

## Scottish Child Abuse Inquiry

Witness Statement of

CXL

Support person present: No

Others present: Michael Short, Clyde & Co.

1. My name is CXL. My date of birth is [REDACTED] 1942. My contact details are known to the Inquiry.

### Background

2. I went to Clare College, Cambridge where I read Natural Sciences specialising in Chemistry. On graduating I stayed on at Cambridge for a further year gaining a post graduate certificate in education. I was then employed between 1965-1969 as an assistant master by the [REDACTED] before moving to become an assistant master at [REDACTED] School, Northamptonshire in 1969. Three years later I was appointed a housemaster and for the next eight years in addition to teaching I ran a senior boys boarding house. In 1980 I applied for and gained the SNR [REDACTED] of [REDACTED] School in Cumbria where I remained for a further eight years. In 1988 I applied for and gained the appointment of SNR [REDACTED] Fettes College, Edinburgh where I remained until I took early retirement in 1998.

### Employment with the school

3. Fettes had advertised the post of SNR [REDACTED] in The Times Educational Supplement (TES), which is a well-known paper for advertising teaching appointments. I think it

would have also appeared in a number of national newspapers because [REDACTED]  
[REDACTED] appointments were often placed in papers like The Times or The Scotsman. There was also a system that operated [REDACTED]  
[REDACTED]  
where they would send notices of SNR [REDACTED] appointments round schools. Some two hundred and fifty schools would have received a separate piece of paper advising that the SNR [REDACTED] Fettes was coming up.

4. I applied on the school's application form that was supplied to me and I gave the names of three referees. They were Viscount Whitelaw and Mr John Mawson, who were the Chairman and Vice Chairman of the Board of Governors at [REDACTED] School, and Dr Barry Trapnell, a distinguished headmaster of [REDACTED] School, Northamptonshire. References were taken up and the shortlist of candidates were selected. I attended the first round of interviews which were held in a fair amount of privacy CKP [REDACTED] [REDACTED]. The Board of Governors had appointed five or six from their number to conduct the first round and filter out the candidates. I was successful at being invited to the second round of interviews [REDACTED]  
[REDACTED]. They also had the opportunity to meet my wife during the buffet lunch. [REDACTED]  
[REDACTED]  
[REDACTED]. A proposed contract was drawn up and the [REDACTED] would have seen the contents of this in order to ensure it was fair to the school and fair to me. I was taken on with an open-ended contract with the expectation that I would retire when I reached the age of sixty. Unless I was sacked or eased out I could therefore have gone on another five years after I had retired. If both sides had wanted it, we could have agreed that I went on longer than that.

5. The prerequisites for the job were that the Governors would expect me to have a reasonable university degree, good teaching experience and a range of relevant other interests. My housemaster experience was not a prerequisite but it indicated that I had gained considerable experience in the guidance, overall development and

pastoral care of pupils. I also had eight years experience as SNR of [redacted] School. It was a smaller school than Fettes but I had gained skills and experience in [redacted] a co-educational boarding and day school. [redacted]

[redacted] They would have checked my name against List 99 to make sure I was not a banned teacher, they would have looked very carefully at my references and they might even have phoned my referees. List 99 was kept by the Department of Education and Science (DES) and it was a list of people who are deemed unsuitable to teach children. Two Governors, Professor Ian Stewart and Lord MacLean came to [redacted] and saw me [redacted] and they probably wished informally to meet my wife [redacted]

SNR [redacted] I am certain that they did their homework on applicants properly and thoroughly. I was a registered teacher with the DES.

6.

[redacted]

7.

[redacted]

During my SNR [redacted] I attended regular conferences, particularly those run by the [redacted] but also with other bodies like SCIS. There would be presentations and in addition small groups would discuss educational and other issues that they wanted to pursue. So I received regular on the job training in an informal way.

### Policy

8. The Governors appoint the headmaster and the bursar. The Head then has total authority in every aspect of the running of the school except for those areas that are delegated to the bursar. That includes recruitment of staff and pupils, academic

work, games, cultural activities, extra-curricular activities, tone, discipline, welfare and happiness and child protection policies.

9. [REDACTED] in succession two very good directors of studies, Robert Philp and then Tony Reeves, [REDACTED] for the management of the academic work of the school. When we knew there was an SOED inspection coming up in 1995, it was evident that many of the school's policies were more implicit than stated. Tony Reeves was exactly the sort of person who actually enjoyed writing up policy statements, researching best practice and protocols and those kinds of things. So his work in assembling the necessary documentation required for the Inspection was absolutely invaluable. For example the Confidential Notes for Teaching Staff and The Fettes College Handbook were collated largely by Tony Reeves and the excellent SNR [REDACTED] FTF [REDACTED]. The Confidential Notes for Teaching Staff comprised 53 pages covering a whole range of policies relating to the daily life at Fettes including the aims of the school, house organisation, important routines, school rules, chapel, discipline, expectations and sanctions, problems and difficulties, dress regulations, leaves, the curriculum, academic orders and reports, parent-staff meetings, prep policy, careers education and guidance, personal and social education, child protection policy, games programme, extra-curricular activities, Duke of Edinburgh's Award, Combined Cadet Force, leadership training, the Dining Hall and a number of other subjects. The Fettes College School Handbook which comprised 28 pages was designed for use by parents and pupils covering much the same topics but in less detail.

### **Strategic planning**

10. The Governors for Fettes Trust have ultimate responsibility for the overall management of the school. They appoint the Head and if the Head is not satisfactory, it is their responsibility to get rid of him/her. The Governors held termly full Board meetings. The Governors was an extremely talented group of individuals; some were people who were appointed by outside bodies whilst others were co-opted to produce a balance of expertise. We had a distinguished lawyer, people who knew about property and land, people who were businessmen, an eminent doctor,

an eminent member of the Church of Scotland, a distinguished academic from Edinburgh University and a Headmaster from another well known school. We also had two lady Governors to ensure in particular that the care of the girls was good. That was a historic thing; there are probably a larger number of lady Governors now but in those days the Board was predominately a male body with a just few ladies on it. When I started at Fettes we had Dame Mary Corsar, a very distinguished lady who was Chairwoman of the Women's Royal Voluntary Society, and Mrs Kay Kemble on the Board. Some of the Governors were former parents or current parents of pupils at Fettes. It was altogether a very competent, knowledgeable and well balanced governing body.

11. The Governors had two main committees, finance and estates. The finance committee kept the school's finances on track and made decisions about how much we would spend on different competing projects and the estates committee was in charge of the buildings and grounds. The building and grounds needed a lot of attention and, because of lack of funds and school numbers not having gone well, it was not an easy time for the school. The conditions in the boy's boarding houses were spartan and we were in a programme of gutting the boarding houses and updating them. That meant decanting all the boys during the working term whilst the house was refurbished. This was not easy and it took a great deal of strategic planning.
12. I prepared a written report for the Governors for the termly full Board meetings on all educational matters. I would speak to it and then the Governors would ask me questions about it. I took the view that I should be completely open and explicit with the Governors on [REDACTED] policies and on any problems because I had confidence they would treat what I said confidentially. The fact that I was open with them and told them explicitly about issues which I was dealing with or problems which I was worrying about gave them, I think, confidence that I was doing my best [REDACTED] [REDACTED] I was very fortunate because I had great support from a very talented body. Many of them are still very good friends today. It wasn't necessarily cosy because they were very sharp independent people and they would have taken their own view on things. It was not just a rubber stamping job.

13. Recruitment was another area requiring strategic planning. [REDACTED] recruit throughout the UK and [REDACTED] go to overseas countries such as Hong Kong, Saudi Arabia as well as other countries to recruit.

#### **Other staff**

14. The bursar was responsible for recruiting and supervising all staff involved in catering, the buildings and the maintenance of the school.

#### **Recruitment of staff**

15. [REDACTED] involved directly in the recruiting of all academic teaching staff and the two school doctors. All teaching positions were advertised in the TES and any other websites we could use. We wanted appointments to be as widely advertised nationally as possible. When the applications came in they were considered by [REDACTED] SNR [REDACTED] the director of studies and the relevant head of department. [REDACTED] written references on selected candidates and [REDACTED] occasionally made phone calls if it was a very important appointment such as a head of department post or the appointment of a chaplain. When the references came in we looked at the applications again and would work it down to usually three candidates to come for interview.
16. References might not always be quite as detailed as you would want them to be. The letter requesting a reference would advise the name of the person who had applied for a post at the school and ask for information on the candidate's potential teaching ability and on his/her other potential contributions to school life. Sometimes the references that were received were both detailed and helpful but on occasions they were short and not particularly informative. The latter variety were often coming from businesses when you might just get a reference to the effect that the person had worked for that business for say five years and was a satisfactory employee. That was useless as far as I was concerned because it did not really tell me anything about the person.

17. At interviews, which were pretty thorough, we wanted to make an assessment of the candidate's potential teaching abilities. I was very interested in their personalities as we were a boarding school and they were going to set the tone for the school. I was also very interested in their ability and willingness to contribute to the wider life of the school. When a member of staff came to Fettes, good teaching was a prerequisite but I also wanted individuals who could coach games, drama, music and cultural activities. I wanted people who were good listeners and sympathetic people. I might want more ladies on the staff or I might want a master in charge of rugby; so sometimes those were key factors. Sometimes when they came candidates would be asked to give an observed teaching lesson. The director of studies and head of department would then give [REDACTED] their recommendations on who they wanted to appoint. [REDACTED] liked to go with the advice of the head of department and the director of studies but sometimes [REDACTED] wanted another candidate. So there was careful consultation but at the end of the day appointments were [REDACTED]
18. In my view the recruitment of staff was one of the most important jobs [REDACTED] [REDACTED] If you get an appointment right it brings huge benefits. The school is enhanced massively because you get people who can not only teach well but who are willing to go the extra mile and are wonderful tutors and role models. If you get it wrong, you of course try to put it right. In certain cases however, no matter how hard you try, you cannot resolve the problems and then you have the painful decision of telling the member of staff, who is on probation, that he/she cannot continue at Fettes. This was not a position that we wanted to get to and we would always try to support and mentor new members of staff. If however they were not any good for us we had to part company; we couldn't carry ineffectual or unsatisfactory teachers.
19. I am not up to speed on current regulations concerning vetting procedures. If it was a very important appointment, such as a head of department or a chaplain, and [REDACTED] knew the school from which they were applying, [REDACTED] phone up for a chat with the Head and ask if he/she would recommend the candidate. They might tell you

something over the phone that they might not tell you in the reference. Alternatively they might say that they could not afford to lose this person and that they would be devastated if he/she left. [REDACTED]

20. There was another important thing which we did. Once we made a decision to appoint a new member of staff they would have been sent a letter of appointment and we then checked them with the DES against List 99. Some schools were possibly casual about making that check [REDACTED]

### **Training of staff**

21. I was not really involved in staff training because I had many other things to do. There was in-house training of staff organised by the director of studies or by heads of departments. There could also be training by games coaches. Members of staff were actively encouraged to attend courses in term time or in the holidays to develop their skills. It was part of our duty of care towards our staff that they had the opportunity to develop their professional abilities and talents.
22. There was no specific in-house training given to staff about dealing with children going through puberty and possibly struggling with their sexuality and things like that. There was a designated team who covered personal and social education. It is quite a tricky thing for a member of staff to talk about a subject like sex with pupils and it needs to be done very well. We had certain staff who had gone on courses and who were confident they could speak to the children about these matters. The school doctors had a part to play and they would talk to certain year groups about reproduction, contraception, sexually transmitted diseases, smoking and the use of drugs etc. Courses were run by the Scottish Council for Independent Schools (SCIS) and there might be national courses run by English educational organisations such as the BSA (Boarding Schools Association) or university education departments. So if someone was going to take on an important role like that, [REDACTED] want them to go and get expertise in that area.



