one or two others, so I think we  
8 were all 9.

9 LADY SMITH: Okay.

10 A. All 10, and then on -- what was odd, when these  
11 13/14-year olds arrive, the Academy did O Levels a year  
12 early. So I did all my O Levels when I was 14. But  
13 because these boys had come from other schools, they  
14 were often a year to two years older than us, because  
15 they had to fit into the system.

16 LADY SMITH: I see.

17 A. So, again, it was another thing that marked them out as  
18 they were that much older, more mature, used to  
19 a different environment, they were going: what the  
20 hell's going on here?

21 Because we were still relatively young for --  
22 certainly I was. I mean, there weren't, you know --

23 LADY SMITH: Yes.

24 A. It was -- yes, it was a very odd sort of thing there,  
25 yes. Mm-hm.

1 MR BROWN: You, I think, have described yourself as a "well  
2 behaved boy", but -- initially, certainly.

3 A. Initially, yes.

4 Q. But you make the point that once you get to this stage  
5 in the school, of the male teachers, you say you were  
6 being beaten -- you were beaten every week, wouldn't be  
7 an exaggeration, sometimes more than once in a class.

8 A. Yes.

9 Q. And that's you?

10 A. Yes, there were definitely classes and definitely  
11 teachers -- so there were some teachers who you wouldn't  
12 want to be beaten by. So I think the name of  
13 Mr Brownlee has come up a lot. You wouldn't want to be  
14 beaten by him because that was a vicious experience.

15 There were other ones -- and I won't -- you know,  
16 who it wasn't such a vicious experience, and you  
17 almost -- there was a badge of honour of, you know,  
18 I have managed to annoy him enough that he is going to  
19 whack me, sort of thing, because it wasn't  
20 a particularly sort of vicious experience.

21 So the culture worked both ways. In some classes --  
22 and it is a bit like I was talking about the teacher who  
23 had a breakdown, in some classes there was a rule of  
24 iron, and in some classes the culture provoked boys into  
25 competing with the teacher, to see who was going to win

1           that battle. And that started at 9/10, as well.

2   Q. Mr Brownlee; what was his role in the school, junior  
3       school?

4   A. He was the senior master. In terms of authority,  
5       although not in terms of age.

6           So he was the class master of the most academic  
7       class in the sixth. But he was also the housemaster of  
8       the boarding house, I believe. I think that's my  
9       recollection.

10  Q. Mm-hm.

11  A. And he was just -- he was the scary one. I mean, he  
12       taught me Latin, was the only thing he taught me.

13  Q. Why was he scary?

14  A. Because he used corporal punishment in a vicious way.

15  Q. And did he use it more than other teachers?

16  A. I would say he used it to impose discipline in -- not  
17       necessarily more, but in a much harsher manner.

18  Q. How so?

19  A. So he would -- you know, he was the classic user of the  
20       clacken for beatings. But, you know, his beatings were  
21       particularly vicious.

22           The recollection I have is the teachers had this old  
23       fashioned high desk, with little bookshelves on either  
24       side, and the ledgers came out. So, if you bent down,  
25       your head was about the height of the ledge. So what he



1 would do is make the boy bend down, put his head under  
2 the ledge, and then when he whacked him, if the boy  
3 jumped up, he would bang his head. And he used to beat  
4 people hard. So, you know, that is very different from,  
5 say, the guy I talked about earlier, who would give you  
6 a -- you know, you would feel that for a while  
7 afterwards.

8 Certainly other ones, they would get out a slipper  
9 or a gym shoe and give you a -- there were a couple of  
10 them who were quite vicious as opposed to.

11 There were a couple of other ones who didn't use  
12 corporal punishment at all. For example, the guy who  
13 was the teacher who had fought in the war, who was my  
14 class teacher in the fifth form, Mr [REDACTED], I don't ever  
15 remember him using physical punishment at all. He kept  
16 discipline because he knew how to keep discipline. None  
17 of his classes were out of control.

18 LADY SMITH: 'Fred', can I just check: you remember  
19 Mr Brownlee being head of the boarding house, you said;  
20 is that the junior boarding house you were referring to?

21 A. The junior boarding house. It was called Dundas House.

22 LADY SMITH: Thank you.

23 A. Yes, so I think the boarding houses -- and this is just  
24 my recollection, so if it comes up again -- there was  
25 a junior one and then there was another one which

1 covered the first few years of the upper school, which  
2 I think was called MacKenzie House, and then there was  
3 Scott House and Jeffrey House afterwards, but that's --  
4 Q. I think we have the records which can clarify.  
5 A. Yes. It is in case I mention them, that's what I am  
6 thinking about.  
7 Q. All right. But, in the junior school, once you get to  
8 the male teacher stage, corporal punishment is normal?  
9 A. Absolutely normal, yes.  
10 Q. And you make the point that you had an exchange teacher  
11 from --  
12 A. New Zealand, yes.  
13 Q. New Zealand.  
14 A. Mr Wicki.  
15 Q. And he clearly was not familiar with this culture.  
16 A. Yes.  
17 Q. Because I think you recall that he said if bad behaviour  
18 went on he might have to take stronger steps and:  
19 "Did we know about corporal punishment?"  
20 A. Yes.  
21 Q. And that didn't mean anything particularly to you?  
22 A. Absolutely not.  
23 Q. And your thoughts were if it was above beating with  
24 a clacken it would be --  
25 A. It sounded like hanging or something, you know. That

1 was a good example of somebody coming from another  
2 culture who just didn't get that is how it was at that  
3 school.

4 Q. Yes. Did anyone question it?

5 A. Not at that age, no. No, it wasn't questioned.

6 Q. From your experience; were any of the beatings you  
7 endured at the junior school considered by you as  
8 somehow beyond the norm?

9 A. So I think I recall in my statement one incident which  
10 I look back on now and find very odd, which was that one  
11 of my class teachers in the sixth year took me off to  
12 a store room at the back of the school hall because he  
13 wanted to punish me. And, you know, he made me take my  
14 trousers and my pants down and lie over his knee, so he  
15 could spank me. And I can't remember if he used his  
16 hand or a slipper.

17 And then afterwards, you know, he sort of consoled  
18 me and said -- because I was, you know, understandably  
19 upset, and he consoled me, and he tucked my shirt back  
20 into my trousers very carefully, and things like that.

21 At the time, it was just really, really  
22 uncomfortable for a whole bunch of reasons, but I look  
23 back on it now and think: that's weird behaviour.

24 And when I think back on it now, it is very easy to  
25 understand how that creates opportunities for people who

1           want to take advantage of them, that culture.

2   Q.   So whether it was or wasn't, and you don't know --

3   A.   The opportunity was there.

4   Q.   And there was no oversight to stop that?

5   A.   Absolutely none.  And I was so embarrassed by it and

6           humiliated by it I never would have mentioned it to

7           anybody else.  I don't think I had mentioned it to

8           anybody until I put it in my statement.

9   Q.   But you still remember it?

10  A.   I still remember it very vividly, yes.  I could -- I

11           remember that store room very well.  There are a few

12           steps down into it.

13  Q.   You then progress into the senior school.

14  A.   Yes.

15  Q.   And should we understand the same approach to discipline

16           is continued, certainly to begin with?

17  A.   Absolutely.

18  Q.   Same experience; some teachers could control classes

19           without corporal punishment, others used it a lot?

20  A.   Yes.

21  Q.   It is down, again, to the mix of teachers?

22  A.   Yes.

23  Q.   And their particular character or experience or skill?

24  A.   Yes.

25  Q.   But the one you remember, or talk about in your

1 statement, is Hamish Dawson. Now, from your  
2 perspective, prior to having him as a -- I think history  
3 teacher --

4 A. Yes.

5 Q. -- had you heard about him?

6 A. No.

7 Q. No?

8 A. No. So I think he was my history teacher in the Geits  
9 in the first year, so that would have been my first  
10 encounter with him. I didn't really know anything about  
11 the senior school until I got there, other than that  
12 they got to wear long trousers.

13 Q. Yes.

14 A. Obviously --

15 Q. That was the great improvement.

16 A. That was the great turning moment of going to the senior  
17 school.

18 Q. Although we have heard that boys who boarded couldn't  
19 for that first year, they remained in shorts; is that  
20 right?

21 A. I don't recall that. I think that had stopped by the  
22 time --

23 Q. Right.

24 A. Yes. I have seen photographs of my father's cousins,  
25 who were at the Academy in the 1950s and they wore

1 shorts all the way through.

2 Q. Right.

3 A. But we were allowed to wear long trousers. I think  
4 everybody did.

5 Q. Okay. But to go back to Mr Dawson; what was your  
6 impression once you had him as a teacher in the Geits?

7 A. So, as a teacher, I would say he was good. My  
8 recollection is, unlike a lot of lessons, they were  
9 interesting lessons and people were engaged. But the  
10 weird thing was this collection of sticks and -- you  
11 know, he had this box next to his desk, again on that  
12 sort of book shelf ledge -- I remember it was on the  
13 right-hand side of the desk -- which just had -- it must  
14 have had about 15/20 sticks in there, which he would use  
15 to administer punishments for various crimes.

16 There were things like -- I can't -- they all had  
17 names. And even more oddly, boys were encouraged to  
18 make a new stick and give it to him.

19 So some of them were like -- there was a bit of old  
20 cane, like a really knobbly piece of bamboo cane was  
21 one. There was wooden sticks, there was certainly  
22 a clacken in there. One was a golf club shaft, with  
23 a golf grip on it.

24 The ones I remember the names of, there was one  
25 called the neb stick, which if you stuck your nose into

1           some business that wasn't your business, you would get  
2           hit with the neb stick. There was another one called  
3           the expostulation something or other, where if you spoke  
4           in class or interjected when you weren't supposed to,  
5           then you were beaten by that.

6           But he would also do these -- he was another one for  
7           putting boys over his knee to administer punishments,  
8           which he could still get away with, because we were  
9           still small boys when we were in the Geits. We were  
10          11-years old, so --

11       LADY SMITH: I have heard of one implement, which was about  
12          a metre long, solid wood and three by two inches, that  
13          had signatures on it because boys had to sign this --

14       A. After, yes.

15       LADY SMITH: -- after they'd been beaten; did you ever see  
16          anything like that?

17       A. That definitely -- yes, that rings -- that brings back  
18          a memory of that, yes, very clearly.

19          You were supposed to be -- it is like this thing of  
20          making him new punishment sticks, you know, there was  
21          something slightly weird about the way you were invited  
22          to participate in your own punishment, as if -- that's  
23          the sort of weirdness of it. It was a punishment you  
24          were supposed to not just learn from, but be grateful  
25          for in some way.

1 LADY SMITH: You had almost contracted for it.

2 A. Yes, exactly, exactly.

3 LADY SMITH: Thank you.

4 MR BROWN: And from what you say, it is not just  
5 expostulation, speaking out of turn, it is getting  
6 a date wrong.

7 A. Yes, I can't remember them all. There were sticks for  
8 everything, everything.

9 Q. But he would beat for all manner of reasons?

10 A. Absolutely, yes.

11 Q. And not just ill-discipline, to use the most obvious  
12 one.

13 A. Yes, and the interesting thing was he didn't need to do  
14 that to keep discipline. The real reason people behaved  
15 in his class is because his classes were interesting.

16 I would say the ones who really struggled with  
17 discipline were the ones who you went in there and  
18 went: this is going to be 40 of the most boring minutes  
19 of my life; how am I going to make this more  
20 interesting?

21 So he had no need to do that, would be one of my  
22 observations. That was his quirk and choice, and it  
23 wasn't for discipline reasons.

24 Q. No. We have also heard that he encouraged boys to  
25 participate in choosing, for example, the implement.



1 A. Oh yes, when you had done something you would have to  
2 walk up the front, take the stick out the box and give  
3 it to him. So you had to know which one you were taking  
4 out for what -- the crime you had committed. So, if you  
5 got that wrong, I think there was a punishment for  
6 taking the wrong stick. So you had to sort of know that  
7 you had expostulated, or got a date wrong, and take the  
8 right stick out of the box.

9 Q. And, if not, the punishment increased?

10 A. I think so, yes.

11 Q. And how fierce were his punishments?

12 A. I don't recall it being particularly bad or particularly  
13 humiliating, but I don't recall being punished a lot in  
14 that class.

15 The amount I was punished, I would say, was probably  
16 down to -- this level of being interested at school.  
17 I got quite bored quite easily, no doubt there would be  
18 some special intervention and diagnosis now. So  
19 I tended to behave worse in the classes I was bored in.

20 Q. All right.

21 A. So, generally, that's where I would see the most.

22 Q. Moving on from classroom discipline by teachers, you  
23 talk about discipline by senior boys.

24 A. Mm-hm.

25 Q. As far as you recollect, senior boys were able to beat

1 other boys up until, I think, about 1976?

2 A. I don't recall the date. I do remember when I was  
3 a Geit, and it may have continued when I was in the  
4 second year in the upper school. I was certainly beaten  
5 by the prefects. And I remember one particular  
6 incident. But, you know, you would be summoned to the  
7 prefects' room, the ephors' room, and it would be six of  
8 the best with the clacken, if you'd -- so prefects were  
9 allowed to administer punishments, whether it was giving  
10 lines or beating boys.

11 And, you know, you were definitely an 11-year old  
12 going into an environment with a bunch of 17/18-year  
13 olds and there was, you know, a lot of hilarity around  
14 whoever was coming into be that break time's victim.

15 Q. All right.

16 And you have said "six of the best" --

17 A. Yes.

18 Q. -- how did the ephors mete out punishment? Was it  
19 vicious?

20 A. It was quite a hard beating with a clacken.

21 Q. Now --

22 A. I have in my garage a clacken, which counsel asked me to  
23 bring with me, because I don't believe you have seen one  
24 before.

25 Q. Oh, we have seen photographs.

1 A. Yes.

2 LADY SMITH: Yes.

3 MR BROWN: This, we understand, we know from evidence of  
4 boys who came before you, that they were using clackens  
5 at playtime --

6 A. Yes.

7 Q. -- playing outside, and that could be vicious itself.  
8 But, I think, by the time you were at the Academy, the  
9 only time it was used was the end of year game.

10 A. Yes, I can't recall whether when I was a Geit or  
11 something like that other boys would use them. But the  
12 only time I ever used one was there was an end of year  
13 game between the prefects and the leavers, which is why  
14 this is not a very impressive piece of woodwork because  
15 they had to mass produce 50 of them, so we could all go  
16 and batter a ball around the playground for a couple of  
17 hours on one of the last days of school.

18 LADY SMITH: 'Fred', can you just bang it on the desk, so we  
19 can hear it?

20 A. Yes, it is a pretty solid piece of wood.

21 LADY SMITH: Mr Brown, would you like to try to describe  
22 that for the transcript?

23 MR BROWN: Yes, I would. I would say it is perhaps 18 to  
24 20 inches long; is that fair?

25 LADY SMITH: Yes.

1 MR BROWN: It is made of layered wood.

2 A. Yes. This one is, yes.

3 Q. Five or six separate layers, which presumably have been  
4 glued together.

5 A. Yes.

6 Q. In terms of the head, it is perhaps 3 or 4 inches wide,  
7 and in terms of depth; three quarters of an inch?

8 A. Yes. Yes, I think that's right.

9 Q. I am showing my age, being imperial. But I'm sure  
10 calculations can be done to translate to --

11 LADY SMITH: I am very comfortable with that, Mr Brown,  
12 I have to confess.

13 MR BROWN: Thank you.

14 But the point is it is substantial --

15 A. Oh, yes, you didn't want to get hit by one.

16 Q. Just to be clear: getting six of the best; that's the  
17 sort of thing you were being hit with?

18 A. Yes, absolutely.

19 Q. And with a degree of force?

20 A. Yes. So the people I remember who would use a clacken  
21 for administering punishment -- Mr Brownlee, he was the  
22 big exponent of the clacken in the prep school. The  
23 ephors always used a clacken. I am fairly confident  
24 Hamish Dawson had a clacken in his cupboard, his box of  
25 tricks. There would be other ones who had them on their

1 desk. But they would have had proper solid wood ones  
2 which had been around for years.

3 Q. And when you say "proper solid wood ones"; heavier?

4 A. Probably heavier. I think that one is made out of  
5 plywood because they had to mass produce a lot of them,  
6 so we could play this one game. So they would have got  
7 somebody with a jigsaw to cut them out. But the ones  
8 which -- people who would have had one when they were at  
9 school would have been made out of a piece of solid  
10 wood, I would imagine, and you would look after it, like  
11 your cricket bat, and put oil on it and all the rest of  
12 it.

13 Q. Thinking back to Brownlee, who you have used the word  
14 "vicious" for --

15 A. Mm-hm.

16 Q. -- hitting a 9-year old boy with one of those --

17 A. Yes.

18 Q. -- did it injure?

19 A. Possibly it would have done. I don't remember suffering  
20 any permanent injuries. I do remember being hit in a  
21 way that the pain lasted for a significant period of  
22 time, certainly a day or two.

23 Q. A day or two?

24 A. Yes, I certainly remember that from one of the six of  
25 the best from the ephors; it was quite uncomfortable for

1 a couple of days. So I can quite imagine some people  
2 got injured. But you wouldn't want to start showing  
3 your fellow boys your injuries, it wasn't that -- maybe  
4 in the boarding house people would have been hard to  
5 avoid it, but I wouldn't have, you know.

6 Q. Why not?

7 A. Because we were a bunch of boys who called each other by  
8 their surnames. That was the culture we were supposed  
9 to be engaged in. You know, I wouldn't describe it as  
10 military, but there was an aspect of that sort of tone  
11 about it. We weren't supposed to be emotionally  
12 supportive of each other, and that sort of thing.

13 LADY SMITH: So you wouldn't want to show weakness?

14 A. Undoubtedly not, yes.

15 LADY SMITH: That might make you vulnerable.

16 A. Yes.

17 LADY SMITH: To, for example, bullying?

18 A. Yeah, yeah. There was a lot of bullying. There was  
19 a lot of bullying. Again, we got used to that because  
20 nobody would stop the more substantial boys in the prep  
21 school, you know, bullying the smaller boys, of which  
22 I would be one. So my way of retaliating was entirely  
23 verbal. So, you know, I was cheeky. But there were  
24 definitely boys who got used to physically dominating  
25 us, and they were still there at 18, doing the same

1 thing. You know, moved on from, you know, maybe a bit  
2 of, you know, rough wrestling in the classroom to, you  
3 know, there were a few punch ups by the time I reached  
4 the end.

5 And again, the guys who came at 13/14 didn't  
6 understand that. And there was one time I was being,  
7 for some reason -- presumably, you know, I had said  
8 something because somebody else had said something to  
9 me, and this guy was much bigger than me, so he turned  
10 round and hit me. And these two other guys, who had  
11 arrived at 14, intervened, and went: why are you hitting  
12 him? He is the smallest guy in the class and you are  
13 the biggest; what's going on here?

14 And so they intervened in the fight and stopped it.  
15 Mainly by hitting him a lot. But, you know, it wasn't  
16 until that sort of time that other people wouldn't just  
17 pile in. There was no -- we weren't told what bullying  
18 was or anything like that. It was a dog eat dog  
19 environment there.

20 Q. Was there any intervention by staff?

21 A. No, no. One of the more common forms of bullying, which  
22 was probably actually very dangerous, is they had these  
23 big bins in the class, which were maybe that round and  
24 maybe that high.

25 Q. So perhaps three feet high?

1 A. Three feet high, and maybe a foot and a half across.  
2 And one of the things you could do was take somebody and  
3 stick them in the bin, so that their legs were hanging  
4 out and their arms were hanging out, but their body was  
5 inside it, and you couldn't get them out. They couldn't  
6 get out again. And then they would take you and put you  
7 on top of a desk, so you are now four foot off the  
8 ground on this slightly unbalanced thing.

9 And there was one time we had a -- the teacher came  
10 into a class -- and I remember this vividly -- and there  
11 was this poor guy, and I remember his name, but I won't  
12 say it, he had been put in a bin and put on top of the  
13 cupboard, in the corner of the classroom. So ten foot  
14 off the ground. And the teacher came in and said, "Get  
15 down and put him on detention", because he had been put  
16 in the bin. There was no: who has done this to ...?

17 It was: you are at fault because you have been  
18 bullied.

19 Q. You make the point -- did that approach ever change, as  
20 far as you were concerned?

21 A. Not that I know of. There was one incident where  
22 somebody -- something had happened, a similar thing had  
23 happened to somebody and one of the more respected  
24 teachers came in, certainly -- probably the most  
25 respected teacher. Again, someone who would never use



1 corporal punishment.

2 Q. Who was that?

3 A. A chap called Mr Bevan, and he was again somebody who  
4 had fought in the war. And, again, a very good teacher,  
5 whose classes were interesting.

6 And he came in, found this situation with somebody  
7 in a bin on the desk, and he was the only person who  
8 I remember intervening. Sort of -- he came in, said,  
9 "Get him down. Who did this?" Everybody else stood  
10 around, I stepped forward and he said, "Well, I know he  
11 didn't do it on his own, so the rest of you are in  
12 trouble now".

13 That's the only time I recall there not being victim  
14 blaming, if you like, to do with that, at the school.  
15 And that was quite late on, that was probably the year  
16 before I left.

17 Q. Okay. You make the point, at paragraph 34, on page 8,  
18 you are talking about trading punches with each other,  
19 that you recall an older boy trading punches with  
20 a teacher.

21 A. Yes, absolutely. And, yes, so it was a gym class. The  
22 gym teacher -- who is still around, I know he is around  
23 in Edinburgh, he is spotted occasionally -- he was  
24 another one, he was quite a vicious bully, I would say.  
25 But, anyway, he picked on a boy who just turned round

1 and he -- I remember he punched this boy in the stomach,  
2 really hard, like one of these things of -- you know,  
3 where the guy doubled over, and then -- and we had to do  
4 gym in a pair of shorts and a pair of shoes. You  
5 weren't allowed to wear a shirt or anything when you did  
6 gym; it was just a pair of shorts.

7 And after he sort of recovered, he got back up and  
8 he hit him back, punched him back. So, you know, the  
9 teacher has basically punched a boy hard in the stomach,  
10 and the boy has turned round and punched him. As  
11 I understand it from talking to other people, talking to  
12 my brother for example, that also happened to this  
13 teacher in his year.

14 Q. All right.

15 A. But I don't think that ever went beyond this class who  
16 saw it.

17 Q. That is what I was wondering: did it go further?

18 A. No, because, again ...

19 Yeah, no, it didn't, that I know of.

20 Q. All right. Could we return to one particular teacher?  
21 That's the teacher we spoke about at the very beginning,  
22 the reason why you came forward. We understand that  
23 this was a young [REDACTED] teacher --

24 A. Yes.

25 Q. -- who came after university to teach at the Academy.

1 A. Yes.

2 Q. I think your recollection is one or two years; I think  
3 we would understand it may have been three.

4 A. Yes.

5 Q. He, from what you say, was not a good teacher, putting  
6 everything else aside?

7 A. Yes, not at that time. I mean, he had just left  
8 university and been thrown into a classroom and had all  
9 sorts of personality aspects which I think would make it  
10 very hard for him to control a class. He wanted to be  
11 liked, but didn't know how to deal with being liked, if  
12 you see what I mean?

13 Q. So was he getting any -- did he get any better, as far  
14 as you could see?

15 A. Er, so he took some [REDACTED] classes, which I had in the  
16 Geits, and I think I had some [REDACTED] classes with him  
17 in the second year as well, and I don't remember him  
18 being significantly better.

