

**Royal Commission
into Institutional Responses
to Child Sexual Abuse**

Statement of Malcolm Powys

Name: Malcolm Powys

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Occupation: Teacher

Date: 12 August 2015

1. This statement by me accurately sets out the evidence that I am prepared to give to the Royal Commission into Institutional Responses to Child Sexual Abuse. The statement is true and correct to the best of my knowledge and belief.

Background

2. My date of birth is **REDACTED** 1956. I am 59 years of age. I am married and have 3 children aged 30, 28 and 25 years of age. I obtained my undergraduate degree at Melbourne University in 1978 with a Bachelor of Arts (Honours) and then completed a Diploma of Education in 1979. I attained a Masters of Education from La Trobe University in 1992.

Geelong Grammar School

3. My first teaching position was at Ivanhoe Grammar School (Melbourne) in 1979. I worked there until July 1993. I then worked at Geelong Grammar School (Highton) from July 1993 to December 1997 where I was the Head of Highton Campus from July 1993.
4. The Highton Campus of Geelong Grammar was a preparatory school. The students at the school ranged from pre-school to Year 8 students (3 to 14 year olds). These

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- students were predominantly day students. However, there were some boarding students who resided at the school.
5. When I first started as Head of the Highton Campus, there were approximately 60 boarding students, both male and female, between the ages of 9 and 14 years. By the beginning of 1996, the numbers of boarding students had significantly decreased, as Highton no longer offered secondary boarding. Boarding numbers had reduced to between 6 and 10 primary boarding students, which was approximately five percent of the total campus enrolment at that time.
 6. Whilst working at Geelong Grammar School, I was charged with the overall responsibility of running the Campus. During this time, I reported directly to the Principal of Geelong Grammar School who was based at the Corio Campus. Initially, the Principal was John Lewis. Lister Hannah later replaced him. Alby Twigg was also Acting Principal for an interim period.
 7. As I recall there were three teaching staff at Geelong Grammar who were resident on site and who supervised the Highton boarders during my tenure. They were Tony Inkster (Head of Boarding), Heather Morgan (Deputy Head of Highton and Head of Primary) and Diana Kay (Librarian) who was later replaced by Pru Southern (language teacher). Mr Phillip Trutmann was a non-teaching supervisor. There may have been other boarding staff, but I cannot recall any others at the time of preparing this statement.
 8. The Geelong Grammar School Council implemented a major restructure between 1995 and 1997, which concluded at the end of 1997 and resulted in the closure of the Highton Campus. I oversaw this process. From the start of 1998, students up to Year 4 transferred to a small site (Bostock House) in central Geelong. At the same time, students from Years 5 to 8 relocated to a purpose built Middle School at the Corio Campus. I left the employ of Geelong Grammar School at the end of 1997 and continued my career in education in Tasmania and then New South Wales.

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Post Geelong Grammar School

9. I worked at Launceston Church Grammar School in Tasmania from the beginning of 1998 to mid-2001 and was the Principal at Blue Mountains Grammar School from July 2001 to December 2005. From January 2006 until December 2014, I was the Director of Boarding at The King's School in Parramatta. My role changed in January 2015 to Director of Student Services at The King's School.

Police investigation of Trutmann

10. The Victorian Police contacted me in 2005 when I was the Principal of Blue Mountains Grammar School. I was told by a police officer, whose name I cannot now recall, that Victorian police were conducting an investigation into Trutmann. They advised me that he had been the subject of serious allegations of sexual abuse of boarders at Highton.
11. This was the first time that I was informed about allegations against Trutmann involving the sexual assault of children at the Highton Campus of Geelong Grammar School. I was shocked to hear of the allegations. I have a vague recollection that my brother, David, had told me about some publicity associated with child sexual abuse at Geelong Grammar School, Highton. However I was not aware who the alleged offender was. Police attended my office at Blue Mountains Grammar School and provided me with a copy of a letter that I had written to Trutmann on 7 June 1996, and I assisted their inquiries by making a statement to the Victorian Police dated 12 July 2005. The statement was true and correct to the best of knowledge at the time.
12. In relation to the letter dated 7 June 1996 from me to Trutmann, a copy of which has been made available to me for the purpose of preparing this statement (document GGS.0001.0001.0146) I recall the following:

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12.1 I do recall that I had a conversation with Tony Inkster, who was the Head of Boarding at Geelong Grammar School at the Highton Campus in the days prior to writing this letter. I accept, given the content of the letter, that the conversation with Inkster took place sometime between Sunday 2 June 1996 and 7 June 1996.

12.2 To the best of my recollection, Inkster informed me that he had spoken to Trutmann about his concerns that Trutmann had been reading bedtime stories to young boarders behind closed doors. Inkster raised concerns about this conduct with me and I agreed with him that Trutmann needed to be prevented from acting in that manner in the future.

