

Friday, 22 October 2021

(10.00 am)

LADY SMITH: Good morning, and welcome to the last day this week of evidence in relation to Queen Victoria School in our boarding school case study. Yesterday those of you who were here will remember that Mr Brown indicated we have one live witness first thing this morning and then we move on to reading in a few further statements.

Mr Brown.

MR BROWN: My Lady, good morning. The first live witness, the only live witness today, is 'Mark'.

LADY SMITH: Thank you.

'Mark' (affirmed)

LADY SMITH: 'Mark', you'll find a copy of your statement in the red folder in front of you, and it will come up on screen at whatever parts you're referred to. Please use either or neither, for your convenience, whatever you're comfortable with.

Would you also, please, let me know if you have any queries or concerns during the course of your evidence or if you need a break. If it works for you, it works for me, so don't hesitate.

A. Yes.

LADY SMITH: If that's required. So if you're ready, I'll hand over to Mr Brown and he'll take it from there.

1 A. Okay.

2 LADY SMITH: Thank you. Mr Brown.

3 Questions from Mr Brown

4 MR BROWN: 'Mark', good morning.

5 A. Good morning.

6 Q. If we could start with the statement, which obviously

7 you've just had a look at. We know that this is

8 a document that runs to 33 pages and for form's sake

9 I'll just read in the reference number so it's on the

10 record, which is WIT-1-000000534. Could you go, please,

11 to the last page, it will appear on the screen as well,

12 and you'll see beneath the last numbered paragraph, 130,

13 you signed, obviously, and dated it on 25 November 2020.

14 A. Yes.

15 Q. And the last paragraph reads:

16 "I have no objection to my witness statement being

17 published as part of the evidence to the Inquiry.

18 I believe the facts stated in the witness statement are

19 true."

20 And I take it you read the statement before you

21 signed it?

22 A. Yes.

23 Q. And were content with it?

24 A. Yes.

25 Q. It was quite a long process, I would imagine,

1           particularly with Covid, to produce it?

2       A.   It was, yes.

3       Q.   Done remotely and with a great deal of sending documents

4           to and fro?

5       A.   Yes.

6       Q.   As I think you understand, given the terms of that last

7           paragraph and your confirmation, the statement is in

8           evidence, so we don't need to go through it, but I do

9           wish to ask you, obviously, about your background, how

10          you came to QVS, your time there and your impressions of

11          the school and some of the standards and ethos that you

12          found there.

13       A.   (Witness nods).

14       Q.   But obviously of particular interest are the reasons why

15          you left the school and the process that you had to

16          undergo thereafter.   So we'll approach those

17          progressively.

18       A.   Yes.

19       Q.   In terms of background, you're 64 -- sorry, I do beg

20          your pardon, 54.

21       A.   Yes.

22       Q.   Sorry, I was looking at the date of birth, you're 1967,

23          so you're actually younger than me.   For a moment I was

24          horrified.   You came originally from [REDACTED] because

25          your parents had gone there?

1 A. Yes.

2 Q. But you came back to the UK in 1980 with your parents;  
3 is that right?

4 A. That's right, yes.

5 Q. Okay. In terms of your own background academically, you  
6 left school young?

7 A. (Witness nods).

8 Q. Became a mechanic?

9 A. Yeah.

10 Q. But you did highers at night school and then progressed  
11 to university in your 20s and got a degree in [REDACTED]?

12 A. Yes, that's right, an education, yeah.

13 Q. An education. And thereafter, you became a [REDACTED]  
14 teacher?

15 A. Yes.

16 Q. Was that an aspiration that you'd had for a long time?

17 A. No, not really. I think initially I thought I might go  
18 into the health service because my mother, she was  
19 a health visitors, midwife, nurse, and we have a few  
20 doctors and such like in the family, but then going to  
21 university, just the access course of six months, people  
22 out of education for long periods of time, and just  
23 clicked with [REDACTED] and the tutor there and I just  
24 thought it was somewhere to go.

25 Equally my wife teaches -- or taught [REDACTED], and it

1           was just something that we just found a common bond  
2           over, I suppose, and that's the path I selected and  
3           I think just judging from my background where I was  
4           really disrupted, I think, you know, I could have given  
5           something back to young people. That was the reason for  
6           my -- yeah, path, I suppose.

7       Q.   Okay. But after graduating, you start teaching as  
8           a supply teacher in Perthshire?

9       A.   Yes.

10      Q.   You're living in the same small town in Perthshire; is  
11           that correct?

12      A.   Yeah, we were at that time in Callander, yeah, over  
13           there, and I managed to get a six-month supply job in  
14           the same school as my wife and thereafter in a different  
15           council.

16      LADY SMITH: Just to be technical for a moment, Callander  
17           might be in Stirlingshire.

18      A.   Yes, it is.

19      LADY SMITH: It's not far from the border.

20      A.   It's strange, it has a Stirling address but it's still  
21           Stirling Perthshire, so it's an FK, but it's still --  
22           there's a lot of -- but yeah.

23      LADY SMITH: I know exactly where you mean. Thank you.

24      MR BROWN: Yes, I'm obliged.

25      A.   Dunblane's the same, yes.

1 MR BROWN: You then moved to [REDACTED].

2 A. That's right, yes. In 1995.

3 Q. And then you progressed to Queen Victoria School in  
4 1998?

5 A. Yes.

6 Q. Why did QVS appeal to you?

7 A. Well, we had a friend or have a friend who was  
8 a librarian there and who's known my wife for many, many  
9 years. She worked with her in a previous school for  
10 several years, and we just thought it was a nice  
11 connection to have. It was somebody who I knew and she  
12 thought I'd be a good person to be in that environment,  
13 and people with disrupted, difficult backgrounds and  
14 I could perhaps have something to offer there.

15 Also, salary-wise it appealed as well. [REDACTED] had  
16 been teaching for several years, we had our youngest son  
17 at that point and another son coming along, which we  
18 didn't know at that point, so I think in terms of  
19 financially it was a positive move that way, I suppose.

20 Q. And I think, from what your statement sets out, you  
21 would have preferred to stay put in your own house, but  
22 it was required, essentially, that you had to move to  
23 the school?

24 A. Yeah, that's right. We were really happy in -- where we  
25 were, and for my wife travelling back and forward that

1           was a bit more of a challenge. I didn't mind doing the  
2           travelling at all, but if we were stable in one  
3           community, childcare arrangements would have been easier  
4           as well, but there seemed to be -- we were required to  
5           live on site.

6       Q. I think from what you say the desire of the school was  
7           that you would actually live in one of the boarding  
8           houses?

9       A. Exactly, yes.

10      Q. But a compromise, if I can describe it that way, was  
11           that you lived in a house on the school campus?

12      A. Yeah, that was a challenge initially, and it was very  
13           difficult, I think, at the time because it was  
14           a probationary year as well, you know, you're kind of --  
15           which we weren't really clear about at the time and  
16           suddenly you have to make sure you're performing and  
17           jumping through the hoops and, you know, impressing, and  
18           that was one thing. So we didn't want to rock the boat  
19           too much, but certainly that was a bit of a challenge,  
20           trying to extricate ourselves, I suppose, from being in  
21           the boarding house and being remote, if you like, on  
22           site, so we're in our own little family environment.

23      Q. Why did the prospect of being in the boarding house with  
24           your wife and family seem too much?

25      A. Yeah, I think one was just privacy, I suppose, and also

1           you have a young son who had taken a long time to come  
2           so we didn't want to disrupt that and, you know, having  
3           been in a boarding house after that period, knowing how  
4           much disruption, knocks on the door, rings on the bell  
5           to the housemaster and things, so there's constant  
6           disruption throughout evenings, days, so you can never  
7           switch off, I think that's one thing. And also just to  
8           enjoy our time away from work and have a clear  
9           demarcation, I think. That was the key for that,  
10          I would say.

11        Q. Thank you. You talked about one of the reasons you  
12          liked -- forgetting also, by the sounds of it, the rise  
13          in salary -- the fact that you were dealing with  
14          troubled children.

15        A. Mm.

16        Q. What do you mean by that?

17        A. Well, I know they've -- for a lot of them it was  
18          a stable environment. For a long period of time  
19          throughout the academic year they were safe, they knew  
20          what their -- well, 7 till 11 times were. They knew  
21          they had same accommodation. They had people to go to  
22          they could trust and they had friendship groups, and  
23          outwith that, when they were taken away, they're in  
24          families where perhaps parents were gone, separated  
25          divorced, had died, and lots of disruption in families



1           like mine where my families were separated and divorced  
2           and had real difficulties with, you know, drink or  
3           whatever else, and I suppose for them it was a safe  
4           environment to come. And so to be part of that was  
5           a real positive and to feel they felt safe and you were  
6           giving them something that perhaps I didn't have as  
7           a youngster, that was something I was really -- I liked  
8           that challenge.

9       Q.   The military side apart, though, are those dynamics any  
10          different from what you'd experienced in your three  
11          years in a state school?

12      A.   A wee bit different, I suppose, in terms of -- well,  
13          maybe a lot different because I saw pupils perhaps maybe  
14          one, two hours in a day maybe three days a week perhaps,  
15          whereas here you saw them an awful lot of the time. So  
16          I know the difficulties in the state system, which  
17          I came through, and you could do as much as you could do  
18          within that environment, but as a classroom teacher, my  
19          reach wasn't as wide, I suppose. You could do as much  
20          as you could. But certainly in the boarding  
21          environment, you know, you had contact with the pupils  
22          outwith the classroom as well and in sort of PE and such  
23          like and school activities and extracurricular  
24          activities as well. So you could really get a -- it's  
25          a kind of holistic approach, I suppose, and so

1           you'd have, I suppose, a more rounded young person.

2       Q.   Okay.  You talk about being interviewed and you

3           recollect it was the board of governors who interviewed

4           you.

5       A.   Yes.  I know Alice Hainey was on it, I'm sure

6           Brian Raine was.

7       Q.   That's the headmaster?

8       A.   Yes.

9       Q.   And the assistant head --

10      A.   Was Alice Hainey, yes.

11      Q.   -- pastoral.

12      A.   I always remember a question -- when she asked me

13           a question, I said that a lot of people feel that the

14           guidance or the pastoral side or PSE is something that

15           they're compelled to do or is forced upon them, and she

16           immediately asked me why I thought that and I remember,

17           I probably gave a reasonable response, and obviously

18           that was something that she felt that I could bring to

19           the school in terms of the pastoral side because I got

20           the job and obviously I answered that question really

21           quite well.

22      Q.   PSE?  The acronym?

23      A.   Pastoral social care, but I'm not sure what the acronym

24           means now.

25      LADY SMITH:  Personal and Social Education?

1 A. Yes, thank you.

2 MR BROWN: Part of the deal obviously was that as well as

3 being a [REDACTED] teacher, and you've alluded to this

4 already, you were going to be an assistant housemaster.

5 A. Yes.

6 Q. You've talked about the pastoral side and Alice Hainey,

7 who was the assistant head pastoral, we would

8 understand, at the time. You'd had no experience of

9 that?

10 A. No.

11 Q. Did you understand before you arrived that there would

12 be some form of training?

13 A. No -- well, there was nothing sort of formal and I can't

14 remember how the job was advertised originally, I don't

15 know if it was just [REDACTED] teacher, and I think because

16 we had done -- there was another girl who started the

17 same time, they only had one post but they thought we

18 both did exceptionally in the interview and so they

19 offered two posts. I can't remember why I'd applied as

20 a [REDACTED] teacher to the school, but I think perhaps in

21 interview they said, "Well, here's the job but also we'd

22 like to offer you assistant housemaster as well".

23 I can't remember how it worked but ...

24 LADY SMITH: Sorry, assistant ...?

25 A. Assistant housemaster. So I had no training, no notion

1 of what it involved, but certainly I thought at the time  
2 I would have been taken through the processes and what  
3 the job and the remit entailed.

4 MR BROWN: You say at page 5, paragraph 17 of your  
5 statement -- and this is obviously talking about you  
6 arriving at QVS:

7 "I did one training course, but that was off my own  
8 back to try to get some understanding of bereavement  
9 counselling."

10 Just stopping there, why did that seem important to  
11 you?

12 A. There were one or two pupils who had encountered that,  
13 and I really didn't know how to deal with it, frankly.  
14 You know, what do you say to a child who's lost  
15 a parent, a parent as well who's lost a partner? And  
16 they're coming to our environment and they're worried  
17 about their son or daughter at school coming in to meet  
18 and then, you know, I just felt it was like a bit kind  
19 of a ham-fisted kind of process and I wasn't really sure  
20 I had the acumen to deal with that effectively, so  
21 that's why I thought -- and Alice Hainey had -- she'd  
22 seen this course as well, she thought it had been a good  
23 course, a positive thing to have gone on.

24 Q. Obviously QVS is a school funded by the MoD?

25 A. Yes.

1 Q. And it was provided or set up for the sons of Scottish  
2 soldiers at the very outset killed on active service.  
3 A. (Witness nods).  
4 Q. Was that aspect discussed at the interview?  
5 A. No.  
6 Q. The fact that --  
7 A. No.  
8 Q. Were you aware of the background of the school?  
9 A. Yeah, because I did a bit of research into the school in  
10 terms of what it stood for, why it's funded and why it  
11 had been set up and that's the other thing that appealed  
12 because there's young people who had encountered very  
13 disrupted, sometimes very difficult lives but also  
14 varied -- Forces move around so often and this was the  
15 only stable environment where they knew they had  
16 a centre, I suppose, instead of making friendship groups  
17 in one place, suddenly moving 18 months later,  
18 a different country or a different part of the country.  
19 So it was something I was certainly aware of, you know,  
20 the background, but certainly it wasn't something that  
21 was brought up in interview.  
22 Q. But you mentioned Alice Hainey, who's the pastoral  
23 assistant head, I think --  
24 A. Yeah.  
25 Q. -- was keen on the course too. Was there an awareness

1           that was shared with you that you may have pupils whose  
2           parents may be killed because they were on active duty?  
3           Was that something that was focused upon?

4       A.   No.

5       Q.   And she was supportive, but, as you say, at some stage  
6           in your time at QVS, she left?

7       A.   Yeah.

8       Q.   And it fell by the wayside?

9       A.   Mm.

10      Q.   Had other people gone on the course beyond you?

11      A.   As far as I know, I was the only one who was on that.  
12           We were trying to get -- and part of it was looking at  
13           different year groups as well, so you'd have almost like  
14           a buddy system, so you'd have senior pupils who  
15           encountered issues, you know, Primary 7s coming in and  
16           maybe four or five in a group and that was a very safe  
17           zone, so nothing would be shared outside of that and  
18           they could speak freely, openly, and just emote and --  
19           but we didn't ever get to that stage. It just fell  
20           away.

21      Q.   Okay. Sticking with child protection, Alice Hainey is  
22           there as the pastoral supervisor. Was she proactive?

23      A.   Yes, yeah, I would say so, yeah. I would say she was --  
24           she was always visible, always interacting with pupils,  
25           staff, and I found her to be a very positive person.

1 I felt she was the one in the SMT or SLT --

2 Q. Is that Senior Management Team, Senior Leadership Team?

3 A. I know, I think it changes again, but within that

4 leadership team that I felt I could go to and speak

5 with, you know, about why I'm in that establishment,

6 because you're looking out for the welfare of the

7 pupils.

8 Q. Again since we're talking about her, she stepped down in

9 due course and was replaced by another assistant head

10 pastoral.

11 A. Yes, that was -- I think it was Lyn Smith.

12 Q. Uh-huh. Was she as proactive?

13 A. I'd say different role, but no, she was certainly, you

14 know, visible and she got her sleeves rolled up and was

15 in amongst everything, so I'd say -- just a different

16 approach. I think with Alice it was more -- I don't

17 know, empathetic. She had a real connection with

18 people, she could read them really well. People just

19 have that ability to communicate and she was almost like

20 a giant ear, I suppose, walking round and people just

21 speak with her and that's why I felt she often was --

22 replacement, Lynne, she was not in that mould, but

23 certainly she was very visible and had the pupils at the

24 centre of her -- I suppose her role.

25 LADY SMITH: Am I right in thinking Alice Hainey was a good

1           bit older than you?

2       A. Yes.

3       LADY SMITH: And more experienced in the world of teaching?

4       A. Yes, absolutely. I would say she's -- I don't want to

5           do her a disservice, but I'd say she could be 15, 20

6           years older than me.

7       LADY SMITH: I think she must be late '70s, nearing 80 years

8           of age now; is that right?

9       A. Yes, that's quite a thought, yeah.

10      LADY SMITH: Thank you.

11      MR BROWN: I think in your statement -- and I'm sorry, we'll

12           come back to the house in a moment, but just since we're

13           on the set-up in terms of pastoral, when you arrived,

14           could we look at a document MOD 350 and just start at

15           page 1, this is the child protection guidelines of 1996,

16           which we would understand was produced by Alice Hainey.

17           If we go to page 3, we see this is an introduction where

18           she's saying:

19               "The last decade has seen very considerable research

20               by members of a variety of professions into the area of

21               child abuse. Out of it has come a significantly greater

22               awareness not only of the existence but also of the

23               prevalence and consequences of child abuse. There has

24               also been developed a realisation of the many forms

25               which abuse may take, not all necessarily open to neat



1 classification."

2 It goes on, next paragraph:

3 "The staff of a school have an important part to  
4 play in the sensitive and delicate work of dealing with  
5 known or suspected cases of abuse. But in addition to  
6 that they have a role of very particular importance in  
7 the identification of the signs of abuse. There are  
8 opportunities within the context of school life for  
9 observing symptoms which could otherwise well pass  
10 unnoticed. But for advantages to be taken of these  
11 opportunities there is a need for some knowledge of  
12 those systems and an awareness of the action which  
13 requires to be taken when they are identified.

14 These guidelines are the first draft of QVS's  
15 guidelines designed to inform and support staff who have  
16 an important part to play in child protection. They are  
17 issued to coincide with the first in-service training on  
18 child protection the school has offered."

19 And we see, just going down to the bottom, that it's  
20 A Hainey, assistant headteacher (pastoral) and July  
21 1996.

22 We don't need to go through the document. This is  
23 a document that clearly was in existence when you joined  
24 in 1998.

25 A. Mm.

1 Q. Seeing it, do you now remember it? Were you given  
2 a copy of it?

3 A. I probably was, yeah. I'd imagine I would have been as  
4 part of -- I'm sure there would have been some sort of  
5 induction pack or something, many forms to fill in or to  
6 have knowledge of, and then getting to grips with  
7 everything else at the time.

8 Q. And I think, again, we don't perhaps need to wade into  
9 them because we can read them for ourselves, but we  
10 know, for example, that there was a staff handbook from  
11 1998/9, there was boarding arrangements, guidance for  
12 parents, and in 1999 there was a pastoral handbook  
13 produced.

14 A. (Witness nods).

15 Q. So the period that you begin, that first year, not only  
16 would you get your child protection guidelines in  
17 an induction pack, one assumes, but there were other  
18 documents focusing on similar but slightly different  
19 approaches to the same thing?

20 A. Yeah, and much the same as you would have in state  
21 education where -- part of your GTC and such like when  
22 you go onto the register. But you're aware of all those  
23 systems and the requirements. And also you have your  
24 point of contact within a school as well, who's the  
25 person if you have any questions or concerns, then you

1 can go and speak with that individual.

2 Q. Was that Alice Hainey --

3 A. That would have been Alice Hainey, yeah.

4 Q. -- for the purposes of QVS? Coming from three years in  
5 the state sector, did you see any difference when you  
6 got to QVS on the pastoral side?

7 A. Yes, I think one thing that I was aware of in the state  
8 system -- because we worked -- one of my -- well, the  
9 assistant headteacher in [REDACTED] High School, he was  
10 also a [REDACTED] teacher so I was aware of his guidance  
11 role as it was then, I'm not sure it's still called that  
12 now, but you were aware of pupil profiles and just the  
13 work going -- involved and social workers, social care  
14 coming in, different agencies are all working within the  
15 state system, were coming into it. But in QV there was  
16 nothing like that. I was unaware of Social Services or  
17 social workers, you know, some outside support agencies  
18 coming in and supporting families or children, whereas  
19 in the state that was certainly something that was --  
20 and in the latter school I was in, they had a base where  
21 a social worker or workers were based within the school  
22 to support families within the community, troubled  
23 families and also a place of safety within the school to  
24 go to. So that certainly wasn't there, so it was a real  
25 difference in terms of what I was able to witness in the

1 state system compared to QV.

2 Q. The short version of that is there was a connection with  
3 Local Authority safeguarding?

4 A. Yeah, in state systems, yeah.

5 Q. Yeah. Because in the state it's the Local Authority who  
6 are responsible for the schools?

7 A. Yes.

8 Q. But QVS has its own independent body?

9 A. Yeah.

10 Q. With MoD oversight?

11 A. That's right.

12 Q. We'll come back to how things worked but if we can now  
13 return to you going into the house, which house did you  
14 go into?

15 A. The boarding house?

16 Q. As assistant housemaster?

17 A. Trenchard House.

18 Q. Just so we understand, because we know that obviously it  
19 had been a boys' school but QV became co-ed.

20 A. Yes.

21 Q. When you started it was still a boys' school?

22 A. It was still a boys' school then.

23 Q. You said you didn't get any formal training. There was  
24 obviously child protection material available to you,  
25 you have Alice Hainey, but I think, going back to

1 paragraph 17 on page 5, is it summed up you shadowed the  
2 housemaster for the first term to learn the ropes?

3 A. Yeah, that's right. And really that was it. He would  
4 be on duty with me so I'd watch him to see how it  
5 worked, just interacting, how the day worked. I had no  
6 idea what independent schools -- because you hear of  
7 prep, you hear of, you know, wake up and getting ready  
8 for school and chapel and all these sort of things were  
9 completely foreign to me, and games and various times of  
10 the week that they were on. Saturdays and duties and  
11 things. So there was a lot to take in, you know, from  
12 somebody who wasn't really too enamoured with school in  
13 the younger years to come into that environment. It was  
14 all-pervading, really, I suppose, in terms of how much  
15 I had to take in. So the housemaster, I shadowed him  
16 and then he would shadow me, obviously until he felt  
17 I was at a point where he felt comfortable in my routine  
18 and my interaction with the young people.

19 Q. You were there till, I think, the [REDACTED] 2006  
20 in real terms 2005 was the last year you taught there.

21 A. (Witness nods).

22 Q. Did that ever change in terms of, as far as you were  
23 aware, the induction of new housemasters or mistresses?  
24 Was there more formal training at any stage?

25 A. No, not that I was really aware of. And certainly we

1           had a depute come into the house when we moved to the  
2           co-ed house and she lived within the building and there  
3           was just sort of questions that, you know, routine  
4           questions I could ask her, but again because she was  
5           just in the flat below the housemaster, they had their  
6           interactions. So I didn't really have a great deal to  
7           do then. I wasn't privy to any sort of training that  
8           she may have been undertaking or required to undertake  
9           or any sort of formal training that may have been  
10          offered. I was unaware of that.

11        Q. At paragraph 19 you say:

12                "The housemaster had a flat within the boarding  
13           house, so he was always available. He would pop out  
14           when I was on duty just to see how I was doing so I got  
15           support through him that way and we would to a handover  
16           the following day. We had a diary and you would write  
17           it up, just saying what had happened, what child was  
18           upset, if you reassured them or if one wasn't behaving  
19           as he should. So he knew what he was coming into that  
20           morning."

21        A. Yeah.

22        Q. So there's essentially a notebook that you can pass on  
23           so you become current of what's happened on the previous  
24           shift, if you like?

25        A. Yeah, that's right, yes.

1 Q. That was obviously a way, and I think you come onto this  
2 later, of seeing which boys were either misbehaving,  
3 I suppose, or having trouble?

4 A. Yes.

5 Q. Or were upset?

6 A. Yeah.

7 Q. Was there any way in which you could have an overview of  
8 the boys in the house so you could say: I can look back  
9 and see that this boy was upset, for example, three  
10 weeks out of the last seven?

11 A. Yeah, I can't recall, but I think we will have had  
12 a weekly or fortnightly meeting as a house with other  
13 duty members and sit down so we were aware of any names  
14 that had been sort of -- there's a bit of a concern  
15 about why, because in the diary it's been noted two or  
16 three times that they're upset or they'd been bullying  
17 someone or somebody stealing something or just not  
18 looking right, not feeling right, you know, about them,  
19 so they would have been probably not formalised but  
20 certainly I think there would have been some sort of  
21 meeting where we'd have come together to have discussed  
22 any names that may have cropped up repeatedly.

23 Q. Again, same question: over the time you were at QV, did  
24 that ever become more formalised in the sense there were  
25 written rules about how you went about such things,

1 recording was more thorough, or was it just left to the  
2 approach taken by the house staff?