19 Q. All right.

20 A. I mean --

21 Q. You describe him this way:  
22 "He was a notorious toucher?"

23 A. Yes.

24 Q. Do you say that with hindsight or would you say that at  
25 the time?

1 A. That was his reputation at the time.

2 Q. So, going back to Hamish Dawson; you didn't know about  
3 his style until you were in his class?

4 A. Yes.

5 Q. This [REDACTED] teacher; was that a known quantity before  
6 you went into his class?

7 A. No, because I think I arrived at the same time as him,  
8 so our class would have been one of the first he taught.  
9 So I would say that reputation built up over time.

10 Q. And were you aware of incidents throughout his time at  
11 the school?

12 A. Well, yes. Yes. So I -- he was one of these teachers,  
13 he wanted to be liked, so I remember he was -- he took  
14 a cricket group I was in, and so if you did well at  
15 cricket you would get a prize. So I achieved some  
16 miraculous feat of getting someone out or something like  
17 that. And he said, "Come and get your prize tomorrow at  
18 lunchtime", which was a Mars bar.

19 I was talking to a friend of mine at lunch and  
20 I said, "I have to go and get my Mars bar", and he said,  
21 "I wouldn't do that if I was you. I had to go and get  
22 a prize the other day and it didn't go well. He tried  
23 to, you know, touch me", and he said, "Really,  
24 I wouldn't go", so I didn't go. I never got the prize,  
25 which was okay. But he was very insistent that

1 I shouldn't go.

2 I now know what happened when he went to see him,  
3 because I believe he has given a statement to the police  
4 about it.

5 Q. All right.

6 A. You know, then there is another friend of mine who was  
7 touched under the dining room table, and both he and his  
8 mother, I understand, complained to the school and the  
9 school did nothing about it. But that might have been  
10 part of the accumulation of stuff that ended up with him  
11 leaving in the middle of a term, unusually.

12 Q. So you are clear that there was a complaint made while  
13 he was there?

14 A. Oh, absolutely. Yeah.

15 Q. Was that something you knew at the time?

16 A. It was, because the guy who complained, and his  
17 mother -- he was a very good friend of mine.

18 So I know the two boys who he touched under the  
19 dining room table, and both of them complained, and  
20 I know that one of their mothers complained.  
21 Unfortunately, one of the boys is now dead. But, yes,  
22 we were aware of that at the time.

23 Q. You have just said you understood there was  
24 an accumulation, which led to him leave early; that's  
25 your recollection?

1 A. Well, what we recall is he left early. We all knew why  
2 he had left early. And, well, we thought we knew why he  
3 had left early, and there was a general rumour that went  
4 round that he had been moved on.

5 LADY SMITH: When you say "early"; do you mean before the  
6 end of a school year?

7 A. Yes, he left in the middle of summer term, I think.

8 LADY SMITH: Because you would normally expect teachers who  
9 were going to a different job to complete an academic  
10 year before moving on.

11 A. That's right, yes.

12 MR BROWN: But I think you remember that in terms of public  
13 consumption of his departure, there is, in [REDACTED]  
14 [REDACTED], reference.

15 A. I have read that recently, yes. There is a glowing  
16 eulogy of his abilities from the rector, yes.

17 Q. I think in [REDACTED] it talks about a number of  
18 young men -- four young men who have all made valuable  
19 contributions in their few years here, and he was one of  
20 those young men.

21 A. Mm-hm.

22 Q. Is that what you are talking about?

23 A. Yes, I thought there was something specifically about  
24 him in one of [REDACTED], but, yes --

25 Q. Right.

1 A. -- there is certainly something, which -- yes.

2 Q. Did it stick in your throat at the time?

3 A. Again, what we thought was normal -- you know, I think  
4 we just thought it was normal that there were odd  
5 teachers. It didn't -- I think we thought the school  
6 dealt with it. These things were dealt with by adults  
7 and we were -- you know, I was still a very young, and  
8 I really mean I was very young. I was very immature,  
9 physically, and probably a little bit emotionally as  
10 well. So I would have been a 12-year old, maybe, who,  
11 you know, you might not have been able to identify I was  
12 12. I never got served in my first year at university  
13 because they wouldn't believe I was 18.

14 So, to me, I just assumed adults dealt with these  
15 things and I trusted them to do it. And it was only  
16 much later that something came out that caused me to  
17 doubt that.

18 Q. I think in relation to -- and it is in the statement --  
19 one of your friends who was a boarder --

20 A. Yes.

21 Q. -- had an experience which he has related to you?

22 A. Yes, so what it was, was much -- you know,  
23 five/six years after this. This friend, who was  
24 a boarder, had been in the pub, because we had started  
25 going to the pub, and had had a few beers and had

1           recounted what happened to him.

2   Q.   Yes, and that's in the statement, but that's the

3           boarding house?

4   A.   Yes.

5   Q.   And it involved nakedness?

6   A.   It involved nakedness.

7   Q.   Yes.

8   A.   And this all came out.  And, you know, that's the first

9           time I remember us being emotionally supportive of

10          somebody.  But we all assumed that had been dealt with,

11          that was part of what had been dealt with.  I wasn't

12          aware, until last year or whenever it was, that he had

13          gone on to other schools.

14  Q.   Yes.

15  A.   It is mind boggling, really.

16  Q.   In terms of life after school -- obviously, you have

17          just discussed discovering things and as a group of old

18          boys being emotionally supportive to one another.

19  A.   Mm-hm.

20  Q.   You left school, you went to university, you moved on;

21          did you think about school, one way or the other?

22  A.   No.  No.  I have never really been attached to the

23          school.  I have never had, you know, particularly fond

24          memories.  I am not one of these people who can point to

25          a particular teacher who they found inspirational.



1 I didn't fit into the categories you were supposed to  
2 fit into at school of being a great sportsman or being  
3 an Oxbridge candidate, or being a musician. You know,  
4 I was an academically reasonably able boy. I did the  
5 sports I did were sailing and curling, they weren't  
6 going to move the needle on getting your name up there  
7 in the pantheon of the gods, sort of thing.

8 So I went through school. I left school. My  
9 parents probably got reasonable value for money, I got  
10 in to university, but did I feel I needed to go back?  
11 I have a close group of friends, but none of them have  
12 anything to do with the school.

13 Q. All right.

14 A. We have our own sort of, if you like, old boys club  
15 because they are my friends, not because we have any  
16 shared ethos.

17 Q. Now, the school, given the publicity that we mentioned  
18 at the beginning, are now very conscious of complaints  
19 of abuse. But, from your perspective, as an old boy;  
20 did you ever hear, until very recently, anything from  
21 the school --

22 A. No.

23 Q. -- about things that were bad?

24 A. No, so I hear continually from the school. Partly  
25 because my parents have never moved house, they have

1 an address for me. So I get regular communications from  
2 them, whether it is asking for money or sending me  
3 a magazine, and the magazine is telling me what other  
4 boys have done.

5 But my knowledge of this Inquiry comes from outside  
6 the school, and my first knowledge that that [REDACTED]  
7 teacher had been arrested and spent time in prison came  
8 from outside the school. So, at no point did they  
9 attempt, until I think the recent national publicity  
10 generated because they have an old boy who is a radio  
11 host, have the school attempted to contact people.

12 I believe there was something on page 756 of their  
13 website for a while, and in the last magazine they sent  
14 me there was something at about page 20, saying,  
15 "Contact these people". But that's the first I have  
16 ever seen anything from the school, and my involvement  
17 with this predates that. It has all happened post-fact,  
18 I would say, of them being outed, if that's the right  
19 expression.

20 Q. And you think they should have contacted you?

21 A. Of course. I mean, I cannot see how a responsible  
22 organisation can have one of its ex-teachers in prison  
23 and not contact the boys who he would have taught and  
24 said, "I wanted to make sure -- as a minimum, I want to  
25 make sure that nothing happened". And then when the

1 other stuff comes out, particularly this Inquiry, you  
2 would expect them to say, "This Inquiry is going to be  
3 looking at everything".

4 Now, I understand there is always legal advice and  
5 insurance companies and all these things, but it's -- my  
6 worry is not that they didn't -- for me, they didn't do  
7 it. There are a lot of victims who would have really  
8 benefited from the school reaching out and supporting  
9 them and helping them.

10 But if the school -- that school culture comes from  
11 the current management of the school. The current board  
12 of directors decided not to do anything. And if they  
13 are not prepared to do anything because it is historic;  
14 how can people have confidence they are prepared to do  
15 something contemporary, if things happen again?

16 My children had a very comfortable school life, but  
17 I have friends whose children have gone to boarding  
18 schools in England and got bullied and, when they have  
19 gone to the school to complain about it, they have had  
20 a similar sort of thing. This gets sorted out between  
21 the boys and we will make sure it's done. There is  
22 still a thing that these schools do not want their  
23 reputations damaged.

24 But what you end up is in this situation, where you  
25 have failed to get ahead of the story and -- if you look

1 at it from a pure PR point of view, but they have failed  
2 to support people. The people who are there now are not  
3 responsible for the way people were let down then, but  
4 they are sure as hell responsible for the fact that they  
5 are letting them down again. That's -- it is impossible  
6 to look at it in any other way.

7 I have no axe to grind with the school either way.  
8 Yes, they are part of my history, but I am not part of  
9 their present or their -- it is just the way it is.

10 LADY SMITH: 'Fred', I understand, from what I have been  
11 told, that this year, for the first time, at the  
12 Academy's end of year prize giving, there was apology  
13 and mention of its history of children being abused.  
14 But that was the first time.

15 A. Yes.

16 LADY SMITH: From what you have said, I imagine your  
17 response would be, "About time, too".

18 A. Well, it would actually be a little bit harsher than  
19 that. There is no point in apologising once you have  
20 been found out.

21 LADY SMITH: Yes.

22 A. That's -- in these situations, yes, you should  
23 apologise. But, actually, the atonement comes from  
24 admission, not from getting caught.

25 LADY SMITH: Mm-hm. I see that.

1 A. So I would be even harsher than, "About time, too".  
2 I would say: I don't believe them. I don't believe  
3 they are sincere because nothing they have done up until  
4 this point has indicated sincerity. It has indicated  
5 a desire to get away with it.

6 LADY SMITH: Can I ask you something separate, 'Fred', by  
7 reference to your clacken?

8 A. Mm-hm.

9 LADY SMITH: I haven't been told whether or not the end of  
10 year Hailes match still takes place, or whether -- and  
11 I think it was normal for all leavers to be given  
12 a clacken that they could then get signed by friends, or  
13 whatever.

14 A. Mm-hm.

15 LADY SMITH: If that is still the practice, given what  
16 I have heard about what that implement was used for;  
17 should the school stop that?

18 A. That's an interesting -- I think the school now has  
19 a very conflicted problem with its history. So it wants  
20 to trade on its history of -- and it is very interesting  
21 that they do this now. I always recount to people that  
22 James Clerk Maxwell, who Einstein described as the  
23 greatest physicist ever, was at my school, and I was  
24 totally unaware of that, even though I did physics all  
25 of the way to A level.

1           The only awareness I had of his name was that there  
2           was a plaque somewhere at the back of a physics lab.

3           We were aware that Magnus Magnusson had gone to the  
4           school because he was on telly every week. Because he  
5           was on Mastermind he must be the most intelligent man in  
6           the country. And we were aware that Robert Louis  
7           Stevenson had gone to the school.

8           But the school at my time did not particularly trade  
9           on its history. Since then it has come to trade a lot  
10          more on its history and it wants people to believe it  
11          has this history, and this is part of its history. And  
12          I think the book Magnus Magnusson wrote is called The  
13          Clacken and the Slate, and it has to work out what its  
14          history is now.

15          Its history is not just James Clerk Maxwell, now  
16          they have latterly discovered him and named a science  
17          centre after him. It is also -- and it is not jolly  
18          Hailes matches in the yards and the guys who played  
19          rugby at Raeburn Place; it is this. It is the way these  
20          were used in the 1960s and 1970s. It is the cover up,  
21          and they -- I wouldn't like that job, of trying to work  
22          out how they balance history. And I think one of the  
23          things they may have to do is accept that, you know,  
24          that's the implement that needs to go into the museum of  
25          horrors and, you know, it is a bit like the slavery

1 statues, maybe the only one that should be around should  
2 have something that explains its good and its bad  
3 history.

4 But I don't know if they still play that game  
5 anymore. It was a rather dangerous game, to my  
6 recollection. There were definitely a few teeth missing  
7 in the year I played it, which may not be acceptable  
8 now.

9 LADY SMITH: 'Fred', thank you for that.

10 Mr Brown.

11 MR BROWN: My Lady, I have no further questions for 'Fred'.

12 'Fred', is there anything else you would --

13 A. No, that's good. Thank you for the opportunity.

14 LADY SMITH: I have no other questions, 'Fred'. Thank you  
15 for coming today.

16 A. It's okay.

17 LADY SMITH: Thank you for giving us a very detailed view of  
18 how things were at your time in the Academy, what the  
19 environment was that you were in, and other boys with  
20 you, including the boarders. Of course, my remit is to  
21 look at children --

22 A. Yes.

23 LADY SMITH: -- in care, the boarders. But if you were  
24 a boarder at the Academy, your life every day, all the  
25 time, 24/7, was in that environment, so it is important

1       that I understand from people like you what the whole  
2       environment was like.

3    A.   My awareness of that environment has only come out in  
4       the last year, really.

5    LADY SMITH:  Mm-hm.

6    A.   Since the other things that have come out --

7    LADY SMITH:  Yes.

8    A.   -- in the press, and on the radio, in these podcasts and  
9       things.

10   LADY SMITH:  Yes.

11   A.   The horror of that was not apparent to me then, but it  
12       does help me understand some of those -- why some of  
13       those boys really were not happy children.

14   LADY SMITH:  Thank you so much.  I am able to let you go.  
15       From something you alluded to, I hope you have a good  
16       day tomorrow.

17   A.   Thank you.

18                                       (The witness withdrew)

19   LADY SMITH:  In the course of his evidence 'Fred' used the  
20       name of the [REDACTED] teacher, IPT [REDACTED].  That man cannot  
21       be identified outside this room.  He has the protection  
22       of my general restriction order, so please make sure  
23       that doesn't happen.

24   MR BROWN:  My Lady --

25   LADY SMITH:  What are we going to do, Mr Brown?



1 MR BROWN: -- I am conscious that I left the room yesterday,  
2 I missed the read-ins, but I think it is fair to say we  
3 could do a short read-in before the break if I could  
4 withdraw and meet the next witness.

5 LADY SMITH: Thank you. Ms Bennie.

6 MS BENNIE: My Lady, the first read-in bears the reference  
7 WIT.001.002.4332. My Lady, this witness wishes to  
8 remain anonymous and he has adopted the pseudonym of  
9 'David'.

10 LADY SMITH: Thank you.

11 'David' (read)

12 MS BENNIE: "My name is 'David' and I was born in Edinburgh  
13 in 1961. ...

14 "My childhood was all good, I have no bad memories  
15 growing up. My parents are still alive and still  
16 together.

17 "From the age of 5 until I was 9 we lived in  
18 Morningside in Edinburgh. We then moved to Musselburgh  
19 which is where my home was until I was about 20. In  
20 between times I went to University in St Andrews.

21 "I attended nursery school in England then went to  
22 St Peter's Primary School in Morningside. My parents  
23 decided that they wanted the best education for me.  
24 They worked very hard to put me through school.

25 "At the age of 9 I went to Edinburgh Academy and

1           that's where I remained for the rest of my schooling.

2           ... I spent one year at the junior school.

3           "Attending the Edinburgh Academy Junior School.

4           "I don't remember any particular process of  
5           integration at the school but there must have been  
6           something like being shown around and being told where  
7           things were. I don't actually remember my first day  
8           there. I do remember specific events though.  
9           I remember a specific teacher ...

10          "I had one form master called Mr Wares who  
11          I particularly remember. He taught Latin, geography and  
12          maths in our form class. We didn't stay in that one  
13          classroom, we would go off to a different classroom  
14          where other teachers would teach different subjects.

15          "I was a day pupil, but there were other pupils who  
16          attended my classes who were boarders at the school.  
17          The boarders would have breakfast together communally  
18          and I would say that as kids the boarders and the day  
19          pupils just got on, there were no issues. I knew that  
20          the boarders lived in the boarding houses but I never  
21          attended the boarding houses.

22          "I settled in really well to the school.

23          "Abuse.

24          "Mr Wares, my form master, was South African. As  
25          I have said, as well as being my form master he taught

1 us for Latin, geography, and maths. Looking back he  
2 seemed like an old man to me but he was probably mid to  
3 late 30s. There were incidents that I am concerned  
4 about involving Mr Wares. ...

5 "I don't remember how quickly after I started  
6 attending Edinburgh Academy the incidents with Mr Wares  
7 began to happen. I don't actually remember the first  
8 occasion when something happened. What I do remember  
9 though is how it would happen. There would be  
10 a classroom full of kids. He would be at his desk at  
11 the front. I would have been 9 years old at this stage.  
12 He would get you to stand up at his desk on the pretext  
13 of checking your work and he would run his hand up the  
14 inside of your trouser leg and fondle your genitals. It  
15 was always boys in short trousers. He did this in front  
16 of everybody. This went on for the year I was there.  
17 It was a frequent, sometimes daily event over the full  
18 time I was there.

19 "oddly enough, nobody mentioned it or talked about  
20 it. It was just accepted because of the guy's position.  
21 He never said anything whilst he was doing it.

22 "... Thinking back on it, I thought maybe this was  
23 just a summer event ... because of the shorts but  
24 I remember that the junior school wore shorts all year  
25 round.

1            "They did issue us with a book of rules and  
2 regulations and the dress codes are in there. I have  
3 been able to check.

4            "When these things were happening to me I don't  
5 remember feeling disgusted because it was just accepted.  
6 Also I had no comprehension of sexual things at that  
7 age. It would have happened to other boys as well.  
8 I have a vague recollection of knowing it was happening  
9 to other boys but not looking. So I guess I must have  
10 felt that it was not right. I definitely felt  
11 uncomfortable.

12           "I was always guilty of not doing my homework and  
13 when you got an answer wrong or Mr Wares thought you  
14 should be doing better, he had this other thing he used  
15 to do which was to come up to you, grab your sideburns  
16 and gradually lift you up until you were standing on  
17 your desk. Then you would be standing on your tip toes  
18 being held up by your sideburns.

19           "It was fairly uncomfortable and it added to the  
20 feeling of him being in charge. He was in charge of  
21 classes that I was in every day. It started off with  
22 the roll call in the morning then it would be off to the  
23 hall to listen to a lecture or something, then it would  
24 be back and off to your classes which [for] at least two  
25 or three years Mr Wares was my teacher.

1           "Leisure and Mr Wares

2           "We had sport at school and I played rugby and  
3 cricket. On occasions I was particularly uncomfortable  
4 after sport because we would go into the showers.  
5 Everyone was naked and we would all hop after sport into  
6 a communal shower. I do remember one time being really  
7 uncomfortable, getting dressed after a shower. Mr Wares  
8 was just walking around ... and looking. I remember  
9 thinking that I had to get dressed and [get] out of  
10 there quick. He wasn't actually in charge of the  
11 sporting activity as there were specific gym teachers.  
12 However the other teachers were encouraged to get  
13 involved by being referees or umpires or whatever.

14           "Lower school punishments

15           "There were punishments at the lower school.  
16 Punishments included getting whacked on the backside  
17 with a wooden spoon which was meant to be a sporting  
18 instrument called a clacken. It was like a small  
19 paddle. Sometimes a shoe or gym shoe was used. These  
20 punishments could be for trivial things or  
21 misdemeanours. There was no belt. There was just the  
22 clacken. A couple of teachers had a reputation for  
23 really ... [beating] you with the clacken.

24           "Upper school punishments

25           "There was one teacher called Mr Dawson who taught

1 history. He used to dole out bizarre punishments. He  
2 had various medieval style long planks. He would hit  
3 with you a plank and then you had to sign it. The  
4 planks were around three or four feet long. The  
5 punishments would be for misdemeanours but it was odd  
6 because it was done in a good humoured way most of the  
7 time. I can't remember if he whacked you or just tapped  
8 you with the plank but I do remember he asked [you] to  
9 sign it afterwards. The strike with the plank was over  
10 your clothing.

11 "Another thing Mr Dawson would do is that he would  
12 write on your stomach in biro 'I have been a naughty  
13 boy'. I think he was in his 40s or 50s. I think I only  
14 had him as a teacher for one year. I think that I got  
15 him either first or second year.

16 "In the upper school, later on, the prefects were  
17 able to dole out the punishments. These punishments  
18 were administered over your clothing. The prefects had  
19 the collected title of 'ephors', which is a Greek word.  
20 I eventually became a prefect, but I never doled out any  
21 corporal punishments.

22 "I don't think the school had any major issues as  
23 far as I was aware of. There was no counselling for  
24 anyone who had any issues. Towards the last couple  
25 of years at school a couple of teachers actually started

1 to treat you like a grown up.

2 "The education was all right. Most of the teachers  
3 were very good. I am not aware of any other incidents.  
4 I eventually left Edinburgh Academy in 197█ aged 18.

5 "Reporting abuse to the school

6 "I don't remember there being any school counsellor  
7 or anyone could you take any concerns to. If anything  
8 the person I would have been expected to go to would  
9 have been my form teacher and that was Mr Wares. ...

10 "I definitely did not feel that the abuse was  
11 anything that I could have spoken to my parents about.  
12 I didn't mention it to anybody. ...

13 "Incidents of abuse all came to light over ten years  
14 ago. There was a thing in the paper. I think it was  
15 about Loretto to school in Musselburgh. As a result of  
16 that being in the paper another guy I was at school  
17 with, who I was friendly with at the time wrote  
18 a comment in a newspaper article about his own  
19 experiences. He is a guy called Iain Glen and he is  
20 an actor.

21 "I think the article about Loretto was in the  
22 Scotsman newspaper and Ian said that stuff happened at  
23 our school. I thought after the article everything that  
24 had happened at the school was going to come out but  
25 I heard nothing. I think at the time Loretto school

1 handled it pretty well. I think they wrote letters to  
2 the parents. But still absolutely nothing about our  
3 school came out. Then, a couple of years ago there was  
4 another guy called [REDACTED] who was about  
5 two years younger than me. He went to the paper and  
6 said that the same sort of things happened at  
7 Edinburgh Academy. That's how I know it happened for  
8 a few years at least from 1970 to 1972 and possibly  
9 1973.

10 "I decided eventually to go to the police.  
11 I appreciate that what Mr Wares had done may sound  
12 fairly trivial but I kept thinking about how I would  
13 feel if it happened to my child. It wasn't easy going  
14 to the police back then, it was nine or ten years ago.  
15 I think you had to go to a certain division or something  
16 but I ended up filling in a form but nothing happened.  
17 This was Lothian and Borders Police.

18 "I was going to Edinburgh anyway and [by] this time  
19 I managed to get in touch with a detective there ... who  
20 was looking into allegations. He told me that I was not  
21 alone and that a number of people had come forward with  
22 similar information. He told me that they would pursue  
23 the allegations but it was very difficult to get people  
24 extradited from South Africa where I believe Mr Wares  
25 now is.



1 "Impact

2 "Regarding the events at the lower school, I never  
3 used to think about it apart from it popping into my  
4 head from time to time. However, since the article  
5 about Edinburgh Academy was first in the paper I started  
6 to think ... [about] now this is out, let's get this guy  
7 and seek justice. It just hasn't happened though, so it  
8 has been playing on my mind more frequently knowing that  
9 something could have been done.

10 "I do understand that these ... [things] move very  
11 slowly. However, the reason I decided to go to the  
12 police was because ... another pupil who joined the  
13 school in 197█ came forward in another newspaper and  
14 said that he had gone to the police about this.  
15 I thought 'Good on you mate' I am going to add my name  
16 to that as I don't want you to be alone. He didn't  
17 actually name a teacher, but he said something like  
18 'This went on in front of our class', that's when  
19 I thought I knew what he was talking about.