12.3 Trutmann was, at that stage, aged approximately in his mid-to-late twenties. He was not a teacher at the school. As far as I was aware, he did not have any teaching qualifications. I do not recall the arrangements between the school and him as to his employment. But it was my understanding that he was provided board, lodgings and provisions on the basis that he assisted with supervising students in the boarding house. I am not certain as to who first employed Trutmann. I assume that John Bugg, as the previous Head of the Highton Campus, had recommended his employment. However, in my experience at the Highton Campus, ultimate employment decisions were the responsibility of the Principal of the school at Corio Campus. I am therefore unsure who first employed Trutmann and when that employment commenced.

12.4 To my knowledge, between 1993 and the middle of 1996, there had been no complaints about Trutmann until Inkster raised his concerns with me. Inkster's concern, as far as I can recall was that Trutmann was reading bedtime stories to young boarders behind closed doors within the boarding house. To me this was of concern. It meant that there was a possibility that Trutmann could compromise himself, a child or the reputation of the school. I would have expected that the door should remain open in such circumstances. To my mind there was no reason for a door to be closed when reading a book to a child. I did not have any difficulty with

Signature: *Mariusz Kowcz* Witness: *M White*

him reading a book to any child. The concern that I had was that I had been told by Tony Inkster that he was reading books behind closed doors. This troubled me for the reasons expressed above.

12.5 Having been provided with the letter of 7 June 1996, I can only say that I obviously met with Trutmann on Monday 3 June 1996. I cannot recall whether I met with him alone or whether Tony Inkster was present with me. However, I do accept that there was a meeting between Trutmann and me at the very least.

12.6 The letter to Trutmann, under my hand and dated 7 June 1996, reminds me that Trutmann had been officially farewelled from the school at the end of 1995. By that stage, the number of boarding students had greatly diminished to approximately half a dozen, maybe ten at most. There were then at least three teachers who supervised the primary boarders at the school. Tony Inkster was principally responsible for the welfare of the boarders as the Head of Boarding. There were a number of other teachers (mentioned above) who resided on the campus and did boarding duties. They supervised students outside of school hours within the boarding house.

12.7 Trutmann was officially farewelled from the boarding house at the end of 1995, but remained living there. This was very unusual and I am uncertain now why I allowed this. I assume that he approached me and asked me to be allowed to do so. I further assume that I allowed that to occur. However, by 7 June 1996, it was clear that there was no need for him to stay. After all, there were very few students who needed to be supervised and his assistance was no longer required.

12.8 The questions raised by staff, as far as I can recall now, were to the effect: *"Why is he here?"*; *"He's within his mid-to-late 20's and still at the boarding school, we don't need him here"*; *"He's surplus to requirements"* and I vaguely recall it being said (although I can't recall by whom or when) that he was *"too pally / too close"* to

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the boarding students.

12.9 In any discussions about Trutmann, I am confident that no students were ever mentioned to me by name. Apart from Tony Inkster, I can't recall any particular staff member who raised concerns about Trutmann with me. However, I do accept that other staff may have raised concerns with me about him but I don't remember any such conversations. Further, I cannot recall attending staff meetings or meetings within the staff room where concerns were raised. I accept that there were matters discussed within the staff room and that those concerns were then conveyed to me about Trutmann, which in turn raised concerns for me as relayed in my letter of 7 June 1996. My recollection is that the main and predominate issue was why he should remain at the school when he had already been farewelled and was no longer required to be there.

12.10 In relation to the third paragraph in my letter to Trutmann of 7 June 1996, I cannot recall precisely what it was that had been relayed to me about Trutmann giving rise to "*this talk*" or that there were "*staff perceptions*" that existed that has "*put both you and the school in an invidious position*". I am absolutely certain, however, that had there been any allegation raised in relation to any child being sexually interfered with or anything of that kind, I would certainly have remembered that type of discussion. There was no discussion of that type that I was made aware of. As far as I can recall, the talk related to the fact that he was in his mid-20s, no longer required to supervise the students who were boarding at the campus, yet remained living in the boarding house. My recollection is that staff found the situation to be abnormal and I recall agreeing with their position and therefore thinking it was necessary to have him move on and out of the boarding house.

12.11 Although there had been no allegations of sexual impropriety or concerns raised with me in relation to the welfare of the boarders within the Highton Campus, I was aware that there might still be grounds for concern if supervisors within the boarding school were conducting themselves in the manner in which Inkster had

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complained that Trutmann had done.

12.12 So far as I was aware at the time, Trutmann was a kind and caring boarding supervisor. At no stage was I ever made aware of any concerns by any student, staff member or parent that Trutmann was sexually abusing or grooming children for sexual abuse.

