

Friday, 7 May 2021

(10.00 am)

LADY SMITH: Good morning, and welcome to the last day of this week's evidence in the case study into boarding schools provision in Scotland.

As intimated yesterday, I think we have two live witnesses coming today. The first one is ready, I understand, Mr Brown?

MR BROWN: That is correct, my Lady. The first witness is Dorothy Barbour. It may be that, once she has concluded, there may be time to fit in a read-in from yesterday afternoon.

LADY SMITH: Yes, thank you. (Pause).

Good morning, Ms Barbour. Please could we begin by you taking the oath.

MS DOROTHY BARBOUR (sworn)

LADY SMITH: Please sit down and make yourself comfortable. Can I begin with what I hope is an easy question, how would you like me to address you? I am happy to use Ms Barbour, if you are more comfortable with that, or Dorothy.

A. Dorothy is fine.

LADY SMITH: If Dorothy works, that is what it will be.

There is a red folder in front of you and that has a hard copy of your statement in it. It will also come up

1 on screen as you are referred to it, and if there is any
2 other document we want to refer you to, that should come
3 up on screen as well.

4 I don't think there is anything else I need to
5 explain to you at the moment. If you have any questions
6 at any time, please don't hesitate to let me know,
7 otherwise I will pass on to Mr Brown.

8 Thank you, Mr Brown.

9 Questions from MR BROWN

10 MR BROWN: Good morning, Dorothy. You are Dorothy Barbour.

11 You were born in 1946, so you are now 74, is that
12 correct?

13 A. Yes.

14 Q. We have, as her Ladyship has said, your statement in
15 front of you in the red folder but, as you can see, it
16 does appear on the screen. Either way is easy.

17 If we go to the final page of your statement on
18 page 23, which again will appear. And the last numbered
19 paragraph, 106, it says:

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

24 And those statements are correct?

25 A. Yes.

1 Q. And you have confirmed that by signing the document on
2 21 October 2020, last year?

3 A. Yes.

4 Q. Thank you. As you will understand, the contents of your
5 statement are now in evidence, and we don't require to
6 go through every last detail. What I would rather do is
7 just talk more generally about your experience and one
8 or two specifics that we will come to in due course.
9 Okay?

10 A. Yes.

11 Q. Because you have a long -- or you had a long career in
12 teaching, is that fair?

13 A. Yes.

14 Q. And it is set out at paragraph 3 on the first page. You
15 first started teaching in 1969?

16 A. Yes.

17 Q. In Reading?

18 A. Yes.

19 Q. You were an English teacher?

20 A. Yes.

21 Q. And that remained so throughout your career?

22 A. Yes.

23 Q. And as we see set out there, you then moved north 50
24 a number of schools in the West of Scotland?

25 A. Yes.

1 Q. Then you moved to the Borders, to Selkirk High School,
2 in 1980 for a year, and then I think we understand that
3 you take time off for family?

4 A. Yes.

5 Q. And in 1984 you began work at Loretto?

6 A. Yes.

7 Q. At that stage you were still living in the Borders, but
8 in due course you moved up to Edinburgh and lived at
9 Loretto itself, and we will come to that.

10 Your experience therefore is across perhaps the
11 whole range of schools: private day, state and then
12 Loretto boarding.

13 A. Yes.

14 Q. Is that fair?

15 A. Yes.

16 Q. Apart from the boarding school aspect, are those three
17 different types of schools very different otherwise, or
18 are there common threads through all schools that you
19 would recognise?

20 A. The classroom is clearly a common thread. What I was
21 doing in the English classroom was the same in all
22 schools. The second -- the second school I was in in
23 Scotland, the school that was in Helensburgh called
24 St Bride's, actually had a boarding element, so I had
25 had some experience of boarding before I joined Loretto.

1 The models for the boarding houses were very different.
2 St Bride's had a non-teaching pastoral head; when
3 I moved to Loretto the head of each boarding house was
4 a teaching member of staff.

5 Q. Did you have any views about which approach worked
6 better?

7 A. No, they both have advantages and disadvantages, and
8 very much, as always, it depends on the person who is
9 filling the role, how children relate to that
10 individual.

11 Q. Indeed so. In relation to one aspect we have been
12 hearing about, which is bullying, is bullying constant
13 in all schools to some degree?

14 A. Yes, I suspect it is. It's part of human relationships,
15 with some people needing to feel their sense of
16 self-worth through authority over others and so some
17 sense of power over others, so I suspect the potential
18 is always there. How much is actually realised will
19 differ, depending on the environment.

20 Q. Indeed. You talked then a moment ago about the house
21 system and how much would turn on the personality of the
22 individuals in charge of a given house. I think would
23 you agree that that is also true in the context, looking
24 particularly at Loretto, of the particular headmaster
25 who is in post? Because we understand from previous

1 evidence that a head can direct --

2 A. Oh yes.

3 Q. -- the travel of a school for the period he is in
4 charge.

5 A. Yes, very much so at Loretto. There was no senior team
6 of three or four people running it, it was the
7 headmaster alone, and while one is always aware in
8 a school that one person is the final authority, there
9 are usually a better delegation of responsibility. That
10 was not Loretto's characteristic at all.

11 Q. You were at Loretto from 1984, when you started
12 part-time I think, until 2007?

13 A. 2008, I think. I could have made a mistake.

14 Q. No, no, I am sure the mistake is mine not yours, 2008.
15 And in that time I think you had experience of a number
16 of headmasters?

17 A. Yes.

18 Q. Presumably all with their own character?

19 A. Absolutely.

20 Q. And approach?

21 A. Yes.

22 Q. Is it also fair to say that the appointment of
23 headmasters from your perspective -- if you disagree
24 with this, please say so -- was determined in part by
25 the business needs of the school. For example, if

1 numbers are dropping they may get a headmaster in who
2 will try and bring numbers up?

3 A. Yes, that would always be an advantage in the small
4 number selected for interview. Because of the situation
5 with the falling demographic in Scotland, it was very
6 difficult for private schools throughout the period that
7 I was working there.

8 Q. So it was always a concern, an underlying concern?

9 A. Yes.

10 Q. Would there be enough pupils to make the school
11 financially viable?

12 A. That is right.

13 Q. Was that a concern the staff had as much perhaps as the
14 governors?

15 A. Indeed, yes, because if you were working there you
16 didn't want to see the school close, and it mattered
17 very much to parents that they felt the headmaster was
18 someone they could trust. I remember a parent bringing
19 her third former, she lived abroad, and she said to me
20 "It's everything to us that we have left him in the care
21 of someone that we feel we can rely on". So that is
22 what makes the headmaster effective at increasing
23 numbers, if parents can trust him.

24 Q. Yes. I think you say in paragraph 8, page 3 of your
25 statement, you make reference to a number of

1 headmasters, but halfway down you make the point that:

2 "Keith Budge stayed until around 2001/2 when he was
3 replaced by Michael Mavor. He was [REDACTED]
4 [REDACTED] a former head at Gordonstoun and Rugby School.
5 When Michael was there, there was always the need to
6 improve school numbers, build better relationships with
7 parents and improve the facilities within the school."

8 So that is the sort of responsive approach that is
9 sometimes felt to be required?

10 A. Yes.

11 Q. In relation to the relationship between staff room and
12 the headmaster, presumably that could be different from
13 one headmaster to another?

14 A. Yes.

15 Q. Some presumably were more popular than others?

16 A. Yes.

17 Q. And we have heard -- we heard yesterday one of
18 the headmasters you mentioned, Norman Drummond, who
19 I think appointed you as head of English?

20 A. Yes, he did.

21 Q. Has been described as something of a Marmite character:
22 people either liked him or didn't?

23 A. Yes. Yes. Plus he either liked people or didn't.

24 Q. All right.

25 A. So it was a two-way thing.

1 Q. Yes, indeed. I think he was a very different headmaster
2 from perhaps previous and subsequent headmasters to the
3 extent that he was not someone with an educational
4 background?

5 A. Not at all, and that did make a huge difference.

6 Q. Did that cause tensions within the staff room?

7 A. Yes.

8 Q. Why did that cause tensions? His lack of teacher
9 experience?

10 A. I suppose one of the factors that occurred most often is
11 that when he was addressing the school, he just would
12 ignore the fact that the next lesson should have begun,
13 and he would just keep them until he had finished saying
14 what he wanted to say. So when you are waiting to get
15 a certain unit of lesson through, when they are quarter
16 of an hour and still not with you, you get a bit cross,
17 probably. I think it started with things like that.

18 And he was tremendously aware of raising the
19 school's profile, that was what he wanted to do, and so
20 he would tell us that he and Lady Elizabeth had been off
21 to Hong Kong and they had met ... and that was so
22 unusual for a headmaster that it raised eyebrows.

23 Q. So again, presumably his appointment may reflect what
24 you're talking about, the need to --

25 A. Absolutely, yes.

1 Q. And you would understand that?

2 A. Well, yes, you do.

3 Q. I think you also said in your statement that he was
4 someone who expected good manners from the boys?

5 A. Oh, yes.

6 Q. And that was something that -- I think this is
7 paragraph 49 on page 11 of your statement:

8 "There was a significant emphasis ..."

9 This is talking about Norman Drummond's time.

10 "... on pupils playing a role in entertaining
11 visitors and parents in school. Norman Drummond offered
12 hospitality to visitors and pupils regularly. He had a
13 great memory for the names of all the pupils and their
14 parents. Often visitors were eminent in their field and
15 pupils were expected to participate fully. This was one
16 of the features of his headmastership. Pupils had to be
17 dressed in their best school uniforms. Parents and
18 visitors really liked it. I felt this was good practice
19 and there was an emphasis on good manners."

20 A. Oh, absolutely, and very many of the pupils responded
21 very positively to that. And for boarders who don't
22 have experience of home during term time, the fact that
23 Norman and Lady Elizabeth opened their home, invited
24 children for meals, was a really good thing. And
25 I admired Norman hugely for his willingness, as dress

1 became ever more casual, to say "No, you must have your
2 shoes polished". And he did it himself, because
3 headmasters can say to their staff "You do that", so
4 that you are the one in the frame. But he never did, he
5 always did it himself.

6 Q. Thank you. You have just touched obviously on the fact
7 that pupils are away from home, and one of the aspects
8 of Loretto life is some teachers are purely educational
9 but others have a pastoral role on top in the sense they
10 are either an assistant housemistress, for example, or
11 a housemistress proper, depending on -- thinking of you,
12 for example. Because we would understand that you
13 became assistant housemistress, is that correct?

14 A. Yes, I did.

15 Q. That reflected I think a change in the school which then
16 developed throughout your career?

17 A. Yes.

18 Q. Girls were brought in, in the senior years initially?

19 A. Yes.

20 Q. And then it became co-educational in due course?

21 A. Yes, girls were brought in, in 1981, in the lower sixth,
22 and by 1982 there was obviously a lower sixth for girls
23 and an upper sixth for girls. That continued until 1994
24 when the school took in girls in the third form, the
25 youngest year, and it enlarged by allowing the girls

1 simply to go through the school.

2 Q. I think, as you say at paragraph 11, as well as
3 appointing you first head of English, you became the
4 assistant housemistress in the girls' boarding house,
5 Trafalgar Lodge, from autumn 1985?

6 A. Yes.

7 Q. Was that when you and your family moved into the school?

8 A. Yes.

9 Q. At that stage the number of girls, I take it, was quite
10 small?

11 A. Yes, it was. Yes. There were probably about 24 girls
12 in the house, and I had seven in the extension that my
13 family and I were in, and the others, the other 16/17,
14 were in the main block. The idea was that the seven
15 were the senior girls who were going on to university
16 and perhaps needed peace and quiet to work, so the lower
17 sixth year, the younger ones, weren't around, and they
18 had quiet space.

19 Q. How long did you stay in Trafalgar Lodge?

20 A. I stayed in Trafalgar Lodge until 1994.

21 Q. And then?

22 A. And then I moved out. At that point Loretto staff were
23 expected to live on campus, because we had to work in
24 the evenings and so on, so I moved out into a school
25 property but not attached to a boarding house.

1 Q. I think over the period, were those properties then
2 used, as the school grew in numbers, to enhance student
3 accommodation, and some teachers had to move out of the
4 campus?

5 A. Yes. The philosophy from -- it is difficult to get
6 specific dates, but if you say roughly 2000 onwards,
7 whereas when I joined the school you had more or less to
8 live on the campus to have a job there, from 2000
9 onwards staff were being encouraged to move out, and so
10 they could live in different parts of Edinburgh,
11 East Lothian.

12 Q. I think on page 8, paragraph 35 and 36, you touch on the
13 issue of access to dormitories which, when you first
14 moved in, you thought was perhaps a little lax, but that
15 changed over time?

16 A. Once we went co-educational everything was altered for
17 1994 and there were much stricter visiting times. The
18 boys I think had been freely able to go between the
19 boys' houses, which was probably a good thing, and
20 I think that had simply been extended to the girls'
21 house. They didn't during the mornings, because
22 mornings were academic time, but during the afternoons,
23 free time, they could do that. And I always felt it was
24 unkind on girls who were coming out of shower rooms with
25 dressing gowns on, and so on, to be meeting young men in

1 the corridor. It was a bit casual really and not ideal.

2 Q. But lessons were learned?

3 A. Lessons were learned, yes?

4 Q. And presumably swiftly?

5 A. Yes.

6 Q. Because it was a new experience for the school?

7 A. That is right.

8 Q. The reason I say that is you talk in the next paragraph

9 over the page, paragraph 37, under the general heading

10 of "Culture within Loretto":

11 "When I started teaching there was a measure of
12 directness and openness within the classroom which was
13 different from what I previously experienced. I enjoyed
14 this and I really thrived on it."

15 Is that the sort of -- an extension of what you are
16 saying in the classroom of the ability to move around
17 the school as between --

18 A. Yes --

19 Q. It was a small school, relatively?

20 A. Yes, it was. It was their home, they didn't have much
21 contact outside. So whereas day pupils often come in
22 and they really want to talk to each other about what
23 has been going on outside, whereas in Loretto that
24 actually wasn't an issue. They came in and you were
25 another human being, so they were actually quite happy

1 to talk to you, and it was a -- I thought it was an
2 excellent atmosphere.

3 Q. They were happy to talk to you about anything?

4 A. Well, yes. They would come in and say "What do you
5 think about ..." and inevitably it was something you
6 didn't know the first thing about, so you heard their
7 version of it.

8 Q. In terms, though, of that openness with teachers, did
9 that extend, and this is also touching on your
10 experience on the more pastoral side in Trafalgar Lodge,
11 were pupils willing to talk about problems, in your
12 experience?

13 A. In some cases, absolutely not. There was a very strict
14 code of not telling staff what was going on between
15 pupils and they all observed that. You didn't even need
16 to have it explained to you. You gathered it just from
17 living there.

18 If it was one individual issue that something had
19 gone wrong with the day, because they had got
20 punishments or something, they would tell you that and
21 they would say ... you know. But a problem in the
22 dormitory, no. No, by no means.

23 Q. So using the Scottish word "clipping", no-one clipped?

24 A. Nobody did.

25 Q. Was that different from the other schools you worked in,

1 or did that code of silence exist, for example, at
2 Selkirk or on the west coast or in Reading?

3 A. I think it was pretty much common to schools. They
4 observe their pupil code. And if they want to thrive,
5 they have to respect it.

6 Q. You talk in the same paragraph, reading on from where
7 I stopped:

8 "One thing I discovered was the older boys had a lot
9 of power."

10 Would you understand that was the way Loretto
11 traditionally had operated --

12 A. Absolutely.

13 Q. -- (inaudible) a great deal of authority, a hierarchy
14 was put in place, a selection of school prefects, house
15 prefects, head of dorm and the like. We have heard
16 a great deal about this already.

17 A. Yes.

18 Q. That was the system that Loretto --

19 A. Yes, that was --

20 Q. -- and always operated?

21 A. Yes, while other schools have heads of schools and
22 prefects, a lot of them do, Loretto's boast was that in
23 the 1900s the head of school ran the school, he lived
24 privately in a little cottage, and the headmaster lived
25 up in Inveresk, and then these boys could be relied on

1 so thoroughly that they kept the school going even --
2 and the staff just popped in and taught a lesson or two
3 and then popped out again. It was very different, very
4 distinctive in that ethos. No other school that I have
5 been in had claimed anything like that.

6 LADY SMITH: Dorothy, could I just take you back to
7 something you said few moments ago. You observed that
8 if pupils wanted to thrive, they had to respect the code
9 of silence. What did you mean by that?

10 A. That if they felt they were being victimised by another
11 person in their year group or somebody older, they would
12 not talk about it, and those who watched it being done
13 experienced only the sensation of "Thank goodness that
14 is not me", and had no intention of making it "me" by
15 intervening. That was the general rule, and they all
16 observed that. They would not complain, they would
17 not -- even when they went home, they would tell parents
18 that everything was fine even if it wasn't.

19 LADY SMITH: So you are really talking about a fear that
20 they would just make things worse for themselves.

21 A. Yes, yes, absolutely.

22 LADY SMITH: Thank you.

23 MR BROWN: Just to follow up on this, is this something that
24 you perceive or that you know, having spoken with
25 pupils?

1 A. I think after a time it is not something you see
2 immediately. You could understand that that was the way
3 things worked.

4 Q. Was this something that all the staff in Loretto were
5 aware of?

6 A. I wouldn't know that really, would I? But I guess most
7 of them would have done. They were mostly experienced
8 teachers, and whether you are a day school or a boarding
9 school it is something you are aware of, that some
10 children struggle and won't tell you that they are
11 having difficulties.

12 Q. Presumably in the common room there would be shared
13 discussion about such matters?

14 A. Yes. And Loretto did have common room meetings which,
15 in my experience, hadn't happened in all schools. What
16 could be raised was that the common room had concerns
17 about the way the boys were treating the girls, and
18 I remember one specific conversation there that worked
19 through to one member of staff, a man, saying "They only
20 treat the girls that way because that is the way they
21 treat each other", and I think that says it all. It was
22 not an automatically compassionate, caring school.

23 Q. If we go to page 13 and paragraph 54 to paragraph 61
24 over the page, you talk under the general heading of
25 "Abuse" about a number of practices that went on that

1 were of concern, and one of them is about meal times.

2 A. Yes.

3 Q. We have heard evidence of the way that at Loretto there
4 were mixed tables of different years and, put shortly,
5 two words have been used, "scabbing" or "fagging", that
6 younger pupils I think would be the last in the pecking
7 order and might get food or might not?

8 A. Yes.

9 Q. Or their food was, as you say I think, and has been
10 said, might have been spoiled by having pepper poured
11 over it by older boys?

12 A. Yes.

13 Q. Was that a known problem in the school amongst the
14 teachers?

15 A. I knew it so, yes, I think a fair proportion of the
16 staff must have understood that. But we were
17 consistently told the school view was that this created
18 a family atmosphere, because it ensured the mixing of
19 children of different age groups on every table. And
20 one can see theoretically in many cases that may well
21 have been the case, and the different year groups may
22 well have mixed, but it didn't always happen. Because
23 the governors were all Old Boys, and because
24 Norman Drummond basically subscribed to that, in the
25 early years they simply didn't hear you when you said,

1 well, you know, some children might be finding it
2 difficult. The theory was that it was creating a family
3 atmosphere.