20 "I do wish that the police involvement had taken off  
21 15 years ago but I just want justice. I have never  
22 sought counselling or any other support for what  
23 happened to me at the school because I'm fine and  
24 I don't think I need it.

25 "I do wish the school had had shown a bit more

1 transparency at the time. If they knew about this they  
2 should have gathered the boys at assembly and asked if  
3 anyone knew anything about it. I told them that the  
4 school would take the necessary steps to deal with it.  
5 I don't know if Mr Wares was found out and sacked or  
6 whether his visa was ... up and that he [just] had to go  
7 home to South Africa.

8 "Inspections

9 "I have no knowledge of any inspections taking place  
10 at the school during my time there.

11 "Lessons for the future

12 "I think there should be a mechanism within each  
13 school that would allow an investigation to be carried  
14 out. Someone that people can go to. We had a chaplain  
15 that I may have talked to because he was a good guy.  
16 I would have spoken to him because of that as opposed to  
17 him being a chaplain. So I suppose I'm saying that it  
18 is important that individual teachers create that trust  
19 relationship with the pupils. Ironically the teacher  
20 I should naturally have gone to should have been my form  
21 teacher and he was the actual abuser.

22 "In relation to the behaviour of Mr Wares, despite  
23 my thinking at the time that nobody knew about it, I now  
24 think that somebody must have been aware of it. There  
25 must have been pupils and teachers at the school over

1 a period of years that knew these things were happening.  
2 The culture of the place at the time must have been that  
3 they had to keep a lid on it. ...

4 "After school I went to university. I [then] later  
5 moved overseas and have otherwise lived a happy life.

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

10 My Lady, the statement is signed and it is dated  
11 20 February 2019.

12 LADY SMITH: Thank you very much. Well, it is now 11.30, so  
13 I am going to pause for the morning break and sit again  
14 in about a quarter of an hour. Thank you.

15 (11.29 am)

16 (A short break)

17 (11.45 am)

18 LADY SMITH: Mr Brown.

19 MR BROWN: My Lady, the second witness today is 'Max'.

20 LADY SMITH: Thank you.

21 'Max' (affirmed)

22 LADY SMITH: Good morning, 'Max'.

23 A. Good morning.

24 LADY SMITH: Could you raise your right-hand and repeat  
25 after me?

1 (The witness affirmed)

2 LADY SMITH: Now 'Max', do sit down and make yourself  
3 comfortable.

4 A. Thank you.

5 LADY SMITH: 'Max', first of all, thank you for coming here  
6 to give evidence about your experiences at the  
7 Edinburgh Academy today. I am very grateful to you for  
8 what I know you have already added to our learning from  
9 your written statement, but for being able to come today  
10 to talk about some parts of it.

11 The red folder that you have your hands on, you may  
12 appreciate has your statement in it.

13 A. Yes.

14 LADY SMITH: If you want to look at it as we go along, feel  
15 free to do so.

16 A. Okay.

17 LADY SMITH: Otherwise, 'Max', the key is I want to do  
18 anything I can do to help you give the best evidence  
19 that you can. If that means having a break or just  
20 pausing where you are, or explaining ourselves better  
21 than we have done in questions that we have asked you,  
22 please let us know.

23 A. I will.

24 LADY SMITH: Will you do that? If you are ready, I will  
25 hand on to Mr Brown and he will take it from there.

1 A. Okay, thank you.

2 Questions by Mr Brown.

3 MR BROWN: 'Max', hello again.

4 A. Hello.

5 Q. If we can start, as you know I am going to do, with the  
6 red folder and the statement. It has a reference number  
7 WIT-1-000001270 and, on the 23rd page, we see you have  
8 signed it a couple of months ago.

9 A. Yes.

10 Q. And confirmed, in the last statement, that you have no  
11 objection to your witness statement being published as  
12 part of the evidence to the Inquiry and that you believe  
13 the facts stated in this witness statement are true.

14 A. Yes.

15 Q. And that's the position?

16 A. That is.

17 Q. Thank you very much indeed.

18 Just a little bit about you. You are now 65?

19 A. I am, yes.

20 Q. You went to the Academy, Edinburgh Academy, between 196█  
21 and 197█?

22 A. That's correct.

23 Q. So from the age of 9 to 17?

24 A. Yes.

25 Q. We see from the statements that in terms of primary

1 school experience prior to going to the Academy, at 9,  
2 you had gone to the local primary school where you  
3 lived?

4 A. That's right.

5 Q. Which was in Dundee?

6 A. It was.

7 Q. And you said:

8 "I have mostly good memories of going there. It was  
9 a good school and my memories are happy ones."

10 A. Entirely, yes.

11 Q. But there came a point where your parents clearly felt  
12 the schooling had to change.

13 A. Yes. The school that I would have gone on to had  
14 I stayed in Broughty Ferry, my parents went to see it,  
15 and saw the headmaster and looked round, and I can't  
16 remember why they didn't like it, but they didn't like  
17 it.

18 Q. Mm-hm.

19 A. It may have had a bit of a reputation. I really don't  
20 know. This is long before league tables of schools or  
21 whatever. But, anyway, they decided that it wasn't the  
22 right place for me to go. And my father had been at the  
23 Academy in the 1930s and had got a good education there,  
24 had reasonably fond memories of it, I think, and so --  
25 I mean, essentially, he decided I was going to go there.

1 Q. Did you have any say in it?

2 A. No.

3 Q. I think, from reading your statement, and as we have  
4 touched on, you were happy where you were, you had  
5 a good set of friends --

6 A. Yes.

7 Q. -- and had you been given the choice you would have  
8 stayed put?

9 A. Absolutely, yes.

10 Q. I think, as you say, prefacing all you go on to say, you  
11 would probably have given the same answer throughout  
12 your time at Edinburgh Academy?

13 A. Indeed, I would have loved to have gone back, yes.

14 Q. Yes. But you went at 9 because you had been to the  
15 school, you had been assessed, you'd had experience of  
16 it, and the view was taken you really should go at 9  
17 because otherwise you would have too much to do to catch  
18 up academically?

19 A. That's right. At the primary school I had been at, they  
20 didn't teach languages.

21 Q. Mm-hm.

22 A. And they certainly didn't teach classics. At the  
23 Academy, Latin was taught from primary level, and it was  
24 felt that it would be very hard for me to join as a --  
25 in the upper school. There would be a lot of catching

1 up to be done, so it would be easier for me if I had  
2 gone at that age.

3 Q. So, even at the very start, the academic push is made  
4 clear to you?

5 A. Very much so.

6 Q. Was that something that you, when you spent the next  
7 8 years there, was a constant -- the academic excellence  
8 was part and parcel of Edinburgh Academy?

9 A. It was, yes.

10 Q. How were children who weren't perhaps so academically  
11 gifted treated?

12 A. Hmm. That's an interesting question.

13 I don't think we were treated badly, but there was  
14 an element of sink or swim about it. And that applied  
15 to both academic work, but also very much to sport.  
16 Sport was a huge thing at the Academy, and if you  
17 weren't sporty, you probably weren't going to have  
18 a great time there.

19 Q. So you associate success both academically and  
20 sport-wise as being important --

21 A. Yes.

22 Q. -- to doing well at the Academy?

23 A. I would say sport just as much as academic.

24 Q. You used the words you weren't going to have "a very  
25 good time" there; why not? What did you mean by that?



1           What was the bad time would you have if you weren't  
2           sporty, for example?

3    A.   If you weren't sporty, you would be a long way down the  
4           pecking order with your peers.  And that, I think,  
5           became worse as you got older.  In the senior house --  
6           I mean, we will probably come on to that much later.

7    Q.   Yes.

8    A.   But, at the senior house, there was definitely a kind of  
9           rugger-bugger vibe about the place.  And if you weren't  
10           interested in rugby -- which I wasn't -- you kind of had  
11           a target on your back, to some extent.

12   Q.   In terms of you felt like you had a target on your back,  
13           from what you have just said; that was a constant  
14           throughout your schooling?  If you didn't fit in by  
15           being a good sportsman, for example.

16   A.   I think that was less so in the preparatory school.

17   Q.   Okay.

18   A.   People were -- I mean, there was certainly an emphasis  
19           on sport there, but it became much more marked later on,  
20           I think.

21   Q.   And did the school recognise that and try to address it?

22   A.   I don't think at that stage they were trying -- they  
23           were thinking about that at all, no.

24   Q.   On the academic side, if you were in one of the poorer  
25           streams; were efforts made?

1 A. I think so. Yes, I think that less gifted --  
2 academically -- children did get more help, yes.

3 Q. Okay.

4 Now, we know from the statement that you had  
5 a particular interest, which was in matters musical.

6 A. Yes.

7 Q. You make the point that a lot of pupils in the upper  
8 school played an instrument; so there was a push for  
9 that?

10 A. Absolutely, there was.

11 Q. But you give the sense that unless you were in the  
12 in-crowd, if I can put it that way, you weren't given as  
13 much support as you might have been?

14 A. Yes, I think again that's more in the boarding house  
15 than in the day school.

16 Q. I see.

17 A. And I said before that you had a bit of a target on your  
18 back if you weren't sporty. If you liked classical  
19 music, you had a huge target on your back. If you  
20 were -- if you liked classical music in the houses, you  
21 were assumed to be gay; all right? And so you would be  
22 right at the bottom of the social pile.

23 As it happens, I'm not gay and I didn't have gay  
24 tendencies then, but that didn't matter. I liked  
25 classical music, so --

1 Q. So you were labelled?

2 A. So they thought I was gay as the clappers, yes.

3 Q. We will come back to that.

4 A. Okay.

5 Q. But to be clear, reading the totality of your  
6 statement -- and you go through a lot of the detail --  
7 as a boarder there were things you could do, in terms of  
8 trips -- and I suppose day boys could go on trips, too.

9 A. Mm-hm.

10 Q. Some of it you clearly enjoyed?

11 A. Yes, yes.

12 Q. You went to Glen Doll?

13 A. Glen Doll. Yes, Glen Doll was -- I think it was popular  
14 with everybody, really. And I -- yes, I enjoyed going  
15 there.

16 Q. Unlike others, you quite enjoyed the CCF, but in your  
17 case it involved boating?

18 A. It involved boating, yes. It didn't involve much  
19 marching around, which is largely why I chose the Navy,  
20 because I liked sailing, so yes.

21 Q. Some things, just in the every day sense, you didn't  
22 like. Your birthday being celebrated was not great  
23 because you would get birthday bumps?

24 A. Yes, which basically involved you being beaten up. Yes.

25 Q. And we are back to you having a target on your back

1           because you were a music lover?

2   A.   Indeed, indeed.  So you very much played down when it  
3           was your birthday, you didn't tell people.

4   Q.   Yes.

5           Thinking of your initial experience of the house,  
6           aged 9, you suddenly find yourself in Edinburgh and  
7           going into MacKenzie House; is that right?

8   A.   Mm-hm.

9   Q.   Was there any sort of briefing, introduction,  
10          familiarisation for new boarders?

11  A.   I don't think any such thing.  I think you were just  
12          thrown in, yes.

13  Q.   When you say you tried to make the best of it, you tried  
14          to be upbeat?

15  A.   I did.  Yes, I did.  Yes, I was very much a joiner.  
16          I wanted to make friends.  I guess I was a keen bean.  
17          I wanted to get involved in things, yes.

18  Q.   And did that help?

19  A.   It did, I think.

20  Q.   Were there boys who were unhappy?

21  A.   Yes.

22  Q.   Home sick?

23  A.   Yes.

24  Q.   What steps, if any, were taken for them?

25  A.   Hmm.  Um, my memory of the housemaster's wife was that

1 she was a rather distant and formal figure. I don't  
2 think she was very empathetic. I don't recall her being  
3 very empathetic towards children who were home sick, and  
4 some certainly were.

5 Q. And your housemaster initially was?

6 A. ICG ?

7 Q. Right. How did you view him?

8 A. He was pretty strict and his word very much went, but  
9 I liked him. I think he was a decent man.

10 Q. Now, you talked -- sorry.

11 A. And I think he was a kind man, really.

12 Q. You mentioned the fact that he beat. I don't think he  
13 beat you?

14 A. No, he didn't.

15 Q. But you are aware that he beat others, but you don't  
16 view him critically because of that?

17 A. No. I think that by the standards of the time he was  
18 fair and just. And I think that if you had asked the  
19 boys at MacKenzie House, back in 1968/69, around then,  
20 if the sanctions regime was fair, I think they would  
21 have all said, yes, it was.

22 Q. Had you --

23 A. Obviously, from today's standard, it is very different  
24 indeed. But, by those standards, I think it was fair.

25 Q. Had you experienced corporal punishment in your primary

1 school, in Dundee?

2 A. No. Not at all.

3 Q. No.

4 A. It was used, but it was very rare.

5 Q. In the Academy prep school; was it used --

6 A. Yes.

7 Q. -- commonly?

8 A. It was used. It was used commonly. It was -- some

9 teachers didn't use it, but the ones that did tended to

10 use it quite a bit.

11 Q. Yes. Again, we will come back to that in a moment.

12 We understand -- and you obviously went through

13 a variety of houses, and we will talk about them. But

14 I think in MacKenzie it was Mr ICG, we have spoken

15 about; and there was a house tutor?

16 A. Yes.

17 Q. And that was?

18 A. It was ICA.

19 Q. What were your views on ICA?

20 A. He was a very nice man. He was a very kindly man. He

21 was -- he had a very strong religious faith. In fact,

22 he ran religious groups throughout his career at the

23 Academy. And he was -- very empathetic man, I think.

24 Q. Okay. But you make the point -- and this is

25 paragraph 23, on page 5 -- and you are talking about bed

1 time. You could read for an hour and lights out was at  
2 9.00.

3 A. Mm-hm.

4 Q. "We were absolutely forbidden ... [from] ... talk[ing]  
5 ... [at] lights out, ... [but] if ... [we] were caught  
6 talking, it would be a minor infraction but most, if not  
7 all, discipline was corporal punishment. In MacKenzie  
8 House, we would either be smacked by ... [him], which  
9 was ... like getting a cuff around the ear from your  
10 mother ... not sore, or you would get a beating from  
11 Mr. [REDACTED]."

12 So you described both men in positive terms; fair?

13 A. Yes.

14 Q. Yet the culture was one where physicality was normal?

15 A. Yes.

16 Q. And accepted?

17 A. And accepted. That's fair, yes.

18 I think, just to add to that, there were maybe two  
19 or three boys who had had experience of other private  
20 schools before moving to the Academy. One was from  
21 Fettes. And at that time, I mean, we are talking late  
22 1960s here, Fettes was regarded as the really brutal  
23 place to go, you know? And what those boys would tell  
24 us is that we didn't know we were born; that this was  
25 a holiday camp compared to these other places, you know?

1           And I guess we accepted the truth of that.

2           So I think it probably was a much more liberal

3           regime than some of the regimes operating at that time.

4   Q.   As you were told?

5   A.   As we were told, yes.

6   Q.   Yes.

7           You will be aware, obviously, nowadays of the term

8           "pastoral care"?

9   A.   Mm-hm.

10  Q.   And from what you have said, Mrs ██████ was not --

11  A.   That wasn't her forte..

12  Q.   Yes.

13  A.   No.

14  Q.   I think you make the point that in the senior school,

15       albeit -- and we will come to this -- being in the

16       senior house was difficult for you.

17  A.   Yes.

18  Q.   As I think you have already alluded to?

19  A.   Yes.

20  Q.   There was an element of pastoral care there because of

21       the particular individual?

22  A.   Yes, I think that's true.  Indeed, I think the main role

23       of the house tutor was a pastoral role.  You felt that

24       he was someone you could go to.

25  Q.   Is that all the way through?  Thinking even of Mr ICA ?



1 A. That was certainly true of Mr ICA, yes.

2 Q. Was that made clear to you, when you joined the house?

3 A. No. But -- no, it wasn't. But it became pretty clear

4 from just how he was and how he acted.

5 Q. So by the sounds of it --

6 A. He was somebody you trusted.

7 Q. -- you would gauge the individual and if you felt,

8 presumably, safe to talk to them, you would talk?

9 A. Yes.

10 Q. But Mrs [REDACTED], by the sounds of it, was not someone you

11 would be inclined to talk to?

12 A. No, and she wasn't so present, as I recall.

13 Q. Right.

14 A. Yes.

15 Q. But, again, I think it is Mrs Evans you are talking

16 about in the senior house?

17 A. Yes.

18 Q. Who was sympathetic?

19 A. She was. She was, yes.

20 Q. By that stage, towards the end of your schooling; were

21 you by that stage being encouraged to speak to her if

22 there were issues, or was it again the same thing, you

23 just said, "I can talk to her"?

24 A. Yes, I mean, I didn't have that kind of relationship

25 with her. I didn't really confide in her.

1 Q. Okay.

2 A. But she was a very nice lady, yes, sure.

3 Q. At any stage during your time at the Academy; was there  
4 a push by the school to say, "If you have a problem  
5 here's someone you can talk to"?

6 A. No, no. In the senior school, the chaplain, a man  
7 called Howard Haslett, I remember him talking to one  
8 of -- a class that I was in, that he was somebody that  
9 you could confide in. And I did indeed, a couple of  
10 times -- to him. But, from sort of senior management,  
11 no, there wasn't a -- you weren't being directed in any  
12 particular way.

13 Q. Just thinking of the culture of the school; was the idea  
14 of telling people things accepted or not as a good idea?

15 A. I would say not particularly. I think that individual  
16 pupils and individual teachers might develop a trusting  
17 relationship, but I don't think there was encouragement  
18 from the top, really.

19 Q. Amongst the boys; was there a culture of -- we have  
20 heard the word "clype".

21 A. Yes.

22 Q. Don't clype.

23 A. Yes. Yes, there was. It perhaps wasn't as extreme as  
24 maybe some other schools, but I think that was  
25 generally -- I think that would be generally so in

1 schools, State or private, actually.

2 Q. How did you learn that? Thinking of going into  
3 MacKenzie House; was it made plain to you by other boys,  
4 "We don't talk"? Or was it just something that you  
5 picked up as you went along?

6 A. I think it was just something we picked up as we went  
7 along, yes.

8 Q. Right. Again, thinking back to that first year in  
9 MacKenzie House, as one of the new boys; were you made  
10 the subject of special treatment by older boys?

11 A. No, I don't recall bullying in the junior house. And  
12 had Mr ICG heard about it, he would have stamped down  
13 on it pretty hard. People, you know, were a bit scared  
14 of him.

15 Q. Yes. I think --

16 A. But, no, I don't recall that. Of course, we are talking  
17 about a period that's, you know, 55 years ago or so. It  
18 is a long time.

19 Q. Absolutely.

20 A. But I don't recall bullying in MacKenzie House.

21 Q. No. And given your experience in other houses; do you  
22 think that was really down to the character of Mr ICG ?

23 A. I think so.

24 Q. And the atmosphere he was keen to --

25 A. Yes.

1 Q. -- engender?

2 A. Yes.

3 Q. Okay.

4 One other practical question: you mentioned bed  
5 wetting was an issue --

6 A. Mm-hm.

7 Q. -- how was that dealt with within the house;  
8 sympathetically?

9 A. It depended on who the matron was, actually. And we had  
10 several matrons. Some were very sympathetic, some  
11 really weren't. I was referred to a GP about it, but  
12 they weren't much help, as far as I recall. So it  
13 depended very much on who the matron was.

14 Q. So it's down to personality?

15 A. Absolutely.

16 Q. Do you know how they were appointed?

17 A. No idea.

18 Q. They just appeared and disappeared?

19 A. They just appeared.

20 Q. All right.

21 Were the other children cruel about that sort of  
22 thing, or was that --

23 A. Um, not particularly. I think that it probably, as it  
24 went on -- because it didn't stop until I was about  
25 16 -- as it went on, it affected, I think, my

1           personality.

2   Q.   Mm-hm.

3   A.   In that it made me, I suppose, more secretive by nature.

4   Q.   Yes.  Sticking to the junior school, we have talked  
5           about the boarding house experience.

6   A.   Mm-hm.

7   Q.   Which from what you are saying actually wasn't bad?

8   A.   No.  It's interesting, because -- we will probably come  
9           back to this later on, but, in my adult life, the way  
10          I have tried to deal with the experience of being at the  
11          Academy was by putting the whole thing in a box marked  
12          "Don't go near" and, you know, "Here be dragons",  
13          thinking that the whole thing was awful.  And it is only  
14          in the last few months, when I have decided that I would  
15          come and speak here, that I had to do a sort of deep  
16          dive into my past.

17                And I realised that it wasn't one experience at all;  
18                it was three very different experiences, depending on  
19                which house I was in.  And the MacKenzie House  
20                experience was overwhelmingly a positive one.

21                I think that I left MacKenzie House pretty much the  
22                same kid that I had been when I arrived, in other words  
23                a happy wee boy, really.  That changed dramatically  
24                later on.

25   Q.   Yes,  But when you were in the prep school and living in

1 MacKenzie, the problems you experienced were in the  
2 classroom, in terms of one teacher in particular, from  
3 what you say, just in terms of physicality?

4 A. Yes. That was, yes, the event that I talk about in the  
5 statement that I made is not something that happened to  
6 me.

7 Q. No, I appreciate that.

8 A. It is something that I witnessed, and it was a savage  
9 beating, yes.

10 Q. Well, I was going to ask you about that because the  
11 teacher you are talking about is John Brownlee?

12 A. Indeed.

13 Q. We have heard that he was the senior teacher or had  
14 some --

15 A. Yes, I'm not quite sure what his position was. He  
16 wasn't a class teacher of mine, but he did teach  
17 English, I believe.

18 Q. I see. And did he have a reputation?

19 A. Oh, yes.

20 Q. Amongst the boys?

21 A. Oh, yes, very much so.

22 Q. And what was that reputation?

23 A. He was -- we thought he was a sadist. We probably had  
24 no idea what sadism really was at that age, but I think  
25 he was a sadist. I think he was. And he was somebody

1 who just lost the plot, you know?

2 And the boarders knew about him because there were  
3 a couple of teachers who filled in if the house tutor,  
4 or the housemaster, was, I don't know, away or ill, or  
5 whatever, these people would come in. And Mr Brownlee  
6 was one of those people. There were two, Mr <sup>BL</sup> [REDACTED],  
7 his name was, and he was a very nice man, and  
8 Mr Brownlee was really not a nice man at all, very  
9 sarcastic and people were fearful of him.

10 Q. So had you experience of him in the house prior to being  
11 taught by him, as one of these -- as a filling in --

12 A. I honestly can't remember --

13 Q. That's all right.

14 A. -- which way round it would have been. I think he was  
15 there the whole time I was in MacKenzie House. I think  
16 he did fill in sometimes, yes.

17 Q. When he was there; would the mood of the house change?

18 A. Yes, yes. You were very wary of him, absolutely.  
19 Mostly in the house, at that time anyway, he would be  
20 verbally sarcastic and just put people down and so on.  
21 But he was a big man, you know? And he was --  
22 I remember he looked a bit like Clint Eastwood and he  
23 was about that sort of build. He was definitely not  
24 somebody you would be joshing with, as it were, in the  
25 dormitory. And some of the others, yes, would you.

1 Mr [ICA], for example, you would be fine doing that; you  
2 absolutely wouldn't with Mr Brownlee.

3 Q. Do you remember him smiling?

4 A. No, I don't think I do.

5 Q. Right.

6 A. I don't think I do.

7 Q. So, when you got him to teach you English; was there  
8 a frisson of, "I wish it was someone else"?

9 A. Yes, yes.

10 It is interesting, when he retired -- this is in the  
11 mid-90s now -- when teachers retire someone anonymously  
12 writes a piece in the Chronicle.

