

Wednesday, 31 March 2021

(10.00 am)

LADY SMITH: Good morning and welcome to the last day of this section of evidence in our boarding schools case study. As indicated yesterday, we turn today to evidence in relation to the Queen Victoria School and their provision of residential care for children in Scotland.

So, Mr Brown, I think we are ready to introduce the witnesses, is that right?

MR BROWN: My Lady, we are. We have three witnesses today. In person we have Donald Shaw who is the current headmaster of Queen Victoria School, or QVS as I think for ease it will be called from now on. We also have Colonel Clive Knightley who is connected with the school through the MOD, which obviously, as we will hear, is very closely involved in the school, and also Alan Plumtree, who is currently chairman of the board of Her Majesty's Commissioners, the equivalent of the governors.

LADY SMITH: Thank you. We have two witnesses on screen waiting to be introduced and sworn in, is that right?

MR BROWN: That is right. I think the proposal is that perhaps if Mr Shaw could be sworn in first and then do the other two, but it is entirely a matter for you.

1 LADY SMITH: If that will work, that's fine. So Mr Shaw is
2 the one who is here in person.

3 MR BROWN: Yes.

4 LADY SMITH: Thank you. (Pause). Good morning. Could we
5 begin please by you raising your right hand and
6 repeating after me.

7 MR DONALD SHAW (affirmed)

8 LADY SMITH: Please do sit down and make yourself
9 comfortable. I am going to in a moment introduce the
10 other two witnesses in relation to Queen Victoria
11 School, but before I do that, can you help me with this,
12 how would you like me to address you? I am happy to use
13 Mr Shaw if that is more comfortable for you, or I'm
14 happy to use Donald if that would work.

15 A. Donald is fine, thank you, my Lady.

16 LADY SMITH: Thank you, Donald.

17 Can I turn please to Colonel Clive Knightley, who
18 I think is at the moment a very small picture on my
19 screen. If you speak, you will come up on the larger
20 section of the screen. Could I just ask you to say
21 good morning or something.

22 COLONEL KNIGHTLEY: Good morning, Lady Smith.

23 LADY SMITH: I hope you can hear and see me all right?

24 COLONEL KNIGHTLEY: I can indeed.

25 LADY SMITH: Could we begin by you taking the oath, please.

1 Raise your right hand and repeat after me.

2 COLONEL CLIVE KNIGHTLEY (sworn)

3 (Via video link)

4 LADY SMITH: Thank you. I am going to turn to the third
5 witness in a moment, Mr Plumtree, but can I just tell
6 you at this stage that we already have with us here in
7 Edinburgh in the hearing room Donald Shaw, I think you
8 probably know he is joining us today, and he is ready to
9 participate in a few moments in the evidence that is
10 going to be taken. But before I do that, I will turn to
11 Mr Plumtree and introduce him.

12 Mr Plumtree, I think you are there.

13 MR PLUMTREE: Yes.

14 LADY SMITH: From what I can see from the small tile on the
15 screen. If you could keep speaking to me, you should
16 come up as a larger view.

17 MR PLUMTREE: Right. I am certainly ready.

18 LADY SMITH: That is better. Thank you. Can you confirm
19 whether you can see me all right and whether you can
20 hear me?

21 MR PLUMTREE: Lady Smith, I can certainly hear you very
22 well. I have the same thing, a very small tile of you
23 at the top.

24 LADY SMITH: That is no problem, and for much of the hearing
25 you will only see me on a small tile, because I promise

1 I will try to interrupt only when absolutely necessary.
2 But could I begin, please, by you raising your right
3 hand and repeating after me.

4 MR ALAN PLUMTREE (affirmed)

5 (Via video link)

6 LADY SMITH: Thank you. Now, just before we begin the
7 evidence, can you help me with this, I am happy to use
8 your second name, Mr Plumtree, if you are more
9 comfortable with that, or I am happy to use your first
10 name, Alan, if that works better for you. Can you give
11 me some guidance?

12 MR PLUMTREE: In the majority of school affairs that I am
13 involved with, everybody uses my first name.

14 LADY SMITH: Thank you, Alan.

15 That is something I should have checked with
16 Colonel Knightley. Colonel Knightley, what will work
17 for you? If you are not comfortable with me using your
18 first name, it is absolutely fine to use
19 Colonel Knightley, but if you are comfortable with your
20 first name, I am happy with that.

21 COLONEL KNIGHTLEY: I am entirely with you using my first
22 name, Lady Smith.

23 LADY SMITH: Thank you for that, Clive.

24 Alan, Clive and Donald, what I am going to do now is
25 hand over to Mr Brown, and please let him or me or both

1 of us know if you have any questions, or, of course, for
2 those of you who are joining us remotely, particularly
3 if you have any problems with the link at all that we
4 might not be aware of. It is very important that we
5 know that.

6 But if you are all ready, I will begin now and hand
7 over to Mr Brown.

8 Mr Brown.

9 Questions from MR BROWN

10 MR BROWN: My Lady, thank you.

11 Gentlemen, good morning. Obviously with three of
12 you I will have to try and jump between you, I hope in
13 a sensible and logical manner, but that may be
14 over-optimistic.

15 If we can start just by going through your
16 individual backgrounds and your connection with the
17 school, so that when we are speaking to you that will be
18 understood.

19 Donald, if I could start with you. You are
20 obviously the current headmaster, and I think you became
21 the headmaster of QVS -- everyone talks about QVS rather
22 than the Queen Victoria School --

23 MR SHAW: Yes.

24 Q. -- in 2016, but you have actually worked there

25 I understand for longer than that. I think you began in

1 2006?

2 MR SHAW: That is correct. I came from Inveralmond High
3 School in Livingston in 2006 and I joined the school as
4 head of maths at that point.

5 Q. Then you progressed from head of maths to the senior
6 deputy head in 2012?

7 MR SHAW: Yes.

8 Q. Obviously you then took over as head on departure of
9 your predecessor in 2016?

10 MR SHAW: Correct.

11 Q. Obviously we will be speaking to you perhaps more about
12 the day-to-day running, and in particular you have
13 experience yourself of being a house tutor and therefore
14 engaging on the dormitory side, if you like, of the
15 school as well as the teaching side, but we will come
16 back to that.

17 Clive, you are obviously a military officer, and
18 I think professionally you were a gunner in the Royal
19 Artillery from 1976 until you retired from the regular
20 Army in 2012, is that correct?

21 COLONEL KNIGHTLEY: That is correct.

22 Q. But as seems to be the way -- or one of the ways the
23 military has changed, you are now a full-time Army
24 reservist, still working for the MOD, and you are
25 currently Assistant Head, Policy and Plans, with the MOD

1 Directorate of Children and Young People, is that right?

2 COLONEL KNIGHTLEY: That is correct.

3 Q. By way of background, your last appointment within the
4 Army as a full-time soldier as opposed to a reservist
5 was you were the Colonel of the Army Welfare Service?

6 COLONEL KNIGHTLEY: Indeed.

7 Q. Can you explain what that was or is?

8 COLONEL KNIGHTLEY: The Army Welfare Service provides
9 occupational welfare support to the Army in the form of
10 community support, personal support. So we have --
11 although we didn't provide statutory services, we
12 provided near statutory services in terms of social
13 support, child protection as well and safeguarding, and
14 I did that for just under three years.

15 Q. Just to understand, because you have made the point that
16 the Army Welfare Service, part of its role included
17 child safeguarding and adult safeguarding too?

18 COLONEL KNIGHTLEY: Indeed.

19 Q. When was the Army Welfare Service set up?

20 COLONEL KNIGHTLEY: That is a good question actually. I am
21 not entirely sure. It was certainly around for most of
22 my service in one form or another. But as with most
23 things, reflecting changes in society and the approach
24 taken to social care, it became more formalised over the
25 years, but its current form goes back at least 15 years,

1 I would suggest.

2 Q. Okay. Thank you. We will come back to you fairly
3 shortly because, if I may, I will start with you in
4 terms of the history of the school which obviously is
5 very inextricably linked with the military.

6 Could we now turn to Alan, please. Alan,
7 good morning.

8 MR PLUMTREE: Good morning.

9 Q. You, as I have indicated, are currently the Chairman of
10 the Board of Her Majesty's Commissioners of QVS, and
11 I understand that you have been a governor, or
12 a Commissioner, rather, for some length of time. When
13 were you first appointed?

14 MR PLUMTREE: April 2006.

15 Q. Again I will come back to you to talk about governance,
16 because you have obviously had considerable experience
17 of that over the last 15 years. You were a Commissioner
18 I think for two terms and then appointed chairman?

19 MR PLUMTREE: Not quite. I was a Commissioner for one full
20 term, and then about two years into my second term I was
21 asked to take over as Chair, and have been Chair since
22 2012.

23 Q. Thank you. By way of background, you are not a military
24 man, you are an accountant by trade?

25 MR PLUMTREE: I am indeed.

1 Q. You live locally to the school? You have a local
2 connection?

3 MR PLUMTREE: I can practically look across the valley into
4 the front of the school right now.

5 Q. I think you presumably have always been aware of QVS,
6 but you were introduced to it presumably because of
7 business connections and an interest in the school
8 itself, as a Commissioner?

9 MR PLUMTREE: Broadly that is right, Mr Brown. I was
10 actually introduced to it through being involved with my
11 own profession's examination board, and the head of the
12 examination board in those days was a Commissioner at
13 QVS. When she retired, she suggested I might find QVS
14 an interesting body to be involved with and that is how
15 it came about.

16 Q. (Inaudible - no audio feed) the governance background in
17 due course if we may.

18 Turning then to the way we will approach the
19 evidence. I know that you have been getting reports, if
20 not following previous schools' evidence. The school
21 obviously responded to the Inquiry in producing parts A
22 to D responses to various questions that were asked. D,
23 as you know, relates to particular episodes of abuse,
24 and that is an area that will be covered in the second
25 phase of hearings, and in due course it would be

1 helpful certainly if the headmaster, but if the other
2 two of you would wish to join at the close of that part
3 of the Inquiry it would be of assistance, and it's at
4 that point that we will be focusing on abuse and also
5 some further information that you very helpfully
6 provided in relation to more recent incidents.

7 In terms of the parts A to C response, A is probably
8 history, C is policies and B is the school's response to
9 abuse and potential systemic failure. As with the other
10 schools, if we can start with perhaps part A, move to
11 part C and close today with part B, that is the broad
12 intent.

13 In saying that, can I make clear I recognise that
14 QVS is distinct perhaps from the other six schools
15 because of its military background. Clive, if I can
16 start with that perhaps speaking to you, given the
17 military connection.

18 Could we have INQ-0000000254 on screen, please.
19 I take it you can all see INQ-0000000254 on the screens
20 in front of you. This is obviously a black and white
21 photograph of the QVS site some time in the past. There
22 are no roundabouts and no housing estates just beside
23 it. I don't know whether the greyness of the photograph
24 reflects the austerity that QVS once was but we will
25 come to that.

1 LADY SMITH: Do we know when that photograph was taken,
2 roughly?

3 MR BROWN: I think, my Lady, it may be between the 1950s and
4 1970s.

5 LADY SMITH: That would certainly fit.

6 Q. By way of background, and this is contained in part A,
7 QVS we understand was set up by Royal Warrant in the
8 very early stages of the 20th century, and its
9 background, looking to the Royal Warrant which I think
10 originally was in 1905, reads:

11 "Whereas a movement is presently on foot for raising
12 by public subscription a fund for the purposes of
13 founding the said institution and national monument in
14 Scotland to Her Majesty the late Queen Victoria, and to
15 the sailors and soldiers of Scotland who died in the
16 recent South African war, and with that view it has been
17 decided to establish in Scotland an institution with
18 reception and education of sons of Scottish sailors and
19 soldiers with a memorial chapel attached to the said
20 institution as a national monument to the sailors and
21 soldiers who fell in said war."

22 So it's apparent that the school was set up
23 following what would perhaps be more commonly understood
24 as the Boer War, and also as a memorial to
25 Queen Victoria herself.

1 Clive, if we can come to you, that Royal Warrant has
2 been altered over the years, I think we understand, but
3 its original terms are still referred to in the current
4 version, is that correct?

5 COLONEL KNIGHTLEY: Indeed. The Constitution and Minute of
6 Agreement, which is the legal basis on which the school
7 was created and still exists, has never been changed,
8 which is why the changes that were necessary to reflect
9 a range of events, not least the creation of the
10 Royal Air Force, have taken place over the years, not on
11 an exceptionally regular basis. Interestingly, there
12 have been more regular changes in the more recent years.

13 Q. Yes. We will come to that. But as you say, there have
14 been cancellations of existing Warrants and replacement
15 by new Royal Warrants with the same basic core and
16 purpose of the school, but as you say ...

17 LADY SMITH: Sorry. We are okay again.

18 MR BROWN: Partly an obvious one was the creation of the
19 Royal Air Force in 1918, and that obviously led to
20 change. The other perhaps significant change was in
21 1992 when there was revision to allow for co-education.

22 The other thing that obviously has remained constant
23 but has changed subtly, and just to understand this
24 briefly, the provision was for sons originally of
25 Scottish sailors and soldiers. Was there an element

1 also at the very outset to cater for those children who
2 had lost a parent in service? Was that part of the
3 understanding?

4 COLONEL KNIGHTLEY: Very much so, and that was part of the
5 original intent and still holds true today. So the
6 admissions process throughout the years has always given
7 considerable weight to orphans of service personnel.

8 Q. I think that is one other factor that is very particular
9 perhaps to QVS, it may be reflected in any school
10 obviously, but the school has always been alive, if
11 I can put it that way, to the potential that a child at
12 the school may have to deal with very bad news because
13 of the nature of the parents' careers?

14 COLONEL KNIGHTLEY: Indeed, and also sadly that has happened
15 recently.

16 Q. Do you know when the most recent death in service ...

17 A. Donald will probably be able to confirm, but it was
18 during the Afghanistan conflict. I think four years
19 ago, Donald?

