

Scottish Child Abuse Inquiry

Witness Statement of

Mark PYPER

Support person present: No

1. My name is Mark Christopher Spring-Rice Pyper. My date of birth is [REDACTED] 1947. My contact details are known to the Inquiry.

Qualifications and Employment History

2. In 1972 I graduated from London University with a BA in History. I was then employed as a teacher at Stoke Brunswick School, East Grinstead from 1966-1969. From 1969-1979 I was employed at St Wilfrid's School, Seaford as teacher, housemaster and Assistant Head. From 1979-1990 I was employed as teacher, housemaster, Registrar and Deputy Head at Sevenoaks School. From 1990-2011 I was Headmaster at Gordonstoun School and in 1999 became principal of The Gordonstoun Schools. In 2011 I was awarded an OBE for services to education. From 2011 until present day have held the post of governor at independent and state schools. I am currently the Chair of Governing Body, Beaudesert Park School, Gloucestershire and Chair of Oxfordshire Teacher Training (SCITT).

Employment with Gordonstoun

3. From 1990-1999 I was headmaster at Gordonstoun School and from 1999-2011 I was Principal of the Gordonstoun Schools, including Head of Gordonstoun School with overview of Aberlour House, the Junior School together with Gordonstoun International Summer School.

4. The post of Principal was introduced by the Board of Governors in 1999 (when the Boards of Gordonstoun School and Aberlour House were amalgamated into the Board of the Gordontstoun Schools). The Principal then had overall responsibility for: Gordonstoun School; Aberlour House, the Junior School; the Gordonstoun International Summer School; any other entities or ventures that might subsequently be added.
5. When I applied, I was invited to an interview at the school with eleven others. I was then shortlisted with three others for further interview in front of the full Board. Application was by letter with a cv and list of referees. There were no additional prerequisites for employment. I do not know if my referees were contacted. The Inquiry may be aware that contacting referees was not the custom, and certainly not the expectation, in 1989.
6. I was responsible to the Chair of Governors and through that person to the full Board of Governors. Termly Board meetings constituted ongoing review with major appraisals in 1992, 1998 and 2004.
7. I attended conferences such as SCIS, HMC and Round Square. I also participated in whole staff in-service training at the school.

Policy

8. As Head and then Principal, I had full responsibility for policy in relation to the care, including the residential care, of children.
9. I am asked if I was expected to introduce policies as part of my appointment: this would have been an assumed expectation rather than an explicitly stated one. The Inquiry may be aware that in 1990 policies played a much smaller role in the administration of schools than they do today. I am sure the Inquiry appreciates that appointments made in 1990, in terms of both job description and interview, were very different from those of 2020. The Headmaster in 1989/90 was certainly expected to be responsible for the pastoral care of the whole community.

10. The Inquiry will be well accustomed to not judging, nor indeed viewing, practices in time past by present day standards. If I then say that Gordonstoun had very few written policies relating to the care of children in 1990, that would not be a criticism of the previous regime. In 1990 it was not recognised that there needed to be a change relating to pastoral care and neither was there, at that time, recognition that there needed to be change in the development of school policies. It became increasingly recognised in the years thereafter that policies needed to be developed. There were many examples in all good schools at the time of excellent practices, improved over years, recorded in documents and confirmed by oral tradition but not necessarily encapsulated in 'modern' policies. As educational life was reckoned, correctly, to be becoming increasingly complex and, as the importance of pastoral care and individual welfare was increasingly recognised, Gordonstoun moved towards a comprehensive suite of policies. Thus, by 2011, there were well established policies in all the areas in relation to care, including residential care, of children. I drove the recognition that pastoral care was important.

Strategic Planning

11. In 1990 the Board of Governors, responsible for overall planning, played no direct part in the pastoral care of students. In the next ten years a board committee dealing with educational matters was formed and pastoral care came within its remit. I presented a revised Committee structure to the Board in 1998 and it was accepted. Soon after that a governor was allocated responsibility for child protection which by definition included abuse. I cannot be absolutely sure at this distance of time who was the first Governor to hold this responsibility. The Headmaster reported fully to the Board.
12. The development of pastoral care found its place in the annual School Development Plan, the first edition written in 1994/5, and this required Board approval. While some of the thrust of the pastoral section dealt with resources and facilities, staffing played a large part as did the development of citizenship and community values. The emphasis here was on building a healthy, caring and happy community, thus making abuse less likely to happen. All staff and many students had the opportunity to contribute to the School Development Plan through surveys and parents were also consulted.

Other Staff

13. As Head and Principal I was responsible for the employment and supervision of all staff engaged in the education of students. All support staff reported to the Bursar or later the Finance Director. When in post, members of the senior management team, the Principal's Standing Committee, reported directly to me. This group, once fully established, comprised the Director of Curriculum, Director of Student Development and Welfare, Director of Staffing and Planning, Director of Admissions, Finance Director, Director of IT Services, Director of Gordonstoun International Summer School and Head of the Junior School. The group met weekly, however the first three named above met with the Principal four times a week to discuss educational matters. Pastoral issues were raised in both forums.
14. In 1990 the Head of the Junior School was Brian Head; in 1991 David Hanson; 1992-1999 John Caithness; 2004-2018 Neil Gardiner who were all at Aberlour House in Aberlour. Robert McVean held the post from 2004-2018 and completed two terms at Aberlour House in Aberlour and thereafter at the Gordonstoun campus.