3 A. Yeah, as I recall it was just left, the approach was  
4 taken by the house staff and how we managed it and the  
5 housemaster had been there for years and we were just  
6 working in with how it worked there and I was guided by  
7 that, I suppose, having not been in -- and, you know, at  
8 the early stage you couldn't really challenge anything,  
9 I suppose, because you were just coming in as very  
10 inexperienced in that environment. But I think we  
11 communicated really quite well as a team, and certainly  
12 we had the deputy headteacher was part of the team as  
13 well so he was able to bring in things from outwith and  
14 everybody was a member of staff so anything going on in  
15 the school, on the academic side or such like, they  
16 could then say -- filter this in and say, "We've noticed  
17 an issue in the class between these two, we're not sure  
18 what's going on", so there was good communication that  
19 way, I suppose, but probably not formalised.

20 Q. So there was communication from the school side back to  
21 the house?

22 A. Yeah.

23 Q. So you would have a picture, you hoped?

24 A. Yeah, and from the school side that would have been  
25 those within the boarding house, I suppose, who had



1           their weekly duty. So a member of staff would be, for  
2           instance, part of their role within the school, wider  
3           role, would be on a Tuesday and a Thursday night they  
4           might come in for -- or one night a week perhaps for  
5           three or four hours to just look after the house type  
6           thing during the post school up till bedtime, and then  
7           at that point they would just have a little handover and  
8           say, "Someone's having a bit of an issue here but I've  
9           noticed in class that they've had a bit of an issue as  
10          well, perhaps we should let the housemaster know."

11        Q. That sounds somewhat ad hoc.

12        A. Yeah.

13        Q. It really depended on who you were getting from the  
14          teaching staff to cover a particular day.

15        A. Yeah. It's relying on people remembering and writing  
16          things down as well, so a lot could be lost and it could  
17          be -- "oh, I meant to say" -- and, you know, so, yeah,  
18          it was ad hoc.

19        Q. In terms of the house, you talked about one of the  
20          reasons you didn't want to move your family in was  
21          because there was no peace in the evenings. Returning  
22          to that, when you were covering for the housemaster and  
23          he could shut his door to his living accommodation and  
24          have his own time, was it common to have a constant or  
25          a regular contact from the boys in the house?

1       A. As I understood, yeah. In the earlier period I was  
2       aware of that. Or they'd go and see the matron as well  
3       who was within the boarding house. They'd knock on her  
4       door as well or ring the bell. But when I was on duty,  
5       once I'd established myself, that rarely happened  
6       because they knew they could come to me and discuss  
7       something or if there was an issue. So they knew they  
8       didn't have to go and see the housemaster. But I think  
9       when I wasn't in the house, that was certainly something  
10      that occurred.

11             And equally, when I was off duty at 11 or 12 or  
12      whatever time it was, the pupils knew that and so if  
13      they have an issue at 1 o'clock in the morning or  
14      4 o'clock in the morning, they would go and knock on his  
15      door and, you know, upset or whatever it was, and they'd  
16      need that reassurance that an adult was there to -- all  
17      the time.

18      Q. Again talking about formality, we have guidelines by the  
19      time you were there. In terms of the house, were there  
20      inductions for new pupils by the house staff saying,  
21      "You can come see us"?

22      A. Yeah, I think it -- there would have been induction to  
23      the young pupils coming in, you know, the P7s and any  
24      new pupil, and, "Here's how the boarding house works,  
25      here's who the members of staff are", so I'd imagine we

1 would have sat down at the beginning when they first  
2 arrived to explain what they were coming into, and a lot  
3 of them, of course, it was just an alarming thing to be  
4 left essentially on your own away from your family, and  
5 so we wanted to provide a welcoming environment for them  
6 and at that point we would have said, "If you have any  
7 issue, never be reticent about coming to speak with any  
8 of us at any point", so that's just a human thing  
9 anyway, because you don't want any child to be holding  
10 onto anything if they need to speak with someone, to  
11 share something.

12 So they would have been aware in exceptional  
13 circumstances if you need to speak with someone,  
14 absolutely come and knock on our door. That would have  
15 been -- yeah, they would have been told that they could  
16 do that.

17 Q. And did they?

18 A. Yeah, as far as I'm aware. I mean, I wasn't because  
19 I didn't live in the house, so not to my house because  
20 I was out --

21 Q. No, but if you were on duty in the evening, were you  
22 getting pupils coming to talk to you about things?

23 A. Yeah, they would come. You know, somebody upset and it  
24 could be just -- and you'd have to look into things in  
25 terms of, you know, it could be a bullying incident,

1           they're not happy with a roommate. It could be  
2           a trivial thing because suddenly they're thrust in  
3           a room with three or four other people and they have to  
4           live as a family and there are little tensions there  
5           that could spill over and it could be from the games  
6           field or anything. And so you may get people upset or  
7           just simply when the lights go out, that's when  
8           things -- you know, people get upset because they  
9           suddenly start thinking, they're in the dark, they're  
10          thinking about family, where they could be. They're  
11          worried about their parents, siblings, and so they  
12          would -- you know, sometimes you would get a wee knock  
13          on the office door. But we would walk around and just,  
14          you know, make sure that they were aware we were there,  
15          but sometimes you get the knock saying you're upset, so.

16       Q. Okay.

17       A. I think one of the issues there, I suppose, is that as  
18       a member of staff, while we had seniors around as well,  
19       but sometimes they would be involved in other  
20       activities, off to bed, whatever else as well, so you  
21       may be on your own and that was the difficulty there,  
22       that you were in an office with a 12-year-old or  
23       somebody who's upset and you just have to keep them over  
24       there and chat through what they're doing. The human  
25       side is very difficult, you know. As a parent you know

1           what you want to do, but as a member of staff, you can  
2           only just talk them through things and let them know  
3           it's okay, support's here if they needed to speak with  
4           anybody and you know.

5       MR BROWN:   Okay.

6       LADY SMITH:  Mark, you said that you could have a boy  
7           knocking on your door because of a bullying incident.

8       A.   Mm.

9       LADY SMITH:  Can you give me an example?

10      A.   I think, yeah, sometimes it could be -- I mean, I can't  
11           give a specific example.  I think it just all kind of  
12           just -- you know, it kind of becomes very mixed up.  But  
13           I think certainly where somebody's concerned that  
14           somebody's stolen something of theirs and it could be as  
15           basic as a bit of their tuck, as they called it, a few  
16           sweets or something.  But also -- or just somebody just  
17           being a bit physical with them where they maybe just  
18           feel like somebody's just always trying to impose their  
19           physicality on them and then they're being -- they're  
20           just finding it very upsetting.

21           But nothing where -- not that I can recall -- anyone  
22           was beaten severely or beaten up.  But certainly there  
23           was a sense of some pupils, they were just in fear of  
24           others.  And I'm not sure -- certainly I didn't detect  
25           that from the seniors when we first moved into the

1 initial boarding house with the older boys, the senior  
2 boys. That seemed to work, really, as far as I could  
3 see, quite well, and you know, looking at history now in  
4 terms of what I didn't know had gone on in the school  
5 before, you know, which I'm aware of now, but certainly  
6 no specific -- but I can recall where they'd been upset  
7 because things had been stolen or they'd been bullied.  
8 It's that sort of very low-level stuff but it's huge to  
9 an individual. It may not seem significant in terms of,  
10 oh, they're just trying to be, you know -- but for them  
11 it's -- they live with them 24 hours a day and so that  
12 is a significant thing so you want to be able to resolve  
13 that. And a lot of the time, you know, the way it works  
14 is just to get the two and to speak and see what the  
15 problem is and hopefully it's resolved from there.

16 LADY SMITH: Thank you.

17 A. But because we're in the boarding house, you could  
18 monitor that interaction and so that was the helpful  
19 side, I suppose.

20 MR BROWN: Okay. You don't know what went on in the past,  
21 but I think, and I just want to touch on this very  
22 briefly, you knew from the housemaster who had been  
23 there a long time the culture had once been rather  
24 different.

25 A. Yes.

1 Q. Do you remember it being commented on by him whether or  
2 not pupils were now more willing to come forward?

3 A. I don't know if there's been a specific comment on his  
4 part, no.

5 Q. But I think one thing you did, and we may touch on this  
6 briefly in a moment, that in terms of discipline it was  
7 obviously a world away from what had been, because  
8 corporal punishment had been part and parcel of house  
9 life?

10 A. That's right, yeah. I think it was the slipper and  
11 I don't know what else, you know, you know, so it was  
12 just -- yeah, a bit barbaric.

13 Q. When you were talking about boys coming to see you,  
14 obviously you would have to see a child one-on-one.  
15 Now, from your time in the state school, was that  
16 something that you had had training about or --

17 A. Yes, absolutely. We always -- you didn't have a pupil  
18 in a room on your own. If that was the case, you would  
19 sit near the door, you would have the door open so the  
20 corridor would be there and people could see, but you  
21 would try and get somebody in. Or if it was a serious  
22 matter, then you'd say, "What you're telling me, I need  
23 to share this", and you'd go to the child protection  
24 person in the school.

25 Q. All right. I think, going back briefly to the document

1 we looked at before, MOD 350, and if we could go to  
2 page 14, this is the same document produced in 1996 and  
3 this is the guidance for staff on interaction with  
4 pupils. It starts with:

5 "Protecting ourselves."

6 From a point of view of being a teacher in the  
7 1990s, was there a sense amongst the teaching staff that  
8 you were exposed?

9 A. Sorry, I was just reading through that little -- can you  
10 repeat that, sorry?

11 Q. One thing at a time. Going back to your teaching career  
12 when it started, 95, then 98 at QVS, was there a feeling  
13 amongst staff that the culture was that you were exposed  
14 to the potential of allegations?

15 A. There was -- I think when I arrived, I don't think there  
16 was that feeling. But certainly when the -- you know,  
17 it was mooted that there would be a co-ed boarding house  
18 and then senior pupils, girls, would be coming in, that  
19 was when alarm bells started ringing there because  
20 I just felt that I would be vulnerable, staff would be  
21 vulnerable.

22 Q. Okay. It's just the first paragraph which I think you'd  
23 begun to read was:

24 "The current climate of suspicion with regard to  
25 child abuse poses a real dilemma for caring adults."



1 A. Yes.

2 Q. "This is true in all schools but especially so in  
3 boarding situations where schools take a pride in  
4 fostering a family atmosphere."

5 And it goes on in terms, going down the  
6 page, I think, to make the point that there obviously  
7 may have to be, reading short, occasions where you do,  
8 but going to the paragraph beginning "Common sense":

9 "Common sense is a good guide, but it must be  
10 informed common sense. Child abusers often seek to gain  
11 the trust and confidence of children by seeming to care  
12 and then exploiting that trust. It is important for  
13 caring adults to understand that too generous limits  
14 which can be operated satisfactorily by some can be  
15 exploited by others with less worthy motives."

16 And then it goes on in terms of guidance under the  
17 broad heading, "Opportunity", second paragraph:

18 "The simplest advice would be to try, so far as  
19 possible, to avoid being alone with a child or young  
20 person."

21 A. Yes.

22 Q. "This may prove difficult, especially in a boarding  
23 situation where it might be seen as beneficial for  
24 a child to have some opportunity for one-to-one contact  
25 with an adult. Where one-to-one contact does happen, it

1           should be arranged sensibly, with others, where  
2           possible, within earshot or vision."

3           So that was something that was formally being given  
4           to you?

5       A.   Mm-hmm.

6       Q.   But something you knew, from what you're saying,  
7           already?

8       A.   It was -- that was formally given to us but it was very  
9           difficult to do that, I suppose, when we're in  
10          a boarding school, lights out, pupils -- and you're on  
11          duty on your own in the boarding school -- in the  
12          boarding house. We did have the housemaster who would  
13          have been available if there was a serious situation.  
14          A matron would have been around as well, who was around  
15          quite often anyway, so that was always a comfort,  
16          knowing that there was another presence there. But  
17          a lot of the time we were just on our own and that was  
18          the real, yeah, difficulty in terms of the role. Yeah.

19      Q.   But it's flagged up, if you're in that situation, there  
20          are obvious steps you might try and take?

21      A.   Yes, yeah.

22      Q.   Just for completeness since we're on this document and  
23          I think so we can leave it alone, if we go to the next  
24          page there's guidance about physical contact,  
25          inappropriate remarks, and then attachments:

1            "You are strongly advised to share your concerns  
2            with a senior colleague if you suspect that a child or  
3            young person is becoming inappropriately attached to you  
4            or to another member of staff; your relationship with or  
5            feelings towards a child or young person are placing you  
6            at risk of unprofessional behaviour."

7            Obviously that's -- because I'm going to ask you  
8            about that very thing in due course.

9            A. Yes.

10          Q. But let's be clear, it was understood, it was in the  
11          guidelines and it must have been as a matter of common  
12          sense understood: you don't have relationships with  
13          pupils?

14          A. Absolutely, yeah.

15          Q. Thank you. Just returning to the house briefly, we have  
16          another document, which is MOD 0051. It may be that  
17          document is not on the -- that's fine. It's a document  
18          we have, just so you understand, and I'll just read it  
19          to you. It's, "Boarding arrangements", and it's a guide  
20          for parents. And the introduction is perhaps  
21          sufficient, so if you just listen to what I'm reading  
22          out:

23               "At QVS, pastoral care is given a high priority and  
24               is the responsibility of the assistant headteacher."

25               And it goes on to talk about the breadth of what

1 pastoral care encompasses. Then it goes on:

2 "A boarding house will have regard for the whole  
3 person in order to fulfil its responsibilities to those  
4 put in its care and for whom it is inevitably acting in  
5 loco parentis on many occasions."

6 Reading further on from that paragraph:

7 "The boarding houses with their pastoral tutorial  
8 structure are the crucial element in this provision."

9 It reads on:

10 "The house structure provides the detailed  
11 supervision of the individual and the closest pastoral  
12 care. The child's welfare is the day-to-day  
13 responsibility of the housemaster or housemistress and  
14 his or her staff. Nominated members of staff also act  
15 as house tutors with responsibility for a group of some  
16 10 to 12 pupils. They use their professional and  
17 personal skills to listen and advise or arrange  
18 referrals if more specialised attention is required.  
19 All information is channelled through to the housemaster  
20 or housemistress who acts as the liaison between the  
21 house, parents, the assistant headteacher and the  
22 headmaster. Parents are actively encouraged to  
23 participate in the life of the school."

24 And then it goes on to talk about parent/teacher  
25 meetings and a parents' liaison committees. Does that

1 ring bells?

2 A. Yeah. I would have read it, I'm sure, but I --

3 Q. But does it reflect what you had on the ground?

4 A. Yeah -- well, in terms of communication with parents,

5 that was a strong thing. And that would have been

6 carried out by the headmaster and through the management

7 team. I didn't have really direct contact with parents

8 unless they came in to pick up or drop off their

9 children.

10 Q. What I was thinking more of is the tutor system where

11 a tutor has responsibility for 10 to 12 students and

12 there is a channelling of information through to the

13 housemaster. From what you were saying a moment ago, it

14 was rather more ad hoc.

15 A. Yeah, that's my recollection. I didn't really feel

16 there was any sort of group link to a particular tutor.

17 Q. Did that change, perhaps? That document's from 1998, to

18 be fair, and it's referring to housemistresses so we

19 have gone into --

20 A. Yes, and it may be something that had just been evolving

21 and perhaps it was just something that was coming

22 through, but certainly I can't recall for me having

23 a cohort of pupils who would be my tutees sort of thing.

24 Q. Okay. I think you say elsewhere in the statement that

25 you relied on the senior pupils to be the eyes and ears.

1       A. Yeah.

2       Q. Was that a successful ...?

3       A. I'd say so, because the senior pupil is like an older

4       brother or sister for many of them, and there may have

5       been access from other areas because as families some

6       people don't get on and they won't confide in others.

7       But they were certainly able to come because they could

8       see, they lived with them all the time and they were on

9       duty and they were aware, and of course they've got the

10      ear of other pupils in the school and their peers as

11      well, and so they would be more aware perhaps of

12      information just filtering around and then, you know,

13      come back and say whoever's having a bit of an issue out

14      there, you know, a bit of concern, perhaps you could,

15      you know, just be aware, you know, so there was that

16      nice trust, but again there wasn't -- it was very

17      informal. It wasn't official. But certainly, you know,

18      because I suppose you saw yourself as a bit of a family,

19      you know, they were looking out for each other.

20      Q. Did it work, though?

21      A. I would say yeah, on a few occasions, where things had

22      been alerted. It just needs somebody, say a senior

23      pupil, to say, "I've just noticed that Thomas or whoever

24      was crying and they're in the stairwell" or whatever

25      else, and someone may not have gone to go and see but

1 I've been alerted to that and then we've found out what  
2 the problem could have been. So that trust, you know,  
3 of the younger pupil in the senior pupil, who then  
4 trusted me to deal with it, that was a positive. But it  
5 was unofficial, but I'd say it worked because you were  
6 just like a family, really. That's how I saw it  
7 functioning.

8 Q. The evidence we've heard up till yesterday, which  
9 predates your time at the school but perhaps goes up to  
10 early '90s, paints a picture of a school where it was  
11 understood by teachers as well as boys that you didn't  
12 snitch. You didn't talk. You didn't trust.

13 A. Yeah.

14 Q. Did you see that?

15 A. I saw that, yeah, yeah, absolutely. I think it was just  
16 a -- probably remnants when I first came into the  
17 school. You got a sense of that, that people didn't  
18 want to speak, you know, and I found that really unusual  
19 because in the state system, I don't know, just in terms  
20 of the environments I was in there, a rough little area  
21 particularly, you just want to speak. If there's  
22 somebody who wants to listen, they'll speak or they'll  
23 make them listen.

24 But certainly to try and get that trust, to make  
25 sure there's -- I suppose it's just maybe they thought

1           repercussions for them, looking back retrospectively you  
2           think, well, if they say, then is it going to come back  
3           on them. So I suppose that trust did develop, so they  
4           were able to come and speak with me and know that  
5           whatever was said to me would be treated in confidence  
6           unless it needed to be pursued elsewhere, but also that,  
7           you know, it would be dealt with appropriately but there  
8           would be no repercussions for them, you know, for  
9           saying, "A senior pupil has done this and I'm afraid  
10          that they're going to" -- you know, because you did  
11          experience -- you asked earlier about any bullying.  
12          Then there may have been instances where a more senior  
13          pupil had bullied a younger pupil and so they were  
14          worried about saying, so they didn't want to say because  
15          they'd be worried about the repercussions because  
16          suddenly that senior pupil, who has all the connections  
17          in the larger community of older boys, may come back.

18                So that eventually -- I think that disappeared,  
19                I suppose, quite quickly in my view in terms of contact  
20                with me, but it may have been something that may have  
21                been unchanged elsewhere in the school.

22       Q. Well, the housemaster you were working for, I think he'd  
23            been there for some time?

24       A. Yeah, I'm not sure how long, but yes.

25       Q. No, but, I mean, did you understand this culture of



1           silence, was it something that was discussed by the  
2           staff as something that should change?

3       A.   No.   I don't remember discussing it at all.

4       Q.   Just out of interest, when you'd gone through teacher  
5           training in the mid 1990s, was this something that you  
6           were taught about?

7       A.   It was -- in terms of sort of pastoral side?

8       Q.   Yeah.

9       A.   It wasn't a huge aspect.   They seemed to focus an awful  
10          lot of microteaching with a nice little class of six  
11          people where you film each other and look at your  
12          idiosyncrasies in the classroom.   But until you actually  
13          got out into the school, that's when you really, sort of  
14          -- you know, you cut your teeth and it's just speaking  
15          with people, and certainly my wife, who's been  
16          a guidance -- when they had assistant principal teachers  
17          of guidance, she always did that in tandem with her  
18          [REDACTED] teaching side, so I knew from her what she did  
19          and so I was able to bring that information to the  
20          school.   And also what I didn't have, I thought this is  
21          what I would have benefitted from, and so I tried to  
22          bring those experiences into that world as well.

23      Q.   So from what you're saying, when you're talking about  
24          how you approached pupils in QVS, that's not so much  
25          because you had any training as part of your teacher

1 training, it's because you've learnt from your own  
2 experiences as a child?

3 A. Yes.

4 Q. And your wife was a guidance teacher as well as being  
5 a [REDACTED] teacher?

6 A. (Witness nods).

7 Q. So you were getting it from the side, effectively?

8 A. Yeah.

9 Q. And how it was done in the state schools?

10 A. Yes. And within the state system and of course you got  
11 interaction daily with the pastoral and guidance staff  
12 because there would always be a knock on the door and  
13 you'd see, "I'm sorry, whoever's not coming", and then  
14 you'd have a meeting, informal meetings and formal  
15 meetings as well, with the guidance staff to let you  
16 know where this pupil is at and what we need to do in  
17 the classroom management side of things to be able to  
18 sort of, you know, make sure that pupil's getting the  
19 correct experience within the school environment. And  
20 so that acumen, I suppose, I was able to bring to QV  
21 although it wasn't formalised, but it was part of my  
22 experience, I suppose.

23 Q. Did you think amongst teaching staff you were somehow  
24 different in that regard?

25 A. Yeah, I would say, yeah, I was quite different. I was

1           very pupil-centred that way and obviously academic  
2           rigour as well, but certainly you were always looking to  
3           read the signs because -- well, the poverty I grew up  
4           in, I knew what the signs were with difficulties with  
5           pupils and how people can conceal things and  
6           vulnerability, I suppose.

7           I suppose I had that understanding of perhaps where  
8           a lot of the pupils were at emotionally and also, yeah,  
9           just a -- just where they were at, I think. And so you  
10          had that -- I don't know, understanding.

11         Q. In your statement I think you make the point that many  
12          of the staff had been there for some time, had some sort  
13          of military connection perhaps?

14         A. Yeah.

15         Q. In that way, you were different again?

16         A. Yes.

17         Q. Did you find the approach by staff at times, other  
18          staff, troubling?

19         A. I think I found it very -- I think it was the formal  
20          side of things in terms of, you know, you've got the  
21          Grand Day, you've got the parade -- you know, I respect  
22          everything to do with, you know, sort of the Remembrance  
23          Sundays and such like, and in terms of what the parents  
24          are doing in the Forces, but in terms of trying to  
25          impose that regime on young people, marching in time and

1 all this sort of stuff and, you know, it just seemed to  
2 be -- and you've got the Combined Cadet Force thing, so  
3 it was almost like just a prep school for getting the  
4 Forces again, I don't know, but you had a Sergeant Major  
5 in the school, you had the drum major and the pipe major  
6 and various staff, I think, who had military backgrounds  
7 and some staff who had been there as a pupil themselves,  
8 gone out to get their degree and come back as staff.  
9 And so they were almost institutionalised within that  
10 school environment.

11 But yeah, that was -- yeah, coming to think of it,  
12 I suppose it is quite troubling in terms of the regime  
13 and, you know, up at 7, bells, everything was scheduled  
14 and timed and it was almost like a military, you know,  
15 regime for people. But you're trying to fit little  
16 lives and emotions and education within that and it just  
17 didn't -- and it jarred, yeah.

18 Q. I think on page 16 to 17, paragraph 62, you talk about  
19 raising the issue of teachers raising their voices with  
20 pupils and being upset by it?

21 A. Yeah.

22 Q. And you give the example on page 17:

23 "Then you have this child crying in the corridor,  
24 'Mr Whoever yelled at me and all I did was this'."

25 A. Yeah.

1 Q. Did you find the regime was difficult in that sense?

2 A. In that sense, yes. I found that -- it seemed -- for  
3 some staff it just seemed that that was the go-to. If  
4 there was no management control: you're challenging me.  
5 I mean, they're 13, 14, 15, 16, you know, older pupils  
6 who are suddenly developing their own personalities, or  
7 even wee ones -- I'm saying wee ones, they could be 10  
8 or 11, P7s and things, and if there was a bit of  
9 a challenge or questioning and they perhaps felt a bit  
10 undermined, so their go-to was to yell. And you've got  
11 some child, you know, with wolf slippers on, I remember,  
12 who is nine or ten years of age, four foot tall, and  
13 some six-foot-plus individual yelling, berating this,  
14 you know, waif, and it was very upsetting. That was on  
15 a few occasions where -- that people's voices were  
16 raised.

17 Q. Did that change over time?

18 A. No. I think it was certainly individuals, that's the  
19 way their chemical make-up was, I don't know, and they  
20 just -- they couldn't distance themselves. You know,  
21 I'm the adult, you're the pupil, the child. They  
22 just -- off they went and it was -- you know, so I don't  
23 know if it was challenged elsewhere, you know, about  
24 their approach, but certainly -- and as a junior member  
25 of staff, I didn't feel I had the authority or something

1           to challenge them.

2       Q.   But one thing that clearly did change was the school

3           introducing girls?

4       A.   Yeah.

5       Q.   And presumably that had a fairly profound effect?

6       A.   Mm-hmm.

7       Q.   On what had been a male military institution?

8       A.   Yeah.

9       Q.   Was that something you welcomed?

10      A.   No.  No, not at all.  I think -- in terms of, I suppose,

11           the educational experience, you know, the state system,

12           it was a great environment for boys and girls to

13           integrate, but in there, it just -- it just didn't seem

14           to sit well because -- you know, it's 24 hours a day and

15           it -- in terms of managing that, it was really

16           challenging, I think.  But perhaps it would have made

17           for more rounded male pupils, perhaps, by having girls

18           in and understanding each other, so I think that was

19           a real positive, but in terms of the make-up of the

20           boarding houses and how that was subdivided, that was

21           where there were concerns.

