

Monday, 22 January 2024

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(10.00 am)

LADY SMITH: Good morning and welcome to those of you who have managed to physically get here through the storm, well done, and to those of who you will today be connecting by Webex who might otherwise have been here.

We have a witness who is here and not storm bound, I think, is that right?

MR MACAULAY: Yes, we do, my Lady. The witness is Gary Patrick McQueen.

LADY SMITH: Thank you.

Gary McQueen (sworn)

LADY SMITH: Gary, there is a red folder on the desk. It has your statement in it and it's there for you to refer to if you want to as you're giving your evidence, but we will also put parts of it on the screen as we're looking at them and you might find that helpful too.

Other than those practicalities, Gary, please be assured I want to do anything I can to make the whole experience of giving evidence as comfortable for you as possible.

I say that knowing that what we're asking you to do isn't easy. You are speaking in public about very personal matters, about your own childhood and your own time as a youngster and things that happened that

1 I'm sure are going to be difficult for you to be taken
2 back to.

3 If at any time a break would help, let me know.
4 I break anyway at 11.30 am, and we'll probably have
5 finished your evidence by then, but if we haven't you
6 can bear that in mind. But if you want to go out of the
7 room or sit where you are for a pause, please just say,
8 or if there is anything else that you have a question
9 about or I can help you with just speak up. Does that
10 make sense?

11 A. It does, thank you.

12 LADY SMITH: Good.

13 I'll hand over to Mr MacAulay and he'll take it
14 from.

15 Mr MacAulay.

16 Questions from Mr MacAulay

17 MR MACAULAY: My Lady.

18 Good morning, Gary.

19 A. Good morning.

20 Q. The first thing I want you to do is to look at the last
21 page of your statement, which you'll find in front of
22 you.

23 A. Sorry, the last page?

24 Q. The last page.

25 Can you confirm that you have signed the statement?

1 A. Yes.

2 Q. Do you say in the last paragraph:

3 'I have no objection to my witness statement being

4 published as part of the evidence to the Inquiry.

5 I believe the facts stated in this witness statement are

6 true.'

7 A. That's correct.

8 Q. Gary, were you born in [REDACTED] 1969?

9 A. Yes.

10 Q. At the beginning of your statement you provide us with

11 some information about your life before you went into

12 care. I think you do have some happy memories --

13 A. Yes, of course.

14 Q. -- of life before care.

15 I don't think your father was around very much when

16 you were young?

17 A. That's correct.

18 Q. I think what you do tell us is that there came a point

19 when you started to go off the rails a bit; is that

20 right?

21 A. Yes, yes.

22 Q. How did that happen?

23 A. Not going to school, substance abuse.

24 Q. Did that mean that you became something of a handful for

25 your mother?

1 A. Very much so, aye.

2 Q. At that time, when that was developing, what was your
3 relationship with your mother like?

4 A. I thought -- I thought it was okay. Clearly my
5 behaviour wasn't acceptable to my mum and my brothers
6 and sisters that were in the house.

7 Q. What you tell us in the statement is that while you were
8 still at primary school your mother took you to the
9 social work offices at Greendykes and sat you down and
10 she walked out the door?

11 A. That's how I ended up with -- she couldn't cope.
12 I don't think she was coping very well with my
13 behaviour, so she took me to Greendykes social work
14 office and, aye, she sat me down and left, aye. So
15 that's how I had a social worker.

16 Q. Were you allocated a social worker at that time?

17 A. Well, I think they put me in a car and took me back --
18 they asked who I was obviously and took me back to where
19 I lived in Niddrie, but my mum wasn't there, she wasn't
20 answering the door. She was in a neighbour's house and
21 I think that was start of the social work thing.

22 Q. Can you remember the name of the social worker you had?

23 A. Yes. Ann Jensen.

24 Q. I think what you tell us in your statement that
25 thereafter you were in a children's home in Edinburgh

1 and after that you went back to your mother; is that
2 right?

3 A. I think there was a couple of children's homes, foster
4 parents, community carers and then I think in between
5 these times like wee trial periods back at my mum's.

6 Q. I think also you were in Howdenhall Assessment Centre?

7 A. I was in Howdenhall Assessment Centre a few times,
8 uh-huh.

9 Q. What age do you think you were when you were there?

10 A. Probably 12, 11/12 maybe.

11 Q. You do tell us a little bit about that in your
12 statement, beginning at paragraph 44.

13 I think you tell us it was mixed, there were boys
14 and girls there?

15 A. In Howdenhall?

16 Q. Yes.

17 A. Aye, it was a male and female.

18 Q. What you tell us is that although you can't remember the
19 names of any of the staff, but in relation to the daily
20 routine at paragraph 56 you say:

21 'We spent the majority of our time in the sitting
22 room.'

23 Is that right?

24 A. Certainly, the male side of the assessment centre, it
25 was broken into juniors and seniors, juniors had

1 a sitting room, seniors had a sitting room, so, aye,
2 that's how you spent your time.

3 Q. Were you a junior --

4 A. I was a junior at the time, sorry, aye.

5 Q. What you do tell us, you were allowed to smoke, is that
6 right?

7 A. You got five cigarettes a day.

8 Q. Were you given the cigarettes by the staff?

9 A. Yeah, aye. If you were a senior you got more. Junior
10 you got five.

11 Q. You say in your statement at paragraph 58 that your
12 social worker did come and visit you when you were at
13 Howdenhall?

14 A. Yes.

15 Q. Was she keeping you up to date as to what was happening?

16 A. I think there was a children -- I think at that time --
17 it was 21 days' assessment from the Children's Panel.
18 So I would go to the Children's Panel, they would send
19 you to the assessment centre for 21 days and then you'd
20 go back and in my case when I went back it was another
21 21 days and another 21 days, so the social workers were
22 there.

23 Q. Did your social worker change during your time at
24 Howdenhall?

25 A. No. My social worker changed when my mum moved address.

1 Q. If you look at the statement, what you say at
2 paragraph 59 is:
3 'While I was still in the assessment centre my
4 mother moved to Piershill from Niddrie and what came
5 along with that was a change in social worker for me.'
6 A. That's correct.
7 Q. Who was your new social worker?
8 A. IAZ [REDACTED].
9 Q. Did IAZ [REDACTED] remain your social worker for quite
10 a while after that?
11 A. He remained my social worker until the end of my time,
12 uh-huh.
13 Q. In relation to how you were treated at Howdenhall, can
14 you tell me anything about that? How were you treated?
15 A. Howdenhall was fine. It was fine. No issues.
16 Q. What about the boys themselves? How did the boys behave
17 towards each other?
18 A. There was always a bit of rivalry between the boys. We
19 all come from different schemes, different parts of
20 Scotland and stuff so there was always a bit of rivalry.
21 Q. What you tell us in your statement at paragraph 66 is
22 there was a lot of violence going on between the boys.
23 Did you witness that?
24 A. Violence?
25 Q. Yes.

1 A. Aye, there was a lot of violence, uh-huh.

2 Q. Were you involved in that at all?

3 A. Well, if you had any issues with any of the boys or
4 there was any disagreements you went down -- you know,
5 you went down the gym and they put the mats down and
6 they set up a boxing ring.

7 Q. Did you engage in boxing then when you were in there?

8 A. Yes, aye, uh-huh.

9 Q. Eventually then did you attend a Children's Panel and
10 were you told that you were going to St Joseph's School?

11 A. Yes, uh-huh.

12 Q. According to the records that the Inquiry has seen, it
13 would appear you were admitted to St Joseph's on
14 8 March 1983?

15 A. Okay.

16 Q. You would be aged about 13-and-a-half by then?

17 A. That sounds about right, uh-huh.

18 Q. While I have the material in front of me, your
19 supervision requirement was terminated from about
20 16 July 1985 and by then you would be leaving
21 St Joseph's, does that fit in with your own memory?

22 A. I'm not sure about dates, but certainly when -- I left
23 St Joseph's to go into full-time education.

24 Q. Were you then just approaching 16?

25 A. Yeah, aye, uh-huh.

1 Q. If that is July 1985 and your birthday is in [REDACTED], you
2 are [REDACTED] turning 16.

3 In your statement you say that it was the
4 De La Salle Brothers that ran St Joseph's; is that
5 right?

6 A. Yes.

7 Q. How many Brothers were there when you were there?

8 A. There was Brother MJG [REDACTED], Brother MBU [REDACTED],
9 Brother Benedict, Brother Cuthbert and I think there was
10 a few retired Brothers that I don't think they done
11 anything with the day-to-day running of the school.
12 I think they just lived there maybe. You know they had
13 the Brothers' quarters in the main house.

14 Q. Can you tell me a little bit about the set-up then, how
15 were you accommodated?

16 A. So we had the main building, the classrooms and offices,
17 the Brothers' accommodation and then we had four -- what
18 we called them, cottages, four units, so they were
19 called Benildus, which is where I was, Ogilvie, Savio
20 and St Clair, that was the four units.

21 Q. Was there somebody in charge of your cottage?

22 A. Yes -- well, we had a housemistress so we had a female
23 who had a house at the end of the cottages and each
24 cottage had a house, a civilian house with a family and
25 the female was -- we called them our housemistress. In

1 my case it was Mrs Mulgrew, so they done the cooking and
2 the stuff like that in the house.

3 Aye, so we just lived in the cottage and then we got
4 up in the morning, we would have our breakfast in the
5 unit, we would go over to the main school, just like
6 a school, you know, break times, dinner time, back over
7 to the unit, get our meals. End of the day we'd go back
8 to our units. And then at nighttime you could stay in
9 the unit, watch TV or there would be various things on
10 in the school. Monday night, Brother Ben's Club,
11 Tuesday night, blah, blah, blah, there was different
12 things to do.

13 Q. Was there a Brother attached to your cottage?

14 A. Not attached to my cottage there wasn't, no, no, no.

15 There was Brothers attached to other cottages, but not
16 my cottage, no.

17 Q. Was there any person who you would look upon as being in
18 charge?

19 A. Probably **LUZ** and Mr McKinnon, which were the two
20 social workers.

21 Q. In relation to civilian staff, by the time you were
22 there in 1983 was there quite a number of civilian staff
23 attached to St Joseph's?

24 A. Yes.

25 Q. As far as the classes were concerned, were you taught by

1 a civilian?

2 A. Yes. I believe in my case Mr Roachford was a brother at
3 one time. That's certainly my recollection. He may not
4 have been, but I believe he was a Brother. He was one
5 of the teachers. I think he was in charge of the
6 Education Department. We had civilian teachers,
7 social workers worked Monday to Friday and then at
8 5 o'clock we used -- we had a night watchman who used to
9 come into the unit at night. The Brothers would be in
10 the main house, staff would be away and I think every
11 unit had a night watchman who would come in and
12 obviously sit downstairs while the boys were sleeping
13 upstairs.

14 Q. Can you remember the name of the night watchman?

15 A. Yes, I do, aye, Mr Manratty, his name was, he was
16 an ex-miner from Tranent.

17 Q. You have mentioned social workers, was there
18 a social worker attached to your cottage?

19 A. Yes.

20 Q. Who was that?

21 A. LUZ [REDACTED] and Mr McKinnon.

22 Q. And were there social workers attached to the other
23 cottages?

24 A. Yes, yes. I believe the set-up was that, you know, if
25 you had LUZ [REDACTED] as a social worker you were in

1 Benildus. I may be wrong, but I don't think LUZ had
2 any boys in Ogilvie or Savio or St Clair. I think
3 that's how it worked.

4 Q. We'll look at this in more detail at your relationship
5 with LUZ, but generally speaking was he good to
6 you when you were --

7 A. Was who good to me, sorry?

8 Q. Was LUZ good to you?

9 A. I think LUZ -- certainly in my case, was good to me and
10 probably went over and above the call of duty in certain
11 cases, I think.

12 Q. Can you just tell me a little about the routine. In the
13 mornings, for example, what sort of time would you get
14 up at?

15 A. At St Joe's?

16 Q. Yes.

17 A. Well, I know I said in my statement that -- I looked
18 over my statement -- it was 6.30. I think it was
19 probably a bit later when we went to school, but I think
20 I may be wrong, but I think my last nine months in
21 St Joseph's, maybe a year, I was actually working so
22 I was up early. I worked in the Co-op Dairy, which was
23 an early start. I then worked in The Keepers Arms, in
24 Tranent, again an early start and I worked in The Old
25 Ship Inn in Port Seton, so I was probably up earlier

1 than everybody else and off in the car and away to work,
2 but I think in the main, if you were at school, outwith
3 working, it was probably 7 o'clock.

4 Q. As far as getting up would be concerned, would you just
5 do that yourself or would somebody come to --

6 A. The night watchman would get me up, uh-huh.

7 Q. In relation to what you say in your statement, because
8 you mention going to mass. How often did you go to
9 mass?

10 A. As often as there was a mass on if you wanted to. It
11 weren't obligatory going to mass, you didn't have to go
12 to mass. I went to mass. I didn't go to them all but
13 there would be masses on obviously on a Sunday, vigil
14 mass on a Saturday and whatever else was going on during
15 the week with the Brothers and stuff.

16 Q. Under reference to trips and holidays, what you tell us
17 there is that -- this is paragraph 86 -- LUZ [REDACTED] and
18 IAZ [REDACTED], my two social workers took me to Khushi's
19 Indian restaurant in Edinburgh?

20 A. On many occasions, not just Khushi's but many different
21 restaurants.

22 Q. Would it just be yourself with the two of them?

23 A. Yes, it was. As I say, I don't think my case was unique
24 to St Joe's, but certainly my time in St Joe's most of
25 the boys went home at weekends. You know, you go to

1 St Joe's Monday to Friday, Brother Ben had a bus and you
2 would get dropped at various drop off points in
3 Edinburgh and go home, that's how it worked.

4 In my case I never went home a lot at weekends, so
5 I did spend a lot of time, you know, when I say
6 LUZ went above and beyond the call of duty,
7 I think in my case because I wasn't getting home I was
8 getting taken out to football games, Easter Road on
9 a Saturday, so I was probably out more than most people
10 with LUZ and stuff.

11 Q. Clearly you yourself have seen some of your records,
12 because you tell us that in your statement?

13 A. Some of my criminal record?

14 Q. No, some of your social worker records.

15 A. Oh, sorry, I've got my social worker records, aye.

16 Well, I've got the ones that the council -- I've not got
17 them all, but I've got what they gave me.

18 Q. You say at paragraph 88:

19 'I know from my records that Brother MBU
20 organised a cycle trip around Scotland at one time, but
21 I don't remember it.'

22 And:

23 'It says that a week before we were due to go
24 I knocked on his door and told him I wanted to pull
25 out.'

1 Do you have any recollection of that?

2 A. I only recollected this when reading it when I got my
3 social work report, I was privy to all the reports and
4 the meetings that were going on and apparently that's
5 correct what I said there. I've got that in my
6 statement that I tapped Brother MBU's door to say
7 I didn't want and he had noticed that I was depressed,
8 his words was that he looked depressed.

9 I can't remember tapping his door and saying
10 I didn't want to go.

11 Q. Do you remember --

12 A. But I remember the cycle. It was an annual thing. The
13 Brothers bought a lot of brand new bikes. I think they
14 got 20-odd bikes so we used them quite a lot over the
15 time I was there.

16 Q. So on this occasion you didn't want to go --

17 A. On this occasion I never went, no, no.

18 Q. Who generally organised the cycles?

19 A. I think the staff. I wouldn't be sure who would
20 organise it. In fact, maybe -- I think Mr LVH
21 organised it. I'm only saying that just because he was
22 in charge of the bikes and maintenance of the bikes and
23 stuff, so that would make me think that he organised it.

24 Q. You do tell us that you did require to see
25 a psychologist. Was that linked to the fact that you

1 were feeling depressed?

2 A. No, I think -- no, I -- it was Brother MBU was
3 saying I looked depressed or I was depressed. I didn't
4 think I looked or felt depressed. I only seen --
5 I don't know Mrs Fotheringham was the psychologist.
6 I don't know why I seen her, I think it was set up with
7 one of the social workers but I seen her quite regular.
8 She used to come to meetings at St Joe's and Children's
9 Panels meetings and stuff.

10 Q. As far as LUZ is concerned, who you say was
11 attached to --

12 A. He was my residential social worker.

13 Q. He was your social worker. Was he regularly at
14 St Joseph's?

15 A. Monday to Friday, yeah. Then occasional weekends.
16 I think they took turns on weekends. So the school shut
17 on a Friday and the boys -- we called them 'kept back',
18 you are 'kept back'', so we were called 'keep backs' so
19 they would shut three units and the boys who were 'kept
20 back' would go to one unit. Some weeks it would be
21 Benildus, if that was the case, LUZ would be
22 there. Sometimes it was Savio, if that was the case
23 their staff would be there. So just depending how many
24 boys were kept back, would dictate what unit you went to
25 at the weekends.

1 Q. Did LUZ himself take you out of St Joe's?

2 A. Aye, many times.

3 Q. Where would you go with him?

4 A. With LUZ?

5 Q. Yes.

6 A. Oh, I went -- lots of -- for instance, when Benildus --

7 we redecorated Benildus. Me and LUZ went away to

8 St Andrew's, the university town LUZ

9 , and we got the artwork and the stuff for the

10 new units. So, aye, I met LUZ's mum in his house up at

11 Gorgie ... Khushi's, as I've mentioned in my statement,

12 but Easter Road, Parkhead, aye, a lot of places with

13 LUZ .

14 Q. Can I just look at that section of your report when you

15 talk about abuse.

16 Was there rivalry between boys at St Joseph's?

17 A. Yeah. There was -- aye, we were all -- we were all from

18 different schemes and, in St Joseph's's case, you know,

19 different parts of the country, so there was a lot of

20 bravado and egos and everything else that went along

21 with that, uh-huh.

22 Q. You do mention in relation to Brother Ben, this notion

23 of him giving electric shocks. Can you tell me about

24 that?

25 A. It was Brother Ben's club on a Monday, outwith the

1 units, outwith the school at the back of St Joe's at the
2 old workshops, old stables.

3 I believe Brother Ben was an electrician of some
4 sort in his civvy life, so Brother Ben's Club, we called
5 it, at the back of the school, you could go over there.
6 There were booths set up where you can go in and listen
7 to the chart music and you could listen to something on
8 the headphones, I could be in the next booth.
9 Brother Ben had made all these booths, he had made all
10 the extensions for the headphones and he'd made
11 a machine.

12 So if there was any carry on, if there was any
13 misbehaviour or any carry on in Brother Ben's Club, he
14 would sit you down and give you a wee dunt with his
15 machine, aye.

16 Q. You are moving your hand as if you are turning a handle?

17 A. That's what he done, aye. So you sat down and there
18 were two copper tubes with wires, so Brother Ben would
19 be here and he would turn it, but the harder -- it
20 wasn't sore, but you got a dunt, but the faster he went,
21 I think he was creating more electricity on this
22 dynamo-type thing so you'd get more of a dunt, but
23 that's what he done, aye.

24 Q. When you say a 'dunt', you have a sense of an electric
25 shock, is that what you mean?

1 A. That's what I mean.

2 Q. Was that painful?

3 A. It wasn't painful, no, it wasn't painful.

4 Q. Would he be saying anything to you when he was doing
5 this?

6 A. He'd maybe be -- you know, telling you the reason why
7 you're getting it, if you've been carrying on, but, no,
8 he wouldn't say anything. He was probably preoccupied.
9 He put a shift in turning the wheel, you know.
10 Brother Ben put more of a shift in than the person
11 sitting on the chair. The faster he went the more
12 electricity he would create and, as I said, on some
13 occasions he did put a shift in.

14 Q. From your perspective, although you got a shock, it
15 wasn't a painful --

16 A. It wasn't painful. It was uncomfortable, but it wasn't
17 painful.

18 Q. -- experience.

19 You also mention a Mr MHC ?

20 A. Oh, MHC 's Toffee. We called Mr MHC -- he was
21 a teacher and he had a bottle, which was not dissimilar
22 to this bottle.

23 Q. That's the bottle in front of you?

24 A. It was a big glass bottle, ribbed, two wee handles up
25 here, old-fashioned bottle. I believe it was fully --

1 we think it was ammonia, we are not actually sure what
2 it was, to be fair, but we called it MHC 's Toffee.
3 His name was Mr MHC , we called him 'MHC ' and we
4 called the bottle his toffee, or that is what he called
5 his bottle.

6 Q. What did he do with the --

7 A. Again, it was just if there was any carry on in the
8 class, he would get the bottle out and he would take the
9 cork out of the bottle and you would need to close
10 your -- one of your nostrils, put your nostril to the
11 bottle and then breathe in. That wasn't pleasant.

12 Q. What effect did that have on you?

13 A. I tell you, your whole body, especially your head, used
14 to just fill with pins and needles. It wasn't right.
15 That is why you couldn't kid on that you've done it,
16 because everybody in the class was obviously there, so
17 you couldn't fake taking this. You couldn't kid on that
18 you were sniffing, because your eyes went, but, aye, we
19 think it was ammonia, but I mean who knows what it was,
20 I don't know what it was.

21 Q. Did you have to do this?

22 A. We all had to do it. Well, you had to do it if you were
23 misbehaving.

24 Q. You also make mention of dusters --

25 A. MHC was famous for his -- aye, he could hit a fly

1 with a duster from 100 yards.

2 LADY SMITH: These are blackboard dusters we are talking
3 about with the hard wooden backs on?

4 A. Yes, that's the ones.

5 MR MACAULAY: What did he do with the dusters?

6 A. He would just -- if there was any carry on he would just
7 (indicating) throw the duster, closely followed by going
8 into the cupboard and bringing the toffee out, as we
9 called it.

10 Q. Were you hit by a duster?

11 A. Not that I recall, no, but I think I had a few thrown at
12 me, I think. I wasn't the best behaved in St Joe's.

13 Q. What about other boys, were other boys --

14 A. Aye. He was -- you know, he spread it about. He never
15 dug anybody out, you know, everybody was the same.

16 Q. Leaving what you have told us about the bottle and the
17 dusters, was there any other form of punishment in his
18 class?

19 A. Not that I'm aware of, no, no, no.

20 Q. You also mention, at paragraph 108, a Mr IAX ?

21 A. Aye, Mr IAX .

22 Q. What can you tell me about him?

23 A. Aye -- I don't know if it was just a clash of -- we just
24 took a dislike to each other from day one, Mr IAX .

25 I believe he was a social worker attached to one of the

1 other units, Ogilvie or Savio, I'm not sure what one.
2 Never had much to do with him over my course of the time
3 in St Joseph's.

4 But when I did have things to do with him, i.e., if
5 I was kept back at the weekend and over in one of the
6 units that he was maybe working in, we would always have
7 an issue.

8 Again, I think a lot of that -- I mean, I don't know
9 it if it was jealousy. There was certainly a bit of
10 banter between me and the rest of the boys how close
11 I was to LUZ or how LUZ was close to me.
12 As I say, I think LUZ took me under his wing a bit
13 because of my home circumstances.

14 I don't know if that was a part of it with
15 Mr IAX, with my relationship with LUZ, but we
16 didn't -- no, we didn't see eye to eye at all.

17 Q. Did you have a run-in with him?

18 A. I've had many run-ins with him.

19 Q. In what way? What happened?

20 A. Most of the time it was just me maybe being
21 disrespectful, shouting and bawling. Again, there was
22 a lot of bravado, you know, if you are getting pulled up
23 in front of another 20 boys you're not really backing
24 down, so things used to accelerate very quickly if he's
25 shouting and bawling to physical.

1 Q. You do tell us in your statement about one particular
2 incident; can you tell me about that?

3 A. I was kept back. Again, it was the weekend. I was kept
4 back, I think it was Ogilvie or Savio, Benildus and
5 St Clair were newish units. Ogilvie and Savio were
6 older units. It was one of the older units, I was kept
7 back at the weekend. Must have been a Friday or
8 Saturday night. Come down the stair for breakfast in
9 the morning, tables used to be set up in four, a bit
10 like this, your breakfast would be out for you coming
11 down.

12 It's not my unit, so I've not got a seat, a normal
13 seat where I sit in Benildus every day.

14 Q. Is that because at weekends --

15 A. No, that's because there's only one unit open at the
16 weekend.

17 So I've sat where I've sat and I notice a bigger
18 bowl of Rice Krispies over here, so I've swapped bowls
19 and it's just went south from there. Mr [AX] seen me
20 doing it, told me to put them back. I've not put them
21 back, my bravado has kicked in, my ego's kicked in,
22 we've squared up to each other and he's took me into the
23 cupboard where they kept all the stores, the food, big
24 bins full of cereal and stuff and battered me like
25 a man, and fought me like he would fight a man.

1 Q. Were you fighting back?

2 A. Yes, of course I was, aye.

3 Q. Can you just describe --

4 A. Well, I lost. I lost.

5 Q. What happened in the course of the fight?

6 A. He bust my ribs. He used to wear cowboy boots. He

7 was -- that was part of his attire, so I think he -- we

8 went into the cupboard. As I say, I wouldn't back down.

9 He wouldn't back down. There were some boys there.

10 Some staff members there. Aye. But he fought me like

11 a man. I was just a laddie, yeah. But he fought me

12 like he would fight a man.

13 Q. What did he do to you?

14 A. Battered me.

15 Q. What sort of blows?

16 A. Well, we were exchanging punches, kicks. He tried to

17 drown me in the Rice Krispies.

18 Q. You say this was a cupboard. Was there room enough in

19 the cupboard --

20 A. Sorry, when I say it was a cupboard, aye, so you went

21 in. There were big steel bins that looked like buckets,

22 square with lids and all the cereal used to get poured,

23 so there was one with sugar, one with different cereals.

24 There were shelves. It was a room but it was like a dry

25 store. I think we called it the dry store, the

1 storeroom.

2 Q. Was there space in there --

3 A. There was space in it, not a lot of space but there was
4 space, yeah.

5 Q. You do tell us that you started bed wetting and indeed
6 sleep walking when you were at St Joseph's, is that
7 correct?

8 A. Well, again, just with what I found out with my -- with
9 getting my records through the social work. I can
10 remember bed wetting, but -- aye, I don't know.

11 Q. Had you wet the bed before you went to St Joseph's?

12 A. No.

13 Q. I now want to focus on your social worker IAZ .
14 You've told me that he was allocated to you before you
15 went to St Joseph's; is that right?

16 A. I think I was either -- I was either in some kind of
17 care assessment centre or community carers, which is
18 like a short-term emergency foster parent, while my mum
19 moved from Niddrie to Piershill.

20 And because of my mum moving from Niddrie which
21 deals with Craigentenny social work office, when she
22 moved to Piershill that involved a new social work
23 office so that's when IAZ --

24 Q. What age do you think you were when you first met

25 IAZ ?

1 A. Maybe 12-and-a-half/13, thereabouts.

2 Q. How did things develop between yourself and IAZ

3 before you went to St Joseph's?

4 A. Develop as in?

5 Q. What sort of relationship did you have with him?

6 A. A very different relationship, you know, LUZ, you

7 know, clearly defined as a social worker and you know

8 what that was. My relationship with IAZ

9 couldn't be described as, you know -- the only thing

10 that LUZ and IAZ shared was a job title,

11 social worker. LUZ done his job and IAZ

12 it was a different kind of relationship.

13 IAZ, he bought me glue to sniff glue, he

14 bought me -- I done some illegal stuff with IAZ and he

15 contributed to --

16 Q. Would there be times when you would be alone with

17 IAZ?

18 A. Many times.

19 Q. Again, I'm focusing on the period before you went to

20 St Joseph's. For example, would he take you out in his

21 car?

