

8.3 Chapter Minute May 2003

84/03

BANKS  
CASE  
REVIEW

The Dean briefed Chapter that, having just received a copy of the terms of reference for the Banks Case Review (BCR), he had discussed his concerns about it with the Bishop before holding a meeting with Mrs Edi Carmi, Mr Peter Collier QC and Mr Tony Sellwood (members of the review team) at which the Head Master of the Prebendal, Mr Peter Youatt (a school governor) and the Communar were present. His first concern, shared by the Bishop, was that, whilst wishing to cooperate with Mrs Carmi who was conducting the review, there was a difficulty in acceding to her request that the

Prebendal School should contact all previous pupils and the parents of pupils still in full time education and invite them to contact her to assist with her review. The school did not maintain a record of the addresses of former pupils and letters could easily go to the wrong addresses, provoking confidentiality and data protection issues. Even with existing parents he had agreed with the Head Master to write to them concerning the Bowring case, express sorrow at what had happened and reassure them that good child-protection measures were now in place, but neither he nor the Head Master wished to link the Bowring and Banks cases in the same letter. His second concern, also shared by the Bishop, was that, since the BCR had been held up whilst the police continued their investigations, two years had elapsed since the Banks court case and this passage of time altered the situation, particularly when it came to trawling for information: what had seemed appropriate in June 2001 when the Bishop had ordered the review might no longer be justified. These concerns were made known to the review team and discussed inconclusively with them. The BCR terms of reference had been discussed with the Mr Robert Boyd of Veale Wasbrough and, whilst his full assessment was not received until after the meeting with the review team, some points were made about whether it was the purpose of a review, as distinct from an inquiry, to trawl for fresh information at all. It was even clearer now that Mr Boyd's assessment of the terms of reference had been received that what may have been intended to be a review had taken on the aspect of an inquiry. The solicitor had provided a draft letter for the Dean as Chairman of the Board of Governors of the Prebendal to send to Mrs Carmi but the Dean intended to wait until he received a reaction from the review team following his meeting with them before writing to her. Also in the solicitor's advice to

the Prebendal School (copy annexed) was strong criticism of the apparent lack of formal procedures for the BCR. All in all the review was beginning to look very untidy. There followed a long discussion on the difference between an inquiry and a review, the length of time elapsed since the review had been initiated, exactly who had authorised the latest terms of reference, the role of the Bishop and the need for Chapter to raise these concerns with him and who was to pay for the review. Further discussion centred on the proposed letter from the Head Master and the Dean to the Prebendal School parents on the Bowring conviction and to what extent, if any, it should contain reference to Banks and the case review. The Dean read out the draft (copy annexed) and Chapter endorsed the line taken. Finally it was decided to do nothing further until a response to the meeting had been received from the review team, at which point a special meeting of Chapter would be called to discuss the way ahead.

---