20 MR SHAW: There is a number of children with us at the
21 moment who have lost a parent, whether in service or
22 otherwise, but the most recent one I can think of, death
23 in service, was around 2008, 2010, so a wee bit longer
24 than four years ago I think.

25 Q. But by the nature of the jobs of the parents of the

1 children you educate, that is perhaps a more poignant
2 factor.

3 In relation to the numbers at the school, what is
4 the current roll? Again that may be Donald's --

5 MR SHAW: Currently we are capable of housing up to 275
6 young people. Currently we have around 254 on our roll.
7 We are over-subscribed, but at times the practicalities
8 of filling beds in certain rooms means we don't quite
9 reach capacity, but we do have a long reserve list for
10 people wanting to come and join the school.

11 Q. I think we know, going back to 1930 from your response
12 to part A, that the pupil numbers were 250, so it has
13 been pretty constant throughout. And I think, as you
14 have reported, perhaps over 4,000 children have been
15 through the school throughout the period of 1930 to 2014
16 and obviously it continues.

17 Clive, if I can come back to you, because you have
18 obviously lived through great transition within the
19 military in the time of your career, because when you
20 joined the Army I think in 1976, at that stage, looking
21 at the Army specifically, scale-wise it was considerably
22 larger than it is now and, obviously in common with all
23 aspects of the military, service overseas and
24 particularly Germany was a large proportion of the
25 military experience. Is that fair?

1 COLONEL KNIGHTLEY: Very much so, which obviously has
2 an impact in terms of turbulence on children of those
3 families. My own son celebrated his first birthday in
4 his fourth house and second country. It got a bit
5 better after that, though.

6 Q. This is perhaps the point that in relation to QVS and
7 another military school, as it then was, in Kent --
8 Dover, is that right?

9 COLONEL KNIGHTLEY: That is correct.

10 Q. What is its name?

11 COLONEL KNIGHTLEY: Duke of York's Royal Military School.

12 Q. Was that an English equivalent to Queen Victoria?

13 COLONEL KNIGHTLEY: It was. And of interest, there was
14 a Hibernian School, which was the Irish equivalent in
15 Dublin, but obviously that closed after the
16 Republic of Ireland came into being.

17 Q. But in relation to the military recognising service was
18 often abroad and families would be split up, is that
19 part of the ethos as well of the background to the
20 military schools, it was effectively a recognition of
21 service of the parents, probably the father in those
22 days, and this was one of the benefits that was given in
23 recognition of the element of service?

24 COLONEL KNIGHTLEY: Very much so, and I would add that
25 particularly focused at the more junior ranks. So none

1 of those three schools admitted the children of
2 commissioned officers until relatively recently in the
3 recognition that actually the greater difficulty lay in
4 the more junior ranks who were obviously paid less to
5 provide for an education in those challenging
6 circumstances of both mobility of families but also the
7 deployment of parents on operations.

8 Q. In that regard, QVS is very distinct from the other
9 schools that we are looking at because funding is almost
10 entirely from the Ministry of Defence?

11 COLONEL KNIGHTLEY: It is. Although there are some
12 charitable funds as you would find in any school, the
13 school is entirely funded from the Ministry of Defence,
14 offset by a small parental contribution from the parents
15 of the children attending.

16 Q. Yes, I was going to say, there is an expectation of
17 a small contribution from the parents for ancillary
18 matters as, I think it is described in some of the
19 papers. What sort of things do they have to make
20 payment for?

21 COLONEL KNIGHTLEY: If I may, I will defer to Donald on that
22 one as he is rather closer to the current usage.

23 MR SHAW: Actually, Andrew, I'm not sure what the actual
24 bill is for. It's not something I have ever explored.
25 I have always left that to the finance team, remarkably.

1 But it is around 570 per term and it is just for sundry
2 things. For example, there is a small contribution to
3 the IT systems that we set up to improve the education.
4 That was kind of -- that came and went within a few
5 years, but now and again there is a little additional
6 charge that we feel the parents could contribute to.

7 But the overall contribution, I can easily provide
8 you with a list, but I can't recall from memory just
9 now.

10 Q. It may be something you can add. It is not a matter of
11 the greatest importance, save to say you mentioned IT,
12 and I think I know, because this is current elsewhere in
13 the non-military world, but I think we know the MOD
14 for example has funded iPads and Chromebooks to most
15 pupils already?

16 MR SHAW: They have done, yes.

17 Q. Clive, again coming back to you. In terms of the
18 make-up of the pupils, traditionally obviously there
19 were many Scottish sailors, soldiers and airmen whose
20 children would benefit from education. Over time, has
21 there been a loosening of the admission to the school to
22 reflect the changes in the military and restricted
23 numbers and also the make-up of Scottish units?

24 COLONEL KNIGHTLEY: Indeed there has, and it has still
25 retained the link to Scotland. So the traditional link

1 of Scottish sailors, soldiers and airmen, whichever
2 branch or unit they serve in, have always been eligible
3 for the school. Over the years, as you say, that has
4 progressively been opened so that anyone who has served
5 in Scotland in any form has an eligibility to send their
6 children to QVS. Individuals who are not Scottish but
7 who have served in Scottish regiments or clearly defined
8 Scottish units, whether or not they served with them in
9 Scotland, are also eligible. So it has broadened the
10 pool of eligible people for the admissions process and
11 that has grown over the years.

12 Q. But by the sounds of it, from what Donald was saying,
13 there is still a keen interest to use QVS by serving
14 personnel?

15 COLONEL KNIGHTLEY: Very much so. And as Donald said, the
16 school is routinely over-subscribed.

17 Q. Thank you. Just thinking still about the military, and
18 staying with you, Clive, I think the public is aware of
19 what is called the Army Covenant, or the Armed Forces
20 Covenant, rather. First of all, what would you
21 understand that to mean?

22 COLONEL KNIGHTLEY: The purpose of the Armed Forces Covenant
23 is to ensure that service personnel and their families
24 are treated fairly in comparison with their non-service
25 peers and suffer no disadvantage in comparison with

1 those peers by dint of their military service and
2 association.

3 Q. Part of that obviously is reflected in the work of QVS,
4 I take it?

5 COLONEL KNIGHTLEY: Yes, QVS does indeed play a part
6 in that.

7 Q. You have mentioned the school in England. It is
8 no longer MOD-run, is that correct?

9 COLONEL KNIGHTLEY: Indeed not. It's probably worth
10 pointing out, and please stop me if I am straying too
11 far from your rails, it's not logical that the MOD
12 should continue to fund schools in the United Kingdom,
13 and the opportunity arose some years ago in the
14 academisation programme that the Department for
15 Education in England initiated to allow the Duke of
16 York's Royal Military School to become a state boarding
17 school under the academy programme. And although it
18 retains links, and the MOD continues to provide
19 an annual grant in aid to the school to maintain the
20 military ethos, it is to all intents and purposes now
21 a DfE state boarding school.

22 Q. Department for Education?

23 COLONEL KNIGHTLEY: Indeed.

24 Q. But QVS, obviously control is retained by MOD?

25 COLONEL KNIGHTLEY: Very much so, largely because there is

1 no state boarding school system that QVS could become
2 part of in Scotland. And the underlying issue is -- and
3 it will probably come as no surprise to the people in
4 the room -- that when the Secretary of War in 1905
5 signed the Minute of Agreement, his legal staff clearly
6 failed to explain to him that committing himself and his
7 forebears in perpetuity to maintaining a school and the
8 buildings meant just that.

9 Q. Hindsight is a wonderful thing.

10 COLONEL KNIGHTLEY: It is. And the school -- interestingly,
11 the school was described by a House of Commons Defence
12 Committee Inquiry into the education of service children
13 about ten years ago as an anomaly but an exceptionally
14 worthy one, and I think that view maintains.

15 Q. Thank you. Obviously, and you have touched upon the
16 Secretary of War in its original state when it was set
17 up. Obviously that has gone through changes as well,
18 it's become the Ministry of Defence. But clearly the
19 school has always been a military establishment, and to
20 that extent again, Donald, Alan whoever is best placed
21 to answer if it is not you, Clive, the running of the
22 establishment was very much military controlled until
23 perhaps the 1970s, 1980s, 1990s, when there was
24 increasing translation to the normal state education
25 system. It was originally controlled by the Army

1 Education Corps and it would have a commandant who was
2 a retired military officer, is that correct?

3 COLONEL KNIGHTLEY: I can probably start on that. Indeed,
4 the teaching staff were provided by the Army education
5 services of the time and, as you say, it then
6 transitioned with an overlap with a civilian headteacher
7 and civilian staff coming in in increasing numbers. And
8 then after that sort of level of co-existence,
9 a diminution of the direct military involvement with the
10 removal of the commandant's post, so the headteacher
11 became the true head in all senses of the school and the
12 head of establishment from an MOD perspective.

13 I don't know whether Donald or Alan would wish to
14 add to that.

15 MR SHAW: Nowadays there are -- it is very rare to have any
16 member of the teaching staff with any link to the
17 military whatsoever. We have some with a Cadets
18 background, some are -- there is one current active
19 reservist, but links with the military in the teaching
20 staff have all but disappeared, certainly in the last
21 I would say ten to twenty years.

22 Q. I think as your response in part A makes clear, the last
23 commandant, Brigadier Tweedy, left in 1990 and was
24 replaced by the first full-time headmaster, as we
25 currently understand it, Mr Hankinson from 1990 to 1994,

1 and you, Donald, were now the fourth headmaster or head
2 of the school with no military background?

3 MR SHAW: Yes.

4 Q. Thank you.

5 MR PLUMTREE: If I may step in there, because actually the
6 last Army Educational Corp headmaster was in 1972 when
7 Lieutenant Colonel Evans was appointed, and that was the
8 first person within the school that I knew. There were
9 then a series of headmasters who were not from the Army
10 but they were still ranked below the commandant. It was
11 when the commandant changed and became the bursar that
12 the head took over the role of being properly the
13 headmaster.

14 Q. So there was a period of transition where the military
15 influence was waning until, in 1990, there was no longer
16 a commandant and a headmaster was in charge. Thank you.

17 But going back to the setting up of the school and
18 throughout its more military controlled career, would
19 you accept that the ethos of the school was very
20 military in its nature, staff would be military
21 personnel or retired military personnel, and that in
22 terms of the running of the school, put simply, it could
23 be described as an extension of barracks for children.
24 I don't mean that pejoratively, but there was a very
25 clear military aspect to the lives of the children who

1 were educated there?

2 Donald, you go first, and then Clive can come in.

3 MR SHAW: Clive may know more than me about the history.

4 People confused the term "military school" by often
5 thinking that there are vast elements of the military
6 involved within the school, when actually the term
7 "military school" for us simply means a school for the
8 children of serving military personnel.

9 So nowadays we still do drill with the children from
10 Primary 7 onwards, we do some marching and some drill,
11 we do piping, drumming and dancing. Those are the
12 things that have always taken place and that is our
13 clear link to the military, with our end of year big
14 event, the Grand Day, where we have a full school
15 parade.

16 I am not sure how much in addition to that there was
17 in the past, because when you look at past records,
18 school magazines et cetera, the Victorian magazine, you
19 often just see the same type of activities taking place
20 back then, although the children were clearly in big
21 dormitories back then whereas now they are in a much
22 smaller, more homely rooms.

23 I am not sure how much more the military ethos was
24 back in 1930 onwards. There was certainly a lot of
25 focus on teaching academic subjects from the 1950s

1 onwards as far as I am aware.

2 Q. I think you have touched on one thing, you have
3 drilling, you have Colour Bearers still which is perhaps
4 a military alignment, and obviously the uniform of kilts
5 and Glengarries is reflecting the military tradition of
6 the school?

7 MR SHAW: Agreed.

8 Q. Clive, can you talk more perhaps about the past?

9 COLONEL KNIGHTLEY: Yes. Looking right back, even going
10 beyond the sort of 1930 watershed, initially the school
11 was -- one of the purposes was to prepare the boys, as
12 they were then, for careers in the armed forces. That
13 was included in the initial Warrant. But again that has
14 gradually changed over the years, and certainly by the
15 end of the Second World War there was no overt intention
16 that the school was some form of initial sort of
17 recruiting activity or preparation for the armed forces,
18 and that is absolutely the case nowadays. It is not
19 viewed in that way by the MOD. And a small number do
20 choose to go into the armed forces but that is entirely
21 their decision, and I don't think it is any different
22 from the demographics of children of military families
23 across the board.

24 Q. You may have seen in the first week of this phase of the
25 Inquiry's evidence reference to inspection reports for

1 QVS from the 1930s. I think at that point it was
2 apparent that there was a willingness on the part of QVS
3 to engage with inspections by the War Office but also by
4 the civilian authorities, and that continued post-war.
5 There was an enthusiasm by the school to introduce the
6 civilian inspections that are now the norm. That may
7 reflect what you were saying, Clive, about a more
8 military expectation.

9 But I think, as we saw in the 1930s in terms of the
10 subjects that were being studied, it might be seen as
11 perhaps tending a little bit towards the military in
12 terms of reference to Imperial policy and map-reading
13 and the like, there was perhaps slightly more emphasis
14 at that stage on the military, just as you say.

15 In terms of the set-up of the school, we know
16 I think there are currently four houses at the school
17 named after senior officers from all three services, is
18 that correct?

19 MR SHAW: Yes, Trenchard House, Wavell House,
20 Cunningham House and Haig House.

21 Q. Has there always been a house system at QVS or is that
22 something that developed?

23 MR SHAW: As far as I am aware there has always been a house
24 system, certainly any records I have looked at have all
25 referred to houses. The students who have lived within

1 each house have changed over the years, for example, now
2 Wavell House is a girls-only house, and I believe it
3 used to be Primary 6 and Primary 7 in a lot of the main
4 focus years of this Inquiry.

5 Q. Again with the other schools, we have heard about
6 differing approaches to a house system. Some may be
7 vertical, in other words a mix of years across the
8 entire school, or horizontal, reflecting membership of a
9 house is probably year- or age-governed. What is the
10 approach at QVS?

