

Scottish Child Abuse Inquiry

Witness Statement of

QZA

1. My name is QZA. My date of birth is 1950. My contact details are known to the Inquiry.

Background

2. My qualifications are MA, Dip Ed and PGCE. I was employed abroad from 1971 to 1972 and 1974 to 1976, I was at School, Glasgow in 1974 and Merchiston Castle School, Edinburgh from 1976 until 2009.

Employment with Merchiston Castle School, Edinburgh

3. During my employment at Merchiston Castle School I was a teacher of from 1976 until 2009, I was a from 1980 until 1997 and I was one of the SNR from 2001 until 2009. I was recruited by interview and reference from my previous colleges.
4. My line manager when teaching was the Head of Department. We had regular departmental meetings and regular informal one to ones. My line manager when I was a was the Headmaster. We had regular meetings with the Headmaster and, on occasions, one to ones. My line manager when I was SNR was the Headmaster and I had weekly meetings with the Headmaster, along with other SNR. There was also a formal appraisal by the Headmaster, and other senior members of staff, towards the end of my first year as one of the SNR.

5. The training that was provided included working as a [REDACTED] in a [REDACTED] [REDACTED] provided training for the [REDACTED] post; attending training course for SNR [REDACTED] helped prepare me for that post, as did a SNR [REDACTED] conference; regular INSET (In-Service Education Training) meetings also helped in both posts.

Policy

6. In my time at the school, I did have involvement in policy in relation to the care of the children.
7. This area was frequently covered at [REDACTED] meetings and [REDACTED] meetings. For instance, there were discussions, often leading to policy decisions, on staff recruitment, discipline and punishment and complaints. However, I should also point out that a considerable amount of the care and welfare side of school life was the specific responsibility of [REDACTED] Nigel Rickard.

Strategic planning

8. As a [REDACTED], I attended a number of strategy meetings during the tenure of the then Headmaster. The issue of abuse was not covered at these but, from recollection, it was covered, in some depth, by those directly responsible for pastoral care, in particular, in the post Savile era following on from a pastoral care inspection in the past decade.
9. I'm afraid I can't recall much specific detail here, partly because others had greater involvement in this area than I did. I do remember several meetings which looked at the issue of co-education.

Other Staff

10. When I was ^{SNR} [REDACTED] I had a weekly meeting with the catering and domestic staff. I also had scheduled meetings with new members of staff, as part of the latter's settling in period.

Recruitment of staff

11. I was one of several members of [REDACTED] staff involved in the interviewing process in place for job applicants. In interviews, I tended to concentrate on what a candidate might be able to offer in the area of co- and extra- curricular activities.
12. I would only claim to have a general knowledge of recruitment policy and recruitment practices.
13. I know that references were always requested, as these were shared with those involved in the interview process. References, as a matter of course, tended to put emphasis on a candidate's strengths and suitability for the post. My recollection is that the Headmaster did, on occasions, contact referees by phone for additional information.

Training of staff

14. Training of staff mainly lay out with my remit. I think I did, however, contribute to a new members of staff hand book.

Supervision/staff appraisal/staff evaluation

15. There was a detailed and regular appraisal scheme set up in my last ten years at the school, which I helped to run. It covered all aspects of staff members involvement and responsibilities. I'm afraid I can't recall many of the finer details. There was also a comprehensive lesson observation scheme in place.

Living arrangements

16. At various stages during my time at Merchiston, I lived out with the school, in one of the [REDACTED], and in staff houses in the school grounds. Likewise, many other staff resided in the [REDACTED] and staff houses.
17. The children resided in the boarding houses, which were all on the school campus. Apart from the domestic staff, principally the staff who were attached to a particular boarding house, as housemaster or house tutor, would have access to the children's residential areas.

Culture within Merchiston Castle School

18. I would say that, in general, the culture was one which allowed both staff and pupils to have a sense of belonging to a community. It was also one which encouraged the pupils to give of their best, whatever their ability, in any area of school life. As the school moved into 1980's, I think it adopted, in common with other educational establishments, a more liberal outlook.
19. There was no fagging, it was abolished in the late 1960's/early 1970's.

