

1 Wednesday, 17 January 2024

2 (10.00 am)

3 LADY SMITH: Good morning. We return to in-person witness
4 evidence today in this chapter of our hearings in the
5 case study. In this chapter, of course, we're looking
6 into the provision managed by the De La Salle Order.

7 Ms MacLeod, we have a witness ready, I think, yes?

8 MS MACLEOD: Good morning, my Lady, yes, we do. The witness
9 is an applicant who wishes to remain anonymous and will
10 use the pseudonym 'Andrew'.

11 'Andrew' (affirmed)

12 LADY SMITH: 'Andrew', a couple of things before I invite
13 Ms MacLeod to start your evidence. You'll see that red
14 folder has your statement in it. Feel free to use that
15 if you'd find it helpful, but we'll also bring it up on
16 that screen in front of you.

17 A. Yes, thank you.

18 LADY SMITH: You don't have to use either of them if you
19 don't want to, but they're there if you do need to
20 refer.

21 Otherwise, 'Andrew', I do understand that giving
22 evidence isn't easy and you may get upset at times
23 because of what we're going to have to ask you about.
24 Don't worry about that. It's not a problem. If there's
25 anything I can do to make things more comfortable for

1 you, you must let me know. For example, if you need
2 a break, just say. Or if you don't understand what
3 we've asked you or what we're asking you, that's our
4 fault not yours. So you just tell us and we'll try to
5 do better than we are doing. Is that all right?

6 A. Right, yes, thank you.

7 LADY SMITH: If you're ready, I'll hand over to Ms MacLeod
8 and she'll take it from there. Thanks.

9 Ms MacLeod.

10 Questions from Ms MacLeod

11 MS MACLEOD: My Lady.

12 Good morning, 'Andrew'.

13 A. Good morning.

14 Q. I don't need your date of birth, but could you confirm
15 that you were born in 1957?

16 A. Yes.

17 Q. Are you now 63?

18 A. Yes.

19 Q. You've provided a statement for the Inquiry and there is
20 a copy in that folder in front of you. I'll just give
21 the reference of that for the transcript, it's
22 WIT.001.002.2202.

23 'Andrew', have you signed the statement on the final
24 page?

25 A. Yes.

1 Q. In the last paragraph of the statement, do you say:
2 'I have no objection to my witness statement being
3 published as part of the evidence to the Inquiry.
4 I believe the facts stated in this witness statement are
5 true.'
6 A. Yes.
7 Q. I'd like to start by asking you a little about your life
8 before you went into care and you do talk about that in
9 your statement.
10 I think you tell us that your parents separated?
11 A. Yes.
12 Q. And that there were 11 siblings in your family
13 altogether?
14 A. Yes.
15 Q. You say some of the children were with your mother and
16 father and some were then with your mother and the man
17 that your mother was with after your father?
18 A. Yes.
19 Q. What you say is that the children from your mother's
20 relationship with your father ended up in residential
21 schools?
22 A. Yes. If I can explain that a bit more. I should have
23 put that in my report. There was -- my stepfather was
24 ██████ and my biological father was '█████', most of the
25 children that ended up in residential care were ██████,

1 like myself. I thought I'd -- I should have put that in
2 my -- but ...

3 Q. Do you remember much about your life at that time?

4 A. I remember most of it, what happened and everything else
5 like that.

6 Q. Did you go to a local primary school?

7 A. Yes.

8 Q. Did you then move to a school that you describe as
9 a special school?

10 A. Yes.

11 Q. What kind of school was that?

12 A. It was disabled and -- mixed-race school that was -- it
13 was called a 'special school' at the time that I got
14 told ... was because it was a mixed-race school, mixed
15 with disabled and all that.

16 Q. I think you say you have learnt from records that you
17 were referred to a health and welfare clinic for some
18 treatment and assessment --

19 A. Yes.

20 Q. -- at particular points in your childhood?

21 A. Yes.

22 Q. Did there come a point where you went to stay in
23 a hospital for a period of time?

24 A. Yes.

25 Q. We don't need to look at the detail of that today,

2
3
4

5 Q. Were you around aged ten when you were in that hospital?

6 A. Yes.

7 Q. In terms of a timeframe, in your statement you do
8 mention that it was around [REDACTED] 1968 when you left
9 there?

10 A. Yes.

11 Q. And that a few months later, when you were 11, you were
12 taken to St Ninian's?

13 A. Yes.

14 Q. Is that St Ninian's in Gartmore?

15 A. Yes.

16 Q. What are your recollections, 'Andrew', of the background
17 or reasons for your being taken to St Ninian's?

18 A. The background was I had broken my probation order for
19 not going to school or I think it was assaulting
20 a teacher. I'm not too sure about that, but I know that
21 it was because of breach of probation that was -- if
22 I recall, I didn't appear in court again, if I remember
23 rightly, so I was just taken from the school straight to
24 there.

25 Q. Do you remember who took you to St Ninian's?

1 A. No.

2 Q. Again, just to give a timeframe, 'Andrew', I think you
3 tell us that your recollection is that you were in
4 St Ninian's for just over a year, between [REDACTED] 1968
5 and [REDACTED] 1971, is that right?

6 A. Yes, yes.

7 Q. Who ran St Ninian's when you were there?

8 LADY SMITH: I think that's more than just over a year,
9 Ms MacLeod. The back end of 1968 to the beginning of
10 1971?

11 MS MACLEOD: That is correct, my Lady, it is.

12 LADY SMITH: Two years and a few months. Not as much as
13 three years I think, but a bit more than two years.

14 A. Yes.

15 MS MACLEOD: Yes, my apologies, 'Andrew'. That is my
16 mistake.

17 A. That's okay.

18 LADY SMITH: One other number we should maybe correct,
19 'Andrew' how old are you at the moment.

20 A. 63.

21 LADY SMITH: Are you 63?

22 A. I'm 65.

23 LADY SMITH: You were born in 19 --

24 A. 1957, no, it's 65.

25 LADY SMITH: 65/66, something like that?

1 A. I'm trying to work that out myself.

2 LADY SMITH: Maybe 66 if you were born --

3 A. It's not so bad when you get --

4 LADY SMITH: I know, as we get older the years fly, don't
5 they? Just to correct that. I think you might be about
6 66.

7 Thank you.

8 MS MACLEOD: Who was in charge of St Ninian's when you were
9 there?

10 A. It was the De La Salle Brothers.

11 Q. Was there a particular Brother who was in charge of the
12 school?

13 A. I'm not too sure. The only one that I can remember is
14 Brother Benedict, who was mostly the one ... I don't
15 think we ever established -- I don't know we ever who
16 was really thingy, because we were always getting
17 different Brothers giving us commands.

18 Q. Were there a number of Brothers in the school when you
19 were there?

20 A. There was quite a few Brothers, yes.

21 Q. Brother Benedict is the Brother that you remember having
22 the most involvement with yourself, 'Andrew'?

23 A. Yes.

24 Q. How many boys were at St Ninian's when you were there?

25 A. There was quite a lot. I'm not quite too sure the

1 number, but there was quite a lot of us.

2 Q. What about the age range of boys, how old were the boys?

3 A. Probably my age. I don't know. I know most were my age

4 upwards, but I'm not too sure.

5 Q. Did you sleep in dormitories?

6 A. Yes.

7 Q. How many boys, just roughly, were in your dormitory,

8 'Andrew'?

9 A. I think there was -- I think there were about six in

10 mine. That's just -- exact number, it's just ...

11 Q. You have mentioned Brothers and in particular

12 Brother Benedict. Were there any others? Were there

13 lay staff at St Ninian's when you were there, people who

14 weren't Brothers?

15 A. Not as I recall.

16 Q. When you were in bed in your dormitory in the morning,

17 were there people who were involved in getting the boys

18 up in the morning and that sort of things, was that

19 a particular Brother or did it depend who was on duty?

20 A. It just depended who was on duty. Most of the times

21 it's -- I think the simple fact was there was always

22 Brothers doing overnight and there was ones doing the

23 daytime.

24 Q. Was there a school in St Ninian's?

25 A. There was a school, I think it was a school just across

1 from the building.

2 Q. Were you allocated to a class?

3 A. Yes.

4 Q. Do you remember who taught in the class?

5 A. No, sorry.

6 Q. Do you have any recollection of the standard of the
7 education provided?

8 A. I think the standard of the education was quite good.
9 It was better than what I got at the school I was in
10 before.

11 Q. Did you ever run away from St Ninian's when you were
12 there?

13 A. No.

14 Q. Was it something you thought about?

15 A. Quite a few times. Sometimes it did get a bit too much
16 and you just wanted to go, but there was just no place
17 to go.

18 Q. Did you wet the bed when you were at St Ninian's?

19 A. Quite a few times.

20 Q. Was that something that started for you when you were at
21 St Ninian's?

22 A. Yes.

23 Q. You hadn't been wetting the bed before?

24 A. No.

25 Q. What do you think it was that caused you to start

1 wetting the bed once you were at St Ninian's?

2 A. I think it was just a fear of what was going to happen
3 when I did go to bed at night. I think it was --
4 I think you -- you were half awake and half sleeping and
5 you would always -- you never knew what was going to
6 happen.

7 Q. Could you just tell me a little bit more about that,
8 'Andrew'. What was your fear? What were you thinking
9 might happen?

10 A. It was the fear of the -- what was going to happen
11 during the night. You never knew who was going to come
12 in, one of the Brothers is going to come in and what
13 they were going to do or if they were going to drag
14 you -- not drag you out of your bed, get you out your
15 bed and take you some place and all that.

16 Q. Did Brothers come into the dormitory during the night?

17 A. Quite a few times, aye.

18 Q. Do you remember the names of any of the Brothers that
19 came into the dormitory?

20 A. No.

21 Q. You mentioned Brother Benedict, was he involved in that?

22 A. A few times he was. Sorry, I should have said, a few
23 times he was, but it wasn't that often.

24 Q. When a Brother came in to the dormitory in the night,
25 can you help me with what would happen, what would the

1 Brother do once he was in the dormitory?

2 A. I think they would just check on you just in case you
3 had run away or something like that, but most of the
4 time was they really came in to see if you had wet the
5 bed and I think that was the most terrifying things they
6 done, because sometimes you started waking and they used
7 to get their hand and sort of rub it between your legs
8 and see if you had wet the bed and they would drag you
9 up and give you a bollocking and that and call you all
10 sorts of names.

11 Some of them used to make you strip off and strip
12 off the sheets and roll them up and then stand in the
13 corner. I can't remember how long. I think a few times
14 I was put back to bed after going to the toilet but
15 nothing being changed. I had been -- I had been -- my
16 pyjamas were still wet and my bed was still wet and
17 I would be put back in that sort of way. But the most
18 humiliating thing was probably the -- humiliating thing
19 was having to stand there naked in the corner with wee
20 sheets and getting shouted at, that you were disgusting
21 and filthy and all that.

22 Q. Would that happen in the middle of the night or in the
23 morning or could it be at any time?

24 A. It could be at any time. It's just the thing and all
25 that. It came -- for me, I think some of the other

1 boys, it became a sort of thing that might -- it just
2 depends who the Brothers were, but some of them would
3 get you up every hour, wake you every hour or make sure
4 you hadn't wet the bed and all that.

5 Q. Were Brothers coming to check on you in this way or also
6 on other boys in the dorm?

7 A. I think it was just the ones that were wetting the bed.
8 I don't think they were checking on all the boys. They
9 could come in the pitch dark so you wouldn't be able to
10 see what was going on.

11 Q. What would make you realise then that was a Brother was
12 at your bed?

13 A. I think it wasn't until one of the Brothers had wakened
14 you to get you out of your bed to see if you had wet the
15 bed or you felt something pushing the bed down and
16 between your legs, trying to see if you'd wet the bed,
17 that was sort of you up, but I think half the time you
18 sort of got that instinct that you knew and still to
19 this day it's still there. I always know that there
20 is -- there is somebody is in the room that shouldn't be
21 there. You sort to get used to it after a while.

22 Q. You have told me about being taken out of the bed with
23 the sheets, having to stand naked. Were you ever
24 physically punished when this was happening?

25 A. Not physically punished, I wasn't physically punished.

1 I can never remember getting physically punished. It
2 was just most of the language they used to use. It was
3 downgrading and like that. Especially at that age, it
4 was -- I don't know.

5 At the end of the day I think it was -- I don't
6 know. I can't describe it or something like that,
7 but -- anyway, I'm stuck for words just now, but I think
8 punishment would have been better than what language
9 they used to use and what you were, because you went
10 from being that to that small. You always had that
11 ringing in your ears every night when you went to bed,
12 do you know what I mean, am I going to wet the bed
13 tonight, this is what I'm going to get again, that sort
14 of way.

15 Q. In terms of what you were given to wear for going to
16 bed, can you tell me about that?

17 A. It was always pyjamas, two sets, so top and bottom, one
18 set of pyjamas. I always remember that. That was just
19 what we were given.

20 Q. Those who wet the bed, did they have to wear anything
21 different to other boys?

22 A. I can't remember if there was anything else that we were
23 given. I remember a couple of times that I was put into
24 bed. I would take my pyjamas off and get into bed
25 without pyjamas, because what they used to say, 'It will

1 save us getting them laundered at the end of the day'.

2 Q. When Brothers would come into the room and check if you

3 had wet the bed, you told me about putting their hand in

4 between your legs.

5 A. Yeah.

6 Q. What were you wearing at that time?

7 A. Sometimes pyjamas and sometimes non-pyjamas.

8 Q. Sometimes were the Brothers making contact with your

9 naked body?

10 A. Yeah, yes.

11 Q. Which part of your body?

12 A. My groin area.

13 Q. In your statement you speak about Brother Benedict being

14 in the basement --

15 A. Yes.

16 Q. -- at St Ninian's. Can you just tell me about that and

17 being in the basement with Brother Benedict?

18 A. Brother Benedict -- I'm just trying to think if it was

19 Brother Benedict that had an -- I always remember it was

20 always Brother Benedict, I think most of the Brothers

21 had used -- it was a sort of electric machine. It was

22 homemade, what I can make of it. It had two solid brass

23 handles. There were wires coming out each side and you

24 had that sort of way.

25 Q. Was that device kept in a particular room at

1 St Ninian's?

2 A. I never knew where it was kept. It just -- it was
3 always in the basement that we went down to. We were
4 going down to -- because we thought -- we always thought
5 that we were going down to the tuck shop was in the
6 bottom and we always thought we were going down for the
7 tuck shop and until we got there we didn't realise what
8 was happening, until it was too late.

9 Q. You would go down to the basement --

10 A. Yeah.

11 Q. -- thinking you were going to the tuck shop?

12 A. Yes.

13 Q. When you reached the basement then, what would happen?

14 A. Brother Benedict would turn and say, 'We're going to
15 have a little game, but don't worry it's not going to
16 hurt you', and I went, oh, but -- and he just used to
17 give you these two iron poles and he says to me, 'Hold
18 on to that. It's going to give you a shock, but it
19 won't harm you'.

20 Q. What were the poles made of?

21 A. Iron, like iron and they were about that long. Made of
22 iron. As I say, there were two wires that were attached
23 to the machine.

24 Q. Is that about six inches long, thereabouts?

25 A. Yes, probably about that. And he used to get that and

1 when you got that you tend to believe that it's not
2 going to hurt you, especially at that age and the first
3 time I done it he kept winding it and I let go and I got
4 a shock when -- he took my thumb and he bent it back and
5 he went, 'I don't -- I want you to hold these and
6 I don't want you to let go until I stop or I tell you to
7 let go', and it just kept going.

8 Q. You were holding the two poles?

9 A. Yes.

10 Q. What was Brother Benedict doing while you were holding
11 the two poles?

12 A. He was winding the machine up.

13 Q. When he wound the machine up, what happened?

14 A. It would be -- you would get an electric shock. Your
15 hands would be tingling for quite a few -- but, as
16 I said, if you didn't hold on until he stopped or he
17 tells you to let go you were absolutely punished. You
18 were slapped. My thumb was bent back, but after that,
19 I think I got wise to it and decided that I wouldn't go
20 down the stairs unless there was witnesses there with us
21 that we were going to the tuck shop.

22 Q. On the occasion you have been describing where you took
23 your hands off the poles and Brother Benedict bent your
24 thumb back, were you on your own with Brother Benedict,
25 or were there other people there?

1 A. I was on my own.

2 LADY SMITH: 'Andrew', the way you describe it is that this
3 was time outside lesson time. This was nothing to do
4 with lessons?

5 A. No. I think the simple fact is when you're a child and
6 you are going down to the tuck shop you do not think
7 about anything else. You think you're going towards the
8 tuck shop.

9 LADY SMITH: You are hoping your favourite sweets are going
10 to be there?

11 A. Yeah. That was the thingy and that, as I say, you sort
12 of realised that after the first time you don't let it
13 happen the second time or more.

14 LADY SMITH: He wasn't running some sort of club for people
15 interested in electronics?

16 A. Not as far as I know.

17 LADY SMITH: Thank you.

18 MS MACLEOD: Do you recall, even roughly, how many times you
19 were asked to hold the poles and Brother Benedict was
20 involved with this machine? How many times did this
21 happen to you?

22 A. I think it was about three times. That was all, if
23 I remember rightly so. I think that was the only time
24 we were downstairs in the basement, my hands were
25 tingling and he sort of had that sort of a smile on his

1 face, that by the third time I didn't want to do it
2 but -- I was scared that he was absolutely going to give
3 me a good slapping.

4 Q. That time you are talking about, did you say you didn't
5 want to do it?

6 A. Yes.

7 Q. How did Brother Benedict respond to that?

8 A. He didn't respond to my point of view, he didn't -- it
9 was like he was saying that I look after you, I'm in
10 charge, you'll do as I tell you or you'll suffer more.
11 That's the sort of thing that I got.

12 Q. Did anything happen to you on an occasion when you were
13 holding the poles?

14 A. No.

15 Q. Would Brother Benedict say anything to you when you were
16 holding the poles?

17 A. Apart from laughing his head off, because he thought it
18 was funny, but nothing happened.

19 Q. When you were holding the poles and the electricity was
20 coming through, can you describe for me what that felt
21 like?

22 A. I think it was -- what it felt like was really scared
23 I was, but I also felt like he had pulled a plug out of
24 the wall that had been thingied up right and you got
25 that electric shock, do you know what I mean? You touch

1 something that you shouldn't touch that has electricity
2 and you get a jolt.

3 Q. Was it painful?

4 A. It was really, really painful. My hands were numb and
5 it was stinging sometimes.

6 Q. Would you be making any sounds while this was happening
7 to you?

8 A. We'd be pleading for it to stop, but he just -- it just
9 went on deaf ears, to my point of view.

10 Q. Did you witness any other boys having to do this to hold
11 the poles?

12 A. I didn't, but it was always the talk of the school,
13 that, 'Oh, I was down in the basement and I was getting
14 shocked', we talked about it.

15 Q. Do you know if other boys who may have refused to hold
16 the poles or stopped holding the poles, do you know if
17 anything happened to them?

18 A. No.

19 Q. Did you serve as an altar boy when you were at
20 St Ninian's?

21 A. Yes.

22 Q. How did you find that experience?

23 A. I think being a Catholic it was quite a privilege to do
24 it, but I think after that it was just -- I didn't want
25 to do it.

1 Q. After what?

2 A. I think it's just after what happened. I think that you
3 were able to, for some reason, go in and drink the
4 communion wine that was thingy, that was like the talk
5 of the school at one time. If you're an altar boy and
6 that. I didn't go in for that sort of thing, so it was
7 just something that I've always wanted to do and I did
8 it, but after that, once was enough.

9 LADY SMITH: Were you caught drinking the communion wine?

10 A. No. I was quite -- to this time I'm still figuring out
11 why we were able to drink the communion wine, because we
12 were always told just to go in the back and we --
13 I think there were three of us, we just went in the back
14 to the room and there was nobody there and that was --
15 it was just schoolboy pranks, young boys pranks. We
16 thought we'd test this out but there was nobody there.
17 Usually you get the priest or someone come through with
18 you at the same time when you are taking off your gowns
19 and all that, but nobody was there, what we have seen.

20 LADY SMITH: There was something about that incident that
21 made you decide to stop being an altar boy, is that what
22 you're telling me?

23 A. It was the simple fact is after drinking it I don't know
24 how long later but I woke up in bed. I don't know what
25 happened.

1 LADY SMITH: Thank you.

2 A. Pleasure.

3 MS MACLEOD: Were you involved in a sponsored walk?

4 A. Yes.

5 Q. To Loch Lomond?

6 A. It was a 26-mile walk. We stopped off at Loch Lomond.

7 It was a very, very hot day. We were given no food. We

8 had no water until we got to Loch Lomond. Most of the

9 times there would be maybe two or three of us. There

10 were never any Brothers with us. I remember walking

11 into the forest and nearly getting lost and I thought

12 I was never going to get out of it, which we managed to.

13 But it was like there was no supervision to make sure we

14 were okay.

15 Q. Did you sustain an injury on the walk?

16 A. Yes, on my right foot.

17 Q. What happened?

18 A. I took my socks and shoes off and my feet were quite so

19 sore and the water was cool, so we decided to go into

20 the water and I felt a sort of sting and it came out and

21 my foot was cut and I told one of the Brothers and he

22 didn't seem to be interested.

23 Q. Did you say that you couldn't walk or couldn't finish

24 the walk?

25 A. I said that it probably would be -- if I remember

1 rightly, I probably said that it would be more damaging
2 for me to walk on it. I don't know how long we had to
3 still go, but I -- I was just told to get on with it.

4 Q. I think you tell us that later that day you were taken
5 to hospital for your foot to be stitched?

6 A. Yes. It was probably about 8 o'clock at night, quite
7 late. It was quite late. We were took to Stirling
8 Royal Infirmary. Another thing, we were warned -- there
9 was three Brothers that went with us, which I thought
10 a bit strange. Maybe thought I was going to run away,
11 but when I went in I got told not to make a sound. Not
12 to talk. They would answer the questions for me and for
13 some reason the doctor kept calling me 'John', so
14 I don't know what was going on.

15 They stitched it up and the doctor says, 'I'll be
16 back in a minute. I'm going give you a tetanus boost,
17 because we don't know ...' And for some reason I was
18 sort of huddled out of there, back into the minibus and
19 took back to St Ninian's. When we got back to
20 St Ninian's the hospital had been on to come back and
21 get the tetanus but I was taken down to the village
22 doctor to get the tetanus. I think it was the next
23 morning.

24 LADY SMITH: You didn't get your tetanus injection at the
25 hospital.

1 A. No.

2 LADY SMITH: You got it from the local doctor the following
3 day?

4 A. Yes.

5 LADY SMITH: Thank you.

6 MS MACLEOD: While you were at St Ninian's in Gartmore, were
7 you taken on a trip to St Ninian's in Falkland?

8 A. Yes. The reason that we were taken to -- we were all
9 split up. The reason that we were taken to St Ninian's
10 in Falkland was that they had hired out the premises to
11 do a 'Dr Finlay's Casebook' that was supposed to be
12 a local girls' school, I remember seeing the documentary
13 years later. We were never told about what it was
14 getting used for. It wasn't until well later that we
15 realised what it was. It was many, many years later
16 when I seen Dr Finlay that I realised.

17 But we were took out there and we were separated to
18 different places. I ended up in Falkland. I think it
19 was a couple of pictures that I seen of Falkland that
20 suddenly put me in a backwards way, I was shocked.

