

FIRST DAY.

TRIBUNALS OF INQUIRY (EVIDENCE) ACT, 1921.

TRANSCRIPT OF PROCEEDINGS
AT THE PUBLIC INQUIRY

into

INCIDENT AT DUNBLANE PRIMARY
SCHOOL on 13th MARCH, 1996

before

THE HON. LORD CULLEN

on

WEDNESDAY, 29th MAY, 1996

within

THE ALBERT HALLS,
DUMBARTON ROAD, STIRLING

.....

(Shorthand Notes by Wm. Hodge & Pollock Ltd., Glasgow).

.....

CROWN COPYRIGHT.

APPEARING:- THE LORD ADVOCATE (The Hon. Lord Mackay of Drumadoon), Mr. IAN BONOMY, Q.C., Advocate Depute, with Mr. J.C. LAKE, Advocate, for the Crown;

MR. C.M. CAMPBELL, Q.C., with MS. L. DUNLOP, Advocate, for the families of the deceased children, the families of the injured children, the children absent from class, Mrs. Harrild and Mrs. Blake;

MR. A.T.F. GIBB, solicitor, Edinburgh, for the representatives of Mrs. Mayer (deceased), and the Educational Institute of Scotland;

MR. M.S. STEPHEN, solicitor, Glasgow, for the Association of Head Teachers in Scotland, and Mr. Ronald Taylor (Headmaster);

Mr. M.J. JONES, Q.C., for Stirling Council and Others;

MR. J.A. TAYLOR, solicitor, Edinburgh, for the Central Police Force;

THE DEAN OF FACULTY (Mr. A.R. Hardie, Q.C.) with MR. G.C. KAVANAGH, solicitor, Glasgow, for the Scottish Police Federation.

.....

I N D E X.

	<u>Page.</u>
JAMES LISTER, Examined by the Lord Advocate.....	8
EILEEN HARRILD, Examined by the Lord Advocate.....	10
STATEMENT OF MARY BLAKE.....	24
MALCOLM RODGER CHISHOLM, Examined by the Lord Advocate.....	28
Cross-examined by Mr. Gibb.....	59
Re-examined by the Lord Advocate.....	59
DAVID JOHN GOULD, Examined by the Lord Advocate.....	60
Cross-examined by Mr. Campbell.....	60
ANTHONY BUSUTTIL, Examined by the Lord Advocate.....	66
HOSIE TEVADIA, Examined by the Lord Advocate.....	77
JACK BEATTIE, Examined by the Lord Advocate.....	79
Cross-examined by Mr. Campbell.....	82
MICHAEL FLEMING SMITH, Examined by the Lord Advocate.....	84
EDWARD GOLDIE, Examined by the Lord Advocate.....	85
LESLIE CAMPBELL GOW HAIRE, Examined by the Lord Advocate.....	88
STATEMENT OF GEORGE ANDERSON.....	90
MICHAEL BAXTER, Examined by the Lord Advocate.....	91
JOHN OGG, Examined by Mr. Bonomy.....	94

WEDNESDAY, 29th MAY, 1996.

FIRST DAY.

LORD CULLEN: Ladies and gentlemen, this is the opening of the Dunblane Public Inquiry. The first thing I would like to do is, for the record make sure who represents whom this morning, apart from the Lord Advocate and the counsel appearing with him. Mr. Campbell, there may have been some changes since you addressed me four weeks ago.

MR. C.M. CAMPBELL, Q.C.: Sir, my name is Colin Campbell, Q.C. I appear with Miss Laura Dunlop, Advocate, instructed by Levy & McRae, solicitors. I appear on behalf of the families of the deceased children, the families of the injured children and the families of the children absent from the class on the day in question. I also appear for Mrs. Harrild and Mrs. Blake.

MR. A.T.F. GIBB: Sir, my name is Andrew Gibb, solicitor, and I appear on behalf of the 23 members of the teaching staff of Dunblane Primary School who are members of the Educational Institute of Scotland and also the six members who are members of the PTA. I do not appear for anybody else.

MR. M.J. JONES, Q.C.: Sir, my name is Michael Jones, I am a Queen's Counsel, instructed by Messrs. Simpson & Marwick, W.S., and I appear on behalf of Stirling Council.

MR. J. TAYLOR: Sir, my name is James Taylor. I am representing the interests of Central Scotland Police.

MR. M.S. STEPHEN: Sir, my name is Martin Stephen, and I appear on behalf of Mr. Ronald Taylor, the headteacher.

LORD CULLEN: I take it that is all those who appear here today to represent parties.

One or two things I would like to say at this point perhaps for the assistance of those who are seated in the audience. Four weeks ago at the Preliminary/

Preliminary Hearing I set out the ground rules which were to be followed in this Inquiry, and since that time have had no need to change those rules: so those will be the rules for this Inquiry.

There will be no opening submissions in this Inquiry; we will go right into the evidence, subject to any preliminary points which are brought to my attention before we get to the first witness.

The Inquiry will sit daily Monday to Friday, from 10 till 1, and in the afternoon from 10 to 2 until 20 past 4. That afternoon period may be altered, not as regards its length but as regards its position, in the light of experience, having seen how matters go.

Firstly, a word for counsel or those who are representing the party, solicitors or counsel. I do not mind whether you stand or sit when you are putting questions; but whatever you do, make sure that you are within a proper range of the microphones. We have a perfectly good sound system, so make sure you use it correctly.

Before I call the Lord Advocate, are there any preliminary points that any of the parties would like to raise at this stage?

There was no response.

LORD CULLEN: Very well. Lord Advocate?

THE LORD ADVOCATE: Sir, you will recall that at the Preliminary Hearing I made reference to my decision to grant an immunity from prosecution, and I wish to make my position clear on that matter. I wish to make it clear that anything which any witness says in evidence before the Inquiry will not be used in evidence against him or her in any criminal proceedings in Scotland, except in relation to any offence of perjury or against the course of justice.

Given the nature of the evidence which is likely to be given before the Inquiry, I consider it extremely unlikely that witnesses should have any concerns about self-incrimination; but I have found it appropriate in the public interest to give this undertaking/

undertaking in order to avoid any such difficulty arising.

Sir, as you will recall, the remit which you were given following the resolution by both Houses of Parliament was to enquire into the incident at Dunblane Primary School on Wednesday, 13th March, 1996, which resulted in the death of 18 persons. Of those 18 persons 17 were murdered at the hand of Thomas Hamilton: their names are as follows:

Victoria Clydesdale, Emma Crozier, Melissa Currie, Charlotte Dunn, Kevin Hasell, Ross Irvine, David Kerr, Mhairi MacBeath, Susan Mayer, Brett McKinnon, Abigail McLennan, Emily Morton, Sophie North, John Petrie, Joanna Ross, Hannah Scott and Megan Turner.

Sir, in relation to each of these victims various Productions have been prepared and are included in these three red folders which I will present to you in a moment. They include in relation to each of these victims a pen picture of the victim concerned, certain detail of the various witnesses who had dealings with the victim and various other documents, including the post-mortem reports which were prepared following upon the tragedy which occurred. It is not the intention to lead any of the detail that is contained in these folders, out of respect for the privacy of the individual families concerned; but it is of course correct in the public interest that this full detail should be presented to you.

In relation to the eighteenth death, that of Hamilton himself, separate Productions have been created, and it is in the public interest that some of these will be discussed in detail as the Inquiry unfolds.

In addition, sir, another folder has been made up, including similar details, pen pictures and other information, medical information, relating to the other people who were in the gym when this tragedy occurred, and other people within the school who suffered injuries as a consequence of Hamilton's actions. Their names are as follows:

Aimie Adam, Coll Austin, Matthew Birnie, Mary Blake, Scott Crichton, Eileen Harrild, Steven Hopper, Robbie/

Robbie Hurst, Any Hutchinson, Ryan Liddell, Mark Mullan, Andrew O'Donnell, Victoria Porteous, Robert Purves, Benjamin Vallance and Stewart Weir.

As far as humanly possible, sir, the evidence will be led in a manner which avoids identifying the names of individual victims. It is I know the earnest wish of all of the relatives of those who died and of those who survived and their relatives and indeed of all of us who have been involved in preparing for this Inquiry that the privacy of those who have suffered so much as a consequence of this tragedy should be respected.

It is the earnest hope of myself as Lord Advocate and of all those who I have spoken to about this matter that if by any process anybody is able to identify the name of a particular victim, even though that name is not mentioned on the floor of the Inquiry, no mention of that name should be made in the media, out of respect for those who have suffered; and if inadvertently any name is mentioned I am sure we can rely on the support of the media in this matter, following the traditions which we have come to expect of them in the Courts in this land.

Sir, I do not think it is necessary for me to say any more at this stage, but I do formally present these four volumes as containing the information to which I have referred.

LORD CULLEN: Perhaps I could ask the parties whether they have any comment they want to make on the statement the Lord Advocate has made in relation to the method of dealing with information in relation to the individual victims.

There was no response.

LORD CULLEN: I have satisfied myself already that it is entirely appropriate the Inquiry should proceed to entertain evidence in this particular way, having regard to the wishes of the relatives whom I have had an opportunity to meet, and I entirely sympathise with the way the Lord Advocate has outlined in dealing with this particular aspect of the evidence which is for me to consider.

I would associate myself with the remarks he has made in regard to the media. I know I can rely on them to respect the wishes the relatives have so clearly and unanimously expressed.

THE LORD ADVOCATE: Sir, the first witness who will give oral evidence is James Lister.

JAMES LISTER (37), Sworn:

EXAMINED BY THE LORD ADVOCATE: I am a Police Constable with Strathclyde Police Force. I have 15 years' police service.

I think you are currently attached to the Strathclyde Police Air Support Unit in Glasgow? - That is correct, sir.

And in the course of your duties I think you regularly act as an observer within the Strathclyde Police helicopter, and take aerial photographs when asked to do so? - I do, sir, yes.

On Friday, 29th March of this year were you requested by Detective Chief Superintendent Ogg of Central Scotland Police to take a number of aerial photographs of Dunblane Primary School and the surrounding streets? - Yes, sir.

And later that day did you, accompanied by another officer, fly over the school and take with a camera a large number of photographs? - I did, sir, yes.

I want you to look please at four photographs. First of all Production R1, which will be shown on the screen for the benefit of the rest of us. Do you have sight of that yourself? - I do, sir, yes.

This is a photograph taken from quite a height, which shows you the whole school, the playing ground and various of the surrounding streets? - That is correct, sir, yes.

Look please at R2. That is taken from a/

a slightly closer position, again showing the whole of the school, the various entrances to the school grounds and the playingfields? - Yes, sir.

R3, please. Again this is slightly closer in, showing most of the school building? - Yes, sir.

And finally R4. That is another close-up view of the school, again showing most of the school building, from a slightly different angle? - Yes, sir.

No cross-examination.

EILEEN HARRILD, (43), Sworn,

EXAMINED BY THE LORD ADVOCATE: I think that you are 43 years of age and you live in Dunblane, is that correct? - Yes.

I think that you are employed by the Local Education Authority as a physical education teacher? - Yes.

And in connection with this matter I think that you have provided a number of statements including one to the Procurator-Fiscal? - Yes.

Would I be right in understanding that you would prefer to have that statement in front of you as you are giving evidence this morning? - If it would be helpful.

LORD CULLEN: Yes, I am quite content with that. I take it you have had a chance to look at this before? - Yes, I have.

EXAMINATION CONTINUED BY THE LORD ADVOCATE: Now, Mrs. Harrild, does that statement record that you have been a teacher since 1973 and as a physical education teacher I think you worked at a number of schools in the area? - That is correct.

And these schools include Dunblane Primary School? - That is correct.

How often did your duties take you there? - Two and a half days a fortnight.

Which days are these? - Monday afternoons, Tuesdays all day and Wednesdays all day.

Am I right in understanding that you have been visiting Dunblane for the last four years or so? - That is correct.

And your duties include working with staff of the school to plan the physical education programme for the children, to assist class teachers and to teach individual classes in physical education? - That is correct.

I wonder if we could ask you to assist us with/

with the layout of Dunblane Primary School; what I propose to do is have placed on the monitor two photographs and hopefully together we can just work our way round the geography. I think you will appreciate that you are one of the first witnesses to give evidence and I want to be clear about the geography with you before we come to the particular event? - That is fine.

If you look first of all please at photograph R3; now, that is obviously an aerial view photograph which shows the two means by which vehicles can be driven into the school grounds, is that correct? - That is correct.

I understand the route from the bottom of the photographs comes from Doune Road? - That's right.

And then there is another route coming in from the top of the photograph? - Yes.

THE LORD ADVOCATE: Sorry, it may assist if I come over to where the equipment is and pointed myself.

LORD CULLEN: Certainly, if that is helpful.

EXAMINATION CONTINUED BY THE LORD
ADVOCATE: Now, what I propose to do is to point to various parts of the school building and talk through the various parts of the building, the various routes in; am I right in understanding if you come in from Doune Road and park a car there the main or normal entrance into the school building would be through the doorway to which I am pointing at the moment? - Yes, that would be right.

As you go in that entrance and turn into this area that I am circling there, what is that? - That is the dining room.

That is a sort of open-plan area? - Yes.

Am I right in understanding that the Headmaster's Office is somewhere in that area? - That is right, yes.

His name is? - Mr. Taylor.

What/

What is the area I am pointing to now? - That is the assembly hall.

And this area here? - That is the gymnasium.

Could you assist us, please -- we have a plan which we can also look at in a moment which we will do but if you are in this open-plan area you walk through there and turn to your left to get into the hall, is that right? - You can walk through the dining hall into the assembly hall.

When you are in the assembly hall how do you get to where the gymnasium was? - You turn to your right and you have a corridor which takes you through a set of doors towards the changing area and the gym is to your right.

We see other buildings in the grounds, are these classrooms? - Yes, they are classrooms.

Which have been separate from the main school building? - Yes.

There, there, and there? - Yes.

And then the main block of classrooms? - Yes.

Could we look again at R4 which was one of the photographs we looked at earlier; this is another view of the school from a slightly different angle? - That is correct.

If we come in from Doune Road and park somewhere in this area here you would have to walk in there to go in the entrance we were referring to earlier? - Yes, that's right.

And looking at the building from this side that is the assembly hall, isn't that right? - Yes, that's right.

That is where the gym was? - Yes.

I think we can see that there is a small area as you come out the gym and you get a view of these classrooms here? -

That is correct.

And/

And the big classroom block over there? - Yes.

If we look next please at the large plan which is on the board; we will need to get the camera changed for that; perhaps I could ask you to come up to the board and we will do our best, if you stand on that side and we will go over this again for the benefit of those who are listening. Doune Road is on that side here? - Yes.

If you go in the entrance door you go into this open-plan dining hall area? - Yes, that is correct.

There we see Mr. Taylor's study off that? - Yes.

As you told us earlier you can walk straight through the dining room hall area into the assembly hall? - Yes.

And at the far end of the assembly hall from the dining hall is the stage area? - Yes.

I think you also told us along the side of the assembly hall there is a corridor area? - That is correct.

Am I right in thinking that that is not a solid wall between the corridor and the hall? - No, a barrier.

You can walk through, you go through some doors and if you carried straight on and turned to your left that takes you into the gymnasium? - Yes.

On your right as you go along this corridor there is a small corridor that goes off to the boys' changing room and the boys' toilet? - Yes.

There is a staff room? - Yes.

Is that the room you would use when you were working

in the school? - Yes.

And there is the girls' toilet? - Yes.

The/

The girls' changing room which has a shower room off it which you can only get into through the changing room? - Yes.

On the far side of the gymnasium there is a gym store? - Yes.

And I think fire doors coming out on one side of it? - Yes.

You can also see from this plan that at the far end of the gymnasium there is a door which opens out into this small area we were looking at in the photograph? - Yes.

And also the assembly hall itself appears marked on the plan as well? - Yes.

Does that fit in with your recollection of the layout? - Yes.

Now, if we can go back to the detail of your statement; I think the next paragraph confirms to us what we have already discussed -- as you go along this corridor leading along the side of the hall to the gymnasium we have got the boys' changing room and then the staff room and then the girls' changing rooms? - Yes, that is correct.

On the 13th of March of this year I think you left home about 20 to 9 in the morning with your own children and drove to Dunblane Primary School? That is correct.

That morning you would arrive about 10 to 9? - That is correct, yes.

Your own children attend the school itself? - Two of them do, yes.

That morning I think there was an assembly taking place in the hall, is that correct? - Yes, there was.

We will hear more of this in due course but I think the size of the hall is not large enough to accommodate the whole school for assembly? - That is correct.

So the practice is to split up the assemblies/

assemblies between different years? - That is correct.

On your arrival at the school I think you went directly to the gym area and, in particular, to your staff room? - Yes, that is correct.

Were you expecting the first class you had to teach to arrive about 9.30? - That is correct, 9.30.

This was a class which you understood to be attending the assembly? - Yes.

Whilst you were waiting for that class did you set up some equipment within the gymnasium? - I set up a lot of equipment that morning.

I am going to ask you to look at another Production we have which you may not have seen before but it may assist us in getting the layout of the gym as clearly as possible. Could we look at R8; it is the first sheet in that Production and if a piece of paper could be laid over the front box under the bottom of the corner of the Production; if that could be put up on the screen. Now, it is not in perfect focus but I think we see at the bottom left-hand side corner of the diagram there is a door? - Yes.

And that is a door which leads into the gym? - Yes.

As you go along the corridor and turn left that is the door into the gym? - Yes, that is the door into the gym.

Using that diagram can you indicate how you set up

the equipment in the gym; imagine you are standing at the door looking up into the diagram? - I went to the top of the gym and I set out two sets of ropes, I took out some sets of beams, one was set up very low for them to do some balancing work.

I am sorry to interrupt but could you move your microphone so it is between you and the monitor? - I set up two sets of ropes and took out some beams; that took quite a little while and I took out lots of mats and I had the ropes and that is/

is what you see at the top of the picture; underneath that I put several mats and I also put a bench and I started to take out smaller equipment to put at the side of the gym so that the bulk of the floor was clear, two-thirds of the floor area was empty. At the side of the gym there was mats and heavy equipment that the children would use later on.

Now, am I right in thinking that between 9 and 9.30 there was another member of staff, a Mrs. Wilson, who was present with two older children? - Yes.

But did they leave by 9.30? - Yes, they did.

