

**STRICTLY CONFIDENTIAL**

**REPORT TO THE GOVERNING BODY AND EDUCATION COMMITTEE  
JUNE 1999**

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**REPORT TO THE GOVERNING BODY AND EDUCATION COMMITTEE**

## **EXECUTIVE SUMMARY AND PRINCIPAL RECOMMENDATIONS**

- 1 The terms of reference were to investigate and report upon
  - Issues relating to the management of off-Island school visits
  - The appropriateness of the policy, advice and procedures provided by the Education Department in respect of Child Protection issues and the management of off-Island visits
  - The manner in which such policy, advice and procedures were followed by the College authorities
  - The manner in which the issues raised by the police investigation were dealt with by the College authorities
- 2 Extensive enquiries, involving interviews with some 65 people and the study of many documents, have been carried out. I have received the full co-operation of the Headmaster, the Director of Education, the Chief Police Officer and their staff.
- 3 There are many valuable and well-managed off-Island visits organised at the College by dedicated teachers.
- 4 Sailing trips organised by Mr Jervis-Dykes through the College Combined Cadet Force were not satisfactorily supervised. Before 1994, none of them were authorised by the Education Department
- 5 The policy, advice and procedures provided by the Education Department in respect of off-Island visits are generally appropriate at present. I recommend, however, that there should be a review of the policy on alcohol and an improvement of certain aspects of the system for approving trips.
- 6 The policy, advice and procedures provided by the Education Department in respect of Child Protection are appropriate. There is, however, a need for more training of staff to turn policy into practice. I make recommendations about this.
- 7 There were serious deficiencies in the way the College authorities followed such policies, advice and procedures. I make recommendations to the Governing Body on this.
- 8 The Police investigation raised issues about the supervision of trips and the reaction of the College authorities to previous complaints against Mr Jervis-Dykes. It also questioned the attitude of certain staff during the course of the investigation.
- 9 The handling of two complaints, in 1992 and 1994, by the Headmaster was not appropriate. The 1992 incident should have led, at the very least, to Mr Jervis-Dykes

taking no further trips. The Child Protection procedure was not followed. I make a recommendation on the handling of complaints.

- 10 The attitudes of the Headmaster, one of the Vice Principals and the Head of Sixth Form during the police investigation were in some respects inappropriate.
- 11 I invite the Governing Body to consider what action to take in the light of my report.

## 12 Recommendations

- The Director of Education should review the procedures and form for approval of off-Island trips with a view to ensuring that in future no trip can take place which is not adequately staffed by staff with appropriate and sufficient qualifications
- The Education Committee, in consultation with Governing Bodies, teachers' associations and parents, should undertake a review of the current policy on alcohol
- The Director of Education and the Headmaster should prepare a report to the Governing Body, for adoption and circulation to staff, making it absolutely clear that all College off-Island trips must be approved by the Education Department
- The Governing Body should instruct the Headmaster to arrange training for all College staff on Child Protection and the Governors should be invited to attend
- The Education Committee should give strong and urgent support to the resourcing of effective child protection training, in conjunction with other Committees, their Directors and Chief Officers
- The Governing Body should oversee the development of a complaints procedure which can be known by staff and parents
- The Governing Body should consider what action to take on my findings in respect of the Headmaster, the Vice Principal and the Head of Sixth Form

