



THE KING'S SCHOOL

14 February 2014

EAE and EAG

REDACTED

Dear ^{EAE} and ^{EAG}

I note your letter of 10 February 2014, in which you state you are refusing to pay the school fees for terms 2 and 3 for 2013.

In defence of your decision, you allege the School has breached its duty of care of ^{CLC}.

I believe it is inappropriate to mix the two matters, ie:

- Your significant indebtedness to the School incurred over some time.
- The alleged breach of duty of care.

I would suggest that for you to unilaterally impose a financial penalty on the School for the latter is neither just nor proper. Your action is even less appropriate given that the allegation is incorrect in many areas.

Your statement that:

‘... details of the assault are fully known to various members of the School’s executive staff including the Headmaster who only saw fit to address the matter personally many weeks after the incident coming to light and as a result of our demand ...’

is incorrect.

You, as parents, learnt of the matter at much the same time as I did, ie. several weeks, if not months after Cadet Camp. Within hours of me finding out, the matter was comprehensively investigated. Within days, the offender was removed from the School. The action taken by the School was swift, strong and supportive.

Likewise, the School will vigorously defend your allegation that it ‘failed miserably’ to protect ^{CLC} from such acts whilst on camp.



What reasonable measures should the School have taken, that it did not take, resulting in the 'indecent assault'? I submit that there were no reasonable measures left neglected by the School. I also submit that there was no way this incident could have been foreseen. I would also remind you that one of the principal people to keep the Cadet Camp incident secret from you and me for so long, was your own son.

Your claims of bullying after the event are partly true. As soon as the School learnt of this bullying, immediate measures were taken by the School and the two main perpetrators were suspended. The severity of this sanction was such that you even urged greater clemency for one of the boys.

This is not a picture of a school failing in its duty of care. This is the picture of a school that took strong and decisive action in response to inappropriate behaviour by some students. Immediate action. Expulsion. Suspensions. Offers of pastoral help. This is the factual base, and it suggests your economic sanction against the School is inappropriate.

You are financially indebted to the School. You have been financially indebted to the School for some time. You are morally and legally obliged to settle this debt.

If you feel there is a case of there being a failure by the School in its duty of care, you have the right to see this matter progressed using the usual legal means.

If you decide to advance this allegation, the School will defend itself vigorously. We believe your claims to be unreasonable.

No one refutes there was inappropriate behaviour by some boys. What is refuted is the appropriateness of blaming the School and, in effect, 'fining' the School many tens of thousands of dollars for an alleged failure in its duty of care.

Accordingly, the School requires all outstanding fees for 2013 to be settled within 7 days.

Yours sincerely



Dr T F Hawkes
Headmaster