

Scottish Child Abuse Inquiry

Witness Statement of

James BURNET

Support person present: No

1. My name is John James Burnet. My date of birth is [REDACTED] 1930. My contact details are known to the Inquiry.

Life before working at Edinburgh Academy

2. I have a degree in law from Cambridge. After national service in the army, I worked for nine months in the City before becoming a school master. I served as a magistrate for a number of years whilst I was a headmaster in London.

Education at Edinburgh Academy

3. Along with my elder brother I was a pupil at the school, from 1936 to 1949, in those days based entirely in Henderson Row, from the age of five to eighteen. I had a very happy time at the school.
4. In terms of discipline, some masters were stricter than others. Some used corporal punishment, some didn't. In those days senior boys, usually 'ephors', with the Rector's permission, were allowed to use a clachan to discipline other boys.
5. At the time, the use of discipline felt entirely appropriate and in line with other schools, at least as far as I knew anecdotally from friends.

6. I did not see or experience any behaviour that I considered abusive, either by teachers or fellow pupils.

Employment at Edinburgh Academy

7. I was Headmaster of the Preparatory School from September 1973 to July 1987.
8. I replied to an advertisement in The Times for the role and was interviewed by ICH and a trio of Directors including the Chairman.
9. I had no handover or briefings from my predecessor on the teaching team of any sort.
10. During my employment I had regular meetings with both ICH and KSZ of Edinburgh Academy, generally in the form of various school committee meetings. We had various committees, I remember there being accounts, education and policy. There may have been others. The Headmaster and SNR sat on all of these. I don't recall having any formal one-to-one meetings with either SNR.
11. There was no training, including induction training, provided or arranged by the school for my appointment

Culture within Edinburgh Academy

12. During my period of employment, the words that come to mind to describe the culture of the school are 'civilised', 'friendly' and 'happy', at least for the Prep School. I suspect the same was true of the Upper School.
13. The school felt very much the same as it had when I left there as a pupil in 1949.

14. In some minor details I felt change was needed at Edinburgh Academy. For example, the male and female staff had separate common rooms when I arrived which I then merged. Senior Prep classes and Junior had separate lunches which I also stopped. I wanted the school to feel more inclusive.

Discipline and Punishment at Edinburgh Academy

15. Discipline was administered mainly by class-masters and on occasion by myself when escalated by the class-master, or when I observed something inappropriate personally. The use of corporal punishment was rare and ceased altogether when made unlawful.
16. There were school rules of course, which everyone knew, but there was no formal policy on the scale of any punishment for breaking them. It was left to the common sense and experience of the teaching staff to interpret any punishment given. This was the same at every school in which I taught, and indeed when I was an Edinburgh Academy pupil myself.
17. There was no policy in relation to discipline and punishment.
18. To my knowledge, no teachers used corporal punishment too much or over vigorously.

Record keeping

19. Every boy had a folder in which details were kept, as did every master. These were passed on to the Upper School. They included personal records, but not in great detail that I recall. I suspect that copies of term reports were also kept. Every boy had a "blue book" which was a report by the form master on the boy. It evaluated the child during the year he spent in that teacher's class and was signed yearly by me, as well as the master. I have no recollection of ever receiving any allegations

of abuse or ill treatment and of course if I had, I would have immediately done whatever required to remedy it.

20. There were records kept on individual boys, but I certainly can't recall ever seeing anything relating to abuse or ill-treatment.

Policy

21. In my time at the school, I had responsibility for Dundas House where John Brownlee was the incumbent house master on my arrival.
22. In those days there was very little, if any, staff training other than attendance on specialist courses, for example, in the use of computers. I don't recall any significant changes in the ways in which staff were hired or appraised over my time at the school. There were no formal processes for dealing with complaints which, when they did occur, were dealt with on an ad hoc basis. I certainly don't recall ever having to deal with any complaint, from parents, other staff or children, about any form of abuse or ill-treatment or inappropriate conduct. I remember two parents coming to me concerned about their children's education, but the conversation was about the quality of the teaching and certainly not about any inappropriate behaviour.

Strategic planning

23. I was involved in the future planning for the school, as part of the Court of Directors. I don't ever remember specifically discussing the potential for abuse or its mitigation.

Other staff

- 24. All of the Prep School teaching staff reported to me. Other staff reported to the Bursar.

Recruitment of staff

- 25. I was involved in the recruitment of teaching staff at the Prep School, and also the Janitor.
- 26. If I needed a teacher I advertised the role, generally nationally. With the help of other colleagues I interviewed and appointed what I felt were the best candidates to support the school. I don't believe there was any written policy beyond this.
- 27. We always asked for references and they were considered seriously. Referees were always spoken to, at least when it was possible to do so.