4 If you spoke to the governors and said "Oh,
5 it's ..." they would just say "Oh, it has always been
6 like that. It didn't do me any harm". And so you could
7 not make any inroads to getting people to think of
8 change. By the time I left Loretto, it had a cafe and
9 buffet style arrangement, where you collected your food
10 and you sat with whom you wanted to sit with, and that
11 was a good move.

12 Q. You may be interested to know we have seen minutes from
13 1995 and 1999 where this problem was recognised, and --

14 A. Yes.

15 Q. -- clearly --

16 A. Absolutely.

17 Q. -- we would understand generally, again from your
18 teaching experience, the mid-1990s is a time of
19 transformation in schools, because it's at that point,
20 thinking in terms of inspections but also legislation,
21 that pastoral and child safeguarding becomes much more
22 understood, is that fair?

23 A. Yes.

24 Q. I think you also talk -- because what you have just said
25 about why the idea of a family table was in place, and

1 you say that for many it did work but for others it
2 didn't, you also talk about fagging existed when you
3 joined, this is paragraph 57:

4 "... and was there for the first few years I was
5 there, which is younger boys being sent out by the older
6 boys."

7 A. Yes.

8 Q. Again, a pecking order?

9 A. Yes.

10 Q. A hierarchy. You are new, you do what I say?

11 A. Yes.

12 Q. But was that something that you were aware changed?

13 A. That changed under the influence of staff disapproving
14 of it, that was one thing. And I think the great help
15 there was that it was something that the boarding
16 housemasters did not like either. They could see
17 themselves -- most of them were family men by that time,
18 they had their own children, and when they saw
19 youngsters having to run across to the dining room to
20 collect food, they knew they wouldn't like their own
21 children doing it, so I think it was a wholehearted
22 decision that it wasn't right.

23 LADY SMITH: Do you remember approximately what year the
24 system changed to the cafeteria system?

25 A. It finally made its change under Michael Mavor, so

1 I think you are talking about maybe 2004 it finally went
2 over. The dining room furnishings were long refectory
3 tables, very heavy wooden things with benches, and so
4 what was involved was a complete revamp of dining room
5 furniture and so on, and I would guess that Keith Budge,
6 who had been both teacher and a housemaster before he
7 became headmaster, he might well have felt that the
8 dining room could do with being changed, but I would
9 guess the money wasn't there, but by 2004 they were
10 risking losing pupils because the eating arrangements
11 were so unsatisfactory.

12 Girls found it very difficult to get salads, and so
13 on, because the menu was designed for the rugby XV, so
14 it was full of puddings and meat and gravy and potatoes,
15 but ultimately the female voice was heard and we got a
16 selection of food.

17 LADY SMITH: Thank you.

18 MR BROWN: You talked about housemasters being family men --

19 A. Yes.

20 Q. -- by that stage and not being happy when they could
21 see --

22 A. Yes.

23 Q. Should we understand broadly -- we know that
24 housemasters obviously were responsible for the conduct
25 of their houses, and we should understand they would be

1 concerned about the pastoral side, the welfare of the
2 children in their house?

3 A. Yes.

4 Q. To be clear, was there ever a housemaster you thought
5 didn't care about his house in that way?

6 A. Oh, no, I don't think so. I think they all had quite
7 a high degree of commitment. It was such an exhausting
8 job they would have to have real motivation to do it.
9 But they were dealing with -- well, we have talked about
10 the school code, that you didn't go and complain to your
11 housemaster. The running of the houses expected the
12 housemasters to survive with relatively little support.
13 There was a housemaster, there was a deputy housemaster
14 and there was a matron, that was three people, and there
15 would be 50 to 60 growing boys in their houses. That
16 is -- that proportion is not in favour of the house
17 staff really having it easy.

18 LADY SMITH: These housemasters also have full-time teaching
19 roles.

20 A. They do, absolutely. And they can have promoted posts
21 in the school, so -- and they can be running games.
22 Most of them would be running games. So they would be
23 responsible for team selections, for training Tuesdays
24 and Thursdays, team selections for Saturdays, and they
25 would be responsible for the exam submissions for their

1 pupils. It was a very demanding job.

2 LADY SMITH: And they had their own families to attend to as
3 well.

4 A. And they had their own families, yes.

5 MR BROWN: To do that, you must have a vocation perhaps.

6 A. Yes, I think they must have done.

7 Q. Obviously you talk about 50 or 60 boys. I suppose the
8 other side of that is you were trying to keep the boys
9 busy a lot of the time too --

10 A. Yes.

11 Q. -- given what you are saying about sports and prep and
12 so forth. But when it comes down to it, it is 50 or 60
13 adolescents which perhaps adds another element of
14 difficulty?

15 A. Yes.

16 Q. You have just agreed with me that they were trying to
17 keep the pupils busy. Did you ever think pupils were
18 kept too busy? There was too much?

19 A. Yes, I did think that sometimes. Children are growing
20 and they need space and time, and there wasn't much time
21 for them to think, to read, to kick a football around,
22 whatever it was they might want to do. There wasn't
23 much of that, and that is quite important in a child's
24 life. But then we did find I think if you gave them
25 significant amounts of time they got up to naughtiness

1 of various sorts. It's part of human nature. So
2 I think probably we believed in keeping them busy
3 because it kept them out of trouble.

4 Q. Thank you. On page 14, paragraph 58, you talk about one
5 of the worst examples of abuse you were aware of which
6 is shunning?

7 A. Yes.

8 Q. And essentially is this, to be colloquial, sending
9 someone to Coventry?

10 A. Yes, yes. And I mean, I think it is very difficult for
11 an adult who is outside of it to understand quite how
12 awful that would have been if you were one of the boys
13 who were shunned. You would know why you were shunned.
14 Whereas, you know, for someone like myself who was just
15 seeing it, you sometimes struggled to understand quite
16 why that pupil wasn't being generally accepted. And it
17 could if -- girls didn't do it, it just wasn't
18 characteristic of the behaviour you met in a girl's
19 boarding house so I don't have direct contact with it.

20 But the boys, when they felt it was appropriate,
21 they went for it, and they could be young boys. Almost
22 invariably it didn't happen to you when you were older,
23 it happened when you were young, and perhaps you were
24 inexperienced at social mixing and said something, did
25 something, or spoke out of turn. Who knows what started

1 it. Mostly they were boys who weren't good at games.
2 It was essentially a games school for boys, that was one
3 of the reasons that men sent their sons there,
4 because -- and it was rugby really, that was the game.
5 We didn't play soccer or football at all.

6 Q. Did that primacy of rugby dilute over your career at
7 Loretto?

8 A. Very much, yes. Once we had girls in the school we
9 managed to establish that the girls did not have to go
10 and watch the XV play. In my first years from 1984
11 right to 1994, the whole school was expected to turn out
12 to watch the XV play, including all the girls. I was
13 astonished. I could see that it was camaraderie, and
14 I went out myself and stood on the touchline and spoke
15 to parents and so I could see that there was a social
16 side that in some ways we shared something, but in
17 another way it exalted that particular group of boys to
18 be well above the importance of anyone else. Nobody
19 ever was compelled to watch a girls' hockey match, so
20 that we were not seeing equality and that was not
21 correct.

22 Q. But it did change?

23 A. It did change, yes.

24 Q. Did you ever become compelled to watch the hockey?

25 A. Well, they would encourage, let's say, after 1994, if

1 there was a big match on with another school, that they
2 might think about going out, and some of them did.

3 Q. Turning to shunning, I think you make the point at
4 paragraph 59 that you had to be careful how you
5 intervened, because it could be seen that people had
6 broken the silence code, so you could make things worse
7 for them?

8 A. Yes.

9 Q. And things could be made worse for that pupil:

10 "One recourse was to bring the behaviours to the
11 attention of the house staff and hope they could
12 overview and stop the practice."

13 So we are back to the fact there would be attempts
14 by the house staff if they were aware of it?

15 A. Yes.

16 Q. Obviously, you say, at the foot of paragraph 61:

17 "The staff did not approve of shunning but there was
18 no system in place that dealt effectively with it."

19 A. Yes.

20 Q. Was the principal problem finding out about it in the
21 first place?

22 A. Yes. Whereas now bullying is spoken of publicly, and
23 people are encouraged to report it, that was not the
24 ethos of the 1980s or the 1990s, so something like
25 shunning was just not spoken of.

1 Q. Except it was clearly, from what you are saying, spoken
2 of by the staff?

3 A. Yes.

4 Q. To each other?

5 A. Yes.

6 Q. Was there any move in the 1980s and 1990s, given the
7 concern you are expressing by the staff, to do something
8 about it?

9 A. In I think about 1989/1990 we spoke strongly in favour
10 of bringing -- introducing a proper tutor system to the
11 school, and I know that in 1991 we were discussing
12 the implications of it. In most schools pastoral
13 support begins with the form teacher, who sees the
14 children every morning and has the basic responsibility
15 for the wellbeing of those children, and it was thought
16 that the boarding school could introduce a tutor system
17 so that each academic member of staff would be attached
18 to a house and would have responsibility maybe for six
19 or seven pupils, and that you would go into the house
20 weekly and make sure you spent time with them, talking
21 one-to-one.

22 It was hoped that you would build relationships --
23 the idea was that once you were linked to your tutor,
24 that would go right through the school so there would be
25 continuity, and that that would give children someone to

1 talk to where they might feel more confident.

2 Q. That leads -- obviously you recall that period for
3 a number of reasons, and one of them is one of the two
4 individuals topic, and I will now come on that, this is
5 David Stock.

6 David Stock, obviously we heard his statement
7 yesterday. He was an English teacher at the school,
8 presumably one of your staff when you became head. Am
9 I right in saying he was and is a friend of yours?

10 A. Yes.

11 Q. Is he someone you are still in touch with?

12 A. Yes.

13 Q. You have known him presumably then for over 30 years?

14 A. Yes.

15 Q. In terms of some of the evidence he himself talked
16 about, would you agree that there were times where he
17 was fragile in terms of his state of mind?

18 A. Certainly in one instance he was.

19 Q. He was not a pastoral teacher, he was just an English
20 teacher.

21 A. Yes.

22 Q. He didn't live --

23 A. He joined the school some time in the 1970s I think so
24 he belonged to the old model of school, where all he was
25 really expected to do was actually do his teaching, and

1 if nobody brought a problem to him not necessarily to
2 involve himself. He cared about the wellbeing of the
3 boys because he was himself very intellectual, and he
4 felt that intellectual children weren't being given the
5 freedom to watch cultural television, was one of his
6 things in those days. He felt that certain programmes
7 should be available. And he went to a lot of trouble to
8 post every week for the youngsters a list of cultural
9 programmes that they might find interesting.

10 Q. So was he an example of the tension that sometimes arose
11 as between the rugby side of the school, if you like,
12 and the more artistic --

13 A. Yes.

14 Q. (Inaudible)

15 A. Yes, he had succeeded -- before my arrival at the school
16 David had succeeded in persuading the headmaster -- the
17 then headmaster -- that boys who were more artistic and
18 who didn't want to spend three afternoons a week on the
19 rugby field should be given one afternoon off to pursue
20 some kind of intellectual pursuit. And the headmaster
21 then, I think it was David McMurray, but it might have
22 been the man before McMurray, he had agreed to it, so
23 David felt that he had moved for the children's
24 wellbeing to get a fairer system.

25 Q. That tension I think was reflected in his views. From

1 what you tell us with Norman Drummond's approach, they
2 didn't (inaudible) to each other, is that fair to say?

3 A. I think that is very fair to say, yes.

4 Q. In relation to the tutor system, as you say at
5 paragraph 77, page 17, that was raised I think on
6 30 October and you kept notes I think at the time?

7 A. Yes.

8 Q. Noting this down for reasons we will come to. And it is
9 something that has been discussed along with the issue,
10 as we see in the final sentence, about shunning?

11 A. Yes.

12 Q. As you say:

13 "The following day, David tasked his fifth form
14 class with completing a paper on bullying. Basically
15 he asked the class to write about their experiences."

16 I don't think you have ever seen the documents, the
17 documents that were created, is that correct?

18 A. That is correct.

19 Q. Right. And that clearly -- as we see over the page at
20 79, he read what had been written and was, to use your
21 word in the final paragraph, "dismayed"?

22 A. Oh, yes.

23 Q. Was he very upset?

24 A. Yes.

25 Q. Again, we go on to paragraph 80, there is a meeting --

1 or the school is -- you see him, rather, at 5 pm on
2 Monday 5 November and by that time he was very dismayed?

3 A. Yes.

4 Q. Was his condition deteriorating as you saw it?

5 A. I think what distressed him beyond description was the
6 fact that the boys were claiming that the headmaster
7 knew and had done nothing, and the boys understood that
8 the headmaster knowing was the same as the staff
9 knowing. So the boys were actually in a way accusing
10 David of having permitted this to happen and having done
11 nothing when told about it. That was what distressed
12 him beyond anything, because he was not in any sense
13 a bullying man.

14 He tutored hockey, so he would go out on the hockey
15 pitch, he was a very good hockey player, but it was
16 anathema to him, and the personal distress of thinking
17 that his pupils believed he knew about it and didn't
18 care was what made things so difficult for him.

19 Q. I think the point to be taken there is that is what he
20 feared the boys thought of him. But he didn't -- he was
21 going on essays, and I think you point this out to him,
22 he didn't know if they were accurate?

23 A. One is always aware that when you get something -- for
24 a whole class to do it, that was quite unusual. I was
25 surprised by that. But you could have got Lorettonians

1 pranking with how bad bullying was, that was -- that
2 went without saying.

3 Q. Equally, presumably, whether or not the headmaster did
4 or didn't know, you didn't know?

5 A. I had no idea.

6 Q. And neither did he?

7 A. No. No, he didn't.

8 Q. But would you agree that because of tension between him
9 and Drummond, he assumed that Drummond did know?

10 A. He was convinced by the boys. They named the individual
11 who had told the headmaster and they contextualised for
12 him why the individual had told the headmaster, and that
13 just -- that gives you a snapshot of way things were
14 done.

15 There was boy had been involved in a bullying
16 incident, he was the bully, and it had been dealt with
17 in-house, and he was sent to the headmaster, so there
18 was the headmaster dealing with bullying. But we didn't
19 know about that, it had all happened. And when the boy
20 was there, to exonerate himself a little he raised the
21 issue of what had happened to him when he was younger.

22 Q. So you understood?

23 A. Yes. And so that seemed likely to be a situation in
24 which the headmaster would have been told. We
25 couldn't -- you couldn't imagine a class of boys just

1 going in and telling him. Things didn't happen that
2 way.

3 Q. I think the point is you didn't actually know what had
4 happened?

5 A. No.

6 Q. As you say at the foot of paragraph 82 --

7 A. That's right --

8 Q. "-- gossip, staff didn't know --"

9 A. Yes, when you have an incident like that, while you can
10 see the distress, your first business is to try and
11 verify exactly what has been happening.

12 Q. I think that is why you suggested -- and am I right in
13 saying it would be understood there is a chain of
14 command, if you like. You would go to the -- I think
15 you went to the deputy head, who we understand from his
16 evidence then went to the head of house which would be
17 ordinary line of inquiry?

18 A. Yes.

19 Q. But that wasn't the line of inquiry that David Stock
20 followed, he just went to you. I am not criticising him
21 for that, but he was not following the usual --

22 A. The difficulty was that I was David's line manager as
23 far as the essays were concerned, because they were
24 produced as part of an English lesson. But I was
25 a teacher for the classroom alongside David and we were

1 not -- we had no pastoral responsibility. Obviously we
2 had a personal responsibility, but in fact I suggested
3 that David go to the chaplain, and it was the chaplain
4 John Anderson who was involved first. The deputy head
5 only came in the next step on. John Anderson was
6 chaplain in the school.

7 Q. Yes.

8 A. Hugely popular with the children. A very young man but
9 with a very strong spiritual orientation. He influenced
10 the religious beliefs of the boys very strongly, and
11 I felt that because they trusted John they might find it
12 more comfortable talking to John about what had been
13 happening, and that that would give David a feeling that
14 things were moving on but that the children were also
15 being supported.

16 Q. Were you concerned about David's state of health at this
17 point?

18 A. Yes, I did, I was. I thought he was very distressed by
19 this. I think there may have been personal reasons why.

20 Q. The reason I ask is we have heard evidence that, whilst
21 we would understand lines of inquiry were started by
22 the housemaster of the house that was alleged to be
23 involved, and that was understood to be ongoing, that
24 David then in the staff room made an announcement, and
25 has been described as incoherent and rambling and

1 appearing to be having a breakdown?

2 A. That is true, absolutely true, and most, most
3 unfortunate. David's distress was significant, and he
4 conducted the interviews with the chaplain. He then
5 contacted his union, and I'm not absolutely sure but he
6 may have contacted a body for children's welfare. We
7 would have to hear it directly from him. I heard things
8 from him and it is trying to put it together. He was
9 told to make that announcement in the common room by one
10 of the authorities, let's say it is AMMA.

11 Q. I think you should understand we have his statement --

12 A. Fine.

13 LADY SMITH: Can you remind me what AMMA stands for?

14 A. Assistant Masters' and Mistresses' Association.

15 MR BROWN: Thank you, my Lady.

16 Again we know because it is in your statement and we
17 know from David's statement of what then happened and
18 that is not obviously of particular concern to us, other
19 than understanding the background.

20 So far as you were aware, was the concern that he
21 was so dismayed about investigated by the school?

22 A. No.

23 Q. We heard yesterday from the housemaster that it was
24 investigated by him.

25 A. Oh, right. Well, I didn't know that.

1 Q. No.

2 A. But I thought it was a mark of Loretto, although one
3 would have thought that everybody in the common room
4 would have understood that barring David from the campus
5 was going to make a huge difference to my life because
6 all his classes had to be covered. Nobody actually said
7 anything. Nobody said "Are you managing all right?"
8 Nobody asked if I need any more help. I think everybody
9 was in a state of shock that -- but if the housemaster
10 helped David, I didn't hear that from David even in the
11 interval --

12 Q. That's focusing on David. What I am suggesting is the
13 housemaster made investigations about the boys?

14 A. Ah, right, right. I didn't know that.

15 LADY SMITH: When you said a moment ago you thought "it" was
16 a mark of Loretto. What was the "it" you had in mind?

17 A. This had been a major event.

18 LADY SMITH: Yes.

19 A. And nobody talked about it.

20 LADY SMITH: Thank you.

21 MR BROWN: Clearly there were tensions amongst the staff
22 about this?

23 A. Yes.

24 Q. Was it polarising staff, those who were perhaps
25 sympathetic to David and those who were not so

1 sympathetic?

2 A. Links to David were kept very private. I think it was
3 mostly heads down and keep teaching. Keep playing
4 rugby, hockey. There was -- one was always very busy.

5 Q. I suppose one concern might be that where there is
6 tension, and we have talked about this, as between some
7 of the staff and some of -- for example, a headmaster,
8 is there a danger, do you think, that the eye is taken
9 off the children because there is too much focus on what
10 might be described loosely as office politics?