Recruitment of Staff

15. I was involved in the recruitment of all educational staff as I met all candidates at interview.
16. There was a recruitment policy developed during the 1990s and early 2000s. Throughout however, references were sought and obtained. All potential employees were interviewed and usually observed in teaching mode.
17. References, in letter form, were always obtained. Referees were asked to comment on general personal qualities as well as academic ability. They were also asked to confirm

that the candidate was suited to teach children and there was no reason why they should not do so. I am sure the Inquiry appreciates the workings and requirements, both legal and educational, of the General Teaching Council for Scotland (GTCS). There was no requirement for staff working in independent schools to have GTCS registration until recently.

18. Reference seeking was well developed by 2002 and then became more sophisticated when the school employed an HR specialist. This person worked with the Director of Staffing and Planning, checking certificates and documents, CRB/DBS checks, telephoning referees who were always spoken to after that time.

Training of Staff

19. I did have involvement in the training and development of staff although this was a largely delegated operation. I took part in new staff induction, whole staff in-service training and staff seminars.
20. All new staff had a detailed induction. Continuing professional development was through the appraisal scheme, informal contact with various line managers, in-service training as well as courses and conferences away from school.

Supervision/staff appraisal/staff evaluation

21. As Head and later as Principal I was responsible from my appointment for the supervision of staff, then more directly involved in their train and personal development once an appraisal system had been introduced in the mid-1990s.
22. I was responsible for the introduction of the appraisal scheme and its periodic review. I saw all members of staff at the end of their appraisal cycle, asking specifically about the system, if the appraisee had any points of disagreement or endorsement with the draft

appraisal report or other observations, general comments on the school, their own future plans and career development.

Living Arrangements

23. I lived in a detached house in the school grounds fairly close to all main buildings including the boarding houses, the closest of which was 100 metres from my house and the furthest 1500 metres away.
24. Some staff with residential duties lived in boarding houses, usually two in each house, always in self-contained flats. Some other staff lived in houses in the school grounds. Approximately fifty percent of staff lived off campus.
25. The housemasters and housemistresses, assistant housemasters and assistant housemistresses, non-resident house matron, non-resident tutors when on duty and cleaners all had access to the children's residential areas. All others, staff and visitors, would be hosted and supervised.

Culture within Gordonstoun

26. My first visit to Gordonstoun was when I attended for interview for the post of headmaster in October 1989. From two separate sources I heard that there was a problem of bullying particularly in the boys' houses at Gordonstoun. I heard officially from the Scottish representative of the Incorporated Association of Preparatory Schools and unofficially through a parent at Sevenoaks School where I was working. This parent lived near Gordonstoun and was a business colleague of the Chair of Governors there. On that first visit and subsequently I saw some worrying signs including the physical condition of boarding houses; domineering senior pupils; staff attitudes; reticent junior pupils. The Inquiry may be interested that the reason bullying takes place are many and complex. They include: the physical environment; tradition; degree of supervision;

staffing ratios and structure; human nature. All of these were present at Gordonstoun in 1990.

27. The boarding houses were dark, poorly furnished and carpeted, lacking in privacy, with very little decoration of pictures, posters etc. The students' rooms were stark and impersonal, reminding me of boarding houses I knew of 25 years before, in the 1960s both my own education and in schools where I started teaching. This refers to the physical conditions of accommodation and not to pupil behavior.
28. I was fortunate to attend very civilised schools where tolerance, appreciation of difference and human happiness were strongly present and essential elements of the culture. It is for experts to say how influential these factors were in my own development in comparison, say, to home life and hereditary factors.
29. Many senior boys were very presentable and well-mannered, I thought almost too presentable. They had very shiny shoes which was often a sign in boarding schools that they had been cleaned by more junior pupils. Some seniors were charming but overconfident.
30. I sensed almost immediately a student community run along hierarchical lines. This was not restricted to boys' houses but was strong in girls' houses too where my investigations when I joined the school showed that physical bullying was rare, but not unheard of. The boys' houses had endemic, ritualistic initiation ceremonies and other physical bullying including punching, nipple tweaking and even branding. These were not new. Former students had written about the existence of such behaviour going back to at least the 1960s. The unusual aspect at Gordonstoun was that such practices still occurred in 1990. On the first day of the first term a parent who was new to the system was warmly welcomed by a senior pupil who led his son off in a very nice way only to take him elsewhere to be physically oppressed. The boy was withdrawn immediately. Unofficial hierarchies were present in the girls' houses. I use the term unofficial as these hierarchies were devised and organised by the pupils. An official hierarchy would be one managed, and clearly approved, by the school authorities. The girl's houses had the same staffing and organisational structure as the boys.