21 Q. Was it photographs that you have seen of St Ninian's,
22 Falkland in more recent times, 'Andrew', that made you
23 remember that you had been taken there?

24 A. Yes. It was the main hall and the gardens outside that
25 I realised that it was just a shock that I never

1 remembered being there and probably there is a lot of
2 other things I don't remember being.

3 Q. Was that a day trip do you recall or did you stay
4 overnight?

5 A. It was quite a few days. I'm not too sure how long, how
6 many days it was, but ...

7 Q. Did you sleep over there?

8 A. Yes.

9 Q. When it came time for you to leave St Ninian's in
10 Gartmore, what can you tell me about that?

11 A. It was -- the usual thing, took down to the train
12 station and put on -- get a train ticket and put on
13 a train and told to go home. That was it.

14 Q. When you were back at home did you attend a local school
15 for a time?

16 A. I went back to the same school that I was in in the
17 first place.

18 May I explain, Lady Smith, as well that to go back,
19 you were talking about me going -- leaving, the thing
20 was we used to get weekend breaks to go. This happened
21 every time they would take me to the station, ten-year
22 old and put me on a train and leave me and there were
23 other times when my parents had moved and the Brothers
24 were told but they didn't -- and it was quite a few
25 times that nobody met me at the station in Dundee and

1 there was once when I got to the home that I realised my
2 parents had moved and nobody had told me.

3 When I got back to St Ninian's, it was
4 Brother Benedict says, 'How was your weekend? I hope
5 you enjoyed it?' And I went:

6 'Well, I enjoyed it a bit, but my mum wasn't
7 there.'

8 And he said:

9 'I know, because I got the phone call. We got told
10 that your mum had moved, your parents had moved.'

11 Q. The Brothers at St Ninian's knew your family had moved
12 but didn't convey that to you?

13 A. No.

14 Q. When you went home for weekend leave you didn't know
15 that?

16 A. No. That was it.

17 Q. When you were back at your local school, having left
18 St Ninian's, did there come a time when you were then
19 excluded from the school?

20 A. Yes.

21 Q. As a result of that, I think you tell us when you were
22 15, you went to a place called Burnside House Assessment
23 Centre?

24 A. Yes.

25 Q. Is that in Dundee?

1 A. Yes.

2 Q. How long did you spend at Burnside?

3 A. I only remember spending two times in Burnside and it
4 was only a matter of weeks, not what I found out later.
5 It wasn't months, it was weeks.

6 Q. You were there a number of times, for weeks at a time?

7 A. Just a couple of weeks at a time.

8 Q. In relation to the set-up at Burnside, was that all boys
9 again?

10 A. Yes, as I remember, it was all boys.

11 Q. Who ran Burnside?

12 A. It was a male and a female. I'm not too sure who they
13 were.

14 Q. Did they live on site?

15 A. They lived -- yeah, they lived on site. They were not
16 in the main building. They were just across. There was
17 another building across. They were all joined to the
18 one, but there was another building across from it.

19 Q. How many boys were there?

20 A. I'm not too sure. There could have been ten or more.
21 I'm not ...

22 Q. The age range of the boys?

23 A. I'm not too sure either. It could have been from eight
24 upwards.

25 Q. You have mentioned the male and the female who lived on

1 site, were there other staff?

2 A. There was kitchen staff, probably cleaners, but we
3 didn't see very much. We were sort of kept out the way
4 from -- just in case we made a comment or a complaint or
5 something like that.

6 Q. Was there a particular process for discipline at
7 Burnside?

8 A. You mean the hellhole? I always called it. Sorry, my
9 apologies, Lady Smith, as well.

10 Q. What was the hellhole?

11 A. The hellhole was a room that was -- I can't remember --
12 there's only certain details that I remember. You went
13 up the stairs and it was on the left-hand side and
14 I'm sure it had a solid door on it, a really solid door
15 on it. But what I always remembered, the time I was in,
16 quite a few times, was that they had -- there was no
17 windows in it, but there was light coming in, but
18 I'm trying to explain, they were like blocks of glass,
19 like thick blocks of glass, like this and all that,
20 there must have been about 10 or 15. You have probably
21 seen them yourself.

22 Q. There were thick blocks of glass that let light in --

23 A. Yes.

24 Q. -- but not a window?

25 A. No. Thick blocks of glass that was ... and it was bad

1 when it was really hot.

2 Q. If you were in this room, were you in there on your own?

3 A. Yes.

4 Q. What would lead to you being in this room?

5 A. Quite a few times was they wouldn't believe that I was
6 having severe headaches. I always got told it was just
7 my imagination, that I was looking for pity, that I was
8 just looking for attention and everything else like
9 that, but if they had read my medical records they would
10 have found out that I did suffer from these headaches,
11 because I did go through a head injury when I was young,
12 very young and I had headaches for a long, long time,
13 even when I was in St Ninian's I did have them.

14 But from just saying that I used to get put -- that
15 I was looking for attention and they used to just,
16 'Right, up the stairs, in there'.

17 Q. So if you reported a headache you could be put in there?

18 A. I was put in there, I was just causing trouble.

19 Q. Who put you in there?

20 A. It was always the lady that done it, that give me it.

21 For some reason or other the man was hardly ever
22 involved. Any decision was always -- I always had the
23 lady.

24 Q. At the time, how did you refer to that room, what was it
25 called?

1 A. I'm not too sure what it was called, but I always called
2 it the 'hell room', because it did become like that.

3 Q. If you were put in there, 'Andrew', was the door locked?

4 A. It was always locked. You couldn't get out. You heard
5 the key locking.

6 Q. What was in the room?

7 A. I can't remember. I'm trying to figure out what it was.
8 My mind's always on the windows. I don't think there
9 was even a toilet to my point of view. I'm not too sure
10 if there was a bucket or something like that, but
11 I can't remember ...

12 LADY SMITH: You say in your statement, 'Andrew', that if
13 you needed the toilet you banged on the door and
14 somebody took you to the toilet, is that right?

15 A. It could have been, yeah.

16 LADY SMITH: If that happened, then there obviously wasn't
17 a toilet in the room?

18 A. Yeah. I'm not too sure, Lady Smith, what was in the
19 room. It's been that long ago, but I suppose even then
20 it's -- if you've got a really thick, thick steel door
21 on it, how do you bang on the door and let somebody hear
22 you? Do you know what I mean?

23 MS MACLEOD: You have mentioned being in there for reporting
24 a headache. Can you remember any other things that led
25 to you being in that room?

1 A. Only once when I decided I was getting fed up and
2 I managed to climb over the fence and run away for
3 a couple of hours. I think I got back to the room -- it
4 wasn't the reason that I ran away. I don't think I put
5 that in my report, but the simple fact is when
6 the police had picked me up I refused to go back and
7 when one of the officers asked me, if I remember rightly
8 so, I turned round and told him what was happening and
9 when I went back I was put back in the room for telling
10 lies.

11 Q. What did you say was happening?

12 A. I told them that the place just wasn't -- it was -- it
13 just wasn't a place that I ever want to go back. I was
14 just too scared to go back. That I knew if I went back,
15 as I say, I would be put in this room and I don't know
16 how long I would be in it.

17 Q. Indeed, it may be difficult to remember it, how long
18 roughly do you think you were in the room on the
19 occasions you were put in there?

20 A. I think on the time I ran away it was a couple of days.

21 Q. You were sleeping in the room?

22 A. Yes. I slept in the room a couple of times, yes.

23 Q. Was there a bed or anything for sleeping on?

24 A. I'm not too sure, I can't remember.

25 Q. What happened in relation to food when you were in

1 there?

2 A. That was just brought to me. I wasn't allowed out, it
3 was brought on a tray.

4 Q. Thinking back to being in that room, 'Andrew', what was
5 it like? How did you feel?

6 A. To my point of view it was terrifying, **Secondary Institutions - to**
7 **Secondary Institutions - to be published later**
8 **Secondary Institutions - to be published later** I was screaming
9 the place down to get out, but I didn't think anybody
10 heard me. It was -- I think it was soundproofed.
11 Probably if somebody did hear me, she would probably
12 have come up or somebody would have come up, but I just
13 wanted to get out.

14 Q. Were other boys put into that room?

15 A. Yeah, there were quite a few boys put into the room.
16 There was always somebody that didn't like the place and
17 decided that they wanted to get out so they would be
18 over the fence or the wall and they would be put in
19 there or if they done something wrong they would always
20 be put in that room.

21 Q. When you were in the room and it came time to come out
22 of the room, how did that come about? Did somebody just
23 come and open the door? What happened?

24 A. If I remember rightly so it was always the woman that
25 turned up and I think she says to me once was that, 'You

1 will behave yourself now because you don't want to go
2 back in there, it's not very nice'. That's what --

3 Q. Were there other methods of discipline or punishment
4 that you recall at Burnside?

5 A. The only other method of punishment was we were locked
6 in there, we were never let out. But it was a secure
7 unit, I know it was a secure unit, but I don't know why
8 they called it a 'secure unit', because the front gates
9 were always opened and they had a big garden at the back
10 and chickens and all that and that's how most of the
11 boys used to escape. They used to send them out to
12 collect the eggs and the boys used to escape because you
13 could either go out the front or you could go over the
14 wall, but we were -- I never remember watching TV or
15 playing games or anything like that.

16 Q. Do you have any positive memories of your time there?

17 A. No.

18 Can I just say something? It's many years later and
19 it was before the pandemic and everything like that,
20 I was given a job by the Department for Work and
21 Pensions -- sorry, Lady Smith, it was turned into a care
22 home, which is there now, and I had to go and work there
23 and I spent a fortnight there and every day was
24 absolutely murder. Every time I went out the back or
25 I went into it, it just brought back -- one of the

1 managers came up to me and said, 'You're not happy, just
2 go'.
3 LADY SMITH: What was turned into a care home?
4 A. It was -- sorry, Burnside was turned into --
5 LADY SMITH: Burnside, thank you.
6 A. My apologies, Burnside was turned into a care home,
7 which is still running to this day, but being put back
8 into that situation was a bit traumatising.
9 MS MACLEOD: When you left Burnside, did you then move to
10 an establishment called St John's?
11 A. Yes.
12 Q. In Glasgow?
13 A. Yes.
14 Q. I think you tell us that that was perhaps around
15 [REDACTED] 1972?
16 A. Yes.
17 Q. Were you there for around a year or so before moving to
18 a hostel?
19 A. I think I was. I'm not too sure how long I was there,
20 but ...
21 Q. Who ran St John's when you were there?
22 A. I was introduced to -- it was what we called -- there
23 were housemasters. Each house had a master, a male
24 master that ran it.
25 Q. Were they civilian staff?

1 A. Yeah, sorry, yes.

2 Q. Did the De La Salle Brothers have any involvement in
3 St John's when you were there?

4 A. No. When I went there -- you did see them going about
5 the place, but they didn't have any involvement day to
6 day. Not until later, which will probably come up
7 shortly.

8 Q. When you say they were going around the place, can you
9 help me with that, what were they doing?

10 A. They were just -- I don't know. They would just be
11 there one minute and then disappear. I never knew what
12 they were doing, because we were sectioned in one side
13 of a building that was closed off from the rest of the
14 building. Every house was sectioned off, so it was just
15 this one building that you were ...

16 Q. You mentioned there that the De La Salle Brothers had
17 involvement later on. Can you tell me about that?

18 A. I was picked to go into Glasgow to look for a job and
19 I did get quite a few application forms, which I was
20 quite happy, but it was one of the De La Salle Brothers
21 that took the application form from me and he said he
22 would fill them in and send them off. I realised later
23 that they were binned.

24 And when I went -- when I got a job it was at
25 Bishopbriggs laundry, which I think was a List D school

1 for girls or something like that, which one of the
2 Brothers that made that recommendation because they had
3 contacts with that school.

4 It was one of the Brothers that recommended me to go
5 down to the bottom -- the hostel at the bottom.

6 LADY SMITH: You think that was in Bishopbriggs?

7 A. Bishopbriggs -- the hostel was within St John's, sorry.

8 LADY SMITH: And the laundry?

9 A. The laundry was in Bishopbriggs.

10 LADY SMITH: Thank you.

11 A. Which is a terrifying story, which is -- if I explain
12 this further. We had to do all our own work. With
13 timetables and that. We were never given anything. We
14 had to find timetables if there were trains or not and
15 there would be quite a few times you would get on the
16 wrong train and I would end up in Port Glasgow. But we
17 were never given any lunch money, we were never given
18 any lunch and if I ended up in Port Glasgow I had to
19 walk to Bishopbriggs to get to work.

20 MS MACLEOD: You then go on in your statement, 'Andrew', to
21 tell us a little bit about your life after care and you
22 tell us that you spent some time in your mother's house,
23 I think you say.

24 A. Yeah.

25 Q. Then a period of time sleeping on the streets, you tell

1 us?

2 A. Yes.

3 Q. You say that after a short period in Perth Prison you
4 were then back home and that you had various jobs and
5 attended college?

6 A. Yeah, that was later on. I went from Perth to Polmont
7 and then home.

8 Q. For how long were you in Polmont?

9 A. Well over a year, I think it was. It might have been
10 two.

11 Q. A point you make, 'Andrew', is that you missed out on
12 education?

13 A. Yes.

14 Q. And that although you went to college, you say later on
15 that it was a struggle to learn things?

16 A. Yeah, it was a struggle. I've got dyslexia so that was
17 a struggle, but there was a lot of things like maths,
18 English and everything else like that. Even to this day
19 I still feel like I haven't got to where I want to go.
20 I have -- I think I spent four years at college and
21 every time I used to apply, I even applied to
22 a six-month course once a week at Aberdeen University to
23 get some experience as well and do things like they were
24 doing, but with qualifications it's massive.

25 Q. Have you ever made a report to the police about what

1 happened to you in care?

2 A. Yeah. I have tried twice and that hasn't come to
3 anything. I think the first time was that my support
4 worker from Future Pathways, if I can mention it, I got
5 someone who knew someone that was in authority that ran
6 a unit that was taking statements from victims and one
7 of them turned up at the door, a male, which I asked not
8 to, turned up at the door and when I refused to let him
9 in he just went away.

10 The second time I was at the Longhaugh Police
11 Station and I went through everything with him and all
12 that and the reason I got up and walked out, very bad,
13 and it was a wonder how I just didn't walk in front of
14 a bus, was she absolutely shouted at me:

15 'I don't want you to tell me what you went through,
16 I want you to tell me the truth and if you don't tell me
17 the truth just get up and go.'

18 I haven't got to that point yet. It's like going
19 back in the past and having to trust the police and if
20 you tried to trust the police it just came back and
21 haunted us.

22 Q. Towards the end of your statement, 'Andrew', you set out
23 some lessons which you think could potentially be
24 learned. One thing you say is, you discuss disclosure,
25 the process people go through for disclosure. You say:

1 'Disclosure is good. But anybody can get
2 disclosure.'

3 A. I can't remember how I said that. Sometimes I just go
4 overboard sometimes. If you're talking about records --
5 oh, the disclosure, I know what you're talking about now
6 is that if you are going to do a job in the care homes
7 and that you have to fill out disclosure forms and all
8 that and the reason I made that remark was that anybody
9 could get a disclosure, but the simple fact is I was
10 having really, really bad time trying to get records and
11 then there's this disclosure thing that -- it could have
12 given me records. It would have had what I had been
13 through on the disclosure for the college, but why can
14 you not find any records because of it? That's what I
15 meant by 'disclosure'.

16 Q. You say that in your view penalties for offences
17 involving children are too relaxed in Scotland?

18 A. I think they are too relaxed and it should be sort of
19 looked into, I think. It needs to be.

20 Not going back, if I can mention Brother Benedict,
21 Lady Smith, how many times -- I think the first sentence
22 he got was like six months or something like that. The
23 amount of trouble, the amount of suffering he's put us
24 through and even to this day there's -- you hear
25 somebody doing that and worse and only getting that.

1 Getting six months, three months or even getting
2 community service, which is -- you can imagine how --
3 I don't like to use the word 'victims', but the families
4 and that and how they had to live with that. Or
5 sometimes I'm hearing that they've been let off with
6 just a warning. Why? I don't understand.

7 Q. In paragraph 105, under 'Other information', it's on the
8 screen there, you say:

9 'Those of us who have been in care and have suffered
10 abuse in care should be recognised for what we went
11 through.'

12 A. I think we have fought long and hard for what we went
13 through and I think at the end of the day we wouldn't --
14 it was families, wives, brothers, anything else, we
15 couldn't talk about it and I think it's just not me that
16 suffers. I think it's the families that suffers, the
17 children and everything else like that that suffers,
18 that we went through and I think it should have -- we
19 should have been believed. We should have -- it should
20 have come out, do you know what I mean.

21 I think the simple fact is the Bill was passed in
22 2014 and I think it took another six years before
23 anything was done before it, so that is -- why. It was
24 like we were just getting a slap in the face again,
25 saying, 'We don't believe you'.

1 Q. Looking to the future, you say:

2 'We need to know that we did nothing wrong. We need
3 to know that our children will be safe in the future.'

4 A. Yeah, I think we need stricter laws, but we need to make
5 sure that at the end of the day that the ones that are
6 doing it do get the sentence that they get, but I have
7 seen time and time again where there's not been
8 a restriction order put onto that parent or aunty or
9 uncle or something like that, you know what I mean?
10 They got out and they go back again to that child again.
11 I've seen that time and time again.

12 There should be -- when they get sentenced or
13 something like that, there should be a strict order
14 saying that they can never visit that child or that
15 family ever again. I know it's hard. I know it's
16 thingy, but that's my point. You can imagine how
17 a child coming home from school and walking in the door
18 and there's this person here who has been abusing them
19 and you can imagine. I know what it was like and can
20 imagine what the child was like. Where he or she is
21 going to go through that trauma again. Where they might
22 have got over it.

23 Q. Thank you for that, 'Andrew'.

24 Is there anything, 'Andrew', that you would like to
25 add to what we have been discussing this morning?

1 A. I don't think so. Not at the moment.

2 I need to just get over and get on with my life and
3 everything else like that. I don't think we'll ever get
4 over what we went through. It's been so, so long.

5 At the end of the day it's just too long. It's been
6 60-odd years or something like that. How do you get
7 over it?

8 When I met an old-age pensioner who was -- excuse me
9 Lady Smith, but I met an old-age pensioner when I was in
10 doing my care and what he says to me was -- he went,
11 'Whatever has happened in your life and it's bad you
12 never get over it', because he served in Japan and he
13 was in the camps there and that's what he says. He
14 says, 'We never talk about it until we need to talk
15 about it'.

16 At the end of the day a lot of us don't want to talk
17 about it. We don't want our families to know what we
18 went through. We don't want to disclose it, because we
19 feel that we are -- we're the ones that caused the
20 problems. We're the ones that are dirty. We're the
21 ones that -- that we deserved what we got. And that's
22 what it's been like all these years, so we can't get
23 over that at the end of the day.

24 You want to get over it, but you can't.

25 MS MACLEOD: Thank you for that, 'Andrew'.

1 A. My pleasure.

2 MS MACLEOD: My Lady, I haven't received any applications
3 for questions.

4 LADY SMITH: Thank you.

5 'Andrew', thank you so much for coming here today.
6 By doing that you've added to evidence that we already
7 have from your in your written statement and that's been
8 really helpful. I'm very grateful to you for what
9 you've contributed to the work of this Inquiry.

10 A. Thank you very much.

11 LADY SMITH: I'm sure it's been very tiring and I'm glad to
12 be able to say you have the rest of the day free of our
13 attentions and do please feel free to go now.

14 Thank you so much.

15 A. It's been a pleasure. Thank you very much.

16 (The witness withdrew)

17 LADY SMITH: Ms MacLeod.

18 MS MACLEOD: My Lady, we do have a read-in that we could
19 potentially do before the morning break.

20 LADY SMITH: Let's do that then.

21 'Callum' (read)

22 MR MACAULAY: My Lady, this witness is an applicant who
23 wants to remain anonymous and use the pseudonym 'Callum'
24 when being referred to in the evidence.

25 His witness statement is at WIT.001.001.1658.

1 'Callum' was born in 1954, parts of his witness
2 statement have already been read in and that happened on
3 9 November last year.

4 He begins by talking about his life before being put
5 in care and that has already been read in, but putting
6 it short he says that he was a bit of a thief. He was
7 a bad boy and in trouble with the police and the upshot
8 was, as he tells us in paragraph 5, he was sent to
9 Larchgrove, but he escaped from Larchgrove, gave himself
10 up and ended up going to St Ninian's in Gartmore.
11 Although the statement says 'Fife', it's Gartmore.

12 He tells us this was in [REDACTED] 1964, which means
13 that he was still nine at that time and he was there
14 until [REDACTED] 1967.

15 At paragraph 8 onwards he talks about the routine.

16 I'll read paragraph 9:

17 'There were between eight and ten boys in each dorm.
18 My first form was the pee-the-bed dorm. I was peeing
19 the bed for the first few weeks I was there, basically
20 because I wanted to be at home. If you did pee the bed
21 you had to bring your sheets down to the laundry room in
22 front of everybody. The rest of the kids would call you
23 "pissy". Once I got used to the place I stopped peeing
24 the bed.'

25 At paragraph 11 he talks about the education and he

1 says the education was actually quite good:

2 '... and I learned to read and write.'

3 Towards the bottom of that page, paragraph 14, he
4 says:

5 'Tea would be at 5.30 pm and then you would be put
6 back out in the yard or into the basement. About 6 pm
7 it would be activities. Brother Benedict's activity
8 group was household electricities. He would have a big
9 board and tell us to connect this or that, then he would
10 flick a switch and we would get an electric shock.
11 Brother Benedict didn't teach a class and when he hit
12 you he did so as if hitting an adult.'

13 Then moving on to paragraph 17, where there is
14 a section headed 'Abuse', I'll just read that:

15 'On the first Saturday I was there myself and
16 another boy ran away for a couple of days. It was
17 snowing and freezing and we were going across the fields
18 so we didn't get very far. We got caught and we got the
19 belt. I actually told them that two tramps had stolen
20 our jackets and that we had chased them. Obviously they
21 didn't believe me.

22 When you got the belt sometimes it would be on the
23 hands. On other occasions a monk would put your head
24 between his legs, then you would get the belt over your
25 arse and as often as not there were three or four other

1 monks watching.

2 The day after we ran away, Brother Benedict, who was
3 in charge of us, took me down to the basement and kicked
4 the hell out of me. He attacked me as if I was a man
5 and the kicks would lift you off your feet. He dragged
6 me by the hair and I was thinking I had got him into
7 trouble because I had escaped when he was the one that
8 was supposed to be looking after me. He was one of the
9 worst for the brutality. I once saw him break a walking
10 stick over a boy's back.

11 My ma came to visit me and brought me a wee American
12 policeman's uniform. I had told her that
13 Brother Benedict had battered me and she went to see
14 Brother MCA, who was SNR. He made me
15 out to be a liar. He was a vicious wee bugger as well.
16 His thing was a straight finger chop to just under your
17 chin. He had long nails and he would take the skin of
18 your neck. He also kept a lap boy, a school captain, by
19 his side all the time and would tell him to batter other
20 boys.

21 There was a marking system and you got marks that
22 the more you got the less pocket money you got, until it
23 went down to a penny. The marks got read out every
24 Sunday. If you got marked for swearing you had to put
25 a bit carbolic soap in your mouth and keep it there

1 until the end. If you spat it out you got punched or
2 belted. I was lucky because I was number [REDACTED] which
3 meant I only had to wait a short time until it was
4 finished.