22 A. Yes.

23 Q. Where would you go?

24 A. Hillwalking. The Flotterstone Inn, he was a big

25 photographer, so he always had a camera, so aye, we

1 would go all over the place, mostly hillwalking.

2 Q. Was IAZ [REDACTED] an older man?

3 A. Yes, he was.

4 Q. I think LUZ [REDACTED] was a younger man?

5 A. I think LUZ [REDACTED] was probably in his 20s, maybe 22 and

6 I think maybe IAZ [REDACTED] was in his 40s.

7 Q. How did matters then develop between yourself and

8 IAZ [REDACTED], did he do something to you?

9 A. Aye, aye. IAZ [REDACTED] was abusing us, aye. Started off

10 just a bit touchy-feely, you know, you would get into

11 the car and he would start touching you. You're losing

12 weight or you're gaining weight, touching you about and

13 it just progressed from there.

14 As I say, my relationship with IAZ [REDACTED], it was

15 quite a strange one for me. I had dealt with

16 social workers in the past. I'd dealt with members of

17 staff in various different homes and stuff up until this

18 point but IAZ [REDACTED], as I say, Mark Smith wouldn't buy

19 me ten Embassy Regal. IAZ [REDACTED] would buy me glue, he

20 would buy me anything I wanted, drugs, cigarettes, so it

21 was that kind of relationship.

22 LADY SMITH: Did you say LUZ [REDACTED] would buy --

23 A. No, he wouldn't -- LUZ [REDACTED] wouldn't, where IAZ [REDACTED]

24 would.

25 LADY SMITH: LUZ [REDACTED] wouldn't buy --

1 A. No, LUZ [REDACTED] wouldn't give me a cigarette --

2 LADY SMITH: Can I just ask you something -- you wouldn't

3 appreciate this, Gary, if I didn't explain -- if you

4 speak when I'm speaking these two wonderful

5 stenographers here can't note it properly, so if we try

6 not to speak at the same time as each other it means

7 they can do their job.

8 The point you were making was that you got your

9 cigarettes later in St Joseph's. You got your ration,

10 but LUZ [REDACTED] wouldn't buy you extra ones?

11 A. No, we never got any rations -- sorry, my relationship

12 with IAZ [REDACTED] and LUZ [REDACTED], what I'm trying to say

13 is LUZ [REDACTED] was professional, where IAZ [REDACTED] was

14 like sitting with a mate. If I was in IAZ [REDACTED]'s car

15 I could behave and talk to IAZ [REDACTED] like I could talk to

16 a pal.

17 MR MACAULAY: I think you are contrasting IAZ [REDACTED]'s

18 approach and that of LUZ [REDACTED] effectively. You are

19 saying IAZ [REDACTED] would give you cigarettes and glue,

20 LUZ [REDACTED] would certainly not do that?

21 A. Correct.

22 Q. Insofar as St Joseph's was concerned, were you allowed

23 to smoke at St Joseph's?

24 A. No.

25 Q. I think it was Howdenhall?

1 A. Yes.

2 Q. I just want to understand then what happened between
3 yourself and IAZ. You told him he began to be
4 touchy-feely, as you put it. Did that develop from
5 there?

6 A. Yes.

7 Q. What happened?

8 A. Well, it developed to full-on abuse. He would get me
9 back to -- he would get me back to -- he knew -- he was
10 dealing -- I believe IAZ was meant to be dealing with
11 getting things squared up on the outside, as far as
12 finding somewhere for me to go at weekends, ie my mum's
13 my gran's or somewhere else. That was IAZ. That's
14 what I thought.

15 So because that wasn't happening I was going IAZ's
16 house. Not every weekend, but certainly one weekend,
17 maybe two, in the month. Where I was kept back at
18 St Joe's IAZ would come and take me.

19 Q. I'm going to come on to St Joe's in a moment, Gary.

20 I'm trying to look at the position between yourself
21 and IAZ before you went to St Joseph's?

22 A. It would only be touchy-feely because I wouldn't put
23 myself in IAZ's house unless I had nowhere to go, so in
24 the beginning if I was out it would just have been the
25 touchy-feely, the poking, the toy fighting, that kind of

1 carry on.

2 Q. That was the position then before you went to St Joe's.

3 When you went to St Joseph's, do I understand from

4 what you're saying that IAZ ██████████ remained your

5 social worker?

6 A. Yes.

7 Q. Do I also understand from what you're saying that he

8 would come and see you there and take you out from

9 St Joseph's?

10 A. Yes.

11 Q. Was that in particular at the weekends?

12 A. Yes, not always, but most times.

13 Q. Where would you go?

14 A. His house.

15 Q. When you went to his house, did anything happen?

16 A. We took drugs.

17 Q. Do you know what sort of drugs these were?

18 A. Just knowing what I know now as an adult, I believe it

19 was acid.

20 Q. Did anything of a sexual nature happen?

21 A. Yes.

22 Q. What happened?

23 A. Well, he beasted me in his house. I would come to half

24 naked a couple of times.

25 Q. When you say he 'beasted' you, did he have sex with you?

1 A. Well, I don't know, because I was --

2 Q. I am sorry?

3 A. I don't know in the beginning, because I was in
4 a drug-induced state. But moving on from where we are
5 at moment, yes, he did.

6 I mean, I think in the beginning I was taking drugs
7 in IAZ's house that I didn't know I was taking. I did
8 eventually openly take drugs with IAZ, Thai
9 stick and acid, but in the beginning, the initial
10 beginning, I think he was putting something either in my
11 food or in my drink.

12 Q. What made you think that?

13 A. Because I'd lose a day, I'd lose a night. I'd come to
14 in the morning on the couch half naked, on couches or on
15 beds.

16 Q. Were you conscious of something sexual happening to
17 you --

18 A. No.

19 Q. -- in the house?

20 A. No.

21 Q. What about elsewhere, what about in the car?

22 A. No, no.

23 LADY SMITH: Gary, you said you think now you were being
24 given acid. What is it that makes you think it was
25 acid?

1 A. Just because I was hallucinating. I was tripping. And
2 then on the comedown, you know, the Monday, Tuesday, the
3 after effects of it would make me know now that it was
4 acid.

5 LADY SMITH: Have you any memory of the way in which what
6 you now think was acid was being administered to you?

7 A. Not in the beginning, but, you know, there was a stage
8 where we openly took drugs together and it was tabs, the
9 tabs had the world on them.

10 LADY SMITH: Tabs that looked like little stamps?

11 A. That's the ones.

12 LADY SMITH: Thank you.

13 MR MACAULAY: In your statement, Gary, this is at
14 paragraph 114, you say that IAZ took you to different
15 houses, so it wasn't just the one house he took you to?

16 A. No, I think in the course of my relationship with IAZ,
17 whatever it was, two-and-a-half years, I think it was
18 four different houses that he -- that he or his -- IAZ
19 was openly gay, who lived with his partner, [REDACTED]. So the
20 four houses that I can recall being in, they were either
21 IAZ's or his partner's, but they were his houses. He
22 lived there. That's where he lived.

23 Q. At 115 you say:
24 'It started off in the back of a car ...'
25 What happened in the back of the car?

1 A. Well, that's when he raped us, the first time, without
2 drugs, sober, badness, evilness. I think he was --
3 I think he was -- I think he'd set up like a women's
4 refuge for me and my mum to go. I believe it was in
5 Stirling, somewhere on the west coast.

6 My mum had a miner's connection through Nuclear
7 Coal, her dad was a miner and I believe this charity we
8 were going to had something to do with the National Coal
9 Board, you know, for single mothers that IAZ had set
10 up, we travelled there, me, my mum and IAZ for me and
11 my mum to spend a week there. Big house, maybe half
12 a dozen other families there, or women and kids.

13 When we arrived there, we got there, we got into the
14 room and stuff and met the people who were there, either
15 IAZ or my mum was under the impression that we were
16 getting food when we got there. We found out we
17 weren't, so my mum had to go and get messages. IAZ
18 took me back into Stirling I think to go and get food,
19 left my mum at the hostel and then on the way back
20 I think I wanted something out the bags. The messages
21 in the back or I wanted cigarettes, he pulled the car
22 over and I went into the back and that's -- aye, that's
23 when he raped us without any drugs, without any -- you
24 know, there was no acid, it was just sober.

25 Q. How did you feel about that?

1 A. How did I feel about that?

2 Q. Yes.

3 A. I've not got words to describe how I felt about that.

4 If I sat here all day I wouldn't --

5 Q. Was that the first time --

6 A. As I say, that was the first time that, you know, there

7 was no misunderstanding in my head what had happened,

8 you know in the houses waking up half naked, waking up

9 on couches, you know. There were no drugs involved.

10 I knew clearly what he had done.

11 Q. Were you conscious of him raping you again in the houses

12 that you visited?

13 A. Yes.

14 Q. Even although you were on drugs and so on you were still

15 aware of things that were happening to you?

16 A. Aye. We never took acid all the time. We smoked a lot

17 of Thai stick we called it -- or he called it, Thai

18 stick cannabis and stuff. And, again, I mean I had --

19 I don't know if it was a habit, but I was certainly

20 dependent on substance, glue and stuff that [IAZ] was

21 getting me.

22 Q. You do tell us about an incident, this is at

23 paragraph 122, when you were on a couch and [IAZ]'s

24 partner was there. Can you tell me about that?

25 A. Just remember coming to on a sunny day in a house in

1 Edinburgh. The reason I know it was a sunny day, the
2 front door was open.

3 I'd been there all weekend with IAZ. On the
4 pretence that -- back in the 1980s there was a couple of
5 movies, Clockwork Orange and McVicar, I think they were
6 banned movies and I remember going to IAZ's to watch
7 them -- he said he had them, to come down and to watch
8 the movies. It was just me and IAZ.

9 Drugs involved and I remember -- I mean, I had met
10 on a few occasions, IAZ's partner, you know, just
11 as we arrived at the house would be leaving or vice
12 versa, you know. was never there during the course
13 of the abuse, apart from the morning I woke up.

14 I think -- I'd either been given too much drugs or
15 taken too much drugs. I think I was ODing, because
16 I come to on the couch in the living room naked and
17 was there, but he wasn't there -- and IAZ was there,
18 but he wasn't there in an abusive -- he was there trying
19 ... I remember him rubbing my back trying to make me be
20 sick. I think he was concerned. I think he'd come in
21 to the house and I think I'd been on the couch covered
22 in sick and, you know, had brought me to and was
23 concerned for my welfare, but that was the only time
24 that was there.

25 Q. One thing you do tell us in your statement is that

1 IAZ took photographs of you. Can you tell me
2 about that?

3 A. He always had a camera, a big Nikon camera, I think he
4 was a bit of an amateur photographer.

5 Aye, so if you would go out with him you are having
6 a bit of lunch and waiting on your starter and he'd be
7 snapping away, taking pictures. As I say, we done a lot
8 of hillwalking. He used to take me up the hills, he
9 would always be taking pictures but that's all I can
10 recall about his picture things.

11 Q. Did he take photographs of you in any of the houses that
12 you were in?

13 A. Not that I'm aware -- I don't know in drug-induced
14 states, but certainly not that I'm aware of, I was
15 compos mentis.

16 Q. You say at one point in your statement in relation to
17 the raping in the car, this is at paragraph 117:

18 'Something changed for me that day in the back of
19 that car, whether he stole my innocence or gave me the
20 rage that I still feel to this day, something changed.'

21 Is that how you feel?

22 A. I mean I've had some issues with anger and stuff over
23 the years. I've done an anger management thing a few
24 years ago that a court sent me to on the back of a road
25 rage incident, which with hindsight was dandy. I wish

1 I had maybe went there 20 or 30 years ago, but
2 I'm still -- I mean, my temper and my anger -- I'm in my
3 50s now and it's caused me havoc. Not just in personal,
4 relationship-wise and employment-wise, you know, my life
5 was hectic with violence.

6 Q. Do you link that to the abuse you suffered from
7 IAZ or not?

8 A. I link it to my childhood. Just like you would be proud
9 of your son and daughter, you know, growing up and
10 getting well educated and, you know, going to
11 St Andrew's University as a parent or guardian, you
12 know, you would be proud of that. So the other side of
13 the coin is, you know -- I've caused havoc in this
14 world. I have been here for 50-odd years and I have
15 caused havoc in people's life. I would like to think
16 that they would take some kind of responsibility to --
17 how do you proportion it up? I don't know, that's for
18 somebody else.

19 Q. I now want to ask you about an incident that happened in
20 a cottage outside Peebles. Can I ask you about that.
21 You talk about that at paragraph 125.

22 Can I just be clear about this. Were you still at
23 St Joseph's when this incident took place?

24 A. Yes.

25 Q. Was it close to when you came to leave St Joseph's?

1 A. I don't know.

2 Q. If you left St Joseph's in the summer of 1985, then this
3 incident in Peebles must have happened before that, is
4 that right?

5 A. To have IAZ and LUZ in my life it must
6 have happened before, uh-huh.

7 Q. Can you tell me what happened on this occasion? First
8 of all, how did you get to Peebles?

9 A. I was kept back at St Joe's again.

10 Q. Would this be a weekend?

11 A. It would be a weekend, aye. So you're kept back. IAZ
12 had bought -- I'd been to a few houses over the couple
13 of years that IAZ had been my social worker, so he
14 picked me up at St Joe's, he had bought a new house in
15 Peebles. When I say Peebles, it was probably two or
16 three miles outside Peebles, a stone-built cottage, sat
17 by itself off the main road.

18 I remember being out with IAZ during the day.
19 I think he bought me some clothes. I think I needed
20 some clothes, so I think he took me up to What Every
21 Woman Wants, which is a shop just up the road here, got
22 me some clothes, took me back to -- the first time
23 I'd been to this house in Peebles, took me back to the
24 house in Peebles.

25 Q. What time --

1 A. Probably afternoon. We had something to eat. We
2 watched a movie. We took drugs. It was time to go to
3 bed. I was walking up the stairs to the bedroom.
4 IAZ 's pushed us on to the stairs, so I'm now lying flat
5 on to the stairs. He's tried to rip my trousers off.
6 Fingers down up my backside. That's how he usually
7 started, the abuse, you know, it would be toy fighting
8 and that's how, you know -- that was his -- how he went
9 about it.

10 But as this was happening I've looked up and there
11 was somebody else in the room at the top of the stairs,
12 naked and erect with his dick in his hand.

13 So I've got IAZ behind me, I've got this stranger
14 in front of me and I just -- I don't know what happened
15 to me. I just left there. I just went right through
16 the window. I just run right past the guy with his dick
17 in his hand and went right through a window.

18 Q. Would that be an upstairs window?

19 A. It was an upstairs window, onto a flat roof.

20 Q. The person, the naked man --

21 A. I don't know who it was.

22 Q. Had you seen him before?

23 A. No.

24 Q. Then when you were on the flat roof, how did you get --

25 A. Got myself round to the front of the house to where the

1 road was and just started running, but they chased me.

2 Q. You are on the flat roof, how did you get down from the
3 flat roof.

4 A. I just jumped down, it was only six or seven feet.

5 Q. What do you say happened after that?

6 A. I got round to the front of the house on to the main
7 road, and I just started running, but it was maybe,
8 I don't know, 1.00 am. It was black, aye.

9 Q. Did you say they started chasing you?

10 A. Chased me for hours, or a couple of hours.

11 Q. How did they chase you?

12 A. They jumped into a car, but they couldn't get me
13 because, as I say, it was outside Peebles and it was
14 just a single-track road so I could see -- they were
15 shouting on us, 'Gary, Gary, Gary', I just kept on
16 running, but when they jumped in the car I could see the
17 car coming. They needed headlights. There were no
18 streetlights, it's in the middle of nowhere. So I could
19 see the car coming, so every time the car got close I
20 would just jump off the road into the bushes, but they
21 were up and down the road, kept on stopping, shouting,
22 'Gary, Gary', IAZ was shouting. I don't know who the
23 other person was.

24 Q. Was the other person in the car?

25 A. I think so, just because I heard them talking a couple

1 of times, because one of the instances where I was
2 hiding they stopped quite close to where I was, but
3 I'm off the road under a bush, so there was definitely
4 two of them in the car.

5 Then I made my way to Peebles. I just kept on
6 following the road, but I'd left all my clothes. I was
7 kind of half naked because I'd been in the house. I had
8 no shoes, I had no socks. IAZ had ripped the fucking
9 trousers of us, so I was making my way to Peebles and
10 I reversed the charges to my other social worker,
11 LUZ, who then come down and picked us up.

12 Q. You phoned LUZ?

13 A. I reversed the charges to LUZ's house.

14 Q. You knew his phone number?

15 A. Yes, I did, uh-huh.

16 Q. Did he answer the phone?

17 A. Yes.

18 Q. What did you tell him on the phone?

19 A. I just told him that IAZ and another guy is trying to
20 beast me in a flat. You need to come down and get me.

21 'Where are you?'

22 I says:

23 'I think I'm in Peebles.'

24 I was in Peebles. And IAZ's drove down. I think
25 he got down there at 3 am or something, the back of

1 3 am.

2 Q. Did you make an arrangement as to where you would meet

3 if he was going to come down to get you?

4 A. Mm hmm.

5 Q. What was the arrangement?

6 A. I was in a red phone box outside what I know now is

7 Peebles high street, didn't know that at the time, but

8 a red phone box outside a church, that's where I was.

9 Q. Did LUZ [REDACTED] come to pick you up?

10 A. He did.

11 Q. Obviously time has been getting on --

12 A. It was about probably 3 am in the morning by this time,

13 maybe a bit later.

14 Q. It could have been later than that?

15 A. Could have been later.

16 Q. When you are picked up by LUZ [REDACTED], where were you

17 taken?

18 A. Well, LUZ [REDACTED], he came -- I waited ages on him coming.

19 They came into Peebles a couple of times with the car,

20 but I just hid. But I remember when -- obviously LUZ [REDACTED]'s

21 just had a phone call at 1 am in the morning. He's

22 probably been in his bed. So when he came down he was

23 obviously you know what was going on?

24 Q. Did you tell him?

25 A. Not at that stage because I was -- I just wanted -- they

1 were in Peebles, they were looking for us. I just
2 wanted -- he turned the engine off as if, what's
3 happening? And I was like, fucking -- you know, 'We
4 need to go, we need to go', and I remember LUZ getting
5 a fright. He didn't know what was going on. I was
6 shouting and bawling, 'Listen, you need to move, you
7 need to move'.

8 And I think we got out of Peebles and I think he
9 stopped and then I told him what had happened.

10 Q. What did you tell him?

11 A. I told him that IAZ was trying to beast me in his
12 house.

13 Q. Did you tell him about the naked man?

14 A. Probably. I don't know, but I imagine I told him.

15 Q. Do you have any clear recollection of that?

16 A. Of telling him?

17 Q. About the naked man?

18 A. Have I -- I've got a clear recollection about the naked
19 man.

20 Q. Do you have a clear recollection of telling LUZ p

21 A. No, no. I would have to explain to LUZ though why
22 I reversed the charges and got him down there at
23 3 o'clock in the morning, so I must have give him some
24 kind of explanation and, as I say, I think I was
25 panicked when I got into the car. I was keen for him to

1 get the car started and get away, yeah.

2 Q. As I understand it, you made it clear to LUZ that

3 you were in a situation where you were being or going to

4 be sexually abused, is that right?

5 A. Mm hmm. Aye, uh-huh.

6 Q. Where did LUZ take you?

7 A. He took me to LUZ's house in ██████████, LUZ had

8 a wee one-bedroom flat just in ██████████ in Edinburgh.

9 Q. Did you stay there for the rest of the night?

10 A. Yes, we stayed there. LUZ had a girlfriend at the

11 time. She worked -- she was a tour guide ██████████,

12 which was just round the corner from the flat,

13 I remember her getting up in the morning with all the

14 green tartan and stuff, so she went away to work, we had

15 a bit of breakfast. LUZ was a big football player,

16 I think he still is. Liked his football. I think LUZ

17 had a football game on the Saturday, so the girlfriend

18 went to work, LUZ went to football, I think he came

19 back for me, had a shower, LUZ gave me some of his old

20 clothes, jogging bottoms and T-shirt and we went back to

21 St Joe's.

22 Q. How did you get back to St Joseph's?

23 A. In LUZ's car.

24 Q. You are absolutely clear then, Gary, that this event in

25 Peebles happened when you were still at St Joseph's?

1 A. Yes. St Joe's was the last place I was in before I left
2 the care system, aye.

3 Q. From what you're saying this would have to be some time
4 in 1985, when IAZ [REDACTED] was still your social worker?

5 A. Yes, sir.

6 Q. The reason I'm putting that to you is there is
7 a suggestion that this event happened in 1986, after
8 you'd left St Joseph's?

9 A. I wouldn't have anything to do with social workers if --

10 Q. Pardon?

11 A. If I wasn't in St Joseph's then I certainly wouldn't
12 have an abusive social worker, IAZ [REDACTED], I wouldn't
13 have any reason to have any kind of social worker.

14 LUZ [REDACTED] was my residential social worker. He
15 didn't work in the community. He worked in St Joseph's.

16 IAZ [REDACTED] was my -- we called them a field
17 social worker who worked in the community, so if
18 I didn't have -- if I had no reason to have
19 a social worker, then I wouldn't have a social worker.

20 Q. You are putting that forward as a reason why it would be
21 1985, when you were still associated with IAZ [REDACTED]?

22 A. Yes, sir.

23 Q. Once you left St Joseph's, was that it insofar as the
24 social work --

25 A. Yes, that was me done, aye. The condition. One -- it

1 was either full-time education, full-time job or there
2 was maybe talk of keeping me. I don't think they were
3 going to release me to go and sit about either at my
4 gran's or my mum's house. I had to have something in
5 place and I had a full-time college course at Esk Valley
6 College, so once I started college I was there Monday to
7 Friday, so that was me done.

8 Q. Did you have any conversation with LUZ [REDACTED] about what
9 should be done in connection with IAZ [REDACTED] ?

10 A. Well, I bumped into LUZ [REDACTED] probably about 25 years
11 ago, just out the blue, and I think over the course of
12 bumping into him I think we'd met for lunch and met for
13 a beer and it just so happened when we met for a beer we
14 were talking about how's your family, blah, blah, blah,
15 the police had just come to speak to me about
16 Brother Ben's behaviour, just out the blue, they were
17 investigating ...

18 I don't know how they got my name so LUZ [REDACTED] was
19 saying, 'Listen, did you hear about Brother Ben?'
20 I said.

21 'Funny enough, the police spoke to me or come and
22 spoke to me six months ago, took me up to Howdenhall
23 Police Station. I think there was some solicitors and
24 some council people and the police and just asking about
25 Brother Ben, you know, the electric shocks.'

1 And he said, 'what did you say?'

2 I said, 'I just chased them ...'

3 I wasn't really interested in what Brother Ben was
4 doing on a Monday night. I had bigger things going on
5 outwith what was happening in St Joe's.

6 Q. That is much later on I think. I'm interested to see
7 whether you had any discussion with LUZ [REDACTED] at the
8 time or after the Peebles incident as to what should be
9 done?

10 A. No. I'm only assuming this because I don't know for
11 true, but I'm assuming -- I think LUZ [REDACTED] set up a meeting
12 with me, IAZ [REDACTED] and LUZ [REDACTED] after the Peebles incident.
13 Again, probably Khushi's, that was the standard place
14 where we went.

15 I'm assuming that LUZ [REDACTED] and IAZ [REDACTED], there was
16 a discussion prior to -- that I wasn't privy to.
17 I'm assuming LUZ [REDACTED] had tried to square it away with what
18 was going on. I don't know if he was happy with what
19 IAZ [REDACTED] told him or he accepted it or he never accepted it,
20 but, as I say, I wasn't privy to the conversation.
21 I don't know what happened.

22 Q. At this particular time, if you did go home for
23 a weekend, would it be to your mother or to your
24 grandmother's?

25 A. I think in the beginning of my time in St Joe's it was

1 trying to go to my mum's. I think towards the end of my
2 time it was my gran's.

3 Q. Was there any discussion at this time that your
4 grandmother should be told about what had happened?

5 A. No.

6 Q. Was your grandmother made aware of what had happened
7 with IAZ [REDACTED] ?

8 A. No, nobody was made aware. No, no, nobody was made
9 aware.

10 Q. Was there any discussion in relation to the Peebles
11 incident in particular between yourself and LUZ [REDACTED]
12 about going to the police?

13 A. No. I mean I certainly never mentioned it. I don't
14 think I would -- at that time in my life, I don't think
15 I would have wanted to have went to the police. I don't
16 think LUZ [REDACTED] suggested that. I certainly never suggested
17 it.

18 Q. Am I to take it then from what you're saying, Gary, that
19 after you had made this disclosure to LUZ [REDACTED] you
20 were taken back to St Joseph's?

21 A. Yes.

22 Q. Thereafter, did IAZ [REDACTED] still come to see you?

23 A. Yes. IAZ [REDACTED] was still -- well, the abuse was out
24 in the open now, because I'm assuming there was
25 a conversation between LUZ [REDACTED] and IAZ [REDACTED].

1 Whatever the conversation was, you know, IAZ took
2 that as a green flag that he didn't need to buy me drugs
3 anymore, he didn't need to spike us. He could just do
4 what he wanted now, so the abuse got worse or it didn't
5 get worse as in the sense of abuse, but it got more
6 violent. It got me a -- I don't want to swear but IAZ
7 kind of blackmailed me a few times.

8 IAZ was the decision-maker. He was the one
9 that was going -- in all the meetings we had with people
10 once a month, whenever we had them, IAZ was the
11 head honcho. He was the one -- as far as I was
12 concerned, he was -- I just wanted out of the care
13 system and IAZ knew that. And, as I say, after the
14 Peebles incident he didn't have to hide his tracks or as
15 I say buy me drugs. The abuse got worse.

16 Q. He come to take you out as he had been doing previously?

17 A. Just the same.

18 Q. Would he take you to the house?

19 A. The same, aye, uh-huh.

20 Q. Did he abuse you?

21 A. Mm hmm.

22 Q. Was it just him alone?

23 A. Yes.

24 Q. Would someone like LUZ know that IAZ was still
25 coming to take you out?

1 A. I think LUZ would have to know, aye. LUZ was my
2 social worker at St Joe's. IAZ took me to the
3 Lake District, he took me to places he shouldn't have
4 been taking me to, yeah.

5 Q. When did this come to an end?

6 A. It come to the end when I went to college and I was free
7 of social workers.

8 Q. Did IAZ remain your social worker throughout
9 your whole time at St Joseph's?

10 A. Mm hmm.

11 Q. Was there a time towards the end or at some point in
12 that final period where your social worker changed?

13 A. No, I have had other social workers over the years but
14 not at that time, no.

15 Q. For a period of your stay at St Joseph's, did you in
16 fact become a day pupil?

17 A. I believe so, aye.

18 Q. It's not clear from records what that period covered,
19 but it seems you were a day pupil for a period and
20 thereafter you went back into being a residential pupil?

21 A. I think that's how it worked. As I say, if there were
22 any issues with the boys with what house you were going
23 to, there would be a trial period to make sure you're
24 getting up for school. So --

25 Q. Were there others who became day pupils?

1 A. There was, aye. Some people were just day boys and
2 others people were residents who became day boys, but
3 the day boy was the goal to you, if you were a resident
4 you wanted to become a day boy, that was how it worked.

5 LADY SMITH: Where did you stay when you were a day boy?

6 A. Piershill, with my mum.

7 LADY SMITH: With your mum?

8 MR MACAULAY: Was this to try to see whether or not you had
9 the discipline to get up and go --

10 A. Yes, sir, make your way to school, aye.

11 Q. Why did they revert to a residential --

12 A. Why did I go back? Because I think I failed on every
13 hurdle. I think ... I wasn't getting out my bed and
14 I wasn't doing what I was told.