Training of staff

- 28. I wasn't directly involved in training and/or personal development of staff. Staff periodically attended courses outside the school on an ad hoc basis, usually because they had requested it. There was no formal personal development scheme in place.
- 29. Personal development policies did not exist at the Academy.

Supervision/staff appraisal/staff evaluation

- 30. I was involved in the supervision, appraisal and evaluation of staff at the Academy.

31. The staff reported to me. We had no formal appraisal system, but gave feedback through regular personal contact.
32. I don't believe there was any formal policy in relation to this or indeed at any other school at which I've taught.

Child Protection

33. There was no formal guidance given on this. Staff were expected to behave in a civilised and appropriate way at all times, and of course call out anything inappropriate if they saw it. Children and parents were also very specifically encouraged to do the same, in what I very much felt was a close-knit and friendly community.
34. No guidance and instruction was given to staff on how to handle, and respond to, reports of abuse or ill-treatment of children by staff, other adults, or fellow pupils. I also was never aware of any reports of abuse or ill-treatment.
35. Considerable autonomy, including discretion, was given to staff, including managerial staff, in relation to these matters. I trusted my staff to do the right thing at the right time, and in the absence of any complaints felt that this had worked well until hearing about the allegations now made.
36. Abuse was not anticipated so I don't recall that specific child protection arrangements were in place. The culture of the school was one where I felt that there was always a friendly and trusted person to talk to if a child or any member of the community needed to discuss anything.
37. I can't ever recall being alerted to any incidence of abuse, or ill treatment by any pupil, parent or staff member in my time at the Edinburgh Academy.

Abuse

38. During my period of employment, the school didn't have a definition of abuse that applied in relation to the treatment of children at the school.
39. Any unreasonable intellectual or physical behaviours designed to intimidate a child would have been immediately considered abusive by the school.
40. There wasn't a written definition of abuse beyond normal human decency and mutual respect. I hope I communicated this through personal example, and in conversation with staff individually and collectively.

Day-to-day running of Edinburgh Academy

41. I was Headmaster, and fully involved in the day-to-day running of the school
42. As relates to the boys, I taught all classes in the senior half of the school and sat at the head of a table at lunch on a rotating basis with the lower classes. I led our prayers in the mornings, attended as many sports matches as I could and made a point of speaking to every boy in the school at least twice a term. I knew every boy by his Christian name. As relates to staff, my job was to coordinate the activities of the school and to work with every teaching colleague to ensure they felt fully supported and comfortable, and supported to look after the boys.
43. Looking back, I am certain that if a child was being abused or ill-treated it would have come to my attention.
44. I am quite certain that if any staff member had had concerns about a child, he or she would have spoken to me.

45. In relation to boarders, I visited Dundas House from time to time and was content with what I observed. To the very best of my recollection, at no point did any boy or parent or house tutor ever give me reason to be concerned.

Concerns about Edinburgh Academy

46. To my knowledge Edinburgh Academy was not ever 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.

Reporting of complaints/concerns

47. I don't recall there being a formal process to make a complaint or report a concern. If a child had a concern he would have had many adults he knew in the school community to be able to speak to. I would expect that in the first instance this would have been a class master, but we were a small and friendly school and everyone knew everyone.
48. I don't recall any serious complaints of any sort.
49. With regards to where we recorded complaints, we didn't have any to record

Trusted adult/confidante

50. There was no specific named person that a child could speak to about any worries they had. I refer you to my earlier response above about reporting a complaint or concern. Clearly there are endless discussions had with children about the trivia of life, such as not liking a lunch menu or wanting to avoid games on a rainy day.

Abuse – awareness, response/investigation, reporting to third parties

51. I never saw behaviour that I considered to be abuse of a child or children taking place at the school.
52. 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.
53. I was briefed about Mr Wares' behaviour as part of a much wider discussion relating to other past and present staff, as well as Mr Wares, on my arrival at the school by John Brownlee. I don't recall if individual children were mentioned at the time. I didn't receive any briefing from Mr Britton, who I actually didn't meet in person until after my appointment, and then only socially, at a dinner party in Edinburgh.
54. I can't remember exactly what Mr Brownlee said, but it certainly wasn't part of any formal disclosure on Mr Wares' behaviour. I suspect it came up that he had moved on from our staff and gone to Fettes, and it certainly didn't include any detail of abuse or misbehaviour. It was simply a remark that he had left the school, not that he had left under a cloud. The first I heard of any abusive behaviour was when reports made the press about his activities at Fettes in the last few years.
55. I was horrified to learn of his abusive behaviour. I only learnt about it when this Inquiry opened. I most certainly did not know anything was going on at the time.
56. At the time I wasn't aware of any abusive behaviour and could not have taken any steps to ensure it could not happen again.
57. I have no idea if Edinburgh Academy shared anything, either officially by reference or informally with staff at Fettes.