**Part A**

**INTRODUCTION**

- A1** On 26 April 1999, Andrew Jervis-Dykes was sentenced to four years imprisonment, having pleaded guilty to charges of indecent assault involving pupils at Victoria College, Jersey where he was a teacher from 1979. Following a complaint to the police by a member of the public in May 1996, he had been arrested on 5 June 1996, was promptly suspended by the Headmaster and resigned in August.
- A2** In a letter of 26 April 1999 to the Chairman of Governors at the College, the Attorney General drew attention to comments in a separate Police Report, dated 3 February 1999, which gave rise to concern about
- The supervision of trips and the reaction of the College authorities to previous complaints about Jervis-Dykes.
  - The attitude of certain staff during the police investigation
- A3** The Attorney General listed several matters and eleven questions (which I have numbered below for ease of reference) arising from the police report and, "on the assumption that the assertions made in the Report are accurate", referred them to the Governing Body to consider. Attached to the Report were 3 letters, six statements by victims of Mr Jervis-Dykes and one by the Headmaster.
- A4** On 1 May, the Director of Education invited me to undertake an independent inquiry on behalf of the Governing Body and Education Committee. I came to Jersey on 4 May and began preliminary familiarisation with the College and the case. On 5 May a Press Conference was held to announce my appointment and a public invitation for anyone to contact me, if they wished to meet me on a strictly confidential and anonymous basis.
- A5** During the weeks beginning 3, 10, and 31 May, and 7 June, I held a series of interviews and discussions with over 65 persons, some at my invitation, some at their request in response to the announcement of the Inquiry. I saw some people more than once. Some were accompanied by a friend or representative of a professional association. They comprised
- Past and present pupils of the College, including victims of Mr Jervis-Dykes
  - Parents of past and present pupils, including parents of victims
  - Twenty three past or present teaching staff of the College, including all senior staff and three former Vice-Principals of the College
  - The Bailiff and Deputy Bailiff, both former governors of the school

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- Several past and present members of the Governing Body and the Education Committee, including Chairmen and Presidents
- Past and present Directors of Education, Assistant Directors and other staff
- Law Officers, including the Attorney General
- Officers of the States of Jersey Police, including the Chief Officer
- The Head of the Children's and Adult Social Services
- The Headmaster's wife
- Mr Jervis-Dykes

(Many people, of course, belong to more than one of these categories, for example teacher, parent and former pupil; governor and former pupil)

- A6 The explicit basis of these interviews was one of confidentiality and anonymity, except where the person was named in the Police Report. In some cases I gave a written guarantee of anonymity. I also undertook that if I needed to attribute statements I would use the person's own written statements to me or would ask them to confirm the accuracy of my notes of our conversation. This approach, which I discussed with Law Officers before beginning my inquiry, has some drawbacks in terms of evidential strength, but overall I believe it enabled me to receive information which would not otherwise have been forthcoming.
- A7 Many documents were made available to me, particularly by the Headmaster of Victoria College and the Director of Education, both of whom gave me the fullest co-operation. These included the Staff Handbook and summary of the Validated School Self-Evaluation (VSSE) report on the College in 1998. I also spoke and corresponded with the Children's Service, the Headquarters of the Combined Cadet Force at HM Naval Base, Portsmouth and RAF Cranwell and the Director of Education in Lincolnshire.

#### **MATTERS RAISED BY THE ATTORNEY GENERAL**

- A8 By reference to numbered paragraphs in the Police Report, and "on the assumption that the assertions in the report are accurate", the Attorney General raised the following eleven questions:-

(Police Report paras 4,6,7)

1. Was the action taken by Mr Hydes in response to the [parental] complaint sufficient; in particular was it appropriate for him to consider the complaint without the assistance of any outside agency?
2. Was it appropriate for Mr Hydes to allow Jervis-Dykes to take pupils away on trips, in loco parentis, following that complaint?

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(Police Report paras 9 and 10)

3. Was the action taken by Mr Hydes in response to the victim 5 complaint sufficient; in particular was it appropriate for him to consider the complaint without the assistance of any outside agency?
4. Was it appropriate for Mr Hydes to allow Jervis-Dykes to take pupils away on trips, in loco parentis, following that complaint?

(Police Report paras 21-22)

5. The excessive consumption of alcohol is mentioned in these paragraphs and accords with the facts reported at the time of sentencing. It is clear that the excessive consumption of alcohol by pupils featured repeatedly on these school trips. Is the level of supervision by masters present on these trips to be considered as adequate?

(Police Report paras 16-20)

6. Supposing the words attributed to Mr Baker at paragraph 18 were in fact spoken by him, is there any circumstance in which they could be considered appropriate?
7. Is there any circumstance in which Mr Baker's reluctance to assist with the identification of victim 9 could be considered appropriate?

(Police Report paras 23-33)

8. Was it appropriate for Mr Baker to decline to assist the police investigation by refusing to make a statement as requested?