13 Q. Yes.

14 A. And it is always, you know, "What a great guy he was",  
15 you know. And you don't have to read much between the  
16 lines in the one about Mr Brownlee that he wasn't well  
17 liked by his colleagues, and indeed it says something  
18 about -- that he could be very combative with his  
19 colleagues. I bet he could. He was just that sort of  
20 individual, you know?

21 But, obviously, when you are a child, when you are  
22 much, much smaller, physically, than he was, you were  
23 a bit scared of him.

24 Q. All right. And you described him as being a sadist and  
25 you have said loss of control.



1 A. Yes.

2 Q. Did you have him as a teacher for one year only or was  
3 it --

4 A. I think so, I think so. I think that was my only  
5 encounter with him as a class -- as a teacher, yes.

6 Q. And I know -- and we will talk about this in a second --  
7 there is one episode you remember, you have set out.

8 A. Mm-hm.

9 Q. But was that loss of control the only one or were there  
10 others?

11 A. I believe it wasn't the only time. It was something  
12 that he was -- you know, he had a reputation --

13 Q. And was he --

14 A. -- for beating people very, very severely, yes.

15 Q. Yes. And is he one of the teachers that used corporal  
16 punishment --

17 A. Yes.

18 Q. -- more than others?

19 A. I think so.

20 Q. Again -- and please understand, it is not a memory test,  
21 because it is a long time ago -- what sort of things  
22 would corporal punishment be used for? What sort of sin  
23 did you have to commit to be beaten?

24 A. It could be very minor things. I mean, things like  
25 talking in class, absolutely. You wouldn't be doing

1           that with him. Any kind of cheeking, any -- I don't  
2           know. It could be almost anything. He had a very short  
3           fuse.

4   Q.   So would it turn on his mood as well? If he was in  
5           a good mood --

6   A.   I am not sure if I ever saw him in a good mood.

7   Q.   -- or a less bad mood, then, he might be more prone to  
8           beat?

9   A.   I'm not sure I can really say that either way.

10  Q.   All right.

11           What you do remember, and you describe on page 13,  
12           paragraph 58, is one boy -- I will let you find the  
13           page.

14  A.   Okay. Oh, yes.

15  Q.   And you say it happened -- you describe it as a boy  
16           being given a "terrible beating"?

17  A.   (Nods)

18  Q.   And you say:

19           "It happened at the end of the class as we were all  
20           going out. [And] he held one boy back --"

21  A.   Yes.

22  Q.   "-- and grabbed him by the scruff of the neck."

23  A.   Yes.

24  Q.   Was this something -- it was known he was going to be  
25           punished for something or was it just arbitrary?

1 A. I had no idea what he was punished for, what he had  
2 done.

3 Q. Right.

4 A. Absolutely no idea. I'm not sure I saw the end of the  
5 beating.

6 We were on our way out. We were just aware that  
7 this was starting out and we skidaddled. I just  
8 remember being very shocked. I don't think any of us  
9 had seen anything quite like that.

10 Q. And what was it that you had never seen before?

11 A. Someone beating someone as hard as he was. I mean, he  
12 was really thrashing him.

13 Q. What age were you at this time?

14 A. I would have been maybe -- it was maybe my second year,  
15 so maybe 10. 10 or 11, something like that.

16 Q. So the boy that was being beaten; a similar age?

17 A. It would be a young kid, yes.

18 Q. Short trousers?

19 A. Short trousers, yes.

20 Q. Before puberty?

21 A. Before puberty, sure.

22 Q. Okay.

23 A. Yes.

24 Q. You say that your desks had chairs attached to them; are  
25 we thinking of the desks with the fold down bench?

1 A. That's right. They had some sort of tubular thing and  
2 they were attached, yes.

3 Q. Standing up you could shunt round in them?

4 A. You could.

5 Q. Yes. How, physically, did the beating take place?  
6 Because you talk about his head being forced down. Just  
7 to be clear: where was the head being forced under?

8 A. His desk.

9 Q. His desk?

10 A. Yes, he turned the desk round. Well, not his desk, but  
11 a desk at the front. Turned it round and then bent him  
12 over the back of the chair part, and put his head under  
13 the desk, yes.

14 Q. Right. So he would be -- the boy would be leaning over  
15 the chair part?

16 A. Yes.

17 Q. And then there is a space where would you sit?

18 A. Exactly.

19 Q. And his head is under the desk itself?

20 A. Exactly, exactly, yes.

21 Q. And the boy was forced into that position?

22 A. Yes.

23 Q. And then he was beaten with?

24 A. With a thing called a clacken, which if you are dealing  
25 with the Edinburgh Academy you will probably come across

1 clackens.

2 Q. We have just seen one.

3 A. Oh, right. Okay.

4 LADY SMITH: About an hour ago.

5 A. Right. Okay.

6 MR BROWN: Made of wood?

7 A. Yes.

8 Q. Quite heavy?

9 A. Quite heavy, yes.

10 Q. And in the context of a ten year old's body; quite a big  
11 implement?

12 A. Um, he would have been very badly bruised, yeah, yeah.

13 Q. Can you remember how often he hit this boy?

14 A. I don't know. And I don't think I stayed until the end  
15 of the beating, really. But, yes, I don't know.  
16 I don't know.

17 And thinking back on it, I mean, the thing that  
18 I really struggle with now, thinking about it, is that  
19 that beating didn't take place in some remote spot, you  
20 know, where nobody could hear. It took place in a --  
21 there was a row of classes. It was a new build school,  
22 right? And the classes are still there. If you look at  
23 the preparatory school face on, to the right of the  
24 entrance, there is a row of classes. It was one of  
25 those.

1 Q. The ground floor?

2 A. Yes. And those classes, those classrooms, were not  
3 sound proofed, you know? I mean, it was thin walls.  
4 So, if there was a commotion in an adjoining class, you  
5 would hear it.

6 Q. Mm-hm.

7 A. There was no way that something like that would not have  
8 been heard by people in the adjoining classes. So the  
9 question is did anybody do anything, you know. Because  
10 it wasn't just the once that happened. Did anybody ask,  
11 go to the headteacher, and say "look, this is  
12 unacceptable". I have no idea. Maybe they did. But  
13 the fact is he was still teaching almost 30 years later.  
14 You know.

15 Q. Well, I think you make the point, thinking of sound, the  
16 boy who was being beaten, you describe as a tough little  
17 guy, but Mr Brownlee made him howl?

18 A. Yes. Yes. He was a tough little guy, yes. Became  
19 a hooker.

20 Q. And, thinking of noise, the howling, was that quiet or  
21 loud?

22 A. It was very audible, yeah, yeah, yeah.

23 Q. And you say you were shocked. Was the entire class  
24 shocked at this level of --

25 A. The kids around me certainly were shocked, yeah.

1 Q. And had you ever seen an adult behaving like this with  
2 a child before?

3 A. No. Or since, actually. I mean I never saw that again  
4 at the Academy, yeah.

5 Q. Although there were --

6 A. It happened, yes, for sure.

7 Q. From what you are saying is he could be violent in other  
8 situations?

9 A. Absolutely, yes, he could, yes.

10 Q. Is this the absolute peak of the --

11 A. There was a -- again, it is a very long time ago, but  
12 I think it was the only time I saw him beating somebody  
13 and, I mean I never got beaten by him.

14 Q. Mm-hm.

15 A. I may be wrong about that. It is possible I saw others,  
16 but that's the one that sticks in my memory.

17 Q. But you also, this is the following paragraph, you  
18 remember a teacher expressing his ire that you and some  
19 friends were playing around on some grass?

20 A. Oh yes.

21 Q. And he came out with a cricket stump?

22 A. Yes.

23 Q. And hit all of you?

24 A. Yes.

25 Q. Leaving marks?

1 A. Yes. Yes, yes I do remember that. And, yeah, going  
2 back to what I said before, if you had asked the kids in  
3 MacKenzie House at that time if, you know, the sanctions  
4 regime was fair, we would have said yeah, it was. That  
5 wasn't fair. I mean we were absolutely outraged at  
6 that, because we had been doing nothing wrong at all.  
7 And this guy had just lost his temper, yeah.

8 Q. Was he filling in, if this was --

9 A. No, he was a house tutor for Scott House, one of the  
10 senior houses, and I think it was a summer, yeah, it  
11 would have been probably May/June, and I guess they had  
12 their windows open when they were doing their homework,  
13 and we were outside in the playing fields just having  
14 fun. But we weren't doing anything wrong.

15 Q. Are you still outraged?

16 A. Yeah.

17 Q. Yes. We have talked about MacKenzie, and the junior  
18 house; broadly okay except with interruptions from other  
19 tutors.

20 A. Mm-hm.

21 Q. You then move to Dundas House.

22 A. Yes.

23 Q. And we understand Dundas House is a smaller house,  
24 smaller numbers?

25 A. Yes.



1 Q. And you are only there for a year?

2 A. That's correct.

3 Q. It's a transitional house, if you like?

4 A. It is.

5 Q. Before you go on to one of the two seniors houses,  
6 Jeffrey or Scott?

7 A. That's right.

8 Q. Did you have any inkling of what Dundas House was to be  
9 like?

10 A. No. Not at all. Not at all.

11 Q. The housemaster is Hamish Dawson?

12 A. Yes.

13 Q. You had no knowledge of him or his behaviour?

14 A. I think in -- I'm pretty sure not. I would have been in  
15 the second year of the senior school, the upper school,  
16 and so in the first year I don't, I'm pretty sure  
17 I wasn't taught by him. And anyway, his way with the  
18 children as a teacher in the school, while it was pretty  
19 eccentric, was very different to how he was in the  
20 house, let's put it that way.

21 Q. Eccentric? What was eccentric about his teaching style?

22 A. He was big on rewards and punishments. But the  
23 punishments that he tended to give, he had what Laurence  
24 Ellis, the rector in the 80s said was a menagerie of  
25 instruments of correction. We might come back to that.

1 Well, they were mock medieval things, he had a tennis  
2 ball that was somehow attached to a stick and he would  
3 bonk people on the head with them. He had a clacken  
4 that had nails in it. He wasn't hitting people hard  
5 with that, obviously. So it was kind of like pretend  
6 hideous punishments. But he used them as a pretext,  
7 really, for getting kids across his knee where he could,  
8 you know, fondle them, or otherwise assault them.

9 So from the kids' perspective it was a kind of  
10 eccentric, slightly mad, teacher. But there was  
11 something else going on, which was private to him.

12 Q. Having been one of his boarders in Dundas, when he came  
13 to teach you were you wary of him?

14 A. Oh, once in Dundas House, yeah. In a way we didn't have  
15 the vocabulary. We were very naive. 12-year olds in  
16 1970 were very different sort of creatures to 12-year  
17 olds now. You now, we didn't have the internet, we  
18 didn't have access to pornography. As I say, we were  
19 very naive.

20 So we only gradually and only partially became aware  
21 of what he was, I think.

22 Q. But as I would understand it, your first experience is  
23 in the house. And then later on in the school you would  
24 experience him as a teacher. Is that right or is that  
25 wrong? It happened at the same time?

1 A. I think it probably happened at around about the same  
2 time.

3 Q. Right, okay, so you are learning from both?

4 A. Yes.

5 Q. Thank you.

6 A. I think it is fair to say that this is not all day boys,  
7 but on the whole day boys had a much rosier picture of  
8 him than the boarders did --

9 Q. Because they didn't know what went on in the house?

10 A. -- because they knew what went on in the house. And  
11 also he was a very good teacher.

12 Q. Yes.

13 A. I mean he really was a very good teacher. Unfortunately  
14 he was also a sadistic paedophile.

15 Q. Let's go back to the house, then.

16 A. Yes.

17 Q. It is interesting, there is an introduction there  
18 because your parents met him?

19 A. Yes, they did.

20 Q. And your dad thinks he looks fun.

21 A. Yes. Yes. They both really liked him. And I remember  
22 my dad saying after they had had a meeting with him  
23 something about "Mr Dawson has fun punishments", it  
24 sticks in my mind. Well, I don't know, if I -- I mean  
25 I never talked to him, either of my parents about him,

1 but in the unlikely situation of me sending a child to  
2 the boarding school and the housemaster saying he had  
3 some fun punishments, I would want to look under the  
4 bonnet. I would want to see exactly what are the fun  
5 punishments, and why are you talking about punishments  
6 anyway. It is just such a weird thing to say.

7 But I suppose that's the truth of abusers. They  
8 don't do it in a vacuum, ever, you know, they kind of  
9 sort of do it in plain sight.

10 Q. You draw a comparison with Savile.

11 A. Yes. Yes. Very much so. I mean he -- yes. In that  
12 respect, I mean we are not talking equivalence, but  
13 Mr Dawson did work in plain sight. And he, I guess,  
14 relied on collusion of his colleagues, and other people.  
15 People knew. People knew a lot of what he was up to.  
16 They didn't know everything, but they knew probably  
17 quite a lot.

18 Q. Well, one of the things about Dundas House we gather is  
19 it is small?

20 A. Yes.

21 Q. And some have described it as very much his fiefdom?

22 A. Yes. Totally.

23 Q. He has a family, a wife and two daughters, but they  
24 don't feature very much?

25 A. The children we were aware of. Mrs Dawson we hardly

1           ever saw.

2   Q.   You have talked about the housemaster's wife having

3       a pastoral role, for example in the senior house.

4       Not --

5   A.   Absolutely not, no.

6   Q.   No.

7   A.   I'm not sure that I ever spoke with her.

8   Q.   Okay.

9   A.   Yes.

10  Q.   Is there a house tutor in Dundas?

11  A.   There was, a man called **IBP**. But he

12       wasn't permanently there. He would come in, I think he

13       would come in at weekends and take us out for outings.

14  Q.   He provides cover?

15  A.   Yes.

16  Q.   He is not live in?

17  A.   No he is not, no he is not.

18  Q.   So what is going on in the house is really the boarders

19       and Mr Dawson?

20  A.   Yes.

21  Q.   There is no one else there?

22  A.   Mr Dawson is ever present.

23  Q.   Well, that's what I was going to ask you. Did he spend

24       a lot of time in the house?

25  A.   Oh yeah. Very much so, yes, he was very much a presence

1 in the house.

2 Q. And I think we see from the statement that beating was  
3 a common occurrence?

4 A. Very, yes.

5 Q. What do you mean by that? How often?

6 A. I mean it wasn't daily, but it was, somebody would get  
7 it at least -- I mean it would be at least weekly, but  
8 it is probably more than weekly.

9 Q. And from what you say it could be for very minor --

10 A. Extremely minor things, yes.

11 Q. -- transgressions. Such as?

12 A. Um, I remember one boy getting beaten because he didn't  
13 hold the door open for Mr Dawson's wife on one occasion,  
14 or something like that. It could be, yeah, it could be  
15 anything, literally anything.

16 Q. And I think you say that you were beaten four or five  
17 times?

18 A. Yes.

19 Q. And you were one of the better behaved boys?

20 A. Yes, I think that's true. Yes I think I was.

21 Q. So if you were ill behaved?

22 A. You would get quite a lot of attention.

23 Q. Yes. And in terms of the form of beating, you have been  
24 talking about the excess of Brownlee on that particular  
25 occasion.

1 A. Mm-hm.

2 Q. What would Mr Dawson use by way of implement?

3 A. You got a choice. For minor things you got a choice.

4 You either got beaten on your bare bum with a slipper,

5 and you would get two whacks with that. Or you get one

6 whack with a tawse, and you could keep your pyjamas on

7 for that. This was for sort of minor things. And if it

8 was more serious offences would you get multiples of

9 that.

10 Q. All right. But with the same choice?

11 A. (Nods).

12 Q. Slipper on bare bottom?

13 A. I think so. I think so.

14 Q. Was there a practical difference in terms of recording

15 between the two?

16 A. Yes there was, yes there was. Which is why I usually

17 opted for the tawse, because if a teacher used the tawse

18 there was a punishment book at the school, and he would

19 have to mark that up.

20 Q. Did he tell you that?

21 A. Yes. He did. And I thought well, that's

22 an inconvenience for him, good. Secondly, if some

23 bright spark were to look at the punishment book they

24 would notice that he was beating people more than

25 probably all of the other teachers put together, and

1           might think what's going on, yes. And thirdly, if he  
2           used the tawse he wouldn't get to see my bare bum, so,  
3           you know, result. So yeah, those were the reasons  
4           I tended to use, tended to ask for the tawse.

5   Q.   The way you paint it, he is being up front, saying  
6           "I have to record this". Did you feel there was  
7           an enticement to go for the other option?

8   A.   That's not how I saw it at the time.

9   Q.   No.

10  A.   I guess some kids would have opted for a slipper,  
11           because a tawse is obviously much more painful.

12  Q.   Mm-hm.

13  A.   And he would hit you pretty hard, whatever he was doing,  
14           he would hit you pretty hard. So some people might have  
15           thought that. But I don't know, it didn't occur to me,  
16           really.

17  LADY SMITH: So these choices of tawse or slipper were in  
18           the house?

19  A.   Yes.

20  LADY SMITH: The menagerie of instruments of correction was  
21           in the school classroom?

22  A.   In the school.

23  LADY SMITH: Thank you.

24  A.   And as I recall, serious beatings, I don't remember any  
25           serious beatings that I saw him give of day boys.



1 I mean it might have happened, but I think that it was  
2 the boarders who really got it.

3 LADY SMITH: Thank you.

4 A. Because the day boys did have, on the whole, a much  
5 higher opinion of him than the boarders.

6 MR BROWN: Was the beating on a bare bottom different from  
7 other teachers?

8 A. I don't think any other teachers did that.

9 Q. No.

10 A. As I recall.

11 Q. And was that something, acknowledging the fact that you  
12 are very young 12-year olds, a different age --

13 A. Yes.

14 Q. -- was there a perception even with that naivety, if you  
15 like, that there was something untoward about his  
16 interest in nudity?

17 A. I think -- I think gradually we gained an impression  
18 that there was something just not right about some of  
19 the things he did. But I think that we couldn't  
20 properly verbalise it, I don't think. There was  
21 an occasion I do remember towards the end of the school  
22 year, so it would have been maybe May/June, somewhere  
23 around then, and it was in a dormitory. And he had,  
24 well, assaulted one of the boys. He did sort of play  
25 wrestling and play spanking kind of things in the

1 dormitories. And I remember us having a conversation  
2 after he had gone, the lights had gone out, or maybe it  
3 was very early the next morning, I can't remember, and  
4 we were talking about why he seemed to target certain  
5 boys, because there was one boy in the dormitory who  
6 seemed to get it more than the rest of us. And we  
7 developed the theory that he preferred brunettes, in  
8 other words he preferred prepubescent dark haired boys.  
9 So we were certainly by then getting a pretty clear  
10 sense that he was, I think we would have called him  
11 a pervert. I'm not sure that paedophile had ever, had  
12 been, was in use at that time. We certainly didn't use  
13 it. So by then I think we were pretty clear what was  
14 happening. That he was abusing us.

15 Q. A couple of things from that. You said after he had  
16 assaulted a boy.

17 A. Yes.

18 Q. Why did you use the word "assault"? What had he done?

19 A. Um, he had, I think it was play wrestling, so he was  
20 basically fondling him. He had a habit of wearing baggy  
21 corduroy trousers, which no doubt were designed to cover  
22 his erections, but they didn't always do that. So yes,  
23 by then we had an awareness that what he was doing had  
24 a sexual, had a direct sexual motive, let's say that.

25 Q. Yes. That's horseplay. And there is an awareness of

1 his erections. You talk, and was this earlier in the  
2 year, about two things involving nudity. One is taking  
3 boys to the pavilion?

4 A. Yes.

5 Q. And this is near the house, Dundas House?

6 A. It is just opposite, yes. Opposite Dundas House there  
7 is playing fields, and there is a pavilion there where  
8 people change and so there was wet rooms and changing  
9 rooms. And that's right, he would take us there,  
10 I can't remember what kind of offences would cause him  
11 to do that. At the time I'm not sure we had any  
12 awareness of what was in it for him, and it goes back to  
13 this fun punishments thing, you know. I can't even  
14 remember what we, whether we thought it was  
15 a particularly bad thing. I'm not sure we did, really.  
16 It was certainly better than doing lines.

17 Q. Yes.

18 A. You know, or getting beaten. But it is only as a adult,  
19 looking back on it, it is quite clear what was in it for  
20 him; he enjoyed telling people to take their clothes off  
21 and then looking at them.

22 Q. It is more than that, though. The way you have it in  
23 the statement, he would take you down there in small  
24 groups.

25 A. Yes.

1 Q. Make you strip off.

2 A. Yes.

3 Q. And then have you recite a poem.

4 A. Oh yes, yes, yes, or a tongue twister, or maybe do  
5 a mental arithmetic, or something. Yes, it was often  
6 a poem, that's right.

7 Q. And if a mistake is made there is a consequence?

8 A. And yes, he would throw buckets of cold water over you,  
9 yes. So obviously that wasn't very nice, that's right.  
10 but I think, I think we had a sense of this is a bit of  
11 fun, really.

12 Q. Mm-hm.

13 A. I'm not sure that we thought it was all that bad. It  
14 was obviously not great, but better than other possible  
15 punishments.

16 Q. For you it was normal?

17 A. Yes.

18 Q. That was your normal?

19 A. Yes, yes, absolutely. Absolutely.

20 Q. You make reference to the fact that again he would be  
21 wearing his baggy corduroy trousers?

22 A. Yes.

23 Q. And you talk about seeing erections in the horseplay  
24 scenario?

25 A. Yes.

1 Q. Did you see them in the pavilion?

2 A. May well have done. I can't -- I honestly can't  
3 remember that.

4 Q. All right. But there was another game played, or  
5 discipline issued, in the house, and this is again  
6 involving nudity, and it is showering after games, is  
7 that correct?

8 A. Yes, yes, yes.

9 Q. Because you say, paragraph 62-page 14, that he would  
10 come into the common room and say it was smelly?

11 A. Oh, that's right, yes. Yeah.

12 Q. And "you must be dirty boys" and he would select some  
13 boys, take them to the shower room, have them undress,  
14 to see if they were muddy?

15 A. No, we weren't taken to the shower room, we were taken  
16 to the study.

17 Q. Oh, I see.

18 A. At the back of the house. And that's right. And yes,  
19 he would have no doubt thought of this as a fun  
20 punishment, but we definitely didn't. And it happened,  
21 I think, throughout the school year. Certainly the  
22 rugby season. And it was most weeks. We did games  
23 after school on Tuesdays and Thursdays, and so it would  
24 be either on a Tuesday or a Thursday, and he mixed it up  
25 so you would never know, and maybe one week he wouldn't

1       have it, you know. So he would mix it up. After we had  
2       finished our homework there would be prayers, and after  
3       prayers there would be any sort of house announcements  
4       about anything that was going on and so on. And it was  
5       at that point that he would produce a hat, which,  
6       I think in the statement I said was a fez. I think it  
7       was. But it was something like that. It was  
8       a theatrical, you know, something theatrical. And he  
9       had the names of all of the boys in this hat and he  
10      would pretend to juggle around, or maybe he did, and  
11      take out three names. And these three people would have  
12      to go with him into this back sort of study/library area  
13      and he would tell them to take off their clothes and he  
14      would examine them, to see if they had had a shower.  
15      And if they had, you know, dirty knees or anything else  
16      he would beat them.

17             I can't remember if he touched us while he was doing  
18      this, but it is entirely possible that he did. But it  
19      was, you know, pretty overt, what he was doing, you  
20      know.

