

1 Thursday, 14 October 2021

2 (10.00 am)

3 LADY SMITH: Good morning and welcome to the fourth day this  
4 week of evidence in our boarding school case study  
5 looking into the provision of care for children at  
6 Gordonstoun School.

7 Mr Brown, I think we have a witness ready for us, do  
8 we?

9 MR BROWN: We do, my Lady. The first witness of two live  
10 witnesses today is Diana Monteith.

11 LADY SMITH: Thank you.

12 Diana Monteith (affirmed)

13 LADY SMITH: First help me with this. How would you like me  
14 to address you, Mrs Monteith or Diana?

15 A. Diana, please, thank you.

16 LADY SMITH: Thank you for that. You'll see there's a red  
17 folder on the desk in front of you. That has a copy of  
18 the original of your statement in it. You'll also see  
19 your statement coming up on screen as you'll be referred  
20 to parts of it, I imagine, while Mr Brown is asking you  
21 questions. Use either or neither, whichever you find  
22 helpful.

23 If you have any queries while you're giving your  
24 evidence, please don't hesitate to tell me. If you want  
25 a break at any time, that's absolutely fine. What works

1 for you works for me, so help me with that.

2 If you're ready, I'll hand over to Mr Brown and  
3 he'll take it from there. Is that all right?

4 A. Yes, I'm ready. Thank you.

5 LADY SMITH: Mr Brown.

6 Questions from Mr Brown

7 MR BROWN: My Lady, thank you.

8 Diana, good morning again.

9 A. Good morning.

10 Q. The statement in front of you in the red folder and on  
11 the screen in front of you is there obviously as  
12 an aide-memoire as much as anything else as we talk this  
13 morning.

14 Some formalities to begin with. First of all, I'll  
15 read in the number of the statement so it's on the  
16 record and that is WIT-1-000000519. It is a statement  
17 that is long and detailed, for which thanks. We see on  
18 the final page, page 42, you signed it on 18 November  
19 2020. Is that correct?

20 A. Yes.

21 Q. And you see on the screen that the last paragraph, 151,  
22 confirms that you have no objection to your witness  
23 statement being published as part of the evidence to the  
24 Inquiry:

25 "I believe the facts stated in this witness

1 statement are true."

2 And presumably that you were willing to sign the  
3 document reflects the fact you read through it and were  
4 content with it?

5 A. Yes.

6 Q. Thank you. It obviously, as I said, contains a great  
7 deal of detail because you have had repeated connections  
8 with Gordonstoun, which is of course of interest, and in  
9 particular you were the director of pastoral care --

10 A. Yes.

11 Q. -- in your last block of time at Gordonstoun and we'll  
12 talk particularly about that. Can I show you -- this is  
13 not a memory test, because we're talking about events  
14 going back 30-plus years.

15 A. Just as well.

16 Q. But obviously the statement is there. We can take from  
17 it the detail, we don't need to go into that. This is  
18 just a conversation perhaps more about just the broad  
19 picture you formed at Gordonstoun over your repeated  
20 times and your thoughts on child protection, which is  
21 something you obviously at one part of your career had  
22 particular interest in?

23 A. Yes.

24 Q. Thank you. Going to the very beginning, we see your  
25 background, which is taking an English degree and

1           progressing to become an English teacher to begin with.

2           A. (Witness nods).

3           Q. Paragraph 2 on page 1 sets out a lengthy career history,

4           repeatedly at Gordonstoun, at the British international

5           school at Jakarta, at schools in Worcester and North

6           Shropshire. Were these all boarding establishments?

7           A. No. The British international school in Jakarta --

8           well, sorry, I should start, the Heathlands school in

9           Hounslow is a state comprehensive in Hounslow in London.

10          The British international school in Jakarta was not

11          a boarding school, it was a day school. The Royal

12          Grammar School in Worcester was a day school, a boys'

13          independent school in Worcester. And Moreton Hall was

14          a girls' boarding school.

15          Q. So it would appear you've had perhaps the full range of

16          experiences?

17          A. I have been very lucky to have a full range of

18          experiences, yes, in my teaching career.

19          Q. And yet you kept coming back to Gordonstoun?

20          A. Yes.

21          Q. Why was that?

22          A. I have loved my career at Gordonstoun. I think it is

23          a very unique and challenging and interesting place to

24          work, and I -- each time I have come back, I've wanted

25          to return. The first time I returned, on paper I'm



1           returning because I married my husband --

2           Q.   And his role was?

3           A.   And he was the deputy head at Gordonstoun at the time.

4           But I came back very gladly and was very happy to be  
5           returning to the school. I had in fact applied to do  
6           an exchange, an exchange when I left the first time, so  
7           my wish even when I left was that I would return, so it  
8           was lovely to come back.

9           The second time I returned very much because  
10          I wanted to. I had gone to Moreton Hall in Shropshire  
11          and had missed Gordonstoun and spoke to Mark Pyper  
12          probably towards the end of my first term saying to him  
13          that I was interested in returning at some point.

14          Q.   Mark Pyper was obviously the headmaster --

15          A.   Yes.

16          Q.   -- of Gordonstoun at that stage. I think he became the  
17          principal at some -- there was a name change; is that  
18          correct?

19          A.   I believe he did, yes.

20          Q.   And we should understand that you've only just recently  
21          retired?

22          A.   Yes. This year I've retired.

23          Q.   Although, I think in terms of your role as director of  
24          pastoral care, that stopped --

25          A.   2015.

1 Q. Yes.

2 A. I stepped down as deputy head pastoral, which it had  
3 become by then, at the end of August 2015.

4 Q. And why was that?

5 A. I think Mark Pyper had said to me I should do five  
6 years, and I did five years. I found the role  
7 incredibly rewarding but very, very stressful as well.  
8 It's a 24/7 school and the role was very, very  
9 demanding. I had two children, one of whom was about to  
10 do her A-levels, the other one was about to do his  
11 GCSEs. I had lost my stepson in a car accident the year  
12 before and I felt that my children needed their mother,  
13 so I stepped down.

14 Q. We'll come back to the pressures of the DPC job in due  
15 course. You did it for five years, which from what  
16 you're saying was a long time, it was a hard shift.

17 A. Mm-hmm.

18 Q. Just since we're on that subject, do you think it is  
19 a job, having done it, that should be time-limited?

20 A. I don't know about should. I stepped down perhaps  
21 surprisingly with quite a heavy heart. There were -- in  
22 some ways I felt as if it was a bit of a weakness in me,  
23 because after five years I think you've grown so much  
24 and you've learned so much and you've experienced so  
25 much that you can keep giving if you've got the strength

1 to. I didn't feel that I could do any more, and it felt  
2 right for me to stop and to let somebody else --

3 Q. I just wondered whether there's an argument for saying  
4 it should be time-limited so a fresh pair of eyes comes  
5 to look at it?

6 A. I didn't feel that at the time. I felt if I was strong  
7 enough to have carried on, that might have been a good  
8 thing for the school. But maybe that -- that sounds  
9 a little arrogant, doesn't it? Sorry.

10 Q. You said in 2015 that's how you felt.

11 A. Yes.

12 Q. Looking back now in 2021, do you think a fresh set of  
13 eyes might be a good thing?

14 A. That's really hard to say. Probably. I think every  
15 time somebody new comes into a role, they bring new  
16 things and new ideas and that's often a positive thing,  
17 but I do think there's an awful lot to be said for  
18 experience as well. And the relationships that you've  
19 built up with people and the relationships you've built  
20 up with children.

21 Q. One of the reasons I ask, and I'll touch upon this in  
22 due course, we've been hearing about the change in  
23 governance style at boarding schools generally --

24 A. Mm-hmm.

25 Q. -- away from perhaps the close connection because of

1           being at the school, because of having children at the  
2           school, to bringing in people with appropriate skill  
3           sets to assist the school but also in terms of  
4           Charity Commission guidance, only guidance, that there  
5           should be a time limitation for governance roles. In  
6           that world there seems to be a recognition that there  
7           has to be refreshing, and I just wondered whether you  
8           think that's also apposite in terms of child protection.

9           A. I think I'm possibly saying that I don't agree.

10          Q. Thank you. And that is for the reasons you've given,  
11          because you build up knowledge --

12          A. You build up so much knowledge and experience and if the  
13          right person is in that role, then continuing to do that  
14          role can be a positive.

15          Q. I think it's fair to recognise that in terms of  
16          governance it's accepted that institutional knowledge is  
17          important too.

18          A. Mm-hmm.

19          Q. Okay. If we can look at the three periods that you  
20          worked at the school --

21          A. Yeah.

22          Q. -- because obviously that gives you an oversight that  
23          perhaps other people lack because you keep coming back  
24          and presumably you saw change every time you returned --

25          A. Yes.

1 Q. -- because schools are not static?

2 A. Yes.

3 Q. Going to page 2 and 3, you sum up your periods of  
4 employment and your first period at the school  
5 was September 1989, paragraph 4 on page 2, to August  
6 1993. You were initially appointed as an English  
7 teacher, assistant housemistress and assistant with  
8 sports services and outdoor activities.

9 Why did you choose to go to Gordonstoun in the first  
10 place, having been in Hounslow?

11 A. I'd been at Aberdeen University. I had a boyfriend who  
12 lived up in the north of Scotland and taught in Culloden  
13 and I wanted to be near him.

14 Q. Right. The appointment process presumably involved you  
15 making an application?

16 A. Yes. I made an application, I went and visited the  
17 school, I had an interview and was offered the role.

18 Q. Was there a probationary period?

19 A. I don't remember that there was. I was asked that for  
20 my statement. I don't remember there being  
21 a probationary statement, but it was 30 years ago, so.

22 Q. Right. Each time you returned, presumably you were  
23 a known quantity --

24 A. Yes.

25 Q. -- was there ever a probationary period for any of the

1 roles that you took?

2 A. No, I don't think there was.

3 Q. And again, just thinking about your employment, again  
4 because you're a known quantity, I suppose, and because  
5 you have the connection in terms of your husband on  
6 occasions, was the process any different when you went  
7 back?

8 A. It probably was. I don't in fact remember. When I went  
9 back the first time, so in 1997 I think it was --

10 Q. I think it's 1998 from your statement.

11 A. 1998, sorry.

12 Q. It's not a memory test.

13 A. Yes. I went back to get married initially. I didn't go  
14 back, I don't think, with a job. I don't think. And  
15 applied for roles as they came up and sort of gradually  
16 went back into more and more full-time roles. But  
17 I also had my children, so -- my daughter was born very  
18 soon after we were married, nine months after we were  
19 married, so I worked very part-time for two or three  
20 years, I think, before I went back fully. A couple of  
21 years, certainly, before I went back fully.

22 Q. It's just you say in paragraph 9 about this, last three  
23 lines:

24 "I imagine I had some sort of interview but I was  
25 well known at the school by then having worked there for

1 four years and living on campus with my husband."

2 That's in terms of being appointed head of English,  
3 which is a transition in that second phase.

4 A. Yes.

5 Q. I'm not being critical, please understand me --

6 A. No.

7 Q. -- but was there perhaps an element of: you're a known  
8 quantity, we don't have to be quite as rigorous as we  
9 might be if it was an outsider?

10 A. Possibly. I don't know. I honestly do not remember.  
11 I know that I had an interview, a fairly rigorous  
12 interview for the role of deputy head pastoral, or DPC  
13 as it was then.

14 Q. Again, just turning to that third period, when you've  
15 only been away for a year --

16 A. Yes.

17 Q. -- we see in paragraph 12 at the bottom of page 3,  
18 second line:

19 "I don't remember the recruitment process at all  
20 well. I travelled to and from Gordonstoun frequently as  
21 my husband still worked there and I would imagine that  
22 on one of these visits I attended an interview."

23 But you're not perhaps clear about that?

24 A. No, that's -- that is -- yes, it's slightly confused,  
25 I think, by -- there were two other periods when I was

1 away, so one of those periods I taught at Moreton Hall  
2 and one of those periods my whole family had a year out,  
3 or we spent the time in Europe, and so when I came back  
4 from Moreton Hall I came back as director of pastoral  
5 care. When I came back from the sabbatical -- it wasn't  
6 really a sabbatical, but the year out in France --  
7 I came back as the sixth form co-ordinator. But  
8 I hadn't left the school, I had never left the  
9 employment of the school, I was just allowed to have  
10 some time out.

11 Q. It was a sabbatical, yes.

12 A. Yeah.

13 Q. Again given your background, and this is not personal to  
14 you, but should there be anxiety if teachers are coming  
15 back and there is a relaxation of approach, do you  
16 think?

17 A. I mean, I think that all the usual checks should be made  
18 around PVG checks and, yes, interviews and, apart from  
19 anything else, making the process fair. The role needs  
20 to be advertised and the right person appointed to it.

21 Q. It has to be open?

22 A. It has to be open, yes.

23 Q. Thank you. We'll come onto perhaps the flipside of  
24 that, your involvement in recruitment, in due course.

25 A. Okay.



1 Q. But we see that your first period, as we've agreed,  
2 was September 1989 and August 1993, you'd been working  
3 in a state school in Hounslow and you come obviously to  
4 an entirely different atmosphere.

5 A. Mm-hmm.

6 Q. You also take on a role as an assistant housemistress?

7 A. Mm-hmm.

8 Q. I take it that was entirely novel to you?

9 A. Yes. I went to boarding school myself.

10 Q. I wondered.

11 A. So yes, novel as a teacher, but it was a world that  
12 I knew well.

13 Q. Which house were you assistant housemistress to?

14 A. Hopeman.

15 Q. Hopeman. Obviously you've done teacher training, you  
16 can teacher English. What, if any, training was there  
17 to be an assistant housemistress?

18 A. I have no memory at all of having any training but that  
19 doesn't mean there wasn't any. It was 32 years ago, so.

20 Q. You've obviously lived, I take it from what you've said,  
21 in a girls' house somewhere else, you've seen it from  
22 the pupils' side?

23 A. Yes.

24 Q. Do you remember when you started your work as  
25 a housemistress, whether you felt it was very different

1 from your experience from the pupil stand? Was  
2 Gordonstoun different to your experience at school?

3 A. I've never thought about that. (Pause).

4 There were some similarities and some differences.  
5 I think the way in which the school I was at ran, the  
6 boarding house was in the town, the housemistress was  
7 not a teacher, she was more like what we would now call  
8 a matron, and it was more of a -- as it still is,  
9 I think, in some schools, that idea that it was  
10 somewhere for people to sleep but your house was  
11 something -- there were also day pupils in my house when  
12 I was at school, so it was a very -- there was  
13 a different feel to it, I think.

14 Q. And we should understand that when you start, I think  
15 the headmaster was Mr Mavor?

16 A. Yes.

17 Q. From evidence we've heard, and there's no argument about  
18 this, Gordonstoun, as distinct from your boarding school  
19 in a town or city, was very different, a rural campus,  
20 a large campus, houses dotted here and there, distances  
21 between, and we have been given perhaps the clear  
22 picture that houses were autonomous --

23 A. (Witness nods).

24 Q. -- beings, if you like.

25 A. Yes.

1 Q. And was that a difference from your experience at  
2 school?

3 A. I'm not sure it was different from my experience at  
4 school, but it was certainly one of the things, I think,  
5 that has changed a lot over my years at Gordonstoun.

6 Q. Yes. Was there, from your perspective as an assistant  
7 housemistress in 1989, any sense of control of the house  
8 by the school or was it just down to the housemistress?

9 A. I was the assistant housemistress and I was answerable  
10 to the housemistress. The first perhaps most  
11 interesting thing is I didn't live in the boarding  
12 house. That would never happen now. I felt that the  
13 housemistress, who was somebody I hugely respected, she  
14 was on duty every night for the whole term. I went in  
15 I think only one night a week from 7 in the evening  
16 until 10 or 10.30, and that was the only support she  
17 had. There was no matron.

18 LADY SMITH: How is that sustainable?

19 A. Yes. I agree. How is that sustainable?

20 LADY SMITH: Every night for a whole term?

21 A. Yes. She was a wonderful woman.

22 LADY SMITH: I don't doubt it.

23 A. Yes, but I think her role was extraordinary. Very  
24 different to today because the whole -- everything was  
25 done on paper. But I think if you're looking at how

1 children are looked after, that has changed dramatically  
2 since 1989 when I first arrived, and I saw the  
3 difference from 1993 to 1997 or 1998, whenever it was  
4 when I returned. I think the school felt very, very  
5 different when I came back again.

6 MR BROWN: We'll come to that, obviously, looking at each  
7 period in turn, but as her Ladyship said, you couldn't  
8 possibly sustain that sort of pressure, I take it,  
9 without delegating a responsibility to the senior  
10 pupils.

11 A. Absolutely.

12 Q. And was that the norm?

13 A. I think it probably was, yes.

14 Q. Both in your house but also more broadly, would you  
15 understand?

16 A. Yes, I think that's probably true. And I agree with  
17 you, I think there was a lot of dependence on the senior  
18 pupils getting it right to help and support junior  
19 pupils, yeah.

20 Q. And presumably, given the logistical pressures,  
21 an inability to oversee adequately, perhaps?

22 A. I think it would be true to say that the boarding houses  
23 had personalities which were very influenced by the  
24 housemaster or housemistress in charge of them, and  
25 I think whilst some of them -- and even historically

1 I hear about housemasters who were loved and respected  
2 and tutored and trained their senior students to be  
3 marvellous leaders in the boarding house, I am sure that  
4 there are also examples of where that could and did go  
5 wrong.

6 Q. Well, we've heard evidence this week of that very  
7 different character of each house being dependent on who  
8 was leading it.

9 A. Yeah.

10 Q. Of somewhere the description is it's Lord of the Flies.

11 A. Yeah.

12 Q. And housemasters essentially had no control.

13 A. I have to say I don't -- when I arrived in 1989 I wasn't  
14 aware of that, but I was aware of stories from the  
15 fairly recent past where that was the case.

16 Q. That's what I was coming to. Obviously your little  
17 world beyond the classroom teaching English presumably  
18 is the house and that's what you can see and speak to.

19 A. Yes.

20 Q. But by the nature of a school there will be a great deal  
21 of talk and this is where you pick up things and no  
22 doubt picked up that there were distinctions as between  
23 one house and another and, as you now say, that in the  
24 recent past there had been problems?

25 A. Yes, I think that's probably fair to say that,

1           because -- I would hate to come across as presenting you  
2           with fact because it was gossip, but yes, I think it  
3           would be true to say that there was enough talk of some  
4           houses being run in a very hands-off manner.

5           Q. And was there talk of violence between pupils?

6           A. Yes. And ... (Pause). Yes. Yes, I think that's fair  
7           to say.

8           Q. Presumably as teachers would there be a common room  
9           where you would meet and discuss --

10          A. Yes.

11          Q. There might be meetings for staff to air issues?

12          A. Presumably there were. I don't remember them, but yes.

13          Q. What I'm interested in, I'm sorry, again I appreciate  
14          we're talking 30 years plus, but was there a concern --  
15          you start at Gordonstoun in 89, you discover this  
16          environment. Was there concern by the staff that the  
17          school wasn't running very well?

18          A. No. I would say quite the opposite, probably. When  
19          I arrived, Michael Mavor had been there, I think I'm  
20          right in saying, for ten years. He was hugely  
21          respected. I think there was a very strong feeling that  
22          he had done enormous good for the school.

23          Q. In what way?

24          A. So I've been trying to -- yes, I was aware of course you  
25          would ask me about my early years at the school. I've

1           been trying really hard to remember. But as far as  
2           I remember, it was academically. He had improved the  
3           school's standing and reputation and staffing and --  
4           I don't remember him as a -- and I only knew him for  
5           a year and I don't want to do disservice to him, but  
6           I don't remember him as a pastoral person.

7           Q. Again as a comparative exercise, you've been at a state  
8           school for a year, you've been at a boarding school  
9           yourself, pastorally, did Gordonstoun seem to be a step  
10          backwards when you joined?

11          A. No. Golly, a state comprehensive in Hounslow, I had  
12          a tutor group who I met for 20 minutes in the morning.  
13          I hardly dealt with their lives pastorally. It  
14          wasn't -- it was as day school. I knew virtually  
15          nothing about them as people and what their lives were  
16          really like.

17          Q. Day school aside then, as compared with your experience  
18          of school, which wasn't that long before?

19          A. I was incredibly happy at school, so I had no reason,  
20          really, to worry about how I was being cared for. I was  
21          a little frightened of my housemistress, I loved my  
22          matronly person, I was pretty naughty, and I was very  
23          happy, so --

24          Q. But the --

25          A. I didn't think about it I suppose is the honest truth.

1 I had no -- I didn't analyse how I was cared for  
2 pastorally. I was -- just enjoyed myself.

3 Q. There was a matron?

4 A. Yes, but because of the way the school was run it was  
5 this situation where she was -- she was an evening  
6 person who looked after us in a boarding house which was  
7 not really a community. It was somewhere where we  
8 slept.

9 Q. Just in terms of numbers, for example, how many were in  
10 your school boarding house as compared with Hopeman?

11 A. So my house at school had upwards of 70 girls in it,  
12 I believe, but I would say at least half of those were  
13 not boarders and did not come back to the boarding house  
14 in the evening.

15 Q. So perhaps 35 in the boarding house?

16 A. Yes, probably something like that.

17 Q. And then at Gordonstoun?

18 A. Gordonstoun, about 60 girls in Hopeman.

19 Q. But the staff ratio was the same?

20 A. Yes, probably.

21 Q. One to 35, one to 60?

22 A. Yeah.

23 Q. I think you've confirmed in your statement that one of  
24 the things that changed is there was much better  
25 staff/student ratios?



1 A. Yes.

2 Q. That's something that needed to change?

3 A. Yes.

4 Q. But Michael Mavor left within the first year.

5 A. Mm-hmm.

6 Q. Was that something that you knew was in the offing or  
7 was it a surprise to you?

8 A. I don't think I knew. Not that I remember.

9 Q. And in terms of finding a replacement, we obviously know  
10 it was Mark Pyper who then stayed on for 20 years plus.

11 A. Yes.

12 Q. Do you remember a sense -- and we can ask him, so if you  
13 can't remember don't worry.

14 A. Yeah.

15 Q. Was the school looking for a different style?

16 A. I don't know.

17 Q. You don't know?

18 A. No. I was a very junior member of staff. I don't know  
19 what the governors were looking for.

20 Q. Did you have any contact with the governors, being  
21 a junior member of staff?

22 A. No, not that I remember.

23 Q. Were they a distant body?

24 A. As far as I remember they were. I certainly couldn't  
25 name any of them now.

1 Q. Again, just as a matter of comparison, you've only left  
2 the school recently, has the governance aspect changed  
3 over those 30 years in the sense that the governors are  
4 more actively involved, visible, engaged?

5 A. Yes, absolutely. Yeah, there are opportunities to meet  
6 the governors. The governors are often visiting the  
7 school and talking to staff and staff are given  
8 opportunities to talk to them.

9 Q. And pupils too?

10 A. And pupils too, yes. They have at least one dinner  
11 a year with pupils there and they go into the refectory  
12 when they're visiting, so yes, and pupils.

13 Q. And child protection is now a task that the board  
14 positively engages in?

15 A. Yes.

16 Q. Was that a necessary thing, do you think?

17 A. Yes. I think the more eyes on child protection the  
18 better.

19 Q. All right. Again, obviously, we'll come back to that.  
20 Did you, though, see from the appointment of Mark Pyper  
21 a change in direction?

22 A. Yes.

23 Q. Was that immediate or ...?

24 A. I think it probably was immediate. I had three years  
25 with Mark when I was first at the school. I think

1 I really noticed it when I returned, because I'd had  
2 time away --

3 Q. Yes.

4 A. -- and came back to somewhere very, very different.

5 Q. Well, let's move forward then to that period, because  
6 presumably change is gradual and this is the point. You  
7 keep coming back and will have not snapshots, but you  
8 know what I mean?

9 A. Yeah.

10 Q. You will notice things more, obviously. You leave the  
11 school in 1993 and then come back in, I think, January  
12 1998, as we've agreed.

13 A. Okay.

14 Q. What had changed?

15 A. Ah, Mark -- I know that Mark fought a huge battle to  
16 make the school a more caring, compassionate  
17 environment. I think he -- the thing that people often  
18 focused on about Mark was that he insisted that we  
19 abolish all physical punishment and by that I don't mean  
20 corporal punishment.

21 Q. No.

22 A. I mean anything that involved -- for instance, sending  
23 a student out for a walk or making them run around the  
24 hockey pitch or do press ups or whatever it might be.  
25 That tends to be what people focus on because perhaps

1           it's the easiest and most straightforward thing to talk  
2           about, but that came with so many other things that he  
3           did. He changed the way in which the houses were  
4           staffed. He changed -- he had a passion for theatre and  
5           dance, that was one of the most noticeable things when  
6           I came back again was that the school was very  
7           positively engaged in something that I saw as a very  
8           powerful pastoral tool because it enabled children and  
9           staff to work together in a non-competitive environment.  
10          It's very difficult to explain this, but to have  
11          an audience of teenagers going to see their peers  
12          perform and supporting them is a very powerful  
13          community-creating event, and I think whether he did it  
14          for pastoral reasons or because it was his own passion  
15          I don't know, but it was a very strong pastoral  
16          influence throughout the school.