5 The monks sat in big comfy chairs with their
6 favourites sitting nearby. On one occasion I had to do
7 a spelling test for Brother MCA [REDACTED]. I was told to
8 spell "choir". I said C then W and got a straight
9 finger jab. I tried again and started with a Q, which
10 got me another jab. By this time there was blood on my
11 neck and I was crying and asked how I was supposed to
12 spell it. When he showed me the word I told him
13 I didn't know that was how it was pronounced.

14 There were monks there whose names I didn't know,
15 because they took nothing to do with us. There was
16 a wee guy called Charles McKenna who used to hit you
17 with a metal whistle and he would whack you on the head
18 with it. I still have a dent in my head to this day
19 because of it. He was a civilian and worked in the
20 metal shop work shed, he was called "Beaky" and had
21 a prominent Adam's apple.

22 We got one visit a month on the first Sunday of the
23 month. You got home leave every four weeks if you had
24 good marks. I didn't get many good marks so wasn't
25 allowed home very often. Sometimes I would have

1 injuries that were visible after a beating and they
2 wouldn't let me home because of it. If you got home you
3 got dropped off at Buchanan Bus Station on a Friday
4 afternoon and you went back on a Sunday night. Even if
5 I wasn't allowed home my mum would still show up at the
6 bus station only to have one of the monks tell her
7 I wasn't being allowed home again because I had been
8 bad.

9 I was in a dark corner one night with another boy
10 when Brother Benedict was putting up decorations. It
11 was Christmas time and I was stuck at the school because
12 I had run away. Brother Benedict sent us to the
13 basement but when we got there McKenna sent us back up.
14 There was then an argument between McKenna and
15 Brother Benedict as to where a boy should be and McKenna
16 punched him. They were nearly having a tug-of-war with
17 the boy pulling him back and forth.

18 Every time you ran away you were given a size 15
19 pair of working boots to wear with no socks or laces and
20 you had to run around a lawn all day like that. You
21 would end up with blisters and have to wear the boots
22 for a week. The other monks would batter you because
23 you had run away and so would some of the boys, because
24 they had lost privileges because you had run away.

25 Brother MBZ was young. He used to flirt with the

1 female members of staff. He used to batter me
2 constantly and he once asked me what I was in for and
3 I said I was in for stealing. He said, "No, what are
4 you in for?" I said breaking and entering. He then
5 battered me and I started crying. This was done in the
6 new school. He asked again and I said "dogging school".
7 He battered me again and eventually said, "No, it's
8 because your parents hate your guts and don't want you
9 at home".

10 About a week later I wrote a letter home telling my
11 parents about Brother MBZ but Brother MBU tore it
12 up and I thought after what Brother MBZ had said that
13 my family really did hate me. That had a terrible
14 effect on my life. I thought my parents hated me and
15 once I got out of the homes I could not wait to get away
16 from my family, because I thought they hated me. I
17 started drinking at 13, that was one of the reasons. It
18 took until I was 37 and had stopped drinking that
19 I realised it wasn't true and that they did love me. My
20 mum never missed a visit to me. It always hurt me that
21 my dad died before I realised it wasn't true. I started
22 drinking when I was 13, but haven't been in prison since
23 I stopped drinking.

24 I ran away five times, usually because of the
25 violence inflicted on me or because I was denied home

1 leave again, though I think the underlying problem was
2 thinking that my family didn't want me. I would say
3 I lost about 50 per cent of home leave for bad behaviour
4 or because I was too bruised from a battering. This was
5 not unusual. If one of the Brothers had given you
6 a battering that left you with obvious bruises. They
7 wouldn't let you go home at the weekend as your family
8 could see the injuries.

9 One time we were on a two-week camping outing.
10 I hadn't wanted to go as I wanted to go home but because
11 my face was badly bruised the monks decided I couldn't.
12 I believe they lied to my mum and told her I wouldn't be
13 going home because of bad behaviour. We went to
14 Glencoe, Braemar and Fort Augustus, visiting other
15 monasteries and sleeping in tents. The places were nice
16 but to me the two weekends were horrible because my face
17 was in agony from a battering I got from Brother **MBZ** .

18 They used to take us on long walks, it could be
19 freezing, raining or snowing and they would take us on
20 a four- or five-hour walk without stopping. We would
21 all be crying and they would hit us on the back of the
22 legs or on our backsides with branches simply because
23 they could.

24 Looking back on it, I can't believe the things they
25 did. On one occasion a group of us were out for a walk

1 by the river and there was snow on the banks of the
2 river. A German monk that was at the place for a short
3 while and was in charge of us on that walk made us strip
4 naked and get in the river. It was freezing. He then
5 went along the banks with a belt making sure that we
6 were right in and then we had to get dressed with no
7 towel to dry off and then finish the walk. That monk
8 was brutal.

9 There was a Brother **HED** an Irish monk, who was
10 the only one who showed any kindness. I took his name
11 as my confirmation name. If I got battered he would be
12 the one I would go crying to.

13 One man who was grey haired with grey stubble and
14 not much taller than us was also brutal. He once
15 whacked me on the head with a belt that came round my
16 head and hit me on the face. I saw him do that a few
17 times to some other boys. He probably did it because I
18 was making too much noise or shouting, something trivial
19 like that.

20 Mr **MCK** was nicknamed "Wanker", he used to look
21 after the ponies and you would go with him to feed them.
22 They had five ponies. He would put you on one of them,
23 with no saddle, then smack the pony's backside,
24 whereupon it would dash off and you would inevitably
25 fall off onto the concrete ground. I fell off once and

1 never got back on one. He used to wear a poncho and you
2 could see him playing with himself under it while he
3 watched us shower, that's why he was called "Wanker".

4 MCO was a civilian. He would hit you with
5 branches when he took you out for the weekends for a
6 walk.'

7 Moving on to paragraph 38:

8 'A boy one day fell against a tree and hurt his
9 pinkie. For several nights he was crying with the pain
10 to his pinkie and was eventually taken to his hospital,
11 where he had his pinkie cut off.

12 There was a matron, whose name I forget, and who was
13 in charge of the kitchen. One time I had open sores at
14 my back passage. Every time I went to see her there was
15 always a monk with me and I could see no reason for them
16 being there.

17 I remember I was in a sick bay in which there was
18 a single bed and wardrobe. It was actually a small
19 bedroom. On top of the wardrobe was maybe 50 or 60
20 empty whisky, brandy and vodka bottles. I was there for
21 days but there was nothing wrong with me, but they made
22 me stay there. When I look back it looked to me like
23 a monk's room.

24 I was groped loads of times. It was in the new
25 school and they had put some beds into it. There was

1 a French monk who was at the school for a few months.
2 Me and another boy were in that school and the French
3 monk would grope us constantly while play fighting on
4 the bed. We giggled about it but we knew he was up to
5 no good. He once took a big group of us to a river. It
6 was in the summer. We were all naked and we were in and
7 out of the river. He had a load of sweets and had us
8 crawling all over him while naked to get the sweets.

9 I twice woke up in beds that weren't mine. One of
10 them belonged to a guy [he names the boy]. My own
11 dormitory was two dormitories away. I never thought
12 about it at the time, but I now wonder if I was taken
13 out of my bed and put back in the wrong one.

14 There was a guy who was always crying and getting
15 bullied. It came out later that he was being raped. My
16 long-term memory of him was that we always saw him
17 sitting alone by a tree crying his eyes out. We didn't
18 know he was being raped and he never told us.

19 There were four brothers from Greenock who got
20 battered by the monks. My best mate was another boy.
21 He was my halfer, which meant he would get half of
22 anything I got sent like a food parcel or a postal order
23 and in return he would look after me.

24 On a laundry change they would make you turn your
25 pants inside out and if they had shit on them you had to

1 scrub them out. They only gave you three pieces of
2 greaseproof toilet paper, which was never enough to
3 clean your backside with.

4 One boy once threw a snowball and Brother MBZ
5 punched him in the eye, which became badly swollen and
6 swelled up like an apple.

7 The belt was given by any of the monks and by any of
8 the civilians. As far as I was aware, they didn't make
9 any note of the fact the belt had been given. The
10 headmaster only gave you the belt if you ran away.

11 They had a green lady dorm, which at the age I was I
12 found very scary, as I thought there were ghosts there.
13 If you were caught talking at night you got dragged out
14 of bed, thrown over their lap and smacked on the bare
15 bum and forced into the green lady dorm, where you had
16 to stand in the dark with your hands behind your head
17 for hours. If you moved you would get battered.
18 I remember once I was still there at midnight when the
19 pee the bed would be got up to go to the toilet and
20 still being there when they went back again at 2 am.
21 This happened to me on numerous occasions. If you moved
22 one of the monks would suddenly appear out of the dark
23 and smack you over the head.

24 I remember that on occasions a new boy would come to
25 the school. Mr MCK would come into the dormitory and

1 would call me over and in front of the new boy would
2 batter me for nothing. He would then tell the new boy
3 that that is what happens to you if you misbehaved. He
4 probably picked on me because my bed was the first bed
5 as you entered the dormitory.

6 Brother MBZ once said to me "If I find any tobacco
7 in your trousers then you're in trouble". He turned my
8 pockets out and found a small amount, which wasn't mine.
9 He thereafter punched and punched me. The beatings were
10 constant. If you didn't see beatings you heard them and
11 heard the other kids screaming.

12 We had tinned toothpaste and maybe some sweets and
13 maybe the odd toy, but those were our only belongs.
14 I had toys at first but that stopped. We made our own
15 toys like sledges or bows and arrows. There were also
16 bikes and canoes and in the winter we could skate on the
17 two ponds, though the way the monks tested the ice was
18 by getting one of the heavier boys and getting him to
19 jump up and down on it while two monks held him.'

20 At paragraph 55:

21 'As far as chores were concerned, I ended up using
22 one of those big polishers, which I could hardly push
23 because of my size.'

24 He talks about going to St John's, particularly to
25 enjoy the swimming pool that was there.

1 As far as birthdays and Christmases are concerned,
2 he doesn't recollect Christmas or birthdays being
3 celebrated.

4 At paragraph 59 he says:

5 'I got monthly visits from mum if I was good. There
6 were no visits from social workers or anything like
7 that, or if they did come they didn't speak to me. Many
8 a time when my mum was there I saw her coming out of the
9 headmaster's room in tears. Visits lasted about two or
10 three hours and were on a Sunday afternoon.'

11 There is then a section where he talks about leaving
12 St Ninian's. I think that was about 1967. In summary
13 he commits some further offences and he ends up in
14 Bellfield, that is at paragraph 66, and as far as he was
15 concerned that place was absolutely fine.

16 Then he ultimately is sent to St Joseph's, Tranent
17 and he says, towards the end of paragraph 67, that that
18 was when he had just turned 14. That would be in 1968.

19 He begins by telling us that the routine at
20 St Joseph's was very similar to St Ninian's.

21 In paragraph 71 he has a section headed 'Abuse', and
22 I'll read that:

23 'St Joseph's was a big old building with two
24 cottages called "North" and "South". I was in the big
25 building. My number was [REDACTED]. The house I was in was

1 called "Ninian's", Brother Michael was in charge of that
2 house. I then got moved to North House.

3 Brother MJJ was in charge there. Whenever you
4 were in the shower he would sit and watch you. There
5 were maybe 20 in the cottage and the beds were upstairs.

6 I remember seeing Ms MCR, a female member of
7 staff, snogging one of the boys.

8 Brother LUU was called LUU and could
9 never control his anger. When he was battering you, he
10 would go into a mad frenzy. He would have to be told by
11 one of the others to stop battering you. He would
12 batter you for nothing.

13 As I got older the assaults got less and less
14 because I was getting bigger and could look after
15 myself. I never did run away from St Joseph's.

16 They used to take us to a military school to play
17 football. People there would see cuts and bruises on us
18 and ask who had hit us, but we never told them.

19 Brother MDC was SNR and used to take us
20 bird watching. He would try and grope us but we were
21 wise to him and made use of him, as he used to give you
22 dinner and sweets.

23 Brother Benedict from St Ninian's went to
24 St Joseph's, but not when I was there.

25 Brother MJJ battered me a few times in

1 St Joseph's. In St Ninian's Brother MCT was my
2 first monk teacher and he battered me the first week
3 I was there.

4 If I was to be honest, I would probably say
5 I enjoyed the majority of my time at St Joseph's. I
6 stopped my schooling at 14 years and six months and
7 joined the gardening party, where I stayed until I left
8 the place. That is probably what I enjoyed as I was
9 outside and enjoyed the grafting. I was in St Joseph's
10 for about a year.'

11 Then he talks about his time in Polmont and that has
12 already been looked at.

13 Indeed, most of the remainder of what he says has
14 already been looked at, but if I could take
15 your Ladyship to paragraph 91 onwards, where he talks
16 about the impact. I don't think this was read in
17 before. Paragraph 91:

18 'One of the main ways in which my life in the
19 Approved School impacted upon me was when I found out
20 years later about the impact it had on my parents.
21 I was on a bus coming back from a wedding with my
22 brothers and sisters when they told me how it reminded
23 them of the times they would return from visiting me
24 with our mother.

25 They told me how my mum would have her face in her

1 hands crying after visiting me and would still be upset
2 when she got home. My brothers and sisters then told me
3 that when they got home my father would be upset when he
4 heard what was happening to me, but my mother would be
5 saying that the priests wouldn't lie about such things.'

6 At 94 he says:

7 'I've never wanted money for this. I only got
8 involved because I read in the press that the monks
9 vehemently denied it happened. That's what got my back
10 up.'

11 Finally, my Lady, what he says at 97:

12 'My hope for the Inquiry is that the truth will come
13 out and people will realise we're not liars.'

14 He concludes by saying:

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

19 He signed it on 25 April 2017.

20 LADY SMITH: Thank you very much, Mr MacAulay.

21 Before I stop for the morning break, names have been
22 mentioned of people that are not to be identified
23 outside this room, at least at this stage. These are
24 Brothers MCA, MBZ, HED, MJJ, Michael,
25 LUU and MDC and lay persons, Charles McKenna,

1 Mr MCK, MCO and Ms MCR.

2 I'll rise now for about 15 minutes and then we'll
3 move to the next witness.

4 Thank you.

5 (11.36 am)

6 (A short break)

7 (11.52 am)

8 MR MACAULAY: My Lady, the next witness is an applicant and
9 he wants to remain anonymous and to use the pseudonym
10 'Kenny' in giving evidence.

11 'Kenny' (affirmed)

12 LADY SMITH: 'Kenny', you are ahead of the game, I was about
13 to explain to you that red folder has your statement in
14 it and I see you've gone to the back page, I think,
15 because you're going to be asked about your signature
16 there.

17 Feel free to use that statement as we go through
18 your evidence if you'd find it helpful to go back to it.
19 We'll also bring bits of it up on the screen in front of
20 you and that's comfortably a larger font. You may find
21 that easier, but you don't need to use either. If it
22 works for you, that's fine, but if you don't want it
23 that's also fine.

24 More importantly, 'Kenny', if there's anything I can
25 do to help you give your evidence in terms of making

1 things more comfortable, like giving you a break, giving
2 you a pause, explaining something better than we are
3 explaining it and if you don't understand what we're
4 asking, that's our fault not yours, so do speak up if
5 there are any problems or anything else that you want.
6 Let me know. If it works for you, to help you give as
7 good evidence as you can, it will work for me.

8 A. Right.

9 LADY SMITH: If you're ready, I'll hand over to Mr MacAulay
10 and he'll take it from there. Thank you.

11 Questions from Mr MacAulay

12 MR MACAULAY: Hello, again, 'Kenny'.

13 A. Hello.

14 Q. The first thing I do want you to do actually is look at
15 the last page of your statement and to confirm you've
16 signed it.

17 A. Uh-huh.

18 Q. That's your signature?

19 A. That's my signature, aye.

20 Q. Do you say in the last paragraph:

21 'I have no objection to my witness statement being
22 published as part of the evidence to the Inquiry.
23 I believe the facts stated in this witness statement are
24 true.'

25 A. Yes.

1 Q. I'm going to give the reference for your statement for
2 the benefit of the transcript, and that is
3 WIT-1-000000600.

4 I don't want your date of birth, 'Kenny', because
5 you want to remain anonymous, but can you just confirm
6 the year of your birth is 1963?

7 A. Yes.

8 Q. You begin by telling us about your life before you went
9 into care and in particular that you had a number of
10 siblings; is that correct?

11 A. That's right, aye.

12 Q. You tell us also that your father died when you were
13 quite young?

14 A. Yes.

15 Q. Aged about four or five?

16 A. Uh-huh.

17 Q. After you had started school, you say to us that you
18 turned into a bit of a brat after your father died and
19 you were always running way from home?

20 A. Yes.

21 Q. Was it that that meant that you eventually hauled up
22 before the Children's Panel?

23 A. It was, aye.

24 Q. You tell us in your statement, 'Kenny', that you were
25 about aged seven years of age when that happened?

1 A. Uh-huh.

2 Q. Was that the background then to you being placed into
3 care at St Ninian's?

4 A. Yes.

5 Q. Do you tell us that when you went to St Ninian's that
6 you were about seven years of age?

7 A. Between seven and eight, aye.

8 Q. That would be probably about 1969/1970?

9 A. It was 1970/1972.

10 Q. Were you met by a person you refer to as the SNR
11 SNR when you went there?

12 A. Aye, aye.

13 Q. Who was that?

14 A. Brother MJJ .

15 Q. Can you tell me what happened between yourself and
16 Brother MJJ once your mother had left?

17 Can I put that another way. Once your mother had
18 left and you were alone with Brother MJJ, did
19 something happen at that time?

20 A. No, not straightaway, no.

21 Q. Sorry?

22 A. Not straightaway.

23 Q. At some point early on in your time at St Ninian's,
24 insofar as Brother MJJ was concerned, did anything
25 happen that you can now remember?

1 A. Aye, well he used to tell you to climb onto his all the
2 time, he would like to talk to you sat on his knee.

3 Q. Did you do that, did you go on to his knee?

4 A. Aye at the start, aye.

5 Q. What would happen when you were on his knee?

6 A. He would be sitting cuddling you and all that and try to
7 tell you about things and then you knew something was
8 wrong, because downstairs he had an erection and you're
9 sitting on it.

10 Q. Did you become aware of the fact that he had
11 an erection?

12 A. Aye, aye.

13 Q. Did that happen more than once?

14 A. He used to get you when you were going out on leave, he
15 used to get you to come and sit up on his knee all the
16 time, to talk to you before you went home at the
17 weekends.

18 Q. You are saying this happened on a number of occasions?

19 A. Aye, aye.

20 Q. You thought there was about 100 boys there, that is what
21 you tell us in your statement?

22 A. Aye.

23 Q. What about the age range, what can you tell us about
24 that?

25 A. I'd say between eight to ten, maybe.

1 Q. I think you thought they were mostly about your age,
2 which would be about seven or eight?

3 A. Aye.

4 Q. But there were some a bit older as well?

5 A. Some a bit older, aye.

6 Q. You also tell us about the group system, where you are
7 split into different groups, is that right, four groups?

8 A. Uh-huh, aye.

9 Q. Insofar as the dormitories or the bedrooms were
10 concerned, were these in the main building?

11 A. Yes, in the main building, aye.

12 Q. What about the Brothers' accommodation, where was that?

13 A. That was in the main building somewhere and all.

14 Q. As far as the Brothers were concerned, I'll look at
15 names shortly, can you tell me how many Brothers were
16 there at the time you were there?

17 A. Not really, no. I can't -- quite a lot. I would say
18 maybe about 12.

19 Q. Let's look at some aspects of the routine. Let's begin
20 by the mornings. What would happen in the morning when
21 you were waking up?

22 A. They'd wake you up, take you down to the chapel, there
23 was a chapel inside the place. You would do all the
24 prayers and that before you went for breakfast.

25 Q. Who would wake you up?

1 A. Staff members, I think. Like the Brothers themselves.

2 Q. Let's jump ahead to the evening and bedtime, what about
3 the supervision of bedtime, who did that?

4 A. Night watchman.

5 Q. Do you remember his name?

6 A. Jimmy McKinstry.

7 Q. When you call them night watchman, would he be there
8 overnight?

9 A. Aye, stayed there until next morning, when the Brothers
10 would get up they would go home.

11 Q. The school at the time you were there was outside the
12 main building; is that correct?

13 A. That's right, aye.

14 Q. Can you tell me about the food. How did you find the
15 food?

16 A. It wasn't great. I refused to eat and they slammed my
17 face into the plates and tell me you don't get that kind
18 of food at your own house, slamming my face into the
19 plate.

20 Q. Who did that?

21 A. The staff that was in there at the time.

22 Q. Are you talking about civilian staff --

23 A. No, brothers, the Brothers, aye.

24 Q. Was there any particular Brother or Brothers who would
25 supervise the meal times?

1 A. Just different ones, whoever was on at the time.

2 Q. You tell us about the shower area and can you describe
3 that for me?

4 A. It's downstairs, it's like a basement, bottom area in
5 the school. You got taken for the showers and all the
6 Brothers stood in front of the showers when you're in
7 there having a wash, just a big open shower, all the
8 boys are in there and all the Brothers stood in front of
9 you when you're in having a shower.

10 Q. How many Brothers would be involved in this?

11 A. Maybe two, three of them.

12 Q. So far as schooling was concerned, did Brothers teach
13 classes?

14 A. Aye.

15 Q. Were there also civilian teachers?

16 A. Aye.

17 Q. I think what you tell us at paragraph 38 is that the
18 Brothers taught some of the classes. You go on to say:
19 'They were really crabbit and impatient and they
20 would hit you in class for really little things.'.

21 Can you elaborate upon that, when you say you would
22 be hit, in what way?

23 A. Knuckle you on the head with the knuckles or else they
24 would smash your head off somebody else's head.

25 Q. What would that be for?

1 A. Well, not paying attention to your work. The reason
2 I wasn't paying attention was because I wasn't sleeping,
3 I was staying up all night keeping my eyes awake.
4 I didn't like sleeping, so when it came time to go to
5 school I was falling asleep.

6 Q. Were you dealt with in that way on a regular basis?

7 A. Aye.

8 Q. In the classrooms?

9 A. Aye.

10 Q. Can I then ask you about the names of any Brothers that
11 you can remember. Can you remember any names?

12 A. A Brother Ben, I think there was a Brother Murphy.
13 Murphy, I think it was.

14 Q. Murphy?

15 A. Aye. And there's not many of the others I can think,
16 because I get mixed up with the two schools I was in
17 that were run by Brothers.

18 Q. I think you also went later to St Joseph's, didn't you?

19 A. Aye. That's the same. That's how I get mixed up with
20 the names. They're all the same kind of thing.

21 LADY SMITH: 'Kenny', don't worry if you can't remember
22 names. We are asking you about things that happened
23 a long time ago. I do understand that.

24 A. Aye, aye.

25 LADY SMITH: Mr MacAulay.

1 MR MACAULAY: Did you run away from St Ninian's?

2 A. Yeah, aye.

3 Q. How often did you run away?

4 A. Oh, quite a lot. Quite a lot. Most times was when

5 I got home on leave, when I got a chance to stay away

6 from it I didn't go back, but there were a few time

7 I had ran away from it myself, from the actual building,

8 got caught, got near (indistinguishable).

9 Q. Was there any reason for why you were running away?

10 A. I didn't like being there any more.

11 Q. Was there a reason for that?

12 A. Aye, it was abuse and the sexual abuse in there,

13 physical abuse. I didn't want to be there.