15 Q. You then tell us about when you came to leave
16 St Joseph's. As you say, you were approaching 16, which
17 I think -- I put the day to you as being in July 1985
18 and that's when you would be approaching 16, is that
19 right?

20 A. That's right, sir.

21 Q. I think LUZ had been involved in setting up
22 a course for you; is that correct?

23 A. He was, uh-huh.

24 Q. Life after being in care, I think you say that you got
25 into trouble on a number of occasions?

1 A. I've done a few custodial sentences, yeah.

2 Q. But that's now behind you, I think?

3 A. I'd like to think so, aye. I'd like to think so.

4 Q. You say at paragraph 143:

5 'For a lot of years I didn't feel like a man and so

6 I always wanted to hit harder than the next guy. I felt

7 that IAZ had taken something from me and to

8 prove I was a man I needed to hit harder than anybody

9 and I needed to hit them before they hit me.'

10 That was your philosophy for some time, was it?

11 A. Correct.

12 Q. Did you try to make contact with IAZ after you

13 had left St Joseph's?

14 A. Mm hmm.

15 Q. What did you do?

16 A. I never done anything, but I'd got a sentence. I was

17 out on an interim liberation, so High Court bail, and

18 I knew I was going back to the jail. It was just

19 a temporary thing, so I thought I'd put all my demons to

20 bed, because I was going to the jail anyway, so I went

21 and looked for IAZ to dish out some revenge to him.

22 I wasn't successful. I tracked him down to a social

23 work office in Gorgie, where I believe he was ...

24 I don't know -- what they call working with people from

25 St Joe's, but he then went on to work with handicapped

1 people out of social workers' office in Gorgie. I was
2 up there for a couple of weeks stalking him, trying to
3 pick my moment.

4 Q. Did you --

5 A. No, I never done anything, no, no.

6 Q. You have already mentioned having some contact with the
7 police and I think the police came to see you just out
8 of the blue, was that right?

9 A. Regarding Brother Ben?

10 Q. Yes.

11 A. Yes. Aye. That was 20-odd years ago, I think.

12 Q. Did you give them a statement?

13 A. No.

14 Q. Was there any reason why that was?

15 A. Well, they just asked me if Brother Ben was dishing out
16 electric shocks, and I says, 'Well, he was, but they
17 weren't sore'. And that's my position on it.

18 I'm an adult now. I wasn't an adult then. Was there
19 some kind of sexual connotation into what he was doing?

20 I really don't know I just know it's -- that's what he
21 done. Was it sore? No, it wasn't sore. Did he get --
22 I don't know.

23 Q. Did you mention to the police your involvement with
24 IAZ ?

25 A. I tell you how it came about. I was taken into a room

1 with the police, I think there were some solicitors and
2 somebody there from the council, I had a girlfriend at
3 the time who accompanied me to the meeting. We spoke
4 about Brother Ben.

5 And on me leaving the meeting the girlfriend that
6 I was with, she obviously was aware that I had some
7 issues and she said, 'Listen go back in there and see
8 if -- I know you don't want any kind of compensation or
9 anything like, but see if you can get some kind of
10 counselling or something', because she knew the
11 relationship wasn't right, I wasn't right.

12 So I went back -- I tapped the door and I says.

13 'Listen, is there any chance of maybe speaking to
14 somebody?'

15 So I think the councilman set me up with some
16 counsellor, so on the back of that meeting with the
17 police I think I got a couple of sessions with
18 a counsellor.

19 Q. Going back to my question, did you discuss IAZ [REDACTED]
20 at all with the police and what had happened to you?

21 A. No, they didn't ask.

22 Q. At this time?

23 A. No, no.

24 Q. You did touch upon meeting LUZ [REDACTED] years after you
25 had left St Joseph's. How did that come about?

1 A. I don't know. I think it was just a random bumping in.
2 I think I bumped into him at traffic lights, it was
3 something as random as that. He had an issue with his
4 car and my involvement was following him to the garage
5 at Seafield in my vehicle, and he was dropping his
6 vehicle off, and me driving him back to his house in
7 Trinity and then on the back of that meeting we
8 exchanged numbers and met up for a beer and a bit of
9 lunch.

10 Q. At any point did you disclose to LUZ [REDACTED] the extent
11 of the abuse that you had suffered from IAZ [REDACTED] ?

12 A. 20-odd years, later, yes, when I bumped into him on the
13 occasion you're talking about, yes.

14 Q. This is the occasion --

15 A. This is the occasion, uh-huh.

16 Q. What --

17 A. He apologised. He apologised for what happened and he
18 was genuine with his apology. He told me that he was
19 a bit intimidated with IAZ [REDACTED]. LUZ [REDACTED] was quite young,
20 I believe, at the time. IAZ [REDACTED] was a bit older. IAZ [REDACTED] was
21 certainly intimidating to me. He was a big lump of
22 a man.

23 So I can imagine he -- LUZ [REDACTED] being intimidated to
24 him. Aye. So he apologised and just said he was sorry.
25 He was young. IAZ [REDACTED] was intimidating and we left --

1 actually we never left it at that. He made a comment
2 during the course of the apology, that I think I maybe
3 took the wrong way.

4 He asked me -- he said that if I got -- if I had got
5 an erection during the abuse then it was nothing to be
6 embarrassed about. I lost the head and left.

7 Q. I just want to be clear how it came to be that you met
8 up for this discussion, had you phoned --

9 A. No, no, no. As I say, we just bumped into -- I don't
10 know what it was -- how we bumped into. Maybe LUZ will
11 tell you, but it was certainly an issue with his car, we
12 bumped into him, I had transport, he needed me -- or he
13 needed transport to drop his car off to get a lift back
14 and, you know, that's how it came about.

15 Q. What did you say to LUZ about what had happened to you
16 at the hands of IAZ?

17 A. Again, as I say, we were talking about the police coming
18 about Brother Ben:

19 'What did you say to the police?'

20 I said:

21 'I never spoke to them. I chased them. I had
22 bigger -- I was worried ... concerned about what IAZ
23 was doing to me, LUZ, rather than what Brother Ben was
24 doing to me.'

25 And that's when he apologised.

1 Q. Did you say anything --

2 A. I told him he was beasting us, he was raping us, yeah.

3 Q. You told LUZ [REDACTED] ?

4 A. Aye, uh-huh.

5 Q. Did he say anything to you as to what he would have to

6 do?

7 A. What LUZ [REDACTED] would have to do?

8 Q. Yes.

9 A. No, no, but I believe he went and spoke to somebody in

10 the council, but he never made me aware of that.

11 Q. Did he make you aware that he would have to report that

12 to the council?

13 A. No, but looking back with a bit of hindsight I probably

14 put him in a position with telling him that that he

15 would have to do something about it.

16 Q. When you say he apologised, can I understand what he

17 said to you about that?

18 A. He just said he was sorry for letting it go on. He

19 asked how long it had been going on. I told him, since,

20 you know, more or less day one of meeting IAZ [REDACTED]. He

21 looked shocked. He apologised and then he says he was

22 intimidated with IAZ [REDACTED]. IAZ [REDACTED] was quite intimidating and

23 that's how we left it.

24 Q. Why was he saying that he was intimidated by IAZ [REDACTED] ?

25 A. Don't know, that's what he said.

1 Q. The beating that you got from Mr IAX, did you require
2 to go to hospital?

3 A. I did so.

4 Q. Who took you to hospital?

5 A. One of the staff members, I don't know who it was.

6 Q. Why were you taken to hospital?

7 A. Cause of my ribs. It was quite hard to -- breathing in
8 and breathing out was quite sore.

9 Q. Do you think LUZ would have been aware of that
10 incident?

11 A. He'd certainly be aware of the incident, but he'd maybe
12 not be aware of the facts, you know. If there were any
13 issues in St Joe's they just put it down -- if I had
14 an issue with a staff member and it went south, they
15 would just put it down to me and another resident
16 fighting, as opposed to fighting with the staff. So
17 maybe LUZ got the message on Monday morning that I was
18 fighting with somebody else. I don't know. I don't
19 know, you'd need to ask LUZ. But I am assuming he'd be
20 aware, he was my social worker.

21 Q. Did he speak to you about it?

22 A. I can't recall it, so, no.

23 Q. Do you remember which hospital you were taken to?

24 A. Roodlands.

25 LADY SMITH: That's the one in Haddington?

1 A. That's the one, yeah.

2 MR MACAULAY: You have told us how supportive LUZ [REDACTED] was
3 to you and did he in fact go to your 21st birthday?

4 A. Sorry, could you repeat?

5 Q. Did LUZ [REDACTED] attend your 21st birthday?

6 A. He may have done, I can't recall but he may have done.
7 I'd been at one of LUZ [REDACTED]'s birthday parties, I think it
8 was his 40th, I think.

9 Q. Did he attend your wedding --

10 A. Yes, he did.

11 Q. You've had contact with LUZ [REDACTED] over the years?

12 A. Aye. As I say, I looked up to LUZ [REDACTED] for a long time. He
13 was like a father figure for us.

14 Q. When did you last see LUZ [REDACTED]?

15 A. Probably about two months ago on a job. Sorry,
16 I'm a roofer in Edinburgh and we were putting the
17 scaffolding up and LUZ [REDACTED] just appeared. It turns
18 out where we were putting the scaffolding, LUZ [REDACTED]
19 lives right across the road.

20 Q. We don't need the address. Did you have a conversation
21 with him?

22 A. Yes, I did.

23 Q. Was that a friendly conversation?

24 A. It was very friendly, aye, I had a coffee with him, aye.

25 Q. You say at 174:

1 'I've had a lot of opportunities in life that a lot
2 of people wouldn't get. I've run bars in Spain and
3 I've had other jobs abroad, but I've wasted them.
4 I just want IAZ [REDACTED] and LUZ [REDACTED] to stand up and
5 take a bit of responsibility. I was at risk and
6 LUZ [REDACTED] let me down.'

7 Why do you say that?

8 A. Well, when I jumped in the car from Peebles he should
9 have took me to Peebles Police Station, he shouldn't
10 have taken me back to St Joe's.

11 Q. Was that mentioned at all in the car?

12 A. No. I don't think I mentioned it. In fact, I probably
13 never mentioned it. I wasn't a fan of the police or
14 anything at the time, so I don't think -- I wasn't
15 putting any pressure on him, but then I wasn't the
16 adult. I wasn't the social worker.

17 Q. You do say that when you met LUZ [REDACTED] some years ago
18 that he did apologise to you for what happened?

19 A. Aye he did, aye, uh-huh.

20 Q. You have a section in your statement, Gary, where you
21 talk about lessons to be learned.

22 If we go to paragraph 184:

23 'Abusers like IAZ [REDACTED] are never going to be
24 stopped, regardless of what recommendations are made by
25 the Inquiry or what safeguards are put in place. If

1 someone is determined to abuse children they will find
2 a way of doing it, but the Inquiry needs to make sure
3 that if they do, they are not getting away with it for
4 long.

5 It was acknowledged that I was depressed, that I was
6 unwell and that I had developed psoriasis, which was
7 down to nerves, but nobody joined the dots. Without
8 hoisting a flag, I don't know what other alarm bells
9 there could have been.'

10 You are talking about your time at St Joseph's
11 there?

12 A. I'm privy to -- I had a lot of things -- I was quite
13 fortunate that I've got my file, so there's a paper
14 trail there and with the Brothers saying I am depressed,
15 you know, my health has taken a turn. I think
16 Mrs Fotheringham, the psychologist, I think in one of
17 her reports she says, 'Listen, you know, there's
18 something going on with this boy. We need to get to the
19 bottom of it'. She was wanting to refer me -- it was
20 called the YPU or the YPC, it was in the Royal Edinburgh
21 Hospital, it was a young person's unit or clinic,
22 I think they called it. So she wanted me to get
23 referred there, because I think she probably knew that
24 there was something going on.

25 Well, she did say in her statement, but [AZ],

1 because he was the one making the decision, he's put
2 a file -- a report saying, 'He doesn't need to be
3 referred there, he told me he fell out with his sister
4 and his mum that's why he's depressed'. If something as
5 simple as that, from somebody just writing that, if
6 I'd got referred to the Royal Edinburgh they may have
7 got to the bottom of it. I don't know.

8 But if the abuser is coming on saying, 'He doesn't
9 need to go there, he told me the reason he is depressed
10 is because he has fell out with his sister', just by
11 reading this stuff, you know, it's quite clear to me
12 that there was something going on and people should have
13 noticed.

14 Q. You yourself did not tell --

15 A. No, no. I took response of --

16 Q. I'm not suggesting you are to take any blame for that,
17 but the fact is you didn't tell her?

18 A. No, no.

19 Q. Finally, then, Gary. What you say is:

20 'I'm thankful that I have my health and I have my
21 job and I'm not hungry but it is no surprise that in his
22 50s I find myself living the way I do. You need
23 something to look forward to, a reason to get out of bed
24 in the morning and I am tired of this life now.'

25 That is quite a negative statement?

1 A. Well, it's negative because, as I say, I've caused
2 regardless of what has happened to me with the abuse,
3 I've caused havoc in people's life with my behaviour
4 over the years.

5 That's quite hard to live with and all the labels
6 that wives or ex-wives and ex-girlfriends have put on me
7 over the years, 'You are emotionally vacant, you are
8 this and you're that', they're bang on, because I was,
9 yeah.

10 Q. Gary, these are all the questions I propose to ask you.
11 Is there anything further you would like to say to the
12 Inquiry?

13 A. No. Just thanks for the opportunity and for the
14 questions.

15 MR MACAULAY: Thank you for coming along today to give your
16 evidence, Gary.

17 My Lady I can confirm that no applications for
18 questions to Gary have been submitted.

19 LADY SMITH: Thank you.

20 Gary, could I add my thanks to you for coming here
21 this morning to add to the evidence we already have from
22 you in your written statement. You've given us a lot of
23 valuable information that adds to my learning here and
24 the work we're doing. I'm really grateful to you for
25 that.

1 A. You're welcome.

2 LADY SMITH: Thank you particularly for coming out in the
3 storm this morning, I hope you hit a quiet spot when you
4 leave.

5 A. Thank you.

6 LADY SMITH: Thank you.

7 (The witness withdrew)

8 LADY SMITH: Just before I rise, some new names this
9 morning, LUZ [REDACTED], Mr IAX [REDACTED] and IAZ [REDACTED]. They
10 are not to be identified outside this room.

11 The teacher, Mr MHC [REDACTED], I think has already been
12 mentioned before and I've indicated that he's not to be
13 identified outside this room and a couple of Brothers
14 whose names you know doubt recognised from earlier
15 evidence, Brothers MBU [REDACTED] and MJG [REDACTED] are not to be
16 identified outside this room.

17 Time for the morning break I think, Mr MacAulay.

18 We'll sit again in about a quarter of an hour.

19 Thank you.

20 (11.29 am)

21 (A short break)

22 (11.46 am)

23 LADY SMITH: Ms MacLeod.

24 MS MACLEOD: My Lady.

25 The next witness is an applicant who wishes to

1 remain anonymous and he will use the name 'Monty' when
2 giving his evidence.

3 LADY SMITH: Thank you.

4 'Monty' (affirmed)

5 LADY SMITH: 'Monty', a couple of practical things first of
6 all.

7 That red folder has your statement in it. You may
8 find it helpful to have it there to refer to if you
9 want.

10 We'll also put parts of your statement up on the
11 screen in front of you when we're looking at it, again
12 that's in a bigger font. You can see it more clearly
13 there.

14 Otherwise, 'Monty', help me help you. If there's
15 anything I can do to make it all more comfortable,
16 knowing that what we're asking you to do isn't easy, to
17 come in public and talk about your own life as a child
18 is not straightforward. If you want a break, just say.
19 If you want anything else, you tell me. Most things
20 will be fine. Really if it will work for you, it will
21 work for me.

22 If you're ready, I'll hand on to Ms MacLeod and she
23 will take it from there, all right?

24 Ms MacLeod.

25 Questions from Ms MacLeod

1 MS MACLEOD: My Lady.

2 Good morning, 'Monty'.

3 A. Morning.

4 Q. You have provided a statement for the Inquiry and there
5 is a copy of it in that folder. Could you look at the
6 very last page for me, please?

7 A. I already did, aye, it's got my signature on it.

8 Q. Thank you.

9 In the final paragraph do you say:

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

14 A. Aye, yes.

15 Q. I'm just going to give the reference of the statement
16 for the transcript, WIT.001.001.5431.

17 'Monty', I don't need your full date of birth, but
18 could you confirm that you were born in 1971?

19 A. Yes.

20 Q. Can we look first of all at what you tell us about your
21 life before you went into care. I'll just ask you
22 a little bit about that.

23 Did you live with your mum and dad?

24 A. Yes.

25 Q. I think you say also one of your half siblings?

1 A. Yes.

2 Q. Did you have a social worker when you were a child?

3 A. Yes.

4 Q. Do you remember her name?

5 A. Shona Stephenson.

6 Q. Why was Shona Stephenson involved with you?

7 A. I can't really mind. I think I was up to no good

8 running away, stuff, skipping school, so social work

9 came and were involved.

10 Q. I think that is what you tell us in your statement, that

11 you can't remember exactly why that was, but that you

12 saw her around once a week or so?

13 A. Oh, aye, aye.

14 Q. You talk about an incident, 'Monty', in your statement,

15 when you think you were around aged eight or nine maybe,

16 when you tell us that you put your feet up on a desk in

17 school?

18 A. That's right, aye.

19 Q. Can you tell me about that?

20 A. I was in primary school, sitting at a desk like this.

21 There was another guy the other side and he put his feet

22 up on the desk and I thought, right, it's all right for

23 him, I'll do the same but the teacher came over and

24 slapped me on the back of the head, Mr [REDACTED] his name

25 was.

1 I couldn't understand why he slapped me on the back
2 of the head. And I sat there and I stewed on it and
3 then I thought this isn't right, ken. So I got up and
4 I chucked the chair at him because I thought he has hit
5 me, ken, and I wanted to hit him back. I chucked the
6 chair at him and walked out the school and I started
7 skipping school from there.

8 Q. Can you remember, 'Monty', how old you were at that
9 time?

10 A. I must have been eight or nine.

11 Q. You also talk about, this is in your statement, again,
12 an incident on a bus, I think you tell us you had been
13 shoplifting with a boy?

14 A. It would be about two weeks after that incident, I had
15 been skipping school for a couple of weeks and I was --
16 I bumped into a guy that I ken from Wallyford and he was
17 skipping school. But he was at the grammar school,
18 I think he was a couple of years older than us. We were
19 down the street, no money, no nothing, and we went into
20 the shops and started shoplifting and I was stealing
21 sweeties, ken, and he was grabbing anything he could get
22 his hands on, cutlery, anything like that, and we just
23 put it all in one bag and then the next thing we were on
24 the bus and a fight broke out between me and him. This
25 lassie had give him a fag and I went 'twos up', which

1 meant half. He had smoked it all. And so I was a wee
2 bit miffed with him and started arguing and the next
3 thing you ken, there were two guys at the back of the
4 bus -- or three of them and they have stood up and that
5 because they ken that guy and they were standing up for
6 him and I was about fighting and that, and then the next
7 thing I ken I thought, 'I'm outnumbered here'.

8 I have put my hand in the bag and I've had a hand on
9 the knife. The next thing I ken I've been slapped in
10 the face and as I've turned round I've cut them on the
11 wrist. I didn't ken what it was at the time, but it was
12 a lassie.

13 Q. Was she injured as a result of that?

14 A. Aye. When I've cut her wrist, oh I didn't see any blood
15 right away, but it was split open and I could see the
16 bone, then the blood came.

17 Q. You tell us, 'Monty', that as a result of that you spent
18 a night in a police cell?

19 A. Well, aye. That night I did, aye.

20 Q. Did you appear before the Children's Panel the next day?

21 A. I did, at the Brunton Hall in Musselburgh.

22 Q. Were you taken to Howdenhall Assessment Centre?

23 A. Yes, I was.

24 Q. Were you still around eight or nine at this time?

25 A. Yes. I believe I was eight, for some reason.

1 Q. Howdenhall Assessment Centre, 'Monty', I want to ask you
2 a little about that.

3 Did you know what Howdenhall Assessment Centre was?
4 Did anybody explain to you where you were going and how
5 long you would be there?

6 A. At the panel they told me that I wasn't going home with
7 my ma and my da and, I ken, I couldn't accept that, so
8 when they tried to take me away, I clung to the chair
9 and the police had to rip me off the chair and then take
10 me to Howdenhall Assessment Centre. I didn't ken what
11 it was. I just ken that I was going there.

12 Q. Did you know how long you would be there for?

13 A. No.

14 Q. When you arrived there, 'Monty', were there other
15 children there?

16 A. Oh, aye, aye.

17 Q. Any idea of the number of children?

18 A. There was about ten -- well, there was a boys' side and
19 girls' side. I didn't ken nothing about the girls'
20 side, but the boys' side you had older laddies in one
21 big room and then you had younger laddies in a wee-er
22 room, and they were sort of separated.

23 Q. If you were about eight, 'Monty', were you among the
24 youngest there?

25 A. Yes.

1 Q. How old were the oldest boys?

2 A. I think some of them were about 15 or something, ken.

3 Q. Generally speaking, how was your experience at

4 Howdenhall?

5 A. Well, it was an eye opener. I had no problem with the

6 staff. The staff were fine. It was the kids, ken.

7 Q. Was there one child in particular, a boy, that had you

8 been warned about?

9 A. Yes.

10 Q. Tell me a bit about that.

11 A. Aye. This guy I never really paid much attention to

12 him. He was roughly same size, same age as me.

13 I didn't really ken, but the boys say, 'Watch out for

14 him', ken and then all of a sudden at the end of the day

15 he started on me, ken. Him and another guy, so they

16 ganged up on us.

17 And then another day he started hitting us and all

18 the rest and I thought I can't take this any more, so

19 I waited until he was sweeping and then I put a chair

20 over his head.

21 Q. Were you put into a cell in Howdenhall for that?

22 A. Yes, aye. It's like -- it was a cell basically, aye.

23 Q. How long were you there for?

24 A. One night they put us in there for the night and then

25 next again day kind of talked about it and all the rest

1 and I think that was it, ken.

2 Q. Was there another time at Howdenhall when you were put
3 into a cell by a staff member?

4 A. Aye. I can't mind exactly what had happened. But I was
5 arguing with some guy. Anyway the staff put me in there
6 and another guy walked in and punched us in the face.

7 Q. Another boy?

8 A. Aye, when I was in the cell, I remember that. But the
9 staff member was standing at the door pretending he
10 wasn't looking. He had got the guy to come and give me
11 a punch in the face, because I was giving the staff
12 member a start time, ken, I think.

13 Q. In your statement you say the staff member opened the
14 door for the boy --

15 A. Yes.

16 Q. -- and stood watching as he punched you?

17 A. Yes.

18 Q. How old was the other boy?

19 A. He was definitely a couple of years older than me. He
20 was way bigger than me. At least that much
21 (indicating).

22 Q. Was there anybody in Howdenhall that you could speak to
23 if you had concerns about how people were treating you
24 or questions about how long you were going to be there
25 or anything like that?

1 A. I never really -- I mean there were just staff members,
2 ken, but obviously in them places they had a rule about
3 no grassing, ken. I never really went to any staff
4 members about any problems there.

5 Q. How long were you at Howdenhall?

6 A. Two or three months, something like that, before I got
7 moved to St Joseph's.

8 Q. Did there come a point when you went to another panel,
9 when you were at Howdenhall?

10 A. Yes. When I was in Howdenhall we had another panel and
11 that's when they decided that I would be moving to
12 St Joseph's, so I did know that I was going there,
13 before actually ... yes.

14 Q. If we can then look at your time in St Joseph's,
15 'Monty'.

16 How old were you when you arrived at St Joseph's?

17 A. I believe I was eight, because something sticks in my
18 mind that I had my ninth birthday there, not long after
19 moving to Joe's.

20 Q. How long did you spend there?

21 A. I was there from 1979 to 1986, seven years.

22 Q. Were you 15 when you left?

23 A. Yes, I believe so.

24 Q. Who ran St Joseph's? Who was in charge?

25 A. It was run by the De La Salle Brothers. Most of them --

1 all of them, apart from one of them, stayed on the top
2 floor of the main building. They actually run the whole
3 place, although they had SNR [REDACTED] that ran the
4 schooling.

5 Q. Was there a particular Brother SNR [REDACTED] when you got
6 there?

7 A. Yes, SNR [REDACTED] of the Brothers, I think it was
8 Brother -- oh, I can't actually mind --

9 Q. In your statement, 'Monty', you mention
10 a Brother MJG [REDACTED] ?

11 A. That's who was SNR [REDACTED]. Brother MJG [REDACTED] was SNR [REDACTED].
12 He [REDACTED] and Brother MBU [REDACTED] [REDACTED].

13 Q. During your time there the Brother that was SNR [REDACTED]
14 [REDACTED], from Brother MJG [REDACTED] to Brother MBU [REDACTED] ?

15 A. Yes.

16 Q. The headmaster of the school, who was that?

17 A. I think his name was Roachford, I'm not sure, don't
18 quote me on that.

19 Q. Was he a civilian, not a Brother?

20 A. Well, he was actually a Brother, but he left the
21 Brotherhood, got married, I think he had a kid as well.
22 So he had left there and I think he was staying in
23 Longniddry or somewhere like that.

24 Q. Can you recall how many boys were at St Joseph's when
25 you arrived there?

1 A. No, but I'll say there's at least -- I'd say there's
2 about 16 to 20 in my cottage and there was four
3 cottages. They would have been the same, Savio, maybe
4 a wee bit less than the other two cottages, so
5 altogether I'd say about 80 people, 80 kids.

6 Q. All boys?

7 A. Aye, there were no girls.

8 Q. The age range, 'Monty', if you were eight and you had
9 your ninth birthday there, were you among the youngest
10 of the boys?

11 A. I was, aye, I was probably the youngest that's ever
12 walked in there, they said. Most of them, I mean they
13 were there until they were 15, something like that.

14 Q. You have mentioned already that you were in a cottage.
15 Were the boys divided up when you got there and lived in
16 different cottages on the site of the school?

17 A. Yes, there were four cottages. I was in Ogilvie.

18 Q. Was there a particular Brother who lived in Ogilvie
19 cottage?

20 A. Yes, we called him Brother Ben, his right name was
21 Michael Murphy.

22 Q. He had a bedroom in the cottage?

23 A. At the top of the stairs, to the right, there was
24 a door, that was his wee flat. The rest of the
25 corridors were dormitories. There were two singles,

1 I think, and you had your toilets and showers up there
2 as well.

3 Q. Can you help me with this, 'Monty', was your cottage
4 boys of the same age or was it a range of ages?

5 A. Ranges of ages, aye.

6 Q. What was Brother Benedict's role within the cottage?

7 A. Well, he was basically ken like when you were in the
8 sitting room, he'd stand at the door and watch you,
9 basically. They had to have somebody watching you all
10 the time. You see, that was his role in the cottage
11 basically, ken.

12 Q. Was there lay staff who also --

13 A. Yes.

14 Q. Did any lay staff live in the cottage?

15 A. There was only one other member that lived in the
16 cottage. We called her 'Ma [REDACTED]', Mrs [REDACTED]. She
17 stayed on the bottom floor. She had her own flat, but
18 there was breakfast and supper and dinner. She'd always
19 be about. She'd make it. We'd all help with the dishes
20 and all the rest afterwards.