17                 And many people labelled him liberal or soft, but in  
18          fact what he was doing was -- I think he was before his  
19          time in terms of seeing that children needed to be  
20          looked after.

21          Q. You've talked about building a community. The picture  
22          you've perhaps given, and others have given, of 1989  
23          when you arrived at the school is little islands, which  
24          are the houses, there's obviously education, presumably  
25          there was a great deal of house competition?

1 A. Yes.

2 Q. Gordonstoun, as we know, is a particularly outward bound  
3 and self-reliant establishment, or a place that builds  
4 self-reliance.

5 A. Mm-hmm.

6 Q. Was there, going back to your first period, limited  
7 community spirit perhaps as opposed to greater house  
8 spirit?

9 A. I'm not sure that that's true, actually. I think --  
10 when -- in my first period there, one of the most  
11 rewarding things I did was I ran one of the Gordonstoun  
12 services. It doesn't exist any more, it was called the  
13 Inshore Rescue Unit, and we spent every Wednesday down  
14 at the beach in Hopeman and we trained in surf  
15 life-saving. I tell you that simply as an example of  
16 how community spirit was built even in my first time  
17 there outwith the house. I do think there were, even  
18 then, astonishing opportunities for staff and children  
19 working together and pulling together for good and for  
20 positive. I mean, the famous one, of course, is the  
21 Fire Service, but I've never been involved in that.  
22 But -- and that was a real positive.

23 Q. Please understand we're well aware of all the services  
24 that Gordonstoun has traditionally provided.

25 A. Yes.

1 Q. Thank you. But you mentioned changes in the dynamics of  
2 the houses. When you came back, did you have a house  
3 role again or were you more simply focusing on the  
4 teaching, because we know you became head of English?  
5 A. Yes, so when I came back I was pregnant with my first  
6 child. I worked for a little while part-time. The only  
7 pastoral thing that I did was for two terms, I think.  
8 Windmill House was too full and I had 12 sixth form  
9 girls living in the top of Gordonstoun House where I was  
10 living with my husband because he was deputy head, and  
11 so I was looking after them while I was having my first  
12 child. But I wasn't their housemistress. Their  
13 housemistress, who lived in Windmill, was still their  
14 housemistress. I was merely just being a night-time --  
15 Q. There had to be someone on site?  
16 A. Yes, there had to be somebody there to help support  
17 them.  
18 Q. Were you covering nights in case someone needed --  
19 A. Yes. And then when I became head of English, most of  
20 that period I actually worked part-time. Not really,  
21 but officially, as in I opted out of the tutoring and  
22 other things because I had very small children.  
23 I wanted to run the English department and I felt that  
24 my time was best given to that rather than -- I mean,  
25 every teacher has a pastoral role, but rather than

1 specifically having a pastoral role.

2 Q. But obviously you were there. What did you see had  
3 changed in terms of the house system that you've  
4 described in your first block at the school?

5 A. So there is no way that an assistant housemaster or  
6 housemistress would have lived outside the boarding  
7 house anymore. They were all living in the boarding  
8 house, so there were two live-in members of staff there.

9 The assistant did two full nights, so the  
10 housemaster or housemistress had two periods of time off  
11 in the week. But perhaps the most important thing that  
12 was done was the appointment of matrons who came in --  
13 sorry, I can't tell you exactly when, but they -- their  
14 role was to be there from 9.00 until 5.30 Monday to  
15 Friday and Saturday morning, and I think they have  
16 been -- they've made a massive difference to the  
17 atmosphere in the houses.

18 Q. When I asked you about the staff view of the world in  
19 1989 and whether there were concerns you said no,  
20 everyone had a high impression of Michael Mavor, he  
21 turned things around on the educational front, which  
22 seemed to be his focus from what you were saying.  
23 Coming back, were people saying, "Why on earth didn't we  
24 think of this sooner?"

25 A. Is it not just the nature of progress that it takes

1           somebody to come in and say, "Actually, this isn't  
2           right" -- this is sort of where you started your  
3           questions, perhaps, and I think Mark came in and said,  
4           "Actually, we need to do this and this and this and  
5           this", and I'm not sure that the staff at the time saw  
6           it or knew it or understood it, but --

7           Q. Eventually the scales fell from their eyes?

8           A. Yeah.

9           Q. By the time you came back, was there a recognition that  
10          things were better?

11          A. I think so, yes. I mean, of course staff come and go,  
12          so some of the staff didn't know anything different,  
13          that was what they came into, but I certainly saw things  
14          as better.

15          Q. But I think from what you're saying were there tensions  
16          between some staff and this change in direction?

17          A. Yes. Yeah, very definitely. Mark had a very difficult  
18          first four or five years. And I probably know that  
19          largely because my husband was -- became his deputy  
20          head. My husband was the chair of the staff  
21          consultative committee through that period, which was  
22          very rocky and very difficult because many staff were  
23          resistant to the changes Mark was making.

24          Q. You then went away briefly for a year and came back, and  
25          it's in this third period that your involvement in child



1 protection and pastoral care really takes off, is  
2 that --

3 A. Yes. I came back initially as the sixth form  
4 co-ordinator.

5 Q. Just to explain, what does that mean in real terms?

6 A. Yes, and it's possibly not quite the role that it might  
7 be seen as in other schools. I suppose I had  
8 responsibility for an overview of the sixth form.  
9 I particularly dealt with discipline, but I also ran the  
10 social programme for the sixth form. I didn't --  
11 I wasn't, for instance, in charge of the academic side  
12 of sixth form life. It was very much a -- their  
13 out-of-class time that I was in charge of.

14 Q. Okay. But in terms of pastoral care, just looking at  
15 the school as a whole, presumably in the hierarchy of  
16 the pupils, the sixth form are the top of the tree and  
17 how they behave further down the school really matters?

18 A. Yes, absolutely.

19 Q. Had that been recognised when you were sixth form  
20 co-ordinator as something that really had to be focused  
21 upon?

22 A. I don't know.

23 Q. So that they knew how to behave?

24 A. I think -- yes, yes. Yes, I think it was seen as  
25 really, really important that the sixth form were

1           appropriate role models and behaved in a way that was  
2           caring and compassionate to younger students.

3       Q. Was there greater oversight than there had been  
4           previously, I suppose is what it boils down to, and  
5           perhaps training?

6       A. I'm trying to remember when various things came in. We  
7           had a buddy system in the houses of older students  
8           introducing and looking after younger students, but to  
9           be honest I think we had that all the way through. We  
10          introduced peer mentoring; exactly when, I couldn't tell  
11          you, for which there was considerable training, external  
12          as well as internal.

13                 So, yeah, I think the answer to your question is it  
14          was viewed as very important that the sixth form played  
15          a positive role.

16       Q. And more broadly, and I think this is on page 20 of your  
17          statement, from 2006 onwards you say, paragraph 73:

18                         " ... there was a clear code of conduct ..."

19       A. Yes.

20       Q. And was that a novel --

21       A. I honestly don't -- I think I put in my statement  
22          I don't remember when the code of conduct came into  
23          being. I do remember the school working on the -- what  
24          did we call it? The rights and responsibilities  
25          section at the start, on which the code of conduct was

1 built, this idea that of course students had rights but  
2 they also had responsibilities to each other and to the  
3 environment and to their education. But it was a really  
4 important document for me for eight years of my career,  
5 yes.

6 Q. The picture I have from your statement, and please  
7 correct me if I'm wrong, is that there was  
8 a formalisation of what was expected around that time.

9 A. Yes, I think that's probably true, yeah.

10 Q. Prior to that, how had it operated?

11 A. Yes, I don't remember. I don't -- I don't -- and again  
12 I come back to my worry that I just might not have  
13 known, but yes, the code of conduct did formalise how  
14 children were expected to behave and how we would  
15 respond if they didn't.

16 Q. Yes. So it's expectation but also --

17 A. Yeah.

18 Q. -- discipline.

19 A. Yes.

20 Q. You've talked about Mark Pyper changing the disciplinary  
21 landscape.

22 A. Yes.

23 Q. But there was further change taking place continuously?

24 A. Yes.

25 Q. I think one of the things you make clear is the code of

1           conduct is reviewed annually?

2           A. Yes.

3           Q. It becomes, in a sense, a living document?

4           A. Yes.

5           Q. And was that a dynamic that was different, this process  
6           of constantly as a formal process reviewing things?

7           A. Again, I couldn't possibly comment. I know that from  
8           the moment that I stepped in as sixth form co-ordinator  
9           when -- don't forget, I'd had seven, eight years as head  
10          of -- seven years, I think, as head of department and  
11          then a bit of part-time before then. It's a long time  
12          for me not to have been in a role where I would even  
13          have known about the reviewing of those sorts of  
14          documents. But certainly by the time I became sixth  
15          form co-ordinator in 2007, I think, yes, that was  
16          constantly being reviewed.

17          LADY SMITH: You mentioned it being about an eight-year  
18          period that the code of conduct was a key feature --

19          A. Yes.

20          LADY SMITH: -- in your working life, so that would be about  
21          2006 to 2014 are you talking about?

22          A. I'm talking about my time as sixth form co-ordinator and  
23          then deputy head pastoral, so -- my dates are hopeless.  
24          I think 2006 to 2015, yes.

25          LADY SMITH: Right.

1 A. And I was away for one year of that.

2 LADY SMITH: Yes. Well, you came back in 2006 after your  
3 one year away, didn't you?

4 A. Yes, and then I left again in 2010? 2009?

5 LADY SMITH: Okay. Let's say I was a pupil at the school in  
6 2009. Would I have known about the code of conduct?

7 A. Yes.

8 LADY SMITH: How would I have known that?

9 A. It was always posted in the boarding houses. It was  
10 a -- it sat on the noticeboards, it was discussed.

11 LADY SMITH: Discussed when, where and how?

12 A. We had a system when a student arrived, which sometimes  
13 worked better than others, of talking to the students  
14 about the -- particularly the rights and  
15 responsibilities at the start, and we had different ways  
16 of doing this, some of which worked better than others,  
17 but we tried to make sure that students actually signed  
18 that when they first came, so were made very aware of  
19 it. I believe it also got sent to parents as part of  
20 the admissions process.

21 LADY SMITH: Okay. You'll maybe see where I'm going with  
22 this. It's one thing on day 1 to talk to a student  
23 about it, to say, "It's in a document, are you prepared  
24 to sign this docket saying you've read and understood it  
25 or it's been explained to you?", "Yes", job done so far

1 as the student's concerned. They're not the sort of  
2 people who read noticeboards about a code of conduct,  
3 they might want to know about what leisure events are  
4 available and that's where their attention goes.

5 A. Yes.

6 LADY SMITH: So if you're talking about what's written in  
7 the code of conduct, would it ever have been returned to  
8 again?

9 A. I would have said on almost a daily basis.

10 LADY SMITH: In terms or in spirit?

11 A. Both.

12 LADY SMITH: Okay.

13 A. I think it sat on my desk, it sat on every  
14 housemaster's desk. I think it was often a resource  
15 which you would go to to have a discussion with  
16 a student about their behaviour or something that had  
17 happened. There were constant reminders of how the  
18 school expected them to behave and -- yeah.

19 LADY SMITH: Is that a --

20 A. It was a very living document. It wasn't something that  
21 just was posted on a board and forgotten. And the  
22 students would talk about it too. You know, there would  
23 be debate about the way something was written and  
24 a student would come and say, "Actually, we think we  
25 should change this" or -- it was genuinely a living

1 document.

2 LADY SMITH: Is the practice you've described something that  
3 evolved over that period we've been talking about after  
4 2006?

5 A. Again I don't know, because I stepped into that role in  
6 2006. It was certainly through my time like that.  
7 Before that, as head of English, part-time, I had little  
8 reason to use it.

9 LADY SMITH: Thank you.

10 Mr Brown.

11 MR BROWN: My Lady, thank you.

12 I think if we go back to the previous page,  
13 paragraph 78, I think just in fairness to you, what it  
14 says at 78 is:

15 "The code of conduct, throughout my time as sixth  
16 form co-ordinator and DPC was annually reviewed by the  
17 pastoral teams. This included the housemasters,  
18 housemistresses, year leaders ..."

19 Now, year leaders meaning academic --

20 A. No.

21 Q. -- year leaders or -- no?

22 A. The year leaders came into being -- the year leaders, as  
23 I think I'm referring to there anyway, came into being  
24 in my first year, I think I'm right in saying, as deputy  
25 head pastoral, and they were pastoral staff largely.

1 Q. So it was another layer of pastoral --

2 A. Another layer of pastoral staff, correct.

3 Q. Their function would be what?

4 A. They -- if we go back to the whole idea of the boarding  
5 houses in 1989 being separate entities run by largely  
6 one person, it allowed cross-school eyes on everything  
7 pastoral. So for me they were very -- us appointing  
8 year leaders was a significant step forward in my eyes.

9 Q. Were they reporting to you?

10 A. They reported to me, yes.

11 Q. You were the top of the pastoral tree?

12 A. Yes.

13 Q. All right. But to go on through the document, "and  
14 others". Who else was involved?

15 A. The Child Protection Co-ordinator. The students  
16 themselves. It says that:

17 "Any changes were discussed with student bodies  
18 through the year group committees."

19 The Senior Management Team. We would have discussed  
20 any change to the code of conduct.

21 Q. I'm interested in the "student bodies through the year  
22 group committees". Again, perhaps picking up a point  
23 her Ladyship made, you can have engaged students but  
24 perhaps the majority of the student body would be more  
25 interested in other things, is that a fair comment?



1 A. Only partially because in fact the students were very  
2 interested in the code of conduct because it affected  
3 their lives on a daily basis, so they wanted to be  
4 involved in discussion of change to it.

5 Q. All right. And then going over the page you mentioned,  
6 it confirms:

7 " ... noticeboards for the students to read at any  
8 time [was] kept by pastoral staff. It was a document to  
9 which I made reference [as did] housemasters,  
10 housemistresses and year leaders did too."

11 That's obviously the teaching side, but then 79:  
12 "At the start of every year the central code of  
13 rights and responsibilities was discussed with  
14 students."

15 How was that achieved?

16 A. I think that was the answer I gave to Lady Smith  
17 earlier. Yeah.

18 Q. Okay.

19 LADY SMITH: Sorry, remind me. ISC, the acronym in  
20 paragraph 79, what's that?

21 A. International and spiritual citizenship.

22 MR BROWN: What is that? Because obviously it was chosen by  
23 the school as distinct from PSHE, again translate the  
24 acronym.

25 A. Personal, social and health education?

1 Q. Yes.

2 A. I think Mark felt that Gordonstoun needed a strand of  
3 its education which particularly looked at its  
4 internationalism and which acknowledged the role of  
5 spirituality in young people's lives, so he wanted to  
6 develop what in most schools would be called a PSHE  
7 programme, which then also allowed for looking at  
8 internationalism and spirituality.

9 Q. Gordonstoun obviously is an international school.  
10 I presume over your time has there been an increase in  
11 the number of students coming from beyond the UK?

12 A. I'm not aware that there's been a change.

13 Q. No?

14 A. The school always talks about it being a third  
15 international, a third Scottish and a third from  
16 England, I think, but --

17 Q. Do the countries of the international third change? Are  
18 there trends?

19 A. Oh, I see. No, I do not think so, no. I think it's  
20 always had a very broad set of students internationally  
21 from a whole variety of continents.

22 Q. But we've heard evidence of the experience of some  
23 international students which clearly was very difficult  
24 because they were different.

25 A. Okay.

1 Q. Was that something that you saw in any of the periods  
2 you were at the school, or is it something that became  
3 more focused from your side of the fence as DPC?

4 A. I probably saw it in a different light when I was deputy  
5 head pastoral. There were undoubtedly times when  
6 students were picked on for being different, and I'm not  
7 just talking about race. There's a whole variety of  
8 reasons why students might be picked on for being  
9 different. I think that happens in every school  
10 everywhere. It's how you then deal with it and educate  
11 and manage those situations that's the challenge for any  
12 school pastorally.

13 Q. Obviously the pastoral response has to be bespoke,  
14 presumably, to the issues that arise in a given school.

15 A. Mm-hmm.

16 Q. And is that something that has changed, has there been  
17 a greater bespoke approach over your experience at  
18 Gordonstoun, say, from the 1980s, late 1980s, to your  
19 time as DPC? Had that shifted?

20 A. Again, because my career path has put me into more and  
21 more senior roles up until 2015, I think it's really  
22 hard for me to judge. It was a central focus of my  
23 eight years in pastoral -- directly pastoral roles,  
24 looking at how children treated each other because of  
25 any differences that they might have. So I'm seeing

1 a change, but I can't honestly say that that necessarily  
2 means there's a change in the school. I wasn't involved  
3 to know or to understand that, I don't think.

4 Q. Okay. Paragraph 85 on page 24 you say:

5 "Another aspect that leaves me confident is the fact  
6 that we were with students 24/7."

7 And you go on to say staff aren't just in the  
8 classroom but doing all manner of things.

9 "There are many, many activities in which students  
10 can develop trusting relations with staff and that  
11 ensures that there are plenty of options for a staff  
12 member to be available to talk to."

13 A. Yes.

14 Q. That is no doubt true, but we have heard a lot of  
15 evidence that of course the worst thing you could ever  
16 do was talk about problems because that would just bring  
17 further difficulty down upon you. Now, that may be  
18 perhaps more in the past, but it's the use of the word  
19 "confident" that you're going to find things out, is  
20 that realistic, do you think?

21 A. I really -- I thought really carefully before I wrote  
22 that.

23 Q. Yes.

24 A. And I almost didn't write it because I knew how it  
25 sounded.

1 Q. Mm-hmm.

2 A. But Gordonstoun is -- is, or my knowledge of it at that  
3 time, an extraordinary community unlike any other school  
4 I've taught in, and that -- it's incredibly rewarding to  
5 work at as a member of staff because of that sense that  
6 you are all learning and experiencing things together.  
7 I can hardly think -- in fact, I can't think of a child  
8 who wouldn't have formed a trusting relationship with  
9 a member of staff, at least one. For most, many, many,  
10 many, but -- of course the -- I suppose what really did  
11 change, I think, is the awareness that if that didn't  
12 happen, there had to be nets to catch the children in.  
13 So although students were of course told that they could  
14 talk to their housemaster, they could talk to their  
15 matron, they could talk to their English teacher,  
16 whatever it was, their tutor, they were also told that  
17 the healthcare centre was there and that there was  
18 a degree of confidentiality that could be allowed there  
19 that might not be allowed elsewhere, and that if by any  
20 chance children didn't feel they could talk to staff,  
21 they must talk to each other was something I often said  
22 to them. You know, it was really important that they  
23 shared their problems, and there were Childline posters  
24 everywhere, so there was the reminder that if you  
25 couldn't talk to anybody at school, please find somebody

1 to talk to. Talk to your parents, talk to ... (Pause).

2 Yeah, I think I am confident that there were always  
3 adults children could talk to, but if for any reason  
4 a child didn't feel that, I am also confident that the  
5 net was there to catch them in any other way.

6 Q. The net, it would appear, looking at the next paragraph,  
7 is the systems that were in place and the one that we  
8 have heard of that and perhaps is of particular moment  
9 is what we then go on to read about at paragraph 88 to  
10 90, which is the well-being information system.

11 A. Yes.

12 Q. And that puts in place a system where anything that is  
13 noticed is recorded and can be accessed?

14 A. Yes.

15 Q. To give a picture and raise a flag?

16 A. Yes. So it -- for me that my period as deputy head  
17 pastoral was absolutely coloured by the introduction of  
18 GIRFEC and it was the most important thing I think that  
19 happened over those five years and the -- it was  
20 formalising -- we often talked about this, that  
21 of course we had been trying to do GIRFEC for 20 years  
22 with Mark Pyper, but it was formalising that nationally  
23 in a way that we found really helpful, really  
24 interesting, and applying it to Gordonstoun in ways that  
25 would improve the situation for children was central,

1           really, to my five years as deputy head.

2           Q. You talk enthusiastically about GIRFEC and the SHANARRI  
3           wheel, about which we have heard much, but from what you  
4           have just said, are you saying Gordonstoun was ahead of  
5           the curve in that regard?

6           A. I think it -- I think GIRFEC -- I think I've possibly  
7           said this already, forgive me if I'm repeating myself,  
8           but I think it formalised and gave structure to  
9           something that we were trying to do anyway, which was  
10          look at the whole well-being of the child. Look at --  
11          and Gordonstoun is -- has that holistic education  
12          absolutely at its core. You know, school is not just  
13          about being in the classroom, it's about so many other  
14          things. And GIRFEC gave us the tools to formalise  
15          pastorally what we meant by that.

16          Q. That hadn't -- thinking back to 1989, it wasn't  
17          particularly evident then, I take it?

18          A. Even in 1989 there was a desire to be doing that,  
19          I think, but possibly the view of it was -- I'm thinking  
20          on my feet. The view of it was perhaps not as pastoral  
21          as it should have been. It was more of a holistic  
22          education in terms of challenge and adventure and  
23          developing the whole person. But perhaps the whole  
24          person needed to have a more pastoral vision, and  
25          I think Mark brought that.

1 LADY SMITH: It may also be if you really do take  
2 an approach of Getting It Right For Every Child, it's  
3 dangerous to assume that what will work for every child  
4 is challenge and adventure.

5 A. I couldn't agree more. I think there are some children  
6 for whom that is really challenging and, if you don't  
7 mind me taking that further, being in a boarding house  
8 is really challenging for some children and is not  
9 perhaps right for every child. And sometimes I might  
10 have said that to a parent.

11 LADY SMITH: Mr Brown.

12 MR BROWN: The difference perhaps in 1989 no one was  
13 thinking to look at that?

14 A. I wouldn't like to make that judgement, but there  
15 were -- there were some amazing house staff in 1989 and  
16 some very happy children. But -- so to say that no one  
17 was looking at that I don't think is fair, but as  
18 a whole school vision? Perhaps not.

19 Q. It would depend on the character of the particular  
20 housemaster?

21 A. Yes.

22 Q. If it was lacking, it wouldn't exist in a house?

23 A. Yes.

24 Q. One other aspect which is clear as part of this is  
25 recording has transformed --



1 A. Yes.

2 Q. -- in your time at Gordonstoun.

3 A. (Witness nods).

4 Q. Everything is recorded now?

5 A. Yeah.

6 Q. When did that start from your perspective?

7 A. From my perspective, I recorded everything because  
8 I have a terrible memory and it felt very important to  
9 me that everything was recorded. And as I started doing  
10 it, I think I began to see also the benefits of it in  
11 terms of drawing together information and making sure  
12 that we were doing the right things in the right -- in  
13 different circumstances. But it would be unfair to say  
14 it was me.

15 The director of staffing and planning at the time  
16 had been in post for a considerable time before  
17 I started, I would want to say four or five years, and  
18 he was also very interested in recording and documenting  
19 things, and I think I probably learnt from him when  
20 I stepped into the role.

21 Q. In terms of the leadership of all these changes, where  
22 was it coming from? Was it coming from the head or what  
23 level of leadership, from your perspective, was coming  
24 from the board?

25 A. I think Mark was a very powerful leader and very much

1 directed -- I still have some emails from him which  
2 I have passed on to other people, in fact, with his  
3 vision, I suppose, of how boarding houses should be.  
4 And so in his time, much of the leadership was coming  
5 from him.

6 If I'm honest, I think when the whole GIRFEC  
7 movement really started to take off for us, much of that  
8 leadership was actually coming from outside the school,  
9 so it was through SCIS, the Scottish Council of  
10 Independent Schools. There were changes in the law  
11 through my time. There was the Children and Young  
12 People Act, there was new child protection legislation.

13 So much of the leadership was actually coming from  
14 Scottish government, I think, through my time as deputy  
15 head pastoral.

16 Q. Okay. But whatever the source of leadership, one thing  
17 you have confirmed is there's been a change in the  
18 involvement and engagement of the governors?

19 A. Yes.

20 Q. When did that happen?

21 A. Well, I remember having dinners with governors and  
22 starting to get to know them in Mark's time, really  
23 early on. Whether it happened in Michael Mavor's time,  
24 I don't recall, and it may have done. Possibly -- again  
25 as my own personal role in the school changed, I was

1 married to the deputy head so I was meeting governors  
2 and -- and -- it's very hard to know to what extent that  
3 was a change that happened for me personally and to what  
4 extent it was in the school.

5 Q. To focus then, child protection responsibilities at  
6 governor level?

7 A. By the time I stepped into pastoral senior roles in the  
8 school, it was there.

9 Q. It was there.

10 A. Yes.

11 Q. So when you come back in 2006, it's already --

12 A. Yes.

13 Q. -- it's already happened?

14 A. Yes.

15 Q. Just, you know, you lived this for those nine years,  
16 save your years out.

17 A. Yes.

18 Q. What did that mean in practice in terms of governor  
19 supervision?

20 A. Honestly? Not very much. I think the -- I was very  
21 aware that there was somebody I could go to if I needed  
22 to. I don't think I ever did. I annually or possibly  
23 twice a year, not sure, attended the education  
24 subcommittee and had an opportunity to talk to governors  
25 there and to give presentations and to talk about the

1 introduction of GIRFEC and child protection in the  
2 school, but I don't honestly remember actually using  
3 that governor support possibly as much as I should have  
4 done.