Discipline and punishment

20. 'Blue Papers' (punishment exercises) and detentions (mid-week and Saturday evenings) were the common forms of punishment at Merchiston Castle. They were given out by staff members. The Saturday detention was given with a housemaster's permission. Corporal punishment was administered by the Headmaster and housemasters, as well as other members of staff, with the housemaster's permission. It was abolished in the mid-1980's.
21. In earlier years, pupils would have been made aware of punishment policy, principally by housemasters, while new staff would be briefed by colleagues or senior members of staff.
22. Later in my time at Merchiston, punishment guidelines were included in the staff manual.
23. Records of all punishments were kept by housemasters and passed on as a pupil moved up the school. In addition, a member of staff would record a detention in a punishment book.
24. Until, I think, the end of the 1980's, prefects could give blue papers. Latterly, these were given with the housemaster's permission.

Day to day running of the school

25. As ^{SNR} [REDACTED] I was involved in aspects of the day to day running of the school. From 2001 this included recruitment of international pupils, organising of major school events (eg prize giving's and open days), planning of term dates, dining hall arrangements and organising of staff duty rotas.
26. In general, I would say that if a child was being abused or ill-treated it would have come to light around the time it was occurring, and increasingly so, as the years passed by, and various child protection mechanisms were put in place.

27. The housemasters' brief put increasing emphasis on child protection/pastoral matters and in addition there were other members of staff directly responsible for child protection matters.

Concerns about the school

28. I would say the school was the subject of concern, because of the way in which children and young people, in the school, were sometimes treated. This is something I speak about later in my statement, in relation to named individuals.
29. In later years, I think parents would have been informed of such concerns, as a matter of course. In earlier years I think they would have been informed, but possibly less timeously.

Reporting of complaints/concerns

30. In my later years, and increasingly so in the past ten years, there was a comprehensive complaints reporting process in place.
31. There are other members of staff better placed to provide details here but my view was, and still is, that, from what I heard, the process was used whenever necessary, and effectively.
32. I'm not sure of the exact complaint recording procedure but I know there was and still is a comprehensive recording process.

Trusted adult/confidante

33. In the earlier years of my time at the school, the housemaster tended to be the person a child would be encouraged to speak to. Many of the housemasters were both sympathetic and empathetic in this regard.
34. The school matrons were popular in more recent times and there were also other members of staff whose remit included child care/protection. These were staff who were known to the children, as people they could see privately and speak to. To my knowledge, this arrangement has worked well, a point raised in school inspections.

Abuse

35. I'm not sure whether the school had a definition of 'abuse' but latterly I imagine those responsible for child protection would have included the concept in their documentation.

Child protection arrangements

36. I should stress that the school, in the course of the past fifteen years, has clearly done a great deal as regards child protection measures and policy.
37. I'm afraid, as is the case with other sections of this statement, I can't remember the details on what guidance and instruction was given to staff on how children in their care at the school should be treated, cared for and protected against abuse and ill-treatment, or inappropriate behaviour.
38. It was something that came up in Service Training and was increasingly given greater prominence from around 2000 onwards.
39. Once again I don't have detailed recollections on what child protection arrangements were in place to reduce the likelihood of abuse, ill-treatment, or inappropriate conduct by staff, or other adults, towards children at the school.

40. My view, from what I have heard and seen, is that the child protection arrangements have worked.

External monitoring

41. There was external monitoring, via pastoral, academic and full inspections. Some were unannounced and not. They certainly put a lot of emphasis on speaking with the children and my recollection is that this involved small groups.
42. I don't think any staff were present and I was spoken to, on at least one occasion. There was considerable feedback, both at the end of the inspection process and via the inspection report.

Record Keeping

43. Record keeping in all forms improved with the passing of the years, I think. This would include information as regards allegations of abuse, ill treatment or inappropriate conduct, made by, or on behalf of, a child.
44. I think I probably accepted the status quo to begin with. As I have mentioned, I think we all became more conscious, with the passing of time, of the desirability of improving record keeping (for instance pupils' records as they moved up the school). I myself did not play a major part in record keeping policy.
45. While I can't give detailed responses, the school's policy and practice as regards record keeping improved immeasurably over the years.

Investigations into abuse – personal involvement

46. I was never involved in any investigation, on behalf of the school, into allegations of abuse or ill-treatment of children at the school or into inappropriate behaviour by staff or others towards children.