11 MR SHAW: Currently we have vertical houses. So we have one
12 house, Trenchard House, which is only for Primary 7,
13 both genders in Primary 7, plus S1 girls, so that is
14 more of a horizontal house, Trenchard House. But when
15 the students move up the school from S1 to S6, there's
16 S1 to S6 boys in Haig House and there's S1 to S6 boys in
17 Cunningham House, and all the S2 to S6 girls are in
18 Wavell House. So we have a very vertical system just
19 now. It was a horizontal system at one point before my
20 arrival, and we have wrestled with the idea of going
21 back to a horizontal system, but unfortunately, once
22 again, the practicalities of the small rooms means that
23 if we went back to a horizontal system we would be
24 reducing the capacity of QVS, and that is not something
25 we want to do.

1 Q. From your perspective, are there concerns with either
2 approach?

3 MR SHAW: Yes, there are pros and cons of both approaches.
4 The vertical house system just now means that if you
5 looked at the positive side, you could say you have
6 senior role models for the young boys and girls who move
7 into the house in the first place and you have an ethos
8 and a culture of a school that can be modelled by those
9 young people, and that is very much the way I see it
10 working just now. But you could also say, in terms of
11 abuse, that you do have the prospect of an S6 boy living
12 with an S1 boy in the same corridor, or the same
13 corridor area at least.

14 So there are pros and cons to all systems but I am
15 entirely content with the one we currently use. But
16 I would say it is constantly under review, not for
17 reasons of abuse, just constantly under review as to
18 what is best for those young people and how are the
19 circumstances that they could best live in.

20 Q. Again Clive, coming back to you and perhaps the military
21 side of things which you will understand. Again,
22 I don't wish to be cliched, but the military obviously,
23 I think in public understanding, has had issues with,
24 for example, codes of silence, initiation ceremonies.
25 It has traditions which by today's views are

1 unacceptable but which seem to have existed largely
2 unseen. Is that a description you would recognise?

3 COLONEL KNIGHTLEY: Yes, certainly in the past that would
4 have been more common. It's never been something that
5 people have been comfortable with, and increasingly it
6 has become something as it is now, which is utterly
7 unacceptable. You will have seen in the papers a recent
8 incident involving an RAF regiment, and the condemnation
9 and the open regret from the chief of the air staff
10 downwards sort of indicates, I hope, how seriously we
11 take this.

12 It is an issue that will always be a challenge, but
13 it is something that we are working exceptionally hard
14 to remove the conditions where it can take place and to
15 respond robustly on hopefully those rare occasions when
16 it does still take place.

17 Q. QVS obviously, as with other schools, had a house system
18 as we see from the photograph that is still on the
19 screen. I think if we go to INQ-0000000250, we can see
20 a more modern version.

21 Obviously it reflects, as I alluded to, roundabouts
22 and housing estates which have encroached upon the rural
23 idyll that it once was. It is quite a large campus with
24 different buildings. We have talked with other schools
25 about the potential for houses to be, I suppose, in

1 a sense, potentially self-governing, subject to the
2 character of the individual housemasters, and have their
3 own codes of silence, keeping things in-house if there
4 were issues, for example, of bullying and peer-on-peer
5 abuse.

6 With the Army, or the military perhaps, is that
7 emphasised because of the traditions of the culture,
8 keeping it within a unit, for example? Does that make
9 sense to either you, Donald, or you, Clive?

10 MR SHAW: It's certainly not something I recognise as
11 a description of the way the school runs today. The
12 campus is not big, the campus is actually a very, very
13 small campus. Every boarding house is probably within
14 200 yards of one another, and there are three live-in
15 staff in each boarding house. So in my mind there is no
16 prospect of one member of staff being able to control
17 like their own kingdom, like you say. We have a live-in
18 housemaster or mistress, we'll just call them HoMs from
19 now on. We have a live-in HoM, a live-in depute HoM and
20 a live-in matron in each boarding house.

21 We have a head of boarding appointed in the school
22 who has been there -- not the same person, but that post
23 has existed in all the time I have been at the school,
24 and the current head of boarding is so focused on
25 consistency across the houses, it is actually a key

1 priority of his -- and mine -- to make sure that
2 whatever happens in terms of the children, the care, the
3 support for the children, it is the same in every one of
4 the four houses.

5 So it may have been the case in the past that the
6 houses had their own code of silence, but I have seen no
7 evidence to support that and certainly I have no
8 experience that supports that view.

9 Q. Although you will of course, with material provided by
10 the Inquiry, be aware there were allegations as recently
11 as 1990 of significant bullying in the school. I am
12 just interested whether the particular background that
13 QVS has, a military background, whether you think that
14 may have played a part or could have played a part.

15 The other thing -- the reason I raise this is we
16 know from material provided by the school, for example,
17 that when the Scottish regiments were in their original
18 form, as in individual entities, and traditionally have
19 always been I think understood both by the public but
20 also by the regiment as a family-type unit, where things
21 are kept within the unit, that the children were
22 categorised by regiment by their fathers' regiment, by
23 their fathers' service. Do you recognise that?

24 MR SHAW: I think it is a very fair comment to suggest that
25 perhaps that was indeed the case and that boarding

1 houses would be able to have their own codes of silence.
2 And I don't know if it was just military children back
3 then who lived that life. I do believe that through the
4 1970s, 1980s and up to the early 1990s, children -- and
5 I include myself in that, as a child of the 1970s and
6 1980s -- were often told within school "Keep it quiet,
7 don't snitch", that sort of thing. And it's not right,
8 believe me, it's 100% wrong, but that was the culture
9 that I grew up in. I'm not sure if it was just
10 a military culture or whether it just happened to be
11 a culture of the time. I myself have no connections
12 with the military.

13 Q. Clive, from your perspective, just thinking back to the
14 days of a bigger Army with the esprit de corps of
15 a particular regiment, would you understand that the
16 mentality within a regiment or a corps would be to keep
17 things in-house, does that make sense to you, and
18 whether that might translate into the school experience?

19 COLONEL KNIGHTLEY: If you go back far enough then you will
20 probably find evidence of that, and isolated incidents
21 more recently. Again, it's a bit like initiation
22 ceremonies, they -- it was never anything that was --
23 a blind-eye was turned to. It still happened. My own
24 personal experience of keeping -- in 40 years I can't
25 think of many examples where I have witnessed or been

1 part of that code of silence, and I can only comment on
2 my own experiences. I am aware of other incidents where
3 there may have been a collective decision to distort the
4 truth.

5 But going back to Donald's point, I think that
6 factor is not necessarily restricted to the armed forces
7 and certainly doesn't reflect the way that the armed forces
8 operate today.

9 Q. Thank you. I think, for fairness, equally talking about
10 the regimental family scenario, that could equally be
11 a benefit because there would be someone from the
12 regiment to look after a new entrant to QVS, and I think
13 we have evidence of that from some of the applicants.

14 One distinction -- and again, if I may, focusing
15 with you, Clive -- that has been very clear for QVS as
16 distinct from the other schools we have, and we will
17 come to specific governance by way of commissioners in
18 due course. But unlike the other schools, QVS has
19 always had oversight, would you agree, from the MOD or
20 its previous forms?

21 COLONEL KNIGHTLEY: Very much so. And more importantly,
22 certainly as far back as I have been able to search
23 through the archives, the important thing is that that
24 oversight has been delivered by or informed by the
25 professional educators within the Army. The Army has

1 always taken the lead on issues related to service
2 children and young people. So as you say, unusually, by
3 comparison with independent schools that are not part of
4 a group, there is that professional oversight that QVS
5 has always benefited from, and again Donald can speak
6 from his perspective how it has developed more recently,
7 but it's something that has just grown in volume and
8 value from my perspective over the recent years.

9 Q. I think, for example, one subject which has been of
10 interest to the Inquiry, both from the point of view of,
11 say, appointment of a headmaster, but appointment of
12 staff, be they teaching staff or support staff, we
13 understand now there is obviously the requirement for
14 GTCS registration for teachers, and I think QVS is
15 distinct in that sense, because that has always been --
16 or has been long a requirement for QVS --

17 MR SHAW: No, I will correct you on that one. The GTCS
18 requirement has been fairly new. Certainly up until
19 2010 we were still hiring teachers who weren't
20 GTCS-qualified, but since it became mandatory we now
21 have no teachers who are not GTCS --

22 Q. I think what I was referring to, but obviously not with
23 enough clarity, was the time limit which is affecting
24 the other boarding schools of 1 June. I think QVS has
25 seen sense in that sense. You have not had anyone who

1 isn't GTCS for some time now?

2 MR SHAW: Yes, that is correct. I think probably the last
3 person to become GTCS-qualified was actually our school
4 chaplain, who teaches RMPS and core RE. Because we
5 asked him to teach that, he had to become a qualified
6 teacher as well, so he did a two-year course and became
7 a qualified teacher in order to gain his GTCS
8 registration.

9 LADY SMITH: When was that?

10 MR SHAW: I believe that was 2018 or 2017 that Ron
11 qualified.

12 MR BROWN: Also we know about SSSC and the requirement, and
13 we have seen quite large numbers of support staff at QVS
14 who obviously are involved in the student accommodation.

15 MR SHAW: Yes, we have boarding tutors from the business
16 support staff now. It used to be certainly
17 historically, and even I think when I arrived in 2006,
18 all tutors were teachers, but because we introduced
19 a new model where every tutor had a smaller group to
20 work with, we went into the business support staff of
21 the school to get more tutors, and each of those tutors
22 had to get their level 3 SSSC childcare qualification.
23 That also applied to our drumming instructor, piping
24 instructor, dancing instructor. Anyone who couldn't be
25 GTCS-registered became SSSC-registered.

1 Q. But that is because they were engaged in accommodation
2 support --

3 MR SHAW: Correct.

4 Q. -- in some form or another?

5 MR SHAW: Correct.

6 Q. Going back in time, though, and the school updated the
7 Inquiry in terms of the role of matron, for example,
8 because looking at the house system, we would understand
9 you now have (inaudible), but in the good old days one
10 had matrons in every house. And I think from what you
11 said, the role of the matron is, and as far as we are
12 aware always has been:

13 "... to act as the parent figure, providing boys
14 always and girls since 1997 with a parental influence.
15 Each boarding house has a live-in matron."

16 And you make the point that a previous matron in the
17 past:

18 "... gained a qualification in counselling and used
19 that aspect of her skills to support a number of young
20 people through pastoral issues."

21 This is obviously before SSSC?

22 MR SHAW: That was around 2014/2015 when that matron
23 qualified as a counsellor. That is fairly recent. That
24 particular person wasn't before SSSC. No, I think Sarah
25 would have to be SSSC-qualified prior to that.

1 Q. But then looking back pre-SSSC, and I will come to
2 security clearance and all the rest in a moment, was
3 there any requirement, so far as any of you are aware,
4 of professional qualifications or appropriate background
5 training prior to SSSC, or was it simply taken on trust,
6 as it appears to have been, that staff would be fit for
7 the job?

8 MR SHAW: Again perhaps Clive can add to this, but the
9 Ministry of Defence recruitment procedures --

10 Q. I was going to come back to that separately.

11 MR SHAW: Okay. Well, they are robust and regulated, so
12 anyone applying for a job would be required to
13 demonstrate they had the relevant experience to do that
14 post. But you are right, I believe, that there was no
15 necessity to become professionally registered in order
16 to gain those jobs. I couldn't tell you the date when
17 that changed, but certainly I would say that, yes, your
18 point is that in the past that was probably the case.

19 Q. Going back to the 1930s, for example, and we have seen
20 photographs, the use of retired servicemen seems to have
21 been certainly not normal. At that stage, that is
22 perhaps less in the care side of things but playing
23 a function in the school. There would be no
24 qualifications other than presumably experience.

25 Clive, can you comment on that?

1 COLONEL KNIGHTLEY: Yes. We have not been able to go back
2 and find a sort of definitive answer as to what
3 processes were in place obviously in that rather older
4 period. But I think it would not be unreasonable to
5 draw the conclusion, and really building on your own
6 comment on the adoption of the GTCS piece, that the MOD
7 has always adopted changes such as that -- the
8 requirement for disclosures, the requirement for
9 vetting -- where it has been put in place in broader
10 society. Historically the MOD has always adopted those
11 measures at the same time as a department of state.

12 Q. So we would understand that in terms of the requirements
13 in terms of appointment as they stand now, nationally
14 rules as applied to the other boarding schools follow at
15 QVS.

16 But I think if we can then turn to the distinction
17 which is, and we have touched upon this, the MOD
18 requirements for employment, vetting for example, the
19 rules and regulations that the MOD applies across its
20 estate, all of those apply as well, is that what we
21 should understand?

22 MR SHAW: Yes.

23 Q. Looking back in time, and again I come to you, Clive,
24 how long has that approach been in operation so far as
25 QVS is concerned?

1 COLONEL KNIGHTLEY: Again it has been very difficult to go
2 back and find out that answer definitively. If I had to
3 suggest ... at least for the last 30 to 40 years,
4 certainly reflecting my own experience of vetting when
5 I joined and filled subsequent appointments after
6 I joined. But we can't give you a definite answer as to
7 how that process evolved from 1930, in the earlier years
8 of interest to the Inquiry.

9 Q. All right. Could we put it this way: for as long as
10 there have been MOD policies and regulations, they will
11 have applied to QVS and --

12 COLONEL KNIGHTLEY: Indeed.

13 MR BROWN: The appointment of staff?

14 COLONEL KNIGHTLEY: Exactly so.

15 Q. And that is certainly for 30 or 40 years (overspeaking).
16 You joined the Army in 1976?

17 COLONEL KNIGHTLEY: Indeed.

18 Q. Okay. Briefly, Clive, looking at where we stand now,
19 because I think we alluded to the MOD Directorate of
20 Children and Young People, which inevitably has
21 an acronym, DCYP. Tell us more about that?

