

Scottish Child Abuse Inquiry

Witness Statement of

CDS [REDACTED]

Support person present: No

1. My name is CDS [REDACTED]. My date of birth is [REDACTED] 1937. My contact details are known to the Inquiry.

Background

2. I studied at St John's College Oxford from 1955 to 1959 and was awarded a BA 1958; Dip Ed in 1959; MA in 1962 and FRSA 1990. In 1977 I studied at Jesus College Cambridge as a Schoolmaster Fellow. I then joined [REDACTED] Brecon from 1959 to 1961. I worked at [REDACTED] School from 1962 to 1965, and then at Merchiston Castle School from 1965 to 1978. Then in 1978 until 1983 I worked at [REDACTED]. I was employed at [REDACTED] School from 1983 to 1984 and moved from there to [REDACTED] School from 1984 to 1997.

Employment with Merchiston Castle School, Edinburgh

3. In 1965 I was appointed as teacher of [REDACTED] at all levels, sharing the VI form work with the Head of Department. [REDACTED] and remained in this post until I left in 1978. I was appointed as Housemaster in 1971 and maintained this post for the next seven years also.
4. The post was originally advertised in the Times Educational Supplement. I applied for it and supplied references from the two Headmasters I had worked for as well as my college chaplain from university. He later became the Bishop of Oxford. I was

called for interview in March 1965 where I met the Headmaster, the Deputy Head, the Head of [REDACTED] and the teacher whom I was to replace. I was offered the post and accepted it.

5. I worked closely with my Head of Department but there was no formal monitoring or appraisal and no induction training.

Policy and strategic planning

6. I had no responsibility for policy nor was I involved in strategic planning: this did not feature as part of the school's organization.

Other staff

7. [REDACTED] I was responsible for arranging the teaching commitments of two full-time and three part-time members. [REDACTED]

[REDACTED]

These decisions were always taken after full consultation with the colleagues involved. My own commitment was to teach at all levels, though mainly with senior classes preparing for O and A levels and university scholarships.

Recruitment of staff

8. When a departmental vacancy occurred, the Head discussed the requirements for the post with me and I made suggestions for the wording of the advertisements. The Head took responsibility for following up the references, having discussed with me the selection of the suitable applicants. I do not remember actually seeing the applications myself. I also do not know how the Head followed them up but he selected the short list for interview. I was never asked to contact any referees personally as it was generally felt that this information was confidential.

Training of staff

9. This was very informal and consisted of general discussions with members of the department as to their observations and suggestions. There were no personal development policies.

Supervision/staff appraisal / staff evaluation

10. There was no process of formal staff appraisal and supervision. Occasionally, on a topic we were both teaching, another teacher and I would take a joint session just to exchange ideas.

Living arrangements

11. On arrival in 1965 I lived in a set of rooms in the senior boarding house. At Easter 1968 I left to get married and we then lived in a school-owned house in Colinton about ten minutes' walk away. In 1971 I was appointed as housemaster of Chalmers East, the middle of the five boarding houses, catering for the 14-15 age group. We were still living in the house in Colinton but I had use of the traditional housemaster's accommodation of two rooms with a bathroom on the ground floor of Chalmers East. The school was in the process of building additional staff housing within the grounds and one of these was allocated to us. This was two minutes' walk from Chalmers East and we lived there until I left in 1978. I still retained the housemaster's rooms as a working office.
12. Each of the boarding houses had resident bachelor members of staff who shared supervision duties. In my case I was on duty four nights a week and had two house tutors who covered the other nights. One at least always slept in the house overnight. On my duty evenings I would go home about 10.30 (lights out being 9.45) having first checked that a tutor was on site.

13. In the main school there were two large buildings, Chalmers and Rogerson, each of which accommodated two full year groups. They were divided into separate parts, east and west, and were regarded as separate entities. Structurally the two houses were one building with free movement being facilitated between them, though by convention members of one house would rarely use the connecting corridors, and only then after seeking permission. But in an emergency the pupils knew that there were at least three staff members in the other half of the building.