(Police Report paras 31 and 33)

9. Was it appropriate for Mr Hydes to advise Mr Baker not to assist the police officers investigating offences of serious sexual impropriety against pupils by making a statement?

(Police Report paras 34 and 35)

10. Was it appropriate for Mr Hydes to regard the request made by D.I. Faudemer to Mr Rotherham for information as "harassment"?

(Police Report paras 34,35 and 38)

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11. Was it appropriate for Mr Rotherham to withhold highly material information from an investigating police officer by falsely stating that he had not received any disclosures concerning the conduct of Jervis-Dykes?

These eleven questions are dealt with in detail in Part B of this report by reference to the numbers just set out. The rest of Part A deals with the supervision of trips and Child Protection procedures.

## **SUPERVISION OF TRIPS AND CHILD PROTECTION**

A9 Educational Visits and Journeys ("school trips" for short), properly planned and managed, are a valuable and important part of a young person's education. They are encouraged by the Education Committee (for example through the policy document on Outdoor Education and support for Activity Weeks) and are a particularly strong feature of the life of Victoria College. At the College, they are principally

- sporting and outdoor education activities, including teams competing against similar schools in the UK and more widely
- departmental, subject-based and cultural visits and field study courses
- activities organised by the College's Combined Cadet Force (CCF)

Many trips, in all three categories, comply with all appropriate guidelines, are thoroughly planned and managed and have over the years contributed greatly to the education of pupils. Many staff devote additional time on a voluntary basis to make them successful.

### **Education Committee Procedures and Guidelines**

A10 For many years, the Education Committee has produced a Handbook, which is updated from time to time, giving schools maintained by the States rules and guidance on a wide range of subjects including educational visits and journeys. The following is an extract from the April 1986 edition, chosen to indicate the general approach which has been in force for over a decade.

#### *Regulations and Guidelines for Educational Visits*

##### *1. Definition of Educational Visits*

*Educational Visits include any occasion on which an organised party is taken outside the school premises, whether in term time or the holidays so long as the school is seen as the body which is responsible for and organises the visit. Any other body responsible for organising visits for which children are given leave of absence during school term will be expected to follow these regulations and guidelines. In the Island this will include day visits to places of educational, cultural and vocational interest, visits to other schools and to playing fields for*

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*inter-school matches. Residential visits will include both camping and use of hotel / hostel accommodation, and can take place both within and outside the Island. Any visit which includes activities of a hazardous nature, such as camping, climbing, canoeing, sailing or skiing must be discussed, and the detailed arrangements agreed well beforehand, with the Outdoor Education Adviser [later the Youth Officer].*

## *2. Supervision*

*For residential visits or visits out of the Island supervision should be in the ratio of one adult to fifteen pupils, at least two suitably experienced qualified teachers should accompany any party. Where the party is a mixed one there should be at least one adult of each sex. A small party of senior pupils of one sex may be permitted to be accompanied by one teacher of the same sex.*

*Hazardous activities will require a higher proportion of adults which will be determined by the Outdoor Education Adviser.*

*It is important that every accompanying adult appreciates the responsibility of "duty of care", which operates for so long as the visit continues and in the case of residential visits throughout the 24 hours. The safety and welfare of the children taking part in the visit must be paramount at all times.*

*In this context a teacher is a qualified teacher on the staff of the school organising the visit. Where pupils of more than one school are involved a member of staff of each school should normally be included. The leader of the party should always be a teacher as defined.*

*If the leader has not been to the places to be visited before, he or she should undertake a preliminary visit. Such visits need to be approved in advance.*

## *3. Procedure*

*Permission for any visit out of the Island must be obtained from the Director of Education using the form provided (Appendix 1).*

- All The form (Appendix 1) requires, inter alia, details of the size and composition of the party, including names and qualifications of teachers and other accompanying adults. For hazardous activities, further information on instructor qualifications and relevant experience of teachers and staff is required. The Headteacher signs the form and submits it to the Director of Education who, if all guidelines are met, is authorised to approve the visit on behalf of the Education Committee.

