

Fettes College
ADDENDUM Part D – Abuse and Response

This response is to be read alongside the original part D response submitted to the Inquiry by Fettes College. Where answers have not changed since the original response, we have not restated them except where doing so provides context for the current position.

5. Abuse

5.1 Nature

Please note our previous response addresses this section in full.

5.2 Extent

i. What is the organisation/establishment’s assessment of the scale and extent of abuse of children cared for at the establishment?

Since the original response, we have received further complaints and a number of civil claims have been intimated in respect of abuse suffered by former pupils during their time at the school. Further details of these complaints and claims are provided below.

ii. What is the basis of that assessment?

In addition to our review of file and of Minutes of Governors Meetings, we have received specific complaints and civil claims from former pupils alleging abuse while they were at the school.

iii. Against how many staff have complaints been made in relation to alleged abuse of children cared for at the establishment?

Since our previous response, we have been made aware of allegations against the following individuals:

- Iain Wares;
- William Stein;
- FGA
- FGT
- FHF
- FGD and
- FHP

Some of these names we were already aware of in connection with abuse (see 5.08). Further details of the sources of these complaints are provided below at 5.09 and 5.10.

An allegation of breach of trust has also been made against FGS. We include further details below at 5.09.

iv. How many staff have been convicted of, or admitted to, abuse of children cared for at the establishment?

No staff members have been convicted of abuse at the school. DXM and Iain Wares both admitted to abusing children during the 1970s.

- v. **How many staff have been found by the organisation/establishment to have abused children cared for at the establishment?**

Two members of staff – **DXM** and Iain Wares.

- vi. **In relation to questions iii – v above, what role did/do those members of staff had/have within the organisation/establishment?**

All were members of teaching staff or non-teaching staff.

- vii. **To what extent did abuse and/or alleged abuse of children cared for at the establishment take place during off-site activities, trips and holidays?**

None.

- viii. **To what extent was abuse and/or alleged abuse of children cared for at the establishment carried out by visitors and/or volunteers to the establishment?**

None.

- ix. **Have there been allegations of peer abuse?**

As previously advised, we have identified cases of peer to peer bullying. All incidents were dealt with in accordance with our policies, the most serious of which have led to expulsion.

5.3 Timing of Disclosure/Complaint

- i. **When were disclosures and complaints of abuse and/or alleged abuse of children cared for at the establishment made to the organisation or establishment?**

Since our previous response, a number of former pupils have either come forward to the school directly or have intimated civil claims.

- ii. **To what extent were complaints and disclosures made while the abuse or alleged abuse was on-going or recent?**

There is no evidence of any recent complaints being made at the time, with the exception of **DXM**. He has now intimated a civil claim (details at 5.10 below) although we were already aware of his complaints from his previous contact with the school (see our previous response).

- iii. **To what extent were/are complaints made many years after the alleged abuse i.e. about non-recent abuse?**

All of the complaints received since our last response relate to non-recent abuse.

- iv. **Are there any patterns of note in terms of the timing/disclosure of abuse and/or alleged abuse?**

No specific pattern has been identified although we note there is a police investigation ongoing into allegations against Iain Wares and all but one of the civil claims concern allegations by him.

The publicity of the Inquiry may have encouraged former pupils to come forward and the school has assisted the Inquiry in that regard by inviting former pupils to speak with either the school, the Survivors' Trust or the Inquiry should they feel able to do so.

5.4 External Inspections

Please note our previous response addresses this section in full.

5.5 External Investigations

i. What external investigations have been conducted relating to children cared for at the establishment which have considered issues relating to abuse and/or alleged abuse of children?

- 1) Following the intimation of a number of civil claims against the school, the school's insurers have appointed solicitors to investigate the claimants' allegations. Please see 5.10 below.
- 2) The school is aware that Police Scotland is currently conducting a range of investigations into allegations of abuse by former staff members at the school. Please see 5.13 below.

For each such external investigation please answer the following:

- ii. **Who conducted the investigation?**
- iii. **Why was the investigation conducted?**
- iv. **When was the investigation conducted?**
- v. **What was the outcome of the investigation in respect of any issues relating to abuse or alleged abuse of children?**
- vi. **What was the organisation/establishment's response to the investigation and its outcome?**
- vii. **Were recommendations made following the investigation?**
- viii. **If so, what were the recommendations and were they implemented?**
- ix. **If recommendations were not implemented, why not?**

Please see 5.10 and 5.13 below.

5.6 Response to External Inspections/Investigations

i. What was the organisation's procedure/process for dealing with external inspections and/or investigations relating to abuse, and/or alleged abuse, of children cared for at the establishment?

The school is cooperating fully with all police investigations in response to specific requests for information. The school is also engaging with its insurers in relation to civil claims. Please see 5.10 and 5.13 below.

ii. What was the organisation's procedure/process for responding to the outcomes of such external inspections and/or investigations?

Should there be any recommendations the school will look to implement them fully.

iii. What was the organisation's procedure/process for implementing recommendations which followed from such external inspections and/or investigations?

The school has not yet been given any recommendations from an external inspection or investigation.

5.7 Impact

- i. **What is known about the impact of abuse on those children cared for at the establishment who were abused, or alleged to have been abused?**

Very little is known about the impact of abuse on those former pupils who have made allegations. We are continuing to explore the impact in those cases where pupils have made civil claims.

While we do not have specific details, we anticipate that the impact on the individuals affected would have been significantly detrimental and we wholeheartedly regret the actions which led to it.