22      Q.   I think you talk about tensions because, again keeping

23           matters simple, the boys were put out because they

24           perceived the girls were getting better accommodation --

25      A.   Yeah.

1 Q. -- than they were.

2 A. That's right.

3 Q. And what they might have expected to get, they didn't

4 get because the girls had taken over particular areas of

5 the school.

6 A. Yeah.

7 Q. Is that a fair summary?

8 A. It is a fair summary. There was the old part of the

9 building and so the boys' houses were in those three

10 different floors, and then Wavell, girls' house --

11 I don't know how new a building it was when I arrived,

12 but certainly it was a new building for them, and so

13 I think the boys would have thought, the seniors in

14 particular, that they may have been moved into a new

15 building since they'd had the rights, I suppose, you

16 know, but of course managing that, you couldn't have had

17 the girls in the same building as all the other boys, so

18 that would have been -- because they had interconnecting

19 corridors between the houses and things, so it needed to

20 be separate, but of course, you know, for young people,

21 they probably didn't see the bigger picture. But

22 certainly there was a real tension, dissatisfaction, and

23 a real -- I don't know, there was an undercurrent of --

24 real jealousy, I would say, from the boys towards the

25 girls in that they seemed to just arrive and suddenly

1           just everything's put on a silver platter.

2       Q. Did that jealousy persist?

3       A. I'd say so, yes. I don't think it -- it may have  
4       dissipated slightly, but I think it was still -- it  
5       still rankled. And I don't know if that filtered down  
6       from the seniors because they interact with the younger  
7       ones and then that just continues. So it was always --  
8       I'd say it was always there.

9       Q. Were there particular problems because you, as  
10       an assistant housemaster, found yourself having to  
11       supervise girls too?

12       A. Mm-hmm, yeah, yeah. That was a -- that was a real  
13       moment, you know, understanding that we were going to --  
14       because we -- like the boys, I would have thought that  
15       the new Trenchard House was going to be just all boys  
16       and then we were going to introduce the younger girls,  
17       P7s and S1s, into the boarding house and along with that  
18       senior girls would be in the corridors where the girls  
19       were, and so that was -- yeah, that's where alarm bells  
20       started ringing for me, which I raised.

21       Q. Who did you raise it with?

22       A. With the housemaster and then -- it would have been more  
23       informally with the leadership. No real formal, you  
24       know, meeting to discuss, on my part. It may have been  
25       discussed at the higher sort of echelons, but that



1           was -- yeah, it was really uncomfortable.

2       Q.   And did that discomfort alleviate?

3       A.   No, no, not at all.  I think we were just really

4           vulnerable.  Going back to what we said earlier in terms

5           of if we've got a pupil, you know, and you're looking at

6           the policy, you know, door open, you've got to make sure

7           that somebody's around, and suddenly we're in a boarding

8           house with girls in, I'm on my own on duty, a male

9           member of staff, you know, and I have a girl knocking on

10          the office door, "Can I come and see you?" and that was

11          really, you know, really worrying.

12       Q.   What did you do?

13       A.   Well, that's when I would go and try and get a senior

14          pupil or a -- or I'd knock on the matron's door.  So

15          that's where I felt I had to -- or then we the deputy

16          head housemaster as well living in the building as well.

17          She came in later and was able to sort of raise her.

18          But it was rare, though, very rare that -- because

19          I think I made it clear, you know, that if you've got

20          something to say as a female student, it might be more

21          appropriate to go and speak with the deputy

22          housemistress or matron who can then bring you to me or

23          something.  But nothing real formal there for that

24          process.

25       Q.   Although a deputy housemistress was added to the house,

1           presumably to reflect the fact girls were there?

2       A.   Yeah, I don't know when she arrived. I can't recall.

3           Because when they built the new building as well, that

4           was asked of me -- presumed that I would then move into

5           the new Trenchard building with a purpose-built flat,

6           which I declined, again, and remained in our house

7           separate. And I don't know if they then felt they

8           needed a second person in the building, so the

9           housemaster could have his time off but also have

10          a presence within the building, and I think that's

11          perhaps when they decided we'll create a deputy role who

12          is more senior to me, but bring in a woman for that

13          role. I can't recall when that happened.

14       Q.   Okay. You talked about being invited to move into the

15          new house when it was built and declining.

16       A.   Mm.

17       Q.   We would understand that you and your wife and by now

18          two children are living in a house on the campus?

19       A.   Yeah.

20       Q.   And you talk about after the first year when I think you

21          mentioned the social events and presumably socialising

22          with other staff, that you began to withdraw?

23       A.   Yeah.

24       Q.   And you became socially in a sense isolated?

25       A.   Yes.

1 Q. Out of choice?

2 A. Yeah, out of choice.

3 Q. Why was that?

4 A. I think, you know, we're a very close family. Well, you  
5 know, it was just my wife and I and our younger son who  
6 had taken a long time to come some we were quite -- I'd  
7 been used to being -- surviving, I suppose, in terms of  
8 my background and I wanted to protect what we had, and  
9 I valued the time that we had. And I just didn't -- as  
10 I said earlier, wanted a clear demarcation between work  
11 and home life and I just didn't want it to be all work  
12 and you just couldn't -- you couldn't just switch off.  
13 And we had our own time.

14 So there were staff who were living up on the Green,  
15 people next door, but they all interacted and seemed to  
16 just always be out in each other's houses and just never  
17 time away, and we valued that time. And I suppose  
18 initially we went along to a few events and -- because  
19 we're nice socially, you know, but we're quite private  
20 people and so we just -- we just liked to keep that  
21 separate. And I think the more and more every other  
22 weekend you'd be invited to some other thing and it  
23 would all involve alcohol and whatever else, people up  
24 until all times, you'd think I have a young family, I'm  
25 on duty until whatever time, I have to get up at

1           6 o'clock on Monday morning to go and wake up a house of  
2           goodness knows how many pupils to work until  
3           11 o'clock/midnight on the Monday and I can't do that.

4           So we just kept ourselves there. So it might have  
5           been seen as us being aloof and not integrating  
6           completely with boarding life, but I suppose having not  
7           been brought up in it, it just wasn't part of my DNA, in  
8           a way. Perhaps if we'd come through that system it  
9           would have been something that we would have been maybe  
10          comfortable with and used to, but because it was  
11          separate -- and my wife, she was state-educated as well,  
12          we just weren't a part of that system and it just didn't  
13          ever sit with me and perhaps it's just again not fitting  
14          in and I'm not sure how that was viewed by others, but  
15          certainly, yeah, that was -- and even sometimes just the  
16          staffroom, I would just go home sometimes just to have  
17          15 minutes of peace and a bit of a break rather than  
18          just being in that environment 24 hours a day.

19        Q. I think you used the phrase it was like living in  
20          a bubble.

21        A. Yeah.

22        Q. We've heard, obviously, within small communities rumours  
23          abound amongst pupils. Was it the same with the staff?

24        A. Yeah, absolutely. And that's what's I was saying there.  
25          That staffroom, just having a break from that, because

1       it was just be people discussing everything, everybody's  
2       lives, interactions, you know, personal lives, and it  
3       would just merge with -- you'd be speaking about whoever  
4       in a classroom, this person in a boarding environment,  
5       or the pastoral side, and then suddenly you'd be talking  
6       about somebody being drunk, you know, a member of staff  
7       or whatever else, you know, at a party they'd had on  
8       the Saturday night. And it just -- and it just seemed  
9       to be their world, and I'm thinking, well, there's stuff  
10      outside of here, you know. Everything just doesn't  
11      exist within the grounds of this school. There's other  
12      things which we like to do and so I think a lot of  
13      people was -- you know, they're just inwards looking,  
14      I don't -- it just seemed to be -- whereas I think we  
15      were always looking out. So, yeah, I'd describe it as  
16      an absolute bubble.

17           And for someone who'd come through being pupils at  
18      the school, off to university, back in and teaching and  
19      promoted member of the staff, so they had experienced,  
20      obviously, the previous regime of the school and come  
21      back into it and, you know, they were still instilling  
22      things that they'd encountered, I don't know, but  
23      certainly it seems like they've just come back to what  
24      they thought was their safe place and just continued to  
25      live within that bubble and that's something that we

1           wanted to stay out of.

2       Q.   Were there tensions between staff?

3       A.   Yeah, I would say so.  And I had tensions, certainly,  
4           with the head of PE at one point, refereeing -- because  
5           part of the role as well was you would do PE, so I did  
6           a lot of [REDACTED] and various other sports, [REDACTED] but  
7           also -- with the [REDACTED] then we were asked to then go  
8           onto refereeing courses, which I wasn't comfortable with  
9           because, as you know now in terms of injuries that can  
10          be sustained, I didn't feel confident in my ability as  
11          a referee to supervise that.  One game in particular was  
12          horrific in terms of just the abuse from the  
13          touchline from parents and I just thought I haven't  
14          signed up for this, so I said to the head of PE I don't  
15          want to do this and he got really quite upset about it.  
16          His jaw was out as if to say -- and someone who'd come  
17          through the whole system, this should be expected of  
18          you.  And I said I'm not comfortable with this.

19                So there was certain -- yeah, areas where people  
20                perhaps because I -- I suppose it was my time was there,  
21                I was perhaps feeling stronger about maybe raising  
22                things.

23       Q.   What about tensions as between the leadership, as in the  
24           Senior Management Team, and the rest of the staff?

25       A.   I'd say because I didn't have privy to a lot, but I was

1           certainly aware there was a lot of talk within the staff  
2           where people weren't happy with certain -- well, usually  
3           the entire SMT, I think usually in terms of most schools  
4           there's always an unhappiness there that they feel  
5           they're not getting their voice heard. But certainly  
6           I think with Wavell, there were difficulties there, and  
7           I don't know if that stemmed from -- because there was  
8           a new regime, girls' boarding school. There was the  
9           headmistress there, who I thought was super --

10        Q. Sorry, headmistress or housemistress?

11        A. Housemistress, sorry, in Wavell.

12        Q. Yes, which was a girls' house?

13        A. Yes, yes. I thought she was super and she was trying to  
14        put in -- obviously I don't know what background she  
15        had, but she seemed to be really pupil-centred, but she  
16        seemed to be butting up against an awful lot of  
17        difficulty. And the new assistant or deputy head or  
18        assistant head, Smith, she was -- I thought she was  
19        super, but I think she found objections to what she was  
20        perhaps trying to do as well and I don't know if it was  
21        because they were women and also people saw them as  
22        perhaps allies, you know, two women, new house, boarding  
23        school with girls or boarding house with girls and  
24        suddenly it's a them and us type thing, so I don't know  
25        if that was the tensions there.

1 Q. Did you think there was a them and us as between these  
2 two women and the rest of the Senior Management Team?

3 A. It would just be my observation, but yeah, I would say  
4 there may well have been, yeah.

5 Q. Were they friends, the two women?

6 A. Yeah, I think -- you know, professionally I think they  
7 got on really well, and I think they were friendly, you  
8 know, outwith sort of working hours.

9 Q. Was that tension much discussed? Was it the talk of the  
10 staffroom?

11 A. Yeah, you -- you know, and I -- I ignore an awful lot of  
12 that and my wife says now I seem to be oblivious to  
13 an awful lot of things that way, I just don't tune into  
14 that gossip and things, so -- but certainly there would  
15 have been discussion in the staffroom and other -- when  
16 we're up at a table, you've got a dining room full of  
17 pupils and you could be on with different houses and  
18 things and there would be mutterings about this, that  
19 and the next thing. Nothing specific, but you could  
20 sense there was an unease or just a bit of a pushing  
21 back against the -- well, two women in the school.

22 Q. So even as someone who doesn't notice things, as your  
23 wife says, you noticed?

24 A. I noticed that, yeah.

25 Q. Right. But I think we know that following an HMI



1 inspection, there was criticism of Wavell House. Do you  
2 remember that?

3 A. I didn't -- I'm trying to think, I don't know when that  
4 inspection was. I can't recall.

5 Q. All right.

6 A. But I don't know if I've read the report on that. It  
7 may have been -- yeah, so I don't know what the  
8 criticism would have been, so I'm sorry.

9 LADY SMITH: Do you remember there being an HMI inspection?

10 A. I do, yes. I think my inspection was to do on the --  
11 just in the academic side with [REDACTED] classroom and  
12 it's funny, I've had two inspections in my life, by the  
13 same person, who is formidable, and I -- you know, I got  
14 positive reviews in both, both inspections, and -- but  
15 I was only inspected on the academic [REDACTED] side of  
16 things so I didn't -- I don't know if Trenchard came  
17 into -- I can't imagine it did then.

18 MR BROWN: But you would be aware that as well as education  
19 inspections HMI at that point would be looking at the  
20 pastoral side as well.

21 A. Mm-hmm.

22 Q. Okay.

23 LADY SMITH: Can you give me a date for the inspection,  
24 Mr Brown?

25 MR BROWN: I think it was 2004.

1 LADY SMITH: Prior to the Care Commission -- Care  
2 Inspectorate? I've lost track of what they've called  
3 themselves over the years.

4 MR BROWN: I'm sorry, I may be fudging both, but there was  
5 certainly an inspection. Sorry, just to cut to the  
6 chase, I think both ladies were suspended.

7 A. Right.

8 Q. Do you remember that?

9 A. Well, I was going through a very tricky time at that  
10 point --

11 Q. I appreciate you were.

12 A. -- so that's where recollection will have been. But now  
13 you say it, yeah, I'm aware, but I wasn't sure why.

14 Q. All right. If you don't know, you don't know.

15 A. No.

16 MR BROWN: My Lady, it's 11.20. We'll now move on to the  
17 final chapter which relates to different considerations.  
18 It might be that a break would be had now.

19 LADY SMITH: I'm happy to do that, provided it will work for  
20 'Mark'.

21 I usually take a break at some point around the  
22 middle of the morning.

23 A. Yes.

24 LADY SMITH: If it would work for you, 'Mark', we could do  
25 that now and then come back to finish your evidence

1 afterwards.

2 A. Okay.

3 (11.22 am)

4 (A short break)

5 (11.40 am)

6 LADY SMITH: 'Mark', are you ready for us to carry on?

7 A. Yes, thank you.

8 LADY SMITH: Mr Brown, when you're ready.

9 MR BROWN: My Lady, thank you.

10 We were talking about the fact that there was

11 a great deal of rumour and gossiping, both by the pupils

12 but also in the staffroom and degrees of ill will

13 towards one faction or another?

14 A. Yes.

15 Q. And you've talked also about the difficulty from the

16 boys' perspective of girls coming in and that provoked

17 tensions?

18 A. That's right, yes.

19 Q. So tensions were present at QVS?

20 A. Yes.

21 Q. So far as you were concerned, obviously, matters took

22 a very significant turn in 2002; is that right?

23 A. That's right, yes.

24 Q. And that is because the headmaster was sent an anonymous

25 letter.

1       A.   Mm.

2       Q.   If we could look, please, at MOD 000000404.  This is the  
3       letter:

4               "After a number of comments ..."

5               It's to the headmaster, Mr Raine:

6               "After a number of comments and complaints by  
7       students I have been forced to write this letter to  
8       inform you of the problems and sexism in hand.

9               As an outsider, I feel the attitude towards the  
10       pupils by the staff in general is unacceptable.  The  
11       manner in which the girls, especially the Trenchard  
12       girls, are treated undermines the basis of the  
13       Queen Victoria School code of conduct and its whole  
14       ethos.  I have been informed of several occasions on  
15       which the girls have been given permissions under the  
16       full knowledge of the housemaster/housemistress to go  
17       and consume alcohol in Stirling.  In most of the cases  
18       the pupils being underage.  This is also evident again  
19       in Trenchard House on a Friday night when I have been  
20       informed of their housemaster buying large amounts of  
21       alcohol for the senior girls to consume on the school  
22       premises, again being against the school rules.  I find  
23       this hard to believe, as I know that Haig boys are only  
24       allowed to consume alcohol on people's 18th birthdays  
25       and even then it is a very small amount in comparison to

1 the alcohol consumed every Friday by the Trenchard  
2 prefects. The school in general has a very sexist  
3 attitude in favour of the girls, which should not be  
4 allowed to continue any longer. The school's reputation  
5 is in jeopardy and I find this utterly irresponsible  
6 from the members of staff who continue to participate in  
7 this scandalous act."

8 Were Trenchard girls going into Dunblane to drink  
9 underage?

10 A. No.

11 Q. Were Trenchard girls being allowed to bring in large  
12 quantities of booze on a Friday night?

13 A. No, never.

14 Q. I think it's fair to say that the description "as  
15 an outsider", from the material that the Inquiry has  
16 seen, may be erroneous and it might be understood that  
17 this was a letter written by a former male pupil.

18 A. Interestingly, just noticing there where it says the  
19 reference to Haig House, which is the senior boys'  
20 house, there seems to be a sort of leaning towards that  
21 side, so I don't know. But -- no, it's -- it's all  
22 fabrication.

23 Q. Looking at that in isolation, does that remind you of  
24 the tensions that you were talking about earlier?

25 A. Yeah, that's remarkably -- that seems to be something

1 I recall reading, and yeah, that just brings it back  
2 quite strongly in terms of the tensions.

3 Q. The boys felt done down?

4 A. Yeah.

5 Q. But then if we move down just a little bit on the page:

6 "I wish to notify you of several occasion in which  
7 this sexism has been taken to a more serious level."

8 If we can just show the next paragraph only, there  
9 is a name which for today's purposes we will give the  
10 name 'Lisa':

11 " ... your choice of senior monitor is engaged in  
12 a less than appropriate form of pupil/staff  
13 relationship. To my knowledge [and then it refers to  
14 a teacher, you] is more than just friendly with her, and  
15 on more than one occasion when he has been on duty in  
16 Trenchard House has not left her room until at least  
17 1 o'clock in the morning, all the while the curtains and  
18 door closed."

19 When did you first become aware of this letter?

20 A. I can't recall when I saw this letter at all.

21 I remember being taken into Brian Raine's office at some  
22 point, I was in the middle, I think, of a [REDACTED] lesson  
23 or a [REDACTED] lesson or something and he asked to see  
24 me. I don't know if this is the one he showed me.  
25 I can't recall. It was all very -- you know, it was

1           like a tsunami of emotions and, you know, disbelief.  
2           But certainly that, again fabrication in terms of --  
3           I think my wife would ask, you know, why I'm working  
4           until 1 o'clock in the morning, you know, and it's  
5           a very -- yeah, like a bubble, a goldfish bowl of  
6           a place, and had I been in the house at that point, that  
7           would have been noted by so many people and security  
8           I would imagine as well who were monitoring the whole  
9           place.

10       Q. I think it's fair to say, though, you knew the girl,  
11       obviously?

12       A. Yes.

13       Q. From the school?

14       A. Yes.

15       Q. From teaching?

16       A. From teaching? I taught her I think higher and maybe  
17       advanced higher as well, I think. And she and -- there  
18       were a few others, I think a senior girl before her as  
19       well, who used to babysit for us, used to come and  
20       babysit, and this was all passed by -- we'd asked  
21       permissions and things so they were given  
22       a responsibility, a bit of payment as well, so it was  
23       a bit of pocket money, and so there was that connection  
24       there, I suppose.

25       LADY SMITH: 'Mark', can I just ask you to do what you can

1 to use the microphone, because sometimes I'm losing some  
2 of what you're saying. If you could try and get it  
3 nearer to you, that would be helpful.

4 A. Is that better at all?

5 LADY SMITH: That's rather better, yes.

6 MR BROWN: I think you've moved to your right, away from the  
7 microphone, so if you could perhaps centre yourself on  
8 the microphone, that would be better.

9 Thank you, my Lady.

10 So she'd babysat for you and that was something, and  
11 I think you say this in your statement, that it was  
12 cleared through the Senior Management Team, it was  
13 a known quantity?

14 A. Yes, and also it was with another pupil, so there were  
15 always two pupils who came to babysit. Again, because  
16 you're concerned about a wee one, so if there was  
17 something up, then at least the other one could have  
18 gone to get assistance if there was something up with  
19 our son or sons, and so we always had them, yeah, two  
20 babysitting. In fact we had -- I'm sure we had a couple  
21 of senior boys as well in the early days who babysat  
22 a couple of times.

23 Q. All right. We know and we'll come to this sequentially,  
24 but we know there were then a variety of processes  
25 arising out of the suggestion of a relationship with



1           that girl.

2       A.   Yeah.

3       Q.   Part of that process involved an MoD investigation in

4           2005 and 2006. I'd just like to look at one document in

5           those papers, which is MOD 170 at page 11. This is

6           a letter from the assistant head pastoral, Lyn Smith,

7           who you talked about. It's dated 4 January 2006, by

8           which time I think she was suspended for other reasons,

9           which we may hear about, but she was being asked about

10          what she understood. You follow?

11       A.   Okay.

12       Q.   She mentions at the top of the second page of the letter

13           and it's against a background of assistant head pastoral

14           being asked about whether she had any reason to question

15           whether staff/pupil relationships had crossed acceptable

16           bounds and whether anyone at QVS had raised their own

17           concerns and she states the following and she makes

18           reference to concerns raised by the then teacher of

19           [REDACTED] and assistant housemistress in Wavell about

20           conduct in Trenchard House, which is where you were?

21       A.   That's where I was, yes.

22       Q.   And then we start:

23           "QRS [REDACTED] ... "

24           Looking at the top:

25           " ... assumed these were the same sort of concerns

1           also raised by [someone else]."

2           If we go to the top, please. We're missing the top  
3           two lines. So there seems to have been other concerns  
4           raised by others:

5           "These concerns had all been reported to  
6           Alice Hainey. The concerns were about the culture in  
7           Trenchard. The culture was one of a lax attitude  
8           towards social evening drinking and the exclusive  
9           treatment of the senior girls in Trenchard House."

10          Do you remember any such concerns being raised in?

11       A. No, none at all. No. There were none raised with  
12          myself and not that I recall from any other quarter, and  
13          again, I find that astounding that there was a belief  
14          there was evening -- social evening drinking in the  
15          house.

16       Q. All right.

17       A. If that was a -- that was a Friday night as well  
18          sometime, that was an evening I was never on duty  
19          either.

20       Q. But then it goes on, next bullet point:

21                "QRS [REDACTED] was therefore surprised to hear  
22                that the latest concerns were over [and I think this is  
23                you] having a relationship with ['Lisa']."

24       A. Mm. So -- well, I suppose that's encouraging that

25       QRS [REDACTED] would be surprised to hear about that

1           because she obviously knew what type of person I am.

2       Q.   I think if we go over the page to page 12, she talks  
3           about:

4           "With such allegations/rumour being openly discussed  
5           by staff, pupils and parents in the school over  
6           teacher/pupil relationships it was clear matters needed  
7           investigating."

8           Was that something as you recall openly being  
9           discussed?

10      A.   Yes.   Yeah.   I think there was certainly -- and I think  
11           that's another time where you kind of -- you -- nothing  
12           said directly to me, but certainly you're aware of  
13           silences and, you know, made to feel uncomfortable and  
14           really I wasn't really aware why, you know, I was  
15           suddenly being not ostracised, but certainly people were  
16           uncomfortable in my presence, it seemed, but I don't  
17           know, I didn't really know why.   I hadn't been made  
18           aware of this at this point, so.

19      Q.   She then goes on:

20           "The SCIS guidelines on child protection adopted by  
21           the school recommended that any allegations of  
22           teacher/pupil relationships should be investigated (the  
23           member of staff being suspended pending such  
24           investigation) and where a breach of trust is suspected  
25           that the police/child protection unit should be called

1 in."

2 Could we go back to MOD 350, please. This is the  
3 documents that we looked at before which is the child  
4 protection guidelines. If we go to I think it may be  
5 page 8, can we go over the page, please, to page 9, if  
6 we go down to the bottom, we see the process about child  
7 abuse allegations against staff:

8 "In general.

9 Any allegations against a member of staff must be  
10 taken seriously. There must at least be a preliminary  
11 consideration of it by the school. If the conclusion  
12 after such consideration is that the allegation is  
13 completely unfounded, the decision to take the matter no  
14 further should be recorded, together with the reasons  
15 for it, and the information placed in a confidential  
16 file.

17 Members of staff will wish to seek advice and  
18 support from their professional associations in these  
19 circumstances."

20 And then over the page:

21 "Allegations against members of staff should be  
22 intimated as soon as possible to the parents or  
23 guardians of the child concerned, even if they are felt  
24 to be unfounded. The initial communication to the  
25 parents should be to the effect only if an allegation

1 has been made. Further details identifying the member  
2 of staff concerned should not be given until specific  
3 legal advice has been obtained.

4 In general, the same procedures should be followed  
5 as for other allegations or suspicions of abuse. There  
6 is an added dimension in that the school will have to  
7 consider the need to ensure that children are protected  
8 while the allegation is under investigation.

9 The headmaster should consider whether there is  
10 a need to remove the member of staff from access to  
11 children; to suspend the member of staff."

12 Then it goes on to specific allegations, third  
13 paragraph down:

14 "Where the allegations are more serious, or relate  
15 to sexual impropriety, it should not be appropriate to  
16 deal with them solely within the school. A conclusion  
17 by the coordination meeting/discussion referred to above  
18 that there was any basis for concern should result in  
19 a referral to outside agencies, principally the social  
20 work department, and the police if appropriate."