21   LADY SMITH: When you say you can't remember whether he  
22      touched you or the other boys; do you mean whether he  
23      touched you or the other boys in a sexual way?

24   A. Yes.

25   LADY SMITH: Thank you.

1 A. Yes.

2 MR BROWN: Do you have a sense of whether he did or didn't?

3 A. Um, he was pretty handsy, it is quite possible that he  
4 did, yes.

5 Q. I think he did the beating, to use your word, hard.

6 A. Yes.

7 Q. Using what?

8 A. On those occasions, I think it was always a slipper he  
9 would use.

10 Q. Okay. And I think, as you say, this was regular?

11 A. Yes.

12 Q. I think you say it happened to you once a term?

13 A. Yes, I never got beaten. But, yes, I think it was maybe  
14 two or three times that happened with me.

15 And the reason why I said he was apparently looking  
16 in the hat, again, there was some people who seemed to  
17 get chosen more often than others.

18 Q. Yes. Were you discussing this amongst yourselves in  
19 Dundas House?

20 A. Yes, we did. Not very much, but we did. As far as  
21 I remember, those kind of conversations were within the  
22 dormitory, but I don't think that we ever talked to what  
23 was happening in other dormitories. So it was -- there  
24 was, I don't know, maybe a degree of shame, or, I don't  
25 know, about that. But I don't recall discussing it

1 outside of the dormitory group.

2 Q. Just to be clear: it is a smaller house; I think the  
3 number of boys was --

4 A. 15/16. So maybe three dormitories, something like that.  
5 Maybe four, but three, I think.

6 Q. Thinking of your dormitory, where you are discussing  
7 this; would this have been happening to everybody in the  
8 dormitory at some time or another?

9 A. Oh, probably, yes. It is quite likely, yes. Quite  
10 likely.

11 Q. But you wouldn't discuss with the other dorms what was  
12 happening there?

13 A. No, I don't recall doing that. Yes.

14 Q. Did you ever discuss with your parents --

15 A. Oh gosh, no. No.

16 Q. Going back briefly to the classroom scenario.

17 A. Mm-hm.

18 Q. You have drawn the distinction between the experiences  
19 of boarders and day boys, who might look more  
20 charitably.

21 A. Yes.

22 Q. You talked about the putting across his lap in the  
23 class.

24 A. Mm-hm.

25 Q. Were you thinking, because of the experience in the



1 house, that this was sexual?

2 A. Yes, I think the word I would have used would be creepy,  
3 but, yes.

4 I mean, our feelings about sex were pretty kind  
5 of -- you know, we didn't have sex education at all, at  
6 that time --

7 Q. No.

8 A. -- and so we didn't really know much about it. And the  
9 only boys that did seem to know were -- had older  
10 brothers or sisters who would tell -- talk to them. So  
11 what we got was a kind of rehash of what they had been  
12 told. So, yeah, our knowledge of sex was pretty  
13 limited, it has to be said.

14 Q. So can we take it there was a sense of relief to move on  
15 from Dundas to another house?

16 A. Yes. I think that -- yes, there was, there was.

17 I mean, I can't say I was kind of traumatised at  
18 that time by the experience. At that age, you just --  
19 you know, here's the next thing and let's do that. You  
20 know, teenagers are not the most reflective creatures,  
21 really. It was really only as a adult that, looking  
22 back on it, I thought: oh my goodness, this is just  
23 awful.

24 But, yes, I was. I was happy to move on, yes.

25 Q. But I think, as we see, you certainly weren't happy when

1           you read -- and you touched on this -- at his  
2           valedictory, or the valedictory description of him.

3    A.   I was really very, very angry and quite distressed  
4           reading that, yes.  Yes, I couldn't believe that he had  
5           said that.

6           And it opened my eyes in a way, I thought: of  
7           course, he knew.  They all knew.  The dogs in the street  
8           knew about Mr Dawson.

9           And this is going back to the, you know, collusion  
10          that predators rely on, I suppose.

11   Q.   Yes.

12   A.   And I don't know the circumstances of Mr Dawson leaving  
13          the school, but I do know he left in the middle of  
14          a year.  He left in the December, which is very unusual,  
15          very unusual.

16   Q.   Yes.

17   A.   And quite hurriedly.  So --

18   Q.   I think we may hear some evidence about that.

19   A.   Yeah, yeah.

20          And then the head -- you know, the rector goes on  
21          and says this, praises him to the skies.

22   Q.   Yes.

23   A.   Yes.

24   Q.   Thinking of your experience, though, having moved from  
25          Dundas, you go into Jeffrey House.

1 A. Yes.

2 Q. And there the problems is not with teachers, but with  
3 other boys?

4 A. Yes. I wouldn't want to over emphasise that, really.  
5 Some bad stuff happened --

6 Q. Yes.

7 A. -- that's for sure. Most of the bullying there was low  
8 level and verbal, rather than physical. But it did get  
9 physical sometimes and, occasionally, it was very  
10 extreme.

11 But, as I say, mostly it was kind of low level.

12 There was a hang over there from, oh, I don't know,  
13 fagging and all that. There had been sort of  
14 effectively fagging. And ephors had been allowed to  
15 beat younger boys until maybe two or three years before  
16 I went into the -- Jeffrey House. And so it was  
17 a transitional period, is what I would say. There was  
18 still a bit of the ephors' power going to their heads.

19 Q. And these are house ephors?

20 A. Yes.

21 Q. Yes. You describe both the housemaster and the tutor as  
22 "decent guys"?

23 A. Yes.

24 Q. But what was lacking, it would appear, is oversight of  
25 how those in responsibility for the pupil body were

1       behaving?

2   A. I think that's fair, I think that's fair. As far as  
3       I remember, the house tutor had no role in, you know,  
4       house discipline.

5             The housemaster, a little bit. Occasionally, he  
6       would beat people, but very rarely, very rarely. It did  
7       happen. So discipline was in the hands of the ephors,  
8       and some of them were reasonable and some of them were  
9       not.

10  Q. I think, as we can read, they also perhaps wouldn't  
11       intervene, as you might have expected them to, when  
12       other senior boys were --

13  A. I think that's also fair, yes.

14  Q. You have talked about the target on your back because  
15       you liked classical music.

16  A. Yes.

17  Q. On occasion, that led to physical violence towards you?

18  A. Very occasionally it was physical. And I think there is  
19       one episode that I mention in the statement, which  
20       was -- which certainly was physical. But that was kind  
21       of unusual.

22  Q. Yes.

23  A. Yes.

24  Q. That's being given Chinese burns by a group.

25  A. Indeed.

1 Q. And your chest was black after?

2 A. It was. It was, yes.

3 Q. Would the housemaster, had he seen that, done something  
4 about it?

5 A. Oh yes, he would. He would have been horrified, yes.

6 Q. Yes. From your perspective, being a housemaster,  
7 presumably in that era, it was him and his wife?

8 A. Yes.

9 Q. Did they have too much to do; do you think?  
10 Or was it just that he wasn't expected to be that  
11 involved?

12 A. It's hard to know. I think they were pretty busy, and  
13 it may well have been that they just had too much -- too  
14 many balls in the air. That's possible, that's  
15 possible.

16 Q. That's fair. I think you left school a little earlier  
17 than intended.

18 A. That's right.

19 Q. Because?

20 A. Because my father had been very unexpectedly made  
21 redundant. He worked for an insurance company, and they  
22 suddenly decided they were going to close down the  
23 Dundee branch, so everyone was made redundant. So there  
24 was no possibility of my staying on for the sixth year,  
25 yes.

1 Q. But, from what you say, your parents would have seen  
2 that you were quite miserable.

3 A. Yes, oh yes. On days out, I would go home and just sit  
4 there and weep, yes. So they were definitely aware that  
5 I wasn't happy, yes.

6 Q. So were you in any way unhappy that you didn't have to  
7 go back for that final year?

8 A. Not at all, no. I was very happy to be leaving, yes.

9 Q. Right. But you didn't actually ever tell your parents  
10 why you were unhappy?

11 A. I don't think I did, really. Because although they were  
12 sort of professional class people, they weren't well off  
13 at all, and so sending me to a private school was  
14 a huge, you know, burden, financially, on them. So  
15 I think that was part of it. And we weren't a terribly  
16 talking family, to be honest. We didn't, you know, have  
17 very deep conversations. Yes.

18 Q. But you were conscious that they were making sacrifices?

19 A. Oh, definitely, definitely I was, yes. Sure.

20 Q. And that put, I suppose, some moral pressure on you not  
21 to upset them?

22 A. Feeling guilty, yes.

23 Q. You left school, and we can read in the statement how  
24 you progressed, music was important, ultimately you  
25 became a music therapist.

1 A. I did, I did.

2 Q. And you talked about putting your experiences at  
3 Edinburgh Academy in a box?

4 A. Yes.

5 Q. And shutting it?

6 A. Yes.

7 Q. Now, I think in terms of coming to the Inquiry, you were  
8 aware of the Inquiry some years ago, but you chose not  
9 to contact?

10 A. That's right. When the Inquiry first started,  
11 I probably hadn't read the report on it very carefully,  
12 and I thought: children in care, you know, that's being  
13 whipped by nuns or whatever.

14 Q. Yes.

15 A. It was going to be that kind of target. I didn't make  
16 the connection that I was also a child in care. You  
17 know, I had been a child in care.

18 And it was about a year later that there was again  
19 a piece in the paper, or somewhere, where you were  
20 actually looking for people who had been to specific  
21 boarding schools, including the Edinburgh Academy, and  
22 I thought: oh my gosh, I am going to have to talk about  
23 this.

24 And I really didn't want to. I really didn't want  
25 to. And I talk -- I remember talking it through with my

1 line manager at IBP and she was totally  
2 supportive, and basically said, you know, "Whatever  
3 decision you come to it's the right one", you know?

4 And eventually I thought, "Well, I had --" mostly  
5 I was working with children at that time and not in sort  
6 of abuse areas; it was children with learning  
7 difficulties. But I did have a couple of adult clients  
8 who'd had -- I won't say abuse, necessarily, but  
9 certainly had difficult childhoods, and I thought if  
10 I opened the box, and you know, it's like Pandora's box  
11 and everything comes out, I am not going to be able to  
12 control that, necessarily, and I might have to give up  
13 working with these clients and move them to another  
14 therapist, and I didn't want to do that. So  
15 I eventually thought: no, I'm not going to speak about  
16 it.

17 And also I thought: well, loads of people are going  
18 to come and talk about it, so you are going to have lots  
19 of, you know, data and so on.

20 Q. Mm-hm.

21 A. And it was only much more recently, towards the end of  
22 last year, when there were a couple of -- again, it was  
23 reports in the paper I read. There were a couple of  
24 podcasts that were specifically about the  
25 Edinburgh Academy and one of them was about Mr Dawson,



1 and so I had read this, that his name had been  
2 mentioned, and I don't remember having -- ever having  
3 such a physical shock in my life. I thought I was  
4 having a heart attack, just seeing his name. And  
5 I suppose it was at that moment that I thought: well,  
6 I have to do something about this. I have to speak  
7 about it.

8 Q. Your statement talks about various periods in decades  
9 past where you have opened up, but it is clearly still  
10 with you?

11 A. Yes, yes. There were a couple of times, once in the  
12 early 1990s, once in the mid-noughties, I think,  
13 where -- well, to change the metaphor, the wheels came  
14 off, really properly came off, and I was referred to the  
15 Royal Edinburgh Hospital as an out patient and had two  
16 fairly extensive periods of one to one psychotherapy,  
17 and the focus of that was on school. They fairly  
18 quickly homed in on school.

19 So, yes, it is not something that has ever been  
20 resolved, and I am not sure that it can be, really.  
21 I think that putting it in a box and putting it away is  
22 probably the safest thing to do with it, on the whole.

23 Q. All right. But you make the point that you have been  
24 back to Kinnear Road, where the boarding houses were.

25 A. Yes, yes. Well, I sing with the [REDACTED]

1 Chorus and for quite a few years -- as you can imagine,  
2 rehearsal space during the Festival is at a premium, so  
3 several schools' gymnasiums and halls and things are  
4 used, including the Edinburgh Academy Preparatory  
5 School, and it was fine going there. I didn't have any  
6 bad feelings going into the school.

7 And then one day I thought: you know, I will just  
8 cross the road and go along Kinnear Road, see what  
9 the -- because the houses had been sold off, of course,  
10 by then. And, yes, I walked along Kinnear Road and  
11 I don't think I will be doing that again, somehow. Yes.

12 That brought back a lot of bad stuff. So I did it  
13 once, but I won't do it again.

14 Q. I think the statement makes plain you were okay on one  
15 side of the road?

16 A. Yes, yes. Well, seeing MacKenzie House, and, yes, the  
17 senior houses, that was fine. Feeling a bit sorry that  
18 the tennis courts had gone and that kind of thing. Then  
19 walking back past Dundas House, that wasn't so fine,  
20 really, yes. Yes.

21 Q. Your words are emotive, "It was like going past Bates'  
22 Motel".

23 A. Yes. It was a pretty extreme reaction, yes.

24 Q. The bogeyman lived there?

25 A. Yes, he was and, I suppose, still is the bogeyman.

1 Q. Your statement ends with lessons to be learned, in  
2 the sense it has been interesting, given the nature of  
3 the work you are doing, for example with children,  
4 presumably to do any of those jobs you had to be vetted  
5 and go through processes to ensure that you were fit to  
6 work with children?

7 A. Very much so, yes.

8 Q. That is something that would appear to have been  
9 entirely lacking in the past?

10 A. Absolutely.

11 Q. Is that one of your primary concerns?

12 A. Yes. Yes, it is. I mean, there are two things that  
13 I particularly struggle with, and one of them refers to  
14 Mr Brownlee and what was done or what wasn't done. And  
15 whether there was and is -- I sincerely hope there is  
16 now, but there wasn't, perhaps, a safe way of whistle  
17 blowing for staff, you know?

18 The preparatory school wasn't a particularly large  
19 school, so everybody knows everybody, and I have no idea  
20 what office politics was like and so on. But there  
21 certainly should have been a method, a safe method of  
22 staff reporting other staff. You know, concerns about  
23 other staff.

24 And the other thing that I really do struggle with  
25 is the reference that must have been given to Mr Dawson

1           when he left. We know what the rector said about him in  
2           his speech, because it is there in the Chronicle. We  
3           don't know what the reference is that he gave, but it  
4           must have been a positive one because we know that he  
5           went on to do other things, including working, if you  
6           please, as Santa Claus.

7           Well, if they had written an honest reference, he  
8           would have never worked again, you know.

9           And I suppose the other thing that occurred to me  
10          quite recently, and it is to do with how institutions  
11          deal with difficult things in their past, you know. And  
12          in my opinion, they should deal with them by confronting  
13          them and being honest with themselves with them, yes.

14          I haven't been anywhere since the Covid thing, but  
15          I used to go to Berlin quite a lot, and one of the  
16          things I really like about Berlin is that at some point  
17          the local authorities there decided that's what they  
18          were going to do; they were going to confront their  
19          history. And so wherever you go in Berlin you can't get  
20          away from it. You really can't, the Stolpersteine, the  
21          Potsdamer Platz underground, which is one of the main --  
22          sorry, I am slightly going off topic, but not really --  
23          one of the main junctions in the underground, when you  
24          get off there, there is a huge blown up photograph of  
25          what Potsdamer Platz looked like in May 1945. Well, it

1           looked like the surface of the moon; yes? And so  
2           hundreds and hundreds of thousands of Berliners are  
3           seeing that every single day. So: that's what happened.  
4           That's where we have come from. Upstairs, that's what  
5           it's like now. We had better not go back to where we  
6           have come from.

7           Well, when I first started reading the Chronicle,  
8           back in -- and the Academical, back in November, you  
9           could read the obituaries that had been written of  
10          Mr Dawson, which praised him to the skies.

11          Now, those were pretty upsetting to read. But it is  
12          right that they should have been there, and if you look  
13          at them now, they have been redacted; yes?

14          And, ludicrously, there is a photograph beside -- in  
15          the Academical, there is a photograph of -- it is  
16          a house photograph of MacKenzie House when he was the  
17          housemaster there, and it is all the kids behind the  
18          house in the playing fields, you see, and they have  
19          blotted out his head. You can see the rest of him, you  
20          can see his wife, but you can't see his head.

21          Well, I think you should be able to see his head,  
22          you know? I think that's really not the way to deal  
23          with the past.

24          The way to deal with the past is to be honest with  
25          it, and say: that happened, that happened, and we had

1 better remember that.

2 You know, Mr Dawson was a teacher there for a long,  
3 long time. I don't know, 30 years, something like that.  
4 And whether they like it or not, he is part of their  
5 history, and I think that they need to think about  
6 creative ways of confronting their past.

7 MR BROWN: I think the school are present and are no doubt  
8 listening to what you say.

9 Thank you very much indeed. Is there anything else  
10 you would like to add?

11 A. No, I don't think so. Thank you very much. Thank you  
12 very much for your questions.

13 LADY SMITH: 'Max', thank you for coming today. You said  
14 that when you engaged in sessions at the Royal Edinburgh  
15 Hospital you felt that maybe these are things that can  
16 never be resolved. When I say "things", I mean your  
17 memories of your time at Edinburgh Academy.

18 A. Mm-hm.

19 LADY SMITH: And maybe putting it in a box and putting it  
20 away is the best way and the safest way forward for you.  
21 I do recognise that by agreeing to give us your  
22 statement and coming here today you have wrenched open  
23 that box and that cannot have been easy. My thanks to  
24 you for doing that, and being able to do that. I don't  
25 under estimate what it might have cost you.

1 A. Thank you, thank you. I can't say it is my pleasure,  
2 but I am glad I have done it. I am very glad I have  
3 done it. Thank you very much.

4 LADY SMITH: You are free to go and I hope you have a nicer  
5 afternoon than you have had a morning.

6 A. Thank you. Thank you very much.

7 (The witness withdrew)

8 LADY SMITH: Mr Brown, I think rise now --

9 MR BROWN: Yes.

10 LADY SMITH: -- and sit again shortly after 2 o'clock?

11 MR BROWN: That would be ideal. As your Ladyship knows, we  
12 have another video link.

13 LADY SMITH: Yes.

14 MR BROWN: It has worked well before, but we will be trying  
15 it just shortly -- perhaps around 2.00, so a few minutes  
16 after 2.00 will be ideal.

17 LADY SMITH: Thank you very much, thank you.

18 (1.14 pm)

19 (The luncheon adjournment)

20 (2.05 pm)

21 LADY SMITH: Good afternoon. Mr Brown, if you would like to  
22 introduce the next witness.

23 MR BROWN: My Lady, yes, the next witness is 'Stephen', and  
24 the link was working, and still is.

25

1                                    'Stephen' (affirmed)

2    LADY SMITH: 'Stephen', can you hear me? Wait a minute, we  
3                    need to get some sound.

4    MR BROWN: I think you are muted, 'Stephen'.

5    LADY SMITH: Just a moment, we will try again. I am still  
6                    seeing a mute sign on the screen, 'Stephen'.

7    A. Can you hear me now?

8    LADY SMITH: That's so much better, thank you, 'Stephen'.

9                    Let me introduce myself. I am Lady Smith, I chair  
10                   the Scottish Child Abuse Inquiry. Thank you for  
11                   agreeing to talk to us over the link today and give oral  
12                   evidence to expand on the written evidence that we  
13                   already have from you, which alone has been so helpful.  
14                   But it is really good to have you with us this  
15                   afternoon.

16                   Could I begin by asking you to raise your right-hand  
17                   and then either repeat after me a oath, a religious  
18                   oath, or you can affirm, which would you prefer?

19    A. I will affirm.

20    LADY SMITH: Could you say these words, please.

21                                    (The witness affirmed)

22    LADY SMITH: 'Stephen', I will hand over to Mr Brown in  
23                   a moment. But, before I do that, can I just assure you  
24                   that if you need a break at any time, we can accommodate  
25                   that. If you have any questions, please don't hesitate



1 to ask. And, of course, if you are experiencing any  
2 difficulty with the link, do alert us to it as soon as  
3 possible.

4 Now, just a moment. I think the screens in the rest  
5 of the room aren't operating yet.

6 Yes, they are now. I will hand over to Mr Brown,  
7 'Stephen'. Mr Brown.

8 Questions from Mr Brown

9 MR BROWN: Thank you, my Lady.

10 'Stephen', hello again.

11 A. Hi.

12 Q. You have your statement, I think, in front of you.

13 That's a document that you signed in January of this  
14 year?

15 A. Yes.

16 Q. It has a reference number WIT-1-000001173. On the last  
17 page, as well as signing and dating it, it confirms that  
18 you have no objection to your witness statement being  
19 published as part of the evidence to the Inquiry and  
20 that you believe the facts stated in it are true; and  
21 that's correct?

22 A. Correct.

23 Q. Thank you. I think it may be that since then and now  
24 you may have learnt a number of other things, and have  
25 thought about other things, we will touch upon those,

1           too.

2    A.   Okay.

3    Q.   Thanks.  Now, obviously, this is an Inquiry about  
4           Edinburgh Academy, and you went to Edinburgh Academy  
5           between 197█ and 198█?

6    A.   Correct, yes.

7    Q.   When you were 8 to 12.

8    A.   Correct.

9    Q.   And you were a boarder?

10   A.   Yes.

11   Q.   The reason you boarded was because -- and I think in  
12           common with perhaps a number of other boarders -- your  
13           father was in the military?

14   A.   Yes, that's correct.

15   Q.   I think you had been to school in other parts of the  
16           world, but the view was taken that you and your siblings  
17           might go to boarding school?

18   A.   Yes, we moved every two to three years, so education was  
19           varied, and to ensure that we had a stable education, or  
20           a constant education without moving around too much, it  
21           was decided that we would go to boarding school.

22   Q.   From your perspective -- I appreciate you would be  
23           a very young boy -- did you view boarding school with  
24           enthusiasm or excitement, or what?

25   A.   No, no.  I don't think I had a particular view before

1 I went. I certainly had a view after my first term.

2 Q. And we will hear about that.

3 A. Yes. But, no, it was just something that I was going to  
4 be sent away to boarding school. I have no particular  
5 frame of reference for that.

6 Q. I think we would understand Edinburgh Academy was chosen  
7 because there were family members in and around  
8 Edinburgh who could --

9 A. Yes.

10 Q. -- be there for you?

11 A. Absolutely.

12 Q. Yes.

13 Did you have a preliminary visit to the boarding  
14 house before you moved in?

15 A. No, no, I didn't. No, it was -- the day we arrived was  
16 the first day of term and was literally dropped off at  
17 the doorstep, almost.

18 Q. Was there any effort to welcome you into the boarding  
19 house?

20 A. We were met on the doorstep by Mr and Mrs Brownlee, and  
21 they appeared -- to my recollection, they appeared, you  
22 know, affable, amiable, and I was more beside myself  
23 that I was not going to see my parents for about  
24 three months, and I think I was seven when I actually  
25 turned up at school, my birthday wasn't until

1 [REDACTED] and, therefore, for me, it was -- you  
2 know, I was the youngest at the boarding house, it  
3 was -- I was still a wee boy.

4 Q. Very much so. And do you remember the name of the  
5 boarding house?

6 A. It was Dundas House.

7 Q. And we would understand from other evidence we have  
8 heard that there were four boarding houses, three on one  
9 side of the road and then Dundas on the other; is that  
10 correct?

11 A. Correct.

12 Q. And Dundas was quite a small house?

13 A. Yes. It was, yes. Compared to the others, absolutely.

14 Q. And how many boys were there, that you remember?

15 A. Um, I remember that certainly there were four in my dorm  
16 and there were, I believe, another four -- three or  
17 four. I think there were eight of us in our year. We  
18 were quite a small year for boarders, and then more  
19 joined later.