Culture within Merchiston Castle School

14. The school was a well-disciplined community. Rules were clear and generally accepted without complaint. The staff were very hard-working and gave every impression that they enjoyed working there and were proud of the school. Pupils had a great sense of loyalty and they appreciated the contribution of the staff to their welfare.
15. I do not remember any fagging, certainly of a personal nature, though it was expected that some of the junior pupils would be responsible for some of the menial household chores.

Discipline and punishment

16. The system was pyramidal. The Head at the top had the complete and final authority, including the power to suspend or expel pupils for the worst acts of misbehaviour. Below him were the five housemasters, essentially responsible for the conduct of the pupils in their house. In serious cases of misbehaviour the housemaster would first carry out a thorough investigation and then refer the matter to the Head where the pupil's membership of the school might be in doubt; otherwise he would impose a punishment himself. Other members of staff observing misconduct would either refer the matter to the housemaster or impose a limited range of sanctions himself.

17. There was no formal printed policy for discipline or punishment.
18. School prefects had the power to impose a detention or a written punishment but frequently would discuss the issue with the housemaster first.

Day to day running of the school

19. I was never involved in the day to day running of the school, other than the duties described above.
20. Pupils were accustomed to discussing problems with members of staff, particularly with their own housemaster. My belief is that had any abuse been taking place, one of the pupils would have confided in a master whom he trusted, most likely his housemaster

Concerns about the school

21. I am not aware of the school ever being the subject of concern, in school or to any external body or agency, or any other person, because of the way in which children and young people in the school were treated.
22. Housemasters were regularly in contact with parents if there was any cause for concern over their children. Similarly parents would frequently contact the housemaster if they had any anxieties about their sons.

Reporting of complaints/concerns

23. There was no formal complaints system. The understanding was that the housemaster was the first point of reference for any concerns the pupils wished to raise and in general I believe this worked very well. When a matter was raised the

housemaster would discuss it with the boy and any others who might be involved. Any difficult question would be referred to the Head for his judgement.

24. Each boy on coming into the school had a record card kept by the housemaster and any matters of importance were recorded. This was cumulative and at the end of the year, when the boy passed on to another house, the housemaster would write a brief summary and pass it on to the next housemaster.

Trusted adult/confidante

25. Nobody was designated as a trusted adult/confidante, though Chaplain, School Doctor and School Nurse were not infrequently consulted on personal matters. These, of course, were treated as confidential.

Abuse

26. During my employment, the school did not have a definition of abuse that it applied in relation to the treatment of children at the school.

Child protection arrangements

27. No formal guidance and instruction on how children in their care at the school should be treated, cared for and protected against abuse, ill-treatment or inappropriate behaviour towards them was given to staff. Housemasters would investigate first and then refer to the Head where necessary.

External monitoring

28. The only inspectors who visited the school were concerned with an evaluation of academic standards. They did not speak to pupils. Following an inspected lesson the individual teacher would be given a brief feedback.

Record-keeping

29. As referred to earlier in my statement, when a new group of pupils arrived in the house I would carefully read the record sheets to see if there were any important issues that I felt would be worth discussing. I then had an interview of 10-15 minutes with each of the boys new to the house to discuss any of the above matters and to assure them that they were always welcome to bring to my attention any matters they wished to discuss.

Investigations into abuse – personal involvement

30. There were two incidents of abuse during my time as housemaster, both of which were a boy-on-boy situation and no adults were involved. The first was in 1973 or 1974 when two of the dorm captains in the house came to see me. (Each housemaster appointed four dorm captains at the beginning of the school year. They were of the same age as all the others in their house but were picked out as responsible and reliable young men who would raise with the housemaster any matters of concern they had for pupil well-being.)
31. The two who approached me were [REDACTED] and [REDACTED]. They explained that there was considerable anxiety over the excessively sexualised behaviour of a member of the house, [REDACTED] HYD [REDACTED]. He had repeatedly talked about masturbation when in the showers with other pupils, boasting about how frequently he masturbated, displayed an erection and started to play with himself. This had caused considerable distress to his contemporaries. He also boasted how he had

used the house telephone to call the local newsagent in Colinton to ask if they could reserve copies of *Masturbators Monthly* or *Wankers Weekly*.