21 So the process is plainly set out --

22 A. Yes.

23 Q. -- in the document which was put in place two years  
24 before you arrived.

25 A. (Witness nods).

1 Q. We have a copy of a more up-to-date one which in that  
2 regard has not changed.

3 A couple of things from that. We would understand  
4 that you were called to a meeting by the headmaster?

5 A. Mm-hmm.

6 Q. Brian Raine, and the head of pastoral?

7 A. It was just -- my recollection, it was just Brian Raine.  
8 It was only he and I in the room. I had no  
9 representation at all there. It was a -- just some sort  
10 of -- yeah, I don't know, he read out whatever letter or  
11 an anonymous letter or something and then -- yeah, that  
12 was --

13 Q. And you said what to him?

14 A. Yeah, denied all. Couldn't believe why these  
15 accusations had been raised. Who would want to do that?  
16 You know, it just went against everything I stood for in  
17 terms of why I came into teaching and how I see young  
18 people and -- yeah. It -- it -- I -- it -- I just  
19 couldn't fathom why that accusation had come my way.

20 Q. All right. I think if we go back to MOD 170 and  
21 page 12, going down we see a bullet point saying:

22 "I was involved [and this is Lyn Smith] in  
23 interviews ..."

24 And we should understand that that includes you and  
25 'Lisa' and then if we carry on it says:

1 "Both girls [but 'Lisa'] and you denied the  
2 accusation. At interview all had the chance to admit or  
3 deny the allegations. As I detailed in my letter  
4 requested by [you] there was no pressure to lie or tell  
5 the truth."

6 Although she then goes on to say:

7 "Having said this both girls were aware pupils had  
8 been expelled for having a relationship with other  
9 pupils. This knowledge may have placed pressure on  
10 their answer. Apart from their education, as senior  
11 monitor there was a lot at stake."

12 First of all, do you remember pupils being expelled  
13 for having relationships with other pupils?

14 A. No, no.

15 Q. Okay. But there was clearly a process involving the  
16 headmaster and head of pastoral where interviews were  
17 conducted and it would appear there was denial across  
18 the board?

19 A. Yes.

20 Q. What did you understand was happening?

21 A. I don't know. I think it was -- it was -- you know, you  
22 were in emotional turmoil and at this stage I think  
23 there was even media interest at this. There was  
24 somebody in the school who was informing press, so we  
25 had [REDACTED], [REDACTED], various newspapers within

1 the school grounds coming up to our front door.  
2 I had -- there was a -- you know, accusations here named  
3 me on the same page as CDQ [REDACTED] from [REDACTED]  
4 and, you know, [REDACTED]. And so you were just in  
5 this absolute turmoil of emotions. So it's a very, very  
6 difficult time in terms of to recall how the events  
7 unfolded, but it just felt there wasn't support for me.  
8 I felt it was just -- you were just on this tsunami of  
9 a process and I didn't know who to contact and we seemed  
10 to be in this funny world of independent school. I had  
11 EIS representation and he admitted to me he didn't  
12 know -- I was his first real case, but he said,  
13 "I haven't really dealt with independent schools", so he  
14 was green in terms of the processes, as well as that  
15 dealing with the MoD and that behemoth as well in terms  
16 of what they have behind them and you just felt like  
17 I had no control over -- I just felt, you know, the  
18 process was just moving along and I was just trying to  
19 keep up with it and you couldn't get ahead of it at all  
20 and suddenly, you know, there's interviews and, you  
21 know, a court within the school, I'm still teaching  
22 there and you're getting marched down to a room in front  
23 of pupils and staff and colleagues and friends, you  
24 know, paraded to go and give evidence at this courtroom  
25 in -- within the school grounds.



1 Q. That was a little bit later?

2 A. Yeah.

3 Q. But just to begin with, you clearly were interviewed by

4 the headmaster and, it would appear from this document,

5 Lyn Smith.

6 A. Yeah.

7 Q. There was denial, it would appear, from everyone?

8 A. Yes.

9 Q. Were you ever suspended at that stage?

10 A. Again, I can't remember when suspension took place.

11 I seem to remember just still teaching and it being

12 exceptionally uncomfortable. I was still doing my

13 duties, I was coaching [REDACTED] I was in the boarding

14 house, you know, I was still functioning as a member of

15 staff, but with this in the background. And then

16 of course the rumour mill that it is, everybody starts

17 making their own assumptions and, you know, suddenly it

18 starts to grow, you know, where perhaps it shouldn't

19 have, and yeah, it is very grey in terms of when I was

20 suspended, but I seem to recall just, you know, just

21 being back in -- we had the inspection as well,

22 of course, in the -- you alluded to. My inspection was

23 after this date, so I must have been teaching and

24 working and just functioning as a member of staff during

25 that period.

1 Q. If we could go back very briefly to MOD 170 and  
2 page 13 -- sorry, I do beg your pardon, if we could go  
3 down to the second half of the page away from the bullet  
4 points:

5 "I expressed my concerns [says Lyn Smith] at the  
6 time with reference to this child protection issue and  
7 the way the procedures for dealing with such an issue  
8 were not followed. My best practice to follow the  
9 guidelines and my intention to do so over future  
10 concerns and follow the book clearly led to serious  
11 consequences for me resulting in your calling for my  
12 dismissal."

13 That's obviously going into territory about her?

14 A. Yeah, which I --

15 Q. Which is not your concern?

16 A. Well, it's something that I wasn't -- yeah, I think in  
17 amongst or I hadn't realised --

18 Q. But --

19 A. -- that she'd been dismissed.

20 Q. -- did you remember her expressing dissatisfaction to  
21 you that you hadn't been suspended or things hadn't been  
22 done? You were working with her, I take it?

23 A. I don't remember that at all. And working with her, it  
24 was fleeting, I suppose, in terms of her association  
25 with me. You know, it just wasn't -- anything would go

1 from the house to the housemaster, who would then  
2 communicate with the leadership team. So my interaction  
3 was minimal.

4 Q. But from what you're saying, she rolled up her sleeves  
5 and did her job?

6 A. Yeah.

7 Q. And there was a rumour mill. Do you remember there  
8 being an undercurrent of dissatisfaction that you were  
9 still there?

10 A. I just remember that was just a very, very difficult  
11 time. You know, and you can't challenge people. I'm  
12 not that type of person to say, "Have you got an issue  
13 with me?" All I did was just got my head down, did my  
14 job. I got pupils through, you know, their -- the diet  
15 exams and from S1 right through the diet to SYS or sixth  
16 year studies or whatever it's called, advanced highers,  
17 [REDACTED], all the commitments there, continued to run, I  
18 think, [REDACTED] classes, [REDACTED] classes, and just try  
19 tried to just maintain my role within the school, which  
20 maybe naively I thought that was just going to continue.  
21 But certainly I was aware of tensions and, you know,  
22 people just -- you know, blanking me, which made it  
23 really difficult.

24 Q. One matter of detail. Can you confirm that the girl,  
25 'Lisa', had left the school by the time of these

1           allegations? Do you remember that?

2       A. I don't know if she was there or left. I don't know

3           what year she would have left. But 2002, I'm -- she may

4           have --

5       Q. She was still there?

6       A. She may have left. I don't know. I'm not sure.

7       Q. But what we certainly know is in 2004 the matter comes

8           back and there was a police investigation.

9       A. (Witness nods).

10      Q. Did the police speak to you?

11      A. They spoke to me, yeah.

12      Q. And you denied it?

13      A. Yes.

14      Q. But you would understand at that stage I think 'Lisa'

15           had given a statement suggesting that things had

16           happened?

17      A. I wasn't -- I don't know if I was aware of that or not.

18           I know I was asked to come in to headquarters in

19           Stirling to speak with them and then it -- it didn't

20           move on any further from that statement.

21      Q. Do you remember being told that the police were not

22           pursuing the matter further?

23      A. I think -- because I don't think I would have just

24           thought that, you know, I think that -- because you

25           would have been -- I would have just worried or

1 something as you do, you just think is this going to  
2 continue or -- but I seem to recall that it had come to  
3 a point where they weren't going to investigate further  
4 or they had investigated and there was no evidence and  
5 therefore there was nothing to answer.

6 Q. But then the MoD became involved. I think you touched  
7 upon this. There was a hearing within the school which  
8 lasted a week.

9 A. Mm.

10 Q. And I think we would understand that that was in 2005?

11 A. (Witness nods).

12 Q. Were you still living in the school with your wife and  
13 children?

14 A. Yeah, we were still there.

15 Q. If we could look --

16 A. I think. I'm trying to think. We did move out and  
17 I can't -- I can't recall when we moved out. I think --  
18 yeah, in 2005 we may have moved out to do -- because the  
19 boys were in primary school within Dunblane and we  
20 didn't want to disrupt their education, so we moved to  
21 the catchment area, but I can't remember the date we  
22 moved. It may have been 2005 we moved.

23 Q. If we look at MOD 154, please. If we go to the top, and  
24 this is obviously about you. There was a hearing  
25 officer recommendation produced after the hearing,

1           that's the MoD, where we would understand there was  
2           someone in overall charge who makes the recommendation,  
3           having heard the evidence. You follow?

4       A. Yes.

5       Q. And this is a hearing that you were attending  
6           throughout?

7       A. It was, yes.

8       Q. And by this stage, were you represented?

9       A. I was, yeah.

10      Q. By the --

11      A. By the EIS.

12      Q. By the EIS. And this is a hearing in [REDACTED] 2005.

13      A. (Witness nods).

14      Q. I think, as we see at paragraph 8, there were a number  
15           of difficulties that are recognised, one of which was  
16           the unwillingness of 'Lisa' to appear as a witness, but  
17           that was something that was followed up, as we will see  
18           a little later.

19           If we go over to page 2, and the middle of the  
20           page where it sums up evidence that was not in dispute,  
21           the third bullet point is:

22           "The boarding school environment generates rumour  
23           and gossip, not always based on fact."

24           Was that something you recognise?

25      A. Yes.

1 Q. Along with the first two. And the recognition that:

2 "The exceptionally long period of time between the  
3 alleged inappropriate events and the charges raised  
4 against [you] makes unqualified witness recollection  
5 exceptionally difficult."

6 Because we would understand that this is taking  
7 place in 2005 after the initial letter was received in  
8 2002.

9 A. Yeah, so three years is a long time with media, the  
10 usual -- well, the rumour mill that was the -- the site,  
11 and -- yeah, it just generates an awful lot. So  
12 people's recollections or understanding or people just  
13 want to sort of be involved and things are just made up.

14 Q. And then looking to the bottom three, which after the  
15 general observations are specific:

16 "[You] and ['Lisa'] had an appropriate working  
17 relationship due to her study of [REDACTED] and [your]  
18 corollary tutor role."

19 'Lisa' was known to you and your wife as  
20 a babysitter and you did bring some of your clothes,  
21 along with female clothes, presumably your wife's, into  
22 Trenchard to use the washing machine?

23 A. I remember that. It's funny I remember that last  
24 statement there because I think it was the matron who  
25 said that she had seen some underwear and of course it

1           was my wife's. Our washing machine or tumble drier or  
2           something had broken down and so we used the house one  
3           until we got that problem resolved and she, for whatever  
4           reason, jumped to a conclusion that it happened to be  
5           'Lisa's', an understanding leap, but this is the kind of  
6           thing that we were trying to -- you were just constantly  
7           battling against things and thinking how can we deal  
8           with this information just coming in from every quarter  
9           and -- and someone who I thought I trusted as well, the  
10          matron and her assistant, and who are very heavily  
11          involved in local community in terms of the local social  
12          side of things but been in the school environment, that  
13          bubble, for many, many years, and -- yeah. It's just  
14          one of the things that, you know, we'd -- you know, just  
15          flabbergasted, really.

16       Q. Was that part of the rumour mill?

17       A. Yes.

18       Q. Was that the sort of thing that was going round the  
19          school?

20       A. I'd imagine it must have been because nobody's going to  
21          come directly to me and say it, but I'd imagine that's  
22          what would have been spoken of. And it just makes you  
23          very -- I don't know, it changes your whole personality.  
24          I think you just become more introverted and closed.

25       Q. The charges that were being decided upon are gone into



1 in great detail and I don't think we need to labour  
2 those, but if we go to page 6, I think it was  
3 established it was not proven that she was in your room  
4 until 1 o'clock, but it does say in charge 1 having  
5 behaved in an inappropriate manner in your dealings with  
6 'Lisa', ultimately the conclusion at paragraph 36 on  
7 page 7 that charge was found proven against you for  
8 being in her room. Your denial was noted and the  
9 evidence or the conclusion was that you hadn't been  
10 entirely truthful.

11 A. Mm I remember that. That was something that Brian Raine  
12 had taken a note of when I went to see him initially and  
13 he took some notes in terms of my statement and what he  
14 had stated was that I'd gone into her room and I'd gone  
15 to her room, you know, the room door to knock or  
16 whatever else because I would never go into a pupil's  
17 room.

18 Q. I'm not wanting to relive the hearing, but that was the  
19 conclusion.

20 A. Yes.

21 Q. And equally it was concluded on a balance of probability  
22 that the second charge of having conducted  
23 an inappropriate relationship with 'Lisa' was also  
24 proved on the balance of probability, that was in  
25 relation to (a) sending her an inappropriate birthday

1 card, and there was a great deal of evidence, you saying  
2 no, others saying yes, which they accepted.

3 A. Mm-hmm.

4 Q. And also physical relations, albeit it was accepted that  
5 that took place immediately after she left the school on  
6 Grand Day.

7 A. (Witness nods).

8 Q. So I think from the point of view of the hearing, it was  
9 accepted that that was after she had just left school.  
10 You denied that too?

11 A. Absolutely, yeah.

12 Q. One obvious question: why would 'Lisa' make these  
13 allegations if they weren't true?

14 A. That's -- that's a complete mystery to me. You know, my  
15 wife has experienced it on several occasions where  
16 pupils have a crush, an infatuation. In fact, where we  
17 lived more recently, she had lettering scrawled on the  
18 road outside our house saying, "I love you" to my wife,  
19 and we lived and worked in that community as well, and  
20 so you do get these infatuations, crushes, and that's  
21 all I -- I can't answer, but that may be the reason  
22 behind it.

23 Q. All right. But I think again, taking matters short,  
24 albeit Brian Raine was supportive of you --

25 A. Yes.

1 Q. -- is that correct?

2 A. Yes, as far as I -- I believe.

3 Q. The matter progressed through the MoD, that being the

4 recommendation, I think further contact was made with

5 'Lisa', who hadn't given evidence, that was reliance on

6 her police statement, and she did make contact

7 essentially confirming that things had happened.

8 A. Mm.

9 Q. And the decision was taken, I think, that you should go.

10 Is that fair?

11 A. Yeah, and again it's very cloudy in terms of the

12 processes, but yeah, that was something that had come

13 up, I think I'd flown down to London for a meeting with

14 MoD. I don't know at what stage it was at, into

15 Whitehall, and a meeting with some official, MoD

16 official and then back up again and I don't know when

17 that was, but yeah, certainly there was -- yeah,

18 a recommendation for my, I suppose, suspension and

19 dismissal.

20 Q. You do remember being suspended at some stage?

21 A. I do remember, yes.

22 Q. Was that after, do you think, the conclusion of the

23 hearings?

24 A. I think it -- I think it was, and that was very

25 challenging as well because our boys were at the local

1       primary school and people I know who weren't too  
2       positive with me, who were part of that rumour mill and  
3       lived in the school grounds, on the Green and things,  
4       their children were there, so it made it very stressful.  
5       You know, trying to have an existence as a father and  
6       being involved with school activities, and then you're  
7       seeing people who may have something to say about me,  
8       and that's what I said earlier in terms of you just  
9       become completely withdrawn because then you think,  
10      well, who are they speaking with in the community as  
11      well, and yeah, it's just -- it was a bit of a desperate  
12      time. So when we had an opportunity to move the boys  
13      from Dunblane, we took that, but that wasn't until our  
14      eldest was at secondary.

15      Q. What about press interest?

16      A. Yeah. It was --

17      Q. You've talked about that being doorstepped, I think  
18      would be the phrase, at the very beginning because  
19      people were talking?

20      A. Yes. It was still ongoing. And again that raised its  
21      head at another stage, and I can't recollect when, but  
22      it just seemed to be something that -- I don't know,  
23      somebody was just feeding to the press or contacting the  
24      press saying, "This is going on", and you think how have  
25      they got any knowledge of this? This is meant to be

1 a private matter, you know, but it's out there, and you  
2 just didn't -- we weren't just seen in public. We just  
3 completely withdrew and our time was spent either just  
4 involved with the boys at school, my wife was working,  
5 I wasn't, and trying to fill days and of course it's  
6 very difficult because this is the only thing that's in  
7 your head and you don't know when I'm going to work  
8 again and, you know, just -- you know, how -- how it's  
9 going to end up.

10 Q. I think you took the view ultimately that you should  
11 resign?

12 A. Yes.

13 Q. Why was that?

14 A. It was simply because I think we were exhausted with the  
15 whole process. It had been, as you say, years at that  
16 point that we'd been dealing with this and it seemed  
17 like we'd had this court session, you know, and years  
18 had passed in between, so much more information coming  
19 in, which was, you know, again just ridiculous, and we  
20 just thought, well, we're trying to fight against  
21 a system, a regime who just seemed to have it in for me  
22 for whatever reason, and I was being squeezed out, so in  
23 speaking with my EIS representative, he suggested that  
24 a way would be if I resigned, I could then get a letter  
25 just simply -- maybe some sort of financial

1 compensation, which as you'll no doubt be aware wasn't  
2 incredibly high, and a letter stating that I worked at  
3 the school between certain dates. It was a very bland  
4 statement of -- not even a reference.

5 Q. I was going to come onto that but if we can briefly look  
6 at another document, MOD 215, this is a letter dated  
7 [REDACTED] 2006 from you to the headmaster where you're  
8 saying:

9 "Grievance and resignation.

10 I am aggrieved by the fact that the Ministry of  
11 Defence Command Secretary yesterday withdrew an offer  
12 detailed in an email [REDACTED] 2005."

13 Should we understand that what was going on, there  
14 were negotiations to try and get you out?

15 A. Yes, yes.

16 Q. By way of an agreement?

17 A. There was -- yeah, an agreement by the MoD and they were  
18 offering, I think, you know --

19 Q. The details perhaps don't matter, but an offer was  
20 withdrawn. That generates this letter?

21 A. Yes.

22 Q. Where you say, "Enough, I'm resigning"?

23 A. Yeah.

24 Q. In reality, did it ultimately resolve by way of  
25 a compromise agreement signed in 2007?

1       A. I suppose, yeah, that was -- was that in 2007? Really?  
2       Goodness. So it was -- yeah, that would have -- oh,  
3       it's funny how you just forget, but I'd imagine that's  
4       what would have moved that -- to that stage, the  
5       compromise agreement.

6       Q. But I think we understand from other documents that your  
7       employment ceased in [REDACTED] 2006?

8       A. Okay.

9       Q. Formally.

10      A. Mm-hmm.

11      LADY SMITH: But just to confirm, it looks as though  
12      negotiations between you and the school began in the  
13      course of [REDACTED] 2005, would that be right?

14      A. Yes, that would have been following the findings,  
15      I suppose, yeah.

16      LADY SMITH: Because you refer to a letter of [REDACTED]  
17      2005 that must have had an offer --

18      A. Yes.

19      LADY SMITH: -- in it.

20      MR BROWN: But you went on to talk about references, and  
21      we'll come back to the compromise agreement and the  
22      reference, the simple reference. You are now out of  
23      a job.

24      A. Yeah.

25      Q. You're out of a job because there has been a finding of

1 inappropriate sexual behaviour with a pupil.

2 A. By -- by MoD.

3 Q. Yes.

4 A. Yes.

5 Q. But that's the basis of it, there's no --

6 A. No.

7 Q. -- doubt about that. You then try and get another job?

8 A. Yes.

9 Q. Straight away?

10 A. Yeah.

11 Q. So we're talking the [REDACTED] 2006?

12 A. (Witness nods).

13 Q. Did you manage to get another job?

14 A. I can't recall when, but I got in touch with my previous

15 council, Falkirk District as I think it was then. They

16 knew me. I went onto the supply register, I think, at

17 that point, undertook an enhanced disclosure, you know,

18 still a member of the GTC, and with that, they -- I got

19 some supply work from there.

20 Q. Did you ever tell them why you'd left QVS?

21 A. I don't think -- I don't know if I shared that. I may

22 have, but I think it just came to an end in the -- with

23 my employer and I'm seeking new work back in the state

24 system.

25 Q. Do you know if references were sought?



1       A. I'd imagine they would have been.

2       Q. And did you make reference to having taught at QVS?

3       A. Yeah, I would have, yeah, because they would have -- I'm

4       sure, I think, you know, because they would have looked

5       at my -- my teaching history, so I would have thought

6       I would have done that. But I would imagine in the

7       application or whatever you fill out for the council,

8       they would look at your history and I'd imagine that

9       that would have been in there.

10      Q. Would it be fair to say you weren't highlighting the

11      fact that you'd left QVS under a cloud?

12      A. That's safe to say, yes. I was looking for -- you know,

13      I was unemployed in a profession I absolutely adored and

14      so I was trying to secure a future for us as a family,

15      and if a question was asked, I would have answered it.

16      Q. But were you banking on them not asking?

17      A. Well, I don't know if I was banking on not asking.

18      Q. Hoping?

19      A. Hoping or just probably desperate for a job to try and

20      keep things alive for us as a family. And I think in

21      the context of -- I just felt that we were just in this

22      whole process and, as I've said all the time, I've

23      denied everything all this time and I thought it was

24      just, you know, this rumour mill and I'd been a victim

25      in this and I -- I hadn't done anything wrong, and so

1 I think at that stage I thought, well, I haven't done  
2 anything wrong, I'm quite within my rights to apply and  
3 continue -- continue teaching.

4 Q. Okay. Could we look at MOD 429, please. You'll see  
5 this is an email dated [REDACTED] 2006 from the MoD,  
6 the inevitable acronym of the post, and it's to  
7 a lady -- does the name mean anything to you?

8 A. Susan Rutledge, no.

9 Q. Presumably connected with the school, given the body of  
10 the text:

11 "Please find attached reference wording which must  
12 [underlined] be used in response to any request from  
13 other employers for references in respect of [you]. The  
14 wording of the reference has been cleared through  
15 command sec(?) today ... grateful if you could alert  
16 Brian ... "

17 Which we would take must be Raine.

18 A. (Witness nods).

19 Q. Then if we go over the page we see what is to be used,  
20 must be used, with the emphasis I've underlined:

21 "Again to be used in response to any request for  
22 a reference in respect of [you]. [You] were appointed  
23 as a teacher ..."

24 And it goes on to detail. Second paragraph:

25 "In [your] teaching role [you] demonstrated a firm

1 grasp of the key issues, lessons were well structured,  
2 management of his classes sound, beyond his primary role  
3 [you] also undertook supervisory and pastoral care  
4 responsibilities for the junior boarding house as well  
5 as supporting extracurricular activities for pupils.

6 "Prior to his resignation from the school,  
7 investigations had been in train into serious  
8 allegations of inappropriate conduct in 2002. At the  
9 time of his resignation, disciplinary procedures had  
10 reached a late stage but in accordance [missing 'with']  
11 our regulations these were suspended when [you] left  
12 MoD's employment."

13 You resigned from the school with effect from  
14 [REDACTED] 2006. The circumstances leading up to your  
15 resignation were such that section 2(3)(b) of the  
16 Protection of Children (Scotland) Act 2003 was deemed to  
17 be applicable and the MoD therefore made a reference to  
18 the Scottish Ministers.

19 Do you know if that reference was used?

20 A. I don't know at all.

21 Q. Were you aware that reference had been made by the MoD  
22 to the Scottish Ministers under the Protection of  
23 Children (Scotland) Act?

24 A. No. I mean, if that was in amongst I was unaware. As  
25 far as I'm aware that's the first time I've read that.

1 Q. But be that as it may, we would understand that there  
2 was then subsequently a compromise agreement dated  
3 2007 --

4 A. Yes.

5 Q. -- to resolve matters formally, and I think we see that  
6 and there's reference to -- this is MOD 217 --

7 A. And I think a lot of the compromise agreement would have  
8 been between my representative and the MoD, so  
9 Rami Okasha, my EIS representative, he would have  
10 been --

11 LADY SMITH: Well, he would be acting on your behalf.

12 A. He would be, yes. Thank you. So I think in terms of  
13 that, yeah, I can't recall seeing that at all, so that's  
14 really an alarming thing to have read there actually.

15 MR BROWN: Well, I think if we go to 217 and if we go to  
16 page 3, this is the compromise agreement. You sign it  
17 on page 8, as we see, and it's agreed -- again, we don't  
18 need to look at this, one of the clauses of the  
19 agreement:

20 "In the event of the school receiving a query into  
21 the circumstances of the employee's resignation from his  
22 employment or a resolution of the claim, they shall  
23 respond with a statement [as] set out in schedule 1."

