

Thursday, 17 August 2023

1

2 (10.00 am)

3 LADY SMITH: Good morning and welcome to the third day of
4 evidence this week in which we're hearing about
5 experiences at the Edinburgh Academy. As I said last
6 night, we have three in-person witnesses today and the
7 first one, I think, is ready; is that right, Mr Brown?

8 MR BROWN: He is, my Lady, and he's 'Douglas'.

9 LADY SMITH: Thank you.

10 'Douglas' (sworn)

11 LADY SMITH: 'Douglas', just one or two things to mention
12 before I hand over to Mr Brown. The red folder that
13 you've just opened, you'll see has a copy of your
14 statement in it. Do feel free to refer to that if you
15 find it helpful; you don't have to, but it's there to
16 assist you if you need it.

17 Otherwise, let me know if there's anything I can do,
18 or Mr Brown can do, to help you give your evidence as
19 comfortably as you can. Bearing in mind, we do
20 understand that this isn't easy and you've agreed to
21 come and talk about things that happened in your own
22 life during your childhood, that can be very stressful.
23 I know, in particular, the things that you are going to
24 talk about may trigger very difficult memories to
25 handle. Let me know if you need a break, a pause, if

1 A. Yes.

2 Q. And were a day boy at Edinburgh Academy?

3 A. That's correct.

4 Q. For almost all your schooling?

5 A. Yes.

6 Q. You started, I think, in 196█?

7 A. Yes, 196█.

8 Q. And went on to 197█?

9 A. That's correct.

10 Q. So from the ages of six to seventeen?

11 A. Yeah.

12 Q. Yeah. You lived as a child in and around Edinburgh?

13 A. Yeah, near Lasswade.

14 Q. Okay. And your parents worked in business?

15 A. Yes.

16 Q. You had a number of siblings -- the details don't

17 matter -- but we would understand that they worked hard

18 and part of that was giving you and your siblings

19 education, you and your brothers, at Edinburgh Academy,

20 and your sister at another private day school in

21 Edinburgh?

22 A. Yes, that's correct.

23 Q. That was an effort for them?

24 A. Very much so.

25 Q. I think you've made the point in conversation that there

1 might be months where business hadn't been so good, yet
2 they still had to meet lots of school fees?

3 A. Yeah, very much so. It was not easy. Not that we were
4 continually made aware of that. But, yeah, I was fully
5 aware of how our living was made and, yeah, it was
6 a struggle.

7 Q. You and your siblings were aware of their sacrifice to
8 put you through school?

9 A. Very much so.

10 Q. I think, as we'll come to, that's a factor that has
11 weighed with you both then and in the future?

12 A. Yeah, very much so.

13 Q. All right. You had a happy upbringing?

14 A. Very, very.

15 Q. Home was good?

16 A. Oh, fabulous, yeah.

17 Q. But the decision is taken that you should go to
18 Edinburgh Academy. Were you simply told that's where
19 you were going?

20 A. No. In fact, my father had attended Melville College,
21 which I don't think exists anymore. But -- and I think
22 he did consider sending me there, but -- no, it wasn't
23 like that. But I think he thought, perhaps with what
24 had gone on with him at Melville College -- he thought,
25 you know, the Edinburgh Academy had a good reputation.

1 Q. Yeah.

2 A. And I do remember being asked, you know: "would you like
3 to go to ...?" You know, and yeah, he wasn't
4 a dictatorial type of person.

5 Q. So were you excited; do you remember?

6 A. Oh, hugely. I mean, there are pictures of me, you know,
7 with the cap, blue blazer, blue shorts, you know. Yeah,
8 very.

9 Q. You started at Denham Green, which is the infant school,
10 if I can put it that way?

11 A. Yeah, that's right. Sort of the pre-prep, if you like.

12 Q. You say, from memory:
13 "Big old Victorian house set in grounds with lawns.
14 I had no problems there."

15 A. I don't remember any particular problems at all, no.

16 Q. Except one, perhaps, with your teacher and being asked
17 to go out of the class?

18 A. Oh, in terms of -- are you talking about when I made
19 a mess?

20 Q. Yes.

21 A. Yeah, yes, that wasn't good.

22 Q. That wasn't good?

23 A. No. I was taken to a room, stripped off in front of --
24 you know -- yeah, it wasn't -- it was something that
25 stuck in my mind, but it would do.

1 Q. Yes, of course. But the context, as you said --

2 A. I kept trying to get out the classroom to put my hand up

3 to leave and they wouldn't -- I was ignored and so

4 eventually I -- yeah.

5 Q. You went?

6 A. I went.

7 Q. Yes.

8 A. Yes.

9 Q. Now, you say that was humiliating, everyone knew.

10 A. Yeah, yeah, the whole class knew.

11 Q. Did that humiliation linger on within the class or did

12 it --

13 A. I mean, we're going back to when I was -- I guess, what,

14 six? Yeah, you know how kids are?

15 Q. Yes.

16 A. That's the guy who, you know ...

17 Q. Yes. Did you understand why she did that?

18 A. Don't know. I have thought about it occasionally, you

19 know, and especially leading up to and during this

20 process. I think it sort of set the tone for what the

21 Edinburgh Academy was.

22 Q. Okay. But, after a couple of years, you would move into

23 the prep school?

24 A. Yes.

25 Q. We understand that's obviously a different campus and

1 was a new building in your time?

2 A. It was relatively new. The classrooms had linoleum
3 floors, not old wooden floors. Yeah, it was quite
4 a modern building. I'm not exactly sure, off the top of
5 my head, when it was built. But certainly it was
6 sparkling, new and, yeah, I looked -- you see it as
7 progress when you're eight years old or whatever.

8 Q. We've heard that it was a building -- and seen
9 photographs where there is a lot of glass. The
10 classrooms were light?

11 A. That's correct. Plenty of light. Teachers tended to
12 sit at tables rather than, you know, big old-fashioned
13 desks. Yeah, I remember it as being quite modern.

14 Q. Okay.

15 And lines of classrooms one next to the other?

16 A. Yeah. That's right.

17 Q. And could you hear what was going on in the next class?

18 A. I don't recall that. I would suggest not, but I'm not
19 sure.

20 Q. Okay. And thinking back, presumably as you go through
21 the school the classes get progressively bigger, from
22 the infant school into the prep school?

23 A. Yeah, yeah.

24 Q. Thinking of the prep school; would these be boys you
25 would then spend the next ten years with, or nine or ten

1 years?

2 A. Yes.

3 Q. You make the point, at paragraph 29, page 6:

4 "Edinburgh Academy wasn't full of rich kids whose

5 dads had Bentleys."

6 A. Not at all.

7 Q. You weren't from that background?

8 A. No. No, no. I would say that, to use a modern term, my

9 father was self-made, really.

10 Q. Mm-hmm. And --

11 A. Whatever that means, you know?

12 Q. Yes. But you remember particularly [REDACTED]

13 owners sending their children?

14 A. Yeah. You had a lot of tradespeople whose sons went to

15 that school.

16 Q. All right. I think we know from you and from others

17 that, as part and parcel of your movement around that

18 area, you would bump into children from another school?

19 A. Yeah.

20 Q. Which one was that?

21 A. Broughton.

22 Q. And was the perception from the Broughton children that

23 you were snobs because you went to Edinburgh Academy?

24 A. Oh, yeah, yeah. They used to -- you know, there used to

25 be the odd fight and, yeah, they would call you "snob".

1 Q. And how did you -- what did you call them?

2 A. I don't really -- I think -- I was never very good at
3 fighting, so I kind of used to move on. I was good at
4 running. So I used to run.

5 But we used to see them going on up to the playing
6 fields. I'm talking about when I was at the upper
7 school, Henderson Row, and that was -- occasionally
8 there was the odd -- I'm not saying -- it was just a bit
9 them and us. The perception was that we were rich, posh
10 kids and they weren't.

11 We used to play rugby against them. I can remember
12 they used to form a tunnel for us, if we won, and
13 they'd -- and then they would kick you up the backside
14 as you wandered back to the changing room. There was
15 a lot of that.

16 Q. That's how they perceived you, though, you think?

17 A. Yes.

18 Q. From what you're saying, you didn't feel yourself to be
19 particularly rich.

20 A. No, no. I was made aware of how things were paid for
21 from quite an early age and maybe because my father
22 bought and sold things to make a living. So I was
23 fully -- from a very early age. I don't mean my father
24 laboured it and said: "do you know what this is
25 costing?"

1 He never did that.

2 Q. No.

3 A. And he didn't -- you know, if I came last in arithmetic,
4 which was a common occurrence, he didn't say, you know:
5 "what the hell are you doing?"

6 He wasn't like that.

7 Q. All right. You've talked about the attitude of the
8 other school towards boys from the Academy; what was the
9 view of the boys of the Academy of themselves and of the
10 Academy?

11 A. Among the people I was -- the year I was in?

12 Q. Yes.

13 A. I think it started off excitement and by the prep
14 school, loathing. Yeah, hatred.

15 Q. I think that's because of experiences we'll come to?

16 A. Yeah.

17 Q. But just -- my fault, but thinking generally of the
18 Academy and pupils at the Academy -- I'll perhaps move
19 on from the pupils -- how did the school view itself?
20 What picture did it present to you, pupils?

21 A. Oh, sorry, yeah. I think the school thought of it as
22 a very elite organisation. No question.

23 Q. How did it do that?

24 A. Because if you weren't a very -- good at a subject, then
25 you were more or less brushed aside. They weren't

1 interested. You were moved into, you know, set E or D,
2 or whatever, and -- rather than A, B or C and you got
3 the worst teachers that they had. You would be taught
4 by the gym teacher.

5 Q. We'll come to that.

6 A. Yeah.

7 Q. But academic excellence mattered to the school?

8 A. Oh, totally. That was all they were interested in. If
9 you were good -- if you were academic, then you would go
10 a long way at the Edinburgh Academy. If you weren't,
11 you wouldn't. I think if you were very good at rugby,
12 that was extremely important.

13 I mean, I was quite good at running, athletics, so
14 that kind of redeemed me a bit.

15 Q. So is there a pecking order? If you are bright you are
16 higher up the pecking order?

17 A. Yeah.

18 Q. If you're bright, you're higher up the pecking order.
19 If you're sporty, you play rugby, you're higher up the
20 pecking order?

21 A. Yes.

22 Q. But if you don't succeed at either, you are --

23 A. Oh, just -- yeah, just not worthy.

24 Q. Okay.

25 A. When you leave that school you feel that you're not.

1 LADY SMITH: 'Douglas', what was your particular running
2 skill? Cross-country? Sprinting?
3 A. Cross-country running, yeah, which I was quite good at.
4 But I soon more or less gave that up. I don't know
5 whether you want --
6 MR BROWN: Yes, I will.
7 LADY SMITH: We can deal with that at an appropriate point.
8 Now, later, whatever.
9 MR BROWN: We'll touch on it now because it's one of the
10 subjects that you do mention. You mention the PE
11 teacher in the senior school.
12 A. Yeah.
13 Q. And his name was?
14 A. IBU [REDACTED], Mr IBU [REDACTED].
15 Q. You make two points about him. We have heard about him
16 in other contexts, and that's not what you're talking
17 about; it's the fact that he was teaching you geography?
18 A. Yeah.
19 Q. And he didn't have apparent --
20 A. No qualifications whatsoever, as far as I was then aware
21 or am aware now.
22 He basically had a formulaic book and he would say:
23 open the book at Brazil, or -- literally, read that bit
24 and then answer the questions at the end. That was the
25 sum total of his teaching.

1 Q. What year was this? Do you remember?

2 A. I guess I was round about 14.

3 Q. Was this at the stage you are in one of the lower
4 streams?

5 A. Yeah.

6 LADY SMITH: So this was in the senior school, 'Douglas'?

7 A. Yes, in the senior school, sorry.

8 MR BROWN: I think that's one of the frustrations you voice
9 because as you say at paragraph 58:

10 "There were teachers who were better than others but
11 they were all teaching the top pupils."

12 A. Yeah, if you were very good at a subject, you go to the
13 best teachers, you were in the best set and what we used
14 to refer to ourselves as, the thickos. If it was, say,
15 chemistry, which to this day I don't understand. You
16 were put in the worst set with the worst teacher.

17 Q. I think -- was that a source of frustration then?

18 A. I remember thinking when I got to, like, 15/16: this is
19 absolutely outrageous. My parents are paying the same
20 as, you know -- and I'm getting a far worse education
21 than other pupils.

22 Q. They're paying the same money as the people in the top
23 sets who, from what you said, are getting the better
24 teachers?

25 A. Yeah. There was such a driving focus on academic

1 achievement. And not everybody, I'm afraid, is
2 academic.

3 Q. No. You talk about your running ability. But
4 I think -- and this is still sticking with the PE
5 teacher -- you set out, at paragraph 67, an episode
6 where your distance, I think, was longer distance?

7 A. Yeah. I was -- as we have said, cross-country,
8 I actually liked cross-country, which is quite rare
9 in -- it was rare then, when I was at school. And I got
10 quite good at it and I can remember running with
11 [REDACTED], who was older than me, whose brother,
12 [REDACTED], was then a very [REDACTED] --

13 Q. Yes.

14 A. So, yeah, I was keen on it. 10,000 metres track and 5,
15 that was my two distances.

16 Q. And that ability lifted you up to some degree within the
17 school?

18 A. Briefly. And then I was entered into a race, quite out
19 of the blue, and I ran the race and stopped early, which
20 sounds stupid, but, you know -- anyway, I did, and
21 Mr [REDACTED] said, you know -- he just shook his said and
22 said: "God almighty."

23 What they were furious about was I was first by
24 a mile, if you like, and then because I stopped too
25 early -- I can't explain why. I thought I'd got to the

1 end of the race, you know? And, yeah, Mr [REDACTED] said,
2 you know -- he never -- that was it, as far as he was
3 concerned. I was never asked to run a race again.

4 Q. I think in the detail of the statement you have
5 reflected and found a document. It was the 1,500 you
6 were asked to --

7 A. I did, yes.

8 Q. You were asked to run a 1,500 at the last minute?

9 A. Yeah.

10 Q. And you ran it --

11 A. He put me in and said: "can you ..."
12 Someone hadn't turned up: "can you do ..."
13 You know. And yeah, I stopped early. I've never
14 forgotten it.

15 Q. But the impact of that thereafter is --

16 A. They weren't interested.

17 Q. In the running?

18 A. No.

19 Q. You had --

20 A. I remember him saying: "oh, well, it's typical, you're
21 a smoker."
22 Because I had been caught smoking a cigarette in the
23 gents, but that was one of his -- that was his reason:
24 you're a smoker, you'll never be any good.

25 Q. And he lost interest?

1 A. Yeah. And with the additional things that had gone on
2 and were going on, I lost interest.

3 Q. With the school?

4 A. With the school in total. With running. I mean, I took
5 it up again in my 20s, late 20s, early 30s. I became
6 quite good. I still run.

7 Q. That was obviously in the senior school?

8 A. Yes.

9 Q. And it caused frustration and your interested waned in
10 the school, full stop. But, from what you're saying,
11 there had been elements before, which had started that
12 process of losing interest; correct?

13 A. Yeah. Very correct, yeah.

14 Q. I think that began in the prep school?

15 A. Yes, it did. Mr Wares.

16 Q. When you go to the prep school, presumably in 196█?

17 A. Yes, it would be approximate, yes, 196█.

18 Q. Couple of years at Denham Green?

19 A. Yeah.

20 Q. And then, 196█, you are into the prep school. Can you
21 remember when you had Mr Wares as a teacher?

22 A. I don't recall that I -- he was my form master. I do
23 recall having classes -- I seem to recall he taught
24 maths and he certainly seemed to -- I don't know how to
25 put this.

1 He certainly seemed to have a great interest in me.

2 Q. Would this be in his own classroom or would he come to
3 your form class; do you remember?

4 A. I don't remember that. But, certainly, you would be in
5 his class and he would find multiple reasons to get me
6 to go up to stand at his desk.

7 Q. What was the purpose of him getting you to come to the
8 desk?

9 A. Well, to look at my incorrect arithmetic or to look at
10 the work I'd done.

11 Q. Again, I appreciate it's a long time ago; roughly what
12 age would you be at this time?

13 A. Eight.

14 Q. What would happen?

15 A. He'd sit in a chair, not so dissimilar to this, and he'd
16 be like that.

17 Q. Lying back?

18 A. Yeah, lying back. He'd have one hand in his pocket. He
19 also looked quite flushed; do you know what I mean?

20 Q. His face was red?

21 A. Yeah. And then he put his hand up your shorts and cup
22 your buttock and press his thumb into my anus.

23 Q. When this happened the first time --

24 A. I don't know. Yeah -- I can't even remember the first
25 time, really, because it just became normal.

1 Q. Did he do anything else?

2 A. Yeah, he touched your genitalia, but this was the action
3 I remember. And you would sort of squirm, obviously,
4 and I think that -- I think he quite liked that, the
5 discomfort that you were ...

6 Q. How long would this last?

7 A. You know, not a long time. I mean, maybe a couple of
8 minutes. But he repeatedly would get me -- I was aware
9 that -- he had a type, freckled face. I think that was
10 his predilection.

11 Q. Would he say anything while this was happening?

12 A. Yeah, I don't really remember. I just remember his face
13 being quite -- he had blonde hair, swept back, blue
14 blazer, gold buttons, a very smart sort of, you know --
15 and I don't remember him saying that much, other than:
16 "oh, well, that's not right" or whatever.

17 But it was extraordinary. And I remember it was
18 a table. It's not like -- it wasn't hidden.

19 Q. What do you mean by, "It wasn't hidden"?

20 A. He wasn't particularly hidden from the rest of the
21 class. The rest of the class are in front. I've been
22 called there and he's busy --

23 Q. Touching?

24 A. Yeah.

25 Q. And his other hand, you said, was in his pocket?

1 A. Well, I don't know what the other hand was doing, but
2 I think one can -- as I've got older, I would imagine --
3 I can imagine what he was doing.

4 Q. But his other hand was in his pocket?

5 A. Yeah.

6 Q. As you recall it?

7 A. He was getting what we would call a "kick" out of it.

8 Q. You've talked about your perception that you were called
9 up more often than others?

10 A. I perceive it like that.

11 Q. But it was happening to others?

12 A. Oh, yeah.

13 Q. And were there other favourites, if I can put it that
14 way?

15 A. I've said I think he went for -- I mean, then I was --
16 you know freckled face and I remember one or two other
17 of my classmates who had a similar look.

18 I don't mean I knew that -- I was thinking that at
19 the time, but I'm looking back, you know.

20 At the time, it's very hard to know -- other than
21 that I felt uncomfortable about it.

22 Q. Did you perceive it was happening to others --

23 A. Oh, yeah.

24 Q. -- as well as you?

25 A. Oh, yes. No, for sure, yeah.

1 Q. Did anyone ever come into the class, other teachers?

2 A. No. That was a thing that never happened, unless there
3 was some utter emergency, like, you know, some pupil's
4 father had been taken to hospital, something like that,
5 which happened to me, actually. You know, then somebody
6 would knock on the door and say: "oh, you need to come."
7 Whatever. But, in general terms, when you were in
8 with the teacher, that was it, the class and him or her.

9 Q. Yes. Did you talk about it at the time, with your
10 classmates?

11 A. I don't think so. I don't think so. You know, it's
12 just hard for -- I'm not going to say something
13 I can't --

14 Q. If you can't remember.

15 A. I can't remember.

16 Q. All right. What about your parents or other teachers?

17 A. I never talked to other teachers about it. There was no
18 person in the school that you could have gone to, like
19 a -- I don't know, you know, from -- the school was
20 devoid of any nurturing or -- you know, it just was --
21 it was a hard, hard place. Very hard, nasty place.

22 But I never talked to my parents. To the day I die
23 I won't know why I didn't, but I didn't. I think in
24 part it was because it became so normalised that
25 I didn't think -- I thought this must be, you know --

1 it's okay.

2 Q. You were, from what you were saying, only eight?

3 A. Yeah.

4 Q. Long before puberty?

5 A. Yeah, yeah.

6 Q. But I think we see from your statement that someone who

7 is a good friend now; was he in your class or was he in

8 a different class at Edinburgh Academy?

9 A. He was in my class for some time. I still know the guy

10 and he ended up moving to another Edinburgh

11 establishment.

12 Q. Fettes?

13 A. Yeah, where he was -- where the abuse continued, shall

14 we say.

15 Q. From?

16 A. Mr Wares.

17 Q. From Mr Wares.

18 A. I think that's when Mr Wares really got into overdrive,

19 from what I can gather.

20 Q. All right. You make the point he also -- he was a young

21 man, fit, and he took sports?

22 A. Yeah, he did. I can see him now in those sort of faded

23 rugby, a sort of purple/blue rugby shorts, faded top,

24 standing there, yeah.

25 Q. I don't think anything happened to you in the changing

1 rooms?

2 A. No, I remember he used to come and stand and watch you
3 in the showers, and when I say "showers", they weren't
4 cubicles.

5 Q. No. Communal showering?

6 A. Yeah. He used to stand there.

7 Q. And watch?

8 A. Yeah.

9 Q. Were you aware of him watching you and your classmates?

10 A. Yeah. I was aware he was watching.

11 Q. But, at the time, did you take anything from that?

12 A. Well, because, as you say, I was eight or approximately
13 eight, you have -- you don't know that something might
14 be going on, because you haven't -- as you stated
15 earlier -- you haven't been through puberty, so you are
16 not aware that this isn't quite normal or quite right.
17 And you're not thinking he's getting -- you know, it's
18 only afterwards that you realise. You know, you look
19 back and I think, yeah, he was, you know, getting his
20 kicks.

21 Q. Yes. Thinking of the junior school, one other aspect
22 we've heard about, these are the times when corporal
23 punishment was used in schools?

24 A. Mm-hmm.

25 Q. Is Wares someone you recall who used corporal punishment

1 or physicality with the pupils?

2 A. I don't recall that. I do not recall him being an avid
3 exponent of corporal punishment. Maybe he was, but what
4 I really recall is the sexual abuse.

5 Q. Yes. But I think you do remember physicality --

6 A. Oh --

7 Q. -- from other teachers in the junior school?

8 A. Yeah.

9 Q. One by experience, the other by reputation; is that
10 fair?

11 A. Yes. I do remember Mr Brownlee.

12 Q. What do you remember of him?

13 A. I was never in his class, so -- but I remember stories.
14 Very violent, very aggressive, wicked temper. I can see
15 his face now. Nasty. Very nasty man. But I never
16 suffered at his hands.

17 LADY SMITH: Are you telling me that was his reputation?

18 A. Oh, absolutely, yeah, yeah. I mean, he was -- in terms
19 of violent behaviour -- and I don't call this
20 chastisement, I would say he had the worst reputation.

21 MR BROWN: He was someone boys did speak about to other
22 boys?

23 A. Yeah, yeah. I mean, I used to think: thank God I'm not
24 in Mr Brownlee's class.

25 However, I was in Mr **IDO**'s class.

1 Q. Tell us about that.

2 A. Well, if you did -- you know, I mean, if you talked he'd
3 bring you out to the front of the class and he -- you
4 know when a rugby player goes to take a conversion kick
5 and there's a run-up and then, you know, he thumps the
6 ball? You would be told to bend over and he would kick
7 you so hard that I used to -- because I was quite light,
8 I used to leave the ground.