And then a Mrs. Blake arrived? - Yes.

Who was she? - She is the supervisory assistant and I was surprised to see her; I had a few words with her before the class came in.

Did she explain to you why she wanted to be there that morning? - Yes.

What was the explanation? - She was there to help Mrs. Mayor at the school.

And/

And shortly thereafter, I think the primary class you were expecting arrived with their teacher, Mrs. Mayer? - Mrs. Mayer was usually very punctual. They arrived a couple of minutes after that morning, just slightly later than normal.

So are we talking about a couple of minutes after 9.30? - Yes.

Did they come into the gym immediately or did they wait outside? - They didn't come in immediately. They waited outside. They always lined up outside the door and we waited for the children to come in.

Did you then ask the class to come into the gym? - No; I spoke to them first and told them what they were going to be doing that morning. The wee ones always get very excited when they come in and see what was out, and I just went to calm them down before they came in and told them not to touch anything and just come in and find a space, that they weren't to go beyond the beams or the ropes at the top of the gym, so they were spaced out in the bottom two thirds of the gym.

Would I be right in thinking that in view of the age of the children, they changed for gym before they come anywhere near the gymnasium area? - Yes, they changed in the classroom.

And the door through which they come is a door with some glass in it so you can see through the glass? - It's a double door with glass.

You told us then that they came into the gymnasium and were asked to stand in the central area? - They were asked to stand in the space. There's a red circle on your diagram and they were spaced out throughout the gymnasium, but not beyond the top half.

So they were to be clear of the equipment in the free area? - Yes.

I think you spoke to Mrs. Mayer on her arrival; is that correct? - I spoke to Mrs. Mayer just as the class had arrived. I probably did speak to her for a couple of seconds, and she explained that she was going to be going away that morning.

She/

She was scheduled to attend a meeting? - Yes.

And was she to be relieved? - Yes.

And then I think you were really in a position to begin the gym class? - I did, yes.

With the primary class? - Mrs. Mayer had a diary with her which she put on the bench at the top of the gymnasium, and I went over to a little boy who was standing close to me near the wall and I took his glasses and put them on Mrs. Mayer's diary, and then I was ready to turn and start the class.

And am I correct in understanding that the diagram indicates in outline form there was at this stage three adults in the gymnasium and a total of 28 children? - That's right.

One child happened to be near the three adults, and the others were spread around the free area? - Yes.

At that point, did you become aware of somebody else coming into the gymnasium? - I turned, having spoken to Mrs. Mayer, just about to start the lesson, and I was aware of the doors being opened suddenly, yes.

And these are the doors leading from the corridor? - Yes.

And what was it that you saw? - A man came through the door, and it was quite normal for people to come into the gymnasium. Sometimes they would come in and give a message or ask for directions, but as soon as I turned and I saw this man, he had a woolly hat on and he had a gun in his hand extended, and he immediately began to shoot.

If we go over that slowly, first of all you noticed he had a woolly hat on? - He had a dark woolly hat and earmuffs over his ears, and a gun in his hand.

Do you know whether he was wearing glasses? - Yes, he was wearing glasses.

And/

And was it really just instantaneously that he started to shoot? - No; he took a couple of steps, and I was very close to him, and it was only a few feet, because I was about to ask him what he wanted, and looked and saw the gun, and he starting shooting.

And when were you conscious of being hit by any shots? - Immediately; I had both my arms up to protect myself, and he started to shoot indiscriminately and very quickly.

And I don't want to go into a great deal of detail about it, but I think you sustained a number of injuries about your arms; is that correct? - Yes, and my chest.

That having occurred, what did you do? - I was in a lot of shock. I couldn't quite comprehend what was happening. I turned away from the man and made towards the open store area. I stumbled towards the open store area and I then had my back to the man, and during this time he turned his attention to the children and the people in that bottom third of the gymnasium. The shooting didn't stop. It was continuous and rapid.

You have referred to the open store area. Is that round, if we look back at the plan, to the right-hand side? - Yes.

We see we have got -- no, it's still the same document please -- we have got "bench" along the bottom, then "rack"? - Yes.

And then the area to the right of that leads into this store, but there is no doorway? - No doorway; it is an open-plan store area.

So you went in that direction and you were conscious of the gun fire continuing? - Yes.

When you got into the store, which part of the store did you go to? - I got into the store area and was aware that -- I went to the far end of the store area.

And did anyone else join you? - Yes; I was aware that I was followed by some children, and Mrs. Blake also followed there. I was also aware/

aware that by the time they had arrived there, they had also been shot.

Sorry; could you say that again? - By the time they had arrived in the store area behind me, they had also been shot.

These were the children and Mrs. Blake? - And Mrs. Blake.

Am I correct in understanding that you remained in that store area until members of staff appeared on the scene? - Yes.

Now, can I ask you this -- are you able to give Lord Cullen any assistance as to how long you estimate the shooting lasted? - Yes; I am fairly certain it lasted between three and four minutes because I was very aware of what was going on, and while we were there, we were trying to do our best to keep the children quiet and protect ourselves, but we were unable to move any of the equipment to protect ourselves.

During that period of time, was the shooting continuous or were there breaks at all? - At the beginning it was very rapid and very continuous and I was aware of him moving around the gymnasium, and I was aware of where he was, and I know that at certain points he was at the very top of the gymnasium.

When you say you were aware of him moving around, were you able to see him or was it just the noise that you heard? - It was the noise and the location.

If we could go back to the detail of your statement please, I think in Paragraph 15 you make some reference to having lost your glasses; is that right? - Yes.

Did they fall off when you were moving? - When I was moving towards the store area, I had difficulty getting there and I stumbled and I lost them on the way.

And then the rest of that paragraph, I think you describe what happened as the children entered the gymnasium, and in particular tell us about/

about what efforts you and Mrs. Blake were doing to try and console the children, who were obviously screaming at this time? - The children were amazingly calm. They were very surprised and they were very very good when we tried to silence them. They immediately were very quiet. They just put their fingers to their lips and they were very quiet. I didn't want them to go back again into that area.

I think in Paragraph 16 of your statement, you inform us that you didn't actually see Mrs. Blake sustain injury, or Mrs. Mayer sustaining the fatal injury she suffered? - Because I was first shot and I had turned my back on them, I didn't see anybody being shot.

And then in Paragraph 17, you go on to give us a little detail about how there was a gap in the shooting; is that correct? - Yes, there was.

What you say was this -- "There was a gap in the shooting; it stopped briefly, then started again. It wasn't as continuous as it had been, nor as much or as quickly. I can't say how many more shots there were, then there was silence. There was no shooting or screaming"? - That's correct.

And then I think this paragraph goes on to tell us, as I think you have already mentioned, that other members of staff came to your assistance? - Yes. There was a period of time when everything seemed to be very quiet and it seemed to last a long time, but then eventually yes, they started moving into the gymnasium.

Are you able to put any estimate on the number of minutes between the shooting stopping and the arrival of the first member of staff? - I think possibly it was more towards the end of the shooting -- there was absolutely no noise in the gymnasium at all. The children were very very quiet, so there was no noise. It seemed like a long time, and then the shooting did stop.

And how much later was it before the first member of staff appeared? - I am sure it wasn't very long. I am sure it was very quickly, but it seemed a long time.

And/

And I think shortly thereafter, some of the local doctors appeared on the scene? - I think it was staff who came to help us, and within not too long a period, there were doctors on the scene.

I think you were then taken to hospital; is that correct?
- That is correct, yes.

And was that the Stirling Royal Infirmary? - That is correct, yes.

Where you have been treated by a number of medical staff, including a Mr. Ritchie; is that right? - That's right.

With your permission, Mrs. Harrild, what I would propose to do at a later stage is to present to Lord Cullen a medical report dealing with the injuries, but not to discuss the detail with you today? - That's fine.

Are you quite happy with that? - Yes.

Now, I think it is quite clear the man who entered the gymnasium was one Thomas Hamilton. Had you ever seen him before? - I had never seen him before.

Had you heard mention of him before? - Yes, I had heard about him.

But you had no personal dealings? - I had no personal dealings with him at all.

Would I be correct in understanding that because of the fact you had children who attended at primary school, you had in the past received certain letters about Clubs which Mr. Hamilton ran? - I had received letters over many years from Mr. Hamilton, away back in the early 80's, and I had received one fairly recently, but my children never attended any of his Clubs.

That was one point I wish to be clear about -- as a matter of fact, none of your children ever attended any of the Clubs with which he was associated? - Never.

THE/

THE LORD ADVOCATE: The next witness will be Mrs. Mary Blake. Her evidence will be read to the Inquiry by Mr. Lake. It's from her precognition she prepared for the Procurator-Fiscal following upon a meeting with her some time ago. Thereafter the Inquiry will hear from Malcolm Chisholm.

MR. LAKE: This is the statement of Mary Edith MacKinnon Shearer or Blake, Supervisory Assistant, with an address in Dunblane, who is aged 51 years. "I reside with my husband and family. In around 1985 I obtained employment with Central Regional Council as a Special Duty Attendant at Dunblane Primary School. This job entails assisting children in mainstream schooling who have special needs.

"On Wednesday, 13th March, 1996 I left home for work as usual at about 8.50 a.m. I was due to start work at 9 a.m. I walked from my home to the school and entered the school from Doune Road. I walked through the Primary One, Two and Three playground, passing the main entrance on my right and turned right towards the staffroom. I arrived there just as the first bell was ringing, a few minutes before nine. I didn't see a white van as I walked through the playground.

"After arrival in the staffroom I walked up to the Primary One classroom, where I met Mrs. Mayer standing in the classroom door with her class lined up already dressed in their gym kit. Mrs. Mayer said they were going to assembly. I said to Mrs. Mayer that I would not be needed at assembly, and arranged to meet her at the gym at half-past 9.

"I went to the machine room and cut out some covers for the Primary One books. I was there for about ten minutes, and after that I went back to Mrs. Mayer's room, as I had remembered that I had left my handbag there. When I arrived there I saw Mrs. McLeod, and I told her that she would be at assembly. She had forgotten, and immediately took her class to assembly.

"I then returned to the machine room. I remember looking out of the machine room door as assembly was just finishing. It would be near enough 9.30 a.m. I went up to the gym, past the assembly/

assembly hall. The children were still there. Assembly was finished, and the children were standing up and milling about. When I arrived at the gym, Mrs. Mayer's class was not there. Mrs. Harrild was standing just inside the gym door talking to Mrs. Wilson. Mrs. Wilson takes children to the gym some mornings between 9 and 9.30 a.m. She had two Primary Four boys with her. Mrs. Wilson is a Special Assistant like me. The two boys were still in the gym getting ready to leave. I spoke to Mrs. Wilson for a minute or two and then she and the boys left.

"That left me with Mrs. Harrild in the gym. Mrs. Mayer and her class arrived, and they all came in.

"I was sitting on a bench on the right as you come in the door, just a few feet away from it. Mrs. Mayer came in and sat down beside me. Mrs. Harrild had all the ropes and equipment out, and she took the children up to the top of the gym and told them they were not to touch the equipment, as it was for another lesson. Mrs. Harrild then told the children to run around the gym to warm up. I was keeping an eye on the child I was looking after. Mrs. Mayer told Mrs. Harrild that she wouldn't be staying for the class as she had a meeting, and the Assistant Head Teacher, Mr. McCombie, was coming down to the gym to take over her class for the rest of the morning. Mrs. Mayer was sitting nearer the door than me.

"My impression is that Mrs. Harrild called the children over and that they were standing generally in front of me and quite close to me. She was talking to the children. I remember I was standing up, and I heard a noise. It may have been a door opening or closing. I cannot say if it was a shot. I remember I looked towards the door. I saw a dark figure at the door. I think Mrs. Mayer was standing when he came in.

"Then I think Mrs. Mayer was on the floor. The children were screaming. The dark figure was just inside the door. He was wearing dark clothing and he had some sort of headgear on. I was then hit, and I remember my head hurting. I realised that something terrible was happening. I fell to the ground, and I could hear constant shooting/

shooting. I have a memory of him having both his hands up, but I don't know if he had a gun in both hands. He was pointing the gun all around and shooting constantly. I could hear the children screaming. It was so loud that the screams seemed to be inside my head. My head was hurting terribly. I don't remember being shot in the legs. I assume that is why I fell down, but I can't remember when I was hit on the legs.

"I don't remember how I got up. I remember being up. The children were running round hysterically, and some were on the ground. I can't recall seeing any of the injuries specifically, but I can recall blood was splattering everywhere.

"I noticed Mrs. Harrild in front of me, and she was making her way over to the store area on the same side but opposite side of the gym from the door. There is an area there like a small corridor. I could see that Mrs. Harrild was clutching her arm, and there were about four children in front of me and behind Mrs. Harrild. I ushered them forward, and as I turned the corner Mrs. Harrild was lying behind some mats.

"The children were still in front of me, and I think there were four or five of them.

"I was in pain from my head and legs. I thought this was the end. I thought if he came round the corner we would all be dead. One child kept saying 'What a bad man'. They all kept saying they were sore. One boy had a hole in his arm and was holding it. Another girl was injured, I can't recall where. I remember seeing other injuries, but I can't remember who they were on. One had a wound on his or her leg above the knee.

"I was trying to keep the children quiet, and I was shushing them. The shooting seemed to go on for ages. I could hear the children screaming, and the noise seemed to be in my head. I could feel blood running down my neck, and I had a great deal of pain in both legs. I was lying in a big puddle of blood. I kept thinking he was going to come round and get us, and I tried to pull one of the mats over us, but I was in too much pain and I couldn't. The kids were crouched down, and I was trying to cover them.

"The/

"The shooting stopped for a short time, and the children were wailing, and I heard a buzzing sound in my head. Then the shooting started again for a few seconds and then stopped again. I don't know how many more shots there were, but there weren't a lot more. I don't recall if any other children came round, but we could hear the children outside in the gym screaming and wailing.

"I remember asking Mrs. Harrild if she was all right, and she said 'He got me in the chest', but her arm was also injured. She kept holding her arm across her chest.

"We felt so helpless, as I couldn't do anything for the children as I couldn't move. I can't remember much after that other than that people came. I think the first to find us was Linda Stewart, who is a nursery teacher, who was in a terrible state, and she was saying 'What can I do?' but there was nothing she could do.

"Then Dr. Wright and Dr. Watson arrived with Dr. Susan McCallan. I am friendly with Susan McCallan. There were police there. I was so cold, and somebody gave me a wad of paper towels and held them to my head.

"What seemed a long time later, I was moved. They opened the fire doors to take us out. I was taken by ambulance to hospital.

"I didn't know the gunman had shot himself. I thought he might have escaped or surrendered.

"I was shot in the head and both legs.

"I can't really estimate the time when the gunman came in. I would say it was about ten minutes after I arrived at the gym. I don't know how long the shooting took.

"I have never seen the man who came into the gym before. Before this incident I had never met or even heard of Thomas Hamilton".

LORD CULLEN: Thank you, Mr. Lake. Is the statement signed by Mrs. Blake?

THE/

THE LORD ADVOCATE: I understand there is a signed copy available, which will be presented to you. Certain short passages have been deleted from it, where references were made to particular children.

LORD CULLEN: I understand.

THE LORD ADVOCATE: The next witness is Mr. Malcolm Chisholm, my lord.

MALCOLM RODGER CHISHOLM (52), Sworn:

EXAMINED BY THE LORD ADVOCATE: I think you were formerly a member of Strathclyde Police Force; is that correct? - Yes, I completed 30 years' police service.

And between 1973 and June of 1994 were you attached to the Identification Branch of Strathclyde Police Force? - Yes, I was.

Following upon your retirement did you take up other employment? - Yes, I did.

Do you still hold that? - Yes, I do.

What is the nature of that employment? - I am now employed by Tayside Police Force as a Scenes of Crime Officer and also a Firearms Examiner.

Can I ask you to speak slightly nearer the microphone? Throughout your career both as a police officer and now as a Scenes of Crime Officer have you had a particular interest in and made a study of firearms and ammunition which is used in firearms? - Yes, I have.

And in connection with numerous enquiries have you carried out investigations seeking to link fired bullets and fired cartridge cases with specific weapons that may have been found or been associated with particular crimes? - On many occasions, yes.

Just/

Just in general, in very simple terms at this stage, can you outline for the benefit of the Inquiry the particular techniques one uses when one is trying to link a particular cartridge case and a particular bullet with a particular firearm? - Yes. When a gun is fired, obviously the cartridge is in the chamber. When the gun is fired the hammer drops and the firing pin strikes the base of the cartridge, bursts the primer, and this creates flame, which goes out into the main body of the cartridge, ignites the propellant, pressure builds up within the chamber, and this propels the bullet into the barrel of the gun. When it comes in physical contact with the rifling within the barrel the bullet gets churned or chewed up with the rifling as it goes along the barrel. If it is a self-loading weapon the cartridge is extracted, ejected, and this also makes marks on the case of the cartridge. So from the rifling marks on the bullet, from the extractor and ejector and firing pin, we can tie discharged residue with a firearm.

On Wednesday, 13th March of this year I think accompanied by a number of police officers you attended at Dunblane Primary School? - Yes, I did.

Approximately what time was it when you arrived? - Some time after half-past 11 in the morning.

And having been briefed to some extent about what you understood had occurred did you go into the school building and through the assembly hall into the gymnasium area? - Yes. I was met at the school by Chief Inspector Robertson, I believe his name was, who took us through the outer door of the gymnasium, where I was met by another officer, who appraised me of what had happened and what the condition was inside the gymnasium.

Could I invite you because of an anxiety on all parts to in some instances limit the evidence we wish to hear to keep your answers as short as possible, and if necessary we can ask a supplementary question? I am sure you are aware of the reasons why. Taking the matter shortly at this stage, did you then in co-operation with others, in particular Donald Scobie, begin a very detailed examination of the whole school area and what was to be found there? - Yes, I did.

And/

And that was an examination which was carried out in detail both on Wednesday, 13th March and Friday, 15th March? - That is correct, yes.

At the conclusion of that investigation and as a consequence of it did you prepare a number of Productions? - Yes.

I wonder if you could formally identify these at this stage. Could you look first of all at Production R7? Does that include towards the end of the binder a copy of a joint report which you and Mr. Scobie prepared? - Yes, it does.

Document R8. That is a series of diagrams of the gymnasium and surrounding areas; is that correct? - Yes, it is.