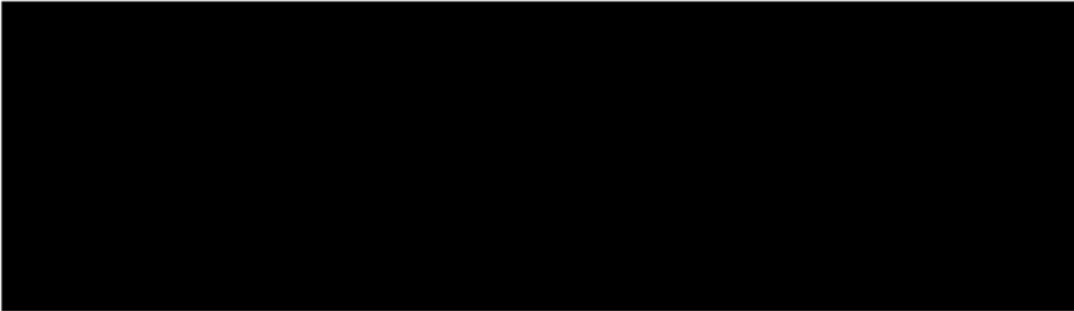
**Supervision/staff appraisal / staff evaluation**

23. [REDACTED] involved in the supervision of staff. New members of staff were very closely monitored in their initial terms and if weaknesses were apparent, [REDACTED] ask the director of studies and the head of department to then provide much more active support. If inadequate progress was evident and we didn't think we could help that member of staff sort it out, [REDACTED] then advise an individual member of staff by Easter that we would not be retaining them on the staff at the end of their first academic year. With more experienced members of staff [REDACTED] see them to explain that we thought there were problems and [REDACTED] then probably ask the director of studies and the head of department to actively monitor them. I used to trust staff to have their own teaching styles and methods but if we were concerned about a member of staff, that changed pretty smartly. The director of studies would see their teaching programmes of work and their teaching plans. The head of department would do likewise and they might drop in on lessons and review how much homework was being set and how it was marked. All such matters were greatly tightened up on. [REDACTED] [REDACTED] just tell a member of staff that we thought a move might be in his or her best interests and in our best interests. In completely unsatisfactory situations [REDACTED] [REDACTED] bold enough to terminate the appointment.
24. [REDACTED] system which was very helpful in dealing with staff who were less than satisfactory. [REDACTED] the salary arrangements within the school salary scale progression bars at year five and year ten. Members of staff only progressed past these points subject to satisfactory performance. The salaries in the school were not much better than those which pertained in state schools but they were slightly better. Therefore if we had taken on a member of staff and they were not pulling their weight or were not very effective, [REDACTED] give warning to that member of staff that, although they were doing an adequate job, [REDACTED] [REDACTED] definitely be implementing a salary bar on him/her. That was a way of encouraging them to move without sacking them which became an increasingly difficult task to do without being sued for unfair dismissal. Some members of staff might be better suited to a day school because they might be

perfectly competent in teaching their subjects but they might be unwilling to contribute effectively to extra-curricular activities or pastoral care.

25. We had properly demanding parents, as you could imagine, because they were paying substantial fees for the education of their children. They would not be slow to tell [REDACTED] if they did not think a member of staff was good. [REDACTED] couldn't brush such a situation under the carpet; [REDACTED] tell such a member of staff that if they couldn't get their act together, we could not continue to employ them.
26. I don't think there was much happening at all concerning staff appraisal when I started at Fettes but, with the advice of SNR [REDACTED] and the director of studies, we devised a system. After a staff member's probation, I think every other year every member of staff would be appraised. If they were a junior member of staff, they would have a bit of choice in their appraiser but it would probably be done by his or her head of department. For a more senior member of staff, it might be done by the head of department, the director of studies or SNR [REDACTED]. This was very time consuming but it was done. Once the appraisal was completed an agreed report would be written up, to which both the appraiser and the member of staff would sign up. [REDACTED]
- [REDACTED] In many cases this was a relatively easy meeting and all [REDACTED] to do was to thank them, telling them that not only did we value their teaching but that we also appreciated their going the extra mile on behalf of the pupils. [REDACTED] hope to convey to them how much they were valued and that we hoped that they were happy working at Fettes. We would of course talk about the action points that had been identified where they could develop their skills or improve. If there were difficulties, we had to address these but in the main, where we knew we had issues with a staff member, we kept it out of the appraisal system; otherwise the appraisal system would become very threatening. Therefore if we had issues with someone, that would be dealt with entirely separately and [REDACTED] say to them that the management were not very happy and would discuss how we were going to deal with it.

27.



### **Living arrangements**

28. My wife and I, together with our children if they were at home, lived in what was called the [REDACTED] It is probably called the [REDACTED] these days because Fettes now has [REDACTED] I was on campus and I was available 24 hours a day every day of the week. I would also be there for a good proportion of the holidays.
29. The role of the housemaster and housemistress was very important and very substantial. They had responsibility for the academic encouragement, general development, discipline and residential care of the boarders for the sixty or more pupils who would be in their house. They and their families lived in the boarding house in a wing separate from the pupils. There would also be, at the boarding house, a resident tutor/assistant housemaster or housemistress, usually a single person who might be quite a junior member of staff. There was a little flat where the resident assistant housemaster or housemistress would live, a bedsit sort of arrangement. It wouldn't be very big but it might have a living room/study, bedroom and bathroom. They would undertake duty in the house perhaps two nights a week so that the housemaster or housemistress could get on with other things. This junior member of staff was nearer the pupils' ages and could create a jolly and relaxed atmosphere for the house. Often the housemaster's wife might not be employed but she would still do an enormous amount and was sometimes a confidante to pupils. This could be a nice softer female presence, particularly in a boys' house.

30. During my time at Fettes the houses were easy to enter although a stranger would be quickly noticed. There were no locks during the day or problems about getting into a house. I could walk into any house or any room in the school with ease. Nowadays I am aware that every building is security locked but we didn't have that technology or indeed identification badges at my time at the school. There were no significant concerns about the security of houses during the period 1988-98.
31. If a male member of staff was in a girls house I do not think they would go round the dormitories. Masters would often visit dormitories when the junior boys were going to bed and ask things like how did the rugby go today and such like; it was part of our pastoral care. Often they could pick up if a pupil was looking upset or withdrawn and that might flag up an issue that we needed to know about. You wouldn't however really have male members of staff going round the girls dormitories.
32. It is worth explaining that every pupil, day or boarding, became a member of a house so the housemaster or housemistress was responsible for those sixty pupils in the first instance. In my time there were four senior boys houses, three senior girls houses and there was the junior house with boys and girls wings in it. It was made absolutely clear that the boys and girls living arrangements were entirely separate.
33. We also had some staff houses on campus which [REDACTED] allocate to certain members of staff, either for key appointments or for people [REDACTED] close to the school. Where we couldn't accommodate the staff they got a supplement to their salary which was called the living out allowance to recompense them for having to rent or buy a house.
34. There was also a resident nursing sister and nurse living in the school sanatorium in the grounds.
35. There was in most houses a resident matron but that wasn't always the case. Residential matrons were not always easy to come by and so some houses had a day matron. Sometimes the housemaster's wife would be the matron. Good matrons

are very valuable people and because they were not always easy to acquire, this could be a nice role for a housemaster's wife to pursue.

### Culture within – Fettes College

36. When I started at Fettes the deputy headmaster was Mr Neil Henderson. He was a former headmaster of a well-known English school who had retired early and, partly engineered by the Governors, he was appointed to Fettes because they wanted the discipline bolstered a bit under [REDACTED]. Neil Henderson had very much been the front man on discipline. [REDACTED] Neil Henderson, who was a formidable person, to relax his somewhat fierce persona. He was an excellent man with a commanding presence in the school and the pupils half loved him and they half feared him. Once [REDACTED] SNR [REDACTED] he loosened up and he became a cult figure, greatly loved by the pupils, because he was not having to do so much of the [REDACTED] disciplining. He eventually retired [REDACTED] Mr FTF [REDACTED]. He was an outstanding [REDACTED] teacher and he had been [REDACTED] and the housemaster at Moredun House - an ace man of unimpeachable integrity. He had a very different style [REDACTED] he was also extremely good. I think he coined the phrase, which I stole from him, "*most Fettesians are wonderfully decent pupils and most disciplinary issues can be dealt with by a firm word quietly administered*". That was all that was needed for most decent law abiding pupils. We wanted it that way; we had no wish to make any of them unhappy.
37. When SNR [REDACTED] of Fettes in 1988 [REDACTED] a school that was potentially wonderful; it was a dream job for a potential SNR [REDACTED]. It was however a school in which disciplinary standards had become uncertain. This situation was causing damage to the school's reputation amongst the chattering classes of Edinburgh. [REDACTED] [REDACTED] With invaluable assistance from SNR [REDACTED] SNR [REDACTED] and housemasters and housemistresses, the School Rules were completely reviewed and revised.

38. You have a lot of things to do when [REDACTED] and I naturally wanted to carry out a root and branch review of everything. As SNR [REDACTED] however you have to limit how many things you can undertake at one time so that you do them thoroughly and properly. Once you make one effective change and the staff recognise that you are competent, it is easier to implement further changes.
39. The issue concerning discipline had affected the school's ability to recruit pupils because, by and large, parents want to send their children to a well-run school where the discipline is good.
40. With the help of an excellent SNR [REDACTED] and in consultation with the housemasters and housemistresses, who were often on the front line in discipline, the school rules were carefully reviewed and revised. [REDACTED] shared them explicitly with the staff, all the pupils, the parents and indeed the wider school community. I am sure that the new school rules were in place by not later than December 1988, probably earlier. [REDACTED] it as essential that pupils knew that they were expected to adhere to the law of the land. The first statement in the School Rules was that 'anything that is contrary to the law of the land is automatically against the school rules'. This is a catch all rule covering a variety of potential misdemeanours. Pupils also understood that if they broke certain important rules it would be likely to lead to their being asked to leave the school. Predictability in disciplinary situations takes a lot of the heat out of such events. I have also learned that if you take care of the small things in school such as politeness, punctuality, haircuts, uniform regulations, appropriate lengths of the skirts and wearing of make up and jewellery, then some of the bigger things tend to take care of themselves.
41. [REDACTED] tightening up and bringing much greater clarity into the discipline of the school had the effect of producing a wonderfully secure and happy school. It became a terrific, vibrant community. There is a history of the school called 'A Keen Wind Blows' by Robert Philip [REDACTED]  
[REDACTED]  
[REDACTED] In 1995 a vendetta against the school was going good and

strong, led by a certain parent and encouraged by a journalist called [REDACTED] who wrote in a number of the Scottish newspapers. There were all sorts of lurid stories appearing in the newspapers which indicated [REDACTED] a concentration camp and that pupils were badly treated. There were many horrific and fabricated stories designed to damage the school. The parents and pupils knew that this was complete nonsense but, to help me illustrate my point, perhaps I can quote from this book *"to the bewildered parents and pupils it was as if there were two schools, the oppressive Fettes of journalistic myth and the Fettes they knew with its warmth and understanding atmosphere"*.