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- A12 The current procedure is that the Assistant Director (Community Services) checks the details and signs satisfactory forms. At the time when Mr Jervis-Dykes was at the College, the forms were signed by the Assistant Director (now the Director).
- A13 For offshore yacht cruising trips to meet RYA standards and Education Committee Guidelines, the normal requirement would be, in terms of staff levels and qualifications for a yacht with a registered capacity of seven or eight,
- a teacher with Yachtmaster qualification;
  - another adult with at least "competent crew" qualification.
- A14 If the trip involved one yacht, the second adult would need to be a teacher. If it involved two yachts, the above arrangements would need to be replicated, except that only two of the four adults with sailing qualifications would need to be teachers.
- A15 In particular cases, for example if the trip was to take place wholly or partly in waters well away from local support systems, the Assistant Director would arrange a discussion with the leader about the detailed arrangements. A case in point is the trip to Greece led by Mr Jervis-Dykes (8-22 July 1995). The application, signed by the Headmaster, was submitted to the Education Department on 21 December 1994. It attached information to parents about the trip, dated 4 November 1994, which included
- I am the expedition organiser, and I am currently qualified at RYA Yachtmaster level. Another qualified adult will be assisting on board, and any other yachts that we charter will be similarly staffed.*
- Careful research with responses from a number of charter agencies leads us to go for two 38' Jeanneau Sunshines. Each yacht has accommodation for a crew of eight*
- A16 The application said that there would be ten Y10 pupils, led by Mr Jervis-Dykes and Mr Piers Baker. On this basis, the form was approved and signed by the Assistant Director.
- A17 Subsequently, the Youth Officer and the Outdoor Education Co-ordinator met Mr Jervis-Dykes to follow through the details and the staffing arrangements. Mr Baker was not qualified to skipper a second yacht. The Youth Officer offered, if necessary, to release a qualified member of staff to skipper the yacht. Mr Jervis-Dykes said he would find a second qualified person to join him. Nothing further was heard on the question of staffing, although the file shows a fax from Mr Jervis-Dykes on 7 July 1995, the eve of departure, giving the names of the party.

A18 In this case, it can be seen that the staffing of the trip did not conform to the Guidelines and the system did not pick this up. It would appear that Mr Jervis-Dykes was able to deceive the Education Department. The procedure has now been improved by giving the task of checking and signing forms to a single person with knowledge of outdoor education in general and sailing in particular. However, systems should not rely on particular individuals. Recently, the Education Department has started to develop a database of the qualifications, relevant to outdoor education, held by teachers in Jersey schools. It relies on voluntary returns from teachers' schools and is at present incomplete. It should be developed further and can be a useful tool for reminding people when their qualifications need to be renewed. I have brought these matters to the attention of the Director and **I recommend that the Director of Education reviews the procedures and form for approval of off Island trips with a view to ensuring that in future no trip can take place which is not adequately staffed by staff with appropriate and sufficient qualifications.**

#### **Dinghy sailing**

A19 Dinghy sailing is carried out at the College, generally and in the CCF, to high standards, led by very skilled and experienced teachers and instructors and in close collaboration with outdoor education staff of the Education Department. No concerns about dinghy sailing have been brought to my attention.

#### **CCF Regulations**

A20 Detailed Regulations exist for all activities carried out under the auspices of Combined Cadet Forces. These include "Training Afloat - Regulations and Safety 1995 (Offshore)", which apply to all afloat offshore activities using sail or powered boats conducted by RN Sections of the Combined Cadet Corps. They include the statement that wherever these rules are in excess of the legal requirement they are nevertheless the minimum acceptable.

A21 Paragraph 0610 requires two appropriately qualified adults on any private vessel used for training. RYA qualifications or equivalent are detailed in Annexes to the Regulations. Different levels of qualification are specified for various categories of journey, depending on the distance from a safe haven and whether night sailing is involved.

#### **Trips organised by Mr Jervis-Dykes or in which he took part**

A22 Mr Jervis-Dykes joined the College in 1979 to teach Mathematics as a newly qualified young teacher. He became involved in the CCF, especially the Naval Section, of which he was leader from 1980 to 1993. Up to his arrest and suspension in June 1996, he organised or took part in a large number of trips under the auspices of the CCF. Those involving overnight stays out of the Island included weekends