Production R9, a tool mark examination report? - Yes.

And R10, a striker mark examination report? - Yes.

Four books of photographs, R11, R12, R13 and R14. These were photographs actually taken by Mr. Scobie as part of a joint investigation you and he were carrying out; is that correct? - Well, he accompanied my examination and photographed as requested, yes.

R11 is a book of photographs of the cloakroom area; is that correct? - Yes, it is.

R12 are a large number of photographs taken I think on the 15th, which was said to be the second physical examination of the school? - That is correct, yes.

R13 are photographs taken of the hut Classroom 7; is that right? - Yes.

And R14 photographs taken from outside the school building, showing certain parts of the playground and the playingfields and the outside areas of the school precincts? - Yes.

Could you finally look at R15 at this stage, a chart, and formally identify it at this stage? - Yes.

I don't know that we need to show it on the screen at the moment, but that is a chart of the school area with certain annotations which you put on it; is that right? - That was completed by myself, yes.

Now, am I right in understanding that when you first entered the gymnasium there were a number of bodies of people whom you were informed were dead within the gymnasium? - Prior to my going into the gymnasium I was told that everyone in the gymnasium had been pronounced dead, yes.

And when you entered the gymnasium there were a number of bodies within it; is that correct? - Yes.

Now, in taking the evidence from you I do not wish you to make reference to any body other than the body of Thomas Hamilton. You understand the way I wish to approach it? - Yes.

When you first entered the gymnasium, this was from the doors leading from the corridor which leads from the assembly hall; is that correct? - Yes.

And after you had entered did you become aware of what looked like a large camera bag lying on the floor? - Yes, it was just inside the door of the gymnasium.

I think you then saw -- and we will come on to look in detail at this in due course -- various items of equipment associated with firearms, including magazines, spent cartridges and the like lying around; is that right? - Yes, the floor was strewn with them.

Did you then go up the side of the gymnasium to the far end from the point you had entered, and were you directed to the body of the man who was Thomas Hamilton? - Yes.

Could you look please at R8, if we could, please? This will be put upon the screen for you in the same way as before. This is the first page I want to look at. It is just for illustrative purposes. I appreciate this is showing the scene as it was understood to be before the/

the accident, but I just want to get the precise position. Could you use that to point out please where the body of Mr. Hamilton was? - Yes, it was at the top of the gymnasium, virtually in the centre and almost against the top wall. His head was facing towards the top wall.

What you have done is point out the area at the centre of the top wall as we look at that plan? - Yes.

Looking at that body, was it obvious to you that it showed what I think you have described in the statement you prepared as a classic gunshot exit wound to the top of the head without there being any noticeable entry wound? - That was the way I saw it, yes.

Again we will come to the detail of this in a moment or two: but as far as firearms and ammunition are concerned, what was it that you noticed at this stage as you recollect it? - From the moment I entered the gymnasium?

No, on looking at Hamilton's body? - In relation to the body I noticed that Hamilton had four holsters of the right-hand draw variety strapped round his waist. He had two pouches; one appeared over one shoulder and hung down and the other was over the other shoulder and hanging down. One had burst open, and I could see I think it was two magazines and loose .357 cartridges which had spilled on to the floor.

Yes? - On looking towards the body, toward what was obviously the top wall, to the left of the body I could see two firearms: one was a Smith and Wesson revolver with black customised hand-grips and the other was a Browning high power self-loading pistol, which appeared to have a magazine in place.

Yes? - A cursory examination showed that the revolver appeared to be full. Also, to the left of the body there was what we term ear muffs, which tutors use to deaden the noise of the gun being fired. They were lying on the floor. Also, there was a woolly-type hat which had damage to the top of it and also a pair of spectacles. To the right of the body there was another two firearms. One again was a Smith and Wesson revolver/

revolver and another Browning high powered, a different type from the one lying on the left-hand from the body.

Yes? - As regards this Browning high power, there was no magazine in position, and a cursory examination again of the revolver, which I remember was lying at a funny angle -- the butt propped up in the air against a bench -- it appeared to be fully loaded also.

Taking that in summary form to the left of Mr. Hamilton's body there were two guns, is that right? - Yes, there were.

And to the right of his body there were another two guns? - Yes, there were.

So we will come back to the detail of these in due course if we can but let us try to paint a picture of the outline at the moment. Am I right in thinking that at this stage nothing was touched by you, it was just a question of observing what was there to be seen? - That is correct, yes.

In due course photographs were being taken at the appropriate juncture by Mr. Scobie? - Not at this moment in time, no.

That came later. Did you then enquire of one of the police witnesses, I think, as to who might be the owner of what looked like a camera bag which was the bag seen near the door of the gymnasium? - Yes, it was rather a large case, it was quite obvious as we came into the gymnasium.

From the information available at that time did it appear to belong to Hamilton? - I was told it belonged to Hamilton, yes.

In view of what you have seen about what was being carried by Hamilton when you looked at his body and in view of the position and size of the camera back what suggestion did you make? - I suggested that it might be an idea to evacuate the building and also the body of Hamilton and the locked camera case, the position it was in, that it might be feasible to have the body and the camera case checked out for booby traps.

Was that suggestion taken up and an arrangement made for an examination to take place to exclude the possibility of explosives of any sort? - It was.

Whilst that was being carried out I think you then discussed with your colleagues, both Mr. Scobie and the police colleagues, the procedure you were going to follow in carrying out a detailed forensic examination of the gymnasium itself, is that right? - Yes, we did.

And/

And did that involve dividing the gymnasium up into a number of marked areas to which letters were allocated? - We decided due to the size of the gymnasium we would break it into 12 separate sections with the games equipment area being another section, if you like.

I think we will hear from Mr. Gould shortly, he arrived from the Ordnance Unit and declared that it was safe for the examination to continue and when the camera bag was opened it was found to contain more ammunition? - Yes.

Am I right in understanding that as a result of your detailed examination which you carried out on the Wednesday and the Friday and having regard to the various pieces of equipment -- guns, cartridge cases and spent bullets -- you recovered you were able to form a professional view as to the number of shots which were discharged and where Hamilton was when these shots were discharged? - Yes, I was.

What I would now like to do is to take you to the joint report and take certain information from you under reference to that report and then as we go through it give you an opportunity of explaining to the Inquiry what view you formed as to the position Hamilton was in when the various shots were discharged. Your report is R7 and I ask you to look at that again. The first seven pages of this report detail a large number of items -- certain hand gun magazines, rounds of ammunition, cartridges and the rest -- indicating what it was you took possession of and, in particular, the area where they were found, the part of the gymnasium or wherever, the body of Hamilton or wherever, is that correct? - That is correct.

I don't think it is necessary to go through that at this stage but the report sets out in considerable detail precisely what had been found, where it had been found and am I right in thinking that the photographs which were taken by Mr. Scobie illustrate what is set out in these pages? - Yes, indeed.

If we could move on to the foot of page 7 of the report, this deals with the individual guns, is that not correct? - That is correct.

I think the simplest way of taking this evidence from you would be just to ask you to read out paragraph by paragraph, beginning reading "The first item...."? - "The first item was a swing-out cylinder, six-chamber, single or double action, revolver of American manufacturer (Marcas Registradas - Smith and Wesson model 19-4) chambered for .357 Smith and Wesson, centre-fire, Magnum cartridges and bearing the serial number 48K8754. It was in very good outward condition and full working order. The gun was accompanied by five apparently live .357 Magnum centre-fire cartridges of American manufacture (Winchester), (each loaded with a semi-jacketted, soft-nosed, hollow point bullet and a fired cartridge case of the same make and calibre. This last case bore clearly defined mark of a firing pin impression in its primer)".

I think your report goes on to indicate that this gun, as with others, you subsequently carried out test shots for the purpose of your examination of the nature we have been discussing earlier?
- Yes, a comparison.

Could you read out what you have to say about the second gun? - "The second item was a swing-out cylinder, six-chamber, single or double action revolver of American manufacture Marcas Registradas - Smith and Wesson model 19-7, chambered for .357 Smith and Wesson, centre-fire, Magnum cartridges and bearing the serial number BSR4422. It was in very good outward condition and full working order. The standard wooden handgrips had been substituted with customised rubber ones. The gun was accompanied by six apparently live .357 Magnum, centre-fire cartridges of American manufacture (Winchester) each loaded with a semi-jacketted, soft-nosed, hollow point bullet. Test shots were fired in the revolver."

Read on please to the third item? - "The third item was a self-loading magazine-fed pistol of Belgian manufacture (Fabrique Nationale - Herstal Browning hi-power) chambered for 9 mm Luger centre-fire cartridges and bearing the serial number 245PZ42837 (the letters PZ in the serial number denote the year of manufacture as being 1981). This was a custom-build, competition target pistol, having an extended barrel with a barrel weight fixed to the extended barrel cover for balance. This weight/

weight would appear to be missing and a custom-built foresight put in its place. The hammer spur had been removed and ground to a smooth finish. Due to its manufacturer as a competition pistol, the magazine safety had not been incorporated within the weapon with the result that gun could be fired without the magazine being in place. Normally in standard models, when the magazine is taken out a spring-loaded safety lever is forced out in the magazine well; this lever is linked to the trigger lever and forces it forward from beneath the tail of the sear-lever. Thus when the magazine is removed and a cartridge is left in the chamber, the pistol cannot be inadvertently discharged and the magazine must be replaced before firing is possible. This type of weapon, when fully loaded, normally has a holding capacity of 14 shots -- 13 in the box-type magazine which fits into the butt-handle and one in the chamber. The gun was in good outward condition and when fitted with a magazine was found to be in full working order. Another feature of this type of competition gun is the minimum pressure on the trigger required to fire it (sensitised trigger fitted during manufacture). The gun was test-fired over several shots. Accompanying this pistol was an apparently live 9 mm Luger centre-fire cartridge of Swedish manufacture (Norma) fitted with a full metal jacket, semi-wadcutter type bullet, it was suitable for use with the pistol".

When you use the term "accompanying this pistol", what do you mean by that? - Well, I would take it that this cartridge had at some time been removed from this pistol and obviously it was part of the make-up or part of the label.

Finally you describe the fourth item and if you could read that out? - "The fourth item was a self-loading magazine-fed pistol of Belgian manufacture (Fabrique Nationale - Herstal Browning hi-power) chambered for 9 mm Luger centre-fire cartridges and bearing the serial number 245PZ69756 (year of manufacture 1981). This was the standard model of the pistol and was fitted with the magazine safety device. Again, when fully loaded with the standard length box-type magazine it has a holding capacity of 14 -- 13 in the magazine and one in the chamber. The gun was in good outward condition, and fitted with a magazine was found to be in full working order. The gun was test-fired over several shots/

shots and accompanying the pistol was an apparently live 9 mm Luger centre-fire cartridge of Swedish manufacture (Norma) fitted with a full metal jacket, semi-wadcutter type bullet, it was suitable for use with the pistol described".

Can I ask you this, when rounds are discharged from these four weapons what happens to the cartridges? - In relation to the two revolvers, the empty cartridge cases would stay within the cylinder, they would have to be manually ejected and a fresh cartridge loaded and when a magazine is put in a self-loading pistol every time you fire the gun the cartridge case will be ejected from that gun and a fresh cartridge will be loaded and every time you press that trigger this will happen until the magazine is empty.

The two revolvers were the first and second of the guns you described? - Yes, they were.

These were the four weapons that you had yourself seen beside Hamilton's body on the 13th? - Yes, they were.

Now, we have reached page 9 of your joint report and it goes on to deal with items 15 to 13 consisting of 25 extended box-type magazines each capable of holding 20 x 9 mm cartridges and all intended for use with Browning hi-power pistols, including the two pistols described which was the fourth of the weapons you have described, is that right? - I think you said between 15 to 13, it is 5 to 13.

I beg your pardon? - Yes, that is what I found.

You go on to record that "This type of extra long magazine would give the pistol a holding capacity of 21 shots before loading was necessary. Each magazine was marked with a yellow sticker to the front and an orange sticker to the rear. This is not standard commercial practice and is quite obviously a ploy by the individual user to show what is the front and back for speed of magazine exchange. These stickers would appear to be held in place by Sellotape. Four of the magazines were empty, three were partially full and the remaining 18 were full."

And/

And your report then goes on to set out in tabular form details about these 25 magazines, and of the particular bullets that were to be found within those that were not emptied. Perhaps if we could take this part of your evidence in reasonably short form, the magazines were all found within the gymnasium; is that correct? - Yes, they were.

Some on the deceased; is that correct? - Yes.

Some in close proximity to the deceased, Hamilton? - Yes.

And others at different marked areas within the gymnasium? - That is correct, yes.

And at the foot of this table, as I understand it, it records there are a total of 25 magazines containing three different types of ammunition? - Three different types of -- it's the same 9 millimetre Luger ammunition with three different types of bullets.

66 of one type, the round nosed Norma, 243 of the semi-wad Norma, and 84 of the hollow point FC; is that right? - That is correct, yes.

Now, perhaps I could invite you to read on underneath the table? - "Of all the magazines containing ammunition, we noted that, with the exception of the one marked with an asterisk in the list, each was loaded in a uniform manner of cartridge sequence. The magazines were loaded in two different sequences of loading with the first four cartridges in the bottom of the magazine always being the hollow point type, followed by either 11 or 15 semi-wadcutter types and topped by either five or one round nosed type. This was further emphasised by the partially full magazines. The magazine, now marked with an asterisk in the list, had two semi-wadcutter types mixed in with the five round nosed types, i.e. two round nosed, two semi-wad, three round nosed and nine semi-wad. Apart from that still retained the split and total loading. The 21 loaded and partially loaded magazines contained a total of 393 apparently live, 9 millimetre Luger centre fire cartridges, all suitable for use with the two pistols described. They consisted of 66 full metal jacket, round nosed bullet/

bullet types of Swedish manufacture (Norma), 243 full metal jacket semi-wadcutter bullet types of Swedish manufacture (Norma) and 84 metal jacket, soft nosed, hollow point types of American manufacture (Federal)".

Can I ask you this, Mr. Chisholm -- have you ever come across on a previous investigation the situation where magazines were loaded in a manner similar to that you have described here, with a mixture of different types of bullet? - Certainly I have come across magazines loaded with different types. Obviously it's not easy for the criminal classes to get ammunition of the same type, but the way these magazines were loaded in a uniform manner, I have never encountered this in all my years.

Could we then move on to the top of the next page please, and read the first paragraph for us? - "The items labelled '6 cartridges', 'quantity of shells', 'box of cartridges', 'box of cartridges', and 'six rounds (ammunition)', totalled 230 apparently live rounds of .357 Magnum, centre-fire cartridges, all suitable for use with the two Smiths and Wesson revolvers previously described. They consisted of 112 rounds of American (Winchester) and 118 rounds of Swedish (Norma), each fitted with a semi-jacket, soft nosed, hollow point bullet".

Am I correct in understanding that this is ammunition which was designed for us in the first and second of the four weapons you have described? - Yes, they were.

And this was all, as your report earlier describes, found at different places within the gymnasium, some directly related to Hamilton, and some at other parts of the gymnasium? - Yes, I think the two boxes that came out of the camera case.

You were then -- your report then goes on to deal with spent casings or cartridge cases. Perhaps just read that out first of all and then I will ask you a couple of questions about that? - "The labelled items which contained the headings or part of heading "Spent casing (S)" or "Cartridge case (S)" were found to contained 105 fired 9 millimetre Luger, centre-fire cartridge cases, each containing/

containing the clearly defined mark of a firing pin impression in its primer. They consisted of 89 Swedish (Norma) and 16 American (Federal)".

Now, this is dealing with a total of 105 spent cartridges, if we can use that term, and where had they been recovered from, again putting it in general terms? - The majority of them had been recovered in the gymnasium, some in the passageway outside the gymnasium, on the stage of the assembly hall, and immediately outside the fire exit door of the gymnasium.

I wonder if at this stage please I could have put up on the screen Photograph R4? Now, I am sorry this is slightly dark, but do I understand -- that is much better, thank you very much -- that from this view of the assembly hall and the gymnasium, we see the small area on to which the fire doors from the gymnasium leads; is that right? - (No answer).

Do you see the bottom hut with the dark roof, just above the top corner of the roof, there is a small area? - I don't think you see the fire exit door there.

Mr. Bonomy will come across and help you point out the area. In fact, a better idea is if I ask you to look at R11 please, Photograph E, that is in one of the books of photographs, and perhaps, once we have found it, that could be put up on the screen so that everyone can see it? That is a close-up of the view that we were trying to point out from the aerial photograph? - Yes; I knew where the fire exit door was, but I couldn't see it.

Just wait a minute and it will be shown to us -- yes, that's it there? - Yes.

Now, the next few pages of your report goes on in considerable detail to consider your examination of various bullets and bullet fragments that were recovered during the course of the investigations, and I don't propose to go into this in detail at the moment because I will take the evidence in another way shortly, but would we be correct to proceed on the clear understanding that every effort was made as a result of extensive searches to recover, seek to recover every bullet, or/

or bullet fragment, that could be recovered? - Yes, we searched everywhere to try and recover everything.

Now, could I ask you to turn please to Page 13 of the report? That page tells us that as a result of the very detailed comparison exercises and investigations you carried out, that you and Mr. Scobie were able to confirm that the various bullets recovered had all been fired by one of the Browning pistols which you have described to us earlier; isn't that correct? - Yes.

Or the Browning pistol you described to us earlier, the first of the two? - (No answer).

Having established which pistol had fired the 105 cartridge cases we talked about earlier, did you then carry out some tests within the firing range at Tayside Police Headquarters in Dundee? - Yes, I did.

What were the purposes of these tests at the firing range? - The first test which we carried out was to find out how far the cartridge cases, and in what direction the cartridge cases would be ejected when they came out of the pistol.

And as a consequence of that test, or those tests, did you ascertain that it was ejected to the right at a 45 degree angle to the rear? - That is correct, yes.

And that there was sufficient power generated by the ejector within the gun to propel each fired cartridge a distance of between 15 to 20 ft.; is that right? - It was consistent, yes.

Did you also carry out tests to determine how quickly shots could be discharged from the weapon? - Yes, I did.

And your report records that using the Browning still in its cocked ready to fire position, a full magazine of 20 shots was fired off as quickly as possible. The time taken to accomplish this was 5.46 seconds; is that right? - That is correct, yes.