9 Q. And would you go forwards or was it -- and fall?

10 A. I never actually -- I don't think I -- I don't recall
11 ever falling, but what I do recall is he kicked me so
12 hard I ended up with blood in my underpants, because he
13 used to use the toe of his shoe.

14 Q. What sort of shoes were they?

15 A. From my memory, they were highly polished, sort of
16 brogue-like shoes.

17 Q. Hard shoes?

18 A. Oh, not trainers.

19 Q. No.

20 A. I mean, I can remember another pupil who used to put
21 a book down his -- the back of his -- to try to --
22 which, of course, as soon as Mr **IDO** saw that ... yeah.
23 He really was unbelievable. And that was not just
24 me, that was --

25 Q. You said if you were talking; what else would trigger

1 that sort of behaviour?

2 A. Yeah, any kind of -- something he might perceive that
3 you had done that he didn't like, he would just --
4 I mean, it was just: "out you come."

5 Q. He would beckon you forward with a finger?

6 A. Yeah, and in front of the class he would boot you.

7 Q. I think you say in the statement he was your teacher,
8 a form teacher?

9 A. Yes, he was.

10 Q. So you had him for a year?

11 A. Yes, I did.

12 Q. How often would this conduct be -- whether to you or
13 others?

14 A. I honestly mean it, it is like the sexual abuse, it was
15 normalised because it happened every day to somebody,
16 I'm not saying to me every day, but it happened. This
17 was not an exceptional: "well, he's really lost it this
18 time" and he's called someone out and he's going to kick
19 them up the backside.

20 It was every day. You were either watching someone
21 being kicked up the backside or you were, you know.

22 Q. Was there any official sanction in terms of corporal
23 punishment that was used commonly in the junior school?

24 A. I don't know. I don't -- I think there was the clacken,
25 which is this wooden --

1 Q. We have seen one, yes.

2 A. Yeah. I mean, that was used. I certainly got -- the
3 other thing I got -- which actually I don't think I even
4 put in my statement -- was the tawse.

5 Q. Which was a belt?

6 A. Yes. That was sanctioned then. So what disturbed me
7 was you have to accept that certain chastisement was
8 allowed then in schools. It wasn't against the law.
9 But I'm talking about kicking people, banging their
10 heads, violence.

11 Q. Yes.

12 A. Not what I would call normal chastisement.

13 LADY SMITH: No.

14 MR BROWN: From your perspective, thinking back to the years
15 you spent at the Academy, is it fair to put it this way:
16 there was chastisement which you wouldn't have thought
17 was untoward; it was simply part of the culture and
18 normal, but there's other violence that goes beyond
19 that?

20 A. It was just normal, you know. But, yeah, what I find
21 completely unacceptable was -- I differentiate being
22 slapped across the wrist or whatever than being booted
23 up the backside so hard that you can't sit down
24 properly, or having your head banged --

25 Q. We'll come to that.

1 A. You know, to me, that's not normal. It's outrageous.

2 LADY SMITH: 'Douglas', don't we also have to think
3 carefully about whether giving the child physical
4 punishment of any sort at all is justified for whatever
5 misdemeanour the child is supposed to have committed?

6 A. I certainly would agree with you. I totally agree with
7 you. But what I'm trying to say is that there was
8 certain chastisement that was actually permitted under
9 the law, so far as I'm aware, back then.

10 I think when that's used on children it's a sign of
11 a lack of -- there are other ways of getting a child to
12 behave.

13 LADY SMITH: There are also occasions where, at that time,
14 some physical punishment may have been justified, but
15 an excessive amount is used or the intention and the
16 manner in which it is used is clearly abusive.

17 A. Yeah. That's a very good point. It was abusive in its
18 intention. It wasn't formal discipline. It was just:
19 I've lost my rag and I am going to abuse you, you know,
20 in a quite violent way.

21 Q. That's the sort of violence you are talking about with
22 Mr [REDACTED] ?

23 A. Yeah.

24 Q. And, reputationally, Mr Brownlee?

25 A. Mr Brownlee, I think, his abuse was on -- sorry to use

1 this term -- on an Olympic scale, but I did not come
2 into contact with him. Or rather, he didn't come into
3 contact with me.

4 Q. For which you are grateful?

5 A. Very.

6 Q. You mentioned getting the clacken --

7 A. Yeah.

8 Q. -- or the tawse; was it both or one?

9 A. I remember the tawse, a cane, a leather strap, but he
10 had a clacken. I remember when I went to the upper
11 school I was taken into the head ephor's office, bent
12 over and, you know, given the clacken. I think it was
13 stopped not long after I moved to the upper school.

14 Q. Right.

15 A. The idea that ephors, prefects, as -- they were called
16 ephors at the Academy, from the Greek. But the idea
17 that prefects could chastise, you know --

18 Q. Beat boys?

19 A. Yeah, yeah.

20 Q. That was still a practice, but it stopped?

21 A. I believe -- you know, and this is from my memory --
22 I think it stopped about a year after I moved up to the
23 upper school or Henderson Row, as it's called.

24 Q. Would that be in the 1970s, at some stage?

25 A. Yes.

1 Q. Do you remember what you had done to merit being beaten
2 by an ephor?

3 A. I can't -- I can't, no. I have tried, but I can't
4 actually remember what it was. But, you know, it didn't
5 have to be something terrible.

6 Q. In the discussion with Lady Smith we have talked about
7 excessive punishment and what might also be called
8 "inappropriate" punishment, which might amount to abuse.

9 A. Yes.

10 Q. Can you remember your sense of where it fell in the
11 range of ...?

12 A. Just over the top. Yeah, the chastisement, the abuse,
13 the violence was totally over the top. I mean, you
14 know, it didn't really relate to what you might have
15 done.

16 Q. No.

17 A. I mean, does having a piece of chalk thrown at you at
18 great speed, a board duster thrown at you; is this
19 normal?

20 Q. Okay. But thinking particularly of the episode with the
21 ephors; how many strikes do you remember getting with
22 a clacken?

23 A. I think it was six, but I honestly don't remember, you
24 know. I just remember, once again, not being able to
25 sit down very well. And --

1 Q. Where was that punishment delivered?

2 A. In the ephors' room, which was next to the rector's
3 office. I can see it now. If you look at the front of
4 the school, in the corner is the rector's office. And
5 there was a room just beside his office, which was like
6 the prefects' -- the head prefect's, his own place.

7 LADY SMITH: 'Douglas', I've heard that the ephors were not
8 supervised by any member of staff when they were beating
9 younger boys; is that your recollection, too?

10 A. Yeah, I don't think they had to discuss it with other --
11 you know, and say: "look, I'm going to beat IPJ [REDACTED]
12 because he --" whatever. No, I don't think -- yeah,
13 I think that's correct. I don't think it was ever
14 sanctioned by a teacher.

15 LADY SMITH: The impression I have from other witnesses is
16 the ephors had a wide discretion, they didn't have to
17 check with a member of staff about beating a boy, and
18 recording of the punishments wasn't something that the
19 boy who was being beaten would see being done, but maybe
20 it was done, a bit?

21 A. I don't know. I had no -- I don't have any recollection
22 of it being noted in a book. What I do remember is that
23 certain ephors would pick on -- they'd pick on someone
24 because they didn't like -- you know.

25 LADY SMITH: Did you ever hear of anything called the "beat

1 book"?

2 A. No.

3 LADY SMITH: Mr Brown.

4 MR BROWN: Thank you.

5 You have talked in a general sense about violence?

6 A. Yeah.

7 Q. We'll come to specific recollections in the senior
8 school of violence and sexual abuse.

9 But, just thinking about the culture once you've
10 gone to the senior school, junior school there are
11 violent teachers; was there a culture of violence in the
12 senior school in a broad sense --

13 A. Totally.

14 Q. -- between pupils, from teachers?

15 A. Yeah. I can remember a teacher who was known as "Hitler
16 [REDACTED]". That kind of gives you a clue as to his kind
17 of -- [REDACTED], Mr [REDACTED]. Mr [REDACTED], he was
18 extremely dangerous. He should never have been anywhere
19 near children.

20 Q. You talk about him on page 21; and he was a [REDACTED]
21 teacher, I think?

22 A. Yeah, yes.

23 Q. You have made mention of your head being hit on to the
24 lid of a wooden desk; this is him?

25 A. He would love to come up behind you and he'd get his

1 hand and he'd -- so you weren't aware -- well, you would
2 be aware he was coming up the row behind you, and you'd
3 think: who's he going to hit?

4 And then it would be you. And he'd just hit the
5 back of your head so hard, and at one time he
6 actually -- I can't actually remember if he got my hair
7 and pulled my head down on to the desk, but I remember
8 my head being slammed on to the desk and you know that
9 point where -- I saw stars. It was huge force. And he
10 hated me. But I don't think he -- I think he hated
11 everybody.

12 He had a vile face. Drawn. I can see him now. He
13 was an utter disgrace. I don't know how -- what gets me
14 is apparently the Edinburgh Academy, the rector, the
15 people who ran that school, the board -- they just knew
16 nothing about any of this.

17 Q. This would be taking place, just as with Wares in
18 a classroom?

19 A. Yeah. I remember, it wasn't just me, but I had -- yeah,
20 he was unbelievable. Unbelievable.

21 Q. Did anyone speak up? Did it occur to you to speak up?

22 A. No, I'll tell you what happened. We just became more
23 and more rebellious. I think that was the real -- it's
24 funny, it actually only really occurred to me quite
25 recently. We just became worse.

1 Q. What do you mean by "worse"?

2 A. I mean that it had the exact reverse effect of what you
3 might have thought, that you would never again do
4 whatever you had -- had caused you to be attacked or
5 beaten or whatever.

6 No, I think you go through, as a young boy, when you
7 get to 14/15 and some not, but, yeah, I had a propensity
8 to be a bit difficult on occasions. I can see that.
9 I don't mean I was, you know, bad the whole time. But,
10 yeah, definitely. But it made it worse.

11 I can think of a group of us and we just got worse
12 and worse. I remember one of the teachers saying,
13 "You're the worst year we've ever had at this school",
14 and I remember thinking, "Well, yeah, I'm not surprised.
15 Look at what we've ..." you know.

16 LADY SMITH: Going back to Mr IDT [REDACTED], he was a [REDACTED]
17 teacher; is that right?

18 A. Yeah, that's how I remember him, as being a [REDACTED]
19 teacher.

20 LADY SMITH: Did I pick up that [REDACTED] wasn't exactly your
21 favourite subject?

22 A. No. You know, I'm not suggesting that I would ever have
23 been a great [REDACTED] for one second, but I would
24 certainly say that having encountered Mr Wares and also
25 Mr IDT [REDACTED], yeah, it didn't improve my chances. In fact,

1 I wasn't allowed to sit [REDACTED] O Level.

2 LADY SMITH: Going back to IDT [REDACTED], I was just wondering
3 whether you felt that his treatment of you was in some
4 way related to the fact that he didn't like that you
5 weren't good at [REDACTED].

6 A. That is possible. I don't know. I think he was very
7 continually -- he had this face -- a face that had never
8 smiled, was how I would put it. And he -- I just don't
9 think he was in the right job, to put it bluntly.

10 LADY SMITH: Thank you.

11 MR BROWN: The other teacher you have mentioned is
12 Mr IDZ [REDACTED].

13 A. Yeah.

14 Q. Did he teach you?

15 A. No.

16 Q. So --

17 A. I was aware of his behaviour because my younger brother,
18 [REDACTED], he was in -- yeah.

19 Q. And there was an episode where your brother's shirt was
20 torn by the teacher?

21 A. Yeah, he got so violent with my youngest brother that
22 he, you know, ripped his shirt and, of course, you know,
23 when he went home my father said: "what the -- what's
24 going on? Have you had a fight?"

25 He said: "no, a teacher did this."

1 So my father did take off. I mean in terms of he
2 said that's not acceptable.

3 Q. He contacted the school?

4 A. Oh, yeah. He wrote to them.

5 Q. What was the response; do you remember?

6 A. He wrote to them, saying: "you need to pay for
7 a replacement shirt."

8 And my memory serves -- excuse me, if my memory
9 serves me right, and I'm 99 per cent certain, the school
10 did provide funds for another shirt.

11 But Mr IDZ was still there. You know, today,
12 I would imagine if a teacher -- again, this is a violent
13 act, out-of-control temper, they'd be removed or
14 something would have happened.

15 Q. There would be an investigation.

16 A. Yeah, exactly. So I do remember that. But, you know --
17 then I was banned from -- I was told by Mr IDZ :
18 "you're not to speak to your brother while you're at
19 school."

20 Q. Why on earth would he do that?

21 A. Well, because he perceived that I was a bad influence on
22 him. You know, I don't know.

23 Q. All right.

24 A. But I do remember being banned from talking to my
25 brother which ...

1 Q. That's the violence of Edinburgh Academy, as set out in
2 your statement. But you do mention one final teacher,
3 and that's Hamish Dawson?

4 A. Yeah.

5 Q. You have talked about the quality of the teachers, if
6 you were in the lower streams, being poor?

7 A. Yeah.

8 Q. What about history; was that something you were good at?
9 Because the picture we have is he was higher stream.

10 A. Yeah. I was very -- I loved history. I'm involved in
11 a world where -- and, yeah, he removed any interest
12 I had, at that stage.

13 Q. How did he do that?

14 A. He abused me. I think he was probably the most evil of
15 the lot. Well, him and Wares. But he -- I can remember
16 he used to have a jar of Jelly Babies on his -- I recall
17 that he had a podium. I don't know, maybe a foot high,
18 and then sitting on top of that was this big
19 old-fashioned desk and he sat on a high stool with
20 a back to it. Or maybe it didn't have a back to it.
21 I seem to think it did.

22 He used to put me over his knee, pull my shirt out,
23 tickle me, touch my genitals, and he used to say: "oh,
24 look at this, oodles and oodles of pink tickly IPJ ██████████."

25 And then when he'd finished doing that, he used to

1 stand you there and say: "tell me, IPJ, does your
2 mother ever look at you and burst into tears?"
3 To which I would reply: "no, sir."
4 And he would then say: "well, she's a saint."
5 Q. And you felt?
6 A. I didn't know what -- just numb.
7 Q. What had got you to be across his knee in the first
8 place?
9 A. He used the idea that you would take your work up to,
10 you know -- for him to look at and he would -- that was
11 the way it operated. A bit like Mr Wares.
12 LADY SMITH: Are you okay, 'Douglas'? Do you want a break?
13 A. No, no, I'm fine. Thank you.
14 LADY SMITH: Just say. Take your time.
15 MR BROWN: You were in his class for one year?
16 A. I know I had history with him. I can't remember exactly
17 how much contact I had. But, when I was in his class,
18 yeah, he seemed to have an attachment towards me, if you
19 want to put it that way.
20 Q. But was this happening to others in the class, too?
21 A. Oh, yeah, yes: you knew if someone went up to see him.
22 I mean, you could see he would put them across his knee
23 and abuse them. Well, you couldn't -- but you could
24 see the legs and the head.
25 Q. And what was the mood of the class? Was this --

1 A. I think, actually, almost: don't look.
2 It certainly got talked about. I do remember -- you
3 know, I mean --
4 Q. But the manner in which --
5 A. And the school knew, the school knew what he was doing.
6 Q. How so?
7 A. Because there were people who reported it.
8 Q. All right.
9 A. The Edinburgh Academy has -- I mean, I must just say
10 this because I think it's important: ICH ██████, who was
11 rector at the Edinburgh Academy, who had, by my -- from
12 my memory, had an incredible war record, was a very
13 damaged man and I don't think was a fit person to be
14 running an organisation such as a school.
15 Q. Why do you say that?
16 A. Because he wasn't right. I mean, I don't know if
17 anyone's mentioned this before, but he used to fall
18 asleep during morning assembly. He was always doing
19 this, and I think he suffered from some, you know,
20 mental problem.
21 Q. All right. Did you have much dealings with Mr ██████?
22 A. No, you didn't want to have any dealings with him at
23 all. You know, to my embarrassment, as someone who --
24 I remember he once asked me to -- I -- someone was sent
25 to the class to get me to go there and there was

1 a prefect in the room and I was wearing the tweed
2 jacket, which you wore in the upper school, and I had
3 ten No 6 cigarettes in my pocket and some matches in the
4 other pocket. I don't smoke today, thank God, but --
5 and he said, you know, with his hand going all over his
6 face and looking really weird, he said, "[PJ ██████], do you
7 have any smoking materials with you?" and I stood there
8 and went, "No, sir".

9 And then the prefect came up and went -- and I just
10 turned round and said, "Oh, my God, how did those get
11 there?"

12 Q. What did Mr [CH ██████] do?

13 A. He -- I think he spoke to my father about it.

14 Q. But he didn't, for example, beat you or anything like
15 that?

16 A. No, he didn't, to be fair. But I fully expected --
17 I think he sent me out for a haircut, which was his
18 favourite -- that was the one time he would get in touch
19 with you. If your hair was over your collar, he used to
20 go, "Right", and send you round to a barber round the
21 corner, who was literally paid by the Edinburgh Academy
22 to shear you.

23 Q. But I think, from what you've said, by the stage you are
24 at in the senior school, we have talked about the
25 teachers who you recollect for violence or sexual abuse,

1 but you'd lost interest, to go back to something you
2 said earlier in your evidence, and you wanted out.

3 A. I wanted to get out of that school as fast as I could.
4 I hated it.

5 Nobody was interested in me. I'd lost all interest
6 in the place. I felt bad because the fees were still
7 being paid and, you know, it sounds like little money
8 today, but it was a lot of money.

9 And, yeah, I mean, when I -- I remember having a
10 careers meeting, "So, [PJ] which university do you
11 want to go to?" I said, "I don't really want to go to
12 university". "Cheerio then, off you go. Out you go",
13 didn't even ask what I wanted to do.

14 Q. You didn't fit the mould?

15 A. Yeah, I mean, you know not everybody -- you know, there
16 are people who want to go into business and there are
17 people who want to do this and do that. And the
18 Edinburgh Academy, the idea that you didn't want to go
19 to university, they just weren't interested.

20 Q. So you left?

21 A. Yes. I mean, I begged to be able to leave at 16, but my
22 father said: "no, you've got to do your Highers."

23 So I did and I left. And he was right in terms
24 of -- I mean, I wasn't being -- just before I was 17,
25 I wasn't being physically and sexually abused.

1 That all happened earlier on.

2 Q. Yes.

3 A. Yeah, I hated the place. I still have nightmares about

4 the place.

5 Q. Indeed.

6 A. That I'm never allowed to leave. About once or twice

7 a year, I'll have that real -- cold sweats. The place

8 was unbelievable. Unbelievable.

9 And the fact that Mr Wares was able to move

10 seamlessly on to Fettes is just beyond comprehension.

11 Q. Is it the same nightmare?

12 A. Yeah.

13 Q. What happens, if you can share?

14 A. Basically, it is, "You've got to stay another year", and

15 I'm saying, but -- it sounds ridiculous, "But

16 I'm 60-whatever, I can't say another year. I've got to

17 go", and then I wake up and I'm -- yeah, yeah. Not

18 regularly. Maybe once or twice a year I have that.

19 Q. All right. As we know from the statement, you ended up

20 in the same business as your father?

21 A. Yeah. I did, which I still am.

22 Q. But you've talked about how the Academy experience is

23 still with you, with nightmares; how else has it

24 impacted over your life?

25 A. In ways that you would not really be able to maybe

1 imagine, unless -- I've had serious issues with alcohol.
2 I've had anger -- yeah, anger issues. Relationships.
3 I've never married. I've never had children. I don't
4 even like to be touched, really.

5 I live on my own.

6 Q. What about trust?

7 A. I'm not very good with that, no.

8 (Pause)

9 The sexual abuse has affected my entire life.
10 There's no question about that. But I think it takes
11 time for you to realise that the way you've behaved in
12 situations stems -- you know what I mean? You know.

13 Q. You have now talked about things. You have spoken to
14 the police?

15 A. Yes, I have, yeah.

16 Q. And you engaged with the Inquiry.

17 A. Yeah.

18 Q. Did you ever tell your parents?

19 A. No. No, I didn't, no.

20 Q. Can you tell us why not?

21 A. I -- it's very hard. I've asked myself the question:
22 why didn't you ...

23 Well, I think -- I just think that I thought at the
24 time that my father and mother were so proud of me in my
25 uniform and they thought they were doing the right

1 thing. And it sounds ridiculous, but I didn't want to
2 smash that illusion. And then also they were working so
3 hard to make the money, you know, to pay the fees.

4 I would never have engaged in any of this if either
5 of my parents would have been alive. My mother died
6 a couple of years ago from dementia, so ... it would
7 have destroyed them.

8 Q. So you were protecting them?

9 A. I suppose, in a funny kind of way, yeah. I didn't think
10 of it like that, but it would have utterly destroyed
11 them.

12 Q. And looking ahead; what do you want to see?

13 A. I've said this a few times during the process and --
14 I would like to see that -- and I'm sure schools do
15 today, although having had no children I don't know
16 this. But that they have someone who encourages pupils
17 to go to -- that they can talk to. That teachers are
18 very, very carefully vetted and that unlike Mr Wares,
19 who went for treatment for his issues of being
20 a paedophile, which the school knew about, he didn't --
21 they don't then get a glowing reference to go and work
22 at another school, and then bash on to South Africa to
23 work in a school there and carry on.

24 So if by my doing what I'm doing it makes it more
25 difficult for these people to come into contact with

1 children, then I think that would be a success.

2 Q. You said, when we spoke -- this is perhaps referring
3 back to teachers being allowed to progress:

4 "Evil triumphs when good looks the other way."

5 A. Yes. I can't remember whether I read it somewhere, but
6 I thought it epitomises the period I, you know, had at
7 the Edinburgh Academy.

8 Yeah, evil triumphs when good looks the other way.
9 And I do believe that the school, you know, they
10 weren't -- I mean, when I hear -- have heard of what
11 went on at the boarding houses, with both Mr Wares and
12 Mr Dawson, I mean ... you know, thank God I didn't board
13 there.

14 Q. 'Douglas', I have no further questions. Is there
15 anything you would wish to add?

16 A. I don't think so. I hope I haven't been too
17 long-winded, but I think -- yeah, I don't think I have
18 anything more to say.

19 Q. Thank you.

20 A. Thank you.

21 LADY SMITH: 'Douglas', thank you so much, both for your
22 written statement, which is detailed and obviously is
23 part of your evidence, but for feeling able to come
24 along today and talk about what happened in your life as
25 the child you once were at the Edinburgh Academy.

1 Thank you for helping me see it through that child's
2 eyes, which you have done so adeptly.

3 I can see it's taken a lot out of you to be here and
4 I must thank you also for being prepared to do that.
5 You have contributed valuable material to this Inquiry
6 by doing so.