22 COLONEL KNIGHTLEY: We have already touched on the fact that
23 the Army held the responsibility on behalf of all the
24 armed forces for service children and young people, and
25 that is why, if you look back through previous versions

1 of the Royal Warrant, you will find that the adjutant
2 general, the most senior personnel officer in the Army,
3 has routinely played a part in the governance of the
4 school, and in the latter years actually had delegated
5 responsibility from the Secretary of State for Defence
6 to do just that.

7 The adjutant general at the time was assisted, as we
8 have already outlined, by the Army's education services
9 as the professional professionally trained and qualified
10 educators within the Army. And that worked fine really
11 until the demands of the Children Acts, the Children Act
12 of 1989 but specifically the Children Act of 2004, when
13 it became clear that there were significant duties
14 placed on all of those involved, and it was no longer
15 felt that it was appropriate for the Army's education
16 staff to lead on that.

17 Presentationally, as well as functionally, it
18 required a slightly different approach, and that is why
19 the Directorate, which I am part of, was formed in 2010,
20 and a previous Director of Children's Services and the
21 Local Authority was recruited directly in, as a two-star
22 and Major General-grade equivalent civil servant, to
23 head up that Directorate, and also to take on the
24 chief executive role for the service schools based
25 overseas. Even though we still worked to the adjutant

1 general, we were very much an MOD directorate and were
2 perceived as such.

3 We then put in place the appropriate aspects of the
4 requirements on a Local Authority, which in many ways
5 the MOD is when it's working overseas, putting in place
6 a formal MOD-level children and young people plan,
7 forming an MOD children's board with the correct level
8 of senior attendance, and providing and formalising
9 a lot of the things that had been happening so that
10 the MOD could hold itself to account against the
11 requirements of the Children Acts, but also, and going
12 back to comments earlier about the Armed Forces
13 Covenant, actually hold to account all those other
14 Government departments and the devolved administrations
15 who also had responsibilities for and to service
16 children and young people.

17 So it was a significant change in 2010 and it
18 ensured that we were and remained compliant and were
19 able to adopt and implement changes in statutory
20 direction, statutory guidance and best practice, and
21 I would like to think that has been the case for the
22 last 11 years.

23 LADY SMITH: Clive, can you just help me a moment. I am
24 getting the impression from some of what you have just
25 said that there were aspects of the new legislation that

1 did not directly apply to the MOD, but your approach was
2 to do your best to adopt the principles underlying the
3 legislation, is that what you are trying to say?

4 COLONEL KNIGHTLEY: Yes, my Lady, and that is a very useful
5 point to develop as well, because our role as
6 a directorate is we have a direct responsibility where
7 the MOD is delivering children's services or enabling
8 access to children's services in overseas locations, and
9 the first point is that we use as the basis for that
10 English legislation. It is difficult to try and produce
11 a hybrid from Westminster and the three devolved
12 administrations with the devolution of all powers
13 related to children and young people, so as a basic rule
14 we adapt and adopt the guidance from within England and
15 apply that overseas so far as it is reasonably
16 practicable.

17 But otherwise we are holding to account those people
18 in this country, that is why we have excellent links
19 with the education departments in Westminster and the
20 devolved administrations, and they are used to being
21 held to account by DCYP under the banner of the Armed
22 Forces Covenant for how they deliver their statutory
23 responsibilities for service children and young people.

24 LADY SMITH: Thank you.

25 Mr Brown.

1 MR BROWN: I think, to take that up, this is a new variation
2 of what we saw in the connection between the school and
3 then Scottish Education Department in the 1930s and
4 1950s. There was a willingness to engage with the then
5 civilian approach, albeit it was very much
6 a military-controlled environment, QVS, at that stage.
7 Just as then, now there is a willingness to engage by
8 DCYP ...

9 LADY SMITH: The Department of Children and Young People.

10 MR BROWN: With acronyms you assume you are going to get the
11 letters in the wrong order, but I think I got it right
12 for once. DCYP. But there is a recognition obviously
13 that, with Scotland, the devolved administration takes
14 priority because it is the civilian rules that are at
15 the core of QVS. It is making the point, however, there
16 is also further oversight from MOD, is that correct?

17 COLONEL KNIGHTLEY: That is exactly correct. And it is
18 interesting to note, looking back at 1905, and it didn't
19 really change until the 1990s, that of course it was the
20 Secretary of State for Scotland who was the president of
21 the board of Her Majesty's Commissioners, with the
22 Assistant Secretary for Education, and a variety of
23 others, who both outnumbered and probably outgunned the
24 military members of the Commission. So there has always
25 been that oversight, and that has ensured that in line

1 with the Constitution and the Warrant that actually QVS
2 is treated as a Scottish school in Scotland.

3 And of course that is why, going back to your
4 earlier point about MOD recruitment procedures,
5 obviously in Scotland we use Disclosure Scotland and
6 that has always been the case. So that Scottish link
7 has been there from the beginning and, if anything, has
8 just strengthened over the years.

9 Q. Although I suppose in addition to Disclosure Scotland
10 and the PVG scheme, which we have been hearing about,
11 MOD vetting is a separate and distinct layer of checking
12 which, so far as QVS is concerned, is over and above
13 the experience of other schools?

14 COLONEL KNIGHTLEY: Indeed, and it provides an additional
15 level of assurance for that very reason.

16 Q. Yes. That is looking at the overview now. I think as
17 we know from the past, obviously from 1992 to 2005 it is
18 explained that QVS was treated as an agency of the MOD,
19 is that correct?

20 COLONEL KNIGHTLEY: Yes.

21 Q. In those years we should understand that the headmaster
22 probably had greater autonomy than he does now?

23 COLONEL KNIGHTLEY: Indeed. That was part of a trend at the
24 time for setting up these agencies within Government
25 departments, Westminster Government departments. It

1 gave, as you say, a greater degree of autonomy but,
2 interestingly, a greater level of accountability as well
3 because there was much more formal reporting on
4 an annual basis directly into Parliament. So it didn't
5 come without -- you didn't suddenly get greater freedoms
6 without greater constraints and greater oversight to go
7 with it, but it did allow greater freedom of action in
8 terms of budget, certainly, by the headteacher.

9 But there was no diminution of the oversight. As
10 I have already mentioned, during that period the
11 adjutant general was the lead principal personnel
12 officer across the armed forces, across the MOD, for
13 service children and young people issues, and therefore
14 the school was still being overseen by him and by his
15 subordinate organisations, initially the Army education
16 services and subsequently DCYP when it came into being.

17 Q. Thank you. Prior to 1992, what was the position?

18 COLONEL KNIGHTLEY: As I understand it, as reflected in the
19 Royal Warrant for that time, it was still -- the
20 governance was still from the Secretary of State through
21 the Board of Commissioners, and through the Board of
22 Commissioners to the headteacher. But I may be missing
23 part of the question, I am sorry.

24 Q. No, you have explained that was agency status was given?

25 COLONEL KNIGHTLEY: Indeed, yes. Prior to that, it more

1 closely resembles what we have today, which is the
2 school has more constraints over its budget. It still
3 has the freedom to use its budget within reason, but
4 instead of reporting now annually to Parliament, it is
5 routinely managed actually on a much more regular basis,
6 as it was during the agency period, by initially the
7 adjutant general during that period, and subsequently
8 the Commander of Home Command who has taken on that
9 responsibility. But the governance and assurance has
10 remained constant throughout at the top level.

11 Q. Thank you. In relation to that governance, we now
12 perhaps turn to governance more particularly, mention
13 has been made throughout your evidence and Donald's
14 about the Commissioners, and they have been set up, they
15 have been in existence, for as long as the school, is
16 that correct?

17 COLONEL KNIGHTLEY: Indeed. And at the risk of stealing
18 Alan's thunder, you will have noted from the initial
19 Royal Warrant, and I have already alluded to it, by my
20 reckoning it was an exceptionally senior and influential
21 group with the Secretary of State for Scotland, the
22 Assistant Secretary for Education, the Lord Provosts of
23 Glasgow and Edinburgh, the Lord Lieutenants representing
24 the eastern, western and northern districts of Scotland,
25 the Lord Judge Advocate, and inevitably nine regimental

1 colonels and a representative from the Admiralty.

2 That seniority and significance within the
3 Commissioners, I think -- and Alan will confirm or
4 contradict me -- has been a constant theme. It has
5 naturally evolved, but it is, as I said, quite telling
6 that the membership that I just described continued
7 largely unchanged for many years and really into the
8 1990s. But I would defer to Alan on that.

9 Q. I think as we see from your part A, which is reflecting
10 the period before Alan came on board, the composition of
11 the board has diversified to include other military
12 services, obviously, but also civilians with experience
13 in education, and it no longer includes the
14 Secretary of State for Scotland because he gently
15 retired from the commissioners level because of
16 devolution?

17 COLONEL KNIGHTLEY: Yes.

18 Q. Could we look at MOD-000000631. This is lifted from the
19 current website and sent by the school and sets out,
20 happily without any redaction, who is involved as
21 Commissioners now.

22 Alan, thank you for being patient. If we can come
23 to you, because we see you as the Chair in the top left.
24 The representation now I think, taking on from what
25 Clive was saying, there are still clearly some set

1 posts, for example, Lord Justice Clerk, as opposed to
2 Lord Justice General, the Governor of Edinburgh Castle;
3 they are posts that are set down. There are also
4 representations from the three armed services who
5 clearly take an interest still in the school, but there
6 are other Commissioners who reflect education, the legal
7 profession, the architecture profession and also
8 clearly, from the committee structure which we will come
9 to shortly, an interest in education itself. Is that
10 a fair summary?

11 MR PLUMTREE: Yes, that is absolutely fair.

12 Q. You told us a moment ago about your appointment. It was
13 because someone you worked with professionally and was
14 a Commissioner thought you might be interested. Just in
15 terms of acting as a Commissioner, we have been hearing
16 from governors or trustees for the other schools.
17 Commissioners, in terms of time commitment, presumably
18 it is quite a considerable and onerous one?

19 MR PLUMTREE: It is not a post to be undertaken lightly. If
20 you are not prepared to put in the time, and we are
21 talking here not just about the main board meeting but
22 of course committee meetings as well, then you can't be
23 involved. And I have had on one occasion to make quite
24 a difficult decision to get rid of somebody who simply
25 could not put the amount of time in that was required

1 but wanted to stay on board. So, yes, it is not a job
2 to be undertaken lightly.

3 Q. There is no remuneration for it?

4 MR PLUMTREE: No.

5 Q. How much time do you spend on it as Chairman?

6 MR PLUMTREE: Ah ... it varies -- it has varied quite a lot
7 over my time, and I am in the lucky position of having
8 been retired now for ten years. On an ordinary ongoing
9 basis, I meet with Donald every week. I will probably
10 meet with the school business manager pretty well every
11 week. There are then the main board meetings to deal
12 with, there are general purposes committee meetings
13 which are at least four times a year, but not
14 infrequently, probably six times a year depending on
15 what is happening. I would reckon a minimum of a day
16 a week, and it has on occasion been considerably more
17 than that.

18 Q. Thank you. I think we would understand, and I am
19 grateful again because the school has now produced
20 a governance manual, and the most recent iteration has
21 been provided which is dated February 2020. That
22 reveals that whereas presumably before the Commissioners
23 would simply meet as the Commissioners, but there is now
24 a committee structure in place, is that correct?

25 MR PLUMTREE: It is not quite as simple as that. When

1 I first got involved, there was the main board
2 obviously, there was the general purposes committee and
3 there was an education committee, not terribly much
4 else. The trust fund portfolio was run by all of the
5 Commissioners together, so it wasn't really a separate
6 committee.

7 Around about 2010 I, along with another member of
8 the then board, felt that some of this was rather
9 unsatisfactory and we started to draft out what we
10 thought was the real requirement for a proper set of
11 subcommittees reporting to a main board and it has
12 developed over that time. Initially we had a series of
13 separate governance documents for each of the
14 subcommittees, but that was in danger of becoming very,
15 very unwieldy. So about 2016 we set about properly
16 pulling it all together, removing some of the anomalies
17 that had started to develop between the various
18 different committees, and we wound up with, as you say,
19 the governance manual which you have a copy of.

20 Q. Included in that, and this is obviously of particular
21 moment for the Inquiry, is a committee which includes
22 work on safeguarding and child protection. When did
23 that start life?

24 MR PLUMTREE: That has been part of what was the education
25 and welfare committee. It was a separate routine of

1 theirs. We hived it off altogether about two and a half
2 years ago, I think it was, because it was clearly worthy
3 of having a totally separate committee structure, albeit
4 that the members of that committee are in fact also
5 members of what is now the education and admissions
6 subcommittee. But we felt it was necessary to show that
7 this was a separate body with separate responsibilities
8 and a standing and a need to report to the main board.

9 Q. You have obviously been on the board since -- a
10 Commissioner, rather, since 2006. When you began your
11 time as a Commissioner, was safeguarding and child
12 protection something that you would have understood as
13 a concept?

14 MR PLUMTREE: As a concept, yes. As a separate committee in
15 those days, I would have said not.

16 Q. But was it something that was discussed by the
17 Commissioners as a distinct issue?

18 MR PLUMTREE: Yes, it was --

19 Q. Was there a focus for that?

20 MR PLUMTREE: -- and I can say that with some certainty
21 because when I first joined the board, and you will come
22 to this when we get into part D, there was an ongoing
23 problem at that time of a relationship which we can
24 investigate later, but the board were very conscious of
25 how that had come about. I can clearly remember my

1 first meeting, a considerable amount of time being set
2 aside to discuss what the implications were for the rest
3 of the school for what appeared to have happened, albeit
4 that in the end it turned out to be not nearly as
5 sinister as everybody thought it was.

6 Q. Just to short-circuit that, and it's my fault, I think
7 I stepped on you as you were beginning your answer.

8 The answer is yes, safeguarding and child protection
9 was of moment, because at that stage I think there had
10 been an inspection report which had been unfavourable,
11 is that fair, in relation in particular to one house and
12 the subject of adequate supervision, which led to
13 a number of staff moving away from the school?