5 Q. Presumably if things were working well, he's a governor,  
6 he's not there to run the school on a day-to-day basis,  
7 he's to oversee.

8 A. Yes. And presumably he was.

9 Q. What would you have liked, thinking back, if you think  
10 you didn't use him enough?

11 A. There is nothing, to be honest, that I can think of that  
12 I expected or would have liked. I think I probably  
13 should add here that I had the most incredible Child  
14 Protection Co-ordinator for the majority of my time as  
15 deputy head pastoral and she was an absolute powerhouse  
16 of implementing change and challenging me and Simon and  
17 relentless in caring for children and making sure we  
18 were doing the right things.

19 Q. Who was that?

20 A. Christine Henderson.

21 Q. Obviously there's been a complete sea change from the  
22 world of 1989 to the period you were DPC or whichever  
23 label you want to choose.

24 A. Mm-hmm.

25 Q. Central government has played its role.

1 A. Mm-hmm.

2 Q. Society's changing, obviously, reflecting that.

3 A. Mm-hmm.

4 Q. Is there too much going on, do you think?

5 A. No, absolutely not. It's very easy to look back with  
6 hindsight, isn't it? But I think that the changes that  
7 have happened in the period since all of GIRFEC came in  
8 was very necessary and has been entirely -- from my  
9 point of view, and I know there has been some criticism,  
10 but from my point of view, entirely positive, good  
11 change.

12 Q. Do you understand the criticism that is made?

13 A. To some extent. I -- I mean, at the -- I'm a little out  
14 of touch now, but in the five years that I was deputy  
15 head, the whole argument about the named person was  
16 raging and I must admit I assumed it would happen. And  
17 for a period I sat on the GIRFEC committee in Moray,  
18 which I didn't gain an awful lot from, if I'm honest,  
19 and I don't think I gave an awful lot to it either  
20 because the discussions that were being had were not  
21 ones that were relevant to us at Gordonstoun, to be  
22 honest, because they were about who was going to be on  
23 duty, for instance, when school was out, but we already  
24 had that absolutely in place, that there was a member of  
25 staff on duty 24/7 and through the holidays there was

1 a senior member of staff who was on call, so that whole  
2 discussion about the named person I could totally  
3 understand why it was a concern for a day school and  
4 what it was going to mean for staff. But for us it was  
5 irrelevant, it wasn't a problem. We were quite happy to  
6 be the named person for young people and to be the  
7 people who managed their care.

8 Q. Is one of the concerns, though, that there is simply too  
9 much process, too much paperwork?

10 A. So the -- sitting on the GIRFEC committee, much of the  
11 discussion was about how to word this piece of paper and  
12 that piece of paper and I found that a little  
13 frustrating.

14 Q. Well, we've heard perhaps some criticism of the language  
15 because there's a language of education which is at  
16 times impenetrable.

17 A. Mm-hmm.

18 Q. The process seems to be on one view everything. Is the  
19 risk of it that the substance is lost?

20 A. Yes, I think there is a risk of that, yeah.

21 Q. And did you see that risk in practice?

22 A. Not in Gordonstoun, no. When things went outside of  
23 Gordonstoun, sometimes.

24 Q. I was going to come onto that because obviously one of  
25 the responsibilities, and we see this, if there is

1 an incident, you have to report on forms to the Care  
2 Inspectorate.

3 A. Mm-hmm.

4 Q. There is a health and safety aspect to that, if someone  
5 goes to hospital you have to report.

6 A. Yeah.

7 Q. Did that become burdensome? Was there too much  
8 reporting?

9 A. From the point of view of the forms of the Care  
10 Inspectorate and reporting everybody who went to  
11 hospital, it was actually ludicrous and we didn't do it.  
12 It was impossible, completely impossible. People went  
13 to hospital almost every day for one reason or another.

14 Q. But I think we have, and we don't need to look at them,  
15 but for incidents, for example, where there is  
16 an altercation between two pupils --

17 A. Yes. That, of course, is very different because it's  
18 a -- it was a situation in which there was a concern  
19 that it might possibly be seen as a bullying incident,  
20 and that I could completely understand why that should  
21 be reported on.

22 I do remember coming out of a SCIS conference where  
23 we were told that we were going to have to report every  
24 time a student went into A&E or to a hospital to the  
25 Care Inspectorate and it was a conference at which there

1           were heads and deputies and people being aghast that

2           this was going to be necessary.

3       Q.   So there are imperfections?

4       A.   Yes.  Yes.  There are, yes.  I don't know that the ...

5           (Pause).  Maybe it just meant we needed to employ more

6           secretaries.  I don't know that -- I don't actually,

7           looking back on it, necessarily think that all that

8           paperwork is wrong.  I think perhaps it's necessary to

9           protect children and to see patterns of things, which

10          I know is what the Care Inspectorate were looking for,

11          and now, looking back on it, I can understand that, and

12          I think given a bit of time even in my role I could

13          understand that, but it was -- you used the word

14          "burdensome".  "Burdensome" is the right word.  At times

15          it was burdensome.

16       Q.   And is the risk of burdensome operations that you stop

17          looking where you should --

18       A.   Sometimes.

19       Q.   What would you change?  I appreciate you've been out of

20          your role for five years or six years, but at the time

21          and thinking back, you know, what would you do to make

22          things even better?  If you can think of anything.

23       A.   I really, really struggled with relationships with

24          parents.  I found it very difficult at times to deal

25          with the stress of parental pressure.



1           I think -- I don't know if it could have been made  
2 better in some way, but if I had been going forward in  
3 my role there are probably two things I would have  
4 wanted to work on. One was an area that I know the  
5 school is working on, which is that -- probably both are  
6 areas that the school is working on. One, though, was  
7 this idea of restorative justice, so when I -- sorry,  
8 this is a very long-winded answer, but when I took over  
9 from my predecessor, who was deputy head pastoral, she  
10 said to me that she spent -- and I can't remember the  
11 percentage, but it was something like 80 per cent of her  
12 time dealing with discipline, and I remember thinking  
13 I was not going to do that. I was determined, and  
14 I spoke to the staff when I took up the role, to ensure  
15 that my focus was well-being, not discipline. Now, the  
16 two are very closely tied up together, of course, but  
17 I wanted to ensure it was not discipline that I left  
18 after five years having spent 80 per cent of my time  
19 doing. I wanted to spent 80 per cent of my time looking  
20 after children.

21           I think in terms of our discipline structures, they  
22 were still perhaps more punitive than I would have  
23 liked. I mean, I think we tried hard, but I think  
24 a focus on restorative discipline is a good thing to  
25 focus on and something I would have liked to have had a

1           role in.

2           Q. Did you see at the time that you were in that role,  
3           since you were wanting to focus on well-being as opposed  
4           to simple discipline, did you see a shift in discipline  
5           numbers because of your focus on well-being?

6           A. Yes. They improved.

7           Q. They improved?

8           A. They improved enormously, but I would also say that was  
9           partly because of alcohol policies changing.

10          Q. You talk in the statement --

11          A. Yeah.

12          Q. -- of alcohol being something that seems to be an issue  
13          at Gordonstoun.

14          A. Yes.

15          Q. Over many decades.

16          A. Yes.

17          Q. And a firmer view was taken?

18          A. Yeah, and just a completely different way of managing  
19          alcohol in the school, yes. Yeah.

20          Q. When you left, what was the way of managing alcohol in  
21          the school?

22          A. Do you mean before or --

23          Q. No.

24          A. What changes did I --

25          Q. What changes did you bring in?

1       A. So when I was the sixth form co-ordinator, we had a bar  
2       at the school and students were allowed -- students over  
3       the age of 16 were allowed three drinks at the bar,  
4       which I thought was a bit much. And the main problems  
5       that arose from that, though, were that many, many,  
6       many -- that's not true. There was a core of students  
7       who would use that as a cover for more drinking than was  
8       allowed, and I think that the amount of alcohol that was  
9       being drunk meant that disciplinary issues happened as  
10      a fallout from that. And not just disciplinary issues,  
11      but issues where children were upset or hurt or abused  
12      in some way.

13      LADY SMITH: Did you say three drinks or free drinks?

14      A. Three, and free.

15      LADY SMITH: Three, and free.

16      A. Yes. But I said three.

17      LADY SMITH: Thank you.

18      MR BROWN: And the change was?

19      A. We moved to less drinks, we moved to -- we did it  
20      gradually. There was huge opposition from the students,  
21      as you can imagine. We moved to only allowing alcohol  
22      at the bar to over 18s, and only when there was also  
23      food available. We moved totally away from -- there was  
24      a sort of expectation from the students when I first  
25      started as sixth form co-ordinator that there would be

1           what they called a social every Saturday night at which  
2           they would get their drinks and we moved away from that  
3           completely. We ran lots of other social events like  
4           cinema trips and -- we just changed things up as much as  
5           we possibly could and moved the culture away from the  
6           expectation that Saturday night was a night for  
7           drinking. Sounds like an Elton John song.

8           MR BROWN: Okay.

9           LADY SMITH: In your time, did the school make the services  
10          of an independent counsellor available to students?

11          A. Yes -- independent? No.

12          LADY SMITH: Somebody not a full-time employee of the school  
13          but would be available for students?

14          A. No. When I first became deputy head pastoral, the only  
15          counselling that we had available to us was the Rowan  
16          Centre in Elgin, which is -- yeah.

17          LADY SMITH: Yes.

18          A. Yeah. And the school employed a clinical psychologist,  
19          it's one of the main things that I fought for was the  
20          employment of a clinical psychologist to counsel our  
21          students because waiting lists at CAMHS were long and it  
22          wasn't meeting our needs. But she wasn't independent of  
23          the school, she was employed by the school.

24          LADY SMITH: Did that mean that she could not keep wholly  
25          confidential what the students told her? Or not?

1 A. No, she did keep confidential what the students told  
2 her.

3 LADY SMITH: And it wouldn't have to be disclosed to  
4 parents?

5 A. No.

6 LADY SMITH: Would the parents have to know that the pupil  
7 had been to the counsellor.

8 A. No.

9 LADY SMITH: And you say that began when you became deputy  
10 pastoral co-ordinator?

11 A. I would say it probably took me a year or two to get  
12 that in place, so I would imagine it was 2012, 2013.

13 LADY SMITH: Thank you.

14 MR BROWN: I think you set that out in the statement.

15 A. Mm.

16 Q. Whose idea was that?

17 A. I suspect it was the whole group of pastoral staff  
18 requesting it. There was deep frustration with our  
19 awareness that we had many children who needed  
20 counselling and support and who weren't accessing it.

21 Q. And that was because of logistical problems with CAMHS?

22 A. Yes. And also, I think, the other thing that GIRFEC did  
23 was it highlighted the fact that if you could pick up on  
24 problems early, they often didn't turn into quite such  
25 big problems. And so the idea of waiting six weeks or

1           eight weeks or things having to be really serious before  
2           you got to CAMHS was something that became intolerable  
3           to us and we needed ways to support children much  
4           earlier on than they were getting.

5       Q.  Is that another reflection of focusing on well-being --

6       A.  Yes.

7       Q.  -- rather than discipline?

8       A.  Yes.

9       Q.  Although in fairness I think it's very obvious to the  
10       Inquiry that discipline is recorded, is obviously taking  
11       place, there are a range of options.

12      A.  Mm-hmm.

13      Q.  And there are full documented histories of all the  
14       disciplinary processes.

15      A.  Yes.

16      Q.  But from your perspective, there was a reduction --

17      A.  Yes.

18      Q.  -- by focusing on well-being and getting in first?

19      A.  Yes, I would say there was, yes.

20      Q.  Again, looking back with hindsight, does that now seem  
21       self-evident that it was something that should have been  
22       thought of a long time ago?

23      A.  Times have changed, haven't they?  I think yes, with  
24       hindsight that's obvious, but I don't think that's  
25       particular to Gordonstoun.

1 Q. No, no.

2 A. I think it's an awareness in the whole of society.

3 Q. When you started teaching, that thought process didn't  
4 exist across the board?

5 A. No. No, I don't think it did.

6 LADY SMITH: Mr Brown, how long do you think you have to go?

7 MR BROWN: Really, I think we can probably -- this statement  
8 as I said --

9 LADY SMITH: I don't want to rush you.

10 MR BROWN: No. I think it's been a wide-ranging discussion,  
11 the specifics are in the statement. I'm content to  
12 leave it there.

13 LADY SMITH: Thank you very much. Are there any outstanding  
14 applications for questions?

15 Diana, that is all the questions we have for you.  
16 Thank you so much for the hard work you've put in in  
17 providing us with such a detailed statement that's got  
18 enormous value in it in and bringing us up to date from  
19 when you started in 1989, and thank you for coming along  
20 today to give your evidence, which has been really  
21 helpful to me. I'm very grateful to you.

22 A. Thank you.

23 LADY SMITH: I'm now able to let you go.

24 A. Thank you very much.

25 (The witness withdrew)

1 LADY SMITH: I'll take the morning break now.

2 MR BROWN: Yes. Just to set the scene, there will be  
3 read-ins until lunchtime and then we will hear from  
4 Mark Pyper.

5 LADY SMITH: Thank you very much.

6 (11.34 am)

7 (A short break)

8 (11.58 am)

9 LADY SMITH: Yes, Ms Bennie, when you're ready, we'll go on  
10 to the next read-in. Thank you.

11 MS BENNIE: Thank you. My Lady, the first read-in bears the  
12 reference WIT-3-000000402. My Lady, this witness wishes  
13 to remain anonymous and has adopted the pseudonym of  
14 'Brian'.

15 LADY SMITH: Thank you.

16 'Brian' (read)

17 MS BENNIE: "I attended Gordonstoun for the entire five-year  
18 duration of senior school, from 1999 to 2004 starting at  
19 the age of 13 and finishing at 18. I grew up in rural  
20 Aberdeenshire and attended the local primary school from  
21 primary 1 to primary 7 before moving to Robert Gordon's  
22 College in Aberdeen for S1 - after one year there  
23 I headed to Gordonstoun, which was my first experience  
24 of boarding school.

25 I was blessed to have had a very happy child in



1 a loving home and both of my older brothers had attended  
2 Gordonstoun. I always knew Gordonstoun was  
3 a possibility and I think my parents decided it was the  
4 best option for me because of the sheer wealth of  
5 opportunities available there. At 13 I was still  
6 uninterested in most things and did not have any real  
7 hobbies or interests. I wanted to attend the school and  
8 was happy to move as I remember my experience at Robert  
9 Gordon's as being not particularly happy and feeling  
10 a bit lost in such a large urban school environment.

11 I still remember my first day of school at  
12 Gordonstoun well. I was a member of Duffus House and  
13 had visited the house a few times in the past. We were  
14 eight people in the third form and all shared a large  
15 dormitory with bunk bed and desk underneath. As we  
16 progressed through the years, dorms became smaller and  
17 shared with fewer, culminating in your own room for the  
18 two years in the sixth form.

19 Duffus was a historic building with extensive  
20 grounds in beautiful Moray countryside, and I was so  
21 privileged to grow up there. I still consider many of  
22 the happiest memories to be in the house and it is so  
23 wonderful to still be in touch with some of the boys  
24 I grew up with who are lifelong friends.

25 I was delighted to serve as [REDACTED] and still

1 mention this to employers and work colleagues as a huge  
2 responsibility at such a young age and something that  
3 prepared me hugely for leadership roles in the  
4 workplace.

5 Daily routine at the school involved being woken by  
6 the roundsman, typically a member of the lower sixth in  
7 the house with the role rotated weekly. You would then  
8 shower in the communal bathrooms and either walk or  
9 cycle the mile or so to the main school campus, which is  
10 where the refectory was located.

11 The school day began with chapel and although I am  
12 not religious, the daily singing of hymns is something  
13 I really miss. Lessons followed this and then  
14 after-school activities before returning to the house.  
15 This would then lead on to another trip to the main  
16 campus for supper and then returning to the house for  
17 prep, a two-hour block of time to do your homework.  
18 After prep, you would watch TV or spend time with your  
19 friends before going to bed, and when you were in the  
20 older year groups, you could also visit friends in other  
21 houses.

22 Weekends were different, with lessons on Saturday  
23 mornings followed by activities and social events such  
24 as a cinema trip or disco in the evening. Sundays  
25 involved a longer chapel service in the morning and the

1 day spent with friends.

2 As my parents lived around 90-minutes' drive from  
3 the school I saw them fairly regularly. There were also  
4 leaveout weekends about every six weeks or so when  
5 I would go home and often I would invite friends whose  
6 parents lived abroad or further afield to mine for the  
7 weekend. When we were older, we ventured further afield  
8 and maybe visited Edinburgh or Glasgow on the train.  
9 This was the early days of mobile phones and although  
10 I had a mobile for the duration of my time at school  
11 I don't remember speaking to my parents every day,  
12 probably more like two or three times a week. There was  
13 also a phonebooth in the house that you could receive  
14 calls to and computers with internet access for emails  
15 as there was no social media in those days. My birthday  
16 always fell during the [REDACTED] holidays so I never spent  
17 it at school.

18 I was always a fairly academic young person and  
19 I enjoyed the arts subjects thoroughly. My French and  
20 Spanish teachers at Gordonstoun were exceptional and  
21 sparked a lifelong love and passion for modern European  
22 languages that took me to university and onwards to my  
23 career today. I struggled with maths and science but my  
24 maths teacher in particular was truly inspirational and  
25 helped me hugely with out-of-hours maths clinics and

1 encouraging words, which enabled me to get a B at GCSE,  
2 which was a huge achievement for me. I also loved the  
3 dramatic arts and participating in some of the amazing  
4 trips arranged by the school such as a theatre trip to  
5 London or the Thailand water project. I credit this  
6 trip with beginning my lifelong love of travel and this  
7 is where I have made my career.

8 If you were to ask me what I cherish most about  
9 Gordonstoun, it was undoubtedly my peers, many of whom  
10 I remain extremely close to today. The bonds formed at  
11 boarding school, especially with those in your house,  
12 are very special and really are more like a sibling  
13 relationship than a friend.

14 A key thing I remember about my year group in  
15 particular was how well everyone got on. I hear from  
16 friends and colleagues who attended other independent  
17 schools or state schools that there are often cliques or  
18 groups that do not mix with each other. I never found  
19 that at Gordonstoun. I was never sporty at school but  
20 this did not preclude me from being friends with boys  
21 who were sporty and there were never any rigid social  
22 hierarchies within the year groups.

23 I did have the occasional run-in with disciplinary  
24 procedures at school, mainly involving the typical  
25 teenage vices of tobacco and alcohol. Punishment

1 usually involved being gated, which means not being able  
2 to leave your house unless for lessons, activities and  
3 meals. I always found the disciplinary procedures very  
4 fair and everyone knew the rules and what was expected.

5 Gordonstoun was a hugely positive experience for me.  
6 I began as fairly shy and uninterested and left with  
7 a wealth of incredible experiences under my belt, which  
8 led me to university and onwards into the workplace.  
9 I loved school and it breaks my heart that clearly there  
10 are some people who had a very unhappy experience at  
11 Gordonstoun and other boarding schools in Scotland. My  
12 heart goes out to them and I extend my utmost sympathies  
13 to anyone who is a survivor of abuse.

14 I have no objection to my witness statement being  
15 published as part of the evidence to the Inquiry.

16 I believe the facts in this statement are true."

17 My Lady, this statement is signed by 'Brian' and  
18 it's dated 7 October 2020.

19 LADY SMITH: Thank you.

20 MS BENNIE: The next read-in bears the reference

21 WIT-1-000000572. My Lady, this witness wishes to remain  
22 anonymous and he has adopted the pseudonym of 'Robert'.

23 LADY SMITH: Thank you.

24 'Robert' (read)

25 MS BENNIE: My name is 'Robert'. My year of birth is 1942.

1 My contact details are known to the Inquiry."

2 My Lady, the witness sets out his background and  
3 qualifications in paragraphs 2 to 4 and I resume reading  
4 at paragraph 5.

5 "I began working in Gordonstoun in January 1984  
6 until August 1998 in the seamanship department. Prior  
7 to commencing with Gordonstoun, my references were  
8 requested before the interview process. The interview  
9 panel was chaired by the headmaster, Michael Mavor.

10 For the first 13 years at Gordonstoun I did not have  
11 any line manager but if you needed it I had a direct  
12 contact with the headmaster. In my last year this  
13 changed and I was told I needed to have a line manager.  
14 I tried to find out why this change was needed, but  
15 could not get any answer.

16 Gordonstoun School was rather unique inasmuch as  
17 during their time at school all pupils had to do regular  
18 mountain expeditions along with mandatory periods at  
19 sea, the latter being under my command. Being at sea  
20 provides a kaleidoscope of experiences requiring real  
21 physical and mental endeavour, good organisation and  
22 self-discipline in order to cope with them safely. The  
23 constant changes of the elements have to be faced up to,  
24 sometimes providing irritation, tension and exhaustion,  
25 highlighting the value of using logic and team work in

1 day-to-day problem-solving situations. This produces  
2 a spirit of resilience, tolerance, togetherness and  
3 a worthwhile sense of achievement. Most of our aims are  
4 set out in the school development plan.

5 For the cutter sailing, third formers came in  
6 classes for a week at a time, spending three hours each  
7 morning during the spring term. Fourth formers came for  
8 the same length of time in the autumn term and had their  
9 training in the afternoon. Lower sixth formers came in  
10 groups of approximately 16 for six afternoons during the  
11 spring term. Cruise sailing would involve two cruises  
12 as they graduated through the school.

13 While they were on cruises, the pupils were under my  
14 command. Under maritime law, the master of a British  
15 ship is in charge and control of the vessel as master  
16 under God. The logic of this is to put the full  
17 responsibility of the safety of the ship and the crew  
18 upon the master. It also entitles him to avoid any  
19 pressures put on him by the owners of a ship that may  
20 compromise the safety of the vessel and the crew.

21 During their fire training the pupils were taught  
22 that if they were ever called to a fire on a ship one of  
23 the greatest dangers is that if you use too much water  
24 on the fire, the vessel would sink. This had the  
25 obvious effect of endangering the lives of all on board,

1 risks of the fuel tanks erupting and the consequential  
2 serious environmental hazards. At sea you cannot just  
3 call the fire brigade as you would on dry land.  
4 Accordingly another hazard which is frowned upon is  
5 smoking at sea.

6 While I was running the courses, all the pupils on  
7 those courses were in my total care at all times. I was  
8 not at the school for any other reason and had no  
9 involvement with policy matters or in any strategic  
10 planning.

11 I had no involvement in recruitment of staff. If  
12 there was any periods the bosun was unavailable for  
13 illness or other reasons, the deputy headmaster who was  
14 an experienced mariner would fill in.

15 When I started, I found that the bosun needed  
16 training up in all on-board practical training tasks  
17 while at sea. I was not involved in teaching within the  
18 school and therefore I was not involved in any staff  
19 appraisals.

20 Culture at Gordonstoun School.

21 In my opinion the culture within Gordonstoun was  
22 very good during the 1980s but it changed and was not so  
23 good during the 1990s. I had concerns about discipline  
24 and standards of behaviour at the school. The pupils  
25 were thinking that they could get away with the same



1           behaviour that they had at school whilst on board.

2           To my knowledge, fagging did not exist during my  
3           time at Gordonstoun.

4           Discipline and punishment.

5           Within the school I have to presume that all  
6           discipline matters were dealt with by the teachers  
7           there.

8           When each new crew joins the vessel, the importance  
9           of zero tolerance to smoking, together with the serious  
10          consequences of a fire on board, is given top priority  
11          at the crew briefing.

12          On their tour of the deck, all the crew are shown  
13          where the large gas bottles are stowed within  
14          a substantial wooden locker. Again it is stressed why  
15          smoking on deck is absolutely forbidden. Although the  
16          vessel's hull is built of steel, the whole deck top,  
17          along with much of the internal construction, is made of  
18          wood.

19          The normal routine school punishment for being  
20          caught smoking on board was to transport the culprit  
21          straight back to the school, which may involve further  
22          punishment by the school. The parents would also have  
23          to pay the considerable costs of fuel and a driver for  
24          a six- to eight-hour return journey from the school to  
25          a harbour on the west coast and back to the school.

1 This usually worked as an effective deterrent for many  
2 years, consequently it was hardly ever used. It was  
3 especially respected as some of the crew were often  
4 members of the fire brigade. The decision of what and  
5 if any punishment was to be administered was left for  
6 the headmaster to make.

7 I recall writing to the headmaster regarding our  
8 differences in opinion on how punishments could be  
9 administered. This was a result of some of the girls  
10 having returned late to the boat after having spent some  
11 time on shore. The girls had not taken into account the  
12 limits of the boat, needing to leave with tides or the  
13 berths having to be vacated for other booked vessels.

14 One of the punishments that was on occasion used was  
15 to have the pupils run around the harbour. We also had  
16 the attitude that although we administered some  
17 punishment, if the pupils did not understand the  
18 reasoning they were free to come and ask. The  
19 headmaster was not in favour of any kind of physical  
20 punishments. We had discussions and his response was  
21 that punishments should be administered only after  
22 a second indiscretion. The headmaster was making such  
23 decisions having never been on our vessel, despite  
24 invites. In 1996, during some of our conversations, the  
25 headmaster would quote to me, 'If I don't like it, I am

1 free to leave'.