- ii. **Where does the organisation/establishment's knowledge/assessment of that impact come from?**

N/A.

- iii. **What is known about the impact of abuse on the families of those children cared for at the establishment who were abused, or alleged to have been abused?**

See 5.7(i).

- iv. **Where does the organisation/establishment's knowledge/assessment of that impact come from?**

N/A.

5.8 Known Abusers at Establishment

- i. **Does the organisation/establishment know of specific abusers, or alleged abusers, of children cared for at the establishment?**

Yes.

- ii. **If so, what are the names of the abusers, and/or alleged abusers?**

See appendix 1.

- iii. **For each of these persons, please provide as much as possible of the following information:**

- the period (dates) during which they are known or alleged to have abused children cared for at the establishment
- the role they had in the organisation/establishment during the period of abuse and/or alleged abuse
- where they worked prior to, and following, their time at the organisation/establishment
- the knowledge sought or received about them by the organisation/establishment at the point of recruitment, and while they were at the establishment

- any information sought by, or provided to, future employers or third parties after they left the establishment, including regarding abuse or alleged abuse

See appendix 1.

- iv. Were known abusers, or alleged abusers, of children cared for at the establishment moved from one establishment run by the organisation, to another establishment run by the organisation?

N/A.

- v. If so, why was this considered to be appropriate?

N/A.

- vi. If so, what process of monitoring/supervision followed at the new establishment?

N/A.

5.9 Specific Complaints

- i. How many specific complaints of abuse of children cared for at the establishment have been made to the establishment/organisation?

Since our previous response we have received a further 10 specific complaints of abuse. Please note this does not include any civil claims, the details of which are at 5.10 below.

For each specific complaint, please answer the following:

- ii. Who made the complaint?
- iii. When was the complaint made?
- iv. Against whom was the complaint made?
- v. What was the nature of the complaint?
- vi. When/over what period was the abuse alleged to have taken place?
- vii. What was the organisation/establishment's process and approach in dealing with the complaint?
- viii. What was the organisation/establishment's process and approach for investigating the complaint?
- ix. What was the outcome of the complaint following that investigation?
- x. Did the organisation/establishment provide a specific response to the complaint?
- xi. If so, what was the form of response e.g. apology, redress, pastoral response or any other type of response?
- xii. If there was no response, why not?
- xiii. Was the information/content of the complaint passed to Police?
- xiv. If not, why not?

See appendix 2.

5.10 Civil Actions

- i. **How many civil actions have been brought against the organisation and/or establishment relating to abuse, or alleged abuse, of children cared for at the establishment?**

Since our previous response we have received seven claims seeking damages in relation to abuse.

For each such civil action, please answer the following:

- ii. **Who brought the action?**
iii. **When was the action brought?**
iv. **Against whom was the action brought?**
v. **What was the nature of the abuse, or alleged abuse, to which the action related?**
vi. **What were the names of the persons said to have, or alleged to have, committed abuse?**
vii. **When/over what period was the abuse said, or alleged, to have taken place?**
viii. **How did the action progress?**
ix. **What was the outcome?**
x. **Was the action settled on a conditional basis of confidentiality?**
xi. **Who was/were the organisation/establishment's legal representative(s) in relation to the civil action?**
xii. **Did the organisation/establishment carry insurance for meeting civil claims at the time the action was live?**
xiii. **How/where can copies of the court papers relating to the civil action be made available to the Inquiry?**

Please see appendix 3.

5.11 Criminal Injuries Compensation Awards

- i. **Has any criminal injuries compensation been awarded in respect of abuse, or alleged abuse, of children cared for at the establishment?**

No.

- ii. **If so, please provide details if known.**

N/A.

5.12 Police

- i. **How many complaints of abuse of children cared for at the establishment have been made to the police?**

Since our previous response, we have received a number of requests for information relating to investigations following complaints of abuse made to the police.

We have received requests for information relating to the following individuals:

- Iain Wares;
- Anthony Chenevix-Trench;
- FGP [REDACTED] teacher;
- [REDACTED], a pupil we understand is the subject of allegations of abuse; and

- FHC [REDACTED] teacher. This request was received from Suffolk police and we understand it relates to allegations of abuse at another school before he joined Fettes.

We are not aware of the nature of these investigations, nor to the former pupils involved.

We are aware that a number of claimants involved in the civil claims referred to at 5.10 and **appendix 3** above have provided statements to the police in connection with allegations against Iain Wares.

The school is assisting the police with all enquiries as they are received.

In relation to each known complaint to the police, please answer the following questions:

- Who was the alleged abuser?**
- Did the police conduct an investigation in relation to the complaint?**
- If so, who conducted the investigation and when?**
- What was the outcome of the police investigation?**
- What was the organisation/establishment's response?**

In respect of allegations against Iain Wares, we understand that the following have provided statements to the police:

- [REDACTED]
- George Scott;
- CTV [REDACTED]
- FGB [REDACTED]
- FRD [REDACTED] and
- [REDACTED]

As far as we are aware, the investigation into Wares is ongoing and extradition proceedings have been instigated as Wares has resided in South Africa since leaving the school.

5.13 Crown

- To what extent has the Crown raised proceedings in respect of allegations of abuse of children cared for at the establishment?**

None.

In relation to each time the Crown has raised proceedings, please answer the following questions:

- What is the name of the person(s) against whom the proceedings were raised?**
- What was the nature of the charges?**
- What was the outcome of the proceedings, including disposal/sentence if there was a conviction?**
- What was the organisation/establishment's response to the proceedings and outcome?**

N/A.