14 MR PLUMTREE: That is quite correct. It is well before my
15 time that that started.

16 Q. Yes, I think that was 2004, perhaps 2005, but by the
17 time you were appointed the inspection had come in and
18 steps had been taken, which is why there was governance
19 supervision, if I can put it that way, is that a fair
20 summary?

21 MR PLUMTREE: That is perfectly fair, yes.

22 Q. So throughout your time, albeit without the label of
23 there being a safeguarding and child protection
24 committee structure, it has been something that you have
25 always been engaged with?

1 MR PLUMTREE: Without question.

2 Q. And in relation to your weekly meetings with the
3 headmaster, is that something that would come up as
4 necessary? And, again, the headmaster to tell you, in
5 other words?

6 MR PLUMTREE: Without question. And I might add, just to go
7 slightly further than that, were anything to happen
8 between those Tuesday meetings, it would not be at all
9 unexpected that the head would telephone me to say we
10 need to have a separate meeting.

11 Q. All right. If there was something of moment, you would
12 expect to know about it promptly?

13 MR PLUMTREE: Indeed.

14 Q. And the Commissioners could respond as necessary, and
15 presumably fast?

16 MR PLUMTREE: Yes.

17 Q. Because obviously, just looking at the membership, it's
18 disparate. Clive is operating from Upavon in Wiltshire,
19 you are local, but are the military officers,
20 for example, accessible?

21 MR PLUMTREE: I have never found them not to be.

22 Q. Just as a matter of interest, given the disparate
23 membership of the board, which isn't perhaps as local as
24 some boards might be, would you expect regular
25 attendance? I think you have alluded to this already.

1 MR PLUMTREE: I do expect, and I demand, regular attendance.

2 Q. Is that an issue you have to face, other than the
3 example you gave, asking --

4 MR PLUMTREE: No.

5 Q. No. Thank you.

6 We know that, as things stand, all governors are
7 subject to the PVG scheme, is that correct?

8 MR PLUMTREE: That is right.

9 Q. Presumably you also have to be vetted using the MOD
10 procedures also?

11 MR PLUMTREE: Yes.

12 Q. What about governor training -- sorry, I used the word
13 "governor" -- Commissioner training?

14 MR PLUMTREE: There are two different levels. There is
15 an induction process, which we run internally, and all
16 Commissioners are encouraged to take part in any of the
17 governor-type courses that the Scottish independent
18 school system offers more or less annually.

19 Q. When you started in 2006 was the training very
20 different?

21 MR PLUMTREE: It was much more relaxed.

22 Q. Were you trained, for example, or did you receive any
23 training, in child protection and safeguarding issues?

24 MR PLUMTREE: I think I would have to say no.

25 Q. Was there an assumption that you would just be able to

1 deal with it perhaps?

2 MR PLUMTREE: That would be a fair comment, yes. I have to
3 say too, fairly shortly after I joined I was encouraged
4 to go off on one of the first SCIS courses, and that
5 featured quite seriously in that.

6 Q. All right.

7 MR SHAW: Can I come in? There has never been a massive
8 expectation since 2006, since I arrived at the school,
9 that the Commissioners are in fact the go-to's for
10 safeguarding and child protection issues. We are
11 double-whammied, I suppose you might call it. We have
12 the double-whammy of HMC on one side and DCYP on the
13 other, and actually DCYP in MOD schools provide us with
14 our safeguarding expertise, a high level of safeguarding
15 expertise. So they have a chief safeguarding officer.
16 So if I had a safeguarding issue, I would of course let
17 Alan know, but I would actually expect to take advice
18 from the Ministry of Defence civil service systems,
19 defence business systems, et cetera.

20 So there has never been that on-the-ground
21 safeguarding child protection need. Advice, yes, but
22 actually when it comes to more formal steps, it comes
23 from the actual employment. Our employers are the
24 Ministry of Defence rather than HMC.

25 Q. I am obliged to you, and we will come on to the

1 reporting that you would understand and other policy
2 issues perhaps more on the ground and connected with MOD
3 shortly after we have dealt with the Commissioners.

4 Thank you for that, though.

5 I take it you would agree and understand that, Alan?

6 MR PLUMTREE: Absolutely. Yes.

7 Q. But you would nonetheless, as a Commissioner of the
8 school and Chair of the Commissioners, expect to be kept
9 in the loop?

10 MR PLUMTREE: I would indeed, and as far as I know I always
11 have been.

12 Q. Yes. Because one of the roles, and I think this may be
13 distinct looking at the records that have been produced,
14 Commissioners have always traditionally, is it fair to
15 say, engaged with the school? Commissioners' visits
16 were normal decades ago?

17 MR PLUMTREE: Yes, always.

18 Q. Again -- and, Clive, this may tie into you also -- was
19 that reflecting the expected oversight from the military
20 Commissioners who would have an interest -- tying back
21 to the Armed Forces Covenant -- or the understanding
22 perhaps of responsibility as it was before that label
23 was attached, that Commissioners would have to develop
24 the good running of the school and just to keep some
25 form of oversight at Commissioner level?

1 COLONEL KNIGHTLEY: Certainly from the MOD perspective it
2 was that multi-layering, and therefore reducing the
3 chances of anything slipping through cracks, that has
4 always been a strength of the system. So there was that
5 understanding and expectation, as far back as I have
6 been able to go in our records, that the Commissioners
7 would be visiting, they would be that additional line
8 above the school staff to pick up where somebody might
9 be doing something inappropriate, and therefore
10 reporting it back in the way that Donald and Alan have
11 just described.

12 Q. I think it's just because in the part A response it is
13 written:

14 "Additionally, Commissioners have always been
15 accountable to the appropriate service body or bodies,
16 ie the Army, Navy or Air Force boards as they once
17 existed."

18 So the relevant Commissioner, reflecting,
19 for example, the Royal Air Force, would have a sense of
20 obligation to report to the Air Force board, and part of
21 that would be engagement with the school to literally
22 check that all was well?

23 COLONEL KNIGHTLEY: Yes, I think that is a fair comment,
24 although that reporting back on single service lines
25 would be more to do with, for example, if they felt

1 there was a -- one of the services perhaps wasn't
2 getting the level of admissions of children that it
3 theoretically should, according to proportions of
4 children between the services.

5 Anything that was related to anything that relates
6 to what we now describe as safeguarding and child
7 protection would never wait to go down those single
8 service lines. That is a direct responsibility of each
9 and every Commissioner, and I am certain it always has
10 been, to immediately raise those concerns through the
11 Chair of Commissioners.

12 But, Alan, can you ...

13 MR PLUMTREE: I don't think I can add meaningfully to what
14 Clive has just said.

15 That is absolutely right. The individual service
16 Commissioners report annually to their own service, but
17 that would have no relevance whatsoever to an issue
18 arising in the course of the year.

19 Q. I think the point I am trying to make is that visits
20 were regular, and I think, as your report said, visiting
21 Commissioners would be conducted at least once per term?

22 MR PLUMTREE: That is right.

23 Q. That is the Commissioner going around the school
24 engaging with pupils and staff?

25 MR PLUMTREE: There are two different parts to this. The

Commissioners are allocated to houses, so they will have a responsibility to visit their house. The Commissioners also have a responsibility to the school as a whole. I suppose one of the most obvious points there is when we have our termly board meetings we join the children in the dining room and try to spread ourselves as far as possible. It's a very good way of talking to the children, it introduces us to them and them to us, and certainly from my point of view I have always found it a very useful way of relating to the children.

Q. I am conscious that we are approaching a break. We are near the end of this chapter though.

I am conscious now that there is Commissioner responsibility for boarding houses, as you just alluded to, Alan. When did that start?

MR PLUMTREE: I think it has probably been there, oh, ever since the house system started.

Q. Right, so --

MR PLUMTREE: It goes back a long way.

Q. So responsibility for a particular boarding house we should understand, certainly within your memory, has been allocated to a given Commissioner or Commissioners?

MR PLUMTREE: That is right.

Q. It's simply that in relation to the papers, for example,

1 I think in the past you had a local sheriff as
2 a Commissioner, and we have seen a report by that
3 sheriff of her visit to the school, which involved
4 talking to the children and getting a sense and then
5 reporting back to the Board of Commissioners about any
6 concerns. That, forgetting the house allocation, has
7 always been the way Commissioners have engaged?

8 MR PLUMTREE: Yes, there are two different things here. The
9 Commissioners are allocated to houses so that there is
10 a relationship. There is also the visiting Commissioner
11 visit, which happens at least once a year, sometimes
12 twice a year, when usually two Commissioners together
13 will visit the school, very often with a particular
14 purpose in mind, and they at the end of that prepare
15 a report for the board as a whole to discuss and comment
16 on and act upon if necessary.

17 Q. What sort of things would they be wanting to report on?

18 MR PLUMTREE: Let's take a sort of simple answer. If they
19 felt that in a tour of one of the houses the state of
20 the property was not to the standard that they would
21 expect, they would highlight that within their report,
22 and it would come up at the next board meeting, and we
23 would want to know why that particular piece of repair
24 work had not been dealt with much earlier. It's usually
25 a very fast way of getting something done.

1 Q. But equally I suppose if, as part of the visiting
2 Commissioners of a given year, if something was untoward
3 in terms of safeguarding or unhappy children, that is
4 the sort of thing that would be highlighted by the
5 report because they would be engaging on the ground in
6 the houses with children?

7 MR PLUMTREE: Oh, yes.

8 MR BROWN: Thank you, my Lady, that is a suitable point to
9 break.

10 LADY SMITH: Gentlemen, I normally take a break about this
11 time in the morning, and I hope it will suit all of you
12 if I do so. But just before I rise, a question for
13 Clive to consider during the break. Just going back to
14 Donald explaining that if he learned of a child
15 protection matter that required immediate attention, his
16 go-to person or persons would be in the MOD rather than
17 the Commissioners.

18 My query is what do the MOD do, if anything, to keep
19 themselves informed about the organisations or people to
20 whom such a concern ought properly to be reported in
21 Scotland? An obvious example is the Care Inspectorate
22 but there may be others. I hope you are picking up
23 where my line of thinking is going.

24 Don't tell me now, you can tell me after the break.
25 Thank you. I will rise now for the break.

1 (11.35 am)

2 (A short break)

3 (11.55 am)

4 LADY SMITH: Welcome back. Gentlemen, I hope you found the
5 break helpful and that little bit of homework didn't
6 cause too much of a strain during it.

7 I am told, Donald, you have the answers for me, is
8 that right?

9 MR SHAW: I think so, Lady Smith. In terms of reporting,
10 let me clarify that I was talking about it from
11 an employment point of view, that our employers are the
12 Ministry of Defence. So in terms of between HMC and
13 DCYP, I would be informing DCYP in an employment sense.

14 But the number of -- we tend to over-report as
15 a rule with all the regulatory bodies in terms of any
16 significant child protection or safeguarding incident.
17 So my first port of call would be the Registrar of
18 Independent Schools and, in tandem with that, my deputy
19 head in charge of boarding and the child protection
20 co-ordinator, he would be contacting the
21 Care Inspectorate, and we would be informing both of
22 those bodies of the incident, whatever incident that
23 was.

24 If the SSSC required to be informed, we would do
25 that. If the GTCS required to be informed, because it

1 was a teaching matter, we would do that as well. And we
2 also, even in the most minor of incidents, we also
3 contact the police for advice. Every single time that
4 we suspect a law has been broken we will involve the
5 police because it is not our decision.

6 LADY SMITH: So to add to what you said earlier, you don't
7 want me to be under the impression that you would wait
8 for the MOD to tell you whether to tell anybody else, or
9 who to tell.

10 MR SHAW: Yes.

11 LADY SMITH: But do you keep the MOD informed as to which
12 are the organisations that would have an interest in
13 knowing in Scotland? Do you help them with up-to-date
14 understanding about that?

15 MR SHAW: Very much so, yes, both the MOD and the
16 Commissioners themselves.

17 LADY SMITH: That is very helpful. Thank you, Donald.
18 Mr Brown.

19 MR BROWN: My Lady, thank you.

20 We were moving from governance to policies and the
21 practical side of reporting, which has just been neatly
22 precis'd so thank you for that. In terms of policies,
23 obviously you are governed, and I think we can probably
24 now focus mostly on Donald for the remaining of the
25 questions. Obviously you have a raft of policies, and

1 always have had, because the MOD are your employers in
2 at sense. So MOD policies will have been familiar to
3 you from your time at QVS, 2006 onwards. Presumably,
4 prior to that you had come from the state sector, was
5 this a very different world you entered into because of
6 the raft of policies that you had to comply with?

7 MR SHAW: I have thought about this, but local authorities
8 have a lot of red tape and bureaucracy as well. The MOD
9 certainly is very policy-driven, but both local
10 authorities and the Ministry of Defence, they do allow
11 schools to develop bespoke policies for their individual
12 circumstances. So there might be a Ministry of Defence
13 policy comes out on safeguarding but it may well be
14 linked to, for example, the Department for Education
15 system in England, whereas we will then take that policy
16 and adapt it for QVS because it is very much part of the
17 Scottish system.

18 So policy hasn't been -- there is not really
19 a negative aspect to policy coming from the Ministry of
20 Defence as such. There is a lot of them, I grant you
21 that, but we do have the opportunity to change them and
22 adapt them to fit our particular needs within Scotland.

23 Q. In that sense, it was the Scottish point I was coming to
24 at two levels. Firstly I think, as was acknowledged
25 before the break, if there is a Scottish Government

1 policy it will take primacy --

2 MR SHAW: Correct.

3 Q. -- because you're a Scottish school?

4 MR SHAW: Yes.

5 Q. Equally, as you have just said, policies which would
6 apply more obviously south of the border will be
7 accommodated as best you can, subject to the primacy of
8 any Scottish alternatives?

9 MR SHAW: That is a good way of summing it up, yes.

10 Q. And I think, as importantly, there must be times where
11 you, as the headmaster of a school in Scotland, may
12 have, and I don't mean this critically, to explain to
13 the MOD south of the border that that is not the way it
14 works?