21 Q. You mentioned earlier in your evidence that you had
22 a social worker when you were younger, Shona Stephenson?

23 A. Yes.

24 Q. Did she continue to have an involvement with you when
25 you were at St Joseph's?

1 A. Yes. Now and again she'd come and talk and -- but not
2 very often, ken. I think you actually had a social
3 worker in the place, a key worker.

4 Q. Do you remember the name of the social worker you had
5 within St Joseph's itself?

6 A. Pa Glen, I think his name was.

7 Q. What was his role as a social worker in relation to you
8 when you were in there?

9 A. I think he wrote reports on you and stuff. If you had
10 any problems and that I suppose he'd ask you about them
11 or try to help you and that. Now and again they'd get
12 you into a wee office in the main building on the ground
13 floor, they had like wee cabin sort of things, ken,
14 partitions and they all had different -- boys had
15 different social workers that could go in there and
16 talk, whatever.

17 Q. Aside from your external social worker, if I can call
18 her that, Shona Stephenson and the social worker you had
19 on site, do you recall anyone else coming into the
20 school, like inspectors or anybody coming to look at the
21 place, that kind of thing?

22 A. No, not inspectors.

23 Q. I'd now would like to come on to that part of your
24 statement, 'Monty', where you tell us about -- you tell
25 us about three people in particular who you had some

1 difficulty with when you were at St Joseph's.

2 A. Aye, staff members.

3 Q. You mention Mr MHC ?

4 A. Oh, aye.

5 Q. Mr MJK ?

6 A. Yes.

7 Q. And Brother Benedict?

8 A. Yes.

9 Q. First of all, 'Monty', can I just explore with you
10 something. You say that otherwise the Brothers and
11 staff were nice?

12 A. All the Brothers and staff were nice. I mean, you had
13 some good teachers there, but the three that I mentioned
14 were the three that were abusing folk. That's why
15 I've mentioned their names.

16 Q. Otherwise, I think for example in relation to the
17 Brothers, you say:

18 'The Brothers, including Brother MBU ,
19 Brother MJG , Brother Cuthbert, were nice, well spoken
20 and had nice manners.'

21 A. Yes.

22 Q. Did you have positive interactions with those Brothers?

23 A. Aye, every time they were fine, easy to talk to, no
24 problems.

25 Aye, it was just Brother Ben that was the problem.

1 Q. If we now come on to look at Brother Benedict, 'Monty'.
2 You do give us some information in relation to him
3 in your statement.
4 A. Yes.
5 Q. First of all, can we look at discipline and punishment.
6 How did Brother Benedict discipline or punish boys if he
7 saw that to be fit?
8 A. Well, there was a couple of ways.
9 Sometimes if there was boys fighting in the sitting
10 room or even arguing, he'd get them out and fight
11 underneath the stairs, make them fight. Anybody that
12 was just disruptive themselves, he had birch and the
13 cane, you'd get that from him.
14 Q. The first example you gave, did you say if there were
15 boys fighting he would take them out?
16 A. Well, if there were folk arguing in the sitting room,
17 he'd say, 'Right, you two up', he would take them out
18 the sitting room and into the corridor underneath the
19 stairs and the two would fight there.
20 Q. What would he be doing?
21 A. Standing watching. Making sure there was no kicking
22 when they went down, ken. They were to stand and fight
23 like that. (Indicating)
24 Q. If a boy, a single boy, you said, was kicking off can
25 you tell me again what he would do?

1 A. Sometimes they'd take you and put you in a room and try
2 and calm you down, but other times if they weren't
3 calming down he'd go in there with a birch and stuff or
4 the cane and beat them. But I mean he was a big, strong
5 man. I mean he battered me twice, ken.

6 Q. I'll come and look at those occasions in a few minutes.
7 When you say boys would be removed and taken into
8 a room. Would you witness what happened in that room or
9 would you hear it or is this something you heard about?

10 A. I would hear it, ken. Unless you actually walked into
11 the room and actually saw it -- I have saw it a couple
12 of times, ken. It wasn't just a room -- there were two
13 rooms. There was like a wee library away in the corner
14 and the other off the sitting room was a music room.
15 And if he had taken you away into the corner you
16 wouldn't see what happened, ken, but if he took you into
17 the music room you could see what was happening.

18 Q. What did you see happening in the music room?

19 A. I saw loads of guys getting hit with the cane and that,
20 ken.

21 Q. Who was hitting them with the cane?

22 A. Brother Ben.

23 Q. When he would hit them with a cane, can you describe the
24 cane?

25 A. Well, it was just like a normal cane that you'd get in

1 your garden, you'd tie your vegetables to and all the
2 rest and that.

3 LADY SMITH: The sort of bamboo cane --

4 A. Yes, bamboo cane, sorry, aye.

5 LADY SMITH: -- used to tie plants up?

6 Thank you.

7 MS MACLEOD: Where on a boy's body would the --

8 A. Well, he'd ask them to bend down sometimes and whack
9 them on their arse, ken.

10 Q. Over their clothes?

11 A. Aye, yes, yes.

12 Q. Did you see that happening?

13 A. Yes, I saw it happen a few times.

14 Q. Were there any other parts of a boy's body that you saw
15 being hit with the cane?

16 A. There was a time, this guy was getting hit with it on
17 his back. They told him to take his shirt off, but it
18 wasn't the cane they hit him with, it was birch. He had
19 three types. The cane, birch -- willow I think the
20 other one was. I remember him telling me the three
21 different types of thing he had.

22 Q. The boy telling you?

23 A. No, Brother Ben telling me.

24 Explaining to me this is cane, this is birch and
25 I think this was willow, he had three types.

1 Q. Can you just explain to me the circumstances in which he
2 was telling you about this, 'Monty'? Where were you
3 when he was telling you this?

4 A. Bottom of the stairs, ken. I think it was after
5 somebody had been punished, ken, he says, 'You don't
6 want this then'. Right, didn't want any of them.

7 Q. On the occasion where you mentioned that a boy had been
8 hit on the back, did you see that happening?

9 A. Yes.

10 Q. What exactly did you see?

11 A. He was told to take off his shirt and he did and he was
12 told to put his hands up against the staircase, he went
13 like that, and he was to put his hand underneath the
14 stairs. He was told to put his hand up and I think it
15 was the birch that was ken -- had a few of them and he
16 has whacked him a few times with that. He has stood
17 there and taken it.

18 Q. Just to be clear, who was hitting the boy in this way?

19 A. Brother Ben was.

20 Q. You have mentioned already, 'Monty', and you talk about
21 it in your statement, you say:

22 'Brother Benedict battered me on a couple of
23 occasions.'

24 A. Yes.

25 Q. Can we just look at that?

1 A. Yes.

2 Q. Can you tell me about the first time that happened; how
3 old were you?

4 A. I can't actually mind how old I was, ken, but after your
5 dinner, your tea, you go to activities at 6 o'clock,
6 6 pm to 8 pm I think it was. You had to leave the
7 cottage and go to the main building, you would all meet
8 up and you had different activities, whether it was
9 five-aside football, up to the gym or Brother Ben's
10 Club.

11 If he was waiting taking you to the cottage, when
12 you got out of there you were all going to Brother Ben's
13 Club, so you didn't have a choice then.

14 One time we left the cottage, I had a bit of paper
15 in my hand and the bucket was right on the edge of the
16 field and I was going to that to put the paper in the
17 bucket and he shouted us back three times and when
18 I went back he battered us. I mean, he punched us,
19 kicked us, and then he got his hand on my head like that
20 and dragged us backwards. I was going backwards like
21 this, getting, you know, in a chair, he dragged us right
22 across the yard, the whole yard of the square.
23 Everybody saw it. Everybody in my cottage.

24 Q. He dragged you back by the hair?

25 A. Right there, aye.

1 Q. And once he dragged you, what happened?

2 A. I think he still had some hair in his hands. I tell the
3 staff and that. They were all asking -- everybody was
4 asking what had happened. I tell them what happened.
5 Everybody else saw in my cottage what had happened, ken.

6 Q. Did you fall on to the ground during this process?

7 A. To start with, oh, aye. He punched us, he kicked us.
8 I was on the deck when he was kicking us. He never
9 kicked us in the head. He kicked us in the body and the
10 legs. I'm sure he even stood on me, on my legs. But
11 the last thing I remember was him grabbing my head when
12 I was on the deck and dragging me right across the yard,
13 ken.

14 That was the first time he beat me, ken, severely.

15 LADY SMITH: How long had you been at St Joseph's by then,
16 approximately?

17 A. At least a year or two. It's hard to remember.

18 LADY SMITH: Of course. I understand, and you were there
19 a long time. But you were still quite young at that
20 point?

21 A. Oh, aye, aye. I think that was his way of teaching me
22 to do what he tell. I think it was because he asked
23 three times for me to come back and I was trying to
24 explain I was just putting the paper in the bucket. But
25 that's what I got bettered for and I couldn't understand

1 that, ever. Even to this day.

2 LADY SMITH: Thank you.

3 MS MACLEOD: The second time, a similar thing happened, can
4 you tell me about that?

5 A. Yes. During the summer, if you were kept back, you
6 would do work cutting grass, the allotments and all the
7 rest.

8 Q. Kept back at a weekend?

9 A. Yes. If you were kept -- ken, if you misbehave that was
10 one way of them punishing you to keep you back. We were
11 working in the summer in the big field, cutting down
12 nettles. They had this machine, two big wheels. It was
13 like a hedge cutter on the ground and you could walk
14 forward with it.

15 There was a guy there, he was mucking about with it
16 when we were having a break and he kept on doing this
17 and I was wondering what he was doing and I went up and
18 asked him and he was pushing this wee thing, the pump
19 was and he was getting petrol and he was putting it on
20 his sleeve and inhaling it. It was a buzz and that,
21 ken.

22 He says, try it. So I tried it. Brother Ben saw me
23 doing that and that's when he attacked us. I could
24 understand me getting a doing for what I was doing, but
25 I never done anything wrong the first time when I put

1 paper in the bucket. This time I could understand why
2 he hit us.

3 Q. What did he do, what did Brother Benedict --

4 A. The first thing, he has grabbed us, put us on the deck
5 and shouted at us, 'What you doing?' And all the rest
6 and as soon as I got up he slapped us. I went down
7 again. I remember him picking me up and chucking me on
8 the ground, ken, but it was grass. It wasn't ken like
9 the yard.

10 Q. I think you tell us the first time it was concrete
11 yard --

12 A. A yard, yeah.

13 Q. -- this time it was grass?

14 A. Aye.

15 Q. On this occasion that we're talking about on the grass,
16 was he punching you?

17 A. Slapping us. I can't mind if he punched us or not.
18 I just ken it was sore. He was that strong, ken. He
19 didn't need to punch me.

20 Q. Did he use his feet at all?

21 A. When I was on the deck, aye. He stood on us, ken, it
22 was like, 'You're staying there, you're not going
23 anywhere'. He done that the first time in the yard,
24 ken.

25 Q. In your statement I think you said that he had big boots

1 on?

2 A. Yes. I remember -- well, it wasn't boots, it was
3 Dr Martens shoes, I'm sure he always wore them. They
4 were all polished, gleaming. I remember them.

5 Q. Were you injured as a result of either of those
6 incidents?

7 A. Yes. I went to -- they had a matron and all the rest.
8 I was sent to see them. Matron gives you a couple of
9 aspirin and that was that.

10 Q. On both occasions did you go to see the matron?

11 A. No, the second occasion I couldn't have, because it was
12 during the summer time. They'd be on holiday. So I had
13 nobody to see, nobody to tell at that time. All the
14 staff, most of the kids were away.

15 Q. The first time then, after the first occasion you told
16 me about, did the matron ask you what had happened to
17 you?

18 A. Yes.

19 Q. What did you say?

20 A. I tell her, it was Brother Ben, he attacked us, ken.
21 I tell all the staff this, ken. Everybody. The whole
22 school knew it, because -- well, everybody in my cottage
23 saw it happen, ken. But nothing was ever done about it,
24 as usual. I even reported it to the police when I ran
25 away and nothing got done about it and that's when

1 I thought, right, I can't do anything, ken.

2 Q. Indeed, we can look at that now, 'Monty'.

3 You tell us that you ran away from St Joseph's on

4 a number of occasions?

5 A. Yes.

6 Q. In particular, that one of them was after being beaten

7 by Brother Benedict?

8 A. Yes.

9 Q. Were you caught by the police?

10 A. Oh, yes, aye.

11 Q. And brought back to St Joseph's?

12 A. Yes.

13 Q. What happened when you were in Brother MJG's office?

14 A. Well, I tell Brother MJG, there was two policemen

15 there. I was telling the three of them when I was in

16 the office but nothing --

17 Q. What did you tell them?

18 A. I told them that Brother Ben had beat us up in the yard

19 and that's why I ran away.

20 I also tell them that everybody in my cottage saw it

21 as well, but nothing got done.

22 Q. I think you have mentioned this already, but did

23 Brother Benedict run a club in the school?

24 A. Yes. Brother Ben's Club. It was part of the activities

25 between 6 pm and 8 pm. He had a room, buildings at the

1 far side of the grounds. When you went into his club
2 you had a pool table, you had an air hockey table, you
3 had a wall full of TVs. Behind his wall he had a desk,
4 DJs, ken, stuff and records. You could ask, request
5 a song or record.

6 He had wee booths with headphones. You could go and
7 sit and listen to music. You had a wee train set as
8 well you could play with. At the end of the
9 Brother Ben's Club, before you went back to your
10 cottage, he would bring out this wee wooden box and he'd
11 open it and it had two brass handles in it, with copper
12 wire attached.

13 One person would hold it and you would be in
14 a circle round the pool table and you'd all hold hands
15 and he'd wind up this box and it felt like your wrists
16 were breaking. It was almost like you were glued to
17 each other with electricity going through you.

18 I had to push myself away to break off from the pool
19 table and the folk holding me as well but some folk were
20 just ken wouldn't let go of you, ken. It was really
21 painful on the wrists it felt like my bones were
22 breaking in my wrist.

23 Q. Did there come a point when you started to refuse to do
24 it?

25 A. Yes, yes. Aye, I refused a few times, but I was told by

1 the boys, because some of the boys liked this. They
2 wanted to see how much pain they could take, electricity
3 and whatnot. I was told by them that there would be
4 a kangaroo court for me when I got back to the cottage,
5 and I had loads of them, pal, ken. The kangaroo court
6 consisted of when you went up the top stairs to the
7 dormitories, both lads would line the corridor, both
8 sides and you had to run through it and they'd kick you,
9 punch you, ken, as you went. But the worst thing they
10 could do was trip you up, because once they tripped you
11 up they would kick you when you were on the deck, ken.

12 So I took the electric shocks rather than take the
13 kangaroo court.

14 I remember there were times I ran away and when
15 I came back everything seemed all right to start with
16 and then they'd turn round and say, 'Oh, you ran away,
17 you let the cottage down', ken. I'd be last going up
18 the stairs and they'd be waiting for me. Brother Ben
19 would be behind the door at the top of the stairs
20 through his spyhole and he would have saw this. It
21 would have been him -- sometimes he organised it.

22 Q. He would organise what you are calling the kangaroo
23 court?

24 A. Yes. Yes. I know he did.

25 Q. How do you know he did?

1 A. Well, it was like boys would run away, some boys would
2 run away, nothing -- no kangaroo court. If you had
3 a reason for running away, ken, but if you just ran away
4 for no reason that's when you got your kangaroo court,
5 you see, and the only thing that would decide that would
6 be Brother Ben.

7 I mean, he could have put a stop to all kangaroo
8 courts if he wanted to, because he was there watching
9 you. And when he wasn't there, ken, he was behind his
10 door spying, ken, and watching you.

11 Q. Are you saying sometimes he was behind the door and
12 sometimes he was actually there?

13 A. No -- well, no, he would never actually stand there.
14 You see, he'd just go through the door, shut the door
15 and look through the spyhole and that gave you the whole
16 view of the corridor.

17 Q. Can I ask you now, 'Monty', about Mr MHC .

18 A. Yes.

19 Q. What was his role in the school?

20 A. He was a teacher in the main building. The first day
21 I went in. You were told where to go, sit down, this is
22 your desk and all the rest and that. Then he'd open up
23 the cupboard and ask you to come over and he had like
24 a big demijohn jar and had the handles, big glass jar,
25 this size, he would take the cork off and he'd ask you

1 to sniff it and as soon as you sniffed it, it burnt your
2 sinuses. It was ammonia. It was clear liquid. As soon
3 as you sniffed it, it would burn your sinuses.

4 Folk come in, everybody got this ... that came into
5 his class. I've seen them sniffing it and actually
6 passing out, ken.

7 LADY SMITH: 'Monty', at the time did you know that it was
8 ammonia?

9 A. No, because when you go in and they say, 'Sniff this',
10 you didn't ken. I thought it was water. I thought,
11 ken, what is he asking me? So I went to sniff it and
12 woah, ken.

13 LADY SMITH: When did you realise that the liquid was
14 ammonia?

15 A. The second I sniffed it, pal. Ken, and I burnt my
16 sinuses, ken, my head was dizzy and then when I saw
17 other boys coming to the class and I seen what it was
18 doing to them as well.

19 LADY SMITH: Thank you.

20 MS MACLEOD: When would this happen to a boy? What would
21 lead to a boy being asked to smell this?

22 A. This was like for the their first day. As soon as they
23 came into the class he thought it would be fun to see
24 their faces when they sniffed it.

25 Q. Did Mr MHC have blackboard dusters?

1 A. Yes, he had two of them, but they didn't have any
2 padding on them and he actually named them, 'Wee Eck'
3 and 'Big Bob', because he had a big duster and a wee
4 duster.

5 Q. When you say they didn't have padding on them, does that
6 mean the softer part was removed and it was just the
7 wooden part that was left on the duster?

8 A. Yes, basically just a block of wood, aye, without the
9 padding. They were actual dusters, but the padding had
10 been stripped off them. And he named them 'Wee Eck' and
11 'Big Bob', and if your head wasn't down working, you
12 used to get them sconed on your head, ken, but there was
13 other times he'd get up and he'd walk behind you and
14 smack you on the back of your head. Sometimes he has
15 bounced my head off the desk and everything. I've seen
16 him do that to several folk, loads of people.

17 Q. Were you hit by either of the blackboard dusters?

18 A. Oh, aye. You would see them coming. They'd normally
19 bounce off your head, ken. Sometimes you got cut here
20 and there, ken, but most of the times they just bounce
21 off your head.

22 Q. Did you see other boys being hit by the dusters?

23 A. Oh, aye, just about everybody in his class got it.

24 Q. You mention in your statement an occasion when you
25 recall a boy, we don't need the boy's name, stood up to

1 Mr MHC ?

2 A. Yes.

3 Q. What happened there?

4 A. Well, he came into his classroom, this guy has refused,
5 'No, I'm not sniffing nothing, ken', and sit down at his
6 desk and next thing the two are arguing and he goes,
7 'Look, I'm not here to take your abuse and you're not
8 here ... and don't think you're going to threaten me'.
9 The next thing you ken MHC says, 'Do you want to
10 take this to the headmaster?' And the boy said, 'Yes',
11 and the two of them got up and left the room and when
12 they're out in the corridor inside the classroom you had
13 a window, and it was like the kind of frosted glass you
14 get in a toilet so you can't actually see right through
15 it.

16 It was one of those. All you heard in the corridor
17 as soon as they got out was, 'You back stabbing
18 bastard', and I heard this from the boy, ken, so I
19 figured -- I couldn't see it, I figured Mr MHC had
20 back stabbed him, attacked him from behind.

21 Q. Was this a new boy who had arrived in the class?

22 A. Yes, I think that was his first day.

23 Q. Did any other staff become involved in this?

24 A. Yes. With the commotion out in the corridor the
25 headmaster -- he was shouting for the headmaster, that's

1 where they were going to. That's just up the stairs at
2 the end of the corridor. He came down and all I heard
3 was Mr MHC saying that he attacked him, but
4 everybody in the classroom would have heard different.
5 Q. When you say Mr MHC saying that he had attacked
6 him?
7 A. Aye, so Mr MHC basically saying, 'Look, I've done
8 this to him to defend myself', but we all heard the
9 other guy saying, 'You back stabbing bastard', so we ken
10 Mr MHC had attacked him from behind.
11 Q. Was this Mr Roachford, the headmaster?
12 A. I think that was his name, I can't mind his name.
13 Q. Can I ask you now about Mr MJK ?
14 A. Aye.
15 Q. Did he have a nickname?
16 A. 'MJK', he was a metalwork teacher, that is why we
17 gave -- normally because we called him MJK was
18 because he threw hammers at you.
19 Q. Did he throw a hammer at you?
20 A. Oh, aye, loads. Most of the time he'd throw hammers at
21 your bodies, your legs. Most of time. I have seen him
22 throw hammers at other folks' heads and missed them by
23 fractions and I think a young guy got caught in the
24 head, but it wasn't with a hammer, but it was the wooden
25 bit and it bounced off.

1 Q. What would lead Mr MJK to do this?

2 A. Well, if anybody gave him any crap the first thing
3 coming his way would be a hammer. Other times if they
4 were destroying a bit of machinery or something like
5 that, ken, he'd go for his head.

6 LADY SMITH: When you are talking about hammers, are you
7 talking about sort of hammers we probably all have in
8 our homes, that are about 30cm long with a metal head on
9 them?

10 A. Yes, but they weren't called hammers, they were
11 ballpoint hammers, round on one side, flat and round the
12 other side. That was the hammers he used.

13 LADY SMITH: The point is still it's something that has
14 heavy metal at one end --

15 A. If it hits you in the leg you can feel it.

16 LADY SMITH: It would enable you, for example, to bash
17 a nail into wood or a nail into the wall?

18 A. Yes.

19 LADY SMITH: Thank you.

20 MS MACLEOD: When you were around 15, 'Monty', you tell us
21 that there came a time when you left St Joseph's --

22 A. Yes.

23 Q. -- having been there for quite a number of years.
24 Did you spend some time at home living with your
25 parents?

1 A. Yes.

2 Q. Did the Social Work Department become involved with you
3 again?

4 A. Yes.

5 Q. You tell us that you spent some time in Danderhall
6 Hostel in Edinburgh?

7 A. Yes.

8 Q. That you left there when you were 16?

9 A. Yes.

10 Q. You tell us in your statement about your life after
11 care. You tell us you had a variety of jobs and you
12 also tell us about your family life.

13 A. Yes.

14 Q. Can I now turn to that part of your statement where you
15 talk about the impact that you consider that your time
16 in care, particularly St Joseph's, has had on your life.

17 If we just look at paragraph 152 of your statement,
18 you say that the worst thing at St Joseph's was the
19 violence?

20 A. Oh, aye, aye, because it wasn't just the staff. I mean,
21 you got violence from the kids. There could be -- one
22 time I was walking through a corridor and the guy was
23 walking through the door the other way and before you
24 ken, just as I was passing he stubbed a fag out in my
25 face, right in my cheek, ken.

1 The kids were the worst, though, ken.

2 Q. Do you think about your time in St Joseph's quite a lot?

3 A. Recently, yes.

4 When I first left and that I just wanted to forget
5 it, ken, and get on with my life and all the rest and
6 that, but just recently I've been thinking about it,
7 ken.

8 Q. You say in your statement that you try to think of the
9 good times at St Joseph's?

10 A. Oh, aye. I do remember there -- St Joseph's had some
11 really good teachers. Mr GFJ, I've got to name him,
12 because I thought he was the best. He always had
13 a laugh in his classroom. Activities at night, he'd
14 take you fishing and stuff, ken, and ferreting and get
15 you out and about in the countryside and that. And that
16 felt really good, ken.

17 He'd take you camping as well. They had a camp.
18 That was brilliant. I think I got camper of the year
19 one year.

20 LADY SMITH: Where was the camp?

21 A. Down by Peebles, ken, just outside by Peebles on the
22 road to Innerleithen, there was a farmhouse -- I think
23 there's a big hotel down there now, The Cardrona. It
24 was just in those fields right next to the river.

25 LADY SMITH: You were right out in the countryside?

1 A. It was brilliant. They put on activities like
2 orienteering but with blindfolds, so it was fun, aye.

3 MS MACLEOD: One thing you tell us, 'Monty', is that having
4 your son has changed your life.

5 A. Definitely, definitely. Before my son came along I was
6 drinking, smoking, all the rest and that, ken. Really
7 didn't have a care, ken. A lot of folk when they left
8 Joe's didn't really have a care, ken, but when my son
9 came along everything changed for me.

10 My wife didn't meet her (indistinguishable), all it
11 needed was my boy, ken.

12 Q. In the section of your statement headed 'Other
13 information', what you say is at paragraph 157:

14 'When I was in care, kids had social workers and key
15 workers, but they didn't ask questions.'

16 A. That's right.

17 Q. You say:

18 'They would ask about school work and general
19 questions, but not if I was having any trouble.'

20 A. That's right. You see, when you did have trouble you
21 could tell the staff but nothing got done about it, so
22 you thought nothing's ever going to get done. So you
23 didn't really mention it.

24 Q. In the penultimate paragraph of your statement you say
25 that you would like the Inquiry to do something to help

1 children in the future, so that they will have a better
2 life and not be abused?

3 A. Yes.

4 Q. You say:

5 'If children are abused then there should be ways
6 that kids can say something.'

7 A. Aye. Ken, like if other -- wherever they are, like if
8 they are in an assessment centre or anything like that,
9 maybe they should have a sign on the wall, any staff or
10 kids are abusing you, report it to so and son, ken.

11 Q. Is there anything you would like to add to what you've
12 said, 'Monty'?

13 I don't have any other questions I'd like to ask
14 you, but feel free to say anything you would like to
15 say.

16 A. As I said, there was good times and bad times in that
17 place, ken. I try to remember the good times, ken. The
18 bad times, everybody wants to put at the back of their
19 mind and move on.

20 I just hope that, ken, in the future for kids that
21 are in care, wherever they may be in that, that they're
22 not getting abused, ken, like we did, ken.

23 MS MACLEOD: Thank you, 'Monty', and thank you for coming
24 today to give your evidence to the Inquiry.

25 A. No problem.

1 MS MACLEOD: My Lady, I don't have any applications for
2 questions for 'Monty'.
3 LADY SMITH: Thank you.
4 'Monty', could I add my thanks for your written
5 statement, for everything you've given us today and
6 bringing to life some of your memories and for being so
7 fair. That's not lost on me.
8 Everything you've told me is really helpful for the
9 work we're doing here. Thank you for that, I can now
10 let you go back out into the storm.
11 A. Brilliant. Thanks very much.
12 LADY SMITH: Thank you.
13 (The witness withdrew)
14 MS MACLEOD: My Lady, I think there is time for a read-in.
15 LADY SMITH: Which one shall we do?
16 Mr MacAulay is going to tell us where we are going.
17 MR MACAULAY: Yes, my Lady, this is an applicant who wants
18 to remain anonymous and he wants to use the pseudonym
19 'Thomas'.
20 'Thomas' (read)
21 MR MACAULAY: 'Thomas' was born in the year --
22 LADY SMITH: Do we have a reference?
23 MR MACAULAY: Of course, that's at WIT.001.002.6691:
24 'Thomas' was born in the year 1957.
25 Quite a number of passages from his written

1 statement have already been read in in the first
2 chapter, on 17 November 2023.

3 In particular his life before care has been read in.
4 In short he had an unhappy family background and was
5 playing truant and stealing.

6 He was in an establishment before he went ultimately
7 to St Joseph's in Tranent.

8 He begins mentioning St Joseph's at paragraph 30:

9 'I think it was the probation officer, David Hunter
10 who took me to St Joseph's. When we got there we went
11 through the gates and I was then taken to see
12 Brother MJF, who was SNR.'