31. No-one talked about bullying or pupil to pupil abuse nor did anyone seem concerned about it. As time passed some parents expressed concern but far more often it was seen as part of the 'toughening up' process. Governing bodies were very hands-off in those days although ours was interested and concerned when told. The Chair of Governors, Angus Macdonald (deceased), was very supportive. The normal staff reaction was that "it happens in all schools; it is much better now than it was" and it certainly wasn't their business unless they were residential house staff who said, and doubtless believed, all the right things. Even though the Housemasters and Housemistresses had appropriate paperwork posted on notice boards they did not really know what was going on, too much having been delegated, to unsupervised senior pupils. I had asked the Housemasters and Housemistresses about it and it was clear there was too little supervision by staff; too much delegation to senior pupils
32. The students themselves, largely through no fault of their own, lacked moral guidance, a moral code, a moral compass. They saw as the high crimes and misdemeanors the self-inflicted sins of the flesh such as nicotine, alcohol and narcotics although the latter was rare and these had simplistic punishment scales, with offenders' names wrongly posted on notice boards without due consideration as to the consequences of this promulgation. Anti-social acts, not only bullying of any sort, but stealing and general lack of consideration for others, adults and fellow students, simply did not really have a place in the equation or catalogue of wrong doing. There were therefore amoral, rather than immoral, currents washing through a student's existence.
33. The Inquiry might reasonably ask if there was any evidence at that time in 1990 of this environment providing the opportunity for, or actually resulting in, adults abusing children. While the opportunity was there in the form of a large rural campus with traditionally relatively little supervision, there was absolutely no sense of this being in the school's culture. While it is true that assignations between any members of the school community could therefore be made secretly with relative ease, these were invariably for entirely legitimate activities and I have explained that there was no evidence at all that members of staff abused such opportunities. Gradually we increased the amount of supervision on the campus as a whole.

34. The staff were talented, hard-working teachers who participated fully in the broad curriculum and, sometimes more reluctantly, in pastoral care as tutors. To explain the term reluctance all members of staff had a substantial teaching responsibility and an expected commitment to supervise activities. Tutoring therefore tended to take third place. During my tenure we tightened the tutoring expectation while providing the facility for it to happen effectively. Many had sound, productive relationships with students, often strengthened through outdoor educational activities. However, when it came to dealing with students and acting as role models for them, many members of staff in the early 1990s were not as powerful as influencers for good as they might have been. There were exceptions of course but many did not take pastoral responsibilities, whether stated or not, positively or creatively for the same reason I have explained concerning reluctance in pastoral care as tutors. The school's guiding principle from its founder, Kurt Hahn, was compassion. I could see that many members of staff were well imbued and endowed in this area as people but when they came to school, they tended to leave their compassion at home. By this I mean I knew members of staff who in their home settings were caring, generous, tolerant, kind and family people but when they entered the different environment of school they could be dismissive, abrupt, impatient and unsympathetic towards pupils. This was apparent in their dealings with pupils and in contributions at staff meetings.
35. There might have been the possibility of 'lone wolf' grooming activities and the atmosphere of low supervision and non-talking might have allowed such activities to go undetected but in those early years I never had cause to be concerned although I now know of one instance in 1991, fully reported to the Inquiry and dealt with by the legal system. This was the second incident concerning Mr Andrew Keir which was not known about at the time and which became public knowledge only at the time of his trial. As it was not known about for over twenty years I had no involvement with this incident.
36. I am not sure if the Inquiry is interested in educational social philosophy. The Inquiry has probably heard enough of it. In the first half or so of the twentieth century and lingering in some schools, including Gordonstoun, the belief was that, of course, unpleasantness between pupils should be strongly discouraged and, if necessary, it

should be 'stamped out'. The method for achieving this was usually as follows: to define bullying which is never an easy task; then educate the young in bullying being wrong but this often falls down on who, when and how; provide supervision, direct or delegated, to ensure expectations are adhered to; deal justly but very firmly with offenders and finally communicate the outcomes as a way of providing a deterrent. The major deficiency here frequently came in the supervision section. Staff could not supervise every pupil one to one all the time, while delegated supervision was frequently and crudely abused by senior pupils who themselves had sometimes developed into the bullies. If only a small percentage of offences are detected, the bully feels safe, almost having official approval, to practise unpleasantness.

37. The more fundamental shortcomings with this approach is that, even if successful, the prevention of people behaving in an unpleasant way does not magically cause them to be positively pleasant. You can obey the Ten Commandments but you are not then automatically a considerate, generous or tolerant person, a Good Samaritan. The objective should be that all members of the community will come to appreciate these and other qualities, will value a shared citizenship and feel responsible for the welfare of others. Do this, although it's not easy, and the bullying will evaporate. 'Stamp it out' and you will temporarily push it underground while having to adopt an approach that the school's 'might is right' rather than the bully's.
38. It is necessary to think what sort of society you wish to create. *Lord of the Flies* allows for self-discovery and independence but leads to violent anarchy. *Secret Seven on the Trail* is happy, but also artificial and precious, preventing individual development. Perhaps *The Lion, the Witch and the Wardrobe* provides the right balance of the temptations and challenges of the forces of good and evil.
39. This was all a somewhat testing situation for a new headmaster, as it was for me the top priority. Others did not necessarily share this view and many disapproved of the measures employed. Opposition came from many pupils who could be extremely conservative; some staff who did not share pastoral matters as a priority; some parents who believed the school might be going 'soft'. Success in developing communities cannot be measured in the same way as new buildings or exam results. Many knives

were out, partly because a substantial applecart was being upset and partly because a new ordering of priorities is rarely welcome. I would also not pretend there was a strategic plan to move forward; rather, to achieve progress there needed to be a degree of opportunism and a reaction to particular situations. This is what we, and increasingly it was we as opposed to I, managed to achieve.