24 And that is contained at page 9 --

25 LADY SMITH: Sorry, Mr Brown, can you just give us that

1           again slowly? In the event of the school in addition --

2       MR BROWN: Sorry:

3           "In the event of the school receiving a query into  
4           the circumstances of the employee's resignation from his  
5           employment or a resolution of the claim, they shall  
6           respond with a statement in terms set out in  
7           schedule 1."

8           Sorry, my Lady. And schedule 1 we can find at  
9           paragraph 9 and that's a statement to be made. But then  
10          we see over the page in schedule 2, which is covered by  
11          clause 11:

12          "To whom it may concern.

13          We confirm that [you] were employed by us as  
14          assistant housemaster and teacher of [REDACTED] between  
15          1998 to 2006."

16       A. Yes.

17       Q. So it's the baldest of references, just saying you were  
18       there?

19       A. Yes.

20       Q. Was the issue of your leaving or the background to your  
21       leaving QVS ever raised in your new job?

22       A. No.

23       Q. Is that right?

24       A. I can't recall. I mean, I had a close relationship with  
25       the PT of -- on the pupil support side in [REDACTED] and

1           had a good relationship, I would say, with the deputy  
2           head there, and it may have come up, I don't know,  
3           because she was a very caring person, so it may, you  
4           know, again you'd just so soon been catapulted out of  
5           one environment into a new one, and it may have been  
6           something I may have shared.

7   LADY SMITH: Now, also just to confirm with you, 'Mark',  
8           what was being compromised, as I understand it, was  
9           a claim you'd presented to the employment tribunal, yes?

10   A. Uh ...

11   LADY SMITH: Is that right?

12   A. Yes, yes, that's right.

13   LADY SMITH: The timing of that would have been some time in  
14           spring 2006? You resigned in [REDACTED] 2006.

15   A. Yes, yes.

16   LADY SMITH: Thank you.

17   MR BROWN: Thank you, my Lady.

18           But matters did come back in 2006 because the GTCS  
19           became involved.

20   A. Yes.

21   Q. Again just to be clear, you get supply teaching and then  
22           you get a more permanent post?

23   A. Yes.

24   Q. How long did you supply?

25   A. I really can't recall at all. I would imagine it would

1 have just been a few months, perhaps, and then I secured  
2 a post in [REDACTED]. I think I was doing supply  
3 there, and then I had an interview for the job in the  
4 pupil support department, so it was a big team,  
5 a department where we'd look at behaviour and pupil  
6 support, pastoral side, and -- which I thrived on,  
7 really. It was just a supportive environment, great  
8 people. Pupils with challenging lives, but just it was  
9 a refreshing environment to be in.

10 And timelines again, you know, I -- I'm really vague  
11 on that. I -- I thought it was maybe later, the GTCS  
12 thing. Maybe not then, so.

13 Q. If we could go to GTCS 83, seven zeros 83, at page 39.  
14 This is obviously a letter recorded delivery to you  
15 in [REDACTED] 2006 and they've:

16 " ... received information from QVS which appears to  
17 raise a question as to whether relevant misconduct has  
18 been committed."

19 And they ask you to respond.

20 Does that trigger memories?

21 A. It does. And in reading previous correspondence there,  
22 unless they were -- maybe somebody did request  
23 information about why I had resigned from QV and that's  
24 why they're sending this information on, so I don't  
25 know. But yeah, I remember a GTC letter dropping

1 through the door.

2 Q. And I think you became involved with the EIS, as we see  
3 from correspondence again.

4 A. Mm-hmm.

5 Q. You relied upon them. And there's a letter, page 43 of  
6 the same document, where the EIS are sending additional  
7 paperwork on your behalf.

8 A. Mm.

9 Q. On page 44 we see what that is, which is a statement  
10 from you. It's basically putting the position as you  
11 saw it. Paragraph 2, after the background:

12 "This changed in [REDACTED] 2002 and the situation has  
13 caused a huge amount of distress to myself and my wife  
14 both personally and professionally. Testaments and  
15 testimonials to my dedication and professionalism will  
16 show that these allegations were not only unfounded but  
17 also malicious."

18 Moving on:

19 "I have been the victim now of two anonymous  
20 letters, the first of which was dealt with and  
21 investigated in 2002, as you will know. After a further  
22 two years of working the 60-hour working week which the  
23 job entailed, it was most upsetting to be facing the  
24 same personal stress.

25 I resigned from the school in 2006 following this



1           dreadful experience and my family and I moved ... I am  
2           happy to say that I am now in a permanent teaching  
3           position in Falkirk Council and very much a valued and  
4           respected member of staff.

5           This is the only negative in my career."

6           And you're hoping that the GTCS will take this into  
7           consideration.

8           Would you accept the difficulty is you had never  
9           told anybody about the background of leaving QVS?

10          A. Well, I don't know if it was -- I think it's  
11           preservation, isn't it? I think you want to -- you want  
12           to get rid of that -- that baggage and the process was  
13           just all the wrong, I was a victim in it, and then  
14           I didn't want to jeopardise my future career, you know,  
15           tarnish it. Let people see who I am, and they had  
16           witnessed who I am, and, you know, as I said, very much  
17           valued and respected member of staff within [REDACTED] --  
18           I hope. That was my understanding. And -- and unless  
19           they asked for that reference, you know, they had  
20           a bland reference, and if they wanted to seek that --  
21           and they may have, I don't know, but they had -- they  
22           just simply had to contact QV and ask the question,  
23           I suppose.

24          Q. Would you have been happy if a teacher with the same  
25           background as you had been teaching your children and

1           you learned that they had left the school, their  
2           previous school, under a cloud because of inappropriate  
3           behaviour with a pupil?

4       A. Well, I suppose at that time I -- you know, I know  
5           I had -- I had no guilt, you know, I -- you know,  
6           I hadn't done anything wrong. At that stage I thought  
7           GTC registration, they'd supported me, you know. There  
8           was no question with them. I had enhanced disclosure  
9           again. And that -- that would let people know that I'm  
10          not -- I'm not a bad person, you know? So -- you know,  
11          people go through different experiences and, you know,  
12          and what leads them to a particular place, you know,  
13          there could be some very rocky road and -- and I think  
14          it's -- you know, the proof hopefully is in the pudding  
15          in terms of my time at Falkirk Council. There was no  
16          question, there was no question before QV, and, you  
17          know, it's funny, now. You know, I was thinking about  
18          something last night. Before I applied for the job at  
19          QV, the headteacher or rector at [REDACTED] -- where I was  
20          really happy, but it was just we were travelling from  
21          Callander so it was a huge round trip as well -- she  
22          said, "I hope you're doing the right thing", and those  
23          words echoed with me on several occasions over the years  
24          because I'd wished I'd just stayed where I was.

25               But -- and to answer your question, you know, I felt

1 I was a good person, trusted. I would never put any  
2 pupil into jeopardy and, you know, I feel I was a good  
3 candidate to be in -- in that job.

4 Q. But I think if we go to page 83 of that document, sorry,  
5 48, I do beg your pardon, this is a letter from  
6 Falkirk Council Educational Services, your employers,  
7 and it begins:

8 "I write to inform you of actions I have taken in  
9 respect of [you] ..."

10 Third paragraph:

11 "It came to my attention last Thursday ... that  
12 [you] ... had intimated at the start of term that  
13 allegations had been made against [you] and were being  
14 investigated by the GTC.

15 [You] were very frank about the nature of the  
16 allegation with the headteacher and indicated that  
17 a number of allegations had been made against [you] in  
18 respect of [your] activities with a pupil who was in  
19 fifth or sixth year. The incidents all took place six  
20 or seven years ago and the matters alleged inappropriate  
21 behaviour had been demonstrated by [you] towards this  
22 pupil. The culmination of these activities had been  
23 an allegation of sexual intercourse taking place with  
24 the pupil.

25 Falkirk Council Education Services has no option at

1           this time other than to suspend [you] from [your]  
2           teaching duties until such time as an investigation has  
3           been carried out. The concerns which are the reason for  
4           [your] suspension are in relation to child protection  
5           matters and the safety and well-being of pupils within  
6           Falkirk Council schools, in particular [REDACTED],  
7           who are in [your] care ...

8           These are serious allegations which have been made  
9           against [you] and it would be essential that we are in  
10          possession of the full facts before allowing [you] to  
11          return to [your] teaching position."

12          Final paragraph:

13          "It is of some concern that Falkirk Council was not  
14          informed of these matters, particularly as there would  
15          appear to be child protection issues associated with the  
16          allegations."

17          Over the page:

18          "I am also surprised that the Family Unit of Central  
19          Scotland Police has not been in touch with us to inform  
20          us of these allegations. It may well be aware that they  
21          are not aware that [you] are employed by Falkirk Council  
22          Education Services."

23          And you were suspended immediately, effectively; is  
24          that right?

25          A. Yes, yes, yes.

1 Q. Reading on, middle of that page:

2 "It is regrettable that at the time of [your]  
3 appointment ... references were not sought from [your]  
4 previous employers and we are looking into this matter  
5 at this time to ensure that no such situation should  
6 arise in the future.

7 I have been in touch with Queen Victoria School, in  
8 particular with the headteacher and with Ms Susan  
9 Rutledge, who is the human resources manager from Queen  
10 Victoria School, and they were able to offer me no  
11 information on this matter at all as they were not  
12 allowed to discuss it."

13 LADY SMITH: Mr Brown, was this a letter to the GTCS?

14 MR BROWN: Yes, it is, I'm sorry.

15 LADY SMITH: Thank you. Just to be clear.

16 MR BROWN: I don't think that was -- if it was excluded,  
17 I don't think it should have been, on the first page.

18 LADY SMITH: I may just have missed it because I was reading  
19 further down.

20 MR BROWN: No, it's --

21 LADY SMITH: Oh, this is -- it says General Teaching  
22 Council, but this is the General Teaching Council of  
23 Scotland.

24 MR BROWN: Yes, it's a letter of Falkirk Council setting out  
25 the position and their concerns.

1 LADY SMITH: And they want more information.

2 MR BROWN: Yes, absolutely.

3 But what is striking about that is that as soon as  
4 they learned that, you were suspended, because it's  
5 child protection. Do you not understand, regardless of  
6 how you view yourself subjectively, there are wider  
7 concerns?

8 A. I was unaware of whether or not this -- Falkirk had been  
9 in touch with QV, so -- they knew where I had been, so  
10 if they were seeking references, I would assume they  
11 would have been in touch with them. So I may have  
12 thought if they saw a reference, it would have been he  
13 worked from here to there, and they realised I was  
14 a good person, good teacher, and they were happy with  
15 that and I hadn't realised that they hadn't been in  
16 touch to seek reference and QV, on their side, said,  
17 "Well, we can't give you any more information".

18 Q. That's after you've been suspended or around the time  
19 you're being suspended by your then employer. Do you  
20 not see that the reality would be, had you been open  
21 about it, they would have had to do the same thing at  
22 the outset?

23 A. I suppose it's just because I didn't feel any guilt for  
24 anything, and I -- I hadn't done anything wrong. I was  
25 just in this process and an accusation and it had all --

1 everything over the years had just been, you know,  
2 fabrication and it had been believed. I was one lone  
3 voice, and maybe had I been a part of the whole bubble,  
4 it may have been a completely different thing. I --

5 Q. But again, if we take you out of the equation as the  
6 abuser, to use that word, if your child had been going  
7 to a school where there was an apparent abuser or  
8 someone whose behaviour triggered a child protection  
9 issue, would you be happy if that approach was  
10 followed -- if the approach you chose was followed with  
11 your child?

12 A. I think I'd -- you -- you'd assume that the whole  
13 process was rigorous and I thought it would have been,  
14 they would have sought references from there, and  
15 I would have trusted the people who employed the person,  
16 and if it came out after that, you know, something  
17 untoward perhaps had happened or there was were some  
18 accusations, then it's been acted upon.

19 But I think, you know, you -- you know, for instance  
20 my boys, if they're at school and, you know, and I've  
21 trusted a person, I've interacted with the teachers on  
22 so many occasions at parents evenings and throughout the  
23 day, and then I may have discovered that somebody had  
24 been -- that that accusation had been laid upon them, it  
25 could have been a person like me, and then I would say,

1 "I trust you implicitly". And you get a feel for  
2 people, I suppose, and maybe that's it. Maybe it's  
3 an naivety on my part, but, you know, I believe in  
4 people are on the whole good and there's no sort of --  
5 it's a glass half full, you know, for me, even still,  
6 you know. I see the positive in everybody.

7 And I think perhaps that's what Falkirk saw in me,  
8 you know. They just saw: here's a good person, and it  
9 was obvious that I was because I was welcome in, they  
10 gave me a full-time post on the back of a few very short  
11 weeks or months with them, and offered me a full-time  
12 contract. But I -- and I suppose at that time would  
13 have thought they may have -- they would have known  
14 where I had worked, and perhaps it would have all been  
15 completely different if they had contacted QV and then  
16 something had come up and I may never have been  
17 an employee of theirs, you know, for that period.

18 Q. We might take it, given their conduct immediately in  
19 discovering what was going on of suspending you, they  
20 wouldn't have touched you, had they known?

21 A. But it's -- well, perhaps, yeah. And as you can see,  
22 I was very -- it says I was very frank with them when  
23 I had that letter come to me --

24 Q. When the game was up?

25 A. I wouldn't say it was a game.



1 Q. No, it's not a game. That's the point, but it's  
2 a phrase, you understand. You were found out and you  
3 couldn't do other than admit, admit what you'd been  
4 hiding all along?

5 A. Well, I think it was just -- as I said earlier, it's  
6 that kind of preservation for your -- for your family.  
7 And knowing I hadn't done anything wrong, I'd been found  
8 guilty of something by an MoD court and a lone voice  
9 against this tidal wave of this behemoth, as I said, you  
10 know, it was just a, you know, a sinking ship, really.  
11 I couldn't -- I couldn't bail out the water.

12 Q. Can we go back to your statement, please. And page 32.  
13 We know that the GTCS investigation carried on and there  
14 was a hearing, which you chose not to attend.

15 A. Yeah.

16 Q. Why was that?

17 A. Simply -- well, the biggest -- the critical thing was  
18 just media intrusion, anonymity. It was -- I -- I got  
19 in touch with the GTCS to ask them about the processes  
20 and they said it would just be a -- it would be a public  
21 forum, that the media would be there, your name would be  
22 there, it wouldn't be redacted, all this would be laid  
23 to bare, and having gone through it already over these  
24 years, to go through that process again. Social media,  
25 I suppose, I don't know if that was starting at that

1 point, but certainly media intrusion and things, it was  
2 just something -- we couldn't go through it. We just  
3 couldn't -- our emotional resolve was -- was gone. You  
4 know, 2002, 2006, and then with this letter coming  
5 through we just couldn't -- we didn't have the fight.

6 And one of the awful things about not appearing is  
7 that, I don't know, it's an assumption of guilt or  
8 something, but they say, well, that means we find you  
9 guilty of in your absence, and therefore you are struck  
10 from the register. And we just didn't have the fight  
11 and that intrusion. We were trying to start afresh. We  
12 were trying to start anew and it was coming back.

13 We were living in a very small community at that  
14 point. My wife was a -- [REDACTED] teacher, she was  
15 head of guidance, but also she was knocking on the door  
16 of a deputy role. Because we were living in that -- you  
17 know, another bubble, living and working in the same  
18 environment, it would have been so public and would have  
19 just destroyed everything because, you know, again  
20 another community with a big rumour mill that we would  
21 have been a part of.

22 So protect everybody, that was -- that was our  
23 desperate solution.

24 Q. But the process, we would understand, is there were  
25 charges against you, evidence is led, you chose not to

1           be there to rebut, the charges were found proven and you  
2           were struck from the record?

3       A.   Mm.   Yeah.

4       Q.   Okay.   And you've not worked in teaching since?

5       A.   No.   And I did enquire, not recently but a few years  
6           ago, to see what the processes would be, and nothing has  
7           changed.   There would still be an open court or forum,  
8           you'd have to apply, you'd have to go through all of  
9           this again, and our boys -- I still call them boys, but  
10          they're 25, 22, and we want to protect them, want to  
11          protect us, and so just grimly I've had to just say  
12          that's it, and that was a really tough thing to -- to  
13          come to.

14      Q.   Okay.   Going back briefly to your statement, at page 32,  
15          paragraph 126, there's a general heading we see at the  
16          bottom, "Helping the Inquiry".   And the first sentence  
17          is:

18                "I think transparency is absolutely key."

19      A.   Mm.

20      Q.   Is that not a little ironic, given what you've been  
21          telling us repeatedly --

22      A.   For child --

23      Q.   -- that you knew better?

24      A.   For child protection?   Yes.   And for schools -- I know  
25          I hadn't done anything wrong.   I know.   I know.

1 Q. Yes, but for a school, it needs to be transparent, they  
2 need to know about you. Not just your version, but all  
3 the background. That's transparency, isn't it?

4 A. Yes, yeah.

5 Q. And to have absolute transparency, that requires not  
6 only organisations and schools to be open; it requires  
7 people in your circumstances to be open.

8 A. Mm. And it's -- it's -- it's desperate time.

9 I mean ... I think if -- if you think about life, I had  
10 too many responsibilities and a wife, family who I love  
11 dearly. We've been together for 33 years now. Had not  
12 been there, I would have not been here, I don't think.

13 I've never said that to anyone.

14 Q. I beg your pardon?

15 A. I've never shared that with anyone. I haven't shared  
16 that before. So I think that it's desperate at that  
17 time to maintain life and to look to the future, and  
18 perhaps sometimes omitting things -- omitting things is  
19 just a way to try and press forward.

20 And when it came to our door again, I think that's  
21 when you realise you have to, you know, be frank, but  
22 I suppose circumstances led to that point. But, yeah.  
23 But I do still think, you know, ironically, that  
24 transparency is key, is key.

25 Sorry.

1 MR BROWN: No, don't be sorry. 'Mark', thank you very much  
2 indeed. I have no further questions.

3 LADY SMITH: Are there any outstanding applications for  
4 questions?

5 'Mark', that completes the questions we have for  
6 you. Thank you very much for engaging with the Inquiry,  
7 both in terms of providing a detailed written statement  
8 and coming here today to give evidence, which I fully  
9 understand has not been easy for you. But I'm grateful  
10 to you for doing as you've done and dealing with the  
11 difficult questions as well as you've felt able to do.

12 You'll be delighted to hear that I can now let you  
13 go.

14 A. Thank you.

15 LADY SMITH: You'll be perhaps glad that at least it's on  
16 a Friday. I hope you have a more peaceful afternoon  
17 than you felt this morning was.

18 A. Thank you. I appreciate that.

19 (The witness withdrew)

20 LADY SMITH: Lunch break now, I think?

21 MR BROWN: Yes, my Lady.

22 (1.00 pm)

23 (The luncheon adjournment)

24 (2.00 pm)

25 LADY SMITH: Ms Bennie, when you're ready.

1 MS BENNIE: The statement bears the reference

2 WIT-1-000000662. My Lady, it's the witness statement of  
3 Alice Hainey.

4 Alice Hainey (read)

5 "My name is Alice Hainey. My year of birthday 1942.  
6 My contact details are known by the Inquiry."

7 My Lady, in paragraphs 2 and 3, the witness sets out  
8 her professional qualifications and I resume reading at  
9 paragraph 4:

10 "I was employed at Queen Victoria School from August  
11 1992 until March 2002. I was employed as assistant  
12 headteacher, which included pastoral responsibilities  
13 and involved pastoral care and oversight of all aspects  
14 of the well-being of pupils.

15 I have no detailed knowledge of the process followed  
16 when I was recruited.

17 My line manager was the headmaster and there was  
18 a close liaison between us which very quickly became  
19 daily. We had a daily informal meeting to exchange  
20 information and discuss any concerns over pastoral  
21 matters.

22 There was no need for induction or formal  
23 line management interviews between myself and the  
24 headmaster as he had detailed knowledge of how  
25 I performed my remit. I attended courses at my request.

1 Counselling and child protection were two such courses  
2 that I recall.

3 It should be noted that the school was a small  
4 boarding school with no day pupils. As a condition of  
5 their employment all teachers working in the school had  
6 to live in and do pastoral supervision duties during the  
7 school day and in the boarding house. They also had to  
8 be involved in sport and offer at least two hobbies per  
9 week to pupils.

10 The system to protect and support pupils in their  
11 daily routine worked well and never changed during my  
12 tenure. Good behaviour was positively encouraged and  
13 expected. There was no formal system of discipline and  
14 punishment in existence.

15 Bad behaviour was punished by gating to house or  
16 school and withdrawal of privileges. Serious  
17 indiscipline would be referred to the assistant  
18 headmaster for pastoral purposes and the parents  
19 informed.

20 Strategic planning was seen by the school as being  
21 very important for the well-being and safety of the  
22 pupils. Boarding houses had to be modern but homely, be  
23 age and gender appropriate and thus pastoral concerns  
24 were paramount.

25 Initially the youngest pupils were cared for in

1 purpose-built accommodation. Primary 6 and 7 boys had  
2 dormitory sleeping arrangements and airy, open-plan  
3 leisure areas with TV rooms, a library, table tennis and  
4 board games.

5 There were two intermediate houses catering for  
6 Senior 1 to Senior 3 in groups of three or four housed  
7 in modern bunk bed/desk rooms. There was a senior boys'  
8 house for Senior 4, 5 and 6 with more double and single  
9 rooms.

10 This accommodation changed over my time at the  
11 school driven to a certain extent by the preparation for  
12 the arrival of girls. Primary 6 and Primary 7 pupils  
13 were phased out and this house was extended and adapted  
14 to become the girls' house catering for Senior 2 to  
15 Senior 6 girls.

16 A purpose-built house was built for Senior 1 (boys  
17 and girls) accommodated on their own separate floors  
18 with a number of single rooms for senior girls. The  
19 fourth house became an intermediate boys' house catering  
20 for Senior 2 and Senior 3 boys.

21 I did not manage any other staff as the headmaster  
22 retained this responsibility.

23 I had no involvement or knowledge in the recruit of  
24 staff.

25 I was involved in the development and training of



1 staff in aspects of pastoral care. This normally took  
2 the form of a one-day in-service training at the  
3 beginning of term. Topics included reporting to  
4 parents, anti-bullying, the personal and social  
5 development of pupils across the curriculum, child  
6 protection, the tutor system and so on.

7 I was not involved in the supervision of staff nor  
8 was I involved in their appraisal or evaluation on the  
9 pastoral side. The headmaster retained the duty of  
10 appraisal of housemaster and the housemistress  
11 post-holders.

12 As previously stated, teachers had to live on the  
13 school premises. There were no exceptions. Myself, the  
14 headmaster, the deputy headmaster and the bursar had  
15 detached rented houses. All other staff resided on  
16 a small estate of housing within the school grounds.  
17 Therefore all staff lived alongside the boarding houses  
18 and all could access the boarding houses.

19 Culture within Queen Victoria School.

20 The use of the word fagging points me in the  
21 direction of how the boys, and later the girls, were  
22 treated and how the boys and girls treated each other.  
23 Parity of treatment was the order of the day. A weekly  
24 housemaster's meeting, attended by the management team,  
25 discussed the matter of equal funding for leisure

1 activities, trips, et cetera run by the houses and  
2 equality of discipline across the houses.

3 The pupils treated each other as equals despite the  
4 wide age range for any school. From 1992 it ranged from  
5 P6 to S6. By 2002 it was a mixed sex boarding school  
6 from S1 to S6. Like all pupils they tended to socialise  
7 in their class groups. I never saw any indications of  
8 fagging ever heard reference to any former system of  
9 fagging, formal or informal.

10 There was no special treatment due to seniority.  
11 Monitors and prefects were honorary positions that were  
12 rewarded for being of good behaviour and example.  
13 Monitors and prefects were not involved in any way in  
14 discipline.

15 In my time at the school I never came across any  
16 significant examples of bullying. I was not aware of  
17 the military code of silence and never encountered it at  
18 the school, even with hindsight. The concept of  
19 a pupil's behaviour or complaints adversely affecting  
20 a parent's career seems bizarre to me. When I worked  
21 there, the headmaster was chief executive and a position  
22 once held by a commandant had ceased to exist, having  
23 been replaced by a financial bursar around 1991/1992.

24 Discipline and punishment.

25 The culture of the school comes into play when

1 discussing discipline and punishment. The children  
2 loved being at the school. They felt proud to have been  
3 accepted by the school. They were proud of the school's  
4 reputation and the services' background of their parents  
5 and thus had every incentive to behave and they did  
6 behave.

7 There was no formal published disciplinary  
8 school-wide policy. There was, I think, written  
9 policies in some houses with regards to domestic  
10 arrangements. After some work with staff and pupils on  
11 anti-bullying, after my appointment, a booklet called,  
12 'A guide to life in QVS' was published and discussed by  
13 the pupils.

14 If a pupil exhibited any significant indiscipline it  
15 was treated as a pastoral concern and the pupil was  
16 quietly spoken to in a counselling interview to find out  
17 what was amiss. This was done either by a housemaster  
18 or myself. Following such an interview, a normal  
19 factual note would be put on the pupil's file. No  
20 special record was needed and no senior pupils had any  
21 input.