20 Q. Okay. And you meet Mr and Mrs Brownlee, you are taken  
21 in, you are shown to your bed space; were you given  
22 rules or any indication of how the house operated?

23 A. Um, yes, we were, in as much as we had to do our teeth,  
24 there were certain things -- I think as the days went on  
25 we learned the rules that were pertinent to us as to

1           what time we got up, when we went to bed, what time  
2           lights out were. And, yes, brushing your teeth, having  
3           tea, having lunch, breakfast, all those things. Those  
4           rules became fairly clear as we went on.

5   Q.   So there was a very definite routine that you had to  
6           follow?

7   A.   Absolutely, yes.

8   Q.   Prior to coming to Edinburgh Academy; in any of your  
9           earlier schools had you experienced corporal punishment?  
10          Seen it or experienced it?

11  A.   Er, no. No, not -- and I think, I mean, dad used to say  
12          that he was going to do it, but he didn't, no, no.

13  Q.   Okay.

14  A.   Corporal punishment was not a big thing.

15  Q.   No. At the Academy?

16  A.   Er, yes, a fair bit of corporal punishment there.

17  Q.   And in the house?

18  A.   Yes.

19  Q.   When you say "the house" -- because we were starting off  
20          with Mr and Mrs Brownlee in Dundas, when you were seven,  
21          turning eight; was there corporal punishment that year?

22  A.   Yes.

23  Q.   Okay. We will come back to that.

24            You have alluded to the fact that you didn't know  
25          what you were going into, but very quickly you were

1 clear that you weren't very happy there.

2 A. Yes.

3 Q. I think, as we can see, your first day; is it fair to  
4 say you were very home sick and miserable?

5 A. Absolutely, absolutely. Yes, it became a -- I think we  
6 all were. We all cried, we were all missing our  
7 families.

8 I think the fact that I was the smallest, the  
9 youngest, and I think I cried the most -- it was a close  
10 run thing between a couple of us, I remember that we  
11 were miserable a lot of the time. And at night time,  
12 when the lights were out, you could hear sobbing in the  
13 dorm, and there were four of us in that dorm. So, you  
14 know, one or other of us, or all of us, were feeling  
15 particularly home sick. But, you know, crying in public  
16 became a no-no as time went on. Although I did it  
17 initially, because we were just missing our folks.

18 Q. And what was the housemaster's response to this  
19 unhappiness?

20 A. Um, well, for me, he was -- because I was, again, the  
21 youngest, the smallest, he highlighted that point very  
22 clearly early on and kept on calling me the baby, "So  
23 let's see what the baby -- oh, the baby's crying again",  
24 and continued to go on, "What's the baby doing? Oh, the  
25 baby's upset", and it would just be this belittling

1 little thing, which is one of the reasons why  
2 I eventually did stop crying, because it became worse  
3 and worse; "Oh, the baby's crying again. Will the baby  
4 stop crying, please?" and it was very -- it was very  
5 damning in the way that -- or belittling. I am trying  
6 to find the right phrase to use for -- it was abusive,  
7 to be honest. It was just -- I felt, you know, that  
8 I was, you know, literally the baby at the school,  
9 which -- you know, the other boys latched on to it. It  
10 became the case that if I didn't shut up and I didn't  
11 stop crying, they were going to start teasing me, too.  
12 And that, I realised, was a bit of the dynamic that  
13 I had moved into, and it became -- yes, it was -- the  
14 first part of the abuse that I suffered from was this,  
15 and it never really stopped, to be honest. That sort of  
16 verbal and emotional abuse of belittling, you know,  
17 someone who was small and, you know, was young.

18 Q. Can you remember -- I appreciate you are 7 and he is  
19 an adult, in a general sense -- what age was  
20 Mr Brownlee, do you think?

21 A. Same age as my dad. I think he was in his late  
22 30s/early 40s. So I am just trying to work that out.  
23 Yes, about late 30s/early 40s.

24 Q. Okay. And as well as the verbal abuse you have been  
25 talking about; was there a physical element to it?

1 A. Yes. The physical side came in when we were -- I think  
2 the first time I had seen corporal punishment, I think  
3 we were all crying in the dorm room, and -- although  
4 this is not in my statement, I have subsequently, you  
5 know, remembered.

6 He came in one time, the lights were off, we were  
7 all crying, and he told us all to stop crying. We  
8 didn't stop crying, he told us to get out of our beds,  
9 bent us over our beds, and hit us with a wooden spoon,  
10 the clacken thing. And each one of us got beaten for  
11 crying, which just made us cry more. I think it was  
12 noise after lights out, was the actual punishment -- the  
13 crime that we had committed that resulted in the  
14 punishment.

15 Q. And we have seen a clacken today. Not a -- particularly  
16 for a seven year old, not a small implement?

17 A. Huge, huge.

18 Q. And were the blows delivered with force?

19 A. As far as I remember, yes. It became so -- it became so  
20 run of the mill, that particular thing, that you just --  
21 I mean, I was trying to remember the times that I have  
22 received corporal punishment in my life, and this is  
23 where the memory gets -- it happened so often that  
24 I have lost count at Edinburgh Academy.

25 Q. I think in the statement it also talks about the word



1       you use, or described as a "bounce" to the head, a blow  
2       to the head.

3    A.  A blow to the head, yes.  So, in the common room where  
4       we would sit and do our homework, we were all, you know,  
5       head down and he would come in while we were studying,  
6       if people were talking -- well, you are not meant to  
7       talk during prep time, when we are doing our homework,  
8       and we would whisper or pass each other notes, the usual  
9       type of thing.  But he would come in and walk round and  
10      if people -- it seemed at random, if your head was over  
11      the desk, he would slam your head into the desk, to  
12      bounce it off the desk and for him it was fun, you know,  
13      if someone had said something.  It was a punishment for  
14      talking.  It was -- it was very random.

15             But, yes, the number of times -- or if you were  
16      lined up -- we had to line up against the wall before we  
17      went out to school, make sure that we are carrying all  
18      of our stuff -- he would do the same, push your head  
19      back against the wall, bouncing it off the wall.  And  
20      that was, it seemed like his way of saying good morning,  
21      or whatever.  I mean, it was bizarre.

22    Q.  Was this regular behaviour, in the sense of this became  
23        routine for you, or was it just on some days?

24    A.  Um, if it wasn't happening to me, I was witnessing it.  
25        So did it happen every day?  I would probably say: yes,

1           it happened every day to someone. Not necessarily me,  
2           but certainly I was seeing it happen to other people.

3    Q. I think, as you say in the statement, seeing Brownlee,  
4           the authority figure, doing this to you and to others,  
5           other boys then began to do it to one another?

6    A. Correct.

7    Q. And you?

8    A. And me. And of course I was the baby, I was different,  
9           I was living abroad, different countries, I think at  
10           that time we were living in Turkey, and so it was all --  
11           they would find any reason to pick on you. It was  
12           an excuse to be violent to each other. But I feel that  
13           that was encouraged by Brownlee, that sort of toughening  
14           up, being a bit harder now. But, yes, I was the victim  
15           of that.

16   Q. You began your account by talking about the initial  
17           abusive verbal --

18   A. Yes.

19   Q. -- commentary. And you say later in the statement that  
20           if other adults were there he would moderate his  
21           behaviour?

22   A. Yes, it became -- I mean, it was moderated in public,  
23           yes, with other people around, but you knew that as soon  
24           as that person left he would be back at you.

25   Q. What about his wife?

1 A. She never -- she never did anything physical, but she  
2 did call on him to come and deal with -- I think she  
3 came into our dorm room one time and said, "Right, I'm  
4 going to go and get Mr Brownlee", and we were  
5 subsequently beaten again, I think.

6 Yes, so she witnessed it. She was aware of it, she  
7 must have been. I mean, when he beat me up, it was  
8 outside the door that led to their apartment within  
9 Dundas House, so she must have heard everything. So  
10 that was -- yes.

11 Q. Did you feel -- and I am sorry, you may think this is  
12 a very stupid question, but did you feel as if there was  
13 anyone that you could tell?

14 A. No, no one.

15 Q. What about home?

16 A. I didn't even tell my parents. They just knew that  
17 I was upset because I cried.

18 And my father has spoken to me since, and he said he  
19 does remember me flying from Turkey, you know, I was  
20 crying, but it wasn't, you know, the crying of, "Oh,  
21 I am going to be missing you or leaving you", it was the  
22 crying of fear as I am about to leave, to go back to  
23 this place. And he said, "That's when we started to  
24 realise that there was, you know, something going  
25 wrong".

1 Q. Now, we have already spoken about the fact that you were  
2 living in this environment and boys are picking up on it  
3 and becoming -- or mirroring that sort of behaviour.  
4 A. Yes.  
5 Q. You have made the point a number of times that you were  
6 the youngest and the smallest in the house.  
7 A. Yes.  
8 Q. Was that difference picked on by the other boys?  
9 A. Yes, yes, it was.  
10 Q. So we are talking about bullying?  
11 A. Mm-hm.  
12 Q. And --  
13 A. And that went through the school. That went on through  
14 my four years.  
15 Q. So it began in your first year and was a constant  
16 thereafter?  
17 A. Yes.  
18 Q. Had you been labelled in first year?  
19 A. In that first year, yes. I mean, I was labelled as the  
20 baby. Even though, you know, we moved on years, I was  
21 no longer the youngest, I was the baby in that year.  
22 I was -- they would find a reason, no matter what.  
23 Bullies find a reason to pick on you.  
24 Q. Is that bullying in houses you are talking about?  
25 Because I think you spent one year with Mr Brownlee, and

1           then moved on; is that correct?

2   A.   I think it was two, in fact.

3   Q.   Thank you.

4   A.   I have got that -- but the problem is, when I was 9 --

5           so I was 8 in that [REDACTED], the first year.  When

6           I got to 9 -- trying to recollect being 9, I have been

7           unable to do that.  I literally cannot remember.  So

8           I didn't remember that we moved, or if I stayed in

9           Dundas House or moved to MacKenzie House.  There are

10          a whole load of things that people have told me that

11          I do not remember happening when I was 9.  I just have

12          no recollection of that year.  So, speaking with my

13          therapist, it is not uncommon for people who are

14          suffering trauma to close off their memories, and that's

15          just a protective thing.  So I think that's what I have

16          done.  So I can't really recollect 9, but I can

17          recollect 8, I can recollect 10 and 11.  So ...

18   Q.   You do recollect being in another house?

19   A.   Yes.

20   Q.   And was that --

21   A.   MacKenzie.

22   Q.   -- MacKenzie?  And in context, and thinking of the

23          housemaster and the supervision; was that better?

24   A.   The housemaster was better, the supervision was better,

25          but the violence had been set.  The violence that

1           happened between the pupils at that point was far worse,  
2           as we are getting older, bigger, stronger.

3   Q.   I think you make the point that in that second house  
4           your dormitory would be much bigger, a bigger number of  
5           boys?

6   A.   10/12 in the dorm, rather than four.

7   Q.   Again, should we understand in that ten-man or ten-boy  
8           dormitory you are the youngest, you are the smallest?

9   A.   Um, yes, pretty much. I think I am still the smallest  
10           at that point, although I am starting to grow. But,  
11           yes, I am still the youngest.

12   Q.   You say, at paragraph 63, on page 10, there would be  
13           fights at night?

14   A.   Yes. Yes, there were fights at night, that's right.  
15           I remember those.

16   Q.   And they would be for no reason, or just --

17   A.   A made up reason. Someone didn't like -- you know,  
18           someone decided that they were going to -- it would be  
19           fun to attack someone. Or they decided that person was  
20           a bad person, they were going to attack them.

21           And it would be group, very rarely was it  
22           individuals. There would be three or four attacking one  
23           person, until it got to the point where, you know, you  
24           got -- if you wanted to defend yourself, you know, you  
25           would have a fight one on one with your bully. That

1           would be -- or your bully would call you out and he  
2           would have a fight with you. And that happened several  
3           times.

4    Q. Was there any effort by house staff to address this?

5    A. Well, they didn't really -- I mean, they may have heard,  
6           you know, noise going on in the dormitories, but they  
7           pretty much left it. They didn't -- they may come in  
8           and say, "Get back in your bed" or "Stop the noise", or  
9           whatever, but it was not -- you know, it was not  
10          monitored as such, no.

11   Q. All right.

12   A. And of course we weren't saying anything to our masters,  
13          I learnt that. You don't speak to the teachers at  
14          school. That's a no-no. If you speak to the teachers  
15          at school, it is just going to get worse.

16   Q. I was going to ask you about that. Did you learn that  
17          early on in your time at Edinburgh Academy?

18   A. Very early on. You know, you just -- you know, it  
19          happened with Brownlee, "You are just being a baby", and  
20          he would smack me over the head and say, "Get on with  
21          it".

22   Q. He didn't want to know?

23   A. He didn't want to know, no. Not at all.

24   Q. Okay. I think you do say that there came a stage,  
25          though, when a boy became something of a protector for

1           you?

2   A.   Yes.  I had a very good friend who had come in, he's is  
3           from Sierra Leone.  Sadly, he has passed, but he was  
4           bigger and a lot tougher than the boys in my year that  
5           bullied me.  And when he became my friend, it was a case  
6           of he -- yes, he looked after me.  And we ended up being  
7           friends throughout my life, and his.

8   Q.   Him coming from Sierra Leone, presumably he would stand  
9           out as different?

10  A.   Oh, yes.

11  Q.   Was he the subject of abuse, but fought back?

12  A.   Yes, he did.  I'm not sure if people have recounted any  
13           stories of what he did.  But he was very -- I would say  
14           he was one of the most loyal friends that you could ever  
15           have and he was loyal to all his friends.  And there was  
16           one boy who -- Brownlee made no bones about beating him  
17           more regularly than any of us, and this boy was -- at  
18           one point, he did show us the black and blue bruises all  
19           over his body, as he had been beaten by Brownlee.  And  
20           there was a moment where this chap had come in and my  
21           friend lost it and grabbed a knife and threatened  
22           Brownlee, and said -- told him to stay away from us.  
23           And bearing in mind that he was 12 at the time, when he  
24           did that, I mean, he was fearless.

25  Q.   Did it provide a period of calm?  Did it stop the



1           behaviour?

2   A. I think for that individual it stopped it for a bit, for  
3       the guy that he had beaten black and blue.

4           But what it did do, it meant that Brownlee stayed  
5       away from my friend from Sierra Leone, stayed well away  
6       from him.

7   Q. Okay. Thinking back to Mr Brownlee, and looking at the  
8       part of your statement which is talking about  
9       housemaster/teacher abuse, you set out a number of  
10      episodes, we have talked about the name calling --

11   A. Yes.

12   Q. -- and the slapping, and the head battering. But then  
13      you move, on page 12, at paragraph 68, to what was known  
14      as the "Brownlee knuckle treatment".

15   A. Yes.

16   Q. Tell us about that.

17   A. So what he does is, he crosses his fingers on the back  
18      of your shirt and, as you are wearing a tie, a shirt and  
19      tie, he picks you up and chokes you, and you find the  
20      shirt pulls in to your carotid arteries and the tie  
21      pulls in to your wind pipe, and he just pushes his  
22      knuckles into the back of your head and then slowly  
23      turns you bright red. That is the actual torture that  
24      he would mete out on you, and it would happen if you  
25      were sat at the table or whatever.

1           From there, he would pick you up and, in my case, he  
2           kicked me relentlessly, but I witnessed it happening to  
3           so many other people. I mean, it is the same treatment,  
4           where he would pick you up by the throat, by the collar,  
5           and then kick you around the room. And then, when he'd  
6           finished, he would throw you against the wall.

7   Q.   What would provoke this sort of behaviour?

8   A.   In my case, we had this changing room -- we had to go  
9           and play in the fields after school. We had this ground  
10          just beside the school, beside the house, that we would  
11          play in, play cricket and football and rugby, whatever.  
12          We just had to run around for a couple of hours and then  
13          go into the changing room, shower, change, and leave.

14          I was leaving, I was the second last person to leave  
15          and, as a joke, I switched off the light in the changing  
16          room on [REDACTED], and I ran off. And he  
17          asked -- he stood at the stairs of the house, and he  
18          asked me if anyone was in the changing room. And  
19          I either lied or I told him: no, there was one more  
20          coming.

21          But I had switched off the lights and he had seen  
22          that. And then [REDACTED] came up and told him that I had  
23          switched off the lights on [REDACTED]. So I had left him  
24          in the dark in the changing room. At that point, I was  
25          either kicked -- I mean, I was punished for lying or for

1           doing the deed. I can't quite remember what I had told  
2           him, if I had lied or not. But the result was I was  
3           grabbed by the throat in the manner that I have just  
4           described and summarily kicked and slapped, kicked, and  
5           then almost -- you know, almost passing out, thrown  
6           against the wall. The wall, actually, it's a partition,  
7           this is why his wife must have heard it, because it was  
8           right beside the door that leads into their apartment,  
9           into their part of the house. So she must have heard  
10          everything, because he was shouting at me and slapping  
11          me, and choking me and kicking me.

12        Q. I think you say you saw this happening, or similar  
13          things happening --

14        A. Yes.

15        Q. -- to others?

16        A. Yes.

17        Q. On one occasion, it was because a boy didn't clear up  
18          some jam from a table?

19        A. Correct. There is a tea room, which is beside the  
20          same -- you know, the same area, and he spilt some jam  
21          when he was making a sandwich, a jam sandwich for tea,  
22          and he was dragged back into the room and I was in there  
23          at the time, and he was dragged back in, and was asked,  
24          "Was this him?" and at which point he was picked up and  
25          I watched it. From my angle, he was, you know, kicked

1 and, I mean, he was a rag doll. I saw his face, there  
2 was nothing he could do, he was literally a rag doll as  
3 he was being kicked and choked.

4 And he was eight.

5 Q. That sort of attack; would it leave injuries that would  
6 be visible?

7 A. I'm sure if a forensic detective came in, I am sure they  
8 would have seen the marks around the throat. But, you  
9 know, we didn't tell anyone. And by the time they, you  
10 know, came to the end of the term everything had  
11 probably healed. We just were petrified of talking  
12 about it, so we couldn't tell people. And as far as  
13 I am aware, you know, he was clever enough not to do  
14 permanent damage to people.

15 Q. Did you ever have him as a class teacher?

16 A. That, I can't remember. I don't think I ever did.  
17 I don't think I ever did. Not as a form teacher. My  
18 form teachers were Mrs Baxter, Major Ramsey and  
19 Mr IBL in the prep school and I think it was  
20 Mr IDQ in the Geits before I left.

21 Q. And how do you remember those four teachers?

22 A. Certainly, Mrs 'Baxter', the Major, yes, the three at  
23 prep school, it was the safest place for me. School was  
24 actually the safest place, because I wasn't being  
25 abused. It was the part where I was -- you know, I felt

1 most comfortable. And I knew I would be -- if I was in  
2 the classroom, I wasn't going to be bullied. If I was  
3 in the classroom, I wasn't going to be beaten by  
4 Brownlee, so the classroom became a safe place.

5 Q. It was a haven?

6 A. Yes.

7 Q. But you then talk about the Geits, and this is the  
8 beginning of senior?

9 A. Yes.

10 Q. The other teacher you mention is Hamish Dawson.

11 A. Yes.

12 Q. Did you get him in the Geits?

13 A. No, I actually was never one of his pupils. I was  
14 never -- I never knew him, apart from this -- I knew of  
15 him, but I had never met him, apart from this one  
16 incident. And, to me, it is still one of the most  
17 humiliating things to happen to me.

18 I was -- we had a reading period, or it was a -- we  
19 had a free period to do our homework and we were put in  
20 a room, and it happened to be Hamish Dawson's room.  
21 I remember this, it was after lunch and the tuck shop  
22 had been open and I had gone and got some crisps and  
23 chocolate and put it in my bag and then gone off to this  
24 reading period; a snack for later.

25 This reading period, we'd sit in the classroom, were

1 monitored by a teacher. It happened to be Hamish  
2 Dawson, it was his classroom.

3 The first thing I remember about going in to the  
4 classroom was this basket of what you can only describe  
5 as torture tools. There were implements, there were  
6 clackens, there were canes, there were sticks. There  
7 was all sorts. It was a basket full of torture.

8 I sat down. No issues. And then I reach into my  
9 bag to get a pen or something -- this is halfway through  
10 the period -- and my bag of crisp rustles. And he looks  
11 up from his elevated desk and says, "Who's eating?" and  
12 everyone looks towards the sound. Me, as the culprit,  
13 goes bright red and he tells me to come up to his desk.  
14 "This is what happens when you are eating", and he bent  
15 me over, grabbed my genitals, and caned me at the same  
16 time, in front of 20 plus other students.

17 Q. You say in your statement that there was nothing sexual  
18 about it, nor was the grab painful, it was just the  
19 embarrassment.

20 A. Yes.

21 Q. And yet he chose to grab you by the genitals.

22 A. Yes.

23 Q. Hmm. Do you think it might have been sexual? I am just  
24 trying to understand why you say you didn't think it  
25 was.

1 A. Well, for me, it wasn't. For me, it was just hugely  
2 embarrassing. For him, it might well have been. But,  
3 for me, definitely it was just sheer embarrassment.

4 Q. Are you talking as the 8-year old, rather than the --

5 A. I was 11 then.

6 Q. Sorry.

7 A. I was 11 then.

8 Q. You were 11 then, sorry, forgive me. Are you talking  
9 about the 11-year old, as opposed to the 50-year old  
10 man?

11 A. Yes, yes, absolutely. The 11-year old, you know, I was  
12 petrified, embarrassed.

13 Q. It was the embarrassment more than anything else?

14 A. More than anything else.

15 Q. Your four years at Edinburgh Academy, you have talked  
16 about beatings, bullying, and this was a constant  
17 throughout.

18 A. Yes.

19 Q. How did that affect your behaviour whilst you were at  
20 school?

21 A. Oh, I was always timid, always on edge. I was, you  
22 know, trying to make friends, because I knew if I had  
23 friends I wouldn't be bullied. Making friends became  
24 a major task. And then sometimes you'd find that you'd  
25 make friends and then they were actually not your friend

1           and -- you know, so there was a constant -- I would say  
2           I was constantly on edge, a small boy trying to make  
3           friends. My only way out of it would be to make  
4           friends. And that was, yes.

5   Q.   But did it impact the way you behaved?

6           I think you mentioned in the statement one time  
7           walking along and hearing someone chasing you, as you  
8           thought --

9   A.   Thank you for reminding me, yes.

10           So I was walking down by the Grange. I think it was  
11           down by -- I am trying to remember the shops down that  
12           area. There was a Woolworths down there.

13           Anyway, I am walking down this alley way. I have  
14           come out at Reagan's Park -- the park, and it is dark,  
15           and I hear these foot steps behind me. And before  
16           I know it, you know, they are getting louder and louder,  
17           and all I am thinking is: some guy's coming to beat me  
18           up.

19           And I cower against the wall and I turned to this  
20           guy and say, "Please, don't hit me", and there's a guy  
21           walking down the street and he said, "Oh, I'm not going  
22           to hit you", and I was just -- I became this nervous --  
23           I called my dad "sir". I was petrified of upsetting  
24           adults.

25           My dad got me a watch from the PX -- the American



1 PX, in Turkey, and at some point in my year -- years at  
2 the prep school, I lost it at some point. I either lost  
3 it or it was stolen, a watch. And my dad -- I was on  
4 a break, half term or something and my dad was in town,  
5 we stayed with my aunt and uncle. And he said, "So what  
6 happened to your watch?" and I started crying. I almost  
7 wet myself as I said to him, "I'm sorry, sir, I have  
8 lost it", and at that point I think he realised that,  
9 you know, I had changed as a wee boy. You know, calling  
10 my dad "sir", and, you know, shaking and almost wetting  
11 myself, and just being petrified.