40. As far as boarding houses were concerned, they were made more comfortable and less basic. Change saw much more carpeting, windows that closed, heating and fire systems overhauled, pictures in corridors with students encouraged to have their own duvets and posters.
41. With regard to staff appointments and delegation, measures were made to increase supervision but also their involvement in pastoral contexts. Between 1991 and 1998 the following developments were significant: Assistant Housemasters and Assistant Housemistresses were given fuller roles; Heads of Sixth Form and Lower School were appointed to enrich social life and develop commonality of approach; a Security Officer was appointed for the protection and supervision of students in a country campus; House Matrons were also appointed to assist pupils with administration and emotions; Tutors were on duty in boarding houses in the evenings and a further position of Director of Student Development and Welfare, who was effectively the Pastoral Deputy Head, was created.
42. To influence the ethos of staff involvement was a much more nebulous process. Energy was aimed at encouraging staff to be less dismissive of some pupils. The term 'a pain' was banned in staff meetings. Minutes of staff meetings were kept for the first time to encourage staff to think before condemning. I encouraged them to think of three or four redeeming features of a pupil before indulging in an all enveloping criticism of one aspect. I think over time and in a piecemeal fashion the approach of some staff who found this difficult, improved substantially.
43. I also realised there was a need to build a positive environment. A happy, outward looking school community is less likely to foster unpleasantness and be in a stronger position to deal with problems that arise. It was thirty years ago and a challenge in

many schools to persuade individual members, staff and pupils, that they could be resilient and gentle at the same time. One of the first letters I received on arrival at Gordonstoun in August 1990 was from a parent of a prospective 13 year old new boy, saying he would not be joining the school following correspondence with my predecessor. The parent had previously written explaining that her son was young for his age and still had a teddy bear as his comforting companion. My predecessor replied that it would be inappropriate for the boy to bring a teddy bear to school. At the first meeting of staff of the new school year, a meeting of housemasters and housemistresses, I placed a teddy bear on the chair next to mine and explained to them that any member of the community could thenceforth have such a companion. From their embarrassed amazement I could see it was set to be a long, and for a time even a solo, haul. The next day, the first of the term, I spoke at assembly on the theme of *No man is an island* with all the implications of a new order in terms of relationships as I continued to do this for twenty one years. Gradually other members of staff began to speak in similar vein and then the students. At a school assembly in 2010 a group of the most senior pupils talked about the necessity of vigilance against the development of unofficial hierarchies and it was clear that progress had been made. Simultaneously we spoke much more at such gatherings about pupil achievements with rewards and commendations for good citizenship ahead of outcomes in negative spheres. The Student Development Scheme similarly had service to others and selfless personal qualities self-assessed, with staff endorsing these alongside academic progress.

44. In order to broaden curricular development to increase self-awareness and interpersonal skills, drama became more deeply embedded in the curriculum as did genres of music beyond the classical. Above all, the school developed a strong dance profile and all year nine students took dance as part of the timetabled curriculum. Greater emphasis was placed on cerebral activities beyond the classroom, such as debating and board games. There was a substantial increase in international exchanges, conferences and projects. The main thrust here was to increase self-awareness and appreciation of others.

45. Over time the opportunities for pupils to have a voice and express themselves, both in views and in concerns, substantially increased. Councils were established at school and house levels, lost property was taken seriously as an issue and staff were trained to become better listeners and to deal with confidentiality. The peer mentors became a real force for good and pupils played a greater part in assemblies. The Chaplain became a social reformer as well as a spiritual guide. Through the school's Records of Work system pupils had the opportunity to express their views on the teaching they received and other issues, and they were involved in surveys about school life for example including the appraisal of their teachers and staff in the pastoral/residential context. We also protected the youngest members. Year nine pupils traditionally sat exposed in the front rows of the chapel and assembly hall, which was a semi-circular building, working through the years to the most senior in the back row. We reversed this so that the thirteen year olds were sheltered in the back rows with the staff while the oldest pupils were in the front rows setting an example of leadership in this area. Similarly in the school's dining room there was a rota for the youngest pupils to assist with clearing things away at the end of each meal. We reversed this into the tasks instead being given to first year sixth form pupils in order to demonstrate their degree of responsibility and reduce the sense that junior pupils could be treated as servants.
46. In terms of mentoring, houses had systems for welcoming and guiding new pupils into school and house life and generally assisting younger pupils. Post 2010 a school based (as opposed to house based) group of volunteers from all age groups were trained (internally by the National Society for the Prevention of Cruelty to Children), to provide support for those in need. They had no school 'authority' and were available at all times as well as specific 'surgeries', discussion groups etc. The scheme worked extremely well.
47. The punishment culture was dominant in the school in 1990. For staff this meant a sometimes too easy resorting to a detention option and thinking not enough about the effects of periods of suspension on the young. More immediately both staff and senior pupils had recourse to penalty drill, an ostensible underlining of negative behaviour, running round the large lawn on the south side of the main building. Apart from serving little purpose, it spawned all manner of unofficial, semi-recognised

punishments in houses such as press-ups under a cold shower; head flushing down a toilet and running to the sea and bringing back a mouthful of salt water for a senior pupil. In the second week of my time the official penalty drill and all the less official punishments were swept away (see Appendix A a talk/speech delivered to the whole school, pupils and staff when I had been Headmaster for two weeks on 14 September 1990) and we lived for several years in a school without punishments awarded by senior pupils to those more junior. When a pupil generation of five years had passed, we slowly and carefully introduced a Colour Bearer (school prefect) detention. It took place early on Sunday mornings, supervised by the Colour Bearers themselves. It took the form of tasks such as painting goal posts and picking up litter in the school grounds. Parallel punishments existed in houses; all required individual staff knowledge and approval.