14 Q. I'll come on to look at some of that then.

15 When you ran away, as you've been describing, what

16 would happen, would anything happen to you when you went

17 back?

18 A. Aye. Get a belt.

19 Q. Who would give you the belt?

20 A. Whoever was on at the time, the head man or else any

21 Brothers there at the time would take you in and give

22 you the belt.

23 Q. How would the belt be given?

24 A. Across your backside.

25 Q. Would that be over your trousers?

1 A. No, trousers pulled down. They had to hold me down to
2 give me the belt.

3 Q. I am sorry?

4 A. They used to hold me down on a chair to give me the
5 belt.

6 Q. Who would hold you down?

7 A. The Brothers.

8 Q. How many Brothers would be involved in this process?

9 A. Three or two, two holding you down and one giving you
10 the belt.

11 Q. And would the belt then be hitting your bare bottom?

12 A. Aye, aye.

13 Q. Can you say how many strokes you would normally get?

14 A. It was six.

15 Q. Would that cause injury?

16 A. Aye, aye.

17 Q. At paragraph 75 you say that you never had any visits
18 from your family; is that correct?

19 A. That's right, aye.

20 Q. What about from social work, did you have any visits
21 from the social work?

22 A. Not that I can mind, no.

23 Q. Were you ever conscious of anyone coming to inspect the
24 premises?

25 A. No.

1 Q. Anyone who might have been a manager, a board manager,
2 coming to look at the premises?

3 A. The only person that came there was like a cardinal,
4 some cardinal, we got a holiday for that. It was the
5 time of year or something a cardinal would come in and
6 everybody would go home on leave. But that's about the
7 only person I can mind coming.

8 Q. You have told me already, 'Kenny', that in the class
9 that the Brothers would hit you and you've described how
10 that might happen to you.

11 In particular, you have mentioned being struck on
12 the head with knuckles, is that right?

13 A. Aye.

14 Q. Was any other implement used?

15 A. A big ruler. A big metre ruler or something, a big
16 thick ruler to put lines on the chalkboard, they used to
17 hit you with them and all.

18 Q. How would you be hit?

19 A. Across the knuckles and across your legs.

20 Q. Would that be a Brother who would be involved in this?

21 A. Aye Brothers, aye.

22 Q. Were other children hit in this way?

23 A. Aye, aye.

24 Q. You tell us at paragraph 80 of your statement, 'Kenny',
25 that you got into a fight once with another boy and

1 something happened. Can you tell me what happened?

2 A. Aye. It was when I went in, I just went into
3 St Ninian's, my ma was in the room with us the day we
4 got put in there and there was a wee guy standing
5 outside the door, he must have been being taken in to
6 see the head man for something, he had not been
7 (indistinguishable), and he could see in the door where
8 I was sitting and he kept laughing because I was sitting
9 greeting, he kept laughing in the door at me.

10 Q. You were crying, were you?

11 A. Aye, I was crying with my ma sitting next to me. Once
12 she went away and I got the clothes on, all their
13 preschool clothes, put them on and they take us out the
14 back and as I go out the back this wee guy was like, 'Is
15 your mummy away? Are you greeting?' So I ended up
16 attacking him and then one of the Brothers, Brother Ben
17 I think it was, come with a cricket bat and smashed me
18 in the back with it and down my legs and all that.

19 Q. You think this was Brother Benedict who did this?

20 A. Brother Ben, I think it was, aye.

21 Q. Why were you crying at this time?

22 A. My ma was going home, I was getting left there and my
23 mum was going home so I was crying.

24 Q. You said that Brother Ben hit you with a cricket bat on
25 the back and on your legs?

1 A. Aye.

2 Q. Was that two strokes, was it?

3 A. A couple of times, aye.

4 Q. Did that cause an injury?

5 A. Aye, down my back. My back was sore for a while and
6 they never done anything about it.

7 Q. Did you go and see the matron about your back?

8 A. Aye.

9 Q. Did Brother Ben go with you?

10 A. Aye. He says I just fell on something.

11 Q. Did you tell the matron --

12 A. Aye.

13 Q. -- what had happened?

14 A. Aye.

15 Q. What did you say to her?

16 A. I tell her it was him hitting me with the bat. She
17 says, 'That's not a bat mark, you've been fighting, you
18 were rolling about'. I said, 'Right', not much you
19 could say to them.

20 Q. Were you bruised?

21 A. Aye. I was bruised after that, aye, aye.

22 Q. You go on to tell us about Brother Ben and his
23 involvement in electricity. Can you just tell me
24 a little bit about that?

25 A. There was a wooden box he used to use, it was like

1 an old telephone, you mind the old telephones from years
2 ago that you winded them up at the side and you were
3 talking in them, it was an old box like that, with two
4 copper pipes about that size.

5 Q. What size did you say?

6 A. About that.

7 Q. About two or three inches?

8 A. Aye. You put them into your hands to hold them and he
9 winded it up it shocked you, you got shocks.

10 Q. Before I ask you to develop that, where did this happen?

11 A. I'm sure it was down in the boot room, a boot room, it
12 was down in the basement, the boot room.

13 Q. When this happened, did this happen to you?

14 A. Aye.

15 Q. How often did this happen?

16 A. Two or three times it was done to me.

17 Q. Was there a reason why that was being done to you?

18 A. Aye, not doing what I was told.

19 Q. Were you told that is why this was being done?

20 A. Aye. When they're doing it, they are telling you,
21 'You're going to behave yourself this week'. That's
22 what he used to say, 'You're going to behave this week,
23 you might get home'.

24 Q. Would he be saying that when you were --

25 A. Aye, when you are holding the bars, aye.

1 Q. What was the sensation that you got when you held the
2 bars?

3 A. It was strong shock. You were greeting and everything,
4 you were crying after it. It was a bit of pain.

5 Q. What would Brother Ben be doing to create the
6 electricity, would he be doing something?

7 A. There is a wee handle on the side of the box and he
8 winds that up and it sends the power through you.

9 Q. Did the level of the power have anything to do with how
10 fast --

11 A. Fast you done, it aye, aye.

12 Q. When it happened to you were other boys present or not?

13 A. There would be boys that would be waiting to get next
14 kind of thing, stood next to the door with another
15 Brother. There would be maybe two or three guys here
16 and all, waiting to get taken in for the same
17 punishment.

18 Q. Would they see what was happening to you?

19 A. No, no.

20 Q. If it happened to another boy, you wouldn't see what
21 happened to the other boy?

22 A. No, no.

23 Q. How long would you have to hold the bars, do you think?

24 A. It would be a good five minutes.

25 Q. During that time, was Brother Benedict winding up the

1 box?

2 A. The handle, aye, aye.

3 Q. You also mention a civilian teacher at paragraph 84, and

4 you say there was a civilian member of staff called

5 Mr GXC. Do you remember this teacher?

6 A. GXC, aye, aye.

7 Q. Did he do anything to you?

8 A. Not from my memory, no. He was actually in a group,

9 an actual group. He left in the 1960s -- a group in the

10 1960s, he was a drummer and he came to that. The only

11 civilian teacher I knew in there was McGill, he was

12 a science teacher.

13 Q. You talk about Mr GXC in paragraph 84 and you say,

14 'He used to supervise the group that I was in'.

15 A. Aye.

16 Q. Do you mean the house?

17 A. Aye, the house I was in, aye.

18 Q. Was he a sort of housemaster?

19 A. Aye, aye.

20 Q. If he thought you were doing something bad, would he do

21 anything?

22 A. Aye, you would get a slap off him, a slap on the legs,

23 aye.

24 Q. At that time, were you wearing shorts?

25 A. Aye, shorts all the time. That's all you wore in there,

1 aye.

2 Q. How often did this happen with this particular person?

3 A. Just when you're getting out of order, he could come in

4 and slap you on the legs.

5 Q. Coming back to Brother MJJ . We have already

6 talked about him. I think you indicated earlier on that

7 it usually would be when you're wanting to go home that

8 you would have this knee --

9 A. Aye, you would go into his office and then he would tell

10 you to come up -- he done it with every boy, I think,

11 sit on his knee, to sit on his knee.

12 Q. Did boys speak about that?

13 A. No, no.

14 Q. Did you at a point in time start to help the gardener?

15 A. Yes, aye.

16 Q. Who was the gardener at that time?

17 A. Jimmy McKinstry.

18 Q. How did that develop once you started helping him?

19 A. I wasn't paying much attention in the class so I think

20 they were giving me a chance to go out and do something

21 with him. I was interested in gardening, so --

22 Q. Did you see it as a break from the classroom?

23 A. Aye, aye, I'd rather be out there than in the class.

24 Q. You would be missing your education?

25 A. Uh-huh.

1 Q. When you went to assist Jimmy McKinstry, did anything
2 happen?

3 A. Aye, yes, I went into the tool shed and he was like
4 a father figure to me. He kind of took me under after
5 I told him what happened to my dad dying, and that, he
6 was a kind of father figure in there. He was good to me
7 and then --

8 Q. Was he friendly towards you?

9 A. Aye, he was friendly towards me, aye. Then we got into
10 the gardening shed after we done a bit of work, putting
11 the tools away, and he came -- he grabbed me tight, hold
12 me and cuddled and wrestled, kind of on my head and
13 that, and then he started playing with himself, he had
14 his thing out, playing with himself, holding me tight to
15 him, telling me it would be all right, I'm not going to
16 hurt you and all this and if you tell anybody I can get
17 you put to another school or a more senior school and
18 you'll not see your mum and all that again.

19 Two or three times he caught me in that shed doing
20 the same thing.

21 Q. Did he do something?

22 A. Aye, he took his penis out and playing with himself, but
23 he held me in a grip against the wall, keep me tight and
24 then after that he told me -- it was down -- we were
25 cutting trees down a road, it was in the school, and he

1 got me down, it was like a gate going into a field and
2 he caught me down there and all doing the same thing.
3 Putting my hands on him and all that.

4 Q. In relation to his penis, what was happening?

5 A. Aye, he was playing with himself and he was ejaculating
6 into a -- he usually had a hanky on himself all the
7 time, a real hanky, he tied it on in the sun, he used
8 keep it on in the sun, it was one of them ones, it was
9 a hanky and he used to use it all the time and put it
10 back in his pocket.

11 Q. What age were you when this started?

12 A. I would say between eight, maybe nine, roundabout.

13 Q. In relation to this happening in the shed, can you say
14 how many times that happened in the shed?

15 A. I think it was about twice in the shed and three times
16 down at that gate.

17 Q. Was it the same sort of thing that happened?

18 A. Aye, aye.

19 Q. Him holding you tight and also masturbating?

20 A. Masturbating.

21 Q. And ejaculating into his hanky?

22 A. Hanky, aye.

23 Q. I think you indicated what he said to you as to why you
24 should not tell anybody?

25 A. Uh-huh.

1 Q. What effect did that have on you?

2 A. I was just scared to talk. I didn't want to talk about
3 it at all. I just wanted to get away from him, wanted
4 to get away from that school altogether.

5 Q. Was that one of the reasons you ran away?

6 A. Aye.

7 Q. Did you wet the bed?

8 A. Aye, aye.

9 Q. Did other boys wet the bed?

10 A. Aye, there were other boys done it and all, aye.

11 Q. Did anything happen to those who wet the bed?

12 A. They used to embarrass you by putting your mattress out
13 in the lobby so everybody could see it, put your sheets
14 there, so everybody could look at it and laugh.

15 Q. Did that happen?

16 A. Aye.

17 Q. Did other boys look and laugh?

18 A. Aye they ridiculed you, aye.

19 Q. What about the Brothers?

20 A. Aye, the same.

21 Q. Did anyone during the night check do see if a boy had
22 wet the bed?

23 A. Aye. The night watchman used to come in, the night
24 watchman.

25 Q. Was that Mr McKinstry again?

1 A. Aye.

2 Q. What would he do?

3 A. Putting his hands under your sheet, feeling you and all
4 that, 'Do you need the toilet? Do you need the toilet?'

5 Q. What parts of your body would he touch?

6 A. Always down the bottom, down the bottom all the time.

7 Q. You left St Ninian's because you were running away
8 a lot; is that correct?

9 A. Aye, aye.

10 Q. You spent some time out of care but then you went back
11 into care?

12 A. That's right, aye.

13 Q. Just to get a date, I think you left St Ninian's when
14 you were about 12 years old, is that right?

15 A. Aye.

16 Q. 1975?

17 A. Roundabout, aye.

18 Q. Did you then eventually go to St Philip's Approved
19 School in Airdrie?

20 A. I did, aye.

21 Q. We have a record of the date for that. That is
22 [REDACTED] 1976 and you were there until [REDACTED] 1977?

23 A. Right.

24 Q. Does that fit in with your recollection?

25 A. Aye, that's about right, aye.

1 Q. You tell us about the routine at St Philip's, that it
2 was an Approved School. It wasn't very big. There was
3 about 30 boys there while you were there.
4 It was a cottage-type set-up?
5 A. Cottage, aye, aye.
6 Q. What you tell us, at paragraph 118, is that if you
7 misbehaved then you would be asked to stand outside the
8 class, but there was no physical punishment?
9 A. No, that's right.
10 Q. When you left St Philip's, I'm looking now at
11 paragraph 134, by this time you tell us you were getting
12 into trouble because of glue sniffing and drinking?
13 A. That's right, aye.
14 Q. That had started before you left St Philip's?
15 A. Aye, aye.
16 Q. Were you also breaking into places to get money?
17 A. Aye, aye.
18 Q. Was that the background to you being sent to St Joseph's
19 in Tranent?
20 A. That's right, aye.
21 Q. The dates that we have for that, from the records, are
22 [REDACTED] 1977 and you were there until about
23 [REDACTED] 1978?
24 A. Right.
25 Q. Does that fit in with your own --

1 A. That's about right, aye.

2 Q. Did you recognise any Brothers at St Joseph's that you
3 had seen at St Ninian's?

4 A. There was one civvy, one of the staff, you know,
5 a civilian.

6 Q. Who was that?

7 A. Mr GZI .

8 Q. In paragraph 137 you say you recognised
9 Brother Benedict?

10 A. Brother Benedict, aye, aye.

11 Q. He had been in your time he had been at St Ninian's?

12 A. That's right, aye.

13 Q. He was now at St Joseph's?

14 A. Aye.

15 Q. As far as you're concerned, 'Kenny', you tell us at
16 paragraph 147:

17 'I didn't have any issues with abuse from the
18 Brothers.'

19 A. Uh-huh.

20 Q. You do tell us that the lady who ran your cottage used
21 to hit you over the head and on the backs of your legs
22 with a slipper?

23 A. A slipper, aye.

24 Q. You say she was older and a bit crabbit?

25 A. Aye.

1 Q. Were you in a cottage that was being run by this lady?
2 A. I was, aye, aye.
3 Q. Again, were you running away a lot from St Joseph's?
4 A. Not to start, no. It was once I was in it a wee while
5 I started running away.
6 Q. Was there any reason for running away?
7 A. I didn't like the places any more, just wanted to get
8 away from them.
9 Q. Were you still sniffing glue when you could?
10 A. Yes.
11 Q. Did that then end up with you going to Rossie Farm?
12 A. That's right, aye.
13 Q. You thought you were maybe aged 15 or 16 when you went
14 to Rossie; is that right?
15 A. Aye.
16 Q. What was the set up there?
17 A. It was closed block. It was a closed unit I was in.
18 Bars on the windows, things like that.
19 Q. There is a closed unit, was there also an open unit?
20 A. Aye, an open unit and all, aye.
21 Q. Were you sent to the closed unit?
22 A. Closed unit, aye.
23 Q. Was that because you kept on running away?
24 A. Aye, aye.
25 Q. Again, was it only for boys at this time?

1 A. That's right, only for boys, aye.

2 Q. You tell us at paragraph 160 there were about 12 or 13
3 boys in the closed unit, and they were all about 15 or
4 16 years old?

5 A. That's right, aye.

6 Q. The same age as yourself essentially?

7 A. Aye, aye.

8 Q. When you were in St Joseph's, and indeed at Rossie Farm,
9 did you get any visits from social workers?

10 A. Not to my knowledge, no.

11 Q. As far as abuse is concerned at Rossie Farm, at 178
12 I think you tell us that the only issue you had with the
13 staff was a person by the name of 'Wee Jimmy'?

14 A. Aye.

15 Q. What was the problem with Wee Jimmy?

16 A. He just didn't like Glaswegians or anybody who talked
17 that same style. He was always in your face. He was
18 a cheeky wee man, because he was a midget, he was kind
19 of wee, he always up in your face shouting at you all
20 the time. Just -- was it staff? Was it staff you're on
21 about [REDACTED]?

22 Q. I'm looking at paragraph 178:
23 'The only issue with staff I had was with
24 Wee Jimmy.'
25 I was assuming that was a member of staff, are you

1 saying something --

2 A. There were a Wee Jimmy, [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 Q. Here I think you are talking about the staff --

6 A. The staff, aye.

7 Q. And I think you attacked him --

8 A. Uh-huh.

9 Q. -- is that right?

10 A. Aye. No, in fact, that's not staff, that's [REDACTED]

11 I attacked.

12 Q. This is [REDACTED] who was [REDACTED] of your own age?

13 A. Aye.

14 Q. You got the better of him effectively, is that what you

15 are saying?

16 A. Aye, aye.

17 Q. As far as Rossie was concerned, what you tell us at 181

18 is:

19 'It was an okay experience in Rossie Farm.'

20 A. Aye.

21 Q. 'Everyone knew you were getting out at 17 years old.'

22 That was your position, the experience was okay and

23 you left at 17?

24 A. Yes, aye.

25 Q. Life after care, you tell us you are you were still

1 sniffing glue?

2 A. Aye.

3 Q. I think you also got married at a very young age; is
4 that right?

5 A. I did, aye.

6 Q. You then tell us that you were in a number of
7 establishments. You went to Longriggend?

8 A. Uh-huh.

9 Q. You were in Glenochil. The background again being that
10 you kept on drinking and sniffing glue?

11 A. Aye.

12 Q. Were you in and out of prison for a while?

13 A. Yes.

14 Q. You tell us that later you met another lady in your late
15 30s and she helped you get off the drink?

16 A. Yes, aye. Still with her now.

17 Q. I'm sorry?

18 A. I'm still with her now.

19 Q. Did you ever speak to anybody about what had happened to
20 you in care?

21 A. No. I tried to drown it out. That's why I went on to
22 glue and drink. I was thinking it would drown it out of
23 my mind.

24 Q. You say at 192:
25 'I never told anybody about the abuse that was

1 happening in St Ninian's. I could have told my mum or
2 cousins but I didn't, and that kills me now.'

3 Why are you upset about that now, that you didn't
4 tell your mother?

5 A. Because they were the closest friends I had, my mum and
6 my cousins, but I couldn't tell them. I didn't feel
7 they would accept it. They would probably start
8 laughing at me and things like that, no. Or making
9 jokes about it. That is at the kind of way my cousins
10 were, do you know what I mean. So I didn't want to tell
11 anybody about that, I wasn't liking to face up to
12 getting ridiculed for it.

13 Q. What you do tell us at 194 is that you consider that you
14 didn't get a proper education?

15 A. Uh-huh.

16 Q. Why was that?

17 A. Because I never seen any education, I should have been
18 getting to go to school, getting me ready for going to
19 school, but there was nothing like that given to me.

20 Q. Do you have nightmares because of your time in care?

21 A. Aye, aye.

22 Q. How often do you have nightmares?

23 A. Every now and then it is. Every now and then.

24 Sometimes I can still smell aftershave or his smell of
25 sweat, I can smell the guy.

1 Q. Is that Mr McKinstry?

2 A. Aye.

3 Q. You also mention that you get flashbacks?

4 A. Aye.

5 Q. What does that --

6 A. Back to the times when he was doing things to me,
7 flashing back to that.

8 Q. I think you eventually did report Mr McKinstry to the
9 police?

10 A. Aye.

11 Q. Did anything happen, as far as you know?

12 A. As far as I know, he was getting charged with it, or he
13 had been charged with it, and it wasn't long after that
14 he died.

15 Q. Finally, if I can take you to the last page of your
16 statement, 'Kenny', where you have a short section
17 dealing with lessons to be learned.

18 I'll just read these to you:

19 'I trusted a guy whose care I was in, who I thought
20 was a father figure so soon after my own dad had died
21 and he betrayed me by abusing me. Adults shouldn't be
22 allowed to take advantage of vulnerable kids.'.

23 That is your position, you were vulnerable?

24 A. Uh-huh.

25 Q. This man took advantage of you?

1 A. Aye.

2 LADY SMITH: That's the gardener you are talking about?

3 A. The gardener, aye.

4 LADY SMITH: Thank you.

5 MR MACAULAY: You go on to say, at 202:

6 'Kids in care need to have more contact with their
7 family, either over the phone and in person, so that
8 they can tell their parents if anything bad is happening
9 to them.'

10 A. Aye.

11 MR MACAULAY: Thank you for that, 'Kenny'.

12 Is there anything else you would like to say in
13 addition to what we have been talking about?

14 A. Just I hope they see through this and other places that
15 you check on, Approved Schools and that, that somebody
16 can get helped in this, because it's done a lot of
17 things to me. It's just put me right back to being
18 a boy again, do you know what I mean? Never grew up
19 from there. Didn't have a chance to grow up right.

20 As I say, keep parents going into places like that
21 to see their weans or get in contact with them as much
22 as you can. I think it's only the safe way to go,
23 because they're always out there, there are people
24 there. You realise now they're not friends but they
25 were friends to me then, and they're not friends,

1 they're just creepy people.

2 That's about it.

3 MR MACAULAY: Very well, 'Kenny'. Thank you for that.

4 Thank you for coming and answering my questions

5 today.

6 A. Thank you.

7 LADY SMITH: 'Kenny', could I add my thanks. It's been

8 really helpful having you come today to talk about your

9 evidence in addition to my of course having your written

10 statement, which is also part of your evidence. You

11 have put a lot of work and effort into assisting us in

12 the way you have and I'm really grateful to you for

13 that.

14 A. Right you are, thanks a lot.

15 LADY SMITH: I'm now able to say you're free to go and

16 I hope you find the rest of the day --

17 A. That's the first time I've been told I'm free.

18 LADY SMITH: You're able to go and I hope the rest of the

19 day is less stressful than this part.

20 Thank you.

21 (The witness withdrew)

22 LADY SMITH: Mr MacAulay.

23 MR MACAULAY: My Lady, we do have time for a read-in.

24 LADY SMITH: Let's do that.

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'David' (read)

MS MACLEOD: My Lady, this is the statement of an applicant who wishes to remain anonymous and to use the pseudonym 'David' when giving his evidence and providing the statement. It's at WIT-1-00000872.

My Lady, much of this applicant's statement has already been dealt with in Chapter 1 of this case study, and many parts of his statement were looked at on 9 November last year, on Day 387.

This witness speaks of his time in a number of care settings. The first of which he went into when he was two-and-a-half. I propose to focus today on the paragraphs of his statement where he attended St John's and St Mary's. I will go straight to those paragraphs, because most of the remainder of his statement has been dealt with.

I'll read from paragraph 85, once I introduce the witness:

'My name is 'David'. I was born in 1953. My contact details are known to the Inquiry.