12 And, at that point, I think they had already made  
13 moves to get me out of the school.

14 Q. You have used the word "petrified"; is that the  
15 four years at Edinburgh Academy?

16 A. Yes. Yes. Pretty much lived in fear the whole time.

17 Q. You have talked about the friend from Sierra Leone, but  
18 did anyone in a position of authority notice or try to  
19 address what you have just described?

20 A. No.

21 Q. You have just said your parents, you think, had begun to  
22 take steps --

23 A. Yes.

24 Q. -- to take you out of this?

25 A. Yes.

1 Q. But you say on page 15 of your statement, there is  
2 another chap, who is a day pupil at the school, and you  
3 heard him talking about going to Glenalmond?

4 A. Yes, and that was -- yes, he -- the idea -- I then put  
5 to my parents that Glenalmond would be a better option  
6 for me, and I came up with, you know, bizarre reasons  
7 that I could think of. You know, they are out in the  
8 country; they grow their own food. You know, anything  
9 that was good. You know, it is away from the city; it  
10 is in the hills; it's ...

11 And I told them all these things, why I wanted to  
12 move, hoping that that would, you know, prompt them.  
13 And it -- well, I don't think -- I had realised  
14 subsequently that we had connections to that school  
15 anyway, and it was going to be where I was going.

16 I don't think I was going to go there necessarily if  
17 I had not been -- if I had been happy at the Academy  
18 I would have stayed there, but the state that I was in,  
19 I had to move somewhere and this seemed like the  
20 right -- you know, me talking about it actually was  
21 irrelevant. I think I was going to be moving there when  
22 they had made their decision.

23 Q. Okay. We will talk about the comparisons between the  
24 two in just a second. But one thing you mentioned  
25 earlier on was you remember being 8, being 10, 11, but

1 not 9.

2 A. Yes. No.

3 Q. And -- go on.

4 A. So there are things that happened. I had to ask my  
5 sister where we lived, as I am trying to go through  
6 this: where did we live? I know we lived in Turkey when  
7 I was 8 and I know we lived in Germany when I was 10;  
8 where were we living when I was 9? And she said, "Well,  
9 we moved to Germany". I don't remember it.

10 And I remember most of the moves. We spent a lot of  
11 time travelling around the world, we lived in India,  
12 Australia, Germany, Turkey, and I remember those moves,  
13 but I don't remember leaving Turkey and arriving in  
14 Germany. And so I don't remember that.

15 And then I asked another friend, who is also  
16 a victim of this, he was in my dorm for four years, he  
17 and I were -- and we have subsequently got back together  
18 and been friends, and he reminded me of a situation that  
19 was just after the dining hall of the prep school burnt  
20 down. We moved -- we ate -- we stopped eating in the  
21 dining -- obviously, it burnt down, and we went to  
22 Christian Salvesen, it had a dining hall. So instead of  
23 going out of Dundas House and turning left to go to the  
24 prep school, we turned right, go past all the other  
25 houses to Christian Salvesen, which is at the far end of

1 Kinnear Road, and we would eat there.

2 And it was on the way back that he describes this  
3 situation. He said, "You were there". And, "Well, what  
4 happened?", "He molested us". I was like, "What?"

5 I said, "I don't remember that at all. "No, I know  
6 you were there. You were in the room. I know where you  
7 were sitting. I can tell you what happened".

8 I was like, "no, that didn't", and he said,  
9 "Seriously, this happened". So my memory is completely  
10 wiped of things like that.

11 Q. But just to put that remark, or set of remarks in  
12 context, this is a friend who I think you know has  
13 spoken to the police?

14 A. Yes, he has.

15 Q. And I think he has made contact with the Inquiry?

16 A. Yes.

17 Q. And he is speaking of events involving a young [REDACTED]  
18 teacher?

19 A. Yes.

20 Q. But you have no recollection of it?

21 A. I have no recollection. And I have been speaking to my  
22 therapist, and I am quite happy to let that lie. To be  
23 honest, I don't want to know half the things.

24 Q. Thank you.

25 You moved to Glenalmond at 12?

1 A. Yes.

2 Q. How would you describe Glenalmond in comparison with  
3 Edinburgh Academy?

4 A. It was chalk and cheese. I mean, it really was just  
5 completely different. You know, I have come from  
6 a place where it is pretty feral, and I am, I think, at  
7 that time turning into a feral animal. Because I am  
8 always on edge, I am ready to fight anyone, and, you  
9 know, the environment that I have come from -- you know,  
10 for a lot of people this is the first time they are  
11 leaving their parents to be at boarding school. For me,  
12 I have done it for four years already, since I was 8 --  
13 7 or 8, and I am now hardened to the separation.

14 So, while they are all crying in the dorms, I am  
15 okay with regards to the separation.

16 We were the junior entry, which is before we go to  
17 the common entrance exam. So we got in a year early,  
18 and there is -- our dorms were in the headmaster's house  
19 at Glenalmond. But, you know, I would be one of the --  
20 I was definitely one of the tougher kids starting off.  
21 And ready to get into a fight. And the thing that  
22 struck me most was I did get into a fight with this kid  
23 who accused me of -- I had a broken wrist at the time,  
24 and I had a plaster on it and he accused me of punching  
25 him with this plaster.

1           How I recollected the fracas, or the brawl, was that  
2           he kicked my plaster, so I punched him in the face with  
3           my left-hand. I split his lip. Before I know it, he  
4           has gone and spoken to our housemaster or our form  
5           master, Mr Cummins, and he came in and said, "You got  
6           into a fight, you get caned".

7           I can count the number of times I got beaten at  
8           Glenalmond: twice, and they were both my fault. They  
9           were both my fault, absolutely. I got in to a fight.  
10          A kid tells on me. I was surprised by that and I got  
11          beaten. And it seems cause-effect, that's logical.

12          So the thing that surprised me most about it is you  
13          could tell the teacher. You could speak to the  
14          teachers. They were there to not just, you know, beat  
15          you up, they are actually there to advise you, to -- the  
16          relationship between the pupil and the teacher at  
17          Glenalmond was completely different, and that I learnt.

18    Q. I think, since you were on video, you were holding up  
19          two fingers; you were beaten twice?

20    A. Yes, the second time I was in the lower sixth, and I was  
21          charging out the dining hall, I didn't realise that the  
22          headmaster was in front of me, and I grabbed a whole  
23          load of boys and sort of made this scrum, knocked the  
24          headmaster off his feet, and I got -- yes, he said,  
25          "Right, who was that?" and I stuck my hand up, "It was

1 me", "Right, to my office", and he subsequently caned me  
2 for being a lout.

3 And he then, about three weeks later, made me  
4 a prefect. So it was, you know, it was not -- it was  
5 punishment for the crime I committed, which was, you  
6 know, loutish behaviour. So I accepted it.

7 Q. And how long were you at Glenalmond?

8 A. Seven years.

9 Q. So twice in seven years. Four years at the Academy; how  
10 many times?

11 A. Twice in the first week. I mean, there was -- it was  
12 constant. I don't know. I don't remember, but I know  
13 I got beaten a lot.

14 Q. You then left Glenalmond and were in the army for  
15 many years?

16 A. Yes, 18 years.

17 Q. And you saw service in what places?

18 A. Lots of places. Bosnia. I was in Sarajevo, Cyprus,  
19 Sierra Leone, Iraq, just to name a few, yes.

20 Q. Can we take it from the contents of your statement; you  
21 saw things that have had impact upon you?

22 A. Absolutely. Yes.

23 Q. And experienced things?

24 A. Yes.

25 Q. What about the impact of Edinburgh Academy; where does

1           that lie?

2    A.   So I had to -- I have been suffering from PTSD for  
3           a while through the -- from my military experiences.  
4           Nightmares, stuff like that.  So I went and saw  
5           a therapist.  Eventually, I got to the point where I had  
6           to sort out my PTSD, and I saw this therapist, and  
7           I have been seeing her for over a year and a half now.

8           And going through my PTSD training, dealing with the  
9           combat stress, the experiences from the military, trying  
10          to get through these -- the stuck points that we had  
11          created, or I had created about what was wrong, and we  
12          have got through.  I think initially I had about 13 or  
13          14, and we managed to knockout about eight or nine of  
14          them, and then there are some that are very much, as she  
15          said, are my core beliefs.  And it is exactly at that  
16          point that my sister sent me Nicky Campbell's podcast,  
17          and said, "I know you are going through therapy at the  
18          moment, but this -- and I know Brownlee was a bit of  
19          a sadist, maybe this will be part of it", and I didn't  
20          think -- I listened to the podcast, and I thought: oh,  
21          hang on a minute.  That's --

22          I said to the -- I sent the podcast to the  
23          therapist, and I said, "I think we need to unpack this".

24          So we are six months into my PTSD, and, well, he  
25          says, "You are on top of your PTSD, you have complex



1 PTSD", and we are -- a year later, we are still dealing  
2 with that. And we realised that a lot of my PTSD is  
3 based around my core beliefs that were formed in those  
4 four years that I was at Edinburgh Academy.

5 So, you know, thinking about it, a lot of it is --  
6 there was more damage done by that than was done in the  
7 military. I mean, there is a lot of damage done from  
8 both, agreed, but the fact that my core beliefs and my  
9 eight year old self has, you know, created this  
10 self-protecting architecture that is based on violence  
11 and abuse, and that is a very difficult thing to come to  
12 terms with when you are trying to break it down, and try  
13 and -- as you are going through therapy.

14 Q. I think you mention, in paragraph 105, you recognise  
15 most relate to your time in the military, however:

16 "Some definitely come back to my childhood. I am  
17 a bad person, constantly being told I am a bad person.  
18 I deserve to be hurt."

19 A. Yes.

20 Q. Is that the core belief you are talking about?

21 A. That is exactly the core belief I am talking about. And  
22 it is ...

23 You know, that's sadly where I am, and that's sadly  
24 what I still believe, which is why I am in therapy for  
25 it.

1 Q. You end the statement with your hopes for the Inquiry.

2 A. Mm-hm.

3 Q. What would you particularly like to come out of this?

4 A. Um, the -- I mean, I think I have stated that this  
5 doesn't happen again. This is, you know, the school to  
6 actually never allow this sort of abuse to darken their  
7 doors again. It would be -- I mean, it's -- yes, I hope  
8 for some closure for me. I know I have a long way to  
9 go, but it's ...

10 The school recognising what they did back then and  
11 realising that the environment that was created, that we  
12 all lived in, was unacceptable, and take responsibility  
13 for that. Change the practices. Never allow -- I think  
14 I mentioned to the Inquiry that 8-year olds should not  
15 be in boarding school. They should not. You know,  
16 boarding should not happen until they are 12/13. It's,  
17 you know, too young to take a child, especially if they  
18 are going to be exposed to the bad people that are doing  
19 these evil things.

20 Never allow those sorts of people to be in charge of  
21 children, is another thing I hope that comes out of  
22 this. The vetting system that happens at schools  
23 becomes much more robust and allows for, you know, only  
24 people who are not paedophiles, sadists, abusers, to be  
25 around small children. But, yes, so ...

1           Just -- it would be good for it not to happen again.

2 MR BROWN: 'Stephen', thank you very much indeed. Is there  
3 anything else you would like to say?

4 A. Um, no, I think I am done for the day. Thank you very  
5 much.

6 LADY SMITH: 'Stephen', could I add my thanks to you for  
7 engaging with us so thoughtfully and with such  
8 reflection as you have done this afternoon. I do  
9 realise that that reflection takes you over a relatively  
10 short period of four years, but what you are telling me  
11 is about an intense period of serious violence and  
12 abuse, and that's not lost on me.

13           Thank you for feeling strong enough today to share  
14 that with us. I suspect the rest of the day will not  
15 leave you feeling as strong, so I hope you are now able  
16 to get some rest. Thank you very much.

17 A. Thank you very much. Thank you.

18   (The witness disconnected)

19 LADY SMITH: Right, I think we can take a five minute break  
20 on so and then some reading.

21 MR BROWN: I think we might manage three read-ins, yes,  
22 thank you.

23 (3.05 pm)

24   (A short break)

25 (3.20 pm)

1 LADY SMITH: Ms Bennie, when you are ready.

2 MS BENNIE: Thank you, my Lady. My Lady, the first reading  
3 in this afternoon bears the reference WIT.001.001.5356.  
4 My Lady, this witness wishes to remain anonymous and has  
5 adopted the pseudonym of 'James'.

6 'James' (read)

7 MS BENNIE: My name is 'James'. ... My ... [year] of birth  
8 is 1960 ... I was born in Kenya where my father worked  
9 as a bank manager. I am the youngest of four and have  
10 two sisters and a brother ... we were in Kenya until  
11 I was 8.5 years old and I thought my childhood was  
12 blissful though when I went back years later I realised  
13 it wasn't all it seemed ...

14 "When I was 10 ... [my] family moved to Edinburgh,  
15 where my dad was originally from. I think I had been in  
16 Scotland once before when I was 6 years old and had  
17 found it rather strange. I couldn't believe it when my  
18 mother said we weren't going back to Kenya. I hadn't  
19 even been able to say goodbye to my friends ...

20 "Day Pupil at ... Edinburgh Academy

21 "I was in ... Edinburgh Academy Primary School for  
22 a year before I moved ... to the main school. The  
23 Academy was an all boys' school and it was very  
24 different to what I was used to. I at first felt there  
25 was an attitude to me being English. There were also

1 a lot of beatings using clackens which were like hurling  
2 sticks which we got hit with. There was also a lot of  
3 noise that I wasn't used to which was caused by kids  
4 banging their desks. There was also an atmosphere of  
5 fear, and people were regularly beaten with the tawse.

6 "There is a particular story of something that  
7 happened to me in 1970 or 1971 that, on looking back,  
8 I find quite harrowing. One day I was dressed in my  
9 tracksuit but had forgotten my sports shorts. I was  
10 worried about this as I was aware that there was a lot  
11 of discipline at the school. I spoke to somebody about  
12 it who told me to speak to Mr Wares but added, "Watch  
13 him".

14 "I went to Mr Wares. I was dressed but didn't have  
15 my shorts on under my tracksuit. I told him this. It  
16 was so quick, but he seemed to want to turn it into  
17 a joke. He put his hand down my tracksuit trousers and  
18 rubbed his hand against my groin. My recollection is  
19 that [when] this happened outside the classrooms and  
20 there may or may not have been other boys around. I've  
21 never told anybody about that until a couple of weeks  
22 ago when I spoke to somebody who had also gone to the  
23 Academy and he said he remembered ... Wares.

24 "There was another teacher there called Mr Dawson.  
25 He never did anything to me but as a child I couldn't

1 understand things he did. He used to give out jelly  
2 beans, but he was also a disciplinarian who would punish  
3 you in front of everybody else. There was just  
4 something about his demeanour that I found unnerving.  
5 On one occasion a boy wanted to go to the toilet, but  
6 Mr Dawson refused to let him go. The boy ended up  
7 peeing himself, and I think Dawson just shouted at him  
8 to get out. Dawson disciplined lots of boys, with both  
9 a ruler and the clacken ... you were normally hit on the  
10 hand with the ruler and on the backside with the  
11 clacken.

12 "I moved to Fettes when I was 15 years old. ...  
13 I started Fettes in fifth year."

14 My Lady, I now move to paragraph 71, on page 13:

15 "Lessons to be learned.

16 "It is about looking at organisations and  
17 challenging how they are operated to ensure that they  
18 are responsible for the way in which they behave. They  
19 should be challenged about anything that is untoward.  
20 I also want from the Inquiry ... for people to feel  
21 validated for what they want to say. It's about healthy  
22 boundaries to be understood in social terms and in  
23 relationships, especially between adults and children.  
24 Children should be empowered to be able to speak  
25 out. ...

1           "I have no objection to my witness statement being  
2 published as part of the evidence to ... [this] Inquiry.  
3 I believe the facts stated in this ... statement are  
4 true."

5           My Lady, the statement is signed and it is dated  
6 1 September 2017.

7           My Lady, the next statement bears the reference  
8 WIT-1-000000078. My Lady, again this witness wishes to  
9 remain anonymous, and he has adopted the pseudonym of  
10 'Ben'.

11                               'Ben' (read)

12 LADY SMITH: Thank you.

13 MS BENNIE: My name is 'Ben'. My year of birth is 1963. ...

14           My mother and late father ... initially brought me up in  
15 Edinburgh, I had no brothers or sisters. We moved to  
16 ... just outside Dundee through my ... [father's] work  
17 and then on to Kirkcaldy when I was about 3.5. I went  
18 to West primary school in Kirkcaldy which I enjoyed and  
19 as far as I was aware did well. By the age of 9 or 10  
20 I was in a class in excess of 40 children and had  
21 a teacher who wasn't very good. Her ability to  
22 discipline was poor, the class was unruly and there  
23 wasn't much learning going on. This was the primary  
24 reason my parents decided I should go to another  
25 school. ...

1 "I went for a visit to Fettes junior school with my  
2 parents and on the same day did a test. I met ... SNR  
3 SNR of the junior school. We liked the feel of the  
4 school because it was very small and very homely.  
5 I subsequently found out that I had been accepted and  
6 started at Fettes junior school in the autumn term of  
7 1974. I would have been 11. The junior school was to  
8 prepare you for the senior school so was also referred  
9 to as the prep school. ...

10 "Iain Wares taught maths. ... I think Iain Wares was  
11 in his late 30s, he was about 5-foot 10 tall, with  
12 blonde wavy hair in a side parting. He had some  
13 connection with South Africa."

14 My Lady, I now move on to paragraph 22, on page 6.

15 LADY SMITH: Thank you.

16 MS BENNIE: "Abuse at Fettes junior school.

17 "My first impression of Iain Wares was that he was  
18 ... nice, quiet, supportive individual. After a fairly  
19 short period of time in my first year at prep school  
20 there was an incident in the classroom with Iain Wares.  
21 I cannot remember what the circumstances were that  
22 kicked it off but Iain Wares flew into a rage with one  
23 of the boys in the class. This was the first time I saw  
24 him in full flight. It was a small classroom full of  
25 boys. His face was puce coloured, his eyes were bulging



1 and he was screaming at this boy. He grabbed him by the  
2 hair and violently shook his head vigorously, resulting  
3 in the boy's head getting bashed off the desk.

4 "In the classroom Iain Wares regularly had outbursts  
5 of anger and rage like this. He grabbed boys by the  
6 hair and shook their heads. He would hit heads off the  
7 desk. It regularly happened to ... [one boy]. He had  
8 been shaken so much that he had a bald patch on the back  
9 of his head where his hair had been pulled out. I, like  
10 a lot of the boys, used to sit and look straight ahead  
11 in fear that you were ... [the] next victim. It made  
12 you afraid to speak to him because you were frightened  
13 you would say the wrong thing and upset him. It  
14 happened to me on several occasions where Iain Wares  
15 pulled my hair and thumped my head off the desk and  
16 a couple of times I was thrown around the room. I saw  
17 this happening to quite a few boys in the classroom.  
18 I am surprised that none of the boys injured their necks  
19 because of the force Iain Wares used.

20 "There was one time when all of the boys from the  
21 junior school were at assembly before lessons began when  
22 Iain Wares attacked ... [a particular boy]. [The boy]  
23 ... was a boarder and lived with Iain Wares. We were in  
24 the second year by this time. I can't remember why but  
25 it might have been something stupid like ... [the boy's]

1 shoes weren't polished properly. It must have been just  
2 before assembly actually started and he grabbed ... [the  
3 boy] by the hair, dragged him about and threw him  
4 against walls. He picked him off the ground then  
5 dropped him. All the time Iain Wares was screaming and  
6 shouting at him. I felt absolutely terrified when this  
7 was going on. ...

8 "Iain Wares was also clearly a sexual predator. He  
9 used to call the boys up to his desk, sometimes with  
10 their jotters, to go over the homework or to give some  
11 other form of feedback. It started off fairly  
12 innocently for me, probably two months after I had been  
13 at prep school and I was a bit taken aback the first  
14 time it happened. He called me up to his desk and when  
15 I was standing beside him he started stroking the back  
16 of my thigh. Slowly but surely he would work his hand  
17 up inside my shorts and then end up touching and playing  
18 with my genitals. I probably had an inkling that what  
19 he was doing wasn't right but on the other hand I must  
20 have thought that he was an adult and a housemaster so  
21 it must be all right for him to do this.

22 "At that age I was probably still quite immature and  
23 hadn't developed physically, but I remember him trying  
24 to retract my foreskin and it was painful. On another  
25 occasion he penetrated me anally with his finger and he

1           made some comment about me having a dirty bottom.

2           I cannot say how many times Iain Wares abused me in the  
3           classroom, but it happened regularly.

4           "I saw this happening to probably fifty per cent of  
5           boys in the classroom. I couldn't actually see him  
6           touching on them, but I could see from the way the boys  
7           were standing and the way his arm was behind their legs  
8           that he was doing something. I could also tell from the  
9           boys' reaction that he was doing the same to them.

10          "On one occasion a boy ... leapt back when  
11          Iain Wares was touching him at his desk. I remember  
12          distinctly the exact words that Iain Wares said, which  
13          was, 'What, don't you like it?' I think this speaks  
14          volumes of Iain Wares' controlling ability and how he  
15          got the message over that he was an adult and was in  
16          charge, and that it was us that had the problems, not  
17          him. I trusted adults at that time. Iain Wares planted  
18          the seed in all the boys that his behaviour was normal.  
19          He made everyone think that there was something wrong  
20          with ... [the boy] by not liking it.

21          "There was one other specific incident which I have  
22          not been able to come to terms with yet. I remember  
23          that after games practice I always tried not to be the  
24          last person left in the showers or in the changing room  
25          so as to avoid being on my own with Iain Wares. He

1 always hung around the shower rooms after games. I am  
2 not sure why but it ended up that I was the last person  
3 to leave so I was alone with him. I know that I was  
4 sexually abused by Iain Wares on this occasion but  
5 something is blocking me from accessing what actually  
6 happened. It is locked in my head and I am unable to  
7 unlock it just now.

8 "The masters openly drank alcohol at lunchtime and  
9 it seemed to be perfectly acceptable. I cannot remember  
10 if they had wine with a meal but they definitely had  
11 a liquor or a port after eating. Looking back now  
12 I find it incredible that they could drink alcohol at  
13 lunchtime then in the afternoon go back in charge of  
14 children. Often you could smell the alcohol on their  
15 breaths. I cannot remember seeing any of them drunk,  
16 but it might well have contributed to Iain Wares' anger  
17 and aggression."

18 My Lady, I move to paragraph 38 on page 11:

19 "My overriding memory of my time at Fettes prep  
20 school was that the physical and the sexual abuse was  
21 normal behaviour. I had respect for adults and I lived  
22 with considerable fear. I must have assumed that this  
23 was what life was like at private school. I never even  
24 contemplated telling my parents about the sexual abuse  
25 by Iain Wares. I don't think I would have known how to

1 put it into words or articulate what he was doing to me,  
2 so must just have decided to go along with it. I think  
3 I did tell them about the times he shouted and screamed  
4 at me in class, but they more or less said that I must  
5 have done something wrong.

6 "In relation to the sexual abuse by Iain Wares there  
7 was no way I could tell anyone. He had fear instilled  
8 in us. Knowing that he could fly off the handle at any  
9 second ensured that I couldn't tell anyone about what he  
10 was doing to me for fear of what might happen.

11 "Life after Fettes junior school.