7 A. Thank you.

8 LADY SMITH: I'm now able to let you go. I suspect that
9 will be quite a relief for you. Thank you.

10 A. Thank you.

11 (The witness withdrew)

12 LADY SMITH: Can I just mention a few names, Mr [ICL],
13 Mr [IDZ] and Mr [IDT], all of whom are covered by my
14 General Restriction Order. Also 'Douglas's' younger
15 brother, he used his first name and he also used his own
16 surname. These are, in addition, names that cannot be
17 repeated outside this room. Please bear that in mind.

18 We can take the morning break just now, Mr Brown;
19 yes?

20 MR BROWN: That would be ideal.

21 LADY SMITH: We'll sit again by 11.45 for the next witness,
22 please.

23 (11.19 am)

24 (A short break)

25 (11.44 am)

1 LADY SMITH: Mr Brown.

2 MR BROWN: My Lady, the next witness is 'David'.

3 LADY SMITH: Thank you.

4 'David' (sworn)

5 LADY SMITH: As you can see, that red folder has your
6 statement in it, the typed version. Feel free to use it
7 if you find it helpful, 'David'. Andrew might take you
8 to it in a moment, just to check a couple of things in
9 it.

10 Otherwise, will you let me know if there's anything
11 you would ask for to help making the whole process of
12 giving evidence as comfortable as it can be. I know
13 it's not a particularly welcome experience to do what
14 you've agreed to come along and do here today, but don't
15 hesitate to speak up if there's something that would
16 assist, whether it's a break, a pause, or explaining
17 something better than we're already doing.

18 A. Okay. Thank you.

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

21 Questions from Mr Brown

22 MR BROWN: My Lady, thank you.

23 'David' hello again.

24 You have the statement?

25 A. Yes.

1 Q. It has a reference number WIT-1-000001275 and it runs,
2 as we see, to 36 pages; the last one containing your
3 signature and a date earlier this year?

4 A. Yes.

5 Q. That last page also contains the paragraph:
6 "I have no objection to my witness statement being
7 published as part of the evidence to the Inquiry.
8 I believe the facts stated in this witness statement are
9 true."
10 That remains correct?

11 A. It does, yes.

12 Q. The statement obviously contains much detail, which we
13 have read, will read again, and we don't need to go over
14 all of it. We'll just talk about some particular
15 subjects.

16 A. Mm-hmm.

17 Q. You follow that?

18 A. Yeah.

19 Q. In terms of background, the statement reveals that you
20 were brought up by your parents and siblings?

21 A. Yes.

22 Q. And your father's job, we read, involved him moving
23 about a bit, like being in the forces; he wasn't?

24 A. No.

25 Q. You say that had impacted on your brother's education,

1 because it -- had been disjointed?

2 A. Yes, my brother and my sister had moved every two,
3 three, four, five years, so their education was all over
4 the place. And at that stage of my father's work he
5 would be moving on again and he wanted me to be in
6 an environment where I wouldn't be moved on. So his
7 plan for me, really, was that I would go to the
8 Edinburgh Academy and I would remain there for the rest
9 of my education. That was his plan.

10 Q. It was done with the best will in the world?

11 A. Yeah, yeah.

12 Q. And you were to be a boarder?

13 A. That's right.

14 Q. We know that you spent the first three years at the
15 local primary school; that was okay, I take it?

16 A. That was great. It was a village primary school and it
17 was -- yeah, it was absolutely fantastic. No problems
18 there at all.

19 Q. Happy memories?

20 A. Happy. Very happy.

21 Q. Just out of interest, this is in central Scotland, in
22 the early 1970s; was corporal punishment a thing in the
23 primary school?

24 A. Not that I remember, no. There was one teacher there
25 that used to shout a lot, but not corporal punishment,

1 no.

2 MR BROWN: All right.

3 LADY SMITH: You were there until you were about eight or
4 nine-years old; is that right?

5 A. Yes.

6 MR BROWN: I think you started Edinburgh Academy a little
7 later than some, perhaps, after the Christmas break.

8 A. That's -- I can't remember -- I remember I was eight
9 when I started. But, by that, I mean I was in my eighth
10 year, year of being eight, if that makes sense?

11 Q. Sure.

12 A. But I fear -- I've not seen my school records, I haven't
13 asked for them. But I believe that I did not start at
14 the beginning of an academic year. I believe that
15 I started part way through it.

16 Q. It would be 197█ or, perhaps more likely, 197█?

17 A. 197█ to 197█.

18 Q. You remain at the Academy until 197█?

19 A. Yeah.

20 Q. We'll talk about -- there is a transition of the last
21 year because you become a day boy?

22 A. That's right.

23 Q. Then you move school altogether?

24 A. Then we move altogether.

25 Q. We'll discuss that.

1 A. Yes.

2 Q. All right. Can you remember: the Edinburgh Academy is
3 selected for you; what sentiment did you have before you
4 started? Were you enthusiastic?

5 A. I think I found the whole process quite bewildering, to
6 be honest. My parents were out looking for a boarding
7 school for me. As I say, in my statement, I remember we
8 went to look at one near Stirling. I couldn't possibly
9 tell you the name of it. I just found the whole
10 environment quite bizarre. Walking into a classroom
11 where everybody stood up, I just found that bizarre
12 because that's not what happened in a village primary
13 school.

14 And then the next thing I know is that I'm at the
15 Edinburgh Academy. That was it.

16 Q. We'll talk about specific things in due course, but if
17 we can begin just with some generalities and
18 observations.

19 Was there any introduction to the boarding house,
20 which we understand would be Dundas?

21 A. Not that I can remember.

22 Q. No. The housemaster was a man called Brownlee?

23 A. That's right.

24 Q. We'll come back to him. But was any particular effort
25 made to integrate you into the house?

1 A. No.

2 Q. Your classmates?

3 A. No.

4 Q. Your room mates?

5 A. No.

6 Q. Okay. The one thing I think you do remember is, on the
7 first day, your tie was --

8 A. I remember -- yeah, in terms of -- I suppose that was my
9 introduction -- was that my tie was taken and it was
10 thrown around, as kids do, from boy to boy. And I was
11 trying to get it and it was being passed to the next
12 one, and I got upset and I went to Mr Brownlee and said
13 that this had happened, and that's a lesson I learnt in
14 boarding school life that lasted me the rest of my
15 days -- is that you don't tell tales.

16 Q. What was the lesson? What did he say?

17 A. I can't remember what he said, but I know I got my tie
18 back. But it impacted upon the relationship that I had
19 with my fellow pupils.

20 Q. So is the lesson learned from the pupils or from
21 Mr Brownlee?

22 A. From the pupils.

23 Q. Right. That's not the done thing?

24 A. Yeah. It's boarding school etiquette, yes.

25 Q. Yes. And that was something that you carried with you

1 for the rest of your education?

2 A. Very much so, yes.

3 Q. I think, by the same token, you talk about going into

4 the junior school, which is a walk away and, again,

5 coming from a country primary school, you talk about

6 being asked by a teacher your name and you give your

7 first name?

8 A. That's right.

9 Q. And that is met with incredulity?

10 A. I will never forget that. I was very, very homesick.

11 I think that's the reason why I believe I started later

12 than the others because the people around me were not.

13 I remember I was just incredibly homesick and crying

14 all the time. And this teacher -- I had gone into this

15 lesson and the teacher had asked me, or wanted to talk

16 to me about why I was crying, I suppose. And I stood up

17 and he asked me my name and I gave him my Christian

18 name, and he then said: "that is not your name while you

19 are here. Your name is your surname."

20 And that was just like -- I was eight years old, you

21 know? It was like: bloody hell, what's all that about?

22 Q. And you were crying?

23 A. And I was crying. And that was really my introduction

24 to it.

25 Q. There was no compassion?

1 A. No, none at all. It was cold.

2 Q. Is that your memory of both junior school and house?

3 A. Very much so. It was a cold, unwelcoming, almost
4 callous environment. It wasn't -- it was not what you
5 might term "child friendly", put it that way.

6 Q. Just to be clear: are we speaking about house or junior
7 school, or both?

8 A. Both.

9 Q. Both.

10 A. Because the experiences that I had crossed both.

11 Q. Yes. Now, I think we read that you then became ill, so
12 a fair proportion of your time that you would have spent
13 in Dundas was actually spent getting treated?

14 A. Yeah. Unfortunately, I had a kidney issue, which
15 resulted in me going into the Western General Hospital,
16 which sort of impacted upon the level of activity that
17 I could get involve in at the school. Probably
18 1975/76/77 was probably the worst time, but, yeah.

19 Q. That meant you couldn't do rugby?

20 A. I couldn't do physical education. I couldn't do rugby.
21 I couldn't do PE, in the true sense of the word.

22 Q. Did that have any adverse impact on you from either
23 staff or teachers?

24 A. Not that I can recall, not that I can recall. I'll be
25 honest with you, I was very -- I was a very insular

1 person. I still am, really. If I can get away with not
2 engaging with people now or then, I tended to do that.
3 And particularly at Mackenzie House, I just wanted to
4 spend all my time being left alone in the modelling room
5 and making models. That was it.

6 Q. But I think from what you're saying, and we can read at
7 paragraph 22, and this is thinking about Dundas and the
8 junior school:

9 "I was very good and that really is my memory of
10 starting at the Academy."

11 You learnt quickly not to do things like telling on
12 pupils?

13 A. I mean, yes. I think there's two parts to it. In terms
14 of relations with pupils, you learnt you don't tell
15 tales. You don't tell on people.

16 In terms of living in the boarding house itself,
17 I remember very early on -- and I've said it in the
18 statement -- that -- and it's an expression that was
19 given to me, not an expression I could ever have made
20 up, was that if you were bad, then you received the
21 clacken. And it was -- as I've said in here, the
22 expression was "as a bacon slicer", the idea being that
23 the clacken came down vertically, not to leave a mark.
24 That is what I was told.

25 Now, when you're eight years old and somebody tells

1 you something like that, it puts the fear of God into
2 you and that was what I lived with.

3 Q. I think, reading the totality of the statement, you
4 would get six of the clacken?

5 A. Yeah.

6 Q. And it would be used as a bacon slicer?

7 A. That's right.

8 Q. Who was going to do this bacon slicing?

9 A. Mr Brownlee.

10 Q. Just to be clear: is this house? Class? Both?

11 A. That was said to me in the context of the house.

12 Q. Right. Did you see the clacken being used in the house?

13 A. No, I didn't.

14 Q. But we actually have a picture of you just keeping
15 yourself to yourself?

16 A. I was aware -- I say "I was aware", other boys told me
17 they had received the clacken. I did not receive the
18 clacken, but the fear of it was enough for me.

19 Q. Yes. And how would you say for the time you are
20 receiving treatment sum up the two years in Dundas?

21 A. I was just miserable. I didn't enjoy it at all.

22 Q. You then progress to Mackenzie House?

23 A. Yeah.

24 Q. And this is going up into the senior school; is that
25 correct? Would you be in the Geits?

1 A. Do you know, this expression "Geits", I can't remember
2 what it means at all.

3 Q. I think we understand that would be up to primary 6 in
4 the junior school and, effectively, there is
5 a transition year, the Geits, and then senior 2?

6 A. Right, okay.

7 Q. So a year in the ordinary school calendar would be lost?

8 A. Right, okay.

9 Q. Does that ring bells?

10 A. No.

11 LADY SMITH: 'David', I think some would suggest that it's
12 derived from old Scots for "little ones", because you
13 are little in the big school when you go into Geits,
14 possibly.

15 A. Right. Okay.

16 LADY SMITH: Probably.

17 A. It's certainly not an expression that's used down south,
18 that's for sure.

19 MR BROWN: No.

20 But was the move to Mackenzie, from your
21 perspective, seen as a positive one; you were getting
22 away from something?

23 A. No, it was more a transfer of misery, to be perfectly
24 honest with you.

25 Q. Is that with hindsight or at the time did you have

1 a sense it was going to be miserable?

2 A. I just didn't want to be in boarding school. That's --

3 but, you know, when you're that age and that's what your

4 parents want you to do, then you have to make the best

5 of it and that's what I did.

6 Q. It's clear, from what you say in the statement and from

7 what you know, that you were isolated, out of choice

8 perhaps. You say, if you could, you would go to the

9 model room and just be on your own; but you were working

10 hard?

11 A. Yeah.

12 Q. And succeeding?

13 A. Aha. I mean, it was 1976. July 1976, I got [REDACTED]

14 prize because I was just -- that's what I was focused

15 on, just working hard.

16 Q. And presumably that went down well at home?

17 A. Very well.

18 Q. Thinking of the move to Mackenzie House, we understand

19 it's a bigger house, more boys; is that correct?

20 A. Yes.

21 Q. And the housemaster is?

22 A. Hamish Dawson.

23 Q. Hamish Dawson. You have been told in Dundas and the

24 prep school of Brownlee's reputation; did you have any

25 sense of Hamish Dawson's reputation?

1 A. No. That was not told to me at the time that I moved to
2 Mackenzie House. That was something that I learnt and
3 experienced. It was not something that was said to me.

4 Q. All right. We'll come back to the detail of that.

5 But, looking broadly at your time at school, and
6 we'll come to unhappiness, some things you quite liked;
7 getting out on Saturdays going to the museum?

8 A. Yeah, because I was getting out of the house. Because
9 I was getting out of the confines of the school.

10 Q. Yeah. Also, going away, the school had a cottage?

11 A. Yeah.

12 Q. That was fun, too?

13 A. That was okay.

14 Q. Is it the same factor, though, you are away from --

15 A. Away from the environment.

16 There was still the same feeling of dread, returning
17 to the environment. I mean, if I -- this may sound
18 strange, but we lived in central Scotland and I used to
19 go home at holidays or weekends and, as we approached
20 Edinburgh, my sister used to drive me back, and as we
21 came down the motorway -- I think it was the M9 -- but
22 the closer we got to Edinburgh the more dread I felt,
23 until it reached the point where you turned into the
24 road where the boarding houses were and it was stomach
25 churning.

1 And do you know what? I can honestly say I haven't
2 experienced that since I left until yesterday when we
3 drove -- when we were flying into Edinburgh.

4 For one fleeting moment, as we came into Edinburgh
5 Airport, I had that feeling again because I was coming
6 back to Edinburgh. But that's how I felt.

7 So, when we were away, you know, whether I was out
8 of the school in the museum or wherever I was, or up in
9 the cottage in the Highlands, I was away from the
10 school. I was away from those boarding houses. So
11 those were okay. That was okay for me.

12 Q. I think going back, as we see in the statement, even
13 from home -- and this is going back to your time in
14 Dundas when I think you're eight -- at one stage, you
15 ran away from home to avoid being taken to school?

16 A. Yes, to avoid being taken back to school. That's right.

17 Q. You cycled off and hid in woods?

18 A. That's it, yes. Somewhere near Falkirk.

19 Q. But you were returned?

20 A. Sadly so, yes.

21 Q. Did that have an impact on your relationship with your
22 parents; that they were doing this to you?

23 A. No. No, not really. I think nothing was really said.
24 I don't even think my father ever knew I'd run away like
25 that, to be honest, because my mother was the one that

1 dealt with it and my brother was the one that went and
2 got my bits and pieces back.

3 Q. So we have an image of unhappiness because you're
4 boarding and any pleasure away from it is just that,
5 it's different? It's a pleasure?

6 A. Yeah.

7 Q. All right. I think in fairness, from your statement,
8 you are quite clear, apart from the tie episode, you
9 don't remember issues with other boys?

10 A. Not me, no.

11 Q. No.

12 A. No. I just kept myself to myself, head down, get on
13 with it.

14 Q. Yeah. The problems were with adults?

15 A. Yes. With those that should have been looking after me.

16 Q. Yes. And you have talked about the fear of Brownlee,
17 but that's perception, rather than physical contact?

18 A. For me, yeah.

19 Q. For you. Oh, absolutely.

20 But then we come to Mackenzie, and you move into
21 bigger house, with a range of older boys, I think, until
22 they move into the two senior houses?

23 A. Yeah.

24 Q. Was the move into Mackenzie House any more welcoming
25 than going to Dundas?

1 A. I don't think so. I would be brutally honest with you,
2 I can't remember. I think you just probably turned up
3 there with a good old trunk and were dropped off and you
4 got on with it.

5 Q. Once you were in the house, speaking with a new
6 collection, your own year group, but other boys; did you
7 then get a sense that you were in a house where odd
8 things happened?

9 A. Not that I can recall. No, not at the time.

10 Q. When did that first become apparent to you?

11 A. I think the first -- I can't give a timeline. But --
12 well, first of all, Hamish Dawson decided that he would
13 have a pet name for me, because I have Welsh names. He
14 would -- decided that I would be called [REDACTED]. He
15 thought that was quite funny. He's the only person who
16 has ever addressed me as such, but I came -- it was
17 a bit creepy, but I became his "Little [REDACTED]". So if
18 he saw me in the house, that's how he'd address me. He
19 wouldn't address me by my name. That was me.

20 Q. Did he do that to the other pupils?

21 A. No, not that I remember. But that's how he addressed
22 me.

23 And then I think, as time went on, this sort of
24 situation arose whereby he would sort of engineer
25 situations. He was a very -- he was always around and

1 he was -- he would tickle you and he was quite sort of
2 tactile. And when you were getting changed for bed and
3 in the dormitories, he was always about.

4 But the main thing is -- for me, is that he would
5 wait at the back of the boarding house and if you
6 were -- he would make a reason. If you were late back,
7 or if you had not taken a coat and it had been raining,
8 then you were sent to the shower room, downstairs.

9 So that's really what started with me, in my memory.

10 Q. When this happened, would this be you as an individual
11 or could it be you, collectively, if there were a group
12 of you?

13 A. It would be me and others.

14 Q. Right. And the shower room is in the basement?

15 A. Yes.

16 Q. Communal showering?

17 A. Yeah.

18 Q. And he would direct you there?

19 A. He would direct you there, and you would strip off and
20 stand along the wall. And he would stand in the corner
21 and you had to -- well, basically, when it was your
22 turn, you stood under the shower, which was a cold
23 shower. You were stark naked and he would make you
24 recite a poem. It tended to be Twinkle Twinkle Little
25 Star and, whilst you were reciting that poem, you had to

1 turn around, revolve around.

2 So if I just show you --

3 Q. Please do.

4 A. -- you were literally stood up, you had to keep your
5 hands out and your legs apart, so you couldn't cover
6 your private parts up, and you had to turn around like
7 this whilst reciting Twinkle Twinkle Little Star, whilst
8 he stood there and watched you.

9 Q. The same process would then be repeated with the next
10 boy?

11 A. Yeah.

12 Q. And then the next?

13 A. Yeah. There could be seven or eight of you down there.

14 Q. The first time this happened; can you remember what you
15 thought?

16 A. I just thought it was weird. I couldn't understand why
17 anybody would want do that. I just thought it was just
18 weird. I was nine or ten years old. I mean, it was
19 just weird. Creepy.

20 Q. What other emotion do you remember?

21 A. As time went on -- because it didn't just happen the
22 once. It happened on, you know, on more than one --
23 numerous occasions over a couple of years, and you just
24 sort of knew what was coming. As you got older, you
25 just thought, "This is just sick", you know?

1 I tell you what's really sad, is the fact that my
2 wife and I have a baby, he's two years old, and she
3 sings Twinkle Twinkle Little Star at him and it turns
4 me. She knows why, but I can't stop her doing it
5 because that's what young kids learn, is these things.
6 But, for me, it's just -- it was always that thing.

7 I can remember -- I can remember getting back to the
8 boarding house and I would think, "Oh". You know, it
9 had been raining and I hadn't got a coat, and he was
10 there. As you'd come up, you knew he was there and you
11 would think, "Here we go". You knew what was coming.
12 And he would say, "Come on, [REDACTED]. Shower", and you
13 would think, "Really?"

14 And you just go and stand under that shower,
15 revolving, with everything on display. And it was
16 particularly bad -- I say it was "particularly bad",
17 that's the wrong way to say it.

18 I'd just had a kidney operation. I had a scar that
19 ran from hip to hip. I was incredibly conscious of
20 that, let alone conscious of anything else, and there
21 I was spinning round and round and round in front of
22 someone, who obviously got pleasure from that. It was
23 sick.

24 Q. Is that the way you felt at the time? Because,
25 presumably, if you are ten, this is all pre-puberty?

1 A. I will be brutally honest with you, I just -- I can't
2 remember how I felt at the time, other than it wasn't
3 right.

4 Q. It's simply -- in your statement, I think you use the
5 words "humiliating" and "degrading"?

6 A. It was. It was.

7 Q. And it was regular?

8 A. Yes.

9 Q. Given your description of him waiting; orchestrated?

10 A. It was -- for him, it was all premeditated. It was
11 something he decided he was going to do that particular
12 day.

13 Q. And he did it often?

14 A. Yeah.

15 LADY SMITH: This would be triggered by something, such as
16 coming back to the house without a coat over your
17 blazer?

18 A. It was -- the two primary reasons given were you were
19 late back -- although I'm not quite sure that you had to
20 be back by a particularly certain time, but in his mind
21 the excuse was: you're late, so therefore shower.
22 Or you hadn't taken a coat and it had rained.

23 Now, reflecting on it now, first of all, I wouldn't
24 have known if it was going to rain, so maybe that's why
25 I wouldn't have taken a coat and, secondly, I wasn't

1 particularly sure there was a particular time that I had
2 to be back by.

3 So they were merely, as far as I'm concerned,
4 excuses given to justify an action, which makes it --
5 well, it was just sick. It was just horrible. It was
6 horrible.

7 LADY SMITH: In some way it was being presented as a form of
8 punishment?

9 A. It was -- yes, it was -- the excuse for it was that it
10 was a punishment.

11 LADY SMITH: Yes.

12 MR BROWN: You talked about him being tactile in the
13 boarding house; can you remember the circumstances when
14 you endured that tactility?

15 A. He would just tickle you. He would just come up and
16 tickle you from time to time.

17 Q. At any particular times?

18 A. No. No particular reason for it. I mean, he was
19 tactile in the boarding house. He was also tactile in
20 the classroom.

21 Q. That's what I was coming to.

22 A. I mean, he had these sticks, with their silly names.
23 I think I've said in here, he had the blasphemy stick
24 and the expostulation stick and the swank plank and
25 others. And, basically, they were -- at the time, I saw

1 them as just silly and pathetic and childish, but, in
2 actual fact, I now realise that they were excuses to get
3 contact with a boy, to take you up to the front and hit
4 you with it.

5 Q. Because these would be used in the context of
6 punishment?

7 A. Yeah, punishment, but punishment for triviality.

8 Q. We've heard that this was done in a theatrical way. It
9 was fun and the boys would be involved; is that your
10 recollection?

11 A. Yes. I actually wonder how we actually learnt anything,
12 because there was so much silliness going on, in that
13 sense, that it must have eaten into lesson time, if you
14 think about it.

15 Q. Can you describe the silliness, what you're talking
16 about?

17 A. It was just if you -- I don't know, if I drop my pen on
18 the floor and said, "Oh, sod it", it would be like,
19 "Come on, [REDACTED]. Expostulation stick now", and you
20 would go up there and get the stick and then be given
21 a jelly bean as a reward. You know, it was pathetic.