I was sent to St John's and found the place was run by Brothers, but I can't remember what order they were from. I recall it was just across the road from Longriggend. I also think it was on the Edinburgh Road, Glasgow. When I arrived and spoke with the other boys,

1 I was made aware that some of the staff were involved in
2 sexual abuse of the residents.

3 I then spent a few months at this placement. I know
4 it was more than a few weeks as there were gaps in
5 between the episodes of abuse. I later found that there
6 were two or three Brothers in particular who were
7 involved in the abuse. I don't remember any of their
8 names but can only recall they wore a long smock outfit
9 down to their ankles. It was a dark colour.

10 Again, the morning routine in St John's was similar
11 to Longriggend and then later at St Mary's. We were
12 woken by staff in the morning, usually very early, and
13 then washed, dressed and ready for breakfast.

14 We were then in classes until lunch and then again
15 afterwards. We might have some free time after class
16 work in the afternoon. We then had our tea, small
17 timeframe for leisure and then into bed.

18 There was no education while I was there. At no
19 time did we ever get to sit down in a classroom and be
20 taught anything. The whole existence there I liken to
21 Oliver Twist. That was how bad we lived in that place.

22 There were some chores to be carried out. That
23 could involve cleaning the dormitory, toilets or
24 polishing the brass work.

25 I did not have any contact with my family, as they

1 had no money to visit me and one of my siblings was in
2 jail.

3 The staff made you double march when moving us from
4 different parts of the building. There were other times
5 they would slap you if you misbehaved in their eyes.
6 Sometimes that would escalate to them kicking you or
7 punching you in the ribs.

8 At least once a month I found that I was abused by
9 the different Brothers. On the other nights, I would be
10 lying awake in terror of them coming to my bed. When
11 they did not approach me I was so relieved, but also
12 upset, as it meant they were picking on one of the other
13 boys. That is how sick these people were.

14 Most of the abuse I received was when I was in bed
15 at night. We all lived in total fear and at night you
16 were scared to go to sleep. The Brother who was
17 covering the nightshift would come into the dormitory
18 and carry out the abuse in the person's bed. On other
19 occasions, they might waken one of the boys and take him
20 to another room where they would carry out the sex acts.

21 When they came to my bed, the abuse ranged from them
22 touching my privates, me having to touch them and
23 worsening to oral sex and sometimes being raped. I knew
24 I was there for a few months because of the frequency of
25 the abuse and the gaps between when others were abused.

1 I did tell the person in charge of the home, but his
2 attitude was that I was telling lies. When I got back
3 to my dormitory I was beaten by one of the Brothers who
4 had been involved in the abuse. He was telling me I was
5 being punished for speaking out against him. No member
6 of staff had any action taken against them and no one
7 was moved from the home. As I had spoken out, I was
8 punished, not only with the beating, but also made to do
9 some more chores.

10 I can't remember if I was told I was leaving or how
11 it came to be that I was allowed out of St John's.
12 I was back to St Mary's House for a while.

13 Prior to being sent to St Mary's, I had been couch
14 surfing with some friends. I got into trouble with the
15 Children's Panel for some petty theft and the decision
16 was made to send me to St Mary's. I never felt that the
17 petty crime I was involved in merited having to be
18 placed into care.

19 For the first few days I was at St Mary's and being
20 the new boy there, there were some attempts at bullying
21 from the other boys but that soon stopped.

22 We were woken between 5.30 am and 6 am in the
23 morning. The staff would come into the dormitory and
24 used a hand-held bell to get us up. After being washed
25 and dressed we had breakfast. After that in the

1 mornings, the mornings were filled with carrying out
2 chores in the home until lunchtime.

3 The person in charge of St Mary's was quite good
4 when we were needing any new clothes. He would arrange
5 for me to be given a token and to be taken to Wolfson's
6 in the town. We were then able to get clothes from that
7 shop to the value of the token.

8 I started to get some work in the bakehouse at the
9 home. I learned how to make rolls and bread for our
10 mornings. I thoroughly enjoyed that training.

11 Later, when I was at St Mary's, and as part of
12 training for my release, I was able to get a part-time
13 job at the local car wash. One of the boys at the home
14 had a compulsion for stealing cars. He would often come
15 back to the home driving different cars. He also got
16 a job at the car wash, which was obviously not the best
17 place for him. One day when he came back to the car
18 wash he picked me up in one of the cars and was giving
19 me a lift back to St Mary's. When we were out and about
20 that was when we were stopped by the police.

21 The abuse from the staff at St Mary's was very
22 similar to other placements, where if we did anything
23 wrong we might be given a slap. They might be pushing
24 us along corridors if they wanted us to be quicker
25 moving from one place to another. Again, if you did not

1 move fast enough they might give you a kick to move you
2 along.

3 There was an issue during my early time there that
4 one of the older boys was threatening me if I did not
5 carry out sex acts on him then he was going to beat me
6 up. I started fighting back and he left me alone, but
7 I think he might have gone on to pick on some other weak
8 boys.

9 Other than what I have mentioned, I actually found
10 St Mary's to be a positive experience.'

11 After that part of the statement, my Lady, the
12 witness goes on again to deal with his time in other
13 institutions.

14 I propose to move to paragraph 205 of the statement,
15 where the witness sets out some lessons he considers
16 could be learned:

17 'One thing that should be in place is to ensure that
18 no one person is left on their own to look after the
19 children in care establishments. This would help stop
20 the opportunity that they may have to abuse children if
21 they worked on their own. I am fully aware that this
22 would still not prevent the unlikely scenario of two
23 abusers working in the same place on the same team. In
24 my case, it was usually the person working on their own
25 that committed most of the abuse.

1 There needs to be more vetting of people employed in
2 the care industry. That vetting needs to be very
3 thorough. They must not accept that because you are
4 looking after a family that you are suitable. There
5 have to be ongoing checks carried out.

6 I am not sure if any of the people looking after me
7 in care were properly trained. Apart from being fully
8 trained you must also have a caring and compassionate
9 attitude to look after children. No one in any of the
10 establishments I stayed at was trained to recognise
11 trauma, which is a necessity because you may have
12 suffered abuse prior to arriving in their care.

13 If children report abuse then they must be listened
14 to, believed and action taken. Despite me reporting
15 matters to the police and social work, I was never asked
16 by either organisation to provide a full account of what
17 happened. I do not recall any action being taken
18 against people and they were able to carry on for years,
19 some decades, with no fear of being stopped. There was
20 no independent adult that I could talk to or
21 organisations looking after my rights.

22 I also feel that people from a poorer background
23 have less protection than others from a secure financial
24 footing. It is easier to abuse the children who have no
25 back-up.

1 I think the Inquiry should have taken place a long
2 time ago, about 40 years ago, when it was happening and
3 relevant.

4 Kids in the future need to be looked after better
5 than we were. Paedophilia is a human trait and I'm not
6 sure it can be eradicated by the Inquiry, but I hope
7 that things can be put in place to prevent it in
8 children's homes. Cameras and a more open environment
9 would all help the children. If they can install
10 cameras then they should be recording 24 hours a day and
11 be unable to be tampered with by staff. I know we have
12 to have privacy for kids but a balance needs to be
13 found.

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

18 'David' signed the statement on 8 December 2021.

19 LADY SMITH: Thank you very much.

20 Where now?

21 MS MACLEOD: I think we do have time for another read-in,
22 my Lady.

23 LADY SMITH: Thank you very much. Let's do that then.

24 'Paul' (read)

25 MR MACAULAY: My Lady, this is another applicant who wants

1 to remain anonymous and he wants to use the pseudonym
2 'Paul' when his evidence is being taken.

3 His statement is at WIT.001.002.4932.

4 'Paul' tells us that he was born in the year 1955.
5 He provides some information about his life before care.
6 Sadly he was sexually abused as a child from the age of
7 two until six by a relative, and this relative also
8 abused other children and was imprisoned.

9 He appears to have been a car fanatic from a very
10 young age, which meant that he and his friends would
11 steal cars and because he was the one who was driving
12 the car when caught by the police it was he who would be
13 arrested. That really is the background to him being
14 sent to St Ninian's in 1967, when he was aged about 12.

15 At that time he tells us at paragraph 12 the
16 SNR [REDACTED] was Brother GSU [REDACTED], and he's able to say that
17 he had the top of one of his fingers missing.

18 He goes on to tell us at 13 that he was allocated
19 a house. There were different houses and he was in the
20 De La Salle House. He says both times he went to
21 St Ninian's and it is the case -- although he doesn't
22 really distinguish the different times -- that he was
23 sent there twice in fairly close succession.

24 At paragraph 14 he says:

25 'Mr JAV [REDACTED] was my housemaster in the De La Salle

1 House. He was an ex-policeman. He was a lovely, big
2 guy. He came from Aberdeenshire and he played the
3 accordion.

4 St Andrew's housemaster was Brother GYP.
5 St Patrick's had a civilian guy, I can't remember his
6 name. He was a big tall guy with glasses. And
7 Mr IAU was in charge of St George's House.'

8 He talks about the dormitories in paragraph 16 and
9 where they were located.

10 At 18 he says:

11 'Brother GSU had his room on the first floor,
12 above the main door, and there was another Brother above
13 his room, the next floor up.'

14 At paragraph 24 he says:

15 'When we did get a shower Brother MCN was in
16 charge of the shower. He had this bottle of brown stuff
17 that he used to pour all over you and it would sting.
18 I don't know what that was for. If you tried to hang
19 back from going into the shower you got hit. He had
20 a wee stick, like a wee cane. If you got hit with that
21 it was sore.'

22 At paragraph 26 he talks about the separate school
23 building that we know was there at this time.

24 Then at 27 he says:

25 'There was a lot of staff. There was Brother GSU

1 SNR , Brother Anthony, Brother GYP
2 Brother MCN , Brother Benedict, Brother MCT and
3 Brother MBZ . I can't remember the names of all the
4 other Brothers. There were some foreign Brothers who
5 came and visited for a month or so, but they just went
6 away again. The civilian staff were Mr IAV ,
7 Mr MCK , Mr GZM , Mr McKenna, Mr Hutchison,
8 Mr Reynolds and Mr IAU .

9 Mr MCK took art classes. I think he was gay but
10 he wasn't effeminate. He started the theatre. If you
11 did anything wrong he would lift your shorts and smack
12 you on the back of your thighs and leave a hand print.'

13 Then at 30:

14 'Brother MBZ was another one, he was quite handy
15 with his fists. He would hit you with the back of his
16 hand. He really seemed to enjoy that. He was big and
17 tall. He used to take us into the forest to play
18 commandos.

19 Brother MCT was a nice guy. I don't ever
20 remember him lifting his hands. He had red hair and
21 a freckly forehead. Mr McKenna was a really nice guy.
22 He was ex-army. He ran the machine shop. He was always
23 very safety conscious. He would smack your backside
24 like Mr MCK if you were mucking about.'

25 Then at 33:

1 'It wasn't all bad. I would go so far as to say
2 I got a pretty good education in there. It wasn't one
3 to one, but it was more attention than you seem to hear
4 about in classes nowadays. Sometimes there were only
5 ten boys in the class, so you got a lot of individual
6 attention.

7 I wouldn't say there was a lot of badness in the
8 teachers. They would shout at you to behave or they
9 would send you to the headmaster. There wasn't much
10 capering. I can't remember any punishment in the
11 classroom.

12 I'm not sure about the age range at St Ninian's.
13 I don't think there were kids as young as five, but
14 there were some younger than me and they seemed very
15 young. There were some boys who were older than me and
16 I can remember some of their names.'

17 At 36:

18 'You did have to work and we had to clean the place.
19 I had to clean the floors with a big bumper,
20 a heavyweight with a cloth underneath it, we had to
21 clean the toilets with Vim Powder, we had to feed hay to
22 the horses, but I can't remember having to muck out.'

23 38:

24 'Brother Benedict ran a workshop. His real name was
25 Brian Murphy. He repaired radios and TVs. He was

1 great. We would bring radios from home and he would
2 repair them. He ran one of the activity classes after
3 school and I always tried to get into his class.

4 I am aware that Brother Benedict was convicted for
5 abusing boys, but I never saw that. He had a little
6 electric generator that came from a World War One
7 wind-up phone generator. It produced enough current to
8 ring a bell. You would get a little tingle from it. It
9 was just a laugh.

10 There are boys out there saying they got burned by
11 electric shocks from this thing, but that's not true.
12 There's just no way. It wasn't strong enough to force
13 your muscles to contract. I had an electric shock like
14 that later in life, so I know the difference. As far as
15 I am concerned, it was never done with malice.

16 I never had any cause for concern with
17 Brother Benedict and you did get to learn the signs to
18 watch out for when you were in care. He just wasn't
19 that type of guy. If there was any carry on he would
20 give you a slap on the back of the head. It happened to
21 me a couple of times, but if you've got young guys where
22 there's electricity, you can't have any mucking about.

23 I used to help Brother GYP. He kept bees at the
24 side of the building. He was a crabbit old bastard. He
25 was really handy with his fists. He would sometimes hit

1 you for no reason. He would have been in his 70s when
2 I was there.

3 Brother Anthony was a lovely man. He had a garden
4 at the side of the building. He must have been in his
5 90s when I was there. He had two hearing aids, but he
6 would always speak to you if you went round. I used
7 help him in the garden. Some of the staff were really
8 lovely.'

9 Moving on to paragraph 54:

10 'I can't remember there being any inspections at
11 St Ninian's. I didn't see my social worker there.
12 I did get to see my family. My uncle would drive up at
13 weekends with my brothers. My uncle was the only one in
14 the family with a car. Visits with your family were
15 unsupervised.'

16 He talks about healthcare and the matron.

17 Towards the bottom of the page he says:

18 'I never went to her about any of the welts or marks
19 I got from being beaten. They didn't bring a doctor in
20 unless you were really unwell. I don't remember going
21 to the dentist.

22 I ran away in 1967. It was when there was a big
23 storm. There were four of us that ran away that night
24 and we had to climb over fallen trees. I can't remember
25 the names of the other boys I ran away with. My mate's

1 mum took me in. We were always talking about running
2 away, planning to run to London or wherever. When I ran
3 away I just went back to Clydebank. I got caught but
4 I can't remember how. I just got taken back and belted
5 by Brother **GSU**.'

6 He moves on at 57 to talk about bed wetting:

7 'I had a terrible problem with bed wetting until
8 I was at least 12 or 13. I think it seemed to stem from
9 the abuse by my relative. When the staff found out they
10 weren't happy at all. They would tell everyone about
11 it. When you went to brush your teeth the staff would
12 check the beds and if you had wet the bed they made you
13 carry your sheets down. All the other boys would be
14 going down for breakfast anyway. They would call you
15 "pishy" and other general abuse like that.

16 There was a bit of bullying went on among the boys,
17 but nothing too serious. It wasn't like gang rivalry
18 between the houses. One boy used to enjoy picking on me
19 and other boys. He would punch and kick younger boys.

20 I would say it was more or less a daily occurrence
21 that you would get verbally abused or picked on.
22 Brother **GYP** would ridicule you all the time. He
23 would call you a stupid boy. They would pick on
24 somebody if they had a speech impediment or something
25 and make a joke of it. There was a wee guy with big

1 ears who had a nickname, I don't know if it was meant to
2 be derogatory, it was all just run of the mill. I can't
3 remember anything nastier than that.

4 I would say that kind of verbal abuse was separate
5 from physical abuse. One of the brothers had a leather
6 shoelace that he would whip you with. Brother MCN
7 had a cane like a garden cane. He would hit you on the
8 back of the legs or buttocks. It was sore. I think
9 Brother Benedict had a lace too. Some of them had tawse
10 belts, a sharp leather strap with a cut up the middle at
11 one end.

12 You were always supervised wherever you were, in the
13 showers, in the classroom, in the yard, everywhere. If
14 there was any messing about the staff would usually deal
15 with it there and then by beating you. There would be
16 no warning, no discussion.

17 If you got hit like that, you would probably have
18 a welt on your legs or your backside. I never saw
19 anyone with black eyes, but people like Brother MBZ
20 would hit you where it wouldn't show a bruise or
21 swelling. I didn't have to go to matron for any such
22 injury. I would only go to see her if I had fallen and
23 scuffed my leg or something. I never saw any other boys
24 having to report to matron for any injury from being
25 beaten.

1 I was sexually abused when I was at St Ninian's. It
2 was someone at night. The name GYL sticks in my
3 mind, but I don't know why. There were no other adults
4 around to speak his name so you didn't get to hear it.
5 He was quite thin faced, with sharp features and a
6 prominent nose. He was going bald on top, with grey
7 hair swept back at the sides, possibly with Brylcreem.
8 It wasn't one of the Brothers or the teachers.
9 I remember he wore slippers so you couldn't really hear
10 him approaching.'

11 If I move on to paragraph 65:

12 'The guy who abused me was on at night. He would
13 get you up to the toilet, hold your nightshirt and hold
14 your penis. He would say, I'll help you. He may have
15 picked me because I had a problem with wetting the bed
16 but I don't think I was still doing that by the time he
17 started this with me.

18 He picked me and some of the other smaller boys. He
19 wouldn't pick on any of the bigger boys. He seemed to
20 know who to pick. It was as if he knew when he could
21 get away with it. It didn't happen every night. But
22 this guy wasn't on every night. Sometimes it was one of
23 the Brothers who was on at night and they would just
24 shout for you to get up to go to the toilet.

25 At first the guy would wake you to go to the toilet

1 and take you back. I was terrified. Then he would
2 start to get into bed with you. He would lie behind you
3 masturbating against your back. He ejaculated. Then he
4 moved on to penetrating me with his penis. I felt
5 something wet on my bum cheeks before he did it.
6 I don't know if he had ejaculated or if it was some
7 cream or something. He did that about six times. The
8 first time I was in St Ninian's I felt physically sick.
9 I wanted to vomit. It was absolutely horrible. I would
10 lie in bed pretending to be asleep and hoping he
11 wouldn't pick me.

12 When he came into the room I would pretend to be
13 asleep. I would hear him taking other boys and I would
14 hear them crying. I don't know if the other boys were
15 asleep or just pretending when I got taken away. This
16 was boys in other dormitories I could hear. I was the
17 only one in my dormitory that he abused.

18 None of us spoke to one another about this abuse.
19 It mainly happened at weekends when some of the boys
20 were away home. Every week the staff kept note of your
21 marks in school and if your marks were good enough you
22 got home. There were some weekends when I didn't get
23 home because my marks weren't good enough or if I had
24 done something wrong. I remember one time I was the
25 only boy left in the dormitory when he came in and raped

1 me. I can't remember the exact timescale of when this
2 happened. I think I have tried to blank it out.
3 I think it may just have been the first time I was at
4 St Ninian's, because I reported it to Brother **GSU**
5 before I left the first time.

6 I worked up the courage to tell Brother **GSU** what
7 happened. They brought the guy for me to apologise to
8 him for telling lies about him. Then I was put over
9 a chair and leathered from top to bottom with a big belt
10 until I was bleeding. My backside was raw.

11 It made me feel terrible having to apologise to him.
12 After I reported it, I don't think it happened again.
13 I don't know if that was because I had reported the
14 matter or if it was because I had reached puberty and he
15 wasn't interested anymore.'

16 My Lady, I have a little bit to go, I wonder --

17 LADY SMITH: How long? Five minutes?

18 MR MACAULAY: I'll press on and see how it goes.

19 At paragraph 72 he mentions leaving St Ninian's and,
20 as I've said, he does say he was there twice.

21 He then ends up at St Andrew's List D in Shandon,
22 where he tells us that he was there for about a year and
23 he provides information about the routine, such as what
24 happened in the mornings, leisure time, trips,
25 healthcare and so on.

1 At paragraph 96 he says:

2 'I didn't suffer any form of abuse at St Andrew's.'

3 At the end he says:

4 'Compared to St Ninian's it was like a holiday
5 camp.'

6 He then spends time at Polmont Borstal. He says he
7 went there on [REDACTED] 1971. Again, for car
8 offences. He says it was an absolute nightmare, in the
9 sense that it was a strict regime but he goes on to say:

10 'There wasn't any abuse. Though I was only there
11 for about a month.'

12 He also spent time at Cornton Vale Borstal, that is
13 at 105, because -- I think we heard this in previous
14 evidence -- volunteers were asked to go there to help
15 build. So far as his position there is concerned,
16 although they had fights, he doesn't talk about any form
17 of abuse.

18 Then he has the section of dealing with life after
19 care.

20 As he tells us at 116 he's again involved in car
21 offences and he ended up on remand in Barlinnie Prison.
22 He goes on to say:

23 'It was a real eye opener, seeing people getting
24 thrown over the railing on the top floor. That's why
25 they put nets up across the open space to catch people.

1 I saw people having boiling water thrown over them.

2 I never went back to jail again after that.'

3 He goes on to tell us about his work history, which
4 seems to have been a successful one. Not surprising,
5 it's involved in working in the motor industry.

6 He tells us at 120:

7 'I never told my parents about the abuse I suffered
8 in care: after what happened to me with my relative
9 abusing me at home I couldn't burden them with that.
10 That's why I waited until they had died before I made
11 any report.'

12 He says at 123:

13 'I would say my time at St Ninian's in particular
14 has had a big impact on my life. Apart from
15 St Ninian's, my time in custody wasn't too bad.'

16 At 124 he wants to make this point:

17 'Not all the staff were bad. I really want to get
18 that point across.'

19 Then hopes for the Inquiry in paragraph 127:

20 'I hope that this Inquiry will change things, but
21 I don't think you can completely eradicate these
22 problems.

23 I hope that what happened to me doesn't happen to
24 anyone else. I was in List D schools for committing
25 offences, but I have often thought about young children

1 who were in care because their parents couldn't look
2 after them. It is even worse to think about children in
3 that situation being abused.'

4 At 130, this has been a consistent message:

5 'I think there should be some kind of opportunity
6 for kids in care to speak to someone the way
7 I'm speaking to Inquiry staff. I think it would make
8 them feel better if there was anything they wanted to
9 discuss.'

10 He goes on to say:

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

15 He has signed the statement on 29 March 2019.

16 LADY SMITH: Thank you very much, Mr MacAulay.

17 I'll stop now for the lunch break, but before I rise
18 some more names, Brothers -- largely names that you have
19 heard before -- MJJ ██████████, Murphy, MCT ██████████, GSU ██████████,
20 GYP ██████████, LUU ██████████, Anthony, MCN ██████████ and MBZ ██████████. And
21 others who were not Brothers but worked at St Ninian's,
22 Jimmy McKinstry, Mr McCann, Mr GZI ██████████, Mr IAV ██████████,
23 Wee Jimmy -- who may actually ██████████
24 a member of staff, that's not entirely clear --
25 Mr MCK ██████████, Mr GZM ██████████, Mr Hutchison, Mr IAU ██████████ and

1 Mr Reynolds.

2 None of those are, at this stage, to be identified
3 outside this room.

4 Thank you very much. I'll rise now until just after
5 2 o'clock.

6 (1.06 pm)

7 (The luncheon adjournment)

8 (2.05 pm)

9 LADY SMITH: Ms MacLeod.

10 MS MACLEOD: Good afternoon, my Lady.

11 The next witness is an applicant who wishes to
12 remain anonymous and will use the pseudonym 'Seamus'
13 when giving his evidence.

14 LADY SMITH: Thank you.

15 'Seamus' (affirmed)

16 LADY SMITH: 'Seamus', that red folder you'll see has your
17 statement in it. You might find it helpful if you want
18 to refer to it when you're going along, but we'll also
19 put your statement up on the screen. You see there it's
20 coming up now, so you'll have that as well if you want
21 to use them. You don't have to.