42. [REDACTED] of the [REDACTED] had picked up that there might be a scandal to be uncovered at Fettes and he visited the school arriving in [REDACTED] 1995 to investigate these lurid tales. He discovered instead that, and I quote him, *"today's 485 boys and girls find Fettes [REDACTED] Mr CXL [REDACTED] as friendly and happy a school as any on either side of the border"*. This was an experienced correspondent from [REDACTED] who went round schools and he found Fettes not exceeded in happiness or warmth both north or south of the border. I wanted exactly that atmosphere.

### **Discipline and punishment**

43. The reason that I believe discipline was such a priority [REDACTED] was that Fettes was a school that, at the time I started, had four hundred pupils and many of them of course were adolescent teenagers. We were co-educational and we were a school on the fringe of a vibrant city to which senior pupils had access at the weekends with the opportunity to indulge in smoking, drinking and what have you. There were school rules in place on my arrival but there were different editions of these rules posted in different places around the school. The SNR [REDACTED] was an absolute stickler and he had a very similar philosophy to myself that the rules should be clear and the outcome should be predictable. [REDACTED] SNR [REDACTED] had taken a more flexible approach and he perhaps had taken the view that every disciplinary situation could be judged on its merits. He was a very humane man and he perhaps wanted on occasions to give pupils the benefit of the doubt. He

was also often happy to give a pupil who was being asked to leave another school a second chance by coming to Fettes. The rules were therefore not always applied consistently. Pupils will seldom admit to liking tough rules but they do like certainty; this makes them more secure. Although they might not admit it openly, the pupils were actually quite proud of being at a strict school. Where the rules are firm and clear it can give them a reason for not indulging in something they might otherwise be tempted into.

44. The disciplinary rules were contained within the school handbook and also in the confidential notes to teaching staff which was a 53 page document which informed every member of staff what the school policies were on a comprehensive range of subjects. When I got to Fettes there were different versions of the school rules placed around the school and pupils are quite adept at using confusion on disciplinary issues to their advantage. I think it is very important in any school that the rules are clear and it is also very helpful if the pupils know exactly the expected sanctions. Of course pupils test the rules and break them but it is better, if beforehand, they know the risks. When it comes to punishment they know you are not then doing anything unexpected. I drew up protocols in how various disciplinary breaches would normally to be dealt with. They were not of course absolute protocols because every disciplinary incident did indeed need to be judged on its merits according to the particular circumstances. The previous school rules were removed and replaced with the revised rules. These rules were placed in each boarding house and [REDACTED] notice board.
  
45. If I had to speak to a pupil about a serious disciplinary matter I would always have an appropriate member of staff like a housemaster or housemistress present for two reasons. The first was to make sure that there was another person to witness the whole procedure and that there was a second opinion about whether I had treated the pupil fairly and reasonably. That is why the three housemasters got accused by [REDACTED] alongside myself in a summons which he issued against the school in 1995. They had done nothing wrong whatsoever. They had purely been asked by me to come and attend meetings of the interviews of six boys, who were members of three different senior houses and who were suspected to have been experimenting with cannabis. The second reason was that if a pupil goes away from



a disciplinary interview they may not be best pleased with the outcome and, particularly with the girls, I didn't want them to raise any allegation against me of improper behaviour. So having another member of staff present at interviews on serious matters was partly as a protection for myself as well as protecting the interests of the pupil.

46. It was clearly known in the school community that the possession or use of drugs and sexual misconduct were offences which were likely to result in the pupil concerned being required to leave immediately, without suspension or going through warnings. These were instantly expellable offences.
47. If we had to ask a pupil to leave, we were not vindictive. If another school was willing to take them on, we would try and be supportive but of course honest. Sometimes these pupils were taken on without the Heads getting in touch [REDACTED]. If we were asked, we would be open and would ask the Head if he or she was willing to give the child a second chance. [REDACTED]  
[REDACTED] My [REDACTED] at Fettes had been sympathetic about giving pupils a second chance but of course pupils who get things badly wrong in one school can continue to get them badly wrong in another. Taking on known very troublesome pupils can easily contaminate the school.
48. Discipline was a primary job that the Governors wanted [REDACTED] to address early on because the discipline at the school had become uncertain. Although we absolutely had to build up pupil numbers, [REDACTED] as a matter of policy [REDACTED] nevertheless not accept pupils who had been asked to leave other schools.
49. It was also known that bullying would not be tolerated. Bullying can occur in any school and it can be physical and it can be mental. If there were any incidents of bullying I would take a very robust line, with bullies being treated severely. Perhaps after just one explicit warning with the parents of the pupil having been informed, it was known that expulsion would follow. I was not prepared to tolerate bullying at Fettes.

50. [REDACTED] There was a hierarchy when it came to dealing with discipline because we didn't want the housemasters and housemistresses becoming punishment machines. If a member of staff had trouble in a lesson or during an activity we hoped that the member of staff would deal with it. By and large most of the pupils in our care were wonderful decent pupils and a firm but quiet word would check most disciplinary incidents. Where there is a strong disciplinary lead from the Head it makes it much easier for the staff because if they are having a discussion with a pupil, they can give them the choice to rectify their behaviour or offer the alternative of going to see the headmaster. If the pupil thinks the headmaster is not going to be very sympathetic to them, they will usually agree to do it the teacher's way. We wanted minor things to be dealt with by the staff, not by punishment but by a word. If a word from the teacher did not work or it was a more serious thing, it would go to the housemaster or housemistress. They could issue sanctions like detention, litter picking duties or they might gate them which would not allow them to go out up town in their free time. These were minor sanctions. If there was gross rudeness or indiscipline the pupil would probably be sent to the deputy headmaster who would vigorously make it clear how we felt about such behaviour.
51. SNR [REDACTED] dealt with, as a matter of course, smoking and alcohol offences. They were quite routine issues as you can imagine in a boarding school. We had agreed we would have a tiered system of punishments so that for a first offence there was a minor punishment; for second or third offences the punishments got bigger. The deputy headmaster would keep a book so he had a record of whom he disciplined about this. Cancer Research made a lot of money out of the Fettes pupils caught smoking. They not only got a punishment but they used to have to send a contribution to Cancer Research with a letter saying how much they cared about people suffering from cancer.
52. As far as senior pupils having responsibility for administering discipline and punishment was concerned there was a sea change when I was there. We introduced, perhaps in 1995, although I cannot recall the precise date, one of my best educational initiatives which was a leadership training programme which

involved every pupil in the school. Senior pupils when they joined the lower sixth form, on the day before summer term began, came back for a 24 hour leadership training programme. This was to prepare them for leadership roles when they would assume big responsibilities for the running of their houses in the autumn. [REDACTED] a member of staff who organised a detailed programme where pupils talked about leadership issues and developed leadership skills.

53. At the start of the autumn term [REDACTED] school prefects, who would be a carefully selected group of pupils comprising two or perhaps three per house, would come back early and there was a separate course for them. It was much more intensively leadership based because they were going to set the tone in the houses and in the school as a whole. We wanted pupils to understand that senior pupils were not there to boss the junior pupils about; they were there to encourage the junior pupils in worthwhile activities, to set a good example, to talk about issues and to contribute to the pastoral care of the school. I do not have the details of the courses to hand now but it was a very big initiative and there was something for every year group. We did it in the lower school which was Inverleith House and we did it in the middle years taking pupils to camps and arranging other challenging activities for them.
54. There were various tiers of prefectship and housemasters and housemistresses would, out of their top year, appoint sub prefects and house prefects. One of the housemistresses wanted every girl in her upper sixth form year to be a house prefect because she thought every girl should be taking responsibility for the care of the younger girls in the house. I think that in the boys houses it tended to be about half the year that would be selected as house prefects. As a matter of policy we wanted every pupil in the school to have some sort of responsibility, It might be coaching a junior team, encouraging a house choir or organising the house play. We positively wanted pupils to show initiative and to learn about leadership by managing other people in a humane and decent way. Of course that meant that discipline was delegated to prefects but they didn't have big sanctions they could have meted out; it was more a question of example. Beatings, such as caning, finished in schools a long time ago and fagging didn't exist at Fettes when I was there. It has been phased out long ago. It probably hadn't existed for maybe a decade. I wouldn't be surprised if

Cameron Cochrane [REDACTED] got rid of fagging, maybe even Anthony Chevenix-Trench before that might have done this. That didn't mean to say that junior pupils did not have duties. They might have responsibilities for locking up the house, ringing the house bell, cleaning areas of the house or picking up litter. Each house was a little empire in itself. There was no situation where a junior boy was a personal servant to a senior boy.

### **Day to day running of the school**

55. Housemasters and housemistresses were very important appointments because you were entrusting the care of the pupils to that particular person. [REDACTED] housemasters and housemistresses were very much part of [REDACTED] senior management team. [REDACTED] weekly meeting with them [REDACTED] also attended by SNR [REDACTED] SNR [REDACTED] and the senior master. We would mainly discuss what I would describe as general management and pastoral care issues. Academic matters were dealt with by the director of studies and by the heads of departments; so there was a separate heads of department meeting [REDACTED] That was where academic matters were discussed. There were various other committees, including a games committee. I think that in day schools there is often a very clear management pyramid structure because they are only needing, in the main, to care for the children during normal school hours. We were caring for the pupils 24 hours a day throughout the term. The school usually runs like clockwork during the main school day because there is not much time for the pupils to misbehave. The fun and games begin during the evening and weekends. [REDACTED] Saturdays and Sundays were often busy with phone calls from housemasters and housemistresses about difficulties that had arisen over the weekend.
56. We started the school day at 8.30am with a short chapel service for the whole school. It was an important event because it brought the whole school together and gave a sense of belonging. We were interdenominational in outlook and we had an element of both the Anglican and Church of Scotland denominations promoted within school services. After each weekend [REDACTED] address the school on the Monday

morning when the service was finished. This was often to congratulate the pupils concerning certain events that had taken place but it might be a good ticking off with some harsh words if an occasion of bad behaviour or rudeness had occurred at the school. It was [REDACTED] opportunity to have direct communication with the pupils in a wholesome and important way. Pupils of other denominations and faiths did not need to attend the chapel as we had a room nearby where they could go and have quiet time or opportunity for personal prayers if they wanted to. Interestingly the parents of children with a different religious faiths often wanted their children to come to chapel because it was part of school life; it was an important community thing.