2 About three years after our initial conversations,  
3 he came to realise his approach was not working and he  
4 withdrew any thoughts it required a second indiscretion  
5 before any punishment was administered. Again, he had  
6 been invited to come aboard to see what was happening  
7 but he never accepted the invites.

8 I wrote to Ben Goss, senior housemaster, regarding  
9 the discipline during seamanship. I told Ben that in my  
10 opinion there was a lack of coherent punishments by the  
11 school hierarchy.

12 I also wrote to the Strategic Review Committee at  
13 Gordonstoun, which consisted of three governors. In  
14 that letter I was expressing concern about the  
15 discipline in the school becoming more lax, so much so  
16 I believe that if it was to continue there was  
17 a possibility that there would no longer be able to  
18 continue have the cruises. I spoke with the deputy  
19 headmaster and made him aware that I had not received  
20 any reply from the committee. His answer was that they  
21 did not see it as an important enough issue to make any  
22 comment on.

23 Within the school development plan 1997-98 under  
24 policy the school surveyed the staff and the pupils in  
25 areas of concern. This survey was used as one means of

1 making changes to policy within the school.

2 One of the questions within the survey was a concern  
3 that teachers' punishments do not always fit the crime.  
4 This survey showed that the majority of the pupils were  
5 happy. It also showed that two-thirds of the pupils  
6 felt that the teachers were not strict enough with  
7 pupils who did not behave well. Over 80 per cent of  
8 those surveyed found that seamanship was both rewarding  
9 and challenging. In the survey it found that they  
10 wished that the school's disciplinary policy should be  
11 more clear and effective. The school acknowledged in  
12 seamanship discipline is perceived to be a problem.

13 Concerns about the school.

14 Over the years, but mainly in the early 1990s, it  
15 became apparent that general standards of pupil  
16 behaviour at the school were worryingly deteriorating.  
17 Although I never taught in the school, as a member of  
18 the seamanship department I was party to all the general  
19 staff reports of the school. It soon became clear to  
20 me, from the various reports of staff meetings and such  
21 like, that many staff were voicing concerns about  
22 discipline and standards of behaviour at the school.

23 During this period I began to notice a general  
24 decline in attitudes amongst the lower calibre of our  
25 pupils, probably because they regarded our vessel, Sea

1 Spirit, as an extension of the school, so they probably  
2 thought that they could get away with the same behaviour  
3 whilst on board. I would remind them that such  
4 behaviour at sea was going to meet zero tolerance from  
5 me. Undermining crew morale was tantamount to  
6 undermining safety at sea and it was for that reason no  
7 disobedience was going to be tolerated.

8 It eventually came to a point where I felt I had to  
9 air my concerns to the headmaster and we had a friendly  
10 chat about it. After the conversation, I have to admit  
11 I came away feeling less than comfortable. Instead of  
12 sensing that he had the same concerns as me, he had  
13 seemed to be trying to play down the seriousness, which  
14 made me wonder if he had any concept of what life was  
15 like at sea. Previously I had invited him to come and  
16 join us but he never took up those offers. I repeated  
17 this offer again but he did not take it up. As those  
18 problems continued to deteriorate, I did have further  
19 communications with the headmaster in writing, as I felt  
20 sufficiently ill at ease about it and the need to put it  
21 on paper.

22 Abuse.

23 I would have to assume that the school did have  
24 a definition of abuse but I am not aware of it. I am  
25 not aware of what, in the eyes of the school, would

1 constitute abuse of children in its care. Nor am  
2 I aware of how any definition was communicated and  
3 explained to staff working within the school.

4 I do not know how the staff within the school were  
5 given guidance on child protection arrangements.

6 I was aware that there was monitoring of the school  
7 by external organisations. I always suggested to the  
8 headmaster that they were welcome to come aboard and  
9 examine the vessel and our practices. No one ever took  
10 us up on those suggestions.

11 The only record-keeping was the logbook that was  
12 kept updated and stored on board at all times."

13 My Lady, I then propose to move on and to resume  
14 reading at paragraph 47:

15 "Specific allegations that have been made to the  
16 Inquiry in relation to me.

17 It is most unfortunate that this incident is being  
18 looked into such a long time after the event. I have  
19 looked at hundreds of pages to provide as much pertinent  
20 information as I can. Two witnesses who could have  
21 provided further evidence to back up my version of  
22 events have since passed away.

23 With regard to the allegation made to the Inquiry  
24 I was very surprised to read-in the part D report that  
25 I appear to allegedly have been accused of abuse or

1 physical abuse. To the best of my knowledge, neither  
2 the terms abuse, child abuse or physical abuse were used  
3 against me in the school investigation of the complaint.

4 The allegation made against me is that on  
5 27 September 1997, I hoisted a female pupil to below the  
6 lower main mast spreaders, a height of about 7.5 metres.  
7 That she was hoisted in the bosun's chair attached to  
8 the main halyard and also secured by a second halyard  
9 and her safety harness. She was left in this position  
10 for approximately 2.5 hours.

11 I have a letter written subsequent to the  
12 investigation but part of it I have mentioned here as it  
13 has a bearing on the decisions made after the incident  
14 occurred. The letter was to a training manager at the  
15 Royal Yachting Association after a conversation we had.  
16 I made mention to him that there were previous incidents  
17 of smoking on board, reported to the headmaster and no  
18 action was taken. Two cruises after notifying the  
19 headmaster, another pupil was caught smoking on board.

20 The incident with the female pupil was on the final  
21 day of the cruise. On that date, there was no ferry  
22 available to transfer her back to shore. I took time to  
23 consider the punishment and taking into account that  
24 I had every reason to believe the school were not going  
25 to do anything about it, I felt the punishment was

1 justified. This was not only to punish the pupil for  
2 the smoking but as a warning to others about the danger.  
3 The female pupil remained safely tethered in the chair  
4 for about two and a half hours and was released when  
5 I believed she was suitably contrite. I am aware that  
6 on her return home, the pupil informed her parents, who  
7 in turn wrote to the school.

8 The female pupil had broken not only school rules  
9 but a cardinal rule of the sea.

10 With regards to the internal school investigation,  
11 in my opinion it was a sham and the headmaster was  
12 untruthful in his reporting of matters. I was summoned  
13 to the headmaster's office as soon as I returned to the  
14 school at the end of the season. Prior to attending his  
15 office, the vice-chairman of the board of governors came  
16 to see me in person at home with my wife and a friend  
17 present. He explained that it would be to the school's  
18 advantage as well as myself and my family if I was to  
19 keep my head below the parapet during the forthcoming  
20 investigation.

21 My friend who was present was the head of the design  
22 and technology department and chairman of the staff  
23 consultancy committee. He and three other senior staff,  
24 all heads of departments, advised me to take a tape  
25 recorder into the meeting. This was a sad reflection on



1           how the school management was not held in high esteem,  
2           even by the most senior staff.

3           This turned out to be very wise advice as minutes of  
4           the meeting were taken in a very unsatisfactory manner,  
5           and subsequently it seemed certain that I was able to  
6           ascertain that the headmaster had not told me the truth.  
7           Present at the meeting with the headmaster was my friend  
8           and my wife. Needless to say, once the deceit was  
9           uncovered the three of us had no further faith in the  
10          headmaster's plausibility. We each agreed that it was  
11          going to be interesting to see how things would pan out  
12          in the end if I stuck to the vice-chairman's request to  
13          keep my head below the parapet. However, we all agreed  
14          that top priority should be given to keeping the  
15          incident under wraps from the public domain for the sake  
16          of the school, myself and my family.

17          At this stage I would like to add Prince Andrew and  
18          Princess Anne were members of the board of governors and  
19          that Princess Anne's children were pupils at  
20          Gordonstoun. Should anything have come to light this  
21          may have caused them some embarrassment.

22          I believe the meeting should have been conducted in  
23          a fair, open and reasonable manner, with myself being  
24          able to enquire about the pupil's complaint and its  
25          veracity in accordance with appropriate school

1 investigation guidelines.

2 When I subsequently wrote to the headmaster and the  
3 pupil's housemistress about her recent past history at  
4 the school, I was met with no comment at all and I still  
5 don't know why. I did hear through the school grapevine  
6 that she was a problem girl and that this wasn't the  
7 first time that she had threatened legal action.

8 I was told by the head of activities that the pupil  
9 was caught smoking again at school a few days later,  
10 although he told me at the same time he had been  
11 instructed not to speak to me. I found out a number of  
12 staff had been ordered not to talk to me. One loyal  
13 friend told me that the pupil was a compulsive smoker  
14 and may have reached her tally of smoking punishments  
15 and may well have been the subject of expulsion.  
16 Therefore, it is possible she conjured up a complaint  
17 against my treatment of her to create a smokescreen,  
18 thus hoping her parents' complaint would detract from  
19 her rightful punishment into a full-blown investigation  
20 instead.

21 I was told that during her investigation much was  
22 made of her doctor's report to support her complaint of  
23 bruising on her thighs. I don't understand why, because  
24 I know that a lot of the crew suffer from bruising on  
25 cruise because it's all part of the nature of going to

1 sea, especially in the seas off Western Scotland during  
2 the gale season. The crew access to deck has basins  
3 very close to the ladder which are at thigh level,  
4 likewise the tables in the saloon. Therefore it is very  
5 likely that her bruising was part and parcel of the  
6 everyday life of a week in unfamiliar surroundings on  
7 the high seas.

8 After the investigation, when this came to light,  
9 I asked the senior nurse at the school medical centre if  
10 they had any evidence on record of the pupil coming to  
11 them after her return from the cruise and complaining  
12 about bruising on her thighs. She said there was  
13 nothing in their logs about bruising on her thighs, but  
14 the log did say that she came in about a tick on her  
15 thigh. I advised her to go to the medical centre about  
16 her tick, which had been removed while on board, upon  
17 her return to the school.

18 It is important to note that neither the school  
19 nurse nor the two bosuns or myself mentioned anything in  
20 their evidence to the investigation about seeing any  
21 bruising on her thighs, all shortly before she went to  
22 see the school doctor, when bruising was noticed and  
23 reported by them. This adds extra credence to the staff  
24 member's comment to me that her bruising may well have  
25 been self-inflicted shortly before seeing the doctor,

1 but after her initial visit to the medical centre.

2 It is sad to say, parts of the remaining  
3 investigation were a bit of a sham, but as agreed, I let  
4 it go over my head. To give a couple of examples, the  
5 deputy headmaster's report stated the pupil was 'in  
6 distress'. I pointed out that the bosun on deck at the  
7 time said in his statement that she was not in distress  
8 and that she was singing much of the time she was aloft.  
9 I was also keeping an eye on her and emphatically deny  
10 that she was in distress at any time, nor did she say in  
11 her statement that she was in distress. The headmaster  
12 insisted on keeping the word 'distress' in the report.  
13 The headmaster also asked me what I would have done if  
14 I had hit an iceberg. You could have heard a pin drop  
15 at that moment and my colleagues told me afterwards that  
16 they had expected a curt nautical correction from me.  
17 To the best of my knowledge, there haven't been icebergs  
18 reported in Scottish waters for hundreds of years.

19 I have also sent the Inquiry the lawyer's letters  
20 which show a possible reason for the school wanting to  
21 get rid of me, that is our very different approaches to  
22 discipline. This is highlighted by one particular  
23 conversation I had with the school chaplain, following  
24 which I made notes showing the headmaster regarded me as  
25 a thorn in his side I think as early as 1993. To me it

1 speaks volumes that the chaplain felt so strongly that  
2 what the headmaster had asked him to tell me was morally  
3 wrong, and therefore later decided to tell me about it  
4 so that I should know the truth. The evidence shows  
5 that I was put in between a rock and a hard place sort  
6 of situation where I would be damned if I did and damned  
7 if I didn't.

8         During the conversation with the chaplain, he told  
9 me that the headmaster wanted to get rid of me and that  
10 he had been sent to persuade me that it was time for me  
11 to look for another job. The chaplain informed me that  
12 the headmaster wanted to be seen as a liberal  
13 progressive and that my reports were critical of some of  
14 the pupils and he saw this as being counter to his  
15 success. He saw me as a critic of his ambitions to  
16 change the ethos of the school. The chaplain had to go  
17 back to the headmaster to say that he had been  
18 unsuccessful with his persuasions and that I had not  
19 allowed him to take on board what he was trying to say  
20 and he was under the impression I was adamant in trying  
21 to enforce my point of view. In fact, what I had said  
22 was that I was not dumbing down the discipline at sea  
23 for safety reasons. I found it extremely distasteful to  
24 discover that the headmaster should sink to such depths  
25 as to use the chaplain for this purpose.

1           Subsequent to this conversation it was suggested by  
2           the finance committee that a rumour should be started  
3           that the school were going to sell Sea Spirit. I was  
4           also made aware of this rumour from other people.  
5           Unbeknown to me, this idea backfired as the board of  
6           governors turned this idea down.

7           Should I have sent the pupil back to the school for  
8           the standard punishment which, as has been shown on the  
9           previous occasion, probably wouldn't have happened, or  
10          should I have taken a more effective deterrent example  
11          of her on board? As per my conversation when I called  
12          Chris Barton, head of discipline, the night before,  
13          where he said, 'Robert, we're going to have to do  
14          something serious about this smoking on board', this  
15          I felt was the last straw and I considered during the  
16          night what action I should take. The former option was  
17          not likely to be effective, especially sending her back  
18          only one day before the rest of the crew returned to  
19          school. This option was taken out of my hands anyway  
20          because no ferry was operating to take her back to the  
21          mainland that day and I had to press on towards Kyle of  
22          Lochalsh for a crew change the next day. The latter was  
23          the obvious best option as it was sending a strong  
24          message back to the school.

25          I received a copy of a letter sent to the headmaster

1 by the owner of another vessel used by Gordonstoun for  
2 seamanship. The author of the letter makes references  
3 to safety and discipline on board vessels. One safety  
4 area discussed was the risk of fire in a confined space.  
5 The author of the letter states the punishment of being  
6 sent home in a taxi is moot if, for example, on the last  
7 night. The author goes on to mention that he's aware  
8 that smoking by the children is tolerated at the school  
9 but cannot be tolerated in any manner whilst on board  
10 the vessel.

11 I also have a letter from the relief bosun for the  
12 cruises. The relief bosun was also aware of the extent  
13 of the smoking within the school. He also made the  
14 comment that the discipline of the pupils nosedived over  
15 the three previous years, 1995 to 1998. He confirmed  
16 that smoking amongst the pupils had reached epidemic  
17 proportions.

18 When the vice-chairman of the board of governors  
19 came to visit me before the investigation I also  
20 suggested he should take a visit preferably on any  
21 Sunday evening to the main access to the school driveway  
22 to see for himself how many cigarette ends he would find  
23 lying amongst the trees.

24 He came back to thank me later for my advice and  
25 told me he was amazed by what he saw and had been to see

1 the headmaster straight away to tell him this had got to  
2 stop immediately.

3 The relief bosun quotes in his letter, 'Having made  
4 my thoughts about this incident very clear in my  
5 submissions to the school, I think that it has been  
6 blown out of all proportion to further a long-running  
7 ambition of the senior management to get rid of you.  
8 The political shenanigans have been at times bizarre and  
9 would be laughable if it were not for the seriousness of  
10 the situation and effect on your career'.

11 With the correspondence I have sent to the Inquiry,  
12 I have also included a letter from my doctor, who was  
13 also the school doctor, and my surgeon, along with one  
14 from an employment lawyer. My surgeon and my doctor  
15 would have been in touch with each other regarding my  
16 illness and subsequent operation. Both of them were of  
17 the opinion that the school had a lot to answer for.

18 The letter from my surgeon quotes, 'I was greatly  
19 disappointed to hear that the situation at Gordonstoun  
20 has not yet been resolved. As you know, as an onlooker  
21 who had heard the story from many different sources,  
22 I am concerned that Robert did the right thing and had  
23 my child been a member of the crew on that occasion  
24 I would have applauded Robert's actions. It is in my  
25 opinion right and proper that he should strive to see



1 justice done and I have to say my own feeling is that he  
2 was made a scapegoat to satisfy the complaints of  
3 others. You both know that you have my full support in  
4 your quest to have this injustice rectified. It does  
5 worry me though that the events following this incident  
6 took a tremendous toll on Robert's physical and mental  
7 well-being and it could have been easy for him to submit  
8 himself to surgery whilst the matter was still very much  
9 a current issue'.

10 This ties in exactly with the thoughts of all the  
11 crew aboard at the time of the incident when it says  
12 they all agree the punishment to the pupil.

13 The employment solicitor gives an opinion that under  
14 maritime law the action taken by me was both legal and  
15 safe. The opinion was from my solicitor, who was with  
16 me throughout. The opinion was endorsed by solicitors  
17 Holman Fenwick and Willan, who were one of the top  
18 maritime lawyers whose advice was sought throughout the  
19 world on such matters and were being considered to  
20 instruct in cases were there to be a court case.

21 The importance of a firm sense of discipline at sea  
22 cannot be emphasised too strongly, for the safety of  
23 lives at sea, especially with children aboard as crew,  
24 as shown in the accompanying documents sent to the  
25 Inquiry and in my contract.

1           Earlier in the year of the incident I had been  
2           feeling a bit under the weather with occasional flu-like  
3           symptoms which I reported to my doctor. After many  
4           further tests, a final X-ray showed up worrying signs  
5           of disease. I mention this as at the end of the  
6           investigation I was unable to return to the school as  
7           a result of the illness. I knew that the school was  
8           using me as a scapegoat. I was fully expecting a letter  
9           of apology from the headmaster admitting that I was not  
10          at fault. That never materialised. I think the  
11          headmaster was looking after his reputation rather than  
12          getting to the truth of the matter.

13          When I was in hospital recovering from my operation,  
14          there was a continuation of correspondence being sent to  
15          our home which my wife was having to deal with whilst  
16          I was in hospital. She had to discuss things with her  
17          friend who agreed that it was inappropriate whilst I was  
18          in hospital. They were not taking into account I needed  
19          time to recover and recuperate before making reasonable  
20          responses.

21          I was already under stress with the operation and  
22          trying to keep it from our children who were still at  
23          the school. I felt the school were using the children  
24          as pawns. They offered to pay the children's school  
25          boarding fees, suggesting we go away so I could

1           convalesce.

2           Helping the Inquiry.

3           To assist the Inquiry I submitted a number of  
4 documents which may assist in understanding seamanship  
5 at the school, the needs for safety to be learned and  
6 adhered to. They also include letters before and after  
7 the incident with the female pupil from the headmaster  
8 and other staff. These letters show the manner in which  
9 the school dealt with the incident and myself.

10          I suppose I should comment that headmasters should or  
11 could pay more attention to reasonable and serious  
12 concerns of his or her lieutenants rather than pressing  
13 on regardless following their ambitions.

14          I have no objection to my witness statement being  
15 published as part of the evidence to the Inquiry.

16          I believe the facts stated in this witness statement are  
17 true."

18          My Lady, the statement is signed by 'Robert' and  
19 it's dated 14 December 2020.

20   LADY SMITH: Thank you.

21   MS BENNIE: The next statement bears the reference

22           WIT-1/000000357. My Lady, this witness wishes to remain  
23 anonymous and has adopted the pseudonym of 'Mr Blue'.

24           "My name is 'Mr Blue'. My year of birth is 1976.

25           My contact details are known to the Inquiry.

1 I have a degree from the University of Edinburgh.  
2 I was a supply teacher in the Moray district  
3 from November 2000 to June 2001. From around January  
4 or February 2001 to June 2001 I was an assistant house  
5 tutor in Gordonstoun House. I was a part-time teacher  
6 at Gordonstoun from April 2001 to June 2001.  
7 Since October 2001 I have been working with the UK  
8 government.

9 I cannot remember how I heard about the vacancy at  
10 the school or whether I applied or was invited to take  
11 the job. I wanted the job because I required a job and  
12 the role allowed me to continue with local supply  
13 teaching. I wanted to work with children because I had  
14 trained as a teacher and was enthusiastic about  
15 teaching. I cannot remember the application or  
16 interview process, who interviewed me or what kind of  
17 questions were asked.

18 I cannot remember what qualifications or experience  
19 was needed for the job, or what references, if any,  
20 I gave to the school. In terms of checks made to find  
21 out if I was suitable to work with children, Scottish  
22 Disclosure checks were carried out.

23 A General Teaching Council probation report and UK  
24 government reference were given by the school when  
25 I left. I cannot remember what the references said or

1 covered.

2 I do not know if professional registration was  
3 a condition of my employment with the school or  
4 otherwise stipulated by them. I was a member of the  
5 General Teaching Council for Scotland.

6 Initial impressions.

7 I had been at the school before and as such I was  
8 not surprised to find the school organised, professional  
9 and of a high quality. There was a good balance of  
10 education and pastoral provision in place. It had  
11 teaching facilities, sports facilities, boarding houses,  
12 outdoor grounds with sports pitches, staff  
13 accommodation, a church, workshops, a medical facility,  
14 catering and laundry facilities.

15 I was accommodated in the house tutor's  
16 accommodation in Gordonstoun House. The assistant  
17 tutor's flat was at the end of the building half a floor  
18 below the students' accommodation on the top floor of  
19 the building.

20 From memory, the school had a headteacher, deputy  
21 heads, heads of different school levels, heads of  
22 academic departments and teaching staff, boarding house  
23 staff and support staff. There were numerous other  
24 staff in the school. I do not know how many. While  
25 I knew the academic staff in passing, I knew the

1 headteacher, deputy heads, the head of sixth form, the  
2 summer school director and some other office staff, the  
3 department staff and the house tutor for Gordonstoun  
4 House. I had limited engagement with the wider staff in  
5 my time as I worked outside the school for a portion of  
6 the week.

7 The overall lead for the school was the headteacher.  
8 However, there was a leadership at the different school  
9 levels and in the boarding house environment.

10 In my role as assistant house tutor, I was  
11 accountable to the house tutor in the first instance and  
12 the school management team. In my role as teacher,  
13 I was responsible to the head of the department. I do  
14 not know if any of the staff changed during my time at  
15 the school.

16 I do not know how many boys or girls were in the  
17 school. I believe in 2001 the age range was secondary  
18 pupils only. I do not know how long they tended to stay  
19 at the school. It varied from pupil to pupil. I do not  
20 know what the ratio of pupils to staff was, or whether  
21 there were any changes during my time at the school to  
22 pupil numbers, the age range or ratio of pupils to  
23 staff. I believe that homework was completed by the  
24 students in the boarding house or classrooms if specific  
25 equipment was required.

1 My work.

2 In my role as assistant house tutor in Gordonstoun  
3 House I was responsible for providing pastoral  
4 supervision and support to the sixth form students in  
5 the boarding house when rostered on duty. Gordonstoun  
6 House was the boarding house for the sixth form  
7 students. I am asked how many children I was  
8 responsible for in this role. I believe the number was  
9 approximately ten in the boarding house. As a teacher  
10 I was responsible for covering other teachers' classes  
11 when required. The number of students I was responsible  
12 for when teaching varied depending on the class.

13 I am asked who supervised or checked up on me and  
14 what contact, if any, I had with the pupils other than  
15 during classroom time. The house tutor was responsible  
16 for me in my boarding house duties. The head of  
17 department was responsible for my departmental  
18 involvement. In addition to my pastoral responsibility  
19 in the boarding school when on duty, I would support  
20 other staff with [REDACTED] as directed  
21 by the school. My contact with the students took place  
22 in the boarding house and in [REDACTED]  
23 locations such as the [REDACTED] I was a part-time  
24 employee so my interaction with the students was  
25 limited. I believe that it was predominantly in my duty

1 periods in the boarding house and approximately three  
2 teaching periods in the week. None of this changed  
3 during my time at the school.

4 I am asked how my role was explained to me and by  
5 whom. I believe that at an initial arrival interview  
6 with a member of the management team, possibly the  
7 deputy head, I was introduced to the house tutor. He  
8 showed me around the house and explained my role.  
9 I cannot remember what, if any, induction or training  
10 I was be given at the start of my employment at the  
11 school. I cannot remember what training I was given in  
12 child protection or safeguarding matters or whether  
13 I was offered any other training or education during my  
14 time at the school. I cannot remember if I was given  
15 any written or unwritten guidance or instructions by the  
16 school about my role and responsibilities."

17 My Lady, in paragraphs 16 to 29 the witness tells us  
18 about the school routine for the children. Therefore  
19 I propose to resume reading at paragraph 30.

20 LADY SMITH: Thank you.

21 MS BENNIE: "Internal monitoring.

22 I am asked what checks were made by the school to  
23 see whether I was doing my job properly. I had regular  
24 face-to-face meetings with the house tutor and with the  
25 head of department. I do not know what checks were made



1 by the school to see whether the students were being  
2 cared for properly. I believe that the house tutor had  
3 regular house meetings with all students in the house.  
4 I believe other informal welfare checks would take place  
5 as the staff moved through the boarding house. I am not  
6 aware of feedback being given to staff following a check  
7 or what, if any, followup was made.