22 'Seamus', of more importance really is that I want
23 you to appreciate I would like to do anything I can to
24 make the whole process of giving evidence as comfortable
25 for you as possible. I know it's not easy to come and

1 talk in public at all, let alone come to talk about the
2 things we're going to ask you about this afternoon.

3 If, for example, you want a break at any time,
4 whether just pausing where you are, or leaving the room,
5 do speak up and let me know. I take a break at about
6 3 o'clock in any event, so if you are still giving
7 evidence at that point you can bear that in mind.

8 Or if there's anything else that we can help with,
9 like explaining something better than we're explaining
10 it, we don't always ask questions as clearly as we could
11 perhaps and it's our fault not yours if you don't
12 understand what we're asking, so you just say.

13 A. Can I just say, your volume is very, very low.

14 LADY SMITH: Is it low?

15 A. For me.

16 LADY SMITH: Let me try that. Is that better?

17 A. A bit more.

18 LADY SMITH: Is that better?

19 A. That's better.

20 LADY SMITH: How about that?

21 A. That's better.

22 LADY SMITH: I think the microphone had been hit while I was
23 away at lunchtime. Let me know. That is the sort of
24 thing. Just interrupt and say. You're in charge.

25 Ms MacLeod, when you're ready.

1 Questions from Ms MacLeod

2 MS MACLEOD: My Lady.

3 Good afternoon, 'Seamus'.

4 A. Good afternoon.

5 Q. I don't need your date of birth, but were you born in
6 1957?

7 A. I was.

8 Q. Are you now 66?

9 A. Yes.

10 Q. You've provided a statement for the Inquiry and there is
11 a copy in the folder in front of you. I'll just give
12 the reference now for the transcript. WIT.001.001.5385.

13 Could you please turn to the final page of the
14 statement.

15 A. I've got at the top of this page '5408'.

16 LADY SMITH: Could we just check that.

17 MS MACLEOD: Is that the final page?

18 A. That's the final, yes.

19 Q. That's fine.

20 Have you signed the statement, 'Seamus'?

21 A. I have.

22 LADY SMITH: 'Seamus', just while you're on that page, can
23 I say I appreciate it's a long time since you signed
24 your written statement and I hope you understand that
25 the reason the years have passed since you did that is

1 it's all to do with our scheduling in the Inquiry. We
2 have heard a lot of evidence in other case studies that
3 were, if you like, in the queue first. I'm sorry it's
4 taken as long as it has to get to yours, but it doesn't
5 mean your evidence is any less important now than it was
6 in 2017. In many ways, it's even more helpful because
7 of the amount of learning that we've engaged in since
8 then.

9 Ms MacLeod.

10 MS MACLEOD: My Lady.

11 In the final paragraph, do you say:

12 'I have no objection to my witness statement being
13 published as part of the evidence to the Inquiry.

14 I believe the facts stated in this witness statement are
15 true.'

16 In the very last paragraph, just before the
17 signature?

18 A. That's correct.

19 Q. Thank you.

20 Can I start, 'Seamus', by asking you just a little
21 bit about your life before you went into care. I think
22 you tell us that you were the youngest in a family of
23 six children?

24 A. That's correct.

25 Q. I think you say that your father was absent and an older

1 brother acted as head of the household?

2 A. Yes, until he left.

3 Q. Was it quite a difficult childhood in some ways?

4 A. It was.

5 Q. Can you just tell me a little about that?

6 A. As being the youngest member of the family, we were
7 quite poor until possibly I was five years old, when all
8 the elder members of the family started going their own
9 way. My brother -- my eldest brother, my second elder
10 brother and my sister all got on with their own lives
11 and with my father being absent most of the time, my
12 mother was unable to cope. So we were always without
13 electricity, gas. We had to cook on an open fire.
14 Clothes, I depended on hand-me-downs from my elder
15 brothers and attending school was difficult because
16 we -- we were always in rags.

17 My mother was unable to cope with this and going
18 about without food for days, depending on raking bins or
19 begging for ... around doors for lemonade bottles and
20 people at school knew this and the pressure I was under
21 every day when I attended school was difficult.

22 I stopped going to school. I stopped attending
23 school at the age -- probably the age of seven.

24 I just -- six or seven I stopped going and we were
25 repeatedly attended by the welfare board, which was the

1 word for social work in those days, and they never
2 assisted in any way.

3 My mother was called to education committee hearings
4 and it went to court when I was nine-and-a-half/ten and
5 my brother and I were sent to remand homes. I was sent
6 to Cardross Park, I don't know -- I don't have the exact
7 date when I was in there first, and my brother was sent
8 to Bellfield in Dumbarton.

9 Q. Can we just spend a little time having a look at your
10 recollections of Cardross Park. What can you tell me
11 first of all about Cardross and arriving there?

12 A. Judge Bryson at Dumbarton Sheriff Court sent me there
13 for background reports, as he sent my brother to
14 Bellfield, Dumbarton. I think I was put in the back of
15 dark blue van from the court. My brother was dropped
16 off at Bellfield and I was taken some miles down the
17 road to Cardross Park in Cardross, the village of
18 Cardross.

19 I couldn't see out because it was actually a police
20 van and when I got to the reception area of Cardross
21 Park I was taken in. The people I was handed over to,
22 a Mr KZC who was SNR Cardross, and I was
23 taken into the stores and given a pair of shorts,
24 a shirt, a pair of socks and a pair of plimsolls.

25 I was then taken into a recreation room where there

1 was a set of bowls on a boarded track so you can play
2 bowls but there were not -- the bowls weren't there, and
3 we sat in there until we were taken outside and given
4 a shovel, a rake, or a saw. This is after the great
5 storm. We were put to work to start clearing upturned
6 trees and sawn-off branches, clearing out the roots,
7 shovelling in the -- filling in the holes where the
8 trees come out after the tree surgeons at the time come
9 in and cut the trunks, which were some three/four-feet
10 thick.

11 I done this for two weeks and I was taken back to
12 the court and the judge released us back into the care
13 of my mother, and on returning home and back to school
14 the next day the taunting started again.

15 Q. If I can just take you back a few moments, 'Seamus' and
16 you tell us you were talking about the manual work that
17 you had to do at Cardross and you discuss that in your
18 statement.

19 You emphasise that you were a young boy, a little
20 boy being asked to do this difficult, physical work?

21 A. I was ten years old.

22 Q. You call this back-breaking work for such a young boy?

23 A. Yeah. We had to push barrels. We had to shovel --
24 these trees were hundreds of years old that had come
25 over in the storm and we had to cut the branches off and

1 then the surgeons come in and clear it away with a truck
2 with a crane on the back of it. They would cut it with
3 chainsaws and clear it away, pull out the roots and we
4 would fill in the crater, well, what was left. And we
5 had to clear up various parts of buildings that had been
6 blown down in the storms.

7 Q. This thing you had to do at that time in your life, is
8 it something you think about quite a lot?

9 A. I do, because it's -- there's no health and safety. We
10 were working under these trees and these roots. You
11 know, if it fell or if it moved it would have killed us,
12 it would have squashed us. You're talking tonnes and
13 tonnes of wood.

14 Q. Indeed, you say that you are now very angry about how
15 you were forced to do this work?

16 A. I'm very angry with the fact that we were put in there
17 for a means of cheap labour, because we were fed well in
18 Cardross Park. You were -- regarding catering it was
19 fantastic and, but the fact being that this was January
20 and I had nothing but a short-sleeved shirt, a pair of
21 shorts, a pair of socks and plimsolls. They did give us
22 Wellington boots to go outside, they were soft
23 Wellington boots, and we had to perform this labour.

24 Q. Were the other children at Cardross around your own age.
25 I think you said you were around ten, similar ages?

1 A. Yeah, there was.

2 Q. You had moved on to tell us, 'Seamus', about being back
3 at home, having left Cardross Park.

4 Were you then back in Cardross Park after a period
5 of time?

6 A. Yeah, some time after I was sent back by the judge, my
7 brother got involved with petty thieving and -- the way
8 he conducted himself, we were taken back to court at
9 Dumbarton Sheriff Court and my brother was sentenced
10 to -- by Judge Bryson for crimes he had committed.

11 And then I was taken in and put in front of the
12 judge and he says, 'I'll send you somewhere you will
13 attend school' and I feel he was under the impression he
14 was killing two birds with the one stone. I was sent to
15 Cardross Park again. My brother was also sent with me
16 this time.

17 It was the same. We had to do -- this time there
18 was no heavy work involved, but we done gardening work
19 and clearing paths away and the staff in there, they
20 were firm-handed.

21 There were some boys escaped. Some boys were
22 punished for smoking on the fire escape and my brother
23 was one of them. They were punished by Mr KCZ and my
24 brother was left, he was sent to St Joseph's of Tranent.

25 Q. When boys were punished by Mr KCZ, what did Mr KCZ

1 do in terms of punishment?

2 A. Give you the strap.

3 Q. You are holding out your hands there?

4 A. Yes.

5 Q. On the hands?

6 A. Yes. That was for the boys who were getting punished by

7 him. There were some boys who came into Cardross Park

8 and quite a few boys escaped. They got down the

9 drainpipe and they broke a window to get into the stores

10 where their clothes were and they went down to the

11 railway station, but they were caught by the police.

12 Q. Would this be boys attempting to run away, to get away

13 from Cardross?

14 A. Yes, they escaped. This is about possibly 4 am/5 am and

15 the police brought them back. It was before 7 am they

16 brought them back, and I assume it was 7 am because we

17 got delivery vans in early and when they brought them

18 back in they had all these boys lined up on the stair,

19 they made them strip and we never saw this, but we could

20 hear them and we could hear the belt hitting every one

21 of them.

22 Q. Who made the boys strip?

23 A. KCZ, and the police were attending there. The police

24 were there at the time. They were laughing.

25 Q. Did the boys have to take all their clothes off?

1 A. They came into the dormitory. They come in naked after
2 they'd been punished and he was hitting them all over
3 with the belt, this is what the boys said. I never seen
4 it but I heard the belt hitting them and the staircase
5 in Cardross, it's -- it comes up in a curve to the first
6 landing, where the dormitories were. And you could hear
7 them crying and you could hear them -- the policemen
8 laughing and they came into the dormitory naked and the
9 next day they were all held inside while we were outside
10 working.

11 Q. Were the boys injured?

12 A. I never seen any injuries, but their hands, their body.

13 Q. Something you mention in your statement, 'Seamus', is
14 you can still hear the screams?

15 A. I can still hear the crying.

16 Q. On that occasion, the second time you were in Cardross,
17 were you at a point in time transferred from Cardross to
18 St Ninian's?

19 A. I was. We were engaged in -- on the Monday, we were had
20 to unload an articulated lorry with paving slabs and on
21 the Tuesday, the lunchtime, we were removing these slabs
22 up a rough path to pave this path and I was called into
23 the main building and my probation officer,
24 Ms MacDonald, was there with another man and they had
25 got me a vacancy at St Ninian's.

1 Now, I didn't know where St Ninian's was. I didn't
2 know where Gartmore was. I was changed in my own
3 clothes -- well, they were rags, not clothes. I was put
4 in the back of this grey Austin Cambridge car and was
5 taken from Cardross to St Ninian's, via Dumbarton and
6 Renton, to get over to Aberfoyle and Gartmore. The
7 Aberfoyle Road, sorry, and Gartmore is before Aberfoyle.

8 And approaching Gartmore House, St Ninian's, it was
9 very, very frightening looking and daunting the way you
10 had to approach the main house. You had to go through
11 an arch and a gatehouse and up a long, long driveway and
12 through trees to get to it.

13 Q. How old were you, 'Seamus'?

14 A. This was three days before my 11th birthday.

15 Q. Who was in the car with you?

16 A. Ms McDonald and this other man, the man who was driving.

17 Q. Would you be okay to look at a photograph of the
18 building of St Ninian's?

19 A. Yes.

20 Q. Could we look at DLS.001.001.0151, please?

21 A. St Ninian's, Gartmore.

22 LADY SMITH: You recognise it?

23 A. Yes.

24 MS MACLEOD: The buildings behind the main house there,

25 'Seamus', were they there when you attended school?

1 A. They were. There's been an addition there. You can see
2 the line on the roof at the left-hand side, that is
3 an addition and the steps leading up to the front door,
4 that is to the main office. I was met at the bottom.
5 We approached the main building. There was nobody there
6 and we walked back over to the annex and we were met at
7 the bottom of the stairs by a Mr IAV [REDACTED],
8 IAV [REDACTED].
9 LADY SMITH: Can you tell me which steps you are talking
10 about?
11 A. If you look at the brown entrance.
12 LADY SMITH: Is that where the arrow is now?
13 A. Can you just move your mouse, please? No, up, up. Keep
14 going up to the school building. Go to the right.
15 There.
16 LADY SMITH: Where it is that darker patch of wall?
17 A. Yes, that is the main entrance. On the bottom of the
18 stairs is where we were met by a Mr IAV [REDACTED].
19 LADY SMITH: That is what you call the 'school building'?
20 A. The annex, yes.
21 LADY SMITH: But you didn't sleep there, the dormitories
22 were in this main old building?
23 A. No, we slept down at the -- if you look at the double
24 arches.
25 LADY SMITH: Over on the left?

1 A. Over on the left-hand side, at the bottom left -- the
2 main building, down. That there is -- the dormitories
3 that are above that. If you come up, that's it. That's
4 the dormitories and just slightly to the right of that,
5 that was my dormitory there.

6 MS MACLEOD: We're looking at the three windows there, above
7 the two arches?

8 A. Yes, they're dormitories as well, but just to the right
9 of that there is a window -- that is it there, that was
10 my first dormitory.

11 Q. I see. Yes.

12 A. The arched windows below are the chapel, that is the
13 chapel.

14 Q. You were met by Mr IAV [REDACTED] at the door that you have
15 told us about on the school building?

16 A. Yes.

17 Q. Who was Mr IAV [REDACTED]? What was his role?

18 A. Mr IAV [REDACTED] was a civilian worker in St Ninian's and he
19 took us into the reception area at the main building,
20 which is the brown door at the top of the steps.

21 Q. Were you then introduced to some other Brothers and
22 staff?

23 A. They took us into the reception area, where Ms MacDonald
24 handed me over to St Ninian's. I was then taken down on
25 to the main building by Mr IAV [REDACTED] and down the stairs

1 into the basement and into the clothes store, where
2 a Mrs [REDACTED] and her daughter were.

3 I was issued with a school uniform and boots, I was
4 then taken upstairs and at this time pupils were coming
5 out from class and I was put in amongst the pupils and I
6 met -- I saw my first Brother. I thought he was
7 a priest, but he had dog collars which were hanging down
8 and he wore a cassock, what they called a cassock,
9 a black cassock.

10 I met some boys who were in Cardross who were in
11 there, and I found it very daunting. There were so many
12 people in there, although it was only 90 boys and the
13 staff was there as well.

14 Q. What was the age range of the boys, 'Seamus'?

15 A. Some boys were possibly eight or younger.

16 Q. You tell us in your statement that the school was
17 divided into four different houses?

18 A. Yes.

19 Q. Were you allocated to a particular house?

20 A. I was allocated to St George's House.

21 Q. That first Brother you saw, do you remember which
22 Brother that was?

23 A. No, I didn't know that one. I was introduced to the
24 other civilian people who were at the back, and that
25 was -- Mr IAV [REDACTED] was there and we were called into

1 tea.

2 Q. What was your understanding at that time, 'Seamus', of
3 who ran the school? Who was in charge?

4 A. I was really confused. I didn't know who was who and
5 what was what and I just had to follow other boys. We
6 went into tea and it was a Mr MCK who was in the
7 dining hall in charge:

8 We had to line up and I had been allocated number [REDACTED]
9 in St George's House and we had to line up outside and
10 you were called in by house to go to tea and sit, and
11 I was put at a table with three other boys and the meals
12 were set out and put out but I couldn't eat and I was
13 told if I didn't eat it, he would make me eat it.

14 Q. Who told you that?

15 A. The other boys at the tables and they says, 'Even if
16 you're sick, he'll make you lick it up'. But I couldn't
17 eat. I never ate until the Thursday.

18 Q. You tell us that in your statement that you weren't
19 eating at all for the first few days you were in there?

20 A. I wasn't, no.

21 Q. Did something happen or was something arranged in order
22 to try and help you with that?

23 A. They tried to -- they put me into a separate room to try
24 and get me to eat and I couldn't eat. And they brought
25 my brother from St Joseph's in Tranent. He was

1 transferred over and he appeared on the Thursday, the
2 Thursday lunchtime, and it was found out that because we
3 had been on -- I had been remand for such a long time we
4 were getting weekend leave that weekend. And it was
5 a Thursday evening or the Friday morning before I ate
6 anything in there.

7 Q. Do you know why you were unable to eat?

8 A. I just couldn't eat. I was just unable. I just
9 couldn't handle it.

10 Q. Was there a Brother in charge of St Ninian's?

11 A. There was. I did meet him on the first day.

12 Brother **GSU**, he was **SNR**.

13 Q. Were there a number of other Brothers at the school?

14 A. There was. In that -- in St Ninian's there was

15 Brother **GSU**, there was Brother **GYP**,

16 Brother **MCT**, Brother **GZQ**. This is at the time of

17 me going into St Ninian's. There was Brother Benedict,

18 Brother **MBZ**, Brother Anthony and another Brother who

19 I don't recall who it was.

20 Q. Indeed, I think you provide quite a detailed list of

21 Brothers that you recall at paragraph 62 of your

22 statement -- we can perhaps look at that -- and also

23 civilian staff. Were there a number of civilian staff

24 as well who were not Brothers?

25 A. There was, there was Mr **IAV**, McKenna, **MCK**

1 zGQM , McKinley, Mr -- this is on joining, this is on
2 my first day who was there and Mr Mosley, Mr Irvine and
3 McKinstry, but McKinstry was only there for a couple of
4 occasions in the first few months attending St Ninian's.
5 He appeared as a full-time nightman later.

6 There was a Mr GQZ who done night -- that was
7 the nurse's husband and the nurse's name was
8 Nurse . And the matron, she was from southern
9 Ireland. There was another Irish woman in there who was
10 staff and also you had Mrs and her daughter
11 and a cook who was English.

12 Mr Buckham appeared in late 1968 and a Mr Reynolds.
13 Q. Some of these are detailed in your statement, 'Seamus',
14 and some are not. Some are obviously coming to you just
15 now as well. It's helpful to have that information.

16 We'll come back to look at some of those as we go
17 through your evidence.

18 Were you allocated to a particular classroom at
19 St Ninian's?

20 A. I was.

21 Q. Who was your teacher?

22 A. On the second day I was taken into Mr MCK room,
23 class 1, and he gave me some paragraphs to read and he
24 says, 'No, no, you go to class 2'. I was put in next
25 door to class 2, which was Brother MBZ .

1 Q. How did you find the quality of the education provided
2 there?

3 A. At St Ninian's as a whole, I found the education
4 fantastic.

5 Q. You mentioned Brother MBZ there, 'Seamus'?

6 A. Yes.

7 Q. He's somebody that you provide quite a bit of evidence
8 about in your statement. I just want to look at some of
9 that now.

10 A. Yeah.

11 Q. You tell us that on your second day at the school you
12 had your first full day with Brother MBZ ?

13 A. That's when I first met him.

14 Q. What are your recollections of meeting him and being
15 with him on that day?

16 A. When MCK says he recommended I go to class 2, which is
17 next door to MBZ class, I was taken in and I was
18 introduced by SNR, Brother GSU, and when
19 SNR left the room Brother MBZ comes up and
20 I was standing beside the fish tank looking at it and he
21 then said -- explained, 'This is a black molly and this
22 is a guppy', and then he started holding me towards him,
23 which I found quite strange.

24 I was left to my own devices in that class that day
25 and I wasn't given a desk. I was just left on my own to

1 do what I wanted in there, and read and wander about
2 while he was teaching other kids and he would come up
3 and get close to me and put his chin on my shoulder. He
4 would hold me and I found this very uncomfortable.

5 Q. When you say he would hold you, what was he doing?

6 A. He would come up behind me and hold me.

7 Q. You are using your arm there, was he putting his arm
8 around you?

9 A. He put his chin on my shoulder and hold me and like and
10 I found this very uncomfortable, because I came from
11 a family that had no physical contact.

12 The next day I was put at a desk and he called me up
13 and he got me to sit on his knee where he held me round
14 my waist and he was -- he pulled me in tight to him,
15 which I found extremely uncomfortable and difficult and
16 I pushed him away.

17 But he also done this to other pupils.

18 Q. Did you see him do that to other pupils?

19 A. Yes.

20 Q. In the classroom?

21 A. Yes.

22 Q. You were talking there about your second day and him
23 asking you to do this, being on his knee. Did this
24 happen on other days?

25 A. Yes. It was quite a frequent occurrence in that class.

1 Q. When you were on his knee, how would that come to
2 an end? How would you come off his knee?

3 A. I would try and get away from him and I would try and
4 avoid going near him to get any contact with him. At
5 night time we were given the choice of activities, this
6 is after tea, and some would go up the Trossachs
7 hillwalking. Some would play football or some would go
8 swimming in the River Forth and he would change in front
9 of people with a towel round him in the River Forth and
10 any of the kids in there, he would have them close to
11 him, he would be holding them close to him. Mainly the
12 boys under 12, I would say, or younger, like the younger
13 ones that were there and he would be in the water with
14 them.

15 I just kept away. I just kept to the side of the
16 river away from him.

17 Q. Was he standing in the water with a towel round him?

18 A. No, he was getting changed before he got into the water,
19 put his shorts on.

20 Q. He got changed out of his clothes?

21 A. Yes.

22 Q. Into shorts?

23 A. Yes.

24 Q. With a towel round him?

25 A. Yes.

1 Q. While the children were close by?

2 A. Yes, we were all round him.

3 Q. Then he went into the water in shorts?

4 A. Yes.

5 Q. What were the children wearing while they were in the
6 water?

7 A. We were wearing shorts. We got changed as well and he
8 was in the water. He had the younger kids with him and
9 he was playing with them in the water, throwing them
10 about and I went across to the other side of the river
11 out of his road. I didn't want to go near him, because
12 it felt so -- it just didn't feel right being near him.

13 Q. He was playing with the children and making physical
14 contact with them?

15 A. Yes, he was lifting them up and throwing them about.
16 Holding them.

17 Q. How did this make you feel at the time? What was it
18 that you wanted to avoid?

19 A. I just didn't like him touching me, you know. As
20 I said, you know, I came from a house that had -- my
21 house had no physical contact, you know, but a man to do
22 that to you, it's not right.

23 Q. You've told me about what would happen in the classroom.
24 On a day-to-day basis did you encounter Brother MBZ in
25 other parts of the school or it did it tend to be in the

1 classroom?

2 A. It was mainly -- he was my teacher in the class. I was
3 there until August, the end of July/August. He would
4 also have other activities, like hill climbing and any
5 time I was in his presence I kept well back from him and
6 one of the other boys, he was on the right-hand side of
7 the classroom, he was over beside him and the other boy
8 started shouting at him, 'Leave me alone. Leave me
9 alone. I'll get my brothers to you'.

10 He called him a 'big poof', excuse my language, and
11 he hit him and the screaming started and he ran out the
12 classroom and the headmaster came along and took him to
13 a different class.