11 A. That is difficult to answer. I don't think I can
12 answer. This one instance that we were dealing with,
13 our understanding was the headmaster knew all about it,
14 and that did not leave a role for any individual staff
15 really to intervene. If he was dealing with it, he
16 would be dealing with it. He was not a man upon whose
17 territory one moved without being invited.

18 Q. I think my question was: do you think it possible that
19 because of what you have just spoken about, that there
20 was obviously tension between two camps, your focus was
21 too much on tension and perhaps not enough on the
22 pupils?

23 A. I wouldn't be sure about that, because obviously I had
24 my own classes to keep going, and so I was spending
25 certainly every morning with children. And it was

1 important that one did that and kept going, and that
2 would be true of all my colleagues. You do have to just
3 keep going. It wouldn't be a matter for discussion in
4 class, how could it be? That was not something that we
5 could deal with because matters did not concern the
6 children in the sense that the action that the governors
7 had taken was not something to be discussed.

8 Q. So you put your head down and --

9 A. You do, yes, absolutely.

10 Q. Thank you. May I ask about one other matter which is in
11 your [REDACTED]. Would I understand that
12 that meant you were [REDACTED]
13 [REDACTED]?

14 A. Yes.

15 Q. And I think from [REDACTED] until your
16 departure in 2008, there was a [REDACTED] teacher --

17 A. Yes.

18 Q. -- who we are calling Martin?

19 A. Yes.

20 Q. Do you remember Martin?

21 A. I do indeed.

22 Q. He obviously joined the school when you were [REDACTED]
23 [REDACTED]

24 A. Yes.

25 Q. Did you ever have any concerns about him?

1 A. Yes, he ... he followed his own way of doing things, was
2 not readily amenable to systems, and he caused
3 controversy. He was quite popular with some of the
4 staff but for others there were concerns. Something
5 silly like there was a kind of unspoken code for Loretto
6 teaching staff about what you wore to do your teaching,
7 and Martin effected a rather more casual style from time
8 to time. One headmaster actually asked me to speak to
9 him about it [REDACTED]

10 Q. Did it have any effect, speaking to him?

11 A. Actually I didn't do it. I said to the headmaster that
12 if he felt that way he should do it, because it would
13 have more power coming from him.

14 Q. In terms of -- we may hear there were issues with him
15 not covering classes. Do you remember that?

16 A. Oh absolutely, yes. Yes.

17 Q. What does that mean in practical terms? What was he
18 doing?

19 A. That means -- in Loretto we had classrooms, so his
20 pupils would access his classroom and go in and close
21 the door, and there would be 15/20 children unsupervised
22 in the classroom, and Martin never phoned in. If you
23 are not going to be there for a lesson, in every school
24 I have been in you have to give advance notice, you have
25 to get a phone message in, usually it's to a secretary,

1 and then the message goes out to ensure that the lesson
2 is covered, and that was not made possible. When
3 I referred to Martin's not following codes the way most
4 of us did, that was exactly the thing. He would never
5 call in. Now, I felt that the responsibility for these
6 unsupervised lessons fell on [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED] So there
10 were a lot of lessons that weren't picked up.

11 Once one realised what was happening, the
12 children -- some of the children didn't like sitting in
13 a classroom without a teacher, they had seen that this
14 could happen with him, and so some of them would go off
15 to the library, once we had a library that they could
16 use, and they would work in there. They always had prep
17 to get on with. Sometimes the librarian would speak to
18 me and say "We had fourth form in this morning", but it
19 did prove very difficult to keep a monitor on exactly
20 how many lessons he missed. There were stories of him
21 not turning up for first lesson and boys going and
22 knocking on his door. It was a very difficult situation
23 and I didn't understand why he didn't understand that it
24 was unacceptable.

25 Q. Did you try and address that?

1 A. Yes, I did, and he always had some sort of excuse for
2 why he couldn't do it. Sometimes it would be an excuse,
3 such as he had been [REDACTED] quite
4 late the night before and he felt he was due some time,
5 once was given.

6 It was easy to do in Loretto. All our classrooms
7 were separate, all our classrooms had doors to the
8 campus, and so we are not in one building with a row of
9 classrooms because you would have been aware of it then,
10 it would have been attended to. But his class had to go
11 down a flight of steps, round a corner, and across a bit
12 of grass to get to his classroom. And I wasn't leaving
13 my own, when the children came in you got started with
14 your own lesson, which perhaps was wrong.

15 Q. You mentioned a word "casual". Presumably dealing with
16 pupils, and particularly once they are getting more
17 senior, was there anxiety broadly about the potential
18 for students or pupils to I suppose have crushes on
19 teachers in whatever direction?

20 A. Yes.

21 Q. Was that something that, as a teacher, you were alive
22 to, that potential?

23 A. Yes. And he was young and he was attractive, and his
24 classes were always very small. His [REDACTED] classes
25 less so. He is teaching [REDACTED] classes which will be

1 20/24, and he is teaching [REDACTED] classes which could be
2 six, seven, eight. So there is a very different dynamic
3 available, potentially, between [REDACTED] and [REDACTED]

4 Q. [REDACTED] even goes to smaller numbers --

5 A. Oh, it can, yes. And if you are -- the way that
6 examination [REDACTED] was run, an examiner was sent round
7 schools to [REDACTED]
8 and if you were getting -- these were always done in
9 small numbers, two together or three together, very
10 often something that the pupils had [REDACTED] and that
11 could mean that he was -- he could have been [REDACTED]
12 [REDACTED] and assisting them
13 with [REDACTED] And he must have worked hard
14 there, because we always had excellent results.

15 Q. So he could be working one-to-one --

16 A. Yes, he could be, very easily.

17 Q. Where would that be?

18 A. He might have been in his classroom, but whereas when
19 I had joined a school in 1984 [REDACTED]
20 [REDACTED] because I wasn't running a major
21 hockey side, he also -- he did do some rugby, he did
22 some junior rugby, but he took over [REDACTED]
23 [REDACTED] and since the pupils would probably [REDACTED]
24 [REDACTED] he
25 might well be working in there, so that they were on

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[REDACTED]

Q. I see. In terms of I suppose the risk, particularly as girls mature, thinking of a male teacher, this is speaking generally, was that something that there was a process in the school to try and prevent or to report if issues of that nature surfaced?

A. Yes. By 2000 I think we were all aware, and it was part of the school policy, we knew that we should not be in classrooms or rooms one-to-one, that that was something that might lead to complicated situations, and so we were told avoid it as much as possible. And if we were seeing a pupil in a room where there were only two of us, we were to be sure that the door was left open. And I do -- we talked together about, you know, how much -- in Loretto, one of the great advantages of it was you could give pupils individual help, and they would come -- because you were both on campus, so it could be done. And I did a lot of it, and was very aware of the difficulties that arose as we came more aware of issues of abuse and so on. And there is no way that Martin would not have known that he was in a potentially difficult situation. He might feel "I won't be caught out, I know what I am doing, I keep the boundaries", because very much it is the member of staff who keeps the boundaries, but he would have known.

1 I am sorry I can't be more precise in date. But if
2 you think -- I mean Childline, Esther Rantzen's 1991
3 thing, just exploded the whole business of abuse, and it
4 developed, and so we all knew by 2000.

5 Q. I think we heard evidence that Childline was first
6 referred to in the school in the mid-1980s?

7 A. Right, I can't remember --

8 Q. It's --

9 A. Certainly posters were not up. I was aware of it. When
10 we were doing our tutor system, talking about it, our
11 tutor system was being done over a backdrop of the need
12 to try and give more support to children as they were
13 growing.

14 Q. Going back to the issue of, say, senior pupils, and
15 perhaps particularly girls, thinking of male teachers,
16 was it understood that some crushes might develop by
17 a senior pupil of a teacher?

18 A. I would think everyone would know that that was
19 possible.

20 Q. And do you remember that happening? It was obvious that
21 girls were --

22 A. No. Not at any point I did ever feel that I had
23 confident knowledge that any of the senior girls were
24 with crushes on him in any significant way, other than
25 from a distance.

1 Q. What do you mean, from a distance?

2 A. Well, you know, in the boarding houses the children did

3 sometimes -- the girls would chat about it, and when

4 I say "chat about it", they would talk about their [REDACTED]

5 [REDACTED] they would talk about the [REDACTED] what

6 [REDACTED]. It was my job to be interested in

7 what they were doing. But I never, through those

8 unofficial chats, was given any grounds for thinking

9 there was an issue. And I only had one issue raised by

10 parents, and it was raised through the headmaster,

11 because they wrote to him, but it was over the missed

12 lessons. So I dealt with the parents in that context.

13 Q. Thank you. Did you have any anxiety, though, about

14 the closeness --

15 A. Well, you relied on him being sensible. We all did. If

16 you are in teaching you know it is incumbent upon you to

17 look after the children's wellbeing. And we weren't the

18 first school he had taught in. I tried to encourage him

19 to get GTCS registration when he came to Scotland,

20 because I think it is another way of making sense that

21 you have a professional role to fulfil, but I don't

22 think he did. He didn't see the need for it. Again, he

23 was a man who took his own path.

24 MR BROWN: Dorothy, thank you. I have no further questions.

25 LADY SMITH: Are there any outstanding questions that you

1 want me to consider, anybody? (Pause).

2 Dorothy, that completes the questions we have for
3 you today. Thank you so much for engaging with the
4 Inquiry as helpfully as you have done. I have your
5 written statement, which is part of your evidence before
6 me, and now I also have the oral explanations you have
7 added to that which really do add value. Thank you so
8 much, and thank you for coming here today. I am now
9 able to let you go.

10 A. Thank you.

11 (The witness withdrew)

12 LADY SMITH: Yes, Mr Brown.

13 MR BROWN: My Lady, I think, having just enquired of
14 Ms Bennie, the next statement might take us to just
15 after half past, so it might be worth doing it now and
16 then having a break.

17 LADY SMITH: Let's do that.

18 MS BENNIE: My Lady, the statement appears at reference
19 WIT-1-000000476. The witness wishes to remain anonymous
20 and has adopted the pseudonym of "Arthur".

21 Witness Statement of "ARTHUR" (read)

22 MS BENNIE: "My name is Arthur. My year of birth is 1948.
23 My contact details are known to the Inquiry.

24 "I was employed by Loretto School from 1970 until
25 1991 when I was appointed SNR [REDACTED] of another prep

1 school. My wife and I returned to Scotland in 1994.
2 I retired in 2008.

3 "One of my employment and responsibilities at
4 Loretto School was in the junior school known as the
5 Nippers. I was initially appointed as an assistant
6 master. In 1975 I was appointed housemaster from the
7 beginning of the summer term. I did a full 15 years as
8 housemaster. At the beginning of the autumn term 1975
9 I was appointed senior master, a post I held until
10 leaving Loretto in 1991.

11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]

15 "I applied to the school in answer to a newspaper
16 advertisement. I cannot remember who provided my
17 references but I imagine my university professor and my
18 former grammar school headmaster would have done so.
19 The appointment was conditional on my success in final
20 exams and I was told by probationary period would be one
21 year. My permanent appointment was confirmed after that
22 time.

23 "My line manager, although he would never have
24 understood the term, was the headmaster of the junior
25 school, Mr Hamish Galbraith. I met him daily, usually

1 informally but privately, if either he or I had any
2 concerns we wished to discuss.

3 "No formal training was given by the school. It was
4 a small staff of six adults, supplemented by upper
5 school teachers who taught part-time in the junior
6 school. As the youngest member of the common room I was
7 closer in age to all of the pupils than I was to any of
8 the staff. There were always experienced colleagues to
9 turn to for advice. I was fortunate to start my career
10 alongside some very gifted teachers.

11 "When I was appointed housemaster, initially for one
12 term and to be reviewed at the end of the term, I was
13 advised by the headmaster to consider my pastoral
14 responsibilities as if I was one of the boys' parents
15 and to do or say what any parent would consider
16 reasonable. I tried to follow that guidance throughout
17 my time.

18 "Generally policy matters relating to the school
19 were determined by the headmaster, usually after
20 discussion with the common room. Once I became
21 a housemaster I was given some flexibility for the
22 routine within my house although it could not,
23 of course, infringe the overall quality of the school.

24 "I was responsible to the headmaster for the
25 pastoral care of boys in my house. With the headmaster

1 who made the ultimate decisions, I was involved in the
2 selection of house matrons and choosing which of my
3 colleagues would be a house tutor, that is my assistant
4 who would cover for me on my evenings off or if I was
5 away from the school.

6 "Policies relating to child protection, discipline
7 of children and for dealing with complaints which
8 certainly existed were never written down. That came
9 much later starting in the late 1980s.

10 "Under the leadership of Hamish Galbraith,
11 considerable mutual trust existed amongst the various
12 sections of the school. The headmaster, common room,
13 pupils and parents. Issues and complaints were dealt
14 with as formally as necessary.

15 "Like many areas of life of the school the factors
16 that would decide whether an issue needed to be dealt
17 with formally relied on the judgment of individuals.
18 A member of staff might for instance find two boys
19 arguing, would deal with it immediately, and then ask
20 himself: does the boys' housemaster or does the
21 headmaster need to know about this? I would make
22 a similar assessment if I received a report and asked
23 the additional questions: do I need to take this further
24 with the boys concerned? Is this the sort of incident
25 that the boys' parents would want to be told about?

1 "As teachers we converse with the pupils every day,
2 in class and out, and I was confident that I would learn
3 very quickly from the colleagues and/or the boys
4 themselves about any matters affecting the wellbeing of
5 those for whom I was responsible. Most matters could be
6 dealt with very effectively in the same way that
7 a parent would assess and handle issues relating to the
8 children.

9 "Corporal punishment was used very infrequently and
10 although no written guidance existed, it was my personal
11 policy when I did use it to make a note on the boy's
12 file and give the headmaster a full report. I do not
13 know if he kept a written record and I don't know
14 whether others took a similar approach to the recording
15 of their use of corporal punishment.

16 "As a housemaster and as a senior master I was
17 regularly involved in discussions with the headmaster
18 and the common room about policies relating to the
19 pastoral care of the pupils and the development of the
20 curriculum. Abuse was never really considered although
21 relationships between boys, whether they be petty
22 squabbles or potential bullying, were always considered
23 when they arose.

24 "In the busy life of a school there is
25 an inevitability about the development of petty

1 squabbles. With about 120 adults and children living
2 and working together in class, on the various game
3 fields, on the stage, in the choir and orchestra
4 et cetera one cannot expect 100% harmony, and in a good
5 school children are encouraged to compromise with those
6 with whom they disagree.

7 "Squabbling is a natural part of a child's life and
8 between boys particularly. Many would not at the time
9 know how or why a disagreement had arisen and would have
10 forgotten about it the following morning. Who dealt
11 with such matters when they did arise would depend
12 entirely on severity.

13 "There is always a risk of bullying in any school.
14 Adults make mistakes, so we can't expect children who
15 don't share the life experiences of adults to make the
16 right decision all of the time. They get it wrong and
17 usually they realise it immediately. It is the job of
18 the school to help them make decisions effectively
19 whilst always emphasising the unacceptability of
20 bullying.

21 "In dealing with children there is no virtue in
22 their doing right if they have never had the opportunity
23 to do wrong. It is my opinion that at Loretto Junior
24 School bullying was not common and when discovered would
25 have been dealt with by either the headmaster or me.

1 "The strategic approach differed under different
2 headmasters. I worked for three, Hamish Galbraith,
3 Clifford Hughes and Charles Halliday. [REDACTED]
4 [REDACTED] any planning was done on the assumption that
5 the members of the common room were reasonable people
6 and mutual trust was vital to the smooth and successful
7 running of the school. [REDACTED]

8 [REDACTED]
9 [REDACTED] Only under
10 Charles Halliday did policies become formalised to the
11 point of being written down.

12 "The house matron and house domestic staff who
13 looked after cleaning and laundry were responsible
14 officially to the headmaster and bursar respectively,
15 but in practice we worked as a team within the boarding
16 house and routines and problems were managed internally.

17 "As housemaster I would discuss the recruitment of
18 house matrons with the headmaster, but the final choice
19 was his. However, it was never something we disagreed
20 on. As senior master I would meet all candidates who
21 had responded to recruitment advertisements and who were
22 called for interview, although my meeting with them
23 would be informal, talking to them whilst perhaps taking
24 them on a tour of the school. As far as I am aware,
25 references were always requested and always considered

1 although I did not always see them. Any I did see were
2 of the standard form and from their past employers. To
3 my knowledge, an applicant's current employer was always
4 spoken to by telephone by the headmaster.

5 "There was no formal training of staff, but as
6 a senior master I was often asked by the headmaster to
7 comment on my observations of new members of staff.
8 Such reports would be based not only on what I had seen
9 but on informal conversations with colleagues and
10 pupils. In an evening boys would often discuss their
11 day with me, with each other and with the matron, with
12 reference to what they had been doing in class and the
13 relationship with individual teachers. If concerns
14 arose these would be addressed informally to the teacher
15 concerned or to the headmaster.

16 "Most of my time at Loretto staff evaluation was
17 done constantly but informally. One was expected to
18 work hard, conduct oneself in a professional manner
19 without taking oneself too seriously, and achieve good
20 results as teacher, sports coach, play producer,
21 whatever. Formal appraisal of staff only began after
22 Charles Halliday became headmaster. Reports were then
23 written following interview, discussed between teacher
24 and headmaster, and signed by both. I was appraised by
25 Charles Halliday but was not involved in the formal

1 appraisal of other staff.

2 "Initially I lived in rooms in the main school
3 building. On becoming housemaster I moved to
4 a two-bedroom flat within Newfield House and on
5 completion of 15 years as a housemaster my wife and
6 I moved to another house in the town. Also in Newfield
7 House the house matron had a one-bedroom flat. The
8 house tutor lived with his wife and family in a nearby
9 house. Almost all other staff if not connected to the
10 other boarding house lived in accommodation owned by the
11 school.

12 "In Newfield House my wife and I, the house matron,
13 the house tutor and the non-residential staff all had
14 access to the children's residential areas. Should any
15 other colleague wish to speak to a child outwith normal
16 school hours the practice and courtesy was to speak to
17 one of the house staff first. In my experience that
18 courtesy of speaking to a member of the house staff if
19 wishing to speak with a child in the evening was always
20 observed.

21 "I never had any occasion to question a colleague
22 about why they were in the house and there were never
23 occasions to my knowledge when this practice was not
24 followed.

25 "Most of my time at Loretto there was a tremendous

1 sense of community and a sense of belonging to the
2 school, to the Nippers and to the house. Whether one
3 was a pupil, a member of the academic staff, pastoral
4 staff or domestic and support staff one was encouraged
5 and expected to be part of the team. Fagging was never
6 part of the Loretto culture. In the Nippers, older boys
7 were expected to show respect and care for younger ones
8 and in my experience this might manifest itself in
9 a twelve-year old helping a ten-year to tie his tie or
10 to clean his shoes.