48. Assessing the success of the measures I have described is inevitably more difficult than evaluating building projects or analysing exam results, as the subject matter is nebulous and can be ephemeral. It was not as grand as it sounds; however the following provide evidence of progress. Results of surveys taken for the School Development Plan in 1994/5 and onwards show increasingly the very high levels of satisfaction with pastoral care expressed by pupils, staff and parents. Reports of the HMI from 1997 and the Care Commission from 2006 indicate sound provision in the care and protection of children.
49. The school records of Child Protection, including the comments seen by the Inquiry with relation to investigations, show a high level of care and responsibility. In more concrete terms it was heartening at an early stage, to see in 1994/5 the first pupil survey in connection with a School Development Plan several senior students writing in the suggestions box 'bring back bullying'. That was a sure sign that things were beginning to work. It was not as earth shattering as it may sound; there was no silver bullet or miracle cure but there was evidence of progress.
50. The Inquiry is considering one aspect of the school since its foundation and I would not want to give the impression that in 1990 Gordonstoun was a failing establishment while by 1995, or later, all was unbelievably well. Gordonstoun was an extremely

good school in 1990 in almost every way but it was behind the times in the area of pastoral care where there were clear deficiencies. By 1995 some of this had been improved and by 2011 even more so but there is no such thing as perfection in the behaviour of young people in a residential setting.

51. The reasons for Gordonstoun being somewhat behind the times in 1990 included geographical distance from other schools with contact opportunities for staff and pupils difficult. Staff staying for longer spells than in other schools was another factor as was the school being absorbed by other matters from 1970-1990. This included co-education, recruitment and raising academic standards, all of which were perfectly justified. There was also a fear, equally understandable, of not altering or developing the traditions, for example aspects of daily procedure, as established by Kurt Hahn the founder, rather than focusing on his ideals and principles, including learning through experience, character training, practical skills, compassion etc., then reviewing the means of achieving these and, where necessary, adapting and updating them.
52. I am asked if fagging existed in my time at Gordonstoun and feel that this is a strange question. Fagging is a colloquial, outdated term which lacks definition. It can mean (a) one student, usually a junior, doing tasks for a more senior student officially and approved by the school. It can also (b) apply to the same scenario but conducted unofficially and without the school's approval. Additionally (c) it could refer to pupils from a particular year group or section completing general tasks for the benefit of the community. It is also implicit in the question that fagging made a bad school and an absence of fagging made a good school. I have known schools which had official fagging, of which I profoundly disapprove, but were in other respects excellent. I have known schools where there was no fagging of any sort but which were in many other respects, including pastoral, failing establishments. Of the categories mentioned above on fagging at Gordonstoun in 1990 there was none relating to the first example (a). There was limited amounts which effectively ceased within a few years relating to the second example (b) and with regard to the third example (c) there was some but carefully monitored and part of a full scheme of responsibilities.

53. Although I retired from Gordonstoun in 2011 I have kept in touch with the school and I have continued through other activities, to be involved in pastoral care in schools. I have been impressed by and pleased to see continuing development and improvement at Gordonstoun. Particular aspects include the sophisticated systems of record keeping and information sharing resulting in improved communication, further clarification of roles of both staff and pupils, development of safeguarding and child protection policies and also pupil self-analysis and improved opinion sharing.

Discipline and Punishment

54. Exclusion or expulsion, which were very rare, were dealt with by Head or Principal. Suspension or rustication were also usually dealt with by the Head or Principal. If it was a local rustication where a pupil was allowed to attend lessons but otherwise suspended away from school, this could be awarded by the Director of Student Development and Welfare. Gatings, which were where a pupil is confined to certain parts of the school with restrictions of movement, could be awarded by senior staff. Detentions could be awarded by any member of staff.
55. The key document of students was the Charter, balancing rights and responsibilities, including a Code of Conduct, listing detailed expectations. The emphasis was on what a student should do rather than what he or she was not allowed to do. A punishment policy was developed primarily for staff use.
56. Staff were aware of the punishment policy. Pupils operated through the comprehensive Code of Conduct for which they had to sign annual acceptance. Records were kept centrally, including letters on students' files, for all expulsions and suspensions/restrictions, by senior pastoral staff for detentions or other school punishments; by house staff for gatings and other house based punishments.
57. Senior pupils had responsibility for good order and a positive environment through example and persuasion, rather than discipline. They had very limited rights of punishment, supervised by housemasters or housemistresses in boarding houses, by

the Director of Student Development and Welfare and by the Sixth Form Co-ordinator at a school level, where punishments could be awarded only by Colour Bearers (Prefects).

58. The limited rights of punishment were delegated to Colour Bearers at a school level, with equivalents responsible at the lower house level. These comprised community tasks; picking up litter; moving furniture; painting sports equipment. Punishments had to be approved by Sixth Form Co-ordinator (staff post) or house staff within houses and a record kept.