12 "When it was time to leave Fettes junior school,  
13 I could have gone to Fettes senior school but I would  
14 have had to become a boarder. My mother wouldn't have  
15 been happy with that, and neither would I. I left and  
16 I went to Edinburgh Academy senior school, again as  
17 a day pupil. I wasn't abused when I was at  
18 Edinburgh Academy.

19 "In 2017 I heard about the Scottish Child Abuse  
20 Inquiry and I decided to make contact. At that time  
21 I gave a very brief account of where I had been and  
22 I named my abuser. I was told that because I had named  
23 someone the Inquiry was obliged to pass this on to the  
24 police. I felt an enormous amount of relief thinking  
25 that I had passed this on and that somebody else was

1           actually going to do something about it."

2           My Lady, I now move on to paragraph 56 on page 14.

3 LADY SMITH: Thank you.

4 MS BENNIE: "Lessons to be learned.

5           "It is hard to look back and think of what was in  
6           place when I was in school to protect me because over  
7           the years things have changed. When I was at school the  
8           focus was on academic achievement rather than the  
9           children's welfare. I know that protocols and  
10          procedures are now in place to protect children. I am  
11          not sure what else could be put in place that hasn't  
12          already been.

13          "I always wonder if Iain Wares would have been  
14          allowed to move from Edinburgh Academy to Fettes if the  
15          correct investigation was carried out. I don't think  
16          looking at his personal references would have made any  
17          difference because undoubtedly they wouldn't have been  
18          bad. From my experience references are very rarely bad.

19          "I hope that everything that can be done is done to  
20          pursue Iain Wares and he is held accountable for what he  
21          did to me.

22          "Other information.

23          "When I arrived at Edinburgh Academy senior school  
24          I was chatting to some of the other boys and we were  
25          talking about what prep school we had gone to. That's

1           when I learned that Iain Wares had been at  
2           Edinburgh Academy prep school before he went to Fettes  
3           and that he had apparently done very similar things to  
4           boys there too. This boy also told me that I should  
5           watch out for Kevin Dawson, a housemaster, who was still  
6           at Edinburgh Academy school and he was abusing boys. In  
7           my time at Edinburgh Academy I never had any dealings  
8           with Kevin Dawson and I never experienced or witnessed  
9           him abusing anyone. I heard that he got the boys to  
10          stand spreadeagled in the shower and turn around  
11          reciting nursery rhymes whilst he got his pleasure in  
12          the corner. I got this information from a [another  
13          pupil] boarding pupil who was a very reliable source.  
14          I also heard this from a couple of other boarders who  
15          were in his house."

16                 My Lady, I now move to paragraph 63.

17   LADY SMITH: Thank you.

18   MS BENNIE: "Looking back I am mortified that the blatant  
19          behaviour and abuse by Iain Wares in front of the whole  
20          class was apparently acceptable. I also can't believe  
21          how staff openly drank alcohol at lunchtime and then in  
22          the afternoon went back to teaching children. I cannot  
23          say if the alcohol had an effect on Iain Wares or if he  
24          was more violent in the afternoon after he had consumed  
25          alcohol. It also upset me that Iain Wares was allowed

1 to go from school to school without any proper  
2 investigations being made, allowing him to abuse boys at  
3 both schools.

4 "I have no objection to my witness statement being  
5 published as part of the evidence to this Inquiry.

6 I believe the facts stated in the statement are true."

7 My Lady, this statement is signed and it is dated  
8 9 June, 2020.

9 LADY SMITH: Thank you.

10 MS BENNIE: My Lady, the next statement bears the reference  
11 WIT-1-000001297.

12 LADY SMITH: Thank you.

13 MS BENNIE: My Lady, this witness wishes to remain  
14 anonymous, and he has adopted the pseudonym of Danny.

15 'Danny' (read)

16 MS BENNIE: "My name is Danny. My year of birth is 1962.

17 "The Edinburgh Academy was the only school that  
18 I attended. I was enrolled for about nine years. The  
19 main problems that I had was with the boarding house  
20 regime and with Mr Dawson, who was the housemaster at  
21 MacKenzie House, Kinnear Road, Edinburgh.

22 I was born ... in Northampton England. My mum is  
23 a doctor and my dad is civil engineer.

24 "We lived in Northampton for a short time ... we  
25 moved to Edinburgh when I was about 5 years old. I was



1 sent to the Academy when mum and dad decided that the  
2 local school would not be an option.

3 "I am guessing that we moved to Edinburgh partly  
4 because my mum wanted me to get the best treatment for  
5 a medical condition that I had. Mum knew that XXY,  
6 which is a transgender/intersex condition, had first  
7 been observed and recognised in the UK at an Edinburgh  
8 hospital. She knew that I had a problem of that kind.  
9 She wanted me to get the best help."

10 My Lady, I move on to paragraph 7 on page 3:

11 "The day pupil at the preparatory and junior  
12 schools.

13 "I was five years old when I first started at the  
14 Edinburgh Academy. My parents told me that it was  
15 a very good school and that success would lead to a good  
16 job. Denham Green was for the youngest boys. My  
17 brother and I would go on the bus. We were picked up  
18 from the school. I remember most about being in the ...  
19 class, then we went to third year which was at  
20 Arboretum, ... Mrs Bushnell was the teacher ... I was  
21 promoted to the A stream for fourth year. The teacher  
22 was Mrs McKenzie. Things passed off quite well and  
23 I was kept in the A stream. That was my last year at  
24 Arboretum, and the first year of boarding at MacKenzie  
25 House. I think it was at 9 Kinnear Road ... in the end

1 I was in 6█ at upper school, having boarded from then  
2 on.

3 "I was not very suited to boarding school. It was  
4 not easy at home. Perhaps I was too needy. I felt  
5 unloved. I did very well at junior school.

6 Mr Brownlee was a very good teacher. He specialised  
7 in geography. He would take us on day trips and show us  
8 the photographs that he had taken on his travels on  
9 a projector. We started to play rugby then. I was in  
10 the team as a prop forward. Then second row. Lastly as  
11 a number █. I was one of Mr Brownlee's golden boys or  
12 star pupils because I was quite good at everything at  
13 that time. I was boarding with Mr ICG █ by then. I had  
14 got into trouble for telling the truth. All the boys  
15 took it out on me a lot. I was big and chubby at that  
16 time. So I was able to defend myself. In fact, I was  
17 concerned that I might get too carried away with it."

18 My Lady, I now move to paragraph 14 on page 5:

19 "I did well until I went in to MacKenzie House.  
20 I did not want to go to boarding. My parents insisted  
21 that I must. Immediately I got into trouble with the  
22 other boys for telling matron who jumped on a bed when  
23 she asked me. It was tough because there are unofficial  
24 rules that the boys must have. One of the main ones is  
25 that you must never help the staff in their enquiries.

1 A lot of the other kids knew what these rules were from  
2 the beginning. I didn't know about them. That was  
3 a bad introduction to institutional life for me. Also,  
4 they gave me nicknames when I did not want them. Dawson  
5 even had a 'Nick' name for MacKenzie House ... I was  
6 reviled, beaten and abused by the other pupils even  
7 before Dawson arrived.

8 "MacKenzie House was nicknamed "Miffy" by Dawson,  
9 miffy can mean annoying.

10 "The housemaster in my first year was Mr [redacted]. He  
11 was due to retire. It was his last year. There was  
12 a Mrs [redacted]. She was not really involved with us.  
13 Dawson arrived the next year. We had a new matron, Anne  
14 Kellas, who lived near Aboyne. She would take the  
15 younger kids to watch Top of the Pops in her study. She  
16 gave pupils who lived there a lift from Aberdeen to  
17 school and back on several occasions in her Mini.

18 "Mr Dawson had a wife and two attractive, relatively  
19 grown up daughters. They were not involved in our care.  
20 They lived in the housemaster's quarters within the  
21 house. Half the house was theirs. We stayed on our  
22 side. Mr Dawson taught history at the upper school.  
23 Mr Dawson's assistant in the house was Mr Fenton. He  
24 was a quiet chap. He wasn't a great teacher. He was  
25 not a problem for me."

1           My Lady, I now move to paragraph 21:

2           "I boarded at MacKenzie House for three years. Then  
3 I was at Jeffrey House for four years, but my last year  
4 was marred by being suspended and asked to leave.  
5 Honestly, I thought they would leave us alone for  
6 smoking when we became adults. Silly me! Not that it  
7 is a good thing. The more physically able boys tended  
8 to go to Scott House... the intellectual boys tended to  
9 go in Jeffrey House. It was the softer option.

10           "Mr Evans was the housemaster at Jeffrey House. He  
11 taught science in the upper school. He had a wife and  
12 a golden labrador. They treated me quite well. I was  
13 given a study on my own quite quickly. Mr BXK was the  
14 assistant. He was quite a good teacher and was  
15 an enthusiastic about sports.

16           "There was no emotional support available at  
17 MacKenzie House. We were not encouraged to speak about  
18 any troubles that we had. People in authority were not  
19 very truthful with me. I did not trust the situation.  
20 I got into big trouble with the other pupils for telling  
21 matron who jumped on a bed. I was already scared about  
22 boarding. I kept things to myself."

23           My Lady, I move on to paragraph 39 on page 11:

24           "Coping with boarding.

25           "The incident with the matron regarding the bed, the

1 'nick names', the fighting, the bullying, the bog  
2 washing, the strangling and the behaviour of Hamish  
3 Dawson broke my heart ... it was all too terrible."

4 My Lady, I now move on to paragraph 45 on page 13:

5 "I enjoyed all my subjects except perhaps Latin.  
6 I wasn't very good at maths but I was able to pass my  
7 higher. I particularly enjoyed junior school.  
8 I learned a lot from the teachers, the teachers at the  
9 upper school did is not seem to have many ideas to help  
10 me develop any talent. None of them took a particular  
11 interest in helping me. Mr Dawson taught me higher  
12 history in my final year. I had escaped him completely  
13 when I went to Jeffrey House. That may have contributed  
14 to my bad behaviour. It is not easy for a pupil to deal  
15 with the reappearance of an abuser years later regarding  
16 something that matters to them. I had a clash of  
17 emotions about it. I got myself suspended and left  
18 school before the exams. Perhaps that was for the best.  
19 I worked just as well if not better on my own."

20 My Lady, I now move to paragraph 49:

21 "Decision and preparation to leave  
22 Edinburgh Academy.

23 "I knew that I had to get away from  
24 Edinburgh Academy as quickly as possible. I made the  
25 decision to sit highers and to go to a Scottish

1 university because A levels were a two year course.

2 I opted for a quick escape, even though I was in the A  
3 stream. I knew that I was finished there. I was  
4 suspended and then left after my highers.

5 "From the time that I went boarding, I was a child  
6 in difficulty because no one was looking after me  
7 properly. Me and my close friends, felt that we had to  
8 escape into fantasy too much as a result, whereas, we  
9 had hoped for a good education and a positive experience  
10 at school.

11 "My dad passed away suddenly in 1978 ... in  
12 Aberdeen. I was in Malta with the naval cadets on  
13 a camp. We were sitting on the tour bus, in the sun,  
14 about to set off for the day when an officer came out of  
15 the main building, walked to our bus and called me into  
16 the office. There were several officers there. They  
17 told me that my dad had died suddenly. They said that  
18 it must be a terrible shock and that they would arrange  
19 for me to get straight back to the UK. I flew back  
20 immediately on a RAF Hercules to Britain. We then  
21 attended the funeral.

22 "That hit me very hard. Dad was quite good with me,  
23 he did do a lot to try to get me motivated again after  
24 MacKenzie House. That was working, but then he died.  
25 It happened during the spring holiday. I went straight

1 back to school ... I did not get any support at school  
2 for it. Mum gave me some antidepressant pill at some  
3 point. I only took one. I avoid medicines."

4 My Lady, I move on to paragraph 56:

5 "Prefects.

6 "We had duties in the boarding houses which were  
7 called 'fagging', which is a verb with its origins in  
8 the 16th century meaning to 'grow weary', hence 'fagged  
9 out'. These duties were bells, bags, dustbins, common  
10 room and such. There was a rota. Prefects supervised.  
11 It was not personal fagging. It was a negative way of  
12 selling the idea that certain things needed to be done.  
13 We did them anyway.

14 "Bed wetting.

15 "There was a boy in our dorm at MacKenzie House, he  
16 had a problem with bed wetting. [Other boys] might have  
17 had an issue with it too. Matron might have gone as far  
18 as to whack boys with a shoe for it in the dorm, but  
19 that would have been exceptional. I have vague memories  
20 of feeling sad for the boys who were in trouble for that  
21 because everyone withdraws into themselves when that  
22 happens and then the isolation factor increases."

23 My Lady, I now move on to paragraph 63 on page 18:

24 "Discipline and punishment.

25 "After we went to see The Clash, we went back to ...

1 [my friend's] house where we had tea and smoked his mums  
2 Embassy Number 1 with her permission. She as ... Irish  
3 ... and I think that she felt sorry for us because we  
4 were displaced teens on the loose. She phoned the  
5 boarding house and we walked back there ourselves.  
6 Mr Evans met us in his dressing gown in a sombre mood.  
7 It was ... [the head of school] who punished me ... His  
8 name was Britton. He hit me with the clacken on my  
9 bottom over my clothes. It was not ultra excessive. My  
10 parents were told. I was suspended until the next term.  
11 I cannot remember what happened to the others.

12 "I worked hard at home. There was not much else to  
13 do. I returned to the school in the new year and sat my  
14 Highers. Shortly before or after that ... [another  
15 pupil] and I were smoking in the wash room with the  
16 windows open after breakfast. ... I had learned never to  
17 tell the truth to staff ... [after] an incident on my  
18 first term of boarding. Therefore, we denied that we  
19 were smoking whilst smoke was coming out of our mouths.  
20 I was asked to leave the school. I did not have any  
21 respect for the rules because of the way it was at  
22 MacKenzie House and later more so because my dad had  
23 died. I left knowing that I would not be welcome back  
24 at [the] school ...

25 "Corporal punishment was common when I started



1 boarding. It became less common as time went by. The  
2 clacken was the most serious. There was a cane. I am  
3 not sure what else might be used. We avoided getting  
4 beaten by avoiding getting caught most of the time.  
5 Corporal punishment could be done in front of [the]  
6 other pupils ... I did not suffer real physical injury  
7 as a result of the beatings, the nearest that I came to  
8 that was when two prefects grabbed hold of me because  
9 I had been smoking. One of them held me and the other  
10 one repeatedly punched me in the face whilst abusing  
11 me ...

12 "The clacken was used as a punishment in the upper  
13 school. I am not sure if it was used at junior school.

14 "Culture

15 "There were lots of 'Nick' names for things ... that  
16 is a basic lack of manners and respect, but what could I  
17 do?

18 "There were prefects living within each of the  
19 houses supporting the housemasters and the matron.  
20 There were other prefects at school as well. They had  
21 a special tie. They ... wore sports colours in winter.  
22 They were also called 'ephors' ...

23 "There was a tradition and culture of 'bog washing'.  
24 Most people might be bog washed once or twice while  
25 boarding at Edinburgh Academy, but others ... seemed to

1       suffer a lot more. I felt that there was no way to take  
2       these matters up with the staff, or to persuade my  
3       parents to do something about it. The prefects were  
4       there to help maintain order. This was sometimes how  
5       that was done. Other bullies would bog wash kids too.  
6       It was quite a common thing in MacKenzie House. ...

7                "Abuse at Edinburgh Academy.

8                "The incident ... that took place when I started  
9       boarding at MacKenzie House taught me that I must not  
10      tell staff the truth about any incident. ... A boy  
11      bounded into our dorm, jumped on the nearest bed,  
12      smiling, and bounded off again. He was full of beans.  
13      He was there for seconds. I was standing there when the  
14      matron came in, she smiled at me and asked me who messed  
15      up the bed. It didn't seem like much to me, so I got  
16      tricked in to saying it was ... [the boy]. I did not  
17      know the rules. The other kids seemed to know them.  
18      All the other boys were on my case for being a clype for  
19      the rest of that term. ... It was name calling,  
20      shunning, and some blows. That was when a boy chased me  
21      through the sports changing window wielding the cricket  
22      bat. ... [The boy] forgave me in the end. I explained  
23      that I hadn't thought that he would get into trouble for  
24      it. He laughed and told me that he quite enjoyed  
25      getting the beating, because the matron was 'sexy' ...

1 Initially I did not understand the boarding environment,  
2 and my parents were unable to help me because they had  
3 no experience of public school.

4 "So that led to the incident with ... [the boy] and  
5 the cricket bat. He was shouting something like  
6 'English queer'. I escaped through the window. ... He  
7 was two years older than me. ... things calmed down  
8 after that. I told my parents about it. They said that  
9 things would get better. There was nothing that I could  
10 do about it. I thought 'They call all English people  
11 names here. Why should I trust what any stranger says?

12 "... I must have been about 11 years old when  
13 Mr Dawson came to be the housemaster at MacKenzie House  
14 ... His manner reminded me of Jimmy Savile, who was on  
15 our TV screens a lot at that time. It always seemed as  
16 if he was restraining some aggression or anger. His  
17 'Nick' name was 'Homo Hamish'. I felt sorry for his  
18 wife. She seemed to be quite normal but a little  
19 unhappy. They had two relatively grown up daughters  
20 living their own lives and not involved with us. He  
21 tried to present himself as jolly, but he was not very  
22 funny and there was a threatening side to it all the  
23 time. I picked up on that immediately. He would wear a  
24 Masonic style ring on his finger sometimes. He had big  
25 black whiskers, but not a beard. He had dark tinted

1 glasses which were unusual in those days. He had our  
2 side of the house painted various shades of purple. He  
3 called the house Miffy. He punished the entire house by  
4 beating us and making us take communal cold showers  
5 while singing a nursery rhyme. It was sad that he was  
6 my history teacher for my higher history in the last  
7 year, because I behaved badly outside class hours and  
8 didn't get my A grade.

9 "I never witnessed any homosexuality between pupils  
10 at Edinburgh Academy. I had my other unknown issues.  
11 After the incident with the showers Mr Dawson told me  
12 "that I would make someone a nice wife one day". He  
13 knew what he was saying.

14 "It was bad when Mr Dawson went round the dorms at  
15 bedtime. He would select someone in each dorm, approach  
16 them and tickle them a lot. A tickling would last more  
17 than a minute and sometimes more than two minutes.  
18 Mr Dawson would ask who is tickly wickly (short for  
19 wickedly?) and things like that. If there is 'magic'  
20 there will be 'Black Magic'. It seems obvious to me  
21 that was the name of a popular 1970s chocolate  
22 assortment ... every night we were looking to see if it  
23 was Dawson or Fenton on duty so that we knew what we  
24 might expect. [Matron] would be in attendance. She did  
25 not do anything to dissuade Dawson from tickling the

1 boys, like that. So he kept on at it.

2 "One evening at the beginning of the school term,  
3 something happened ... I do not know what it was, but it  
4 really annoyed Mr Dawson. He was extremely angry about  
5 it. He called all of the boys to the common room for  
6 a special assembly, and told us that we had to tell him  
7 who did this thing, or he would beat the whole house.  
8 No one told him who had done the thing in question, in  
9 keeping with the prohibition against boys grassing to  
10 the staff. Mr Dawson made everyone go to the sports  
11 changing. We were beaten, and then we were made to take  
12 a cold shower, in groups of five, singing hey diddle  
13 diddle, the cat and the fiddle. We were naked and all  
14 of the showers were occupied. I think we were turned  
15 clockwise. It was bizarre, and deeply upsetting. It  
16 was done by dorms.

17 "I didn't watch what was happening to the others.  
18 I simply tried to get through it. We were in shock. We  
19 acknowledged what happened to each other. Some of us  
20 told our parents. I decided that this world is not very  
21 nice. I became a rebel. I started smoking every day.  
22 The school did not recognise anything was wrong. No  
23 special help was given to us. They covered it up and  
24 moved on. Many years later, I took steps to re-educate  
25 myself, and that was a big help. But we had hoped for

1 a good educational experience at school, which would  
2 have stood us in good stead much earlier.

3 "I heard that [a boy] had told his parents about the  
4 showers. They went to see the rector. Some parents get  
5 very angry about perversion. I seem to remember that  
6 [the boy] went to another school after that. Things did  
7 calm down a bit after that, but there was always the  
8 memory and the threat of trouble, and all the boys could  
9 be a bit 'out of control'.

10 "Reporting of abuse at Edinburgh Academy."

11 Sorry, my Lady, I am going to read paragraph 82,  
12 which is immediately before.

13 LADY SMITH: Okay.

14 MS BENNIE: "We had to have a demob interview at the end of  
15 our stay in Mackenzie house with Mr Dawson. He called  
16 me to his study. He told me I was going to become a man  
17 soon. He put his hand on my knee and I bolted to the  
18 common room where I stayed until it was time for me go  
19 and catch the train. I did no have to talk to him again  
20 until the last year when he taught me higher history and  
21 it didn't go very well.

22 "Reporting abuse at the Edinburgh Academy.

23 "I told my parents about the incident in the  
24 showers, but they told me to ignore it, and that I would  
25 soon be in Jeffrey House. Not soon enough, I feared.

1 I hoped my mum or dad would come up with some other idea  
2 as to where I might go to school, but they liked the  
3 idea of sticking with Edinburgh Academy, even though  
4 I had been quite unhappy there since I became a boarder.

5 "I did not attend for much of my last year. I was  
6 17 when I started university.

7 "I studied for my degree but my school experience  
8 and my dad's passing has made me lose confidence and  
9 direction".

10 My Lady, I turn to paragraph 91 on page 26:

11 "Impact.

12 "Mr Dawson taught me that there are dangerous types  
13 in positions of authority. Edinburgh Academy taught me  
14 that there were dangerous institutions.

15 "Mr Dawson behaved in such a way that it turned me  
16 against the school.

17 "Boarding school was a bad idea for me."

18 My Lady, I now move to paragraph 99 on page 28:

19 "Reporting of abuse.

20 "I have not reported any of the abuse to the police.  
21 I wrote to the Edinburgh Academy about it, before  
22 I departed [for abroad]. They advised me that Mr Dawson  
23 had died. I had no witnesses. I decided to concentrate  
24 on my plan to move to Spain for a new life.

25 "Lessons to be learned.

1            "We know that there are many kinds of children in  
2            the world. A good education would get the best out of  
3            all of them whilst another system might promote  
4            a certain type of child for success and to govern the  
5            others. Even the pleasant amongst those earmarked for  
6            success would be victims in such a situation. It seems  
7            to be important that all children find their feet before  
8            grown up endeavours commence.

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

12           My Lady, the statement is signed and it is dated  
13           25 July, 2023.

14           LADY SMITH: Thank you very much Ms Bennie.

15           MS BENNIE: My Lady, that concludes the read ins that we  
16           have for today.

17           LADY SMITH: Thank you very much. Next week we return to  
18           evidence on Tuesday.

19           MS BENNIE: We do.

20           LADY SMITH: I think, with in person witness to start, have  
21           I got that right.

22           MS BENNIE: Yes, three live witnesses on Tuesday and we also  
23           have a planned read in too.

24           LADY SMITH: Very well. Thank you very much for that.

25           I am going to rise now for the weekend, I hope you



1 all have a good weekend, and those of you who are coming  
2 back next Tuesday I look forward to seeing you then.

3 Thank you.

4 (3.57 pm)

5 (the hearing adjourned until 10 am, Tuesday 15 August 2023)

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3 'Fred' (affirmed) .....1  
4       Questions from Mr Brown .....2  
5 'David' (read) .....57  
6 'Max' (affirmed) .....67  
7       Questions by Mr Brown. ....69  
8 'Stephen' (affirmed) .....128  
9       Questions from Mr Brown .....129  
10 'James' (read) .....164  
11 'Ben' (read) .....167  
12 'Danny' (read) .....176  
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