15 MR SHAW: Less so in recent years, I must admit, but yes,
16 that has been -- I would say that is the slight tension,
17 very slight tension in the double aspects of governance,
18 but there are many more positives regarding that aspect
19 of governance than there are negatives.

20 But you are right, I am held to account for my
21 actions very, very clearly by HMC and the education and
22 admissions committee, the safeguarding and child
23 protection committee, but I am also equally held to
24 account by my employers, the Ministry of Defence, who
25 have regular meetings with me and ask for reports on

1 incidents. For example, coming back to school after the
2 initial lockdown, I had to do a great deal of
3 discussions to do with recovery planning with both the
4 HMC and DCYP.

5 So there are times where I feel like I am saying the
6 same thing twice, but we have recently come up with
7 a strategy of overcoming that, where as my line manager
8 from the DCYP, Andy Yeoman, is now a member of the
9 admissions and education committee, along with the
10 Commissioners. That is basically to save me saying the
11 same thing twice. So we are basically reviewing how
12 things are working and trying to make improvements as
13 time goes on.

14 Q. You're streamlining?

15 MR SHAW: Yes, effectively.

16 Q. You will have heard, listening to evidence in terms of
17 policies that are distinctly Scottish, for example,
18 GIRFEC and, by association, the SHANARRI approach to
19 pupils. Some schools, I think as we heard yesterday,
20 a great amount of policy followed that which had to have
21 time to embed. Did you recognise those concerns?

22 MR SHAW: I don't recognise those concerns in particular
23 because -- and I think it is my state school background,
24 that I come from a state school, and the vast majority
25 of teachers that work at Queen Victoria School have now

1 a state school background as well, and so policies such
2 as GIRFEC are our bread and butter, very much our bread
3 and butter.

4 So as soon as GIRFEC was even mentioned as a policy
5 by the Scottish Government, we adopted it. Straightaway
6 we adopted it. We weren't late adopters like a number
7 of schools were, we just got into the nitty-gritty of it
8 straight away. So now GIRFEC absolutely defines our
9 child protection and safeguarding procedures. We use
10 a four-step system of GIRFEC, it happens to spell out
11 "SAFE", yet another acronym, but we go through -- every
12 single child who moves on to the GIRFEC system has
13 an individualised support plan.

14 I think I said in my own statement that, even when
15 I arrived at QVS in 2006, I found it the most caring
16 place I could possibly imagine, but it has moved on
17 tenfold since then, and the level of support for each
18 child through systems like GIRFEC, and the tool for
19 wellbeing, the SHANARRI wheel that people have been
20 referring to, it's not the only tool out there, it is
21 simply one simple tool to measure a child's wellbeing,
22 but it is part of our GIRFEC system and we value that
23 very, very highly. I must admit that taking GIRFEC on
24 board has not been an issue for QVS.

25 Q. You mentioned SAFE. What does it stand for?

1 MR SHAW: I cannot recall that from memory. The "E" stands
2 for "extended", "F" stands for "formal". Basically it's
3 the level of support you require, E being the highest
4 level of support. We would be as well calling it "1 to
5 4".

6 Q. Okay. In terms of the application of GIRFEC, you have
7 just talked about SAFE, or levels 1 to 4. In the
8 school, and again this has been a constant theme,
9 putting it as simply as I can, there is a recognised
10 need for teachers and other staff to observe carefully,
11 try and pick things up, and then to report. I take it,
12 whatever the language used, those are approaches that
13 you would understand and recognise?

14 MR SHAW: Yes. The importance of an open and almost just
15 a free culture to -- it's difficult to describe this,
16 because I and my team have developed a culture where --
17 we have had a whole staff consultation where anyone can
18 report somebody else's suspicious behaviour openly and
19 honestly without fear of reprisal, and I think it is
20 a really important step for schools to try and aim to
21 get for that culture.

22 We have also introduced systems where any child can
23 make an anonymous report via their smartphone at any
24 point in the day in any house. Is it QR codes you call
25 them? I am not very up with technology. It's QR codes

1 that are on the wall. The kid scans a QR code and can
2 then make an anonymous report at any time. That
3 anonymous report, whether it be from a member of staff
4 who has witnessed something they feel is a little
5 suspicious, or whether it's from a student, it goes
6 straight to the child protection co-ordinator who fully
7 and quickly investigates the scenario and makes
8 a judgment as to whether other steps are required or
9 not. But developing that open culture is very much the
10 hardest part.

11 Q. When did that begin?

12 MR SHAW: The child protection co-ordinator has always asked
13 for this kind of open culture, but following
14 a significant incident in early 2019 I myself ran
15 a safeguarding workshop for the whole staff, and we went
16 through a number of scenarios where we went through a
17 sort of more formal, brand new safeguarding policy that
18 we were developing.

19 Policies are always under review, as you know, but
20 this more formal open culture took place -- or started
21 in February 2019 onwards.

22 Q. That was learning from an experience that presumably,
23 prior to 2019, you would have hoped wouldn't have
24 happened because your systems would have prevented it?

25 MR SHAW: Yes. There are many, many systems in place to

1 prevent any form of abuse of the many forms of abuse
2 there are. We have very clear and developed systems
3 in place to try and spot that abuse before it occurs.
4 But you know when -- and this is maybe anecdotal, but
5 you know when you hear of an incident, and then people
6 after it, they say "I knew there was something dodgy
7 about that fellow", or "I knew there was something dodgy
8 about that person", and you think, well, why didn't you
9 report it? So this gives a method, a safe method of
10 reporting any concerns to the child protection
11 co-ordinator so that they can be recorded and
12 investigated.

13 Q. I suppose that makes a number of points. Firstly, that
14 your systems are never as good as you think they are,
15 because obviously there was an event in 2019 that wasn't
16 caught. That is not a criticism. In any school, I am
17 talking about, there has to be constant evolution and
18 review.

19 MR SHAW: Exactly, yes. From every incident that occurs you
20 simply have to make your policies, your protocols, your
21 procedures better. You have to learn from every single
22 one.

23 Q. That is something we can perhaps discuss after the
24 second phase of evidence.

25 But it also perhaps makes the point more generally

1 that you can't assume that because you have got lots of
2 policies in place, they will actually work.

3 MR SHAW: You must always be on your guard for any incident
4 of abuse. Always.

5 Q. Because you talk obviously enthusiastically about QR
6 codes and reporting is now easier, but I suppose the
7 obvious question is: why didn't you think of that a long
8 time ago?

9 MR SHAW: Policies simply develop with the -- I suppose
10 there is a new, easier technology available to do that.
11 In fact we did think of it a long time ago, not a long,
12 long time ago, but several years ago. We have always
13 had anonymous boxes sitting in houses for kids to write
14 something down and stick in a box. This is simply a new
15 method of doing that.

16 Q. That of course assumes children are willing to report?

17 MR SHAW: Yes.

18 Q. Obviously that is an issue in itself. What has the
19 school done -- and you have heard me ask this question.
20 Children, we would learn, are more willing to speak out
21 overall, but there will still be quiet children who may
22 not want to speak, who may not want to report. In other
23 schools we have heard about the observation that if
24 a child is behaving differently, that would be reported.
25 What does QVS do? And in terms of systems, what systems

1 are in place?

2 MR SHAW: In order to encourage a child to report?

3 Q. Or for that sort of observation to be reported to the
4 right person?

5 MR SHAW: The systems I have just mentioned, they can be
6 used at any point to report any suspicion, anything
7 untoward like that. But all teachers and all boarding
8 tutors are always -- I will come back to the system,
9 actually. We have a system on our database, we call it
10 3CIS, and it's a reporting system where anyone can put
11 in a report about a child at any point of concern, and
12 that goes straight to the child protection co-ordinator
13 and the senior team.

14 Q. On Friday last week we heard about the Wellbeing system
15 that Gordonstoun have introduced. Is this a similar
16 system but under a different name? We heard yesterday
17 there are software packages that can do this.

18 MR SHAW: Yes, this is just another software package that
19 can do it. It mirrors the software package we actually
20 used to use back in Livingston, when I worked in
21 Livingston prior to 2006. That system was called "On
22 The Button" at the time, but it simply meant any teacher
23 could report any concern on the school database, and,
24 yes, we have that and it's in existence.

25 Q. Just to understand the mechanics of it, a teacher or

1 a house tutor, in other words --

2 MR SHAW: Anyone.

3 Q. -- any member of staff, can have access. Easy access?

4 MR SHAW: Yes. Every single member of staff has a log-in
5 and regularly logs into that system. All our school
6 reports to parents come out of that system. All our
7 positive behaviour reward system is on there as well.
8 Absolutely everything is on that database system. So
9 teachers and tutors are using it on a daily basis.

10 LADY SMITH: What is the positive reward? What is the
11 reward system for positive behaviour that you mentioned?

12 MR SHAW: We have a system, we used to call it our
13 discipline guidelines but now we call it our promoting
14 positive behaviour guidelines. Again it is more recent
15 in the last five years since I have been head. We have
16 really moved the focus away from punishing a child to
17 restoring and educating the behaviour of that child in
18 order to have them behave better, so it's a much more
19 restorative discipline policy.

20 So because of that, anything positive a child
21 does -- supporting another child, for example, some sort
22 of volunteering around the campus -- always goes on the
23 system as well.

24 LADY SMITH: Thank you.

25 MR BROWN: So it's providing an overview, really, of all

1 aspects of the child's engagement.

2 MR SHAW: And that is wrapped up in our pupil support
3 system. We have a deputy head in charge of pupil
4 support as well and that pupil support system has
5 a regular -- we call them intervention planning
6 meetings. So any child who has been raised as a concern
7 by any member of staff has an intervention planning
8 meeting, often involving that child themselves, so that
9 the pupil voice is central, the absolute central focus
10 to what interventions we put in place for that child.

11 LADY SMITH: Does anyone track the pattern in relation
12 to an individual child of let's call them positive
13 behaviour events? I have in mind, for example, early in
14 a term there are regular occasions on which somebody is
15 entering up positive behaviour on the part of
16 a particular child that fits the way that child normally
17 behaves, and then it stops?

18 MR SHAW: No, I don't believe that we have tracked that.
19 That may be something to consider.

20 LADY SMITH: It would be helpful, wouldn't it, as an
21 indicator?

22 MR SHAW: I think it would, yes.

23 MR BROWN: That's what I was going to follow up on. Because
24 whether it's positive or negative or concerning
25 behaviour, you gave the example that if a teacher or

1 support staff enters something into the log, it will
2 flag up with the child protection co-ordinator. The
3 question I suppose would be: in what circumstances?
4 What is the trigger? And then, as a follow up to that:
5 are patterns capable of being seen and, if so, how?

6 MR SHAW: The idea of starting a process of recording those
7 concerns means that a pattern can be clearly identified
8 by the information which is within the system. That
9 pattern has to be identified by a human being,
10 of course, because the system can't identify it itself.

11 But every child in our school has one person they
12 have identified as their personal go-to. They have
13 a tutor which could be somebody entirely different, it
14 doesn't have to be their tutor that they go to, they
15 have a depute HoM and a HoM, and they have a series of
16 teachers as well as a matron within the boarding house,
17 so there are ample opportunities. And being a very
18 small school as well. Even anecdotally we see what is
19 going on with the children on a daily basis, very much
20 so.

21 So there are, I think, adequate systems in place to
22 allow patterns to be spotted very clearly by the people
23 who are involved in those young people's lives.

24 Q. I don't think you have answered: how is it flagged up?
25 What triggers a flag going up with the child protection

1 co-ordinator?

2 MR SHAW: On the system?

3 Q. Yes.

4 MR SHAW: Okay, I will go back a little step or two. As
5 soon as there is any suspicion of a child protection
6 matter the member of staff must report directly to the
7 child protection co-ordinator 24 hours a day and report
8 that concern. When it is then inputted into the system,
9 there is a tick box to tick that says this is a child
10 protection matter or a safeguarding matter, or bullying
11 or whatever that topic is. That goes straight to the
12 child protection co-ordinator, it's copied into the
13 housemaster or mistress, and a number of people find out
14 about that concern straightaway. Then that feeds into
15 those intervention planning meetings that take place
16 very soon afterwards.

17 Q. It's simply the example that was being given last Friday
18 was if, for example, someone in the dining hall notices
19 that a child isn't eating as they normally would eat,
20 and that could be added into the system. That wouldn't
21 be an obvious child protection issue, that simple fact.
22 Is there a way in which an accumulation of such simple
23 individual facts can be picked up as a concern?

24 MR SHAW: Yes, because every single -- the housemasters on
25 a weekly basis have to report this to the head of

1 boarding, who happens to be the child protection
2 co-ordinator. So we are identifying the people who have
3 had, let's say, a number of concerns presented that week
4 or one significant concern, and we are then taking
5 action upon that person. We are intervening and
6 providing support of some sort.

7 Q. Right.

8 MR SHAW: Over and above all of that, and this is again
9 an important learning point, I stand up at chapel and do
10 a talk with the whole student body every morning, COVID
11 aside, obviously we can't do that just now. But if any
12 event occurs or any pupil voice, even one person
13 anonymously says "I don't feel safe right now", then
14 I will stand up in front of whole school and say "Right,
15 this has occurred and we want you to come forward. If
16 anyone has any concerns about any member of staff or any
17 other student, and they're treating you badly, please
18 come forward straightaway, report to your person, your
19 go-to, report to your housemaster or mistress, report to
20 the senior leadership team. Get out there and tell us".

21 I have given that regular message out there, that
22 students should not hide anything from us at school.

23 Q. Presumably you can say that until you are blue in the
24 face and some children still won't report?

25 MR SHAW: I think that is very much the case, but I would

1 confidently say that the vast, vast majority of the
2 students who I am working with just now would be content
3 to report to somebody within QVS.

4 Q. What about the ones who are not? How do you deal with
5 that?

6 MR SHAW: They are dealt with by those reports which are
7 placed on the system by other members of staff and then
8 they are almost forced into being intervened upon.