22 Q. The various sticks you have mentioned; they are all in
23 a box?

24 A. I think -- I can't remember. I seem to think they were
25 in a container of some description.

1 Q. On open view?

2 A. Yeah, yeah.

3 Q. Was this well known in the school --

4 A. Yes.

5 Q. -- that this was his --

6 A. Yeah, yeah.

7 Q. But I think we see that when you're called forward for
8 punishment, for expostulating or whatever, the actual
9 use of the stick was not hard?

10 A. No, it wasn't. No. That's where I think, as children,
11 you don't necessarily see what is going on behind the
12 scenes, if you see what I mean?

13 Q. What was going on?

14 A. I think, personally, it was an excuse to get a boy up to
15 the front, whether it was to tickle him or sit him on
16 his lap, or do something.

17 In the same way that the being late and the not
18 having a coat was an excuse to get you into a shower
19 where you could be paraded naked, I think the sticks
20 were the same. I think they were the excuse just to get
21 a boy there for whatever reason.

22 Q. In terms of the use of the stick, which you say wasn't
23 painful --

24 A. No.

25 Q. But what else is happening? How is he using the stick?

1 You have talked about boys being called up. We have
2 heard he put them over his knees --

3 A. Yeah.

4 Q. -- or over his lap?

5 A. Yeah.

6 Q. Is that your recollection?

7 A. I remember boys being -- I don't remember boys --
8 I remember boys being on his lap. I don't remember boys
9 being put over his knee.

10 Q. All right.

11 A. But it's all just to do with this sort of tactile,
12 physical, touchy, feely stuff.

13 Q. Would that touchy, feely stuff be going on in the
14 classroom context?

15 A. Yes.

16 Q. Where was he touching?

17 A. He would be touching -- he would be just touching. He
18 would just be touching. I didn't pay any particular
19 attention to it. He would just be up behind his desk
20 and you knew there was something going on.

21 Q. Thinking of both touchy, feely, classroom, boarding
22 house; over clothes? Under clothes?

23 A. In my experience, over clothes or no clothes.

24 Q. Or no clothes. When was the no clothes? You have
25 talked about the showering.

1 A. The no clothes is this incident that I talk about where
2 I was in the study with him on my own.

3 Q. Right. We'll come to that, because the context of that,
4 you are living in the boarding house, we would
5 understand, in Mackenzie, his quarters, where he lives
6 with his family, is a separate area?

7 A. That's right.

8 Q. Presumably, one that you never entered?

9 A. Never, never. Save on this one occasion.

10 Q. Yes. On this occasion, you explain that he and his wife
11 are having a dinner party?

12 A. Yeah. I mean, to set the scene, this must have been --
13 I'm guessing it must have been 1977 to 1978 and it's
14 a Friday night, and he came into the house and said that
15 he and his wife were having a dinner party and that the
16 deputy housemaster would not be on duty.

17 So, for a group of boys, that was great. You know,
18 we had free reign of the house and -- I can't remember
19 which paragraph it is in the statement now.

20 Q. I think, is this the context of the Warlord secret
21 agents?

22 A. Yeah.

23 Q. And another set of agents? I think this is
24 paragraph 91, on page 17.

25 A. I mean, this -- yeah. So, basically, we've got the

1 boarding house to ourselves. We were all kids and some
2 of us had -- there were comics around at the time, which
3 some may remember, and some were -- Warlord. There is
4 a comic called Warlord and a comic called Bullet. And
5 I think I was a Warlord agent and the others were
6 Fireball agents.

7 And we decided that we would have a bit of a hide
8 and seek around the boarding house, between the Warlord
9 agents and the Fireball agents. And, to be honest, it
10 got out of hand. At the time, it was great. We were
11 throwing things at each other.

12 I don't know if -- Mackenzie House, if I remember it
13 correctly, looking at the house from the front, Dawson's
14 quarters were to the left and then, to the right, there
15 was a modern building, like an extension. But it was
16 a -- modern built and there were stairs in there which
17 went the way up to the common room. And we were
18 literally throwing things up and down the stairs and
19 beating the hell out of each other with pillows and
20 throwing training shoes, and it was carnage. But it was
21 great. We were kids. We were having fun. That's the
22 point, it was fun.

23 Anyway, as you can imagine Dawson's dinner party --
24 the noise was horrific and Dawson's dinner party was
25 ruined and we were in trouble for it, which, you know,

1 I -- I accept we ruined his evening and we were -- we
2 didn't behave -- we went too far. So I accept that
3 maybe -- well, I accept we deserved to have some degree
4 of punishment. I accept that.

5 So, the next day, I was called into his study and
6 I suppose I was expecting -- I mean, at the time, the
7 Edinburgh Academy was a place of corporal punishment.
8 I suppose I was expecting six of the best or whatever
9 else people were given in those days, but what
10 confronted me was just horrendous.

11 Q. Can I just stop you there, briefly? The fun; was it
12 brought to an end by Dawson coming out?

13 A. No, I think it was -- I think it just petered out.

14 Q. It came to an actual end?

15 A. Yes.

16 Q. But nothing is done that night?

17 A. No.

18 Q. He waits until the next day?

19 A. Yeah.

20 Q. Presumably, you've calmed down, you and the boys?

21 A. Yeah, yeah.

22 Q. But he hadn't?

23 A. No. I think he had come out on the Friday night and
24 said: "I will deal with this tomorrow."

25 Q. All right.

1 A. But he had not dealt with it at that time.

2 Q. No. Just in terms of corporal punishment, you are
3 a quiet, industrious, self-isolating boy at that stage;
4 had you received corporal punishment in the school?

5 A. Not -- no, the only thing I'd received was the showering
6 and -- no, I hadn't received corporal punishment. No,
7 I'd never had -- no, I never did. No.

8 Q. No. It existed; you knew that?

9 A. Yes.

10 Q. From your perspective, corporal punishment, given that
11 was the norm, could be used, from what you're saying,
12 fairly, if you've done something wrong?

13 A. Yes. I'm not saying that's right.

14 Q. No, no. But just the context of the time.

15 A. Yeah.

16 Q. That is what you were expecting that morning?

17 A. Yes.

18 Q. Or that day?

19 A. Yeah.

20 Q. However --

21 A. However.

22 Q. -- you mentioned his study; that's in his part of the
23 house?

24 A. Yes.

25 Q. You had never been there before?

1 A. No.

2 Q. How many of you were taken through?

3 A. Well, I was there on my own. I went there on my own.

4 There was nobody else there.

5 Q. What about the other boys who were involved? Were you

6 taken one by one point, is the point?

7 A. Yes.

8 Q. You weren't all standing in a queue?

9 A. No.

10 Q. How many of you did go through one by one, do you think?

11 A. I can't remember. It must have been nine or ten. But

12 I can't remember.

13 Q. Okay.

14 It's a question of detail, which, if you don't

15 remember, please say. Were you at start of this line of

16 nine or ten? Had you seen the others coming back?

17 A. I can't remember.

18 Q. Fair enough. But you do remember going to the study?

19 A. But I do, very clearly, remember going to the study.

20 Q. Can you picture the study?

21 A. Absolutely.

22 Q. Tell us about it.

23 A. So, as I picture it, you came through the door, here,

24 and there was a wall along here with an oar on the wall,

25 like an Oxford, Cambridge rowing oar-type thing.

1 Q. Okay.

2 A. The desk was in front of that and then there was a door
3 on this side that went through to his living quarters,
4 and the window was at the front. That's how I remember
5 it.

6 Q. Okay, and where was Dawson?

7 A. Dawson was stood in front of his desk. So his desk was
8 here, there was a chair, like a dining room chair, here.

9 Q. In front of the desk?

10 A. Aha. And then there was the door into his quarters and
11 I'd come in to stand here. So I was facing him, like
12 that.

13 Q. All right. And what state was he in?

14 A. He was fuming. He was absolutely raging. He was almost
15 shaking. He was just possessed. He was just --
16 I'd never seen him like that before.

17 Q. That is what I was wondering.

18 A. When he was in the showers, in the corner of the
19 showers, he was just quiet, just watching, just still.
20 Just looking.

21 This time, he was raging. There is no other way to
22 describe it.

23 Q. What did he say to you?

24 A. He didn't say very much at all. He said -- he told me
25 to take off my clothes below my waist and I was -- I had

1 to take off my trousers and my pants, and I just stood
2 there and he was just watching me. And I think he said
3 that, you know, this was a punishment for destroying --
4 or for upsetting his dinner party. And then he ushered
5 me over and I had to lay over this dining room chair.

6 Q. Were your knees on the ground or were you ...?

7 A. I can't remember my knees being on the ground. I just
8 remember feeling extremely exposed.

9 Q. Okay.

10 A. I think there is a difference -- well, for a start,
11 I don't think anyone should have received any form of
12 punishment like that, naked.

13 And I think if you are going to receive a punishment
14 like that, if you bend over, then you just bend over.
15 Like, your body just bends over, because then if you get
16 hit at least your body can move forward a bit, to lessen
17 the impact.

18 But when you're lying face down over a chair, in
19 a room where, effectively, you're trapped on your own
20 and -- sorry to be blunt, but everything is on display,
21 it's the most humiliating, petrifying, scariest
22 experience that I've ever encountered.

23 Q. So is -- the picture we should have is you're literally
24 lying across?

25 A. I'm literally bent over a chair.

1 Q. All right. What happened?

2 A. He put his hand on my buttocks and I froze because

3 I thought -- I knew -- I anticipated that I was going to

4 be hit, but I didn't know what else was going to happen

5 and I couldn't see, because I'm bent over a chair and

6 he's behind me. And I just feel his hand on my buttocks

7 and I'm think -- I don't know what I thought. But

8 I just thought: God, you know, what's happening here?

9 And all he said to me was: this is going to hurt me

10 a lot more than it's going to hurt you.

11 And then I knew that I was going to get something.

12 Q. You are going to be hit?

13 A. Yes.

14 Q. In terms of touching your buttocks; was it both?

15 A. It was one and then the other.

16 Q. So one after the other?

17 A. Yeah.

18 Q. And what sort of handling? Firm handling? Soft?

19 A. Just soft. It was almost like just preparing me, almost

20 like -- it wasn't a slap. It wasn't a squeeze, it was

21 just like that, you know.

22 Q. Just putting his hand on it, with no particular --

23 A. With no particular -- for no particular reason.

24 LADY SMITH: 'David', the background here is that he and his

25 wife were, you were told, having a dinner party, but his

1 deputy wasn't on duty that night.

2 A. That's right.

3 LADY SMITH: So they were taken up with socialising with
4 their friends and there was nobody supervising the boys.

5 A. Nobody.

6 LADY SMITH: And the boys got out of control?

7 A. Yes.

8 LADY SMITH: Surprise?

9 A. No. And do you know what's really -- what's really sad
10 about this is that we'd had fun and, for me, fun in the
11 boarding house didn't happen a lot. And this one night,
12 we'd had great fun. We'd had fantastic fun. And then
13 it all came crashing down to then be put into that
14 situation.

15 LADY SMITH: Was the essence of the problem that you were
16 noisy?

17 A. Yes. Because that's all we were. We weren't
18 destructive; we were just noisy.

19 LADY SMITH: Thank you.

20 MR BROWN: And having had your bottom felt, then blows
21 follow?

22 A. I have never experienced pain like that since. It
23 was -- it was a rage. It was just an uncontrolled rage.
24 It was a beating, you know? I was trapped in a room
25 with a man who was out of control, naked from the waist

1 down, everything on display, being whacked by something.

2 Now, I don't know, it was either a slipper or --

3 I think it was a sandal. I used to wear sandals.

4 I'm pretty sure it was a sandal, but it was just so, so

5 painful, you know.

6 Q. Do you remember how many blows there were?

7 A. I don't remember how many. At the time, it seemed a lot

8 to me. I'm presuming it was six. I don't know why

9 I presume it was six. Maybe I presume it was six

10 because six of the best was the expression that you

11 used. But, to be perfectly honest with you, after

12 a certain amount you -- the last thing you were doing

13 was counting.

14 Q. Sure. Being lain over a chair, you've talked about

15 being able to take some of the force of the blow by

16 moving forwards; there was no scope for that the way you

17 were positioned?

18 A. There was no scope for that. And also, you know,

19 I still had that scar across me, you know. I was

20 still -- that would not have been a comfortable

21 situation for me to be in, but that wasn't part --

22 obviously, that was not a consideration.

23 Q. No. And you are holding on to the chair?

24 A. I'm gripping that chair, like there's no tomorrow. It's

25 hard to get across how scary that situation was. You

1 know, I was a child. I was trapped in a room with
2 someone who I knew wasn't right. There was no escape
3 and I didn't know what was going to happen. And when he
4 put his hands on me, I really didn't know what was going
5 to happen.

6 I suppose the fact that all he did was hit me,
7 albeit badly, was probably a good thing in considering
8 what might have happened. But, even so -- we're talking
9 about something that happened nearly 50 years ago and
10 I can remember it clear as day. Absolutely clear as
11 day, down to the way that room was set up and to exactly
12 what was happening, I can remember it as clear as day.

13 Q. Once the beating stopped, we read that you were
14 determined not to cry?

15 A. No.

16 Q. And you didn't?

17 A. I didn't.

18 Q. Was anything said when the beating stopped?

19 A. No.

20 Q. Were you told to get up or did you just get up?

21 A. I just got up.

22 Q. You have already talked about the pain; how long did the
23 pain last?

24 A. I can remember leaving the room -- I stood up and I got
25 my pants round my ankles and he's just stood there

1 staring at me and I'm thinking: I'm not going to cry.

2 No way am I going to give you that satisfaction.

3 And I sort of pulled up my trousers and pants and
4 left the room. And I remember going back to the
5 dormitory and it was just burning. So, so sore. And
6 I was trying to look at my backside, which wasn't that
7 easy, but it was red and just burning. And that pain
8 must have lasted for about a week, I reckon. It must
9 have done.

10 Q. Are you aware if the same punishment was meted out to
11 the other boys?

12 A. I don't -- do you know what? I honestly don't know.
13 I just assumed that it was. But -- I've never spoken
14 about this incident again until this Inquiry and my
15 statement to the police. Never spoke of it, never spoke
16 of it.

17 Q. So there was no discussion?

18 A. No.

19 Q. What impact did that have on you thereafter, in terms of
20 your state of mind and your approach to the school?

21 A. I was scared. I was afraid to have fun, like that sort
22 of fun, because, again, it seemed to me that Dawson was
23 using circumstances that suited him to put people -- or
24 put me in a situation where he could do things.

25 So whether it was, as I say, not taking a coat,

1 being late, making a noise, whatever, you know, you were
2 afraid to do anything, really. So I just -- I had to
3 get out of that boarding house. I had to get out of
4 there. I couldn't carry on living in that environment.

5 Q. I think, as you say at the same time, it's not just that
6 experience, but externally, but within the school, you
7 have another experience with a groundsman?

8 A. Yeah, there was -- there was a model room in the very
9 ground floor of Mackenzie House, next to the shower
10 block, where we used to go and do -- make Airfix models,
11 plastic models. And modelling was something I was into
12 before I went to the school and, at the school, I used
13 to spend a lot of time in the modelling room.

14 And there was no modelling club, as I remember, so
15 we were just unsupervised in there. But there weren't
16 many people that did it, but it was a good place for me
17 to go because it sort of kept me out of the way.

18 Then this person started appearing. And I recall
19 him being a groundsman. He was sort of a rather unkempt
20 individual, I suppose you would describe him these days.
21 But he would come into the modelling room.

22 And, initially, I thought he was just sort of
23 friendly and helpful. But it became more sinister by
24 things that he would do and say. He'd start to put his
25 arm around you under the guise of helping you with the

1 model, but it was just -- it didn't feel very
2 comfortable.

3 And then he would sort of offer you cigarettes and
4 things, and he invited me and some others to go to his
5 house. In return, he would give us cigarettes and
6 pornographic magazines and stuff like that.

7 Q. That was the offer?

8 A. That was the offer. That was the offer.

9 Q. But you never took it up?

10 A. We did go to his house on one occasion, but he wasn't
11 in.

12 Q. Right.

13 A. And then it sort of -- it seemed to build from there and
14 then he started talking about -- and, again, these are
15 his words, not mine -- but he started talking about men
16 renting out their bums in Edinburgh, which at that age
17 just sounded horrible to me.

18 Q. What age were you?

19 A. 12ish. 11/12 maybe. But it just sounded wrong. And --
20 but, thankfully, thankfully, my master plan of escaping
21 the boarding school environment worked and so my contact
22 with him ceased.

23 I mean, he was really creepy. I remember him as
24 just being really, really creepy and it's really -- it's
25 sad in a sense because, for me, going to the modelling

1 room was supposed to be my place of escape and even that
2 got infiltrated in the end.

3 Q. In context, I think as you say at paragraph 119, this is
4 1977 to 1978, probably?

5 A. Yeah.

6 Q. You have mentioned already the end of the first year at
7 senior school you were [REDACTED]?

8 A. Yeah.

9 Q. But then, 1977 and 1978, all the things you have just
10 been telling us about happened?

11 A. Mm-hmm.

12 Q. And your work crashes?

13 A. I mean, I decided, in my childlike way, that I needed to
14 get out of there. And I realised that I could only do
15 that if I behaved so badly that my father had to take me
16 out.

17 And so having got the [REDACTED] prize of July 1976 my
18 father was very pleased with me, but then in the ensuing
19 years, with what was going on, I just became horrible.
20 I became a real little so-and-so, to be honest. And
21 I just didn't do my work and I used to particularly roll
22 up bits of paper and throw them at Mr Ore, who was
23 a nice chap. In fact, I did anything that would get me
24 into trouble and, as a consequence of that, I remember
25 my father saying to me that if I didn't become a day boy

1 then I would be expelled from the school.

2 So I ended up being a day boy from 1978 to 1979,
3 which removed me from Mackenzie House, thank goodness.

4 It didn't remove me entirely from Hamish Dawson
5 because I still came into contact with him in the
6 classroom. But I knew, for me, there would be no more
7 shower incidents. There would be no more potentially
8 being trapped in the study and having the crap beaten
9 out of me incidents, and I knew that I wouldn't be
10 staying -- at the end of the school day, I would be able
11 to return home.

12 My father -- do you know, my father died a couple of
13 years ago and I don't think he ever forgave me for that,
14 because he -- in 2014, I did a major turn in my career
15 and, again, it sort of came up about, you know, "Isn't
16 this what you did when you were little?" sort of thing.
17 So I don't think he actually ever forgave me for that.

18 And, of course, it messed up his plans. But it did
19 mean that because I'd left the Edinburgh Academy as
20 a boarder and was then a day boy, because he wanted me
21 still to be in a settled education, it meant that when
22 I finished at the Edinburgh Academy and the family moved
23 south, he then put me into another boarding school
24 because that enabled that continuity to carry on.

25 Q. We'll come on to that in just a second.

1 Did you ever tell your father about what happened at
2 the school?

3 A. No. I've never told my father. He died a couple of
4 years ago. I've not told my mother. She is 92. She is
5 still alive. It would kill her.

6 As far as my parents were concerned, they were doing
7 what they considered to be the best for me. If they
8 found out what on earth had been going on, no.

9 Q. Objectively, would you agree that's what they thought
10 they were doing?

11 A. Yeah. Why would you -- you -- people sent their
12 children to a place like that because they wanted the
13 best for them.

14 Q. And they thought it was safe?

15 A. And they thought it was safe, as it should have been.

16 Q. Yes.

17 The boarding school you went to -- from the
18 statement -- in Wales is really a complete reversal of
19 your experience at the Academy; is that fair?

20 A. It's a polar opposite.

21 Q. There was some bullying because, of course, you are the
22 odd one out coming, by that stage, with something of
23 a Scottish accent --

24 A. Yes.

25 Q. -- into a Welsh school?

1 A. That's right.

2 Q. So you had trouble from your fellow pupils; correct?

3 A. Yes.

4 Q. But you handled that or learnt to handle it?

5 A. I handled that. I'd learnt to handle that. The first
6 thing -- they're testing you. Because, of course, when
7 I started at the Edinburgh Academy, I don't think
8 I started at the beginning of an academic year, so
9 coming in partway through was part of my problem.

10 When I went to Christ College I started at the
11 beginning of an academic year, but my problem there was
12 the fact I had a Scottish accent, believe it or not,
13 whereas everybody else had a Welsh one; right?

14 But because I didn't tell on anyone, I didn't tell
15 tales. I didn't go and say, "He's done this and that",
16 the housemaster knew I was having a bad time, but you
17 just sort of dealt with it, and I suppose I was that
18 little bit older. Nothing could be worse than what had
19 happened to me already, so I just got on with it. And
20 I stayed at that school then until I was 18.

21 Q. But you said something interesting there: the
22 housemaster knew about it?

23 A. Yeah.

24 Q. Would that sort of thing have been spotted by
25 a housemaster at Edinburgh Academy; do you think?

1 A. I doubt it. And if they did, they would have probably
2 beaten you up about it.

3 Q. You make the point, institutionally, the culture was
4 quite different?

5 A. The schools were completely different.

6 The Edinburgh Academy was a place of corporal
7 punishment and abuse. The school that I went to in
8 Wales, there was no corporal punishment at all and it
9 wasn't even spoken about as things that had happened in
10 the past. If you misbehaved there, then you had to go
11 and do stone picking of a rugby pitch for an hour. It
12 was a boarding school in Wales, they liked their rugby,
13 so that's what you had to do. Or you had to go on a run
14 up a hill, but it was completely different.

15 It didn't alter the fact that when I first went
16 there I was still scared that what had happened to me
17 would happen again. But, over time, that did not
18 happen. But the fear was still there.

19 Q. I think, going back briefly to the housemaster -- and
20 then we'll come back to the fear -- the housemaster
21 noticed what was going on and, I think as you say,
22 offered you a way out?

23 A. He used to let me go and babysit his kids.

24 Q. So he saw a problem and there was a practical --

25 A. There was a positive practical solution to it. The

1 housemasters at the school in Wales were completely
2 different to the housemasters in -- it's a strange
3 thing, actually, because they were different in the
4 sense that -- as I remember at the Edinburgh Academy,
5 I don't remember anything about Brownlee's wife and
6 I don't remember anything about Dawson's wife. Whereas,
7 at Christ College, the wives seemed to be more part of
8 the scene, if that makes sense. So the boys knew who
9 the wives were. So it seemed to be a more caring
10 environment in that sense.

11 Q. More of a family?

12 A. Yeah.

13 Q. But, going back to the impact, I think you make the
14 point that you are -- by the time you get there, because
15 of your experiences at Edinburgh Academy, you are
16 essentially constantly on alert, waiting for something?