22 Day-to-day running of the school.

23 As mentioned before, each teacher was also a member  
24 of the pastoral team. There was a daily supervisory  
25 rota covering the schooldays and weekends in school and

1           in houses.

2           This supervisory rota was drawn up to cover weekdays  
3           and weekends by the deputy headteacher. Meetings were  
4           held with housemasters and housemistresses to discuss  
5           the needs and requirements of individual houses. All  
6           staff involved received copies. I feel that students  
7           should have been safe under this system, though I'm  
8           aware that in this area things can go awry with the best  
9           of intentions.

10          Whether it be in the classroom, the playing fields,  
11          the dining room or boarding houses, everything was  
12          detailed to ensure the safety of pupils at all times.  
13          A supervisory rota was published to further increase  
14          safety. I feel reasonably confident that during the day  
15          and in the evenings in houses pupils should have been  
16          safe.

17          I should say at this point that the school had  
18          security guards 24/7 with CCTV cameras and saw it as  
19          part of their duties to have an oversight of pupils in  
20          the school grounds. They would phone me if they noticed  
21          a pupil in distress, for example. This was done,  
22          obviously, out of the goodness of their hearts but it  
23          was welcomed.

24          If pupils were abused without it coming to light,  
25          they may have been detached or lured away from fellow

1 pupils and the normal routine of the day and abused in  
2 secret. However, they should have been missed.  
3 A strict permission system operated at weekends where  
4 pupils, even seniors, had to have face-to-face  
5 permission to leave the house from duty staff and check  
6 in on return.

7 Concerns about the school.

8 I have no knowledge of any concerns about the  
9 school.

10 The headmaster reported to parents on all matters.  
11 I had no knowledge of such complaints in any detail.  
12 I never saw evidence of older boys bullying younger  
13 boys. Rather, senior boys confided in me that they were  
14 hurt and mortified by it.

15 I was asked on my arrival by a sixth year boy,  
16 obviously representing the others, 'Have you been sent  
17 to sort us out then, miss?' The question was asked in  
18 their first Personal and Social Education class. They  
19 were referring to the Glenn Harrison bullying scandal.  
20 I introduced myself, giving a short resume of my  
21 pastoral to date and my application for the job was just  
22 a natural step in my career. There began a fruitful  
23 exchange with the S6, who did want change.

24 The Inquiry should not assume that I was appointed  
25 as a direct result of the Glenn Harrison scandal. The

1 HMI inspection had given the school a clean bill of  
2 health but had recommended that the school would benefit  
3 from a new appointment on the pastoral front. The  
4 assistant head (pastoral) post was set up and I took up  
5 that post on 31 August 1992.

6 I worked with Julian Hankinson for two years. He  
7 was a charming, witty gentleman and a devoted husband  
8 and family man. On the school front, he warmly welcomed  
9 me and was keen to put in place all HMI recommendations.  
10 He did a lot to smooth my path with a number of  
11 diehards, who saw no need whatever for change.

12 Brian Raine arrived a year later on the retiral of  
13 the then deputy head and became the headmaster the next  
14 year. Brian Raine and I worked seamlessly for the next  
15 eight years. Brian was very experienced in boarding,  
16 financial planning and highly energetic. He did a lot  
17 to facilitate the development of the school into  
18 an up-to-date institution, both academically and  
19 pastorally.

20 There were no complaints or reporting processes in  
21 place that I was aware of so I cannot say anything about  
22 to what extent such a process was used. I do not know  
23 if any of the complaints were ever received and I was  
24 not aware of any dedicated recording process regarding  
25 complaints.

1           There was no person within the school or outside of  
2           it that a child could speak to established as such when  
3           I arrived at the school. I presumed this would have  
4           been done by their housemaster or the headmaster.

5           The assistant headteacher (pastoral) introduced and  
6           delivered a personal and society education class to all  
7           pupils from Primary 7 to Senior 6 and the dedicated PSE  
8           (personal and society education) period became the place  
9           to raise any concerns about anything.

10          A deluge of complaints followed (many about the  
11          food). It showed the pupils needed to talk and to be  
12          listened to. Out of this came the role of the assistant  
13          headteacher being the 'trusted adult' within the school  
14          who would listen and change things if it could be done.  
15          It was emphasised that the 'trusted adult' could be  
16          approached at any time in confidence about personal  
17          concerns.

18          Children did raise concerns. Indeed, a major  
19          concern about abusive behaviour by a pupil towards other  
20          pupils was raised quietly and discreetly in this way.

21          Abuse.

22          The school never produced a document defining  
23          different types of abuse. Staff did have an in-service  
24          day where types of abuse were discussed.

25          Staff, including managerial staff, were given

1 guidance and instruction on how children in their care  
2 at the school should be treated, cared for and protected  
3 against abuse, ill-treatment or inappropriate behaviour  
4 towards them by way of an in-service day devoted to all  
5 aspects of child abuse.

6 I am not aware of any specific instructions given to  
7 staff to protect children against abuse prior to that  
8 date other than general responsibility for the pupils'  
9 well-being.

10 Staff had to listen and make sure they understood  
11 what a child was saying by gentle questions, if  
12 necessary, and report any complaint to the headmaster.  
13 The child would have been assured that their complaint  
14 would be passed on.

15 There were no child protection arrangements in place  
16 to reduce the likelihood of abuse, ill-treatment or  
17 inappropriate conduct by staff or other adults towards  
18 children at the school. Abuse or ill-treatment had to  
19 be reported on. No attempt to deal with it was allowed.  
20 I think the measures were preventive, but each case of  
21 abuse is unique and general statements can be unhelpful.

22 External monitoring.

23 There was a full-scale HMI pastoral inspection  
24 towards the end of my time at the school and individual  
25 Commissioners visited the school from time to time. The



1 community policeman also visited Primary 6 and 7 and was  
2 a great favourite.

3 HMI spoke to everyone, including me, as they do.  
4 The official outcome of the inspection was highly  
5 commendable of the school and its pastoral care. The  
6 PSE programme came in for special commendation.

7 Commissioners spoke to groups of children and  
8 Lord Cullen sat with a group of Primary 7 boys in my  
9 early days to find out what PSE and circle time was all  
10 about. The pupils took turns to hold the teddy and talk  
11 about what life was like at the school.

12 The school kept the individual file on each pupil as  
13 was normal at the time in Scottish schools and they  
14 included exam/assessment details and special needs  
15 identified, which were mostly educational. These were  
16 kept in the headmaster's office and access to them would  
17 have been through him. I am not aware of any special  
18 file for the recording of any complaints of abuse.

19 Abuse of any kind reported was dealt with  
20 immediately as a matter of concern. There was no  
21 special file for anyone to research. Outcomes of  
22 incidents would be recorded by the headmaster as  
23 a serious matter within his province. I have no  
24 knowledge of any historical practice regarding  
25 record-keeping.

1           The whole concept of the contribution of  
2           record-keeping in keeping children safe is, I feel,  
3           a grey area that needs further exploration, especially  
4           in a very small boarding school establishment.

5           Investigations into abuse.

6           I was involved in one investigation in my early days  
7           at the school. Primary 6 and 7 were still at the  
8           school. Using the 'trusted adult' system, I was  
9           approached by a group of primary aged pupil who alleged  
10          they were being sexually harassed by a vulnerable fellow  
11          pupil who was repeating Primary 7 and therefore was at  
12          least a year older.

13          He had been trying to make sexual overtures under  
14          the guise of chasing games. As the boy had been brought  
15          up by several households, I felt this complex case  
16          should be reported to the child protection services  
17          locally. A Detective Sergeant and a female social  
18          worker, both from the unit at Bannockburn, visited the  
19          school and questioned the boys with myself acting in  
20          loco parentis.

21          The outcome was that the boy left the school. He  
22          was about 12 or 13 years of age. One pupil had in fact  
23          been anally penetrated. All boys were given the support  
24          of sessions with psychologists from the Notre Dame  
25          Clinic in Glasgow who came into the school.

1           I was never given any feedback about the vulnerable  
2           wee boy and his fellow pupils were very concerned about  
3           him and wanted to know if he was all right.

4           I was never involved in the handling of reports or  
5           civil claims made against the school by former pupils  
6           concerning historical abuse.

7           I have no knowledge or involvement in anything at  
8           the school concerning police investigations into alleged  
9           abuse."

10          My Lady, I move on to paragraph 65:

11          "I recall Robert Ben Philip as being a staff member  
12          for about 18 months between 1992 and 1994. He would  
13          maybe have been in his 50s and was a primary teacher and  
14          a housemaster. He was simply a colleague and I remember  
15          very little of him. He had a reputation of being caring  
16          and hard-working.

17          I don't know how he was with children and I never  
18          saw him physically harm or abuse any of the children.  
19          I never heard of him abusing any of the children. In  
20          the short time I knew him, I gained hardly any insight  
21          into him and did not see him with the children to any  
22          significant extent.

23          I recall 'Mark', who worked at Queen Victoria School  
24          from, I think, 1995 until 2002. He would have been in  
25          his late 20s or early 30s. He was employed primarily as

1 a teacher and at some point became assistant housemaster  
2 in Trenchard House, which held Senior 1 boys and girls  
3 and some Senior 6 girls.

4 I only knew him as a colleague and did not know him  
5 personally at all. He was a young man, married with  
6 a family, and seemed very pleasant. I did not see him  
7 with any of the children. I did not see him physically  
8 harm any child or abuse any child.

9 I did hear of him abusing children. 'Mark' was  
10 accused of having a sexual relationship with a sixth  
11 year girl in an anonymous letter received by the  
12 headmaster in 2002.

13 I was not aware of any concerns about  
14 overfamiliarity between staff and pupils in general or  
15 in Trenchard House in particular. However, in 2002,  
16 Mr Raine informed his management team that he had  
17 occasion to inform 'Mark' that a birthday card he had  
18 sent an S6 girl was completely inappropriate and  
19 overfamiliar. The card had been seen by pupils in  
20 Trenchard and the housemaster passed on his concerns to  
21 the headmaster.

22 I recall 'Grant' being at Queen Victoria School  
23 between 1996 and 2002. He would have perhaps been in  
24 his early 30s and was a [REDACTED] teacher. His  
25 line manager would have been the deputy headmaster and

1 I had little, if any, contact with him.

2 I never saw him physically harm any child and never  
3 saw him abuse a child. I did hear about him allegedly  
4 abusing children when he was the subject of an anonymous  
5 letter to the headmaster claiming he was in a sexual  
6 relationship with a Senior 6 girl. This was in 2002.

7 Leaving the school.

8 I had always intended to retire at 60 years of age.  
9 I officially retired in 2002 on my 60th birthday. The  
10 headmaster had asked me to continue for a further two or  
11 three years but I refused. I enjoyed my years at the  
12 school and my retiral was personal and in no way  
13 connected to the school.

14 Helping the Inquiry.

15 The type of abuse allegedly perpetrated at the  
16 school could have been facilitated by the type of  
17 boarding school it was/is. The school is very small by  
18 any standard with a maximum of 300 and all pupils are  
19 boarders. The same staff teach during the day and  
20 supervise during the evenings and at the weekends.  
21 A very strong bond exists between pupils and between  
22 students and staff due to the service background of the  
23 pupils and sometimes staff.

24 The size of the school leads to very small classes  
25 in senior forms, even one-to-one. These observations

1 are not in any order of relevance or importance, but  
2 when put together could provide an abuser with  
3 opportunities for bonding and grooming with a view to  
4 forming special relationships typical of the kind of  
5 abuse of trust.

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

10 My Lady, the statement is signed and it's dated  
11 12 April 2021.

12 LADY SMITH: Thank you.

13 MS BENNIE: My Lady, the next statement bears the reference  
14 WIT-1000000599. My Lady, this witness wishes to remain  
15 anonymous and has adopted the pseudonym of Elsie.

16 'Elsie' (read)

17 "My name is 'Elsie'. My year of birth is 1955. My  
18 contact details are known to the Inquiry.

19 I am a chartered teacher. I started my employment  
20 at Queen Victoria School in January 1999. I remained  
21 there until I was suspended in October 2004.

22 My role was boarding housemistress which involved  
23 being in loco parentis for approximately 80 girls aged  
24 from 11 to 18 years old.

25 I was recruited by interview. References were

1 provided by the headmaster of a former school. He was  
2 contacted later that evening by the headmaster of  
3 Queen Victoria School, Brian Raine, to ask him if the  
4 reference was genuine. He informed him that it was and  
5 that I would be great at the job. I am not sure of who  
6 I would have included as my second referee.

7 I don't recall any mention of a probation period.  
8 I received no induction training. There was no  
9 monitoring as such. However, after about a year in my  
10 post I was handed a letter by a secretary. The letter  
11 was from the headmaster and stated that my performance  
12 was not up to standard. When the bursar heard about the  
13 letter he was horrified. In the presence of the  
14 headmaster, my union representative and myself, he  
15 stated that it was unacceptable and that it should be  
16 withdrawn. The bursar's name was Ian, but I can't  
17 recall his surname.

18 My original line manager, Alice Hainey, had little  
19 contact with me, if any. Her replacement, Evelyn Smith,  
20 was more hands on and visited the boarding houses  
21 regularly. She acknowledged that the girls' boarding  
22 houses faced challenges that the boys' boarding houses  
23 did not, and with over 80 girls and an age range of 11  
24 to 18.

25 There was a boarding qualification available at the

1           time. Various members of staff went on the course but  
2           I was not allowed to go on the course. It was this  
3           decision that prompted me to study for my Masters in  
4           Education and study appropriate modules with the  
5           Open University. I did have to deal with a fair amount  
6           of funds, but no financial training was provided by the  
7           school. The only training provided was a Ministry of  
8           Defence training course in maximising attendance.

9           As the only boarding house mistress for the girls'  
10          boarding house, I made decisions about routines and  
11          schedules. It was very challenging. The rules were not  
12          the same for the boys as for the girls. The staff rota  
13          also was not equal.

14          Record-keeping for me consisted of keeping the books  
15          which contained the girls' pocket money and banking.  
16          Discipline of the girls tended to be in-house and  
17          involved extra chores. Serious discipline would have  
18          been for a girl to be grounded.

19          The school discipline was a system of days run by  
20          prefects, which involved the pupils getting up early and  
21          going out before breakfast to do chores. I objected to  
22          this. If a prefect came round at 10.30 in the evening  
23          to tell me that a pupil was on a day in the morning,  
24          I advised the prefect that I was not going to waken  
25          a pupil for that reason. I felt that the pupil should



1           have known before bedtime for the next day.

2           One punishment that I introduced was cleaning shoes.  
3           There was a 'no shoes upstairs' rule to help keep the  
4           carpets clean. The shoe lockers were at the foot of the  
5           stairs and the girls swapped slippers or trainers to  
6           change into when they left their school shoes.  
7           Originally, there was a misunderstanding because the  
8           girls thought that they were to 'bull' the shoes, which  
9           means spit and polish them, military style, which I was  
10          not aware of as a new member of staff. However, my  
11          intention was just to give them a brush. I hoped that  
12          would put them off going upstairs with their shoes on.

13          Whistle-blowing was frowned upon. The attitude was,  
14          'Keep everything in house', 'We can deal with it', 'It's  
15          my train set - if you don't like it, get off'. I did  
16          pass on information to the original line manager,  
17          Alice Hainey, about inappropriate comments by staff when  
18          senior girls moved into the primary boys' boarding  
19          houses as prefects. She thought it was appalling but  
20          I am unaware of any further action that may have been  
21          taken. It related to a comment and suggestion made by  
22          a male staff concerning some of these girls. Pupils had  
23          passed information to me about a teacher saying  
24          something to them about seeing a lovely wee top that  
25          would look great on one of the girls in particular.

1           A member of my boarding staff came to me to pass on  
2 information about a male teacher and a pupil. I did not  
3 doubt her because she worked in the same department as  
4 the teacher and was friendly with both him and his wife.  
5 I can't remember the exact details about the  
6 information, but it related to a male member of the  
7 boarding staff in the junior boys' boarding house. His  
8 wife believed he was having an inappropriate  
9 relationship with a pupil who was also boarding in the  
10 house where he worked. I remember the pupil played the  
11 drums and her birthday was [REDACTED]. I believed what  
12 she was telling me, so I passed it on. I passed it on  
13 to my line manager, Evelyn Smith, who had only just  
14 started at the school. The consequence of that was  
15 a talk to all staff about appropriate professional  
16 behaviour by her, as instructed by the headmaster.

17           I lived in a flat attached to the boarding house.  
18 It was easily accessible to the girls if they needed to  
19 contact me when I was not in the boarding house. The  
20 assistant boarding housemistress lived in a flat above  
21 me. The matron also lived in a flat attached to the  
22 boarding house. Other boarding staff mostly lived on  
23 campus with the occasional person living off campus.

24           All boarding staff had access to the residential  
25 areas.

1           Culture within Queen Victoria School.

2           The school had a very good reputation in Scotland in  
3           general. The public image is of a pipe band, red jacket  
4           and kilts. It's impressive to see children perform like  
5           that. A lot of work and kudos was given to pupils who  
6           made the grade for the band and dance teams.

7           Academically, I was disappointed with the school  
8           upon arrival. All girls had a set schedule which  
9           involved prep. When I arrived, older girls were making  
10          tea and visiting friends. They weren't really taking  
11          advantage of the opportunity for quiet study and  
12          homework with teachers always present to help them.  
13          I worked on that and felt that there was a good  
14          improvement. I was not aware of any fagging being in  
15          existence at the school.

16          At school, any issues were passed on to the  
17          housemaster and housemistress, unless it was a repeated  
18          and challenging issue. Mostly, the punishment involved  
19          grounding. The prefects also had some perceived  
20          disciplinary power and they worked a system of days.  
21          This involved early morning chores of litter picking and  
22          such like.

23          It has been many years since I worked at  
24          Queen Victoria School. Personally, I cannot remember  
25          a disciplinary policy or any policies for that matter.

1           Knowing the headmaster, I believe there would have been  
2           policies for everything. They would have been  
3           a tick-box exercise but they were not working living  
4           documents.

5           I can't remember keeping records about discipline.  
6           I don't think that I did, but I would have done so if  
7           there was a requirement to do so. I would not be  
8           involved in any serious disciplinary decisions, like  
9           suspension. I am not aware of what records were kept in  
10          that regard.

11          Day-to-day running of the school.

12          My main role in the day-to-day running of the school  
13          related to the running of the boarding house. Most of  
14          the day was scheduled with meals, chapel, lessons and  
15          prep. My role was to make sure we kept to these  
16          schedules. I organised outings to the cinema and  
17          shopping, mostly at the weekends, and theatre trips,  
18          which were mostly midweek.

19          I do believe that if there was any ill-treatment of  
20          the children, I would have gotten wind of it. The girls  
21          confided in me as much as they felt appropriate. For  
22          example, one girl came to me to tell me that her friend  
23          was having problems at home. She would not tell me who  
24          it was and I can't remember how much she told me. At  
25          the next parade day, I realised who the father was and

1           that it was an issue with drink, just by meeting with  
2           him.

3           I do recall one of the senior girls, Carey, being  
4           very upset. It was during good weather because she was  
5           out on the grass, crying inconsolably with her friend.  
6           The girl had a particular bond with the previous  
7           housemistress and was never really close to me. I did  
8           say to her that although she probably didn't want to  
9           speak to me, should she should speak to someone.  
10          I wanted to help but she intimated that she could not  
11          let me know what the problem was. I now believe that  
12          this incident was related to a member of staff, which is  
13          why she felt that she could not confide in me. I didn't  
14          know that at the time but as time passed I put two  
15          together, albeit I may have come up with three.

16          I do think that with the combination of staff and  
17          pupils I would have become aware of any issues. Someone  
18          would gossip and pass on information. Staff were well  
19          aware of their responsibility to pass on information.

20          Reporting of complaints and concerns.

21          [REDACTED] was a pupil at the school. In 2004,  
22          I found out about an incident involving [REDACTED]. He  
23          left his boarding house and came to me. He was very  
24          small for his age and an easy target. He told me that  
25          a group of boys had jumped on him. I believe that one

1 of them had a bicycle pump and had used it in a sexual  
2 manner, a mock rape. I don't know the names of the boys  
3 involved in assaulting him.

4 I immediately contacted the depute with the remit  
5 for child protection, Evelyn Smith. Unfortunately,  
6 Evelyn was a friend of mine and the perception was that  
7 she was taking steps because of the friendship and not  
8 because of the seriousness of the incident.

9 I cannot remember the timescale for this incident,  
10 but the police were supportive. I did not witness any  
11 contact that the police had with the other pupils. [REDACTED]  
12 [REDACTED] was examined by a doctor, who was of the opinion  
13 that there had been no anal penetration. The headmaster  
14 was furious that the police had been contacted. He was  
15 of the opinion that the matter should have been dealt  
16 with in-house. My concern about his response was that  
17 he did not view what had happened as a serious incident  
18 and considered it just to be a bit of fun. The outcome  
19 was that [REDACTED] never returned to the school.  
20 Evelyn Smith and I were suspended and ultimately sacked  
21 from our jobs.

22 It is very difficult and challenging for me to think  
23 about my suspension and departure from the school.  
24 I have spent 16 years trying to forget about the whole  
25 incident and recover from the trauma. Reputation,

1           credibility and track record are everything in teaching  
2           and I had my whole career wiped out. I appreciate that  
3           the Inquiry is focused on child abuse. However,  
4           I believe I am a victim of the culture within  
5           Queen Victoria School.

6           I found out about my suspension just minutes before  
7           parents' consultations. These were always scheduled on  
8           the Friday before the October break holiday. I can't  
9           actually remember how it happened, but I was escorted to  
10          my flat and told not to enter the boarding house. The  
11          reason for the suspension was the inspectors' report,  
12          which graded me as unsatisfactory. That is it in  
13          a nutshell. My conduct was apparently such that I could  
14          not do my job.

15          I was given no warnings or advice. All I had was  
16          a very unmanageable team because of the complete  
17          breakdown in relationships and no support from  
18          management. There was no restorative practice -  
19          nothing. I returned to work in August and the  
20          inspection was in September. I had been absent for six  
21          months prior to the summer holiday.

22                 Helping the Inquiry.

23          From my perspective, clear and transparent  
24          guidelines which are used and referred to would have  
25          improved the situation.

1 I have no objection to my witness statement being  
2 published as part of the evidence to the Inquiry.

3 I believe the facts stated in this witness statement are  
4 true."

5 My Lady, the statement is signed and it's dated  
6 8 January 2021.

7 LADY SMITH: Thank you very much.

8 MS BENNIE: My Lady, the next statement bears the reference  
9 WIT-1-000000538. My Lady, it's the witness statement of  
10 Evelyn Joyce Smith.

11 Evelyn Joyce Smith (read)

12 "My name is Evelyn Joyce Smith although usually  
13 referred to as Lyn. My year of birth is 1954. My  
14 contact details are known by the Inquiry."

15 My Lady, in paragraph 2, the witness sets out her  
16 professional qualifications and I resume reading at  
17 paragraph 3:

18 "I was employed at Queen Victoria School from April  
19 2002 until June 2005 although I was suspended from my  
20 role in October 2004 and never returned. In my role as  
21 assistant headteacher, my responsibilities included  
22 Child Protection Co-ordinator, quality assurance manager  
23 in connection with HMI welfare inspections, acting as  
24 the pastoral co-ordinator throughout the school,  
25 monitoring and evaluating welfare provision in the



1 houses, working closely with, advising and supporting  
2 housemasters and housemistresses, maintaining good links  
3 with house staff, matrons and hospital sister, working  
4 in close conjunction with the deputy headmaster on the  
5 day-to-day discipline of the school and with the  
6 housemasters and housemistresses, teaching staff,  
7 especially principal teachers, boarding staff, hospital  
8 sister, monitors and prefects.

9 I was also responsible for the delivery of  
10 in-service training to boarding staff on pastoral issues  
11 as required, the maintenance of a Personal and Social  
12 Education programme within the curriculum with  
13 responsibility for its organisation, writing and  
14 updating with the headmaster the school pastoral  
15 handbooks; line manager for the director of careers and  
16 Support for Learning; liaison with Forth Valley  
17 Enterprise Business Partnership; responsibility for the  
18 hobbies programme, including the planning, co-ordination  
19 and arranging, liaising with staff, supervising and  
20 monitoring the programme; link with parents on all  
21 pastoral matters and ensure that the relevant  
22 information and progress concerning individual pupils is  
23 communicated to parents and appropriate staff.

24 I managed the tutor system and support for tutors in  
25 their pastoral duties; overall management and care of

1        those pupils identified as having behavioural or social  
2        problems in conjunction with boarding staff, hospital  
3        sister, earning support external agencies, where  
4        appropriate, and parents; the overall direction of the  
5        system of reporting to parents including academic  
6        progress, plus proofreading all end of term reports.

7        I applied for the assistant headteacher post at  
8        Queen Victoria School, which was advertised. I was  
9        interviewed by the headmaster, deputy headmaster and  
10       a member of the Board of Commissioners. Prior to this  
11       interview I was shown around the school by the current  
12       assistant headteacher and was able to view the possible  
13       housing properties. I was offered the post by telephone  
14       and then by letter. I completed a Disclosure Scotland  
15       Form before taking up the post.