Day to Day Running of the School

59. I was involved in the day to day running of the school in that I was directly responsible for everything that happened on the educational side including pastoral care. In almost all pupil areas these responsibilities were delegated to a member of the Senior Management Team (Principal's Standing Committee).
60. At the start of my time in 1990 I would not have been at all confident that any ill-treatment or abuse of a child would have come to light; however by the end in 2011 I would have been confident, possibly very confident that it would. The reason I say this is because over that twenty one years a new morality and code of ethics were established, as was a trusting community and a 'telling' environment.

Concerns about the School

61. I am not aware of the school being the subject of concern to external agencies while I was Principal or Head, except where recommendations made by HMI (2002) over fire regulations and the provisional nature of the school's Child Protection Policy. This was approved as rectified in the 2004 HMI Report. Individual parents inevitably, from time to time, commented on the care of their children. This was usually concerning how they were treated by the school concerning matters of diet and comfort and not concerns

about abuse. Whilst there was rarely a need to liaise in later years with the parents on the way pupils were treated, the main point of contact between the school and parents was the housemasters or housemistresses who dealt with all day to day pastoral concerns concerning eg. pupils wellbeing and relationships. Tutors, teachers etc. were allowed or encouraged to communicate with parents.

Reporting of Complaints and Concerns

62. A Complaints Policy was developed in the 1990s. It was administered by the Director of Staffing and Planning with the emphasis on positive resolution at every stage. It was not extensively needed or used. Instances were recorded by the Director of Staffing and Planning who kept all records.

Trusted Adult/Confidante

63. As the school developed a 'telling' environment there was a much greater ease of pupils sharing problems with appropriate people. From the mid-1990s the document 'If you have worries or concerns' was included in all student publications, calendars, work diaries etc. This contained a full list of those available in school and outside, such as Childline and The Care Commission etc. All pupils were able and encouraged to consult their housemaster or housemistress, tutor and matron, all of whom knew them well and met them frequently. In addition, the school employed an external counsellor on a part time basis who provided appropriate support. Many problems, however, were first raised at a student level with senior pupils or those designated as peers and mentors and might be escalated then to staff or counsellor consultation.
64. I know that these channels were frequently used although, quite properly, I was not usually informed of the confidential details as a matter of course but would be told if appropriate.

Abuse

- 65. The drawing up of the school's first Child Protection Policy was in the mid-1990's. It was introduced around 1997 and continually updated until 2011.
- 66. Abuse was considered to be when a child was being made in any way unhappy by the actions, or sometimes studied and intended inaction, of another person or persons.
- 67. All staff received continuing obligatory training in child protection.

Child Protection Arrangements

- 68. Staff, when joining, were given an initial induction which contained guidance in child protection, thereafter annual training was provided for all staff from the Child Protection Co-ordinator which was periodically enhanced by external experts. Within boarding houses, housemasters and housemistresses developed information and guidance for assistants, tutors and matrons working with them. All non-teaching staff also received training as did the governors and a governor was designated with responsibilities for child protection. Staff were trained to listen, explain confidentiality, support, discuss solutions, seek advice, communicate the solution or pass on to appropriate authority and complete necessary records.
- 69. All staff had a responsibility to take action in the event of discovering or seeing abuse. The first concern was always for the child and the appropriate pastoral staff would be informed. The staff member would then additionally inform the Child Protection Co-ordinator or, if urgent, a member of the Senior Management Team.
- 70. The child protection measures I have already detailed were supported by the Child Protection Policy being widely publicised. Appropriate levels of supervision existed at all times. The creation and existence of a 'telling' environment meant problems were quickly and easily raised. While always striving for improvement, I am confident the measures employed worked effectively.

71. Frequent surveys, eg through the School Development Plan, provided evidence of this. Surveys were taken annually of the parents, staff and pupils from 1994-1995 in connection with the annual School Development Plan. Pupil surveys relating to house and pastoral matters were carried out as part of the Staff Appraisal Scheme.

External Monitoring

72. The school underwent a long period without inspection from 1978 to 1996. I do not know why there were no inspections and the Inquiry may wish to ask Her Majesty's Inspector of Schools about this. The inspection of autumn 1996 happened only when I pointed out the long time lag and asked them to come. From 1996 until 2009 there was several visits by HMI and the Care Commission. The Health and Safety Inspectorate also visited as did the Scottish Charity Regulator. HMI and the Care Commission always spoke with children, both in groups and sometimes individually. There may have been occasions when staff were present but frequently they spoke to students on their own. I was also spoken to and as Principal I was always given full and helpful feedback.

Record Keeping

73. Records of pupil welfare, including matters relating to abuse were kept in 1990 and immediately stored afterwards in a pupil's central file, usually also in files retained by the housemaster or housemistress, and a member of staff's file, centrally held, if a member of staff has been involved in an incident. These entries would take the form of any letters written plus an accompanying account where appropriate. From 1997 when a first Child Protection Policy was established, the Child Protection Co-ordinator kept a record of all incidents including the background, involvement of external agencies etc.
74. As far as record keeping was concerned, before I took up employment at the school, it followed the same process as I have already explained. An absence of records does not necessarily mean a failure to record incidents. There may have been few or no

incidents or none that were known. Having said which, the Gordonstoun records were thin in 1990 and there had been one serious error of omission in record keeping in the year before I took up office. This concerned a member of staff, Andrew Keir, and the facts have now been fully reported by the school to the appropriate authorities.