17 A. Yeah.

18 Q. How did that manifest itself in the initial time at the
19 new school?

20 A. I used to do a really strange thing there. I used to
21 sleep on top of the beds, fully clothed.

22 Q. Why did you do that?

23 A. So I could get out quickly if I needed to.

24 Q. As time passed, did it become apparent to you that
25 actually you wouldn't have to do that?

1 A. Yeah, yeah.

2 Q. Did you begin to relax at all?

3 A. I did, but not 100 per cent.

4 Q. Have you ever relaxed 100 per cent?

5 A. No.

6 Q. It is still with you now?

7 A. Absolutely.

8 Q. How so?

9 A. Every day I wake up worried about what the day is going
10 to bring. I can't help it. That's what I do.
11 I'm hardwired to be anxious and it doesn't matter,
12 I've had counselling and I've had CBT, and I'm told what
13 to do to deal with this and deal with that, but every
14 day I wake up with a feeling of dread.

15 And I think -- it's been explained to me that
16 between the ages of eight to thirteen that was my
17 default position and that is -- that is it. And people
18 may say it's irrational, but I can't help it. That's
19 the way I am.

20 Q. You left the English school, became a professional?

21 A. Yeah.

22 Q. And had a good career. But you have touched -- about
23 events in 2014.

24 A. I -- because I worry so much about absolutely
25 everything -- I mean, one thing I've said in the

1 statement, I haven't said it today, but when I was in
2 Dundas House I left the taps on and I flooded the
3 bathroom and I developed OCD and particularly around
4 taps, strangely enough. And in fact when I got married,
5 my wife, not really understanding what it was all about,
6 but if we were going out somewhere -- up until that
7 point, when we hadn't really been living together, it
8 was fine. But we'd go out, get in the car, then I would
9 go back in the house and check the taps were off, and
10 I'd get in the car and go back in again.

11 And it was stupid because I was like, a tap is a
12 tap, put my hand under it, there is no water come out of
13 it, but I still check again. And, unfortunately, that
14 has lived with me -- it still lives with me every day.

15 And I got to the stage in my professional career
16 where -- and, by my own admission, I was good at it, and
17 my clients were happy with me, but my compulsions and
18 things were such that every Friday afternoon I would go
19 through every single file that I had, just to check that
20 I'd done everything on it that I needed to do.

21 It just became overpowering and, in the end, in
22 2014, I had to give up what, in the legal profession,
23 you would call fee-earning work because I just couldn't
24 deal with the pressure of it anymore.

25 I'm still in the legal profession, but not in that

1 sense. I've had to remove that pressure from me.

2 Q. So would you say the experiences of eight to thirteen
3 have impacted you professionally?

4 A. Absolutely.

5 Q. You never told your parents; when did you talk about
6 experiences from eight to thirteen?

7 A. In 2004, I think. I mean, they were always there. But,
8 to be honest with you, it was my guilty little secret.
9 I didn't want anybody to know what had happened. There
10 was no one in my family that I could talk to. And then,
11 of course, life moves on. But, in 2004 ...

12 Well, to set the context to this, between 2000 and
13 2004 my wife and I adopted four children and, in 2004,
14 Nicky Campbell wrote a book about his adoption
15 experience. And I've got it here, if you want to see
16 it. It was called My Blue Eyed Son, The Story Of
17 An Adoption.

18 And I got the book because I was interested, not in
19 Nicky Campbell, in his story, because we had adopted
20 four kids. I didn't even realise he'd gone to the
21 Edinburgh Academy and I was sat there reading the very
22 first few paragraphs and it talked about him at the
23 Edinburgh Academy and it said in there and I quote:

24 "There were to my certain knowledge two teachers in
25 my time there who took an unhealthy sexual interest in

1 small boys and another who took an unhealthy interest in
2 hurting them."

3 And I thought, "bloody hell". And I went to my wife
4 and I read that to her and she said, "you went to the
5 Edinburgh Academy." And I said, "yeah, I did." And
6 I said that I knew exactly who he is talking about and
7 that was the first time that I told anybody and I told
8 my wife about it.

9 So for me it's interesting. Some people may say
10 that this has all come out to light in the last year
11 when Nicky Campbell came on to the television and spoke
12 about it, but in actual fact Nicky Campbell spoke about
13 this and put it into the public, domain albeit perhaps
14 on a lesser scale, nearly 20 years ago.

15 Q. And it would appear there was no reaction?

16 A. It would appear there was no reaction, at that time.

17 Yet, it must have been spoken about. I mean, to be
18 honest with you, that set a hare running for me, because
19 once that was in the public domain and I had read about
20 it, it was some degree of vindication for me as to what
21 had happened to me and others that were there, but even
22 then I still couldn't think what could I do about it?
23 If I went to the police, would they believe me? Who
24 could I talk to about it? And I did -- I thought about
25 it and thought about it.

1 In fact, I think, in 2017 something must have
2 happened, probably another scandal of somebody, and
3 I sent an email to Nicky Campbell, at the BBC, saying,
4 you know, "I've read your book. I was there. Did one
5 of the teachers have the initials HD?" I didn't want to
6 name the person because I didn't know who would read the
7 email and I sent that generally to the BBC. I never got
8 a response, but I'm guessing he probably never got it,
9 so I don't hold him responsible for that.

10 But the interesting thing was that somebody,
11 20 years ago, was -- had brought up what we are talking
12 about now and it's taken this amount of time for this to
13 come to -- out in these circumstances.

14 Q. But having had the experience in 2004 with the
15 publication of the book, at that stage you spoke to your
16 wife?

17 A. Yeah.

18 Q. But did you effectively rebury it?

19 A. I haven't buried it since then.

20 Q. In the sense of talking to people?

21 A. Yeah.

22 Q. It's still in your head?

23 A. Yeah.

24 Q. And it's still there to this day?

25 A. Absolutely.

1 Q. But you didn't take it further?

2 A. No. I didn't know how to take it further. Because,
3 I suppose, I was thinking that if someone like
4 Nicky Campbell puts it in a book and still things are
5 not taken further how would I ever manage to take it
6 further? Of course, what happened then was at the
7 beginning of last year I got a letter out of the blue
8 from Police Scotland and I remember it well, because we
9 had been shopping in Tesco and I got back and the
10 postman was there with a recorded delivery letter and
11 they handed it to me and I literally broke down, because
12 it's that vindication, that -- you know, what happened
13 did happen and that was great for me.

14 Q. How do you feel towards Edinburgh Academy now?

15 A. I am angry at the school, as an institution, for
16 allowing what happened to happen and for covering up
17 what happened.

18 I am in no doubt that the Edinburgh Academy at the
19 time that I was there knew what was going on. They must
20 have done. But they chose not to do anything about it.

21 And if they had done, then maybe people that
22 followed me would not have been treated and abused the
23 way that they were. So I hold the Edinburgh Academy
24 100 per cent responsible for this.

25 LADY SMITH: 'David', what makes you say they must have

1 known? Can you help me?

2 A. Because there was so much of it going on. You know, we
3 lived in a boarding house. We had a deputy housemaster
4 and we had a matron. They must have known what was
5 going on. This wasn't an isolated incident now and
6 again. This was -- you know, there was so much of it
7 going on. I'll never accept that they didn't know what
8 was going on.

9 LADY SMITH: And the boarding house apart, when you describe
10 Dawson's classroom, and the implements for example, are
11 you saying that they must have known about that?

12 A. They did know, because when he retired the rector of the
13 school in his speech referred to the implements, so they
14 did know and they must have known because any teacher
15 that walked in there, and teachers did walk in from time
16 to time, would have seen (a) the implements there and
17 (b) the implements being used from time to time.

18 LADY SMITH: I've been told about one of the sticks being
19 quite long, maybe about a metre long, three inches by
20 two inches, and boys being asked to sign it after they'd
21 been hit with it. Did you see anything like that?

22 A. I can't remember that. All I remember are the jelly
23 beans and in the same way that I hate
24 Twinklke Twinkle Little Star, I hate jelly beans as well.

25 LADY SMITH: And the jelly beans were in a jar, is that

1 right?

2 A. Yes.

3 LADY SMITH: On his desk?

4 A. Yes.

5 LADY SMITH: Thank you 'David'.

6 Mr Brown.

7 MR BROWN: My Lady beat me to the question about knowledge,
8 which was my last.

9 'David', I think you have had some thoughts that you
10 would like to -- we may have touched on some.

11 A. I just wanted to say a few words.

12 I may have to change little things as I go along.

13 I mean, by their nature the statements that
14 I've given to this Inquiry and the police are somewhat
15 factual and I just want to reflect a little on
16 a personal level.

17 We have touched on some of this, but until the age
18 of eight I was a carefree child. I lived in a village.
19 I attended a village school. It was a caring primary
20 school. Most importantly as a child I had fun and I was
21 enjoying the life of -- I was living the life that
22 a child of that age should rightly live and enjoy.

23 My parents then decided to send me to the Academy.
24 Their intention being that I would be well educated,
25 nurtured in a safe and caring environment. That wasn't

1 to be the case for me and many others, as this Inquiry
2 will hear.

3 As I've said, I found the school to be a cold and
4 daunting institution. The junior boarding house ruled
5 by fear and the Mackenzie House, for me, had fears that
6 became reality. For a child that is bewildering.

7 At the age of 13, I escaped to become a day boy, but
8 my primary tormentor remained in the classroom. And
9 although the escape plan worked, it was at the cost of
10 my education and sadly the relationship with my father.
11 My parents would be absolutely horrified to learn that
12 the safe and caring environment they envisaged was
13 anything but.

14 So where does that leave me now? Well, as
15 I've said, between the ages of eight to thirteen I lived
16 in that state of dread. That's where I remain. I wake
17 up anxious and it doesn't matter how hard I try I can't
18 help it and this may sound strange to people in this
19 room, but I'm telling you now I'll probably spend the
20 rest of today and the coming days wondering -- worrying
21 about what I said today and whether I've said the right
22 thing or not. But it's too late now because I've said
23 what I said and I'll have to live with that.

24 But I'm not alone. I'm not alone in that regard,
25 because that's what abuse does and it lives with you.

1 As I've said, the saddest thing is I think maybe some of
2 this could have been avoided if the school had acted on
3 the warning signs and proactively dealt with the
4 perpetrators rather than cover them up or not address
5 the behaviour because the behaviour was there.

6 We had a deputy housemaster and matron. They must
7 have known what was going on, but were they too afraid
8 to say or did they tell and their disclosures were
9 buried? We'll never know. I don't know.

10 In time this Inquiry will conclude. Its
11 recommendations will be made and time will move on.
12 Survivors of the abuse they suffered at the
13 Edinburgh Academy will not be as fortunate. While I and
14 others appear here as men, what happened to us as
15 children has remained and will remain in our memories
16 forever.

17 When I was telling a friend of my mine this week
18 that I was coming here he asked me why it was that,
19 seemingly, in his words, so many sadistic and perverted
20 people ended up being able to conduct themselves the way
21 they did at the Edinburgh Academy. And I said that
22 maybe the Edinburgh Academy was known as a place where
23 such behaviour would not be challenged.

24 That is where, in my opinion, this Inquiry is so
25 important in ensuring that recommendations are made

1 which will safeguard children in all settings. And I
2 have in mind mandatory reporting of abuse and, if it
3 were possible, the imposition of criminal sanctions
4 against those individuals involved in covering up,
5 concealing or if it can be proven, simply ignoring that
6 such abuse exists. And those criminal sanctions would,
7 of course, be in addition to any proceedings taken
8 against the perpetrators themselves.

9 Lady Smith, Mr Brown, I'm grateful to you for
10 extending the scope of this Inquiry to hear evidence
11 relating to the Edinburgh Academy. I have to confess,
12 at the time of the Fettes Inquiry that was something
13 I feared might not happen. To my fellow pupils and
14 survivors, and I think there may be some here today,
15 I salute you all. What we have been through has
16 affected us and will affect us for the rest of our lives
17 and I thank you for giving your evidence to this Inquiry
18 and for your support.

19 I also thank the Inquiry team and in particular my
20 wonderful witness support officer. She has been
21 an absolute star and there is a place in my heart for
22 you forever, seriously, and, finally, to everybody here,
23 I just want to thank you all for listening.

24 That's it.

25 LADY SMITH: 'David', thank you so much for that.

1 I'm really sorry to hear you say that you foresee
2 continuing anxiety and worrying whether what you have
3 said is the right thing or not.

4 I don't know if it helps, but it has certainly been
5 the right thing for me to hear you today. To hear how
6 openly, frankly, clearly and with a considerable degree
7 of articulation you have explained what your time as
8 a child at the Edinburgh Academy was like and the
9 long-term impact it's had on you.

10 Please at least know you go with my grateful thanks
11 and you will have heard me say this to other people
12 perhaps that you have added again to my learning.
13 I'm learning through every witness what I need to hear
14 about what happened at this school.

15 Your contribution has been, not just for those who
16 were there at your time, but for children of today and
17 tomorrow as well and try to remember that. Maybe that
18 will help a bit with the anxiety.

19 But thank you. Please feel free to go now and
20 perhaps manage to relax a little bit for the rest of the
21 day.

22 A. I'll try. Thank you very much.

23 (The witness withdrew)

24 LADY SMITH: Mr Brown, I'll stop now for the lunch break and
25 I'll sit again at 2 o'clock.

1 (1.05 pm)

2 (The luncheon adjournment)

3 (2.00 pm)

4 LADY SMITH: Good afternoon. I think we have the next
5 witness ready to give evidence

6 MR BROWN: We do, my Lady, and the next witness is 'Sam'.

7 LADY SMITH: Thank you.

8 'Sam' (affirmed)

9 LADY SMITH: In the red folder, 'Sam', you'll find your
10 statement and feel free to use it, if that would be
11 helpful to you.

12 Also, would you let me know if there's anything you
13 would ask for to enable you to give your evidence as
14 well as you can, to make it more comfortable in any way,
15 whether you need a break or pause at any time, please do
16 speak up or if you have any questions at all, don't hold
17 back.

18 A. I'll be fine. Thank you.

19 LADY SMITH: If you're ready, I'll hand over to Mr Brown and
20 he'll take it from there; is that okay?

21 Thank you.

22 Questions from Mr Brown

23 MR BROWN: My Lady, thank you.

24 'Sam', good afternoon.

25 A. Good afternoon.

1 Q. Could we begin with your statement, briefly? Reference
2 number WIT-1-000001260, and it runs to a conclusion
3 where you sign and date and confirm that you have no
4 objection to your statement --

5 A. None at all.

6 Q. -- being published as part of the evidence to the
7 Inquiry and you believe the facts stated in the witness
8 statement are true; and that's correct?

9 A. Correct.

10 Q. Your statement gives a lot of detail. But, as you will
11 understand, and you have been listening to the evidence,
12 as someone with leave to appear, today we're interested
13 in your experiences.

14 To set the scene: you are now 61?

15 A. I am.

16 Q. And you were a day boy at Edinburgh Academy between the
17 ages of six to eighteen?

18 A. That's correct.

19 Q. From 196█ to 198█; is that right?

20 A. That's right.

21 Q. In terms of background, you were brought up in
22 Edinburgh, going to the Academy was a different approach
23 to schooling certainly for your mother?

24 A. Yes.

25 Q. Your dad, we read, had been to Morrison's?

1 A. That's correct.

2 Q. Was he a boarder there?

3 A. No he lived in Crieff.

4 Q. He lived in Crieff. Okay.

5 Why did they want you to go to Edinburgh Academy?

6 A. It was a mix. My mother had been to Trinity Academy and

7 she left school at the age of 14. Her father was

8 a plumber from Newhaven, and I think the combination of

9 my dad's education at Morrison's and my mum leaving the

10 school early, they wanted to give me the best

11 opportunity they could, the best start in life. And

12 they were very keen for me to -- not specifically go to

13 Edinburgh Academy. I sat entrance tests for Watson's,

14 Stewart's Melville, and Heriot's and the

15 Edinburgh Academy, twice.

16 Q. We understand that you began in primary 2?

17 A. Yes. My first year was at Trinity Academy.

18 Q. Had you enjoyed primary 1?

19 A. Yes, I loved it. It was my mum's old school. I had my

20 mum's old teacher.

21 Q. Did you have local friends?

22 A. Yes. And it was just along the road. I was brought up

23 in Trinity, so it was very close.

24 Q. So how did you feel about going to Edinburgh Academy?

25 A. I don't really have any particular memories, other than

1 I was just moving to another school and one of my local
2 friends -- because we all used to play in Lomond Park --
3 was the at the school, so I knew he was there. So I had
4 someone in my class.

5 Q. Should we picture you walking to school?

6 A. Yes.

7 Q. With people from the local area?

8 A. Yeah. I was perfectly happy.

9 Q. Right. And first impressions, you go into primary 2;
10 was that okay?

11 A. Yes, very okay.

12 Q. You enjoyed it?

13 A. Yes.

14 Q. Differences that even at that age that you noticed?

15 A. I think I mentioned in my statement it was stricter. We
16 couldn't mess about. I was only six, but we couldn't
17 mess about as much, and it was more just things happened
18 at specific times, in an order. And it was very -- for
19 example, lining up for lunch in the dining hall at
20 Denham Green we all had to stand like soldiers and there
21 was no messing about.

22 Q. We have heard this morning, surnames were used.

23 A. Yes.

24 Q. Was that your experience from primary 2?

25 A. Yes, my best friend, who is [REDACTED], who I have known

1 since I was two, when we went to school -- his last
2 name. I called him ██████ and he called me IKA ██████, and
3 I was like -- and then, when we went home, we were
4 ██████ and IKA ██████ again, so I found that odd. But,
5 very quickly, you get used to it.

6 Q. It becomes routine?

7 A. It's the norm, yes.

8 Q. Yes. And I think we see from the statement, primary 3
9 to primary 4, it's becoming more academic and you are
10 getting different teachers in for different subjects?

11 A. Sorry, from what age?

12 Q. Sorry, primary 3/primary 4, class teachers are doing
13 everything?

14 A. Yes.

15 Q. But then primary 5, you start getting, perhaps, more
16 specialist teachers --

17 A. Yes.

18 Q. -- for particular subjects?

19 A. Yes.

20 Q. Languages, for example. And Latin?

21 A. Yes.

22 Q. And you do well?

23 A. Yes, I was bright.

24 Q. Yes. So, primary 5, were you ██████ of primary 5?

25 A. Yes, I was ██████ of 5B and my reward was to be promoted to

1 6A, where John Brownlee was my class master and
2 Iain Wares was my maths teacher, so I'm not sure it was
3 a reward. But I was clever.

4 Q. Can one imagine going home and the family being excited,
5 you are going into 6A?

6 A. Yes, and I got a prize at the presentation day for being
7 ██████████ and it was the book called the Wooden Horse signed
8 by Mr Britton and I still have it. It's in my book
9 case.

10 Q. Is that the Trojan wooden horse?

11 A. It is indeed. Yes, I still have it.

12 Q. But I think as we see -- and this is jumping ahead --
13 from 15 it goes downhill?

14 A. I think the phrase I used was I "fell off a cliff".
15 I went from being in the As for five years, and every
16 year I was getting progressively higher in the class.
17 So, when I joined 6A, by being top of the B class into
18 the As, I was 22nd or 23rd out of 25 boys.

19 I'm also very fortunate, my mother was a hoarder, so
20 I have all my school reports from the age of four,
21 included kindergarten, when I was age 3. So I've been
22 able to read all my reports and see I was 22nd or 23rd,
23 and then, in the Geits, I was 19th or 20th; and in the
24 seconds, I was 16th or 15th; in the thirds, I was ninth
25 or tenth. So given we're talking -- you know, these are

1 bright, bright kids. I was doing well, yes.

2 Q. But there are other things happening at school which
3 didn't help, and we'll come on to those.

4 Is it fair to say, in that context, you were
5 becoming, as you went through senior school,
6 progressively unhappier?

7 A. I wasn't aware it was unhappiness. I was aware that it
8 was just feeling very difficult.

9 Q. All right.

10 A. And just stuff was happening. Certainly, I wasn't
11 happy. But I wouldn't say I was unhappy; I was just
12 aware that things were changing gradually and that the
13 boys were changing, and that it was just -- things were
14 changing.

15 Q. All right. Let's go back to the prep school. There is
16 the infant side of things, if I can describe it that
17 way, Denham Green?

18 A. Yes.

19 Q. Then you go to the prep school proper. And you've heard
20 the descriptions of it, you can picture it, I'm sure.

21 This was a relatively modern building, quite distant
22 from the main, senior school, which is traditional,
23 glass-fronted classrooms, separate campus.

24 To begin with; did it seem like a normal school?

25 A. Yes, it was a very normal school. It had playing fields

1 compared to Denham Green, which was an old house that
2 had a wee bit of grass to run around on. It was great,
3 yeah.

4 Q. But then we get, after success in P5, 6A, and your class
5 master, for French, is Mr Brownlee?

6 A. He was my class master overall, but he specifically
7 taught me French and English and geography, maybe.

8 Q. All right.

9 A. He'd also taught me in 5B. He was my French teacher
10 there, so I'd experienced him being violent to people in
11 my class.

12 Q. Right. Prior to him being violent to other people in
13 P5; were you aware of him?

14 A. Prior to being taught by him in P5, yes, I was aware he
15 was a teacher in the fifths and sixths -- specifically,
16 the sixths had a block that was setback from the school
17 at the back, and the fifths were dotted about, so we had
18 Mr IDO and Mr IJW were the first and second
19 classes on the top floor and 5C was one of the
20 Portakabin buildings at the back, just before you went
21 into the sixth building. So I was aware he was there
22 and he floated about.

23 Q. And reputation?

24 A. I don't really have a memory of him before I was in 5B.
25 He was just floating about. He never -- it was all

1 women that taught us in the thirds and fourths, and in
2 the primary 2. So I hadn't really seen any -- the men
3 were just there. I didn't really see them.

4 Q. Right, so you had no inkling of what was coming?

5 A. No.

6 Q. Had there been corporal punishment from the female
7 teachers prior to P5?

8 A. I vaguely remember -- and I have an extremely good
9 memory, but somebody slapping someone on the hand. But
10 it was, like, pathetic. Nothing -- you got sent out the
11 room. That is what happened. You got sent out and
12 I don't remember anybody doing anything, perhaps a slap,
13 but it was more like a mum to a child, you know?

14 Q. So, within the collective consciousness of P3 and 4, it
15 wasn't something people worried about?

16 A. No. You got sent out, that was it.

17 Q. Moving into P5, you then have Brownlee as your French
18 teacher?

19 A. Yes.

20 Q. We've been hearing about his form of discipline and
21 behaviour; was that apparent very quickly?

22 A. It was apparent, given that he came to my -- in primary
23 5, he came to our classroom. So my class master was
24 Mr [JW]. He came to Mr [JW]'s room, taught us
25 French and went away again. So he maybe came, maximum,

1 twice a week. He was aggressive on occasion, but he was
2 only there on occasion.

3 And he did clacken people. I have two particular
4 memories. One of him holding a boy who had collapsed
5 when he was being clackened. He lifted him up by the
6 hair. Am I allowed to say his name, am I? [REDACTED]
7 [REDACTED], he was a boarder, he --

8 LADY SMITH: 'Sam', let me remind everybody: if it is easier
9 for you to use the names, then use them. But if any
10 name of any child at the Academy is mentioned it cannot
11 be repeated outside this room and, indeed, if this
12 witness, 'Sam', uses his own name at times, likewise, it
13 can't be repeated outside this room. He can't be
14 identified.