58. I didn't know Mr Wares was an abuser. If I had of course I would have spoken up but I didn't.
59. I have no idea who might have known what about the behaviour of Mr Wares at the time. He left before my arrival. Knowing something of the culture of the school after my arrival, I would be very surprised to hear that any sort of abusive behaviours would be tolerated or have a blind eye turned to them in any way.
60. I wasn't aware of any abusive behaviour and could not have taken steps to alert my counterpart at Fettes Junior School of Wares' abusive behaviour.
61. In hindsight I would not do things differently today.
62. If faced with the same circumstances today, I would immediately inform the Rector and the Chairman of the Governors and would have expected them to have contacted the police without delay.

Other staff

John Brownlee

63. I recall John Brownlee. His years of employment coincided with mine throughout. I can't remember exactly how old he was when I joined the school, but I would guess he was aged in his mid-thirties on my arrival.
64. His role was as a form master and house master. I remember him as strict, serious and very self-confident. If he thought something was wrong you would expect him to tell you, and indeed, on a couple of occasions, he disagreed with me and was right to do so. Neither situation had anything to do with child welfare matters.

65. I knew John Brownlee professionally only. I saw him with children every school day. My impression was that he was respected, if not liked, by all the boys and indeed parents and colleagues.
66. I did not see him discipline children. I did not see him abuse children. I did not hear about him abusing children.
67. No parents of pupils ever complained to me about the behaviour of John Brownlee. No such complaints were recorded and shared outwith the junior school.

For John Brownlee specifically

Criminal charges

68. I hope that it goes without saying that I am absolutely and totally horrified by the findings of the Sheriff. I can honestly say that I had no notion of these practices. To the very best of my recollection, no one, be it parent, child or colleague, ever mentioned anything untoward to me that I can recollect and I certainly did not observe any abusive or criminal activity myself. I have of course spent a great deal of time wondering if this horrific abuse took place at all because of a lack of diligence on my part. I am greatly distressed by these findings and will continue to be so for the rest of my life. I am 94 years old and my memory is at best variable but I can't think, even with the benefit of hindsight, of any incident in particular that might have offered any clue as to the criminality of what was going on at the time.

Comments on statement of former Edinburgh Academy pupil, IWW

69. I'm afraid that I don't recall IWW or indeed any visit or conversation I might have had with his concerned mother as relates to Mr Brownlee's behaviour. I don't recall having ever received any other complaints about Brownlee's behaviour, other than one made by a parent about the brevity of the letters received from her son whilst boarding at Dundas House.

ICA

70. I remember ICA. My employment at the Academy coincided with his throughout. I can't remember how old he was when I arrived at the school, but I am guessing he was aged in his mid-thirties on my arrival. His role was as a form master.
71. I remember that he was a conscientious and gentle man. Not particularly sophisticated, but willing to try his best at everything. He played an active part in the Combined Cadet Force in the upper school
72. I knew ICA professionally only.
73. I saw him with children, every school day. He was generally enthusiastic and, as far as I could make out, well-liked by everyone. I did not see him discipline children. I did not see him abuse children.
74. No parents of pupils ever complained to me about the behaviour of ICA. No complaints were recorded and shared outwith the Junior School

IDO

75. I recall IDO. My employment coincided with his throughout. I can't remember how old he was when I arrived at the school, but I guess he was aged in his mid-thirties on my arrival.
76. His role was as a form master. I remember him as an amiable and conscientious master. I think probably fairly strict, but in no way did I think excessively.
77. I knew him professionally only.

78. I saw him with children every school day. He seemed to be well respected and liked. He was a keen sportsman and in charge of the [REDACTED] cricket in the upper school.
79. I did not see him discipline children. I did not see him abuse children. I did not hear of him abusing children.
80. No parents of pupils ever complained to me about the behaviour of this teacher. No such complaints were recorded and shared outwith the Junior School

Generally

81. I do not have any further comments to make about the complaints received about Mr Brownlee, ICA [REDACTED] and IDO [REDACTED].
82. I am not aware of the schools detailed responses to complaints.
83. My responses above are given to the best of my recollection of events that happened 50 or more years ago. I have tried to answer accurately, but as I have observed, I am now 94 and I fear my memory isn't as sharp as it once was. I can say though that I am quite certain that if I had seen, or been made aware of anything even verging on the behaviours that I now know were taking place at the time, that I would have immediately responded by involving the appropriate authorities.

Other information

84. 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..... [REDACTED]

Dated..... 18 Feb 2025