57. At 8.55am morning lessons would begin, there was a morning break, more lessons and then lunch. Later on in the day there would be well organised games and then late afternoon lessons on three days in the week. During my time I tried to offer a broader diet of games for pupils. Most boys loved rugby but not all boys did so. [REDACTED] [REDACTED] introduced the possibility that they could opt for squash, swimming or certain other sports. With the girls games, certain girls did not enjoy getting cold and wet on the hockey field, they might accordingly opt to do aerobics, dance, swimming, etc. We were very keen that all pupils did take physical exercise if possible because we felt this was important to their health and fitness. There was also the Combined Cadet Force one afternoon each week where there were navy, army and RAF sections and where there were opportunities for leadership amongst pupils. One afternoon a week was more a hobby afternoon where pupils could opt for a wide variety of activities that were on offer from members of staff. Saturday afternoon was often school matches or school games so it was very much a full day on Saturday and even the day pupils came in until at least 4pm. We often arranged an interesting activity for pupils on a Saturday evening.

58. I used to go to lunch most days if I could but sometimes I was too busy and just worked through. [REDACTED]

[REDACTED] I could speak with these pupils and they could tell me their ambitions, interests, worries or concerns. They could tell me if they thought something was not

right in the school although I think I would know if there had been a recent issue of debate. They could raise matters that they didn't think were fair or if there seemed something that wasn't good. [REDACTED]

[REDACTED] it was a very healthy exchange of views and ideas. It certainly kept me in touch with what senior pupils were thinking about how the school was running.

59. Many of the day pupils, being members of houses, took supper and did their prep at the house; they might therefore go home at 9pm. Some parents liked this because it meant the school was responsible for getting the work done and there were no wrangles at home about it. Every pupil in the school in the third to fifth forms, would have one and a half hours of homework a night, that is three subjects of half an hour. In the sixth form it was much more flexible, they would have weekly assignments in each subject which they would have to plan out. Many of the senior pupils, particularly those who were conscientious and ambitious, would be working until eleven or maybe even twelve o'clock at night because they were anxious to do well. From about 6pm onwards pupils would generally be in their houses; there would be supper and then a bit of relaxation until 7.30pm when there was formal prep time with everybody working quietly until 9pm. Probably there would be house prayers, although prayers is a slightly exaggerated description really. Sometimes a member of staff or a pupil would read a thought provoking passage; it might be something moral, it might be a poem, it might be an amusing story, but house prayers would be a gathering of the house. There was then half an hour for the junior pupils to play snooker, table tennis or just relax before they would start going to bed in dormitories. Prefects would be in charge of getting them into bed and making sure they didn't fight and riot too much. The housemaster, assistant housemaster or visiting tutor might drop in and have a chat with the year group as a whole. Senior pupils were in study bedrooms and they would plan their prep assignments for themselves but if they were up late night after night the housemaster or housemistress might pop their head in and tell them to get to sleep. In general we trusted them to achieve the right balance.

60. I would also see each individual boy or girl about their application for university. This was a good opportunity to meet them and talk about their future plans and to give them advice and encouragement.

61. The day to day life in the school for me was immensely busy. [REDACTED]  
[REDACTED]  
[REDACTED] At a small school like [REDACTED] I felt that teaching senior pupils was not very fair because if you took on an exam form and you were away too much, these pupils would suffer from a lack of continuity. I used therefore to arrange to teach two junior forms and I had automatic cover arranged so that if I couldn't go to a lesson, there would be another [REDACTED] teacher able to step in and take over from me. [REDACTED]

[REDACTED]

[REDACTED] In the day schools in Edinburgh they generally have an open day, parents can go round, their children sit an exam and then the school selects which pupils it wants. No recruitment problems at all really. I would say a third or sometimes half my day was spent on [REDACTED] issues and so I found that during my evenings and weekends I was often doing other things which couldn't be achieved during the normal working week. It was also necessary during my last six years at Fettes to deal with a most appalling vendetta and I was therefore having to spend much time firefighting to help protect [REDACTED] staff from completely false allegations.

**Concerns about the school**

62. A pupil might report a worry or concern to his or her parents by phone or to any member of staff. This could be a teacher, tutor, assistant housemaster or

housemistress, housemaster or housemistress, the matron in the boarding houses, the director of studies or SNR [REDACTED] [REDACTED] They could speak in complete confidence to one of the two school doctors, we had a male and female doctor, or to the sister or nurse in the sanatorium. These particular conversations were completely confidential.

63. Parents would often contact housemasters or housemistresses if they thought there was a concern about the child's happiness, welfare, progress or subject grading. They could discuss anything that was of concern to them or to their sons and daughters. Fee paying parents are certainly not slow to let you know if their child is not being well taught or is not happy and well cared for. They always have the option of course of moving their child to another school, although one hopes that doesn't happen. Sometimes parents would phone or write to the school and in extreme cases the parents might contact the Chairman of Governors direct. [REDACTED]

[REDACTED] QWH [REDACTED]

[REDACTED] So although parents could complain [REDACTED] to the Chairman of Governors, he was keen not to meddle in the day to day running of the school. He would therefore always ask such a parent if they had tried to resolve the issue with the school and if they had reached an impasse, then he would take the matter up [REDACTED] The Chairman of Governors was reluctant to interfere on relatively trivial issues because that would have been a nightmare. People could have come [REDACTED] and got a ruling which they perhaps didn't like it and then have attempted to get the decision changed by contacting him. That wouldn't have worked.

### **Reporting of complaints/concerns**

64. I didn't mind any parent raising concerns [REDACTED] about the management of the school. Sometimes the complaints raised would be entirely valid [REDACTED] wanted to get it right for the parent and the pupil. This might be a lever [REDACTED] to improve the performance of members of staff. [REDACTED] not assume that every member of staff was completely innocent and if a parent had a valid complaint, [REDACTED] quite robust



discussions with the member of staff about professionalism, the quality of their teaching or the quality of their care of the pupils. I cared for all the pupils and I wanted to get things right. They were part of my Fettes family, they were precious not only to their parents but to me as well and they deserved a good education. If there was a teacher who was not good enough to teach my own child, then they were not good enough for someone else's child. If a parent had a complaint and it was solvable, then we would try to put it right. Where possible we wanted the member of staff who picked up an incident to deal with it and if not able to do so, to pass it up the line.

### **Trusted adult/confidante**

65. There was a Personal Social Development programme where we covered sensitive issues like sex, drugs and health. The pastoral care was primarily done by the housemaster or housemistress and his or her team of tutors. Pastoral care was one of the key strengths of Fettes which was identified in the inspection report and since then Fettes has won national accolades for the quality of its pastoral care.
66. All pupils would have access to a phone and they could phone their parents if there was a worry. A child would be allowed to phone home at any time other than during lessons. There was a phone available to pupils in each house, sometimes within a designated small room and sometimes surrounded by a plastic screen; the arrangements varied from house to house. If there was an issue, parents, could always phone the housemaster, housemistress or someone else at the school to discuss their concerns.
67. Every member of staff was responsible for the pastoral care of the pupils and so I would hope that if a pupil had a worry, there would be a whole host of people they could speak to. They would have the entire teaching staff of some 60 or 70 people to whom they might choose to speak, whether they were teaching them or not. Every member of staff was a tutor, apart from a small number of very senior colleagues, and each had an affiliation to a particular house. They would probably go in and do a

night's duty per week where they were available in the house. We tried to ensure that amongst a house's tutorial team there was a blend of talents so that we had scientists, arts specialists, games experts and cultural people. In each house some ten pupils would be assigned by the housemaster or housemistress to a particular member of staff who would act as their tutor. That tutor would see the pupil individually on a weekly or fortnightly basis to talk about their academic work, their activities and interests, their happiness and their welfare and they would offer them guidance and advice. So there were several people with a direct responsibility for looking after the care of each pupil.

68. Pupils would have their personal tutor, they might have their house tutor if he/she was someone different, their housemaster or housemistress and their spouses and the house matron. We also had two school doctors whom pupils could go and see in total confidence. The school doctors did not tell me anything about any discussions they had with pupils. There was a sister and a nurse in the sanatorium.
69. We also put up the Childline number on the school board and in every house so if there was something pupils wanted to raise about the school, they could do so. I don't think any of the pupils ever chose to do this but it was there as a precaution.

### **"Abuse"**

70. I don't think there was a formal definition of abuse stated as such. There were sections in the school handbook entitled 'problems and difficulties', 'personal and social education' which covered bullying and there was a section called child protection policy. I think that I would define abuse as any unwarranted unkindness or inappropriate behaviour towards a pupil by another pupil or by a member of staff. That is just a general statement of my opinion and it was not as such a definition that would have been communicated to the staff verbatim. Every member of staff knew

our child protection policy and that pastoral care was the responsibility of every member of staff. This was not optional it was their duty to look after every pupil they came into contact with.

71. With regards to my view of what constitutes abuse being communicated to the staff, all I can say is that I wanted the care for the pupils in the school to be undertaken with the same thoroughness and kindness that I would want for my own children. My mantra was that the best interest of the pupils comes first. That was a guiding light for me when dealing with any difficulties [REDACTED]

[REDACTED] It is not of course possible to know pupils in the way you know your own children but I felt that I had a huge responsibility for their welfare.

### **Child protection arrangements**

72. Our child protection arrangements were not formally defined until 1995 when there was a sea change. Until that point individual schools did as best they could to try and get these things as good as they could. In 1995 however SCIS produced excellent guidelines on child protection. Fettes, which I think may have contributed to these guidelines, decided to adopt them in full. That meant new protocols and policies within the school. We also appointed a child protection officer, Mrs Judy Campbell, a very fine lady indeed. She proved an outstanding choice, handling problems with wisdom, discretion and tact and keeping me right on protocols when serious issues arose.
73. The concept of a designated child protection officer had not really arisen before 1995. As I explained during my interview, there were many policies relating to pastoral care and indeed to many other school matters that were just implicitly understood in the 1990s. However the 1995 SCIS guidelines on child protection coupled with the advent of the SOED Inspection during the Autumn Term 1995 galvanised us into getting written policy statements on many such issues.