Investigations into Abuse – Personal Involvement

75. I have provided comment on my involvement in the cases of DGD [REDACTED] and EXL [REDACTED]. I was also involved with the police in a search of the rooms of a staff flat occupied by Sam Henley in connection with offences elsewhere.

Reports of Abuse and Civil Claims

76. I have not been involved in handling or reporting of any civil claims against the school by former pupils concerning historical abuse.

Police Investigations/Criminal Proceedings

77. I was never aware of any police investigations into abuse at the school during the time I worked there.

Convicted Abusers

78. Andrew Keir worked at the school from 1990-1993 and I knew him as his employer. Mr Keir is now in prison and his case is well-known to the Inquiry. Allegations were made against him in 1989. I cannot comment on the investigation at that time and its outcome but as incoming headmaster I was not informed of the incident and investigation. There

was no information on his file. This was a serious shortcoming as my approach to him would have been different. Had I been aware of the previous allegation I would (a) have ensured the paperwork was up to date; (b) had a general conversation with him about responsibility; (c) paid serious attention to whether he should be holding a post as Assistant Housemaster.

79. As it was, based on his too old school attitude and the need for a new approach, rather than any concern about safeguarding, he was moved from a residential post after one year and he left the staff two years later. I would describe his too old school attitude as a lack of real empathy or human understanding; the necessity for establishing some sort of space between teacher and pupil; a sometimes dismissive and sarcastic attitude. Most importantly however, in the interim in 1991 he was guilty of another offence of abuse. I remain very concerned about this.
80. I am aware Mr Keir was recruited using the conventional recruitment process by my predecessor however I do not know if he had child care qualifications and, if he did, what they were. It would have been most unusual for a teacher to have specific child care qualifications in the 1980s/90s. I do not know what, if any, child protection training he undertook but as far as the school is concerned he was a member of staff before we introduced the full child protection measures and policy. During the course of his employment he would have been supervised in the boarding house by the Housemaster, in curriculum areas by the Head of Department and in other areas, such as the Fire Service, as appropriate. He had not been subject of any allegations before coming to Gordonstoun.

Specific Alleged Abusers

EXL

81. I remember EXL who was employed at the school from 1990 to 1997. He was aged in his fifties at that time. He was

██████████ and ██████████ of the school's ██████████. Our relationship was one of employee and employer and in that context I knew him well. EXL ██████████ was a happily married family man. His two highly satisfactory children attended Gordonstoun. In his job he was very old school and extremely conservative. He found it hard to accept that the ethos and environment of the school might develop into a more caring, tolerant, rational ethos and he was determined this should not permeate his area. He was committed to his work and to an old fashioned view of the school; an old sea salt, keen on challenge, less concerned about education. He was very hard on students but on his staff second in charge too.

82. With the children he was sound in an old fashioned way. I was fully confident in his ability to be responsible for their safety at sea. I went on Sea Spirit, the sail training vessel, ██████████. I never witnessed him abusing any child.
83. I am aware that the Inquiry has a full account of EXL ██████████ behaviour in his inappropriate disciplinary action, to the possible point of abuse, of a girl pupil who had been guilty of the offence of smoking a cigarette on the vessel. Before the start of the voyage EXL ██████████ had been unwell and I was doubtful whether he should be in command of the voyage. He obtained a doctor's note saying he was fully fit. I, nevertheless, insisted that an additional member of staff, able to assume command if necessary, should be on the vessel as well. As soon as the voyage returned, EXL ██████████ EXL ██████████ actions became publicly known and we swiftly went through a disciplinary procedure according to the school's policy. It was established through investigation that in my opinion he was guilty of gross misconduct.
84. Once gross misconduct had been established but before any further action was taken, the Board of Governors became involved with the Chairman assuming responsibility. This was confirmed: the fax dated 31/08/98 which the Inquiry have seen, sent by the School's solicitor. The opening sentence reads "I have spoken with the Chairman and have been instructed by him to respond on behalf of the School including the Board and the Chairman himself..." The matter was then largely effectively out of my hands.

85. I believe the factors which weighed heavily with the Board of Governors and with which the School Solicitor agreed were: EXL [REDACTED] was approaching retirement; he was not at all a physically fit person; he had an impeccable record; the offence for which the pupil had been punished was particularly serious; the punishment might not be seen as so serious in the context of outdoor education/sail training. For these reasons the legal advice given by the school Solicitor was that a termination of contract might be challenged and the best way forward was to propose early retirement on health grounds as part of a compromise agreement which could also include consideration of the outcome of the disciplinary procedure.
86. The compromise agreement then included a condition that not only could the gross misconduct finding not be included in any reference but that the offence and incident therefore should be struck from EXL [REDACTED] record. Thus the offence ceased to exist and with it the establishment of gross misconduct. This is what happened and it was not for me to suggest otherwise. The Board was correct in its surmise that EXL [REDACTED] EXL [REDACTED] would not be involved in work of this nature again. It was also in the agreement that EXL [REDACTED] should not come onto the school campus except in his position as a parent.

DGD [REDACTED]

87. I recall DGD [REDACTED] whose employment at the school commenced in early 2001 when he worked in the [REDACTED] department replacing an absent member of staff. He also worked in the Gordonstoun International Summer School. He was in his early to mid twenties at the time. My relationship with him was one of employer to employee. I found him to be a thoroughly satisfactory member of staff who was open, friendly, hard-working and committed.
88. From my own observations when he was working in the [REDACTED] department he was skilled and his behavior with the children was highly satisfactory. I did not see him abusing any child.