Using the same weapon and utilising the seven magazines used during the incident, with the relevant/

relevant number of cartridges in each, you and your colleague fired off a total of 105 rounds and ejected six magazines in the process, again for the purpose of seeking to determine how quickly that could be achieved? - That is also correct.

And the result of this test was that that exercise of firing off 105 rounds and ejecting six magazines could be accomplished in 50.4 seconds? - That is correct.

Did your inquiries then proceed to seek to offer to the police officers and the Procurator-Fiscal who were in charge of the investigation your professional opinion as to where shots had been fired from, and the number of shots that had been fired from particular positions? - Yes.

And/

And in seeking to form such an opinion you took account of full details of the articles that had been recovered, the bullets, the cartridges and everything else, your own physical examination of the gymnasium and the surrounding area and the detailed examination of the cartridges and bullets, and these tests I have just been describing? - Yes.

Did you also take account of the fact that of necessity there had been some movement within the gymnasium area involving the Emergency Services and others before you arrived on the scene and began recording what you found? - Yes.

Can I ask you to read on then from the top of page 14 of your report? - "If we were to add up the live 9mm rounds and fired 9mm cartridge cases we would find that in all they would total 501 rounds. We have 25 magazines each capable of taking 20 rounds, which would account for 500 of these rounds. The Browning pistol, Serial No. 245PZ69756, was recovered with a full magazine in place plus one round in the chamber. This would account for the extra round. However, if we were to accept that this gun held 21 rounds, it would be logical to accept that the Browning pistol, Serial No. 245PZ69756, would also have held 21 shots at the commencement of the incident. While this is technically true, it would not be feasible in relation to personal safety. As already stated in our description of this weapon, the hammer spur had been removed and that area smoothed down. This has made the hammer extremely awkward and almost physically impossible to cock in a safe manner, especially when we are expecting to have a live cartridge in the chamber. Realistically, to have a full magazine and one in the chamber the gun would have to be cocked and kept in the cocked position. When you consider the minimum pressure required on the "sensitised" trigger, it would not be feasible for the gun to be carried any distance in a holster, for personal safety especially".

Yes? - "It is our considered opinion that, when Hamilton arrived at the school, the Browning pistol, Serial No. 245PZ69756, only held a full magazine and did not have one in the chamber".

I wonder if I could break off there. I wonder/

wonder whether there might be slight confusion here. Am I right in understanding from what you tell us in the previous page of your report that it was the Browning pistol, Serial No. 245PZ42837, that was actually used to discharge the rounds? - Yes.

If we go back to page 8 of your report, in the third item, the third item is the Browning 245PZ42837; is that correct? - Yes.

That is the pistol that had certain alterations to it, if we could put it in these terms? - Yes. Obviously this is a mistake on my part.

I want to be quite clear about this. Going on to page 14, the first Browning you refer to is 425PZ69756, which is recovered with a full magazine plus one in the chamber; is that correct? - Yes.

But when you next refer to the Browning pistol, both in the sixth line and then further down just before we broke off, the reference number would be 245PZ42837? - Yes, that is correct.

You then go on to say "It is therefore logical to assume that all 9mm cartridges (501 in total) have been accounted for. Apart from the recovery of one fired .357 calibre cartridge and also a .357 calibre fired bullet, there does not appear to be any other issue affecting our conclusions that, when Hamilton arrived at the school he had in his possession 242 rounds of .37 Magnum cartridges, with both revolvers being fully loaded with six rounds apiece. If this is accepted, it would appear that when Hamilton arrived at the school he had at his disposal 743 rounds of ammunition, all magazines were fully loaded with 9mm ammunition, each self-loading pistol held a full magazine with one pistol having an extra round in the chamber, and each revolver being fully loaded with six times .357 rounds apiece"; is that right? - Yes, that is correct.

Now, your report then goes on to deal with the bullets which were recovered. I don't think it is necessary to go into the detail of this, but I think three paragraphs down your conclusion is "The end total unaccounted for would be at most 14 bullets/

bullets", and you suggest that these might be irrecoverable for a variety of reasons, and again I don't think it is necessary to dwell on that matter. In the next few paragraphs I think you give us a little detail about the ammunition itself. Perhaps you could read out from the paragraph beginning "The 'full metal jacket'"? - "The 'full metal jacket', i.e. round-nosed and semi-wadcutter are made for both military or target shooting where an expansion of the bullet is not desired. The hollow point, although also intended for target shootings, is a very popular hunting round in America".

Yes? - "The general idea is to weaken the front part of the bullet sufficiently to have it expand upon hitting a resilient surface. The Federal bullets achieve this through the soft, hollow nose mushrooming on hitting the target and causing the petal design of the forward section of jacket to fold back over the base. The design of the bullet is to stay in the target and do the maximum amount of damage (same principle as the 'dum-dum' bullet which was banned by the Geneva Convention)".

Can I just be clear about this? These are the three types of bullet you were describing from the ammunition recovered from the 25 magazines; is that correct? - That is three types of bullet, yes.

We had 60 round-nosed Norma, 247 semi-wadcutter Norma and 84 hollow point FC; is that right? - Yes.

As far as the first two of these, round-nosed Norma and semi-wadcutter Norma, are they suitable for target shooting? - Yes.

What about the third type, the hollow point FC? - Yes, they are also used for target shooting.

But it is also apparently used for hunting purposes in North America? - Not only hunting purposes, but most of the Services in America, the Police, for example, carry this type of ammunition, for obvious reasons.

I think at the top of page 15 you give us/

us some technical detail about bullets, that the round-nosed bullet weighs 115 grains, has a muzzle velocity of 115 ft. per second and a striking energy of 341 ft. pounds? - Yes.

The semi-wadcutter and hollow point bullets each weigh 124 grains. Both types of bullet have a muzzle velocity of 1140 ft. per second and a striking energy of 358 ft. pounds? - Yes.

All types have an extreme range in the region of 1 mile? - Yes.

Does that mean if you fire it out in the countryside in the open air at a certain angle it can go up to a mile in distance? - Not with the particular guns we are dealing with here. If it was firing in the Browning it would probably have a maximum range of probably 1,000 yards. This type of ammunition is obviously used in other guns.

Now, can I take you back to Production R8, which is the series of diagrams? I think the first diagram you are being shown is on the third sheet of the Production, page No. 1, which is Production R8. It might be helpful if we gave you a copy of that to have in front of you as well as the one that is going to be put up on the screen? - Thank you.

Now, am I correct in understanding that on this and the next few pages of this Production you and Mr. Scobie have sought to set out in diagrammatic form your professional opinions as to the number of rounds discharged from particular positions? - And directions, yes.

Yes: and this is described to us on pages 15 and 16 of the joint report we have just been going through? - Yes.

And this is expert evidence given by yourselves on the basis of your professional experience and your physical examination of the locus and what was recovered from the locus? - Yes.

But not on the basis of any discussions with any witnesses who were physically present at the time? - That is correct. It was from what I found/

found.

Now, what you say is this, first of all: "It would appear that in the sequence of events the first shot that was fired was the one to the floor of the stage"? - Yes.

If we look at this page -- I will get Mr. Lake to help us point things out as we go through, which will enable you to remain beside the microphone. If we look at position I, the figure shown on the stage of the assembly hall, and from that position there one shot was fired, and this ended up in the floor of the stage? - It went through the floor of the stage, yes.

And you continue in your report "It is debatable whether this shot was intended or if it went off by accident. If we took a guide from the fact that all holsters were of the right side draw type, it is logical to assume that Hamilton drew the Browning pistol with his right hand and retracted the slide and cocked the gun with his left hand. If the gun at this time was pointing to the floor, it is a natural action to turn the back of the gun with the left hand to grip the slide so that the ejector port faced away from the loader. If Hamilton was facing towards the door, leading from the stage into the hallway, the ejector port would be either facing the door or the wall at the back of the stage"? - Yes.

"If the gun was fired in this position, the ejected cartridge case would go up in the air slightly towards the left and in the direction of the door. This would account for the cartridge case being recovered on the floor of the stage near the wall and door"? - Yes.

"The next shot would appear to be into the wall of the toilet from the hallway outside the entrance to the gymnasium. There does not appear to us any logical explanation for this shot or whether it was intended or accidental"? - That is correct.

You then go on to say this: "It is likely Hamilton then went through the door into the gymnasium, which would appear to have been open. From the doorway and vicinity of the doorway he has fired/

fired off approximately 29 rounds, emptying a magazine and loading a fresh magazine in the process. These 29 rounds would appear to have been directed towards all parts of the gymnasium"? - Yes.

Just recapping on what we have discussed so far, your opinion is based upon where bullets were recovered, or cartridge cases were recovered and so on? - Yes.

He would then appear to have walked up the left side of the gymnasium to a point midway, where he has exhausted the second magazine in the process? - Yes.

It would appear he has fired another six shots while reaching this point? - Yes.

Then if we can move to the next sheet, please, which is page 2 in the Production, I will read this out for you. "From this position" -- that is position 4 -- "he has fired another eight rounds, mainly across the gymnasium", into an area which you describe, which was one of the areas that you marked off as you indicated earlier? - Yes.

I think, reading the matter shortly, whilst still in the general area of the middle of the gymnasium he would appear to have fired at least a further 16 rounds before moving to the top of the gymnasium? - Yes.

Can I ask that the Production be moved on to page 4, which is the figure at position 6? What you say at this point of your report is that after he had proceeded to the top of the gymnasium the sequence of events are in doubt as to their chronological order? - Yes.

Do I understand correctly from that that whilst you are able to express an opinion as to the number of shots that were fired and the direction in which those shots were fired it is not impossible for you to express any clear view as to the order in which the shots were fired? - That is correct.

In reference to this page, from the position which is marked 6, what you say is this: "From the top of the gymnasium he has fired off another/

another 30 rounds and also exhausted a further two magazines. He would appear to have changed magazines a further two times, only partially using the magazines in the process. At some time he has fired a shot from this position out through the window beside the fire exit door, whether by design or otherwise", and I think you see that on the next page of the Production, page 5, with the figure at position 7? - That is correct.

What you say about this -- perhaps I can read it again -- is "At some time he has fired a shot from this position out through the window beside the fire exit door, whether by design or otherwise. The breaking of the glass has obliterated his view, and he has then opened the fire exit door and started firing towards the cloakroom from the doorway"? - Yes.

Now, it would be helpful I think to look again at the photographs that we were examining earlier, Production II. Could you look at RII, photograph E? Have you got that? - Yes.

Now/

Now, we are looking, first of all, at

photograph E which shows this area to the outside of the fire exit; could you go back in the book of photographs B and could you please point out to us in that photograph where we see the cloakroom? - Yes.

It will be necessary for you to get up to do that? - The cloakroom is down here.

That is across the playground area, is that correct? - That is correct.

Whilst you are still there could you point out Classroom 7; that is one of the detached classroom buildings we have looked at in the overhead photographs? - Yes.

If you could go back to your seat, please. As you were telling us in the written report was that, in your opinion, after he had opened the fire exit door he started to fire towards the cloakroom from the doorway, that is right across the playground area that we see in the photograph on the screen; you say at least four shots were fired from this position before he stepped outside and continued to fire a further four shots towards the cloakroom and nine shots towards the classroom adjacent to the fire door? - Yes.

He had then re-entered the gymnasium and moved towards where there was a beam across the area A2 as you have described it; here he had then directed a large number of shots towards all parts of the gymnasium including the games equipment room, he would then appear to have ejected a partially full magazine from the pistol leaving one round still in the chamber; at that point he would be facing down the gymnasium near to the central upright beam in A2. We don't have obviously the door or the plan A2 marked on it but can you assist us where that was as far as the layout of the gymnasium was? - It is near the two mats -- if we look at any one of these beams running across the mat you can actually see the bar marked.

If we look at page 5 of R8 again, just point it out? - The bar goes across the middle of the mat or the beam as it is termed.

So/

So it is at that position facing down the gymnasium; is this towards the doors which he had entered originally? - Yes.

What you then go on to record in your statement describes what he did to himself and could I ask you just to read that out? - Is that page 16?

The top of page 16? - "He switched the pistol from his right hand and drew the Smith and Wesson revolver, serial number 48K8754, with his right hand. He had then placed the muzzle of this gun in his mouth, pointing upwards, and pulled the trigger. The fired bullet has exited the top of his head, impacted on the ceiling slightly behind him and dropped on to the floor in B(1). A fountain of blood has followed the bullet out of the hole in the top of his head and sprayed in virtually the same direction as the bullet on to the floor behind him. The force of the shot has thrown him in a backwards direction with the result that he has landed on his back in the position found. The recoil of the fired gun has resulted in it being torn from his grasp and landing on the floor of the gymnasium. He has managed to retain a grip on the pistol in his left hand. The solitary live cartridge, found on the floor, would appear to have been knocked out of a partially full magazine, on it being ejected from the pistol and hitting the floor."

Could I ask you to go back to the book of photographs, R11 please; I asked you earlier to point out where the cloakroom was and where Classroom 7 was? - Yes.

Both these areas would be the subject of detailed examination? - They were, yes.

And what signs of damage by gunfire was found? - As regards the cloakroom, the walls of the entrance on the right-hand side before you go into the inshot leading into the cloakroom, there was a bullet hole in this wall and on the outside fabric of the door, the window, the wood panels above and below these windows, there were bullet holes which had penetrated and gone through into the cloakroom. Obviously the bullets had been recovered from within the cloakroom and obviously the impact damage/

damage which resulted within the confines of the cloakroom. As regards hut No. 7 nine bullets had penetrated the outside wall and windows; the majority of these bullets had passed through the classroom and impacted on the windows overlooking the playground and the walls, door panels and had exited into the playground.

If we look at photograph E in this book of photographs, R11; this shows a view of the Classroom 7, is that right? - That is correct.

As I understand, from what you have told us the rounds discharged by Hamilton when he is standing outside the fire exit doors of the gymnasium had gone in the far side of that building as we look at it, most of them had crossed right across the classroom and were embedded on the wall on the nearside of the room? - Yes, nine bullets had entered the classroom, some of these bullets had obviously been absorbed by various articles just inside the window -- a book, an electric plug, a book binder -- but the majority of these bullets have passed through through the classroom, some exiting through the front window.

All these were recorded carefully by you and I understand that that photograph in these Productions show in close up where the various marks were to be seen and where the bullets were recovered? - Yes.

I think, am I right in understanding that you actually have the guns with you today? - Yes.

They are available for Lord Cullen to see if he wishes to do so? - Yes.

THE LORD ADVOCATE: Sir, I would not propose to physically produce them but they are available for examination.

LORD CULLEN: Do any of the parties want to see these Productions within the Inquiry itself?

None of the parties wished to see the guns.

LORD CULLEN: I may take the opportunity to look at them in due course.

CROSS/

CROSS-EXAMINED BY MR. CAMPBELL: Mr. Chisholm, earlier in your evidence you told us that you arrived at the gymnasium I think about 11.30 in the morning? - Yes.

And you also told us that there came a time when you were concerned about the possibility of booby traps and the like? - Yes.

Did I correctly understand that at that point or shortly after it the gymnasium was evacuated? - As soon as I made the request we exited the gymnasium.

Can you remember when it was that that happened, how long after your arrival? - Time wasn't of the essence; we got to the entrance to the gymnasium and we put on the necessary attire to go into the gymnasium. I observed, walked up the gymnasium -- 20 minutes -- say 12 o'clock.

Say round about 12? - I would say so.

A decision was taken to evacuate the building? - Probably round about 12 o'clock.

Then, we understand, of course, that checks were made and the all-clear as given; how long roughly did this process take? - I think Mr. Gould had to come from Edinburgh so that took time. I think we probably entered the gymnasium for the best part of an hour which gave us time to assess the rest of the school, so to speak; we were shown Classroom 7 and the cloakroom and also the cartridge cases lying outside the fire exit door. I think we obviously took time to have something to eat that was available at the time -- probably about two hours.

Two hours? - Possibly.

So what I am particularly interested in for present purposes is your best recollection of how long the process of checking took; in other words, how long until people could come back into the gymnasium? - (No answer).

If you don't know? - I can't honestly answer that -- it seemed ages.

Can/

Can I ask you a few questions relating to a certain passage in your joint report; at the foot of page 7 you describe the first item or the first weapon; you describe it as a swing-out cylinder, six-chamber, single or double action revolver; what are we to understand by a six-chamber, single or double action? - A weapon of that type, it is a revolver, it has a revolving cylinder which has six chambers with the result it can hold six cartridges and when you fire the gun the action on firing activates a pawl which will automatically turn the cylinder to bring a live cartridge into the hammer as you bring it over. Once you have fired that you will have a fired cartridge comes under the hammer so the next time you pull the trigger the pawl activates the cylinder action and..... When I say you pull the trigger in certain actions you have to pull back the hammer and then pull the trigger; in a double action you pull the trigger, as you pull the trigger this brings the hammer back.

What is the difference between a revolver and a pistol? - Well, a revolver has this cylinder; a pistol has, what we term, a magazine, whether it is in the butt, the side or the top it will have this magazine so that when you load a round into the chamber, cock the gun, when you fire the gun it will fire a bullet and on firing the bullet the power generated by the cartridge will fire your bullet; it will also stop backslide, if you like, and this will eject the fired cartridge case and in the process as it reaches as far back as it is going it will come forward again and as it comes forward you pick up a fresh cartridge and chamber it and in the process it will cock the weapon, it will leave the chamber in the cocked position.

Does that mean that with a pistol of that variety you can fire as many bullets as are in the magazine? - That is correct, yes.

Turning to page 8, having dealt with the second gun which you described, again a revolver, you again describe the third gun as a self-loading, magazine-fed pistol. By self-loading, magazine-fed, are we to understand the process which you have just described to me a moment ago? - Yes, that is correct.

Would/

Would this be described as an automatic weapon or a semi-automatic weapon, the revolver? - Well, if they are self-loading automatically that is when you press the trigger and you have the magazine in the gun, the pressure in the trigger will fire off all the bullets in the magazine to empty; with a self-loader obviously you have to keep pressing the trigger until it is fired.

Just pausing there, the particular pistols with which we are concerned here, each time the trigger was pulled one round of ammunition would be fired? - That is correct, yes.

And what are we to understand by a round of ammunition? - Firing off bullets, if you like.

One bullet? - One bullet, one cartridge case will be ejected.

