

Witness Name: The Very Reverend Stephen Waine

Statement No.: 1

Exhibits:

Dated: 19 December 2017

THE INDEPENDENT INQUIRY INTO CHILD SEXUAL ABUSE

Witness Statement of the Very Reverend Stephen Waine

I, Stephen Waine, will say as follows:-

I became Dean of Chichester in February 2015 and a Governor and Chair of Governors of The Prebendal School, Chichester in September 2015. The Head, Louise Salmond Smith took up her appointment in September 2017.

1.1

The Prebendal School, Chichester is an Independent Preparatory School of some 175 students aged 3 to 13 years. It has a strong connection to Chichester Cathedral, both historic and current, and is the school where the cathedral's choristers are educated and where they board.

1.2

The school is an Incorporated Charity whose governors also function as the Board of Directors (Company number 9038149; Charity number 1157782). Governors are appointed and function on the following basis:

The Governors are the company directors and charity trustees of the Charity and have control of the Charity and its property and funds.

The Board of Governors is composed of no fewer than 5 and not more than 14 competent persons being:

6 Foundation Governors as follows:

1 ex-officio Foundation Governor being the Dean of Chichester;

2 Foundation Governors who shall be members of the Cathedral Chapter nominated from time to time by resolution of the Chapter;

1 Foundation Governor who shall be a member of the Cathedral's College of Canons nominated from time to time by resolution of the Chapter. If appropriate the Prebendary of Highleigh will be given special consideration unless he/she is already the Head;

2 Foundation Governors who shall be communicant members of a church affiliated to Churches Together in Britain and Ireland, these appointments being approved by the College of Canons following nomination by the Governors.

In addition to the 6 Foundation Governors there is provision for:

1 parent Governor who shall be the parent of a pupil attending the School elected by the parents in such a manner as the Governors and Head shall from time to time determine.
4 representative Governors to be appointed by the Chapter, of whom the majority shall not be in Holy Orders. The Representative Governors will be appointed by the Chapter, following nomination by the Governors, for a term of 4 years and shall be eligible for re-appointment. The Representative Governors shall retire by rotation one at the end of each year following their appointment. A Representative Governor who so retires shall be eligible for re-election.

3 co-opted Governors who shall be appointed by resolution of the Governors for a term of office of one, two or three years but shall be eligible for reappointment. The Governors may from time to time determine any criteria for appointment as a co-opted Governor.

1.3

The Prebendary of Highleigh is one of the Cathedral's honorary canonries and is one of two such canons appointed by the Cathedral Chapter. It has been in the nomination of the Dean and Chapter from 1497, and annexed to the upper mastership of the Prebendal School by Bishop Story, Bishop of Chichester from 1477 to 1503. The two offices were dissociated in 1930, and the current Prebendary of Highleigh has chosen not to be a Governor

1.4

Currently the Governing Body has 3 clergy members, namely the Dean and 2 Cathedral Residentiary Canons. The Dean is Chair of Governors. There are 6 members in addition who are not clergy, are not employed by the Cathedral and have no regular connection with the Cathedral. They include two serving Headteachers, a retired school bursar from another school, a solicitor, a current parent and a former parent of children at the school.

1.5

Members of the Cathedral Chapter who are also Governors are careful to identify and declare potential conflicts of interest in Governors' meetings, Chapter meetings and at other times. They do not vote on matters where a potential conflict of interest has been identified.

1.6

There are clear safe-guarding policies for the School and the Cathedral. Chapter members and Governors are required to undergo safe-guarding training on appointment and every three years. Chapter members and governors are clear that it is unacceptable to deal with any safe-guarding concerns other than by abiding strictly by the safe-guarding policies.

2.1

The current Safe-guarding policy, last updated in September 2017 and reviewed in November 2017 is attached (ANG000130). Safeguarding is the responsibility of the Governing Body who receive regular training in safe-guarding, most recently in November 2017. The Deputy Head is the lead member of school staff for safe-guarding. There is a named lead governor for safe-guarding.

2.2

It has not been possible for me to gain a sense of the safe-guarding arrangements at the School in 2000 or the development of new arrangements at the conclusion of the trial of Terence Banks other than that described in the Carmi report.

2.3

The school's and the cathedral's present safe-guarding policies are robust, rigorously enforced and reviewed frequently. Protocols are agreed between the school and the cathedral to ensure that best practice is observed at all times.

3.1

The DSA is not responsible for safeguarding at The Prebendal School and was not responsible in 2000. The DSA does not meet with representatives of the school.

4.1

The school holds records of safe-guarding training only for the last few years. The Diocese is not involved in safe-guarding training in the school.

5.1

It has not been possible for me to form a view on the level of consultation with the Prebendal School on the commissioning of the Carmi report.

6.1

It has not been possible to ascertain from documents held at the school whether it was proposed or anticipated at the beginning of the review that the report would be published. However a Governors' meeting minute of March 2004 records that the view was expressed that 'although the Bishop intended for the recommendations [of the Bishop's Review] to be made public, the full report would remain confidential and the school would not be given the opportunity to view a copy.'