16       My line manager in the post of assistant headteacher  
17       was the headmaster himself. I would see him daily and  
18       more often than once a day. I would also see him along  
19       with the rest of the Senior Management Team once a week  
20       and with the housemasters, housemistresses once a week.

21       I met with the incumbent assistant headteacher prior  
22       to starting to go over the job including seeing the  
23       Personal and Social Education handbook she had prepared  
24       plus all the PSE resources and I met her again in the  
25       evening to go round the boarding houses.

1           At the start of the school term I did briefings to  
2           the whole staff.

3           In the November of 2002, I undertook training on  
4           leadership and developing people by defence management  
5           training. In September of 2003 I was trained in  
6           equality and diversity for managers, and October 2003  
7           I was trained in discipline and restoring efficiency,  
8           and in April 2004 I was trained in clustering and  
9           evidence-based assessments, all provided by  
10          DB Learning."

11          My Lady, I now move on to paragraph 12:

12          "I had involvement in the strategic planning in the  
13          form of contributing along with the headmaster, deputy  
14          head and bursar in completing, amending and updating  
15          policy documents. A management plan was introduced for  
16          2004/5 and we each had our own component tasks,  
17          objectives, target dates and performance indicators to  
18          deliver.

19          The potential for abuse featured and was covered in  
20          the pastoral staff handbook section on the role of the  
21          school in protecting children from abuse.

22          My recollection of the school's strategic approach,  
23          as far as I remember, was that the school management  
24          team would work through any recommendations from  
25          previous inspections or commissioner visits to produce

1 plans for implementing these.

2 In my role as assistant headteacher, I managed  
3 staff. I was the line manager for the  
4 housemasters/mistresses, the careers director and  
5 latterly a link for the support for the learning  
6 department. I was also the second reporting officer for  
7 house matrons and house maids. I met weekly with  
8 housemasters and housemistresses and was primarily  
9 involved in helping them with the house development  
10 plans, welfare issues and training and development  
11 requests. I met monthly with house matrons and again my  
12 role was aiding with training and development, equality  
13 of roles across the houses, mainly to do with laundry.

14 In my role I had involvement in the recruitment of  
15 staff at the school and was issued with copies of all  
16 applications plus CVs prior to the interview. I had no  
17 knowledge prior to my first recruitment interview and  
18 I made a mistake during that interview by asking  
19 a question which upset the interviewee. I subsequently  
20 attended a recruitment practices course.

21 I have no knowledge to what extent references were  
22 obtained from former employers of applicants, what  
23 references were expected to cover and whether referees  
24 why actually spoken to, as none of this was within my  
25 remit.

1 I was involved in the training and personal  
2 development of the whole staff in inappropriate  
3 staff/pupil relationships, suicide in young people,  
4 management of crises, including sudden death, depression  
5 in young people and child protection guideline updates.

6 I trained the housemasters and housemistresses and  
7 the residential and senior tutors in the care standards.

8 I was not involved in supervision of staff/staff  
9 appraisal/staff evaluation. The headmaster used to do  
10 all appraisal of staff except those on the Senior  
11 Management Team, prior to the Senior Management Team  
12 being involved. The system changed in November 2004  
13 where there was to be, along with the headmaster and  
14 deputy headmaster, a programme of class visits till June  
15 2005 for classroom observation and monitoring.  
16 Initially this was to take the form of observing,  
17 walking around, looking at jotters, diaries, et cetera.  
18 I was allocated to the art, science, technical, PE and  
19 Support for Learning departments.

20 I lived in a school property within the main grounds  
21 next to the headmaster. All staff with house staff  
22 permission had access to the children's residential  
23 areas.

24 Culture within Queen Victoria School.

25 Staff, pupils and parents were exceptionally proud

1 to be associated with this military school and its  
2 traditions. The school was often on display to some  
3 very high ranking officials and royalty with the pipe  
4 band and dancers regularly appearing at international  
5 rugby matches and the Edinburgh Military Tattoo. In my  
6 opinion the ceremonial military side ran over into  
7 everyday school, whether it was a blind obedience to  
8 officialdom, for example staff would never question  
9 a decision by the Commissioners and would be appalled  
10 when anyone did.

11 Similarly pupils often lied to avoid being in  
12 serious trouble as they were aware that  
13 a suspension/expulsion would be a black mark on the  
14 record of a parent in the military, as their commanding  
15 officer may be made aware of problems on the home front.  
16 The headmaster told me this in my early days at the  
17 school in an attempt to help me understand the different  
18 nature of this school compared to others I had taught in  
19 before. This was held over them by some parents.  
20 Pupils would follow the military code of never dobbing  
21 in a fellow pupil when being asked about an incident.  
22 Some would fear pupil reprisals. I know that in all  
23 schools there is an unwritten code about children not  
24 dobbing in fellow pupils, but there seemed to be  
25 a genuine fear resulting in excessive hours being spent

1 by staff trying to get the full facts of incidents.

2 The word fagging to me originates in posh boarding  
3 schools where pupils can be asked by those senior to  
4 them to carry out chores. There was an element of  
5 status involved and a thank you gift would be handed  
6 over at the end of a term or year. However nowadays  
7 I think we would see doing chores for someone else as  
8 an act of enforcement and would treat it as bullying.  
9 I rather suspect some instances of getting younger  
10 pupils to do chores did exist, but have no recollection  
11 of having to deal with this on any major scale.

12 Discipline and punishment.

13 Enforcing effective discipline was the  
14 responsibility of every member of staff. Strategies  
15 involved non-verbal warning, verbal warning, isolation,  
16 informal talk, formal talk, informal punishment  
17 exercise, formal punishment exercise, formal exercise  
18 (signed by house staff), referring to the principal  
19 teacher or referral to the housemaster or housemistress,  
20 or even a referral to the assistant headteacher.

21 A yellow card system was introduced to be issued if  
22 pupil progress was poor. Examples of this would be not  
23 working in class, not doing homework, disrupting others  
24 in class or failing to follow school routines in  
25 boarding houses. The referral system follows from

1 teacher to principal teacher to assistant headteacher or  
2 housemaster/housemistress to assistant headteacher.

3 The assistant headteacher would interview the pupil  
4 and explain the ways they have been falling behind and  
5 explain how serious a yellow card is. It was meant to  
6 help the pupil focus on behaviour throughout the day and  
7 handed to every teacher before the start of each lesson.  
8 The yellow card should only have been used when all  
9 other disciplinary procedures had been gone through and  
10 had not succeeded in motivating the pupil.

11 The Queen Victoria School discipline policy was the  
12 school's most formal policy on discipline and  
13 punishment. Each member of staff and department would  
14 have a copy of the discipline policy and a copy would be  
15 sent to each family of a new pupil. In practice it was  
16 intended to apply as detailed above, but I found  
17 inconsistencies in the decisions staff took and all too  
18 often departments were quick to pass on their problems  
19 to me. As a result of this and after discussion with  
20 heads of department, I along with the Support for  
21 Learning department developed a merit system to enable  
22 pupils to work and achieve their potential rather than  
23 being punished.

24 An individual teacher's discipline logbook should  
25 have been made recording date, time and the nature of



1 the offence, the name of the pupil and whatever action  
2 was taken. I as assistant headteacher kept a note in my  
3 planner of every pupil I saw each day and I assumed if  
4 reported to housemaster/housemistress they would put  
5 a note on a pupil's file.

6 Senior pupils had some responsibility for  
7 discipline. They would ensure pupils did their duties  
8 within the boarding houses and within the pipe band,  
9 Combined Cadet Force and on parade. Their behaviour was  
10 supervised by duty members of staff in houses, the pipe  
11 major, the drum major, the Commander of the CCF and the  
12 school Sergeant Major.

13 The day-to-day running of the school.

14 On the very odd occasion when the headmaster and the  
15 deputy headmaster were out of school, I would become  
16 involved in the day-to-day running of the school. Also  
17 at weekends the headmaster, deputy headmaster and myself  
18 were on a one-in-three rota to cover the school. This  
19 involved being the point of contact for all staff,  
20 attending breakfast, lunch and tea to supervise pupils,  
21 to be visible around the school, attend Sunday chapel  
22 and visit the boarding houses.

23 Looking back to when I was responsible for the  
24 day-to-day running of the school, I certainly hope that  
25 if any child was being abused or ill-treated that it

1           came to light at or around the time it was occurring and  
2           that I would be informed immediately, day or night. Had  
3           I been informed, I would give support to both the staff  
4           and pupils involved and aid, if required, in deciding  
5           the next steps to be taken. This obviously would not be  
6           possible if the pupil did not disclose the event or if  
7           the staff misinterpreted any abuse or ill-treatment as  
8           horseplay or fooling around.

9           The circumstances that lead me to believe that abuse  
10          in the school could have occurred and gone undetected  
11          would have been if a pupil was too scared to inform  
12          anyone for fear of reprisals from other pupils. Another  
13          possible reason could be for fear of not being believed  
14          by certain staff or if staff did not follow advice given  
15          in the school's child protection policy.

16          Concerns about the school.

17          Before I was employed at the school I was aware of  
18          press coverage of allegations of abuse made by a former  
19          housemaster. These allegations dated back to between  
20          1989 and 1996. After I was in post for a short period  
21          of time in 2002 I truly felt that this school, its staff  
22          and pupils were so different from my previous  
23          experiences. In my opinion, the school had a day school  
24          staff running a boarding school, which was not ideal,  
25          and I sensed many issues could slip between the cracks

1           due to lack of cover and care. The pupils were very  
2           reserved, suspicious and not forthcoming and I sensed  
3           fearful of authority, and certainly some of the senior  
4           boys had issues with females in authority. These  
5           factors led me to believe the atmosphere in the school  
6           could have led to some truth in such allegations.

7           Between May 2004 and my suspension in October 2004,  
8           the Central Scotland Police Child Protection Family Unit  
9           had been involved in three cases that I recall.

10          With all three cases, the headmaster questioned me  
11          on why I felt the need for police involvement and what  
12          help I had given to staff involved as opposed to the  
13          support I gave to the pupils, who were the victims. He  
14          failed to appreciate me constantly bringing up the  
15          possible seriousness of not investigating fully some of  
16          these cases or of not allowing me, as a child protection  
17          officer, to follow procedures.

18          I cannot say for certain to what extent the parents  
19          of the children were made aware of such concerns, but  
20          I imagine there would have been correspondence between  
21          them and the headmaster as I believe it would have been  
22          his responsibility.

23          Suspension from Queen Victoria School.

24          On Friday, 8 October 2004 at 1.30 pm, I met the  
25          headmaster and personnel manager and was given

1 a letterhead of, "Suspension from duty" as a precaution,  
2 which came as a complete bolt out of the blue, even  
3 though I had been part of a progressive disciplinary  
4 procedure.

5 According to the letter I was being suspended due to  
6 issues highlighted in feedback following a whole school  
7 inspection in September 2004 by HM Inspectorate of  
8 Education, which can be found in the inspection of care  
9 and welfare residential provision published 15 February  
10 2005.

11 Up until that point, I was under restoring  
12 efficiency and had fully participated in the mediation  
13 over the summer holidays and was expecting our usual  
14 Friday 1.30 meeting with the headmaster and his  
15 note-taker. Hence the surprise when this was not the  
16 usual meeting but one where a suspension letter was  
17 issued and I was given 20 minutes accompanied by the  
18 note-taker to clear my desk, hand in my keys and  
19 security pass and to leave the building.

20 It is my understanding that another member of staff  
21 was also suspended on the same day due to issues  
22 highlighted in the HMI feedback.

23 I should like to make it clear that in my case the  
24 headmaster and the Commissioners were using the HMI  
25 report as a way of taking disciplinary action against me

1 in a crusade which had been running for a considerable  
2 amount of time.

3 In documents dated 9 February 2004, which was seven  
4 months before the HMI inspection, the Commissioners  
5 discussed the gradual breakdown in the working  
6 relationship between the headmaster and the assistant  
7 headteacher, which was now badly impacting on the  
8 effectiveness of the Senior Management Team.

9 This written communication was followed by written  
10 notes of a telecon dated 12 March 2004, the issue being  
11 to secure legal advice on a proposal from the headmaster  
12 of Queen Victoria School to terminate the employment  
13 through a negotiated termination agreement of  
14 Miss Evelyn Smith, assistant headteacher.

15 There is no doubt that there was a breakdown in  
16 relationships. This stemmed from an incident that had  
17 occurred. One month into the job, the headmaster tasked  
18 me with giving a presentation to all staff on  
19 inappropriate staff/pupil relationships, which many  
20 staff took exception to and told me so, and this set me  
21 against many. They knew there was an ongoing situation  
22 which had never been discussed.

23 During the autumn term 2002 I was tasked by the  
24 headmaster to have staff do more hours for the pro rata  
25 increase in their boarding school allowance given in

1           accordance with the McCrone Agreement. My proposal to  
2           increase cover in boarding houses was necessary to  
3           safeguard and promote the care and welfare of pupils.  
4           The staff were up in arms and again I was set against  
5           them.

6           Within my remit as a child protection officer  
7           I found I needed to quite forcefully raise my concerns  
8           when I knew a matter required referral outwith the  
9           school. I was astonished that parameters would be set  
10          by the headmaster as to what was and was not to be  
11          discussed with these outside agencies.

12          The MoD tasked the headmaster with putting me on  
13          a restoring efficiency programme for the summer term  
14          2004.

15          I took out a grievance against the headmaster on  
16          this as there was no element of restoration, only  
17          criticism at each meeting with the headmaster and our  
18          note-takers. There were no SMART goals for me to work  
19          towards and achieve.

20          The MoD then set up mediation during the summer  
21          holidays of 2004. The mediator met with the headmaster  
22          and myself separately and asked if I was prepared to  
23          meet jointly, which I agreed to. The headmaster refused  
24          and the mediation broke down.

25          The 30 months I spent at QVS were the worst months

1 of my teaching career. I tried to work on behalf of the  
2 pupils and staff in their best interests and seemed  
3 blocked at every turn.

4 On Friday, 8 October, I lost my job, I lost my  
5 career, I lost my home. I was unemployed for three  
6 years and subsequently faced financial difficulties as  
7 I had to draw my teaching pension five years early with  
8 an actuarially reduced annual sum and an actuarially  
9 reduced lump sum.

10 My local union rep at the time would inform me that  
11 in no other school in Scotland would the contents of  
12 an HMI report be used as a cause for suspension of  
13 a member of staff.

14 Reporting of complaints and concerns.

15 If any child in the school or any other person on  
16 their behalf wished to make a complaint or report  
17 a concern, the school had a complaints and reporting  
18 process in place. During my time at the school, the  
19 complaints procedures could be found in the pastoral  
20 staff handbook. They included a leaflet for parents  
21 which would be sent to each home and a leaflet to  
22 pupils.

23 Concerns, clarifications or complaints were often  
24 received by housemasters or housemistresses, head of  
25 physical education or department heads. The headmaster

1 would also receive letters from parents. All concerns,  
2 clarifications or complaints would be thoroughly looked  
3 into, run by the headmaster in most cases, and replied  
4 to timeously by telephone or by report or letter in  
5 writing. These would be kept on pupil files.

6 If a child had any worries, including concerns about  
7 the conduct or behaviour of other children, staff or  
8 others towards them, every pupil could speak openly with  
9 an academic tutor, the assistant headteacher, the deputy  
10 headmaster and the headmaster, a housemaster or  
11 housemistress and a deputy plus visiting tutors or  
12 a house matron and a house maid. Each house also had  
13 a telephone where the number for Childline was posted.  
14 They could also speak with a nursing sister and visiting  
15 GP at the school.

16 School links were established with a number of  
17 agencies, including an educational psychologist at the  
18 Notre Dame Family Centre for anger management,  
19 bereavement and counselling and a clinical psychologist  
20 based at the Stirling Royal Infirmary for counselling or  
21 suicides, depression or any trauma.

22 The school also had links with the MoD Police at  
23 Faslane, who regularly gave a drugs education course;  
24 the Central Scotland Youth Project, who provided courses  
25 on rape crisis and sexual abuse; Victim Support, who



1 would work with pupils on the consequences of crime; and  
2 Careers Scotland, who visited the school weekly to give  
3 help and advice.

4 Pupils to my knowledge raised concerns within the  
5 school. I have no person knowledge about a pupil  
6 disclosing an incident outwith the school but this does  
7 not mean it did not happen.

8 Abuse.

9 Within the pastoral staff handbook there is  
10 a section on the role of the school in protecting  
11 children from abuse and it describes abuse as being  
12 physical, emotional and sexual. Emotional abuse  
13 included bullying and racial harassment. Each member of  
14 staff/department/school office was in possession of  
15 a copy of this handbook. The pastoral staff handbook  
16 was updated annually. The copy I received when  
17 I arrived at the school in April 2002 was the third  
18 edition and dated January 2001.

19 Child protection arrangements.

20 In relation to how staff, including managerial  
21 staff, were given guidance and instruction on how  
22 children in their care at the school should be treated,  
23 cared for and protected against abuse, ill-treatment or  
24 inappropriate behaviour towards them, whether from  
25 staff, other adults or fellow pupils, was covered in the

1 pastoral staff handbook. The pastoral staff handbook  
2 contained guidance and instructions to staff on how to  
3 handle and respond to reports of abuse or ill-treatment  
4 of children by staff, other adults or fellow pupils.

5 Within the handbook there were sections, 'Action in  
6 specific cases of concern, responding when children tell  
7 about abuse, flowchart for school procedures and INSET  
8 training on child protection issues'.

9 There was no autonomy or discretion given to staff,  
10 including managerial staff, in relation to these  
11 matters. All staff should follow the school guidelines.

12 To reduce the likelihood of abuse, ill-treatment or  
13 inappropriate conduct by staff or other adults towards  
14 children at the school child protection arrangements  
15 were in place. All staff attended INSET training on  
16 inappropriate conduct.

17 Record-keeping.

18 I have no knowledge of an actual policy for all  
19 record-keeping at the school, only that previously  
20 mentioned under the discipline policy. A tremendous  
21 amount of correspondence between staff and houses was  
22 done by email. I have no knowledge of how other members  
23 of the Senior Management Team recorded events or  
24 correspondence. I personally recorded on paper the  
25 information and actions during the investigation of

1           an incident and this went to the headmaster.

2           When I took up employment at the school, I could not  
3           see an existing policy on record-keeping by staff in my  
4           office. The quality of the records I had to use was  
5           insufficient, but I was able to pull up a pupil file  
6           from the school office if I needed to, or if I needed  
7           pupil background, or I could go and see the housemaster  
8           or housemistress. At the time of my arrival, I had no  
9           knowledge of any ongoing incidents.

10           Investigations into abuse - personal involvement.

11           I was involved in three investigations on behalf of  
12           the school into allegations of abuse/ill-treatment of  
13           children at the school or into inappropriate behaviour  
14           by staff or others towards children. These three  
15           incidents were the indecent assault on two junior pupils  
16           by a GAP student, an incident of peer abuse on a pupil  
17           and the two teacher/pupil relationships.

18           The first investigation was the indecent assault on  
19           two junior boys by the GAP student. The GAP student  
20           would play 'rough and tumble' with the boys in the house  
21           and had been told on several occasions to desist by the  
22           housemaster. The boys then disclosed to Trenchard staff  
23           that during the 'rough and tumble', the student would  
24           handle their genitals. The deputy headmaster was a duty  
25           member of staff in Trenchard and he was involved in

1 speaking with the student and with the boys. Staff  
2 reported their concerns to me.

3 I interviewed the boys and the student. The  
4 headmaster eventually allowed me to get outside advice,  
5 but only after the deputy head had expressed to him how  
6 serious this incident was and merited reporting to  
7 outside agencies such as the police, social work or  
8 school inspectors. I sought advice from the Child  
9 Protection Police Family Unit and they in turn  
10 interviewed those concerned. The student was charged by  
11 the police, left the school and the country on the  
12 release of his passport. I subsequently flagged up such  
13 an incident with the HMI during their inspection, and in  
14 particular my concerns were always being blocked by the  
15 headmaster over child protection issues.

16 The second incident I became aware of was following  
17 an incident in early June of 2004 in the Cunningham  
18 boarding house common room where a pupil told a duty  
19 member of staff he was feeling unwell and the duty  
20 member of staff sent him to see the sister in the  
21 hospital. He was accompanied by another pupil. The  
22 sister could not find anything wrong but prompted by the  
23 other boy, the story came out that a group of boys had  
24 held the pupil down and simulated gay sex on him with  
25 a bicycle pump through his clothes. This had been done

1 to others in fun but no one had been held down by the  
2 group of boys. The pupil refused to speak of it to his  
3 housemaster but was clearly upset. He was sent back to  
4 the school and then he went to see his [REDACTED], who was the  
5 housemistress of Wavell House in her flat on campus.

6 As assistant headteacher, I was the housemistress'  
7 line manager regarding her role as housemistress of the  
8 girls' boarding house. We met at housemistress'  
9 meetings with the headmaster and the deputy headmaster  
10 and met with the other housemasters to go through the  
11 care standards and produce house handbooks and house  
12 development plans. I covered evening duty in her  
13 boarding house if a tutor was unable to attend, as I did  
14 with other houses, and also did a significant amount of  
15 cover for her during spells of short or long-term  
16 absence. We attended the same church and became friends  
17 during my time at the school. We are still in touch to  
18 this day and meet up during some of the school holidays  
19 as I do with some former colleagues from previous  
20 schools.

21 I saw the pupil at his [REDACTED]'s flat later that  
22 evening and confirmed he was pacing up and down but  
23 refused to discuss the incident. The housemaster,  
24 deputy housemaster and myself all spoke with the boys  
25 concerned. The housemaster, headmaster and myself

1           agreed on educational psychologist professional help  
2           with the headmaster setting parameters as the pupil was  
3           still very distressed over the incident and worried that  
4           the boys may think he had grassed them up. The  
5           headmaster was of the opinion that the incident was just  
6           horseplay.

7           My concerns were that the pupil did not see what was  
8           happening to him as 'mucking around', as the boys called  
9           it, and in my mind this was more serious and possibly  
10          a child protection issue. The headmaster contacted the  
11          police, who spoke with me, the housemaster and the  
12          headmaster regarding abuse, and in his opinion it was  
13          a serious case of bullying. The pupil's [REDACTED] then began  
14          correspondence with the headmaster on her own behalf and  
15          on behalf of her [REDACTED], who was the pupil's legal  
16          guardian, on the matter of the pupil spending time in  
17          her flat. This had been a long-running issue. The  
18          pupil's [REDACTED] in turn was looking for assurances that the  
19          matter would be dealt with and that there would be no  
20          fallout by the boys. All parents were contacted by me  
21          informing them of the incident.

22          The headmaster and the housemaster said I should run  
23          the scenario by Social Services and I spoke with Social  
24          Services, who saw the incident as serious and that the  
25          matter lay in the hand of the pupil's family. He

1 suggested I speak with the police Family Unit. I spoke  
2 with Detective Sergeant Mike Moir, who confirmed with me  
3 that the school was taking the matter seriously and  
4 stated that the Family Unit would not become involved  
5 unless a complaint came via the family.

6 The outcome was that two pupils were suspended.  
7 Other pupils were seen by the headmaster, deputy  
8 headmaster and housemaster.

9 I am not sure whether the GP, educational  
10 psychologist, the paediatrician that saw the pupil or  
11 the family referred the matter to the Family Unit, but  
12 the police of the Family Unit was contacted and he  
13 phoned me on 2 July to discuss the incident. I had  
14 a meeting with the police on 2 August to discuss the  
15 referral process and he told me that he was expecting  
16 the family to discuss with him how the pupil was feeling  
17 on their return from holiday. I reminded the  
18 housemistress that the police were expecting to hear how  
19 the pupil was feeling after the incident after the  
20 holidays.

21 There was a Family Unit inquiry with all boys  
22 concerned being interviewed accompanied by their parent  
23 or nominated other person. Several of the parents who  
24 had sons involved in the incident subsequently wrote to  
25 the headmaster complaining about my handling of the

1 incident. They complained of my rather businesslike  
2 conversation over the phone when I was informing them of  
3 a possible police interview. They also questioned my  
4 impartiality as I was friendly with the housemistress.  
5 They inferred I was delighted that the matter was being  
6 taken further and that I seemed to be on a crusade. In  
7 the meantime, I had communicated with the headmaster and  
8 the Commissioners on the pupil's behalf asking them to  
9 consider, as a welfare issue, letting him be a day  
10 pupil, staying with his [REDACTED] from August 2004. The  
11 headmaster and the Commissioners refused this request.  
12 As neither the housemistress nor her [REDACTED] could give  
13 assurances that the pupil would not continue to seek  
14 refuge with his [REDACTED], the headmaster asked them to  
15 withdraw the pupil from the school.

16 In respect of the complaint about my handling of the  
17 issue, I attempted to inform the parents concerned that  
18 I had no hand in bringing the matter to the attention of  
19 the police. It had come from the family. In my  
20 telephone conversations, I simply stated what the police  
21 had told me, that they wanted to speak with the boys  
22 concerned and gave them the information I had been given  
23 by the police unit about the date, time and venue of the  
24 meeting. I informed parents that they could accompany  
25 their son or nominate a proxy if they were unable to



1 attend.