11 "Self-discipline was encouraged. If punishment was
12 necessary it was usually a verbal reprimand although
13 some kind of physical task, running around the playing
14 fields for instance, might be imposed. Corporal
15 punishment, cane or gym shoe on the buttocks whilst
16 wearing serge shorts, was there as a last resort and
17 used only occasionally. Punishment was never given by
18 the boys.

19 "There was no formal written policy on discipline
20 and punishment. Personally if I used corporal
21 punishment I put a note in the boy's file and reported
22 the matter and the underlying circumstances to the head.
23 Senior boys in the junior school might be appointed
24 a leader, the school's term for what might be called
25 a prefect elsewhere. Their role was pastoral, not

1 disciplinary. They had a responsibility to look after
2 younger boys, and were encouraged to take decisions
3 which sometimes might impact on others. Their
4 performance would be monitored by all staff and
5 particularly by the housemaster. Everybody makes
6 mistakes, children make lots of mistakes, but in a small
7 caring community these were usually picked up very
8 quickly and discussed with relevant parties.

9 The guiding principle for all leaders in Newfield
10 House was 'Kindness. Honesty. Loyalty to your friends.'
11 This framework for decision-making only ever applied to
12 my boarding house, although probably the headmaster, who
13 was responsible for the other boarding house, would
14 similarly speak to his boys. It was put in the context
15 of team work. I considered all of those in Newfield
16 House, the house tutor, the matron, the daily domestic
17 staff and the boys, to be part of the same team, and the
18 smooth running of the house depended on everybody doing
19 their bit. I would explain that although a boy had been
20 appointed a head of house or a leader, it did not in any
21 way make him superior to others, and that those who had
22 been their particular friends before should remain their
23 friends.

24 "No child wants to snitch, it's important to their
25 sense of belonging to a group, but over the course of

1 21 years there were many occasions when a boy, senior or
2 otherwise, would report the unacceptable behaviour of
3 another boy, either because they were the victim or
4 a witness. I accept though that no system is perfect,
5 however I do believe any serious misdemeanours would
6 have been reported directly or indirectly to me or
7 I would have noticed them myself.

8 "All members of staff were involved in the
9 day-to-day running of the school as each teacher was on
10 duty one day per week. This meant that they could not
11 leave the premises, and outside class time they would be
12 about the school keeping a general eye on what was going
13 on. Personally, as senior master, I was responsible to
14 the headmaster for seeing that the day-to-day running of
15 the school was as he would like it. I was also
16 responsible for the school timetable.

17 "Loretto Junior School was always a small school,
18 less than one hundred boys, with a high staff/pupil
19 ratio. All members of staff knew all of the pupils, and
20 we usually knew how relationships and friendships
21 between members of the school community were developing.
22 We could and usually did intervene quickly if
23 disagreements and arguments between pupils were
24 affecting anyone's welfare.

25 "I was always confident that abuse would be spotted

1 or reported and there were numerous occasions when
2 a senior boy or a colleague would tell me about
3 a disagreement between two younger boys developing, or
4 if one was being excluded from the activities of the
5 rest. Confidence is a matter of personal belief, it
6 cannot be rationally justified, but I do believe that
7 anything serious would have been apparent to me and my
8 colleagues. I knew all of the boys in the school and
9 those in my own house particularly well.

10 "Guy, known as Tony, Ray-Hills had left Loretto
11 three years before I arrived. I became aware that he
12 had left under a cloud, but I was increasingly shocked
13 as more evidence of the extent and severity of his
14 conduct became known. Most of my colleagues in the
15 first years of my career had been colleagues of his, and
16 I think that the episode had been a wake-up call.

17 "As a member of the children's panel in Lothian
18 region for twelve years I was trained to notice evidence
19 of abuse. I resigned from the children's panel when
20 I left Scotland and had served I think for twelve years.
21 That would make my period of office from 1979 until
22 1991.

23 "I remember attending weekly training sessions
24 before qualifying, each on different aspects of child
25 behaviour and offending, legal procedures, decisions

1 available to the panel et cetera. I also spent two days
2 with a social worker reviewing her cases and joining her
3 on her family visits, and we visited institutions such
4 as List D schools and the secure accommodation in the
5 regional assessment centre.

6 "As a panel member we would only see children for
7 short periods of time and we would be unlikely to see
8 changes in a child's mental wellbeing that would be
9 spotted by a teacher, but as a teacher myself, as
10 a result of this training, I think I would have been
11 more likely to notice changes of mood and personality
12 or, for instance, minor physical injuries unlikely to
13 have been sustained on the rugby field.

14 "To my knowledge and memory, during my time at
15 Loretto the school was not the subject of any concern.
16 During my time at Loretto there was no formal reporting
17 process in place. The complaint process was completely
18 open. Staff could make complaints to the headmaster
19 either privately or at the weekly staff meetings which
20 the headmaster chaired. Pupils could and did make
21 complaints if they were unhappy about something though
22 to whom they made the complaint was often determined by
23 personal relationships and with which adult they felt
24 most comfortable. This could be a headmaster,
25 a housemaster, a house matron or any member of the

1 teaching or domestic staff.

2 "There was no formal recording of complaints
3 although parents were usually informed either by letter
4 or phone if the complaint was substantial. As I have
5 mentioned, pupils could and did make complaints to
6 whichever adult they felt most comfortable, [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 "Policies and practices were developed around the
11 assumptions that the staff were all reasonable,
12 hard-working people, intent on doing the job to the best
13 of their ability, and that the pupils were fundamentally
14 good children trying to make the most of the many
15 opportunities presented to them. It was a close knit
16 community in which everybody looked out for everyone
17 else and of which almost everybody was happy to be
18 a part.

19 "There was no formal definition of abuse. During
20 any discussion, for instance at a meeting of the common
21 room, there was an understanding that everyone in the
22 school community, children and adults, had the right to
23 be treated with respect. If they had anything to say,
24 again children and adults, they had the right to be
25 heard, and parents had the right to know what their

1 children were doing, be it good or bad. I remember in
2 my first year as a teacher being taken aside by the
3 headmaster and reminded of the above when I had spoken
4 to a boy too intolerantly without taking the time to
5 consider the boy's point of view. It was something
6 I did myself in later years when we had young
7 inexperienced teachers new to the school.

8 "In my latter years at Loretto, that is in the late
9 1980s, there were the beginnings of the process of
10 formalising definitions of abuse. Whilst advice was
11 seldom given in writing, right from the beginning at
12 interview it was made clear that high standards of
13 behaviour were expected, and that inappropriate language
14 or behaviour to children or indeed to other adults would
15 not be tolerated. I assume similar information was
16 given to all new staff.

17 "As senior master, any concerns I had about
18 the conduct of a colleague would either be addressed by
19 me if not serious and then reported to the headmaster
20 or, if serious, discussed with the headmaster
21 immediately. Inappropriate language or behaviour by one
22 pupil to another would normally be dealt with
23 immediately by the adult present or reported to his
24 housemaster or to the headmaster.

25 "Considerable trust was given to the individual

1 members of staff, appropriate to their experience, to
2 deal directly with matters when they arose and/or to
3 report to the same. All the staff knew what was
4 expected of them, and in a small school the headmaster
5 and the senior members of the common room and indeed
6 members of the domestic staff knew what was happening in
7 the school. It is my opinion that the system
8 inasmuch as there was a system worked. Incidents of
9 unusual behaviour would be picked up by somebody and
10 reported.

11 "There were two full inspections during my time at
12 the school. These covered both the academic and the
13 residential sides of the school. Inspectors were given
14 and accepted every opportunity to speak to pupils when
15 and wherever they wished. I did not feel the need to be
16 present when the pupils were talking to inspectors.
17 I spoke to inspectors on both occasions, both in my
18 class and whilst showing them the boarding
19 accommodation. The school received a full report each
20 time.

21 "As I have stated, very little was written down,
22 although things began to change in my last few years at
23 Loretto under Charles Halliday. Academic reports were
24 produced every term with mid-term assessments and these
25 were kept, but I suspect that very few other records of

1 a child's time at school were kept. For my own part as
2 housemaster, I kept such records as were necessary to
3 keep parents up-to-date with their son's progress. If
4 a child had seriously misbehaved parents would be
5 informed straightaway, but the petty day-to-day
6 incidents of school life went unrecorded.

7 "As senior master I had frequent conversations with
8 the headmaster about new or younger members of staff,
9 and how they were performing their duties. I was twice
10 involved in discussions about serious misconduct. The
11 two occasions were with Mr CRN [REDACTED] an assistant
12 master whom I discussed with the headmaster, and Mr
13 CRX [REDACTED], my [REDACTED], whose behaviour
14 I reported to the governors and the headmaster of the
15 whole school, Mr David McMurray. I was not involved in
16 any investigation of any reports of abuse or civil
17 claims against the school. I was never aware of any
18 police investigations. I do not know if any person who
19 worked at the school was convicted of any abuse of
20 a child or children at the school or elsewhere.

21 "Mr CRN [REDACTED]. Mr CRN [REDACTED] was employed by
22 Loretto Junior School in the late 1970s. He lived in
23 accommodation provided by the school but to my knowledge
24 was not involved in boarding house duties. He played no
25 role in my own boarding house. He was obviously an

1 intelligent man who was very committed to his subjects.
2 But his personality was such that boys quickly learned
3 how to get under his skin. He took himself very
4 seriously and could not accept even gentle ribbing from
5 his pupils. Consequently, in the privacy of his
6 classroom, boys would tease him knowing he would
7 eventually reach breaking point and lose his temper.
8 Like children everywhere, they enjoyed the thrill of the
9 chase. He liked to show off to the boys, for instance
10 by hitting the ball very hard during cricket and hockey
11 practice with little regard for the safety of the
12 pupils.

13 "The headmaster and I discussed these concerns
14 several times and I know the headmaster counselled Mr
15 CRN about his behaviour. I have a memory of one
16 incident when Mr CRN pushed a boy's face against
17 the blackboard. Others in the class reported this to
18 the headmaster and the teacher was suspended. I believe
19 the headmaster interviewed the teacher, the boy
20 concerned and the rest of the class. Mr CRN left
21 the school shortly afterwards. Although I do not
22 remember the timescale, and although I do not know where
23 he moved to, I know he thereafter continued to teach.

24 "Mr CRX was appointed SNR
25 SNR in 1991, in

1 I had met him before his appointment, liked him and was
2 very happy with his appointment, however it was not long
3 after his arrival that the staff, both teaching and
4 domestic, began to realise that all was not well."

5 My Lady, I propose then to resume reading at
6 paragraph 80:

7 "As time went on, the trust on which the management
8 of the school depended broke down completely. He did
9 not trust the teaching or domestic staff and they could
10 not trust him. Outbursts of rage often over very
11 trivial matters undermined the fundamental and necessary
12 trust which all school children should have [REDACTED]

13 [REDACTED] Typical of his behaviour was a verbal assault on
14 a boy at lunch in front of the school. His only
15 misdemeanour was to use a knife and fork to eat curry
16 when Mr [REDACTED] CRX claimed the school had been told to use a
17 fork only. He was frequently absent from school without
18 telling me.

19 "Staff were finding it very difficult to understand
20 what he really wanted, and particularly in the evenings,
21 when the boys in my house were relaxed, I was hearing
22 ever more stories of his outrageous behaviour and his
23 temper. Boys would often be given conflicting
24 information. Two nights before the rugby team was
25 leaving for a four-day tour of Northumberland and

1 Durham, one senior member of the team told me he wasn't
2 able to play because Mr CRX had arranged a concert
3 with the choir in which the boy was to sing but Mr
4 CRX had never told me there was a clash. This sort
5 of conflict was becoming increasingly common as, without
6 any guiding authority, each and every member of staff
7 was doing their own thing.

8 "My position as senior master was becoming
9 increasingly difficult. The reports I was given by
10 pupils and staff were more frequent and I was concerned
11 that a potential crisis was possible. However, when
12 I discussed my concerns with Mr CRX, for instance,
13 over his absences, his explanations were always
14 plausible. I was worried about the security of my own
15 job if I reported him to the governors or to the
16 headmaster of the whole school, so I began to record all
17 of the incidents I witnessed or was told about.

18 "The boys were certainly frightened of Mr CRX
19 temper but I had no real evidence his assaults were
20 anything other than verbal, however irrational and
21 unacceptable his haranguing could be.

22 "Two things persuaded me to act. Firstly, the
23 growing number of parents who were asking questions,
24 sometimes quite obliquely, about the
25 , and secondly, whilst waiting outside the

1 assembly hall one evening, hearing what sounded like
2 a boy being slapped.

3 "Later that evening I spoke to a couple of senior
4 boys and they confirmed Mr CRX had lost his temper
5 with a boy at evening prayers and slapped him across the
6 face. That evening I telephoned a governor whom I knew
7 and he advised me to speak to David McMurray,
8 headmaster. I did this and I gave him the written
9 record I had been keeping. Mr McMurray retained the
10 handwritten document, extending to several pages, and
11 I've no idea whether it still exists.

12 "The timescale of this is difficult to remember, but
13 Mr CRX left Loretto at the end of the term
14 1986 to train as a

15 "I have no pleasure in recording these events now.
16 Mr CRX was out of his depth from almost the beginning
17 of his tenure and I suspect was emotionally very fragile
18 for much of his time. He presented a very good first
19 impression but it was without substance. He could be
20 very good company, but the pressures of managing
21 sometimes incompatible needs and expectations of the
22 pupils, staff, the governors and the parents were too
23 much for him.

24 "Boys at Loretto School were encouraged to express
25 their opinion and to do so courteously and with respect.

1 It was not unusual for a boy to speak to me saying,
2 'Sir, I think you have got that wrong', or 'I think you
3 have made a mistake', and we would discuss the matter to
4 reach a decision which could understood and accepted by
5 both parties. Such process would be interpreted as
6 disobedience by Mr CRX

7 "They were also encouraged to show initiative which
8 meant sometimes they made the wrong decision. Mr CRX
9 could not accept that either. In dealing with Mr
10 CRX, it was safer for the boy to say and do nothing
11 rather than to risk confrontation.

12 "I am aware that the Inquiry has received
13 information from a former pupil who attended Loretto in
14 the 1970s concerning a teacher who is alleged to have
15 made pupils swim naked in the school pool. Boys at
16 Loretto Junior School usually swam wearing swimming
17 trunks. Some time during the mid to late 1970s, during
18 the winter, the ancient boiler in Newfield House broke
19 down. We were without hot water or central heating.
20 A replacement part was ordered I think from the south of
21 England, but before the ordering and the delivery there
22 was a national strike of lorry drivers. The replacement
23 part was trapped somewhere in transit. In discussion
24 with the headmaster it was decided that electric heaters
25 would be placed in several rooms in the house, and that

1 the boys would shower each evening in the sports
2 pavilion and the swimming pool.

3 "The water tank in the pavilion was not large enough
4 to provide showers for 45 boys, so each evening
5 one-third would shower in the pavilion whilst the
6 remaining two-thirds would walk to the swimming pool,
7 the thirds rotated. A staff supervision rota was drawn
8 up and by this process we continued as long as
9 necessary. I cannot recall just how long the strike
10 lasted but it probably lasted in excess of two weeks
11 before the boiler was repaired.

12 "One evening I was asked by several boys if they
13 could go for a swim whilst at the swimming pool. I had
14 no objection to this and neither did the headmaster, and
15 we both thought it would relieve some of the tedium that
16 was developing with the arrangements. It was becoming
17 a chore each evening to don overcoats to walk the
18 400 yards to the swimming pool. For the next few days
19 most boys swam for a few minutes at the pool, they did
20 so without trunks. There was no compulsion, it was
21 entirely voluntary, though I imagine for some of the
22 group peer pressure may have been a factor. I have
23 never been the subject of any other complaint in
24 relation to alleged abuse at the school.

25 "We now know that during my time at Loretto in the

1 1970s and 1980s, probably in common with many schools
2 and institutions, written formalisation of policies and
3 recording of events was inadequate. It was a very
4 different world. All institutions responsible for the
5 welfare of children need to have clearly defined
6 policies that can be understood by adults and children
7 at a level appropriate to their age. The processes by
8 which children and adults can report incidents or
9 situations with which they are uncomfortable need to be
10 clearly defined and encouraged, however this
11 formalisation needs to be in addition to and not instead
12 of the fundamental trust that should exist between
13 adults and children, adults and adults, and children and
14 children, essential to the busy minute-by-minute world
15 in which children live. The default position for
16 a child must be one of trust rather than distrust, and
17 the teaching and learning environment must be built
18 around that. Children will not thrive in an environment
19 of suspicion.

20 "In the generations since I left education, heads
21 and their deputies, as administrative load has
22 increased, have become ever more remote from the pupils.
23 I'm not sure that is a good thing. Children need to
24 know personally the person who is ultimately responsible
25 for the school.

1 "I have no objection to my witness statement being
2 published as part of the evidence to the Inquiry.

3 I believe the facts stated in the statement are true."

4 My Lady, the statement is signed by "Arthur" and is
5 dated 29th October 2020.

6 LADY SMITH: Thank you very much, Ms Bennie.

7 We will have the morning break just now, but before
8 I rise there is one thing I should mention. Two
9 teachers have just been mentioned in that statement,
10 CRN and CRX Both of these are
11 covered by my General Restriction Order and their names
12 can't be repeated outside the hearing room. Please do
13 remember that. Thank you all.

14 We will rise now for the morning break.

15 (11.47 am)

16 (A short break)

17 (12.06 pm)

18 LADY SMITH: Mr Brown.

19 MR BROWN: My Lady, the second live witness today is Martin.

20 I think, as your Ladyship will recall, this witness
21 should be (inaudible). (Pause).

22 LADY SMITH: Good afternoon, Martin. Could we begin,
23 please, by you raising your right hand and taking the
24 oath.

25

1 "MARTIN" (affirmed)

2 LADY SMITH: Please sit down and make yourself comfortable,
3 Martin. I will pass you over to Mr Brown in a moment,
4 but one or two things before I do that. A practicality:
5 the red file in front of you has a hard copy of your
6 statement in it if you find it helpful to use that. You
7 will also see the document coming up on screen for any
8 references we want to make to it, or indeed to any other
9 documents. It is up to you which you use. Otherwise,
10 I am sure you know how to use a microphone, if you can
11 keep yourself in a good position for the microphone.

12 You know you are about to be asked questions and
13 enter into giving evidence. A couple of things I should
14 warn you, that you are not obliged to volunteer any
15 information that would amount to self-incrimination, and
16 you are not obliged to answer any questions in which you
17 would incriminate yourself.

18 If you have any queries about that or doubts, don't
19 hesitate to let me know. It is important that you are
20 as comfortable giving your evidence as you can be. And
21 indeed anything else that you want to ask, feel free to
22 do so. If you want a break at any time I can do that.
23 It's really for you to tell me what works for you. All
24 right?

25 A. Thank you.

1 LADY SMITH: Mr Brown, when you are ready.

2 Questions from MR BROWN

3 MR BROWN: My Lady, I am obliged.

4 Martin, hello. Can I just echo what has just been
5 said. If you don't understand anything I say, my
6 question doesn't make sense, and it does happen, please
7 say so. And if you are troubled and want advice, say
8 so, in terms of the warning you have just been given
9 about not having to answer any questions.