13 This is probably 1970 when he was aged 13.

14 LADY SMITH: 13, yes.

15 MR MACAULAY: 32:

16 'There were about 120 boys in St Joseph's and the
17 place itself was massive and run by the
18 De La Salle Brothers. The ones I remember were Brothers
19 Benedict, MJF and MJG, who was SNR and
20 was the one who meted out the punishment. There was
21 also Brother MBZ.

22 The Brothers I have named are the only ones
23 I recall, but there must have been others. There were
24 also civilian staff, including Mr Clayton who taught
25 English, Mr GVX who was the woodwork teacher,

1 Mr MJK who taught metalwork and Mr McCallum, the PE
2 teacher.'

3 He goes on to mention some other names.

4 He then talks about the set-up and at 36 he says:

5 'There were two other cottages on the grounds,
6 called Savio House and Ogilvie House. These houses held
7 boys being prepared for release or who were of exemplary
8 behaviour, after a year I was put into Ogilvie House,
9 which was run by ...'

10 He mentions the couple who ran that particular
11 establishment.

12 He then talks about the routine, including the
13 schooling, matters such as health, trips and recreation
14 and religion.

15 Then at paragraph 51 he says:

16 'I didn't get any visitors while there and I don't
17 recall anybody ever getting a visitor, though that was
18 probably because most got home for the weekend.
19 Sometimes I didn't get home for months at a time because
20 I hadn't achieved the necessary 30 points.

21 I didn't get any visits from social workers and if
22 there were any official visitors who inspected the place
23 then it was something I was not aware of.'

24 He says he never ran away.

25 Then, reading on from paragraph 54:

1 'If you had wet your bed you had to take your wet
2 sheets down to the kit room, having to walk by all the
3 other boys as you did. They would call you "stinky" and
4 it was really humiliating.

5 If you said you hadn't wet the bed when you had,
6 then whichever Brother was on duty would punch and kick
7 you for lying. This happened to me two or three times
8 a week until I stopped wetting the bed. I think
9 I stopped out of fear of being further assaulted.

10 There was a point system whereby every boy started
11 off with 20 points and if you got to 30 points you were
12 allowed home at the weekend. They would add points for
13 good behaviour, but also deduct points for anything
14 deemed to be of bad behaviour.

15 You would also be given the belt for certain
16 offences like swearing, smoking or fighting. Basically
17 you could get the belt for anything they thought you did
18 that was breaking some rule or other.

19 Brother MJF, SNR, was all right
20 but life in general at St Joseph's was horrible. You
21 couldn't wait until you got home for the weekend.

22 If you had a complaint you took it to your
23 housemaster. On one occasion, I had been beaten up by
24 Brother MBZ in class simply because I struggled to do
25 my sums. He punched, kicked and slapped me as if I was

1 an adult calling me "thick bastard". He hit me wherever
2 he could and I was bruised to bits. Not my face, he
3 wasn't daft.

4 So I complained about this to my housemaster, who
5 said he would record the incident. The next thing
6 I knew I was called to see **SNR**,
7 Brother **MJG**, who gave me six of the belt in front of
8 Brothers **MBZ** and Benedict for making false
9 accusations. It was agony.

10 My housemaster also deducted points from me and
11 I had to get up at 5 am to go to chapel and repent.
12 I also wasn't allowed to go home, which all meant that
13 I was punished in four different ways for something
14 I hadn't done, as the accusations I had made against
15 Brother **MBZ** weren't false. They were true.

16 Because of the way I was treated that became the
17 only occasion I ever complained after being assaulted by
18 a member of staff.

19 Mr **MJK** was the metalwork teacher and would whack
20 you on the backside over your shorts with a metal ruler,
21 which was extremely painful. The woodwork teacher,
22 Mr **GVX**, did the same, only he used a length of
23 wood. That sort of stuff happened every day to one boy
24 or another.

25 If Brother Benedict caught you talking in the ranks

1 he would batter you in the ribs with his knuckles. The
2 civilian staff stood and watched this but did nothing
3 about it. He used to also have two brass bars that he
4 would get you to hold in each hand. He would then wind
5 this machine up and give you an electric shock.

6 This happened on a regular basis every week and was
7 extremely painful and made you nauseous. I would be
8 sick after each time it happened to me. He did it to
9 all the boys.

10 Brother Benedict was probably the most evil of the
11 Brothers and I often saw boys crying and when you asked
12 them what had happened they would say, "It was that
13 Brother Ben", which was how the boys referred to
14 Brother Benedict.

15 Brother MJF was all right and was sympathetic to
16 us. He showed us empathy and kindness but was the only
17 Brother in St Joseph's that I would describe in such
18 a way. He died about six years ago. The rest of the
19 Brothers were dreadful and made our time at
20 St Joseph's's one of humiliation and degradation.

21 After being in St Joseph's for just over a year,
22 I was put into Ogilvie House run by [the couple], one
23 day Brother MJF called me down and told me that they
24 had found my mother and he asked me if I was willing to
25 stay with her. I immediately said yes and then he told

1 me I would be getting home the next day.'

2 Can I say that and how he came to leave St Joseph's
3 has already been read in.

4 He ends up in Glenochil. Again, how he came to find
5 his way into Glenochil has been read in, as has his
6 experience when he was there.

7 Then in paragraph 87 he talks about life after care,
8 that he became an alcoholic, that he ended up in borstal
9 and also in jail.

10 Again, most of that has been read in, but what has
11 not been read in before is what he says about lessons to
12 be learned. That's at paragraph 94. I'll read that:

13 'No child deserved to be brought up in such
14 conditions. They said that what we got was corporal,
15 but it wasn't, it was child abuse. Children shouldn't
16 be treated like that. Things have improved as in those
17 days Children's Panels were punishment exercises, now
18 it's about rehabilitation.

19 Things can be further improved by the proper
20 inspectors being sent in regularly to these places and
21 the proper records of such visits being kept. Children
22 should be treated with respect and be seen as human
23 beings.'

24 He ends by saying:

25 'I have no objection to my witness statement being

1 published as part of the evidence to the Inquiry.

2 I believe the facts stated in this witness statement are
3 true.'.

4 'Thomas' has signed the statement on 13 June 2019.

5 LADY SMITH: Thank you.

6 If we have to break and resume at 2 o'clock we can
7 do that.

8 MS MACLEOD: Thank you, my Lady.

9 'Toby' (read)

10 MS MACLEOD: This is the statement of an applicant who
11 wishes to remain anonymous and use the pseudonym 'Toby'.

12 His statement is WIT.001.001.1398:

13 'My name is 'Toby'. I was born in 1963. My contact
14 details are known to the Inquiry.

15 The institutions I went to were Darvel in Ayrshire,
16 St Ninian's in Gartmore, St Joseph's, Tranent and
17 Merkland in Moffatt.

18 I was the eldest of five when my dad was diagnosed
19 with cancer in 1967, he was in and out of hospital and
20 was bedridden. He had always been the breadwinner of
21 the family and with dad being the way he was things were
22 very difficult for my mum.

23 I started to get into a wee bit of trouble with
24 petty thieving, but all I was doing was trying to put
25 food on the table. I would break into the bakery and

1 steal bread and cakes or steal from the butcher, simply
2 to help feed the family. The electricity even got cut
3 off, my mother had to cook on the fire in the house

4 I got caught stealing and got sent to the panel in
5 1969. I was eight years old. The panel decided that
6 things were too hard for my mum and that she would be
7 best helped if we were sent away. They said I was to be
8 sent away for between three to six months until they
9 decided how best to deal with me. I think they thought
10 I was trying to be the father of the family and put food
11 on the table by doing these mistakes. They sent me to
12 Darvel Remand Home in Ayrshire in 1969. My siblings
13 remained at home at that time, although they were later
14 taken into care.'

15 Between paragraphs 9 and 22 the witness speaks about
16 his time at Darvel Remand Home in Ayrshire.

17 I'll go to paragraph 23, page 4:

18 **Secondary Institutions - to be published later**, the
19 social worker, Stewart Sinclair, came to see me and said
20 that the panel had decided I should be sent to
21 St Ninian's in Aberfoyle. I wasn't told why I was being
22 sent there. I was only eight and wasn't involved in any
23 of the decisions that were being made about my life.
24 I remember being told it was a wonderful place, where
25 I would be even able to ride ponies and go swimming.

1 I remember arriving and seeing how big the place
2 was. It was massive. I could see ponies and big
3 gardens.

4 I was told that it was run by the
5 De La Salle Brothers of the Catholic Church. They took
6 me round the place and showed me school, showed me where
7 I would be taught, the bedrooms, where we could play
8 table tennis and games, the showers and so on.

9 St Ninian's was split into four houses which were
10 St Patrick, green, St Andrew, blue, St George red and
11 De La Salle, yellow. I was put into St Patrick House,
12 Brother GZQ was our housemaster. Charles McKenna was
13 connected with St George's House and Brother MJO was
14 connected to St Andrew's House. The teachers were
15 allocated to each house, as were the Brothers.

16 There were ten boys in each house. Our housemaster
17 was Mr GXC. He played the drums and taught me
18 how to play them. It sticks in my mind that he told me
19 he played the drums for [REDACTED].

20 My first impression as a kid was that the place was
21 okay. I had this horrible feeling of being far way from
22 home, but it seemed okay. I just thought just get on
23 with it and see what happens. I hadn't been told how
24 long I could expect to be there.'

25 Between paragraphs 30 and 48 the witness speaks of

1 various aspects of the routine and set-up.

2 I'll go to paragraph 49:

3 'One of my brothers was also in St Ninian's for at
4 least part of the time I was there and I was in touch
5 with him.

6 There was no set day for visitors and I think people
7 phoned ahead to make such arrangements. My mum only
8 visited me once while I was there.

9 The two occasions I got home I got the bus, driven
10 by one of the Brothers, to Glasgow then would walk down
11 to Central Station to get the train. If I was late back
12 and had missed the bus I would stay at St John's in
13 Glasgow, which was run by the same Brothers. If that
14 happened I had to phone St Ninian's and let them know.

15 I think people from the social work visited me on
16 two occasions. I think inspectors did come to the
17 school, but we wouldn't have known anything about it.
18 We would know somebody was coming because we would have
19 to clean the place up, though we wouldn't know who it
20 was coming.

21 The main disciplinarian was Brother **MJJ**,
22 though Brother **MJO** handed it out as well.

23 During the first few weeks I was subjected to a lot
24 of bullying by the older boys, who were mainly from
25 Glasgow. They would batter me and called me a teuchtar

1 because I came from Dumfries.

2 After only a few days I was beaten up pretty badly
3 and taken to SNR [REDACTED], who was called
4 Brother MJJ [REDACTED]. I was nine-years old and this was to
5 be the first time I recall that I was to be sexually
6 abused.

7 I was in Brother MJJ [REDACTED]'s office and he asked me
8 to sit on his knee and he grabbed my penis. He then
9 grabbed my hand and put it through his cloak and told me
10 to stroke his penis. He then pulled my shorts down and
11 started to put his finger up my bum.

12 The whole thing lasted about 15 minutes and he then
13 told me if I did what he said then he would sort out the
14 other boys who had beat me.

15 I think that in a way I knew what he was doing was
16 wrong but I felt helpless. After all, he was SNR [REDACTED]
17 SNR [REDACTED]. I felt that if I said
18 anything I would be punished, so I just did my best to
19 forget it which was easier said than done.

20 This abuse by Brother MJJ [REDACTED] became a regular
21 thing. I can't remember how often. It was quite
22 sporadic, but he would call me to his office for the
23 sexual abuse. He would give me sweets and tell me how
24 I was his favourite and that he would look after me.

25 Most of the Brothers were in their 50s and 60s. The

1 youngest was I think Brother HJS, who I believe is
2 still alive.

3 The next bit is the hardest part for me. It's the
4 thing that hurts me most. I've only ever told one
5 person about this.

6 The most horrific memory I have of Brother MJJ
7 was when my father died. We were at the summer holiday
8 camp at Kirkoswald when he took me aside to tell me that
9 my father had passed away. He told me he would take me
10 back to St Ninian's where I could get changed, that he
11 would then take me to the funeral and that I would be
12 able to spend some time with my mum and my family.

13 The funeral was very bad for me as it left me very
14 emotional and crying when they laid my father to rest.
15 I remember at the end of the funeral when we returned to
16 the car Brother MJJ spoke to my mum and insisted
17 that it would be better if he took me back to
18 St Ninian's and then he would take me back to the summer
19 camp in Kirkoswald.

20 By the time we got back to St Ninian's it was late.
21 He gave me some supper and told me to go to bed. I was
22 lying in my bed crying when Brother MJJ came into
23 my bed and cuddled me. He told me everything would be
24 all right. He started playing with my penis and then
25 raped me. The reason I don't talk about this is that it

1 hurts me so much inside. He used the fact that I was
2 upset by the death of my father to pretend to comfort me
3 but instead he raped me.

4 He and I were the only people in the home, as
5 everybody else was at Kirkoswald. I cried a lot and
6 thought about running away.

7 The next day he said he would take me to the summer
8 camp, but he didn't for two to three days. During that
9 time I have no recollection of him further abusing me.
10 We would have meals, go for walks, play table tennis and
11 go to bed. If anything else did happen then it's not
12 there in my recollections.

13 I was nine-years old and would have been
14 an emotional wreck thinking about my family, my father
15 and what happened with Brother MJJ . I hate to
16 think how hard it must have been for me to cope with
17 everything that was going on.

18 We did then go to the summer camp at Kirkoswald, but
19 after a day I saw a chance to run away and I took it.
20 However, I was only away a matter of hours when I got
21 picked up by the police somewhere in Ayrshire who took
22 me back to St Ninian's.

23 Once I was back there, Brother MJJ and MJO
24 pulled me trousers down, put me over the back of a chair
25 and then both of them strapped and belted me over the

1 bare buttocks.

2 They just hated the fact I had run away and told me
3 I was being punished by God.

4 For the next four or five days I was locked in the
5 dorm. The rest of the boys still being at summer camp.
6 The only time I saw anybody was when one of the Brothers
7 would bring me food.

8 My recollection is that after I had run away the
9 sexual abuse from Brother MJJ stopped. He would
10 still dish out physical punishment to me as one of those
11 who dished out the belt quite a lot, but the sexual
12 abuse stopped. I used to think it was because I had run
13 away that made him stop. In fact I ran away on a number
14 of occasions after that, because that's what I thought.

15 You never knew how much physical abuse you were
16 going to receive. It was up to the Brother or Brothers
17 punishing you. Sometimes it could last an hour and
18 sometimes it would only be 10 or 15 minutes. Being
19 punished for a short period was considered a good
20 punishment, while an hour would be considered bad,
21 that's the way I thought of it and you never knew when
22 you went in what sort of punishments you were going to
23 get.

24 Stewart Sinclair, the social worker, came to see me
25 and asked why I had run away. I told him about the

1 sexual and physical abuse and he said he would get it
2 sorted. Whether he did anything about it or not I don't
3 know. He was the only person I told. I don't remember
4 the exact detail I told him.

5 The next person who sexually abused me was
6 a civilian worker named Charles McKenna. He was the
7 woodwork teacher at St Ninian's. He was known as
8 a "Lurch" because he was so tall.

9 McKenna sexually abused me many times and the reason
10 he got the opportunity to do so was that unlike most of
11 the other boys I didn't get home at the weekend.
12 Apparently, because I lived so far away, it was too
13 expensive to send me home and what with my family
14 circumstances I didn't get home. In fact during my time
15 there I only recollect getting home twice.

16 McKenna was allocated the job of looking after me at
17 the weekends while the others went home. At first he
18 befriended me and would get me to light his cigars. But
19 then he would get me to sit on his knee, put his hand
20 down my trousers, play with my penis and put his finger
21 up my bum. McKenna worked in St George's House and
22 I would have to stay there at the weekends. The abuse
23 happened mainly in the TV room. When other boys were
24 about McKenna would punish me harshly for trivial
25 things, but when alone he would sit me on his knee, say

1 sorry for having punished me and would then sexually
2 abuse me again. I grew to hate McKenna but there was
3 nothing I could do about it. It's difficult for me to
4 remember how long each period of abuse went on, because
5 there was so much going on in my mind.

6 But I can say the abuse from McKenna went on for
7 months. It's hard for me to remember exact dates but
8 I'm sure the abuse from McKenna happened after I had
9 been abused by Brother MJJ .

10 I was one of the youngest there and I always thought
11 these people were looking after me because I was so
12 young and I couldn't get home.

13 I've always tried to distinguish between the good
14 ones who worked there and the bad ones. Brother GZQ
15 was in class 5. He never abused me and in fact I would
16 say he looked after me. Brother MJO was another.
17 He physically abused me, but never sexually abused me.

18 James McKinstry was another civilian who worked at
19 St Ninian's, he lived in Gartmore. He was a night
20 watchman and was one dirty old bastard. He would come
21 round the dorm at night and put his hand under your
22 covers, saying he was checking if anybody had wet the
23 bed. I remember one night he put his hand under my
24 cover and fondled my penis. He then told me to go to
25 the urinal and watched as I did a pee. He then took his

1 penis out and made me masturbate him while he slapped
2 me. He said he would claim that I had threatened to run
3 away if I said anything about it. That could get me 12
4 of the strap. He was an evil bastard and this went on
5 to happen several times with him.

6 All the kids were shit scared of him and many of the
7 boys who wet their beds got abused by him.

8 I was never a bed wetter, but the abuse he must have
9 handed out to those who were must have been awful.

10 I ran away three or four times in the space of
11 a month, because I was being abused so much, both
12 physically and sexually. I think after the last time
13 I ran away the sexual abuse stopped, but the physical
14 abuse got worse. I think they hated me because I kept
15 running away.

16 I used to lie in bed and wonder why me and I used to
17 wonder if I was abused just because I was so young.
18 When the sexual abuse stopped I couldn't work out if it
19 was because I kept running away or because I was getting
20 older.

21 Brother MJO looked after the nine ponies and
22 a horse. He asked me to be a pony lad, though I don't
23 know whether I was just picked or recommended but it was
24 Brother MJO who came and asked me to do it.

25 Brother MJO was horrendously evil. He would

1 take you into the boot room and severely batter you with
2 his fists then he would grab you, give you a cuddle and
3 say sorry. You just accepted it. I was a pony lad for
4 months before being moved to the walled garden.

5 Brother MJO looked after the garden and I always
6 thought of him as one of the nice Brothers. The garden
7 had chickens, donkeys and they grew vegetables there.
8 He took me under his wing and would show me how to feed
9 the animals, take me for walks, to the cinema, take me
10 swimming and show me how to do things.

11 However, after a short period of time he also
12 started to sexually abuse me. I had always thought he
13 was all right and then he started that. He didn't rape
14 me, but would fondle me and get me to fondle him, it was
15 all touching stuff. It would happen when we were out on
16 walks, in the shed, at the picture house, just different
17 places.

18 He ran the tuck shop and would give me extra sweets,
19 saying what he was doing should stay our wee secret or
20 that I would be punished by God. So I ran away again.
21 As usual I got caught. The place was too rural for you
22 to get far and the police always seemed to know where
23 you would head. When you got caught there were always
24 consequences, in that you received a severe beating.
25 I think the longest I managed to stay away was a day,

1 until they caught me sleeping in a barn. After the last
2 time I ran away it was decided that I was getting too
3 old for St Ninian's and I was told I was being moved to
4 St Joseph's, Tranent, East Lothian, which was from
5 junior to intermediate. I was delighted to be getting
6 away from St Ninian's, thinking at last I would be
7 getting away from all the abuse. However, something was
8 to happen at St Joe's which would scar me for the rest
9 of my life.'

10 My Lady, I see it's 1 o'clock.

11 LADY SMITH: We'll pause there and finish this statement
12 after. We'll do that.

13 Brothers' names have been mentioned that I've drawn
14 attention to before as being people who are not to be
15 identified elsewhere, MJJ, GZQ, MJO and
16 MBZ I think so far. Again, we had Mr MHC and
17 Mr MJK.

18 We'll stop now for the lunch break and I'll sit
19 again at 2 o'clock.

20 Thank you.

21 (1.02 pm)

22 (The luncheon adjournment)

23 (2.00 pm)

24 LADY SMITH: Ms MacLeod, when you're ready.

25 MS MACLEOD: My Lady, I'll continue to read the statement of

1 the applicant who is using the pseudonym 'Toby', his
2 statement is at WIT.001.001.1398 and I will read from
3 paragraph 99:

4 'I think I was in St Ninian's for a total of
5 two-and-a-half years. It's possible that there was more
6 abuse that I suffered, but the ones I've mentioned are
7 the ones that stick in my mind.

8 I was never a bed wetter but I know it was frowned
9 on in St Ninian's and those that did wet the bed got
10 punished, especially by James McKinstry: if you wet the
11 bed you had to gather all the wet bedclothes in the
12 morning and take it to the laundry. They also had to
13 put their mattresses in the big square outside the dorm
14 beside the radiators. This regime made sure everybody
15 knew you were a bed wetter.

16 I had two or three in my dorm and I think two of
17 them were bed wetters, but I don't know what was
18 happening in the other dorms.

19 I was in St Joseph's through 1972 and 1973. It was
20 totally different from St Ninian's. It was more open
21 and the boys were older. It was, however, run by the
22 same order of Brothers. It was a much different regime
23 and was school orientated.

24 The place was split into four houses, these being
25 Ogilivy, Benildus, Sinclair and another whose name

1 I can't remember. I was allocated to Benildus.

2 There was more boys at St Joseph's than had been at
3 St Ninian's. They had a points system whereby your
4 schoolwork and chores were marked and if you accumulated
5 enough points every week you got to go home at the
6 weekend. This was totally new to me.

7 It was good at first at St Joseph's and I liked
8 school and enjoyed learning. There was a civilian
9 teacher called Mr GZI who had also been at
10 St Ninian's. I remember he played the guitar and he
11 looked after me when I first went to St Joseph's.

12 However, one occasion sent the whole thing into
13 turmoil.

14 To my way of thinking, Catholicism didn't really
15 come into it as much as at St Ninian's. There was a lot
16 of PE in the morning [I think that must be
17 "St Joseph's"] like running up bings. There was
18 a full-size football pitch and a lot of music, there was
19 about 15 in each house, with four in each dorm. Bed
20 wetting was not a problem in St Joseph's.

21 There was a metalwork shop and the education seemed
22 to be aimed at the older boys.

23 It was all regimented, inasmuch as you would get up,
24 have breakfast, do your chores, go to school, have tea,
25 homework, recreation then bed. Again, we had TV and

1 books.

2 I seem to recall that Christmases and birthdays were
3 dealt with more or less the same as at St Ninian's,
4 though I remember playing the drums with a band at the
5 Christmas party. After the party we would get to go
6 home.

7 There were no visits from family at St Joseph's, but
8 because I was getting home often enough and because
9 I knew my mum couldn't afford the travel I never imposed
10 on her to visit me.

11 I'm sure it was the same social worker in
12 St Joseph's that I had in St Ninian's. I think there
13 was a condition that whenever I went home I had to
14 report to the social worker to let him know I was okay.
15 Sometimes when I was at home the social worker would
16 visit to make sure everything was okay at home.

17 Every year at St Joseph's they would take us berry
18 picking and would give us money for it. I remember at
19 the end of the berry picking we would go home for two
20 weeks. I can't quite remember how they gauged how much
21 you earned but say you made £10 you would get a fiver
22 and the rest would go to the school.

23 I think the Brother who looked after us in Benildus
24 was called Brother HGW. One weekend I didn't get
25 home and I was the only boy in the house.

1 Brother **HGW** came into my room when I was in the top
2 bunk. He put his hand under my cover to fondle me.
3 I woke up, kicked him in the head and then jumped out of
4 bed and ran away from the home because I was so
5 frightened and scared. By that time I knew how to get
6 to the train station at Waverley via the back roads, so
7 I ended there. It took me about six hours. It was dark
8 when I got there and I went into the shop.

9 This guy then started nodding to me. I was near the
10 book stand and I thought he was wanting me to steal
11 a book. He then started to talk to me and took me into
12 the cafe there and bought me chips and eggs. He asked
13 me where I came from and how I was getting home and
14 offered me the money for a train ticket. He then asked
15 me if I had ever had a sexual experience. It never
16 clicked with me that he was doing anything other than
17 trying to help me. He told me to come to his car where
18 he said he would give me the money for the ticket.

19 As we walked towards his car two men suddenly jumped
20 on him. It turned out he was a paedophile and the
21 police had been watching him. He got taken to a police
22 office where I got told he had probably been responsible
23 for the disappearance of several boys who hadn't been
24 found for days and that a police officer had been
25 watching him when he began talking to me. What could

1 have happened to me that night has been a nightmare
2 I have lived with all my life and is one of the things
3 I remember most about St Joseph's.

4 The police took me back to St Joseph's and I got
5 belted again. I was treated as a bad boy for having
6 kicked Brother HGW in the head. I was punished by
7 being put over a chair and battered with a cane and
8 a belt on my bare buttocks. It wasn't Brother HGW
9 who punished me, but I can't remember the names of those
10 who did it.

11 Thereafter, I was given severe physical punishments
12 for any trivial wee thing and I could never work out if
13 it was because I had kicked Brother HGW or because
14 I had run away. I would have been 12 and had been at
15 St Joseph's for about a year.

16 I was never sexually abused in St Joseph's, probably
17 because I was older, but the physical abuse went on and
18 got worse. The method of punishment was always the
19 same. As I say, it was usually for something trivial
20 and quite often I just didn't think I deserved it.

21 There was talk among the boys that some boys got
22 punished with electric shocks, but I never saw any of
23 that.

24 The regime at St Joseph's was different. It was
25 easier and more open. Looking back, I think the sexual

1 abuse happened because I was so young and that it
2 stopped when I was able to look after myself a bit
3 better.

4 I don't remember many of the names of the staff from
5 St Joseph's other than the ones I've mentioned and also
6 Brother Ben. I also remember we had a band in
7 St Joseph's and we were supposed to be appearing on
8 [REDACTED], but the lead singer didn't come back
9 from leave and it all fell through.

10 Another memory I have from St Ninian's was that
11 Brothers came from Rome and they took a picture I drew
12 away with them. I got sent two bibles from Rome, though
13 I don't know where they are now.'

14 In paragraphs 131 to 142 the witness speaks of his
15 time at Merkland House from 1974 to 1977.

16 I'll now move to the part of his statement where the
17 witness speaks about the impact his time in care has had
18 on his life. That begins at paragraph 144 and I'll read
19 in some of the paragraphs from that section of the
20 statement:

21 'I look back and wonder how I survived. I suppose
22 it made me who I am. It probably made me a stronger
23 person.

24 It was the same feeling in all of the places, though
25 St Ninian's was the worst. Looking back, I was probably

1 depressed a lot though I probably didn't realise at the
2 time because I was so young. There was a lot of crying
3 and a lot of desire to run away.

4 What happened to me has definitely had an impact on
5 my life. My life isn't all doom and gloom, which I put
6 down to my strong will and the ability I had and have
7 had to put it to the back of my mind and just get on
8 with my life, my work and my family. It's still there
9 and it hurts when things are brought up, but I've got on
10 with my life.

11 My early life has affected how I interact with
12 people. I'm not caring or cuddly with my grandchildren,
13 because of what happened to me. I've never been the
14 sort of papa who would have the kids on my knee, not
15 after what happened to me. I would never want anybody
16 to think something could happen to them.

17 My early life has definitely given me a lack of
18 ability to touch with my wife and daughter. They don't
19 know the extent to which I was abused. Nobody does,
20 including my friends.

21 I have a big issue with trusting people. I don't
22 trust anybody. That goes back to the trust I put in
23 Brother MBZ before he abused me. I doubt if I've ever
24 given my trust to anybody, including my family, since
25 I was a kid.