9 Q. Again the requirement to report, you have talked about
10 you must flag up. Is that simply something that is in
11 policy or is it a condition of employment as we have
12 heard in some other schools?

13 MR SHAW: I feel it is statutory, I feel it is a mandatory
14 requirement. Whether it is or not, we act as if it is.
15 We have always felt, since I have been head, since
16 I have been working with my current senior leadership
17 team, we have always felt we need to tell everybody if
18 something significant has happened within the school.
19 DCYP, HMC, the Registrar, the Care Inspectorate, we just
20 tell everyone. Perhaps we are in danger of
21 over-reporting, but I would rather be in that situation
22 than under-reporting.

23 Q. Was that the mentality you inherited when you took over
24 as head?

25 MR SHAW: That is my personal mentality.

1 Q. Was it a different approach?

2 MR SHAW: I was deputy head for four years under the last
3 head and I can see a very similar approach in those four
4 years but not entirely the same.

5 Q. So is it your particular leadership that has driven
6 this?

7 MR SHAW: Yes, it is.

8 Q. In other words, it is your character that's being
9 reflected in the approach of the school?

10 MR SHAW: Yes.

11 Q. And it could change, I suppose, if you were replaced by
12 someone with a different approach?

13 MR SHAW: But that is where you have accountability from
14 your employers and your governors, HMC. That is where
15 that accountability comes in.

16 I have had this conversation with my line manager.
17 My point to him is I tend to make sure I do everything
18 right. I do the right thing. It is really important to
19 me that I do the right thing. But somebody else who is
20 in my position might not necessarily have that moral
21 attitude. So it's his job in order to make sure I am
22 doing the right thing. So even if he is certain I am
23 doing the right thing, he has to ask me about it and
24 gain evidence and proof, and that is where that
25 accountability comes in. And accountability is strong

1 at QVS. I feel very, very much accounted for in
2 everything that I do.

3 Q. Her Ladyship obviously took from you about the way you
4 would approach reporting because, as distinct from
5 perhaps the private boarding school, you have different
6 avenues to go down. You have MOD, and you also have
7 Care Inspectorate, the requirement that you report
8 within 24 hours, you have the Registrar of Independent
9 Schools, HMIE or Education Scotland, as appropriate
10 GTCS, and you mentioned the police.

11 The way you have been talking, you have been
12 mentioning the risk of over-reporting. Presumably,
13 though, there is still a degree of subjectivity in
14 deciding whether you have to report at all?

15 MR SHAW: There is a degree of subjectivity but we currently
16 err on the side of caution.

17 Q. Can I be clear, is that something that is reflected in
18 policy or is that just from you as an individual?

19 MR SHAW: That tactic of over-reporting is probably not
20 written down in any policy. It is very much something
21 that we just do now and will/should become policy in the
22 near future.

23 Q. All right.

24 LADY SMITH: Donald, in an earlier answer on this subject
25 you said:

1 "I have had this ... with my line manager. My point
2 to him is I tend to make sure I do everything right."

3 What is it that you have had with your line manager?

4 MR SHAW: I was referring to a conversation with my line
5 manager about accountability.

6 LADY SMITH: Right.

7 MR SHAW: Because as I mentioned earlier, there is a slight
8 tension with accountability in that I often find myself
9 telling the same information to the two bodies which
10 hold me accountable. So I had a conversation with my
11 line manager and said openly "Why do you need to do all
12 this? Why do you need to hold me to account for
13 everything I am doing when I actually have HMC already
14 holding me to account?" And we had an open conversation
15 and agreed, in fact, that other level of accountability
16 from my employers is actually very, very important.

17 LADY SMITH: Is this a line manager who is sited in the MOD?

18 MR SHAW: Yes, based in Andover.

19 LADY SMITH: Thank you.

20 MR BROWN: Is that the gentleman who is also on the --

21 MR SHAW: Yes.

22 Q. -- committee? I have forgotten the name.

23 MR SHAW: It's the education and -- or the name of the
24 gentleman?

25 Q. Yes.

1 MR SHAW: That's Andy Yeoman, he is my current line manager.

2 Q. So he is the other half of Clive? Clive is responsible
3 for MOD, I suppose, policy. Andy is the educational
4 side of MOD?

5 MR SHAW: Yes.

6 Q. Okay. I suppose another way of putting it would be the
7 more cross-checks the better?

8 MR SHAW: That is the way I personally feel, yes. One of
9 the things that I noted in 2006 when I started at the
10 school as head of maths, as head of maths I had
11 questions over my own accountability as a head of
12 department for results, et cetera. I eventually went to
13 the deputy head at the time and said "Do you not want to
14 see my systems I have put in place? The changes I have
15 made since I got here? The improvement in results?"
16 And he was a little relaxed about it, shall we say. So
17 I would much rather be held to account for my actions
18 than not be held to account.

19 Q. We have heard from other teachers, head teachers, that
20 there may be occasions where there can be uncertainty
21 about whether you should report and, if you should
22 report, to whom. You don't seem to have such
23 difficulties?

24 MR SHAW: No uncertainty whatsoever.

25 Q. Do you not feel you over-report as you have said?

1 MR SHAW: No, I don't think it is a problem. We are not
2 talking about a great deal of incidents here, we are
3 talking about one or two major ones that have to be
4 reported to everybody. Let's say there is a minor
5 safeguarding issue involving technology, maybe
6 cyber bullying over a mobile phone. That would not be
7 reported to those bodies, but it would be reported to
8 the police to get their advice on whether a law had been
9 broken and whether some further intervention was
10 required from them at that point.

11 So again it is about -- the reporting comes from the
12 quality of relationships we have with local bodies. So
13 we can phone up the local police and take advice
14 regularly. We can phone up the local social work
15 department of Stirling Council and take advice
16 regularly, even though we are not part of Stirling
17 Council. So the quality of relationships is a really
18 important thing to ensure we get it right for the
19 children in our care.

20 Q. Again you will have heard mention of those who have
21 experience of working in the boarding sector, private
22 boarding sector in England, of using Local Authority
23 contacts called LADOs to get guidance. By the sounds of
24 it you are doing the same thing but simply because you
25 have contacts you know and trust either in the Local

1 Authority social work department or, as you have been
2 saying, the local police.

3 MR SHAW: Yes, nothing formal though. I had never heard of
4 LADO until I saw it in one of the notes from the other
5 witnesses last week, so I have never heard of LADO
6 before. But my Local Authority is DCYP. So Dunblane
7 High School reports to Stirling Council as their Local
8 Authority. Queen Victoria School reports to DCYP as my
9 Local Authority. That is the role they play, it's very,
10 very similar.

11 Q. But from what you just said, you have contacts in the
12 police and the social work department of Stirling?

13 MR SHAW: Yes.

14 Q. Not DCYP?

15 MR SHAW: Yes.

16 Q. But you have built up a contact, which is not
17 an official contact, I suppose?

18 MR SHAW: Yes, it's not. It's there purely for advice and
19 guidance.

20 Q. But it would seem that, just as with other heads, you
21 welcome guidance as required?

22 MR SHAW: Yes.

23 Q. But there isn't anything formal?

24 MR SHAW: You know --

25 Q. What you have achieved is informal?

1 MR SHAW: -- prior to, when was it, I think it was around
2 2007, Queen Victoria School did have a formal
3 arrangement with Stirling Council to buy into some
4 services that Stirling Council was offered. I am not
5 sure what the reasons were, but that formal arrangement
6 ended and we have not been able to get it back as yet.

7 I had a meeting with somebody from Stirling Council
8 approximately 18 months to 24 months ago to try and
9 start the conversation again about coming up with a more
10 formal agreement between QVS and Stirling Council. So
11 we could perhaps get, for example, child psychology help
12 or support on an easier basis than it is to send
13 somebody up from the south of England or from Cyprus,
14 wherever they are based in the other MOD schools.

15 So for ease of finding support for children, we are
16 certainly open to the idea of having a relationship with
17 the local council.

18 Q. That is obviously looking at practical assistance, and
19 one can understand the benefit of getting a psychologist
20 from Stirling rather than Cyprus if that is where the
21 MOD happens to have one. But in terms of -- what we are
22 focusing on, I think, is the idea of being able to go
23 and speak to someone about reporting, what is required.
24 Would you welcome a formal system of doing that rather
25 than informal, and is the Local Authority, from your

1 experience, capable of providing that?

2 MR SHAW: In terms of reporting, we should have our own
3 written policy for that. That is not required from the
4 local council.

5 Q. But you have told us -- sorry, it may be my fault, but
6 you have told us that you benefit from speaking
7 informally to the social work department in Stirling
8 about really what you should do in certain cases.

9 MR SHAW: It is often for positive reinforcement of our
10 actions and to be told if our actions are wrong. Yes,
11 so it's guidance. But whether we are required to have
12 a policy on that is debatable.

13 Q. It is whether or not the availability of that contact
14 should be formalised. Not about policy, about whether
15 you do it or not, but just that it exists?

16 MR SHAW: I think things can't be formalised without
17 financial cost. I think that is an issue.

18 Q. Again you seem to be fortunate in the context of being
19 able to speak with the local police, as you describe it.
20 I know in relation to papers about previous events there
21 has been connection with the local police because
22 ten/twenty years ago it was easy to find the number of
23 the local police station. As we have heard from the
24 head of Fettes, she has concerns with Police Scotland
25 that if you dial 101, you may find someone who has no

1 relevant experience. Is that something you understand
2 or ...

3 MR SHAW: It is something I understand, but we would never
4 dial 101. We just contact the local officers because of
5 the quality of the relationship that has built up.

6 I am not sure if other schools would contact the
7 police as much as we do, I don't know when or how they
8 contact the police, we just take advice whenever we
9 require it from the police. It is not my decision as to
10 whether a law has been broken, it's the police's
11 decision. So I am in no position to make that call, and
12 that is why I would always call them for advice.

13 Q. So clearly, given what I know about previous cases,
14 there has been a local connection in the past, and that
15 has simply persisted, is that what we should understand?

16 MR SHAW: Yes. Yes, I think that is fair. We actually ask
17 the police to come and do a drive-through of our campus
18 on a regular basis, because the police equals safety for
19 the children. The police actually, as part of their
20 rounds through Dunblane, come on to our site, drive
21 around, and pop off again, just to keep an eye out and
22 just to be a presence, which is great.

23 Q. How often do you phone the police for advice?

24 MR SHAW: Shall we say termly? Three or four times a year,
25 something like that.

1 Q. In relation to child protection issues?

2 MR SHAW: When a child protection issue arises we will often
3 contact the police to see if it requires further input
4 from them.

5 Q. On a practical level, is that largely because of the use
6 of technology? You mentioned cyber bullying. Is that
7 the problem you face perhaps most commonly?

8 MR SHAW: Yes, I think I would say that over the last two to
9 three years, maybe even longer, there have been
10 increasing incidences of technology being involved in
11 child protection cases, children using their own devices
12 to do something inappropriate online.

13 Q. Have policies developed specifically for that?

14 MR SHAW: Yes, within our child protection policies.

15 Q. Okay. To any degree of success?

16 MR SHAW: Yes. The thing about success is it forms part of
17 our restorative practices within the school. So if
18 an incident occurs again, it is learning from
19 an incident. You educate children, it's part of their
20 personal social education programme, cyber safety. You
21 educate children until you are blue in the face, you
22 used that phrase earlier, but some children still will
23 probably break the rules, that is just the nature of
24 young people.

25 So following those breaking of the rules, we then

1 underline how you should do it. We almost like restore
2 the best practice or restore that message of best
3 practice. And I think -- yes, I think it is working.
4 I don't think you are ever going to eliminate every form
5 of cyber bullying there is out there, but all we can do
6 is try.

7 Q. You talked about the police coming on to campus. Access
8 to campus is obviously a concern across all schools, and
9 perhaps QVS, because of the nature of its pupils, has
10 particular concerns, and I am not interested in that
11 particularly. But obviously, and I know this from
12 something that you have already said to the Inquiry, you
13 had concerns on particular days when old Victorians
14 effectively had free rein to the campus and, perhaps
15 naturally revisiting old haunts, would be found in
16 houses, in the accommodation, unchecked. That has come
17 to a stop?

18 MR SHAW: 100% to a stop. The incident I referred to in my
19 own statement was in 2007, it was within my first year
20 of being at QVS, and there were some adults on the
21 school fields and they were drinking cans of beer. It
22 was OV weekend. As I said in my statement, that may
23 have been a one-off, but it struck me that they expected
24 to be able to walk on to campus with a can of beer. As
25 soon as they were told to empty their cans of beer, they

1 did it and they were very respectful. They were
2 Old Victorians, they had respect for the school.

3 Following that -- and this was the previous head who
4 put this into place -- we introduced a much better
5 visitors policy, including sign-ins and accompanied
6 visits at all times. Nobody was allowed unaccompanied
7 to wander around the site, people had to sign in, be
8 collected by a member of a house, be taken up to that
9 house office if they wanted to, like you say, revisit
10 old haunts.

11 Then slowly but surely in my day I have made us
12 a dry school. So even for Old Victorian events -- they
13 sometimes used to hire a bar and they would be on the
14 school fields, et cetera. We are now a dry school. I
15 do not want alcohol changing the way people act around
16 my school -- or our school, should I say.

17 Q. Looking to the houses themselves and access to them,
18 they will presumably be secure and pupils and staff will
19 have means of entry?

20 MR SHAW: Yes.

21 Q. Codes and the like?

22 MR SHAW: Yes, all external doors are now coded.

23 Q. What about access in-house for staff and pupils' areas
24 and vice versa?

25 MR SHAW: It's common. A duty tutor will be -- there are

1 two duty tutors on every night from 6 until 10 and they
2 have full access to the corridors where the children
3 live. A lot of the children actually spend the evening
4 with the duty tutors within the house office or a larger
5 common room, so there is open access. But if you have
6 to access a child's room, then we have a clear policy
7 in place on how to do that safely in order to make sure
8 the child is ready to receive a visitor.