15 I hope that reassures you, Sam --

16 A. It does because I realised I used my surname earlier on.
17 I may as well just (overspeaking) --

18 LADY SMITH: Don't we all.

19 A. Anyway, [REDACTED] was my nickname at school, so there you
20 go.

21 LADY SMITH: Yes, because it's important that you are
22 reassured that my restriction order still applies.

23 A. [REDACTED] was clackened and after one or two strokes he
24 collapsed on to the ground and was saying, "Please, no,
25 no". And he was kind of pleading for it to stop and

1 Brownlee picked him up by the hair, and I remember this
2 because he was -- we were only, I think, nine, picked
3 him up by the hair and lifted him off the floor, so his
4 legs were actually not on the floor when he was being
5 held up and continued to clacken him. It was like
6 clackening a rag doll. So I remember that very clearly.

7 I remember another guy, who I have never heard of
8 since I left school, called [REDACTED], and I hope
9 he's not here today, but I would suggest he had
10 something like ADHD. He seemed to like being -- first
11 of all, knowing the teacher and, secondly, he enjoyed
12 being clackened. He used to tempt Mr [REDACTED] a lot by
13 doing stuff and it was like goading. That's the word
14 I'm looking for.

15 Once he had been clackened he used to smirk and
16 smile, as if to say: is that all you can do? That
17 wasn't sore.

18 Mr [REDACTED], to be fair, clackened you, but not
19 brutally. He did it in a nice way, I think I said in my
20 statement.

21 Q. Just to stop you there, momentarily. This is your class
22 teacher, Mr [REDACTED]; is that right?

23 A. Yes.

24 Q. In P5, the clacken makes an appearance as the implement
25 of punishment?

1 A. Yes, in a nice way. If you got clackened, it was for
2 something you had done and he did it hard, but not --
3 I don't think people cried. So it was like, that's
4 sore, but you are like: ha.

5 Q. Whereas, with Mr Brownlee, it's going to another level?

6 A. Yeah, and he played golf and cricket, and my memory is
7 of him taking, like, a golf swing. So Mr IJW would
8 do that. Mr Brownlee started at the top of the golf
9 swing --

10 Q. Because this is being typed: you are lifting your hand
11 above your shoulder?

12 A. Yes. And he would follow through. Whereas Mr IJW,
13 it was almost like he didn't want to do it, but that was
14 the norm. The other thing he would do was he would put
15 boys in a cupboard and, -- I've just
16 remembered that, talking about him -- he used to delight
17 being put in the cupboard because the cupboard had no
18 light. And it was -- when you looked at the front of
19 the class, you have blackboard, the teacher on left, the
20 cupboard, where I'm guessing they kept, I don't know,
21 pens and chalk, or whatever, and he would get put -- and
22 there was no light in it. He'd get put in the cupboard
23 and it -- five minutes, and Mr IJW would open the
24 door, and it was almost like he would go -- he delighted
25 being in there.

1 One lesson he was in there almost the whole time,
2 and he came out and he was pleased with himself.

3 Q. Was the mood in Mr [I]JW [redacted]'s class different from when
4 Mr Brownlee was there teaching French?

5 A. Yes. Mr [I]JW [redacted]'s class was very much the same as
6 primary 3 with Ms Peterkin and primary 4 with Mrs
7 Baxter.

8 Q. But, with primary 5, with Mr Brownlee, there was edge,
9 if I can use a word?

10 A. More than edge. I would say we were scared, but this
11 was new to us. We hadn't experienced anybody not being
12 nice to us, and I would say had everyone clackened us
13 the same as Mr [I]JW [redacted] that was all right.

14 I know that sounds a bit back to front because we
15 are saying that sort of punishment was all right, but we
16 didn't know any different. We didn't know it wasn't all
17 right.

18 Q. No. Of its time, it wasn't considered by the boys out
19 of the ordinary?

20 A. No. It seemed like: well, okay, that's fair.

21 Q. Whereas Mr Brownlee was not?

22 A. He scared us.

23 Q. I think you say in the statement he was known by you in
24 primary 5 as "Psycho"

25 A. Not me. It was -- when we went into primary 5 we became

1 aware of primary 6 because we started milling about and
2 their block was near us and the name, you just were made
3 aware of, as he was called Psycho and he was a sadist.
4 And I think I put in my note that for a 9-year old to
5 use the word "psycho" or "sadist" is quite -- that is
6 a huge word that we didn't obviously -- it didn't
7 come -- that wasn't an obvious word for us to use.

8 Q. But it's one you learn?

9 A. He was known as "Psycho".

10 Q. And then because you have done well in P5, he then -- in
11 turn, Brownlee becomes your class master?

12 A. He did, yes.

13 Q. Having been a couple of lessons a week, you presumably
14 get him most of the time?

15 A. Pretty much every lesson, apart from when he did what he
16 did to us in primary 5. Like, Mr Wares would come to
17 our class to teach maths. Happy days, eh?

18 Q. Presumably -- or you tell me: did the beatings become
19 more regular?

20 A. Oh, daily.

21 Q. Daily?

22 A. Because he had 25 people in his class that -- he was our
23 teacher.

24 Q. You detail many things he would do; he would throw
25 wooden dusters?

1 A. Yes. I mentioned he played cricket. We have covered
2 before, it's wooden on one side and spongy on the other,
3 and I've covered a very clever guy. So we were laid
4 out, in our class of 25, by -- the very clever boys were
5 at the back. So whoever was first in the class was in
6 the back left; whoever was fifth was back right. And
7 the nearer you got to the front the -- because I was
8 new, I sat in the front row because I was, like, 22nd,
9 so the less clever boys in his class were at the front.

10 [REDACTED], who was obviously third, sat in the
11 middle of the back, and he was so clever he just --
12 I don't know, he used to read books inside books, so it
13 would look like he had his French book, but in fact he's
14 reading, you know, Ennius or something, some Latin book
15 or whatever, but he was extremely bright.

16 And Brownlee picked up that he was reading something
17 behind his French book and asked him to put it down, and
18 he was shaking and eventually he put it down and
19 Brownlee saw it had another book inside it and -- From
20 Me to You, so that would be the back of the class. He
21 threw the blackboard duster and he hit [REDACTED]
22 here on the head, and that was quite early on in my
23 being in 6A.

24 And I look back and I feel quite -- I'll use the
25 word "upset" thinking about that, but more sort of

1 terrified. It was like, "Woah", I had never seen that
2 before.

3 Q. And how was the boy having been hit on the head?

4 A. He was in tears, and it wasn't pouring blood, but there
5 was an obvious bruise, which as the day went on got
6 bigger and I'm guessing his parents must have said:
7 "what happened to you?"

8 I've no idea what he said, but ...

9 Q. I was going to ask you about this. Suddenly, having had
10 the pleasure of P1 and P2 and P3 and P4?

11 A. And P5, largely.

12 Q. But, P5, you are beginning to see a side that is then
13 even bigger than P6; did you ever speak to your parents?
14 Did you ever talk?

15 A. No.

16 Q. Can you explain why not?

17 A. It's been covered by quite a few people already. My
18 parents were very proud (Pause) of the fact that they
19 had been able to send me to Edinburgh Academy and we
20 didn't cover it. I failed the entrance exam when I was
21 four-and-a-half, because my auditory skills were not
22 good enough. In other words, I didn't listen, and my
23 partner of now would agree with that. So they got that
24 right. But I wasn't allowed to go to the school in
25 primary 1.

1 I got in in primary 2. So because they had
2 struggled, in their eyes, to get me in and it was
3 a status symbol for my mother, to a Trinity lady, to
4 say, "My son's at Edinburgh Academy".

5 So it was a status thing, and she had been at
6 Trinity, and I guess it's like she'd achieved something
7 she hadn't achieved and she was so proud.

8 Q. So you wouldn't want to --

9 A. I wouldn't have wanted to say, "By the way, this is not
10 good".

11 And also I didn't know, Andrew, that this wasn't how
12 it was, you know? I was in Mr Brownlee's class. I
13 was -- I think I was nine and I became ten. Somebody
14 made the Stephen Fry reference: if you are hung upside
15 down and told that's how it is, then you think, "Well,
16 that's what we do".

17 Q. It became normal?

18 A. It was normal. How could I possibly know it was any
19 different? This was how it was.

20 LADY SMITH: You had nothing to compare it with.

21 A. I had nothing to compare.

22 And I was also -- one Christmas, my mother, she
23 wanted everybody to be happy and everything had to be
24 nice. So I very -- from a young age, got used to seeing
25 how -- I remember one day saying I didn't have a very

1 good day and this upset her, so I got used to saying:
2 "I had a good day."
3 MR BROWN: You would play along?
4 A. Yes.
5 Q. You talk about a number of behaviours, throwing into
6 doors, walking around in headlocks, et cetera. We can
7 see the full detail. But one line you use and am
8 I right in saying this is something you remember him
9 saying: "woe betide?"
10 A. Woe betide, yes. I used to meet Mr Brownlee at
11 ██████████ Golf Club. I was a member there till five
12 years ago, when I worked out it was costing me £800
13 a round. But I used to meet him on Fridays. He was a
14 member of the Ancient Accies, which is Edinburgh Academy
15 teachers and pupils that play on a Friday. And my
16 friend and I, that also was taught by him, we used to --
17 not in earshot of him, because we used to see him go,
18 "Woe betide". That was a favourite phrase. Basically
19 meaning: if you don't do this, you are getting thrashed.
20 Q. And that was the consequence?
21 A. Yes. Ms Barry, the art teacher, who I now know he had a
22 fancy for, was "woe betide" anybody gets sent out of art
23 and it's, like, you just don't do that.
24 Q. To put that in context, he would patrol the corridors?
25 A. Yes, and I did get sent out of art, and I hid in the

1 toilets, but I stood on the toilet seat, so that when he
2 looked in he couldn't see any legs. Myself and
3 [REDACTED] stood on a toilet each and didn't breath
4 until he had gone past.

5 Q. Because you knew what would have happened if he found
6 you?

7 A. 100 per cent.

8 Q. That would have been?

9 A. I would have got beaten. "Beaten" is not a strong
10 enough word. We used to call it "whacked". But
11 attacked, basically, with the clacken. Brutally beaten
12 with the clacken.

13 Q. These beatings with the clacken, we've been told it's
14 more like a golf swing?

15 A. Yeah.

16 Q. With follow-through?

17 A. Yes.

18 Q. On boys of nine?

19 A. And ten.

20 Q. And ten. Were you being injured by this, bruised?

21 A. Yes. I mean, the thing I don't get is that at gym we
22 all had to strip off, as everyone said, so we were naked
23 and we put our gym shorts on, and you could see all the
24 boys had been -- had black and blue back sides, and it
25 wasn't just the area of the size of the clacken. The

1 black and -- the bruising had moved out, and people
2 could have buttocks that were just black and blue.

3 And I think also I explained it, when you are being
4 clackened, because it's going to be on your backside, if
5 you try and stand up to try and meet the clacken, and
6 try and get out the road, you would get clackened. It
7 would hit you on the top of the thighs and not your
8 backside, so people would have bruised thighs, and
9 I'm just amazed that the gym teacher didn't comment or
10 parents didn't see it.

11 Maybe at nine and ten we weren't parading around
12 naked to our parents.

13 Q. The other thing -- and then we'll move on to someone
14 else -- is you'll remember there was evidence of someone
15 being put on a window sill, so there would be beatings?

16 A. There were lockers under the window sill. So the
17 highest locker, if you bent down, your head could go in
18 it. It didn't have a door on it; it was just lockers
19 for books.

20 And [REDACTED], who was the most beaten boy in
21 the school, who won't be giving any evidence because he
22 can't remember anything. He's my friend. He has no
23 knowledge of anything.

24 Q. What do you remember?

25 A. I remember him being beaten. I'm not going to say every

1 day, but regularly. And he is -- not now, but at school
2 he was hyperactive. He was like [REDACTED] in 5B.
3 It was almost like he was going, "Come on then, beat
4 me", and he did -- I'll call it hijinks. Just daft wee
5 things to get Brownlee riled, to do stuff, and it was --
6 he was the first boy who got his head put in the locker.
7 So, when he got clackened, it was sore on his backside.
8 But because his head's in the locker, he then went like
9 this, and his head banged off the locker.

10 And I'm looking at this and I can't actually even --
11 I can't take in why a human being would want to do that
12 to an animal, let alone a person, let alone a little
13 boy.

14 LADY SMITH: 'Sam', if you take a boy of the size of this
15 boy you have been describing; how high on his body did
16 the locker sit?

17 A. He would need to bend down to put his head in it. So
18 there's a good example, where Andrew is standing, that
19 is -- the window ledge is the height of your desk.

20 So the height of the window ledge was where I'm
21 sitting and beneath it are two lockers, one that goes
22 halfway down, and one that's at floor level. So he
23 would put their head into the level just below the
24 ledge.

25 LADY SMITH: So the little boy's back would be more or less

1 at right angles to his legs?

2 A. Yes, that is exactly it.

3 LADY SMITH: How much space in the locker would there be?

4 A. The lockers, I know exactly what size they are because

5 I collect records and they are the same size, about

6 a foot square.

7 LADY SMITH: Not much space?

8 A. Basically, you, your head and bit of your shoulders

9 and -- not much space.

10 LADY SMITH: So very easy to hit your head if you flinch.

11 A. Not easy, they absolutely did because you couldn't not

12 flinch.

13 I don't know if this has come out strong enough.

14 This is brutal.

15 I have a clacken that I got for my stepdaughter that

16 I hit myself with, and it's sore and that was me hitting

17 myself, as an adult.

18 LADY SMITH: We had a clacken here last week, hitting that

19 desk that you are sitting at.

20 Thank you.

21 MR BROWN: Thank you, my Lady.

22 And into this environment comes Iain Wares?

23 A. Yes.

24 Q. As you said, he would come in to Brownlee's classroom to

25 teach you maths; is that right?

1 A. Yes. Probably three times a week, I think it was.

2 Q. And he brings, from your statement, violence, but also
3 sexual behaviour. He's a young teacher?

4 A. Yes, he's late 20s/early 30s.

5 Q. And how do you remember him?

6 A. I remember him as being striking, as in he had very
7 blonde hair, like the golfer, Greg Norman. He was very
8 handsome, he'd a lovely smile. He had a South African
9 accent, which, compared to an Edinburgh accent, was
10 interesting and he was just -- he was just -- he was
11 charming.

12 Q. That is the first impression?

13 A. Yes.

14 Q. How quickly did you see another side to him?

15 A. I can't say it was day one, but let's say in the first
16 week he began to beat people in the same way as Brownlee
17 did, with the clacken. And it's very distinctive, his
18 face would go bright red, like, almost beetroot, and it
19 was such a contrast between his blonde hair and his red
20 face that he looked almost like something out of
21 a pantomime. It was just not normal.

22 And he terrified me and, I guess, everyone else in
23 the class because we thought: we've got all this stuff
24 with Brownlee and, bloody hell, here's another guy who's
25 just discriminately beating us.

1 And we have heard this word -- if I ever write a
2 book about this it's going to be called For No Reason At
3 All.

4 Yes, For No Reason At All.

5 Q. That's, presumably, because this would happen for no
6 reason at all?

7 A. Yeah. I mean, I was actually quite good at maths, but
8 the less able guys I can remember a couple of them that
9 struggled. They would get beaten for not being very
10 good at maths or -- I'm convinced there were two or
11 three guys in my class that were hyperactive, with
12 hindsight, that they couldn't sit still.

13 One of them is now dead, so I can mention his name,
14 ██████████, very, very, very clever guy, couldn't sit
15 still, and he was getting clackened a lot by Wares. So
16 that terror continued.

17 There were days when it was just like continual --
18 not continual clacken, but we had Brownlee most of the
19 day and we had Wares, and it's just like, you know,
20 I couldn't breathe a sigh of a relief as a youngster
21 because I always felt frightened. But, yeah, just more
22 of the same.

23 Q. Was it the violence that started first?

24 A. Yes.

25 Q. But then the sexual side?

1 A. At the end of the week or -- I'll make it up and say it
2 was a Friday. It could have been a Thursday. He would
3 check our work and we'd go up one by one, and sometimes
4 he would have us lined up, not the whole class, but two
5 or three. And because it was alphabetical, I would
6 remember it was [REDACTED], IKA [REDACTED], [REDACTED], [REDACTED], [REDACTED]
7 and then it stopped. So that was our wee line-up. And,
8 equally, the other way, I'm not going to list the whole
9 class.

10 But he would line us up or he'd -- he'd call you
11 out, and he would hold your maths book, your jotter that
12 you had done your work in, with both hands. Fair
13 enough.

14 I believe now we held it with both hands so we
15 didn't have a free hand. So by holding it -- the book
16 with both hands, we stood to the right of him. So if
17 you are Mr Wares, as I only knew him, I stood to the
18 right of you with my book, and he sat at a desk, about
19 this height, but it had stuff on it. I don't know what
20 it was on it, but it meant, when we were standing, from
21 about stomach down we weren't visible to the class, but
22 stomach up we were.

23 So not dissimilar, actually, to how you are
24 standing. That looks very familiar.

25 We would be standing by you. He's sitting like me.

1 The first time it started, I was quite -- I was very
2 obedient and I was very compliant and I was very --
3 I did what I was told, but I also kind of showed how
4 I felt and I'm guessing when I was standing next to him
5 I looked afraid or I just looked worried, and I remember
6 him putting his arm round me and saying, "It's okay",
7 and, like, bringing me in closer, which was actually
8 quite comforting, because I was probably like how
9 I'm displaying it just now, because I'm feeling what
10 I did when I was eight.

11 So he would bring me in and comfort me, and he had
12 this lovely smile. You know, as somebody said to me:
13 "all paedophiles are charming because if they weren't
14 they wouldn't get near kids because you need to like
15 them."

16 And he made me feel at ease. And somebody said to
17 me -- not quite like your mother giving you a hug, but
18 because he had been so violent to other people.

19 Woah --

20 LADY SMITH: Are you telling me that you felt safe, as
21 compared to the others?

22 A. It was a relief, Lady Smith, an absolute relief that he
23 wasn't -- I was kind of waiting, like, this -- he's
24 going to then attack me or beat me. So this was --
25 I'll make it up and say week one. As the weeks went on,

1 it got progressively worse and then, as we wore shorts,
2 they were dark blue shorts, and I think the boarders,
3 for some reason, wore grey shorts.

4 But, anyway, we had dark blue shorts that were not
5 flared, but they weren't, like, tight shorts, like you
6 get now, and, yes, it was then easy for him to put his
7 hand up your shorts and into -- up your thigh and, as
8 the weeks went on, it progressed.

9 So he would test you out.

10 There was one particularly fat kid called
11 [REDACTED], who he couldn't get his hand up his shorts
12 because his legs were too big, if you like, and I don't
13 recall him being abused. I recall him being clackened
14 often and that kind of set the tone, but it was easy for
15 an adult -- well, anybody to get their hand up your
16 shorts if they wanted to.

17 Q. You said he progressed and, with you; what did he
18 progress to?

19 A. He progressed to his hand going inside your underpants
20 and I think at the same time would then fondle your
21 genitals and ... I'll say arouse you. I'm eight or
22 nine. Whatever he did felt nice, so it wasn't horrible.
23 It felt nice.

24 He -- you know, this was, say, early on in term one.
25 By term three, one of his fingers was going actually

1 inside me, without being too graphic about it all,
2 because the police said: "did I know what finger it
3 was?"

4 And I said: "well, no."

5 Again, that was -- it wasn't sore. It was
6 uncomfortable, but he used to say this is nice, and he
7 would look at me and go, "This is nice", and smiled, and
8 I think I must have smiled back and gone -- I remember
9 agreeing with him. I maybe didn't say or smile, but
10 I remember maybe nodding because I guess it was nice,
11 you know. And he was -- there are boys, I remember, who
12 would walk back from his desk aroused and they were
13 profoundly embarrassed by it.

14 I don't know what else to add to that. It's obvious
15 what he was doing, and this happened regularly.

16 And I'm guessing he had favourites that he knew were
17 compliant. I was certainly one of his favourites and it
18 happened a lot, is all I can say.

19 Q. Right. And whereas he could be violent; in this
20 context, he's charming?

21 A. Absolutely.

22 Q. Did you have him in any other year or was it just that
23 one year?

24 A. No, just that year. And then, coincidentally, he left
25 the year ██████, in the June, because one of my -- not

1 a classmate, [REDACTED] had had him in the fifths,
2 as his class teacher and I think taught him maths in the
3 sixths as well, complained to his dad and his dad was
4 well known in Edinburgh and the school, I guess, felt
5 they had to act, and the police came.

6 So myself and another guy -- so I wasn't making it
7 up -- remember the police coming to the school and
8 things happening, and Wares left very soon after to go
9 to Fettes.

10 I don't believe I ever saw him again.

11 Q. Where did you see the police?

12 A. In the staff common room, in the sixth block. Because
13 my class and Mr [REDACTED]'s class were on the same level
14 and Mr [REDACTED] and Mr Benson's classes were directly
15 below.

16 Q. You have mentioned a boy's parents complaining; is that
17 something you have been told?

18 A. It is something I'm aware of because I'm friendly with
19 him.

20 We were aware at the time that there had been
21 a commotion about something and I remember, to answer
22 your question, [REDACTED]'s parents being
23 involved. I wrongly, initially, thought it was about Mr
24 [REDACTED]. It was only years later, like, recently,
25 that I've obviously worked out it was about Iain Wares.

1 Q. At the time, though, you didn't know?

2 A. No. I had no -- because I need to point out, we didn't
3 know that what Mr Wares was doing was wrong.

4 Q. No, indeed.

5 A. He was a nice -- I was good at maths. He was nice to
6 me.

7 Q. Okay. You mention another class teacher, not one that
8 you were ever taught by, but I think who we heard about
9 this morning, IDO [REDACTED] ?

10 A. Yes.

11 Q. I think what you can say is you heard; and you could
12 hear from one classroom to another?

13 A. His classroom was next door to Mr JW [REDACTED]'s and he
14 [REDACTED]. So, as I've been told by
15 the boys that got beaten by him, when he clackened you,
16 he didn't follow through like Brownlee and try to lift
17 you off the floor. Because as Brownlee followed
18 through, because we were wee boys we would kind of jump
19 forward.

20 With IDO [REDACTED], he would hit you like a squash ball,
21 and [REDACTED].

22 Q. What could you hear?

23 A. The whack. I can't describe a whack. But like a small
24 firecracker going off and screaming. I think that is
25 the point I've not pointed out. We heard screaming and

1 shouting and pleading for mercy and ...