12.13 I believe that the reason that I allowed him to continue to live within the boarding house until the end of June 1996 on the "*strict condition that he have no direct contact with the children forthwith*", as per my letter of 7 June 1996, was that I wanted to establish boundaries for his continued residence at the boarding house, but at the same time, acknowledge and implement a plan which required him not conduct himself in the manner that Tony Inkster had raised concerns about. Had there been any suggestion of sexual abuse of students I would not have allowed him to stay another single day, I would not have offered him counselling, nor would I have invited him to attend the end of year boarders' farewell.

12.14 I believe the reason I offered him financial support for counselling was that I recognised that he had a long association with the school and that he was effectively being removed from it against his will. There was no other reason for my offering him counselling except to the extent that I recognised that he would have been upset by having been removed from the school.

13. In preparing this statement I have been shown a letter addressed to me by Trutmann dated 10 June 1996 in response to my letter dated 7 June 1996. In that letter Trutmann refers to being "*deeply hurt by the innuendo that has brought about this situation*". I am not sure what innuendo he is referring to in this letter. I presume that he is referring to the concerns that had been raised between himself and Tony Inkster on Sunday 2 June 1996 where, as I recall it, Tony Inkster expressed concern about Trutmann reading books behind closed doors to younger boarding students at night-time. There was nothing other than that which had been brought to my attention.

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14. I note Trutmann's statement in the third last paragraph in which he states: "... people for whom I had great regard could rumour monger to such a degree based on a totally unfounded premise." And further his statement that I was "giving acceptance to a despicable lie". As far as I am aware, these references are about discussions between Trutmann, Inkster and myself that related to concerns about Trutmann reading to children behind closed doors. But in no sense was it ever raised with me that Trutmann was sexually interfering with boarding students, and I never raised concerns of that type with Trutmann.

15. As I said to Police when they interviewed me on 12 July 2005 in relation to allegations about Trutmann: "Throughout my involvement with Highton Campus, Trutmann was regarded positively by the parents of boarders and he was a man who was prepared to give a considerable amount of his spare time to assist in supervision of boarders' weekend activities. I was aware that Trutmann took boarders to the cinema, sporting venues as well as visits to Melbourne."

Knowledge of Child Sexual Assault at Geelong Grammar

16. If allegations of child sexual abuse had been brought to my attention during my tenure at Geelong Grammar School, I would have informed the Principal of the School. If I thought that the Principal had not investigated the allegations or notified the Police, I would have notified the Police myself. I would have seen it as my obligation to do this, but cannot remember whether it was a formal policy of the School to do so. It may have been a policy of Ivanhoe Grammar during my time there. During my tenure at Geelong Grammar School, I was aware of the need to be alert to reports of physical abuse. Sexual abuse was not discussed as far as I can recall.

17. I understand now that Trutmann was a paedophile and that he sexually assaulted children whilst at the Highton Campus under my ultimate supervision. This is absolutely devastating for me. There is nothing that could be worse so far as I am concerned as a

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teacher and as an educational leader than for this to have occurred under my watch. I am personally and professionally embarrassed by what Trutmann did whilst I was the Head of the Highton Campus.

18. Had I had any inclination that Trutmann was molesting children at the Highton Campus, I certainly would have taken action and referred those concerns to the Principal of the School. The fact is that I did not have any information that such things were going on. As far as I was made aware, the concerns were far less in magnitude than that. The concerns related to the potential for such things occurring, not the actuality of it. I believe now that I was naïve. With hindsight and my current knowledge of child protection matters, I ought to have made further investigations. But at no stage was I told, even in an indirect way, that Trutmann was sexually interfering with any of the boarding students whilst I was the Head of Campus.

Child Protection Issues Training

19. I do not recall receiving any specific training in child protection matters as part of my tertiary studies. Similarly, it was not a matter that I recall being covered in any detail as part of the staff professional development provided at Ivanhoe Grammar School, Geelong Grammar School or Launceston Church Grammar School. I was aware of my mandatory reporting obligations as a teacher from the early 1990s, but the focus then was definitely on physical abuse rather than sexual abuse of children. It was only after I was appointed Principal of Blue Mountains Grammar School in 2001, when I undertook detailed child protection courses at the Association of Independent Schools (NSW), that I was trained in child protection matters. This training equipped me with the skills to recognise signs of grooming behaviour and to undertake appropriate investigations when allegations are raised. On one occasion, in 2009, when I was conducting an investigation into relatively minor allegations against staff at another school, I had cause to involve the NSW Police when a child revealed to me that he had been sexually

Signature: Melvin Brown Witness: M White

abused by a member of staff. This staff member was subsequently charged, convicted and served a custodial sentence.

Signed: *Melissa Lowry*.....

Date: *14/8/15*.....

Witness: *M. White*.....

Date: *14/8/15*.....