2 The third incident I was aware of came to my  
3 attention in November 2004 whilst I was on suspension.  
4 I was contacted by the police and arranged to meet at  
5 Bannockburn police station. The police did not wish to  
6 meet with me at my home within the school grounds. They  
7 wished to discuss two members of staff, 'Mark' and  
8 'Grant', and their relationships with two female pupils.  
9 I learnt that the police had ascertained who had written  
10 the anonymous letter regarding the staff/pupil  
11 relationships and also that both staff members had been  
12 suspended. I learnt that both girls, when interviewed,  
13 had said they did have relationships, one with 'Grant'  
14 and the other with 'Mark'.

15 On that day I was asked to give a statement about  
16 the then alleged relationships and how the school had  
17 dealt with the matter.

18 'Mark' was a teacher and a visiting boarding house  
19 tutor when I was there between 2002 and 2004. I have no  
20 idea how old he was. He was married with children and  
21 was quiet spoken. He was very pleasant to speak to,  
22 smiled a lot and was very relaxed and dressed casually.  
23 We chatted on duty nights on all sorts of topics. On  
24 the duty nights I saw him working with children in the  
25 junior boarding house. He was very relaxed with the

1 children and chatty, and in my opinion sometimes  
2 a little too relaxed and overfamiliar. On occasion,  
3 I saw him disciplining children. He made sure the  
4 pupils knew what was expected of them and if they didn't  
5 do that, then he gave them the appropriate punishment.

6 Despite putting myself on duty in Trenchard House  
7 every Monday night when 'Mark' was on duty, I saw no  
8 signs of inappropriate behaviour or abuse, but in my  
9 position as child protection officer, I became aware of  
10 a matter that needed investigation.

11 The housemistress passed to me, as her line manager,  
12 concerns raised about Trenchard House, which is the  
13 junior boarding house. The concerns were raised by  
14 a teacher and assistant housemistress in Wavell House,  
15 the girls' boarding house. Similar concerns were also  
16 raised by the head of the modern languages department,  
17 by the head of the physical education department and by  
18 the housemistress.

19 These concerns had been raised to Alice Hainey, the  
20 assistant headteacher who was my predecessor prior to my  
21 appointment in April 2002. These concerns were about  
22 the culture in Trenchard House and the inappropriate  
23 behaviour by the housemaster and the SNR .  
24 This behaviour was being openly discussed by pupils in  
25 class and around the school and innuendo by parents.

1 The culture was one of a lax attitude towards social  
2 evening drinking and the exclusive treatment of senior  
3 girls who were resident in Trenchard House.

4 Simultaneously, the headmaster received an anonymous  
5 letter detailing an alleged relationship between 'Mark'  
6 and a pupil, 'Lisa', who was a senior school monitor,  
7 and also in relation to the SNR [REDACTED] and the  
8 housemaster's behaviour with female pupils at a rugby  
9 international. What gave this concern over 'Mark's'  
10 relationship with a pupil credibility was the fact that  
11 the teacher raising the concern was a close friend of  
12 'Mark' and his family.

13 'Mark' was working in Trenchard House as a senior  
14 tutor within such a climate and receiving messages from  
15 the housemaster and SNR [REDACTED] condoning  
16 behaviour which several others had expressed concern  
17 over it. It is my understanding that the Trenchard  
18 House matron had written to the housemaster about 'Mark'  
19 and the pupil, 'Lisa'.

20 Following on from being tasked by the headmaster to  
21 talk to all staff about inappropriate staff/pupil  
22 relationships, many staff spoke to me about their  
23 indignation about being spoken to about this. They said  
24 'everyone knew' what was going on in Trenchard House  
25 between 'Mark' and the pupil 'Lisa', and with 'Grant'

1 and the pupil 'Kerry'. They believed it was being  
2 condoned by the housemaster and the SNR  
3 and questioned why the headmaster had not dealt with it.

4 'Mark' wrote to me in 2005 for a letter of  
5 statement for his school hearing at the  
6 2005. It related specifically to the interviews myself  
7 and the headmaster carried out in late May/early June  
8 2002 with 'Mark' and with 'Lisa'. 'Mark' wanted me to  
9 give a statement of fact as to what happened at this  
10 interview. I obliged by stating in writing, 'I can  
11 confirm that the questions directed at her by the  
12 headmaster were open, there was no emotive language and  
13 she was free to give any response when asked simply was  
14 she having a relationship with 'Mark', to which she  
15 replied she was not'.

16 I know 'Grant', who was of  
17 department and a visiting boarding house tutor between  
18 2002 and 2004 when I was in post. I have no idea how  
19 old he was. I don't remember very much about him as our  
20 paths seldom crossed, but he was efficient as far as  
21 completing pupil reports. He kept himself to himself  
22 and his own group of friends in the staffroom. On my  
23 odd visit to his department I saw him with children. He  
24 was very businesslike and organised and would expect  
25 pupils to behave.

1           Once near the sports hall before games I saw him  
2 discipline a child. 'Grant' was shouting at a boy and  
3 I can only describe my feelings at the time that he  
4 seemed to have lost the plot. He was enraged and red in  
5 the face. I asked to see him later in the day and we  
6 spoke through the incident. Initially I think he was  
7 unhappy at having to speak to me, but once we talked  
8 about the incident, I think we parted on reasonable  
9 terms.

10           I never saw him abusing a child, but the incident  
11 outside the sports hall was in front of older and  
12 younger pupils and staff and I was uncomfortable  
13 regarding how the pupil was feeling, regardless of what  
14 he may have done to provoke such an outburst by a member  
15 of staff.

16           The only other incident that I was aware of  
17 involving 'Grant' came to my attention via the  
18 headmaster. He had received an anonymous letter  
19 detailing an alleged relationship between 'Grant' and  
20 a pupil, 'Kerry'. Personally I never saw anything, but  
21 in my position as child protection officer I knew this  
22 needed investigation because it is my understanding that  
23 the hospital auxiliary may have been aware of the  
24 relationship and that residents up on Victoria Green  
25 were aware of the pupil and 'Grant' spending time

1 together in his garden. There was also an incident of  
2 record with the police back in [REDACTED] 2001 where 'Grant'  
3 was involved in a disagreement with a relative of  
4 'Kerry' at a public place in Stirling. These were  
5 allegations/rumours but they were being openly discussed  
6 by staff, pupils and parents.

7 The SCIS guidelines on child protection adopted by  
8 the school recommended that any allegation of  
9 teacher/pupil relationship should be investigated with  
10 the member of staff being suspended pending such  
11 investigation, and where a breach/abuse of trust is  
12 suspected, the police child protection unit should be  
13 called in. My intention was to follow these procedures,  
14 but the headmaster stated he would not suspend the staff  
15 concerned, nor have the police involved.

16 An internal investigation then took place and I was  
17 involved in speaking with only those staff and pupils  
18 named in the anonymous letter, namely 'Mark', 'Lisa' and  
19 'Kerry', along with the headmaster. I was not involved  
20 in interview with 'Grant'. I asked the headmaster about  
21 his interview with 'Grant', to which he stated if  
22 'Grant' was lying to him, he knew he owed him one. All  
23 concerned denied the relationships.

24 Helping the Inquiry.

25 I left Queen Victoria School 16 years ago and have

1 not taught in a boarding school since. I would assume  
2 that anything I say, which in my view are the lessons to  
3 be learned to protect children in the future, would  
4 already be common policy nowadays. I do, however, wish  
5 to make the following comments.

6 Schools and especially boarding schools should not  
7 be run by heads who are obsessed by paperwork or who see  
8 policy documents and their updating as tick-box  
9 exercises to keep HMI happy. Policy documents are there  
10 to provide knowledge and guidance to staff, pupils and  
11 parents and should be seen as active and being applied  
12 in practice when necessary.

13 The taking of minutes of a meeting are a record of  
14 what has been discussed but they should also have  
15 an action column allowing for matters to move forward  
16 and not just be revisited at the next meeting.

17 There should be separate teaching staff to house  
18 staff or have teaching staff with vastly reduced  
19 timetables. There must also be consistency in duty  
20 hours, rules and rewards. All staff must be qualified  
21 to Boarding School Association or equivalent level  
22 and/or guidance certificates.

23 There should also be separate promoted posts for  
24 discipline and welfare and there must be an open-door  
25 policy for all senior management.

1 I have no objection to my witness statement being  
2 published as part of the evidence to the Inquiry.

3 I believe the facts stated in this statement are true."

4 My Lady, this statement is signed and it's dated  
5 24 November 2020.

6 LADY SMITH: Thank you.

7 MS BENNIE: My Lady, there is one final read-in.

8 LADY SMITH: There's one final read-in, but it is almost  
9 3.20. I'm just thinking of having a five-minute break  
10 now because we've powered on quite powerfully since just  
11 after 2 o'clock, so I think we'll just do that. Just  
12 five minutes.

13 (3.19 pm)

14 (A short break)

15 (3.24 pm)

16 LADY SMITH: Mr Brown.

17 Brian Raine (read)

18 MR BROWN: My Lady, the final statement to be read in today  
19 is that of Brian Raine, it is the witness reference  
20 WIT-1-000000516 and Brian Raine was born in 1946:

21 "I have an Honours Degree in Modern History and  
22 a Postgraduate Degree in Education which I completed at  
23 Durham University between 1966 and 1970.

24 After graduating I took employment at Strathallan  
25 School and remained there until 1993. I was



1 housemaster, head of history, master in charge of games  
2 and First XV rugby coach.

3 In April 1993 I arrived at Queen Victoria School  
4 (QVS) Dunblane as deputy headmaster and in 1994 I was  
5 appointed Chief Executive of the Government Agency and  
6 headmaster of Queen Victoria School. I retired in  
7 December/January 2006/2007.

8 I suffered a massive stroke on 6 April 2011 which  
9 affected my speech and memory and I could not speak,  
10 read or write for some time. Fortuitously most of the  
11 information I have used concerning my background and my  
12 employment at QVS has come from a 'Retrospective View'  
13 of my time at the school. I produced this Retrospective  
14 View' in 2006 for the HMIE Care and Welfare and Care  
15 Commissions Inspections. I have provided a copy of the  
16 'Retrospective View' to the Inquiry.

17 Throughout my time as headmaster of QVS I did not  
18 use a computer, relying totally on my PA and deputy head  
19 secretaries.

20 Employment at QVS.

21 It was very steep learning curve for myself as my  
22 line manager was the Adjutant General of the Army.  
23 I was the first person to be appointed in this dual role  
24 as Chief Executive of the Government Agency and  
25 headmaster of Queen Victoria School, responsible for the

1 usual headmasterly roles, but also overall control,  
2 budgeting et cetera as the agency accounting officer for  
3 QVS.

4 Glenn Harrison.

5 I am advised that the Inquiry are aware that in 1991  
6 a teacher, Glenn Harrison, made disclosures of abuse at  
7 QVS and that the school was, thereafter, inspected by HM  
8 Inspectorate of Schools culminating in its report of May  
9 1992, which focused on pastoral care and pupil  
10 supervision.

11 I was too busy becoming totally immersed in my new  
12 job, the school and my knowledge of and preparation for  
13 taking over, after selection, for the positions of Chief  
14 Executive and headmaster between April 1993 and July  
15 1994 to focus on Glenn Harrison and assumed that this  
16 matter had been dealt with.

17 As far as I can remember, there was no mention of  
18 Glenn Harrison at my appointment. The questions were  
19 mainly how could I see QVS progressing, with the main  
20 focus on the introduction of co-education. I do not  
21 think that my appointment as Chief Executive and  
22 headmaster had anything to do with Glenn Harrison.

23 The school in 1993 and my role in taking it forward.

24 When I started at the school in 1993, it was clear  
25 to me that QVS was hiding its light under a bushel, and

1 considerable development was required in a number of  
2 areas. Although the introduction of co-education was  
3 very much in the forefront of plans for future  
4 development, it was apparent that the boarding  
5 accommodation had to be completely refurbished.

6 Not much money had been spent at QVS before  
7 I arrived, as far as I could ascertain, and there were  
8 a number of areas that needed development, ie a complete  
9 refurbishment of the boarding accommodation, reduction  
10 of the bed spaces in the main building, a new boarding  
11 house, a radical shift in the supervision and care of  
12 pupils, revision of the boarding duties system,  
13 appointment of resident deputy/assistant housemasters,  
14 housemistresses, upgrading of existing buildings and  
15 building of new facilities, for example all-weather  
16 pitch and raising academic standards.

17 The good qualities already existed, for example the  
18 pupils, the ceremonial aspect and ethos, the Pipe Band  
19 and Highland Dancers, the ambience of Parade Sundays and  
20 Grand Day, all of which installed a sense of order,  
21 pride, and belonging to QVS.

22 As a result, the Commissioners and the Ministry of  
23 Defence accepted a ten-year programme which involved the  
24 building of an extension to Wavell House in order to  
25 provide extra space for a girls' house and a new

1 building to house the P7/S1 boys.

2 Wavell was the first house to be modernised and then  
3 extended. Thereafter, the main building was refurbished  
4 and bed spaces were reduced from 199 to 124, which made  
5 a massive difference in the quality and space of  
6 accommodation. Additionally, the whole house structure  
7 was changed to provide one co-educational junior house,  
8 Trenchard, one girls' house, Wavell, and the two  
9 vertical boys' houses, Cunningham and Haig.

10 There were further developments on the boarding  
11 side: more leisure areas, carpets, curtains, furnishings  
12 and decorations. In general, the homely nature and  
13 atmosphere was vastly improved within the restricted  
14 confines of the main building.

15 The boarding accommodation by 2006 was very good and  
16 the 2005/2006 HMIE Care and Welfare and Care Commission  
17 inspections confirmed that pupils and parents were very  
18 happy with their accommodation and the way in which the  
19 pupils were cared for in the boarding context.

20 There was also a radical shift in the supervision  
21 and care of the pupils within the boarding houses. The  
22 boarding duties system was revised twice within  
23 a ten-year period, and each house team was allocated  
24 more staff, which meant that during the main pressure  
25 periods there were at least two members of staff on

1 duty. Resident deputy/assistant  
2 housemasters/housemistresses in all houses were added,  
3 to the improved care of the pupils. Quality assurance  
4 visits by senior management helped to ensure that  
5 maintenance, improvements and health and safety issues  
6 were addressed speedily.

7 The introduction of girls in 1996 was a major  
8 development requiring major changes in the structure,  
9 accommodation and procedures, but also ethos, attitudes,  
10 sports and extracurricular activities. However, the  
11 benefits were obvious and enormous. It was easier for  
12 our Armed Services' families to educate their sons and  
13 daughters in the one school. Holiday arrangements,  
14 weekends, parents' evenings and visits became much  
15 easier and convenient.

16 The boys and girls grew up naturally with each other  
17 and partly because of the number of siblings, they got  
18 on well with each other and remained very good friends  
19 after school.

20 As headmaster, in my first speech to staff, I set  
21 targets and was responsible for driving the school ahead  
22 academically. As a result, examination results improved  
23 considerably, being well above the national average.  
24 New subjects, such as geography, business studies and  
25 philosophy were introduced. Support for Learning was

1 developed, becoming an integral and very important part  
2 of the overall academic operations.

3 Principal teachers in computing, SFL and business  
4 studies were introduced, and an extra deputy head was  
5 added on the pastoral side. I fought hard for the  
6 latter in one of our many reviews as it was clear that  
7 more resources were needed on the educational senior  
8 management side to cope with the increasingly high  
9 levels of bureaucracy in pastoral, boarding, careers and  
10 Personal and Social Education areas.

11 The 1994 to 2006 period saw the building of  
12 an extension to the library and a new all-weather pitch  
13 for football and hockey with its own floodlighting.  
14 There were also considerable improvements in the  
15 MacMillan Sports Hall.

16 I was shocked when I was told by Julian Hankinson  
17 some time after my arrival that he was retiring at the  
18 end of the 1993/1994 academic year. My first and main  
19 thought was that I would have to work with two  
20 headmasters in quick succession, which I was not  
21 expecting.

22 I was new to the school and in retrospect I do not  
23 think that the announcement of Julian, due to retire at  
24 the end of 1993/4 was a general shock after 14 years as  
25 headmaster of QVS. He had great care and concern for

1 all the boys, allied to his enthusiasm for the real  
2 professional job of school mastering. Julian did tell  
3 me that his last year with myself (1993-4) was his  
4 happiest year at QVS.

5 Interviews for my appointment as Chief Executive of  
6 the Government Agency and headmaster of QVS were  
7 conducted by the Commissioners and they were rigorous.  
8 I was overwhelmed and absolutely delighted with my  
9 appointment.

10 Most of what I have already stated in my role in  
11 taking QVS forward covers what was expected of me and  
12 what I thereafter achieved. However, other developments  
13 that were noteworthy were an improvement in the profile  
14 of QVS, locally, nationally and internationally.

15 Locally, QVS from 1996 to 2006 was much more  
16 involved in Dunblane and Stirling initiatives, for  
17 example the Dunblane Forum, Children's Community  
18 Partnership and Stirling Council. Nationally and  
19 internationally, QVS Pipes Drums and Highland Dancers  
20 took part in the Nova Scotia Tattoo in 1995 and 2005,  
21 the Edinburgh Military Tattoo in 2001 and the  
22 Berwickshire and Basel Tattoos. In 1999 I led the QVS  
23 combined First XV and Pipe Band tour to Australia.

24 I was very proud to say that from 1994 to 2006 QVS  
25 provided a stable and nurturing environment for the

1 children of our Armed Forces personnel and I can state,  
2 honestly, that I enjoyed living and working with the  
3 pupils within a boarding context and working with  
4 parents immensely.

5 Understandably there is a strong sense of the  
6 ceremonial tradition at QVS and the pupils do take  
7 considerable pride in the Parade Sundays and Grand Days.

8 QVS was one of the first, if not the first  
9 independent school in Scotland to gain Investors in  
10 People recognition circa 1999. As a result of this  
11 initiative there was considerable expansion, investment  
12 and development of the QVS staff.

13 At an early stage, a Parents' Liaison Committee and  
14 Parents' Association were set up, both of which  
15 contributed substantially to discussion, decision-making  
16 and school and pupil developments. I am very pleased to  
17 state that under my watch there was a much closer  
18 working relationship between the school and parents at  
19 all levels.

20 I was not surprised that the Parents' Liaison  
21 Committee and the Parents' Association had not existed  
22 before because I am not sure whether any independent  
23 school at that time, ie the early 1990s, had a Parents'  
24 Liaison Committee and a Parents' Association.

25 At Strathallan, we were very used to parents, but



1 I'm sure there existed no such organisations. This was  
2 the case at QVS.

3 It was a real delight and of immense satisfaction to  
4 see the improved self-esteem and self-belief in the QVS  
5 pupils between 1994 and 2006. I felt this was very  
6 noticeable to those who lived, as my wife and I did, and  
7 worked in the school, but it was also commented on  
8 constantly by visitors to the school. It was also  
9 a noticeable feature of outside visits and a constant  
10 source of pride to our parents.

11 All matters concerning child protection, how  
12 children could report concerns, discipline and  
13 punishment of children, staff recruitment, training and  
14 appraisal, and the process for dealing with complaints  
15 and allegations against staff were dealt with according  
16 to the procedures set out in the Scottish guidelines as  
17 well as the MoD.

18 Investigations into abuse - personal involvement.

19 I am led to believe that the Scottish Child Abuse  
20 Inquiry is aware that I was involved in investigations  
21 about alleged abuse by two teachers, 'Grant' and 'Mark'.

22 Regarding 'Grant', there was an allegation of abuse  
23 and involvement with a pupil during the 2001/2002  
24 academic session. The allegations came to light after  
25 the official end of the year, following Grand Day.

1           However, this eventually ended up in a GTC hearing, at  
2           which 'Grant', as far as I can remember, was completely  
3           absolved.

4           Allegations against 'Mark' surfaced during the  
5           summer term and involved a female, who stated that  
6           nothing had happened. Similarly, I spoke to 'Mark', who  
7           was adamant that he had done nothing wrong. This also  
8           ended up in a GTC hearing, and as far as I can remember,  
9           he too was absolved.

10          I am aware that applicants to the Inquiry have made  
11          allegations about Ben Philip who was employed at the  
12          school at the same time as me up until his death in  
13          1993.

14          Ben Philip was an excellent school master in all  
15          respects. From the time I arrived, I found him to be  
16          one of the best school masters, as well as one of the  
17          best housemasters at QVS and he remained so until,  
18          tragically, he fell off a ladder putting up Christmas  
19          decorations for the end-of-year House party.

20          I remember discussing things with him as he was  
21          always very willing to hear my thoughts and I valued his  
22          opinions. He was a man who possessed great stamina in  
23          his role as a housemaster, which I consider to be,  
24          probably, the most difficult but the most rewarding and  
25          best job in school mastering. However, he was not just

1 a housemaster, he was also a school master, teaching  
2 young boys and coaching football. He had great care and  
3 concern with his classroom of young pupils, as well as  
4 with the residents in Haig House. He was a real  
5 professional in both roles with undoubted stamina,  
6 resilience and capacity for hard work. I never, for one  
7 moment, had any concerns about him at all.

8 He was a devastating loss to his mother and brother.  
9 He was also, however, a very great loss to all aspects  
10 of QVS, particularly as housemaster of Haig House.

11 I am led to believe that the Inquiry is aware of  
12 an allegation that a pupil was the subject of peer abuse  
13 in 2004.

14 The housemistress asked me if I could take [REDACTED]  
15 [REDACTED] into the school. Through the boy's grandfather's  
16 service under extenuating circumstances, I was able to  
17 grant the boy a place and he was placed under Bert  
18 Tomkins' care as housemaster, a first-class pastoral  
19 supervisor, and a very experienced matron, Jean Kean.

20 Due to the fact the boy's [REDACTED] unfortunately lived  
21 just across [REDACTED], he spent too much time in her  
22 flat. This meant that he did not make any real effort  
23 to become involved in the house and extracurricular  
24 activities. I know that Bert Tomkins spent  
25 an inordinate amount of time trying to help the boy, but

1 he was far too close to his [REDACTED] and to Lyn Smith.

2 I recall that Bert Tomkins was asked to go to his  
3 [REDACTED]'s flat to discuss the boy's situation but he was  
4 confronted by Lyn Smith as well. They tried to persuade  
5 him that the boy should be allowed to live in his [REDACTED]'s  
6 flat. He refused, and subsequently without reference to  
7 myself, these two ladies had asked the police to speak  
8 to Bert Tomkins.

9 I can't remember what it was about, whether it was  
10 to do with peer abuse or the [REDACTED] pursuing her drive to  
11 have the boy resident with her, but Bert Tomkins dealt  
12 with the matter and nothing came from this. All this  
13 was relayed to me at the time by Bert Tomkins.

14 I had started disciplinary proceedings against  
15 Lyn Smith but in conversation with one of Her Majesty's  
16 Inspectors, I mentioned that I was having problems with  
17 a teacher and Lyn Smith and would be delighted if we  
18 could have our next inspection soon.

19 After a very stressful time for myself, suffering  
20 from some unjustified accusations from these two ladies,  
21 with the involvement of the MoD and following the  
22 damning HMI reports on them, they were both suspended.  
23 I had already given Lyn Smith two official warnings and  
24 was due to give my third and final warning when she and  
25 the teacher were suspended after the HMIE report and

1 later left the school.

2 Helping the Inquiry.

3 I cannot state more than that which I have done  
4 already in the material I have used from my  
5 'Retrospective View'.

6 By the time I left QVS, the whole boarding set-up,  
7 including many more staff on duty, had been transformed  
8 from 1994. The introduction of co-education was working  
9 well and there was every precaution taken to protect  
10 children, as much as we could do.

11 The inspection team from the 2006 HMIE inspection  
12 identified the following key strengths.

13 One, the care and commitment shown by the headmaster  
14 and his staff to meeting pupils' needs.

15 Two, very good relationships among staff and pupils,  
16 and pupils were open, courteous and very well-behaved.

17 Three, strong partnership with parents.

18 Four, the wide-ranging activities to develop pupils'  
19 personal and social skills and confidence, including  
20 a very good programme of Personal and Social Education  
21 (PSE).

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

25 And the witness signed this statement on 9 November

1           2020.

2       LADY SMITH: Thank you very much, Mr Brown.

3           That's it for this week?

4       MR BROWN: That's it for this week.

5       LADY SMITH: What does next week bring?

6       MR BROWN: Next week we continue with QVS for two further

7           days with more staff witnesses, including obviously as

8           a round-up the current headmaster and Colonel Clive,

9           again from the MoD, by videolink, and then, all being

10          well, on Thursday we commence Keil.

11       LADY SMITH: Thank you very much. I hope everybody has

12          a good weekend, and for those of you who are coming back

13          on Tuesday for the next batch of Queen Victoria School

14          witnesses, I look forward to seeing you then. I'll rise

15          now until Tuesday, 10 o'clock.

16       (3.47 pm)

17           (The Inquiry adjourned until 10.00 am on Tuesday,

18          26 October 2021)

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