2 Q. Would others have heard the same from --

3 A. 100 per cent.

4 Q. -- Brownlee's class?

5 A. 100 per cent.

6 Q. And that's the point: these things could be heard?

7 A. And in the classroom below.

8 Q. You also mention a gym teacher?

9 A. Mr [REDACTED].

10 Q. Was boxing part of the routine --

11 A. No.

12 Q. -- between boys; no?

13 A. No. We didn't do boxing.

14 Q. Okay. But he had a boxing glove?

15 A. He did, called Jemima. One boxing glove.

16 Q. His name?

17 A. Not two.

18 Q. No.

19 A. Jemima had a name. Sorry, the boxing glove had a name.

20 Q. Named by him?

21 A. Yes.

22 Q. And also Stingray?

23 A. Was a table tennis bat.

24 Q. And he would use both to hit boys?

25 A. The table tennis bat, yes. Now, the boxing glove he

1 would make us put it on and punch the boy who had done
2 something wrong in the face.

3 Q. Were both implements used as a form of punishment?

4 A. Absolutely.

5 Q. So you had to have done something wrong, but then one or
6 other would be --

7 A. Yes.

8 Q. What sort of thing would you have to do wrong?

9 A. Wearing your pants underneath your gym shorts. Bearing
10 in mind, I've only just remembered this, we didn't have
11 gym tops. We just had gym shoes and shorts. We were
12 naked on the top.

13 Q. I think we heard that this week.

14 A. Well, maybe that's why I think I've just remembered it.
15 Maybe I have heard somebody say it.

16 Q. Yes.

17 A. So we were told not to wear pants, so we didn't. But
18 some boys, for some reason, did, and he would then get
19 another two boys to stand either side of the boy and
20 take their gym shorts down to reveal their pants and
21 then the boy obviously realised he was in trouble, and
22 then he would have to take his pants off and be naked,
23 put his gym shorts on. Then he would give the boxing
24 glove to one of the other two boys that had taken their
25 shorts down and ask them to punch him in the face, while

1 the boy stood with his hands by his side, like he was
2 standing to attention.

3 And I was asked to do that once to one of my
4 friends, and I did it, but I didn't do it hard enough
5 and I was asked to redo it. And I found that really
6 quite difficult.

7 Q. Do you know why pants weren't to be worn?

8 A. No, because I have seven rulebooks from the upper school
9 and the prep school and there's nothing that says about
10 underwear. It just says what your school uniform is.

11 I'm guessing it's just a way of grown men being able
12 to see boys naked, is all I can -- I've no idea.

13 Q. Okay. Was there bullying in the junior school that you
14 suffered from?

15 A. No.

16 Q. No.

17 A. I was aware of one boy being slightly aggressive, whose
18 dad had died, and he was held back a year. A guy called
19 [REDACTED]. And he came back a year, and I think,
20 ironically, the year he repeated would have been with
21 Iain Wares. He had two years with him.

22 I've just put it down to the fact that he lost his
23 dad and he was a bit menacing, but nothing that would
24 have worried you.

25 Q. I think, looking at your statement, you then go on from

1 P6 into the senior school?

2 A. Yes.

3 Q. This is the Geits; is that right?

4 A. That's the Geits.

5 Q. And bullying, though it wasn't an issue in Geits or
6 senior 1, did become an issue for you in later years in
7 3 and 4; is that right?

8 A. 4 onwards. I think we should highlight the Geits were
9 nice. It was good.

10 Q. It was good?

11 A. Yes.

12 Q. What do you remember enjoying about the Geits?

13 A. I remember that nobody beat us. There were clackens
14 about.

15 So, in the prep school, the masters had the clackens
16 in their classrooms. In the upper school the clackens
17 were in the masters' lodge, so you had to go and get
18 clackened, as opposed to people indiscriminately just
19 beating you up in their classroom.

20 First of all, there were no clackens about, so that
21 was good, and the teachers were nice. I had Mr Fenton,
22 who was always just a nice man. Geits were good.

23 Q. I think, as you say, is it perhaps down to adolescence,
24 there becomes an undercurrent of perhaps more
25 aggressive, your word, "feral" behaviour?

1 A. Not perhaps more aggressive, absolutely aggressive from
2 the age of ... I'll say when I was in the fourths.
3 That's when it started. So it was kind of February --
4 just when punk rock started, so the February 1977 and
5 people used to wander about with their punk albums, much
6 to the annoyance of the teachers, because one of them
7 was Never Mind The Bollocks. And I remember
8 [REDACTED] being told off by a teacher, not to display
9 that album cover in the yards or it would be
10 confiscated.

11 But it was at that time, that's when just the fact
12 that you were allowed, through music, to go: I hate the
13 police. I hate my school. I hate my mum. I hate
14 society.

15 To be able to express yourself. People started
16 expressing themselves with their fists as well.

17 So there was a definite, like, aggression and
18 violence and, yeah, it obviously started in the fourths,
19 so I would be 13/14.

20 To answer your question, as we were maturing and
21 getting bigger, and I'm guessing the teachers were less
22 likely to hit us because, you know, there is a guy in
23 the year above me, somebody [REDACTED], had almost a beard
24 when he was 15.

25 Q. We read you would try and take yourself off to the

1 library --

2 A. No, I used to hide.

3 Q. It was sanctuary?

4 A. Yes. Believe it or not, I was very small at school.

5 I was scrum half and I was tiny. I was little and I was

6 an easy target if people wanted to attack at random,

7 because it wasn't -- people weren't picked on. It was

8 just folk getting rid of -- they wanted to be violent.

9 I used to hide in the library at lunchtime because

10 that's where people went and -- no, that's not where

11 people went. That's where people who didn't want to be

12 beaten up went.

13 Q. How much awareness of the violence was there from the

14 staff?

15 A. Honestly, I would say none.

16 Q. And why was that?

17 A. I've no idea.

18 Q. Presumably, this wasn't in the classroom scenario?

19 A. No, after lunch, there was gangs of people, five, six,

20 seven. One of my friends, recently, who is not part of

21 this, said to me: I remember chasing [REDACTED], the

22 guy who used to get indiscriminately clackened by

23 Brownlee and Wares, being hunted one lunchtime through

24 the yard.

25 He said: we were in the library, we were in the

1 chemistry labs, down the hills, which was the toilets,
2 the fives courts, we couldn't find him.

3 I relayed to that [REDACTED] about two weeks ago and he
4 said: "I don't remember that."

5 They hunted him and they found him and beat the
6 living day lights out of him for, probably, nothing.

7 Q. You were made to fight one of your friends, we read?

8 A. What happened was, the music room was at the back of the
9 school, beneath the dining hall and to the left, and
10 it's currently under scaffolding because I happened to
11 drive along there this morning.

12 There was a group of about 12 people, who I would
13 just say were the lads. They were the guys who would
14 have the punk haircuts and one of them would put
15 a safety pin through his lip when he went out of school
16 and stuff. And because they knew I was into punk music,
17 but I wasn't a punk. I didn't look hard enough to be
18 a punk. But I was asked to come -- there was something
19 on in the music room and one of the guys was learning to
20 drum and I was asked to come down under the guise that
21 something was on.

22 I went down and myself and my friend, [REDACTED]
23 [REDACTED], who was a kind of -- a bit of a hippy ...

24 What they did was, they formed a ring of about
25 a dozen people and they made us fight each other, like

1 sort of badger baiting, and the irony of it is I'm not
2 a fighter. I've never been in a fight in my life,
3 believe it or not. And neither was [REDACTED]. We
4 were friends. He lived in Culross and I used to go to
5 his house and he would come to my house. He taught me
6 to play the guitar. He would play Bob Dylan and I would
7 play The Clash.

8 And they made us fight each other. So we're not
9 fighters.

10 I think I said to you earlier, I can't fight. My
11 natural reaction is to kick, because -- I don't know.
12 I used to see Wares and Brownlee kick folk as well, so
13 maybe I learnt that from there, but anyway.

14 So we were trying to punch each other and it was
15 farcical. And he ended up on the ground, and a guy
16 said, "Kick him in the head", and I did. I kicked him
17 hard in the head and I hurt him, and I kind of stood
18 back and I thought: what in hell's name have I done?

19 They were going, "Do it again", and I did. And my
20 friend was looking at me going, "Why are you doing this
21 to me?" and it stopped. I think I stopped. "I can't do
22 this", and we left together. Terrible.

23 To answer your question, masters just weren't
24 visible. The people that patrolled the yards, if you
25 call it patrol, were the ephors. The prefects, I don't

1 like the word ephors. The prefects controlled the yards
2 at lunchtime. They were just guys who were 16/17 and
3 couldn't care less. Would confiscate cigarettes off
4 you, probably to go and smoke them themselves.

5 My sister was the head girl at [REDACTED] and she
6 used to confiscate cigarettes and I would buy them off
7 her. So no visibility outwith the classrooms, and a lot
8 of violence went on. A lot of serious violence.

9 Q. But all staff oblivious to it?

10 A. Yeah.

11 Q. And you wouldn't tell them?

12 A. No. You wouldn't want -- no. Because by that stage,
13 say I was 14 or 15, I was starting to build up
14 an anti-school -- I had just made a right mess of my
15 O Levels from being the bright boy to -- in set 1 for
16 everything, to go into set 3. I was looking at my roll
17 book, I was in set 4 for something and, like, I just
18 stopped being able to learn anything.

19 Q. Going back to the teachers for a moment, your progress,
20 or lack of it, is obvious, looking at previous years;
21 the fact you're going off a cliff?

22 A. 100 per cent. So much so my dad went to the rector and
23 then Howard Haslett, the school chaplain, twice to say:
24 we're really worried about IKA [REDACTED].

25 And it resulted in me being interviewed by

1 Howard Haslett, where I, of course, said: "there's
2 nothing wrong, I'm fine."
3 Q. And that was it?
4 A. That was it. But it wouldn't take a genius to work out
5 someone who is in set 1 for everything, goes off
6 a cliff, something is wrong, and I was never able to
7 work out what that was.
8 Q. We have talked about boys. In senior 2, however, you
9 had Hamish Dawson?
10 A. I did.
11 Q. Was Hamish Dawson -- we get the impression he would be
12 teaching the brighter boys; is that --
13 A. Yes, that was me. That was part of my jackpot for being
14 promoted from the 5B as [REDACTED]. Because I was then, in the
15 seconds, being in the A stream, had Mr Dawson as my
16 class teacher.
17 Q. And you say he was eccentric. He was amusing. He made
18 history interesting?
19 A. He did. I think I said he was like a Ken Dodd
20 character. I liked him.
21 Q. You liked him?
22 A. Yes, he was funny.
23 Q. And we know all about -- and you have been hearing it
24 this week and last -- the weapons of correction, the
25 sticks?

1 A. I thought they were called "weapons of destruction", but
2 "weapons of correction" will do.

3 Q. Another way of putting it.

4 A. Yeah.

5 Q. All right. They were known throughout the school,
6 that's perhaps --

7 A. Yes, it got mentioned in the school chronicle. When he
8 left, the rector actually gave them a nod.

9 Q. And you remember the jelly beans?

10 A. Yeah. I use -- I still love jelly beans, unlike the guy
11 from this morning.

12 Q. Do you remember the performance?

13 A. Yeah, it was a performance. He was funny. I can smile
14 thinking about him now. He was a genuinely amusing man,
15 and he had a sort of Ken Dodd accent, where he was sort
16 of like (laughs) like this and made everything amusing
17 even to pick weapons he was going to hit you with, put
18 you over his knee, do all sorts of stuff. He was funny.

19 Q. Is it correct what we've heard, from your recollection,
20 that the punishments he doled out with his weapons
21 weren't hard?

22 A. No, it was a sort of jokey thing, but it was a way of
23 him getting you over his knee to feel you and -- I can
24 only remember a couple of occasions, so therefore -- the
25 masters work cloaks, so you didn't know what was going

1 on under their trousers. But, on two occasions, he was
2 definitely erect because my head was basically on it.

3 Q. And you can feel that arousal; what were his hands doing
4 to you?

5 A. They were down -- on some occasions, down the back of
6 my -- by this time, we had long trousers. Not with
7 belts, as I recall. So I'm guessing that was easy to
8 get your hand down. Sometimes he would go down the
9 front of your trousers, but not in the Wares way, like
10 there wasn't an attempt to arouse you. It was more to
11 have a feel, rather than to arouse you or to try to make
12 you come or whatever.

13 Q. How often did that happen to you, do you think?

14 A. To me?

15 Q. Hmm.

16 A. I would say fortnightly, maybe. I wouldn't say you
17 looked forward to it. There were some guys in the class
18 actively goading teachers to get attacked. Some people
19 actively did things to get Mr Dawson's attention so they
20 could be tickled and written on -- because he wrote on
21 you as well. Mostly with the boarders because our
22 parents would have seen it: "I must not expostulate."

23 There is one of his words. In coloured felt pen.
24 And then he'd tickle you, talk about acres of pink
25 flesh, give you jelly beans and pat your bum, and on

1 your way.

2 And, again, you know, you need to remember we have
3 come from Brownlee and Wares. This was fun. This was
4 a show.

5 Now, I would say it's like -- it's show time. Let's
6 go Mr Dawson's class, because he was a really good
7 teacher. Occasionally, he got angry, but you knew then
8 he was angry and you went: oh, it's not show time.
9 We'll behave.

10 Q. This is something that has been touched on with a number
11 of witnesses; it was in plain sight?

12 A. Yeah.

13 Q. The sticks, the Ken Dodd approach; what about the
14 touching? How would that have been known more widely?

15 A. We -- in the upper school, the desk, rather than being
16 this height, they were the height taller than you. The
17 masters used to sit -- masters, let's call them
18 teachers.

19 The teachers used to sit on high stools, so their
20 desk was even higher than you. So it would almost
21 probably come to chest height and it was, say, this
22 width. So when we came round -- and bear in mind
23 we're -- seconds, we'd be 11 and 12, and I was small.
24 So, if I was behind his desk, I'm not sure I could
25 actually see over it. If I was over his knee, no one

1 would see anything.

2 But he also used -- I can remember standing at the
3 side of his desk for jelly beans while he did it to
4 other people.

5 Q. My point is: you as boys in the class knew what was
6 going on?

7 A. 100 per cent.

8 Q. But you have said at the time it was fun?

9 A. He could probably do it today and get away with it if no
10 other teachers or headmasters knew what he was doing,
11 because he didn't -- he made it -- what he did was fun.

12 Q. But that's the point, we know, for example, when he
13 leaves the school, there are the valedictory remarks,
14 there's reference --

15 A. He became a Santa Claus, for goodness sake.

16 Q. Yes, and we know there is reference to all the various
17 implements?

18 A. Yes.

19 Q. That seems, without doubt, to have been known?

20 A. Yeah. And they mentioned it because -- he wasn't
21 a violent man. It wasn't: goodbye, Mr Brownlee, and
22 we'll miss your clacken.

23 This was: goodbye, Mr Dawson, and your weapons of
24 mass destruction -- mass -- whatever it is, correction,
25 we'll miss you and your jelly beans and your "Santa

1 says" competitions and, you know, and his puffer trips.

2 Q. We'll come to that in a second. How would teachers have

3 known about the other side where he's touching, he's

4 erect?

5 A. I don't think they would. They couldn't have. They

6 would probably have known him as an eccentric-type man.

7 He used to wear lilac socks and he was the first man to

8 have a three-wheeler scooter, that had two wheels in the

9 front and one at the back. And he always wore lilac and

10 purple. He was just a bit eccentric. So no one would

11 have known; how would you?

12 Q. Yes. That is what I was curious --

13 A. No one would know.

14 Q. But you all knew?

15 A. Yes.

16 Q. But then you wouldn't --

17 A. No, I think I would have said I talked about him fondly.

18 Q. And that's despite going in the puffer with him?

19 A. That was after I had left his class. So it started to

20 change.

21 Q. Yes. Now, we know -- we can read in the statement about

22 the Steam Navigation Club and he's taking you in

23 a puffer up the Caledonian Canal with other boys and

24 another teacher; and I think the point you make is there

25 is a shower on board --

1 A. Yes.

2 Q. -- and he was picking you one by one to go into the
3 shower and watching?

4 A. Yes. The point to make, Andrew, is that you were
5 invited to go in the puffer. I didn't volunteer. He
6 picked people -- and I'll go back to the beginning.

7 I was a very compliant, obedient -- I would do what
8 I was told. I was a nice little boy and I -- if
9 somebody wanted to take advantage of people because --
10 again, because I was small, I wasn't a fighter, I would
11 have been an easy target. And I can see why he invited
12 me because I would have fitted in whatever the hell he
13 was planning, which -- one of the things he just said
14 was -- the shower was the size of a telephone box. The
15 puffer -- I was asked by the police: what the hell is
16 a puffer?

17 It's a coal steamboat, like Para Handy, and they
18 actually had coal.

19 And to show you how naive I was, I asked the guy
20 putting the coal on -- he was basically a little
21 Academy, arrogant little whatever, and I said: "where do
22 you live?"

23 And he said: "I own a street."

24 And I went: "you own a street? Where do you live?"

25 And he said: "no, [REDACTED], in [REDACTED]."

1 And that's showed you how arrogant I was at that
2 age, that I just couldn't communicate with normal
3 people.

4 But the telephone box shower had a curtain on it, so
5 that when normal people used it, they shut the curtain,
6 they had the shower, they came out.

7 Mr Dawson brought us one by one, "It's your turn for
8 the shower". The shower curtain didn't close. He stood
9 and watched. I remember because I had left his class,
10 so I was starting -- it was the ██████ term and I was in
11 the thirds. So, in the thirds, I was 14 and 13. So, in
12 the ██████, I had just turned 14. So I was 14 and
13 ██████.

14 And I remember he was looking at me and I was, like:
15 is he going away?

16 So I turned round to wash myself and he said, "Turn
17 round", and so I sort of turned my shoulder round to
18 look at him, and he said, "No, I need to make sure that
19 you are cleaning yourself".

20 I was like, okay. And he then said, "I'll make it
21 up to you", or something. "You need to put soap all
22 over", or something, and he watched me do that and then
23 I just kept turning round. And he said, "Turn round,
24 turn round, I need to check", and, again, sort of
25 jovial, but there was a hint of something this time that

1 I thought: I'm seeing a side of you I don't like and
2 I feel really uncomfortable and ...

3 Yeah, no more to add.

4 Q. But, again, you now see, to use your words, a different
5 side, you don't like it; but did you tell anyone?

6 A. The other boys.

7 Q. Presumably, they had all experienced it?

8 A. Yeah. You mention that, but I wouldn't have told
9 anybody outside of it, because it's -- somebody alluded
10 to it earlier on in the week, it's embarrassing. You
11 didn't want to go: this master was standing looking at
12 me.

13 And they're, like: why?

14 It was not a secret, but it's not something you
15 would broadcast.

16 Q. No.

17 You have made the point that he would, with boarders
18 in particular -- in a classroom scenario he would draw
19 or write on them?

20 A. I don't remember drawing. I remember he wrote things.

21 Q. All right.

22 A. Funny things.

23 MR BROWN: Yes.

24 LADY SMITH: Did he use coloured pens to do it?

25 A. Yes, felt pens. And it was always on a thigh or

1 a stomach or top of your chest. It was never, like, on
2 your hand or on your knee. It was on --

3 LADY SMITH: Fleshy parts?

4 A. Yeah, that will do.

5 MR BROWN: Acres of --

6 A. Pink tickly flesh.

7 Q. Yes.

8 A. That's it.

9 Q. You were a day boy throughout. I think we see from the
10 statement that the boarding houses, barring one
11 occasion, you simply didn't go to. It's not them and
12 us --

13 A. Boarders went to the boarding house and we never --

14 Q. And you went home?

15 A. I'm not sure we were even allowed in them. Why would
16 you go? That's where they lived, so no.

17 Q. It was a separate world?

18 A. Absolutely.

19 Q. You do remember on one occasion being invited by Dawson
20 to the boarding house?

21 A. Yes, for something I'd done wrong.

22 Q. But you've no recollection of what happened, if
23 anything?

24 A. I have no idea. I have an amazing memory. I can
25 remember everything that I need to remember very

1 clearly. I'm a qualified psychotherapist. I have tried
2 to do self-hypnosis to regress, to try to find out what
3 happened in that room, and I can picture his living room
4 and it was purple and pink and all -- lilac and all
5 sorts of things and I remember him being annoyed with
6 me, and I had to go there to take him something, so
7 I'm thinking: why didn't I give it to him in school?

8 I have no idea.

9 But I went there and I remember walking up
10 Arboretum Road to go home to my house in Trinity very
11 upset. So I've got all that, but I know the brain and
12 your mind shuts down to protect you. So I realise
13 something awful happened and I can't even pretend or
14 begin or make -- I don't know what happened.

15 Q. But you remember going home upset?

16 A. Yes.

17 Q. The other master that you talk about, perhaps in
18 a similar but different vein, is Mr IBP [REDACTED]?

19 A. Yes.

20 Q. We have heard of Mr IBP [REDACTED], a very large corpulent
21 man?

22 A. Yes.

23 Q. Who was another [REDACTED] teacher; how did you view him as
24 a boy?

25 A. It sounds a bit odd because I'm a boy, but I -- me, all

1 my friends, kind of felt sorry for him. So we knew he
2 lived with his mum. He lived in [REDACTED],
3 round the corner from my house in Trinity. I would see
4 him sometimes on the bus. But he generally would walk
5 to school.

6 When I say he's big, he's 20-plus stone. His
7 nickname was [REDACTED] because he was a big lump and his
8 briefcase was maybe his father's. It was a battered old
9 briefcase. Even the way he walked, he looked like a
10 sorry old -- so you felt sorry for him. And he used to
11 have his lunch down his -- he used to wear tank tops,
12 which really weren't fashionable in these days, and he
13 just looked like a slob.

14 And he had curly hair that -- he was going bald and
15 he used to sweat profusely and we felt sorry for him.

16 Q. But your experience, because your parents asked him to
17 give you extra tuition?

18 A. This was after I had messed up my O Levels, having
19 been -- I think the best I got in set 1 in the As and
20 maths, I think I was seventh. I then got -- in my
21 O Level, I got a C, which was -- in my beginning of year
22 report I was down for an A. If there was such a thing
23 as an A star, I would have been down for an A star,
24 but -- and it wasn't I didn't know. It was just
25 something in my brain stopped working.

1 We knew he lived in Trinity. I used to see him walk
2 along ██████████, past Mr IDO's house and because he
3 was my teacher -- I don't know how it came about, we
4 arranged that I would get extra maths in his house that
5 I would go to on a Sunday afternoon, but his mum -- he
6 lived with his mum, so at no point did I feel anything
7 other than I was going to get extra maths; why should I?
8 Q. But, from what you say, though, he didn't positively do
9 anything other than touch against you, if you like?
10 A. The one thing I remember is the house was in darkness.
11 All the curtains were closed and the old fashioned
12 anglepoise lamps -- he had an anglepoise lamp at a desk
13 half the size of this in his living room, and his mother
14 that he lived with -- or supposedly lived with, I'm not
15 even sure if she ever existed. I never saw his mother.
16 She either wasn't in the house or she was somewhere that
17 she didn't make a noise. There was never any evidence
18 of her.
19 And there was him and me, and he would stand over
20 me, pore over me, sweating and leaning over, and kind of
21 rubbing me. And then he also had a chair that he would
22 sit and swivel in, so his legs would go in between my
23 legs, like he was helping me at this angle. So his leg
24 would come into my leg and I'm -- what am I? 15? So
25 I'm aware of things, but he didn't, like, try and touch

1 me anywhere else.