8 I am asked what practice or procedure there was for  
9 disciplining staff. I believe that the senior  
10 management would deal with all staff matters. In terms  
11 of procedure for staff to raise a grievance I was  
12 advised to speak to the house tutor or head of  
13 department in the first instance or to escalate to  
14 a member of the management team. I do not know what  
15 practice or procedure there was for staff to  
16 whistle-blow or raise concerns about other staff.

17 I am asked how supported I felt by the school and  
18 whether I had adequate support to do my job properly.  
19 I felt fully supported both as an assistant house tutor  
20 and as a teacher."

21 My Lady, I propose to resume reading at  
22 paragraph 35, which is:

23 "Access to children.

24 I am asked who had access to children on their own.  
25 Given the nature of residential boarding schools, any

1 member of teaching or pastoral staff could be approached  
2 by a student at any time for support or assistance.

3 I am not aware of the support staff or people external  
4 to the school having access to the students. I do not  
5 know how the students' safety was protected.

6 I do not know what written or unwritten policy,  
7 guidance or instructions were given by the school on the  
8 keeping of records. I am not aware of keeping any notes  
9 or records when I worked at the school. I did not write  
10 any records. I do not know what records were kept of  
11 admissions, punishments, visitors, inspections,  
12 discipline or health, or who kept them. I do not know  
13 where they were kept or who could access them. I have  
14 no knowledge of records generally within the school.

15 Discipline.

16 I have no knowledge of the disciplining and  
17 punishment of students at the school. I do not know  
18 whether there was a written or unwritten code of conduct  
19 or rules of behaviour. I was not aware of any written  
20 or unwritten guidance or instructions by the school on  
21 sanctions and punishment of students. I am not aware of  
22 what type of behaviour resulted in a sanction or  
23 punishment, or what sanctions or punishments were given  
24 to children or by whom. I do not believe that I ever  
25 had to discipline a student. If I had been in this

1 position, I would have referred it to a superior for  
2 action. I am not aware of any other staff sanctioning  
3 or punishing children.

4 I am asked how I would describe the culture of the  
5 school towards discipline. The school had a strong team  
6 ethos with trust, discipline and community as central  
7 themes. The rules were clear to students. I am not  
8 aware of any specific discipline incidents or how these  
9 were managed if they occurred. I am not aware of what,  
10 if any, records or punishment books were kept. I do not  
11 know if there was a process for recording sanctions and  
12 punishments.

13 I am asked what involvement, if any, did pupils have  
14 in the disciplining of children at the school. I am not  
15 aware of this happening. I have no knowledge of the  
16 operation of the system if this was in place.

17 I believe the school operated a prefect system.  
18 I do not know how it operated. I am not aware of the  
19 process of selection of prefects, what powers they had  
20 or what sanctions they could impose. I am told that the  
21 Inquiry has heard evidence of fagging and I am asked  
22 what I understand the word to mean. I am not aware of  
23 fagging and I do not know if it occurred at the school.

24 Abuse.

25 I did not see behaviour that I considered to be

1 abuse of children taking place at the school. I am  
2 asked if I did not see abuse myself, whether I was aware  
3 that abuse was taking place. No, I was not aware. No  
4 student spoke to me of abuse. I was not aware of any  
5 student ever needing medical attention because they had  
6 been abused. I am asked, with the benefit of hindsight,  
7 if I consider any sanction, punishment, other practice  
8 to constitute abuse. I never witnessed any abuse.

9 I was asked who either in or outside the school  
10 could children speak to about concerns or worries. The  
11 students had a network of points of contact throughout  
12 the school that they could approach: teaching staff,  
13 pastoral staff and year group heads. It is my belief  
14 that all students knew that they had an open door to any  
15 of the staff as and when they required it. I believe  
16 that all students had a specific tutor they could  
17 approach in the first instance.

18 I am asked what concerns, if any, did the children  
19 raise. No concerns were raised. I am not aware if  
20 students in the school were confident and/or trusting  
21 enough to speak to any adult about abuse.

22 I could speak to the house tutor or the head of  
23 department or any member of the Senior Management Team  
24 about any concerns or worries. I believe this was made  
25 clear to me on my arrival. I am asked if I ever

1 reported to anyone anything that was happening to  
2 children which caused me concern. No, I did not have  
3 concerns and I was not aware of anyone else reporting  
4 concerns about students. I cannot remember what written  
5 or unwritten policy, guidance or instructions were given  
6 by the school."

7 My Lady, I move on to paragraph 48:

8 "Allegations.

9 I have been asked to provide information about  
10 an incident mentioned in a report from the school sent  
11 to the Inquiry. The report states that a complaint  
12 against me was made by a student at the school in 2001.  
13 I provided a full written statement detailing my  
14 innocence in 2001. My rebuttal of the allegation is  
15 fully contained in my original written statement.

16 The school completed a full and thorough  
17 investigation. I was interviewed by the headteacher and  
18 was asked to provide a statement in relation to the  
19 allegation. I strongly denied the accusation and  
20 provided a full written statement to this effect. The  
21 allegation was closed and no further action was taken.

22 I have no further comment. I have never been the  
23 subject of any other complaint in relation to alleged  
24 abuse of students at the school.

25 Helping the Inquiry.

1 I am asked what in my view are the lessons that can  
2 be learned to protect children in a boarding school now  
3 and in the future. An organised and formal pastoral  
4 guidance system should exist in all schools. Every  
5 student or staff member must feel that they can always  
6 turn to someone if they need to discuss an issue. The  
7 system must protect everyone involved in the boarding  
8 school experience, both students and staff.

9 I have no objection to my witness statement being  
10 published as part of the evidence to the Inquiry.

11 I believe the facts stated in this statement are true."

12 My Lady, this statement is signed by 'Mr Blue' and  
13 it's dated 11 July 2020.

14 LADY SMITH: Thank you very much.

15 MS BENNIE: Thank you very much.

16 LADY SMITH: So we rise now, Mr Brown, and sit at 2.00?

17 MR BROWN: Yes, please, my Lady.

18 LADY SMITH: The next witness should be ready. Very well.

19 We'll rise until 2 o'clock. Thank you very much.

20 (12.49 pm)

21 (The luncheon adjournment)

22 (2.00 pm)

23 LADY SMITH: Good afternoon. Mr Brown, is the next witness  
24 ready for us?

25 MR BROWN: He is, my Lady, and the next witness is

1 Mark Pyper.

2 LADY SMITH: Thank you.

3 Mark Pyper (sworn)

4 LADY SMITH: Could we begin by my asking you to help me with  
5 this: what would you like me to call you? Mr Pyper?

6 Mark? Something else?

7 A. I would be happy to be called either, either of those,  
8 but nothing else.

9 LADY SMITH: Right. Most people seem comfortable for me to  
10 use their first names so if that's all right with you  
11 I'll do that.

12 A. I'm very happy with that, Lady Smith, I'm very happy  
13 indeed.

14 LADY SMITH: Well, Mark, you'll see there's a red folder  
15 beside you which you will be asked to look at in  
16 a moment.

17 A. Yes.

18 LADY SMITH: It's got your statement in it but your  
19 statement will also come up on the screen in front of  
20 you.

21 A. I see it.

22 LADY SMITH: So you can use either the hard copy or the  
23 screen when you need to look at your statement, whatever  
24 works for you.

25 A. Thank you.

1 LADY SMITH: Otherwise, if you have any questions or queries  
2 of any sort, please don't hesitate to raise them with me  
3 as we go through your evidence. It's very important  
4 that you're as comfortable as you can be, and if, for  
5 example, you want a break, just tell me and we'll have  
6 a break.

7 A. Yes.

8 LADY SMITH: If it works for you, it works for me.

9 A. Right.

10 LADY SMITH: That's the rule of thumb. So if you don't have  
11 any other questions at the moment, I'll hand over to  
12 Mr Brown and we'll take it from there. Would that be  
13 all right?

14 A. No other questions, my Lady.

15 LADY SMITH: Very well. Mr Brown.

16 Questions from Mr Brown

17 MR BROWN: My Lady, thank you.

18 Mark, if I may?

19 A. Yes.

20 Q. You are obviously Mark Pyper, you are the former  
21 headmaster and then principal of Gordonstoun School,  
22 which is the focus today.

23 A. Yes.

24 Q. You're now 74?

25 A. Correct.



1 Q. And despite being retired, you're still involved in  
2 education?

3 A. That is right.

4 Q. How are you still involved in education?

5 A. I am chairman of a board of governors of an independent  
6 preparatory school in Gloucestershire and I chair the  
7 board of a school-centred initial teacher training unit  
8 in Oxford.

9 Q. Thank you. Obviously you have your statement in paper  
10 form and on screen. Use whichever is easiest. Some  
11 formalities. I have a reference number for it which  
12 I have to read into the record which is WIT-1-000000607.  
13 We know, obviously, it is a 28-page document and you  
14 have signed it on the last page and dated it 10 January  
15 2021.

16 You confirm in the last paragraph that you have no  
17 objection to your witness statement being published as  
18 part of the evidence to the Inquiry and you believe the  
19 facts stated in this witness statement are true. You  
20 obviously read the statement before you signed it.

21 A. Yes.

22 Q. But I think, having reread it in advance of today's  
23 hearing, you discover that there was a slight mistake in  
24 paragraph 14?

25 A. I did discover there was a date in paragraph 14 which

1 I'm duly very sorry that I -- it's now coming up, yes.

2 Q. I'm aware because you took the time to email the  
3 Inquiry. The date 2004 to 2018 Neil Gardner in the  
4 second line is wrong, it should properly be 2000 to  
5 2003.

6 A. Yes.

7 Q. That would make sense of the next line with Robert  
8 McVean holding the post from 2004 to 2018.

9 A. That is correct and I do apologise for the error.

10 Q. That aside, you are content with the terms of the  
11 statement and its accuracy?

12 A. Yes, I am.

13 Q. And you will understand that it is in evidence and has  
14 been read and will no doubt be read in total again with  
15 great care because it contains much information which is  
16 of assistance to us.

17 A. I understand.

18 Q. And for which, thanks. But obviously there are some  
19 wider issues that I would wish to ask you questions on,  
20 but just to set the scene before we come to Gordonstoun,  
21 on page 1, paragraph 2, you set out your professional  
22 history starting with a history degree and then going  
23 into teaching, which you continued with throughout your  
24 entire life and still do, from what you're saying, or  
25 with education.

1           Can I just be clear. You set out a list of schools.  
2           Were these boarding schools or were they a mix of day,  
3           state, private?  
4           A. The schools mentioned there were all independent schools  
5           and they were all boarding schools or had a substantial  
6           element of boarding in them.  
7           Q. Thank you. Had you, if I may ask, been to a boarding  
8           school yourself as a child?  
9           A. I was born in a boarding school and lived every day of  
10          my life in a boarding school until I retired.  
11          Q. You are particularly familiar with the boarding school  
12          world then?  
13          A. I think I understand something of them.  
14          Q. Yes. The reason I ask about that is obviously you,  
15          having worked at the schools you mention ultimately  
16          prior to Gordonstoun being registrar and deputy head at  
17          Sevenoaks School, you then apply for the job of  
18          headmaster at Gordonstoun and get it?  
19          A. Yes.  
20          Q. Why did you want to go to Gordonstoun?  
21          A. I wanted to go to Gordonstoun because it fitted the  
22          profile of the sort of school I was looking for, which  
23          was co-educational, boarding, of which I had experience,  
24          and in the countryside. And not too large. I didn't  
25          want to work in a school of, say, over a thousand which

1 I was working in at the time at Sevenoaks. If you take  
2 those four criteria, there are not actually many schools  
3 in the United Kingdom which match exactly that.

4 LADY SMITH: So when you went to Gordonstoun in 1990 how  
5 many pupils were there there?

6 A. The school at that time had just under 500 pupils at  
7 Gordonstoun, four nine something or other.

8 LADY SMITH: What about Aberlour?

9 A. Aberlour at that time had just over 100, between 100 and  
10 110.

11 LADY SMITH: Thank you.

12 Mr Brown?

13 MR BROWN: Thank you. We've touched upon Aberlour so  
14 perhaps we can just talk about it briefly.

15 A. Yes.

16 Q. In 1990 we would understand that legally Aberlour was  
17 distinct from Gordonstoun?

18 A. Yes.

19 Q. But as we know in the late 1990s, 1999, you stopped  
20 being headmaster and became the principal of what would  
21 become, I think, the Gordonstoun Schools in a very loose  
22 sense, which would cover Aberlour?

23 A. It included Aberlour. It also included the Gordonstoun  
24 Summer School and indeed any other schools which might  
25 fall into that partnership of schools.

1 Q. Thank you. But when you first came to Gordonstoun in  
2 1990, what did you see the relationship with Aberlour as  
3 being?

4 A. Well, I knew that the schools were related unofficially,  
5 but when I went, in my letter of appointment and  
6 contract there was no mention of Aberlour House. When  
7 interviewed, we paid a visit to Aberlour House and it  
8 was made clear that it was an autonomous school in which  
9 Gordonstoun had an interest because a large number of  
10 pupils followed through and, yes, as I say, I would use  
11 the expression: part of a family of schools, because it  
12 had the same founder, the same ethos, the same financial  
13 administration as well, but neither the board of  
14 governors nor the headmaster of Gordonstoun had any  
15 direct responsibility for what happened at it.

16 Q. We've heard that in previous decades to you arriving it  
17 may have been known as the Gordonstoun junior school,  
18 though it was legally distinct, so there clearly was  
19 a close connection?

20 A. Yes. I would not dispute the connection. This is  
21 a fairly nice distinction in that sort of throughout the  
22 first eight years until the time of what you might call  
23 the amalgamation of the boards of governors, there  
24 remained no doubt that it was a distinct entity and  
25 speaking particularly for myself at the time as

1 headmaster of Gordonstoun there was no, as I say, no  
2 direct responsibility.

3 For instance, when after I'd been there one term and  
4 there was a difficulty because the current head was --  
5 left the school, was asked to leave the school, and the  
6 deputy head took over as acting head for a year, in his  
7 letter of appointment it was stated that, unusually, he  
8 was then to be responsible to the head of Gordonstoun.  
9 So for the year that he was there as acting head, he  
10 reported to me, but as soon as the new head,  
11 Mr Caithness, came in in 1992, that ceased and we went  
12 back to the previous arrangement and he was proudly  
13 independent.

14 If you were to look at, for instance, which I'm sure  
15 you have seen, HMI reports of both Aberlour House and  
16 Gordonstoun in the mid-1990s, in none of those is there  
17 a mention of the other school and any sort of  
18 relationship, as I say, until 1998 when the boards  
19 joined each other.

20 So I'm clear that there was no, as I say, and sorry  
21 to repeat myself, direct responsibility but I'm equally  
22 clear that not only in retrospect but at the time this  
23 was a family and that therefore we had strong links and  
24 I would look at it as a family thing.

25 If I can just take one minute to give you a sort of

1 family analogy, if a child was abused by their parents  
2 and later in life, this not being known, the parents  
3 pass away and pass on and the child decides to talk  
4 about this, if there were to be close by an uncle and  
5 aunt who were close relations with the family and knew  
6 all about it, they would not of course have had any  
7 legal responsibility for what had happened to that  
8 child, now an adult, but they would feel that they would  
9 want to commiserate, help and generally support that  
10 person. And I look upon the relationship of Gordonstoun  
11 to Aberlour House at that time in that light, if that's  
12 clear.

13 Q. So Gordonstoun is the uncle and aunt?

14 A. Gordonstoun is the uncle and aunt.

15 Q. Thank you. What did you know about Gordonstoun prior to  
16 starting? Presumably you visited the school?

17 A. I visited the school twice for interview and two visits  
18 subsequent to appointment, so I had been to the school  
19 four times before I took up office.

20 Q. Did you know anyone who worked there prior to applying  
21 for the job?

22 A. No, I knew no one at all who worked there.

23 Q. I just wondered whether you were aware when you were  
24 appointed was the school looking to change its mode of  
25 operation or was it simply a straightforward: we require

1 a new headmaster and then you would be left to do things  
2 as you saw fit?

3 A. Nothing was stated to me at the time, either in terms  
4 of -- as far as pastoral care is concerned -- what  
5 I would -- the instruction I remember very clearly I was  
6 given by the chairman of the governors on appointment  
7 was that the current head had done a great deal to raise  
8 the academic standards of the school and that was to  
9 continue, please; and, secondly, that the school should  
10 continue to be a broadly happy and inclusive place. It  
11 was left as general as that.

12 I think there was acknowledgement, because I was  
13 questioned quite closely on it, about my sort of  
14 pastoral experience, but it wasn't actually stated to me  
15 as a criterion.

16 Q. All right. Before we go on to your experience of  
17 starting at Gordonstoun and what you then discovered and  
18 what you changed, just touching on governance, obviously  
19 the board or the chairman of the board at the time of  
20 your interview is giving you perhaps an indicator of  
21 what they expect from you?

22 A. Yes.

23 Q. Just looking at the board itself, we know from your  
24 statement that the board contact with the school,  
25 engagement with the school changed over time?



1 A. Yes.

2 Q. We know, for example, that a governor became  
3 specifically responsible for child protection?

4 A. Mm-hmm. Yes, that's correct.

5 Q. And there was greater engagement and training, we've  
6 heard about this. From your statement, that seems to be  
7 part and parcel of your desire to change the outlook of  
8 the school; is that correct?

9 A. Yes, that would certainly be right. I think that my  
10 predecessor -- and he said this to me -- liked to keep  
11 the board of governors at arm's length and that was  
12 quite traditional for boarding schools, I think, at that  
13 time and I took a very different view that governors  
14 should share responsibility, indeed in some cases assume  
15 responsibility for certain parts of the operation, and  
16 so I was keener from the outset that governors should be  
17 just more closely involved, to start with, and to know,  
18 and it would be true to say the governors themselves  
19 were not terribly keen on that, because as we move  
20 forward -- I hope I'm not getting ahead of myself --  
21 there was a definite view expressed to me when I took  
22 matters concerning pastoral care as concerns, to say,  
23 "Look, we support you but we are arm's length and you  
24 get on with it because we regard that as management."

25 Q. All right. But over time, that stance shifted?

1       A. It shifted -- it shifted particularly when there was  
2       a change of chairman and various other governors in the  
3       mid-1990s, I would say.

4       Q. We've heard evidence and it's been discussed about the  
5       change of approach -- I'm speaking generally, not just  
6       about Gordonstoun but in independent schools. Governors  
7       tended perhaps around this time to have close connection  
8       to the school, be local, be ex-pupils. It's quite  
9       close-knit, if I can put it that way. And there's been  
10      a move away over time to looking at what skills  
11      governors can bring rather than association with the  
12      school. Is that something you recognise?

13      A. Oh yes, very much so, yes. The governors who were there  
14      when I started in 1990 were a selection of just the  
15      types you mention. There were several former members of  
16      the school, old boys, as it were, although one former  
17      female member of the school joined very soon after me,  
18      and there were some otherwise people local to the school  
19      who were well-wishers and were happy to play a part in  
20      it. And definitely over time that changed. The major  
21      change there really would have occurred in 1998 at the  
22      same time as the amalgamation of the school with  
23      Aberlour House. There was a restructuring of the board  
24      of governors and it included, for instance, which had  
25      not existed up until that time, a proper education

1           committee. I think that brought about a sea change in  
2           saying: we have to have different skills on the board in  
3           order to do the job that now we're expected to do.

4       Q. I don't mean to be dismissive of the good intent of  
5           previous governors, but was it the board now becoming  
6           more professional?

7       A. Oh, exactly.

8       Q. In terms of an educational function?

9       A. Yes, yes. And under the next chairman, Jim Weatherall,  
10           who started in 1996, he established this sort of system  
11           of committees and every governor had a part to play in  
12           one or other. So the days of just the local well-wisher  
13           were numbered from that point onwards.

14      Q. And presumably of importance the working relationship  
15           you had with him was a strong one and together you could  
16           achieve change?

17      A. Yes, yes, very much so. He came -- he had been and was  
18           chairman of governors at another school in England, so  
19           he had great experience of this, and that was what he  
20           wished to introduce and I was entirely in favour of it.

21      Q. Can I just ask. He came from another school.  
22           Obviously, and this is returning to your professional  
23           history, had you worked in schools prior to Gordonstoun  
24           where that sort of more professional governance existed?  
25           Had you seen it in operation before, which is why you

1           wanted it at Gordonstoun?

2           A. I'd only worked at one school, which was Sevenoaks  
3           School, which even had a board of governors before going  
4           to Gordonstoun. As I was deputy head, my links with it  
5           were fairly tenuous and I would say that they were more  
6           involved in the financial administration side of the  
7           school and supportive of that and therefore slightly  
8           fewer involved who didn't represent any particular  
9           interest, but it was not that different, to be honest.

10          Q. All right. So the driver for change, from what you've  
11          just said, is that coming from you and your desire to  
12          change the approach at Gordonstoun, both in terms of  
13          ethos beyond education but looking at pastoral, change  
14          in discipline, as we'll come to, you saw change in  
15          governance as an adjunct of all that?

16          A. Yes. I think it would be true, and you've already  
17          alluded to change, which is coming and I'm sure we're  
18          going to discuss that, but as I got, to be honest,  
19          slightly bogged down in change, I looked to the  
20          governors and at that time, as I say, the assistance or  
21          support wasn't really there except in a general sense  
22          of: yes, please carry on. But I was then having  
23          difficulties with staff and it was at that time that, as  
24          I put it in my statement, I wrote to the inspectors and  
25          said, "You haven't been here for 17 years, isn't it

1 about time you turned up?"

2 LADY SMITH: This change in the way the governing body was  
3 made up and the ideas of committees, skills matrix, that  
4 kind of thing that you've alluded to, did your change at  
5 Gordonstoun fit with what was happening in a number of  
6 other independent schools in Scotland?

7 A. My knowledge of them, my Lady, is limited, of other  
8 schools, though I did attend HMC meetings and so on.  
9 I would say in broad terms yes, but I could not quantify  
10 it.

11 LADY SMITH: What about SCIS? Did you learn about this from  
12 SCIS as well?

13 A. SCIS was fairly in its infancy at that time and I don't  
14 know of any directives or encouragement that went out  
15 from SCIS.

16 LADY SMITH: Thank you.

17 MR BROWN: Again, you've touched upon it so we may as well  
18 deal with it now. We know, because we've seen the  
19 letter to the inspectors saying, "You haven't been here  
20 for 20 years", you were keen for an inspection to take  
21 place?

22 A. Yes.

23 Q. And again, so we can just deal with it now: why? And  
24 can you share your thoughts on the importance of  
25 inspection?

1       A. Yes. I mean, I genuinely thought 17 years for a group  
2       that say, "We come every seven years" was not a good  
3       thing in any case, but I adopted, as indeed I did  
4       towards governors, a different view from others because  
5       I felt that the more people who were involved,  
6       knowledgeable, enthusiastic to help and committed, the  
7       better. And I saw that over time with governors, but  
8       I suspect it -- and I was right to suspect that it would  
9       also be true of the -- of inspectors, but I had got, as  
10      I say, slightly bogged down with the staff on various  
11      things. I mean, I can think of three in particular,  
12      I can give you three examples of topics. The  
13      establishment of a management structure within the  
14      school in order to run the place better, but in order to  
15      introduce pastoral change as well, appraisal of staff,  
16      proper appraisal of staff by the establishment, and  
17      a more detailed matter of tutors, those concerned with  
18      tutoring, actually doing duties and being present in  
19      boarding houses, which of course is the kernel, the  
20      nerve centre of what goes on and these were all things  
21      on which I met tremendous resistance from the staff.

22      Q. And the boys and the girls?

23      A. No, they didn't like everything that I did, but I was on  
24      a better wavelength with them and I would freely admit  
25      in those first five to seven years my weakness was in

1           dealing with staff, and I could go into details of why  
2           it was weak if you need to, but I failed to persuade  
3           them and they were obstinate.  Governors said: your  
4           business, to me, and I said: go to the inspectors.  The  
5           inspectors came, and in the report, which I have here,  
6           in the section on management of staff, all those three  
7           matters were resolved, which for me was what I needed to  
8           get on with the job from there on.

9           Q.  All right.  And inspection thereafter, having been  
10          useful after the long gap, did it then become a routine?

11         A.  Inspection became a routine, and not all that long  
12          after, of course, the Care Commission was instituted and  
13          so there was inspections by both Care Commission and HMI  
14          and they continued both regularly and reasonably  
15          frequently up until I finished in 2011.  2009 was the  
16          last -- it was a joint inspection by both groups and  
17          they were very thorough and I always found them most  
18          helpful and supportive.

19         Q.  From your perspective, were they a help or a hindrance?

20         A.  Oh, they were a great help -- always.

21         Q.  In what ways?

22         A.  Because I think inspectors are a help if you're honest  
23          with inspectors.  If you say -- I think it's a -- I can  
24          talk possibly about England so it's not necessarily  
25          relevant but I suspect it would be true of Scotland as

1 well: no school likes to have a bad inspection report,  
2 and therefore you not only do the best you can in school  
3 but you present yourself in the best way, and there may  
4 well be a reticence in schools to say, "I am struggling  
5 with this, with X", and I tended to think: if these  
6 people are coming, you may as well tell them what you're  
7 struggling with because there's quite a good chance  
8 they'll have seen it somewhere else and be able to help  
9 you. And from that 2006 inspection onwards I always  
10 took that line and it was always valuable and it didn't  
11 necessarily mean you got sort of gamma minus.