Reports of abuse and civil claims

47. I was never involved in the handling of reports to, or civil claims made against the school by former pupils, concerning historical abuse. I have never given a statement to the police or the Crown concerning alleged abuse of children cared for at the school. I have never given evidence at a trial concerning alleged abuse of children cared for at the school.

Police investigations/ criminal proceedings

48. Police investigations into alleged abuse at the school first began after I had left the school, and as a result of the James Rainy Brown issue.

Convicted abusers

49. I don't know of any person, who worked at the school, who was convicted of the abuse of a child or children at the school.

Specific alleged abusers

James Rainy Brown

50. I recall James Rainy Brown, his employment at Merchiston Castle coincided with mine from 1976 until 2009. He was approximately 36 when I started. He was the housemaster of the junior house.
51. He was a colleague of mine and I knew him fairly well, though he was quite a private man. I remember him being caring, time giving, imaginative and, sometimes, obdurate.
52. I did see him with children and he was time giving, empathetic and caring but sometimes inflexible. I did not see him discipline any children and I did not see or hear of him abusing any children.
53. Occasionally, I was aware of concerns but I recall these being related to health and safety issues. I think the only other concerns which I heard about related to some junior boys swimming naked on weekend camping trips with Mr Rainy Brown, though at the time I don't feel this was looked upon as a form of abuse.

DRW

54. I knew DRW, he worked at Merchiston Castle between 1988 and 2009, when I was there. He had a gap year in the middle. He was about 26 at the outset of his time there.
55. He taught and was a house tutor in the junior house. He was a colleague of mine and I knew him reasonably well. I would describe him as very enthusiastic and friendly, with some quite rigid views.
56. I saw him with children, and he was patient and caring. I did not see him discipline any children and I did not see or hear of him abusing any children.

DXP

57. I knew DXP [REDACTED] he worked at Merchiston Castle between 1995 and 2009, when I was there. He was approximately 50 when he started. DXP [REDACTED] was the [REDACTED] and was a colleague, he was affable, friendly and I knew him reasonably well.
58. I saw him working with children and he was cheerful and sociable. I did not see him discipline any children and I did not see him abusing any children. I did hear of him allegedly looking up a boys kilt once. That was in approximately 2005.
59. That incident was investigated by Deputy Head Nigel Rickard and the Headmaster. My recollection was that there was insufficient evidence to pursue the matter further. When I heard about the incident, I recall being surprised that Mr DXP [REDACTED] might have been involved.

QZL [REDACTED]

60. I knew QZL [REDACTED] he worked at Merchiston Castle between 2000 and 2007, when I was there. He was approximately 23 on arrival in 2000. QZL [REDACTED] was a colleague who taught [REDACTED] he was also a house tutor.
61. I knew him reasonably well, he was creative, and on the same wavelength with the younger generation.
62. I saw him with children but I did not see him discipline any children and I did not see or hear of him abusing any children.

FQY [REDACTED]

63. I knew FQY [REDACTED] he worked at Merchiston Castle from approximately 2005 until 2008. He was approximately 24 when he started. He was a colleague who I knew reasonably well and he taught [REDACTED] FQY [REDACTED] was friendly and obliging.
64. I didn't see him with children very often and I did not see him discipline any children or see or hear of him abusing any children.

BRW

65. I knew BRW. I don't know when he joined Merchiston but he left in 1979. He was approximately 56 when I started there. He was a colleague and taught and He was flamboyant but shy and was hard working.
66. I didn't know him well and didn't see him with children very often. He had a mixture of reticence, formality and exuberance.
67. I did not see him discipline any children nor did I see or hear of him abusing any children.

CDR

68. I knew CDR He worked at Merchiston between 1976 and 1979 and would have been about 35 when he started there. He was a and teacher of
69. CDR was a colleague, I didn't know him very well, he was often jovial but at times a little austere and dogmatic. I did see him with children and would describe his behaviour as a mixture of austerity and cheerfulness.
70. I did not see him discipline any children and I did not see or hear of him abusing any children.

Gordon Cruden

71. I knew Gordon Cruden. He was at Merchiston between 1976 and 1981 and would have been approximately 23 when he started. He was a teacher of French, a rugby coach and a house tutor.