2 So I'm kind of thinking: this is weird.

3 He's touching me with his legs and arms and rubbing

4 me. I don't know what else to say.

5 Q. Except that we have heard about Glen Doll, the school --

6 A. I saw him naked in the showers.

7 Q. The communal showers there?

8 A. That actually scars me more than going to his house for

9 maths. It was just not a nice sight to see a man of

10 that size naked, and he's a teacher.

11 Q. Yes. Did any other teachers shower with you?

12 A. No. They showered afterwards, once the boys had been.

13 Q. Again, he didn't do anything, but he was there?

14 A. No, it was just horrific. What is he doing here?

15 I'm not going into what he looks like naked, but just

16 a dreadful sight.

17 Q. Showering, going back to school -- and again we have

18 heard of this **IBU** -- the PE teacher would watch

19 boys showering?

20 A. Yes.

21 Q. That is your recollection?

22 A. Yes.

23 Q. Did you think that untoward at the time?

24 A. I thought it was odd. But he did it in such a good way

25 that it wasn't obvious-obvious was he was doing, so

1 I've a recollection of him -- he used to stand like
2 this, and he would talk to the -- I think we have
3 already covered that the showers are on the right-hand
4 side as you go in and open out. And if you stand and go
5 into the changing rooms, and just go a few steps into
6 the left, where all the pegs went round, you can
7 actually see all the boys and the showers, and

8 [REDACTED] had been an [REDACTED].

9 He obviously liked rugby. He was the gym teacher.
10 He would stand after we'd had our lesson and talk to
11 boys about rugby, but in a way that he could see
12 everything that was going on.

13 And he would be talking -- I remember [REDACTED],
14 a really good rugby player, and he'd be talking to him
15 and go, "You've not had a shower", and it's like: how
16 can he see out the corner of his eye?

17 But he used to move about, so he could see what was
18 going on and watch people.

19 Q. Yes. You mention two other teachers, and this is in
20 connection with physicality, rather than anything
21 sexual. One was Mr [REDACTED], and that's an event where
22 he beat you with a gun sling?

23 A. I've never really got over to that, to be honest.

24 Q. Why not?

25 A. I just can't believe it happened. And I'm not aware of

1 anybody else ever having been beaten with a gun sling.
2 The sling you put on a rifle, so that it is on your
3 shoulder. So it's like a gigantic belt that's maybe the
4 length of my desk, so it's two metres long.

5 LADY SMITH: Made of leather?

6 A. Made of leather. It would be three or four inches wide
7 and about half an inch thick, because it has to support
8 a rifle for a soldier.

9 And I got beaten. I got three -- I don't know what
10 you call them. Whips? So I had to stand with my hands
11 out like this and I got hit on each hand, one by one.
12 So it was this hand, that hand, this hand, that hand.
13 And as it hit me the belt -- the gun sling would wrap
14 itself round me. My hands were numb after the first one
15 so two and three -- he could have hit me 40 times,
16 I couldn't feel anything after that.

17 My hands were about twice the size they should have
18 been. I couldn't hold a pen. And it was really weird
19 because he wasn't, in my opinion, a violent man. He was
20 a bit of a jokey-type. Not jokey person. He just
21 looked a bit like a joke. He was the history. He was
22 old. Although looked old, but he wasn't old. And
23 not -- no reputation for beating, but because
24 I'd skipped cross-country and he'd asked me to do it
25 again because we left earlier, because we didn't want to

1 do it, he asked me to do it again the next day and
2 I said: "I'm not doing it." I've got something planned.

3 And he said: "right, you either come or you're going
4 to get --"

5 I presumed it was a clacken.

6 I then went to [REDACTED]. And Mr [IDT [REDACTED]], who I've heard
7 things about, Mr [IDT [REDACTED]] was very nice to me because he
8 lived 50 yards from me and used to take me to swimming
9 and stuff. I had [REDACTED] and he said: "why are you not
10 writing, [IKA [REDACTED]]?" -- because we didn't use our first
11 names.

12 I said, "I can't hold a pen, sir", and I held my
13 hands up and he looked appalled and he said, "What
14 happened?" and I said, "Mr [IFN [REDACTED]] hit me with a gun
15 sling".

16 Q. You have talked on a number of occasions about the
17 quality of your memory?

18 A. Yes.

19 Q. It's good. But you can't remember the episode or what
20 happened when you went, on the one occasion, to the
21 house?

22 A. With Mr Dawson?

23 Q. Yes.

24 A. No. I'll never remember. I've done everything
25 I possibly can, other than get somebody else to

1 hypnotise me. I'm not going to go -- I don't actually
2 want -- I'm fine with what I know.

3 Q. What is your memory like from 15 on?

4 A. Feeling very alone, although I was with people. I had
5 friends. I wasn't in the top gang, the top group that
6 went around terrorising everybody, so therefore I was
7 next in the chain to be terrorised. So I was aware of
8 that.

9 I became clever at dodging it. Knowing where to go,
10 knowing not where to go. I, through my love of punk
11 rock, kind of got close to being accepted, but not
12 really. And I then ended up dropping down a year to be
13 friendly with the guys in the year below me, who were
14 the equivalent of the lads in my year. And I got
15 comfort -- I was friendly with them, but I used to play
16 truant quite a lot.

17 I didn't turn up for things. I used to leave school
18 early and get caught. It was always [REDACTED] and another
19 boy were caught leaving earlier.

20 "[REDACTED], you were caught smoking", or Mr Dawson
21 might: you missed my French history lesson; where have
22 you been?

23 I had Bruce's record bag because I'd just been to
24 see Ian Dury, he signed my album up at Bruce's record
25 shop and I was so pleased because he wrote:

1 "To IKA, Ian Dury, oi-oi!"

2 And I've still got it. And he said to me: " ,
3 when you're older, what are you going to remember,
4 French history or this Ian Dury?"

5 And I stood to attention and I said, "Ian Dury,
6 sir", and it's one of the few times I remember Mr Dawson
7 getting angry. He was livid with me, but by that time
8 I was -- it was 1978, the album came out in June, so
9 I was 16. So he wasn't go to attack me or tickle me or
10 whatever, but he was livid.

11 Q. And you were right?

12 A. I was proud.

13 Q. You still remember Ian Dury?

14 A. I still listen to his albums. I've still got them.
15 I collect vinyl.

16 Q. The last couple of years at school; were they treading
17 water?

18 A. They were just dreadful. I was self-harming. I was
19 trying to be ...

20 (Pause)

21 Rather than having a party for one, I was a rebel
22 for one. I was rebelling on my own. So I used to pull
23 out my hair at the back and it was very obvious.
24 I didn't have hair above my ears because I used to pull
25 it out.

1 I used to cut my hair, so I didn't have a fringe of
2 any description. I used to bite my arms. I carved
3 "fuck" into my -- where you would wear a watch, which
4 eventually disappeared. But, when I get very suntanned,
5 the "fuck" very faintly comes back out, and I'm not --
6 I am quite proud of it in an odd sort of way because it
7 reminds me that I'm still here.

8 That prompts me to say I was actually very unhappy
9 and I didn't know why I was unhappy. I couldn't have
10 cared less about exams. There was the odd teacher that
11 was nice to me, that oddly shared my love of punk music,
12 but I was just really unhappy.

13 Q. Were you drinking?

14 A. I started drinking when I was 15. I first drank when
15 I was 15 at a party and it numbed me and I thought:
16 I like this. This is great.

17 And since the age of 15, until four years ago,
18 I used alcohol to -- as an anaesthetic and I think
19 I said in my testimony that it saved my life.

20 Had I not had alcohol from the ages of 15 until
21 about 20, I would have found a way to end my life. That
22 is how unhappy I was.

23 Q. And can you rationalise where the unhappiness came from?

24 A. Now I can.

25 Q. And what would you say now?

1 A. The damage that was done to me as an eight-year-old, I
2 have a trauma therapist now. I've been diagnosed with
3 complex PTSD, which I don't recognise. I don't take any
4 medication for any of that. I refuse to believe I have
5 it, but I have been diagnosed with it and the damage
6 that was done to me as an eight-year-old, nine-year-old,
7 ten-year-old with violence -- oddly enough the sexual
8 abuse, I think, my trauma counsellor tells me
9 differently but I'm okay with that, it was the violence
10 towards me. The violence I witnessed. It made me
11 realise a couple of years ago, when I stopped drinking,
12 and had to face up to life without alcohol that I had
13 spent 51 years feeling frightened, scared and it's
14 a very odd (pause) thing to feel frightened, pretty much
15 all the time.

16 I didn't realise I felt frightened. I just had ways
17 of dealing with it and alcohol was brilliant. I used to
18 save up all my whatevers and have a yahoo every couple
19 of weeks, three weeks, every week. I didn't drink every
20 day, but I would save up all whatever I felt I couldn't
21 deal with things. I don't trust people. I do now.
22 I didn't trust people.

23 I certainly didn't trust authority. I found
24 authority, even when I was at a very senior level as
25 a marketing director, I found it really difficult to

1 deal with authority and being told what to do and the
2 trust of an adult, that eight-year-old, I dragged him
3 around with me and he's still with me, but he's getting
4 better through my therapy. Awful.

5 Q. So it's only in the last few years --

6 A. Last four years. I swapped alcohol for running and at
7 the risk of boring you I now run marathons, so ...

8 Q. In the last four years you have also started talking
9 about your experiences?

10 A. No. I've only started talking about my experiences in
11 the last year, I would say. I contacted the people,
12 having read a Sunday Times article about the Fettes boys
13 being abused by a maths teacher, I phoned somebody that
14 dealt with it and I said, "I think that happened to me.
15 I think it's the same teacher," and I mentioned
16 Iain Wares and I spoke to her about it and they
17 encouraged me to phone the school and I phoned the
18 school three times and I put the phone down the first
19 two times because I was too nervous. I was shaking.

20 I eventually spoke to Mr Bryce, who ironically
21 didn't know it was me, but I knew it was him because he
22 taught my children. He was lovely. He listened and
23 listened, and went, "What's a puffer? All I can offer
24 you is you need to contact the police". I then
25 contacted the police.

1 I've probably been talking about it for a couple of
2 years, but properly understanding what happened and even
3 now I can't understand my own abuse. I understand
4 everybody else's. I get upset for them, but I'm not
5 sure I'm -- I've got to grips with what happened to me
6 yet.

7 Q. You mentioned knowing the teacher when you phoned and
8 that's because --

9 A. My children, ironically -- not ironically -- they went
10 to Edinburgh Academy in the early 2000s to the mid-2000s
11 and largely because my wife's dad and brother had gone
12 to the school. I had gone to the school, her dad had
13 played rugby for [REDACTED], he knew John Light,
14 the rector, and he knew that we had put a deposit down
15 for my son to go to Watson's and he said, "Let me see
16 what I can do," and a scholarship was invented for my
17 son to get significantly reduced fees. So it was
18 a no-brainer to do it that way and I had to go to
19 parents' evenings. Thankfully, the five masters that
20 were left were guys that were nice to me and it wasn't
21 that bad, but I was shaking the first time.

22 Q. And I think you describe in the statement that in fact
23 so far as your children are concerned, the school was
24 a good experience?

25 A. It was better than that.

1 Q. Really. How so?
2 A. (Pause) Because they really enjoyed it and they loved
3 it and their friends -- they were friends with -- they
4 are still friends with my -- my son's 30 -- no he's not,
5 he's 28, my step-daughter is 30. She also went to the
6 Edinburgh and my daughter is 25. They are still friends
7 with the people they were friends with. I lost all my
8 friends from school and it's only now I'm reconnecting
9 with them and we've gone -- we a real (inaudible), but
10 my children absolutely loved it. I loved the way they
11 were educated.

12 I loved the teachers. I loved everything about it.
13 The fact they took girls in. When my son, in his second
14 year, because he started in the seconds, having been at
15 primary 1 to 7 somewhere else, there was only boys. He
16 got bullied because surprise, surprise, he was small.
17 My son is now taller than me, so there's another irony,
18 but they introduced girls and overnight, woof, the
19 attention went from who's the hardest in terms of
20 beating folk up and being a bully, to let's go and see
21 if we can move our attentions to the girls.

22 Therefore, when my daughter went she was one of 26
23 girls and 60-odd boys. [REDACTED] had a great time.

24 Q. Presumably that was a colossal relief to you?

25 A. Yes. And the teachers were lovely. I'm actually

1 friendly with one of the teachers who's not there any
2 more. It was -- it is a different school. It's not the
3 school I went to. You may as well change the name.

4 Q. And what of Edinburgh Academy now, thinking of where
5 you're at. What would you want from them?

6 A. Nothing.

7 Q. In terms of response to this Inquiry?

8 A. No, nothing.

9 Q. Nothing?

10 A. Today is all I want.

11 Q. Okay.

12 'Sam', we have obviously got your statement. We'll
13 read it again. We'll read your evidence again. Thank
14 you very much indeed for giving it and coming. I have
15 no further questions for you.

16 But you want to say a little more?

17 A. A couple of minutes, yeah, that would be good.

18 LADY SMITH: 'Sam', I don't want to rush you with this,
19 but --

20 A. I'm fine.

21 LADY SMITH: No, hang on a moment. I normally try to give
22 the stenographers a break and they have been working for
23 an hour-and-a-half without a break. Would it be all
24 right for you if we just gave them a five or ten-minute
25 breather and you can relax into what you want to say.

1 A. I'm good.

2 LADY SMITH: Is that all right?

3 A. Yes.

4 LADY SMITH: I think we should do that.

5 (3.31 pm)

6 (A short break)

7 (3.40 pm)

8 LADY SMITH: 'Sam', I see you've got your text ready in
9 front of you. I'd really like to hear what you've got
10 prepared, so whenever you're ready, do go ahead.

11 A. Ladies and gentlemen, Lady Smith, this is my story.

12 I am a little boy aged eight. I am a brave little
13 soldier. I want to take this opportunity to once again
14 stress that the Edinburgh Academy was an absolute
15 cesspit of sexual abuse, extreme violence, mental
16 cruelty, horrendous bullying and I felt frightened and
17 afraid for many, many years, almost 50, in fact.

18 This undoubtedly has had a profound negative effect
19 on my entire adult life. The Edinburgh Academy failed
20 to care and look after me and when the school was made
21 aware by parents and pupils that Iain Wares was sexually
22 abusing pupils over a five-year period they unbelievably
23 wrote him a reference to move to Fettes School, where
24 the sexual abuse and violence continued for another six
25 years.

1 Despite acknowledging his desire to sexually abuse
2 children at Fettes, he was then given a reference by
3 that school to allow him to continue his abuse in South
4 Africa. The police were never contacted.

5 Lord MacLean, as we have already heard at the
6 Inquiry, sanctioned Wares to resume teaching at Fettes
7 despite knowing he was a self-confessed paedophile, who
8 wanted to have sex with young boys. This is a crime.

9 I wish to remind everyone here today that Iain Wares
10 has directly abused or subjected hundreds of boys to
11 witness his overt sexual abuse of potentially thousands
12 of offences over a 40-year career. He is a prolific
13 paedophile. We must not lose sight of the severity and
14 volume of his crimes. An extradition warrant to stand
15 trial has been served to bring him to Edinburgh from
16 South Africa.

17 At least 19 teachers and three house tutors at the
18 Edinburgh Academy have been implicated over a 40-year
19 period for crimes of sexual, physical and mental abuse.
20 One has just recently been released from a seven-year
21 prison sentence for sexually abusing schoolchildren.
22 This 40-year period equates to over 4,000 boys
23 witnessing or being subjected to unacceptable abuse
24 cruelty, bullying and harm.

25 Incredibly, not one former teacher, not one, has

1 come forward to say they saw or heard anything. Not
2 one. Howard Hazlett, the school chaplain for almost
3 30 years from 1973 to 1999, claims to be oblivious to
4 everything that took place on his watch, as he calls it,
5 and can't believe any "monkey business", as he recently
6 referred to our sexual abuse, actually occurred -
7 "monkey business". That, ladies and gentlemen, is from
8 the school chaplain, in case you're wondering. This was
9 said recently by him directly to myself.

10 We have several witnesses who made him aware of
11 their concerns whilst pupils under his pastoral care.
12 He simply told them to run along and to stop causing
13 trouble. One boy was actually asked to leave the school
14 altogether, as he was labelled "a troublemaker".

15 May I remind Lady Smith and everyone present here
16 today that the 4,000-plus boys we believe witnessed, or
17 were subjected to this physical, sexual and mental abuse
18 and bullying would actually fill the Usher Hall twice.

19 The school Board of Governors, teachers,
20 headteachers and former rectors deliberately and
21 knowingly turned a blind eye and ignored the bullying,
22 the sexual, physical and mental abuse taking place at
23 the Edinburgh Academy over many decades. One abuser was
24 actually the deputy head of the junior school for almost
25 30 years. Can you believe that? No wonder no one

1 complained.

2 The school gave glowing references to teachers who
3 were sexual abusing the pupils in their care instead of
4 handing the abusers over the police. The school has
5 acknowledged public awareness or police involvement at
6 that time could have closed them down. Indeed, the
7 current Edinburgh Academy board have admitted the school
8 could still close if the current situation is not dealt
9 with sensitively and openly.

10 The Edinburgh Academy has attempted to cover up all
11 the abuse on many occasions, hoping it will simply blow
12 over and they can carry on as if nothing ever happened.
13 Nicky Campbell, whose tireless work to promote our
14 cause, has, just a few months ago, been referred to as
15 a "fucking snowflake" - this was by a recent board
16 member of the Edinburgh Academy.

17 Former teachers could not have failed to hear boys
18 in the class next door screaming and pleading for mercy.
19 Screaming loudly, open abuse, visible bruising to
20 buttocks, from clacken beatings. Nobody did anything.
21 Horrific, terrifying, just dreadful. Former teachers
22 pretending everything was okay. Turning a blind eye and
23 refusing to involve the police. This is also a crime.
24 Failure to help.

25 Well, now, this is my opportunity to let the world

1 know what happened. I have been ignored and forgotten
2 for over 50 years. I have suffered for over 50 years.
3 Through good fortune, years of chaotic alcohol abuse to
4 numb the pain, the support of friends, the
5 Edinburgh Academy Survivors' Group, my family and my
6 life partner, [REDACTED], I am still here. I'm still alive
7 and today now I am very, very alive.

8 However, I wish to acknowledge the nine pupils and
9 two teachers of mine who sadly are not. They all
10 attended the school at the same time as myself and
11 I knew them all. Each one of these beautiful people
12 ended their life either at the end of [REDACTED], by
13 injecting [REDACTED], by putting a [REDACTED]
14 or by [REDACTED]. This is not a story
15 or part of a film. This, ladies and gentlemen, is
16 a fact. I untied [REDACTED] my best friend as he
17 dangled from [REDACTED]. I was too late to
18 save him.

19 Well, ladies and gentlemen, I will no longer and
20 never again let the Edinburgh Academy pretend nothing
21 happened or ignore his requests for help. I have
22 suffered my whole life as a result of what happened to
23 me as a little boy. My parents trusted the school to
24 look after me and give me a privileged education.
25 Neither happened.

1 My adult life has been ruined until now. I am no
2 longer frightened or afraid. I am powerful. Now I have
3 a voice. I have courage and I have strength to stand up
4 and tell my story. The Edinburgh Academy failed me
5 completely and now you can believe me.

6 And, finally, the current school of today is
7 receiving plaudits for their belated effort in trying to
8 make good what happened and to apologise. As more and
9 more appalling evidence comes out, I feel deep shame and
10 I do not wish to be associated with the name
11 Edinburgh Academy.

12 My own children recently attended the
13 Edinburgh Academy and enjoyed, in fact, loved their time
14 at the school. If they were pupils today, I would
15 remove them. The school of today should be shut down
16 and demolished in order of everyone who was abused
17 there.

18 The following was and still is common knowledge to
19 current and recent teachers, pupils and administrative
20 staff. The following statements are true and come from
21 current or recent staff and pupils. The same current
22 school of today which allowed a maths teacher to
23 continue teaching so long as he was supervised when
24 teaching small groups of female pupils as there have
25 been complaints about his sexual impropriety. The same

1 school of today that allowed the deputy head to drink
2 alcohol at work whilst operating her secondary,
3 privately run business during school hours. The same
4 school of today that took no action when a St Margaret's
5 girl tragically took her own life having been sexually
6 bullied by Edinburgh Academy boys after a party.

7 The same school of today that took no action when
8 a CCF initiation ceremony involved bullying and the
9 violent intimidation of a pupil. All of the above is
10 known to current and recent management and staff, yet
11 nothing happened. Nothing. The abuse has continued.

12 I will repeat the exact words a former President of
13 the Edinburgh Academical said to me last September.
14 Just in case you didn't hear that, I will repeat the
15 exact words a former President of the Edinburgh
16 academical said to me last September. I was in his
17 company and I hadn't yet revealed I was a survivor and
18 he said to me, "Nicky Campbell is a fucking snowflake".

19 Well, ladies and gentlemen, Nicky Campbell is
20 a fucking hero. The brave words and actions of
21 Nicky Campbell and Alex Renton saved my life. I am
22 alive. I am really, really alive. I can now live my
23 life.

24 I'm almost finished. Don't worry. In the words of
25 Jarvis Cocker, and I want you all to remember these

1 words and the true meaning of them: to the school of
2 today, I want you to always remember them. You can't
3 wake up if you don't fall asleep. You cannot wake up if
4 you don't fall asleep.

5 I am now 61 years old. I am unstoppable. I am
6 a lion. I am a giant of a man. Ladies and gentlemen,
7 I have finally been heard.

8 Thank you.

9 LADY SMITH: 'Sam', thank you for that. Thank you for, to
10 use your own words, having the courage to come here and
11 use that voice which you have done so well and plainly
12 not just for yourself, but for many other people, many
13 other children of those years when you were at school
14 whose lives you have talked about. The way in which you
15 have described the environment in which you were all
16 living has been so powerful.

17 A. Thank you.

18 LADY SMITH: But it's not lost on me that there are also
19 explanations and accounts in your evidence of what
20 happened to you.

21 It's good to hear how positive you are now
22 determined to be about your own life and I hope as you
23 move forward you are able to grab what's good in it?

24 A. I am.

25 LADY SMITH: Thank you. I'm able to let you go.

1 A. Thank you, Andrew as well.

2 (The witness withdrew)

3 LADY SMITH: I think, Mr Brown, at five to four we won't
4 start a read-in and we'll leave that until tomorrow,
5 possibly or Monday.

6 I think we are planning to use some time on Monday
7 for read-ins to make sure that we don't get behind on
8 them, because it's important that we get that evidence
9 in as well.

10 But, for now, I will rise, until 10 o'clock tomorrow
11 morning and we begin with an in-person witness. I think
12 it is three again tomorrow, isn't it?

13 MR BROWN: Yes.

14 LADY SMITH: Thank you everybody and I look forward to
15 seeing you then.

16 (4.00 pm)

17 (The hearing adjourned until 10.00 am
18 on Friday, 18 August 2023)

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