89. I did not witness, but heard of, the incident in June 2001 when he indulged in horseplay in the sea with a girl student and allegedly behaved improperly and illegally. I am also aware that this has been reported to the Inquiry. The school followed due process. The Inquiry has seen all the documentation relating to this incident, what happened immediately before the pupil concerned left, having completed her course at the school. She was contacted and asked if she wished to elaborate on what had happened or make any sort of comment or complaint and she firmly declined as she did not wish to say anything further. The school then, following due process, contacted Gordon Sinclair, the Child Protection Officer at Moray Social Services in Elgin. He said that, as the pupil was over sixteen years of age, the school, in light of her not wishing to complain, should take no further action; indeed could not take further action. Thus no report was made to GTCS.
90. Immediately after this he was due to work at the Gordonstoun International Summer School and as the Director of that organisation was informed that, in going swimming and indulging in horseplay, Mr DGD had behaved inappropriately, ie unwisely. There was no evidence or record that there had been inappropriate action in the sense of abuse or illegality.
91. Mr DGD did work at the Gordonstoun International Summer School after this incident where school staff were aware of what had happened and supervised him accordingly.
92. At that time the reporting requirements for a teacher who had behaved inappropriately were different from today. Whereas currently there is an obligation for a school to report an allegation, whether or not substantiated, this was not the case in 2001 when reporting had to be triggered by a complaint or an established case of misconduct. It may also be that the Inquiry is confused by the term 'inappropriate'. In the case of Mr DGD I used this word in the sense of unwise or injudicious to agree to go to the beach with a group of senior pupils or to be swimming in close proximity to them. In this context again there was nothing reportable about his behaviour. I believe the Inquiry may assume that 'inappropriate' may suggest that this implied acceptance of the initial allegation that Mr

DGD had behaved improperly and further that it might constitute an offence. The school never reached such a conclusion and was in no position to do so. 'Inappropriate' does not therefore refer to an illegal or abusive action but in this case the one which was unwise and lacking professional judgement.

Lessons to be Learned

93. Those who have established the Scottish Child Abuse Inquiry will know by now whether they were right and wise to cover in their work both the abuse of children by adults, which is usually clear-cut and straight-forward to deal with, as well as pupil to pupil unpleasantness. The latter is inevitably complicated and challenging to analyse; for example the child who suffers from unpleasantness but then turns on his or her tormentors with serious consequences or the genuine jocularity between friends that goes too far. This murky and confusing ocean may also conceal another trend, the current and historical prevalence of verbal abuse and social exclusion and rejection, especially now by online social media. More children, both in Scotland and England commit or attempt suicide as a result of these excesses than physical oppression and the clear majority of them are girls. I wonder if this is reflected in the work and findings of this Inquiry. I note the Inquiry's definition of abuse is 'primarily physical abuse and sexual abuse with associated psychological and emotional abuse'. If this means that psychological and emotional abuse are not considered by the Inquiry except when accompanied by physical and or sexual abuse, I suspect then that in the matter of pupil to pupil relationships, the Inquiry may only scratch the surface.
94. I believe that most unpleasantness used to take its form of physical bullying and happened where it could not be seen in areas such as the toilets. Most unpleasantness now is silent, mental, and where it will not be seen, which is online.
95. From my professional experience of the transition from physical to mental bullying, and the growth of online bullying this subject is vast with books written about it. The barebones of it, I think, go something like this. (a) In terms of creating a caring, tolerant, appreciative, empathetic community Gordonstoun was a long way behind in 1990. After

fifteen years of investment in physical resources, staffing, education and cultural development, the school was probably ahead of the curve. (b) Once a school has achieved the right sort of environment and culture, it is well placed to identify and tackle instances of abuse and bullying in an atmosphere suited to social development. The key objective is for the substantial majority of pupils to appreciate harmony and decency and to reject unpleasantness in whatever form it comes. If there are strong lines of communication between staff and pupils the former will very soon recognise where dangers exist be able to address them. Keeping in touch with other agencies is very important. Independent schools can be as arrogant as some of their senior pupils; contrary to their own opinion, they do not know all the answers. (c) civilised schools need to invest in meaningful social education; quality time for this in the mainstream timetable taught by talented, interested and committed staff; Governors who care. You may have to give up some Maths allocation and give it to a dynamic, relevant, course in Citizenship. What school is brave enough to do this? If you want a civilised society you have to.

96. I believe the following are essential building blocks if a school environment is to be created which is free from endemic unpleasantness and where all children can be themselves. Safeguarding should be a high priority for the governing body. Strategic planning, especially financial, should include the constant improvement of safeguarding and child protection facilities and provision; this includes staffing levels. Additionally there must be robust and frequently reviewed policies in safeguarding and child protection combined with high levels of safeguarding training for all sections of the school community to include governors, staff, pupils and parents. I further suggest there must be a simple comprehensive and easily operated system of record keeping and communication. Social education for pupils needs to be a part of citizenship education and social media education and guidance is vital for all, including the very young. Above all the school must be an open, telling, friendly and family community.

Other information

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

Signed.....



Dated.....

10th January 2021