10 Reference has been made to the red folder and your
11 statement. As I say, it is now appearing in front of
12 you on the screen, take your pick. But I think the
13 crucial thing to begin with is the very last paragraph
14 on page 13, paragraph 58:

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

19 And I think you have confirmed that by signing the
20 document on 28 March this year?

21 A. Yes.

22 Q. Thank you. By way of background, I think you were born
23 in 1969, so you are now 52?

24 A. Yes.

25 Q. After university you have been a teacher until fairly

1 recently, is that correct?

2 A. Yes.

3 Q. Obviously we are interested in your time at
4 Loretto School in Musselburgh. I think you started
5 there in [REDACTED]?

6 A. Yes.

7 Q. And continued until [REDACTED]?

8 A. Yes.

9 Q. You were employed at that school within the [REDACTED]
10 department, is that correct?

11 A. Yes.

12 Q. Primarily as a [REDACTED] teacher?

13 A. As [REDACTED].

14 Q. Yes. We understand you did teach [REDACTED], but [REDACTED],
15 really were you it for much of --

16 A. Yes, yes.

17 Q. You were the [REDACTED]?

18 A. Yes.

19 Q. I think you were appointed, to be fair to you, [REDACTED]
20 [REDACTED] in I think 2002?

21 A. Yes.

22 Q. As a result of that, obviously, we probably all remember
23 from our school careers, [REDACTED] and the
24 responsibility for that would fall very much on you?

25 A. Yes.

1 Q. Is there a [REDACTED] at Loretto?

2 A. Yes, there is.

3 Q. In that sense, was there quite good provision for [REDACTED]?

4 A. Yes, it was -- it was quite good, yes.

5 Q. We understand I think from your statement that you lived
6 at Loretto with your family?

7 A. Yes.

8 Q. And again, from evidence we have heard, we know that
9 some staff would be purely teaching, but others would
10 have teaching and pastoral roles --

11 A. Yes.

12 Q. -- by being assistant housemasters or housemasters or
13 the like?

14 A. Yes.

15 Q. You did act as a housemaster, is that correct, or
16 assistant housemaster?

17 A. I was a house tutor, which is beneath the assistant
18 housemaster, so --

19 Q. You lived on campus though?

20 A. Yes.

21 Q. With your family?

22 A. Yes.

23 Q. So we should understand you have the
24 housemaster/mistress who is the head of a particular
25 house, an assistant, and then there is house tutors?

1 A. Yes.

2 Q. Was that position in place when you arrived at Loretto
3 or did that develop?

4 A. It was in place. I think I started off, I did one night
5 a week in Schoolhouse, which was then a boarding house.
6 It is not now. It's a day house now.

7 Q. We understand there is perhaps constant flux in terms of
8 accommodating pupils. Buildings being one thing
9 becoming another and vice versa?

10 A. Yes.

11 Q. All right. When you arrived at school, obviously you
12 came with references. If we could look please at
13 a document which will appear on screen, this is
14 LOR-1000000032, and page 51, please. This is obviously
15 one of your references from your previous school?

16 A. Yes.

17 Q. If we go to the bottom paragraph, please, just reading
18 from that:

19 "His teaching is also characterised by a freshness,
20 vigour and sometimes by the unorthodox. As a result, he
21 is often able to reach those boys for whom [REDACTED] is
22 a chore rather than a pleasure and those who find the
23 strictures of school life irritating. His approach has
24 sometimes excited comment from colleagues but has never
25 failed to produce examination results ..."

1 Then it goes on to be complimentary about that.

2 Would it be fair to say, or would you agree with the
3 description of your teaching as "unorthodox"?

4 A. I think maybe, yes. I didn't train fully, I didn't do
5 a PGCE, so I suppose I learned by doing it. I did an
6 [REDACTED] qualification where I learned something about
7 teaching, I suppose, but I suppose I was learning a lot
8 just by doing it.

9 Q. All right. I think even from your time, in terms of
10 being a graduate of the late 20th century, now some sort
11 of teaching qualification would be expected?

12 A. Yes.

13 Q. But you got into teaching before that became
14 regularised, if you like?

15 A. Yes.

16 Q. Is that one of the reasons that you -- am I correct in
17 saying you did not join GTCS?

18 A. Yes, yes, I think that -- I don't think one could gain
19 registration if one didn't have the formal teaching
20 qualification.

21 Q. Okay. Am I right in saying you never registered when
22 a teacher with --

23 A. I think only very, very latterly, just right at the end,
24 I did gain registration at the very end just before
25 I left the school.

1 Q. Thank you. Okay. I think we would understand that your
2 [REDACTED] was a lady we heard from this
3 morning, Dorothy Barbour. You obviously remember her?

4 A. Yes.

5 Q. She described you as a man who took his own path. Would
6 you agree with that in terms of how you behaved as
7 a teacher?

8 A. I don't know exactly what she meant by that.

9 Q. Let me help you. Perhaps I think, for example, we know
10 in 2000 you were disciplined because you hadn't been
11 attending classes, is that fair?

12 A. It is, yes.

13 Q. She made reference to the fact that you, for example,
14 might not attend the first class of the day on occasion.
15 Was there a reason for that?

16 A. I sometimes struggled to -- to get up on a Saturday.

17 Q. I think that became apparent because parents complained?

18 A. I think so.

19 Q. I think there was a disciplinary process in June of
20 2000, and you accepted that you had not done as you
21 should, and you were issued with a warning, formal
22 written warning.

23 A. Yes.

24 Q. Should we understand that from the time you started at
25 Loretto, it became much more regulated in terms of

1 pastoral care and child protection?

2 A. Yes, I think so. Yes.

3 Q. That is something you recognise?

4 A. Yes.

5 Q. I think your wife obviously lived with you in the
6 school, and your family?

7 A. Yes.

8 Q. If we look, please, at a document ending 32 at page 46.

9 LADY SMITH: Martin, just while we are waiting for that

10 document to come up. Going back to you being

11 disciplined for not turning up for classes, is it

12 possible that it was more than just Saturdays? I rather

13 had the impression from Dorothy Barbour that there would

14 have been weekdays involved?

15 A. I don't think that was the case, my Lady. My memory is
16 that it was Saturdays, but I could be wrong.

17 LADY SMITH: Thank you.

18 MR BROWN: Just to address that, my Lady, head on. If we go

19 to document LOR-1000000032, page 55, this you will see

20 is a letter dated 24 June 2000 to you from the

21 headmaster.

22 A. Yes.

23 Q. Keith Budge, who was the headmaster at the time. And

24 I think in the fourth paragraph of that email you will

25 see in inverted commas:

1 "On the separate issue of my absence for periods 1
2 and 2, I plead guilty. I have a long list of things that
3 need to be done and bought for my own, i.e. the third
4 form [REDACTED] and very little time in which to do this.
5 [Confirmed on page 55 of LOR-1000000032]. I went out
6 this morning to get some of these things done. I should
7 have not done this and apologise unreservedly."

8 I think that may be referring back to the second
9 paragraph:

10 "I called the meeting in order to address with you
11 your absence from lessons 1 and 2 on Friday 23rd of
12 June."

13 A. Yes.

14 Q. I think, to be fair to the headmaster, your excuse or
15 explanation didn't particularly impress him because the
16 [REDACTED] was I think some way off.

17 A. Yes.

18 Q. And that led to him concluding by saying, five
19 paragraphs from the bottom, setting out what happened at
20 the meeting:

21 "I then concluded by saying you should familiarise
22 yourself with the disciplinary procedures at appendix 5
23 in your contract, and now we to need to decide on the
24 most appropriate course of action."

25 Putting it simply, you were being reminded of your

1 obligations as set out in your contract?

2 A. Yes.

3 Q. And presumably thereafter you would be very much alive
4 to the risk you put yourself in if you didn't comply
5 with those rules?

6 A. Yes.

7 LADY SMITH: Can you remind me of the date of that letter?

8 MR BROWN: 24 June 2000, my Lady.

9 LADY SMITH: Thank you.

10 MR BROWN: Again returning to one of the things I talked
11 about a moment ago, as time passed, [REDACTED] onwards, you
12 accepted there was greater regularisation of child
13 protection, for example. That would only increase the
14 later time passed, so further up towards [REDACTED] there
15 would be ever more regulation. It was a progressive
16 step.

17 A. Yes.

18 Q. All right. I was taking you to the same document, to
19 page 46. And if we go to the bottom, this turns on your
20 accommodation. I think this is a letter to QSF [REDACTED],
21 who was the then headmaster, and this is January [REDACTED] as
22 we see. The issue of where you live, was that
23 a constantly evolving thing over your period, you'd
24 obviously stayed put for periods of time, but then there
25 would be a further shift?

1 A. Yes, yes. We moved several times.

2 Q. Yes. Obviously this is -- he is responding to you, it
3 would appear, because this is an email from you to him:

4 "Thank you for the response about accommodation ...
5 last week. One thought we had over the weekend was that
6 you might in the event of having boarders in [REDACTED]
7 have need of someone to fulfil the role of house parents
8 and to be resident somewhere within the [REDACTED]
9 complex. We would be keen to do this and would,
10 I think, bring useful experience to the role ..."

11 Reference is made to your wife:

12 "... who is very pastorally minded and has always
13 enjoyed being involved with the students here, and she
14 is also highly trained in child protection ..."

15 Do we understand she had previous experience as a
16 [REDACTED]?

17 A. Yes, yes, she did.

18 Q. So at that point, no doubt trying to be helpful, you are
19 making the point she is aware of child protection. And
20 would be aware of child protection, the importance of
21 child protection?

22 A. Yes.

23 Q. You couldn't miss it, I take it, by 2012 in a boarding
24 school?

25 A. No.

1 Q. What about [REDACTED] when you started, was it clear to you
2 then?

3 A. I think it was clear, yes.

4 Q. Thank you.

5 Going back to your statement briefly, I think at
6 page 8, paragraph 35, you talk in your statement about
7 child protection arrangements, and you say, talking of
8 Loretto:

9 "There were regular INSET sessions which dealt with
10 pastoral care and issues of abuse or mistreatment. The
11 guidance on reports of abuse from children was that we
12 should listen to what the child was telling us, explain
13 that we need to pass this on to someone equipped to
14 investigate, we are not to investigate such a matter
15 ourselves. The child protection co-ordinator would
16 investigate. I don't believe there was any discretion
17 in terms of how we were to deal with such matters.

18 "Child protection arrangements in place to reduce
19 the likelihood of abuse, ill-treatment or inappropriate
20 conduct by staff or other adults towards children at the
21 school were INSET days, refreshed and revisited
22 regularly, training in pastoral care, such as that run
23 by the Scottish Social Services Council. I cannot say
24 how successful they were but I was not aware of any
25 abusive treatment of children."

1 I appreciate that these are comments covering
2 [REDACTED] years at Loretto, but is that reflective of the
3 approach certainly for the bulk of your time there, that
4 child protection and pastoral care were ever more
5 prevalent?

6 A. Yes.

7 Q. You couldn't miss it?

8 A. Yes.

9 Q. Is a [REDACTED] teacher a little different from mainstream
10 education, by which I mean the sort of [REDACTED]
11 subjects, [REDACTED]? Are they
12 viewed somewhat differently within a school?

13 A. I don't know if they are viewed differently, but I think
14 the different discipline can lead to the role being
15 quite different. I taught [REDACTED] and I was
16 aware of some difference in those roles.

17 Q. Is teaching [REDACTED] perhaps seen as a more [REDACTED]
18 [REDACTED] subject?

19 A. I suppose in some ways, yes.

20 Q. Were you as a [REDACTED] teacher therefore, and this is
21 reflecting other [REDACTED] teachers, not just you, slightly
22 more casual in your approach to [REDACTED] classes than you
23 would be perhaps in an [REDACTED] class?

24 A. In some ways, yes. I would like to think I was quite
25 rigorous as a [REDACTED] teacher, but you are sometimes

1 teaching -- I think in a sense one is more relaxed as
2 well, it's a slightly more relaxed environment. I am
3 just trying to formulate what I mean by relaxed ...
4 (Pause). I think you have a sense of fun, for instance,
5 sometimes, which I think is quite important. You are
6 sometimes teaching people who maybe don't want to do
7 [REDACTED] and so you are trying to make it more lively and
8 engaging.

9 Q. I think that may be reflected in the comment we saw in
10 the [REDACTED] reference. You could excite pupils who might
11 not, at first blush, be that excited by [REDACTED] So in
12 this sense you were a charismatic teacher, or is
13 that ...?

14 A. I don't think I would use that word of myself.

15 Q. But for example, would I be right in saying that in the
16 [REDACTED] environment obviously you would have classes, but
17 equally you might have much more intimate classes with
18 only a few pupils, or even one, one-to-one teaching,
19 for example for [REDACTED] exams?

20 A. Yes, sometimes. I think the very first year that we --
21 that we did A level, there was only one candidate.

22 Q. And presumably would [REDACTED] teaching take place in a
23 classroom or would it be in the [REDACTED] or both?

24 A. It would be both.

25 Q. But there could be situations either in the classroom or

1 in the [REDACTED] where you would be one-to-one with
2 a pupil?

3 A. Yes.

4 Q. In terms of child protection and safeguarding, was that
5 something that you were alive to as an area that was
6 potentially fraught with danger?

7 A. I think I must have read documents and things that said
8 that probably one-to-one was not really advised. But in
9 practice I would -- I mean, I wouldn't say I did a lot
10 of one-to-one, but certainly some, yes.

11 Q. I think we have heard that from 1995, [REDACTED]
12 [REDACTED] there was a child protection co-ordinator
13 in place at Loretto. I think that may have been
14 a teacher, Duncan Wylie, when you first started, who was
15 then in due course replaced by, certainly for a period,
16 a lady Elaine Middlemass or Logan?

17 A. Yes, or Selley.

18 Q. Or Selley, yes.

19 LADY SMITH: Martin, can you help me understand the
20 circumstances in which you would be carrying out
21 one-to-one [REDACTED] teaching.

22 A. In the very first year that we formally taught [REDACTED] all
23 the way to A level, so we started doing -- sorry, doing
24 GCSE, and this was back in the days when it then went to
25 AS and then A2 or A level, I can't remember --

1 LADY SMITH: (Inaudible) lower sixth, upper sixth.

2 A. So we did AS for, I can't remember, maybe a couple of
3 years, and then I think one of the pupils wanted to do
4 the full A level, and the headmaster then, Michael Mavor
5 I think, had said that this pupil could do that and that
6 we would do it. And so in that year I had just the one
7 student. In that class.

8 LADY SMITH: That would be that student's final year at
9 school to sit the A level?

10 A. Yes.

11 LADY SMITH: As a matter of interest, was that a male or
12 a female?

13 A. It was a female.

14 LADY SMITH: Thank you.

15 Mr Brown.

16 MR BROWN: Yes, sorry. Which year was that, did you think?

17 A. I am not certain but it could have been 2002 or ...

18 Q. All right.

19 A. Or it could have been 2001, I can't remember.

20 LADY SMITH: Other than that, would there be occasions when
21 you engaged in some one-to-one teaching? I wondered,
22 for example, if you were working towards [REDACTED]
23 [REDACTED] at the school, you would take
24 individuals to help them with their [REDACTED]?

25 A. Yes, there would be at times. Generally it would be

1 a group, generally it would be groups. But, yes, there
2 would be times when I might run a [REDACTED] for single
3 people.

4 LADY SMITH: I suppose that could vary according to the
5 particular [REDACTED]

6 A. Yes.

7 LADY SMITH: And there may be some [REDACTED] where that
8 was needed more than others.

9 A. Yes.

10 LADY SMITH: Thank you.

11 MR BROWN: I was asking about child protection
12 co-ordinators, and I think you mentioned or you agreed
13 Duncan Wylie was the one who was first in place. Was he
14 then replaced by Elaine --

15 A. Elaine, yes.

16 Q. Middlemass, Logan, Selley --

17 A. Yes.

18 Q. -- as it, over time, changed. Would I be right in
19 saying she was one of your good friends at the school?

20 A. Yes, she was a friend. Yes.

21 Q. Were you close?

22 A. I don't know if I would say we were close, but I would
23 certainly consider her a friend and I think she would
24 consider me a friend.

25 Q. If we hear evidence that you were good friends, would

1 you disagree with that?

2 A. No, I wouldn't disagree.

3 Q. Presumably in a small community like Loretto there will
4 be acquaintances, friends and good friends amongst the
5 staff, because that is your world?

6 A. Yes.

7 Q. But she was one perhaps at the friendlier level?

8 A. Yes.

9 Q. We would understand as a generality, particularly
10 dealing with pupils who are 16, 17, 18, that there can
11 be crushes on teachers. You perhaps, from what you are
12 saying, might stand out as slightly casual, slightly
13 more relaxed, in terms of the way you behaved and your
14 subject was taught. Were you conscious of being popular
15 with the senior girls?

16 A. No, I was ... I was maybe popular with my [REDACTED]
17 students, for instance, but they liked the subject and
18 then -- and those who were [REDACTED] as well. But no,
19 I wouldn't say I was conscious of being liked by senior
20 girls, no.

21 Q. Was that something you were aware of as a general
22 proposition, that that could happen, and might be
23 something, thinking of child protection and
24 safeguarding, that you had to be alert to?

25 A. I suppose it is not something I thought about a lot.

1 Q. All right. I just wondered whether it was particularly
2 focused either in your mind or by the schools, given the
3 rather different relationship as between you and say
4 an individual pupil studying for a [REDACTED] qualification,
5 or smaller groups, where there is a greater intimacy
6 because of the nature of [REDACTED]?

7 A. I don't think it was particularly in my mind. I can't
8 think of the school speaking to me about that
9 particularly, but ... no.

10 Q. All right. I think we know you had some difficulties in
11 2014 with discipline again after a [REDACTED] event?

12 A. Yes.

13 Q. I think if we look to document LOR-000000295 at page 5,
14 again this is a letter to you making reference to
15 a disciplinary hearing held on 18 December 2014 at
16 2 o'clock, and this is to inform you that:

17 "... the outcome of the disciplinary hearing is that
18 you have been given a first written warning."

19 And:

20 "The circumstances giving rise to the issue of this
21 warning were that you were drunk [REDACTED]
22 The panel discussed the matter fully at the hearing and,
23 having taken your explanations into account, have
24 concluded that your conduct justifies a first written
25 warning. This warning will remain active on your file

1 for a period of 24 months from the date of this letter,
2 after which it will lapse. Please ensure that your
3 conduct at future events is beyond reproach and does not
4 place you in a difficult situation."

5 The explanations you gave I think in essence were
6 that you couldn't remember because you were drunk, is
7 that fair?

8 A. Yes.

9 Q. But I think you would understand the allegations were
10 that you were tactile with two students, and the
11 accounts seem to vary from the documentation: patting on
12 the bottom, holding them, and also in relation to
13 a child on the bus, a female child shouting things,
14 including the suggestion that she might relieve you, do
15 you remember that?

16 A. I don't remember that.

17 Q. All right.

18 LADY SMITH: Is it that you don't remember being told that
19 that was what had been said, or you don't remember these
20 things happening?