72. Gordon was a colleague, he demanded high standards from his pupils, but put a lot into his teaching and coaching. I knew him reasonably well.

73. I did not see him discipline or abuse any children, however, he allegedly exposed himself in front of a pupil, circa 1981. He left the school as a consequence.

OZK

74. I knew OZK He taught at Merchiston between 1976 and 1977 and would have been about 30 years of age when he started there. He taught

75. OZK was a colleague, I didn't know him very well, he could be both outgoing and reserved/formal. I did see him with children and he was sometimes formal in his manner, at other times quite exuberant.

76. I did not see him discipline or abuse any children, however, he allegedly made a pass at a senior boy at the end of the Spring Term, 1977. He was told to leave the school forthwith.

BKO

77. I did not know BKO his appointment occurred after I left the school.

Specific allegations against me

78. This allegation is dated 17th February 1995 and relates to an allegation made by a pupil. The boy was part of a group of boys who had their afternoon rugby sessions taken by a member of staff relatively new to the school.

79. In the course of the term the member of staff had complained on several occasions about the behaviour of the group, who, despite his numerous requests to behave, continued to 'muck about' and therefore spoil the sessions.

80. The boys had been spoken to about this and had been told that their behaviour had been unacceptable.
81. However, a day or two after this I came across one of the boys on his way back from the games field, having been sent away by the same member of staff for 'mucking about'. As a consequence, and because of my exasperation at the time, I punished him by putting him over my knee and smacking him on the bottom. Afterwards, I regretted taking the action I did. I think I viewed the incident, at the time, as the final straw.
82. The boys' parents contacted the school to express their concern over this. As a consequence, the headmaster and I met with them separately and offered our apologies. The headmaster also sent the parents a formal letter of apology, one which in addition confirmed school policy on corporal punishment, as well as stating that my action was out of character.
83. The Headmaster sent me a formal letter, reinforcing policy and guidelines. The parents were satisfied with our responses. The police were informed in June 2017. No further action was taken.
84. In the course of February and March, 2009, I accessed pornography (including spanking) and other unsuitable material via my school computer.
85. While acknowledging that this was an inappropriate thing to do, I feel I should highlight the following points: none of the websites contained what would be deemed illegal pornography; the material was viewed in the evenings, after school hours; the computer was inaccessible to pupils; no pornography or other unsuitable material was found on my school computer either before or after the period February and March 2009.
86. I had an interview in March 2009 with the Headmaster, who reminded me of the Acceptable Internet and Computer Use statement I had signed.

87. A few days after the interview, I spoke on the phone to an old university friend whom I reckoned, because of his line of work, would be well informed about matters relating to the use of the internet. He felt that the material I downloaded would definitely not come into the illegal category, and from what I myself recall a good amount came in the form of clips from mainstream films or the TV. I repeat, however my acknowledgment that accessing the internet in the way I did was inappropriate given the circumstances.
88. In addition, following an unannounced visit to my home in the summer of 2015 by a police officer, Alan Gray, and colleague, who were based in the cyber-crime department in Livingston, I was asked if I would let them examine the contents of my laptop.
89. I was told this was part of the police investigations at the school following the James Rainy Brown incident. The subsequent examination of the laptop revealed no forms of pornographic or unsuitable material from the past three year period, the age of the laptop, and Alan Gray said that they would not be pursuing the issue any further. The school was told there was no case to answer.
90. The interview with the Headmaster referred to previously did not lead to his taking the decision that I would retire at the end of the academic year; nor did it lead to my decision to take the same course of action. The reason for this was that I had written to him some nine months previously, informing him then of my intention to retire at the end of the academic year referred to above.

Helping the Inquiry

91. For staff, I would say that lessons that could be learned to protect children, would be regular reminders and updates of child protection issues, especially at 'high profile' events (eg INSET). This would include outside speakers.
92. For children, I would say the continual development and training of staff with a specific remit in child protection, who amongst other things, would be responsible for ensuring that children were regularly, and fully, briefed about relevant aspects (including the all-important issue of who the children can speak to)
93. I have no objection to my witness statement being published as part of the evidence to the Inquiry. I believe the facts stated in this witness statement are true.

Signed..... QZA

Dated..... 11 December 2020