So throughout your report when you refer to a round of ammunition are we to understand one bullet? - No, normally when I term a round it is a live cartridge; it is the terminology that is used, it is a live cartridge -- yes, it will be.

You have described the pistol used as a custom-built competition target pistol? - Yes.

Again can you elaborate on what we are to understand by that? - Yes, it is.....obviously the majority of these guns, Brownings are very popular with the Armed Forces and with certain police in America and Forces all over the world, it is one of the most sold guns, most used guns; obviously in the standard model which I have described we have models made purely for target shooting and this was one of these.

So when you refer to this gun as this type of competition gun, for example, towards the end of the main paragraph in the middle of page 8 of your report, what kind of competition are we to understand this gun would be used for? -

It/

It is obviously target shooting. It's not a gun that you would take out into the forest and shoot birds and animals with. You could, but that's not what it was designed for. It's designed purely for the slightest touch on the trigger, to discharge a round of -- the less pressure you use on the trigger, the more steady the gun will be.

I think you describe in that paragraph that certain modifications had been carried out to this weapon which in effect increased the sensitivity of the trigger mechanism? - This is made by the manufacturer, yes.

And is that with a view to assisting the user, amongst other things perhaps, in the kind of competition that you have just been referring to? - It's all geared towards that, yes.

And why would that be helpful or necessary in the kind of competition that you have been referred to? - It's a higher degree of accuracy, if you like.

It's nothing to do with how many bullets you can discharge in a short period of time? - It's purely down to the balance of the gun and the accuracy of the gun.

Turning on to Page 13, you refer to certain tests which you carried out with a view to discovering how many shots could be fired from the Browning pistol, 42837, in a certain period of time. You indicate 20 shots in 5.46 seconds? - Yes.

And again, using the seven magazines, 105 rounds in 50.4 seconds? - That's what we found.

So in layman's terms perhaps, does that mean 105 bullets in 50.4 seconds? - That's correct, yes.

Pulling the trigger each time? - Every time the trigger was pulled, a bullet was discharged.

You were asked certain questions by the Lord Advocate relating to the type of ammunition which Hamilton had in his possession on the day, and you/

you drew a distinction between the metal-jacketed up bullets and the soft nosed bullets, which you pick again at the bottom of Page 4 of your report? - Yes.

You make reference to the particular design of the bullet which is designed to stay in the target, and as you put it, do the maximum amount of damage, and you told us that this was the same principle as the Dum-Dum bullet which was banned by the Geneva Convention? - Yes.

I take it the particular bullet which was used on the day, which was in Hamilton's possession on the day, is not banned by the Geneva Convention? - No.

Are you able to assist us, and please say if it is outwith your expertise, why it is that that particular type of bullet, the bullet in Hamilton's possession, is not covered by any ban along similar lines to the type of bullet banned by the Geneva Convention? - That, I can't say. I can't understand it myself. It is in general use in America. Most of the police forces in America use this type of bullet, obviously as man stoppers.

Why was the Dum-Dum bullet banned by the Geneva Convention? - It was to do with the War. It wasn't actually the Geneva Convention that brought it up. It was the Hague Conference at the turn of the century, but it was banned by the Geneva Convention. It was a 303 cartridge that was made in India, and obviously Dum-Dum was the arsenal in India where it was made, and what they did was they sectioned the front of the bullet so that when it did hit, it actually became two or three times the size. On striking, it made a bigger hole, and they reckoned this wasn't fair in war.

But are you telling us that you find it difficult to understand why the same principle should not apply to the type of bullet which Hamilton had in his possession? - If you were getting down to comparisons, a wad-cutter or a round nosed or a hollow point, they are all going to do the same if they hit in the right place.

I think finally, in the most general of terms, are we to understand that apart from the final/

final shot fired by Hamilton, that all of the other bullets were fired by one weapon? - By one gun, yes.

CROSS-EXAMINED BY MR. GIBB: Can you tell us how commonly owned these two particular kinds of revolver and pistol are, from your own personal knowledge? - I only get them in over the years from the criminal classes. I am not a member of any Gun Club, so I don't know how popular they are, but let's put it this way -- the Browning pistol features prominently in many of the cases that I have dealt with over the years. Maybe the Smith and Wesson revolver you occasionally get one in, but they are not as popular as the self-loading pistol.

RE-EXAMINED BY THE LORD ADVOCATE: Just one point which arises out of a point that was raised -- whether or not such weapons are used by the criminal classes, am I correct in understanding that according to current law, it is possible to obtain certificates which entitles you to acquire or possess these four firearms and all the ammunition that was recovered? - You would require firearm certificates, yes.

But it is possible to acquire certificates which entitles you to hold them legally? - Yes.

BY LORD CULLEN: Can I just ask you a few questions, if I may? At Page 8, referring to the third firearm, you pointed out that it had an extended barrel. Do you see that? - Yes.

What is the practical significance of the barrel being extended? - I think it is obviously to put weights on, so that it balances the gun. When you fire, there is less of an uplift or recoil.

Has it got anything to do with its performance in the sense of accuracy or distance over which it is effective, or anything of that sort? - It has nothing to do with distance, but accuracy, yes, that is what it is geared towards.

And the other question -- at Page 10, dealing with the different types of ammunition recovered, can you tell me what is meant by the term "semi-wadcutter"?

"semi-wadcutter"? - If we were to talk about a wadcutter itself, we would have a cartridge case with a flat nosed bullet laid across the edge of the cartridge case. The bullet is actually contained completely within the cartridge case. A semi-wadcutter, it is not quite -- it's not flat right across. It's conical shaped with a flat nose. Obviously round nosed is self-explanatory.

So that is a flat nosed piece of ammunition, is that right, as compared with the other types which are round nosed or hollow point? - Yes.

And in practice, do you know are all these used in target shooting? - Yes, they are.

DAVID JOHN GOULD (32), Sworn:

EXAMINED BY THE LORD ADVOCATE: Mr. Gould, is your full name David John Gould? - Yes.

Are you 32 years of age? - I am.

Are you an ammunition technician Class 1 with the Royal Logistic Corps of the Army? - Yes, I am.

I think you have completed some 15 years' Army service? - That is correct, yes.

And are you currently based with 521EDO Squadron at Craigiehall in South Queensferry? - It's actually 521EOD Squadron.

Does your job at Craigiehall involve you in carrying out bomb disposal duties throughout the whole of Scotland? - It does.

And from time to time, are you asked to carry out this duty by members of the civilian police forces? - Yes, I am.

On the 13th March of this year during the morning, did your duties take you to Glasgow? - They did, yes.

At/

At some time during the course of the day, were you instructed to attend Dunblane Primary School? - I was, yes.

Do you recall when you received those instructions? - I believe it was around about 14.30.

That is 2.30 in the afternoon? - Yes.

Did these instructions come from Army Headquarters in England? - Yes, they came from the Joint Services EOD Operation Centre, which is the National Bomb Disposal Centre down in Didcote in Oxfordshire.

On receipt of those instructions, did you travel to Dunblane Primary School? - Yes, I did.

Approximately what time did you arrive? - I believe it was round about 20 past 3 in the afternoon.

When you arrived there, did you meet a Senior Detective Officer, Detective Chief Superintendent Ogg? - I did, yes.

In general terms, did he brief you as to what was understood to have taken place within the gymnasium at the school? - Yes.

Was there concern expressed that there might be some explosives or suspect device either in a bag or on the body of a man known as Hamilton? - It was believed that there was a small possibility that this may have been the case.

What steps did you take to check whether this concern was well founded or not? - When I arrived in the gymnasium there were a lot of people obviously carrying out an investigation. I needed to, one, because of danger if there was a device, and also because I was using X-ray equipment that has its own hazards associated with it, it required me to move the people out of the gymnasium, and I then proceeded to carry out an examination of the bag, the body of Hamilton, and the firearms that he had used.

Before we come to the detail of what you actually/

actually did, when you say that there were other people within the gymnasium when you arrived, who were they? Were they police officers? - Yes, I believe so; forensic scientists and police officers.

So you requested that they physically remove themselves from the premises? - I did, yes.

And then, using techniques with which you were familiar, did you check the bag and the body of the man whom you understood to be Hamilton? - I did, yes.

Was anything found which was of any relevance to the issue of explosives or suspect devices? - No.

How long did it take you to form that conclusion? - It's difficult to say, but probably round about 15 or 20 minutes.

Were you then in a position to inform the Chief Superintendent that he and his officers could resume their investigation? - I did, yes.

Did you yourself have any dealings with four weapons that were to be seen in the gymnasium? - I did, yes. I asked -- amongst the things I was asked to clear as well as the bag and the body, were the weapons themselves, and I took X-rays of each of the four weapons to see whether there was anything unusual, or whether they had been booby-trapped themselves. They hadn't, and I then asked the police if they wished me to unload them and make them safe, which they indicated they did, and I then did that.

So with regard to all the weapons, you unloaded such cartridges as they contained? - Yes, and I indicated to the police this was exactly what I had done.

I think you were also asked to examine a vehicle which was parked within one of the playgrounds of the school? - I was.

Was that to the front of the school? - It was, yes.

Was/

Was the vehicle -- what type of vehicle was it, as you recall it? - Can I just refer to my notes?

Surely? - It was a white Ford Courier Popular 1.8D van.

Is that a van or a car? - It's a small van.

And was it parked near to a wall adjoining the playground? - I believe so, yes.

Was it also found to be clear of any explosive devices? - Yes.

It took you about 15 or 20 minutes to examine within the gymnasium? - Yes.

D.J. Gould62
Cross-examined

And/

And how long did you examine the car? - Probably a further 10 minutes.

Are you able to assist Lord Cullen about the time at which you completed the investigation you have been asked to undertake? - By the time I had finished, obviously I had to take my statement to the police, and by the time I had finished it was round about a quarter to 5.

That covers the time from your arrival and when you were briefed, your work in the gymnasium, your work in the car and the providing of a statement to the police? - Yes.

BY LORD CULLEN: When was it that you found there was nothing amiss in regard to your examination of the gym? - I didn't actually take up that time. Round about 20 minutes after I arrived. I arrived about 15.20, 10 minutes for a briefing from the police officer there and probably 20 minutes after that.

That would bring us to about half an hour after 20 past 3? - Yes.

CROSS-EXAMINED BY MR. CAMPBELL: You have told us you received your instructions to attend Dunblane at half-past 2 in the afternoon? - Yes.

Where were you at that time? - I was outside the Hilton Hotel in Glasgow.

And your instructions came from Didcot? - They did.

Can you help us as to why your instructions would come from Didcot? - Throughout the UK whenever the police invite a bomb disposal team to attend the National Reporting Centre at Didcot are the tasking force the police have to go through. Didcot ask the nearest available team. It would be at the option of Didcot, who would be aware of who was the nearest team and who could get there the quickest, and they would dispatch them.

It follows from that that you were the nearest team to Dunblane? - Yes.

We/

We have been told earlier this morning that concern about the possibility of a booby trap or something of that nature was first expressed at about midday, by a forensic scientist. Please tell us if you cannot help with this, but can you offer any explanation as to why your instructions were received by you some two and a half hours later? - I cannot comment on that. At around half-past 2 when I was tasked, as far as I am aware that was the first my National Centre at Didcot knew about it.

I take it you were the first bomb disposal officer on the scene, to your knowledge? - I was, yes.

And when you arrived people were in the gymnasium?
- Yes, they were.

Did you carry out any check as to who these people were and why they were there? - I was escorted to the gym by a policeman, and the scene was explained to me, and the bag and the body that I was being asked to look at were pointed out to me. All of the other people in there I assume were all part of the investigation.

You yourself carried out no check as to who the people that were there were? - No.

Did you instruct that the gymnasium should be evacuated? - I did.

No further cross-examination.

LORD CULLEN: We shall now rise for lunch and resume about 5 to 2.

After an adjournment for lunch.

LORD CULLEN: Shall we begin again? Lord Advocate?

THE LORD ADVOCATE: My first witness is Professor Busuttil.

ANTHONY/

ANTHONY BUSUTTIL (58), Sworn:

EXAMINED BY THE LORD ADVOCATE: What are your professional qualifications? - Doctor of Medicine, Fellow of the Royal College of Pathologists, I hold the Diploma in Medical Jurisprudence and the Fellowship of the Royal Colleges of Physicians in Edinburgh and Glasgow.

I think you are Regius Professor of Forensic Medicine at the University of Edinburgh? - I am.

I think on the 13th March of this year you were asked to work with other consultant pathologists in carrying out the necessary post-mortem examinations following upon the tragedy at Dunblane Primary School? - I was.

Could you have before you please Productions R20 and R21? Feel free to make reference to any other notes you may have with you? - Yes.

R20 is a joint report prepared by yourself and a colleague; is that correct? - Yes.

Who is that? - Dr. Hosie Tevadia, a consultant pathologist at Stirling Royal Infirmary.

And R21, which you have also been given, is in two parts, both of which are entitled "Summary of Pathologists' Reports"? - That is correct.

Am I right in thinking that in the course of your considerable experience as a pathologist there have unfortunately been occasions where you have required to participate in post-mortem examinations of a number of bodies who have died in the one incident? - Yes, I have.

When such tragedies occur is it normal practice for the pathologists involved to have some discussions about the procedure which is to be followed before the work actually commences? - Yes, decisions are taken jointly together with the local people who are involved in the incident and colleagues who are also going to be working with you.

I think in the course of the 13th March and following on into the early morning of the 14th March you worked with other colleagues and also closely with the Procurator-Fiscal at Stirling? - That is correct.

I think Production R20 tells us that after discussions involving Dr. Tevadia and the Procurator-Fiscal a decision was reached that it would be practicable to carry out the necessary examinations at the Royal Infirmary in Stirling? - Yes, having expected the facilities in conjunction with the Procurator-Fiscal and colleagues we felt this was a suitable place to carry out this investigation.

And what happened is that there were two teams of pathologists established, each consisting of two pathologists? - Yes.

You were in one team and Dr. Tevadia was in another? - That is correct.

You also had the assistance of the necessary support staff to assist in this difficult and delicate task? - Indeed.

After discussions with the Procurator-Fiscal was a decision reached that as far as examining the bodies of those who had been killed by Hamilton was concerned that the examination would be as limited as was possible? - That is correct.

And in particular a very definite decision was taken not to dissect the bodies in a way which might normally be done when someone suffers a violent death? - Absolutely.

And that applied to the children who were killed and to Mrs. Mayer? - That is correct.

As far as Hamilton is concerned, I think a different course of action was followed, and his body was subject to as detailed an examination as was possible? - Yes, a full post-mortem dissection was carried out on Hamilton.

Again in discussion with the Procurator-Fiscal, police officers and those who were assisting the relatives of the deceased at this very difficult time/

time I think arrangements were made for the bodies to be viewed and identified before your examination actually commenced? - That is correct.

And one objective clearly was that as far as those who had been killed by Hamilton were concerned the examination should be completed as quickly as practicable, death certificates issued and the body then released to the relatives for burial or cremation as they chose? - That is correct.

I think the work upon which you and your colleagues were engaged began at around 4 p.m. in the afternoon of the 13th March? - That is correct.

And continued through until 4.30 the following morning? - That is right.

In relation to each of the victims who were killed by Hamilton a joint report was prepared by the two pathologists who carried out the examination? - That's correct, yes.

Recording what was observed? - Externally, yes.

The results of X-ray examinations which were carried out? - Yes; each of the bodies was X-rayed prior to the external examination, and the X-rays were examined by us.

And expressing your professional opinion as to the cause of death? - Yes.

THE LORD ADVOCATE: These reports you will appreciate are included with the red volumes that I handed over this morning.

EXAMINATION CONTINUED BY THE LORD
ADVOCATE: Now, I want to ask you only a very few questions indeed about the injuries sustained by those who died at the hands of Hamilton. Am I correct in understanding -- and this is looking at the totality of the examinations, including those conducted by yourself and those conducted by Dr. Tevadia -- that there was a range in the number of gunshot wounds that they had sustained? - That is correct.

Ranging/

Ranging from one up to seven? - That is right.

It follows from that obviously that the gun which we have already heard discharged all the wounds sustained by those victims was of a nature where one shot could prove fatal? - A shot to any of the body cavities would have proven fatal.

From the medical perspective were you able to support the view expressed by others that all the injuries had been sustained as a result of shots with the same type of weapon? - Yes, all the shots observed on all the bodies could have been produced by the same weapon. Different ammunition may have been used.

Am I also correct in understanding that there was a considerable variety of wounds, some of them fatal and some of them non-fatal, when looked at in isolation? - Yes, that is correct.

And it was impossible for you to tell from what precise distances particular shots had been fired? - It was not possible from an examination of the body to determine a range.

My understanding also is that your examinations disclosed no instances of a contact wound, when the gun had been in contact with a body when it was discharged? - None of the gunshot injuries were contact-type injuries.

One other matter I would like to take from you. I think you and your colleagues were able once the reports had been finalised to meet with those relatives who wished to discuss matters with you? - Yes, we made ourselves available, and I think with one exception all the relatives met us.

Now, can we turn next to deal with the question of the examination of Thomas Hamilton? Before I do that I should formally have taken from you that R21 -- and this will be obvious to his lordship -- sets out in summary form details of the particular examination? - Those are the summaries in relation to the cause of death of each individual person.

And so far as the 17 victims of Hamilton were/

were concerned, they are summaries of the larger, fuller reports that can be found elsewhere? - Yes.

I was asking you to look at R22, which is the post-mortem or autopsy report of Hamilton. Can you formally confirm that is a joint report by yourself and Dr. Tevadia? - It is indeed.

Could you also have before you please Productions R23, R24, R25 and R26? Now, I would like to go through the post-mortem report of Hamilton in some detail. It records his name, Thomas Watt Hamilton, his date of birth being given as the 10th May, 1952, which made him 43 years of age on the 13th March; is that correct? - Yes.

His address as 7 Kent Road, Stirling? - That is correct.

The place of death is recorded as Dunblane Primary School, time pronounced dead 1020 hrs. on 13th March, 1996, this having been done by Dr. Kenneth Stewart, a police surgeon? - That is correct.

The time a person is pronounced dead I think is not necessarily the time he actually dies? - No, it is the time a doctor has confirmed the fact of death.

And it is recorded that the cause of death appearing on the death certificate is "gunshot injury", the certificate signed by Dr. Tevadia, the colleague who assisted you with this examination? - Yes.