32. [REDACTED] and [REDACTED] said that the other boys were very disturbed by this and felt it must be very upsetting for the shop staff receiving the call and very harmful to the school's reputation if the call's origin became known. I interviewed [REDACTED] HYD [REDACTED] and put these concerns to him. He made no attempt to deny them and just said that he thought it was a joke. I referred the matter to the Head, giving him full details, and he summoned [REDACTED] HYD [REDACTED]'s parents and suspended the boy for the remainder of the term (about six weeks.)
33. The second was in about 1975 when [REDACTED], a boy in the house, came to see me in some distress to say that he had been assaulted in his dormitory the previous night by another pupil, [REDACTED]. The allegation was that some time after lights-out [REDACTED], who was a member of the same dorm, had come to his bedside and started to fondle him. He had then got into [REDACTED]'s bed and proceeded to masturbate him. He then left him and returned to his own bed.
34. I interviewed [REDACTED] and he admitted that [REDACTED]'s account was essentially true. I referred the matter to the Head and he decided to suspend the boy for the remainder of the term. As he lived in Sierra Leone and had no notified guardian in this country the Head arranged for another Merchiston parent, who was a clergyman with a parish near North Berwick to accommodate the boy for the period of his suspension.
35. Neither of the above incidents was referred to outside agencies, though about five years ago [REDACTED] did refer the matter to the police and they contacted me to see if I could verify the above account. They came to visit me at my home in [REDACTED] and took a statement in which I described what I could remember of the incident.

Reports of abuse and civil claims

36. I was never involved in the handling of reports to, or civil claims made against, the school by former pupils, concerning historical abuse.

Police investigations/ criminal proceedings

37. In 2015 I was contacted by Police Scotland to say that an allegation had been made against me by a former pupil, **HYD** as referred to earlier. He maintained that in a football match at the school I had touched him inappropriately. I strongly denied this, including pointing out that Merchiston did not play football. The police asked me to attend an interview and I travelled up to Edinburgh for this purpose. There was a brief meeting where I was accompanied by my solicitor, and this was recorded. My solicitor was then told that there was no further action to be taken. I have never given evidence at a trial concerning alleged abuse.

Specific alleged abusers

BRW

38. **BRW** was the **BRW** who also taught some non-specialist **BRW** in the VI form. He was in post on my arrival, diagnosed with cancer in mid-1970s, retired through ill health and died shortly afterwards. A man of great intelligence respected by his pupils. Not especially outgoing and I did not know him well.

CDR

39. **CDR** was appointed as **CDR** in 1966 and a former pupil of the school. He lived in school in bachelor accommodation for the remainder of my time at the school. He was a teacher of **CDR** and became a good friend and I found him friendly, sincere and hard-working. We shared interests in sport and mountaineering.

40. He related well to the pupils who appreciated his enthusiasm for being involved in so many aspects of school life. He was a committed Christian who won respect for the courage of his convictions. In later years, when I became ^{SNR} [REDACTED] of [REDACTED], I appointed him as [REDACTED] and he served with distinction for three years before leaving to get married. We still remain in touch.

James Rainy Brown

41. He was in post on my arrival and remained at the school for the rest of his career, and indeed after retirement. He was founder housemaster of Pringle, a newly-opened house for younger boys, after the school made the decision to enrol at the age of 11. He was completely dedicated to the well-being of those in his charge, which they much appreciated. We shared interests in sports and mountaineering and he took a full interest in virtually all aspects of school life. I regarded him as an excellent role model and found him to be totally honest and trustworthy.

Gordon Cruden

42. He was appointed, about two years before I left, to teach Modern Languages. I did not know him well but found him to be a reliable and conscientious colleague.

Mervyn Preston

43. He was a long-serving member of staff who held most offices in the school: Deputy Head, housemaster, Head of History and Acting Head for about 18 months during an inter-regnum. He had great influence at the school and was devoted to it. He was much respected for high standards and for many acts of personal kindness. He lived in school as a bachelor for most of his career, but at the end of the inter-regnum he went to live in the New Club in Edinburgh. Eventually he moved down south and died many years ago.

BRL

44. BRL was a who was appointed to the department in the early 1970s. A very special and outstanding human being of complete honesty and integrity. He lived by the highest standards with a great belief in a mission to educate the whole person. He gave himself unstintingly to his job and earned great respect from colleagues and pupils alike. I had the pleasure of appointing him to my staff at in about and he served us there with similar distinction. I am still in regular correspondence with him.