14 Q. What had been happening in the class before the Brothers
15 started?

16 A. He was over at this boy's side.

17 Q. At the boy's desk?

18 A. Where the desk was, he was over on the left-hand side,
19 just slightly behind me and whatever he was doing to him
20 he called him, 'Leave me alone. I'll get my brothers to
21 you, you big poof', so obviously whatever he was doing,
22 something inappropriate to him, and he started slapping
23 him and he left -- that boy got out the classroom and
24 ran.

25 The headmaster came along and he was never back in

1 that class. I didn't see him until we went to lunch.

2 LADY SMITH: When you say he was never back in the class, do

3 you mean the Brother --

4 A. The boy, the pupil.

5 LADY SMITH: The boy?

6 A. The boy.

7 LADY SMITH: The boy was never back?

8 MS MACLEOD: On that occasion Brother **MBZ** was at the boy's

9 desk doing something?

10 A. Yes.

11 Q. Did Brother **MBZ** ever come to your desk?

12 A. Yes.

13 Q. Did anything of concern to you ever happen with

14 Brother **MBZ** at your desk?

15 A. I would be writing or doing arithmetic and he would be

16 leaning on me again and checking me, what I'm doing,

17 like he done to all the pupils in the class.

18 Q. When you say 'leaning on you', what was he doing?

19 A. He'd have his hand on my shoulder and right down again,

20 close to me.

21 Q. How often did that happen?

22 A. That happened quite frequently. Whatever work you were

23 doing he would come up and inspect you and when the boy

24 who was -- who left the class, who was -- whatever he

25 done to him, he left the class, we were away hill

1 climbing, Brother MBZ was there and one of the
2 civilians was there, it was up Beinglas, Mr IAV it
3 was, we come down and we jumped into a snowdrift and we
4 were stuck up to our waist and we couldn't get out and
5 Brother MBZ come down the hill past us, past the two
6 of us, with some other boys and he says, 'You better get
7 out of there or I'll come back and kick you out'.

8 By this time Mr IAV come back down and he
9 helped us out, to get out the snow. And by this time it
10 had progressed to the summer break, where half the
11 school went to Maybole and half the school were retained
12 at St Ninian's and when we -- when the half that was in
13 Maybole come back, they went down for two weeks and then
14 we had summer break but when we're sent down to Maybole,
15 outside Maybole, Kirkoswald, we were sleeping in the
16 church hall. We recreated and were fed at the school
17 building, the primary school building at Kirkoswald and
18 the church hall had camp beds in there.

19 LADY SMITH: That was near Maybole?

20 A. Yes, Kirkoswald.

21 LADY SMITH: And it's Kirkoswald.

22 MS MACLEOD: This was a two-week trip during the holidays?

23 A. Before the holidays, before they broke up.

24 Q. With some of the boys from St Ninian's?

25 A. Yes, half the school was sent there.

1 Q. And some of the staff?

2 A. Yes.

3 Q. Was Brother MBZ on that trip?

4 A. The people who went down with the pupils at the first
5 session down there were Brother MBZ, Mr IAV,
6 McKenna, the cook and we arrived down there, we were
7 shown where we were sleeping and Brother MBZ was in --
8 had a small room off the main hall where we all slept.

9 The other staff stayed along at the school, the
10 primary school, which is a short walk from the church
11 hall at Kirkoswald and we had to dine there and recreate
12 in the playground of the primary school.

13 Q. Was Brother MBZ the only staff member who was with the
14 boys --

15 A. Yes.

16 Q. -- at night time, sleeping over?

17 A. That's correct.

18 Q. The boys were in the hall asleep, sleeping --

19 A. Yes.

20 Q. -- and he was in the room off the hall?

21 A. He was in a small room off the hall.

22 Q. You tell us in your statement that during that holiday
23 Brother MBZ continued to have physical contact with
24 a lot of the boys?

25 A. He did.

1 Q. I would like to explore that with you, 'Seamus'. What
2 kind of physical contact did Brother MBZ have?

3 First of all, can we look at yourself, and we're
4 going to come on to look at a particular incident
5 I know, but in terms of generally on the trip, what kind
6 of physical contact, if any, did Brother MBZ have with
7 you?

8 A. We were sent -- down on the beach and we had to climb
9 over some rocks to get to a bay, a secluded bay in the
10 grounds of Kirkoswald Castle, not Kirkoswald,
11 Culzean Castle, sorry, and the only way over that for
12 the small ones is to get helped up.

13 Now, and some of the big boys had to be helped up to
14 climb over. Some of the elder boys were at the top of
15 the rocks and they would reach down and pull you up, but
16 Brother MBZ was down there and he would help you up
17 with his hand on your backside and push you up and
18 myself and the young ones and some other young ones were
19 pushed up this way with him, with his hands on your
20 lower body.

21 When we got into the bay we would get changed and go
22 swimming and that would be -- but Brother MBZ was in
23 the water and he was picking kids up and throwing them
24 into the water and getting a hold of them and splashing
25 around. I kept away from him. And when we came out of

1 there we went back to Kirkoswald School and the next
2 day, or the day after we went down, I walked over the
3 hill and down into the bay and I didn't want him helping
4 me over these rocks. Myself and another boy done it.

5 Q. Did you and that other boy discuss the reason why you
6 were doing that?

7 A. No.

8 Q. That's an example of Brother **MBZ** having physical
9 contact with you. Were there other ways in which he had
10 physical contact with you during that trip?

11 A. Yes, but that was -- that's when he beat me up.

12 Q. We'll come on to look at that shortly.

13 Did you see him have physical contact with any of
14 the other boys --

15 A. Yes.

16 Q. -- in a way that concerned you?

17 A. He was always at the young ones, holding them tight and
18 they were mainly like a teddy bear to him, you know,
19 like a kid with a teddy bear, the way he would hold
20 them. His whole approach to pupils just wasn't right
21 with some of these kids.

22 When we were down at the beach I always kept well
23 away from him and there was a day that the headmaster
24 came down with another Brother and they brought mail
25 down and apples down and the other Brother lost his

1 lighter. So everybody went and looked for this man's
2 lighter, this Brother's lighter and somebody found it
3 and Brother MBZ wasn't there. He was still down at
4 the beach, the other beach.

5 We went back to Kirkoswald, the headmaster went
6 away. And I don't know exactly what happened. It was
7 a day or two days after that, we were playing football
8 and Mr IAV damaged one of his fingers, because he
9 fainted with the pain, and he was taken to Ayr Hospital.

10 And I can't be accurate if this is the time when
11 Brother MBZ attacked me, because Mr IAV was
12 a decent man, especially when it came to some of the
13 other staff in there, Brothers and staff.

14 LADY SMITH: Do you remember where the football was taking
15 place.

16 A. It was on the playing fields at Kirkoswald, the football
17 ground as you enter the village.

18 LADY SMITH: That is where IAV fainted?

19 A. Yes, I think -- the way he fell, he had to get his ring
20 cut off, because he had damaged one of his fingers and
21 he was taken to Ayr Hospital, one of the hospitals at
22 that time.

23 LADY SMITH: You say this was a pitch in the village?

24 A. Yes, a football pitch is there.

25 LADY SMITH: Is that where, as you put it, Brother MBZ

1 attacked you?

2 A. No.

3 LADY SMITH: That was somewhere else?

4 A. Brother **MBZ** attacked me in the grounds of Kirkoswald
5 Primary School. The outside toilet is adjacent to the
6 boundary wall that runs between -- it's in the school
7 grounds and I went to use the toilet and my brother and
8 two other boys were in there and they had been smoking
9 and one of the local boys had been there.

10 My brother and the two other boys went out and
11 I finished and come out and he grabbed me outside the
12 toilets and he started slapping me and dragging me down
13 the side of the building, the main building of the
14 primary school and into the sheds, the rain shelter.

15 Where he got me inside the rain shelter he started
16 punching me and slamming my head on the wall on the
17 corner.

18 LADY SMITH: Was that a concrete wall?

19 A. That is a stone wall.

20 LADY SMITH: A stone wall, thank you. Carry on.

21 A. All the other kids, they were all called in to dine and
22 he had me in that corner punching me, slapping me,
23 slamming my head. It was so painful, I felt my head was
24 going to burst. I had wet myself. The only way I was
25 looking at escaping was running onto the main road to

1 escape from him.

2 MS MACLEOD: Was he saying anything to you, 'Seamus', while
3 he was doing this?

4 A. He says I got them cigarettes, the boys in the toilet,
5 you know. I was trafficking cigarettes for them, but
6 I come out the playground and walked up there. They had
7 been smoking. They'd got them from the local boy,
8 because the toilets were open and they were open to the
9 back field. There was no privacy. This local boy was
10 there and they had got cigarettes or a cigarette from
11 him and he accused me of getting the cigarette and
12 taking it up to them. But they had already finished.
13 They had finished as I was walking in.

14 Q. Was he saying anything to you about this while he was
15 hitting you?

16 A. He was saying, you got them cigarettes. I said --
17 I just couldn't understand this.

18 I was sent along to the church hall to bed and my
19 brother and two other boys were sent along, but on the
20 way there he told me we had to pass a policeman's house
21 which is adjacent to the church hall, 'Don't even think
22 about it', the policeman was there. I was told don't
23 even think about it, because the policeman was outside
24 washing his car.

25 He dragged me into the church hall and he says -- he

1 warned me, he says, 'Don't leave here'. Then the three
2 of them, my brother and two other boys, came in after
3 that.

4 Q. Were you crying during this?

5 A. Yes, I was. My head was ringing. It was throbbing.
6 I can still -- my head is still ringing today through
7 it.

8 Q. Were you calling for help?

9 A. The only person that I saw me was the cook, who looked
10 out one of the windows as I was getting dragged into the
11 shelter with him hitting me.

12 MS MACLEOD: My Lady, it's 3.05 pm. It might be
13 a convenient point.

14 LADY SMITH: 'Seamus', will it work for you if we had
15 a break at this point?

16 A. Yes.

17 LADY SMITH: We will take 5/10 minutes and then we can
18 return to the rest of your evidence after that, if
19 that's okay.

20 I will take the break just now.

21 (3.07 pm)

22 (A short break)

23 (3.20 pm)

24 LADY SMITH: 'Seamus', I hope that break was helpful. Is it
25 all right if we carry on just now?

1 A. Yes.

2 LADY SMITH: Thank you.

3 Ms MacLeod, when you're ready.

4 MS MACLEOD: My Lady.

5 Just before the break, 'Seamus', you mentioned that

6 you recalled that the cook saw some of what was going on

7 from a window?

8 A. The cook was looking out the window as I was getting

9 dragged into the shed or shelter, and -- but nobody else

10 came out of the main building, because once I was in the

11 shelter you couldn't see.

12 Q. Did your brother appear on the scene?

13 A. He came, along with two other boys, to the church hall,

14 they were all sent along to go to bed as well.

15 Q. What happened when your brother arrived?

16 A. Brother MBZ had the other boys in the room, in his

17 room, off the main hall and he was hitting them. You

18 could hear them getting hit. He had cricket stuff in

19 there. He had bats. He also had the wickets in there.

20 Q. 'Seamus', are those the boys who had been with you?

21 A. Those are the boys who were in the toilets smoking as

22 I approached it, they came out as I went in, with my

23 brother.

24 Q. What could you hear going on in Brother MBZ room?

25 A. He was hitting my brother. I could hear my brother

1 getting hit, because I could see into the room.

2 Q. What did you see?

3 A. I saw the cricket bat and I also saw the other two boys,
4 they were standing outside waiting to go if for their
5 turn. My brother come out. He was crying.

6 Q. In relation to your brother, did you see anything
7 happening to your brother in the room?

8 A. I saw the cricket bat in Brother MBZ hand, it was
9 a rounders bat. I don't know the difference between
10 a rounders bat and cricket bat, it's a sport I don't
11 follow.

12 Q. You saw the bat in Brother MBZ hand. Did you see
13 him do anything with the bat?

14 A. He was swinging it at him.

15 Q. Did he make contact with your brother?

16 A. I heard it.

17 Q. What did you hear?

18 A. Slap, slap.

19 Q. Was your brother making any sound?

20 A. He was crying.

21 Q. I interrupted you there.

22 A. I just tried to block it out. I tried to block out what
23 I was seeing. I just turned away and tried to block out
24 what was going on, because I was expecting him to come
25 back and start on me again.

1 Q. You said you saw the other two boys waiting outside the
2 room?

3 A. Yes.

4 Q. Did you see anything else happen in relation to the
5 other boys?

6 A. What was happening to my brother, I just turned away and
7 tried to block it out. I was more -- the fact being: is
8 he going to come back for me?

9 Q. Did Mr IAV [REDACTED] then appear on the scene?

10 A. Mr IAV [REDACTED] was not there, he was either at the hospital
11 or had been taken back to Gartmore.

12 Q. Did Brother GSU [REDACTED] become involved?

13 A. Brother GSU [REDACTED] didn't appear for a few days after that,
14 then we were all taken back to Gartmore. But the next
15 day of 50 per cent of those boys at Kirkoswald, I was
16 the only one that was sent for tuck. I was sent to the
17 shop, the local shop, for tuck.

18 Q. Is this the day after what you have been describing?

19 A. This is the day after Brother MBZ [REDACTED] assaulted me. I was
20 sent for tuck.

21 LADY SMITH: Did somebody give you money for that?

22 A. No, it was on the account in there.

23 LADY SMITH: Who told you you could go for tuck?

24 A. It was -- I think it was McKenna. One of the civilian
25 teachers sent me over to go and get tuck and I found

1 that a bit strange. Out of 50 per cent -- 45 boys/50
2 boys who were there, I was the only one that was sent
3 for tuck.

4 MS MACLEOD: Were you injured as a result of the assault
5 you've described?

6 A. My head was repeatedly slammed against a corner of
7 a wall, I was punched, I was slapped. My head was
8 bursting inside.

9 LADY SMITH: Were you cut?

10 A. No.

11 LADY SMITH: Were you bruised?

12 A. I don't know if my head was bruised, but I had lumps on
13 my head for years after it and I thought my head was
14 going to explode and the only way for him to stop was
15 for me to run onto that road and throw myself under
16 a lorry or a bus or a car to get away from him.

17 MS MACLEOD: You saw Brother **MBZ** in his room with your
18 brother, you saw the other boys outside. Once that had
19 come to an end, did Brother **MBZ** approach you again
20 that day?

21 A. No.

22 Q. Did he approach you next day?

23 A. No.

24 Q. Did he ever speak to you about that incident while you
25 were still on the camp?

1 A. No.

2 Q. Did any of the other staff or Brothers on the camp speak
3 to you about what had happened?

4 A. No.

5 Q. Did the cook who had witnessed from the window say
6 anything to you?

7 A. I had never spoken to the cook the time I was in there,
8 he was just looking out the window at the time.

9 Q. When Brother **GSU** arrived, did he speak to you about
10 what had happened?

11 A. No.

12 Q. Did you report what had happened to any staff or
13 Brothers, either on the camp or on return to
14 St Ninian's?

15 A. You couldn't mention it unless it happened within
16 earshot of the headmaster at St Ninian's and he heard it
17 and came in to intervene.

18 Q. Did you tell the headmaster at St Ninian's?

19 A. No.

20 Q. Once you were back at St Ninian's, after the camp, were
21 you back in Brother **MBZ** class?

22 A. No. We broke up for school -- for holidays.

23 Q. Once you were back after the holidays, at St Ninian's,
24 were you back in Brother **MBZ** class?

25 A. Yes, after the school holidays I was back in

1 Brother MBZ class.

2 Q. Did Brother MBZ say anything about the camp or
3 anything that had happened there?

4 A. Yes, he did.

5 Q. What did he say?

6 A. He was at his desk and he called me down and he said to
7 me, 'You were trafficking cigarettes to your brother and
8 the other boys'. I said, 'No, I wasn't' and he stabbed
9 me with a pencil. I was told to sit down.

10 The next day he was repairing some electrical
11 equipment and he had an ohms-handled electrical
12 screwdriver in his hand, the one that you screw the
13 wires into the plug and he says, 'You were trafficking
14 cigarettes'. I said, 'No, I wasn't' and he stabbed me
15 with a screwdriver.

16 Q. On which part of your body did he stab you, first of all
17 with the pencil?

18 A. Here. (Indicated)

19 Q. The side of your stomach?

20 A. The same vicinity where he got me with the screwdriver
21 the next day.

22 Q. The pencil and the screwdriver were both on the side of
23 your stomach?

24 A. Yes.

25 Q. Did you have an injury after being stabbed with the

1 screwdriver?

2 A. I was bleeding and I started shouting at him and next
3 thing I know the headmaster was down and I was taken
4 back up to reception, Brother MCT game me a round
5 plaster to put on it. I was then put in class 3 under
6 Brother GZQ .

7 Q. Did Brother MCT ask you what had happened?

8 A. No.

9 Q. Did the headmaster ask you what had happened?

10 A. Brother GSU came down to the class and took me out and
11 I think I said, 'He stabbed me', but nothing, nothing
12 was done. I was taken up to reception and
13 Brother MCT was told to get me a plaster and I was
14 given a small, round plaster to put on it.

15 Q. Did Brother GSU and Brother MCT see that you were
16 bleeding?

17 A. Yeah.

18 Q. Can I ask you now, 'Seamus', about a Mr McKenna?

19 A. Yes.

20 Q. What was his role in the school?

21 A. He was a civilian teacher at St Ninian's. He took you
22 for woodwork, metalwork, technical studies and he also
23 undertook playground duties and dining hall duties.

24 Q. Did you see Mr McKenna engage in any behaviour with boys
25 which caused you concern?

1 A. Yes.

2 Q. What was that?

3 A. He would have the young boys, the ones at eight years,
4 possibly younger, and he would have them on his knee.
5 He would be bouncing them up and down. His nickname was
6 'Ruby Leg' and he would be holding them on to his lap.
7 The young boys were just with him. They would go and
8 sit with him and it wouldn't be long until he was
9 bouncing them up and down.

10 Q. Where would this happen?

11 A. This was happening in the playground of the school
12 building. If you could show me a photograph again I can
13 show you the area.

14 Q. Yes. If we could put the photograph back on,
15 DLS.001.001.0151, please.

16 A. If you go to the top, go to the right and right again,
17 just come down, down. That gap between those two -- in
18 there, that is the gap. That was the playground.

19 Q. We're looking at the top right of the photograph --

20 A. Yes.

21 Q. -- where there are two white buildings and there is
22 a gap in between them, which we can't quite see in the
23 photograph, that's the playground?

24 That's where you recall seeing Mr McKenna with the
25 boys?

1 A. Yes.

2 Q. Would he be sitting down?

3 A. He would be sitting down on a bench outside his
4 classroom window and also if you keep that photograph
5 up.

6 LADY SMITH: Would it help if we enlarged it a bit?

7 A. If you come down to the bottom left-hand corner, right
8 to the corner.

9 MS MACLEOD: If you are actually able to stand up, there is
10 a large picture of that same picture behind you. It
11 might be easier for you just to point. It's the extreme
12 bottom left of the photograph?

13 A. Yes, that there is steps, McKenna would be sitting there
14 sometimes with kids of various ages, bouncing them up
15 and down on his knee and ...

16 Q. You mentioned that he was called Ruby Leg?

17 A. Yes.

18 Q. Do you know why that was his nickname?

19 A. Some of the other boys gave us answers to that, which
20 I don't think is appropriate to say.

21 LADY SMITH: You can say it here, 'Seamus'. It's just about
22 impossible to shock me, honestly. Fire away.

23 A. One of the older boys called him that, because he says
24 he was always aroused with these young boys on him. He
25 had a middle leg.

1 LADY SMITH: Thank you.

2 MS MACLEOD: You tell us in your statement, 'Seamus', about
3 a time when a boy stood up to Mr McKenna --

4 A. Yes.

5 Q. -- and challenged him. Can you tell me about that?

6 A. It was winter project time and I had submitted a design
7 and request for materials from McKenna and on the first
8 night at the project in his class it was woodwork. He
9 more or less said that the project I was undertaking was
10 useless, it was no good, and I had designed a shelf --
11 which incidentally is on sale in IKEA, but it's not by
12 me now -- and he says it's useless, it's not viable and
13 one of the older boys turned round and says, 'Well, it's
14 supposed to be ...' He engaged in an argument with him.

15 In the end he called him and he said, 'We know why
16 you're called Ruby Leg as well and what you do with
17 young boys', and he started getting physical with this
18 boy, but the boy was quite a big boy.

19 Q. When you say he started getting physical with him, what
20 did he do?

21 A. He started going for the boy, violently, and things were
22 calmed down and the boy was removed from that class, but
23 I got the materials for my project and it's through this
24 guy why I learned why they called him Ruby Leg.

25 Q. Did Mr IAV ever challenge Mr McKenna about his

1 conduct?

2 A. Yes. He challenged McKenna and Benedict in the
3 playground for the way that they were carrying on with
4 young boys.

5 Q. I just want to explore that with you, was that together
6 or on separate occasions?

7 A. Separate occasions.

8 Q. If we look at Mr McKenna first of all. When did
9 Mr IAV challenge Mr McKenna?

10 A. I was at the garden end of Brother Anthony's garden and
11 I heard him shouting, 'Leave those boys alone'.

12 Q. This is Mr IAV shouting to Mr McKenna?

13 A. Yes.

14 Q. And what --

15 A. And he was walking towards them McKenna put them down.

16 Q. What had Mr McKenna been doing with the children?

17 A. He's usually got them sitting on his knee and as he
18 approached them, McKenna stood up from the staircase
19 where he was sitting and he always sat there, McKenna
20 always sat there and would have the young ones with him.

21 IAV came from the building, the main building,
22 down the path and we all heard it, 'Leave those -- put
23 those kids down, leave them'.

24 Q. How did Mr McKenna respond to that?

25 A. I never heard the words, but I know he stood up and

1 I never heard the words that he replied to IAV [REDACTED].

2 But the other time I witnessed with Benedict and
3 IAV [REDACTED] was Benedict had the boy between his legs and
4 pulling his underwear up tight and Mr IAV [REDACTED] as --
5 it's rumoured that Mr IAV [REDACTED] and Benedict had went
6 head to head over this happening before I was there, but
7 on the occasion I saw Benedict had the boy between his
8 legs and his hand down pulling his underwear right up
9 tight with one hand and slapping him with the other
10 hand.

11 Q. Where was that taking place?

12 A. That was taking at the other stairs, which is not on
13 your photograph.

14 Q. You witnessed this and witnesses Mr IAV [REDACTED] coming on
15 the scene?

16 A. Yes.

17 Q. What did Mr IAV [REDACTED] say to Brother Benedict?

18 A. He was telling Brother Benedict, 'Leave him', he was
19 approaching him.

20 Q. You have mentioned there an occasion when you saw
21 Brother Benedict with a boy and told me what you saw him
22 doing with that boy. Did you see Brother Benedict
23 making contact with boys on other occasions that caused
24 you concern?

25 A. Yes. If you done anything out of line, Brother Benedict

1 would -- his favourite way of punishing boys for being
2 cheeky is to put them over his knee, or your head
3 between his legs and McKenna was good at doing that as
4 well to boys. McKenna was very good at doing that, the
5 same way, head between the legs or over his knees and
6 slapping your bottom with your underwear pulled up
7 tight.

8 Q. Did he do that to you?

9 A. No. Benedict did. If you were out of order in any way,
10 Benedict's favourite one was your head between his legs
11 and he would slap you and he would go, 'Very, very
12 cheeky boy, very cheeky boy', as he's fondling you and
13 slapping you.

14 Q. Can we maybe look at that, 'Seamus'. If he had your
15 head between his legs, can you just explain to me how
16 that worked?