74. Prior to 1995 when it came to formal guidance and instruction to staff I think things were more understood implicitly, rather than their being formally written down. With new members of staff joining the school we had the president of the common room, who was a senior member of the staff, and his responsibility was to keep an eye out for new staff and to educate and train them in the ways of the school. New members of staff would also be assigned to a boarding house and the housemaster or housemistress would gently educate them on how best to handle issues. Pre 1995 child protection policies and procedures were much vaguer and there was probably a variability in them amongst schools.
75. This was a very important development at Fettes because we adopted something formally concerning what was regarded as good practice. In earlier years child protection had been implicitly understood but from 1995 we had it all written down. At that time there would be important presentations to staff at staff meetings and we sent information to parents about this policy. It was contained in the handbook for pupils and in the confidential teaching notes for staff; so it was very open.
76. I think many of Scottish independent schools made a change as a result of these guidelines. Perhaps at the time some schools were a bit grumpy about it but overall it was a very good advance. It did actually change the protocols quite a lot. It is quite interesting that amongst the child protection rules came the protocol that it was not alright to re-interview pupils over disciplinary events. You could only perhaps have one or two stabs at getting at the truth. In the 1992 cannabis incident I re-interviewed the boys concerned several times because that was a perfectly acceptable practice at that time. After 1995 that was not acceptable practice. I will leave it to others to judge whether this is good or bad.
77. Purely as an example I recall that a year or so after that time it came to my notice that there was a rumour circulating within the school that a boy and a girl might have had sexual intercourse over a weekend in Princes Street Gardens. The girl was probably underage, maybe fifteen, and the boy would have been about seventeen. The child protection officer and housemistress (the same person) interviewed the girl and I interviewed the boy about it. The boy was evasive about whether anything serious had occurred but said that if anything had happened, this would have been

by mutual consent. There were however rumours going around the school, possibly instigated by the girl, that she had been raped. We were uncertain whether this was true or not because her account of what had happened lacked some consistency. With my having once interviewed the boy and not having been able to progress the matter and with the girl having been interviewed by the child protection officer and with her story varying in certain important details with the boy's story, we were unable to progress the matter. I therefore called the parents of the girl in and advised them there was this most unfortunate rumour and that their daughter had made a very serious allegation. However under child protection rules we were not able to investigate the matter further. I advised them that we would therefore be entirely happy to refer the whole matter to the police if that was what they wished. The parents did not want their daughter to have a meeting with the police and so we had to let the whole matter rest there. Before the new policies in 1995 we would have made several attempts to get more information out of the boy and out of the girl. My understanding therefore is that, unless child protection policies have been changed, if there is a serious issue of this nature and if you do not get the relevant information at the first interview, you more or less have to accept the pupils' initial versions of events. Alternatively if it is very serious allegation, you may need to call in the appropriate outside authorities. In many such cases they are probably better dealt with by the Head and the child protection officer because most parents will probably not wish the police to be brought in to deal with such events. I only mention this to illustrate the complexities that Heads have in dealing with difficult cases of this kind.

78. I feel that the 1995 child protection guidelines were overall a great improvement because there had been serious lapses in policies and procedures in some schools. It forced schools to think carefully about the relevant issues, to tighten up their policies and to develop better pastoral care if that was needed. I think that the pastoral care at Fettes was already very good but it gave us a different perspective on the whole issue. [REDACTED] we would have to have very good reasons not to adopt the recommendations of SCIS. We therefore decided to accept them in full because not to do so could have left us open to criticism.

### **External monitoring**

79. It was the responsibility of the Governors, who were a very high calibre governing body, ultimately to be monitoring the performance of the school. They seemed to have confidence [REDACTED] so they did not choose to interfere with the policies [REDACTED]  
[REDACTED]
80. The school was only inspected once when I was SNR [REDACTED] and the background was that Mrs QWH [REDACTED] during 1995 had complained to the Scottish Office Department of Education (SOED), amongst the many other organisations which she had approached. Their senior inspectors came [REDACTED] and they asked what had been going on. I told them about the event in [REDACTED] 1992 when [REDACTED] six boys to leave the school following an incident involving the use of cannabis. They suggested [REDACTED] that they would like to come and undertake their most thorough inspection of the school in order that they could protect themselves against any suggestion of their not having reacted after receiving a serious allegation. I said I would be delighted if they would do exactly that as soon as it could be conveniently arranged.
81. The inspectors came to the school in October and November 1995 and their report was published in March 1996. This is an important document to read if you really want to know how the school was performing at that time. The SOED Inspectorate were an independent body and they were empowered to investigate every aspect of school life.
82. During their inspection the inspectors spoke alone to pupils and groups of pupils. The parents were invited to return a very detailed questionnaire. They spoke to many members of staff individually and with members of the senior management team. I do not think that the inspectors found that the inspection of a boarding school was an entirely easy task because their experience was mainly in inspecting day schools.  
[REDACTED] I spoke to them explicitly about the vendetta that had been waged against the school since 1992.

83. Their report, Extended Inspection of Fettes College, a report by HM Inspector of Schools, 25 March 1996, Edinburgh, identified ten key strengths and that was very unusual for the time because it was their norm to cite a maximum of eight key strengths. In discussion [REDACTED] they agreed however that there were ten particular strengths that they ought to list. They also reported [REDACTED] that they had never before come across such high levels of parental satisfaction in any school in which they had sent questionnaires out. The report also provided ten action points which were areas where they thought we could improve the school. Some of these points I agreed with absolutely, some of these I had actually suggested and there were a couple of issues which were really a matter of debatable educational philosophy on how schools should do things.

84. [REDACTED]

85. Inspections are slightly different in England and Wales where the Ofsted, the Office for Standards in Education, Children's Services and Skills inspect state schools and a separate branch of Ofsted inspects the independent schools. Boarding schools require particular expertise from the inspectors because if you want to do it properly, you need to have people within the team who really know about boarding education. In Scotland it was different because the SOED had responsibility for inspecting all schools, public and private, day and boarding. I think one of the issues that both sides had with the Fettes inspection was that the inspection team had little knowledge or experience of running boarding schools. They were a bit in the dark about what they were looking for and [REDACTED] had to guide them concerning what areas we considered to be very important. Sometimes they didn't understand our jargon because it was different from that of maintained day schools. Overall however they were very capable and experienced people and I certainly like to think that they were impressed with what they found at Fettes.

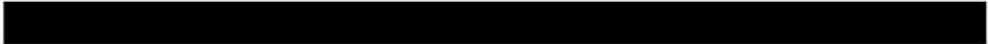
### **Record-keeping**

86. When I arrived at the school the quality of the academic results was patchy, indeed unacceptably patchy. We had an extremely favourable staff pupil ratio and it ought to have been relatively easy for us to deliver good results. Altogether it was clearly not good enough [REDACTED] There was a recording system relating to the academic performances of pupils in place but which [REDACTED] tightened up so that every month every member of staff was asked to supply an effort and performance grade in their subject for every pupil they taught. These grades were put on a record card which would go back to the boarding house where the house staff team would follow these up with individual pupils. These grades were also recorded on year group sheets [REDACTED] prior to a whole staff meeting. [REDACTED]
- [REDACTED] Following discussion of general school matters at these meetings [REDACTED] quickly go through every form in the school and, having looked carefully at the sheets beforehand, [REDACTED] there were two or three pupils in each year group for whom things might not be going well. [REDACTED] identify a general issue relating to a particular pupil or maybe [REDACTED] something private like their father had died or their parents were divorcing. We would discuss these two or three pupils and we would agree as a staff what was going to happen. If a pupil was not putting in the right effort, then everyone who taught that pupil would know they must tighten up. If a pupil was showing bad behaviour, every member of staff who taught that pupil or who coached that pupil in games or whatever would tighten up a bit [REDACTED] ask if a pupil was in the right teaching set because sometimes you might discover a very clever pupil or a pupil who had improved his/her efforts in a low set and [REDACTED] ask if that child should be moved up to a higher set. [REDACTED] sometimes surprise pupils by congratulating them on getting good grades in a particular subject. That would be enough for them to think that [REDACTED] SNR [REDACTED] knew a great deal more about them than he probably did. Suffice it to say that the school's examination results improved significantly year on year and within a few years they were certainly not matched by any other school in Scotland.
87. We had parents meetings and at these meetings there would be presentations on subject choices, health and safety issues or what we were doing about sex education. [REDACTED]

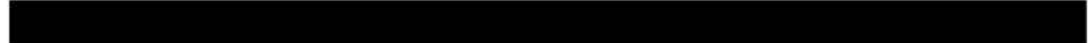




88. [REDACTED] file for every member of staff and every pupil in the school office. [REDACTED]



[REDACTED] With the members of staff it might not always be formally recorded; if it was a relatively trivial issue, it might be a very short note [REDACTED] For example the note might just say that there had been a quick meeting to express disapproval to whoever it was. Housemasters and housemistresses kept their own files because they were very much in the firing line of parents. [REDACTED]



[REDACTED] So what records housemasters and housemistresses kept was their business.

89. A member of staff's file would contain their application form, their references we had received and [REDACTED] interview notes. There would also be notes on any significant meetings [REDACTED] with them on important issues.

90. Housemasters or housemistresses might or might not keep records of punishments. Probably for serious things they would put a quick note in the pupil's file I should think. They might keep a book as they did in some houses. [REDACTED]



[REDACTED] SNR [REDACTED] would have kept detailed records on smoking, drinking and any other serious issues he dealt with. Any issues [REDACTED] unless they were minor, [REDACTED] made a note of and popped this into the respective file. These notes were helpful if there was any comeback from the parents.

91. Minutes for staff meetings were always taken. The senior master had the duty of keeping minutes of the staff meetings and of the housemasters and housemistresses meetings. The director of studies kept minutes of heads of department meetings.

### Investigations into abuse – personal involvement

92. [REDACTED] warn the late Mr <sup>QRA</sup>[REDACTED] after it had been reported [REDACTED] by the director of studies that he had been sending suggestive messages to one of the girls. [REDACTED] warned him if this should ever happen again [REDACTED] suspend him from the staff and that the school would probably cease his employment at Fettes. I do not have the date for that warning available to me [REDACTED] [REDACTED] certainly reported it to the Chairman of Governors and I am pretty sure also to the full Board of Governors.
93. From memory I think these allegations were made when I was in my second or third years at Fettes which would be around 1990 approximately. When I left the school I of course left all the records at Fettes and so I am just speaking from memory about an event that was thirty or so years ago.
94. Mr <sup>QRA</sup>[REDACTED] taught pupils in the [REDACTED] department which included [REDACTED] and [REDACTED] work. He would have been in his fifties I would think. I do not remember the age of the girl and I don't think [REDACTED] interviewed her. [REDACTED] interviewed the master and challenged him with the information that the director of studies had brought [REDACTED] making it quite clear [REDACTED] not tolerate such behaviour, that it must never happen again and [REDACTED] heard that it had, [REDACTED] suspend him immediately from the staff. The Chairman of the Governors supported [REDACTED] having taken the right action concerning this matter. [REDACTED] never had cause to speak to Mr <sup>QRA</sup>[REDACTED] again regarding any disciplinary matter.
95. This is typical of how [REDACTED] deal with such matters. If there was any form of lack of professionalism, [REDACTED] of course interview the member of staff and would either just give them a general warning or possibly a formal warning. If it was a really serious

issue, [REDACTED] suspended them from the staff and would have then discussed what the next step should be with the Chairman of Governors.

96. [REDACTED] agreement that whenever there was serious disciplinary situation with pupils where they might be asked to leave the school or a serious disciplinary incident concerning a member of staff [REDACTED] immediately keep the Chairman of the Board of Governors informed. [REDACTED]

**Specific allegations of abuse made against me for which there has been no criminal investigation or conviction**

Mrs QWH [REDACTED] on behalf of her son [REDACTED]

97. [REDACTED] ask six fifth form boys to leave the school in [REDACTED] 1992 following an incident involving the use of cannabis and one of the mothers complained that her son had not been treated properly during the interview process. Followed that event there was a prolonged vendetta against [REDACTED] the school in which many spurious allegations were raised by the person leading this vendetta and by a certain journalist.
98. As far as the cannabis incident is concerned the circumstances were that a school dance was organised on the evening of [REDACTED] 1992. During the following days housemasters and housemistresses reported [REDACTED] that they had picked up rumours that a number of pupils might have experimented with cannabis in the school grounds during the dance. Some preliminary enquiries took place and eventually suspicion focused on six particular boys. They were called [REDACTED] one morning during the following week. It was [REDACTED] policy that when pupils were interviewed about serious offences that [REDACTED] their housemaster,

housemistress or SNR [REDACTED] to be present to witness the process. That was to ensure that procedures during the interview were fair and correct. The boys were first segregated into different areas [REDACTED]. The reason for this was to ensure that they could not collaborate and stitch up a false story when giving their individual accounts on what had happened. The boys were then interviewed in turn and after each interview they were asked to provide a written statement of their version of the events. The statements were then compared to check for variations, and of course, initially they all contained varying accounts on what had occurred. The boys were then re-interviewed and they were given the chance to change their statements. This happened several times. It was a very difficult and lengthy process and I fully understand that it was distressing for the boys themselves. The whole process went on far longer than anticipated and eventually in the afternoon all six boys confessed that they had used cannabis during the evening of the dance. [REDACTED] they were all immediately suspended from attendance at the school and [REDACTED] inform their parents what was to happen to them after [REDACTED] discussed the whole matter with the Chairman of Governors.