QZA

45.

46. Just before I left Merchiston he applied for a post in the department and I was pleased to see that he had been successful. We did not, however, overlap as colleagues.

Generally

47. With all the above people I felt they related well to pupils and made a significant contribution to their welfare. I did not see any of them impose discipline and there was certainly no question of any of them abusing children.

OZK

48. He was appointed to the department in the early 1970s. He shared the VI form teaching with me and another colleague. He was very well-read and knowledgeable about his subject. Pupils had a respect for him and enjoyed his lessons.

49. There was an incident at the end of the [REDACTED] Term 1977 which brought his career at the school to an abrupt close. I knew very little about this as I had been away for the whole term on a sabbatical in Cambridge and returned on the day after term ended. It was alleged that he had offered alcohol to two senior pupils who had remained behind and apparently then made an improper advance to one of them.
50. They reported the matter to the Head who required him to leave the school at once. I had no other knowledge of his disciplining pupils or being involved in any kind of abuse. Nor was I aware of any police investigation into this allegation.

Specific allegations of abuse made against me

Allegations made by BRG [REDACTED]

51. My memories of BRG [REDACTED] are very vague as I have not seen him for over 40 years. I remember that he was an A level pupil of mine of above average ability who lived in Edinburgh and travelled in as a day boy. He mentions an elder brother whom I apparently knew from outside sporting connections and who supposedly had a strong influence on his parents and his other siblings. I cannot remember any details of him either.
52. I did know that BRG [REDACTED] had had some unsettlement in his previous schools before coming to Merchiston, both at Edinburgh Academy and subsequently at Gordonstoun, which he left after only a brief period because of some bullying. I also knew his parents fairly well: his father was an eye specialist in Edinburgh, who had treated both my wife and myself at different times, and his mother was involved in social work and family counselling, in which she asked my assistance on several occasions. They were pleased that I took an interest in BRG [REDACTED]'s development, both as an academic student and as someone with a keen interest in the countryside and in mountaineering.
53. At that time all the independent schools in Scotland had a thriving outdoor education department in which many pupils and staff were involved. At Merchiston at least 10

staff and up to 50 pupils participated through membership of the outdoors club, participation in the Duke of Edinburgh's Award Scheme or through involvement in training with the Combined Cadet Force. The mountaineering would involve practical training and also wild camping when use would be made of various mountain huts belonging to the major mountaineering clubs. One of the really keen mountaineers at Merchiston was [REDACTED], a contemporary of [BRG [REDACTED]]'s who lived outside Glasgow and he and some of his friends would join me for an expedition to the hills from time to time. [REDACTED] came to see me one evening and expressed an interest in exploring some quite wild country around Loch Arkaig. He mentioned that [BRG [REDACTED]] would also like to be involved so I invited the two of them to come down to my house one evening to discuss the logistics. [BRG [REDACTED]] was very keen to come and I think this might well have been his first venture into the more remote areas. This would presumably have been in the summer holidays and we had a careful check of mountaineering and camping equipment and food supplies before setting off.

54. We were in the Arkaig area for about four days and camped beside the loch. I do not remember [BRG [REDACTED]], or any other members of the party, having a swim but this would have been a very normal practice at the end of a long day on the hills. I have no memory of [BRG [REDACTED]] bathing naked but had he ever done so, it would certainly not have been at my suggestion.
55. I should explain that both sets of parents thoroughly supported these expeditions, were very grateful to me for taking their youngsters and were always keen to hear about what we had done on our return. [BRG [REDACTED]] mentions that he joined me on a hill walk "once every holiday" but my memory is that these trips were rather less frequent.
56. There is also mention of [REDACTED] competition that [BRG [REDACTED]] had entered and had been successful in winning. I would certainly have been very pleased with this achievement but I have no recollection of such an event nor have I any idea of the subject [REDACTED] or who was responsible for setting up the competition. From his description it seems that he had entered this on his own initiative and was anxious to bring the [REDACTED] to show me and ask for my judgement. I would have been glad to

provide this, but if the topics he had chosen [REDACTED] were too personal, and perhaps embarrassing, I would certainly have realised this and deflected the line of conversation.