9 Q. What does that mean in practice?

10 MR SHAW: In practice it means you go up to a door, you
11 knock on that door, and you say "It's Mr Shaw here.
12 Can I come in?" or "Are you decent?" A phrase like
13 that. And they say "Yes, sir, come in" or "No, sir, can
14 you give me a couple of minutes", and if that is
15 the case you wait a couple of minutes and then you can
16 go into the room. And when you are standing having
17 a conversation with the child, you stand with the door
18 open having that conversation with the child.

19 If you ever have to have a private conversation with
20 a child or if a child wants to have a private
21 conversation with you, you take that to the house
22 office, and you make sure the house office is private,
23 and then you listen to the child, whatever they have to
24 say.

25 Q. So there is a house office where that is sort of

1 one-to-one?

2 MR SHAW: Yes.

3 Q. And it can be private as necessary?

4 MR SHAW: Yes, exactly.

5 Q. What about staff accommodation?

6 MR SHAW: Within each boarding house we have the live-in
7 staff, so there is a flat for the HoM, there is a flat
8 for the deputy HoM, and there's a smaller flat for the
9 matron. Matrons tend to be individuals at the moment.
10 So there are three staff accommodations in each boarding
11 house, basically essentially at the end of the corridors
12 on the stair wells. Very much there is a separation
13 although it's a very minor separation.

14 Q. Do pupils have access to staff accommodation?

15 MR SHAW: Pupils can knock on a door to see their HoM if
16 they have a major issue they need to see their HoM on.
17 Let's say it is something the tutor can't deal with, we
18 would normally ask the tutor to call the HoM to come
19 out. But a child can knock on the door of a HoM, yes.

20 Q. By the sounds of it there is a house office which can be
21 used for contact as distinct from the accommodation?

22 MR SHAW: Yes.

23 Q. Would you expect a pupil ever to be inside?

24 MR SHAW: Again that is something that we have phased out.
25 All of our tutors are expected to do three tutor trips

1 a year, and in the past some staff have taken advantage
2 of living on site and invited their tutor group of,
3 let's say, six to eight students up to their house and
4 had a meal with them. But we phased that out because it
5 does present a small safeguarding risk, even though the
6 children are in groups, so we have phased that out now.
7 But occasionally, because we have no cooking facilities
8 at all in the boarding houses, occasionally the
9 housemaster or the housemistress will invite a group of
10 children into their kitchens and they will get the
11 children to cook a meal, or they will cook a meal
12 together, and sit down and eat that meal as a kind of
13 family unit. So occasionally children are in the
14 private dwellings of the housemaster or mistress.

15 Q. But from what you are saying, in a group scenario rather
16 than one-to-one?

17 MR SHAW: Yes. Yes, we're very definite about that. There
18 should be no one-to-one contact within private
19 dwellings.

20 Q. To be fair, because that is something again that has
21 been learned by experience, because we know there have
22 been issues in the past where the allegation at least
23 has been made of inappropriate relationships between
24 staff and pupils, that is part and parcel of boarding,
25 I suppose, that risk?

1 MR SHAW: You know, it has happened in the past, there are
2 well-documented cases, alleged -- I am not aware of the
3 facts -- alleged relationships between staff and
4 students way back before my time. But is it a risk?
5 You do everything you possibly can to minimise that
6 risk. In a boarding school environment you cannot help
7 have circumstances when you are having a one-to-one
8 conversation with a child. I have one-to-one
9 conversations with children regularly in my office. Is
10 there a safeguarding risk to that? It's minimal,
11 because policies and protocols are in place to protect
12 the child, and the child is never forced into those
13 one-to-one situations.

14 So everything we have in place minimises that risk
15 but it is not zero, I suppose I could sum up by saying.

16 Q. The reason I was also coming on to highlight is in those
17 alleged incidents involving staff and pupils, a further
18 distinction as between QVS and other boarding schools is
19 what followed after initial contact, as you have
20 indicated, with the police to get guidance, was
21 extremely lengthy MOD investigations involving the
22 teachers, and this is something that I think you would
23 expect as part of the oversight.

24 As well as the usual reporting, and we are back to
25 the point her Ladyship started with after the break,

1 there are really two routes of reporting, both of which
2 are carried out, one in terms of police, the
3 Care Inspectorate, et cetera, but the other is the MOD
4 route which can result in very laborious, and I don't
5 mean that critically, investigations with hearings which
6 can take weeks, is that correct?

7 MR SHAW: The Ministry of Defence investigation processes do
8 take a long time, yes, they do, but they are very
9 thorough on that side of it. They take a long time
10 because they are so through and they actually -- they
11 put the needs of the person who has been accused of
12 something on an equal level with the person who is doing
13 the accusing. You can't just assume that the accusation
14 is true, and the MOD procedures are so rigorous that
15 they allow a non-judgmental investigation to take place
16 until the conclusion is reached.

17 So, yes, in a significant incident we would report
18 it to the police and the police would investigate from
19 a law point of view, the MOD would investigate from
20 an employment point of view, on employment law. The two
21 things are actually entirely separate and can come up
22 with different conclusions as well.

23 Q. You have touched on the balance of the interests between
24 accuser and accused. Clearly we have heard discussion,
25 and I think you have touched upon this, about erring on

1 the side of reporting, which is perhaps touching on
2 mandatory reporting. Is that something that you would
3 agree with, mandatory reporting?

4 MR SHAW: Yes.

5 Q. But equally the other side of that is the importance of
6 retaining anonymity whilst allegations are unproved.

7 MR SHAW: In a school setting, in a boarding school setting,
8 which is basically a goldfish bowl, if a member of staff
9 is alleged to have -- if a member of staff has been
10 accused of something, then I believe there is no way of
11 retaining that anonymity based on simply being part of
12 the community that that member of staff is part of. We
13 always do our best to maintain that anonymity but
14 sometimes it feels impossible thanks to the rumour mill.

15 Q. You have talked about the school community being like
16 a goldfish bowl?

17 MR SHAW: Yes.

18 Q. Quite insular and a great deal of rumour. One aspect of
19 QVS that might be inferred from the material is there
20 have been times when office politics, if I can put it
21 that way, have impacted on the approaches of staff. It
22 has become quite personal. Is that something you
23 recognise?

24 MR SHAW: I do recognise it, but I do not recognise it in my
25 time as head at QVS. But I do recognise it prior to

1 2016. I think there were significant office politics
2 playing a part in school life.

3 Q. Is that a danger in the context of child protection?

4 MR SHAW: I don't believe so. Not in the instances I was
5 aware of. I have not researched them fully but the
6 pre-2006 incidents could potentially be -- could have
7 an effect on safeguarding, but anything I have seen
8 since 2006, the politics, the office politics, have not
9 impacted on the children.

10 Q. But is it another area where you have to be alive to the
11 potential that office politics can perhaps divert
12 attention away from things that should be looked at?

13 MR SHAW: I think if your focus is entirely on caring for
14 the children under your care, then office politics will
15 never get in the way. But you have to be alive to
16 everything, as we have said. You must keep your eyes
17 open at all times for any aspect of abuse.

18 Q. All right. If we could turn now to the part B aspect of
19 the response. This is obviously the school's
20 acknowledgement and admission of abuse and potential
21 systemic failures, and that is at MOD.001.001.0002. We
22 have that up on the screen now. The first question
23 obviously is:

24 "Does the organisation/establishment accept that
25 between 1930 and 17 December 2014 some children cared

1 for at the establishment were abused?"

2 And the answer is:

3 "Yes. Based on the records available to us we are
4 only aware of 5 allegations ..."

5 And the periods are set out:

6 "Two of these allegations were upheld, and none led
7 to criminal convictions."

8 Would you accept that the numbers may be -- as the
9 process of engaging with the Child Abuse Inquiry,
10 producing materials, that number may have
11 under-represented, to a degree?

12 MR SHAW: I do. I do accept that, yes. I think that those
13 figures that we produced in part B do not accurately
14 reflect the historical peer-on-peer abuse that took
15 place or that could have taken place.

16 Q. Can we just be clear, how did you become more aware of
17 peer-on-peer potential abuse?

18 MR SHAW: Mostly due to reading the witness statements.

19 Q. And also presumably recovering documents --

20 MR SHAW: Yes. One of the things I thought when this --
21 I can be quite a literal person, and one of the things
22 I thought when this abuse Inquiry started was this is
23 an Inquiry relating to instances of potential sexual
24 abuse from adults to children. That was my rather
25 narrow-minded thinking at the start of the Inquiry. But

1 in looking at old documents and searching the archives
2 and trying to find files there is a clear hint that
3 there may have been a significant peer-on-peer abuse
4 issue in some periods of the school's history, and I do
5 believe that a deputy head teacher or an assistant
6 headteacher was appointed at some time, potentially in
7 the early 1990s, in order to try and tackle this peer
8 bullying that was going on. I think from there
9 I realised that actually this Inquiry is much more
10 interested in the holistic idea of abuse, not just in my
11 own narrow-minded initial judgment.

12 Q. Can I just pick up on that, because I think in your
13 statement you recognise that abuse can come in many,
14 many forms. Is that something that you have come to
15 understand because of the Inquiry or was it just you
16 weren't seeing the wood for the trees when you first
17 initially responded?

18 MR SHAW: No, no. I have always totally understood the
19 forms that abuse comes in and the number of forms it can
20 come in. It was just my initial thought on this
21 Inquiry; that it was going to be related to adult to
22 children sexual abuse. That was just an initial
23 thought.

24 Q. Okay. Thank you. I think if we then move on to
25 question 3.2 further down. "Acknowledgement of systemic

1 failures":

2 "Does the organisation/establishment accept that its
3 systems failed to protect children cared for at the
4 establishment between 1930 and 17 December 2014 from
5 abuse?

6 "See 3.1i above. Although the 2 upheld allegations
7 represent an individual failure of systems to protect
8 children, based on 5 allegations of which we are aware
9 we have not yet identified any systemic failure in the
10 MOD's or the school's processes for protecting
11 children."

12 Do you still have that view?

13 MR SHAW: If one person is abused in a school, it is one too
14 many. I don't know what the definition of "systemic
15 failure" really is. Does that require a number of abuse
16 cases or not? It seems to me that, reading the witness
17 statements, children were discouraged from reporting
18 abuse, and that is appalling, absolutely appalling, if
19 that happened in the past, and it clearly did, from
20 reading those witness statements. So there perhaps was
21 a systemic failure which failed to allow children
22 adequate opportunities to report any abuse they were
23 experiencing and, therefore, they had to suffer in
24 silence. It's a disgrace if that is the case.

25 Q. We can return to this perhaps after the applicant

1 evidence has been heard. I know you want to say
2 something before we close, but if I can just briefly
3 return to Alan and Clive, who have been listening
4 patiently. Alan, is there anything you would wish to
5 add before I let Donald make his statement?

6 MR PLUMTREE: The only thing I would say is that part of the
7 discussion there about office politics, which I have
8 some degree of knowledge of, I don't think had any
9 impact at all on the children. It was very much a clash
10 of personalities.

11 Q. Would you accept that the potential though is that it
12 may lead to diversion, because there is so much focus on
13 the office politics that oversight may be lost?

14 MR PLUMTREE: I accept it could have happened. In the
15 circumstances that I am aware of, I don't think it did
16 happen.

17 Q. Thank you. Clive?

18 COLONEL KNIGHTLEY: No, nothing further to add, thank you.

19 Q. Thank you very much indeed. Donald, if you would wish
20 to ...

21 MR SHAW: As I have referred to in my evidence today, abuse
22 does come in many forms and, no matter the form, one
23 case of abuse in a school is one case too many. I would
24 like to, first of all, offer my appreciation to anyone
25 who has now come forward and reported an incident of

1 abuse that occurred during their time at QVS. It is
2 an incredibly hard thing to do but it is also
3 an incredibly brave thing to do. I would also like to
4 say sorry to those people; sorry to any young person who
5 has experienced life at QVS and their life has been
6 tarnished in any way by any form of abuse.

7 I want to make a little offer. Because, although it
8 might be difficult to walk through the gates of the
9 school again, I would like to invite anyone who has
10 reported abuse during their time at QVS to come and meet
11 with me and get a personal apology and to see what
12 school life is like at QVS nowadays, simply to reassure
13 them that no young person will ever have to go through
14 what they went through during their time with us.

15 MR BROWN: Donald, thank you. I have no further questions,
16 my Lady.

17 LADY SMITH: Are there any outstanding applications for
18 questions of Clive or Alan or Donald? (Pause).

19 No. It seems, gentlemen, that those are all the
20 questions for you today. It remains for me to thank you
21 all very much, not only for all the information the
22 school has provided us with in writing, but for the
23 three of you joining us today to provide oral evidence
24 to expand on that and enable us to hear from you
25 yourselves what we want to know at the moment, and

indeed add to that to help build the picture that I need to build. We will need to hear from you again, as Mr Brown has already explained, but for the time being thank you and I am able to let you all go.

(The witnesses withdrew)

LADY SMITH: Mr Brown.

MR BROWN: My Lady, thank you. That concludes the first phase of the boarding school chapter. We hope to start the second phase in May with two schools to hear applicant evidence in relation to, Loretto and then Morrison's, which should take up May in its entirety.

LADY SMITH: Thank you very much. We will of course confirm the exact dates on the website as soon as we possibly can. At the moment things are looking good for us having, let me put it this way, a less restricted environment than we have at the moment. I am quite hopeful about that. But we can keep you updated about that as well. Meanwhile, thank you all for your attention, all of you who are physically here and those of you who are connected remotely, and I will rise now until we resume in May. Thank you.

(12.55 pm)

(The Inquiry adjourned until a date and time to be confirmed)

25

INDEX

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MR DONALD SHAW (affirmed)	2
COLONEL CLIVE KNIGHTLEY (sworn)	3
MR ALAN PLUMTREE (affirmed)	4
Questions from MR BROWN	5

1

2

3

4