99. [REDACTED] immediately arranged a meeting with [REDACTED] Governors who was CKP [REDACTED] and he agreed that the school had in place a clear policy that pupils must adhere to the law of the land and that the use of drugs was strictly forbidden. The sanction for misusing drugs was also well understood. He agreed that it was unfortunately necessary [REDACTED] to contact the parents of the six boys and ask them to remove them from the school. The parents were informed of this on or around the [REDACTED] 1992. [REDACTED] was one of these boys and he was able to secure a place at Gordonstoun to continue his education there. Mrs QWH [REDACTED] his mother, was most unhappy [REDACTED]. She wrote to the Chairman of Governors on 22 October 1992 making inaccurate statements [REDACTED]. The Chairman of the Governors replied to her on the 26 October and the Clerk to the Governors wrote to her on 5 November 1992. [REDACTED] reported the whole matter to the full Board of Governors [REDACTED] and it was carefully reviewed by the full governing body on 2 December 1992. [REDACTED]. [REDACTED] No further incidents involving the use of drugs came to my attention during my following six years at Fettes.

100. I do not have access to the records which will be retained by the school so I cannot remember the names of all the other boys involved.
101. I have kept some personal notes concerning the incidents involving Mrs QWH because after 1992 she made a whole series of complaints against myself and against various members of staff. Some were just a succession of minor complaints but there were more major complaints as well. Some of these complaints did have some validity but in most cases incidents had been greatly exaggerated or distorted from what had actually happened. There were also some complete fabrications and there were some plain untruths. To go into all of these would take many hours and would serve no useful purpose.
102. It was very well understood by everyone closely associated with Fettes that the possession or use of drugs or other illegal substances in the school was an expellable offence. This was the first incident of drug misuse in the school and the outcome may sound a bit harsh. hated asking pupils to change their educational plans but every decision you make SNR is a signal to the school of what is or what is not permissible. It was worth mentioning that it is quite an expensive thing for the school to lose six pupils because you lose six sets of fees; so you certainly do not do it at random. I felt it was my duty to carefully look after the children who had been entrusted to the school and to protect them as far as was possible from the use of drugs. I consider that they are illegal substances and I believe that they are an insidious influence on young people. I regarded it as my responsibility to protect the children in the school from their potential dangers. The way you can do this is by having a clear rule and by making it absolutely clear what the sanction will be. The consequence of course is that when your bluff is called you have to enforce the established rule. The boys were fifteen or sixteen and, in their defence, it was not a very big incident; they were just experimenting with some cannabis. It was all very sad but the outcome was unavoidable under the circumstances.

103. QWH wrote to me and I think she had two points that she wished to make. The first was that she didn't want her son to leave the school and she wanted to reinstate him. Secondly I think she also made the argument dealing with drugs issues in the wrong way. It was indeed true some schools in England were keeping their pupils on if they used drugs and that they then tried to manage the whole issue. policy was however that the use of drugs was an expellable offence.

104. had a younger sister called BPR in the junior house which was run by housemaster Andrew Alexander. BPR occasionally managed to get into confrontations and minor bits of trouble. Following the enforced departure of from the school Mrs QWH during the next two terms, had launched a whole series of complaints against various members of the Fettes staff.

105. Mr Alexander, the housemaster of the junior house, and I endeavoured to follow up each and every one of her complaints in an attempt to resolve them. We investigated each complaint thoroughly and reported back to her, telling her what we had done or what we were trying to do. It seemed however that she was continuing to seek issues about which she could express dissatisfaction. She was making it very clear to people, and indeed to the Governors, that she did not have confidence in leadership of the school or in certain members of staff.

106. Mrs QWH had a long association with the school because she was the daughter of a distinguished Fettes and she had grown up in the grounds of the school. I think this partly explains why she was so upset with the school when her son was asked to leave. She had a strong family link through her father, who was a very well liked and respected former who had been

[REDACTED] SNR [REDACTED] I think she was initially very pleased when I took up my appointment at Fettes [REDACTED] [REDACTED] and she had three children at the school. Word was out that she was singing my praises locally. She did not however sing my praises after [REDACTED] 1992. It was a curious situation because she said that she had lost all confidence in me SNR [REDACTED] but she still very much wanted her children to attend the school.

107. We decided that we were not able to satisfy Mrs QWH [REDACTED] continuing complaints. We would deal with one and hopefully solve it but the next again week there would be another one. She hadn't made any complaints before [REDACTED] had been asked to leave the school. Her subsequent complaints were against various different members of staff.

108.

[REDACTED]

[REDACTED] She confirmed [REDACTED] go ahead and investigate her complaint. FGA [REDACTED] was a slightly idiosyncratic person and she had her own idiosyncratic methods of teaching. I was SNR [REDACTED] absolutely adamant that the quality of teaching should be outstanding. [REDACTED]

[REDACTED] In modern days under Ofsted, the Office for Standards in Education, Children's Services and Skills and the SOED in Scotland there are numerous protocols on good practice concerning how lessons in most subjects might be taught. Although this doubtless has the intention of ensuring good quality education across different schools, in my view, it can also stifle originality, creativity and imagination through limiting teaching styles. Believe you me, pupils love to go from lesson to lesson and encounter different approaches in these lessons. In some cases lessons might be quite formal and disciplined with all the tables in rows facing the front. In others the tables might

be set in a circle and the pupils might be invited to get up and speak, act or debate topics. Some teachers might wish to operate in a very didactic way while other teachers might teach using less orthodox methods. [REDACTED]

[REDACTED] where however a teacher was not proving successful the school management would quickly intervene. [REDACTED]

[REDACTED] I thought it was beneficial for the pupils to come across different teaching styles. Mrs QWH did not approve of FGA's teaching style but it was clear to the school's management that FGA was a highly effective teacher of [REDACTED] and other subjects. Not every pupil liked her admittedly but she was known to be a highly successful teacher. [REDACTED]

[REDACTED]

109. On 29 January 1993 Mrs QWH sent [REDACTED] a letter of complaint about SNR [REDACTED] and about FGA [REDACTED] again. [REDACTED] She also wrote a further letter of complaint about FGA [REDACTED] on 9 February 1993. This was made to Mr Alexander, the housemaster of the junior house, and he replied to her in writing.
110. On 8 February Mrs QWH visited the reception hall and quizzed the receptionist about some troubles she had heard about at the junior house. On 9 February [REDACTED] [REDACTED] a report from Mr Alexander to say that Mrs QWH had caused further problems at the junior house, maybe making complaints. I don't know specifically what had happened because I do not have those records.
111. I received reports that Mrs QWH was making adverse comments about me and about Fettes at lunch parties around Edinburgh. It was also reported to me that she was actively attempting to spread false allegations about Fettes to various people around Edinburgh. She was very rude to the Chairman of Governors at the Inverleith Burns Night Supper.
112. There was an adverse report about Fettes in [REDACTED] newspaper [REDACTED] February and it was reported to me that her elder son [REDACTED] was in possession of [REDACTED] in



school that day. It was not normal for pupils to carry newspapers around to lessons, especially [REDACTED] newspaper. This is just a flavour of the problems that continued to arise and I could give further examples. It was therefore reluctantly considered that mutual trust between the School and this parent had broken down and that she was deliberately trying to cause trouble.

113. The Governors then took independent legal advice from a highly respect QC, Mr William Nimmo-Smith. He confirmed the school did have the right to give due notice if it no longer wished to have the responsibility for the education of a pupil in a situation in which the parents had made it clear they had lost confidence in the school. The Clerk to the Governors, Mr Alasdair Fox, wrote to Mrs QWH [REDACTED] on 2 March 1993 and gave her notice that the school wished her to make other arrangements for BPR [REDACTED] education after the end of summer term in 1993. We gave her more than a full term's notice because parents had to give the school a term's notice if they wanted to take their children out. This was a very unusual event and I cannot recall any other occasion when such a step of this nature was taken during my entire school career. It was however decided that this was a step which the school needed to take because there was a clear breakdown in the relationship between the school and this particular parent. Mrs QWH [REDACTED] was not, I think, happy with this decision.
114. On 7 June 1993 there was a minor disciplinary incident in the junior house involving BPR [REDACTED] and two other girls. The housemaster of the junior house wanted to interview the three girls individually about the incident and of course for safeguarding reasons he did this in the presence of [REDACTED], Mrs FGT [REDACTED]. One of the girls was acting up in a silly way, I think trying to barge into a meeting when Mr Alexander was interviewing another girl instead of waiting outside. Mrs FGT [REDACTED] naturally got upset and she used inappropriate language towards this other girl, not BPR [REDACTED]. She said words similar to 'stop being a silly bitch'. BPR [REDACTED] and the other two girls then departed from the school without permission; that was totally against the school rules because we were responsible for the care of the day pupils until it was time for them to go home. They marched out of the school and went home early. Mrs QWH [REDACTED] then informed [REDACTED] she was withdrawing BPR [REDACTED] from the school. That was about three

weeks before the end of the term. BPR subsequently went on to St George's School in Edinburgh. After this upset call in Mrs FGT in the presence of Mr Alexander about her use of bad language towards a pupil. fully accepted that she had been sorely provoked, it was still not acceptable for her to use bad language towards a pupil. this must never happen again. She apologised saying that she had just got a bit angry. She fully accepted this ruling and gave assurance that this mistake would never happen again.

This seemed appropriate and quite sufficient.

115. I might be wrong on this matter but if there has been an allegation that the older brother of and BPR left the school early I would not be able to corroborate that. was in the upper sixth form in 1992-1993, that is the top year, and he completed his Higher exams successfully. To the best of my memory he went on to St Andrews University. I have looked up the school magazine for December 1993 and that seems to be correct. sure that if he had been asked to leave or if Mrs QWH had decided to remove him early, have made a record of that. By that time keeping a careful detailed record of what was going on with this particular family and no such record.
116. As far as a media strategy was concerned throughout the vendetta I responded to allegations in the newspapers by issuing press statements. However the press were not very fair; they would give a lot of coverage to the complainant and they published plenty of lurid stories that might have related to a Fettes of thirty or forty years before but these stories did not relate to the Fettes issue a press release but maybe all the press coverage would say was that SNR denied the allegation or something similar; they often wouldn't quote verbatim had said. Eventually some Governors had the idea to engage a public relations expert who could undertake the task of preparing press statements but this did not prove any more effective in counteracting the false reports that were cropping up. There was a curious aspect to all this. Although pupils do not mind grumbling and criticising the management of the school and particularly the Head when he is

making some unpopular decisions, the pupils were sickened by the bad publicity that Fettes was receiving. They realised that the allegations were untrue and in a way this united the staff and pupils in a sense of injustice. So in a way this speeded up the process of greatly improving the whole tone of the school and the establishment of mutual trust and respect between staff and pupils.