1 I was an altar boy at St Ninian's and Brother GZQ
2 was actually trying to talk me into going into the
3 priesthood or joining the Brothers and I always felt
4 they were heavy handed in trying to force my future.

5 I just feel that if I hadn't went through everything
6 I did as a child in these homes I would have been
7 a totally different person. Though I have to
8 acknowledge that there were other factors in my life,
9 like my dad dying so young, that could have affected my
10 life.

11 I have never had any form of treatment or support.
12 I've dealt with it myself in a way that has suited me.
13 I'm wary of going through any sort of counselling as
14 I wouldn't want triggers released or take the chance of
15 reliving it all. I don't really know if it would help
16 me.

17 Secondary Institutions - to be published later

18 Secondary Institutions - to be published later

19 Secondary Institutions - to be published later. It was only in 2002 that I started
20 telling people about the abuse, after I received
21 a telephone call from a journalist called Marion Scott,
22 who said my name had been given to her as somebody who
23 had possibly been abused at St Ninian's.

24 I didn't come forward just because the Inquiry was
25 announced. It was because I was approached by the

1 journalist. She was doing a report on List D schools in
2 the 1960s and 1970s. We got talking and I told her yes
3 I had been there and yes I had been abused and that just
4 kicked everything off for me.

5 From the age of 17 up until I was 40 all of it had
6 been put way to the back of my head. It was always
7 there, but I kept it at the back of my mind.

8 I told my girlfriend I had been abused but it was
9 only the physical abuse I told her about. None of the
10 sexual abuse. I was scared to tell her more in case it
11 caused so much carry on in our relationship.

12 After I spoke to the journalist I tried a few times
13 to write it all down, but I didn't get so far and had to
14 stop.

15 The first person I told about the abuse was
16 Stewart Sinclair, my social worker. This was after
17 I had been abused by Brother MJJ . I only told him
18 I'd been beaten and battered by the brothers. I can't
19 say that I went into specific detail with the sexual
20 abuse, because it would affect me as a person. He said
21 he would sort it, I don't know if he ever did but after
22 that, while there was still abuse, it wasn't to the
23 extent that Brother MJJ had done.

24 I have no knowledge of anybody ever being punished
25 for what happened to me.

1 We didn't often see anybody from social work. It
2 was only on a rare occasion we did. I think this was
3 partially because of the distance they would have to
4 come and the cost involved.

5 I told my mum about the physical abuse but not the
6 sexual abuse. I think I told her on one of the
7 occasions I got home. When I told her she said she
8 would speak to the social worker about it, I don't know
9 if she did.

10 Whether my mum said something to anybody or not, I
11 certainly wasn't aware of any changes in the treatment
12 I received.'

13 The witness then provides some information in
14 paragraphs 176 to 181 about engagements he's had with
15 the police and lawyers:

16 'The thing about the various homes I was in was that
17 there was nobody I could speak to about what was
18 happening. I certainly couldn't speak to the Brothers
19 and I felt I couldn't speak to any of the other boys
20 because I felt like an outsider due to the fact I stayed
21 so far away compared to most of them.

22 You just didn't speak out because you knew of the
23 consequences if you did. I didn't even tell my brother,
24 though he was in the homes with me at times. My brother
25 has never suggested that he suffered the same abuse

1 I did. He was with me at St Ninian's, though not
2 through the whole time I was there.

3 Any sexual and physical abuse was always done in
4 private so there would have been no witness to any of
5 it.

6 We live in a different time. I think that back in
7 the 1960s and 1970s the Brothers and staff I encountered
8 knew they could get away with what they were doing and
9 that the child would say nothing. Kids of today have
10 more people they can turn to and would be shouting from
11 the rooftops. It was a period in time when these vile
12 people thought they could away with it, and they did.
13 I don't think there are institutions today like there
14 was in that period and I would be shocked if the same
15 sort of thing could happen on the same scale today.
16 I know there are still children's homes, though I don't
17 think you have List D schools. I know St Ninian's was
18 closed down around 1983 and I know St Joseph's has
19 closed.

20 I know I'll never get the justice I wanted, to see
21 the faces of those who abused me standing in a court of
22 law. I just want people to know what went on, it is
23 time they knew what kind of abuse and torment kids of
24 our age went through. I look at my grandsons now and
25 wonder how they would have coped with things like that,

1 because I don't know how I coped.

2 These things have to be brought to light because
3 you'll never learn lessons if they aren't. If that
4 happened they would always be locked away and the same
5 things could happen all over again.

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

10 The witness statement was signed by 'Toby' on
11 9 February 2017.

12 LADY SMITH: Thank you.

13 MR MACAULAY: My Lady, this is the witness statement
14 an applicant who wants to remain anonymous and use the
15 pseudonym 'Elvis'.

16 The statement is at WIT.001.001.3438.

17 'Elvis' (read)

18 MR MACAULAY: 'Elvis' was born in 1960. He begins by
19 talking about life before going into care and in
20 particular pointing out that at a point in time when he
21 was aged five or six the house that he was living in
22 went on fire and it was after that that he was put into
23 care.

24 He begins by discussing the first care placement he
25 had, and he moves on at paragraph 9 to look at his time

1 in St Ninian's and Gartmore.

2 He says:

3 'I would have been about eight years old. It was
4 like a big castle.'

5 That would mean he would be there from about 1968,
6 as he was born in 1960. He goes on to say:

7 'I never had an education. The only thing I was
8 taught in St Ninian's was how to play the mouth organ.

9 Down in the dungeons, the Brothers and priests used
10 to beat me up all the time just for being stupid. They
11 would pick on me and I would get beaten up, boys would
12 pick on the other boys too and beat them up. They would
13 just pick on the weakest ones. Even the boys who were
14 getting beaten by the Brothers would beat up other boys.

15 We would get beaten up by the Brothers but then they
16 would be nice to us. They would let you go down and see
17 the goats, chickens, ducks and the horses. That was
18 Brother HFT and Brother LUE.

19 That was the only thing that kept you sane in there,
20 the hope of getting to see the horses and other animals.

21 I have a block in my mind about St Ninian's. This
22 is because it was all violence and perversion. I was
23 whipped with a cane. The Brothers with their big
24 flowing black cloaks on were dirty, scary people. They
25 were vicious people. They would grab you and pull you

1 under their cloaks and cuddle you and pat you on the
2 head to make you feel good. Ten minutes later they
3 would make you terrified. They would take you into
4 their wee side rooms. It was a beautiful house and you
5 were told not to touch anything. I was sexually abused
6 in St Ninian's but I don't really want to talk about it.

7 The Brothers and priests used to cane me, but they
8 were banned I think and then went on to leather belts.
9 This happened quite a lot. It used to be followed up
10 with a cuddle. I would end up crying and telling them
11 I wouldn't do whatever it was I had done again.
12 I regularly refused to take the belt.

13 They tried putting me to an outside school ...'

14 He talks about going to a primary school, which
15 would mean that if he was primary school age he'd be 12
16 or under in 1971 or 1972.

17 He then talks about another establishment that he
18 went to and what happened there.

19 At paragraph 23 again he mentions another
20 establishment and what happened there.

21 Then, at paragraph 28, he says:

22 'In all the homes I've been in I've never been
23 visited by any social worker. I'm not aware if I ever
24 had a social worker.'

25 At paragraph 30 he says:

1 'There was no point telling anyone who was going on
2 in care. Nobody listens to you. I was just a child and
3 I wouldn't know how to speak to anyone. If I had told
4 somebody it wouldn't have made a difference because
5 nobody cared. There was no one that I could have told.'

6 Then looking to life after care, it appears, though
7 he doesn't develop this, that he had been in Longriggend
8 and also Barlinnie and Polmont.

9 At paragraph 34 he says:

10 'When I was in prison that's when I met my partner.
11 She became my pen pal. I was 23 at the time. After
12 I got out of jail, there is no doubt she helped me stop
13 going back in again. We have been together for 34 years
14 now.'

15 He mentions that they have children:

16 'When I got out of borstal I went home to Bridgeton
17 but I couldn't get in. I went to my aunt's house
18 because she lived nearby and she couldn't believe that
19 I hadn't been told that my mum and dad had moved house.
20 They never even told me that they had moved.'

21 Then he talks about being involved with the
22 Territorial Army and paragraph 41 when he's discussing
23 impact:

24 'I still freak out when I see big mansions. They
25 look beautiful but it scares me to think what goes on

1 inside. People just don't know what goes on behind the
2 closed doors.'

3 Then, at paragraph 46, under 'Learning points':

4 'Abusers aren't getting prosecuted. They are being
5 rewarded. They get sent to other places and they get
6 forgotten about. It has taken 40 years before anyone
7 will listen and I am now talked out. The
8 De La Salle Brothers are untouchable and they won't get
9 convicted.

10 I hope that these Approved Schools are closed down,
11 that are run by religious orders. Homes should be
12 opened up that are for everyone and not dependent on
13 your religion. There shouldn't be segregation.'

14 At 49:

15 'Not every priest and every Brother in St Ninian's
16 were bad. It wasn't like that. Some of them were
17 decent guys and some were there to help you. The better
18 ones were Brother MBZ . He was young. He used to play
19 the guitar. Brother MJO was Irish and had a heavy
20 Irish accent. Unfortunately there were some who tried
21 to "perv" me.

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

1 'Elvis' has signed the statement on 23 January 2018.

2 LADY SMITH: Thank you.

3 Ms MacLeod.

4 MS MACLEOD: My Lady.

5 'Dean' (read)

6 MS MACLEOD: We'll now move on to read in the statement of
7 an applicant who wishes to remain anonymous and use the
8 pseudonym 'Dean'.

9 His statement is to be found at WIT-1-000001116:

10 'My name is 'Dean'. I was born in 1962. My contact
11 details are known to the Inquiry. I was born in
12 Glasgow. My mother originally came from Govan. When
13 I was around two my family moved back to Govan. Some
14 time after that, when I was about five years old, my
15 parents split up. My siblings and I moved to
16 a different area of Govan with my mum. We moved into
17 a derelict single-end building. I'm pretty sure it was
18 condemned and I don't know why or how my mum moved us
19 there. I think she just wanted to get away from my
20 father. She started working part time here and there,
21 because she had five kids to look after.

22 I can't remember a lot of my life before I went into
23 care. It's only the traumatic things that stick in my
24 head. I had a bad accident. As I said, it was
25 a condemned building and there were cast iron railings

1 missing from the stairs. One day when my mum was trying
2 to open the door she was holding my younger sister in
3 her arms and holding on to my other sister. I fell
4 between the railings. I fell down the stairwell and hit
5 a banister. I had quite a bad head injury and ended up
6 with wires attached to my head to check for brain
7 damage.

8 We would hang about in old buildings and climb up on
9 the roofs to steal pigeon eggs. The police would end up
10 getting called and I'd get charged for wasting police
11 time and house breaking. Back then, even if you were in
12 an old building that you shouldn't have been you got
13 charged with breaking and entering. We weren't actually
14 breaking in, we were climbing in the lower window, but
15 it didn't matter.

16 I had started going to primary school by this point.
17 I remember coming home from school and going into the
18 old buildings and getting my school clothes dirty. My
19 mum would have to handwash them and they wouldn't be dry
20 for the next day so I'd miss school. The charges
21 against me built up and social work knew I was missing
22 school. That's why I ended up in front of the
23 Children's Panel for the first time.

24 Going in front of a Children's Panel wasn't a nice
25 experience. I went to a good few panel hearings before

1 I was sent away. I remember running away from one and
2 managed to get home before my mum. At the last panel
3 hearing before I went into care my mum was there with
4 a social worker and about four or five panel members.
5 There was a security guard walking up and down outside
6 the room. I just had to sit there and keep quiet.
7 I was told I'd get a chance to talk but I never did.

8 These days there are kids doing a lot worse but
9 getting away with it. Back then they just classed kids
10 like me as problem children and the easiest thing to do
11 was to send us to away to an institution. That is what
12 happened to me. I don't know if the decision to send me
13 to St Ninian's was made at the panel, but for some
14 reason I was sent home with my mother after the panel.
15 Two weeks later my mother took me to Govan. I remember
16 asking her why we were going and she told me not to
17 worry, everything was going to be all right. When
18 I realised I was being taken away I remember losing the
19 plot with my mother, I was crying and promising
20 I wouldn't misbehave any more. It was a harrowing
21 experience.

22 I don't know why they chose to send me to
23 St Ninian's. No one ever told me. I was Catholic and
24 it was mostly Catholic boys that were there, so I assume
25 it was because of my religion.

1 I was eight years old when I was driven to
2 St Ninian's by two social workers. One sat in the back
3 of the car with me and one drove, no one told me what
4 was happening. I just remember arriving there. I was
5 small for my age and I remember thinking that
6 St Ninian's looked like a huge castle. It was
7 a mansion, but to me it looked like a castle with big
8 statues outside the main doors.

9 There was a long driveway which led to the main
10 building, with a turning circle outside the entrance.
11 There was a walled garden to the left of the driveway.
12 The road kept going beyond the main building, but
13 I don't know where it took you. The building had three
14 floors, a basement, ground floor and first floor. If
15 I remember correctly the showers and boot room were in
16 the basement. The dining room was on the ground floor,
17 it had doors that opened onto a stone patio area. The
18 dorms were on the first floor.

19 The school building was separate and was maybe
20 500 yards in front of the main building. I think the
21 joiners' workshop was to the right of the school
22 building. There was a sports area that had a big, white
23 dome-shaped canvas-type roof to the left of the main
24 building. There were also two fields in the grounds,
25 one was used for sports and the other, the upper field,

1 had apple trees and horses in it.

2 There was a gate at the entrance to the driveway and
3 I think the person in charge of St Ninian's lived there.
4 It was the Benedictine monks who ran the place. They
5 were the ones who we saw day to day and they were always
6 wearing those big, brown cassocks. I remember one monk
7 called Brother Benedict, he was eventually replaced by
8 Brother MJO.

9 On the odd occasion we saw some priests around and
10 there were civvy staff too. The civvy staff were mainly
11 teachers who came in to take the classes and I think the
12 night watchman was a civvy. I remember a woodwork
13 teacher, but I can't be sure of his name, it was either
14 GQZ, GQZ or GQZ. I also remember the
15 music teacher, his surname was GRA. There was
16 also a gardener. I'm sure he was a monk, but I can't
17 remember his name.'

18 LADY SMITH: We see there another applicant who thought it
19 was the Benedictines, but it wasn't.

20 MS MACLEOD: We do, my Lady, that's correct:

21 'All the boys at St Ninian's were aged eight or nine
22 years of age, up to maybe 16. I think there were around
23 30 boys in total. I remember some of the boys were what
24 we called CPs, they were there for care and protection.
25 I assume they didn't have parents or their parents

1 couldn't look after them. I was around eight years old
2 when I got there.

3 When I arrived I was met by a member of staff.
4 I was told where we'd be sleeping and shown around the
5 place. I was given a box number and that's where I had
6 to put my shoes when I came back from school. I still
7 had no idea how long I was going to be at St Ninian's.
8 It wasn't something anyone talked about, not to me
9 anyway. I just remember the day I arrived I asked one
10 of the monks why I was there. He told me I was a bad
11 apple and bad apples come to places like this.

12 In the morning we were woken up by the night
13 watchman before he went off his shift. We got washed,
14 dressed and went down for breakfast. After breakfast
15 I think we had about half an hour of free time before we
16 were taken out to the front of the building, lined up
17 and told what class we would be in that day.

18 After morning classes we all ate lunch in the dining
19 room. Then we had about half an hour of play time
20 outside where we'd play on the swings or under the big
21 tree. That's when I learned all about crimes from the
22 other boys, they would tell me how to steal and
23 shoplift. We had more classes in the afternoon. After
24 school we all went back to the main building and changed
25 out of our school clothes. We had tea then showered and

1 were sent to bed. Bedtime was 8 pm at the latest and
2 I think all the boys went to bed at the same time.

3 During the night the night watchman would come round
4 to check on the boys. He would put his hand in the
5 boys' beds to see if they were wet. He obviously knew
6 who the bed wetters were but he would check all the
7 boys' beds. I can't remember the night watchman's name
8 but we called him "HIO [REDACTED]".

9 They were always some boys in St Ninian's over the
10 weekend. I'm sure there were some boys who didn't get
11 home leave and others that would have their home leave
12 taken away as a punishment. If we had to stay over the
13 weekend the staff would sometimes take us out. If it
14 was a nice day we would maybe go to the beach and ride
15 the ponies or the donkeys. There was a veggie patch in
16 the ground of St Ninian's and sometimes we'd be taken
17 there and taught how to grow vegetables. I think
18 I remember being taken swimming as well. It was the
19 boys who had two marks against their name that would be
20 taken out. The boys who had more than two marks against
21 their name would be kept back and wouldn't get out.

22 In my dorm I remember there was one older boy. He
23 was supposed to be the main man, a bit like a prefect.
24 I think each dorm had one older boy that was in charge.
25 He had to make sure that the younger boys weren't

1 carrying on. If you got caught carrying on you were
2 made to stand outside the dorm in your pyjamas with your
3 nose against the wall. Sometimes you would be there for
4 hours and it felt like you were just getting back to
5 sleep when you were being woken up again. I remember
6 feeling tired a lot of the time and falling asleep in
7 class. I'd get up getting skelped and getting a report
8 for that.

9 The older boy slept at the top end of the dorm while
10 there were about three or four beds, my bed was just as
11 you went in the dorm. There was another doorway you
12 went through and there were another two or three beds in
13 there. I think there were about eight or nine of us in
14 my dorm. There was a room between my dorm and the next.
15 I don't know if it was a monk that stayed in there but
16 it was definitely one of the resident staff that slept
17 in there at night.

18 We ate all our meals together in the dining room.
19 The monks would sit separately at the top table. As far
20 as I remember the food was okay. I wasn't one for
21 eating vegetables, but I wasn't made to eat anything
22 I didn't want to.

23 The shower room and toilets were on the basement
24 floor. There were toilet cubicles with doors, but they
25 weren't full height and you could see over them. The

1 showers were cubicles too, but they didn't have doors.
2 The monks would supervise us in the showers. There was
3 no privacy. They would watch us shower and tell us what
4 parts of our body to wash, it wasn't one particular monk
5 that would watch us in the showers, they all did it.
6 There was no segregation in the showers according to
7 age. The older boys would shower with the younger boys.
8 I can't remember if we showered every day. If you were
9 working in the woodwork shop then you would shower
10 afterwards. If you were dirty you would be told to
11 shower. It was the monks who told us when to shower, we
12 didn't really have a say in it.'

13 In paragraphs 27 to 33 the witness speaks about
14 clothing, leisure time, trip, healthcare, religious
15 instruction and chores. I'll move to paragraph 34 where
16 he provides some evidence about bed wetting:

17 'Bed wetting wasn't an issue for me at St Ninian's,
18 but it was for some other boys. The night watchman, who
19 we called [REDACTED], would come round and put his hand in
20 each of the beds to see if they were wet. He knew I
21 wasn't a bed wetter, there was no need for him to check
22 mine but he did it anyway. I always tried to sleep as
23 close to the wall as possible and leave most of the
24 mattress clear. That was so he could easily feel that
25 I hadn't wet the bed without touching me.

1 If [REDACTED] found a wet bed he would pull the boy
2 out and make him take off his wet pyjamas, he'd make the
3 boy stand naked with his nose against the wall. I don't
4 even think the boys were taken to get cleaned up.
5 Sometimes the boys would be taken into the priests
6 quarters and I can only imagine what happened in there.

7 I didn't have any social work visits while I was in
8 St Ninian's, social work only started visiting me again
9 after I left. I was under social work supervision when
10 I was released, so a social worker would come out to the
11 house every so often to speak to me and my mum. I think
12 I was assigned to a member of staff at St Ninian's, like
13 you would be assigned to a personal officer in prison.
14 I seem to remember having three monthly or quarterly
15 reviews, but I would get a report and sit down with one
16 of the monks. He would talk about how I'd been behaving
17 and whether I was doing what I was told. I must have
18 started being good at some point, otherwise they
19 wouldn't have given me home leave.

20 The monk would ask me how I felt and we'd talk about
21 punishments. If I said that I didn't think a punishment
22 was fair or I didn't do what they thought I did he would
23 just say I wouldn't have been punished if I didn't do
24 something wrong. They always stuck up for their own.

25 My mum came to visit me while I was at St Ninian's,

1 she usually came with my aunt because my aunty drove.
2 My mum was poor so she didn't have money to jump on
3 trains or buses. My mum sometimes brought my younger
4 sister and other aunty along too. When they visited we
5 could walk about the grounds or go to the dining room to
6 have a cup of tea. Whenever people came to visit the
7 staff made everything look hunky-dory. My mum knew the
8 place because my older brother had actually been in
9 St Ninian's before me. He stayed there for three years
10 for breaking a window and stealing a packet of biscuits.

11 After I had been there for a while I started getting
12 weekend home leave. I must have been there for about
13 a month at least because you had to be trusted to come
14 back from home leave before you were allowed to go. One
15 of the monks took me home for a visit before my first
16 home leave. It was to check that my mum's house was fit
17 and that she wanted home visits. The boys getting home
18 would be dropped off at Buchanan Street in Glasgow, we
19 were picked up there too. If you weren't back in time
20 for the bus you were left and classed as an absconder.

21 The discipline at St Ninian's was regimental. We
22 were treated like we were in the army, not like young
23 boys. We were always lined up and marched around in
24 straight lines, whatever the monks said we had to do.
25 The monks used a mark system as punishment. If you

1 misbehaved you got a mark. Your first mark was like
2 a yellow card and your second mark was like a red card.
3 If you had two marks against your name your weekend home
4 leave was taken away. Sometimes if you had home leave
5 taken away your family could still come to visit you.
6 If you had a visitor coming you would be taken out of
7 whatever activity the other boys were doing.

8 I ran away from St Ninian's a few times. Once
9 I tried to run away down through the fields, but by the
10 time I made it to the bottom field the staff had jumped
11 in a car and driven down. The first time I actually
12 managed to run away was the first time I was punished by
13 having my home leave taken away from me.

14 There was physical and sexual abuse going on at
15 St Ninian's. I think it was both the monks and the
16 civvy staff that were involved.

17 I remember being made to stand in line in the
18 morning before we went to class. Brother Benedict would
19 look along the line and if anyone was out of line or not
20 standing straight he would charge at you and barge you
21 with his shoulder. He treated us like we were in the
22 military, but we were just young boys.

23 Once I was out in a field with Brother Benedict and
24 some of the other boys. He was teaching us how to hold
25 a horse by the reins. There was a line of us and we

1 were each having a shot, I did it but the horse freaked
2 out and I let go. Brother Benedict grabbed me, shook me
3 and dragged me inside. He took me down to the boot
4 room, there were benches to put your shoes on. He sat
5 down there and started smacking and skelping me on his
6 knee. I was struggling. I didn't know why he was doing
7 that to me. Because I was struggling so much we both
8 fell over the bench and I ended up in between two
9 lockers. He had a horsewhip in his hand and he started
10 whacking into me. I was on the floor with my hands and
11 knees above my face trying to protect myself. I was
12 crying and screaming. While he was whacking into me
13 with one hand the other hand was in his cassocks, he was
14 getting off on it. I could see his face getting redder
15 and redder.

16 After a bit he sent me upstairs and he came up a few
17 minutes later. He just went back out to the other boys
18 and continued the lesson. That was definitely one of my
19 most traumatic experiences.

20 The other boys saw me getting dragged away and I was
21 screaming so loudly that they had heard me upstairs. If
22 the boys heard me the other monks must have heard me
23 too, but no one came downstairs to see what was going on
24 or to stop it. I tried to run away shortly after that.

25 Brother Benedict was one of the worst, but then he

1 disappeared at some point and Brother MJO replaced
2 him. Brother MJO was an animal. He would beat you
3 up just for not addressing him correctly. He would grab
4 you and swing you about by the collar. I was just
5 a petite wee boy. He could lift me up with one hand and
6 he would shake me. Most of the monks were physically
7 abusive toward the boys. If you were too slow in making
8 your way to school you were getting slapped on the back
9 of the head, if you were caught talking in line going to
10 school you would get dragged out by the shoulders and
11 shouted at in your face. It was a scary experience for
12 a young boy.

13 I learnt to try and abide by the rules and to try
14 not to break them, but I didn't always manage. I was
15 just a young boy after all.

16 The abuse happened in school as well. I was
17 learning to play the recorder in music class. The music
18 teacher, who was either GRA or GRA, he was
19 a monk, maybe in his late 50s, with square glasses and
20 a wee chubby face. He would get me to come up and sit
21 on his knee and he would put his arm around me and show
22 me where to put my fingers on the recorder. There was
23 no need for that, he could have shown me what to do from
24 his desk. He made me feel uncomfortable, he would be
25 fidgeting around while I was sitting there. I didn't

1 realise it then but he was obviously getting aroused
2 with me on his knee. I remember taking the recorder
3 back to my dorm after school. I would learn the notes
4 and practise so I didn't have to sit on his knee again.

5 There was also a civvy woodwork teacher who behaved
6 inappropriately, he was maybe in his late 40s. He was
7 tall and thin and always wore a long, brown overcoat.
8 I can't be sure of his name. It was either GQZ
9 GQZ or GQZ, if you were talking in his
10 class he would shout you up the front. He'd pull your
11 shorts up to expose your cheeks and spank you. He would
12 make a point of talking to the rest of the class but he
13 would leave his hand on your buttock while he was doing
14 it. I could feel him getting aroused when he did it to
15 me. It made me feel uncomfortable so I tried to get
16 away from him. It was almost like the more I tried to
17 get away, the more he enjoyed it.

18 I got caught out by the woodwork teacher about three
19 times and I hated it, that is how I ended up in my first
20 fight. Another boy in his class was trying to talk to
21 me one day. I didn't want to get shouted up the front
22 so I blanked the boy and he started a fight with me at
23 play time because of that.

24 There was also abuse going on between the boys at
25 St Ninian's, the older boys were abusing the younger

1 boys. There was a lot of chat between the boys about
2 things that went on. Once during a meal time a boy came
3 up to our table and said so and so was over there giving
4 so and so a ham shank under the table. I didn't see
5 most of what went on with my own eyes, but I knew it was
6 happening. One thing I did see happened in my dorm
7 room. I woke up one night and heard something going on
8 at the top end of the room. As my eyes accustomed to
9 the dark I saw the older boy's hand was in one of the
10 younger boy's beds, I think it was pretty clear what was
11 going on.

12 St Ninian's was just a horrible, bad dirty place.
13 I can't think of one monk that I could say was okay at
14 St Ninian's. There was no one there I could go to or
15 confide in.

16 To be honest, I can't remember being released from
17 St Ninian's. I just remember going back to primary
18 school once I was out. I remember I had a teacher
19 called Ms Shane. She was lovely. Up to that point
20 I'd never met a nicer lady.

21 I didn't tell my mum what happened to me while at
22 St Ninian's. It wasn't until I left that I spoke to her
23 about it. My mother was a staunch Catholic so she
24 didn't believe that the monks could do anything like
25 that. To her they were men of God and I was making it

1 up. She had similar views about the police. If I got
2 arrested for something and I told her I didn't do it she
3 would just say, "They wouldn't have arrested you if you
4 didn't do it", I just left it at that and didn't tell
5 anyone else what happened at St Ninian's until the
6 police contacted me about it a few years ago.'

7 Between paragraphs 54 and 88 the witness speaks
8 about his time at St John Bosco's in Aberdour from 1972
9 until 1974.