7.1

It has not been possible for me to ascertain the extent to which The Prebendal School cooperated with Mrs Carmi in her investigation and preparation of her report. The Cathedral Chapter had considerable input into the Governing Body at the time of her investigation and it is difficult to be certain whether Chapter members understood themselves to be representing school, cathedral or both in their involvement with Mrs Carmi. It is not clear to me how other members of the school staff contributed to Mrs Carmi's investigation.

7.2

A Chapter minute of 7 April 2003 refers to a meeting which had taken place between Mrs Carmi and 'some Governors' (ANG000133).

7.3

Governors' meeting minutes of July 2003 indicate that Mrs Carmi had met with the Headmaster (ANG000132). The minute says: 'Whilst sympathetic to the aims of the [Carmi] review, the Dean was concerned about principles involving data protection and natural justice. Governors were unanimous in supporting the Dean's stance and all agreed that the Head Master should respond to Mrs Carmi informing her that, on the advice of the Governors, he was awaiting further legal advice.'

8.1

The Chapter minute referred to in 7.2 (ANG000133) describes concern amongst governors that the case review was increasingly taking on the characteristics of an investigation. The Chapter minute reports that 'considerable disagreement had arisen between Mrs Carmi and the Governors on the appropriate way to conduct the case review Governors had become alarmed at the risk posed to the school's reputation by the review.'

8.2

The subsequent Chapter minute of May 2003 (ANG000134) records details of a meeting, which may be the meeting referred to above, between Mrs Carmi, the Dean and Chair of

Governors (The Very Reverend Nicholas Frayling), Peter Collier QC and Tony Sellwood (members of the review team) at which the Headmaster of the Prebendal School, Peter Youatt (a school governor) and the Communar (the Cathedral's head of lay staff) were present.

8.3

The concerns expressed in that meeting, according to the Chapter minute were:

- i) the practical difficulty of contacting all former pupils because the school did not keep up-to-date contact details for them;
- ii) an unwillingness to be seen to link the Banks and Bowring cases by including both in the same letter to parents;
- iii) concern that the 2-year delay to the case review caused by the police investigation had altered the situation: 'what seemed appropriate in June 2001 when the Bishop ordered the review might no longer be justified.'

8.4

Minutes of the Governors' meeting of November 2003 indicate that agreement had been reached between the Headmaster and Mrs Carmi that a letter would not be sent to parents asking for any information relevant to her inquiry, but that a request would be posted on the main noticeboard.

8.5 Other than 8.4, it has not been possible to ascertain Mrs Carmi's response to the concerns raised, other than what is written in her report.

8.6

It has not been possible to discern the outcome of the meeting.

9.1

Responsibility for implementing the recommendations made by the Carmi report lay with the Governors and Headmaster of the Prebendal School in so far as they apply to the school

10.1

It has not been possible to ascertain whose decision it was that the report should not be published. It has not been possible to discover the school's view on its publication.

11.1

It has not been possible to ascertain whether information about the offending of Terrence Banks and/or David Bowring was passed to ISI, OfSTED, LADO or LSCB.

12.1

It has not been possible to ascertain whether the school passed the Carmi report to ISI, OfSTED, LADO or LSCB. It is unclear whether the school received the full report until it was made public in 2014. Governor's minutes of March 2005 suggest that the Governors were expecting to receive only the report's recommendations.

13.1

The school had a positive ISI Inspection report in 2015 which shows that the recommendations of the 2012 boarding welfare intermediate inspection were implemented.

14.1

The Headmaster's report to the Governors' meeting of June 2012 (ANG000135) notes that a boarding inspection had taken place. It says that the report is positive in respect of the happiness and welfare of the boarders, but identified weaknesses in performing medical and

ID checks on contract cleaners (who did not work in the boarding areas), and in the failure to record properly the results of List 99 (Barred List) checks. Procedures were changed to address these issues. The school had a positive ISI Inspection in 2015 which would suggest that the issues identified had been successfully rectified.

15.1

The choristers are supervised at all times when in the cathedral and walking between school and the cathedral. They are supervised by any of the following: organist, assistant organist, organ scholar (cathedral staff); housemaster, assistant housemaster, gap student, any member of staff on duty (school staff). Cathedral staff are DBS checked by the school in addition to their statutory employment checks from the cathedral.

15.2

The Dean, Precentor and Chancellor have DBS checks through the school in their role as Governors in addition to their DBS checks through the Diocese as licenced clergy in the Diocese of Chichester. The school Chaplain who is also attached to the Cathedral also has a current DBS clearance.

15.3

These checks are all undertaken as part of the statutory regulations, not as a response to any specific concerns.

16.1

Please see the attached Safeguarding policy (ANG000130).

Statement of Truth

I believe that the facts stated in this witness statement are true.

Signed:

DPA

Dated:

19 December 2017