### **Police investigations/ criminal proceedings**

117. On 12 May 1993 the Governors received a letter for a [REDACTED] who was an Old Fettesian and who lived in St Andrews. In this letter he alleged that there was child abuse occurring at Fettes. The school immediately asked him to give more information so that we could explore the issue but he wouldn't do this. We had a very good Governor called Dr John Munro who had been appointed to the governing body by the Royal College of Physicians. He drove to St Andrews to see [REDACTED] but when he got there [REDACTED] dismissed him and said he would not supply any further information. We urgently wanted the information because this was a very serious allegation to make and we wanted to investigate it. The [REDACTED] Governors, CKP [REDACTED] therefore informed the police that there had been this serious allegation and he asked them if they would investigate it.
118. The police were also unable to get any further information from [REDACTED]. They went to see him but he wouldn't speak to them. On 25 February 1994 detective inspector (DI) Ross and detective sergeant (DS) Reynolds took statements [REDACTED]  
[REDACTED]  
[REDACTED] Mrs FGT [REDACTED]. They asked questions about two events. The first of these was the way [REDACTED] handled the drugs incident in 1992 involving the [REDACTED] expulsion and they also asked about the fuss that had occurred in the junior house in June 1993 when Mrs FGT [REDACTED] had used inappropriate language towards one of the girls. The police then confirmed to the Governors that they considered that [REDACTED] allegations of child abuse had no foundation. They also confirmed that they felt there was absolutely no case of child

abuse in the way █████ handled the disciplinary incident in █████ 1992 or in the fuss that had occurred in the junior house in June 1993.

119. This had been highly unsatisfactory behaviour by █████ and so the Clerk to the Governors, Mr Alasdair Fox, reported █████ to the General Medical Council on 14 June 1993 to say that the School was disturbed that as a doctor he had made such a serious allegation and was then not prepared to substantiate it.
120. I know nothing about █████ but I have looked him up and his name is in the list of Old Fettesians. I have never met him and I have never spoken to him. I can only imagine that someone encouraged him to make such a complaint in order to cause trouble. If he had any real belief that there was child abuse at the school, he would surely have wanted to tell the school about it and he would certainly have wanted to tell the police. It was a bizarre event but not the only bizarre incident that I experienced during the course of the vendetta. I want to make it absolutely clear that the police completely exonerated █████ concerning there being any case of child abuse in the way the school handled the drugs incident in █████ 1992. They also completely exonerated Mr Andrew Alexander and Mrs FGT █████ for any case of child abuse when inappropriate words were used towards a pupil in the summer of 1993. CKP █████ had instigated the request to the police that they should investigate these matters and I imagine they would have reported their findings direct to him or to the Clerk of the Governors.

#### **Reports of abuse and civil claims**

121. On 21 September 1995 █████, who had left the school three years previously, issued a summons on █████ and the Governors of the Fettes Trust. I do not have a copy of that summons but it will be held by Fettes. The Governors decided they wanted to defend the school and the members of staff and they appointed independent lawyers, Balfour and Manson, who in turned engaged William Nimmo-Smith QC. In 1997 there were negotiations between Balfour and Manson and the solicitors who were acting on behalf of █████ and his mother, Mrs QWH █████ On 7 July 1997 a provisional agreement was

reached and this was wholly conditional not only on the action being dismissed but with decree of dismissal being coupled with one of absolvitor. I am not a lawyer; however my understanding of this comes from a letter [REDACTED] 8 July 1997 from Mr Alasdair Fox, the Clerk to the Governors. I quote a section of it "*absolvitor means literally that the various defenders, including you, will be absolved of all the allegations which the summons made against the governors, you and your colleagues. Settlement will therefore go much further that the non-admission of the allegations. Your complete innocence will be established. The settlement is also to coincide, as you are aware, with an exchange of letters between the Chairman, [REDACTED] BPR [REDACTED] and Mrs QWH [REDACTED] by which it is hoped the enmity that has arisen between the [REDACTED] and [REDACTED] family and the school can be brought to an end.*" I am sure that settlement went through and was confirmed and the school and Governors will have a copy of it. I do not have a copy of this document.

122. This is, in my view, a matter of very key importance and it is one of the most crucial bits of information I can give you about this matter. Mrs QWH [REDACTED] and Mr. [REDACTED] [REDACTED] of their own volition settled the case and signed the agreement on the terms that I have supplied. I think that this proves beyond doubt that there was a legal agreement between the school and the family in which the family acknowledged that [REDACTED] and the Governors of the Fettes Trust were innocent of all the allegations they had made relating to how the drugs incident in [REDACTED] 1992 had been handled. I imagine that the allegations which Mrs QWH [REDACTED] and Mr [REDACTED] may have made to the Scottish Child Abuse Inquiry about this matter may be the same or very closely similar to the allegations they made in that summons dated in September 1995. If this is indeed the situation, I think this proves that they appear to have reneged on their legal agreement with the school in 1997. I would imagine the school and its lawyers may wish to consider their response to the breaking of this legal agreement. Subject to the school lawyers and the Inquiry confirming this absolvitor, which I do not believe is in doubt, I believe this means that the allegations that Mrs QWH [REDACTED] and Mrs [REDACTED] have made on this particular matter to the Inquiry should be considered to be false. I would therefore request that the Inquiry team declare that

these specific allegations are invalid. I understood earlier from a member of the Inquiry team that there were only two complainants making allegations of child abuse at Fettes during the period 1998-1998 [SNR]. If the allegations of Mrs [QWH] and possibly [redacted] or [BPR] are deemed without proper foundation, I think that this establishes that there were no valid allegations of child abuse occurring at Fettes [SNR].

### **Specific alleged abusers**

#### *William Stein*

123. Mr. Bill Stein was the master in charge of swimming and there was a complaint made about him during the autumn term 1997 and in December 1997 [redacted] reported to the Governors [redacted] had held a disciplinary meeting with Bill Stein. It had come to my notice that there had been a complaint about Mr Stein, which I think might possibly have come from Mrs [QWH]. The complaint was that Mr Stein had been participating in a game with junior school pupils at the end of swimming lessons. I would like to make it clear that this was some four years after the last [redacted] pupil had left the school. Mr Stein seemed to have had some sort of tag game in which he swam around the pool chasing the pupils. I think that the pupils dived in and swam across the pool without him catching them. It was that sort of game. [redacted]

[redacted] they told me that they were certain that these games had just been a bit of fun with no evil intent. [redacted]

[redacted] of the view that this game was undoubtedly regarded as good fun by the pupils, this was not acceptable practice from a member of staff and that it could leave it him open to the criticism of improperly touching pupils. [redacted]

[redacted] what might be acceptable behaviour for a father or an uncle to indulge in with children was not appropriate for a member of staff. [redacted] gave Mr Stein a formal warning and told him in absolutely explicit terms that his participation in games of this nature must cease and that if such behaviour cropped up again, his continued employment at the school would be in jeopardy. Mr Stein, whom I regarded as a very decent man, apologised [redacted]

[redacted] categorical assurance that he would completely abide

by this ruling. [REDACTED]  
[REDACTED]

124. That should have been the end of the matter but on [REDACTED] 1998 there was an article published by the journalist [REDACTED] who had published many adverse articles about myself and Fettes over the years. In this article in the [REDACTED] it was alleged that Mr Stein had been involved in a 'sex abuse row'. The then Chairman of the Governors who was Lord MacLean immediately notified the police and asked them to investigate the allegations that had been made in the paper. Mr Stein [REDACTED] asked [REDACTED] to undertake no further duties at Fettes until he had been exonerated. [REDACTED]  
[REDACTED]

125. There were then follow up very damaging articles about Fettes in The Scotsman, The Herald and The Mail. I think that it is significant to mention that at that time I received a spontaneous letter signed by about twenty middle school girls expressing their support for Mr Stein and their dismay over the allegations that had been publicly made against him. I think that tells you something about the mutual trust and respect that existed between staff and pupils [REDACTED] We were in many ways a family rejoicing in each other's good achievements and supporting each other in times of difficulty.

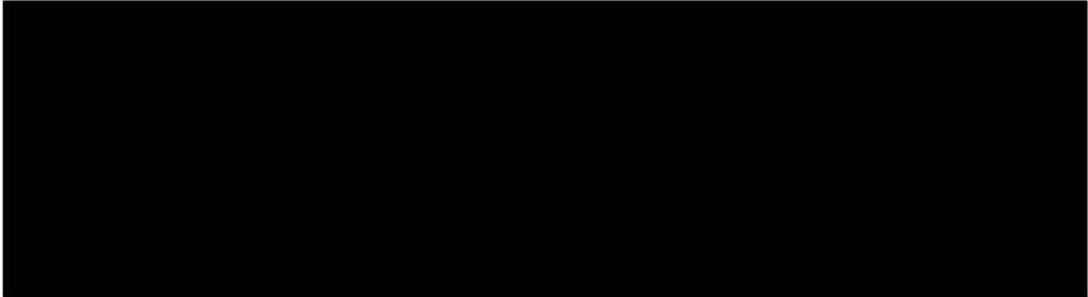
126. I had a meeting with DI Peter Avant and DS Gordon Crowe and I explained to them what I knew about the whole matter. During this interview, [REDACTED]  
[REDACTED] I probably provided a formal statement to them but I cannot be absolutely sure of this because I do not have access to the relevant records. DI Avant revisited the school on 20 May 1998 and on 17 June 1998 Mr Bill Stein was formally cleared by the police of having been involved in child abuse. Therefore the situation was that Mr Stein had, quite needlessly and unfairly, been put through a most appalling ordeal over what seemed to have been just an error of judgement with no evil intentions. Although I could be wrong about this, in my view the making of the allegation was a calculated act against an innocent man and I assume that it was made with the intention of damaging the reputation of the school.

127. I do not believe that there was any lasting adverse impact on the school as a result of this complaint but it of course had a devastating personal impact on Mr Bill Stein.
128. As far as Bill Stein's position at the school was concerned I have had a look at the school handbook and he was not listed as a member of the teaching team and that would be absolutely correct because he did not undertake any academic classroom teaching. He was employed by the school to look after the swimming pool, to give swimming instruction and he also helped with the naval section of the Combined Cadet Force (CCF) and with sailing trips. I don't have a record of his age but he would I think have been in his early sixties. He was a large burly man who was married and he had, much earlier in his life, swum for Scotland at international level. He had a cheerful avuncular nature and he had an excellent rapport with the pupils. He was popular and generally very well liked in the school community. He had organised swims for pupils across the Channel and Lake Ontario both of which are quite serious undertakings. He had pupils solo swimming across the Forth. This is also quite an undertaking and is not to be embarked upon lightly.
129. I regarded him as an honest and decent man possessing integrity. He had been at the school for three years before I joined and he retired when I did in 1998. I did not really know him terribly well and I only really interacted with him when I could find some time to go to the swimming pool to attend some swimming event. He wasn't formally [REDACTED] academic staff, he just came and went a bit, he supervised the pool and there were no issues with it. He might have come partly under the management of the bursar and, because he was involved with swimming and the CCF, partly [REDACTED]. Such a situation was perhaps not completely clear cut but this was not a problem. He was a commanding person, he never had to discipline children and he had a lovely good natured personality. He could bring a class to order with a word but he usually had a big smile on his face and he gave the pupils a lot of fun. With regard to this business of the horseplay in the pool, I think that most pupils loved it and that it was disappointing in a way to have to stop it. However, once the complaint had been made, [REDACTED] not allow it to continue. I certainly never saw him involved in the abuse or ill-treatment of children.