21 A. Both. I must have read it because I was shown those
22 statements, but I don't -- I don't remember reading that
23 particular comment, and I don't remember any of what
24 I did that night.

25 LADY SMITH: Thank you. Did you appeal the decision to

1 issue you a written warning? You were told in the
2 letter you had a right to appeal.

3 A. No, I didn't, my Lady.

4 LADY SMITH: Thank you.

5 MR BROWN: That was 2014. By that stage, of course, as we
6 know because of your acceptance of events in [REDACTED] you
7 had been involved in a relationship with a girl who we
8 will call for today's purposes "Sarah", who was
9 a Loretto pupil, and that relationship had started in
10 2011. Had Sarah been one of your [REDACTED] pupils with whom
11 you had spent time in small groups or one-to-one with
12 prior to her leaving school?

13 A. I think -- that class I think had maybe eight or nine
14 pupils. She didn't do [REDACTED] but she did study [REDACTED] so
15 she had just done the A level.

16 LADY SMITH: Was she the single pupil doing it that year
17 that you told me about earlier?

18 A. No, my Lady.

19 LADY SMITH: It was a bigger group.

20 A. This is much later, but ... she was also in my tutor
21 group, so all staff at the school have a small group of
22 maybe ten or twelve who they see each morning and keep
23 an eye on their progress academically. So she wasn't
24 only in that [REDACTED] class, I knew her as her tutor as
25 well.

1 MR BROWN: If we can look, please, at LOR-10000000032 and go
2 to page 8. This is the statement of Sarah, and you saw
3 this as part of the disciplinary process?

4 A. Yes, yes.

5 Q. I think, putting it short, when the disciplinary process
6 was heard, you accepted that you had had a relationship,
7 sexual relationship, with her which had in fact lasted
8 for some years?

9 A. Yes. I don't know -- I don't know how long it -- I know
10 this sounds ridiculous, but I'm not sure how long it
11 lasted. There was a long, long time when I didn't see
12 her at all. But yes, yes, I did have that relationship.

13 Q. I think you accepted that it had been sexual within the
14 school, on the school premises?

15 A. On school premises, yes.

16 Q. At your accommodation as provided by the school?

17 A. No, I didn't accept that, in fact.

18 Q. But you had given I think pass codes so she could enter
19 the school premises and meet you? This is during the
20 summer holidays?

21 A. Yes, yes, I did.

22 Q. But your acceptance was limited on the basis that any
23 relationship started after she had left school?

24 A. Yes.

25 Q. Her account obviously is set out in the statement. I am

1 just interested to be clear what parts you do agree
2 with. She says that she was 18 in May 2011 and first
3 encountered you when she was in the third form but that
4 that interaction was insignificant. In lower sixth you
5 became her tutor:

6 "... and from this point onwards I saw a lot of
7 [you] because I was a [REDACTED] student taking various
8 subjects as well. Our classrooms were close together
9 and from this time, when I had free lessons, I would go
10 to [your] classroom rather than the common room and just
11 sit and chat."

12 You apparently were nice and friendly.

13 "I saw him every morning and we chatted daily when
14 I had free lessons."

15 Is that correct?

16 A. She certainly wasn't alone in visiting me in my
17 classroom alone for all of those things. I believe she
18 would often come with her friend, who was also in my
19 tutor group. She had two friends for whom I was tutor
20 as well, and they would often -- they would pop in
21 during free lessons or get some extra help or something.

22 Q. Did alarm bells sound in your head that this might be
23 a case of someone who was attracted to you?

24 A. No, they didn't.

25 Q. Why not?

1 A. I didn't think carefully enough about it, I think.

2 Q. It then goes on:

3 "In the spring term I saw even more of [you].

4 I decided to re-sit [REDACTED] as I had been awarded an A but
5 wanted an A star."

6 You helped apparently with the written and practical
7 exercises for her re-sit. Is that correct?

8 A. I can't remember which bit. I think the only bit of
9 the -- the only part of the course that she was going to
10 re-sit was the written paper, it must have been.

11 I don't think anybody resat their practical, ever. But,
12 yes, I would have helped.

13 LADY SMITH: So she had already secured a grade A for her
14 A level.

15 A. This was for AS, I think this was still the time when
16 there was AS and then A2.

17 LADY SMITH: If it was AS, she would be a year younger.

18 A. So that is ...

19 LADY SMITH: If she was 18 in --

20 A. Sorry, I am wrong --

21 LADY SMITH: -- 2011.

22 A. Sorry, I have to correct myself there. It's the -- that
23 is spring 2011. So she must have been re-sitting one of
24 the written papers, one of the A level written papers.
25 They could sit one in January, so I think they had --

1 she must have got an A but wanted an A star, and so
2 I was -- I would have done some teaching and marking
3 to --

4 LADY SMITH: Had you come across other students, having
5 secured an A grade, asking to have another go so that
6 they could try and secure an A star?

7 A. If they were keen to get an A star.

8 LADY SMITH: You had come across that before, had you?

9 A. I wouldn't be surprised. I don't think I could name
10 anyone but I wouldn't be entirely surprised. I thought
11 with her there was a certain amount of pride about
12 getting an A star. She wanted to give herself the
13 chance ultimately, at the end of upper sixth, to get the
14 A star.

15 LADY SMITH: Thank you.

16 Mr Brown.

17 MR BROWN: Would this preparation for the re-sit be
18 one-to-one? It seems very particular to her.

19 A. There might have been some one-to-one. I can't remember
20 whether anybody else was in a similar position in that
21 they were going to re-sit that January written paper.
22 There may have been. It was quite common, when they
23 could sit papers in the January and then re-sit them in
24 the June, it was quite common for students to do that
25 because -- essentially it was a good system for them

1 because they could end up doing really well because they
2 had a really good run at it.

3 Q. It goes on. In the summer term, April to July 2011, you
4 and she started to email one another:

5 "The emails were sent from our school email accounts
6 and also our personal email accounts."

7 Is that correct?

8 A. I don't remember using my personal email account but
9 we -- there certainly were emails between us, yes.

10 Q. Do you remember the emails from her, looking to
11 paragraph 7, from her to you:

12 "... contained acronyms such as YASH, which stands
13 for 'you are so hot', and statements such as 'I like
14 you'. The emails were often sent late at night."

15 A. I don't remember them being sent late at night but I do
16 remember some of those emails -- I do remember some of
17 those emails, yes.

18 Q. So it was apparent she was keen on you?

19 A. Yes.

20 Q. What did you do?

21 A. I didn't do what I should have done, which was to have
22 gone to the headmaster or to the child protection
23 co-ordinator and declared it. I did speak to her and
24 say she shouldn't be sending such emails, but I didn't
25 do what I should have done.

1 Q. Was that half-heartedly, given what followed?

2 A. I don't know. I did mean -- I did mean -- when I said
3 to her she should stop, I did mean that.

4 Q. You didn't go and speak to the CPC, your friend Elaine?

5 A. No, I didn't.

6 Q. She goes on in paragraph 8:

7 "In terms of physical contact ... whilst I was
8 a school pupil, I recall that he hugged me. [He] would
9 have [REDACTED] students to his home at the time. I recall
10 that I went to his home once while I was a pupil. My
11 recollection is that he invited around 6 of us around
12 for drinks after our exams. I was one of the last to
13 leave with a fellow school pupil. The boarders had gone
14 back to their house. We were waiting for my mum to pick
15 us up ... and my friend was staying with me that night.
16 When I was walking down the stairs on my way out [you]
17 grabbed my sides as to tickle me and at that time
18 I thought this was his way of testing his boundaries."

19 Your boundaries. Do you accept that?

20 A. No, I don't accept that.

21 Q. Is this something you may have forgotten?

22 A. That touching? I don't accept that touching. I had
23 that whole -- I think it was that whole [REDACTED] class
24 round to our house and -- which I didn't do very often,
25 but I did sometimes. I can think of other classes that

1 I had, if they had done particularly well in their
2 practical A level exam, or sometimes tutees, but I --
3 I don't accept that allegation of touching.

4 Q. All right. Do you accept, paragraph 9, that on one
5 occasion you asked her to tidy [REDACTED] with
6 you?

7 A. I don't think I asked her to tidy it. I think it was
8 a fairly frequent thing that I would have to tidy it,
9 and over the years I tidied it with quite a number of
10 pupils, and I think she was quite often in my classroom
11 in that -- in that summer term, particularly in the
12 second half. She was just getting ready to do her final
13 papers and I was marking quite a lot of her practice
14 work, and she may well have come along to [REDACTED]
15 and helped to tidy. But certainly I had done that with
16 quite a number of pupils, both male and female, over the
17 years.

18 Q. But on this occasion she seems to suggest that this is
19 when you said you need to be careful as some would deem
20 your email exchanges inappropriate. Did you say that?

21 A. I can't remember exactly when I had said that she should
22 not be sending emails of that kind. I don't know if it
23 was then or not.

24 Q. It goes on:

25 "We didn't really do much cleaning of [REDACTED]

1 [REDACTED] we mostly mucked around, throwing things at
2 each other, and he squeezed my sides a couple of times."

3 A. That is not true.

4 Q. Over the page on page 10 you will see paragraph 12:

5 "During this period I liked [you] and I was aware
6 that a lot of girls fancied him."

7 Were you not aware of that?

8 A. I was aware that she liked me from those emails, yes.

9 I wasn't aware of a lot of girls fancying me, no.

10 Q. Prior to this exchange had you never been aware of
11 pupils admiring you?

12 A. I think sometimes one becomes aware that maybe someone
13 has taken a shine to you, yes.

14 Q. Is that an annual thing?

15 A. No. No, it wasn't.

16 Q. Had that happened before you met Sarah?

17 A. No.

18 Q. So you are suggesting she was the first girl to take
19 a shine to you?

20 A. No, I am sorry. I had been aware that occasionally you
21 maybe sense somebody has taken a shine to you, but
22 I wouldn't see that as an annual thing, sorry.

23 Q. But it is something you had experience of with Sarah and
24 yet you didn't do anything about it?

25 A. Yes, that is right.

1 Q. The reason I think you didn't do anything about it,
2 would it be fair to say, was that you were interested?

3 A. No, I'm not -- I am not saying that.

4 Q. All right. Because at the [REDACTED],
5 looking to paragraph 15, after [REDACTED] she
6 says:

7 "[You] hugged all his [REDACTED] students, but
8 I believe he hugged me longer than the others and
9 whispered 'I love you' in my ear. I sent a text message
10 to him to ask 'Did you just say what I thought you
11 said?' But [you] didn't reply."

12 Is that correct?

13 A. No, I don't accept that I said that.

14 Q. She then talks about going on holiday with school
15 friends immediately afterwards and that you phoned her
16 and left a message on the way as she was going to the
17 airport, is that correct?

18 A. I don't know. I don't remember making that call.

19 Q. On any view, she has now left school. Texting and
20 messaging continues, is that correct?

21 A. Yes.

22 Q. And the sexual relationship starts?

23 A. Yes, it did.

24 Q. When? When did it start?

25 A. Not very long into that summer holiday.

1 Q. So very swiftly, presumably after she comes back from
2 her holiday abroad?

3 A. Yes.

4 Q. Again, were you not interested in that prior to her
5 departure from the school?

6 A. No.

7 Q. Okay. As I think we see in paragraph 20, there was
8 a pregnancy scare in September 2011, do you remember
9 that?

10 A. Yes, I remember her sending me a message.

11 Q. And the relationship continued?

12 A. Yes.

13 Q. I think if we go on to the following page, after she
14 acknowledges:

15 "I recognised there were pauses in our relationship
16 but it would pick up again."

17 Top of the next page, "Sexual Relations on School
18 Grounds":

19 "We had sexual relations in [your] two
20 accommodations, [REDACTED]

21 Do you accept that?

22 A. On the school grounds, yes, in my classroom and the
23 [REDACTED] office, but I don't accept it was in my home.

24 Q. Did she visit you in your school accommodation?

25 A. Sorry?

1 Q. Did she visit you in your school accommodation?

2 A. No, I don't think so, no.

3 Q. Could we look, please, at page 26. This is obviously
4 I think messages between the two of you which you have
5 seen. We see you giving the code for a back gate by

6 [REDACTED] She is saying:

7 "I throw caution to the wind, reckless driver."

8 You reply:

9 "Maniac."

10 "Two minutes away", says she:

11 "Come to [REDACTED] my place.

12 "Not quite sure where I am meant to be going."

13 I think there's a description about where, and you
14 then say:

15 "My house, aye."

16 And the next one is:

17 "Ding dong."

18 Presumably because she was outside?

19 A. Yes. We would sometimes meet in her car as well, so
20 sometimes she would draw up on the road outside and
21 I would -- so I would go out from [REDACTED]

22 Q. Going back to page 11, do we see in paragraph 27:

23 "I became aware that [you] had shared his number
24 with another pupil in the year below. At this time
25 I had left school. I have retained an email from me to

1 [you] dated 4 April 2012, in which I asked him why he
2 had given his number to someone else and explained I was
3 upset. This is because I felt that I was not the only
4 one."

5 Was she right about that? Did you give your number
6 to another girl?

7 A. She may well have had my number. It wasn't that unusual
8 for some pupils to have my mobile number, not -- I mean,
9 I think with the pupil that she refers to there, I think
10 I had done a lot of work on her [REDACTED] course work,
11 I think, and so there was a certain amount of texting
12 about that.

13 LADY SMITH: Did other teachers give pupils their mobile
14 numbers?

15 A. I think some, my Lady, yes.

16 LADY SMITH: Who?

17 A. I think for instance working in [REDACTED] and
18 sometimes that involved lots of extra work, getting
19 [REDACTED] and things. I think -- I don't
20 think I was the only person who gave a mobile number
21 to --

22 LADY SMITH: Do you know whether other teachers gave pupils
23 their mobile numbers or are you just assuming it?

24 A. No, I do know that, yes.

25 LADY SMITH: Do you know of anybody in particular who gave

1 a student their mobile number?

2 A. I couldn't name anyone, no.

3 LADY SMITH: Mr Brown.

4 MR BROWN: Thank you.

5 As for her comment that she was not the only one,
6 presumably implying that you were involved with another
7 student, what is your comment on that?

8 A. I wasn't involved with another student.

9 Q. She says:

10 "I understood that that former pupil met up with
11 [you] during the Easter holidays whilst she was still
12 a pupil at the school."

13 Is that --

14 A. It would have been to deal with her course work,
15 I think.

16 Q. All right.

17 A. Again, I would say that wasn't that unusual. I did --
18 particularly I think during -- the Easter holidays was
19 often a time when course work was being prepared and
20 finalised for maybe the start of the summer term, so
21 sometimes I did meet pupils and exchange drafts of their
22 work.

23 LADY SMITH: Where would you meet them?

24 A. I think generally in my classroom, I think.

25 LADY SMITH: Did the school know that you were meeting

1 students outwith term time in your classroom?

2 A. I would think not, no.

3 LADY SMITH: Did you think to tell the school?

4 A. I didn't, no.

5 LADY SMITH: Do you think they should have been aware?

6 A. I think they probably should have been, yes.

7 LADY SMITH: Mr Brown.

8 MR BROWN: Can I suggest you must have known they should

9 have been aware because, as you have told us, you were

10 very alive to the rules about child protection. You

11 pushed it about your wife being au fait with such

12 things. The image you present is someone who has no

13 difficulties with child protection, but you clearly did.

14 Was that because you were involved with this student and

15 others?

16 A. No.

17 Q. As well as the emails about meetings and pass codes and

18 so forth, you will be aware there are texts, because

19 these were shared with you, about encouraging Sarah not

20 to say anything when enquiries were being made by the

21 police, is that correct?

22 A. Yes. She had said to me over I think quite a long

23 period, it may have been a year, she had messaged me to

24 say that police had phoned her and I think she said had

25 left messages, voice messages, and that they wanted to

1 speak to her, and I -- I said to her that I thought she
2 should just speak to the police, because I had no sense
3 that there was any complaint to be made or that she
4 thought she was going to make any complaint, or that any
5 wrongdoing that would be of interest to the police had
6 taken place, so I did say just speak to them. And she
7 said -- I remember her saying things like "No, I can't
8 be bothered, I just don't want to", and I said "Well,
9 the police won't go away. You will need to speak to
10 them".

11 So I wasn't discouraging her from speaking to them
12 because I thought that was the best way to deal with it,
13 actually. But I don't think the texts in which I said
14 that or suggested that are in the -- that group of texts
15 that have been produced.

16 Q. If we can look at document 32, page 22. I think we can
17 see -- it's not terribly clear, but this is from
18 19 August 2017. This would be around the time that, is
19 it fair to say, you were beginning to worry because you
20 might get found out? I think we would understand that
21 Sarah's comments are on the right, yours are on the
22 left:

23 "I just want things to go back to normal and put
24 this to the back of my mind, and also if they had any
25 sort of suspicion or evidence they would absolutely

1 speak to you. I don't doubt it for a second so go head
2 and it will be okay.

3 "Yes, will message you in a bit. Lots going on
4 here."

5 Then under "19 August 2017":

6 "A clear statement from you that there is nothing to
7 answer is the best way forward. Late night texting is
8 the only evidence and that shows nothing but
9 foolishness."

10 Do you remember saying that?

11 A. I was ... I was worried about the whole thing coming out
12 in terms of my wife and my children. That was my
13 overriding fear. I didn't -- I wasn't trying to cover
14 up criminality but I was very anxious. And I think it
15 had gone on for quite a while, there had been quite
16 a few mentions of the idea that the police had been in
17 touch, and I became increasingly anxious about -- just
18 about the whole idea that this was going to become
19 public, that my family would know and then ...

20 Q. I think if we go back a page to page 21, which as we
21 will see is from the day before, 18 August. To put it
22 in context, Bruce Forsyth has just died, as we see from
23 the --

24 A. Sorry?

25 Q. Bruce Forsyth has just died --

1 A. Oh, gosh, yes.

2 Q. He:

3 "... pops his clogs RIP".

4 "Yes. Sad but a good innings. Same sort of age as
5 my dad. Any more police news?"

6 You ask. Then she makes a comment, and you then
7 say:

8 "Yes I understand. And thank you. Admission to
9 anything, even after school would be as bad. There is
10 no evidence other than what someone might say. And if
11 you say nothing happened then it didn't."

12 Can you explain "Admission to anything even after
13 school"?

14 A. I was just trying to make the point that it didn't
15 matter that it started after she had left school. For
16 me, in terms of losing my job and damaging my family,
17 that it wouldn't matter. I wasn't -- I'm not saying
18 there that it had started at school.

19 Q. Is that not a clear inference "Admission to --"

20 A. It is one inference, yes.

21 Q. Again, did things happen before she left school?

22 A. No, no.

23 LADY SMITH: It sounds rather, though, Martin, as if you are
24 encouraging her to lie, you are encouraging her to say
25 nothing?

1 A. I didn't think she had any sort of complaint to make.

2 LADY SMITH: What did you mean when you said "nothing
3 happened":

4 "... if you say nothing happened then it didn't."