10 In paragraphs 89 to 91 he speaks about living with
11 his mother in Glasgow.

12 In paragraphs 92 to 94 he speaks of his time at
13 Larchgrove Assessment Centre.

14 In paragraphs 95 to 97 he speaks about his time in
15 Barlinnie, that part of his statement was read in in
16 Chapter 1 of this case study on 6 December 2023, Day
17 394.

18 The same can be said of paragraphs 98 to 102 of the
19 witness's statement, where he speaks of his time at
20 Longriggend Young Offenders Institution, that was also
21 read in as part of Chapter 1 on the same day.

22 Between paragraphs 103 and 113 the witness speaks
23 about his time at St Mary's, Kenmure from 1997, a period
24 during which the De La Salle were not involved.

25 In paragraphs 114 to 119 the witness speaks about

1 his time in Polmont. Again that was read in on
2 6 December in Chapter 1.

3 Between paragraphs 120 and 122 he speaks of his time
4 in Glenochil Young Offenders Institution, and once
5 again, my Lady, that was read in in Chapter 1 on
6 6 December last year.

7 I will now move to paragraph 123, where the witness
8 speaks of his life after care:

9 'As far as I can see it, I was in care in the List D
10 schools up until I was 16. Then after 16 that was the
11 start of my prison life and it was chaotic. I've been
12 in and out of young offenders institutions and prison
13 most of my life. I've been through a lot and I've seen
14 a lot of things in my life. I've been through abuse,
15 I've seen people murdered and I've seen people overdose.
16 I turned to drugs, mainly heroin, to help me blank it
17 all. My drug habit only got worse during the periods
18 I was out of prison.

19 In all the times I was in and out of
20 Approved Schools or prison I never got any help. There
21 was never any follow-up to see how I was doing. I was
22 introduced to a life of crime in care and because
23 I never had any guidance from anyone that's all I knew.
24 Every time I was released from prison I was just given
25 a week's money and sent on my way. There was no

1 opportunities for me, I did try to work a couple of
2 times but as soon as an employer asks about your
3 previous convictions, that's it. Especially for me,
4 because mine were crimes of dishonesty. There was no
5 chance for me.

6 My time in St Ninian's and another institution made
7 me toughen up, but not in a good way. I had to toughen
8 up to survive the way they treated me. Before I went
9 into care I was growing up without my father in my life.
10 I was just a young boy and I was looking for a father
11 figure. That's not what I got. If the people looking
12 after me had been more compassionate and caring, if they
13 had shown some leniency and understanding I don't think
14 I would have ended up on the path I did.

15 I remember one of the monks saying, "There's three
16 kinds of apple, decent, bad and rotten, you're a rotten
17 apple". That always stuck with me and I became what
18 everyone told me I was, a criminal.

19 I was always brought up in the Catholic faith. My
20 mother was a staunch Catholic, but because of what
21 happened to me in St Ninian's and another institution
22 I lost my religion. I think the Catholic Church is the
23 biggest con going. How can you believe in something
24 like that when monks are abusing kids and getting away
25 with it.

1 I would definitely say I am institutionalised, that
2 became really clear when I was released from my last
3 sentence. I prefer my own company. That's something
4 that comes from being in care and having no one to turn
5 to or put your trust in. In the system it's us and
6 them, even now I can spend an hour maybe two with my
7 family then I need to be on my own. I think as part of
8 me being institutionalised I have a distrust of people
9 in authority. In my experience the police tell lies.
10 If you can't trust the system how can you trust the
11 people who work in it?

12 Around two or three years ago before the pandemic
13 I was contacted by Fife Police out of the blue. They
14 were asking me about my time at another institution and
15 during the conversation I mentioned St Ninian's to them.
16 I was then contacted by the police, who wanted to give
17 me a statement about St Ninian's. At first I wasn't
18 going to do it because I wasn't sure if I would be
19 believed. I thought about it for a while and I decided
20 to talk to the police.

21 After a while I got a call from witness support at
22 Edinburgh High Court. They told me that the case
23 against Brother Benedict was going to trial and I would
24 be called as a witness. He was charged with abusing
25 a load of other boys and there were two charges

1 involving me. The witness support people explained that
2 I didn't have to go into court to face him. They said
3 I could give evidence over videolink or from behind
4 a screen. I didn't want to do that, I wanted to look
5 him in the eye and tell him what he did to me set me on
6 a bad path in life. When I went into court to give
7 evidence against him he wouldn't even look at me. He
8 kept his head down. I think I was hoping for some sort
9 of apology or some flicker of something from him, but
10 I didn't get that.

11 I found the court case difficult when I was giving
12 evidence and being cross-examined I was getting
13 frustrated with Brother Benedict's lawyer. He was
14 calling me a liar and questioning me why I had
15 remembered stuff in the court cast that I hadn't told
16 the police. I know he was just defending his client.
17 I've been there and my lawyers had to do it for me, but
18 it was tough being called a liar about stuff I went
19 through. As far as I know Brother Benedict was found
20 not guilty on one of the charges involving me and not
21 proven on the other. He was found guilty on the charges
22 to do with the other residents though. I think he was
23 already serving a sentence for child abuse when the
24 trial happened, he was given another sentence of seven
25 years.

1 In my opinion he got what he deserved. It should
2 have been more, he got away with a lot. When I was
3 sitting in the witness room waiting to give evidence
4 I got talking to another witness, it was him that told
5 me about Talk to Us and that's how I found out about the
6 Inquiry. I didn't want to keep what I went through in
7 anymore so I decided to get in touch. I also instructed
8 solicitors to pursue a civil compensation claim for me.

9 I've never recovered my records. The only paperwork
10 I've seen was to do with the court case against
11 Brother Benedict. I'm not really interested in seeing
12 anything else. I just want to put it all in the past
13 where it belongs. I think social work needs to think of
14 ways to help and support kids that don't involve
15 sticking them in an institution. I think that all
16 staff, including monks and priests, need to be heavily
17 vetted before being allowed to work anywhere near
18 children. I'm not sure how you'd go about it, but it
19 needs to happen.

20 I also believe that if a monk or a priest discloses
21 a serious crime during confession that should be
22 reported. When I was a boy there was nowhere for kids
23 to go to keep them out of trouble. The only place we
24 had close by was the Pierce Institute, but you needed
25 money to get there. Not everyone has money to do stuff

1 like that, we didn't.

2 My mum was looking after five kids on her own and
3 working part-time jobs here and there. If she had given
4 one of us money to go and do something, like go to the
5 pictures, she would have to give the same to all of us.
6 She couldn't afford to do that. We didn't have any
7 community centres around offering kids somewhere to go
8 and something to do, I have heard there's more help like
9 that nowadays, which is a good thing.

10 There needs to be support put in place for kids in
11 care and care leavers. I had no support and I went down
12 the wrong path. That's just what happens if you go
13 through the care system without any guidance.

14 If I had someone to open up to and someone to
15 support me my life could have turned out very
16 differently. Every kid who is in care or who has been
17 in care needs someone who they can talk to or pick up
18 the phone to if they're feeling depressed.

19 I just don't want anyone to go through what I went
20 through. Something has to be done to make sure that
21 what happened to me isn't repeated for the younger
22 generation.

23 I think it's a shame that the prosecutions of these
24 monks and priests didn't happen long before they did.
25 A lot of these individuals have taken their own lives or

1 passed away and have never been punished for what they
2 did. I think the Catholic Church owes me and others
3 like me an apology. They need to apologise to everyone
4 who has been hurt and provide them with compensation.

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

9 The statement was signed by 'Dean' on
10 27 October 2022.

11 LADY SMITH: Thank you very much.

12 'Bruce' (read)

13 MR MACAULAY: My Lady, this is also an applicant who wants
14 to remain anonymous and to use the pseudonym 'Bruce'.

15 His statement is at WIT-1-000000788.

16 Significant parts of 'Bruce's' statement were
17 already read in, in Chapter 1 on 17 November 2023.

18 At the beginning of the statement 'Bruce' talks
19 about his life before he went into care and he described
20 his home life as brilliant in paragraph 4.

21 An overview of paragraphs 12 to 71 when 'Bruce' was
22 at Cardross and Bellfield has already been provided in
23 Chapter 1.

24 That takes me to paragraph 73, when he starts to
25 talk about St Ninian's:

1 'I went to St Ninian's in 1971, when I was ten years
2 old. I stayed for 19 months and came out in 1973 when
3 I was 13 years old. That was my punishment. There were
4 nearly 100 boys in St Ninian's. I was number [REDACTED].'

5 Moving on to paragraph 75:

6 'Brother MJJ [REDACTED] was SNR [REDACTED]. He was a tall,
7 heavy set guy in his 60s. He spoke very nice.
8 Brother MJO [REDACTED] was in charge of St George's. He was
9 heavy set and in his 50s. Brother HMW [REDACTED] was a music
10 teacher. They wore gowns with white priest collars.
11 The Brothers had rooms up the stairs in the big house.
12 They went to the rooms at night.

13 Jimmy White was the night watchman. He was always
14 on at night. To me Jimmy White was ancient, but he was
15 in his 30s. He was small and baldy with a little hair
16 at the sides. Jimmy White was stinky and you could
17 smell the drink off him. Jimmy White had a wee
18 cubbyhole that he sat in at night. His drink was in the
19 kettle. We found it there.

20 There were civilian teachers at St Ninian's,
21 Mr MacDonald, the music teacher, and Mr [REDACTED], the art
22 teacher, were good guys. There was [REDACTED] GXC [REDACTED] who
23 played the drums. He was okay. I stayed away from him
24 because he was a feeler. Mr MacKinnay, the woodwork
25 teacher, was not so much of a good guy.'

1 He talks about the ground keeper and Brother zMBZ .

2 Then he looks at aspects of the routine and if I can
3 take this to paragraph 83:

4 'Brother MJO got us up in the morning and put us
5 down at night. Then he went away. We went to bed at
6 about 9 o'clock. Jimmy White came round to check
7 everybody and to turn that key thing. I think it was
8 a timer to prove that he'd checked us. Brother MJO
9 usually shut the curtains at night. I wet the bed at
10 night and so I took my wet sheets to the laundry in the
11 morning. I got washed, I walked back to the dorm and
12 then went with the rest of the boys to get breakfast.
13 We had a shower once a week.

14 I said nothing about wetting the bed. That's when
15 the trouble and the beatings from Jimmy White started.
16 After I'd reported the beatings to Brother MJJ and
17 was told to see matron, matron gave me a wee white pill.
18 It was some kind of placebo and never helped. I hid the
19 bruising I had from the beatings. I didn't speak about
20 it with the other boys.'

21 Then he goes on to talk about other aspects of
22 routine, including schooling that he talks about in
23 paragraph 91.

24 In paragraph 97 in relation to visits he says:

25 'I didn't see Mr Smith or anybody from the Social

1 Work Department in the time that I was at St Ninian's.'

2 Then he talks about birthdays and home leave.

3 At 102 he says:

4 'There were two weeks I never got home. At the time
5 it seemed that it was for no reason because I had enough
6 points. All I can put it down to is that I had bruises
7 from Jimmy White beating me. They were mostly on my
8 back. My ma had asked me one time where I'd got the
9 bruises. I said they were from the football and my ma
10 said I better stop playing. I think my ma phoned the
11 school about the bruises and that was why I didn't get
12 two home leaves.

13 Discipline at St Ninian's was being battered by the
14 Brothers or not getting points. St Ninian's wasn't
15 locked and you could have gone anywhere. I thought
16 about running away a lot. The reason I didn't run away
17 was because it was so far away. Nobody ran away. Later
18 I knew running away would bring grief to my ma and da.

19 Jimmy White came around to check everybody at night.
20 That's when he got me up and that's when I got leathered
21 every night. The first night I was in Jimmy White felt
22 my bed. When he saw it was wet he grabbed me by the
23 ankles and pulled me out of the bed. He pulled me out
24 of the bed four times that night. The second night
25 Jimmy White pulled me out of bed and threw me over

1 [REDACTED] bed. That happened four or five times. Then

2 Jimmy White started punching me and elbowing me.

3 The first night he told me to take my pyjama
4 trousers off and had to walk into toilet half naked from
5 the waist down. I wasn't thinking about Jimmy White,
6 but about the boys knowing I was wetting the bed and
7 what I was going to get from them. After the first
8 night he pulled my pyjama trousers off.

9 By the third or fourth night Jimmy White was
10 dragging me out of bed and banging me on the floor, he
11 was lifting me by my feet and I came off the bed dead
12 easy. He pushed me into the toilet. Jimmy White held
13 me by the neck of my pyjama jacket right under my chin.
14 He was choking me. He hit me with the back of his elbow
15 on my back, saying, "Fucking move".

16 The second time he got me up that night he was
17 kneeling me and kicking me in the small of the back with
18 the bottom of his foot.

19 As the nights went on, the abuse got worse. The
20 other boys were standing at the door lined up to go to
21 the toilet and watching me getting the shite kicked out
22 of me. Jimmy White would drag me out of bed by the
23 ankles and right through the dorm, banging me on the
24 floor. He'd pick me up and throw me towards another
25 bed. I hit the bed and over the other side of it. Then

1 Jimmy White would pick me up and push me out the door.
2 He called me a pissy wee bastard and said he bet my
3 mother was glad I was in St Ninian's because it
4 was saving her a shit load of washing.

5 Sometimes Jimmy White would lift up the mattress and
6 throw me right out of the bed. There was a small gap
7 between the wall and my bed. I was stuck there with the
8 mattress on top of me. He came round the other side of
9 the bed and grabbed me out of the gap. I would take the
10 blankets with me and try to get some protection.

11 One night I kept my socks on and that was the
12 biggest mistake of my life. Jimmy White pulled me out
13 of the bed that fast that I landed at the bottom of the
14 other bed, he threw me towards the other bed but before
15 I got there he grabbed the back of my pyjama bottoms so
16 my legs flipped up in the air and Jimmy White pulled my
17 pyjama trousers off and dragged me up. He ran me right
18 into the wall. I could see another boy staring at me.
19 There was nothing he could do or say.

20 Jimmy White pushed me with his elbow all the way
21 into the toilet and the other boys were in front of me.
22 Jimmy White was saying that I should be fucking like
23 them, I had to get back into the wet bed. Jimmy White
24 beat me every night I was at St Ninian's, four or five
25 times a night.

1 There were showers I didn't want to take.
2 I couldn't count them because there were so many.
3 Sometimes Jimmy White would drag me up in the morning
4 and say it was fucking shower time. He would drag me
5 into the shower. It was cold water. Jimmy White kept
6 me under the cold shower with a brush. He pushed me
7 under or hooked me with the brush, pulling me back under
8 the water. I could see his face grinning.

9 One of the biggest doings I got was on my 12th
10 birthday. It was [REDACTED] and I had kept my socks on in
11 bed because it was cold. The first time Jimmy White
12 came and got me he pulled me out of the bed feet first.
13 He got me on the floor then got my pyjama trousers and
14 tried to pull them off. He couldn't get the trousers
15 off because they were stuck in my socks.

16 Jimmy White was bouncing me and trying to get the
17 trousers and socks off. I was naked from the waist down
18 and I was trying to cover my private parts. Jimmy White
19 stood on me and lifted me up at the same time.
20 Eventually my feet came out of the trousers and socks.
21 He grabbed me and threw me over another bed. The other
22 boys were just standing there.

23 I thought to myself that I'd never keep my socks on
24 in bed again, but a few weeks later it was cold again.
25 I kept my socks on thinking I'd take them off again, but

1 I fell asleep. I got another doing from Jimmy White.
2 After that I kept my socks off at night. They were two
3 of the hardest beatings I got. I saw other boys getting
4 battered by Jimmy White, but nobody got it as much as
5 I did.

6 One of the other boys was in our dorm, he was nine
7 or ten years old and he was tiny. Usually
8 Brother MJO shut the curtains at night. One night
9 they weren't shut. Jimmy White came into the dorm and
10 asked who hadn't shut the fucking curtains. You could
11 feel the atmosphere. Another boy and I looked at each
12 other and at the small boy. Jimmy White was swearing at
13 us. He had a drink in him. It says in my reports about
14 the home leaves I missed that I didn't want to go home
15 because I had trouble with my brothers. I was racking
16 my brain about that. Even if I did have trouble with my
17 brothers I wasn't going to stay in that school and have
18 the crap beaten out of me every day when I could be at
19 home. At the same time Jimmy White was off,
20 Brother MJJ said he was sick and we were to pray
21 for him. I was praying he'd die.

22 I didn't put two things together at the time. Now
23 I think Jimmy White was off because of the amount of
24 bruises I had and I never got home because of what he
25 did. Jimmy White made up for it when he came back. The

1 beatings never stopped. They intensified and
2 Jimmy White was more aggressive.

3 When I got my next home leave I met my ma and my
4 brothers asked why I hadn't come home. My ma said
5 I didn't want to come home. I looked at her and I was
6 going to ask what she was talking about. I remember my
7 brother telling me not to tell ma and da anything.
8 I just took my ma's bags and walked up the road.

9 I reported Jimmy White beating me to
10 Brother MJJ. I had only been in St Ninian's for
11 a short time. Others told me not to do it. I got into
12 Brother MJJ's office. Brother MJJ asked
13 what was wrong. I started crying and telling him about
14 Jimmy White battering me every night. Brother MJJ
15 told me to come to him and was giving me a bit of
16 comfort. Then he started feeling my arse. I couldn't
17 believe it. I tried to pull away from him. The first
18 time he held firm, I tried again and he let me go.

19 Brother MJO was just as bad as Jimmy White.
20 When we misbehaved and it got too much for him then he
21 used a snooker ball, tennis bat or chess piece to hurt
22 you. It was always your head or your arse.
23 Brother MJO hit somebody once every day. I've no
24 idea how many times he hit me. He hit you even for
25 shouting. He always held your head in a headlock then

1 he put the snooker ball on your head and rubbed it on
2 your head hard.

3 Brother MJO held your head in a headlock and had
4 the chess piece between his two fingers. He rubbed the
5 sharp end on the top of your head. Brother MJO
6 rubbed his knuckle hard on your head. He had you in
7 a headlock and hit you on the top of your head with the
8 handle of the table tennis bat for a long time. The
9 pain was unbelievable and lasted for a long time.

10 Brother MJO put you over his knee and pulled
11 your shorts down and hit you hard on the buttocks more
12 than once.'

13 My Lady, I have a little bit to go.

14 LADY SMITH: Maybe we should take the break now and then
15 come back to the rest of this statement after the
16 afternoon break.

17 Thank you.

18 (3.03 pm)

19 (A short break)

20 (3.12 pm)

21 LADY SMITH: Mr MacAulay.

22 MR MACAULAY: I'll start again at paragraph 122:

23 'Boys hid from Brother MJO under the snooker
24 table and Brother MJO got the snooker cue and pushed
25 you out with it. A small boy could fly under the

1 snooker table to hide from Brother MJO .

2 The second weekend I was getting a visit, but
3 Brother MJO wanted to go for a walk. Most of the
4 boys had gone home on weekend leave and it was only the
5 ones who had not got enough points or who misbehaved who
6 stayed. There were about 15 or 20 of us left in the
7 home.

8 I told Brother MJO my ma and da were coming up
9 and he said we'd be back in plenty of time. We went out
10 a walk after lunch and got back at 2.45 pm. I saw my ma
11 and da sitting waiting in their car with my three older
12 brothers. I sat in the car with them and a bag of
13 sweeties. Five minutes later, Brother MJO came out
14 and told me to come in because it was tea time.

15 My ma and da said to Brother MJO that they'd
16 been sitting for an hour waiting on us. I said to
17 Brother MJO I'd told him they were coming and he
18 said we'd be back in plenty of time. My ma was telling
19 me to calm down. My da stepped out of the car and told
20 Brother MJO the next time they were coming up not to
21 let me go out for a walk. Brother MJO never said
22 a thing and brought me in. It wasn't for another 45
23 minutes that we got our tea. Brother MJO stopped
24 the visit for no reason.

25 Brother GZQ wasn't a really bad man, but I could

1 wind him up. We all did. He'd let you think you'd got
2 away with it and all of a sudden you'd feel a bang on
3 the back of your shoulders as you were walking out.
4 Brother GZQ got you back every time. We were playing
5 football in the hall and I had to go in goal. I said
6 I didn't want to. Another boy was taking a penalty and
7 I wasn't saving it. I was being stubborn. The boy
8 booted the ball. I knew it was going for my groin. The
9 boy was laughing and I was upset. I booted the ball, it
10 was an accident, but the ball just missed Brother GZQ.
11 Brother GZQ chased me but he couldn't catch me. When
12 he did get me he punched me three or four times on my
13 body and my back.

14 Brother Ben came to St Ninian's for a visit. He
15 worked at St Joseph's. I was going to football practice
16 with Brother GZQ. Brother MJJ pointed me out to
17 Brother Ben and said I was the brother of a brother he
18 knew. Brother Ben said he knew that brother and thought
19 he was a fucking fighter too. Brother Ben whacked me
20 right over the back. That was me for the rest of the
21 night.

22 Mr GXC, the feeler, rubbed his hand up your leg
23 and felt your bum. He did that to me more than once.
24 Brother MJO and Brother HMW did that too.
25 Mr MacKinnay felt your bum at his desk while he checked

1 your work. If you asked a question he came to your desk
2 where you stood to do your work and sat in his chair,
3 Mr MacKinnay felt your bum and your leg when he did
4 that. You soon learned not to ask questions.

5 LADY SMITH: Is that meant to be McKenna?

6 MR MACAULAY: Yes:

7 'When I reported the abuse by Jimmy White to
8 Brother MJJ and Brother MJJ felt my arse,
9 Brother MJJ said he'd have a word with
10 Jimmy White. Brother MJJ took me to the matron to
11 see if she could help me with the bed wetting. I never
12 went back to Brother MJJ. The boys knew what he
13 was like and they were trying to tell me.

14 At the visit with my ma and da on the second
15 weekend, I tried to tell my ma and da about Jimmy White.
16 My brother made a motion as if to say no and I knew not
17 to say anything. When I got home my brother said to me,
18 don't tell ma and da things that happen at the school.
19 He said he would worry and my da would end up in the
20 jail. I never told my ma and da.

21 I phoned the social work three times. The first
22 time was on my first home leave. I had been in
23 St Ninian's for three weeks. I went to the phone box on
24 Stewart Street and phoned the operator, because I didn't
25 know the number. The second and third times I phoned

1 were spread over a few weekends. Every time I did get
2 through but not to Mr Smith, who I was asking for.

3 I asked the lassie I spoke to to get Mr Smith to
4 come up the school, because I was getting battered off
5 the night watchman because I wet the bed. The lassie
6 I spoke to always said she would give the message to
7 Mr Smith. Mr Smith never appeared at St Ninian's and
8 the beatings never stopped. That's when I really
9 started to dislike social workers. I gave up trying to
10 contact Mr Smith. The other boys said that
11 social workers didn't give a fuck. They said we were in
12 St Ninian's because social workers didn't care.

13 I told my brothers about Jimmy White, but they said
14 nobody gave a fuck. I just lay down to the beatings and
15 became numb to going up that stair at night, even though
16 I was frightened of the beatings. There was nothing
17 else I could do.'

18 He then goes on to mention when he left St Ninian's,
19 and I think that was probably 1973, when he might have
20 been aged 13.

21 He then goes on to talk about his time in other
22 establishments and he lists these.

23 He also talks at paragraph 142 about Longriggend and
24 his time in Longriggend and the routine at Longriggend.
25 That has already been looked at.

1 If I can move on then to paragraph 232, on page 47.

2 He had been in Glenochil:

3 'I got out of Glenochil on my 21st birthday.'

4 He then talks about life after being in care and
5 again this has broadly been covered in the SPS chapter.

6 If I can go on to 'Impact' at paragraph 244, he
7 says, although it has been covered in part:

8 'Sometimes at St Ninian's there were highs during
9 the day, like when I did well in the painting
10 competition. Then there were the night times. When the
11 brothers shouted for you to line up for bed, I was
12 thinking, oh, no. I've tried to understand why
13 Jimmy White battered me and tried to make excuses for
14 him, but there aren't any excuses.

15 I experienced anger in St Ninian's where my head was
16 pure white heat. You can see it as well as feel it.
17 That's how angry I was and I had to get myself to calm
18 down. I blame Mr Smith for not listening to me. All
19 I wanted him to do was listen to me. Mr Smith was not
20 a good man.

21 I don't blame the social workers for putting me away
22 from the ages of 16 to 21, because I was foul mouthed.
23 The reason I was foul mouthed was because I had kept
24 trying to tell social work what was happening in
25 St Ninian's and they shut me down and ignored it.

1 I thought, why bother? That's when I got aggressive
2 with social workers and I'd tell them to shove it.
3 I felt a lot of anger towards social workers and
4 I'm still angry now.

5 Instead of writing a proper report, social work
6 would write that I was abusive and vindictive, a liar
7 and a manipulator. The social work accused me of
8 pulling the wool over their eyes. Their reports were
9 wrong. They weren't writing what I was saying. I was
10 trying to tell the social workers the truth and they
11 ignored me. The social workers never looked at who
12 I was or who I wanted to be. I was being the guy they
13 wrote about and not being me. I was mixed up.
14 I learned not to bother with social workers and that
15 stuck with me. I still have that attitude but I try not
16 to. I was never offered probation when I was a young
17 offender or a con.

18 I lost my faith in God in St Ninian's. I even
19 became an altar boy there, but nothing helped. No
20 matter how many times I prayed to that guy, I still got
21 leathered that night. I lost my faith in the social
22 work at the same time.'

23 If I could go to the lessons to be learned section,
24 at paragraph 261:

25 'If a kid's angry with an official adult, the adult

1 should take the time to listen to what that wean is
2 shouting about. Don't just shout the kid up, fob them
3 off or make excuses for somebody. Social workers should
4 ask kids they are dealing with why they hate
5 social workers so much. If social workers get the kids
6 young then they can nip it in the bud and weans like me
7 won't be so angry.'

8 I think the next couple of paragraphs have already
9 been read in.

10 He says at the end:

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 'Bruce' has signed the statement on 25 August 2021.

16 LADY SMITH: Thank you very much.

17 Ms MacLeod.

18 'Michael' (read)

19 MS MACLEOD: My Lady, the next statement to be read in is
20 that of an applicant who will use the pseudonym
21 'Michael'.

22 The statement is at WIT-1-000000830:

23 'My name is 'Michael'. I was born in 1962. I was
24 born in Parkhead in Glasgow, where I lived with my
25 family.'

1 From paragraphs 6 to 9 the witness describes that
2 primary school was terrible for him and that he started
3 not going to school. A truant officer became involved
4 and the witness appeared before the Children's Panel,
5 aged eight.

6 I'll read from paragraph 10:

7 'I appeared from a panel of three people.

8 Mr GJL [REDACTED] the social worker was also there and he
9 recommended that I be sent away because I wouldn't go to
10 school. I was then told that I was being put into care.
11 My mum went mental and started screaming and shouting,
12 so she was locked in a room. I was taken away by
13 Mr GJL [REDACTED] and didn't even get to say bye to my mum.

14 Mr GJL [REDACTED] took me to the social work office and
15 then straight to Cardross Park Assessment Centre.'

16 In paragraphs 13 to 55 in the statement the witness
17 speaks about his experiences at Cardross.

18 I'll read from paragraph 56:

19 'Mr GJL [REDACTED] came and said they found a place for me
20 in a really nice place called St Ninian's. I had still
21 been hoping that I would get home and asked if I could
22 go home first. He said I couldn't go home but I would
23 get home leave when I was there. He drove me to
24 St Ninian's in Gartmore, which was about half an hour's
25 drive from Cardross. I was quite anxious about going to

1 a new home but I felt better knowing I would get home
2 leave.