12 LADY SMITH: So if you have confidence in the inspectors,  
13 are you saying that you can, being intelligent about it,  
14 look on them as a free consultancy service?

15 A. That's a very good way of expressing it, my Lady.  
16 I think that was what -- and they were happy to do that.  
17 Some of them were still quite tough. It didn't mean  
18 actually that they then said, "Oh, goody, goody, it's  
19 all wonderful", they didn't say that, but they were  
20 able, from their experience, to say, "Why don't you try  
21 this? Have you thought of that?" and I found that very  
22 useful.

23 MR BROWN: So being open with them, they were receptive to  
24 you and imparted a wider knowledge that only they could  
25 have.



1 A. Yes.

2 Q. Although presumably you may have the same direction  
3 coming from SCIS, who also have an overview?

4 A. Yes.

5 Q. And, would you agree --

6 A. I mean, I found SCIS particularly, particularly useful  
7 for sharing of experience, perhaps, and sharing of best  
8 practice, and possibly slightly less useful in your  
9 specific difficulties or challenges.

10 Q. But SCIS are another example of an open honest culture  
11 sharing --

12 A. Oh yes. I always thought when I moved back to England  
13 in retirement and got involved in a number of schools  
14 there, I looked around and thought: where is SCIS or its  
15 equivalent? And it isn't.

16 Q. Is there such a --

17 A. There is no such organisation in England.

18 Q. Is that something that's lacking in the English system?

19 A. If you wish, Mr Brown, for me to criticise the English  
20 system, yes.

21 Q. I'm sure we'll come onto what you may think is lacking  
22 in the Scottish system in a little while.

23 A. Right.

24 Q. I'm sorry, we've jumped ahead and got a number of  
25 subjects ticked off.

1 A. Yes.

2 Q. But let's go back to 1990.

3 A. Oh yes.

4 Q. You've been appointed, you come to the school, and what  
5 did you find?

6 A. I found a community that was externally thriving. The  
7 school was quite full, the academic results had gone up,  
8 the finances were quite sound, there was building going  
9 on, and all those things were important. The school had  
10 some hallmarks of which you will know, and its special  
11 independent things such as the services at the school,  
12 outdoor education, real strengths of the school, and  
13 I found those strong. I think, but I couldn't swear at  
14 the time that I thought some of these need -- because  
15 I was not an expert in them -- need development.  
16 I suspect that came two or three years later.

17 So I was impressed by all of that, but I knew before  
18 I got there the negative side of all of this would be  
19 the pastoral care and the life of some of the pupils  
20 within the school. And I knew that because I had  
21 seen -- and I was going from being a housemaster myself,  
22 I was a housemaster and deputy head of a school so I had  
23 some idea of what it could and I thought should be like,  
24 going into some of the houses at Gordonstoun and sensing  
25 the atmosphere in various ways and finding it sadly

1           lacking.

2           Q. I think if we look at your statement at page 7,  
3           paragraph 27, you describe:

4                     "The boarding houses were dark, poorly furnished and  
5                     carpeted, lacking in privacy with very little decoration  
6                     ... students' rooms were stark and impersonal,  
7                     reminding me of boarding houses I knew of 25 years  
8                     before ..."

9           A. Yes.

10          Q. You then go on say:

11                    "I was fortunate to attend very civilised schools  
12                    where tolerance, appreciation of difference and human  
13                    happiness were strongly present and essential elements  
14                    of the culture."

15                    Presumably that is what was driving you when you  
16                    came to Gordonstoun, saw what the state of the school  
17                    was, and you decided to try and change the culture to  
18                    the one you just described of tolerance, appreciation of  
19                    difference and happiness?

20          A. Yes, that's right. I was very fortunate, I had been  
21                    through a senior school boarding experience myself and  
22                    I cannot to this day remember anyone being really  
23                    maltreated. It was a school where people perhaps  
24                    thought of themselves as being quite bright and sharp,  
25                    so there was some badinage of a verbal sort, but I would

1 not ever say it descended into serious bullying. There  
2 was certainly no physical bullying at all.

3 At Sevenoaks, where I was immediately before going  
4 to Gordonstoun, there was an element of it, I thought,  
5 and I thought it was not a good thing and in the  
6 boarding house I was in tried and I hope did something  
7 about it, but then I got to Gordonstoun and, to be  
8 honest, found that things were a different league  
9 altogether.

10 Q. As compared with your previous experience --

11 A. Particularly compared with both my previous experience,  
12 both as a student and as a housemaster.

13 Q. Gordonstoun was in the past comparatively?

14 A. Gordonstoun was in Victorian times, at least.

15 Q. And I think you say at paragraph 30:

16 "I sensed almost immediately a student community run  
17 along hierarchical lines. This was not restricted to  
18 boys' houses but was strong in girls' houses too where  
19 my investigations when I joined the school showed that  
20 physical bullying was rare, but not unheard of. The  
21 boys' houses had endemic, ritualistic initiation  
22 ceremonies and other physical bullying including  
23 punching, nipple tweaking and even branding. These were  
24 not new."

25 And you obviously have read about previous

1 experiences prior to your arrival.

2 "On the first day of the first term a parent who was  
3 new to the system was warmly welcomed by a senior pupil  
4 who led his son off in a very nice way only to take him  
5 elsewhere to be physically oppressed."

6 Presumably you were shocked by what you found?

7 A. I was extremely shocked, and I think I was very shocked  
8 by what I found and saw and heard, and the difficulty  
9 was, as I've implied already, a lack of recognition of  
10 it by the staff.

11 Q. I think, looking over the page to paragraph 31, you say:

12 "No one talked about bullying or pupil to pupil  
13 abuse nor did anyone seem concerned about it."

14 A. This is right. The attitudes of the staff then,  
15 possibly not universal but general, were: it's much  
16 better than it used to be. Secondly: it happens  
17 everywhere. And thirdly, quite a bit of: this is the  
18 new headmaster doing his thing, all new heads do this  
19 and, you know, just let him get on with it.

20 My weakness, my failure, as I say, was to actually  
21 impress on the staff that this was neither right nor  
22 natural nor universal, but I did not succeed initially  
23 in doing that.

24 Q. I think, though, you made your feelings plain  
25 immediately, and we have a document that will appear on

1 the screen in front of you, document WIT-3-000000544.

2 LADY SMITH: Just while that document's coming up, when you  
3 arrived in 1990, what proportion of the staff had been  
4 at Gordonstoun for a significant length of time?

5 A. Oh, it was a fairly longstanding staff. The reasons for  
6 that are, first of all, people went to the school  
7 because it had a particular ethos which they liked and  
8 therefore it was difficult to leave. You also in  
9 a materialistic way had very good price education for  
10 sons and daughters all the way through, so there were  
11 sort of good reasons for staying. And so it was quite  
12 a steady staff. Very few staff under the age of 30,  
13 virtually none, and even their 30s, relatively few. And  
14 very -- although by then it had been obviously  
15 co-educational for 18 years when I arrived, the staff  
16 was very heavily male-dominated.

17 LADY SMITH: Did that mean, working as they were in  
18 a geographically remote area as well, the opportunities  
19 to be aware of how things were being done elsewhere  
20 would have been limited to say the least?

21 A. They were very limited, and apart from going away on  
22 sports fixtures -- and that was quite a major occasion,  
23 in fact -- there was virtually no travelling at all, and  
24 although in those days there were far fewer courses and  
25 in- service training, it was almost unheard of because

1           it was distant and expensive and so on. So you're  
2           absolutely right. You have this island, as it were, but  
3           not entirely what Kurt Hahn set it up as, an island of  
4           healing, as he called it, but it was an island where it  
5           had some very good things but some not so good things  
6           happening as well, but with a staff who were blinkered,  
7           you would be correct, your Ladyship, in saying that.

8       LADY SMITH: Thank you.

9           Mr Brown.

10       MR BROWN: Just to continue the theme before we go to the  
11       document, I think you say at paragraph 32:

12           "The students themselves, largely through no fault  
13       of their own, lacked moral guidance, a moral code,  
14       a moral compass."

15           No doubt because of --

16       A. Yes, that's right. If you went to Gordonstoun in 1990  
17       and you said to a student, "What matters on the  
18       disciplinary side?" they would without doubt say to you:  
19       drinking, smoking and of course drugs. They had no  
20       moral idea that those things, of course not good, but  
21       actually are sort of self-indulgent afflictions. They  
22       had no idea that those did not necessarily weigh heavily  
23       in the scales with anti-social acts -- and I include in  
24       that not only bullying but extreme dishonesty, gross  
25       rudeness to staff and things like that, and because they

1           didn't fit into a neat scale of punishments, first  
2           offence, second offence, which I think were mistakenly  
3           posted on noticeboards, incidentally, they didn't have  
4           a morality. It was not so much an immorality abroad as  
5           an amorality.

6           Q. The document I was talking about is on the screen.

7           A. I see it.

8           Q. I think we can zoom in because it's frankly a little  
9           small to read. But this is a talk you gave to the whole  
10          school on Friday, 14 September 1990.

11          A. Mm.

12          Q. Presumably within weeks of the term starting?

13          A. It was ten days after term started.

14          Q. And you start off, reading the first paragraph short,  
15          saying you'd seen excellent things happening --

16          A. Yes.

17          Q. "I was delightfully entertained in another house.  
18          Splendid. But ..."

19                 You go on:

20                 " ... and there is a but, we can only say the  
21                 situation is really good if that atmosphere reaches all  
22                 people in the school in all places at all times,  
23                 including when you're in your own rooms, when you know  
24                 that there are no members of staff in the vicinity. If  
25                 there is one person unnecessarily unhappy and certainly



1           if that person isn't happy because of something which  
2           has been said or done by another, then we have failed  
3           and the atmosphere cannot really be said to be good."

4           And then reading on:

5           "I of course came here a few weeks ago open-minded  
6           but had been warned by some people that I might find  
7           some unpleasantness."

8           Who had warned you?

9       A. I had been warned by three people. I was warned by the  
10       then representative of the prep school body, the IAPS in  
11       Scotland, who rang me up and had rung me up months  
12       before I came and I replied to him: actually there is  
13       a perfectly good headmaster there, why don't you tell  
14       him? They didn't think it was worthwhile. Another head  
15       who was head of a school closer to here also mentioned  
16       it to me, and there was -- the chairman of governors had  
17       a business partner who, quite by chance, had a son in my  
18       house at Sevenoaks and he said loosely he had heard that  
19       bullying might be an issue, and he turned to me and  
20       said, "You know, you've done it here, you can do it  
21       there", and I said, "We'll have to wait and see what  
22       will happen", so I did have some knowledge before  
23       I went.

24       Q. Right. You then go back to the script in front of you.  
25       Going down to the last full paragraph we see on the

1 screen:

2 "This is not incidentally confined to boarding  
3 houses. It can be across the school as a whole. Nor is  
4 it always older to younger pupils -- it can be between  
5 those in the same age groups. It very often stems from  
6 a lack of tolerance, a lack of understanding and  
7 an anti-social refusal to acknowledge that others may be  
8 different from you, different from the majority, look  
9 different, behave differently, express different views  
10 but their rights are the same as anyone else's."

11 If we can go to the last paragraph, I'll read it:

12 "There is a case recently of someone being teased  
13 because he comes from a state school background. How  
14 disgraceful. There is a note to me from a member of  
15 staff the day a third former was late because his bag  
16 had been thrown in a bush. Yesterday the contents of  
17 the bag were strewn around the grounds. The boy is very  
18 homesick. This form of unpleasantness is quite common.  
19 What an appalling indictment and what a despicable  
20 action. How dare you, whoever you are, behave like  
21 that. You should be and I hope you are utterly ashamed  
22 of yourselves."

23 What was the reaction of the school as you --

24 A. The school didn't like this at all, a new person coming  
25 in. What I should also tell you, on this particular day

1 I expelled two for being extremely unpleasant to  
2 a junior boy and they were members of the first rugby XV  
3 and I was told by both staff and pupils, "You cannot  
4 expel members of the first XV" and I said, "Well, that's  
5 tough, they're on the train already", but the same day  
6 I also abolished all forms of physical punishment.  
7 There was no corporal punishment, but there were lots of  
8 punishments of sending people on runs and so on.

9 Now, these were school-based punishments, and sort  
10 of officially given out by members of staff or by senior  
11 pupils, but there was horrendous abuse and I knew of  
12 some of it from the punishments within the houses.  
13 There was -- an example was, "Run to the sea, get  
14 a mouthful of saltwater and come back and kneel at my  
15 feet and spit it out", and this didn't seem to me a very  
16 good idea.

17 So they were hit three ways. They had no physical  
18 punishments at all of any sort, they had two members of  
19 the first XV expelled and you had this chap standing up  
20 saying this. Not many people spoke to me for the next  
21 week.

22 Q. Again we don't have to try and talk about the progress  
23 over years at great length, but from what you've been  
24 saying thus far, you had managed to effect change but it  
25 wasn't perhaps as quick as you would have --

1       A. Yes. I think the young got the drift very quickly of  
2       what was going on. They didn't like it, but by and  
3       large they appreciated it and some shrugged their  
4       shoulders. As I say, the difficulty was the staff stood  
5       back and said -- not all, not all, that would be  
6       an exaggeration. Some were supportive, I've got  
7       documents of some. But others, the general thing was,  
8       "We'll get on with what we're paid to do and Pyper's  
9       doing that" and you'll never get the real change of  
10      culture until you get at least a majority of the staff  
11      on your side and, as I say, that was a failing on my  
12      part.

13     Q. I think we see from your statement, we don't have to go  
14      into the details, there were improvements to the  
15      boarding houses?

16     A. Mm.

17     Q. They were made softer, warmer, friendlier places.  
18      You've talked about discipline and there was no corporal  
19      punishment, obviously, by the time you started but the  
20      practical changes were effected instantly by you.

21             One of the things that I think you talk about is  
22      there was still scope for Colour Bearers, what we might  
23      think of as prefects, having some disciplinary power?

24     A. Yes.

25     Q. I think a Sunday detention was mentioned?

1       A. That's right. I mean, I said to start with we will try  
2       and have a school largely without punishment and  
3       of course the community simply didn't understand that.  
4       We will use force of logic and argument and yes, staff  
5       will be able to give detentions officially supervised by  
6       staff. But what can the senior pupils do? I was  
7       constantly asked. I would say let us say that under  
8       certain circumstances you can require written  
9       submissions of certain -- not quite the old-fashioned  
10      lines, but we called them Xs, actually, and it never  
11      caught on. I said if that's not going to catch on,  
12      that's fine. Over a year or two, take the Colour  
13      Bearers, the prefect body, effectively, and let us then  
14      devise a scheme which must be supervised by staff or  
15      overseen by staff where the young ones will do work in  
16      the school grounds. I mean, obviously simple things  
17      like picking up litter or -- but even painting goalposts  
18      and so on. But you, the Colour Bearers, will get up  
19      early with them early on a Sunday morning and do it.

20     Q. Two things from that. One, there had to be an element  
21      of staff supervision of this --

22     A. Yes, yes. These punishments, there had to be a book  
23      which went to staff for approval.

24     Q. Prior to the changes you introduced, was there  
25      a recording?

1       A. Absolutely none.

2       Q. And was there any supervision of senior pupils  
3       disciplining younger ones?

4       A. No. It was very much the old sort of green baize door,  
5       if I can call it that, atmosphere in some houses where  
6       the pupils -- as had been the case and as had worked  
7       well in a much smaller school with Kurt Hahn, the  
8       founder -- seniors trusted -- trust is an important  
9       element and can be a very beneficial thing, but if trust  
10      goes wrong at any point in the scale, then you have  
11      difficulties. And the problem was that the -- well,  
12      there were several problems, but the trust was too far  
13      for the age that we were living in, giving it to the  
14      senior pupils, and the other difficulty was that the  
15      housemasters particularly but housemistresses as well,  
16      did not have enough support in their houses, were  
17      weighed down totally with no -- in those days no  
18      matrons, not necessarily resident assistant, et cetera,  
19      et cetera, no staff coming in as tutors, and therefore  
20      gave more and more responsibility to people who were not  
21      trained, ie the senior pupils, to take it on.

22      Q. We've heard repeatedly of the houses being essentially  
23      autonomous and the individual houses' character being  
24      dependent on the character of the  
25      housemaster/housemistress.

1 A. Yes.

2 Q. Some were strong, some were weak, and at most extreme  
3 levels the houses were not being managed by the  
4 housemaster but were really in the hands of the senior  
5 pupils. Does that description ring true to you,  
6 thinking of the school you took over?

7 A. Yes. That's absolutely true. And the housemasters and  
8 housemistresses, although they were being offered right  
9 from the start extra support, were worried that this  
10 would be a loss, about sort of power and position, and  
11 so responded negatively to it.

12 One of the first things I did, which I don't think  
13 you would be able to do now, is, was I said, you know,  
14 you say to need more support, right, well, here are  
15 these assistants, some of them were resident, some not,  
16 no job descriptions and so on, try to sort all this out,  
17 and quite rightly I can remember conversations with the  
18 assistants, saying: we'd like a bit more money, please;  
19 and so I got the housemasters together and said: We're  
20 going to give the assistants more money. Good. We're  
21 taking it away from you. Which we did, £650 a year,  
22 which was quite a reasonable sum in 1990. But that  
23 didn't endear me, but I was under quite strong financial  
24 constraints, so that happened.

25 Q. And you introduced matrons?

1       A. Yes, and that's one -- you know, you're asking about  
2       regrets and that sort of thing. Matrons not until 1997  
3       and that was too late. That should have happened  
4       earlier but that was my fault. I mean, my fault because  
5       I couldn't do the persuading bit, as it were. It was  
6       that next step. It took longer than I thought, the  
7       whole operation.

8       Q. Finance was obviously an issue. Was that a barrier?

9       A. Finance was something of a barrier. When I went to the  
10      school, it still operated in a way which several  
11      independent schools did then, that the headmaster on the  
12      one hand and the bursar/finance director/in our case  
13      controller on the other, were separately responsible to  
14      the board of governors. So the bursar who held the  
15      purse strings was not responsible to the head, so the  
16      head had to go cap in hand, and if the bursar said, "I'm  
17      terribly sorry, there's no money", then effectively --  
18      you could do an appeal over the top, but there was no  
19      money. So some of these changes were made easier,  
20      again, in the 1998 review of things by the governors,  
21      where for day-to-day matters the bursar finance  
22      director, as he was then called, became responsible to  
23      the head, had a direct line to the governors through the  
24      finance committee for the managing of the school's  
25      finance, but if the head said, you know, "We're painting



1           these three classrooms, thank you, and not those three",  
2           from then on it happened. Up to then, it did not  
3           necessarily happen.

4       LADY SMITH: Mark, you said a few moments ago: matrons not  
5           until 1997 and that was too late.

6       A. Yes.

7       LADY SMITH: Tell me more about that.

8       A. Well, too late; I mean, it would have been better had it  
9           been earlier, and this was the double thing -- I mean,  
10          this actually was a financial thing because the  
11          introduction of nine fully new members of staff into  
12          houses for full-time jobs, I was told that that must  
13          wait until I'd banged on the door for long enough, but  
14          the housemasters at the same time, although crying out  
15          and saying, "We need more help", were slightly resistant  
16          because they were sort of wary of it and there were  
17          problems as well: what exactly was the relationship  
18          between matrons and cleaners? There were lots of  
19          obstacles and all I'm saying is it would have been  
20          better had somehow I managed to get it done earlier.

21       LADY SMITH: On the subject of matrons, what was it that you  
22           saw that led you to conclude that you needed matrons,  
23           a matron for every house?

24       A. Yes, a matron for every house. There were two -- they  
25           did and I dare say still do a multitude of important

1 tasks, but the two main things were to relieve the  
2 housemaster or mistress of certain administrative  
3 duties. Gordonstoun being a long way away, a lot of  
4 time is spent on travel arrangements, and so they could  
5 help with things like that. They could see that pupils  
6 learned how to use a washing machine, which is quite  
7 an important skill in life, but also they can be  
8 a semi-independent shoulder to lean on, cry on and that  
9 sort of thing, and that's the one -- I leave it till  
10 last, but that was the most important one, and indeed  
11 when they came in, so it turned out to be.

12 LADY SMITH: Would that also have been a move away from  
13 assuming or hoping, with fingers crossed, that if it was  
14 a male housemaster, he would have a wife who could, in  
15 many ways, fulfil a matron-type role?

16 A. Yes. I think there would certainly be an element of  
17 that. When I arrived at Gordonstoun, the housemasters  
18 were all married, and I think valuable work was done by  
19 the spouse, though some of them did have jobs of their  
20 own, they all had families of their own, and so it was,  
21 as it were, a non-job description job, and very uneven  
22 from one house to another. But there were certainly  
23 some, you would be correct, some housemasters' spouses  
24 who did noble work in this area.

25 LADY SMITH: And yet not employed by the school, therefore

1 not line managed by anybody in the school.

2 A. That is --

3 LADY SMITH: Very much free agents, I suppose.

4 A. Absolutely right, responsible only to their spouses in  
5 a professional sense.

6 LADY SMITH: Mr Brown.

7 MR BROWN: Thank you, my Lady.

8 You were obviously also trying to engage with the  
9 student body?

10 A. Yes.

11 Q. As well as battling the teachers.

12 A. Yes.

13 Q. By the sounds of it. And one of the things that you  
14 talk about introducing is councils for the pupils.

15 A. Yes.

16 Q. When was that?

17 A. Oh, that was quite early on. It was not initially -- it  
18 wasn't in this first flurry of the first ten days. It  
19 was after about a year or two, I would say, certainly  
20 within two to three years that I thought that we must,  
21 within the houses, have some sort of what would now be  
22 called student voice and a way in which they could  
23 express themselves directly to their  
24 housemaster/housemistress and so on, and have a council  
25 with each year group, the way we did it was to have in

1 each house one or two representatives and the group met.  
2 And I think it certainly began to serve some sort of  
3 purpose and we did it at, which was much more common in  
4 schools, a school level as well, which was something  
5 more of an open forum.

6 Q. That's what I was wondering, trying to take it out of  
7 these insular bodies, the houses, but to a school level?

8 A. Yes. I found that useful. We had a school council but  
9 we also had a sort of open forum: come and meet the head  
10 at 5 o'clock on Tuesday and say what you like, and that  
11 sort of thing, and yes, one learnt quite a good deal  
12 from that. I mean, again, one is treading delicately on  
13 eggshells, staff jealous of their positions, wanting  
14 to -- wondering what the head's doing sort of talking to  
15 my pupils sort of thing. You would find an element of  
16 that.

17 The other thing incidentally I learned a great deal  
18 from was by doing quite early on a day in the life of  
19 a third former. I actually dressed up in uniform and  
20 did a whole day being a 13-year-old and I learned a huge  
21 amount, actually. I started in Altyre House at 6.30 in  
22 the morning sweeping a very threadbare carpet with  
23 a very soft brush, which was a fairly useless operation,  
24 and I remember at mid-morning break time, which lasted  
25 20 minutes, being at the back of the queue and not

1 making it to the front for whatever food and drink was  
2 being administered. From the next day onwards until  
3 I left, we had a 25-minute break.

4 Q. All right. And I think we would also understand that  
5 there was increasing clarity about rights and  
6 responsibilities and rules; is that correct?

7 A. Yes. Right from the early days I was hoping -- and  
8 again this took time -- whilst rules being clear -- and  
9 I think actually there was clarity of rules before, but  
10 balancing this, as you imply, with responsibilities, but  
11 all the time, even more deeply underpinning that, to  
12 point out the advantages and benefits of a system which  
13 was based on a code of positive conduct rather than  
14 old-fashioned thou shalt not do this, that and the next  
15 thing, because one knows that you can achieve thou shalt  
16 not do this, that and the next thing, but you can still  
17 have a lot of children at the end who aren't really  
18 fulfilled and happy.

19 Q. The benefit of the alternative approach is -- how is the  
20 benefit achieved by following the different approach?

21 A. First of all, it's difficult to measure. Secondly,  
22 of course there were many who would have been fulfilled  
23 and happy under the old system, but you look at those  
24 who perhaps were not so -- and you could see from school  
25 reports and so on from people who weren't. I mean, this

1 is -- I think it is a very, very important distinction,  
2 and the work even of this Inquiry perhaps inevitably  
3 looks at the protection of children, thankfully, from  
4 abuse and oppression and so on and so forth, and you can  
5 achieve all that in a school fairly effectively. There  
6 may always be the odd thing that comes up. You can do  
7 that. But if you want young people who are going to be  
8 happy in themselves and fulfilled and prepared for life,  
9 then you have to do quite a lot on the positive side as  
10 well, and my experience is if you do those positive  
11 things, this is in the way of opportunities and  
12 encouragement and so on, then actually it will help to  
13 counter the negative side as well.