5 A. No, I take your point.

6 LADY SMITH: Because things did happen between you.

7 A. Yes, they did.

8 LADY SMITH: You had a sexual relationship.

9 A. Yes. Yes.

10 LADY SMITH: Thank you.

11 Mr Brown.

12 MR BROWN: Thank you. Of course all of this came out in the
13 context of this being reported to the school and, in

14 [REDACTED] a disciplinary process --

15 A. Yes.

16 Q. -- starting and concluding with your sacking for gross
17 misconduct.

18 A. Yes.

19 Q. I think you were asked obviously many of the same
20 questions that you were asked today --

21 A. Yes.

22 Q. -- under reference to the same documents. We have the
23 transcript of the various interviews you gave. I think
24 ultimately you put forward the position accepting some
25 of what we have read?

1 A. Yes.

2 Q. But the essence of it was nothing happened whilst she
3 was at school?

4 A. Yes.

5 Q. But even on that account, it was felt that you had
6 acted --

7 A. Yes, it was.

8 Q. -- in an entirely inappropriate way and you lost your
9 job?

10 A. Yes.

11 Q. That of course [REDACTED] and, as you will be
12 aware from questions that you were asked by the Inquiry
13 in the preparation of your statement, and if we go
14 please to the second last page, paragraph 54. Page 12,
15 paragraph 54. In that paragraph -- or in the questions
16 you were sent, so that you would understand where we
17 were coming from, this position was summarised, is that
18 fair, of another allegation against you?

19 A. Yes.

20 Q. Could we look, please, at document LOR-000000036,
21 page 36. This is obviously [REDACTED] is that
22 right, by which time you had been dismissed?

23 A. Yes.

24 Q. If we go down to the letter that is now showing. This
25 is a letter from a former pupil. Just to read it:

1 "I live in London but I would be very happy to meet
2 you if you are ever on business in the capital?

3 "I understand that an investigation is underway, and
4 I do not require the school to make any comment
5 regarding the accusations. The truth is that I felt
6 obligated to contact the school to inform you
7 that I know whatever accusations are made against you
8 I fear that these are only the tip of the iceberg. I am
9 genuinely shocked that he is still at the school or any
10 school for that matter. During my tenure at Loretto
11 (1996-2001) ..."

12 In other words, [REDACTED]
13 [REDACTED] :

14 "... his behaviour was unacceptable and 100% abusive
15 of his position. We have a close-knit year group who
16 are willing to write to school to make public what
17 occurred, and I hope that this will encourage other year
18 groups to speak out."

19 Reading on:

20 "While I am not the girl in question, we did
21 study A level together [with you]. It was clear as the
22 year progressed that the girl in question had a teenage
23 crush on [you] ..."

24 Reading on:

25 "Another girl had a similar 'crush' on the history

1 teacher but that remained as it should have been;
2 a childish moment in time. [You] took full advantage of
3 the situation benefiting only [you] and leaving the girl
4 in question with years of misplaced guilt and emotional
5 distress."

6 Do you see that? Do you accept that first paragraph
7 to any degree?

8 A. Sorry which ...

9 Q. She is reporting that a girl in her year group had
10 a crush on you and that you took advantage.

11 A. No, I don't accept that.

12 Q. All right. Next paragraph:

13 "While at the age of 18 you can legally have sex,
14 drink alcohol and smoke, Loretto is a bubble where such
15 activities are forbidden and for that reason it helps to
16 preserve children's innocence and I think that is a
17 wonderful environment to have grown up in. However,
18 there are students who push these boundaries and it
19 should be a teacher's responsibility to report
20 and discipline these pupils, as surely why else does
21 Loretto have such rules?"

22 Do you disagree with the last sentence, that it's
23 the teacher's responsibility to stop such behaviour?

24 A. Yes, I would agree that that is part of what we should
25 do.

1 Q. Yes. You obviously didn't in relation to Sarah. Did
2 you fail to do the same with other students?

3 A. No.

4 Q. No:

5 "Over the course of our final year stories of [your]
6 relaxed approach to apprehending and reporting students
7 grew; he caught a female pupil entering Schoolhouse to
8 visit her boyfriend and did nothing, he caught female
9 students drinking pre-Linkfield and did nothing and he
10 helped other female pupils who had been locked out of
11 Holm House to climb over the wall after the gate had
12 been locked. Such stories spread and, in hindsight, he
13 began to blend the line between the student and teacher,
14 endearing himself to senior girls as a 'cool teacher' or
15 'one of us'."

16 Is that description of your approach to discipline
17 correct?

18 A. No, I don't recognise those stories of me ignoring those
19 matters.

20 Q. Did you consider yourself a cool teacher in comparison
21 to your colleagues?

22 A. No, I didn't.

23 Q. Presumably you were much younger?

24 A. I don't think I was much younger. I think there were
25 other teachers of the same age and younger.

1 LADY SMITH: Did you ever, for example, help a girl who had
2 been locked out of Holm House to climb over a wall?

3 A. No.

4 MR BROWN: Is it possible you have forgotten?

5 A. I think -- I don't think I would forget that.

6 LADY SMITH: Did you ever buy a girl a drink in a pub in
7 Musselburgh?

8 A. No, I have -- there was only really one pub I think
9 where staff drank and pupils would never go there.

10 MR BROWN: Would you agree you were hardly likely to go to
11 the pub where staff drank to have a pint if you were
12 going to have a drink with a pupil? I think the
13 question was did you ever buy --

14 A. No, I didn't arrange to go to a pub with ...

15 Q. Going back to your statement at paragraph 54, and this
16 is probably just the simplest way to summarise what was
17 covered up. It's page 12, please. The suggestion was
18 that you had, reading from five lines in:

19 "... consistently targeted one girl per year."

20 The witness knew of three girls. She wasn't saying
21 she was someone who was involved with you. She knew of
22 three girls aged 16 to 18 who you approached, it was
23 alleged, and who had rebuffed your advances, as well as
24 one aged 18 who you had a relationship with which
25 culminated in sexual intercourse, and that you had been

1 caught by pupils having sex at various places within the
2 school.

3 A. I don't accept that.

4 Q. You don't accept that?

5 A. No.

6 Q. Why --

7 A. Sorry. What those things add up to is a clear
8 suggestion of -- of clear criminality, and I -- I don't
9 accept that, and I want to exert my right not to
10 incriminate myself by answering that question. I don't
11 accept it.

12 Q. You don't accept it. What they might suggest is that
13 you were happy to have relationships with pupils, just
14 as you did with Sarah, albeit with your caveat that it
15 happened as soon as she left school, essentially.

16 A. I can see that you make that connection but I don't
17 accept that.

18 Q. Why would someone make these allegations, do you think?
19 What explanation can --

20 A. I can't say.

21 Q. One answer might be of course that they are true.
22 I take it you won't accept that?

23 A. I don't accept that.

24 MR BROWN: Thank you, my Lady, I think that is enough
25 questions.

1 LADY SMITH: Thank you. Are there any outstanding
2 applications for questions of Martin? (Pause).

3 Martin, that completes the questions we have for you
4 here. Before I let you go, I want to thank you for
5 engaging with us as you have done, for providing us both
6 with your written statement and coming here today to
7 give your evidence orally. Can I say I know it hasn't
8 been easy to do so, and we've had to ask you some
9 difficult questions, but I hope you appreciate the wider
10 purpose of this Inquiry, which is overall the very best
11 interests of yesterday's children, today's children and
12 tomorrow's children. Thank you for that and I am now
13 able to let you go.

14 A. Thank you, my Lady.

15 (The witness withdrew)

16 LADY SMITH: We will now break for the lunch break.

17 Mr Brown, if I sat again at let's say 2.15, would
18 that give us enough time to clear what we are intending
19 to do this afternoon?

20 MR BROWN: Yes, that would be more than adequate. Indeed it
21 might allow us a slightly early bath.

22 LADY SMITH: That would be very helpful on a Friday.

23 Thank you.

24 (1.21 pm)

25 (The short adjournment)

1 (2.15 pm)

2 LADY SMITH: Mr Brown.

3 MR BROWN: My Lady (inaudible).

4 LADY SMITH: Ms Bennie, when you are ready.

5 MS BENNIE: The document number is WIT-1-000.000.501.

6 My Lady, it's the witness statement of Charles Halliday.

7 Witness Statement of Charles Halliday (read)

8 MS BENNIE: "My name is Charles FAT Halliday. My year of

9 birth is 1943. My contact details are known to the

10 Inquiry.

11 "I obtained a Masters degree at Trinity College in

12 Dublin and a diploma in education from Oxford

13 University. From 1967 to 1969 I was a classics teacher

14 at Eton College. Thereafter I was schoolmaster at

15 Temple Grove in Uckfield. I then went to Canada where

16 I was a schoolmaster at Bishop's College. I returned to

17 England and took employment at Eastbourne College in

18 England as a schoolmaster.

19 "I was then headmaster at Loretto Junior School in

20 Musselburgh for nearly five years. Thereafter I worked

21 at Stoneyhurst St Mary's Hall in Lancashire, and lastly

22 I worked part-time at Moor Park School in Ludlow,

23 Shropshire, as a schoolmaster. In terms of teaching,

24 I was a classicist by trade, so I taught classics

25 subjects. I also taught English and history."

1 My Lady, I then propose to resume reading the
2 statement at paragraph 10:

3 "I was headmaster at Loretto Junior School from 1987
4 to 1991, I was interviewed for the job by the school
5 governors, both in Edinburgh and at Loretto. The
6 headmaster of the senior school was the Reverend
7 Norman Drummond, the headmaster of Loretto.

8 "At that time, jobs were advertised in the
9 Educational Supplement of the Times and that was where
10 I saw the post. I applied and I was invited for
11 an interview. I suspect my references would already
12 have been checked out. I then came to Edinburgh on the
13 sleeper train and arrived early in the morning. I spent
14 the morning travelling to Musselburgh to see where the
15 school was. That afternoon I had my interview in
16 a solicitor's office on Charlotte Square with the school
17 governors. I succeeded Clifford Hughes as headmaster of
18 the junior school at Loretto. Clifford Hughes had been
19 become headmaster after Hamish Galbraith who had been at
20 Loretto junior school for a long time and was much
21 liked.

22 "Clifford Hughes left Loretto in the summer of 1986
23 and I was appointed to succeed him, but I didn't join
24 Loretto until January 1987. Mr Armstrong was acting
25 headmaster and in charge from September to December 1986

1 until I joined.

2 "I don't know why CRX [REDACTED]
3 I know he was a very talented man and a talented [REDACTED]
4 I know Mr CRW [REDACTED] didn't get on with him but he never
5 expanded on why that was. I think CRX [REDACTED] was
6 perhaps a man of moods, various people did not like him,
7 but that is no reason for a SNR [REDACTED] to be dismissed.
8 That said, in a small school it helps if staff get on
9 with SNR [REDACTED] because they see each other all of
10 the time.

11 "CRX [REDACTED] went on to train to be a [REDACTED]
12 [REDACTED] and I think he went to
13 Haddington for a time. He is no longer with us, and
14 I think he has been dead for some years now.

15 "Loretto is not a large school, with about 400 or so
16 pupils, so it was like a large family. The junior
17 school had about 80 boys in it, therefore it was
18 common sense that the junior school would regard itself
19 as part of the whole.

20 "There were two boarding houses in Loretto Junior
21 School. Just over the half of the 80 boarders were in
22 North Esk Lodge in the main part of the junior school
23 building, which was on the North High Street in
24 Musselburgh. The rest of the boarders, just under 40
25 boys, were in Newfield House which was about

1 a three-minute walk away.

2 "The junior school was at that time a member of the
3 Incorporated Association of Preparatory Schools. To be
4 a proper preparatory school, pupils went on to their
5 senior school at 13-plus. Loretto changed its
6 relationship with the junior school so that the junior
7 school pupils went to the senior school at 12-plus.
8 Therefore I don't believe the Loretto Nippers are part
9 of the association anymore because it is not defined as
10 a prep school anymore but as a junior school.

11 "I always felt that was what the governors of
12 Loretto wanted. In some ways I can understand why,
13 because the junior school had a smaller number of boys
14 compared to the senior school, so it made sense for it
15 all it be considered as a whole.

16 "I was headmaster of the junior school from 1987 to
17 1991. In practice, I was responsible for the wellbeing
18 of pupils and staff. I was a housemaster of the main
19 boarding house. As well as being headmaster and
20 housemaster, I also taught English and history whilst
21 I was there. No training was provided to me for the
22 role as headmaster, it was a continuous liaison between
23 myself and the headmaster of Loretto during my
24 employment. I referred to the senior school in matters
25 out of manners and to keep the lines of communication

1 open. I had no say at all in the decisions to do with
2 the senior school.

3 "I don't have much recollection of the strategic
4 planning. My memory is hazy after 30 years-plus. The
5 major event that took place in my time was that Loretto
6 Nippers celebrated its centenary in 1991. There was
7 a great deal of discussion that went on between all of
8 us in the four months leading up to the event that took
9 place in June 1991.

10 "I do recall that a new classroom block was built
11 for the junior school and when it came to the time to
12 discuss the finance, I wasn't asked to attend the
13 meeting of the finance committee who met in Edinburgh,
14 and I thought I should have been because I was the one
15 having to implement whatever decisions were made. The
16 bursar went along to the meeting. Strategic planning
17 was never undertaken, other than in conjunction with the
18 headmaster and the bursar.

19 "I met the headmaster of the senior school,
20 Norman Drummond, and the bursar, Major General Lyon,
21 every week. It was mostly tactical planning rather than
22 strategic planning. We met to discuss the events of the
23 week and what we would be doing the following week. We
24 were constantly discussing how things worked on the
25 ground. Strategy was less important than tactics.

1 "It was difficult to be the headmaster of the junior
2 school in a sense because you weren't entirely a free
3 agent. In one way, the pressure was off because the
4 bursar took the decisions to do with finance and as
5 headmaster I just offered an advisory role. It did mean
6 I wasn't entirely independent but that was inevitable in
7 a school like Loretto. In many ways it was the strength
8 of the school as everybody knew what was going on and
9 what was required of them.

10 "During my time at Loretto I had responsibility for
11 half of the boarders at Loretto Junior School. I was
12 assisted by a live-in member of teaching staff and his
13 wife. We were all assisted by my own wife, Juliet. She
14 and I lived in North Esk Lodge. Also living in the
15 building when I arrived there was a man called
16 Bill Jones and his wife Hilary, as well as a live-in
17 matron called Maureen Woodward.

18 "Bill Jones moved on to do other things, and we were
19 then joined by Dennis Dickinson who I had recruited. He
20 was joined by his wife. Maureen Woodward left and was
21 succeeded by a Mrs Patricia Baigrie, who had a very
22 powerful Edinburgh accent. She was a breath of fresh
23 air.

24 "Mr CRW [REDACTED] was the housemaster of Newfield House
25 and just under 40 of the boarders there. He had

1 a degree of autonomy within his own building, assisted
2 by his matron. All of the staff in the junior school
3 were responsible to me. Recruitment of staff at
4 Loretto School was primarily my responsibility, subject
5 to the approval of upper school --"

6 LADY SMITH: Recruitment at the junior school.

7 MS BENNIE: Sorry, my Lady:

8 "Recruitment of staff at Loretto Junior School was
9 primarily my responsibility, subject to the approval of
10 upper school authorities, who was the Reverend
11 Norman Drummond, the headmaster of Loretto. At that
12 time, jobs were advertised in the Times Educational
13 Supplement and people applied by post with details of
14 their references.

15 "When somebody gave me a reference, the first thing
16 I would do would be to get on to the telephone to the
17 fellow headmaster who employed them and in the course of
18 the conversation learn what the candidate was really
19 like. The referee would be consulted before deciding
20 whether to invite the candidate for an interview. All
21 appointments were backed up by a reference to supporting
22 referees. These commented on the candidate's academic
23 suitability and also on their suitability to work in
24 a boarding school.

25 "Appointing good staff is even more important in

1 a boarding school than in a day school because there is
2 a social requirement to fit in as well as having the
3 academic skills to teach. The headmaster of Loretto in
4 the 1960s was reported to have said 'A school is like
5 a club, and when someone wants to join the club you find
6 out what the rules are and abide by the rules. If those
7 rules don't suit you, then you find another club'. In
8 a way, life in boarding schools is like that. The staff
9 who join need to feel socially comfortable in the
10 environment.

11 "After checking references, a potential candidate
12 would be invited to Loretto. I collected several people
13 from Edinburgh Airport and then the person would join us
14 at the school for the whole day. It was not just a talk
15 between me and the candidate, it was a full day for them
16 to meet the staff and the pupils.

17 "When I appointed someone in the junior school it
18 was solely my decision. I informed the headmaster,
19 Norman Drummond, as a matter of good manners rather than
20 anything else. I don't think he would have vetoed any
21 appointment but he would have been puzzled if he hadn't
22 been told.

23 "In the case of Dennis Dickinson, who I appointed to
24 Loretto Nippers in 1987, I struck gold. He had a very
25 good reference from his previous school in Durham. He

1 was one of those people who pupils could chat to but
2 wouldn't misbehave in front of. He made a success of
3 his time at Loretto to the extent that he is still
4 employed in the upper school there even now.

5 "Some staff are inspired and some are inspiring, but
6 the most important thing about staff at schools is that
7 they should be reliable and turn up. I came across one
8 or two members of staff who were hypochondriacs. One of
9 the members of staff who I appointed was a gentleman who
10 I felt suffered from a bad back a little too often and
11 wouldn't be able to go into work. It is always
12 a nuisance in schools when staff are absent.

13 "I didn't drive any change in the appointment of new
14 staff while at Loretto. I followed the accepted
15 practice, which was to look for somebody even better
16 than the person who was being replaced.

17 "No formal training was undertaken by the staff but
18 I was in personal contact with the staff every day. In
19 a small school which had about 80 boys I was constantly
20 monitoring staff. That was my involvement in the
21 supervision and evaluation of the staff. Staff
22 appraisals were in their infancy in the 1980s.

23 "My wife and I lived in the same building as the 40
24 boarders in our care. Supporting staff, male and
25 female, also lived in the same building. All

1 responsible staff had access to children's residential
2 areas. This was a strength of the school and
3 a requirement of the school governors.

4 "There was a personal touch at Loretto and that was
5 regarded as humane, rather than having distance from the
6 boys just for distance's sake. When I arrived,
7 I discovered that the youngest boys' dormitory for the
8 8-years olds was only accessible through my living
9 quarters. This meant that boys and their parents had to
10 walk from the school part of the house into my flat to
11 get into the dormitory. The governors regarded that as
12 a strength because the youngest boys were literally in
13 the care of the headmaster and his wife. I did go on to
14 challenge this arrangement as time went on because once
15 or twice I was caught out with a parent standing in my
16 living quarter as I was coming out of the bathroom with
17 a towel wrapped around me. In about 1989 I persuaded
18 the governors to let a separate entrance be created in
19 the boys' dormitory that didn't go through my flat and
20 this was done.

21 "The boys at Loretto were encouraged to voice their
22 opinions on all matters. Loretto was not strong on
23 written rules, but the headmaster of the upper and
24 junior school met with pupils every morning in what many
25 would call assembly but at Loretto we called it double.