17 A. If you bent over -- you're bent over with your head
18 between his legs, his thighs, and he's slapping you.

19 LADY SMITH: You would be facing the ground?

20 A. I'd be down, my head between his thighs, and he would be
21 over with my underwear pulled tight or any other pupil
22 was in that position with him.

23 MS MACLEOD: Was he kneeling then?

24 A. No, he would be sitting down.

25 Q. He was sitting down, I see.

1 A. He would be sitting down, on a stone, on a step, on
2 a bench and that's how he punished you most of the time.
3 Other times he would come down and whip you. He
4 would punch you. He would charge you like a bull.
5 Q. Did Brother Benedict whip you?
6 A. He had laces, always had laces in his pocket with knots
7 on them and if someone was out of order in the line he
8 would whip you as he went by, he would be charging past
9 you to get to the perpetrator and his way of doing it
10 was his fist like that, and he would charge them, the
11 boys.
12 Q. Hold his fists together and put them out in front of his
13 body and charge towards you?
14 A. Charge towards the person who was -- he would come down,
15 whip his way to get a clear way through, then he would
16 put his hands together like a bull and charge them and
17 anybody that was in the road would get either pushed or
18 whipped out of the way.
19 Q. You tell us in your statement, 'Seamus', about a time
20 when you were in the dining hall and Brother Benedict
21 was on duty there. I think there was a discussion among
22 the boys as to why he had a particular nickname. What
23 was his nickname?
24 A. His nickname was 'Bootsie'.
25 Q. On this particular day, did a boy at the table --

1 A. Can I scroll back to Brother Benedict?

2 Q. Of course.

3 A. The first time I met Benedict was on the second day
4 I was at St Ninian's. I was taken downstairs to get
5 footwear and he was my housemaster, as I found out, at
6 St George's House and I was called into this room, it
7 was a dark room, with a small window. It's actually in
8 the photograph, the location is on the photograph. It's
9 below the chapel, and I was taken to the door by another
10 boy and when entering the room the door was closed and
11 this man who I thought was a priest was sitting there,
12 and he was mumbling and he asked me my name and he just
13 mumbled.

14 I thought he was a priest and I confessed to him,
15 but he wasn't a priest, he was a Brother.

16 Q. Was that Brother Benedict?

17 A. That was Brother Benedict. He was patting me on the
18 head, 'You good chap, good chappy', and then as time
19 progressed with Brother Benedict if you -- if you picked
20 litter up in the yard or the playground you get extra
21 marks. Because to go home at the weekends you must have
22 the right amount of money for your bus fare and for tuck
23 and if you defaulted in any way you got a bad mark,
24 which meant you would have no tuck, but if you had two
25 bad marks you had no bus fare to go home so you were

1 retained at St Ninian's over the weekend. And it was
2 every second weekend you got a weekend.

3 If you picked up litter and helped keep the yard
4 tidy you got a good mark. But -- and that gave you
5 extra tuck, so many pence at the shop. Brother Benedict
6 encouraged you to do that, but in the same token you
7 would have to endure, 'You good chap, you good chappy',
8 slap you on the head. But if you were a bad boy, you
9 were a bad chappy and he would start slapping you on the
10 head. Sometimes this led to really heavy on the head
11 and if you were out of order he would have you down
12 between his knees or his thighs and slapping you, or
13 across his knees and slapping you, in his way he
14 preferred.

15 The incident at the dining hall, they were
16 discussing why they called him 'Bootsie', and I said:

17 'Have you not noticed he's got one sole of his boot
18 thicker than the other?'

19 This boy stood up and shouting -- they called him
20 'brar', which is short for 'Brother', repeatedly called
21 his name and he come over and he said, 'He said you've
22 got one foot bigger than the other', and I stood up as
23 he charged with his two hands out like that, and as he
24 approached me he grabbed me and he spun me round like
25 a ragdoll. I was airborne and I landed on the ground

1 and I couldn't move my arm.

2 I was in a lot of pain. The matron appeared from
3 nowhere and she gave me a codeine. SNR [REDACTED] came
4 down and I was taken to Stirling Royal Infirmary with my
5 brother and another boy, and when we got to the
6 infirmary I was nauseous, trying to get there I was very
7 nauseous. My arm was in a sling but because of the pain
8 I felt very, very ill and we got to the infirmary my
9 brother and it was possibly two other boys who were
10 there, were sent to the shop.

11 SNR [REDACTED] dealt with the administration and
12 when I was getting taken to x-ray a nurse asked me what
13 happened to me and Brother GSU [REDACTED] says, 'He fell out
14 a tree'. I never knew at the time, my brother and the
15 other boys were told I had fallen out a tree.

16 I was asked again and SNR [REDACTED] answered for
17 me, what happened when I was getting my arm in stookie,
18 I had fallen out a tree.

19 Q. You tell us in your statement, 'Seamus', that you were
20 never out of earshot of SNR [REDACTED] ?

21 A. Never, he was always there. He never left me alone. He
22 answered for me.

23 Q. Was your arm in a cast after that?

24 A. Yes, it was in a cast for some time.

25 Q. Was Brother GSU [REDACTED] aware of how you sustained that

1 injury?

2 A. Well, he came after it, but he never asked me how it
3 happened and the matron was present at the dining room.
4 She was behind the servery.

5 Q. Did anybody ever come to speak to you about what had
6 happened or ask you about it afterwards?

7 A. No.

8 Q. Was your arm broken?

9 A. Yes.

10 Q. Was that confirmed by x-ray?

11 A. X-ray confirmed it. I attended at hospital for some
12 weeks after that for checkups, but I was always with
13 a member of the staff, the matron or SNR

14 Q. Did Brother Benedict engage in a practice to do with
15 electricity?

16 A. He did.

17 After that period of time when he broke my arm he
18 called me a 'bad, bad boy' -- 'bad, bad, chappy', sorry,
19 'You bad, bad chappy'.

20 Q. You tell us in your statement that a meeting after that
21 that he asked you to leave and to go into another room
22 perhaps?

23 A. He -- prior to that incident, he was -- it was the
24 winter projects for the winter nights. He had me and
25 some other boys down at his workshop for -- he was

1 a very, very talented electrician and he had a small
2 generator, maybe about five inches and, 'Come and hold
3 this'. I would hold it in a circle and he would turn
4 the handle and -- it was a tingle, but then he says this
5 is the real one and he brought out a mega or a single
6 generator, in a big wooden box, this is for testing
7 circuits and machinery, and he made us stand in
8 a semicircle and we held hands and one boy each end held
9 the wire and he turned the handle and this thing lifted
10 you off the floor, the shock.

11 Q. What did it feel like?

12 A. I can only describe it's like getting struck by
13 lightning, that's what it's like.

14 Q. Painful?

15 A. Very painful.

16 Q. If you broke the circle of boys or if somebody took
17 their hand off --

18 A. You couldn't.

19 Q. You couldn't.

20 A. You couldn't let go.

21 Q. In your statement you say you had to comply or he would
22 lose his temper and things would get worse?

23 A. You had to comply with whatever he was doing when you
24 were alone with him, because it's you and him and
25 whoever else is in the room and he was a big man.

1 LADY SMITH: 'Seamus', when you say you couldn't let go, is
2 that physically it was too difficult to let go so long
3 as he was winding the generator?
4 A. Yeah, he was winding the handle on it.
5 LADY SMITH: So that the forces created pulled you to the
6 poles you were holding or something like that?
7 A. Holding on to the wires and you can't let go. The toy
8 thing he had was a small gimmick that they sell in trick
9 shops and things like that, novelty shops, and that gave
10 you a tingle, it didn't give you a belt.
11 LADY SMITH: But this is the big one?
12 A. Yes.
13 LADY SMITH: And you get stuck when it's running?
14 A. I've seen it -- the same type of machine, similar
15 machines, getting used for testing motors and heavy
16 electrical stuff.
17 LADY SMITH: Did you see that in the course of your work as
18 an adult?
19 A. Yeah.
20 LADY SMITH: Thank you.
21 MS MACLEOD: You say there was a boy who was sexually abused
22 by Brother Benedict:
23 'It was well known but I didn't witness it.'
24 Is that something that you knew at the time when you
25 were in St Ninian's?

1 A. It was. He was known for getting you into his cellar
2 and when you're in the cellar there is nobody else there
3 with him, except those who can see through the window.
4 And it was -- a lot of things in St Ninian's were on
5 hearsay from other boys and you take it as truth,
6 because that's what actually happened. Through them
7 they tell you what actually happened. It's like McKenna
8 and why they called him Rugby Leg.

9 Benedict was fond of fondling you when you were in
10 his powers, in his grasp, when he's punishing you.

11 Q. Did he fondle you?

12 A. Yes.

13 Q. What parts of your body was he making contact with?

14 A. He had my underwear pulled up tight and when your head's
15 in his crotch he's reaching round and fondling you, in
16 between slapping you.

17 Q. Which part of your body is he fondling?

18 A. He reached over and was fondling my genitalia.

19 Q. Is that something that happened once or more than once?

20 A. It happened once. He had no means to punish me in that
21 way, but when he was doing this in public or
22 semi-public, you were always over his knee and he was
23 always pulling tight, but when he gets you on his own he
24 can do what he wants with you.

25 Q. Did he get you on your own?

1 A. Yes.

2 Q. What happened?

3 A. He -- I was cheeky to him. When he got me in his
4 cellar, as I'll call it, he grabbed me and forced my
5 head ... he was sitting in the chair and forced my head
6 between his knees and his thighs and started slapping
7 and taking his time and reaching round and fondling me.
8 And when boys appeared at the small window he stopped.

9 Q. Was that something that happened once when you were on
10 your own with him or more than once on your own with
11 him?

12 A. Just the once. Once.

13 Q. Once boys appeared at the window and he stopped, was
14 that the end of it or did anything else happen?

15 A. I avoided him. I avoided all solitary contact with him.

16 Q. On that occasion when he was fondling you, were you
17 clothed or had your clothing --

18 A. I was clothed, but he had my underwear pulled up tight
19 and reaching round. You were in short trousers, but
20 he's reaching down the back of your shorts, pulling your
21 underwear up tight.

22 Q. When you tell us that you knew that a boy was being
23 sexually abused by Brother Benedict, is that something
24 that the boy himself told you?

25 A. Well, that was hearsay. I never -- the only thing I

1 witnessed Brother Benedict doing with boys was actually
2 fondling them, but never anything else.

3 Q. Mr McKinstry is somebody you talk about in your
4 statement?

5 A. Yes.

6 Q. What was his role?

7 A. His role was night watchman.

8 The September time there was an abundance of
9 potatoes in St Ninian's and there was logs and somebody
10 suggested they were going to McKinstry. This is the
11 staff discussing it and it was either -- and the school
12 minibus, it took so many pupils and the back end of it
13 had potatoes, logs and books and we took them over to
14 McKinstry's house. This is before I knew who McKinstry
15 was and they were dropped off.

16 Then McKinstry started coming to the school and
17 doing night watchman.

18 Q. You tell us in your statement that while you were up in
19 the night and Mr McKinstry was on duty you heard some
20 noises or sounds?

21 A. No, I had the Hong Kong flu and I was bedridden for two
22 weeks. That was the last incident with Brother MBZ.
23 He was on morning call to get boys up and I couldn't
24 move. I was soaking with sweat. I couldn't move. He
25 says, 'The nurse is coming up' and he says, 'If you're

1 at it, I'm going to kick you down all those stairs'.
2 I couldn't move. The nurse comes up and took my
3 temperature and put me into isolation.

4 It was along the landing and I was in a dormitory
5 myself and Jimmy McKinstry would come in during night
6 and also the other night watchman, because they done so
7 many days about and -- but as I was getting better I got
8 up during the night and I went to the toilet and as
9 I went into the toilet, there was no urinal in there,
10 you had a sink, then you had a cubicle with a toilet in
11 behind it. As I went into the toilet I heard the
12 whimpering. I knew who it was, who was crying and
13 whimpering.

14 The door opened and McKinstry was in there. What
15 was he doing in there with the boy? The boy was crying
16 and whimpering, and I just couldn't figure out why he
17 was in there with the boy, but the boy was crying and
18 whimpering.

19 He came out and told me to get in there and the boy
20 was naked.

21 Q. How old was the boy?

22 A. He was nine, possibly ten. I have mentioned his name.

23 Q. We don't need his name at the moment.

24 A. He told me to get in there. When I come back out the
25 boy had his nightshirt on. I went back to the dormitory

1 I was in, because I was still quite unwell.

2 But the other occasion I got up during the night to
3 go to the toilet, McKinstry would have the bed wetters
4 up, lined up, and he would have them in the toilet. Now
5 some of those bed wetters were nine or below, possibly
6 eight or below, and some of them were 12, but there was
7 a urinal in there separate from the toilet, but
8 McKinstry was always in there with them.

9 Q. Was it one boy who was in there at a time?

10 A. The second time there was a group of boys along the wall
11 and it was one boy that was in there at a time and he
12 told me to get in there and out and --

13 Q. You say in your statement that the boys were waiting in
14 a queue to go into the cubicle?

15 A. Yes, they were lined up like a queue.

16 Q. Something you talk about in your statement is what you
17 call a strange incident, when the whole school were
18 given a tablet and some water?

19 A. Yes.

20 We were interviewed by a psychologist or
21 psychiatrist, Mrs Armstrong. The whole school went
22 through this procedure with her. On this day these
23 people appeared and we were called out to go along and
24 I can't remember, I think it was actually a school day
25 and we were all out in the playground, we were off

1 school and we were called in either by number or by
2 alphabetical order and we were given a white tablet.

3 Then we went into the headmaster's room and they
4 took blood from us. Then they went into a fridge and we
5 were offered a Flake or a Mars bar from the fridge.

6 Q. What was your understanding at the time --

7 A. I found it strange that they had chocolate in a fridge,
8 because nobody at time used that. Then we were sent
9 back out again. No explanation what it was.

10 LADY SMITH: How long was it approximately between you being
11 given the tablet and the blood sample being taken, can
12 you remember?

13 A. It could have been 20 minutes. It could have been half
14 an hour.

15 LADY SMITH: It was the same day?

16 A. Same day, yes.

17 LADY SMITH: Thank you.

18 MS MACLEOD: Did you ever find out anything about what that
19 incident --

20 A. There was some information got through to my mother that
21 I seen regarding my brother's details.

22 Q. Did you understand that to be related in some way to
23 what had happened?

24 A. I did notice that the word 'chromosome' was mentioned,
25 and that's part of DNA, is it not? Sometimes I think

1 today it's involved in the early criminology through
2 DNA. Was it part of a psychological approach for
3 researching DNA in criminology.

4 Q. In relation to leaving St Ninian's, 'Seamus', you tell
5 us that that happened quite suddenly for you?

6 A. Yes.

7 Q. And that there was no preparation done --

8 A. No.

9 Q. -- ahead of that?

10 A. No.

11 Q. You provide some information in your statement about
12 your life after being in St Ninian's and you tell us
13 that you were at the local school for a while but that
14 you lost interest in school?

15 A. Yes.

16 Can I say that the education in St Ninian's, when
17 I first entered there, and when I come out of class 2,
18 within months I was in class 4 and in 1969, that
19 ██████████ weekend, I was heading for class 5. The
20 education was incredible.

21 Unfortunately, what happened in St Ninian's the good
22 people are blighted by the bad people and in that case
23 it's the minority have blighted the majority of the good
24 people.

25 When I come out of St Ninian's my education was so

1 far advanced to the education that I entered in
2 secondary school when I came back out and the
3 stimulation at school was none. It was like hitting
4 a brick wall. It was going back the way.

5 Q. You tell us that as a result of that you lost interest
6 in school and you started not going to school again?

7 A. That's correct, but at the time there was a lot of
8 industrial action going on with the school education.
9 You spent days standing in playgrounds in the rain. You
10 weren't allowed to use the sheds, because the girls were
11 using the sheds. We weren't allowed in them.

12 Q. You tell us that you were going to be before
13 a Children's Panel --

14 A. That's correct.

15 Q. -- but that didn't go ahead?

16 A. No, because of a family connection.

17 Q. And that you left home and went to the Merchant Navy?

18 A. I did.

19 Q. You tell us a little bit about your life after that in
20 terms of your employment and your family life?

21 A. Prior to going to the Merchant Navy I had gained
22 an apprenticeship in engineering, but with going to the
23 Children's Hearing and it was found out that one of the
24 members at the Children's Panel, one of the members was
25 connected, we were related, and that was postponed but

1 in the meantime waiting on the time for my
2 apprenticeship I had to be 15-and-a-half to start it.

3 I went away to the Merchant Navy and by the time
4 I come back I was three weeks too late to get my
5 apprenticeship, I had missed it.

6 Q. You make the point in your statement that when you were
7 in St Ninian's, and indeed Cardross, that there was
8 nobody to whom you felt you could report what was
9 happening?

10 A. Nobody.

11 Q. In relation to St Ninian's, I think you tell us that
12 there was a confessional box, but that you didn't feel
13 that was something that you were able to use because the
14 Brothers were nearby?

15 A. In St Ninian's there was mass every morning at
16 7 o'clock, prior to getting called and going to
17 breakfast and you would put your towel on your bed, tied
18 to the headboard rail, and you would be called at 7 am
19 to go to mass.

20 I could never understand why the priest would come
21 in like a flash in the pan through the door, into the
22 vestibule, get dressed, conduct a mass, back into the
23 vestibule and out the door like a flash.

24 Confessions there were held in a confession box,
25 where there was always Brothers sitting, listening and

1 it was a main point for any visiting Brothers to sit
2 outside and listen to the boys going into the confession
3 box. But the fact being that the Catholic priest would
4 come in and out and in Catholicism you must confess all
5 your sins. Were these Brothers confessing their sins
6 and the priest was horrified and wanted out there as
7 soon as he could? I don't know.

8 Q. You tell us that Mr IAV [REDACTED] was the only member of
9 staff at St Ninian's who was opposed to what was going
10 on, but you say he suspect he was in a house tied to the
11 job?

12 A. I don't think that man could have come forward, because
13 he had a young family and I don't know how many members
14 of the family he had, but they were all in tied houses
15 to St Ninian's.

16 Q. Eventually did you report some of what happened to you
17 to the police?

18 A. I didn't report it to the police until 2001/2002. And
19 that's the first time I ever discussed St Ninian's with
20 my brother.

21 Q. You tell us that you gave evidence in the High Court
22 related to St Ninian's.

23 Towards the end of your statement, 'Seamus', you
24 talk about the impact that your time in care has had on
25 your life. I just want to look at a couple of aspects

1 there.

2 Do you have flashbacks to your time in care at
3 St Ninian's?

4 A. I do.

5 Q. Do you have nightmares?

6 A. I do.

7 Q. One thing you say is that you can't seem to get the
8 picture out of your mind of the boys coming out of the
9 toilets with Mr McKinstry?

10 A. I still hear them.

11 The most disturbing thing is an advert for NSPCA, it
12 was a boy, a young child in a co-op crying, that reminds
13 me of that every time I saw that. That brought it
14 really heavily down on me, because that's what it
15 sounded like, the whimper and the way that boy was
16 crying.

17 Q. Do you think back often to the assault you described by
18 Brother MBZ ?

19 A. Yes. It's never from my head. Every couple of minutes
20 I think about that, I get that in my head. I've carried
21 it with me for 50-odd years.

22 Q. In terms of lessons which you think might be learned,
23 you make the point that at an all-boys' school there
24 should be a certain portion of staff who are female?

25 A. I do believe that.

1 Q. Could you just elaborate upon why you think that would
2 be helpful?

3 A. Because I don't think women would conduct themselves in
4 that manner towards boys in the way they were punished,
5 in the way they were assaulted.

6 Q. At the end of your statement you say:
7 'One question that you have to ask is: why are these
8 people dealing with children, hiding in religious
9 orders? Why are religious orders involved in childcare
10 and in running children's homes, what experience can
11 they have?'

12 A. You've got these people who -- what is the purpose of
13 them being with children? Is it for their own gain? Is
14 it for their own perverse pleasure? Because they know
15 who you are and where you come from and nobody's going
16 to listen to you, you're totally down a hole and you
17 can't get out. You're at their mercy and that's the
18 minority of the people, not the majority of them.

19 Q. 'Seamus', is there anything that you would like to add
20 to the evidence that you have provided today?

21 A. I hope that what's gained from what has happened through
22 the Inquiry and what's going to court, that we all
23 should ensure kids in care will be better looked after
24 and better understood and helped, because they are the
25 future of society.

1 Q. Thank you for that.

2 A. It's only decency that children should be taken care in
3 that manner.

4 MS MACLEOD: Thank you for that, 'Seamus', and indeed for
5 providing your evidence today.

6 My Lady, I don't have any applications for
7 questions.

8 LADY SMITH: Thank you.

9 'Seamus', could I add my thanks. You have given us
10 so much detail in your written statement alone and then
11 you have been able to come here today and go through all
12 the hard work of talking about what we hoped you would
13 be able to expand on and sadly make come alive for those
14 of us listening to you today.

15 It's enormously valuable to me and to the work we're
16 doing here. I'm very, very grateful to you for that.

17 Thank you.

18 A. Thank you, ma'am.

19 May I also add, ma'am, that coming here I'm trying
20 to answer questions as a child, but I'm an adult. I do
21 understand in a certain way what was going on in
22 St Ninian's, you know. We were getting groomed by
23 certain individuals for their own means, but at the time
24 you're a child you don't understand that.

25 LADY SMITH: You just think life is like that, because you

1 are new to life, isn't that right?

2 A. That's correct. You know, you think someone is being
3 nice to you because they really mean it, but they don't.
4 They're trying to find out and they know where you come
5 from, what is your background and at the end of the day
6 there's one person still alive. He was teaching in
7 Canada, with kids at the turn of the Millennium, 2003,
8 and it's extremely hurtful that he's still there.

9 LADY SMITH: Yes.

10 A. And he will either die or play the not well card before
11 he's brought to justice, which I feel is wrong. It is
12 against his human rights, where were my rights at the
13 age of 10 and 11?

14 LADY SMITH: 'Seamus', thank you for those contributions.

15 I hear every word you say and I don't take issue with
16 any of it.

17 A. Thank you.

18 LADY SMITH: You must be exhausted. It's late afternoon and
19 now it's getting dark and we've put you through the mill
20 in being here, but thank you for being prepared to do
21 that and I'm glad to be able to let you go and rest now.
22 Thank you.

23 A. Thank you.

24 (The witness withdrew)

25 LADY SMITH: Just before I rise, to pick up on one thing,

1

2

3

4

As far as identities are concerned, we have heard
about a Mr KCZ, Ms MacDonald, Mr IAV, Mrs
Mr Irvine, Mr zGQM and Mr McKinley,
Mr McPherson, Mr Molesdale, Mr Buckham, Mr Reynolds,
and Brothers that you have all heard named
before, I don't think there were any new ones there this
afternoon at all.

10

11

Please bear in mind these are all people who,
certainly at this stage, mustn't be identified outside
this room.

12

13

14

Thank you.

15

Tomorrow, 10 o'clock start with a witness in person,
is that right?

16

17

MS MACLEOD: Yes, my Lady, we have two witnesses giving

18

evidence in person tomorrow and more read-ins as well.

19

LADY SMITH: Thank you very much.

20

I'll rise now until tomorrow morning.

21

(4.25 pm)

22

(The Inquiry adjourned until 10.00 am on

23

Thursday, 18 January 2024)

24

25

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