14 Q. One of the issues that was raised, and we come back  
15 perhaps to the financial stresses on a school, is that  
16 it was suggested by one former pupil that Gordonstoun  
17 would take anybody, no matter what difficulties or  
18 baggage they came with. Does that --

19 A. Well, Gordonstoun had always been a school, since its  
20 foundation, for taking on people who would not  
21 necessarily fit or had failed to fit elsewhere. I am  
22 perfectly comfortable with that as a concept within  
23 independent schools, which have many, many sort of  
24 fortunate aspects for all those, both who work and study  
25 in them. Therefore, I think there's a duty for any

1 independent school to chance its arm from time to time.

2 Now, some people might say there's a matter of  
3 degree, that if you run a school eventually with people  
4 who have difficulties at that time in their life, you  
5 will get -- you will create an atmosphere where you  
6 actually need to become a special school, and I think  
7 that may be a danger, but I don't think we ever came  
8 within many miles of that at Gordonstoun.

9 But to take in those who have difficulties, who have  
10 been asked to leave other schools? Absolutely. Job of  
11 the school, and many successes came therefrom.

12 Q. But I think it perhaps makes the point you are starting  
13 with people coming to the school who may have, to be  
14 colloquial about it, a great deal of baggage, which may  
15 make school time very difficult potentially for that  
16 individual or others.

17 A. That individual is probably having -- you know, has  
18 difficulties in life, certainly, and I think one has to  
19 have confidence in the school you're running, which was  
20 Gordonstoun in my case, that it appeals to the maximum  
21 number of young people because of its curriculum and the  
22 way in which it's run, that you can cater for all sorts  
23 of different young people with different problems.

24 Q. But on a practical level, the difficulty presumably is  
25 the balance between thinking about a pupil causing

1 trouble for another pupil in that you're dealing with  
2 two children and you can't -- there has to be a balance  
3 achieved looking after the interests of both.

4 A. No, that is correct, and indeed one would see it in --  
5 I mean, the most obvious place you'll see it is in  
6 a classroom, that if you have a child who is in some way  
7 disruptive, that interferes with the education of  
8 others, and children settling down in a new environment,  
9 that may happen.

10 But my experience at Gordonstoun was that those who  
11 had difficulties or problems did adapt pretty well.  
12 I wouldn't say 100 per cent adapted 100 per cent  
13 effectively, but I think it was, and I hope still is,  
14 a very good school for taking on those who have social  
15 difficulties and looking after them.

16 Q. What I'm going back to is your opening remarks to the  
17 school that everyone has to be looked after.

18 A. Everyone has to be looked after.

19 Q. Everyone has rights.

20 A. Everyone has rights, but it is also the case that some  
21 people need more looking after than others.

22 Q. And how is that achieved, I suppose?

23 A. That's achieved by recognising the strengths and  
24 weaknesses of every pupil, building their strengths,  
25 which is the positive aspect of which I say, and having



1 systems and people to support them in their weaknesses.

2 Q. Could we look briefly at a document GOR4432, it will  
3 appear on the screen in front of you. I think if we  
4 pull back. This is obviously a letter or email from you  
5 to a parent. It's the second paragraph:

6 "Bullying and acts of aggression perpetrated under  
7 loss of temper (and I do regard these two as different)  
8 are both wrong and are not tolerated at Gordonstoun.  
9 I take this to satisfy the phrase 'zero tolerance'.  
10 However, this does not necessarily mean that in every  
11 instance the school will employ an ultimate sanction.  
12 There will be varying degrees of violence. There is  
13 a very substantial difference between a premeditated act  
14 and one carried out under provocation. There are  
15 long-term objectives of ensuring the safety of  
16 individuals through creating an environment of tolerance  
17 as well as the important immediate responsibilities of  
18 seeing that an individual victim is safe and  
19 an individual miscreant is punished."

20 This is the balance we've been talking about?

21 A. Yes.

22 Q. I think if we go down to the last paragraph on that  
23 page, your concluding paragraph, full paragraph:

24 "Naturally I sympathise with you now as a parent.  
25 Your child has suffered an assault and you wish to

1 protect and support him. This is doubly difficult  
2 because of the distance between you and him. Because of  
3 that also it may be difficult for you to have a precise  
4 picture of certain aspects of how heavy this assault  
5 was, how upset by it the child really was, whether the  
6 other student is a danger and so on. At that point  
7 I can only urge you, who know us well to trust us and  
8 believe that we will run the school in the best  
9 interests of all the students, including, of course,  
10 [their son]."

11 Does that sum up --

12 A. I think that's very good. You can have rules and  
13 regulations and scales about smoking, drinking and those  
14 sort of things. It is very difficult to have hard and  
15 fast rules about the way one individual will treat  
16 another. The message must always be the same:  
17 individuals should treat one another with respect. But  
18 when it comes down to something having gone wrong, you  
19 must look at the individual circumstances. I agree with  
20 that entirely -- I said it then and I agree with it now.  
21 It is difficult sometimes for people to understand that,  
22 and that is where the trust of the school comes in, that  
23 one has got that balance right.

24 LADY SMITH: Mark, can I just take you to the penultimate  
25 paragraph beginning, "My objectives".

1 A. Yes.

2 LADY SMITH: This tells me that you'd spoken to the boy who  
3 was the target of the assault, yes? Have I got that?

4 A. Yes, I'm there.

5 LADY SMITH: And who's the son of the parents that you're  
6 writing to. And you apologised to him, you explained  
7 you regard the matter as dealt with and closed. You  
8 told him the offending student wasn't a threat and then  
9 it was this I was particularly interested in:

10 " ... to say in the light of these factors he had  
11 the right to think and do as he wished."

12 What were you getting at?

13 A. I think what I was getting at there -- and I'm  
14 struggling because I recognise everything you put in  
15 front of me at the moment, I'm interested that I -- but  
16 I'm happy to answer the question in any case. I think  
17 I'm saying, you know, I can't -- this is the child who  
18 had been -- let's call it a victim for want of a better  
19 expression. I can't tell him what he should think.  
20 I can't -- I will try and persuade him, as I have done,  
21 that justice has been done, he's not a threat and so on  
22 and so forth, and therefore he should think and do -- it  
23 doesn't mean -- I think "do" there is meant to mean  
24 react in the way that he wants. For instance, I have  
25 said there's no threat, which implies you can talk to

1 Charles or whoever it is, but if you want to ignore

2 Charles and avoid Charles, then please do so.

3 LADY SMITH: I see. Because on one view it almost sounded

4 as though he had carte blanche to take what action he

5 wanted to take.

6 A. No. Thank you, I can see how you read that. No, it

7 means that I should not control his mind and he must

8 make up his mind now as to what he should do about it,

9 but it's certainly not meant to imply in any way that he

10 could seek retribution.

11 LADY SMITH: Thank you.

12 A. I hope that -- I'll remember who this was later -- that

13 that was how it came across to him.

14 LADY SMITH: Thank you for that.

15 Mr Brown, it's just after 3 and --

16 MR BROWN: I'm happy to stop, my Lady. We have a way to go.

17 LADY SMITH: We'll take a break just now.

18 Mark, we normally take a break in the middle of the

19 afternoon as much as anything else to give the

20 stenographers a breather as they're beavering away here

21 and it helps them, but if it's all right with you we'll

22 take a break now just for a short time. Is that all

23 right?

24 A. Certainly.

25 (3.07 pm)

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(Short break)

(3.22 pm)

LADY SMITH: Mr Brown.

MR BROWN: My Lady, thank you.

Mark, if we could go to the document GOR4433, and if we could go, please, to page 9, obviously this is a letter, as we will see over the page, from you to a parent.

We've been talking about the balance to be achieved. I just show this letter for two reasons. One, to demonstrate that there are problems with some of the pupils that do come to a school as you've been describing.

A. Yes.

Q. Because you say at the outset:

"As you know, following [Charles'] recent misbehaviour I have been reviewing his future in the school.

I think at the outset it is worth recalling that the school took something of a risk in accepting [him] last autumn. He appeared for interview with openly avowed Nazi beliefs ..."

I think, putting it short, efforts were made throughout -- I take it you remember this child?

A. Mm. Yes.

1 Q. Efforts were made over a year to try and work with him,  
2 but matters came to a head because he was a foreign  
3 student returning to the UK and there were issues,  
4 I think, as you will remember, at Aberdeen airport.

5 A. Yes.

6 Q. Of the same issues.

7 A. Yes.

8 Q. And it was just to make the point there are times where  
9 it has to stop.

10 A. You have to draw the line. Absolutely. And that is  
11 that was -- to repeat my earlier point: Gordonstoun was  
12 not a special school equipped in terms of staffing,  
13 particularly, to deal with either a majority of those  
14 who might have strong social problems or even a few who  
15 could not subscribe to the curriculum and might  
16 interfere with the education of others. In those cases,  
17 sadly, there had to be a termination of contract.

18 Q. Looking at the second-last paragraph in front of us:  
19 "Against this broadly indifferent background,  
20 Gordonstoun has clearly failed in that prime objective  
21 of weaning [him] away from his extreme fascist beliefs.  
22 His recent behaviour on the aeroplane ... is evidence of  
23 this. I regret this is a great shame and there really  
24 seems to be little prospect of him improving in the  
25 future. In exercising my responsibility I have to be

1 fair to [him] but also to the principles and ideals of  
2 Gordonstoun."

3 So you viewed it as a failure?

4 A. Yes, I'm afraid so. I mean, we set out to educate but  
5 also to help this young man in what we saw were some  
6 deficiencies and we -- and this is quite late on in my  
7 time -- we were not successful. And I think any  
8 educational establishment, I hope, as I said earlier,  
9 will sometimes take a risk but also must admit when they  
10 have been unsuccessful.

11 Q. It also demonstrates, I can say, we could go through  
12 many examples of the disciplinary process, that there  
13 are full records of what was happening to --

14 A. Oh yes.

15 Q. -- all the pupils who were going through the  
16 disciplinary process and we should understand that in  
17 many case there is a progression of increasing sanction,  
18 if I can put it that way, with rustication, probation,  
19 but ultimately in some cases expulsion.

20 A. That's right, I think there has to be, and each one of  
21 them is different and therefore each one has to be  
22 judged on their merits or the opposite. And whereas  
23 there may be some offences, if I can call them that, for  
24 which you have a scale, when it comes to broad-brush  
25 stroke behaviour, it is much more considering gravity,

1 frequency, influence on the community and so on, and  
2 there have to be some value judgements in there, and the  
3 stable society, the stable school society, though, will  
4 have got the antennae right and know when things  
5 finally, sadly, have to come to an end.

6 Q. One thing that does become apparent, though, is when  
7 that stage is reached, would you agree, it was not  
8 uncommon to invite parents to withdraw their children  
9 rather than you expelling them?

10 A. Yes. This is a sort of -- it is a nice distinction  
11 which is -- which was at that time, I can't speak for  
12 now -- used in schools, that if there hadn't been  
13 something absolutely heinous, but it was a case of this  
14 person is beyond the pale, he or she is not responding  
15 positively to what we have to offer and is therefore  
16 either not in a position to access all our curriculum or  
17 is beyond the legal bounds of what we expect, but has,  
18 as I say, not necessarily done anything too dramatic or  
19 drastic, to say to the parents, "We're coming to an end.  
20 Do you agree with that?" because it will make it, as it  
21 were, for this young person, who sadly had problems,  
22 slightly easier, it will not alter his future in that  
23 he's ceasing at this establishment and has to go to  
24 another one, but he does not necessarily carry the  
25 stigma of expulsion with him.



1 Q. That is not being open, though. Again, is that  
2 a balance that you have to consider? Would you do  
3 things any differently now, looking back?

4 A. I'm not sure that I would, because I think if you are in  
5 touch with the parents and they are sort of on the side  
6 of their child and realise that it's wrong, if the  
7 child, as I say, has taken a knife to someone or  
8 something that is so heinous, you have to mark that out  
9 by saying, "You are leaving", but if there have been  
10 a series of incidents and things which show that that  
11 child is not in the right school, is not suited and  
12 cannot access the education and cannot be further  
13 helped, I think to say to the parents, "Would you like  
14 to withdraw him?", then I think that is reasonable. You  
15 know, it is -- I understand your line of questioning,  
16 because the next question is: well, what if the parents  
17 said no?

18 LADY SMITH: I was about to ask you that, Mark, because  
19 I want to know the answer to it.

20 A. What if they said no? I suppose I could say that never  
21 happened to me, on the one hand.

22 LADY SMITH: What if these parents -- I take it these  
23 parents did withdraw him?

24 A. Yes, they did.

25 LADY SMITH: What if they hadn't agreed to do that?

1       A. I think one would somehow have looked at the thing  
2       again -- I just think I would have gone on knocking at  
3       the door until they did. I would be confident in my own  
4       abilities to persuade them that it was wrong, and  
5       I suppose in the end, if they didn't, one would have to  
6       sit down and dissect it yet again and see whether there  
7       was an individual instance or action for which he needed  
8       to leave. And if not, possibly to say, "One more try  
9       but you run the risk next time of it being an expulsion  
10      rather than a withdrawal".

11      LADY SMITH: The long and the short of a situation like that  
12      is that in truth the child is no longer welcome at the  
13      school. The school feel they've got to the end of the  
14      road with that child.

15      A. Yes.

16      LADY SMITH: You mentioned an objective of avoiding the  
17      stigma of expulsion, but that means another school  
18      taking the child into their community doesn't know just  
19      how bad things had got at Gordonstoun, doesn't it?

20      A. Oh, I'm not for a moment suggesting one wouldn't be  
21      honest and straightforward with another school as to  
22      what exactly had happened, but the young themselves, and  
23      their parents, and to a certain extent educational  
24      establishment, gets slightly -- or used to -- gets  
25      slightly hung up on this word "expulsion". It's there

1           there is a stigma and so on, whereas someone who is  
2           struggling, as this boy was, in all sorts of different  
3           areas, that it was the wrong place, then I think one may  
4           not wish to give him that label.

5           That's not to suggest that one, as I say, if another  
6           head had rung me up and said, "I've got Mr and Mrs here,  
7           what about?" I would have certainly been absolutely  
8           honest without any doubt at all.

9   LADY SMITH: But that's dependent on the other head getting  
10           in touch?

11   A. Well, he or she would be failing in their duties if they  
12           didn't.

13   LADY SMITH: On the matter of the young not liking the  
14           stigma of expulsion, you should perhaps know that  
15           a woman who had been at Gordonstoun yesterday told us  
16           that she spent a lot of time trying to get herself  
17           expelled, that was what she wanted.

18   A. I'm very --

19   LADY SMITH: I don't think she would have been bothered at  
20           all. She gave the impression she would have been  
21           delighted if she'd been thrown out.

22   A. I'm sad that she felt like that, first of all, and  
23           I hope that she recovered from that. But if you were to  
24           check the records of Gordonstoun from 1990 to 2011, you  
25           would see that there were a fair number of pupils who

1           were asked to leave the school.

2           LADY SMITH: We've heard that, and we've heard about  
3           a sombre mood pervading the atmosphere when there had  
4           been expulsions.

5           A. Yes. The young have different ways of demonstrating  
6           their emotions and disapproval in such circumstances.

7           LADY SMITH: Mr Brown?

8           MR BROWN: My Lady, thank you.

9                     One of the reasons that I think concern may be  
10           expressed is -- can we move away from the pupil side of  
11           the equation and look at the staff side, one of the  
12           concerns that may arise is the way in which problem  
13           teachers are simply, looking to the past, moved on from  
14           one school to another without the full facts being  
15           known.

16          A. Right.

17          Q. That is something you recognise from your experience  
18           over so many years?

19          A. I think it was something which probably before the time  
20           that I was head was, if I -- not necessarily common, but  
21           was certainly known to happen, that people were moved on  
22           and moved about, and it didn't only happen in schools,  
23           it happened in other institutions as well. But I would  
24           like to think that it has become much less frequent over  
25           the period that I was at Gordonstoun and subsequently.

1 Q. But I think, if we can look at one particular example,  
2 which obviously you were asked when producing your  
3 statement to consider various specific cases --  
4 A. Yes.  
5 Q. -- and we'll touch on each briefly, but the teacher that  
6 I'm particularly thinking of is Andrew Keir.  
7 A. Yes.  
8 Q. Andrew Keir, obviously, was one of the staff you  
9 inherited.  
10 A. I did.  
11 Q. Do you remember him?  
12 A. Yes, I remember him very well.  
13 Q. What was your view of him?  
14 A. I first met Andrew Keir when I was visiting the school,  
15 one of the visits before I was appointed. And he was  
16 asked, in fact, to show me the Fire Service of the  
17 school, which was an aspect which he was very keen on.  
18 And I thought this was a nervous man. He stammered  
19 a bit. He had staring eyes, and I thought he was  
20 therefore an interesting person. I was reassured by my  
21 predecessor that he was a good physics teacher and  
22 indeed a committed school master.  
23 Q. If I can stop you there. You take over the school.  
24 What sort of handover was there, briefing, from your  
25 predecessor about what you were taking on?

1       A. Thank you. I sat down with my predecessor on the second  
2       of my visits to the school post-appointment, which was  
3       in May 1990, a few months before I arrived at the  
4       school, and he asked if I would like to have a quick  
5       look through, a quick go through the school list of all  
6       the staff. So we actually went through the fullness of  
7       every member of staff and I would think one minute,  
8       possibly less on some, slightly more on others, a potted  
9       biography of what they were.

10       And I can remember most of them, I'm glad to say,  
11       but Andrew Keir was rather as I've just described to  
12       you, I had met him by then, that he was a good physics  
13       teacher, very loyal, a satisfactory assistant  
14       housemaster, and this came, again, highly committed to  
15       the Fire Service of the school.

16       Q. You talk about him on page 21, paragraph 78, to page 22,  
17       paragraph 80, and you start by saying, first paragraph:

18       "Allegations were made against him in 1989.

19       I cannot comment on the investigation at that time and  
20       its outcome but as incoming headmaster I was not  
21       informed of the incident and investigation."

22       A. Yes. Can I just add something?

23       Q. Can we just read one more line?

24       A. Of course.

25       Q. "There was no information on his file."

1       A. That's right. So I was sort of, as it were -- I was  
2       doubly uninformed. There was the introductory talk by  
3       my predecessor when this matter clearly slipped his mind  
4       but a much greater worry, I did actually bother to sit  
5       down with all the staff files as I came in, again just  
6       a quick whizz through, this would have been in August  
7       1990, to have a look through, and passed through  
8       Mr Keir's file and there was absolutely no mention of  
9       this incident and whatever enquiry had taken place into  
10      it.

11      Q. Can we look, please, at file GOR00004445. This is  
12      a collection of papers which I'll be asking your  
13      successor, Simon Reid, about, who actually dealt with  
14      the fact that the prosecution of Mr Keir was going to  
15      take place.

16      A. Yes.

17      Q. He wrote to the former pupils highlighting it. And  
18      within that file obviously is this file note, which is  
19      6 February 89, and we would understand relates to  
20      Mr Keir, although he's not named. I'm reading that as  
21      short:

22                "Two senior boys had been to see the chaplain  
23      because two junior boys had told them that a male member  
24      of staff who takes swimming had approached the boys  
25      after a swimming session and changing room and invited

1           them to take their swimming trunks off as he did so  
2           himself."

3           And it goes on, obviously, to express a number of  
4           concerns. Have you seen that document before?

5           A. This is the first time I have seen this document. And  
6           I have been told by the school, who have, quite  
7           understandably, not show me the document, that this  
8           document was found in the file of one of the boy pupils  
9           concerned in those allegations. But there was no  
10          records in Mr Keir's file itself.

11          Q. All right. So there would appear to be a shortcoming --

12          A. Oh, colossal. I mean, a colossal shortcoming and very  
13          sad on behalf of the school -- nothing to do with me --  
14          one can only apologise.

15          Q. But had you known of that file note, would your approach  
16          have been entirely different?

17          A. Well, my approach in one regard would have been very  
18          different indeed. I would have -- in broad terms,  
19          I would have been more alert, but I would specifically  
20          have been more alert because he remained for my first  
21          year as assistant housemaster in Duffus House, and  
22          during the course of that year, the new housemaster  
23          there, who was very much on side with me as far as  
24          improving pastoral care was concerned, came to me on two  
25          or three occasions and said that he would like to have



1 a new assistant housemaster.

2           Knowing nothing of this, I said, "You need to wait  
3 a year. I quite sympathise, new broom, Mr Keir's been  
4 there some time, and I said to him, you know, "Can you  
5 tell me why you might be concerned?" and he said, "Well,  
6 he's sort of" -- he used an expression like, "He's  
7 rather old-school", and he implied that his methods were  
8 a slight combination of being too familiar on the one  
9 hand and then very stern and turning on pupils in  
10 a rather old-fashioned way on the other.

11           I said, "Well, that's right, please advise him and  
12 counsel him and so on."

13           I have since -- since I knew all about Mr Keir,  
14 I have wondered sometimes if Mr Pennington (a) knew  
15 about the alleged incident, and (b) whether he assumed,  
16 although he never said anything, that I knew about the  
17 alleged incident and that he was coming to me with  
18 a sort of further chapter to the story, but I had seen  
19 nothing, unfortunately.

20 Q. Could we look, please, at page 12 of the same file.

21 I think, in fairness to you, this is a letter to you,  
22 obviously, dated 1993, someone writing in support of  
23 Andrew's application for the housemastership of Duffus  
24 House.

25 A. Yes.

1 Q. It interestingly says, line three:

2 "In his bachelor days, Andrew was an invaluable help  
3 to me ... great strengths ... the time he was prepared  
4 to give to his duties, he was an excellent listener ...  
5 the range of interest that he made accessible to the  
6 boy. Andrew was unique among the house tutors at that  
7 time in that he was very happy to adopt an open-door  
8 policy to every member of the house. There was never  
9 any question of Andrew treating the job as a two  
10 evenings a week duty. He devoted an enormous amount of  
11 time and effort to his duties."

12 And then reading down:

13 "Andrew's open-door policy and the availability to  
14 all pupils in Duffus of his radio equipment, electronics  
15 work, computing and archery, provided valuable contact  
16 with the boys. On numerous occasions a boy would appear  
17 ostensibly to spend some time with one of these  
18 activities. Frequently such a visit was a prelude to  
19 a to long discussion regarding a personal problem, which  
20 would never have been broached if the surroundings were  
21 not so relaxed, or the tutor so receptive to the vibes."

22 Do you remember who that was from?

23 A. That's from <sup>OPK</sup> [REDACTED] who was the previous  
24 housemaster at Duffus House, and Andrew Keir, of course,  
25 had worked with him therefore as assistant housemaster

1           for, as can you see, several years before.

2           Q. Yes, but it confirms that he stood out to <sup>OPK</sup> [REDACTED] as

3           someone who --

4           A. A very good person in that position, yes.

5           Q. And had an open-door policy and spent a lot of time

6           one-to-one with pupils.

7           A. Yes.

8           Q. Did that in any way set alarm bells ringing in your

9           head?

10          A. I cannot recall it setting alarm bells ringing and I

11          don't think it necessarily would have done, because the

12          open door thing -- (a), if the door stays open, that's

13          exactly what one was telling staff to do.

14          Q. Yes.

15          A. Though it may be used in a metaphorical sense that he

16          was always happy to talk, even when he was off duty or

17          busy or whatever it was. But I don't think it would be

18          reasonable to expect, from that one sentence of

19          an open-door policy, to have any suspicions if you knew

20          nothing else about this person.

21          Q. If we move on to page 13, this is a reference for him

22          from Rugby School, and --

23          A. Oh yes, from my predecessor, presumably.

24          Q. Yes, Michael Mavor.

25          A. Yes.

1 Q. And whatever else it says it does not highlight the  
2 concerns expressed in that 89 memo.

3 A. (Witness shakes head).

4 Q. But obviously we then move to page 18, and this is the  
5 memo from BP to you.

6 And certainly from November 1990, within a couple of  
7 months of you starting:

8 "I have been keeping a quiet eye on AK for the last  
9 three or four weeks. There have been several occasions  
10 when boys have been in his room, but none of which have  
11 concerned me.

12 This evening at 5.30 pm I heard some giggling in his  
13 room, knocked and walked in. Two third form boys were  
14 in his room."

15 So the door was closed.

16 "One was on the floor with AK tickling him.  
17 Immediately before I walked in, I heard the other boy  
18 say 'he'll go for your underpants'.

19 After the boys had left the room, I saw one of the  
20 boys in my study and asked what had happened. He told  
21 me that he had heard a noise in AK's kitchen and  
22 suggested that there was a hamster there. Apparently AK  
23 has a nickname, hammy the hamster. Whereupon AK started  
24 to tickle him and according to the boy was about to give  
25 him a wedgie when the other boy walked in.

1           Obviously I am not happy with this situation.  
2           Firstly I don't enjoy watching over staff and the loss  
3           of trust and, secondly, the doubt of whether or not  
4           there is something in the rumour that I mentioned to you  
5           earlier in the term."

6           So would you agree within the first term of you  
7           being at Gordonstoun, you were aware of anxiety, to say  
8           the least --

9           A. Oh yes. Oh, certainly so, and that is, to repeat  
10          myself, why I said to Brian Pennington at the time,  
11          "This person (a) will leave your house after the end of  
12          the first year -- not necessarily because of this,  
13          because you want a fresh broom to sweep through, but  
14          that you ought to keep an eye on him and he is your  
15          responsibility in the house, you should warn him about  
16          his behaviour."