57. BRG [REDACTED] s statement implies that I held a regular Saturday night meeting at my house to discuss topics of interest and that an agenda would be drawn up in advance. Whilst my wife and I were happy to invite pupils into our home for discussions on an ad hoc basis if they wished, there was certainly no regular meeting or any question of a formal agenda. We valued our personal time in the midst of a busy schedule and I was anxious that we spent as much time together as possible, particularly at the weekends. Pupils would come to see us as and when they asked to, but not on any formalised basis, and I saw this as part of my employment.
58. As a summary of the above I am grateful for the comment that I showed “a genuinely supportive concern for a pupil I saw as having talent” as that is what I tried to do as part of my role as a schoolmaster. I would, however, firmly state that I see nothing that could possibly be described as abuse.

Allegations made by CCZ [REDACTED]

59. I have virtually no recollection of CCZ [REDACTED] and do not think that I ever taught him personally or that he was a member of my boarding house. I believe that he did not remain at the school for very long.
60. My first reaction on receiving the redacted statement was of horror at such a dreadful accusation but this changed to bewilderment as the circumstances described were totally unbelievable.
61. It was stated that a housemaster was loathed and that the pupils in his house took action against him on the last day of term in 1968. I, however, was not appointed as a housemaster until 1971.

62. It was alleged that the pupils in the house had smashed my room up but I did not have a room in school at that time. I had lived in a bachelor set of rooms in the senior boarding house from my arrival at Merchiston in September 1965 until I moved out in March 1968 prior to getting married in the April. We then lived in a house in Colinton. At no time were my private rooms or classroom ever damaged or treated with disrespect.
63. I have never owned a sports car. During my time at Merchiston I had first a blue Ford Anglia and then a brown Austin Allegro.
64. The idea of my having to run for safety from angry pupils is ludicrous. Had such an incident occurred it would surely have come to the attention of the school authorities and I very much doubt whether I should have been allowed to remain on the staff, let alone for a further nine years. Also, had there been such a humiliating incident I would not have wanted to remain at the school anyway.
65. Had the above been true it is inconceivable that the Headmaster would have appointed me as a housemaster three years later or subsequently been a referee for me when I was applying for a [REDACTED].
66. The use of "loathed" and "hatred" is very strong. I think it fair to say that when I was preparing to get married in 1968 the Head Boy approached me to say that the boys wished to give us a wedding present. This was not, I gathered, an automatic occurrence and we felt very honoured that they would have chosen to make such a generous gesture. We were asked to attend the informal milk and biscuits gathering in the dining hall on an evening towards the end of term. The Head Boy made a very gracious speech and presented us with a beautiful cut-glass decanter. I made a light-hearted reply which seemed to be well received and we were then given a sustained standing ovation which lasted even after we had left the hall. This was hardly a reaction to someone who was "loathed".

Allegations made by **HYD**

67. I should point out that I have already referred to **HYD** earlier in my statement. **HYD** refers to the fact that I used the cane as part of the school's disciplinary process. I did so, as did the Headmaster, all other housemasters and a number of other members of staff. We are referring to a period of almost fifty years ago when corporal punishment was common practice in most schools throughout the country, both state and independent. As a housemaster it was required of me to impose punishment for significant breaches of the school rules and I did so in accordance with my employment.
68. **HYD** states that "when you got beaten by **CDS** he would give you a good feel on the backside, allegedly to make sure he "hadn't hurt you". He himself admits that he had no experience of receiving such punishment from me and I strongly refute that I ever acted in this way either to him or anyone else.
69. He claims that I put my hands up his shorts when treating him for a football injury. Merchiston did not play football and I can only ever recall one specific instance of an informal match being played on the school fields. This was against a group of youngsters from Glasgow who were staying for a week in the hall of the local church and they asked me to play in goal as they were short of numbers. I agreed to do so. I have no knowledge of whether **HYD** was playing in the match and if so, I strongly deny any such action as he alleges.
70. **HYD** claims that I would regularly walk around the football fields on the pretext of providing a medical examination for anyone who was injured. This is a total fabrication which I absolutely refute.

Leaving the school

71. I left Merchiston Castle School in 1978 when I was appointed as **SNR** of **[REDACTED]**.

Other information

72. 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.....CDS.....

Dated.....22 December 2020.....