1 I attended these meetings in the main hall with all 80
2 of the junior school boys every morning, just me and
3 them, except once a week when the other staff would be
4 present. At these meetings I talked about all sorts of
5 things with them, including current affairs, what
6 happened in class or in games. There was a general
7 feeling about what was considered to be good and what
8 was less good. I didn't always manufacture something to
9 say, and if the boys didn't have a lot to say we would
10 play music. I would often play recorded classical music
11 to them.

12 "The upper school had a similar occasion. When the
13 headmaster met the upper school pupils in the school
14 dining room, he walked around the room and spoke to the
15 pupils.

16 "I abolished corporal punishment on arrival at
17 Loretto in 1987. When I arrived, I discovered that
18 independent members of the staff were sometimes smacking
19 boys in the classroom with a tawse or gym shoe.
20 I abolished it by saying, in my very first staff meeting
21 in January 1987, that if any teacher felt strongly that
22 a child should be beaten then they should send the child
23 to me. I had no intention of beating any child myself
24 so the practice simply stopped. I don't remember any
25 member of staff objecting to it or even questioning it.

1 Pupils were punished largely by curtailment of their
2 free time. This was a recognised policy.

3 "In a boarding school, boys had a lot of free time
4 at the weekend which they valued very highly because
5 they could go out. Keeping them in at the weekend and
6 making them sit in a classroom as a punishment meant
7 they felt they were losing valuable free time and was
8 a big deal for them.

9 "In such a small school as Loretto Junior School,
10 all the staff and children knew what sort of behaviour
11 was required and desirable. It was a very small school.
12 All of the pupils and the staff were in contact all of
13 the time. All meals were eaten together, so there was
14 just a school feeling about what was desirable and what
15 was unacceptable.

16 "There was a new school minibus that somebody had
17 scratched initials onto with a compass. Everybody
18 recognised that this was unacceptable, and it was also
19 recognised that to punish everybody for it was not fair
20 or desirable, but it is very difficult to avoid doing
21 that at times. I kept the whole school in for about 45
22 minutes after school in the hope that the person who
23 did it would own up but I never got a result. Sometimes
24 people just don't own up, and the person who did it got
25 away with it, but it did make them all realise this kind

1 of behaviour just wasn't acceptable.

2 "Senior boys had no power to punish the junior boys
3 in Loretto Junior School. I remember at other schools,
4 like Eton, boys would beat other boys right up until the
5 1980s. I always thought it was unacceptable, even at
6 that time. I always thought anybody turning their
7 bottom towards another person to be beaten was
8 humiliating.

9 "No fagging took place in Loretto. In such
10 a school, I would hope that any form of ill-treatment
11 would have speedily come to my ears as I had daily
12 communications with the boys. Children were free to
13 talk to me at any time, or indeed to any member of
14 staff, male or female, if they wished to make
15 a complaint or report a concern. I am not aware of any
16 complaints having been received. To my knowledge, the
17 school and its pupils were never the subject of concern.
18 I was not aware of any concern. If there were concerns
19 it would have been my responsibility, in conjunction
20 with the headmaster of Loretto, to inform parents of
21 them.

22 "Children could speak to me or my wife at any time
23 if they had a concern. They could do this at the
24 morning meetings or approach us in private, if they
25 wished. I was at the school for just under five years,

1 and I was not aware of any concerns that pupils had.
2 I felt I had a good relationship with boys of all ages
3 and I am quite confident that if any one of them were
4 truly concerned about anything, they would have come to
5 see me or Mr CRW who was the housemaster for half
6 the boarders.

7 "It is quite possible, I suppose, that the boys
8 wouldn't have come to speak me or see me if they had
9 a concern but I think they would have done. There was
10 no barrier between myself and the pupils.

11 "Abuse really depends on what people mean by it.
12 Some people may define beating a pupil on the bottom as
13 abuse in the currency of nowadays, but it was quite
14 common practice about a century ago. Matters of abuse
15 were being raised for the first time towards the end of
16 the 1980s when Esther Rantzen was around and also
17 Childline had come in. Before that, schools were
18 extraordinarily private places, especially boarding
19 schools.

20 "At the time I understood from hearsay that, if
21 a staff member anywhere misbehaved in a criminal manner,
22 they would just be given a note and told to leave
23 without any reference to the police, and thus be free to
24 be employed in another school. I don't know of any
25 specific examples of this having happened.

1 "In my time, abuse meant the personality clashes
2 inevitable in any group, where day-to-day tensions
3 arose, where one pupil perhaps struck another, that
4 would be dealt with by getting to the bottom of the
5 matter. Frequent staff meetings gave an opportunity for
6 any concerns of any individual pupils to be aired.
7 I thought physical abuse was quite unacceptable and was
8 aware of absolutely no physical or sexual abuse taking
9 place at Loretto. I don't have anything more to say
10 about that.

11 "I was not aware of or part of any investigation
12 into abuse at Loretto School. I was not aware of any
13 police investigations either. I also do not know of any
14 person working at the school who was convicted of abuse.

15 "I worked in schools from the age of about 20 and
16 onwards and was never aware of any abuse taking place in
17 any of the schools I worked at.

18 "Guidance to the staff on child protection measures
19 took the form of constant discussion about pupils in our
20 care and the airing of any concerns about personality
21 clashes. I am confident that staff with major concerns
22 would have approached me about them. It was always the
23 case that the housemaster had a degree of autonomy in
24 their house. It was their home as well as their place
25 of work. In most boarding houses the headmaster would

1 still seek permission to go into somebody's house or at
2 least give notice they intended to visit because it was
3 the person's home. This was the situation when
4 I arrived and it didn't change during my time. There
5 were no formal child protection measures in place.

6 "During the period that I was at Loretto there was
7 no outside monitoring of the school. On arrival at the
8 school, I was not aware of any record-keeping apart from
9 on academic matters. During my time there,
10 record-keeping was confined to academic matters and
11 copies of all records were kept. I could not say, with
12 accuracy, what records from my time there would still
13 exist.

14 "I left Loretto in the summer of 1991. It wasn't an
15 easy job because there was a tension between the need to
16 feel independent and the need to feel part of the whole
17 of Loretto. I think a number of people found that
18 difficult to sustain. I think Loretto has got what it
19 wanted in a way, and the junior school is now a junior
20 house and not an independent school in its own right.
21 It is now part of the whole of Loretto School so it
22 doesn't have a headmaster.

23 "I have been asked if I knew a man called CRX

24 CRX during my time at Loretto. I am aware that

25 CRX was SNR of the junior school but

1 that was before my time there. Our periods of
2 employment at the school did not coincide.

3 "I have been asked about a CRW [REDACTED] and I can
4 confirm that I did work with him for almost five years
5 from 1987 until 1991. I believe he was in his 40s when
6 I worked with him. CRW [REDACTED] was the housemaster
7 of Newfield House which had just under 40 boys in it.
8 He was the SNR [REDACTED] and also a teacher.
9 He taught [REDACTED] at middle school level to the boys aged
10 9 to 10 years old. We liaised with each other on
11 everyday matters and the [REDACTED] of the school and we
12 got on extremely well. We also had weekly meetings
13 between myself, my wife and Mr CRW [REDACTED] This was to
14 keep channels of communication open. There wasn't a
15 great deal to talk about because we knew our business.
16 We took a diary to these meetings and looked at what
17 events were coming up and decided on the best way
18 forward.

19 "I met with Mr CRW [REDACTED] every day at school and
20 also saw him with the children every day. Children
21 behaved well in his presence. I believe this discipline
22 was achieved by the children being aware of where the
23 lines were drawn. I recall him being a very caring and
24 hardworking housemaster. He was a very effective
25 teacher. He was also an excellent, caring and effective

1 coach of [REDACTED] for 12 and 13-year olds.

2 "I have been told that the minute of the board of
3 governors of 1989 to 1991 perhaps suggests that the
4 school were keen for Mr CRW [REDACTED] to leave Loretto and
5 asked why that may be. I don't know the answer to that.
6 I think a good school needs to have a number of people
7 who are in staff for a long time to provide stability,
8 but also needs younger people to come in for a short
9 period with new ideas.

10 "I think in Mr CRW [REDACTED]'s case, he had been at
11 Loretto for about [REDACTED] years when I arrived and people
12 felt it was maybe time for him to move on and spread his
13 wings. Beyond that general feeling that he had
14 exhausted his usefulness at the junior school and was
15 a bit stuck in his ways, I don't know why it would be
16 suggested that he leave beyond that. I was not aware of
17 any sinister connotation. I always thought he behaved
18 correctly with pupils and other members of staff.

19 "Mr CRW [REDACTED] left Loretto because he got a job as
20 SNR [REDACTED] of another school which was a promotion for
21 him. I departed from the school in the same [REDACTED]
22 shortly after him.

23 "I understand that corporal punishment was
24 occasionally carried out by individual members of staff
25 until I arrived in 1987. I abolished the practice,

1 believing that other methods of punishing were called
2 for. The key to protecting children in boarding schools
3 is appointing good staff who are reliable and can fit in
4 socially as well as academically and then to keep the
5 lines of communication continuously open. I believe
6 that was the case in Loretto School between 1987 and
7 1991. People are far more probing in their searches
8 when appointing staff than they used to be.

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

12 My Lady, this statement is signed by Mr Halliday on
13 9 November 2020.

14 LADY SMITH: Thank you.

15 MS BENNIE: My Lady, the final read-in for today bears the
16 document reference WIT-1-000000487.

17 Witness Statement of JOHN STUART (read)

18 MS BENNIE: My Lady, this witness wishes to remain anonymous
19 and has adopted the pseudonym of "John Stuart":

20 "My name is John Stuart. My year of birth is 1948.
21 My contact details are known to the Inquiry."

22 My Lady, I would propose to summarise paragraphs 2
23 to 16 of the statement as follows: in paragraphs 2 to
24 16, the witness tells us that he was a teacher at
25 Loretto School from 1988 until the year 2000, that he

1 was GTCS-registered, that he was interviewed with his
2 references being provided to the school, and that he
3 completed a probationary period at the school. That he
4 had no involvement in the forming of policy within the
5 school, that he had no involvement in the strategic
6 planning within Loretto, that he had no involvement with
7 recruitment policy or recruitment practices, and that he
8 had no involvement in the training or personal
9 development of staff.

10 My Lady, I propose to resume reading the statement
11 at paragraph 17:

12 "The school had to be progressive to appeal to
13 a diminishing market of traditional, often military,
14 parents. The demand for boarding places diminished and
15 offering places for girls, previously only in the sixth
16 form, was extended. This helped to create a more
17 balanced social perspective and challenged the boys
18 academically. They still regarded the school as
19 male-orientated, maybe due to a strong rugby tradition,
20 and a considerable loss of former pupils in Scottish
21 regiments in the Second World War. More overseas
22 applicants were sought. I never heard of fagging
23 existing at the school.

24 "I think housemasters and housemistresses were
25 responsible for discipline, though I have no knowledge

1 of disciplinary protocols or procedure, probably just
2 letters to parents. There was no formal policy in
3 relation to discipline and punishment that I was aware
4 of.

5 "If I had any complaint regarding the work or
6 behaviour of a pupil, I would bring it to the attention
7 of their housemaster to follow up. I don't know if
8 records were kept though I imagine housemasters kept
9 a file for each of their residents.

10 "I don't think senior pupils had any specific
11 entitlements to discipline more junior students other
12 than to earn the respect of younger pupils and set
13 an example. I was not aware of them having any
14 disciplinary responsibilities.

15 "I was not at any time involved in the day-to-day
16 running of the school. If any child was being abused or
17 ill-treated, I would have thought it would have come to
18 light at or about the time it was occurring. The role
19 of tutors and housemasters was not confined to academic
20 and behavioural aspects but also very much pastoral.
21 Understandably, some may have been more approachable
22 than others, but pupils would almost certainly have
23 taken any concerns they had for their friends to
24 appropriate adults.

25 "I never picked up any hint from the student body or

1 elsewhere that there was anything of an abusive nature
2 occurring during my period of employment at the school.
3 The school, to my knowledge, was never the subject of
4 concern in school or to any external body or agency or
5 any other person because of the way in which the
6 children and young people in the school were treated.
7 As such, I am unable to provide any detail of the nature
8 of any concerns, any individuals who were the subject of
9 concern or the school's responses to such.

10 "Responsibility for communicating concerns would
11 have been entirely at the discretion of the headmaster.
12 There was never in my time any discussion amongst the
13 staff, covert or otherwise, that there were protection
14 issues.

15 "If any child in the school or other person on their
16 behalf wished to make a complaint or report a concern,
17 housemasters and mistresses, along with tutors, had
18 a primary role as listening ears. There was no official
19 reporting process in place that I was aware of. Towards
20 the end of my time at Loretto a member of staff was
21 given a role of protection, primarily I think to comply
22 with Ofsted expectations. I was not aware if complaints
23 were nevertheless received or if such complaints were
24 recorded or where they would be recorded.

25 "The head of geography, Duncan Wylie, was the

1 nominated member of staff responsible for protection
2 policies. The school always had a chaplain, whose name
3 I don't now recall, who may have been a more obvious
4 choice for pupils who were unhappy to go to. I didn't
5 notice any changes in practice that happened over time,
6 though I imagine there was confidentiality surrounding
7 what was or was not confided to this person. If
8 children in practice raised concerns in this way, then
9 I was not aware of it.

10 "Abuse. During my period of employment I was not
11 aware of the school having a definition of abuse that it
12 applied in relation to the treatment of children at the
13 school. The school had a high reputation and anything
14 that threatened that would involve a meeting with the
15 headmaster.

16 "Beyond shouting at a child or not recognising
17 genuine effort and achievement, I know of no more
18 serious anecdotal examples. We were simply expected to
19 behave as balanced, trustworthy adults with a close
20 teacher-parent relationship. Parents paid high fees and
21 rightly had high expectations. Many had our telephone
22 numbers, especially overseas parents, and we spoke with
23 them much more frequently than teachers in state
24 schools. Many came to chapel on Sundays for which there
25 was a three-line whip for all staff. The centrality of

1 the chapel and the tradition of whole school singing
2 weakened with the change of headmaster. I felt
3 something rather unique and important was lost.

4 "The establishment of a protection officer was a new
5 initiative whilst I was there and may, to a certain
6 extent, have displaced the chaplain's role. I don't
7 recall staff being given any specific guidance, other
8 than to refer any concerns we may hear of to the
9 protection officer.

10 "The guidance and instruction, if any, given to
11 staff on how to handle and respond to reports of abuse
12 or ill-treatment of children by staff, other adults or
13 fellow pupils was simply that there was now a designated
14 member of staff.

15 "As far as how much autonomy, including discretion,
16 was given to staff in relation to child protection
17 arrangements were concerned, I think we were all ready
18 to listen to pupils' worries if they wanted to share
19 them, though house staff would be the conduits for any
20 further action beyond a sympathetic ear.

21 "I can't think of any child protection arrangements
22 that were in place as such to reduce the likelihood of
23 abuse, ill-treatment or inappropriate conduct by staff
24 or other adults towards children at the school.
25 Visiting house staff, as distinct from the housemaster

1 or the assistant housemaster who lived on the premises,
2 didn't ever venture into the dormitories. Girls'
3 boarding houses only had female staff tutors. It seemed
4 a sensible and workable premise.

5 "There was no obvious policy on record-keeping
6 though, as computers began to be introduced, this may
7 have changed. I have no knowledge of nor did I have
8 access to any central bank of information. I cannot
9 comment on the historical position as regards
10 record-keeping as I was not aware of any. I was never
11 involved in any investigation into allegations of abuse
12 or ill-treatment of children at the school or any
13 inappropriate behaviour by staff or others towards
14 children, and I have never heard of any such allegations
15 or investigations.

16 "Leaving Loretto. The headmaster solicited signed
17 statements from a couple of parents, a former colleague
18 and several members of staff. They contained no
19 accusation of abuse against me, though there was one
20 which referred to the feelings of a female member of
21 staff who alleged I had made an embarrassing comment.
22 There was no reference made to any pattern of my
23 behaviour regarding pupils of either gender. The
24 statements, as one might expect, were anecdotal and some
25 entirely refutable, if not derisory. Nevertheless, they

1 were designed to provide sufficient gravitas to suspend
2 me. The common room was instructed not to have contact
3 or speak to me. Some weeks later following a hearing
4 comprising the headmaster and chairman of the governors,
5 at which I was represented by an ATL (Association of
6 Teachers and Lecturers) representative (I was not in the
7 meeting) a notice was issued to the staff saying that my
8 departure from Loretto was not for any impropriety
9 involving any of the student body. The length of my
10 suspension had made it difficult for me to be
11 reinstated, and a financial package was negotiated.

12 "In addition, I was furnished with a verifiable and
13 complimentary reference, which sadly I have not kept.
14 Thereafter I continued to work as a supply teacher for
15 Local Authority councils until my retirement."

16 "The reason my contract at Loretto was terminated
17 was posited as professional misconduct but, beyond
18 insinuations, there was nothing of an unprofessional
19 nature in the headmaster's efforts to discredit me. One
20 statement for example thought I was 'slimy' whilst
21 another reckoned I had searched their waste paper
22 basket."

23 My Lady, I now propose to resume reading the
24 statement at paragraph 56:

25 "I would not recognise Martin and I think our time

1 at Loretto overlapped with the end of my tenure at the
2 school. I don't know what age he was but he wasn't old.
3 He was a teacher. To me he was just another member of
4 staff and our roles didn't overlap.

5 "Maybe teacher training or staff induction
6 provisions should be given more emphasis to child
7 protection. Nowadays social media platforms are forums
8 for sharing of both true and, regrettably, disingenuous
9 information. I think schools should include programmes
10 of learning which provide unequivocal guidance regarding
11 the responsibilities of and behaviour towards all
12 parties, whether teachers, pupils or support staff.

13 "There could be more thought given to the role of
14 parents. Peer-to-peer bullying probably constitutes the
15 bigger threat to children's welfare at present, though
16 it must be remembered that boarding schools are now very
17 often rather more day schools with a boarding element.

18 "I have no objection to my witness statement being
19 published as part of the evidence to this Inquiry.
20 I believe the facts stated in this witness statement are
21 true."

22 My Lady, the statement was signed by John Stuart and
23 is dated 3 November 2020.

24 LADY SMITH: Thank you very much. Mr Brown.

25 MR BROWN: My Lady, that concludes the evidence in its

1 various forms to the Inquiry this week. We recommence
2 on Tuesday with the evidence of a former clerk to the
3 school board, which I think will take us back to the
4 first witness's experience and others, and thereafter
5 the headmaster we have heard much about over the last
6 few days, Mr Drummond.

7 LADY SMITH: Thank you very much indeed.

8 We will finish there for, not just today, but this
9 week. Thank you all for your attendance and attention
10 over the last four days and I look forward to those of
11 you who are intending to come to the evidence next week
12 doing so. But, meanwhile, have a good weekend.

13 Thank you.

14 (2.56 am)

15 (The Inquiry adjourned until 10.00 am on Tuesday,

16 11 May 2021)

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