17          Q. Did you ever speak to Andrew Keir?

18          A. I cannot recall doing so, and so I think I probably did  
19          not, in this context in any case, because I did not  
20          believe if you delegated something and told someone to  
21          get on with it, that you should then necessarily jump in  
22          yourself.

23          Q. But I think if we move on to the next page, 19, we see  
24          your response memo to BP -- remember where you are,  
25          remember what you're doing -- where you set out that:

1           "BP came to see me - unofficial conversation about  
2 Andrew Keir. Comments have been made about AK's private  
3 life and predilections which affect pupils."

4           And (b) is perhaps the relevant one for our  
5 purposes:

6           "Several members of staff have raised questions  
7 about AK's relationship with boys, especially junior  
8 boys in Duffus. BP says (a) no evidence, not even  
9 circumstantial. (b) AK's room is used as a junior  
10 common room but all is apparently healthy and above  
11 board. BP has entered on a number of occasions. (c)  
12 there was one occasion recently where there was a single  
13 boy in AK's room at midnight but when BP entered it was  
14 only chatting, et cetera. I said [this is your  
15 conclusion] (c) is the danger, watch it. Follow up all  
16 leads discreetly. Must not prejudice or give" --

17 A. " ... give a dog a bad name".

18 Q. -- "a dog a bad name but warning may be necessary on" --

19 A. " ... things might be perceived."

20           I'm very sorry for my writing.

21 Q. No, no, it's quite all right.

22 A. It was no better then than it is now.

23 Q. -- "how things might be perceived."

24 A. I stand by all of that.

25 LADY SMITH: Only "might be necessary", Mark?

1 A. Sorry?

2 LADY SMITH: A warning might, may be necessary? Why not,  
3 "This man must be warned", at the very least? Or even  
4 go as far as, "This man can't be considered for any post  
5 of responsibility in the house"?

6 A. Well, my Lady, I think you have to remember that he --  
7 from Mr <sup>OPK</sup> [REDACTED] thing, this chap had had, in sort  
8 of school reputation and as presented to me, very clear  
9 positive things said about him. So against that  
10 background -- I hadn't received Mr <sup>OPK</sup> [REDACTED] note by  
11 this time, but nevertheless that was the reputation he  
12 had. Here are these things being raised, but then  
13 largely what I record there is Brian Pennington is  
14 supportive of him, says there are no great causes for  
15 concern, and then the one thing I say was the single  
16 boy -- now, if you're in a boarding position, then if  
17 a child was distressed in the night, might go to  
18 a member of staff for a chat and for advice. That is  
19 not unheard of. But I have said, I hope correctly:

20 "Watch it. Follow up leads discreetly [ie keep  
21 an eye on it], must not pre-judge ..."

22 I could talk a lot about false judgements being made  
23 of staff, but I won't.

24 "Warning may be necessary on how things might be  
25 perceived."

1           So I am here assuming innocence, which I think is  
2           the right thing to do, but saying, "You may need to tell  
3           him how things might look if he does" -- you know,  
4           should he be ...guilty would be the wrong word. If he's  
5           involved with the young in that way.

6       LADY SMITH: In that situation, Mark, isn't the job for the  
7           head not to think in terms of whether or not they're  
8           looking to find guilt but to assess risk, and first and  
9           foremost the risks to the interests of children for whom  
10          they're responsible, putting those risks ahead of any  
11          risk that a dog is given a bad name?

12       A. I think they are competing risks, and I would agree that  
13          the risk to the pupil, particularly in an early stage  
14          when you're not talking about influencing someone's  
15          career necessarily, the risk to the pupil would be the  
16          greater of two risks. But I think my response here,  
17          based on the information I had, that actually neither  
18          was a particularly acute risk at that time. And  
19          I think -- and I know if we -- you will have heard  
20          standards were different then, but this would not have  
21          been necessarily an unusual thing. I was quite happy to  
22          advise on it, that a pupil should be in the room with  
23          a housemaster or assistant having a chat because he  
24          might be -- remember, these people are in place of  
25          parents, and seeking their advice, comfort or whatever



1 at any time.

2 So I think I would agree by and large if there had  
3 been a further stage reached, but I would go back to the  
4 earlier part of the document where I am being reassured  
5 by the housemaster of what I had been told were the  
6 qualities of the person. But I don't dispute what --  
7 your basic tenet of your argument.

8 LADY SMITH: Thank you, Mark.

9 Mr Brown?

10 MR BROWN: Obviously these papers were reviewed by  
11 Gordonstoun.

12 A. Yes.

13 Q. Once the fact that a prosecution of Mr Keir was a known  
14 quantity.

15 A. Yes.

16 Q. Letters were sent. If we go to page 7 of the same  
17 document, and this is a memo prepared by the management  
18 of Gordonstoun in 2015 --

19 A. Yes.

20 Q. -- if we go down to the bottom, I think the crux is:

21 "From December 1993, [you] wrote a series of glowing  
22 references for Keir none of which mention any concern."

23 I think that was to Oundle and to Benenden where he  
24 had obtained employment.

25 A. Yes.

1 Q. Why did you not flag up that there had been concerns?

2 A. I can't -- I think it's a difficult question for me to  
3 answer without -- I mean, I don't dispute, if that was  
4 prepared by Gordonstoun, that the references were  
5 glowing, and I suppose I'd ask you if you happen to have  
6 a copy of that as well, because I would like to see the  
7 terms exactly in which it was -- in which it was  
8 couched. But I certainly did not think -- and I am now  
9 trying to work from memory -- that what was -- what had  
10 been expressed were actually, particularly by that time,  
11 and they had been three years before, that they were  
12 actually major concerns. I note also that he's going to  
13 work in an all girls' school, incidentally.

14 Q. Oundle wasn't an all girls' school, was it?

15 A. What?

16 Q. Oundle, the other school that you wrote a reference for.

17 A. Oh, right, that is certainly true.

18 LADY SMITH: You're probably remembering Benenden, which he  
19 did go and work at.

20 A. Yes, he did. Yes, he worked in two girls' schools,  
21 Brighton and Hove High School, after that, but I think  
22 that's what I would say, that whether three years before  
23 what you might term as a minor aberration -- well,  
24 I don't know if it's an aberration, really, a custom in  
25 which he had obviously been allowed to develop by the

1 previous housemaster, who thought he was very good, was  
2 worthy of mention in a reference for being a physics  
3 teacher at another school. I would -- I would question  
4 whether that was a failing.

5 MR BROWN: It's not really fair to ask you what you would do  
6 now because obviously you know too much.

7 A. Exactly. Oh, absolutely. I mean, I still say and  
8 regret on the part of Gordonstoun that there was nothing  
9 in his file which would have made all sorts of  
10 differences. And that -- you may say that's an excuse,  
11 but it's a pretty solid one in my mind.

12 Q. Although it's quite clear concerns were being raised by  
13 his fellow teachers about his behaviour towards younger  
14 pupils. Is that not something, picking up her  
15 Ladyship's point, that should always be mentioned,  
16 irrespective?

17 A. I -- I take the view that when someone says something  
18 about a person and adds, "Everyone knows that or  
19 everyone agrees that or people say that", unless there  
20 is a bit more chapter and verse, that actually one may  
21 be wise to it, but the mentioning of it in a reference  
22 on that basis I think is rather dangerous, that alone.

23 Q. Would that not be a matter for the school who might  
24 consider employing him to raise with him to discuss  
25 openly? Because otherwise they're operating

1           in ignorance and perhaps ignorance is something that  
2           could be highly relevant.

3       A. Yes, I think my judgement at the time was that in  
4           ignorance and in error that it was not relevant.

5       Q. Are you now saying you think it was an error not to  
6           mention it?

7       A. If I hadn't had the ignorance, it certainly would have  
8           been an error. Having being, as it were, subjected to  
9           ignorance, I'm still -- I cannot give you a direct  
10          answer.

11       Q. Okay.

12       A. Because -- and that is -- and partly that is because we  
13          are all operating in this instance with hindsight, which  
14          changes perspective.

15       Q. Can we say this: up until your departure from  
16          Gordonstoun in 2011, had the same situation arisen  
17          without there being more than we have in the Keir case,  
18          you wouldn't have mentioned it in a reference?

19       A. I think the difference would not have been the  
20          reference, but might have been the response to the  
21          concern first expressed.

22       Q. How would that response have differed in 2011?

23       A. I think my antennae would have been sharper to the --  
24          what were apparently reassuring but partly incidental  
25          comments about his behaviour.

1 Q. Why had your antennae been sharpened? What caused that  
2 change?

3 A. Oh, because there was -- in those 21 years, there was  
4 a hugely greater sense of awareness of what might  
5 constitute potential difficulties in the behaviour of  
6 staff.

7 Q. Thank you. Two other individuals hopefully we can touch  
8 on briefly.

9 A. Yes.

10 LADY SMITH: Just before we leave Andrew Keir, we know now  
11 that he was convicted not only in Scotland but in  
12 England and that the convictions in England involved  
13 possessing, sharing, distributing and making images,  
14 indecent images of children, many of them.

15 A. Right.

16 LADY SMITH: My understanding from the information we have  
17 is that the period over which these possessions,  
18 distributions and making occurred began in 2001. We  
19 also know about the conviction in Scotland. We know  
20 from his evidence yesterday that his feeling that he  
21 liked looking at boys rather than girls dates back for,  
22 if not most of his life, certainly to childhood.

23 A. Right.

24 LADY SMITH: What does that tell you, as a professional,  
25 about -- let me put it this way -- the care that has to

1           be taken when letting people be alone with children,  
2           particularly in boarding house circumstances?

3       A. I think that the conventions of a door being open when  
4       one single individual with another is absolutely  
5       essential and cardinal. I think it comes down to that.  
6       I think also there is now a more detailed requirement  
7       that every conversation of such nature should be logged  
8       and reported, whereas at the time which we're talking  
9       about here, 1990, there was not necessarily any of that,  
10      or scarce was going on, and that therefore if someone  
11      said, "He's coming in for a chat because he was upset  
12      about something or other", that needs to be written down  
13      and passed on and shared with others.

14                 And so an altogether greater awareness and sharper  
15      accountability of the way in which any member of the  
16      pastoral staff operates.

17   LADY SMITH: Does it also, do you agree, tell you that what  
18      you see is not necessarily indicative of what is  
19      happening behind the surface, under the surface, behind  
20      what you see of the person?

21   A. Yes. That might be true of anyone doing anything, in  
22      fact, which is -- yes, which I agree is an argument for  
23      extreme care in appointments, first of all.

24   LADY SMITH: Yes.

25   A. And all the due appraisals of -- in whatever system

1 a school may involve itself, and -- yes.

2 LADY SMITH: And rigorous enforcement of rules designed to  
3 protect children?

4 A. Oh yes.

5 LADY SMITH: Uncompromising enforcement?

6 A. Oh certainly, without any doubt, without any doubt at  
7 all. And I appreciate that fully, and as I say, in the  
8 time not just at Gordonstoun but 30 years ago, that did  
9 not really exist at all. And indeed, in the time that  
10 I was at Gordonstoun trying to introduce such codes of  
11 practice would meet considerable resistance. "No, no,  
12 no, are we not trusted to have these conversations?  
13 They would be much more meaningful if they can just come  
14 and go and so on". I remember conversations of that  
15 nature. But otherwise, I'm sure you are correct.

16 LADY SMITH: Thank you.

17 Mr Brown?

18 MR BROWN: My Lady, I'm obliged. That leads neatly on to  
19 the next individual because you've been talking about  
20 the resistance. This was obviously happening within two  
21 months of your starting out at Gordonstoun or third  
22 month.

23 A. Yes.

24 Q. And I think you've talked about the battle you had for  
25 years, I think, overcoming the conservatism, with

1 a small C, of staff who didn't want change. We heard  
2 from, obviously, a witness who you dealt with in  
3 relation to the handling of a pupil on the sail training  
4 vessel.

5 A. Right.

6 Q. If we could look briefly at document GOR3154, and you  
7 talk about this in pages 22 to 24. We don't need to  
8 trouble ourselves with the individual in terms of name,  
9 but we see here, I think, the handwritten manuscript of  
10 the pupil who was involved and the short version we  
11 would understand is that she was pulled up in a bosun's  
12 chair, up the mast for a period of two and a half hours  
13 for having smoked.

14 A. Correct.

15 Q. If we go to page 5, it's simply to confirm two-thirds of  
16 the way down -- thank you, stop there:

17 "I am scared of heights and my legs were stiff along  
18 with my hands and feet being numb. I started crying and  
19 a few people who I had thought wouldn't care at all  
20 asked if I was all right."

21 Would it appear from that that the pupil was  
22 distressed?

23 A. Extremely distressed.

24 Q. Thank you. That was a case, and you set out where  
25 ultimately the member of staff who I think it's fair to



1 say took issue with your views on discipline, which were  
2 very far removed from his, which seemed to be perhaps  
3 rather more rigorous, is that fair?

4 A. I think that would be an understatement, Mr Brown, yes.

5 Q. He obviously comes from the sea, where there are  
6 particular concerns, but even so, did you think his  
7 views on discipline were outdated?

8 A. Yes, I think I probably looked at it rather more  
9 generally, that one of the things I was trying to do in  
10 those first years at Gordonstoun was to strike a balance  
11 between two of the key pillars of the school. One of  
12 them is the broad term challenge, very important in  
13 outdoor education and other aspects of school life, and  
14 you put that side by side, weigh it in the scales with  
15 compassion. And Kurt Hahn, the founder of the school,  
16 was keen on both these things. And I think my view  
17 would be in the 1970s and 1980s that the challenge, both  
18 official and unofficial, had gained an upper hand and  
19 was weighing too heavily in the scales, and the  
20 compassion needed to be injected -- in ways that we've  
21 talked about earlier this afternoon.

22 <sup>EXL</sup> [REDACTED] could not appreciate, understand or  
23 agree with this, and I'm sure he's told you so.

24 Q. But I think there was a disciplinary process --

25 A. Yes.

1 Q. -- which we would understand from documents we don't  
2 need to look at were undertaken by the deputy head?  
3 A. No, the deputy head was -- oh, he might have carried out  
4 an original enquiry.  
5 Q. Yes.  
6 A. But the disciplinary parts of --  
7 Q. Yes, he carried out the enquiry --  
8 A. -- came with me, yes.  
9 Q. That then progressed on to discipline and there was  
10 a finding of gross misconduct.  
11 A. That is absolutely right.  
12 Q. And in due course the matter was taken out of your hands  
13 and went to the chairman of the board.  
14 A. Yes.  
15 Q. For resolution.  
16 A. Yes.  
17 Q. Resolution was by way of compromise agreement.  
18 A. Yes.  
19 Q. That may have been more part and parcel of the world in  
20 the late 1990s. Do you have views on compromise  
21 agreements as a way of resolving issues with staff?  
22 A. I think certainly in this case where they -- I don't  
23 think either the facts were never in question and it was  
24 the only time at Gordonstoun where in all the  
25 proceedings -- because I believed it was so wrong, the

1 deed, I actually had a full transcript taken of every  
2 word that was said, and you've seen quite a lot of that  
3 yourself -- that I felt it was so wrong that I knew  
4 a judgement of gross misconduct was correct, and I was  
5 very sorry and disapproved of the way it was dealt with  
6 thereafter.

7 Q. The reason I ask is we've heard from more current  
8 headmasters -- I don't mean that rudely, but some were  
9 saying, "We would never use a compromise agreement  
10 because it masks what has happened", and again we're  
11 back to the subject we've already talked about --

12 A. Oh yes.

13 Q. -- of openness, things being transparent --

14 A. Yes.

15 Q. -- when considering child protection.

16 A. Well, I wouldn't -- I mean, I'm sorry, I don't wish to  
17 sort of make myself sound blameless. I would not use  
18 a compromise agreement in these circumstances at all and  
19 I was sorry and I said I was sorry that the matter was  
20 taken out of my hands by the governors. I understand  
21 all the reasons why they did, incidentally, but I think  
22 it was wrong because a wrong had been committed. As was  
23 made clear to me when the inspectors came a year or so  
24 later and reviewed it.

25 Q. Thank you. Finally, pages 25, 24, 25 and 26, and again

1           if we can keep this anonymous in terms of the  
2           individual.

3           A. Yes.

4           Q. This obviously relates to someone who was appointed to  
5           work as a teacher covering someone who was absent and  
6           there was an incident, as we see in paragraph 89, which  
7           obviously you didn't witness during 2001, when horseplay  
8           was indulged in in the sea with a girl student?

9           A. Oh yes.

10          Q. And the suggestion was that he had behaved improperly  
11          and illegally. That was obviously followed up and we  
12          see:

13                 "The school then, following due process, contacted  
14                 the child protection officer at Moray Social Services in  
15                 Elgin. He said that, as the pupil was over 16 years of  
16                 age, the school, in light of her not wishing to  
17                 complain, should take no further action; indeed could  
18                 not take further action. Thus no report was made to the  
19                 GTCS."

20                 As we see from the rest of the paragraph, employment  
21                 continued with the summer school thereafter until this  
22                 individual left.

23                 Would you accept, I think you do at paragraph 92,  
24                 the world has changed since then? You say:

25                 " ... there is an obligation for a school to report

1 an allegation, whether or not substantiated, this was  
2 not the case in 2001 when reporting had to be triggered  
3 by a complaint or an established case of misconduct."

4 A. Yes, that's correct. I believe now, and you must  
5 correct me if I'm wrong, that the law in Scotland now is  
6 if there is an allegation, presumably even at this level  
7 where the pupil then decided not to take it further,  
8 that that has to be reported, but I don't know that, in  
9 which case --

10 Q. Well, forgetting whether the law does or doesn't, what  
11 would you do now? Do you think that what you've stated  
12 there is now the appropriate way to deal with things?

13 A. I think again it is again very difficult because in this  
14 case it is X's word against Y's, there is no doubt about  
15 that, that the others who were witnesses, not  
16 surprisingly, did not see anything else wrong, that the  
17 pupil herself said, "I don't want anything more to do  
18 with it". I'm pleased that the member of staff was  
19 properly seen, a statement taken and so on, and was  
20 given a warning that, right, even if -- and one has to  
21 accept in the circumstances that nothing that you --  
22 that you were not guilty of anything wrong when in the  
23 sea, in the water, your action was inappropriate in  
24 going swimming and giving a lift in the car in the first  
25 place. And it's that which is -- that was the level

1           therefore at which one dealt with it, and I think for  
2           that level, giving pupils, however senior, lifts in cars  
3           and swimming with them, that a warning was actually the  
4           correct level.

5                     And in that, I am conscious of this business which  
6           I would continue to talk about, about giving the dog  
7           a bad name.

8           Q. I was going to say, there's a difference of approach in  
9           2001 from 1990.

10          A. Yes, even in that time.

11          Q. Yes.

12          A. Certainly. No, I would agree with that. But if now is  
13          the -- there is a requirement to have reported something  
14          like that, then I fully understand that that's the --  
15          you know, what happens, and I would not be objecting to  
16          such a requirement were I in position.

17          Q. Thank you. You spent 21 years at Gordonstoun.

18          A. Yes.

19          Q. You started to try and effect change immediately on  
20          arrival, we can read, and have read. What was your view  
21          of the world in 2011 when you left Gordonstoun? Were  
22          you content with what you had achieved?

23          A. I think in the field of pastoral care, Mr Brown, you are  
24          never content, you never get there, partly because there  
25          is a new group of children who come in every year who

1 bring in all sorts of problems and difficulties with  
2 them and that is a challenge. Partly because  
3 expectations change and partly because one's objectives  
4 should be higher on each occasion, and I think that  
5 I hope the Gordonstoun of 2011 in this context was  
6 fairly unrecognisable from the one in 1990 and great  
7 change had been made, partly, as I implied earlier,  
8 because eventually the staff understood what was  
9 happening and fully cooperated and were indeed key parts  
10 of it and that had taken some time and all these other  
11 things fell into place, and we had got this balancing --  
12 as I say, the balancing which I talk about, I'll repeat,  
13 challenge and compassion, or what Kurt Hahn, our  
14 founder, sorry to mention him again, used to call  
15 hardening and sparing. I think that's very important,  
16 this idea that a good education will -- resilience has  
17 become the watchword in the last ten years, will teach  
18 the young resilience, but you spare them, ie you educate  
19 them in gentleness as well, so that internally they are  
20 tough with themselves, but externally they are gentle  
21 with and understanding of others. And that is a very  
22 tough call. I think it's one that Gordonstoun should be  
23 doing, and we got better at it and I hope and believe  
24 they may be still better at it.

25 Q. The final paragraphs of your statement are under the

1           general heading, "Lessons to be learned" and I think  
2           we've touched upon many of the lessons that were learned  
3           in the 21 years of your tenure at Gordonstoun. But  
4           what, given you're continuing in education, what else  
5           requires to be done?

6           A. I think there are probably two things, I think. Schools  
7           should strive, as I've implied, to get this -- to  
8           increase well-being as well as welfare. Welfare, yes,  
9           all the work of this Inquiry and what stems from it of  
10          the young being protected from oppression, fear and all  
11          those sort of things, but the well-being, coming from  
12          a school where the ethos is a positive one, where  
13          children will be fulfilled and satisfied and  
14          enthusiastic by the curriculum and with the help they  
15          have and so on, and the linking of these two is vital  
16          and I think any good school should have that.

17                 I think, standing back a little bit further, if  
18                 I may, to this Inquiry, I look upon further success as  
19                 a matter of improved communication. This is a link.  
20                 This is a chain. And the child -- I don't think I would  
21                 say at the bottom, the child is at one end and you go  
22                 from child to adult, who may be staff or may be parent,  
23                 to senior school staff, management, to governors, to  
24                 outside agencies, to government.

25                 The last 30 years has seen huge improvement in --



1 at, as it were, the bottom or the first part of that  
2 scale, the link between children and adults: a telling  
3 community, pupil voice, people being looked out for and  
4 being prepared to speak. Always more to be done, but  
5 I think that is good.

6 I think there are other links on that chain where  
7 increased emphasis should be put, and I mention  
8 particularly senior management being honest with  
9 governors, and I don't think that happens. I think --  
10 you may have read, for instance, some of my reports to  
11 governors, and I do apologise for their length, but in  
12 the first one of those I put in a new section from my  
13 predecessor called, "The downside", ie what is wrong,  
14 and the governors questioned this: why are we being told  
15 this? And I said I regarded that absolutely essential  
16 and I kept it going for 21 years, that they were told  
17 what was wrong with their school, and that link I think  
18 in some schools is still not strong enough.

19 The second link, which may not be strong enough, is  
20 the link that then exists between the whole school  
21 community, that is to say governors and management, and  
22 inspectors. No one likes a poor inspection report and  
23 so people quite understandably say when the inspectors  
24 come, "We are a marvellous school, everything here is  
25 wonderful". They'll find out, good inspectors, that it

1           may not be. But how much better if someone says, "We  
2           are a very good school, we have got these 7 or 8 things  
3           right, here are two which aren't right, will you help  
4           us?"

5                     That is what I would wish for the future.

6           Q. The common link seems to be openness?

7           A. Absolutely.

8           Q. And open communication?

9           A. Absolutely. All the way along the line.

10          Q. As well as a willingness to listen?

11          A. A willingness to listen and a willingness, sometimes, to  
12          admit that you're wrong.

13          MR BROWN: My Lady, I have no further questions.

14          LADY SMITH: Maybe you add to that a willingness to admit  
15          you need help?

16          A. Yes, I think that is true.

17          LADY SMITH: Are there any outstanding applications for  
18          questions?

19                     Mark, that completes all the questions we have for  
20          you. Could I before you go thank you very much --

21          A. My Lady, sorry to interrupt, may I say just two things  
22          at the end, is that all right, while I'm here?

23          LADY SMITH: Yes.

24          A. The first I think is an important thing because you have  
25          listened to some -- I know this -- some very harrowing

1 things in the past few days that are in connection with  
2 Gordonstoun, and I would certainly like to add my voice  
3 of apology. First of all, very directly to things which  
4 may have gone wrong at Gordonstoun during my tenure,  
5 without any doubt. But in a more general sense, I'm  
6 going back to what I said earlier, as a Gordonstoun  
7 family person, I would like to apologise that anyone who  
8 comes from the family of Gordonstoun Schools may have  
9 been harmfully affected and abused by their time,  
10 because it is just most regrettable and I'm very, very  
11 sorry.

12 And I'm going to close finally, I am coming to the  
13 end, of saying I think that you and your colleagues have  
14 an onerous responsibility, obviously, and a very  
15 challenging and at times harrowing task. But speaking  
16 as someone who now has clocked up over 50 years of  
17 interest in pastoral care in schools, I think it is very  
18 important, very significant, and extremely valuable, and  
19 I thank you and all your colleagues for doing it.

20 LADY SMITH: Mark, thank you so much for that. But thank  
21 you also for engaging with us by providing such  
22 a detailed written statement, as you have done, open and  
23 transparent and really helpful, but also coming here  
24 today to elaborate on your evidence and engage in the  
25 discussions that we've been able to have this afternoon.



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I N D E X

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