### Leaving the school

130. I decided to take early retirement in the summer of 1998 when I had completed ten years at Fettes. I could have gone on for a further five years under my contract if I had wanted to. [REDACTED]  
[REDACTED] I thought however that it was the right time for the school and the right time for me personally to make a change.
131. There were four reasons really. [REDACTED] putting together a major business plan for the school which would completely develop the school with a new phase of buildings over the next few years. This was going to involve major fundraising and the planning of new buildings. I really had to decide if I had the energy and stamina to do another full five years. It would have been very disruptive to continue for say just two or three more years because we would then be in the middle of the fundraising and the implementation of the business plan.
132. Another reason was there was a major review coming up for the senior management team because both the SNR [REDACTED] Mr FTF [REDACTED] and the senior master Mr David Burns were retiring in 1999. These were very important appointments. We knew that we needed a formal senior mistress and there were various other senior appointments that we needed to make. [REDACTED]  
[REDACTED]  
[REDACTED] It was however clear that we were reaching a stage when an expanded management structure was required to manage the school effectively.





133. Another factor was a bit more personal. My wife and I would have been married for 29 years when I retired in 1998 and for 26 of them I had been in extremely responsible and demanding positions. She sacrificed her career so she could support me as a housemaster and in two <sup>SNR</sup> [REDACTED] We were ready for a phase when we could take the foot off the peddle a bit. I had fully achieved my aims for the school, [REDACTED] academic achievement had been transformed with outstanding examination results being achieved, [REDACTED] restored and increased the school numbers with the school being full and expanding and the pupils overall were a marvellous group of young people. Indeed I would have been delighted for almost any of the pupils to have been my own son or daughter. They were a terrific, positive and happy group of Fettes pupils.



[REDACTED] This was because I really wanted to push through significant improvements in every area of school life and so I was willing to work harder than average. You cannot run at these sorts of revs and keep your health forever and I didn't think that this was necessarily fair on my wife.

134. There was one other thing nagging away at me. I was not sure when I went into teaching whether I would go into the maintained or independent sector. I went into the independent sector because I thought I could do more than just teach. I could coach games, contribute to extra-curricular activities and have much more involvement with pastoral care and with the personal developments of pupils. I had therefore spent my career looking after children who, in the main, came from comfortable and happy homes and they received a very good quality of education with massive opportunities to develop their individual talents and abilities. It nagged me that there was another world out there where people faced great difficulties and I

was keen to get involved in some charity work. There was a charity called Cancer and Leukaemia in Childhood of which I became a trustee [REDACTED] [REDACTED]. I also, because I was living in Cumbria, became a trustee [REDACTED] [REDACTED] of Cumbria Cerebral Palsy. I took up these posts and undertook a few other charitable things together with a few Governorships of schools. It wasn't lucrative but I hope it compensated for my independent school career.

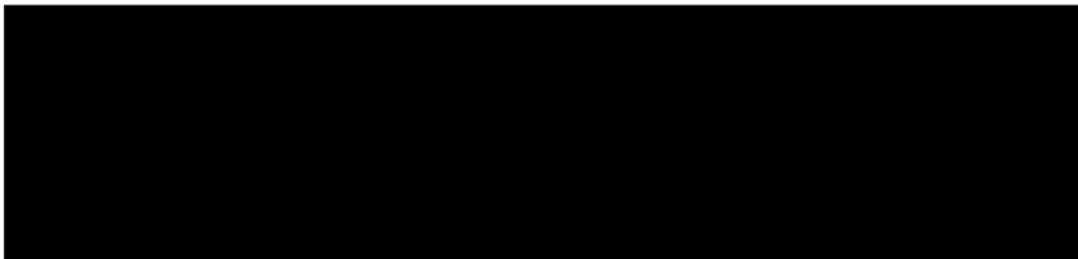
### Other Information

135. I have requested to provide a brief personal statement to the Inquiry which I have prepared and this now follows. To the best of my knowledge there were no cases of child abuse at Fettes between 1988-98. I have dedicated my entire career to the education, development and welfare of children and young people in schools. As SNR [REDACTED] at Fettes I wanted the pupils entrusted to the school to receive the same quality of attention and care as I would have wanted for my own children. If the provision that Fettes was providing was not as I would have wanted it to be for my own children, it was certainly not good enough for the pupils for whom the school had taken responsibility. Child abuse is a complete anathema to me and everyone associated with Fettes would have known that I would never have tolerated or condoned it SNR [REDACTED]. Had I ever had the slightest suspicion of child abuse occurring, I would have investigated it with rigorous thoroughness and I would have immediately reported such concerns [REDACTED]. The police would have been brought in and during any police investigation the member of staff concerned would have been suspended from any duties at the school. I am therefore very disturbed that there should have been any allegations of child abuse [REDACTED] [REDACTED] at Fettes because if these were to have foundation, [REDACTED] [REDACTED] it would be a slur on the personal reputation and integrity of Fettes staff and of its Governors at the time and it would be a slur on the general reputation of the school.

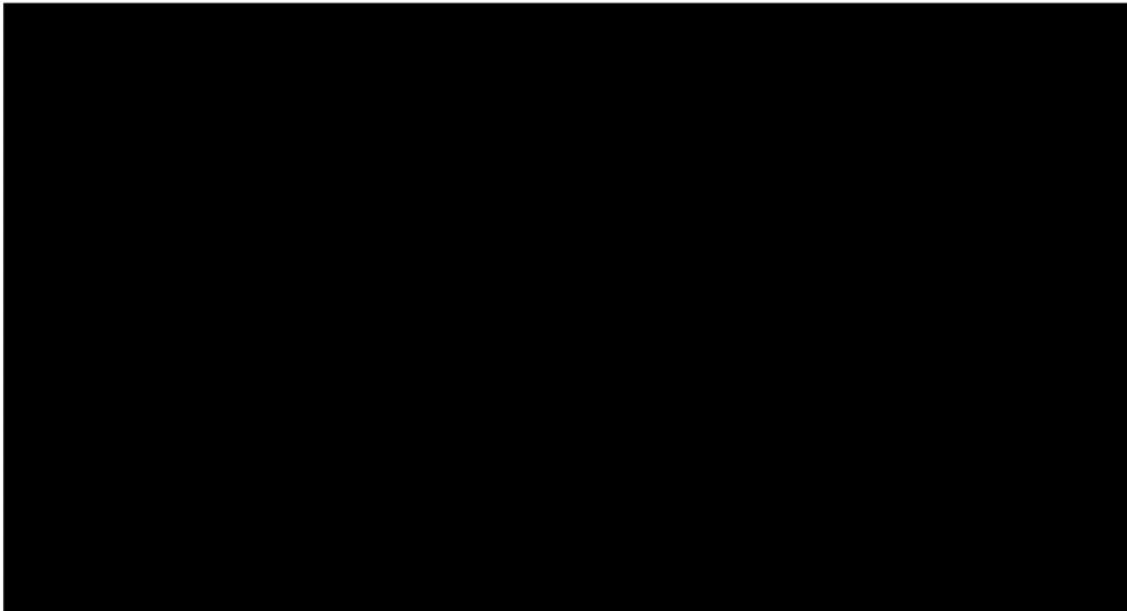
### Helping the Inquiry

136. Protecting children from abuse is a vast area and you have to start from a position that child abuse has the potential to happen in any residential institution. It is however most likely to happen in a badly managed establishment. You need great vigilance and you need effective leadership in any residential school. The institution must have the correct policies in place and the head of that establishment must be fearless in investigating any rumours of potential child abuse.

137.



138.




139. There are some schools who establish a pastoral care committee or something similar and who have people from outside the school who can act as confidantes to

pupils. I think however that it is good to establish that the pastoral care is the responsibility of every member of staff. [REDACTED] very clear to the Fettes staff that we were all responsible for the pastoral care of the pupils. I didn't want any member of staff passing bad moral attitudes to the pupils; they were expected to provide a good influence by word and by example.

140. There needs to be a detailed child protection policy in place and a designated child protection officer, or more than one such officer.
141. If a Head cannot progress a suspected case of serious child abuse he/she should not dither; he/she should not hesitate to call in the police. They have experts who can look into these matters. I have said before that schools under modern good practice protocols have much reduced powers over repeatedly interviewing members of staff or pupils. You may therefore need police powers to investigate a worry or otherwise decide that you have to give up on it. Sometimes parents would be horrified that the police were interviewing their child but that is what you have to do if a significant case of child abuse is suspected; otherwise the alternative is you brush it under the carpet and forget about it.
142. Schools should not, in my view, be willing to supply satisfactory references for members of staff in cases where they are worried there might be child abuse issues. I am afraid that this has, to the shame of many establishments, happened in other schools in the past. I think the Inquiry team should look into possible sanctions against the school or any individual member of staff if they knowingly recommend a most unsuitable teacher to another school. I do not know how easy it would be to achieve this but, in my view, it would be good if it became illegal to gloss over such a situation when it is known to exist. If the Head was within his/her rights to refuse to supply a reference in such cases, it would doubtless cause a row with the member of staff concerned but, it would prevent such issues possibly being covered up. Under such circumstances It might be a good thing if the receiving school understood that that the absence of a reference from the candidate's existing head was a possible signal. I know that this is a very difficult area and that there may be legal issues

associated with it. This is however exactly the kind of area that the Inquiry should attempt to address.

- 143. Where the behaviour of a member of staff is very unsatisfactory or illegal I think the head needs to have the courage to dismiss him/her and if relevant, report the matter to the national authorities. There is List 99 and you can always report an individual to the authorities who run this list and they will decide if that member of staff needs to be placed on it.
  
- 144. Subsequent to my video conferenced interview I have written to Lady Smith suggesting that the Inquiry Team should look at two further potential child abuse issues. The first of these is concerning the potential for child abuse issues to occur with peripatetic staff who may be teaching children in one to one situations. Consideration should be given to how carefully such staff are vetted at the time of their appointments. I have also suggested that the Inquiry Team should look carefully at the potential for child abuse to occur when pupils are taken away from the school on trips, camps and expeditions. Unfortunately there have been a number of well documented incidents of child abuse occurring on such trips organised by schools.
  
- 145. I have no objection to my witness statement being published as part of the evidence to the Inquiry. I believe the facts stated in this witness statement are true.

Signed..........

Dated..... 30 November 2020 .....