And his examination was carried out as I understand it on the 14th? - Yes, it started at 1.20 p.m. on the 14th.

I think if you look back at the protocol No. R20 there is a reference to an examination between 9.30 and 1.20; is that Hamilton? - No.

Now, the second page of the report records those who were assisting at the autopsy who were present, including police officers, photographers, radiologists, and their names are all set out? - Yes.

The body we see from page 3 was identified/

A. Busutt 19

identified to you by two members of Strathclyde Police Force to whom the deceased was known during life? - Central Police Force.

William Whyte and George Gauld? - That is correct.

A. Busuttil

It records that before you started the autopsy the hands of the deceased which had been bagged previously into clean bags were swabbed for firearms discharge residue? - Yes.

Done by police officers of the CID of Central Scotland Police? - Yes, in our presence.

Your report goes on to record that the body had been partially unclothed at the locus? - That's right.

In the mortuary various other items of clothing are removed and no doubt this was taken possession of and labelled by the police in the normal form? - That is correct.

Some of these items were bloodstained? - Yes, they were.

The next section of your report is headed "External Examination" and it is a physical description by you of what you saw on visual examination of the body? - That is correct, yes.

I think the only specific matter I wish to take from you is you record on the last sentence of that section that there were no external features of natural disease? - That is correct.

The next section deals with the post-mortem changes, the changes after his death, and I don't think we need to trouble with that. Could I ask you to read the following section which is headed "Recent Injuries"? - Yes, reading from the report, "On the left side of the head (temporo-parietal area) 70 mm to the left of midline and 155 mm above the bridge of the nose there was a stellate irregularly rounded lacerated wound 40 mm x 35 mm with radiating splits up to 1.5 mm in length extending from its edges."

You make reference to a photograph which I don't think we have but perhaps you would point to the area on your own head? - It is in this part of the head which I am pointing to here, the top of the head just a few inches above the ear.

The left ear? - Yes, the left ear. "Emerging from the wound are fragments of bone and brain/

A. Busuttil

brain tissue. The above injury is consistent with an exit wound. The head throughout showed gross deformity of its bony vault, more marked on the left side with disruption to the left eye socket causing sinking of the left socket and the surrounding facial bony tissues to well below the level of the right eye socket. The entry wound corresponding to this exit wound was located within the mouth where there is a large defect with total disruption of the upper jaw, the maxilla and hard palate". Do you wish me to carry on?

Yes? - "A post-mortem parchmented yellow based abrasion measuring 3 mm x 5 mm was seen in the region of the left hip, 130 mm below the anterior superior iliac spine and 230 mm from the midline."

So if we pause there, as far as the recent injuries were concerned, leaving aside the post-mortem matter you have just mentioned, they are limited to signs of gunshot wounds where the entry point had been located within the mouth and exit point the area in your head that you pointed to a moment ago? - Yes, that is correct.

Do you then pass to a detailed examination of the internal parts of the body? - Yes.

I don't think it is necessary to go through these in detail but as far as the head and neck are concerned when that was carried out were your findings really limited to what you would expect when a gunshot wound had been suffered in the manner which Hamilton had inflicted upon himself? - Yes, there was a track leading from the inside of the mouth to the exit wound of the skull and the tissues between the boney tissues and the brain tissue was damaged to the left of the track.

You then have a section headed "Cardiovascular System"? - Yes.

You make some reference under the sub-heading "Coronary Arteries" to some minor change but apart from that your findings were normal for a man of his age? - They were indeed.

The next heading is the "Respiratory System"; again I think there are minor matters mentioned/

mentioned in relation to both lungs being slightly congested but otherwise was it normal for a man of his age? - They were indeed.

The "Digestive System" is the next sub-heading; leaving aside the gunshot injury again was it normal? - Yes, it was completely normal.

The next sub-heading is "The Genito-Urinary System, Lymphatic System and Endocrine System", and again they are all normal with the exception of the gunshot wound? - Yes.

The next sub-heading is "Cranium and Nervous System"; what did you find there? - The brain obviously showed gross damage in relation to the track of the gunshot and this brain had to be retained to be examined after prolonged fixation in formalin.

We will deal with that but otherwise was there anything of any significance? - There was nothing.

The "Muscular Skeletal System", again nothing of any significance? - There was no abnormality.

Turning to the next page in accordance with the procedure you follow for carrying out a full autopsy, did you take a number of specimens for forensic examination? - Yes, we did.

And analysis? - Yes.

And we will turn to the results of these in a moment. The next paragraph was relating to radiology. This records the results of the X-ray of his body? - Yes, that's right.

And apart from confirming the damage caused by the bullet was there anything of note discovered? - There was nothing else of note.

We next turn to the heading "Brain Examination"; perhaps you could explain to Lord Cullen and those present what this disclosed? - The brain showed evidence that it had been damaged by a gunshot; there was a track extending from below upwards with extensive damage along that track and/

A. Busuttill

and bleeding along the track and in the membranes surrounding the brain at this particular point. The only other minor, very minor abnormality, was a small or tiny nodule which was present on the outer aspect of the brain and the lining of the brain which was probably present for several years and is of no consequence.

Over on the next page the report records the result of the histology and the examination that was carried out. I think you have already dealt with the normal findings in the brain and the small nodule you mentioned but otherwise again there was no abnormality? - Apart from the very minor inflammatory changes in the thyroid gland there was no significant abnormality.

You then go on to record first of all the opinion of the cause of death and that is recorded as being a gunshot injury? - Yes, that is correct.

And perhaps you could now read to us the commentary which follows on the last page of your report? - Yes, there are six points -- the first point, "The deceased was a healthy, well-built, middle aged caucasian male. 2. "There was no evidence of natural disease both with the naked eye and by microscopical examination and microscopically from the examination of representative specimens of the internal organs", nothing that would have taken account of his behavioural abnormalities. No. 3. There was no evidence of ongoing chronic intravenous drug abuse. No. 4. Death resulted from a single gunshot discharged within the mouth from a hand gun. This is a characteristic elective site for self-infliction of such an injury in persons committing suicide. 5. Death would have been instantaneous, 6 relates to the toxicology studies of blood specimens and other remains which I removed.

Could we just look at these documents which are other reports which will be given to you; first of all, R23 is a joint report by John Oliver and Hamilton Smith? - Yes.

Which deals with the analysis of samples of blood and urine from Hamilton which you have seen for yourself? - Yes.

Perhaps/

A. Busuttil

Perhaps you could read it out for us? - "The blood sample was analysed for alcohol, acidic drugs, basic drugs, benzodiazepine drugs, opiate drugs, paracetamol, LSD, cannabinoids, amphetamines, cocaine, buprenorphine, methadone and solvents; the urine sample was analysed for alcohol. All analysis gave negative results.

Putting that in layman's terms the analysis you carried out of the blood and urine samples with a great variety of drugs and alcohol was entirely negative? - That is correct.

And you pass to the next Production, R24, this is prepared by a Dr. Ian Dale, the Department of Forensic Medicine at the University of Glasgow?

- Yes.

It records that acting on the instructions of the Procurator-Fiscal at Stirling Dr. Dale examined a sample of liver labelled as having been taken from Thomas Hamilton and was analysed for lead content and the lead concentration was recorded as being 0.25 parts per million and this is within the normal range of lead concentration? - That is correct.

There was no abnormality there either? - There was no chronic lead poisoning.

Passing on to R25 which is in two parts; the part which deal with the results of the scientific analysis is a letter by Dr. Cowan of King's College, London, dated 3rd April, 1996 which appears to record that the sample of urine which had been given to them for urinary androgens and for the presence of synthetic anabolic steroids was examined using the procedures documented in the laboratory? - Yes, that is correct.

It records that the tests were negative both for synthetic anabolic steroids and for urinary androgens? - Yes.

Again reading the matter in layman's terms there is again no abnormality there? - There is no indication that this man had been taking synthetic anabolic steroids.

Finally look at a separate report, R26; there/

A. Busuttil

there is another report prepared by Dr. Dale relating to the examination of blood labelled as having been taken from Thomas Hamilton; it records findings in relation to copper and zinc and also indicates what the normal ranges for such chemicals are; what do we draw from these? - Again the level of copper and zinc from the sample of blood taken from Thomas Hamilton was within the normal range.

These are the reports which lie behind the sixth part of the commentary? - Yes, that is correct.

HOSIE TEVADIA, (59), Sworn,

EXAMINED BY THE LORD ADVOCATE: What are your professional qualifications? - M.B., Ch.B., F.R.C.Path., D.R.C.O.G.

I think you hold the post of Consultant Pathologist at Stirling Royal Infirmary? - Yes.

And during the day of the 13th of March of this year were you asked in co-operation with Professor Busuttil, the last witness, and other pathologists to work out a procedure for dealing with the post-mortem examination of those who had died at Dunblane Primary School earlier in the day? - Yes.

Could you look please at Productions R20 and 21; I think the first document, R20, sets out the procedure which yourself and Professor Busuttil evolved after discussion with interested parties including the Procurator-Fiscal? - Yes.

And I have to take formally from you because Professor Busuttil didn't conduct all the post-mortems of the 17 people who were killed by Hamilton at Dunblane Primary School that in relation to those who you examined with your colleague, Dr. Stewart, the procedure set out in this protocol was followed? - Yes.

And in particular the full reports were prepared on the basis of the external examinations that were carried out and X-ray examinations that were/

A. Busuttil

were carried out? - Yes.

R21 which you have I think still at the moment includes the summary of those post-mortems which you personally were involved in, is that correct? - Yes.

Could you also formally look at R22 and can you confirm that is a full and accurate report of the post-mortem examination of the body of Thomas Hamilton which you and Professor Busuttil carried out on the 14th of March? - Yes, that is correct.

JACK/

JACK BEATTIE (43), Sworn:

EXAMINED BY THE LORD ADVOCATE: Doctor, is your name Jack Beattie? - Yes.

I have to ask you how old you are? - 43.

And your professional qualifications? - M.B., Ch.B., F.R.C.P., D.C.H.

What post do you currently hold? - I am a consultant paediatrician at Stirling Royal Infirmary.

Could you have before you please Production R27? Do you recognise this document as one that has been prepared by you for the purposes of this Inquiry? - Yes, I do.

In the introduction, it says that it has been prepared at the request of the Procurator-Fiscal in relation to injuries sustained by those who survived the Dunblane incident. The details included are summaries of medical details, and if required, more specific information will be made available for the Inquiry? - Yes.

Could you read for us please the first paragraph after the heading "The Medical Response to the Incident"? - "At 09.48 hours on the 13th March 1996, the Accident & Emergency Department at Stirling Royal Infirmary NHS Trust received initial notification of a shooting incident at Dunblane. Within a few minutes, the full extent of the incident and the possibility of multiple child casualties or fatalities was known. A major incident was declared and the plan hospital response to such an event began.

Is Stirling Royal Infirmary a hospital which has the major incident plans available to deploy when a major incident occurs? - Yes; all hospitals by law or by organisation have to have such a plan.

Now, the site team which was assembled to go to the scene is recorded by you. It includes a number of doctors and a number of nurses; is that right? - Yes.

All/

All of whom are named? - (No answer).

It records that you went there in a police car and by ambulance, and that you arrived at Dunblane Primary School at approximately 10.15? - Yes.

On your arrival, were you guided by police officers and ambulance personnel who had already arrived, to the area of the school gymnasium? - Yes, we were.

Which you found to contain, as the report tells us, a large number of dead and injured children, and one dead adult? - Yes.

Is that the Mrs. Mayor that you are referring to? - Yes, it is.

Perhaps you could use your report to explain to Lord Cullen briefly the procedure you then followed? - Yes -- in these situations, the process is one which is termed triage, in which the first priority is to evaluate the number of casualties, those who are still alive, and to define those who are dead, and then to assist with the live casualties, who needs the immediate treatment at the site, who is beyond treatment on some occasions, and once we have assessed that initial evaluation, we then treat patients in a priority order, depending on their needs, and this also gives us the opportunity to decide who is fit for evacuation and what the sequence of evacuation might be.

Would I be correct in understanding that part of having a major incident plan involves training exercises to cope with situations where a procedure is required to be applied? - Yes, there are training episodes on a regular basis.

Your report then tells us that following this initial period of evaluation, or a period of initial evaluation, you became involved in the clinical care of the injured and also instructing other staff as to what they might do while you concentrated on those who were in the most serious critical condition? - Yes, that is correct.

Turning to the top of the page, your report records that the evacuation of patients began shortly/

shortly after your arrival at the scene; is that right? - Yes, that's right.

And then in tabulated form, there are details in relation to particular individuals, which we needn't go into? - Yes.

I think you yourself accompanied one of the critically injured children to hospital, together with another less seriously injured child? - Yes, that is correct.

You then went back to the school to be sure that no other senior medical support was required of you? - That is correct.

There were of course other medical colleagues at Stirling Royal Infirmary dealing with those patients as and when they arrived there? - Yes, that is correct.

Your report records that at the Royal Infirmary, the major accident plan had been activated, operating theatres at the hospital had been cleared of planned surgical cases, and that when the patients were transferred to the Accident & Emergency Department, they were handed over to the care of individual surgical and anaesthetic teams to carry on the treating of the patient concerned? - Yes, that is correct.

The next sentence of your report refers to a secondary triage process, but perhaps if you could just briefly explain what that is? - Yes; the secondary triage process is in some ways a repeat of the first process, but at hospital when patients are re-assessed, again to try and prioritise those needing immediate surgery from those who can wait, so it is a matter of trying to sort out the very serious from the less serious.

I think you received some support in this work from a medical team from the Royal Hospital for Sick Children in Glasgow, who attended; is that right? - That is correct.

Some of the injured were sent to Falkirk and District Royal Infirmary for care, and others, as the report makes clear, required to be transferred to the Sick Kids Hospital in Glasgow because/

because of the specialised treatment that was necessary? - That is correct.

I think in the next page of your report, you have a table setting out the details of how you categorise the degree of injury suffered, and they range from two who sustained no physical injury to those sustained very serious injuries indeed? - That is correct.

And the final pages of your report provide Lord Cullen with a little detail of individual patients, which I don't wish to go into, but can I take this from you -- those who sustained gunshot wounds, in some instances, it was limited to one wound, and in other instances, more; is that right? - Yes.

And individual gunshot wounds had in certain instances inflicted very very serious injuries on the patients concerned? - Yes. I would say that four of the children had potentially fatal wounds.

CROSS-EXAMINED BY MR. CAMPBELL: Just very briefly, if I may, and I don't want to go into any detail whatsoever on this, you told us that you arrived at the gymnasium approximately quarter past 10? - Uh-huh.

Having identified those children who were still alive, I think you tell us that some of them had minor injuries? - Yes.

Again, if I can stress without going into any detail, were some of those children able to identify themselves? - Yes. In fact, even the most ill child could tell me his name, so some of them were able to speak to me and identify themselves.

I take it your priority at that time would be to provide medical care? - Yes.

Rather than providing information to families? - Yes.

Just going back a little in time, is it accurate to indicate that while you were first informed of the incident at 09.48 hours, within a very short period of time, it was appreciated by you and/

and others that this was a very serious incident indeed? - Yes; we had a sequence of four meetings over two or three minutes.

And that again, just very briefly, so far as arrival at Stirling Royal Infirmary is concerned, from table one on the second page of your report? - Yes.

Do we understand that those children who were taken to the hospital all arrived round about 11 o'clock in the morning? I think it ranges from quarter to 10 to 10 past 11? - Yes.

No re-examination.

The/

THE LORD ADVOCATE: Sir, the next Production in chronological order is R28, a report prepared by Mr. Ritchie, dealing with the injuries sustained by Mrs. Harrild. Following on that matter, which I explored with her this morning, I wish only to tender that report; I see no need to go into the detail of it or to call Mr. Ritchie.

LORD CULLEN: Very well.

THE LORD ADVOCATE: Sir, the next report again in chronological order is R29, which falls to be spoken to by Michael Smith. You asked this morning, sir, for a signed copy of Mary Blake's statement, and I have it now.

MICHAEL FLEMING SMITH (50), Sworn:

EXAMINED BY THE LORD ADVOCATE: What are your professional qualifications? - Bachelor of Medicine and Surgery at the University of Edinburgh, as well as a Master of Surgery at that University. I am a Fellow of the Royal College of Surgeons of Edinburgh, and I am a Master of Arts at Edinburgh University.

What post do you currently hold? - I am a consultant neurologist at Stirling Royal Infirmary NHS Trust.

Can you look at Production R29, please? Do you recognise that as a medical report which you prepared on a patient, Mary Blake? - No, this isn't about Mary Blake. I have my own copy, which has not got a number.

LORD CULLEN: If the witness has got a copy let him please use his own.

EXAMINATION CONTINUED BY THE LORD ADVOCATE: This is a report signed by yourself running to three pages; is that correct? - Yes, that is correct.

With Mrs. Blake's name, date of birth and/

and address on the top of it? - Yes.

I don't wish to go into a great deal of detail about this, but in outline are you able to tell us from that how many gunshot wounds Mrs. Blake sustained? - She sustained four gunshot wounds.

And again in very general terms, on which parts of her body were these inflicted? - One on the scalp, one on the left anterior thigh and two on the right anterior thigh.

I think as we may have heard from her statement this morning, she required a number of operations to be carried out; is that right? - Yes, it would be reasonable practice with this sort of wound to make an incision in the wound and to leave it open and then later to go back to do a delayed primary suture. She was in theatre on two occasions.

I think you have seen Mrs. Blake on a number of occasions since March? - Indeed I have.

From a purely surgical and physical point of view are you optimistic she will make a good recovery? - That is the case; I have no reason to think otherwise.

No cross-examination.

EDWARD GOLDIE (56), Sworn:

EXAMINED BY THE LORD ADVOCATE: I am an officer in the Central Scotland Police Force stationed at Dunblane Police Office. I have 17 years' police service.

Were you working in Dunblane Police Office on the morning of the 13th March of this year? - That is correct, sir.

Do you recall receiving a message from Police Headquarters over your personal radio about some incident occurring at Dunblane Primary School? - That is correct.

Do/

Do you recall what time that was? - Roughly about quarter to 10.

What do you recall of the message as it came to you at that time? - The message was that there was a man within the school grounds with a gun.

I think you were at the time in the company of another officer, Police Constable Sneddon? - That is correct, sir.