3 I was still eight years old when I was taken to
4 St Ninian's by Mr GJL . We drove up to a big,
5 massive house, about three times the size of Cardross.
6 It was an amazing big building with grass and a sundial
7 out the front.

8 When you walked in the front door there was a big
9 hall with wooden floors and seats along the side. There
10 were different rooms with different names on the ground
11 floor. One was called the De La Salle room and one was
12 called St Patrick's. All the boys were split into these
13 rooms and that is where they sat during free time and
14 played games.

15 There was a huge staircase going up and halfway up
16 was the watchman's room. As you went further up the
17 stairs you got to the first floor, which was where the
18 dormitories were, there were about six or seven dorms,
19 with about seven or eight boys in each one.

20 I think there were about 30 to 40 boys in the home.
21 I was the youngest at eight years old and they went up
22 to about 15 years old. I was put into a dormitory with
23 boys of mixed age.

24 On the ground floor there were also steps going down
25 to a lower level, which is where the boot room was.

1 That was where everybody kept their boots and it also
2 had lockers to keep stuff in. The dining room was also
3 on that lower level. I think the showers were also down
4 there, but I can't be sure.

5 There was a block outside in the grounds where there
6 was a classroom and the headmaster's office, there was
7 a chapel in the grounds, a greenhouse where vegetables
8 were grown and a walled garden where animals were kept.

9 Mr GJL [REDACTED] told me to sit down while he stood away
10 from me and spoke to men dressed in black robes, who
11 were the religious Brothers that ran the place.

12 I couldn't hear what they were saying. After
13 Mr GJL [REDACTED] left one of the Brothers showed me round and
14 then took me to a room to get clothes, boots, towel,
15 toothbrush and toothpaste. Then I was taken to the boot
16 room to put my boots in the boot room. You weren't
17 allowed upstairs to the first floor with them on

18 I was left to get changed there and put the rest of
19 my things in my locker. I was then told that I was in
20 the De La Salle room and was taken to that room on the
21 ground floor. I went in and there were about 15 boys in
22 it. There was a table tennis table in it and a separate
23 room with a television. The place was run by the
24 religious Brothers of the De La Salle Order. They wore
25 these long black gowns down to their feet and had these

1 white cardboard things that came from their neck over
2 their chest.

3 Brother LUE was SNR. The other
4 brothers I remember are Brother Benedict and MJO.
5 I don't know where the Brothers lived. I think they may
6 have had rooms on the floors above the boys' dorms, but
7 I can't be sure.

8 The night watchman was called Mr GJN and he sat in
9 the room halfway up the stairs. It was a small room
10 with just a chair and telly in it. The couple that
11 looked after the boys in De La Salle were an older
12 civilian couple. I can't remember their names, but they
13 were really nice. They just sat in the room and watched
14 over the boys when we were in there. They lived in
15 a little cottage that was on the drive as you came up to
16 the house.

17 There was a gardener called Jimmy McKinstry, who
18 I think lived in the village of Gartmore. There were
19 also civilian staff who just came in for the day. There
20 was a Mr McKenna, the woodwork teacher and Mr McDougall
21 the English teacher. Mr McDougall had one eyebrow
22 across both eyes. There was also a male cook who
23 prepared the food and he was quite nice.

24 I don't remember the names of any of the people who
25 were okay, which is a shame. I only remember the people

1 who did bad things. It is a pity.

2 In the morning we were woken up by a Brother at
3 7 am. Whoever was on duty would come in and shout at us
4 to get up as he would pull the sheets off people. If
5 you didn't get up straight away he'd give you a slap.
6 All the Brothers did this. We got out of bed and then
7 got washed and dressed and went down to the boot room
8 for about 8 am. Everybody lined up and there was a roll
9 call to make sure everybody was there. That happened
10 before every meal. We all had a number and we had to
11 stand in our position in line. I was number ■ in the
12 De La Salle House. Whichever Brother was on duty would
13 do the roll call. We then went to the dining hall for
14 breakfast, we went to mass every morning and then to
15 class, but not for long. We didn't learn much. It was
16 more physical work that we done in the house, like
17 gardening.

18 After about a year of being there I was made to
19 break in the horses because I was small. You just did
20 what you were told. We also ran a mile nearly every day
21 through the week, which was down the drive to the main
22 gate and back. The first day I was taken to run a mile
23 one of the boys told me to run slower, because I would
24 be expected to beat my own speed the next day or I would
25 be in trouble, so it was better to start slow. You had

1 to beat your own speed every day or you got a beating.

2 There was a place in there that was walled, which
3 was called the gardens, but it wasn't a garden. It was
4 just a walled area where animals were kept. There was
5 a goat, deer, sheep, pheasants and other things. I got
6 myself in there to do some work. I just kept turning up
7 and told the Brother that was my kind of place and my
8 kind of work, so he let me start working with him. The
9 Brother who ran this place was all right, but I can't
10 remember his name.

11 Some days you would just sit in your allocated room
12 on the ground floor. Whenever I was in there during the
13 day I would just sit and look out the window. We also
14 sat in these rooms in the evening and since I couldn't
15 see anything out the window when it was dark I would
16 play table tennis most evenings. I got pretty good at
17 it, sometimes we watched telly in the room.

18 At night boys would crawl out of bed and crawl on
19 their hands and knees to the top of the stairs and see
20 the watchman in his room. He would sit in that room all
21 night while the boys were asleep and listen for anything
22 happening. We would just carry on at night because we
23 weren't tired and he didn't really do anything about it.

24 The routine changed for me when I started wetting
25 the bed and when I became an altar boy. Both these

1 things happened after I had been there for about six
2 months. Then I had to get up at 6 am in the morning and
3 go to the chapel to do the altar boys things for the
4 Brothers. Then at night Mr GJN, the watchman, would
5 hit me with a stick to wake me up to take me to the
6 toilet every four hours. I don't remember doing any
7 chores there.'

8 In paragraphs 81 to 91 the witness speaks about
9 weekends, food, clothing and schooling.

10 I'll read from paragraph 92:

11 'There was a chapel in the grounds and we had mass
12 every day, which one of the Brothers did. There was no
13 priest.

14 I was chosen to be an altar boy after six months of
15 being in the home. I don't know why I was chosen,
16 because I didn't want to do it. I had to get up at 6 am
17 in the morning to do mass for the Brothers, then again
18 when the boys woke up and again in the evening. This
19 involved ringing the bell and setting up the altar for
20 mass.

21 There were three altar boys but only two of us did
22 that morning mass and for some reason I had to do it
23 every single day of the week, so I was doing mass three
24 times a day, every day through the week.

25 One time a big-shot Cardinal came to visit the

1 chapel. He had agreed to let all the boys home for the
2 weekend after mass, he had that much power. Everybody
3 was excited about going home, including me. Then one of
4 the Brothers started threatening me, saying that
5 I better not mess up my job as an altar boy in front of
6 the big Cardinal and if I made even one mistake I would
7 get the biggest beating of my life. I don't know why he
8 said that, because I did the altar boy every day and
9 never made any mistakes. I can't remember which Brother
10 was it.

11 I was so frightened by the threat that I ran away
12 five minutes before the mass, I was running down the
13 street with all these altar boy robes on. I managed to
14 get home to Cumbernauld. The police were called to take
15 me away and took me back to St Ninian's. All the other
16 boys were away home because the Cardinal had given them
17 home leave, so I was the only one there. I was taken to
18 the boot room and I got beaten up by two Brothers, but
19 I don't remember which ones. They were both kicking
20 into me. I wasn't allowed home for four weeks after
21 that.

22 I don't remember getting any medical attention after
23 all the beatings I got. I don't remember seeing
24 a doctor at all. I remember seeing the dentist every
25 week in Callander, I didn't have any problems with my

1 teeth but the Brothers would just take me.

2 The dentist gave me fillings in every single one of
3 my teeth. They didn't need to be filled, but they got
4 money for doing it. I went so often that I was immune
5 to the jag they gave me, so they had to hypnotise me.

6 Boys used to get home every week. St Ninian's had
7 a green bus that they would take boys in and drop them
8 off at Buchanan Street in Glasgow. I would then go to
9 Govan with my mate, because he lived there. That was
10 when I started stealing sweeties out of Woolworths.
11 I got away with it a few times, so we started doing
12 madder things. That was the start of me getting
13 involved in crime. I had never broken the law before
14 that.

15 My mum came to visit me in the home once as far as
16 I can remember. The social worker brought her. I think
17 it was about a year into my time there, because
18 I remember I was on a horse at the entrance when I saw
19 her driving up in the car with Mr GJL. I trotted
20 the horse up behind the car.

21 I was so excited that I left the horse, who was
22 called Gypsy, and ran in to see my mum. The horse was
23 out all night and died the next day. I have never
24 forgiven myself for that to this day. I still think
25 about it.

1 I wasn't expecting to see my mum. She had been
2 asking Mr GJL to bring her for ages so she could
3 see where I was staying. He had kept saying that he was
4 too busy, but eventually he brought her just that once.

5 Mr GJL only came to see me that once as well.
6 No other social worker visited me in the
7 three-and-a-half years I was there. I never knew when
8 I was going to get out or anything, but I knew the other
9 boys got out when they went to high school.

10 Sometimes the Brothers shouted at you for minor
11 things, some slapped you and some punched you.

12 All the Brothers slapped the boys for little things,
13 like not getting up fast enough in the morning or not
14 walking fast enough in the corridor. It happened to all
15 the boys and it wasn't that bad. I would get hit in the
16 ribs by the Brothers for putting my elbows on the dining
17 table at meal times. All the staff did this, including
18 the Brothers and the teachers, whoever was there at the
19 time. They did it really hard because I always had
20 bruised ribs from it.

21 Sometimes the Brothers would send you to
22 Brother LUE if you had done something they thought
23 was bad. He would just tell you that you weren't
24 getting home for four weeks. That was also the
25 punishment for running away. Brother LUE never

1 battered me.

2 After I had been in the home for about six months,
3 I was sexually abused by Jimmy McKinstry. I had thought
4 he was an all right guy until then. He used to bring
5 caramels for the boys every week and let us have a shot
6 of his pipe which he smoked.

7 He would be out in the grounds and would talk to the
8 boys when we were out. He was allowed to take boys to
9 help him out and would just tell the Brothers when he
10 was doing that.

11 One day, Jimmy McKinstry asked me to help him in the
12 potting shed. It was the first time he had asked me and
13 I was happy to, because I thought he was all right. It
14 was just me and him in the potting shed. I was wearing
15 shorts and a T-shirt and he told me to take my T-shirt
16 off because it would get dirty and the Brothers would
17 get angry. He said it would be to my benefit to take it
18 off so I did. He then started throwing compost at me,
19 just playing, so I threw it back. The next thing I knew
20 he was behind me. He pulled down my shorts and I felt
21 something wet between my buttocks. He was basically
22 trying to rape me, but couldn't do it. I was screaming
23 and he told me to shut up and that nobody would believe
24 me. I knew nobody would believe me and that if I told
25 the Brothers they would just call me a liar and tell

1 everyone not to speak to me.

2 I ran away after I was abused by Jimmy McKinstry.
3 I was scared and didn't know what to do. I was running
4 down the driveway to get away and Mr McDougall drove
5 down behind me in a wee Mini. As he passed me he stuck
6 his hand out the car and grabbed the back of my head.
7 I tumbled and I must have been knocked out, because the
8 next thing I remember was that I was lying half in front
9 and half in the back of this mini. He drove me back to
10 the home.

11 I didn't know what to do after that. I went and sat
12 in the De La Salle room and just looked out the window.
13 There were tears coming out of my eyes. I couldn't stop
14 them. I thought I needed to get out of there because
15 I couldn't go through that again. I asked to go to the
16 toilet and I ran away. I managed to get home to
17 Cumbernauld. The police were called and they took me to
18 Cumbernauld Police Station. Mr GJL [REDACTED] came to get me
19 to take me back to St Ninian's.

20 I was sitting in the back of Mr GJL [REDACTED]'s car and
21 told him that I didn't want to go back because I had
22 been abused. I told him Jimmy McKinstry had pulled my
23 trousers down and what he did to me. Mr GJL [REDACTED] told
24 me to shut up and not to be stupid, because they were
25 religious people and wouldn't do that. I was so

1 terrified about going back to the home and I wasn't
2 being believed by my social worker, so I tried to get
3 out of the car while we were on the motorway. I smashed
4 my head into the back window and started trying to climb
5 out. I was half hanging out the smashed window when we
6 were driving along the motorway. I nearly got out and
7 if I had I would have been killed, but I didn't care at
8 that time because I didn't want to go back.

9 Mr GJL had to stop the car. He was shouting at
10 me and called me a fucking bastard and said that he was
11 supposed to be going on holiday the following day and
12 now he wouldn't be able to go.

13 He took me back to Cumbernauld Police Station,
14 because we had only just got on the M8 and weren't far
15 from it. When we got there, I remember the police
16 officers were picking the glass out of my hair.
17 I didn't tell them what happened at St Ninian's and they
18 didn't ask why I had smashed my head through the glass.

19 Mr GJL wanted to take me back to St Ninian's.
20 One of the senior officers then came along and said that
21 the only place they would be going that day was back to
22 my own home, to my mum. Mr GJL took me home to my
23 mum that night and let me stay the night there. I never
24 told my mum about the abuse because it would have broken
25 her.

1 Mr GJL came to get me next day to take me back
2 to St Ninian's. He said he had bought me 40 cigarettes.
3 He was bribing me to go back. I was still saying that
4 I didn't want to go back. He said that I either had to
5 go back with him or the police would take me back and
6 there would be nothing he could do for me.

7 I told the older woman who looked after the kids in
8 the De La Salle room about Jimmy McKinstry sexually
9 abusing me. She walked over and told her husband.
10 I was watching them and he just kind of nodded, as if to
11 say he knew but couldn't do anything about it. I think
12 maybe they were in a position that they'd have lost
13 their job and house if they said something. They saw me
14 running away once after that and didn't say anything,
15 they just let me. I think they understood.

16 I eventually went to Brother LUE. This was
17 about a couple of weeks after the abuse had happened.
18 I told him that I didn't like Mr McKinstry and told him
19 about what had happened. He told me to go over to him
20 and sat me on his knee. He then started kissing me.
21 I remember his big bastard lips kissing me all over my
22 face and the smell of his breath was horrendous. I was
23 pulling away from him. He told me not to say things
24 about staff like that again, because they all loved me.
25 Then I was just told to leave.

1 There was nowhere to go after that. It was just
2 like it was a free for all.

3 I was abused by Mr McKenna in his woodwork class,
4 which was in an outbuilding separate from the main
5 building. He used to sit boys on his knee in class and
6 he'd have an erection. You could feel it against you.
7 This was in front of the whole class. He did that to
8 other boys as well. This happened to me days after
9 I started at St Ninian's and carried on throughout my
10 time there. You learned to keep your head down and
11 avoid any attention.

12 The boys knew the rules were to keep your head down,
13 otherwise you would get abused or get battered and if
14 you did tell anyone the Brothers would tell everyone not
15 to talk to you. The boys told me that.

16 One time, McKenna was teaching us to make a boat
17 from three bits of wood in class. He told me that mine
18 wasn't good enough and I was to stay back for extra
19 lessons. When everybody had left, he told me not to
20 worry about the boat and we would go up to the theatre,
21 which was above the wood workshop. We went into the
22 back of the theatre and he started touching me. His
23 hands were everywhere on me, on my private parts and he
24 was saying, "I'm going to fuck you". He was trying to
25 get his hands under my clothes and managed a couple of

1 times, but I was bent over and was struggling.

2 I was thinking that I couldn't let this happen to me
3 again, because the first time I was abused by
4 Jimmy McKinstry was terrible. I was struggling and
5 fighting for my life. I managed to get away from him.
6 He never told me to stay back in class after that.

7 I was in the shower room once when I was about nine
8 or ten years old, when the showers came on the water was
9 freezing so I swore. I didn't mean it. It just came
10 out. Brother Benedict was there supervising and he lost
11 the plot. There were two other boys in the shower room
12 and he told them to leave, which they did. I don't
13 remember their names, but one of them was from Govan and
14 became my friend.

15 Brother Benedict then came over to me and started
16 slapping and punching me about everywhere on my head and
17 body. I fell to the floor under the shower and was
18 curled up. He kept punching me, then grabbed the
19 carbolic soap and shoved it in my mouth. I couldn't
20 breathe with the soap in my mouth and the shower water
21 coming down on me.

22 He then left me and came back with a fire hose and
23 turned that on me. It was so strong that it was lifting
24 me off the ground. He was aiming it everywhere, from my
25 private parts and on my face as well. I was trying to

1 get the carbolic soap out of my mouth, which was going
2 soft and bubbling in my mouth and was in my nose as
3 well. It was horrible. I couldn't breathe and
4 I thought I was going to die. I will always remember
5 the taste of that soap.

6 Brother Benedict eventually turned the hose off,
7 punched me a few more times, then disappeared. He must
8 have been putting the hose back. He came back and said
9 that I better not swear in a holy place again. I don't
10 remember his exact words, but it was along these lines,
11 I was crying and he told me to stop being such a baby
12 and to go and get dressed. He told me I knew the rules
13 and not to say anything to anyone.

14 Brother Benedict used to look after the boys in
15 St Patrick's room. My friend was in St Patrick's group,
16 so I would go into that room in the evening to see him.
17 Brother Benedict would be there and he this machine that
18 he used to electrocute the boys with. He would wind it
19 up and make boys hold on to the wires. The aim was to
20 see how long you could hold on for while he electrocuted
21 you.

22 When I would go into the room, Brother Benedict
23 would call me over and tell me it was my turn to hold on
24 to the wires. He would wrap the wires around my hands
25 so I couldn't let go easily, then turn it on. It gave

1 you a real electric junt. There was a lot of
2 electricity going through you. I couldn't let go of the
3 wires easily because they were wrapped around my hands.
4 He did it to all the boys in his group and they didn't
5 have a choice. It was a common thing. He made you do
6 it.

7 Brother Benedict was always angry and really violent
8 and just wanted to hurt boys. He would usually tell you
9 to go to the boot room for a minor misdemeanour then he
10 would come down and batter you. He did that to me and
11 to other boys.

12 I was really small, so I was made to break the
13 horses in. I didn't want to do it because I would get
14 kicked off them and get hurt. I didn't have a choice
15 though. I was made to get on them. One day when I was
16 ten or 11 years old I was outside with the horses.
17 Brother **MJO** was there and a bee flew up his gown.
18 He started patting himself down, trying to get the bee
19 out. It looked really comical so I started laughing.
20 He told me to go to the boot room, which I did. Then he
21 came in and the beating he gave me was incredible. He
22 had boots on and was kicking my face and body while
23 I was on the floor. I'm sure my nose was broken. He
24 then squeezed my nose and I heard a crunch. I think
25 that was him straightening my nose after realising he'd

1 broken it. That wasn't sore but everywhere else he'd
2 hit me was sore. I was covered in bruises and had two
3 black eyes. None of the other teachers or staff ever
4 asked what happened or how I got the injuries

5 I started to wet the bed after I was sexually abused
6 by Jimmy McKinstry six months after being in the home.
7 I remember hiding it after it started. I made my bed up
8 and didn't say anything to anyone. Then I was worried
9 all day about it. I would sit looking out the window,
10 wondering what to do and how I could get new sheets and
11 change them without getting caught. I lay in my wet bed
12 with wet pyjamas for a few days.

13 I got caught out because I think the boys started to
14 smell it after a few days and started talking so the
15 staff found out. One of the Brothers made a big thing
16 about me wetting the bed and embarrassed me in front of
17 all the other boys. He held up my sheets and made fun
18 of me. I can't remember which Brother but he made me
19 strip my bed and scrub my mattress. I got clean sheets
20 and pyjamas.

21 After I was found out, Mr **GJN**, the watchman, would
22 wake me in the night and take me to the toilet, he had a
23 walking stick that he used to balance on his nose, that
24 was his party trick. He would hit me on the legs with
25 the stick to wake me up at night and he would keep

1 hitting me harder until I got up. He would do this
2 every four hours and take me to the toilet. I wasn't
3 allowed to go back to my bed until I had been to toilet,
4 so sometimes I would be sitting there for ages.

5 I was still wetting the bed, even though Mr GJN was
6 waking me and taking me to the toilet. One night when
7 Mr GJN tried to wake me up I turned and punched him.
8 I must have done it in my sleep. All the other boys saw
9 it and they started laughing. Mr GJN even thought was
10 funny and laughed at it.

11 I was getting more and more tired during this time,
12 because I was getting woken up at night to go to the
13 toilet and then I had to get up at 6 am, earlier than
14 the other boys, to do the altar boy stuff. I was made
15 an altar boy after six months, so I was just tired all
16 the time.

17 Whenever I did wet the bed, whichever Brother was on
18 duty would hold my sheets up for everyone to see and
19 make a point of telling everyone that I was still
20 wetting the bed. The other boys would laugh at me. All
21 the boys in all the dorms could see through, so everyone
22 would know. Then I would have to strip my bed and carry
23 the wet sheets down to the laundry at the same time as
24 everyone was walking to breakfast, so that was also
25 embarrassing. The Brothers found every way they could

1 to embarrass you, I got a roasting from the other boys
2 from it.

3 I ran away a lot. Every time I got home the police
4 would be called and then I would be taken back. Every
5 time I got back to the home I would be taken to the boot
6 room and get a beating. Any Brother would do it, then
7 I would not be allowed home for four weeks.

8 I was told I was leaving to go home when I was
9 12 years old. I was absolutely delighted and over the
10 moon about this, because it was horrendous in there.

11 I don't know why I was leaving, but I think it was
12 because I had been there long enough and they wanted to
13 try something different and it was also time for me to
14 go to high school. I was told I would be going to the
15 local high school near my home. St Ninian's took me to
16 a shop and bought me my uniform for school. They got me
17 clothes as well, but they weren't nice clothes.

18 I left after being in there for three-and-a-half
19 years. I left during the Christmas holidays when I was
20 about 12 years old.

21 I told Mr GJL that I had been sexually abused
22 by Jimmy McKinstry. He told me I was being stupid and
23 to shut up. He took me back to St Ninian's after I told
24 him. I told the older woman who looked after the kids
25 in the De La Salle room about Jimmy McKinstry sexually

1 abusing me. I saw her walk over and tell her husband.
2 They didn't say or do anything about it.

3 I told Brother LUE about Mr McKinstry sexually
4 abusing me, and he told me not to say things like that
5 about staff because they all loved me and kissed me all
6 over my face.

7 I didn't tell anybody about the beatings, because
8 nobody cared and it was just normal in those days.'

9 My Lady, between paragraphs 152 and 161 the witness
10 speaks of his life at home.

11 Between paragraph 162 and 205 he speaks of time he
12 spent in Bellfield Remand Home in Dumbarton.

13 Between paragraphs 206 and 247 the witness speaks
14 about his time at St Mary's in Bishopbriggs, but that
15 was in the post-De La Salle period of that home.

16 Paragraphs 248 to 293 of this witness's statement
17 were read in in the SPS chapter, the first chapter of
18 this case study, on 6 December last year. That related
19 to the witness's time in Longriggend, in Polmont and HMP
20 Castle Huntly.

21 Between paragraphs 294 and 299 the witness speaks
22 about his life after care.

23 I will move to paragraph 300, where he speaks about
24 the impact that his time in care had on his life:

25 'I started breaking into places and committing

1 crimes after I went into care because of the people
2 I met in there, and that put me on to a path of crime
3 for many years. I haven't been in trouble for last
4 30 years or so.

5 I was put into care for not going to school, but
6 then I never got any education when I was in care. That
7 has stopped me progressing in anything as an adult.
8 I can't go further than my practical duties as a chef,
9 because then I would need to write reports and stuff,
10 which I struggle with.

11 I became a heroin addict for about three years,
12 because I couldn't see my life going anywhere because
13 I couldn't read or write properly and I wanted to
14 progress. I felt worthless. I managed to come off
15 heroin myself, but then drank a lot for years. I hardly
16 drink now.

17 I can't cope with relationships and the
18 responsibilities that come with it. I am just not
19 interested in sexual relationships. That is why my
20 relationship with my partner broke down and I am single
21 now. That is absolutely because of the sexual abuse in
22 St Ninian's. I struggle to stay friends with people
23 too, because I don't like going out.

24 St Ninian's ruined my life. It just devastated me.
25 I think about it all the time. Certain smells, like

1 carbolic soap, bring on reactions.

2 I have taken overdoses throughout my life, which
3 started when I was about 17 years old. The past has
4 just always haunted me. I went back to St Ninian's
5 about 10 years after leaving to see if it would help me
6 cope better after seeing it again. The building was
7 empty and not in use, but Jimmy McKinstry was still the
8 gardener there. I just walked about the building once.
9 It made me quite upset and brought things back to me so
10 I left. I couldn't get out of there fast enough.

11 The police contacted me about two years ago. They
12 sent me a letter saying they wanted to speak to me about
13 St Ninian's. I went to give them a statement about my
14 time at St Ninian's. They said I told them the exact
15 same story as someone else.

16 I was cited as a witness to go to the High Court in
17 Edinburgh in August 2021 to give evidence against
18 Brother Benedict. I was not happy about going to court
19 and didn't want to do it. I found it all very stressful
20 and struggled to sleep and eat because of it. But
21 I still went and gave my evidence. There were a lot of
22 charges on the indictment and I was only one of many
23 complainers. Two of the charges on indictment related
24 to violence against me.

25 I had to build myself up a lot to give evidence. It

1 was a small courtroom and it felt quite oppressive.
2 I saw Brother Benedict sitting in the dock with his head
3 down when I went in. Just before we were about to start
4 I heard him saying to the security officer, "Let's
5 rock'n'roll". I had seen him as an old man when
6 I walked in, but hearing that proved to me what kind of
7 man he still is. It put me on the back foot a bit when
8 I gave my evidence. Maybe that is what he wanted.
9 I don't know if the jury would have heard it, because
10 there were on a screen sitting in another venue and not
11 in the courtroom.

12 He was already in prison after being found guilty of
13 other charges. He was coming to the end of a six-year
14 sentence when these new charges were brought against
15 him. He clearly had no remorse or he could have made a
16 deal and plead guilty to some of the charges, but
17 instead he decided to put all his victims through
18 a court case.

19 The trial went on for about 30 days. One of the
20 charges he was found guilty of related to me. I got my
21 medical records, which are just from age 16 to now.
22 They confirm that I was at St Ninian's in Gartmore.

23 I applied for my social work records and was told
24 that they can't find them. Those are the ones I really
25 want. There must be something in them about when I put

1 my head through a car window. I also tried to get my
2 police records, but they only start from when I was
3 16 years old.

4 I have contacted Future Pathways and solicitors who
5 have tried to get some records for me. I think there
6 need to be more female staff members in care
7 institutions. Staff should always be made to work in
8 pairs, so there will always be a witness around.

9 I am hoping that the same mistakes won't be made
10 again and that other children will be saved from going
11 through what I went through in care.

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 'Michael' signed the statement on 12 October 2021.

17 LADY SMITH: Thank you very much.

18 I think we'll stop there for today, Ms MacLeod.

19 We start tomorrow with a witness in person, do
20 I have that right?

21 MS MACLEOD: Yes, A witness in person and then some more
22 read-ins.

23 LADY SMITH: Some names that may have been new this
24 afternoon were Brother **HMW**, Jimmy White, Mr **GJL**
25 and Mr **GJN**, and they're not to be identified outside

1 this room.

2 Thank you very much. I'll rise now until 10 o'clock
3 tomorrow.

4 (3.55 pm)

5 (The Inquiry adjourned until 10.00 am on
6 Tuesday, 23 January 2024)

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