On receipt of this message what did you decide to do? - We left the office and headed towards the school.

Before you left the office was there a telephone call received by Constable Sneddon? - Yes.

Who was that from? - Sergeant Collins in the Control Room.

Was this about the same matter? - Yes.

How long would it have taken you to leave the office from the time the message was first received over your personal radio? - About five minutes.

As long as that? - It could be slightly less.

How long would it take to drive from Dunblane Police Office to the school? - I would say it would take about five minutes, normally.

I wonder if we could look at some overhead photographs we have got. Could you look at R1? Do you recognise that view? - I take it that is the primary school in the centre of the field, yes, sir.

It might be better if we looked at a closer photograph, R3? - Yes, sir.

That is a closer view of the school, showing the entry from Doune Road at the bottom of the photograph and another vehicular entry at the top? - Yes, sir.

Which/

Which entry did you use? - The one on the bottom side.

When you drove in -- you were in a police vehicle; is that right? - Yes, sir, that is correct.

When you drove in where did you go to? - We drove up the entrance to the school near the bottom picture. There were two cars there. We checked the interiors of the vehicles on driving in, and there was no one there. We continued on until just to the small car park at the front of the school.

As you drove in you looked to your right to see if you could see anybody around the playingfield area? - Yes.

You saw no one there? - There was no one there.

Did you then carry round on the roadway to your left behind this row of small trees into the small car park area where we see a blue car parked? - Yes.

We have heard from a previous witness that that leads from the main entrance into the school building? - Yes.

Are you able to give us your best estimation as to the time it was when you got there? - I would say about 9.50 we got there, roughly.

On entering the school did you meet anybody? - I assumed it was a teacher who met us at the front door; it was a woman with grey hair.

A female adult you met? - Yes.

Some time thereafter other police officers I think arrived; is that right? - Yes, after we had been to the gym.

Are you able to give us any assistance as to the time by which other officers had arrived, or were you so concerned about what you were observing that you were not in a position to do so? - It seemed quite a while, but it could only have been/

been a short time before officers did arrive.

No cross-examination.

LESLIE CAMPBELL GOW HAIRE (38), Sworn:

EXAMINED BY THE LORD ADVOCATE: I am employed as an ambulance technician by the Scottish Ambulance Service, based at Callander.

Were you on duty on the morning of Wednesday, 13th March of this year in Callander? - Yes, sir, that is correct.

Some time in the earlier part of the morning did you receive a telephone call from the Ambulance Centre in Motherwell about Dunblane Primary School? - Yes, sir.

Can you recall when that message came to you? - 9.44.

Could you look please at what I hope is Production R30, a handwritten note? Do you recognise that piece of paper? - Yes.

Who prepared it? - I got the times from my log sheet, which times I have passed on to my controller, then I put the times on my log sheet.

When ambulance men are going about their duties they require to record the times when they receive messages, when they arrive at scenes of accidents, when they go to hospitals and so forth; is that correct? - Yes, that is correct.

Do I understand you have taken from the records which are kept in connection with this matter various times relative to what you did that day? - That is correct.

We see the first entry is when you were dispatched from Callander at 9.44? - That is correct, sir.

Was that in response to a message from your Central Control relating to some incident involving/

involving a shooting of children at Dunblane Primary School? - That is correct.

The route from Callander to Dunblane takes you through the Village of Doune and into Doune Road and Dunblane itself? - Yes, sir.

Was it from that road that you entered into the primary school? - Yes, sir.

The sheet informs us that you arrived there at 9.57? - That is correct.

What does the next entry mean "Called major incident 10.01 approximately"? - That is to inform the Control that what we have appeared to be a major incident.

That is a message sent by you to your Control confirming that you were at the scene, that this was a genuine report and it was a major incident? - I arrived on the scene at 9.57, and after we made our assessment I came back out to the ambulance and radio-ed for some back-up.

Now, I don't want you to give us any details about any of the patients you dealt with that morning as far as to who they were or what injuries they sustained; but I think the sheet goes on to record that you left the scene, the school, at 10.15 with one patient and arrived at the Royal Infirmary in Stirling at 10.25? - That is correct.

You then headed back to the school a few minutes later, getting back there at 10.37? - That is correct, sir.

Then you did a second trip from the school with a patient, leaving at 10.49 and arriving 10 minutes later at 10.59? - Yes, sir.

And at this stage you took Sister Hyslop to the school; is that right? - Yes, she escorted us down with the second patient with Dr. Stewart, and she requested to go back up to the scene.

The there seems to have been a final trip back to the hospital with certain medical staff, Dr. Beattie, Sister Hyslop and others? - Yes, sir, that is correct.

No cross-examination.

THE/

THE LORD ADVOCATE: Sir, Mr. Lake will now read the statement of George Anderson.

MR. LAKE: This is the statement of George Anderson, British Telecom engineer, 32 years old.

"I am employed by British Telecom as a telephone engineer. My main function is to repair faults on customer telephones.

"On Thursday, 14th March, 1996 I called at Doune Road, Dunblane, to carry out repairs as several complaints had been received from residents that their telephones were not operating.

"About 9.15 that day I was at the Exchange and established that the faults were underground.

"About 9.45 a.m. the same date I arrived at Doune Road near to the new Tesco shop. Examination of the lines there revealed that the fault led to the line pole DP31 situated within the grounds of Dunblane Primary School at the rear of Rokeby House, Doune Road, Dunblane.

"On gaining access to this pole, about 10.45 a.m. on Thursday, 14th March, 1996 I established that the fault was going back from the pole to the underground cable. I went to the junction at Doune Road near to the school, but I could not identify the lines. I returned to the pole and was listening on an amplifier to hear the tones. The tone was connected to a line on the pole.

"I was standing on the ground at this point and I glanced down to the bottom of the pole. I then saw that the cable going into the ground at the back of the pole had been cut.

"I stopped work and informed the police". That is a signed statement.

THE LORD ADVOCATE: Sir, the next witness is Michael Baxter, who will speak to Productions 16, 17 and 18.

MICHAEL/

MICHAEL BAXTER (40), Sworn:

EXAMINED BY THE LORD ADVOCATE: Are you employed as a forensic scientist? - Yes, I am.

Is that at the Police Forensic Science Laboratory, Tayside Police Headquarters in Dundee? - Yes; I am head of the laboratory.

What are your professional qualifications? - I have a Bachelor of Science Degree in Molecular Biology, and I am a Chartered Biologist and a Member of the Institute of Biology by Examination by Chemistry.

Could you look at Productions R16, R17 and R18? - Yes.

Do you recognise these three joint reports as having been prepared in the laboratory of which you are in charge? - Yes.

The first report is prepared by you and a colleague, the second by yourself and the same colleague and the third by two other colleagues; is that right? - That is correct.

Can I just briefly take from you what the contents of these reports are; the first report, R16, deals with the examination of blood samples taken from Thomas Hamilton, is that correct? - Yes.

The second report deals with the examination of a quantity of boys' swimming trunks which bear to have been found in bags in the front bedroom of 7 Kent Road, Stirling, on the 20th of March, 1996? - Yes.

What the report says is this -- "The above items were examined and found to comprise of a large yellow plastic container with a red cap with PAINS-WESSEX SCHERMULY written on the outside, and a rope handle. On opening the container, thirty-seven pairs of children's swimming trunks were found lying loose, followed by a Littlewoods bag containing a further fifteen pairs of children's swimming trunks. There was another Littlewoods bag with eleven pairs of swimming trunks, at the base of the container. A number of the sixty-three pairs of swimming trunks had one or both of the labels removed but by comparison with those where labels were still present, the wearer age range was mainly 8 to 10 with some at 7 to 8, 8 to 9 and 9 to 10 years. The eleven pairs of swimming trunks found in the second Littlewood bag, were generally stained with a white substance. Part of this white substance was analysed and found to be a paint-like substance. All sixty-three pairs of swimming trunks were further examined, and nothing further of significance was found."? - Yes.

When you say they were further examined, can you give Lord Cullen and those present an indication of what sort of substances you were looking for? - Yes, any obvious bloodstains or signs of the presence of semen; all presumptive tests for the presence of semen gave negative results.

Can you recall whether these swimming trunks gave the impression of being used or were they in a new condition? - No, there were two Littlewoods bags of swimming trunks and inside them at the top of the container were some new swimming trunks and the other bag of swimming trunks seemed to be fairly old, the ones towards the top looked more/

more recent.

Did they all show some signs of being straight out of the wrapper? - I wouldn't say that -- some of them looked fairly new but quite a number of the labels had been removed.

Now, finally can we look briefly at R18; this is a report prepared by other colleagues but in the context of this Inquiry we can take the evidence from you. The purpose of this report is to deal with the examination of various bloodstains found on the clothing of Thomas Hamilton when his body was recovered, is that right? - Yes.

And what the report concludes, having dealt with DNA profiling, the results of various tests that were carried out was that there is no indication that the bloodstaining on the clothing of Thomas Hamilton came from anyone other than himself, is that right? - That is correct.

As far as the number of specific stains that were found are concerned there was a very strong indication that the blood had come from Hamilton, is that right? - Yes, the majority of these stains.

In a fewer number there was a moderate indication that the blood came from Thomas Hamilton? - Yes.

We don't need to go into the details of these obviously but the results indicate a strong probability that the blood came from Hamilton, but more importantly, it gave you no indication whatsoever that the blood came from anybody else? - That is correct.

CROSS-EXAMINED BY MR. CAMPBELL: Just one matter if I may -- look again at R17 on your report concerning the swimming trunks? - Yes.

You make no mention there of the colour of swimming trunks? - That is correct, yes.

Could you tell us anything about the colour? - Yes, the majority of swimming trunks were mainly black but there were other colours including red and blue and green, multi-coloured green, /

green, red and blue as well and the majority were black with a white or red motif on them.

JOHN OGG, (49), Sworn,

EXAMINED BY MR. BONOMY: Are you a Detective Chief Superintendent with Central Scotland Police? - Yes, I am.

How long have you been in the police? - 30 years.

How much of your service has been with Central Scotland Police? - All my service.

What is the area that your police force covers? - Central Region -- well, what was Central Region.

Is that still the position since the reorganisation of the local authority? - Yes, it is.

So Dunblane, both before the incident and since the incident, falls within the jurisdiction of Central Scotland Police? - Yes, it does.

Could you give us just a very brief description of Dunblane itself; first of all, can you tell me what the population is roughly of the City of Dunblane? - It is about 8,000.

Is the town industrial or is it a town which may be referred to as a dormitory town? - A dormitory town.

The people in Dunblane work generally where? - In Glasgow or Edinburgh or Stirling, they tend to commute.

A number will work locally? - Yes.

Is Dunblane a place that is easily accessible from most of the Central Belt of Scotland? - Yes, it is, it has a good motorway link.

I think it also is linked regularly by trains/

trains from both Glasgow and Edinburgh? - Yes, it has a regular train service.

Since the reorganisation of the local authority into which jurisdiction does it now fall? - Stirling.

And before the reorganisation which authorities were responsible for Dunblane? - Central Region and Stirling District Council.

As at the 13th March this year how many schools were there in Dunblane? - There was Dunblane High School, Dunblane Primary School, and also Queen Victoria School.

Is there a further primary school planned or being built in the area? - That's right.

When was it that you first learned of the events at the primary school? - About 9.40, 9.45 that morning.

Were were you? - I was in my office at Police Headquarters.

How did you find out? - One of my officers came and told me that there was a suggestion that there had been a shooting incident at the primary school.

What was your immediate reaction to that? - I asked him to get more information, he came back minutes later and said that he thought there were fatalities involved and I then travelled to the school.

When did you get there? - About 5 past 10, perhaps 10 past 10.

There was already a police presence there by that time? - Yes, there was.

As a result of these investigations you have made have you established at what time the police presence first got there? - About 9.50.

Have you been able to establish when the police were first alerted to the incident? - 9.41.

And/

And has that been done by reference to telephone records? - It was.

Now, can you just confirm that time, have you got the exact time of that in your mind? - 9.41 the phone call was made.

Once you got there what were your responsibilities? - The Chief Constable appointed me as senior investigating officer.

And throughout this enquiry have you retained the position of senior investigating officer? - Yes, I have.

I take it that various aspects of the whole enquiry have been delegated to other officers? - They were.

In due course we will hear from a number of individual officers who have investigated certain aspects of the enquiry? - Yes, that is correct.

And so far as the incident itself is concerned I am going to ask you a number of questions about the results of the police investigation and I am going to ask you to summarise the results in so far as we have not heard this from witnesses this morning or will not hear them from witnesses yet to come but there are other areas in which you have been involved, is that right? - I have been involved in the whole enquiry.

So you will be required to come back later to deal with certain other elements of the investigation. I want to start just now by looking at some of the details immediately before and during the incident itself and I think you have compiled your own statement in the form of a report setting out the information that you have managed to put together from various Forces? - Yes.

If you could have that in front of you and could you first of all turn to the second page of it; at the very foot of that page you refer to a sighting of a man answering Hamilton's description by a witness at about 9.30 a.m.? - The is correct.

But I think just before that there was a sighting by

another lady, a Mrs. Newbiggings? - That/

That is correct, at the rear of the school.

Now, you will be given a copy of Mrs. Newbiggings' statement and if you could have that in front of you and you will see that is a signed statement from her and if you look at the first page does she confirm at the end of the third paragraph that she was at the school at about 9.28? - She does.

And that she drove there by the Cawder Road entrance? - Yes.

Now, if we could have the photograph on the screen, R3 I think; do we see there that there are two entrances to the school top and bottom of the photograph and the Cawder one is the top one? - That is correct.

And I think after that at the foot of the second page of your statement you confirm a sighting by Mrs. McMillan? - I do.

And that is from the other entrance to the school, is that right? - That is correct.

And she saw at that stage a white van with a man bearing the description of Hamilton, similar to the white van at the top entrance seen approaching the school from the road at the bottom as we see it in that photograph? - Yes.

I think that Mrs. McMillan also confirms that the van turned left from Doune Road into the road leading into the school? - It did.

And therefore it came from the left-hand side of that photograph as we look at it? - That is correct.

Can I take it that from the Cawder Road entrance road to the one off Doune Road you can drive up going virtually in a circle? - That is correct.

And that that journey would just take a matter of two or three minutes? - That is correct.

I think also Mrs. Hamilton's statement told/

told you that the driver was driving very slowly? - That is correct.

We have just had read to us a statement by Mr. Anderson, a British Telecom engineer, about the cutting of a wire, a telephone wire; can you tell us from that photograph where it was?
- It was at the top of the telegraph pole -- there is a vehicle parked almost directly under it in the photograph.

I think as we look at that photograph it is against a sort of fence or a hedge, is that right? - That is correct.

Where is the hole? - There are two vehicles -- it is the blue vehicle, I think it is blue.

You can see a hole dimly in the photograph? - Yes.

There's a vehicle right beside it? - That is correct.

Perhaps if you just went over to the image so you can stick a pen on the hole; I think the Tayside forensic scientist lab. was able to confirm that the pliers which were recovered from the scene and were in Hamilton's possession had actually cut the wire?
- That is correct.

Were you able to establish what the wire related to? - It was the telephone supply to the houses surrounding the school, not in the school itself.

So the cutting of the wire had no effect on the telephone communication at the school? - None.

Could I ask you now just again very briefly to have Mrs. McMillan's statement in front of you and to go to page 3 of that.
This is the statement of Mrs. Audrey McMillan. Could you go to page 3 of that and read paragraph 16? - "This man was out of his van at this point and looked directly at us. He walked round the side of the van, the driver's side, and opened both rear doors. I then noticed him lean into the van, I couldn't see his head but I could see his legs under the door."

Go/

Go to paragraph 18 now, the first one over the page?
- "He was inside the van for a second and he turned round with his back to me and laid down a silvery grey plastic sheet that he unfolded on the ground; it looked as if it was a tool wrap which had objects in it because there was lumps but I couldn't say what it was."

Just stop there -- so we have him by 9.30 in that area where the hole is unwrapping something that may contain tools? - That is correct.

Which had come from the van? - That is correct.

Now, moving on, I think you have done your best on the basis of all the information available to estimate the time at which the first shot was fired? - That is correct.

What/

What is your conclusion about that? -

About 9.37.

And why do you reach that conclusion? - The Headmaster, Mr. Taylor, was on the telephone. The itemised calling shows that that call was made at 9.38 and 52 seconds, just shortly before 9.39. The phone call to the police was at 9.31 and that's when a witness came in and told the Headmaster to contact the police, that someone was in the school with a gun. The ballistics evidence indicated that the shots that were fired could be discharged in 10.2 seconds, so it is working from these calculations.

I think the ballistics information was it could be discharged in 50 seconds? - Sorry -- 50.2 seconds.

But what we do have is a fixed time for Mr. Taylor's telephone call to a colleague at 9.38 and 51 seconds? - That is correct.

And that is confirmed by telephone record? - It is.

And we have the call to the police by Mr. Taylor, a 999 call? - It wasn't a treble 9 call.

From the school at 9.41? - Yes, but it wasn't treble 9. It was an ordinary call.

An ordinary call at 9.41? - (No answer).

So by 9.41, someone has alerted you to the fact that shooting is taking place in the school? - That is correct.

Now, the 50.2 seconds we have heard evidence about already. That's the time it would take to discharge 105 shots, shooting constantly without interruption? - That is correct.

If I can take you to Page 4, we have heard some evidence of the order of events today already, but your information confirms that Mrs. Harrild was the first person shot? - That is correct.
That/

That probably Mrs. Mayer and then Mrs. Blake were shot; is that right? - That is correct.

We have also heard of the spraying of shots around the gymnasium, and then further shooting from various points which we have seen on diagrams, and throughout that time, the magazines were being changed? - That is correct.

And magazines were found around the gymnasium? - That is correct.

But if I can take you now to Page 5 at the top, I think you can tell us something about the events affecting a pupil, who was a pupil in one of the primary seven classes? - That is correct.

Now, it is important to retain the privacy of the various witnesses involved who are youngsters in particular, and it is important that when you give an account of this, that it is on the basis that this is simply a child involved without giving us any names. Can you tell the Tribunal what exactly happened in relation to the child who left the primary seven class? - He walked up the side of the gym, that is the south side of the gym.

Can you tell us from the photograph which side that is? - He left the classroom here and walked up this way here and round to this classroom here.

Now, in the course of the taking the route from the primary seven huts along the gymnasium and then down the right-hand side of the gymnasium as we look at it, did he observe anything happening? - He saw Hamilton in the first position when he entered the gymnasium and then he also saw him in the middle of the gymnasium discharging shots. Hamilton, it would appear, noticed him, and discharged a shot in his direction, and he was injured by breaking glass.

Where roughly was he when he was shot at by Hamilton? - He must have been in this area here.

So he is going down the right-hand side of the gymnasium at that stage as we look at it? - As/

As we look at it, yes.

And I think there is a hole in the window consistent with the bullet that sent glass in the direction of the pupil? - That is correct.

Now, I think your investigation leads you to the conclusion that Hamilton, after being near the entrance to the gymnasium and then further up the gymnasium, also fired shots at the top end of the gymnasium? - That is correct.

Both back down the way and also out in the direction of other buildings? - That is correct.

And that he actually went outside? - He did.

Are you able to work out from what you have gathered from eye-witnesses, along with the ballistics information, roughly the order of these events? - Yes.

What can you tell us about that? - From the time he entered the gym?

Well, I think we know that he sprayed something like 29 shots around the gymnasium and that he was halfway up the gymnasium and directed shots in a certain direction. Once he gets towards the top end, can you tell us something of his actions? - After he dispersed the firearm in the middle of the gymnasium, he then walked in a semi-circle and discharged more shots there. He then moved up nearer the top of the gymnasium and discharged a shot through the window at the east side of the gymnasium down towards the library entrance. He then discharged -- he opened the fire escape doors and discharged four shots from within the gymnasium out towards the library.

When you say the library, do you mean across to the main building? - That is correct.

The two-storey building? - That is correct.

So he is shooting more or less straight across? - Uh-huh.

Yes;/

Yes; carry on? - He fires four shots from within the gymnasium in that direction and then he steps out of the fire escape door and discharges another four shots from there. He then turns his attention to the primary seven hut at the right-hand side of the fire escape and fires nine shots into that.

If you look now at Photograph R4 please? There, we are looking at the gymnasium from a rather different direction and we can see a part of the sort of platform you walk out on to if you emerge from the fire escape? - That is correct.

That is where he went and started shooting across at the entrance to the main building and also at the primary seven hut? - That is correct.

And we can see in that photograph just how close the primary seven hut is? - It's very close.

That is Mrs. Gordon's class, I think? - That is correct.

Which was in the first part of the hut; how many shots were discharged in there? - Nine.

No child was injured there? - No.

What action did Mrs. Gordon take? - Mrs. Gordon noticed him in the gymnasium firing his firearm, and she told her class to get down on the floor, which is very fortunate, because one of the bullet holes was through the back of the chair.

I think a number of bullets were actually recovered from that particular classroom? - That is correct. Four exited from the windows at the opposite end of the classroom.

Now, at the main building, however, there was some injury? - That's right.

And one of the teaching staff there sustained injury? - That's right. She was walking along the corridor.

Who was that? - Mrs. Tweddle.

Was/

Was she on the upper or the lower level? - Lower level.

And which part of the body was she struck on? - A glancing blow to the head.

Could you perhaps look at R11, which is a book of photographs, and at Photograph B? If we could have that please on the imager? Now, there, do we see on the right the primary seven class? - That is correct.

Straight ahead, the entrance way, the sort of alcove entrance way at which some of the shots were directed? - That is correct.

That is where one of the members of staff was struck? - She was in the corridor, yes.

And do we see also the fence along the side of the raised paved area, on to which Hamilton emerged through the emergency fire doors to fire these shots? - That is correct, at the bottom left-hand of the picture.

Just before all this happened, a class had gone from one of the other parts of that hut across to the main building to an art room? - That is correct.

A pupil was sent back? - He was.

What happened to him? - He saw Hamilton at the door, at the fire exit door of the gym discharging his firearm. He saw him level the gun in his general direction, but he wasn't injured.

The gun was pointed at him? - That is correct.

He was simply going back a message that he had been instructed to go by one of the teachers? - He was going to get scissors, I think it was.

Now, does the evidence that you have seen suggest to you when Hamilton went back into the gymnasium, he fired some more shots? - It's thought he fired five or six shots when he returned to the gym.

Could you look now please at R8, and just/

just have this in front of you and not on the imager please, and would you look at Page 3 of that? - Yes.

I think that earlier in your evidence, you did mention a series of shots fired in a semi-circle? - That is correct.

And does this diagram portray that? - Yes.

And is it clear also from your investigation that some of the shots fired at this stage resulted in bullets being embedded in the floor? - That is correct.

Now, one of the members of staff from whom you have information, I think, is Mr. Scott; is that right? - That is correct.

Could you have now his statement in front of you? Is that the statement of David Duke Scott, a student teacher from Dunblane? - It is.

Now, what were his movements around the time this was happening? - He was in the art class when this was happening and witnessed Hamilton shooting.

Was he able to see into the gymnasium? - Yes.

I think, so far as Hamilton's own position is concerned, any time he describes his arms, they are actually pointing out the way in front of him in a sort of shooting position? - That is correct.

And I think if you go to Paragraph 19, he says that after he went back into the gymnasium from the paved area outside, he fired the gun about six times? - That is correct.

And/

And that was a very quick sensation, with only a second between firing? - Yes.

You were not aware whether he was firing at anyone there, because you couldn't see anyone in the room at that point? - Yes.

Could you read paragraph 20? - "...there was a lapse of time of about five seconds. He took one pace backwards and he lowered the gun. He appeared to make some form of motion with his hand in his clothing; I don't know what he did with his clothing. Then he turned the gun on himself, close to his face, holding the gun in his right hand. I couldn't see if he put the gun into his mouth or just his face. I couldn't say if it was the same gun I seen him with earlier or a different gun. I then heard a shot. The man's head went slowly backwards with a jolt, his knees folded and he landed on the floor on his back."

If I could take you on to page 7 of your own statement, I think you are able to establish that it was Mr. Scott who was able to relay information to other members of staff that the gunman, Hamilton, had shot himself? - That is correct.

Now, the exact sequence of events thereafter we will probably hear more from other witnesses about: but I think towards the bottom of that page you confirm that another member of staff, Mrs. Eddington, telephoned Ambulance Control at 9.43? - That is correct.

And that coincides with the information in the ambulance log? - That is correct.

And we have heard from Mr. Haire earlier that the first ambulance arrived at 9.57? - That is correct.

One of the men to go into the gymnasium fairly shortly after the incident was over was Mr. Currie, the janitor? - Yes.

He was not the only one, but I think you got some information from his evidence and that of others about where guns might have been at that stage? - That is correct.

Can/

Can you tell me what you have been able to establish about the guns themselves and where they were at that point? - One gun was in his hand, another was in the holster. Mr. Currie removed or kicked one of the guns out of his hand and removed the other one and put it across. When the police arrived, however, there were four guns on the floor. We never managed to trace anyone who spoke to moving the fourth gun.

I am going to ask you now to look briefly at another photograph.

MR. BONOMOY: Sir, it may be you should just have a quick glance at photograph R19. I think there is only one photograph there. It may be disturbing to some people, but I doubt if it really is in the circumstances of the case. I propose to put it in the imager.

LORD CULLEN: I have no objection to doing that, Mr. Bonomy.

MR. BONOMOY: Thank you sir.

EXAMINATION CONTINUED BY MR. BONOMOY: You will see that is the photograph of the top end of the gymnasium? - That is correct.

With the body of Thomas Hamilton where it has already been described to us as being? - Yes.

Do you know when that photograph was taken? - Yes, that was taken by a police photographer probably some time after 11 o'clock that morning.

That is before the guns were made safe by the Bomb Disposal Officer? - Yes.

Because there is no sign of the ammunition he removed from the guns? - That is correct.

We see four guns in the photograph? - Yes.

Can you confirm to me that the one on the left, marked "Gun 3", the Smith and Wesson, is the one he shot himself with? - That is correct.

And/

And "Gun 4", the Browning, was the one used to do all the damage? - Yes, that is correct.

And we see at the far end towards the windows the other two guns together? - Yes.

That was the other Browning and the Smith and Wesson that were never used? - Yes, that is correct.

Are these in the positions as the police found them? - That is correct.

I think just to complete the picture inside the gymnasium for formal purposes and so that Lord Cullen is fully advised of matters would you look please at R8? Can you confirm to me that that shows the resultant positions of various people in the gymnasium, when the police arrived on the scene? - Did you say page 2?

It is the second diagram, headed "Gymnasium After Incident"? - Yes.

It has got a circle where Hamilton was at the top? - That is correct.

Does that show the positions of the various victims in the gymnasium when the police arrived on the scene? - No, it shows the position of the victims that we co-related would in all probability be immediately after the shooting.

In other words, activity taking place before the police got on the scene would have altered this picture? - That is correct.

Now, I think that many of the staff of the school were then involved in a whole variety of activities to try and bring assistance and comfort to the people who had been injured? - That is correct.

I want to turn away now a bit from the events in themselves, the actual shooting, to the immediate aftermath. As a result of the message to you or telling you that there was a shooting in the school were steps taken to alert armed police officers? - Yes.

What/

What was done about that? - An Armed Response Team was brought together and arrived at Dunblane Police Office at 10.10.

Where would they have come from? - They were on-duty officers coming from Headquarters.

In a situation like this, an emergency situation like this, would it be a scratch team? - It would be a holding team who would attend first.

And that would be the trained officers who happened to be immediately available on duty to go to this locus? - They would attend at the Armoury first to draw their firearms, to be issued with their firearms, and then go to the locus.

When did they get to Dunblane Police Office? - About 10.10.

By that time did you realise their assistance was pointless? - That is correct.

And were they stood down? - Yes, they were.

Are there formal steps of any kind that have to be taken to declare a major incident like this as falling into a significant category? - That is correct.

What steps are taken? - Stirling Royal Infirmary or the nearest hospitals are informed that the Emergency Services are declaring a major incident.

Whose decision is that? - In that instance it was the Chief Constable's.

By that time he has been alerted? - He was at the locus at the time. He attended the locus at the same time as I did: that would be just before 10 past 10.

At what time did you declare it a major incident? - 10 past 10.

Is it always a police decision? - No, depending on the circumstances it could be the ambulance or the medical staff, but in most instances/

instances I have been at it is a police decision.

I think there was a pretty quick response from the local doctors? - That is correct.

How quickly were they on the scene? - I think they were there just after 10 o'clock, 5 past 10.

That included doctors and nurses from the Dunblane Health Centre? - That is correct.

I think you had a very prompt attendance by a doctor from Doune and one from Callander? - That is correct.

Now, it was the job of someone obviously to certify life extinct in respect of each of the deceased victims? - That is correct.

And can I take it it is no surprise to find a time later than 10.10 on a death certificate, since that reflects the time at which the doctor actually makes the pronouncement? - That is correct.

Can you tell us when the first medical team from Stirling Royal Infirmary arrived? - I think it was 10.15.

And they were followed by other teams from the same hospital? - That is correct.

Did you also have a team from Falkirk, or was the patient simply taken to Falkirk? - No, a team attended from Falkirk, and arrived there about 10.35.

Two members of the Procurator-Fiscal's staff I think were notified because of the deaths? - That is correct.

How quickly were they on the scene? - They arrived at 10.40.

Now, can you give Lord Cullen just a very general impression of the problems you faced at that stage? - The problems in respect of.....?

What you were going to do with a very large/

large number of casualties on your hands who were confirmed dead, and obviously a whole host of problems. Can you give us a rough idea of how you began to cope with all the problems that must be solved? - We set up an office. The priority of course was to get the injured off to hospital. The first thing we did was put a cordon round the school. The next priority was to get the injured away to hospital, then to try and identify the deceased, and then institute enquiries, which would be followed by the appointment of Production Officers, setting up an administrative system and so on.

Now, certainly by 10.20 can I take it it is clear that there are a number of dead persons in the gymnasium? - That is correct.

How long did it take after that to remove all the injured? - The last of the injured was removed from the gymnasium by 11 a.m.

Of the people who were removed from the gymnasium, all but one actually survived? - That is correct.

If I could take the question then of identification of the various victims that were in the gymnasium, how did you begin to go about that exercise? - We were relying on the school staff. Unfortunately the one school teacher who knew the class, Mrs. Mayor, was amongst the fatalities. There was an added difficulty with the register, that it had not been completed that morning; so we were not sure who all were in the class at that particular time.

When did you establish who was absent? - Just before 11 o'clock it was suggested to us there was a possibility that two of the pupils were absent, so we despatched officers with instructions to approach with caution, because we didn't know if these were the two that were absent. It transpired that these two children were absent from school that day.

If you go to page 10 of your statement I think you set out in the bottom third or so the names of teachers who tried to assist in identifying children? - That is correct.

That/

That must have been a difficult job for anyone, a harrowing experience for anyone? - Regrettably so.

How were the teachers able to cope with that? - They did extremely well. The head teacher and his staff, the teachers who were involved, did an absolutely unbelievable job, because of the circumstances, which were extremely distressing.

I think some of the teachers may have had previous dealings with some of the children; is that right? - Yes.

Some of the nursery teachers? - Yes, it was the nursery teachers that were being used.

Can you tell us about any particular problems that arose in identifying who exactly were the victims in the gym? - Yes. At one stage we were relying on labels on clothing, one particular child had a name tag on which didn't relate to anybody in the gym. We also had a victim identified as dead in the gym and also at Stirling Royal Infirmary.

Were there school record cards referred to? - Yes. Again, unfortunately one of the victims in the gymnasium did not have a school record card. It wasn't until we reverted to the school roll that we realised that this girl was in attendance at the school.

Apart from one pupil, therefore, there were cards with names of the pupils that were in the particular class? - That is correct.

Do you remember whether these records cards had photographs of the children on them? - I don't think they had. We obtained a school photograph, but it was of little help.

Again in very general terms I would like you to tell Lord Cullen what help you think a photograph can be in circumstances like this? - On that particular day?

Yes? - It would have been of little or no use.

Dr./

Dr. Beattie told us today that the children who were injured were largely and perhaps all I think able to give their own names to anyone who asked: if a doctor wanted to know, the children could say who they were. Is that your experience? - No. We had extreme difficulty that morning with communications between our Casualty Bureau and the locus. There was only one telephone into the school, which was virtually engaged, I think by anxious parents.

That was not a very clever question. Did you yourself have any direct dealings with any of the injured children? - No.

And I take it police officers largely would not be the ones communicating with the children? - No: Paramedics and doctors were.

So when you were trying to establish who the injured children are some of your communications in that connection would be with the location of the children once removed to hospital? - Yes, that is correct.

Did you have any difficulty communicating with the hospital? - Tremendous difficulty.

Can you tell us what these difficulties were? - There was only one telephone into the school. It was virtually continuously engaged, by anxious parents phoning in or the media phoning the school. We reverted to Cellnet phones. Unfortunately again, the Cell became completely blocked, again I think because the media had descended very quickly on the locus and were using up the Cellnet.

That is a mobile phone? - Yes.

So you couldn't make any use of it? - No, I couldn't make contact.

Now, I assume that the normal police communication systems do not rely on the mobile phone network? - No: the radio system not at all. That was an option open to us, but we chose not to use it, because all the information that would have been coming across was extremely sensitive, and obviously there was a very strong possibility/

possibility that scanners would be used to pick up these radio messages.

How was it you went about finding out who the children were that were in hospital? - Eventually staccato fashion we managed to get through on the Cellnet phone, and we got two or three names at a time.

Do your police force engage in exercises in which disasters of one form or another are simulated with a view to seeing how you might cope with them? - Yes.

Did these exercises involve anything like this? - Nothing at all -- we have never had an exercise involving a man shooting; it is usually train crash disasters or suchlike.

In something in a building like this in a town where a large number of people can congregate quickly? - No, we have never had an incident like that.

So were the sort of problems you encountered with communications problems you were encountering for the first time? - Yes, on that scale. We suffer the same problems every time we have a major crime in a rural area, it takes two or three hours, sometimes longer than that, to get additional phones in.

When was it then that you were in a position to be sure of the identity of all the victims? - About 1.15, between 1.15 and 1.30.

In the later part of that period, between say 10.15 and 1.15, we are talking about three hours or so, in that latter part of that period were you still looking for information about a number of children or was it just the odd one that was outstanding? - A number of children we were looking for information -- we were reasonably satisfied that we had identification almost complete at 12.04; we had information from the hospital that there was another victim or that there was a victim who was in the hospital who had actually been identified as being in the gymnasium.

Now, as a result of this did you make any particular decision about how and when the news of the death or injury would be conveyed to parents or close relatives of the victims? - As soon as we got information about the injured we started to convey that information which was before the parents of the deceased had been informed..... The decision made or my decision at that time we should be 100 per cent sure that we have all the children identified for fear of informing the wrong parents.

I think there is some anxiety on the part of some people and the parents who were involved here and these are parents of injured children rather than children who died that perhaps more could have been done to match up the injured children with their parents a bit more quickly? - In retrospect it was a decision we made at the time although some of the injured children were away to the hospital before police resources arrived in any strength. We felt it was insensitive to note the children's names as they were going to the hospital but in retrospect perhaps we should have done that.

There was the odd situation here where perhaps a relative who wasn't as close a relative as a parent or another relative was learning of the injury and being present in the hospital earlier than the parent because they were amongst groups who were still at the school. Now, can you explain how that happened on this occasion? - Yes, the relative must have gone to the hospital and got the information there whereas unfortunately, as I said, we were having great difficulty getting information at all from the hospital to the locus.

What arrangements were made for the parents of the Primary 1 Class at Dunblane Primary School when they arrived? - I believe they were taken to a separate house and eventually they were brought to the staff room in the school.

Did someone else deal with that end of it? - Superintendent Holden.

We will hear from him in due course? - Yes.

Now, when it got to 1.15, 1.30, and you knew who the victims were did you then establish a system for communicating information to the close relatives of the victims? - That is correct.

What was that? - We had a family liaison team made up of two police officers and a social worker to inform relatives and to remain with the relatives throughout the enquiry.

Roughly what time would these teams make contact with the families that they had to communicate the information to? - Between 1.30 and 2.30.

And/

And was there a separate team for every family? - I think some of the injured shared a family liaison officer but there was certainly one to every deceased family.

Adjourned until tomorrow.

.....